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Institution: Inter-American Commission on Human Rights  
File Number(s): Case No. 2018  
Session: Forty-First Session (11 – 27 May 1977)  
Title/Style of Cause: Miguel Angel Soler 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: Soler v. Para., Case 2018, 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 February 28, 1976, denounced the arrest of Miguel Angel Soler, on November 30, 1975, by the Paraguayan police;

According to the claimant, Mr. Soler was taken to the third precinct and held incommunicado in an underground cell, where he had to recline in total darkness, in an area that had no ventilation and in which the available space barely allowed him to move;

In December, according to the claimant, Mr. Soler was taken to the Investigations Department where, allegedly, he was brutally tortured by the Department Chief; since that time his whereabouts are unknown;

[2] In a note dated March 15, 1976, the Commission forwarded 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] In a note dated February 8, 1977, the IACHR repeated the request for information made to the Government of Paraguay in its note of March 1976, extending the deadline for receipt of a reply until March 31 of the same year;

[4] Despite the length of time elapsed, the Government of Paraguay has provided no information at all, and

[5] 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.

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 right to liberty and personal security (Article I of the American Declaration of the Rights and Duties of Man); of the right to a fair trial (Article XVIII); of the right of protection from 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 releases Mr. Miguel Angel Soler.
4. To recommend to the Government that it 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 this resolution to the Government of Paraguay and the claimant.
6. To include this 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.