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**CHILE IS INTERNATIONALLY RESPONSIBLE FOR NOT
CONSIDERING THE SUSPENSION OR INTERRUPTION OF
THE STATUTE OF LIMITATIONS IN AN ACTION
REGARDING FACTS THAT TOOK PLACE DURING THE
MILITARY DICTATORSHIP**

San José, Costa Rica, December 5, 2024. – In the judgment in the *Case of Galetovic Sapunar et al. v. Chile*, notified today, the Inter-American Court of Human Rights declared the international responsibility of the State of Chile for the violation of the rights to judicial guarantees and judicial protection of Mario Galetovic Sapunar, Daniel Ruiz Oyarzo, Carlos González Jaksic, Óscar Santiago Mayorga Paredes, Hugo René Formantel Díaz and Néstor Edmundo Navarro Alvarado.

The official summary and the full text of the Judgment can be accessed [here](#).

The facts of the case refer to a judgment issued in 2004 by the Third Chamber of the Supreme Court of Justice of Chile, regarding the suit for damages filed by the victims of expropriation of the radio station “La Voz del Sur,” which took place during the military dictatorship.

The radio station “La Voz del Sur”, from the city of Punta Arenas, was acquired in June 1972 by the company “Ruiz y Compañía Ltda.” The partners who owned that corporation were Mario Galetovic Sapunar, Daniel Ruiz Oyarzo, Carlos González Jaksic, Óscar Santiago Mayorga Paredes, Hugo René Formantel Díaz and Néstor Edmundo Navarro Alvarado. During the military coup of September 11, 1973, after broadcasting the last speech of then President Salvador Allende, employees from the Ministry of Defense took control of the “La Voz del Sur” radio station and detained the radio announcer. On that same day and the following day, they detained five of the six victims of the instant case, depriving them of liberty.

The military government, through decrees issued in 1973 and 1974, declared the dissolution of the corporation “Ruiz y Compañía Ltda.” and the State took ownership of the radio station.

In September 1995, Mario Galetovic Sapunar, in representation of his business partners, filed a civil suit to request the decrees through which the radio station was taken from them to be declared null and void, and to obtain reparation. On January 21, 2004, the Third Chamber of the Supreme Court of Justice of Chile issued a judgment on the appeal for reversal, which confirmed the decisions that declared the decrees null and void, but it determined that there was a statute of limitations in place and that the equity component of the action (to seek reparation) had extinguished five years after the enactment of the decrees.

The Court found that in this case there were circumstances which, when assessed as a whole, imposed on the Third Chamber of the Supreme Court of Justice of Chile the duty to analyze the possibility of interrupting the calculation of the statute of limitations on the action to seek reparation. Specifically, the decision of the domestic court did not consider that the issuing of the decrees whereby the radio station was confiscated and expropriated occurred during a military dictatorship, therefore the alleged victims could not be expected to file a suit during that period. Consequently, the Court considered that the State violated the rights to judicial guarantees and judicial protection recognized in Articles 8(1) and 25(1) of the American Convention, in relation to Article 1(1) thereof, to the detriment of Mario Galetovic Sapunar, Daniel Ruiz Oyarzo, Carlos González Jaksic, Óscar Santiago Mayorga Paredes, Hugo René Formantel Díaz and Néstor Edmundo Navarro Alvarado.

Moreover, the Court reiterated its jurisprudence in the sense that the reparation for a violation of a right protected by the Convention cannot be reduced to the payment of compensation in administrative proceedings.

Consequently, the Court ordered several comprehensive reparation measures: (i) to publish the judgment and its summary; (ii) hold an act of public acknowledgment of international responsibility; (iii) the obligation to exercise *ex officio* the control of conventionality between the domestic rules and the American Convention regarding the application of standards on the prescription of actions for reparation in cases of human rights violations; and (iv) to pay the amounts established in the judgment for pecuniary and non-pecuniary damages, as well as costs and expenses.

The Court's composition for the issuing of this Judgment was as follows: Judge Nancy Hernández López, President (Costa Rica); Judge Rodrigo Mudrovitsch, Vice-President (Brazil); Judge Humberto Antonio Sierra Porto (Colombia); Judge Eduardo Ferrer Mac-Gregor Poisot (Mexico); Judge Ricardo C. Pérez Manrique (Uruguay) and Judge Verónica Gómez (Argentina). Judge Patricia Pérez Goldberg, of Chilean nationality, did not participate in the deliberation and signing of this judgment, in conformity with Articles 19(2) of the Statute and 19(1) of the Rules of Procedure of the Court.

This press release was drafted by the Registrar's Office of the Inter-American Court of Human Rights; it is solely responsible for this document.

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