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Institution:	Inter-American Commission on Human Rights
File Number(s):	Report No. 34/81; Case No. 7464
Session:	Fifty-Third Session (22 June – 2 July 1981)
Title/Style of Cause:	Douglas Sequeira López v. Guatemala
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:	Sequeira López v. Guat., Case 7464, Inter-Am. C.H.R., Report No. 34/81, OEA/Ser.L/V/II.54, doc. 9 rev. 1 (1980-1981)
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BACKGROUND:

1. In a communication of August 11, 1980, the following denunciation was made to the Inter-American Commission on Human Rights:

“Douglas Sequeira López, 23, a married Nicaraguan citizen and last-year medical student at the University of San Carlos, Guatemala, was detained by Treasury security officers in Valle Nuevo, on the border between El Salvador and Guatemala, on July 25, 1980, when he was returning in a TICA-BUS Company bus to Guatemala City to continue his studies.

Despite innumerable efforts, his whereabouts are thus far unknown. His arbitrary detention is denounced, and it is believed that his life is in danger.”

2. In a note of August 12, 1980, the Commission transmitted the pertinent portions of this denunciation to the Guatemalan Government, requesting information on the case.

3. In notes of December 16, 1980, and April 20, 1981, the Commission again requested information from the Guatemalan Government.

WHEREAS:

1. The Government has thus far not replied to the Commission's requests for information.
2. Article 39 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. Based on Article 39 of its Regulations, to presume to be true the events reported in the communication of August 11, 1980, concerning the arbitrary arrest and later disappearance of the student Douglas Sequeira López.
2. To declare that the Government of Guatemala violated Articles 7 (right to personal liberty), 8 (right to a fair trial), 22 (right to freedom of movement and residence) and 25 (right to judicial protection) of the American Convention on Human Rights.
3. To recommend to the Guatemalan Government that it investigate the events reported and, if warranted, punish those responsible, and report its decision on this case to the Commission within 60 days.
4. To transmit this resolution to the Government of Guatemala and to the claimants.
5. 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.

Note:

Dr. Francisco Bertrand Galindo declined to hear and decide on this case because he was living in Guatemala when the reported events occurred.