amnesty international

Report of an Amnesty International Mission to Argentina

6-15 November 1976

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CONTENTS

Preface 5

Introduction 7

Legislation 11

Prisons and Prisoners 17

Disappearances 27

Torture 36

Refugees 40

Conclusion 48

Recommendations 51

Appendices:

1. Testimony concerning Military Tribunals 52
2. Lord Avebury's Account of his Visit to Villa Devoto Prison 53
3. Testimony concerning the Operations of Uruguayan Security Forces in Argentina 56
4. Cases of Refoulement of Uruguayan Refugees 60
5. Representative Case Histories 63
6. List of Disappearances since 24 March 1976 70
7. Resolution 3452 (XXX) Adopted by the United Nations 89

PREFACE

In Argentina, on 24 March 1976, the government of María Estela Martinez de Perón was overthrown by a military coup. To many observers the event seemed hopeful; possibly the military would provide a solution to the country's formidable problems: the continual outbreaks of terrorism, the alarming effects of spiralling inflation, the ubiquity of political imprisonment and the numerous mysterious abductions. The new President, General Jorge Rafael Videla, issued a series of statements. He pledged himself to restore respect for human rights; he would also eliminate terrorism and "monopolize" the use of violence.

Following the coup, all violence increased. For the first three months after 24 March, twice as many political murders were reported as in the three months before. The number of arrests and abductions mounted; so too did the number of allegations of torture and the incidence of deaths in custody.

In November 1976, on account of this serious situation, a delegation was sent to Argentina by Amnesty International. The delegates were Lord Avebury, a member of the British House of Lords and of the Human Rights Parliamentary Commission, Father Robert Drinan, a member of the House of Representatives of the United States Congress and Patricia Feeney, a British member of the International Secretariat of Amnesty International. The intention of the delegates was to discuss the following subjects with members of the government: the number and identity of political prisoners; the allegations of torture; the alleged complicity of the police and military in illegal and violent abductions; the status and security of Latin American refugees; the nature and effects of the legislation enacted since the coup.

The members of the mission were unfortunately unable to arrange an interview with President Videla. They did, however, have lengthy discussions with a number of high-ranking officials:

The Under-Secretary of Foreign Affairs:	Capitan de Navio Don Gualter Allara;
The Under-Secretary of Justice:	Dr Laureano Alavarez Estrada;
For the Chancellor:	Consejero Juan Carlos Arlia Licenciado Rodolfo Fischer Licenciado Francisco Muro;
For the Minister of the Interior:	Señor Eduardo Andujar Señor Ricardo Flouret;
For the Minister of Justice:	Señor Luis Riggi:

While grateful for having been granted these interviews, the Amnesty delegates could not help regretting some other decisions taken

by the government regarding their visit. At least 20 plainclothes policemen, ostensibly assigned to protect the delegates, followed them wherever they went, and questioned, intimidated and even detained a number of people whom they met. The intention to intimidate was apparent from the outset: these policemen first arrived in the delegates' hotel at midnight on 8 November and claimed to be offering official assistance, even though neither the British nor the American Embassy had been given notice of this arrangement and neither Lord Avebury nor Father Drinan, in their meeting earlier that day with members of the Argentine government, had been told anything about it. The policemen, moreover, were consistently reluctant to give proof of their identity.

At times the number of plainclothes policemen purporting to protect the members of the mission was so great that it seriously limited their freedom of inquiry. During an official visit to two refugee hostels the delegates were accompanied by four Ford Falcons containing 16 armed men; their proximity did little to reassure the refugees or encourage communication.

The most serious harassment occurred in Cordoba where several people who met the delegates were openly threatened by plainclothes policemen. Two women were actually detained, without their families being told. One woman was held for 24 hours; the other for two weeks.

The attitude of the government to the Amnesty mission was also apparent from the nature of the reports issued by the official news-agency, TELAM. These reports described fictitious incidents and carried gross misrepresentations of statements made by the delegates, who felt obliged to issue a formal statement to correct the inaccuracies.

The following report on the condition of human rights in Argentina is based partly on information gathered during the mission from members of the government and from private individuals. But it also uses much evidence from material received by Amnesty International since the coup d'etat. This material includes not only government statements and newspaper reports, but numerous testimonies from prisoners and the relatives of missing persons. The testimonies referred to in this report have either been previously published or else concern people no longer living in Argentina.

Martin Ennals
Secretary General
Amnesty International

INTRODUCTION

The political history of Argentina in the past two decades has been one of continuous struggle between weak civilian governments and a powerful military. This was demonstrated during the period subsequent to the fall of the first Peronist government, 1955-66, when there were five different presidents, two military and three civilian. In 1966, General Juán Carlos Onganía seized power and attempted to resolve Argentina's economic problems by adopting stringent austerity measures. For the next seven years, three military presidents ruled the country. There was no permitted channel for political expression, since all parties other than the already banned Peronist movement, had been suspended by the military at the time of the 1966 coup. Clandestine political organizations proliferated, some inspired and actively encouraged by the exiled former President Juán Domingo Perón. In May 1969, growing unemployment and unpopular economic policies culminated in an uprising in Cordoba; this was violently suppressed by the military, more than 20 civilians being killed. Following this rising - the Cordobazo - a State of Siege was declared, and since, from 1970 onwards, the activities of left-wing armed groups intensified, further repressive legislation was passed.

Increasing violence, labour unrest and economic instability led General Alejandro Agustin Lanusse to seek a compromise with the Peronists and move towards a restoration of democracy. Elections were held in March 1973 and Hector Campora became President in May, with 50 per cent of the vote. On taking office, he declared a general amnesty and revoked most of the penal laws which had not been duly enacted by congress. After only 49 days in office, Dr Campora resigned; he made way for Juán Domingo Perón, who, having already visited Argentina in November 1972, was elected President in September 1973 with 60 per cent of the vote. On his death, in July 1974, Peron was succeeded by his widow, Maria Estela Martinez de Peron.

Señora Peron, advised by a small group of confidants led by the Minister of Social Welfare, Lopez Rega (now wanted in Argentina for embezzlement), presided over a period of severe economic difficulties: in 1974 inflation was 335 per cent and in March 1976 it reached an annual rate of 700 per cent. Corruption and political violence increased as factional fighting for the political succession within Peronism spread.

On 6 November 1974, a State of Siege was introduced and more than 3,000 people suspected of involvement in subversive activities were placed in preventive detention. The death squads, some which were financed, according to sworn testimony*, by the Ministry of Social Welfare, operated with impunity and were responsible for a large proportion of the 1,500

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* Lieutenant Paino testified in August 1975 before a congressional commission set up to investigate the activities of the Alianza Anti-Comunista Argentina (Argentine Anti-Communist Alliance - AAA).

assassinations which occurred in the 18-month period following Perón's death. On 24 March 1976, Señora Peron was deposed by the armed forces, who promised to provide economic stability and wage total war against subversion.

Armed Organizations

The armed left-wing organizations developed during the military governments which ruled Argentina from 1966-73. The most important groups are the Montoneros and the Ejercito Revolucionario del Pueblo (People's Revolutionary Army - ERP). These have now absorbed other smaller groups.

The Montoneros, who take their name from the nineteenth century gaucho rebels, began to operate in 1969. They are Peronist-inspired and achieved national publicity after the kidnapping and killing, in 1970, of former provisional President General Pedro Eugenio Aramburu (1955-58), who had ousted Juan Perón in 1955. From 1970-73 they received the support of the Peronist Youth Movement and of Perón himself, who referred to them as "that marvellous youth that struggles against military dictatorship with weapons in their hands and who know how to give their lives for the Fatherland". (However, as President, on 1 May 1974, Perón disowned them as "stupid, smooth-chinned and mercenary youths".) During Cámpora's brief Presidency the Montoneros suspended their activities; but when Campora resigned and Perón, as President, denounced them, they became disenchanted with the official Peronist government, and on 6 September 1974, two months after the death of Perón, they announced their resumption of the armed struggle on the grounds that "all possibilities of legal action have been exhausted". They continued, however, to regard themselves as Peronist. In December 1975, one of the leaders, Roberto Quieto, was abducted and has disappeared. Since the military coup, despite heavy losses, the Montoneros have carried out several acts of violence.

The Ejercito Revolucionario del Pueblo emerged in 1970-1 as the armed wing of the Trotskyist Partido Revolucionario de los Trabajadores (Workers' Revolutionary Party - PRT) and was particularly active in 1971 in the Córdoba area. It became well-known for its "military" efficiency with a number of daring raids on military installations and attempted in 1974 to establish a "liberated zone" in the mountainous province of Tucumán. It has suffered heavy casualties, including, in July 1976, the death of its leader, Mario Roberto Santucho.

Since the coup the Montoneros and the ERP have claimed responsibility for the following acts of violence:

29 April 1976:	Five men and three women killed in attack on army arsenal;
30 May 1976:	Colonel Juan Pita, military administrator of the General Labour Confederation kidnapped. He escaped unharmed on 7 December 1976;
19 June 1976:	Chief of Police, General Cardozo killed by a bomb which had been placed under his bed by Ana María Gonzalez, a friend of his daughter's;
2 July 1976:	Twenty-five policemen killed and 60 injured in Coordinación Federal (police headquarters);
19 August 1976:	General Omar Carlos Actis, head of the state committee organizing the 1978 World Cup to be held in Argentina, shot by five gunmen whilst crossing the road. On the same day, Carlos Bargometti, a Fiat executive, shot in his car; the fifth Fiat executive to be killed since 1972;
2 October 1976:	Bomb planted in the Campo de Mayo army barracks; General Jorge Rafael Videla, President of the Argentine Republic, missed assassination by minutes;
17 October 1976:	Bomb planted in cinema of army officers' club in Buenos Aires; at least 50 injured;
9 November 1976:	Bomb planted in police station in La Plata; one person killed and at least 11 injured. Retired Air Force Major Adolfo Valis assassinated;
1 December 1976:	Colonel Leandro D'Amico assassinated. The 17th senior military official to have been killed by left-wing groups since the coup;
15 December 1976:	Thirteen-pound fragmentation bomb exploded in large hall at the Defence Planning Under-Secretariat; 13 people killed and 20 injured.

