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Institution:	Inter-American Commission on Human Rights
File Number(s):	Report No. 44/81, Case No. 3884
Session:	Fifty-Third Session (22 June – 2 July 1981)
Title/Style of Cause:	Alberto Fibia González, Ernesto Díaz Rodríguez, Enrique Vásquez Rosales, Silvino Rodríguez Barrientos, Miguel Alvarez Cardentey and Rembreto Zamora Chirino 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:	Fibia Gonzales v. Cuba, Case 3884, Inter-Am. C.H.R., Report No. 44/81, OEA/Ser.L/V/II.54, doc. 9 rev. 1 (1980-1981)
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BACKGROUND:

1. In a communication of November 15, 1978, the following denunciation was made: that the following self-styled "unbreakable" (plantados) prisoners had disappeared from the Combinado del Este jail since early April 1978: Alberto Fibia González, Ernesto Díaz Rodríguez, Enrique Vásquez Rosales, Silvino Rodríguez Barrientos, Miguel Alvarez Cardentey and Rembreto Zamora Chirino. They were subjected to lengthy harassing and torturous interrogations in security police jails.
2. In a note of March 17, 1979, the Commission transmitted the pertinent parts of the denunciation to the Cuban Government, requesting information on the case.
3. The Government of Cuba has thus far not replied.

WHEREAS:

1. To date, the Cuban Government has not replied to the Commission's request dated March 17, 1979.
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. Pursuant to Article 39 (1) of its Regulations, to presume to be true the events denounced in the communication of November 15, 1979, concerning the detention of Alberto Fibía González and others.
2. To declare that the Government of Cuba violated the right to life, liberty and personal security (Art. 1).
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.