

# AMNESTY INTERNATIONAL

## PRESS RELEASE

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### Uruguay: Congress adopts landmark law to tackle impunity

The Uruguayan Congress adopted a law early today that marks an important step toward justice for the many victims of gross human rights violations during the country's military rule, Amnesty International said today.

The new law eliminates the effects of the 1986 Amnesty Law (also known as Expiry Law), which protected police and military personnel from being prosecuted for human rights violations, and repeals a statute of limitations that would have prevented victims from filing criminal complaints as of 1 November.

"With the approval of this new law, Uruguay's Congress has taken an historical step forward in the fight against impunity for past crimes," said Guadalupe Marengo, Deputy Director of Americas Programme at Amnesty International.

Amnesty International had repeatedly called on the Uruguayan authorities to repeal the Amnesty Law, which prevented prosecutions of those accused of torture, killings, enforced disappearances and other serious human rights violations between 1973 and 1985, before the country's return to democratic rule.

Last February the Inter-American Court of Human Rights ruled that Uruguay must guarantee that the Amnesty Law would no longer impede the investigation of past crimes and bringing to justice those responsible for the gross human rights violations that took place. The ruling also ordered Uruguay not to apply any similar law that would exonerate responsibility.

"Today's decision by Congress brings Uruguay in line with its obligations under international law and implements part of the ruling made by the Inter-American Court of Human Rights. All perpetrators of past crimes against humanity should now be brought to justice," said Guadalupe Marengo.

#### Background

The 1986 *Ley de Caducidad de la Pretensión Punitiva del Estado* (also Amnesty Law or Expiry Law) was passed after Uruguay returned to democratic rule, giving the President the final say over which cases of human rights violations could be investigated. The measure shielded police and military personnel from prosecution for torture, killings, enforced disappearances and other serious human rights violations committed during an 11-year period of authoritarian rule up to 1985.

An attempt in May 2011 to annul the effects of Expiry Law was narrowly defeated in Congress and the law has been upheld in two popular consultations in 1989 and 2009.

That month the Supreme Court concluded that two former military officials could not be charged with enforced disappearances because the crime was not incorporated into domestic law until 2006 and could not be applied retroactively. They were instead convicted of "aggravated murder", an ordinary criminal offence.

Treating grave human rights violations committed in Uruguay during the civil and military governments of the 70's and 80's as ordinary criminal offences rather than crimes against humanity

meant that the cases were subject to a statute of limitations, which would have expired on 1 November. The new law removes this limitation.

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