Right-wing extremists had, until 1970, generally confined their activities to the elimination of petty criminals, but in December of that year they began their attacks on people suspected of left-wing sympathies. However, it was during the Peronist government of 1973 onwards that para-police groups entered the political field in earnest, kidnapping and killing on a large scale and concentrating in particular on trade unionists and left-wing activists. The most famous group is the Alianza Anti-Comunista Argentina (Argentine Anti-Communist Alliance - AAA), which began its activities in December 1973 with an attempt on the life of Radical Senator Solari Yrigoyen. He sustained serious injuries but survived. Whilst there is no conclusive evidence proving a direct connection between these organizations and the police and military, there are several circumstances which suggest official tolerance of their activities: according to Amnesty International's information, these crimes are never investigated by the authorities: no one has been tried or even arrested for them. The para-police groups often operate in broad daylight and are never interfered with by the public authorities. They use vehicles of the same make and

type as the police and military. In 1974 alone, there was strong evidence to show that these groups were responsible for over 300 murders. During 1975 and 1976 the activities of these groups increased; in the last quarter of 1976 reliable sources indicate that they were responsible for approximately 15 abductions a day.

LEGISLATION

The military junta is now the supreme organ of the state and has taken upon itself extraordinary powers which violate the Argentinian Constitution. The executive is no longer subject to any check or control since congress has been suspended and the members of the Supreme Court of Justice dismissed and replaced. The military now hold most key ministerial posts and all nine members of the new Legislative Advisory Committee (Comisión de Asesoramiento Legal) are officers in the armed forces. Thus the military controls all branches of government: the executive, the legislature and the judiciary.

Strict and indeed repressive laws were already available to the new government when it seized power on 24 March 1976.

Security Act 20.840

This was made law on 30 September 1974 and prescribes severe prison terms for any person who attempts or encourages by any means the alteration or suppression of the established order and the social peace of the nation. Act 20.840 makes criminal any activity related to the distribution of the literature or emblems of "subversive" organizations. Activities could count as "subversive" even when accomplished in an entirely peaceful manner. Offences relevant to Act 20.840 were placed under federal jurisdiction and all bail procedures and suspended sentences were made inapplicable.

The State of Siege

In addition to Security Act 20.840, the military junta also maintained the decree of the executive of 6 November 1974, which declared a State of Siege.

According to the Argentinian Constitution (Article 86, clause 19), the President is empowered to declare a State of Siege in cases of "internal upheaval". However, this provision is qualified by Article 95 which states that "under no circumstances can the President of the Nation pass sentence or exercise judicial functions" and by Article 23, which states: "In the event of internal unrest or an external aggression that endangers the functioning of the Constitution and of the authorities created by it, a State of Siege will be declared in the province or territory where the threat to order prevails, constitutional guarantees being suspended in the interim. Whilst constitutional guarantees are suspended, the President of the Republic may not punish or pass sentence. His power will be restricted to arrest or moving people from one part of Argentina to another, if they do not wish to leave the country."

It is clear that since the coup in March the legal restrictions on the State of Siege, provided by Articles 23 and 95, have been overruled.

The Suspension of the Right of Option

On 24 March 1976, the junta suspended the last clause of Article 23 (....."if they do not wish to leave the country"), which is known as the Right of Option. Then, on 29 March (with decree 21.338), they retroactively annulled this right: "All requests for the option to leave the nation presented during the enforcement of this right, regardless of the stage of development are now automatically without effect." As a result, many persons who had been granted the Right of Option before the coup were prevented from going into exile. At the time of the coup there were approximately 3,000 people held at the disposal of the Executive Power for the duration of the State of Siege (and no limit has ever been fixed for its duration, either by the government of María Estela Perón or by that of General Videla). Under Law 21.338 these people were left without any recourse against indefinite incarceration. However, the constitutional basis of this law has been contested in the courts.

The determination of the military junta to preclude a successful appeal against the suspension of the Right of Option is illustrated by the case of Maria Cristina Ercoli:

On 23 July 1976, the Argentine Federal Court instructed the Executive Power to allow María Cristina Ercoli to go into exile or otherwise to release her within a period of 20 days. The court ruled that Señorita Ercoli had been held for sufficient length of time (7 months) to permit the Executive Power to investigate her activities and formally charge her if she were found to have been involved in any criminal acts. Her detention sine die in such conditions would be unreasonable and, furthermore, would amount to a sentence in contravention of Articles 23 and 95 of the Constitution, which prohibits the President of the Republic to pass sentence or to condemn.

However, on 17 November 1976, the Supreme Court overruled the finding of the Federal Court in the case of Señorita Ercoli. Whilst they agreed that the sine die suspension of the Right of Option would be unconstitutional in so far as it implied detention for an indefinite period, the Supreme Court maintained that Law 21.448, promulgated on 27 October 1976 and which now permits prisoners held at the disposal of the Executive Power to apply to leave the country, altered the situation significantly.

Law 21.448 fixed a 180-day period of suspension of the Right of Option from 27 October 1976, the moment of its publication. Law 21.449 of 27 October 1976 established that persons held at the disposal of the Executive Power could only request to leave the country 90 days after the decree of their arrest had been issued. The Executive Power, however, reserved the right to grant only those requests which they considered did not endanger the peace and security of the nation. In the case of Maria Cristina Ercoli, the refusal of the option was supported by the following note from the Ministry of the Interior:

> "His Excellency, the President of the Republic, has considered when decreeing this arrest that the activities of the person now detained could contribute to maintaining, expanding or aggravating the causes that motivated the declaration of the State of Siege."

It is apparent that the Supreme Court, by upholding the authority of the Executive to regulate the Right of Option, has broken with one of the most fundamental tenets of the Constitution, for the Executive Power is now engaged in the exercise of judicial functions.

Other Decrees and Laws Promulgated by the Military Junta

Decree 21.264

This was issued on 24 March 1976 and transforms a breach of the peace from a minor offence punishable by a fine or by 30 days confinement into a major federal crime punishable by a penalty of 8 years in prison. Article 5 of the decree authorizes the security forces to use firearms when a person apprehended "in flagrante delicto ..... does not cease upon the first warning or uses arms against the officer of the peace". Attacks against public transport, communications and other public services are punishable by "imprisonment for a fixed period or death".

Decree 21.264 also set up military tribunals known as Consejos de Guerra (Councils of War). In these tribunals the accused is only entitled to a "summary trial" as described in the code of military justice, which states that a summary trial may be used when the immediate suppression of a crime is "necessary to maintain the morale, discipline and the military spirit of the armed forces, and when dealing with serious offences such as treason, insurrection, mutiny, looting, attacks on superior officers, attacks on guards and assassination of sentries". This situation is now automatically considered to prevail when these courts conduct hearings concerning persons involved in anything pertaining to subversion. The defendants are not allowed to be represented by civilian lawyers. According to Article 97 of the Code of Military Justice, the defence lawyer should always be an "officer in active service or retired". Furthermore, the proceedings of these courts generally take place in camera*.

Law 21.272

This law was issued on 24 March 1976 and establishes the death penalty for anyone causing serious injuries or death to military personnel or members of the security forces and police whilst carrying out their duties. Anyone who "offends the dignity and decorum" of military personnel, or security forces and police may face a sentence of up to 10 years' imprisonment. By this law the age of criminal responsibility is reduced to 16 years and this age limit applies to the death penalty.

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* Amnesty International has received reports that give cause for concern about the impartiality of these tribunals (see Appendix 1).

Law 21.322 and Law 21.325

These were passed on 2 June 1976 and made illegal a total number of 48 organizations and provided criminal forms of punishment for political activity. These laws also established that all "political acts" that relate to a party are outside the law, regardless of whether they may issue in concrete action. The same applies to the publication of any such activities which may be punished by up to 6 years' imprisonment.

Law 21.338

Passed on 25 June 1976, this law modified the existing Penal Code and introduced the death penalty by firing squad within 48 hours of the sentence being pronounced; it also provides a sentence of between 2 and 6 years for anyone who instigates a crime against a person or institution whether or not an act took place.

Law 21.338 also amended Article 210 bis of the Penal Code by making the penalties for "illicit association" more severe: the sentence has been increased from 3 - 8 years to 5 - 12 years. If the illicit association includes the participation of leaders or organizers, the penalty imposed can be 25 years; this penalty can also be applied if the organization has a "cell structure".

Decree 21.456

Issued on 20 November 1976, this modified the already existing security law 20.840 by making the penalties for all offences relating to subversion more severe. This decree also introduces (under Article 5) prison terms of between 2 and 4 years for anyone who after a strike has been declared illegal by the competent authorities refuses to carry out his duties.

Law 21.460

Promulgated on 20 November 1976, this authorizes the police or armed forces, when investigating crimes of subversion, to arrest anyone on suspicion alone whenever there are "strong indications or half-conclusive proofs of guilt". This procedure will be known as "summary pre-trial". Naturally the presumption of innocence is prejudiced by this new law. Furthermore, under Article 9 of this law a confession obtained from a prisoner during interrogation may be used as evidence against him at his trial. The statement may only be retracted if the prisoner can prove it was obtained under duress or torture. This contravenes Article 14 of the United Nations Universal Declaration of Human Rights which states that no one can "be compelled to testify against himself or to confess to guilt".

Press Censorship

Communiqué 19: Delito de Prensa (Crime of the Press)

Passed on 24 March 1976, this established that "anyone who through any medium whatsoever defends, divulges or propogates announcements or views coming from or attributed to illicit organizations or persons or groups notoriously dedicated to subversive activities or to terrorism will be subject to an indefinite sentence of detention. Anyone who through any medium whatsoever defends, propogates or divulges news, communiqués or views with the purpose of disrupting, prejudicing or lessening the prestige of the activities of the armed forces will be subject to detention for a period of up to 10 years".

On 22 April 1976, a more stringent form of censorship was introduced:

> "The Government has forbidden the publication of all news items concerning terrorist activity, subversion, abductions or the discovery of bodies, unless officially announced. The order was given to most metropolitan newspapers on Thursday night.
>
> "A brief statement issued in the press secretariat said that 'as from 22 April it is forbidden to report, comment or make reference to subjects related to subversive incidents, the appearance of bodies and the deaths of subversive elements and/or members of the armed or security forces, unless these are announced by a responsible official source. This includes kidnappings and disappearances.
>
> "A press secretariat source said that the ban on publication of terrorist activities was aimed at suppressing any information which could be used as propaganda by subversive groups.
>
> " 'This is a state of war,' the source said, 'and the government has the right to use this method to prevent enemy propaganda'.
>
> "The government source said this decision was not to be interpreted as a step towards total censorship, but rather a security measure in a specific area."
>
> Buenos Aires Herald: 24 April 1976

In short, the new government, by taking upon itself the power to regulate the Right of Option of prisoners held at the disposal of the Executive Power, and by placing all trials of crimes of subversion under the jurisdiction of military courts which are themselves directly responsible to the President of the Republic, is violating the Constitution, which firmly states in Article 95 that "under no circumstances can the President of the Nation pass sentence or

exercise judicial functions".

The laws promulgated by the military junta on or after 24 March 1976 have erased or confused the basic distinction between the principal actors in a criminal offence, those who are accomplices in the act and those who are only accessories after the fact. By rejecting the basic differences in accountability of those involved in a crime - differences recognized by every system of law - the military junta have made it possible to detain anyone connected, however remotely, with any alleged crime of subversion.

