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news release

53 Theobald's Road London WC1X 8SP Tel: 01-404 5831 Telegrams: Amnesty London Secretary General: MARTIN ENNALS

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JOINT AMNESTY-ICJ REPORT SAYS POLITICAL SUSPECTS IN URUGUAY ARE SYSTEMATICALLY TORTURED BECAUSE OF ABSENCE OF LEGAL PROTECTION

Political suspects in Uruguay are regularly tortured to extract confessions which are then accepted by unqualified military judges as a basis for conviction, according to a report issued today (Sunday) by Amnesty International and the International Commission of Jurists (ICJ). The 10-page report says legal protection for Uruguayan detainees is absent.

The report, released simultaneously by Amnesty International (AI) in London and the ICJ in Geneva, is based on a joint mission to Uruguay carried out by ICJ secretary General Niall MacDermot and the head of AI's Latin American research department, Inger Fahlander. The two visited the country at the beginning of May to study the widespread use of preventive detention and the system under which political suspects are dealt with by military justice.

They spoke with government ministers, senior legal and military officials, lawyers, released prisoners and relatives of prisoners. They also visited a prison in which political detainees are held.

Mr. MacDermot and Miss Fahlander conclude that defects in Uruguay's system of military justice has led to the systematic torture and ill-treatment of political detainees.

Persons arrested by the armed forces are taken to the military barracks of the arresting unit, the report says. The unit's commanding officer then appoints a juez sumariante (summarizing judge) to investigate the case.

"The first session of ill-treatment usually takes place before the first interrogation by the juez sumariante and continues until the detainee indicates that he is prepared to make a confession. If he then fails to do so before the juez sumariante, another session of ill-treatment occurs before he is re-interrogated and so on, until he confesses."

The victims are invariably kept hooded throughout so that they cannot identify their torturers, the report says.

Forms of torture allegedly used are forced standing for days in one position, beating and repeated immersion in water. At times electric prods are applied to sensitive parts of the body.

During this period of interrogation, the report says, relatives and lawyers usually do not by whom political suspects have been arrested or where they are detained, and are unable to communicate with them.

Eventually detainees are brought before one of the country's six military "judges of instruction", only one of whom is a qualified lawyer. All are military officers or retired officers.

The report says detainees usually confirm their confessions to the judge because of the risk that they will be taken back to the military unit

where they were initially ill-treated. Many are warned that they will be tortured again if they retract their confessions.

The report, which has been sent to the Uruguayan government, says the most conservative estimate Mr. MacDermot and Miss Fahlander received of the number of prisoners subjected to ill-treatment was 50 per cent.

The report estimates that since July 1972 at least 3,500 to 4,000 persons have been subjected to military judicial procedures. This does not include those arrested and released without any judicial process. In the one prison the AI-ICJ mission visited, there were 1,140 persons awaiting various stages in their investigation and trial.

Even persons whose release is ordered by a judge are often further detained under emergency security measures for one or two months or even longer, the report says. Amnesty International has a list of such detainees.

The report concludes with eight recommendations, including: establishment of a central bureau of information about prisoners for their relatives and defence lawyers; strict application of the provisions of the military penal code concerning the admissibility of confessions; and immediate freedom for all those whose release has been ordered by a judge.

In a letter to the Uruguayan authorities expressing thanks for the facilities offered to the mission, Amnesty International's Secretary General Martin Ennals urged the soonest possible return to civilian justice in the country and an immediate end to the torture and ill-treatment of prisoners. Mr. Ennals said it was alarming that so long a period transpired between the arrest of a suspect and the time he was brought before a judge.

The fact that lawyers were not permitted to see their clients during this period "makes a mockery of their function", Mr. Ennals said.

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*For further information telephone MARK GRANTHAM 01-404 5831 or (nights and weekends)
01-467 4549*

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