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INTERNATIONAL COMMISSION OF JURISTS

COMMISSION INTERNATIONALE DE JURISTES - COMISION INTERNACIONAL DE JURISTAS
INTERNATIONALE JURISTEN-KOMMISSION

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to the

INTERNATIONAL COMMISSION OF JURISTS' REPORT ON URUGUAY OF

JUNE 17, 1974

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SUPPLEMENT TO REPORT ON URUGUAY OF JUNE 17, 1974

I. Treatment of Political Suspects

The assassination on 19 December, 1974, of Colonel Raman Trabal, the military attaché at the Uruguayan embassy in Paris, has been the occasion for a renewed wave of arrests and a worsening of the conditions of detention of political suspects.

This assassination calls, of course, for the strongest condemnation, as does its sequel.

The day after the assassination, the bodies of 5 persons, 2 men and 3 women, were found riddled with bullets at a cross-roads on the outskirts of the Uruguayan capital, Montevideo. It is now known that the victims, former political prisoners who had been conditionally released, had been living in Argentina, at Sarratea Street, Buenos Aires, until November 8, 1974. They were then seized and taken off by an armed group claiming to belong to the police. Habeas corpus proceedings had been started in the Argentine courts by their relations, without avail. There was no news of them until their bodies were found in Montevideo. The 3-year old child of one of the couples, who was also kidnapped, has not been seen again. It is perhaps significant that, in comparison with the state funeral given to Colonel Trabal, no disapproval of this assassination has been expressed by the Uruguayan authorities and, as a result of the censorship, the press has merely published without comment the official communiqué on the finding of the bodies.

Colonel Trabal's assassination was also the occasion for the following measures being taken against political prisoners and suspects:-

- (i) hundreds of former political prisoners, who had been conditionally released following the examination of their cases by military judges, were promptly re-arrested and held in solitary confinement;
- (ii) many new arrests have been carried out, in the same illegal manner as was described in the ICJ report of June 1974 (anonymous arrests without written authority, detention in military barracks in solitary confinement for prolonged periods before bringing the detainee before a court);
- (iii) defence lawyers are being hampered in the conduct of the defence; professional secrecy is violated; their interviews with their clients have been conducted under surveillance and at times recorded; some detainees have had their visits from their lawyers suspended;
- (iv) visits to detainees by their families have been suspended at all places of detention;

- (v) in all detention centres the detainees have had their few privileges suspended, including all recreation and leisure activities and all correspondence. Letters and photographs in the possession of detainees which had previously passed the censors have been confiscated;
- (vi) there are reports that corporal punishment has been inflicted on detainees in military barracks.

II. Presidential elections and the role of the Army

Under Article 77(9) of the Constitution (which the Government continue to affirm, although they have overridden many of its provisions), the next presidential election is due in November, 1976. The Government has now let it be known that this provision will not be respected.

Certain proposals for reforming the Constitution in a corporatist direction have been published, and a proposed new Statute governing political parties has been announced. This led to a remarkable open letter by some 100 leading political personalities, demanding the return to freedom of political action to enable the parties to comment on the proposed constitutional reforms, on the proposed new statute for political parties, and on other matters of public interest. President Bordaberry replied to this letter in a speech of September 4, 1974, saying that the classical notion of political representation had changed, that the people could pronounce upon constitutional reforms without the assistance of the political parties, that it was out of the question to hold elections under the old Constitution, and that they should give up any hope of an election in 1976.

On December 30, 1974, in a speech to the armed forces President Bordaberry affirmed that they were the basis on which his government rested, that the failure of the political party system had justified their intervention, that they were entitled to "supreme tranquillity", and that their intervention and actions could not be submitted to the judgment of the people, either directly or indirectly.

III. The purge of the University

Since 1943 all civil servants and teachers have been required to make a formal declaration of loyalty to the principles of the republican democratic government. Under a Decree of May 7, 1974, all public servants, including university staff, are now required in addition to state under oath that they do not belong to and have never belonged to any of the "anti-national" organisations which have been dissolved by the government, or to any other organisation which has attacked the existing system of government. Failure to sign is a ground for dismissal. The University administration are advised by the security services on the "democratic" loyalty of the members of the staff.

This has placed opponents of the regime in the dilemma of either refusing to sign, whereupon they lose their jobs, or of signing and running the risk of being sent to prison for signing a false declaration.

The effect of this purge has been to reduce severely the teaching staff of the University, and a number of departments have either been suspended or ceased to function. Among them are the Institute of Social Sciences of the Faculty of Law, the Institute of Economics of the Faculty of Economic Sciences (the only economic research centre in the country), the Institutes of Civil Engineering, Electrical Engineering, and Mathematics and Statistics of the Faculty of Civil Engineering (20 of the staff of this faculty have been relieved of their teaching posts and 320 students suspended).

In the Faculty of Agriculture, 130 out of 150 teaching staff have been removed from their posts, as well as all the staff of the Geology Section and the Experimental Station at Paysandú.

210 of the teaching staff of the Faculty of Medicine have resigned as they refused to sign the declaration demanded of them.

In the Faculty of Architecture, 114 of the 210 staff refused to sign the declaration, and 40 of them and 200 students were arrested and detained in military barracks in December. The Dean of this faculty, of Italian origin, who came to Uruguay at the age of 2, has been arbitrarily deprived of his Uruguayan citizenship by Decree and expelled, even though a military court had found there was no case against him.

These government measures have been denounced in a pamphlet published clandestinely by some of the leading members of the university staff. They point out that the measures violate the guarantee of university autonomy contained in the Constitution (Articles 202-205), and have resulted in the elimination of sectors of the University of the highest importance to the country, and the serious deterioration in the standard of those which remain.

IV. Press

The internationally renowned weekly "Marcha", the leading progressive journal of the country, which had been temporarily suspended on numerous occasions, was finally closed on November 26, 1974.

This means there is no longer any opposition press. Among other papers which have been closed are the daily papers "Ahora", "Ultima Hora", "Crónica" and "Vea" (all of a centre liberal tendency), and "El Popular" (communist) and the weekly papers "Respuesta" and "El Oriental" (socialist) and "Compañero" (anarchist).

Even the "Mensajero Valdense", a small local publication of the Vaudois Evangelical Church in Paysandú, was closed in December, 1974, and the leading members of its staff arrested. This was the occasion for launching a violent attack on the World Council of Churches in Geneva to which the Church was affiliated. The Decree closing the paper declared that the Council had a "subversive attitude" and that its Secretary-General was "the propagandist of chaos and anarchy for social change".