The militarization of civilian tribunals means in effect that no citizen in Argentina who is arrested for alleged subversion has any rights beyond those severely qualified privileges granted under the Code of Military Justice. There can be little confidence that the military courts, which only afford political defendants summary justice and deny them the right to be defended by civilian lawyers, give any guarantee of a fair and impartial trial. They thus contravene Article 10 of the United Nations Universal Declaration of Human Rights (1948):

> "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."

The Argentine Republic is a signatory to and has ratified the United Nations Charter, the United Nations Universal Declaration of Human Rights and the American Convention of Human Rights.

PRISONS AND PRISONERS

> "The prisons of the Nation shall be healthy and clean, for the security and not for the punishment of the prisoners confined therein; and any measures that under pretext or precaution inflicts on them punishment beyond the demands of security, shall render liable the judge who authorizes it."

Article 18 of the Argentinian Constitution

Before the coup d'état of 24 March 1976, there were approximately 3,000 people held in preventive detention at the disposal of the Executive Power (a la disposición del Poder Ejecutivo Nacional - PEN). Since then arrests have continued on a large scale but the authorities refuse, for reasons of security, to divulge the identity or number of political prisoners. The Amnesty International delegates were told that information about prisoners detained by executive decree was a military secret; officials did reveal, however, that the total capacity of the prisons was between 4,000 and 5,000 and that not all were full. This conflicts with the testimony of released prisoners, who have all commented on overcrowding. Furthermore, prisoner statistics from official and unofficial sources indicate that in four prisons alone there are 4,610 inmates:

Villa Devoto	2,830, of whom 560 are held under PEN. (This includes common prisoners.)
Sierra Chica	600 political prisoners*
Córdoba Penitentiary	480 political prisoners*
Coronda	300 political prisoners*

A further clue as to the number of political prisoners was provided on 18 November 1976 by the Minister of the Interior, General Albano Harguindeguy, who dismissed an estimate of 20,000 as exaggerated and instructed journalists that the actual figure could be arrived at simply by dividing this estimate by any number between two and 10. The authorities, then, admit the existence of between 2,000 and 10,000 political prisoners, but clearly such admissions are not designed to convey precise information.

The authorities have been less reticent about the number of releases and have made certain information available to Amnesty International.

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* These figures are unofficial.

Between 24 March and 30 October 1976, 882 people were freed and 96 (detained) foreigners were expelled. From 1 November to 22 December 1976, the Argentine government freed 541 persons held in preventive detention and expelled another 18 foreigners. Another 123 people were reported to have been released between 22 and 29 December 1976. Thus to date there have been altogether 1,546 releases and 114 expulsions*. However, these statistics are of little value, for they cast no light on the length of detention, nor on the present number of people in detention for political reasons.

Amnesty International believes that at the time of writing, January 1977, there are between 5,000-6,000 political prisoners, at least two-thirds of whom have not been charged but are detained indefinitely, at the disposal of the Executive Power.

Since December 1975, all prisons have been under military jurisdiction; political prisoners are all categorized under decree 2023 (issued in December 1974 and made more severe in May 1976) as extremely dangerous and are subject to a harsh régime which a) restricts visits and correspondence to blood relatives (this does not include common-law spouses or partners of a second marriage, as divorce is not recognized in Argentina); b) imposes strict censorship of mail and reading matter; c) authorizes spot checks and whole body searches which may be carried out at random, even at meal times; d) permits severe penalties for the smallest infraction of prison regulations. Most prisons do not allow contact visits for political prisoners (La Plata is an exception). Instead, visits take place in locutorios, specially constructed rooms with a plate glass panel separating the prisoner from his family; conversations are conducted through a microphone**. Political prisoners in Córdoba, Coronda (Santa Fe) and Resistencia (Chaco Province) have been denied all contact with the outside world for over six months. Moreover, prisoners held at the disposal of the Executive Power are no longer, since the coup, entitled to see their lawyers; the reason given is

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* Considerable doubt exists about some of these releases as in most cases the authorities have described the persons on the lists as "ceasing to be detained at the disposal of the Executive Power". This could mean that the person has not been freed but charged. In this case he would of course remain in prison. The case of Patricia Miriam Borenztein is an example of this confusion. Her name appeared on a list of people released between 1 November and 22 December 1976, and then on a list of 31 people placed at the disposal of the Executive Power between 14 and 21 January 1977. This could mean that either she was charged at the end of 1976 (but this is hardly likely as she is now once more in preventive detention) or she was released and within weeks the Executive Power decided for reasons of security to detain her again, or, as has been suggested by the Argentinian press, she was never in fact released.

**The reason given for these precautions is that the visitors of political prisoners might supply them with dangerous materials.

that, until they are charged, they do not need legal assistance. In fact, the majority of political prisoners have not been formally charged. A significant number have been held in detention since November 1974, when the State of Siege was declared.

It is clear that the provisions of decree 2023 conflict with those of the State of Siege (Article 23 of the Argentinian Constitution). Whereas the State of Siege permits the Executive only to detain but not to punish, the régime imposed by decree 2023 is essentially punitive. What is more, this régime goes against the recommendations embodied in the United Nations Standard Minimum Rules for the Treatment of Prisoners, viz Rule 84(2) ..... "Unconvicted prisoners are presumed to be innocent and shall be treated as such" and Rule 84(3) ..... "Without prejudice to legal rules for the protection of individual liberty or prescribing the procedure to be observed in respect of untried prisoners, these prisoners shall benefit by a special régime ....."

Whilst, undoubtedly, conditions vary in severity from prison to prison (although the regulations are supposed to be uniformly applied), it is apparent that untried political prisoners are in most cases treated more severely than convicted common prisoners.

The chief official centres of detention for political prisoners are:

Villa Devoto (now a women's prison) ..	Province of Buenos Aires
La Plata (men)	Province of Buenos Aires
Olmos	Province of Buenos Aires
Sierra Chica (men)	Province of Buenos Aires
Córdoba Penitentiary	Province of Córdoba
Cárcel de Encausados	Province of Córdoba
Buen Pastor	Province of Córdoba
Coronda	Province of Santa Fé
Rawson	Province of Chubut
Resistencia	Province of Chaco

During the mission to Argentina, Amnesty International requested private interviews with 26 prisoners. This request was not granted; the delegation was, however, allowed to visit one prison, Villa Devoto in the capital. Permission to visit the prison of La Plata was withdrawn, for reasons of security, following a bomb explosion on 9 November 1976 in the local police station.

Lord Avebury of the Amnesty International delegation went to Villa Devoto. Although his general impression was that conditions in the prison were not unexpectedly severe, he was shocked when interviewing a number of female prisoners, in the presence of prison officials, by the many allegations of torture and maltreatment made in statements which included circumstantial detail. These statements were in all cases contradicted by a government official in a subsequent meeting. There is evidence that since the Amnesty International mission some of the women who spoke to

Lord Avebury have been sent to punishment cells. (See Appendix 2: Lord Avebury's account of his visit to Villa Devoto and statement by Father Patrick Rice.)

Detailed information about prison conditions is obtained from the statements of former prisoners and from documents written by detainees. These accounts provide comprehensive evidence on general conditions, on visits and contact with the outside world, on the treatment of prisoners during transfer, and on torture, harassment and executions.

Sergio Muñoz Martinez, a Chilean political scientist, was arrested in Buenos Aires in November 1975 and was held at the disposal of the Executive Power for 1 year until his expulsion from Argentina. His account, which appears to be representative, reflects the situation of routine brutality and constant intimidation of the prisoners by the guards.

> "On 27 September, we were transferred from Villa Devoto to the prison of La Plata. This is a new maximum security prison which has more than 1,000 individual cells of 1.70 metres wide by 2 metres long. (It is reported that some of these small cells are now made to hold two prisoners.) All the surface area is covered by a wooden bench for sleeping, a small table for eating, a chair, a washbasin, a WC, all of concrete and fixed to the wall. The only free space is that between the door and the chair. There is a 40-watt bulb installed outside which gives a weak light through a thick glass window. Natural light comes through a pane of glass so thick that one cannot see the courtyard through it. When a prisoner arrives he is taken and beaten and dragged by the hair through the various checks: identity, medical, etc.; then locked in a cell from 7 to 10 days. During this period, all our belongings like watches and shoes were stolen and we were beaten for the slightest reason.
>
> "The most common tortures during the months of October and November were:
>
> - to remain crouched for 1 hour with head and one hand pushed through the small window in the door through which food is passed. During this time, the officers would amuse themselves by beating us over the heads with their keyrings which carried more than 150 keys;
> - to be stretched out on the bed and be pummelled with fists;
> - to be interrupted whilst bathing just as one had soaped one's body and be dragged back to the cell;
> - to be threatened with razor blade cuts;
> - to be awakened three or four times a night.
>
> "One new officer, Rivarola, indulged particularly in these practices. All of this was in addition to the regime which in

> itself constitutes torture.
>
> "During all the time spent in the cell, (i.e. from 6.00 am to 9.00 pm excluding four hours recreation) the prisoner is not allowed to lie down or sit on the bunk where the bed is made or he will be punished. As a result, prisoners suffer from bad pains in the muscles and spine. Lock-up period is prolonged as a punishment, often for absurd reasons such as not being properly dressed (i.e. with one button unfastened)."

La Plata has in the past been regarded as one of the best prisons in the country.

Article 37 of the United Nations Standard Minimum Rules for the Treatment of Prisoners states:

> "Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals both by correspondence and by receiving visits."

However, prolonged periods of total isolation from the outside world have occurred in three prisons: Córdoba Penitentiary, the Coronda in Santa Fé and the Resistencia prison.

Prisoners of Coronda testified that:

> "From 5 May 1976, we were forbidden visits from our relatives, which means in effect total isolation, as we can no longer write or receive letters, which leaves us in a state of perpetual anxiety as we hear rumours of acts of violence against our families. The next thing was that all books, magazines and all materials for reading or studying were removed. This was soon followed by the removal of the heater, radio, cigarettes, tea, powdered milk, sugar, jam, salt, oil, medicines, et cetera. At the same time the prison authorities took away or smashed crucifixes, family photographs, toys prisoners had made for their children, chess pieces, writing paper, biros, personal letters. All this was accompanied by continual threats and provocations.
>
> "We have not been given any explanation why we are incommunicado. Furthermore, we now spend 23 hours a day locked in our cells (24 if it is raining) with no possibility of manual work or intellectual exercise."

Transfers

Article 45(2) of the United Nations Standard Minimum Rules for the Treatment of Prisoners forbids "the transport of prisoners in conveyances with inadequate ventilation or light, or in any way which would subject them to unnecessary physical hardship".

