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£ARGENTINA

@ATTACKS, THREATS AND OTHER FORMS OF INTIMIDATION AGAINST JOURNALISTS, JUDGES AND GOVERNMENT CRITICS

Introduction

Amnesty International is concerned about recent reports of violent attacks, death threats and other forms of intimidation against journalists, human rights organizations and individuals who have publicly criticized the Argentine President Carlos Menem. Death threats and other forms of intimidation have also been reported against members of the judiciary reviewing the cases of members of the Argentine armed forces sentenced by a military court for an uprising on 3 December 1990.

a) Hebe de Bonafini and other members of the Plaza de Mayo organization.

Hebe de Bonafini, president of the human rights organization Madres de Plaza de Mayo, Mothers of Plaza de Mayo, reportedly began to receive telephone death threats in February this year, after she and other members of the Mothers of Plaza de Mayo were labelled as " traitors to the motherland" ("traidoras a la patria") by President Menem (for further details see AI Urgent Action 194/91, AI Index AMR 13/04/01). President Menem's accusation followed a strongly worded criticism of him for his decision in December 1990 to pardon members of the former military juntas convicted of human rights violations. The criticism was made by Hebe de Bonafini in an interview with Spanish Television early this year. President Menem also started legal proceedings against Hebe de Bonafini for "contempt of Presidential Authority" ("Desacato a la Investidura Presidencial").

Between 22 March and 4 June 1991, the headquarters of the Mothers of Plaza de Mayo, in central Buenos Aires, was broken into four times by unknown persons. Money, recording equipment, awards, confidential written material, a computer and computer files were among the items reportedly stolen by the assailants.

b) Fernando "Pino" Solanas.

On 22 May 1991, Fernando Solanas, one of Argentina's foremost film directors, was walking with a colleague in the parking lot of a film studio in the district of Olivos, 30 kilometres from Buenos Aires, when several shots were fired at him by a gunman in disguise (see AI Urgent Action 193/91, AI Index AMR 13/03/91). It was reported that the gunman warned Fernando Solanas' companion to move away and warned Fernando Solanas to keep his mouth shut. The gunman subsequently escaped in a car with another individual. Fernando Solanas was wounded in

both legs and taken initially to a local emergency clinic and subsequently transferred to a hospital in the capital, Buenos Aires, for treatment.

The shooting took place three days after the publication, on 19 May 1991 in the newspaper Página 12 of an interview given by Fernando Solanas in which he publicly criticized President Carlos Menem. President Menem filed a legal complaint against Fernando Solanas for "defamation" ("calumnia"). The day before the attack Fernando Solanas reiterated the opinions he expressed in the interview to the judge in charge of the investigation opened against him following President Menem's complaint.

Lawyers acting on behalf of Fernando Solanas have requested a full investigation into the shooting, and immediately after the attack requested police protection for him and his family. However, reports indicate that the police initially treated the case as "attempted robbery" (intento de robo). Police protection was initially refused and only granted after the lawyers threatened to report the initial refusal to members of the press awaiting information on the health condition of Fernando Solanas. It has been reported in the Argentine press that subsequently Ministry of the Interior officials acknowledged that the attempt against Fernando Solanas was politically motivated.

c) **Threats to Members of the National Federal Criminal and Correctional Appeal Court.**

Amnesty International has received reports of threats made against the lives of members of the Excelentísima Cámara Nacional de Apelaciones en lo Criminal y Correccional Federal, National Federal Criminal and Correctional Appeal Court, which is currently reviewing the case of members of the Argentine armed forces sentenced for an uprising on 3 December 1990.

According to information received by Amnesty International, shots were reportedly fired at the home of Appeal Court Judge Jorge Casanovas on 28 June 1991. In a statement presented to the Argentine Congress on 5 July, Senator Hipólito Solari Yrigoyen denounced the attack against Judge Casanovas and requested information on preventive measures taken by the authorities to protect the physical integrity of judges and to guarantee the independence of the judiciary. He deplored the climate of intimidation which this type of attack were trying to achieve.

Amnesty International has no information on what measures the Argentine authorities took to respond to the attack on Judge Casanovas' house. On 11 July Judge Casanovas reportedly received a parcel in his chamber containing a human skull and a threatening letter. On 17 July Appeal Court Judge Horacio Cattani reportedly received telephone death threats.

