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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 2719
Session:	Forty-Sixth Session (5 – 9 March 1979)
Title/Style of Cause:	Ramon Claire Calvi v. Bolivia
Doc. Type:	Resolution
Decided by:	Chairman: Carlos A. Dunshee de Abranches Vice-Chairman: Tom J. Farer Members: Carlos García Bauer; Marco Gerardo Monroy Cabra. Andrés Aguilar, Gabino Fraga and Fernando Volio Jiménez were unable to attend for either personal or health reasons.
Dated:	6 March 1979
Citation:	Claire Calvi v. Bol., Case 2719, Inter-Am. C.H.R., OEA/Ser.L/V/II.47, doc. 13 rev. 1 (1978)
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## BACKGROUND:

1. On December 5, 1977, the Commission received the following denunciation:

"During the night of May 24, 1974, Ramon Claire Calvi was arrested by agents of the Department of Political Order (DOP) of the regime of General Banzer in the city of La Paz, at his home (Avenue Busch 2093). Before being imprisoned, his money, watch, pen, etc. were taken away from him. At dawn on May 25, 1974, he was exiled to Paraguay along with Dr. Benjamin Miguel and Dr. Walter Guevara Arze. His only documentation was a laissez-passer which said "Exiled." Valid for one entry to Asuncion, Paraguay. After 8 months, he managed to enter Argentine territory. From there he went to Bolivia, without documentation. He stayed for 6 days at his home, at the end of which he was again arrested and taken to the Panoptico Nacional, and after 10 days of imprisonment, he was again exiled to Paraguay. When he entered Bolivia by way of Villazon, he learned that the DOP had stationed two policemen in that town with express orders to arrest him if necessary. The police went to the place he was staying to carry out their instructions. He managed to get to the Police Station of La Quiaca (Argentina), where he filed a complaint with the Captain on duty. He slept the night in the Police Station, with the consent of the authorities, although they (the Argentine Police) could not guarantee his personal safety). He returned to the interior of Argentina, and after one month, returned to Paraguay, where he asked for an entry visa to Venezuela as an exile. He has been living in Venezuela since September 18, 1976."

2. In a note of April 3, 1978, the Commission transmitted the pertinent parts of the denunciation to the Government of Bolivia, and asked it to provide the corresponding information on the denunciation, and on exhaustion of all domestic legal remedies.
3. In a communication of June 6, 1978, the Government of Bolivia replied to the Commission's request in the following terms:

"Mr. Ramon Claire Calvi, who was an active trade union agitator on behalf of the Bolivian Communist Party (PCB) and of its party, the Revolutionary Left Nationalist Movement (MNRI), was arrested in September 1969 as a result of the subversive coup led by General Alfredo Ovando Candia. In January 1973, he was a member of the Commission providing the financing to enable Dr. Hernón Siles Suezo to enter the country, clandestinely, for purposes of conspiracy, he signed the Tripartite Alliance with the PDC-PRA, and left the country as a political exile on May 23, 1974, and went to Paraguay.

He subsequently entered the country, clandestinely, from Argentina and was arrested on October 9, 1974, when he took part in a meeting for purposes of conspiracy with militants of the PDC-PRA-MNRI alliance. A manifesto by Raul Lopez Layton, addressed to the Armed Forces of the Nation was taken from him, and on October 26, 1974, he was again exiled to Paraguay for his participation in subversive activities. He now enjoys the political amnesty proclaimed by the Supreme Government."

4. In a letter dated June 28, 1978, the pertinent parts of the Government's reply were transmitted to the claimant and he was invited to make observations on the reply.

5. To date, the claimant has made no observation on the Government's response.

#### WHEREAS:

1. The pertinent requirements established in Articles 9,9 (bis) and 10 of the Statute of the Commission and all other corresponding regulations of the Statute and of the Regulation have been complied with;

2. The Government of Bolivia in its communication of June 6, 1978 has declared that Mr. Claire Calvi "left the country as a political exile on May 23, 1974, and went to Paraguay", and "on October 26, 1974, he was again exiled to Paraguay for his participation in subversive activities,"

#### THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, RESOLVES:

1. To declare that the Government of Bolivia violated Article VIII of the American Declaration of the Rights and Duties of Man, which states thus:

"Every person has the right to fix his residence within the territory of the State of which he is a national, to move about freely within such territory, and not to leave it except by his own will."

2. To recommend to the Government of Bolivia:

a) to take such measures as may be necessary to guarantee observance of the right of residence and movement upheld in the American Declaration of the Rights and Duties of Man;

b) to inform Mr. Claire Calvi, if it has not already done so, of the Government's decision to grant him political amnesty;

c) to inform the Commission within a maximum of 90 days as to the measures taken to put into practice the recommendations listed in the present Resolution.

3. To communicate this decision to the Government of Bolivia and to the claimant.

4. To include this Resolution in the Annual Report of the Commission to the General Assembly of the Organization of American States, pursuant to Article 9 (bis), paragraph c. iii of the Statute of the Commission, without prejudice to the fact that the Commission may, at its next session, reconsider the case in the light of such measures as the Government may have taken.

(Approved at the 609th meeting of March 6, 1979 (46th session) and transmitted to the Government of Bolivia).