Numerous, well-substantiated accounts of maltreatment of prisoners during transfers have been documented by Amnesty International. Prisoners are moved under a heavily armed escort; they are handcuffed two together; when travelling by road, they are usually locked into special cell-like compartments. All of these precautions make it unlikely that escape could be possible. A female prisoner described a transfer from Olmos prison to Villa Devoto in late October 1976, during which prisoners were struck repeated blows with truncheons and forced to stand throughout a journey which lasted two hours (they were transported in meat vans). That day they were not given anything to eat from the time they got up at 6.00 am until their arrival at Villa Devoto at 6.00 pm. One woman with a new-born baby was unable to feed it during the journey because she was permanently handcuffed.

Some transfers have been conducted with such violence that prisoners have sustained serious injury: bruising of the body, broken bones and teeth; often they have been forced by threats to sign statements that the wounds were self-inflicted. One such transfer was described by Señor Augusto Nogueira, a 26-year-old farm labourer:

> "On 6 September 1976 I was transferred from the prison of Villa Devoto with another 50 prisoners held at the disposal of the Executive Power (that is, without charges) to the prison of Sierra Chica. The transfer was conducted in the following way: in Villa Devoto we were handcuffed together - so two prisoners had one hand each in handcuffs and one free. We were put into lorries of the Federal Penal Department and taken to the military air base of Palomar. There, as we got out of the lorries and until we boarded the Hercules plane, we were pushed and beaten by the soldiers with whips and the butts of guns. I was beaten especially on the shoulders. Once on board the plane we had to sit with our heads down and our free hand on our necks. We made the whole journey - approximately 45 minutes - in this position, and throughout it we were constantly beaten over the head and back and the guards even walked with their boots on our backs. I was also interrogated by personnel of the Penitentiary Department and army about the reason for my arrest. Every time I replied they beat me. Once we arrived at the Azul airport we got off the plane and were showered with blows and there I had to lie face down on the ground until the lorry which was to take us to Sierra Chica arrived. We ran towards the lorry in the midst of further blows. At Sierra Chica, we were beaten again with truncheons and gun butts by the prison and army personnel. One example of the brutality and savagery of the beating is that while one of the guards was beating one of my comrades

> with his gun, it accidentally went off and killed another guard beside him.
>
> "Once inside the prison, we were beaten even in the entrance hall whilst we were getting undressed and weighed. We were beaten even when a prison official was taking down our personal details and a nurse examining us. We were no longer handcuffed and whilst I tried to gather up my clothes a guard took hold of me and as I tried to protect myself I dropped all my clothes. He took me at top speed completely naked, without even any shoes, from the hall to the pavilion 150 metres away across a patio covered by small stones; here the pain of the previous blows and having to run on the stones without shoes made my progress slow; nevertheless I was pushed. At the pavilion entrance there were about 10 prison employees who began to beat me all the way to my cell where I spent several hours completely naked without even a blanket until the guards arrived to question me about why I was detained, punching and beating me. Then I was taken out of the cell to the bottom of the pavilion, being beaten by various officials. There I had to look for my clothes amid further blows among a pile of belongings. They forced me to bathe in cold water, then they beat me all the way back to my cell. This is all I went through during the transfer as a result of which I lost two teeth and still have pains in different parts of my body two months later. In spite of the doctors having been informed of all this, I have never received medical attention. I should add that when I was in my cell they threw me onto the floor and started to kick me with their boots all over my body. Once I was kicked in the mouth and two teeth were broken. I had no breath or strength; I was lifted up only to be thrown onto the floor and beaten again."

(Amnesty International has received many other testimonies which corroborate the brutality of this transfer.)

There is no doubt that the treatment described in the preceding testimonies goes beyond the limits of what is acceptable to any civilized society and clearly violates Article 31 of the United Nations Standard Minimum Rules for the Treatment of Prisoners:

> "Corporal punishment, punishing by placing in a dark cell, and all cruel, inhuman or degrading punishment shall be completely prohibited as punishments for disciplinary offences."

Alarming reports of brutality, however, come from the Penitentiary in Córdoba, where the political prisoners have been kept incommunicado since the coup. All personal belongings, reading and working materials have been taken away from them and the prisoners allege that they are kept in a constant state of tension, are subjected to interrogations each night and are forced to participate in long sessions of arduous

military exercises known as "dances", which are generally accompanied by beatings and abuse. A joint testimony by the political prisoners in Córdoba Penitentiary recounts:

"In the last weeks of April, the situation deteriorated. We were then taken out, cell by cell, at all hours of the day and night, by a colonel and three subordinates with rifles and fixed bayonets, pistols and truncheons, who vented their loathing on us. Naked, flat on our backs in the corridors, prohibited from looking at one another, we were questioned about our activities outside: trade unions, political parties, et cetera. We were beaten with rubber sticks with steel centres. They would pick out one of us at random for a prolonged beating. These night-time disturbances created an an apprehensive and nervous silence amongst us. We never knew which of us would be beaten that night ..... The results of these last two weeks in April were: 80 percent of the prisoners were beaten, with bruises on some part of the body, cuts, badly bruised backs. The worst were: prisoner Wind given a bayonet wound in the kidney as a result of which he lost one organ; prisoner Balus with partial paralysis as a result of the beatings moved twice to hospital in a coma; prisoner Barrero with haematomas on the genitals; prisoner Rudnik, convalescing on crutches after being beaten was readmitted to the prison hospital. The most badly beaten was Carlos Sgandurra: this fellow prisoner was singled out at random by a corporal who may have found his physical presence objectionable, and taken out in underpants in the middle of a cold night. They beat him brutally on the back, head and shoulders, inflicting severe lacerations. When he returned to the cell, his body was a mass of sores, his forehead swollen by the blows; but his torturers were not satisfied with this. Another three times at different hours of the day and night, like bloodthirsty vultures, they set about him. On one occasion his tormenters amused themselves by running the flat or point of their blades on his wounds."

Summary Executions

Summary executions of political prisoners have occurred in the Penitentiary in Cordoba on various occasions, justified under the Ley de Fuga or Law of Escape. The following account is a resumé of several testimonies written by the political prisoners themselves and passed out of the prison between July and October 1976.

"On 17 May (1976) the following were removed from the jail without any explanation: Miguel Angel Mosse, Ricardo Alberto Otto Young, Alberto Svaguzza, Eduardo Alberto Hernandez, Luis Ricardo Veron and Diana Fidelman. Minutes later they were killed; the army alleged they were shot whilst trying to escape.

"On 28 May, José A. Pucheta and Carlos Sgandurra were taken

out of their cells and killed (allegedly killed during a rescue attempt)."

"On 19 June at 23.15 hours while we were all sleeping Mirta Abdon de Maggi and Esther Barneris were taken away, gagged, handcuffed and blindfolded. The same night, they took Miguel Barreras and Claudio Zorrilla. All were subsequently shot with other detainees who were not from the prison (once again the official version was shot during an escape attempt)."

"On 29 June, at about 20.00 hours they took away Marta Rosetti de Arqueoloa, who had been repeatedly threatened with death; she had one night's reprieve as they did not have a vehicle in which to move her."

"On 30 June at 11.00 hours she was taken away by a lieutenant and a sergeant with Christian Funes; they were both shot in a lorry at the prison gates, allegedly whilst trying to escape."

"On 5 July, during one of the infamous "dances" while doing press-ups, prisoner Raul Augusto Bauducco unintentionally touched the officer in charge, who shot him dead. (The official statement was that the prisoner had tried to snatch the officer's gun.)"

"On 14 July, Rene Moukarzel, a prisoner aged about 28, blindfolded, handcuffed and covered with blood - indicating recent torture - was taken into the courtyard. We were all locked in our cells and the windows were shut. He was tortured for hours, during which time they constantly threw cold water over his head, keeping him blindfolded and gagged until he died, frozen in the same place that night."

"August: prisoner Liliana Felisa Paez was taken away and, as in previous cases, was shot together with prisoner Tramontini."

"On 12 August, Hugo Vaca Narvaja, Gustavo Adolfo de Breuil and Higinio Arnaldo Toranzo were killed." (A communiqué from the 3rd Army Corps - which controls Cordoba - explained that while the prisoners were being transported from the Penitentiary to a military court, the van had an accident. The three subversives tried to escape by hiding in some bushes; the escort was obliged to open fire, killing the three men. As it is almost certain that the men were handcuffed and unarmed, it is difficult to understand why it was necessary to shoot them.)

The deaths of four more political prisoners occurred in the Penitentiary in Cordoba in mid-October 1976. Death notices were published in the local newspaper Voz del Interior (15 October and 18 October 1976) for Miguel Angel Cevallos, Jorge Oscar García, Pablo Alberto Ballustra and Marta Juana Gonzalez de Baronetto.

While it is not possible to corroborate all the events described in these statements, it has been confirmed by official sources that between 17 May and 12 August 1976, 17 prisoners from the Penitentiary were executed and in all cases the authorities used the Ley de Fuga (Law of Escape) to explain their deaths. The fact that so many prisoners appear to have died in such dubious circumstances must inevitably give rise to the greatest anxiety about the safety of the political prisoners in Cordoba. Such anxiety could only be allayed if a public inquiry were conducted into these deaths, preferably by an international organization, and the state of incommunicado were to be immediately lifted*. For it seems clear that safeguards for the well-being of prisoners can only be guaranteed when lawyers, friends and relatives are given access to the prisons.

* Since January 1977, the political prisoners in the Córdoba Penitentiary have been able to receive visits.

DISAPPEARANCES

Amnesty International has received varying estimates - from priests, journalists, lawyers and political groups - of the number of people in Argentina who, over the last two and a half years, have disappeared or have been abducted. The estimates range from 3,000 to 30,000, but the figure most frequently quoted is about 15,000. The usual course of events, it appears, is for someone to be dragged from his home at night by men who identify themselves as agents of the police or of the armed forces; when relatives proceed to make inquiries, by asking at the local police stations or barracks, and perhaps eventually filing writs of habeas corpus, they receive no information or help. The missing person has "disappeared" - has joined that ghostly army which, since the coup, has allegedly absorbed between 2,000 and 5,000 people. It is difficult, for obvious reasons, to obtain precise statistics: many families fear reprisals, either against themselves or against the abducted person, if they publicize the disappearance; and lawyers are systematically discouraged from filing writs of habeas corpus. Nevertheless, despite such fears, the problem has become manifestly severe: in the last week of May 1976 a total of 200 writs of habeas corpus were filed in the central federal courts of Buenos Aires alone, and between late May and the beginning of August 1976, the government was receiving unofficially 10 complaints a day. In August, at the Ministry of the Interior, a register was opened in which the names of missing persons could be entered by their relatives; the daily limit for the receipt of such complaints was set by the government at 40. If in fact this maximum figure remained constant, the number of complaints recorded by November 1976 could well have been nearly 2,000.

