

WorldCourts™

Institution:	Inter-American Commission on Human Rights
File Number(s):	Communication No. 1893
Session:	Thirty-Sixth Session (6 - 24 October 1975)
Title/Style of Cause:	Lumi Videla Moya 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. Carrio (Argentina)
Dated:	6 - 24 October 1975
Citation:	Videla Moya v. Chile, Comm. 1893, Inter-Am. C.H.R., OEA/Ser.L/V/II.37, doc. 20, corr. 1 (1975)
Terms of Use:	Your use of this document constitutes your consent to the Terms and Conditions found at www.worldcourts.com/index/eng/terms.htm

[1] Communication 1893, of November 24, 1974, denounces the death of Mrs. Lumi Videla Moya, whose corpse allegedly had been thrown over the wall of the Italian Embassy in Santiago, Chile, on Sunday, November 3, 1974. The individual in question had been arrested by the National Bureau of Intelligence of Chile (DINA) on September 21, 1974; a writ of habeas corpus had been presented in the courts of that city and she was among those being held in the offices of the DINA between October 15 and October 30, 1974. The corpse showed signs of violence.

[2] In a note of December 17, 1974, the Commission requested the Government of Chile to provide the appropriate information. A copy of that request was transmitted to the Chilean Mission to the OAS on December 18, 1974.

[3] In a note dated February 20, 1975 (N1. 3289), the Government of Chile replied to the request filed by the Commission. The pertinent parts of that reply appear below:

"I have the honor of addressing your excellency in order to reply to your note of December 17, 1974 (case 1893), which informs this Ministry of the violations of the human rights of Mrs. Lumi Videla Moya.

"On this particular matter, I am able to inform Your Excellency that the death of Mrs. Videla Moya is being investigated by the regular Courts of Justice. The Criminal Court of Santiago is responsible for the investigation and because of the gravity of the case, the Court of Appeals of Santiago has appointed a Minister to attend the proceedings, don Eduardo Araya Rojas, a Minister of that Court who has served on the judiciary for more than 25 years. The case is number 11, 416 and since the proceedings being held are secret in accordance with Article 78 of the Penal Procedure Code, no information is available at this time. As soon as the results of the proceedings are available, once they are made public in accordance with the legal provisions information will be sent to that Commission immediately.

[4] In a communication dated March 3, 1975, the Secretariat transmitted to the claimant the pertinent parts of the reply received from the Government of Chile. The Secretariat through a note of March 3,

1975, acknowledged receipt to the Government of Chile.

[5] The Commission examined this case during its thirty-fifth session (May 1975) , together with the information provided by the Government of Chile. It decided first to postpone its decision in order to await the additional information promised by the Government of Chile. However, should such information not be received, the Commission decided to again address itself to the Government of Chile, to request further information as to how the event reported in the denunciation took place.

[6] Pursuant to this decision, a note was sent to the Government of Chile on August 5, 1975. On August 10, 1975; the claimant was informed of this measure taken in connection with the claim.

[7] During the thirty-sixth session (October 1975), the Commission looked into the status of this case, and since its request to the Government of Chile to provide additional information was still in effect, it decided to postpone examination of the case until its next session.