The threats have been widely reported in the Argentinian press. It is thought that they are connected to the judges' role in appeal hearings of members of the Argentine army, known as "carapintadas" sentenced by a military court for a failed uprising that took place last December. According to Argentine law, sentences passed by military courts must be reviewed by a civilian appeal court.

d) Threats to journalists.

Amnesty International has received reports of acts of intimidation and apparent threats against several foreign correspondents in Argentina as well as against Argentinian journalists. According to reports, on 5 July 1991, journalists Manuel Maria Meseguer (Agency EFE), Riccardo Benozzo (Agency ANSA), José María Pasquini Duran (journal "Página 12"); and Gilles Andres Bertin (Agence France Press) received identical anonymous letters that read:

"En momentos que Argentina necesita sea [sic] ayudada, ustedes se prestan a la calumnia y a la mentira.

"El daño hecho al país, sus instituciones y la imagen del presidente no quedara sin respuesta.

"Lealtad a la Argentina y sus instituciones.

Comando de Moralización Peronista".

"At times when Argentina needs to be helped you lie and slander.

"The damage done to the country, its institutions and the President's image will not be left unanswered.

"Loyalty to Argentina and its institutions.

Comando de Moralizacion Peronista"

(Peronist Moralization Command)

Copies of the same letter were reportedly received on 8 July by the journalists Norma Morandini ("Cambio 16"), Ed Mc Cullough (Agency Associated Press), Richard Jarvie (Reuters), Hasso Ramspeck (Agency DPA) and Jorge Lanata (journal "Página 12").

On 8 July President Menem received a delegation from the Foreign Correspondents' Association. The delegates reported that President Menem repudiated threats against journalists, and told the delegation of his government's determination to give foreign correspondents guarantees for the performance of their professional activities. President Menem reportedly denied any connection between his Peronist party and the group that sent the threats.

On 6 August, a parcel containing a fake explosive device was reportedly delivered at the house of Nestor Ibarra, a journalist from "Radio Mitre". That same morning Nestor Ibarra had reportedly conducted an interview in which an opposition deputy made reference to the existence of a secret group disseminating government propaganda and slandering the opposition. The General Secretary of the Presidency, Eduardo Bauzá, later issued a statement which stressed the government's determination to uphold the freedom of the press and the right of all journalists to fully exercise their role in society.

Amnesty International Concerns

While there is no concrete evidence linking the government or security forces to these incidents, Amnesty International is concerned at what appears to be an emerging pattern of intimidation and harassment of individuals and organizations critical of the government, by unidentifiable groups. During the 1970s and early 1980s the intimidation of opposition figures by shadow organizations was part of a pattern of gross and systematic human rights violations by members of the security forces.

The organization is also concerned by the apparent unwillingness or inability of the government to fully investigate the incidents and bring the culprits to justice. Amnesty International is calling on the authorities to fully investigate the threats, to ensure the safety of those threatened and see that those responsible are brought to justice.

BACKGROUND INFORMATION

Mothers of Plaza de Mayo

The Mothers of Plaza de Mayo is a women's human rights organization set up to campaign on behalf of their imprisoned or "disappeared" children and relatives during the years of the military dictatorship (1976-1984). With Argentina's return to democracy they have continued their campaign for the investigation of past human right violations and against several government policies, particularly the pardoning of members of former military governments convicted of human rights violations.

The military uprising of 3 December 1990

About 50 soldiers took control of military instalations in the capital, Buenos Aires, on 3 December 1990. The government declared a 60 day state of siege the same day. The rebels surrendered on 4 December and the state of siege was lifted the same day. According to reports, 13 people died during the uprising, including five civilians, and dozens were wounded as result of the fighting.

The rebel officers received prison sentences, ranging from 12 years to "indefinite imprisonment", by a military court. The December 1990 uprising was the third one by members of the military against constitutional governments since Argentina returned to democracy in 1983.

Threats against journalists

Since its return to democracy Argentina has had a free press. However, in 1991 explosive devices were reportedly planted in the premises of "Página 12", a journal which has exposed alleged acts of corruption by high government officials. In recent months the international press has widely reported further allegations of corruption against members of the Argentine government, including relatives of President Menem.

KEYWORDS: HARASSMENT1 / HUMAN RIGHTS ACTIVISTS / WOMEN / DIRECTORS / JUDGES / JOURNALISTS / REGIONAL ACTION NETWORKS /