However, at a meeting with representatives of the Ministry of Justice and the Ministry of the Interior, the Amnesty International delegates were informed that the government had received, and were investigating, only 150 complaints. They were told that so-called disappeared people fell into three categories: those who choose to go "underground"; those who emigrate; and those who are killed in clashes with the security forces.

This explanation is not altogether consistent with the evidence available to Amnesty International. While it is possible that some of the missing persons may have gone into hiding or may have been killed in clashes with the security forces, this is not true of the majority of cases where the abduction has normally been witnessed by friends or relatives. Nor was the single example of emigration offered by these government officials an entirely convincing one. The officials cited the case of a Chilean, Mario Muñoz Salas, who, though widely talked of as a "disappeared person", later re-appeared in Austria. According to Amnesty International's records, this man, a trade-union leader, was forced, after receiving threats to his life, to go into hiding in June 1976 (during a period in which many Latin American exiles who had taken refuge in Argentina were abducted or even killed). He

fled to Austria in September 1976.

During the mission, the Amnesty International delegates received personal testimony from the relatives of more than 100 missing persons. Together with documentation submitted to Amnesty International's offices, these testimonies supply a good deal of information about the general circumstances surrounding abductions, about the number and the location of unofficial detention centres, and about the true fate of at least some of the people allegedly killed in armed conflict with the security forces.

The account of Rosa Daneman de Edelberg, relating the abduction of five members of her family, illustrates the manner in which such kidnappings usually occur:

> ".....because of my advanced age, 72 years, I usually have with me my grandchildren, who each take it in turns to sleep with me for a week or two. At 1.00 o' clock in the morning of 15 July (1976), plainclothed persons came to my house, bringing my son-in-law, Hugo Tarnopolsky, who knocked on the door and asked us to open it saying, 'Open up, Nona, it's Hugo'. When I opened it, I met my son-in-law and the plainclothes men who said they were the police and, with threats and blows, they asked for my grand-daughter, Bettina Tarnopolsky, who, for the reasons given before, had been sharing my house for a few days. After they had violently locked me out on the patio, I heard them taking away my grand-daughter, half-dressed, since most of her clothes were in her room. I also found, when I tried to contact my daughter Blance Edelberg de Tarnopolsky that these people who claimed to be policemen had ripped out the telephone, leaving me incommunicado. It took me some hours to recover from the physical and psychological violence of my unexpected visitors; then I went down to the street and rang my relatives from a public telephone, as it was impossible to contact my daughter. Together with one of my sons, I went to the home of my grand-daughter Bettina's parents, at Pena 2600, Dept A, Capital Federal, and found the front door completely destroyed and the place empty.
>
> "We asked the neighbours and the caretaker for information and found out that, some hours before the events at my house recounted above, plainclothes men, claiming to be police, asked the caretaker for the Tarnopolsky family and he showed them the apartment they lived in. When these policemen received no immediate response to their shouts from my grand-daughter's parents, the apartment door was blown open, so that they could enter straight away, to detain and take away my daughter and son-in-law. It has to be remembered that this took place before the events at my home.
>
> "I would also point out that my grandson Sergio Tarnopolsky - who was finishing compulsory military service at La Escuela de Mecánica de la Armada (Navy School of Mechanics) - has not returned

> home again, and is described as 'disappeared' by the naval authorities. I have ascertained that, on 14 July, Sergio rang his family saying that he was 'confined to barracks'.
>
> "I later discovered that Sergio's wife Laura had been abducted and/or detained by armed persons who raided her home.
>
> "Objective account of the facts so far: the disappearance of the whole Tarnopolsky family, Hugo and Blanca and their children Sergio and Bettina, and daughter-in-law Laura; the confiscation, robbery - or whatever it might be called - of valuables, including Hugo's car."

Frequently, relatives of suspected "subversives" or left-wing activists have also been kidnapped.

On 24 August 1976, the children and daughter-in-law of the well-known radical Juan Gelman, spokesman for the Peronist Partido Auténtico, were all abducted. The abductions are believed to have been in reprisal for Gelman's work abroad denouncing the military régime. Nora Eva Gelman (aged 19), Marcelo Ariel Gelman (aged 20) and his pregnant wife Claudia were all abducted from their homes in Buenos Aires by men claiming to be the Federal Police, who initially had been looking for Juan Gelman. None of the young people had been engaged in political activity since their schooldays, when they had belonged to the secondary school students' union. Nora Eva, who was in poor health following a serious road accident, was released after 10 days; the other two are still missing.

Until recently, under Argentine law, there were only three circumstances in which an arrest could be made: if the criminal were apprehended in flagrante delicto; if a warrant had been issued by a judge; if (in the case of PEN prisoners) the executive had passed a decree.

It has become apparent that after the coup these legal stipulations were widely disregarded. There is evidence that a large number of abductions were in fact illicit arrests made by official law-enforcing bodies. In Córdoba, for instance, some prisoners were detained "at the disposal of Area 311": that is to say, quite illegally on the order of the local commander.

Numerous arrests, then, failed to conform even to the very broad provisions permitted under the State of Siege; the most minimal legal guarantees were totally ignored. Inevitably, the prisoner, bereft of his constitutional rights, found his physical integrity at risk, as for instance in the cases described below of Father Patrick Rice and Dr Oscar Carlos Gatto.

These irregularities were not generally regarded as part of government policy, but as excesses committed by over-zealous sectors of the police and

the armed forces. However, in November, the government, instead of curbing this behaviour, sancioned it. Law 21.460 issued on 19 November 1976 authorizes the police or armed forces, when investigating subversive crimes, to arrest anyone on suspicion alone, providing there are "strong indications or half-conclusive proofs of guilt". This procedure will be known as "summary pre-trial" and by this "simple and rapid investigation" the necessary evidence can quickly be gathered so that the competent court at a subsequent trial will be able to pronounce upon the guilt or innocence of the accused.

It appears that the effect of Law 21.460 is to transfer to the police and military what is rightly a function of the judiciary; for anyone arrested under this provision has already been half convicted.

One of the most conclusive testimonies concerning unofficial detention - and revealing the involvement of the police and army in abductions and subsequent torture - is that provided by Father Patrick Rice, an Irish worker priest:

> "On Monday, 11 October 1976 I was walking at about 8.30 pm in a dark part of Villa Soldati with a young Argentinian girl, Fatima Cabrera, who had come to me for help and advice. An old van drew up, a man got out and shouted to us 'Stop or I'll shoot!' We didn't know what to do. He fired a shot in the ground. He pointed his gun at us and asked for our documents. He seemed very nervous. He fired another shot in the air. Another man came round the corner, also carrying a gun. They bundled the two of us into the back of the van. At no time did they identify themselves. We did not know who they were or where they were taking us.
>
> "They took us to Police Station 36. I was taken into a room and my shirt was pulled up over my head and face. They asked my name and where I lived. I identified myself as a priest. I was then beaten up. They told me: 'Now you'll find out that the Romans were very civilized towards the early Christians compared with what's going to happen to you.' During this beating I was not asked any questions.
>
> "Later that night I was put in the boot of a car, my hands were tied behind my back and my head was hooded. Fatima was put in the back seat. We were taken to what I thought was a barracks*. The hood made of rags was removed and replaced by a yellow canvas hood with string round the neck. The man changing the hood said to me: 'Don't look at me! If you look

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* Father Rice's description of the barracks, which he believed was located just off the Ricchieri Autoroute and the Camino de Cintura, may indicate that he was detained in the Brigada Guemes.

> at me you're a gonner.' I was beaten again. By this time I was in a bad state. I had lived in Argentina for six years and knew about the tortures and what to expect.
>
> "I was then submitted to water torture. My nose was held and water was poured in my mouth. You swallow a lot of water and it has a drowning effect. My interrogators told me that they belonged to the AAA (Argentine Anti-Communist Alliance). The beatings and drenching with water continued throughout Tuesday 12 October at three or four hour intervals.
>
> "On Tuesday night they came and walked me to another room. I knew that electric shock treatment was coming. Electric shocks were applied systematically to various parts of my body. They were also giving electric shock treatment to Fatima in the same room. All day Wednesday 13 October they tortured Fatima - I could hear her screaming.
>
> "I was told by one of my interrogators: 'I am also against violence and for that reason I won't kill you.' I was then told that I was accused of putting up propaganda slogans against the army in Villa Soldati. I denied it.
>
> "On Thursday 14 October, I was brought to the person in charge and told: 'You have been in detention for 8 hours.' I was again bundled into the boot of a car and taken to the Coordinación Federal (Police headquarters also known as Superintendencia de Seguridad Federal), 1550 Moreno Street, Buenos Aires. There I was kept in a small cell. The following day Fatima was brought in and put in a cell near me. Occasionally we could talk with the other prisoners or sing.
>
> "I was told to say about my black eye and other signs of torture: 'You fell downstairs. If you say anything else, you'll be found in the river.' A doctor gave me injections, bandages, et cetera. A week after my arrest I was washed, shaved and brought before the Irish Ambassador. I was quite disorientated and the Ambassador realized that it wasn't in my interests to talk about ill-treatment. Later I signed a document which apparently cleared me of the charges. I thought therefore that I would be released in a few days, but I was transferred to Villa Devoto and then to La Plata prison where I was held for 4 or 5 weeks until my deportation. I was not tortured any more."

The apparent complicity of the public authorities in abductions is supported by the fact that even on the occasions when police have been called to the scene of a kidnapping they have failed to intervene on the victim's behalf:

"In the early morning of 29 April 1976, Dr Gatto and his wife were taken from their flat in Buenos Aires by men who identified themselves as members of the Comando de Fuerzas Conjuntas del Ejército, Marina y Aeronáutica (the Combined Forces of the Army, Navy and Air Force). According to neighbours, five 'officials' burst into the flat; they beat Dr Gatto and threatened to strangle his wife unless he confessed to subversive or extremist ideas. When Dr Gatto and his wife refused to admit to having any connection with, or any knowledge of being implicated in anything subversive, political or extremist, the 'officials' only beat them more and took both of them away in official cars with sirens.

"One of the neighbours who was an eyewitness to the 'arrest' called the Federal Police when he heard the noise, because he thought there had been a burglary. Uniformed police arrived on the spot before the abductors' had taken the couple away. When the abductors were leaving, the police questioned them, but when they showed their identity papers, the police let them take the couple away. The neighbours also stated that the abductors removed all the belongings of the Gatto couple*."

