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Institution: Inter-American Commission on Human Rights
File Number(s): Case No. 2021
Session: Forty-First Session (11 – 27 May 1977)
Title/Style of Cause: Selva Ramirez and others v. Paraguay
Doc. Type: Resolution
Decided by: President: Dr. Andrés Aguilar
Vice-President: Dr. Carlos a. Dunshee de Abranches
Members: Prof. Tom J. Farer; Dr. Gabino Fraga; Dr. Carlos García Bauer;
Dr. José Joaquín Gori; Mr. Fernando Volio Jiménez
Dated: 12 May 1977
Citation: Ramirez v. Para., Case 2021, Inter-Am. C.H.R., OEA/Ser.L/V/II.43, doc. 21,
corr. 1 (1977)

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WHEREAS:

[1] A communication dated 10 March 1976 denounced the detention of 53 individuals--whose names are listed--and further denounced that a number of them had disappeared;

According to the denunciation, this list included only part of the approximately 200 individuals who were detained in Paraguay during November and December of 1975;

According to the claimant, a number of residences were entered and some private effects were confiscated;

According to the communication, in some instances, if the individual sought was not found either the spouse or some other members of the family were detained;

No charges have been brought against the individuals detained;

Many cases of torture involving women, the sick and the elderly are alleged;

The claimant reports that one of these women, Selva Ramirez, was five months pregnant when detained;

It is alleged that the authorities have not informed the members of the family of the location where the individuals detained are to be found;

[2] In a note dated March 29, 1976, the Commission transmitted to the Government of Paraguay the pertinent parts of the denunciation and requested that it provide the appropriate information (Article 42 of the Regulations);

[3] Article 51.1 of the Regulations of the Commission provides the following:

1. The occurrence of the events on which information has been requested will be presumed to be confirmed if the Government referred to has not supplied such information within 180 days of the request, provided always that the invalidity of the events denounced is not shown by other elements of proof.

[4] Despite the amount of time that has elapsed, the Government of Paraguay has provided no information whatever;

THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, RESOLVES:

1. In application of Article 51.1 of the Regulations, to presume the events denounced to be confirmed.

2. To point out to the Government of Paraguay that such events constitute very serious violations of the rights to liberty and personal security (Article I of the American Declaration of the Rights and Duties of Man); of the right to protection for the family (Article VI); of the right to the inviolability of the home (Article IX); of the right to a fair trial (Article XVIII); of the right of protection against arbitrary arrest (Article XXV); and of the right to due process of law (Article XXVI).

3. To recommend to the Government of Paraguay that it immediately release the individuals detained and take the necessary steps to establish the whereabouts of those who have disappeared.

4. To recommend that the Government of Paraguay punish, in accordance with Paraguayan law, those responsible for the events denounced and that within sixty days it inform the Commission of the measures taken.

5. To forward the resolution to the Government of Paraguay and to the claimants.

6. To include the resolution in its Annual Report to the General Assembly of the Organization (Article 9 (bis), c, iii of the Statute).

Adopted at the 520th meeting, May 12, 1977 (41st Session) and forwarded to the Government of Paraguay on May 27, 1977.