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Institution:	Inter-American Commission on Human Rights
File Number(s):	Communication No. 1849
Session:	Thirty-Sixth Session (6 - 24 October 1975)
Title/Style of Cause:	Nicolás T. Vega Anjel v. Chile
Doc. Type:	Report
Decided by:	President: Dr. Andrés Aguilar (Venezuela) Vice-President: Dr. Carlos A. Dunshee de Abranches (Brazil) Members: Professor Manuel Bianchi (Chile); Dr. Gabino Fraga (Mexico); Dr. Justino Jimenez de Aréchaga (Uruguay); Mr. Robert F. Woodward (United States); Dr. Genaro R. Carrió (Argentina)
Dated:	6 - 24 October 1975
Citation:	Vega Anjel v. Chile, Comm. 1849, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
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[1] Communication 1849, of July 8, 1974, denounces the status of Mr. Nicolás T. Vega Anjel, Professor, former Vice Rector of the University of Chile, in Osorno, condemned by a War Council held in that city to 15 years of middle-level maximum security imprisonment, a sentence confirmed by the Commander in Chief of the Zone. It was added that the Chief of State of Chile had denied the request to review the case or to change the penalty to exile.

[2] The Commission examined this communication during its thirty-third session (July- August 1974) and decided to appoint Dr. Genaro R. Carrió as rapporteur. Examination of the case continued during the thirty-fifth session (May 1975) and the rapporteur, Dr. Genaro R. Carrió was asked, pursuant to the decision taken at the thirty-third session, to present his point of view on the matter.

[3] The rapporteur prepared the report (doc. 35-35 res.) which was taken up at that same session and based upon which the Commission decided:

- a) To declare the denunciation received initially admissible,
- b) to inform the Government of Chile that a claim had been received on case No. 1585-73, processed before the Court Martial of Osorno, in which a sentence was handed down against the accused on November 17, 1973, which allegedly violated the principle of non-retroactivity of penal standard when they do not go on favor of the defendant, and
- c) To request the claimant to authorize the Commission to present the denunciation to the Government of Chile in order to be able to implement the decision taken in point b above.

[4] Pursuant to paragraph c of this decision, the Commission addressed the claimant through a letter dated June 12, 1975.

[5] Subsequent to the thirty-fifth session, the Government of Chile, through a cable dated May 31, 1975, reported that Mr. Nicolás Vega was carrying out his sentence in the Osorno penitentiary.

[6] The Commission examined the status of case 1849 at its thirty-sixth session (October 1975), together with information provided by the Government of Chile. It also noted that the claimant had not replied to the request filed by the Commission on June 12, for the information necessary to expedite processing of the matter. It also observed that the Government of Chile had spontaneously provided the information on case 1849 cited above, inasmuch as the CIDH had not filed any request for information with regard to Mr. Vega. But taking into account the information provided it decided at that session to again address that Government, requesting that it provide more information and complete copies of the judicial proceedings against Mr. Vega and of the sentence handed down.

[7] Pursuant to this decision, a note was sent to the Government of Chile on October 24, 1975. The claimant was informed of the measures taken on November 25.