The evidence that some missing persons are in fact being deprived of their liberty by law-enforcing bodies is overwhelming. The following is a list of some of the most frequently cited unofficial detention centres. There are many difficulties in obtaining first-hand information about these places, not least because the prisoners are often kept blindfolded or hooded throughout their detention so that they should not recognize their captors or fellow captives. Other reasons are that those who are fortunate enough to be released are too afraid to make any public statements and that outside bodies find it almost impossible to check the location of the detention centres, since many of them are in restricted areas like the Campo de la Atómica near Ezeiza airport.

In Buenos Aires

La Escuela de Mecanica de la Armada (Navy Mechanics School)
Campo de Mayo (army garrison)
Campo de la Atómica or Ezeiza (near the Atomic Energy Commission)
Brigada Güemes
Superintendencia de Seguridad Federal (also known as Coordinación Federal - Central Police Headquarters)
Repartición 1 y 59 La Plata
Regimento No 1 de Infantería Patricios
Brigada de Investigaciones de Banfield

* Testimony of fellow prisoner subsequently released.

In Córdoba

Campo de la Rivera
Campo de la Perla
Pampa de Olaem

In Tucumán

Famaillá
Fronterita
Santa Lucía
Las Mesadas
Escuela de Policía
Departamento de Educación Física

Political Killings and Deaths

According to official statistics, the number of people who have died in political violence in 1976 is 1,354; this figure includes:

391 guerrillas;
167 police or military;
151 unknown;
33 businessmen;
28 trade-unionists;
15 students or university teachers;
12 former politicians;
9 priests.

Considerable doubt has been voiced by lawyers, members of the church and journalists about the truth of official reports concerning some of these deaths. Moreover, these reports are extremely terse communiqués recording the shooting of "subversives" and rarely specifying even the identities of the victims. Since the coup, in the case of such incidents, the press may publish only these reports.

There are several instances of people known to have been abducted or even officially detained who, months later, are reported by the authorities as having been killed in a clash with security forces. These instances include the following cases:

(1) On 8 July 1976, military sources announced the death in combat of Liliana Malamud and Abigail Attademo. Habeas corpus writs had been filed for both girls after their arrest following a raid on a house in the Caseros district of Buenos Aires on 3 July by men who identified themselves as the Federal Police.

(2) Ana Lia Delfina Magliaro was taken from her home in La Plata on 19 May 1976 during an anti-subversive operation in her neighbourhood. For 50 days her family was unable to obtain any information about her whereabouts, despite numerous inquiries at the Ministry of the Interior and the army and police headquarters. On 2 August 1976 they learnt by an anonymous telephone call that Señorita Magliaro was detained in a federal police station (Comisaria 34) in Buenos Aires. The family was able, on two occasions, to take her food and clothing, but on the third day, 4 August 1976, they were abruptly told that she had been transferred by the military police of the 1st Army Corps to the city of Mar del Plata.

On 20 September 1976, the family filed a writ of habeas corpus. Two days later they were notified by the local police that Señorita Magliaro had been "killed in combat" in Mar del Plata. A photograph was produced showing the dead girl, gun in hand, in an unspecified location; according to her death certificate she had been killed on 2 September 1976. The authorities in Mar del Plata made no reference to the fact that she had been detained.

On 9 October 1976, Señorita Magliaro's mother was given an official response to the habeas corpus: "This person was received into custody at the 34th Federal Police Station on 9 July 1976 at 12.00 after being detained by the army. She was transferred by the military police of 1st Army Corps to Mar del Plata on 4 August 1976."

At no time was the girl's family given official notification of a release, nor any explanation regarding her place of detention prior to 9 July 1976. Her sudden and violent death, in a town more than 400 kilometres from her home, when she was known to be in the custody of the army, makes the official account of her death improbable in the extreme.

Although the death penalty has been re-introduced (it became law on 25 June 1976 - Ley 21.338), it has not as yet been officially implemented. The deaths of the girls mentioned above and those that occurred in the Cordoba Penitentiary (see section Prisons and Prisoners) suggest, however, that unofficial executions are commonly practised by the police and army, and that usually these are justified on the pretext of counter-subversion.

Although right-wing terrorism has clearly been responsible for many brutal assassinations, the government has taken no action to curb it and apparently regards it as pardonable. In August 1976, the Minister of Foreign Affairs Admiral Cesar Guzzetti, after speaking at the United Nations in New York, made the following statement:

> "My idea of subversion is that of the left-wing terrorist organizations. Subversion or terrorism of the right is not the same thing. When the social body of the country has been contaminated by a disease that corrodes its entrails, it forms antibodies. These antibodies cannot be considered in the same way as the microbes. As the government controls and destroys the guerrilla, the action of the antibody will disappear, as is already happening. It is only a natural reaction to a sick body."

Reprisals on a large scale have followed guerrilla outrages. There are clear signs that many of the victims were in fact unofficial prisoners who had been held as hostages.

After the murder on 19 August 1976 of General Omar Actis, the head of the state committee organizing the 1978 World Football Cup, 30 bullet-ridden and dynamited bodies were found near the town of Pilar outside Buenos Aires. The police did not allow relatives of missing persons to see the bodies, but eyewitnesses claimed that the corpses seemed to be those of people who had been detained for some time: they were not wearing ties, belts or shoelaces (all items of clothing which are routinely removed by police on arrest). It is believed that the Pilar victims had been held in the Coordinación Federal in Buenos Aires.

In some cases mass executions occur without any prior guerrilla provocation. On 6 October 1976, after many writs of habeas corpus and inquiries from relatives of missing persons, 34 bodies were exhumed from the cemetery in Moreno, a town to the south of Buenos Aires. Some of the bodies had had their hands tied behind their backs; others had been burned. It transpired that these people had probably been killed on 14 April 1976, the date of a large anti-subversion operation in a suburb of Buenos Aires; many of the bodies were identified as those of persons abducted on this date. For example, one of the corpses was that of a 22-year-old girl, Julia Rosa Dublowski, who had been arrested on 14 April 1976 at her home in Las Piedras de Remedios de Escalada by plainclothes men who identified themselves as agents of the Federal Police and who told her parents that the girl was being taken to the Barracks of the 1st Regiment in Palermo.

It has emerged that on 15 April 1976 the bodies of the victims were identified by the local police in Moreno; the police did not, however, notify any of the relatives.

It is apparent, in short, that in Argentina a large number of people who disappear are unofficially executed. This conclusion can be demonstrated by particular cases; it is also supported by the fact that regularly, in various places throughout the country, unidentified bodies are found - floating in rivers, at the bottom of lakes, decomposing on rubbish dumps or blown to pieces in quarries.

TORTURE

Evidence about the widespread use of torture was received by Amnesty International throughout 1976 and during the mission itself. The personal testimonies concerning maltreatment of prisoners have in some cases been corroborated by subsequent medical examination (e.g. in the case of Máximo Pedro Victoria, a nuclear physicist detained in April 1976; his case is dealt with later in this section), but more often by what has been observed by relatives of the victims. The testimonies are varied and numerous; they have been made by people from all sectors of society: refugees, academics, journalists, lawyers, priests, trade unionists, students. Amnesty International believes that in view of their great number, their circumstantial detail and the range and variety of their sources, these testimonies provide overwhelming proof of the use of torture as an instrument of policy.

Torture is not new in Argentina. In March 1975, the International Commission of Jurists' Report, The Situation of Defence Lawyers in Argentina, affirmed that "cases of proven torture of political prisoners are common" and went on to quote a statement made by the former President Arturo Frondizi (La Razón 11 March 1975):

> "It will not have escaped anyone's notice that torture is almost becoming an institution in our country. If on the one hand the terrible degradation of torture is not fought against, no attempt can be made at extirpating that other terrible degradation consisting of the death of innocent people in guerrilla warfare."

In talks with representatives of the Ministries of Justice, the Interior and Foreign Affairs, the Amnesty International delegates referred to the allegations of torture made by some of the female prisoners in Villa Devoto. The Chef de Cabinet of the Ministry of the Interior, Señor Flouret, firmly stated that torture was absolutely forbidden and, if it occurred, was punished (there were, he admitted, isolated cases of official brutality). When asked for details of action taken against officials found guilty of torture and maltreatment of prisoners he refused for reasons of security to divulge any information. He claimed that subversive organizations had instructed their members to make allegations of specific kinds of torture. It was, he added, the subversive organizations who first resorted to torture.

Clearly, the determination of the Argentine government to seek out and check abuses would be more convincing if the actions taken were no longer conducted in secret.

The conviction of the Argentine armed forces that they are fighting a "dirty war" which "goes beyond good and evil", and the success of which depends

on the use of counter-subversive techniques, has undoubtedly encouraged a systematic resort to ruthless measures against extremists. There is, among certain sectors of society, a widespread, though usually unspoken assumption that "subversives" have put themselves beyond the law and therefore deserve all they get. This assumption may have disastrous results; as the Episcopal Conference stated in July 1976, after the murder of three priests and two seminarians in Belgrano, if certain forces are allowed to act arbitrarily, "what guarantees, what rights remain for the ordinary citizen?"

The practice of torture - whatever the pretext given - cannot be acceptable to a civilized society. Torture, once permitted, is likely to become commonplace. In the present atmosphere in Argentina a citizen may well come under suspicion of harbouring extremist ideas if, for example, he possesses a copy of Pablo Neruda's poetry. If, in addition, such a person is picked up by members of the police or military, the practice of deferring an official arrest until his political record has been checked may well mean that in the interim he falls a victim to torture. The case is not merely hypothetical. It is in fact known that many innocent people have been tortured in the last few months.

Maximo Pedro Victoria, a nuclear physicist who worked for the Argentine Atomic Energy Commission, was arrested in April 1976. He was initially held on the ship Bahía Aguirre, until he was moved to the Villa Devoto prison and detained at the disposal of the Executive Power. In early September 1976 he was transferred with approximately 50 other prisoners to the prison of Sierra Chica, about 350 kilometres south of the capital. During the transfer all the prisoners were continuously and savagely beaten. Their heads were shaved. On their arrival at the Sierra Chica prison they were forced to sign documents saying that they themselves were responsible for the injuries sustained during transit. Those who refused were subject to further beatings and punishment. Máximo Victoria was released in October 1976; several teeth had been broken as a result of the beating and medical tests carried out after his release revealed that he had a serious protein and vitamin deficiency.

