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Institution: Inter-American Commission on Human Rights
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Title/Style of Cause: Angel Cuadra Landrove v. Cuba
Doc. Type: Resolution
Decided by: Chairman: Tom J. Farer;
First Vice Chairman: Marco Gerardo Monroy Cabra;
Second Vice Chairman: Francisco Bertrand Galindo;
Members: Carlos A. Dunshee de Abranches; César Sepúlveda
Dated: 25 June 1981
Citation: Cuadra Landrove v. Cuba, Case 2299, Inter-Am. C.H.R., Report No. 39/81, OEA/Ser.L/V/II.54, doc. 9 rev. 1 (1980-1981)

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BACKGROUND:

1. In a communication of May 9, 1977, the following denunciation was received: Mr. Angel Cuadra Landrove was imprisoned in April 1967 charged with being an "enemy and propagandist against the government of the people." He was sentenced to 15 years in prison. For eight years he was tortured and subjected to mistreatment in a number of political jails in Cuba, and spent two years more in prisoners work camps. He was released on December 17, 1976. After completing his sentence, he was again imprisoned on March 24, 1977, without having committed any crime.
2. In a note of December 6, 1977, the Commission transmitted the pertinent parts of the denunciation to the Cuban Government.
3. The Government of Cuba has thus far not replied.

WHEREAS:

1. To Date, the Government of Cuba has not yet replied to the Commission's request dated December 6, 1977.
2. Article 39(1) of the Commission's Regulations provides as follows:

Article 39

The facts reported in the petition whose pertinent parts have been transmitted to the government of the state in reference shall be presumed to be true if, during the maximum period set by the Commission under the provisions of Article 31, paragraph 5, the government has not provided the pertinent information, as long as other evidence does not lead to a different conclusion.

THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

RESOLVES:

1. In application of Article 39(1) of its Regulations, to presume to be true the events reported in the communication of May 9, 1977, concerning the detention of Mr. Angel Cuadra Landrove.
2. To declare that the Government of Cuba violated the right to life, liberty and personal security (Art. I of the American Declaration of the Rights and Duties of Man) and the right to a fair trial (Art. XVIII).
3. To communicate this decision to the Government of Cuba and to the claimants.
4. To include this resolution in the Commission's Annual Report to the General Assembly of the Organization of American States pursuant to Article 18 (f) of the Statute and Article 59 (g) of the Regulations of the Commission.