

WorldCourts™

Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 2720
Session:	Forty-Sixth Session (5 – 9 March 1979)
Title/Style of Cause:	Ruben Luis Romero Eguino 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:	Romero Eguino v. Bol., Case 2720, Inter-Am. C.H.R., OEA/Ser.L/V/II.47, doc. 13 rev. 1 (1978)
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

BACKGROUND:

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

Ruben Luis Romero Eguino, a medical student, 29 years old, married, of Bolivian nationality, resident in La Paz, was wounded in La Paz on April 12, 1976. He did not receive medical attention, he was tortured and starved for several days. According to an agent, he lost a leg during the torture. He has been in the basement of the Ministry of the Interior since the date on which he was arrested, to make it easier for him to be interrogated under constant torture. His wife, who was also arrested, was tortured, together with his two children (one 3 years, and the other 3 months old), in his presence, as coercion to obtain statements from him. The International Red Cross was not allowed to visit the place where he is being held.

The Courts and government attorneys refuse to intervene in all political cases, and those family members who did intervene were exiled from the country.

A witness to the occurrence was Mr. Carlos Arispe Terrazas, a university student in the city of La Paz. A large contingent of agents of the Political Control attacked his house. He was riddled with bullets by two agents."

2. In a note dated 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.

3. In a communication dated June 6, 1978, the Government of Bolivia, without referring to acts of torture or to the lack of due process, replied to the Commission's request in the following terms:

"Mr. Ruben Luis Romero Eguino, alias 'Dardo' or 'Lucio', an active militant in the National Liberation Army (ELN), and in the Revolutionary Workers Party of Bolivia (PRT-B), was a member of the Political Military Directorate of the ELN. During the first few days in March 1975, he attended the meeting to found the Revolutionary Workers Party of Bolivia in Lima. He entered the country in mid-1975, with the

mission of organizing cells and distributing propaganda for the PRT-B, for purposes of conspiracy. He was arrested on April 12, 1976, and in January of 1978, he voluntarily left the country. He has now been granted amnesty under the Amnesty Decree issued by the Supreme Government."

4. The pertinent parts of the Government's reply were transmitted in a letter of June 28, 1978, to the person filing the denunciation and he was invited to make observations on the reply.

WHEREAS:

1. The Government of Bolivia replied to the Commission's request for information on the events denounced, without referring to torture or to the lack of due process.

2. Article 51.1 of the Regulations of the Commission provides as follows:

Article 51:

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 OF HUMAN RIGHTS. RESOLVES:

1. In application of Article 51.1 of the Regulations, to presume the material facts of the denunciation related to torture and the lack of due process to be confirmed.

2. To declare that the Government of Bolivia violated (Article I) the right to life, liberty and personal security, and (Article XXVI) the right to due process of the American Declaration of the Rights and Duties of Man.

3. To recommend to the Government of Bolivia:

- a) that it order a complete, impartial investigation to determine responsibility for the events denounced, and to sanction those responsible for these events under Bolivian Law, and
- b) that it inform the Commission within a maximum of 60 days as to measures taken to put into practice the recommendations listed in the present Resolution.

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

5. 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 adopted.

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