There does not appear to have been any serious attempt by the Argentine government to stem the use of torture. According to reports, it is widely practised in the barracks of the military and police. Common methods of torture are:

- electric shocks applied to all parts of the body with the picana (prod);
- "submarino": immersion in water with the head covered by a cloth hood; when this becomes wet, it sticks to the nose and mouth and when the victim is taken out of the water breathing is practically impossible;
- beatings with fists, truncheons, rifle butts and sticks;
- kicks;
- cigarette burns;
- plunging victims into ice cold baths;
- keeping victims hooded;
- forcing prisoners to stand in awkward positions for hours;
- depriving prisoners of food, drink and sleep;
- the subjection of women to all kinds of sexual abuse, including rape; in addition, pregnant women have been so badly beaten that they have

miscarried;
- exposure to attacks from savage dogs set on the prisoners by the guards.

The police headquarters building in Buenos Aires (Coordinación Federal) is often mentioned by victims as a centre of torture.

Isabel Gamba de Negrotti, a 27-year-old nursery school teacher, was abducted from her home together with her husband and taken to Comisaría 39 in Villa Urquiza in Buenos Aires. Although she told the police that she was pregnant, she was punched and beaten, her hair was pulled and she was threatened with death. She was kept hooded and her coat was taken away. She was threatened and beaten by about eight men, who said they would go and get her younger sister and mother. Later that evening, she had cramp spasms and began to feel ill. She could hear her husband screaming.

The next morning she was taken to Coordinación Federal so that her political activities could be investigated. The worst treatment began:

> "They took me to another room where they kicked me and punched me in the head. Then they undressed me and beat me on the legs, buttocks and shoulders with something made of rubber. This lasted a long time; I fell down several times and they made me get up and stand by supporting myself on a table. They carried on beating me. While all this was going on they talked to me, insulted me and asked me about people I didn't know and things I didn't understand. I pleaded with them to leave me alone, or else I would lose my baby. I hadn't the strength to speak, the pain was so bad.
>
> "They started to give me electric shocks on my breasts, the side of my body and under my arms. They kept questioning me. They gave me electric shocks in the vagina and put a pillow over my mouth to stop me screaming. Some-one they called the 'colonel' came and said they were going to increase the voltage until I talked. They kept throwing water over my body and applying electric shocks all over."

Two days later she miscarried. She is now in detention in Villa Devoto prison.

Carlos Baro, a member of the Communist Party Youth Federation and a doctor, was abducted from his home of 16 July 1976 by a group of armed men.

> "We entered a building where I was led up a staircase to the first floor. I was immediately stripped, beaten, laid on a bed and subjected to torture - the picana (electric prod) in particular, for about one and a half hours. During this savage torture, they questioned me about the possible whereabouts of arms, printing materials and about people I didn't know. I spent a day and night without any food or water. On Saturday 17 July at about 3.00 pm I was taken back

> to the torture chamber. For an hour or an hour and a half, the electric prod was applied to the most sensitive parts of the body: testicles, thorax, mouth, etc; after this, the savage mercenaries subjected me to what they called 'Asian torture', which consisted of pitching me into drums of water while hanging by the legs. They did this four or five times until I lost consciousness. When I recovered, I was again tortured with the electric prod for another hour (approximately), but this time with three prods at the same time. I should also state that they injected me with some substance - possibly toxic or infectious - in the big toe of my right foot, in the testicles and right arm, as well as pulling out the nails of my big toes and slashing a toe, then persistently applying the electric prod to these places."

During his captivity he was told that if he collaborated he would be placed at the disposal of the Executive Power; if not, "they had legal ways of leaving no trace of me".

His physical condition deteriorated; the only medical treatment he received was from another kidnap victim who had been held for a month. "The place I was in resembled a large shed." All those detained (about 20 or 30 young people) were referred to by numbers.

He was released on 21 July and abandoned on highway No 7 at Jauregui. He made a deposition to the Jauregui police, supported by a medical certificate which noted: gangrene of the right foot, abscesses on both testicles and scars all over the body.

From these testimonies and many others recorded by Amnesty International, it is apparent that torture is used as an integral part of the counter-subversive strategy by both official law-enforcing bodies and parapolice groups. Such practices constitute a serious violation of Article 5 of the United Nations Universal Declaration of Human Rights which affirms that:

> "No one should be subjected to cruel, inhuman or degrading treatment."

The use of torture for any purpose whatsoever is categorically forbidden by Article 18 of the Constitution and by the Penal Code of Argentina. At no time has anyone in public office suggested that this specific prohibition has been abrogated by the State of Siege or the emergency decrees of the military government.

REFUGEES

There have been a number of detailed reports about the precarious situation of political exiles in Argentina over the past two and a half years, notably the report of the International Commission of Jurists: The Application in Latin America of International Declarations and Conventions Relating to Asylum (September 1975) and, more recently, a report of a fact-finding mission by three Canadian parliamentarians to Chile, Argentina and Uruguay: One Gigantic Prison (November 1976). In preparing the following brief survey, Amnesty International has drawn on their findings, as well as on the personal testimonies of refugees received at its own offices. Moreover, the delegation had several meetings with representatives of the United Nations High Commission for Refugees (UNHCR) in Buenos Aires, who kindly organized a visit to two refugee hostels in the capital.

Until fairly recently, Argentina was renowned as a country that readily accepted political exiles from its neighbouring Latin American states. As military coups ousted civilian governments in Paraguay (1954), Brazil (1964), Bolivia (1971) and in Chile and Uruguay (1973), thousands were forced to flee their countries to escape political persecution. There are no accurate figures of the number of Latin American political exiles and immigrants resident in Argentina today: the Argentine authorities said in October 1976 that over the previous five years half a million immigrants had entered the country illegally. Only a few political exiles, about 300, have ever been formally granted political asylum in Argentina. Although the Argentine government is a signatory to the United Nations 1951 Convention and the 1967 Protocol on the Status of Refugees, it has maintained the geographical limitation of Article 1B(1)(a) of the Convention, recognizing as refugees (only) those affected "by events occurring in Europe".

During the Peronist government of María Estela Martinez de Perón, the security of the Latin American refugees living in Argentina steadily deteriorated. To be foreign became tantamount to being "subversive" and Chilean refugees in particular were threatened, intimidated and assassinated by parapolice groups. Moreover, there was evidence to suggest that the DINA, the Chilean secret police force, was operating in Argentina. (In December 1975, Senator Hipólito Solari Yrigoyen called for a special inquiry into the activities of the DINA in Argentina.)

Violent attacks on foreign residents occurred with alarming frequency. For example, in September 1974, five Uruguayan refugees were abducted in Buenos Aires and weeks later their bodies were found on the outskirts of Montevideo. In October 1974, the former head of the Chilean Armed Forces under the Allende government, General Carlos Prats, was killed together with his wife by a bomb planted in his car.

There were several cases of deportation of political exiles: in November 1974, William Beausire, an Anglo-Chilean, was kidnapped at Buenos Aires airport

whilst en route from Chile to Europe and was returned to Chile; in November 1975, two Paraguayan exiles, Alberto Alegre and Bienvenido Arguello, were arrested by Paraguayan security agents and forcibly repatriated.

The International Commission of Jurists, in its report The Application in Latin America of International Declarations and Conventions Relating to Asylum (September 1975), strongly criticized the standard of protection given to refugees in South America and commented that "thousands of refugees who had fled to Argentina from Chile, Uruguay and other countries were profoundly demoralized and alarmed by the uncontrolled attacks made on them, in part by the notorious Argentine Anti-Communist Alliance (AAA), the para-police organization".* In 1975, the UNHCR reported that of their mandate refugees, three had been shot dead, three had disappeared and were assumed dead, 69 refugees had received expulsion orders and 35 had been detained at the disposal of the Executive Power.

Despite the assurances given by the government after the coup that international laws would be respected, there was a significant deterioration in the situation of the refugees: they were the victims of an unprecedented surge of violence. Only four days after the coup, refugee centres throughout the country were raided by the police. In one incident, 19 refugees, resident in the José C. Paz hostel in Buenos Aires, were detained, interrogated and tortured. Moreover, on 26 March 1976, a new decree was introduced (Communiqué 44) which provided for the expulsion of foreigners for various reasons including "activities which affect social peace, national security or public order" and failure to report previous convictions in their countries of origin. As most of the exiles were politically active in their own countries, they feared that Communiqué 44 would make them liable to summary repatriation.

The general concern was such that the Minister of Foreign Affairs, Admiral César Guzzetti, gave public assurances on 5 April 1976 that refugees would not be repatriated against their will. (In any event, Argentina, as a signatory to the Treaty on International Penal Law (Montevideo 1889) and the Convention on Extradition (Montevideo 1933) had acceded to the principle of non-refoulement, i.e. not to return political refugees against their will by extradition or otherwise to their country of origin.) However, these assurances were not borne out by subsequent events; moreover the abduction and killing of exiles markedly increased.

In April 1976, three Uruguayans were abducted in Buenos Aires; one, a teacher, Telba Juarez, was found dead with five bullet wounds in her body, in an industrial suburb of Buenos Aires on 9 April. The two others, Ary Cabrera and Eduardo Chiazzola, are believed to be among the five people whose mutilated corpses were washed up on the shores of the River Plate which separates Argentina from Uruguay.

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* For further details concerning this period refer to the International Commission of Jurists Report: The Application in Latin America of International Declarations and Conventions Relating to Asylum (September 1975).

On 10 April 1976 a Chilean, Edgardo Enriquez Espinosa (the brother of one of the founders of the Movimiento de la Izquierda Revolucionaria (Movement of the Revolutionary Left - MIR)) and a Brazilian girl, Regina Marcondes, were abducted in Buenos Aires. There are unconfirmed reports that Enriquez was taken back to Chile by DINA agents.

In May 1976, three prominent exiled politicians were kidnapped and murdered. Uruguayan senator Zelmar Michelini and Héctor Gutierrez Ruiz (former president of the Uruguayan Chamber of Representatives) were taken from their homes in central Buenos Aires by armed men who identified themselves as police officers. On 22 May 1976, their bodies were found in an abandoned car, with the bullet-ridden bodies of two other Uruguayans, William Whitelaw Blanco and his wife Christina Barredo.

The former Bolivian President, Juán Torres, disappeared on 26 May. His body was discovered on 27 May 1976, 60 miles outside the capital.

On 6 July 1976 four young Uruguayans were kidnapped in Buenos Aires. They were held for one week in a "safe house" outside the capital, where they were tortured by members of the Uruguayan security forces. After their release on 13 July 1976, they went to France, where they were examined by members of Amnesty International's Danish doctors' team who confirmed that the marks and symptoms of the victims were consistent with their allegations of torture.

In response to these and many other incidents, the UNHCR made appeals in June and October 1976 to all governments to give priority to refugees from Argentina seeking asylum. The High Commissioner emphasized the gravity of the situation in Argentina in his opening speech of the Twenty-Seventh Session of the UNHCR Executive Committee in Geneva on 5 October 1976: "It is important and urgent that traditional countries of resettlement and other countries come forward generously to alleviate the plight of these refugees."

