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Argentina: Justice must not be gagged

Those who seek to apply the rule of law for crimes against humanity -- documented during years of military rule in Argentina -- must not be gagged, Amnesty International said today, following death threats against Judge Roberto Marquevich and intimidation against his family.

“It is crucial that these people are protected at all times. A full investigation into the death threats must be made a first priority so that those found responsible are brought to justice,” the organization said.

“True national reconciliation in Argentina can only be achieved when the issue of past human rights violations is genuinely addressed by the judiciary.”

Federal Judge Roberto Marquevich had initiated an investigation into the abduction by security forces of children whose parents "disappeared" between 1976 and 1978. On 9 June 1998 he ordered the arrest of Jorge Rafael Videla, former army commander and president of the first military junta in Argentina.

According to widely publicized reports Judge Marquevich and his family have been subjected to a number of death threats and intimidation during the past weeks. In the latest incident Judge Marquevich received an anonymous message written on the Argentine army letterhead stating: *"members of the glorious Argentine army, from all ranks, have decided to take justice into their own hands and condemn you to death from this moment"*. Judge Marquevich has filed a legal complaint.

“All guarantees for the physical integrity of Judge Marquevich and his family must be granted so that the investigation he has initiated can be completed without fear of intimidation,” Amnesty International urged.

The organization is calling on the Argentine authorities to ensure that they uphold the United Nations Basic Principles on the Independence of the Judiciary. These establish that *"The judiciary shall decide matters before them impartially ... without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason"*.

Background

Jorge Rafael Videla was detained on 9 June 1998, on the instruction of federal judge Roberto Marquevich, in relation to the illegal adoption of five children abducted by the security forces. Other judges are also currently investigating cases of "disappeared" children.

During the period of military rule in Argentina (1976-1983) thousands of people were abducted by the security forces and "disappeared". The *Comisión Nacional sobre la Desaparición de Personas* (CONADEP), National Commission on Disappeared People, appointed in 1983 by

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the new civilian government, listed 340 secret detention centres and recorded 8,960 cases of "disappearances", warning that the true figure might be higher. Cases of pregnant women who gave birth in secret detention centres were also included in the CONADEP report . Their babies were taken away and given to childless couples connected to the armed forces or the police to raise as their own.

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