The Amnesty International delegation was told by a representative of the UNHCR in Buenos Aires that there are at present in the country approximately 12,000 registered refugees, a figure which remains fairly constant because as soon as the UNHCR manages to resettle refugees, more come forward seeking refugee status. Between 1 June and 30 September 1976, for instance, whereas the total number of people resettled outside of Argentina was 1,075, the total number given refugee status was 1,511. An official of the UNHCR informed the delegates that there were about 1,800 persons requiring immediate resettlement; in the month of October alone, 70 new urgent cases had been presented:

37 Uruguayans
30 Chileans
2 Bolivians
1 Paraguayan

These cases, categorized by the UNHCR as urgent, are mainly Uruguayan and Chilean refugees who have been officially detained or expelled or whose lives

have been seriously threatened*.

Refugees in Detention

Since the introduction of the State of Siege in November 1974, many refugees have been detained at the disposal of the Executive Power. The majority appear to have been arrested, not because they were involved in subversive activities in Argentina, but because of their political activity in their countries of origin, as is illustrated by the case of Dr Enrique Sepulveda Quezada. He is 65 years old and of Chilean nationality. A paediatrician by profession, he worked during President Allende's period of office as a journalist for the newspapers La Nacion and Clarín. He was one of the founding members of the Chilean MIR and served as its secretary general for two consecutive periods.

He was initially arrested in Santiago de Chile in 1973. He was severely tortured in various centres in Chile, until one night his interrogators abandoned him in the streets of Santiago. He contacted friends and relatives and entered Argentina at the beginning of 1974.

Up until his arrest in Buenos Aires in February 1976, Dr Sepulveda had resisted taking part in any political activity in Argentina. His main concern had been to give humanitarian aid to compatriots in exile, and it is likely that this was the reason for his arrest.

Since February 1976, Dr Sepulveda has been held in preventive detention without charge or trial at the disposal of the Executive Power. He was initially held in Villa Devoto prison in Buenos Aires, but has recently been transferred to La Plata. It is alleged that he has been subjected to severe torture since his detention in Argentina.

The condition of Dr Sepulveda's health is reported to be very serious indeed. The torture he has undergone combined with his advancing age and poor prison conditions are cause for grave concern for his life**.

There are cases of refugees accused of fairly minor offences, whose sentences have far exceeded the maximum penalty recommended by law. In August 1976, Andres Cultelli, a 56 year old Uruguayan, was tried for illicit association, possession of false documents and violation of border regulations between Argentina and Uruguay. His wife writes:

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* There were 359 cases - 973 individuals - urgently requiring resettlement in December 1976.

** In January 1977, Dr Enrique Sepulveda Quezada was served with an expulsion order.

"My husband was deprived of all legal counsel at his trial. A universal principle of law states that nulla pena sine lege. Nevertheless, Judge Spangenberg, who condemned my husband to 14 years in prison (although the maximum penalty provided for by Law 20.840 is 8 years and the Federal Prosecutor asked for 5 years) based this incredible sentence on the following charges:

(a) possession of two books by Marx, which at the time of purchase, and even now, are freely sold in Argentina;

(b) illicit association. Judge Spangenberg accused Cultelli of 'giving talks on Marxist economy' to groups of fellow Uruguayan exiles. Cultelli admits such conversations took place, but no law forbids them and no member of the Argentine (illegal) ERP (Ejército Revolucionario del Pueblo) ever attended them;

(c) former membership of the Uruguayan Socialist Party which the judge dubs 'Marxist', whereas in fact it was Social-Democrat; my husband acted as Secretary to its group of congressmen from 1957 to 1962, as of course it was legally recognized;

(d) alleged former membership of the National Liberation Movement (Tupamaros) in Uruguay. If that were the case, the Uruguayan government, after arresting Cultelli in August 1970, would hardly have imposed the minimum penalty of 10 months in prison. In any case, he has already been tried for this alleged offence in Uruguay six years ago and Argentine law does not and cannot penalize a Uruguayan for having supposedly belonged in the past, in his own country, to this or any other political party.

"Neither in Argentina nor in any other country has Andrés Cultelli committed any unlawful act, except that of using false identity papers in order to protect himself against the 'Death Squads', whose victims, such as former Uruguayan Senator Michelini, are numbered by the hundreds. And two years in prison seem more than enough to pay for such a minor transgression.

"Living conditions in the Sierra Chica prison are worse than ever; he is only allowed out of his small single cell three times a week for one hour at a time, and his health is failing. He has a heart condition and is half blind; in any event, at his age - 56 - a prison term of 14 years is equivalent to a death sentence."

Refugees in preventive detention, unlike nationals, have been allowed to leave the country under an expulsion order, providing that they are able to obtain

a visa for another country. A considerable number have been able to take advantage of this ruling; in November 1976 the Uruguayan Senator Enrique Erro, who had been held in Argentina at the disposal of the Executive Power for nearly two years, was finally expelled.

Refoulement

Amnesty International is particularly concerned about the abductions and subsequent refoulement of Uruguayan exiles in Buenos Aires. About 70 Uruguayans, including eight children, have been abducted in Argentina since the coup. In some cases the victims were released or reappeared months later in detention in Uruguay. Others were killed or are still missing. During July and August 1976, evidence came to light that Uruguayan security forces were responsible for at least some of the disappearances.

In June and July 1976, about 30 Uruguayans living in Buenos Aires were abducted. Among the kidnapped were: Margarita Michelini, the daughter of the murdered Uruguayan Senator; two trade unionists, Gerardo Gatti and León Duarte; three members of the Rodriguez Larreta family. There was no information about their fate until August when a Uruguayan refugee, Washington Perez, arrived in Sweden. He gave a full testimony of how he had been forced by Uruguayan officials, some of whom he recognized, to act as an intermediary between them and a Uruguayan political group. The officials wanted Washington Perez, in exchange for the life of Gerardo Gatti, to transmit a demand for ransom to members of the Workers Students Resistance Party (Resistencia Obrera Estudiantil - ROE). On several occasions in mid-July, he was driven to a hideout near the capital where Gatti was being held. Gatti had been tortured and was in a very poor state of health. The negotiations eventually broke down on 17 July. The Uruguayans (among them he recognized Commissar Campos Hermida) then showed him another prisoner, this time León Duarte (abducted in Buenos Aires on 13 July 1976) and asked Perez to carry a similar ransom demand for his release to the ROE group. Perez suspected that the negotiations were a trap and that his own life and the lives of his family were in danger, so he left the country under UNHCR protection*.

In September and October 1976, more Uruguayan exiles were abducted in Buenos Aires. There was no further news about the missing refugees until 28 October, when the Uruguayan Joint Armed Forces issued an official communiqué announcing the detention in Uruguay of 62 persons accused of subversive activities. On 29 October, the same source provided extensive information about the alleged activities of the group, but named only 17 of the 62 prisoners. Fourteen of those named were among the group of 26 Uruguayans abducted in Buenos Aires on 13/14 July 1976; the other three had all disappeared on 27/28 March, whilst travelling from Argentina to Uruguay (Elida Alvarez, Ricardo Gil Iribarne and Luis F. Ferreira) and until the communique was published were feared to have been killed. According to the

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* See Appendix 3 for Washington Perez' testimony concerning the operations of Uruguayan security forces in Argentina.

communiqué the Uruguayan authorities claimed that they had unearthed a new subversive organization called the People's Victory Party - Partido por la Victoria del Pueblo (PVP) and stated that the 62 arrested were all members. The Uruguayan authorities claimed that some of these people had faked abductions (auto-secuestros) in Argentina in order to enter Uruguay clandestinely, to further the aims of their party. The aims of the PVP were said to include plans to assassinate several high-ranking Uruguayan government officials and organize a world-wide campaign of propaganda to bring the Argentine and Uruguayan governments into disrepute.

There are several discrepancies between the Uruguayan government's explanation of the arrests and the facts about the case known to Amnesty International; the theory of faked abductions cannot be seriously upheld when there are reliable eyewitnesses to confirm that the kidnappings took place in Argentina. Writs of habeas corpus were filed immediately after the kidnappings and in seven cases by the UNHCR itself. Two of the "prisoners" were living in Buenos Aires under the protection of the UNHCR. One of the 14 named prisoners, Sara R. Mendez Lamporio, had given birth only 21 days before her disappearance; the notion that she had entered Uruguay clandestinely to undertake subversive activities is implausible*.

In December 1976, the Uruguayans acknowledged that other missing refugees were also in their custody: Margarita Michelini and her husband; Enrique Larreta and his wife Raquel Nogueira de Rodriguez Larreta. They released Enrique Rodriguez Larreta (father of the above). However, there are about 38 adults and eight children still unaccounted for who are presumed to be in the hands of the Uruguayan authorities.

It is apparent that in at least 17 cases the abductions of Uruguayan refugees in Buenos Aires were in fact carried out by agents of the Uruguayan security forces. The scale of the kidnappings inevitably implies the cooperation of some members of the Argentine armed forces and police. The refoulement of these 17 Uruguayans constitutes a serious breach by the Argentine government of the Treaty on International Penal Law (Montevideo 1889) and the Convention on Extradition (Montevideo 1933), to which it is a signatory.

There has also been a recent case of deportation involving a Paraguayan citizen, Dr Gladys Meillinger de Saneman, a medical doctor, and her husband, Rodolfo Jorge Saneman, a public accountant, both Paraguayan political exiles who were arrested on 26 March 1976 in the town of Posadas in the Province of Misiones. (Both Gladys Meillinger de Saneman and Rodolfo Saneman are members of the Paraguayan political party Movimiento del Partido Colorado - MOPOCO, which is a wing of the ruling Colorado Party of Paraguay engaged in non-violent opposition to the regime of President Alfredo Stroessner.) They were detained without charge at the disposal of the Executive Power and given expulsion orders. On 29 July 1976, Dr Meillinger de Saneman was removed from

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* See Apperdix 4 for cases of refoulement of Uruguayan refugees.

the prison in Posadas where she and her husband were being held and handed over to members of the Paraguayan army. She had allegedly been badly tortured.

She is now detained in Paraguay in the Penal de Emboscada, a new prison camp 40 kilometres to the north of Asunción. Her physical condition is believed to be poor. Her husband is still detained in Argentina.

Clearly, persons with expulsion orders are entitled to choose a second country of asylum; the forcible deportation of Gladys Meillinger can therefore be seen as another example of refoulement by the Argentine authorities.

Such incidents have, understandably, increased the fears of the political refugees in Argentina. Consequently, there was a very poor response when the Argentine government issued Decree 1438/76 on 1 September 1976 obliging all immigrants without permanent residence in Argentina to register with the Department of Immigration before the end of December 1976 . (The original deadline was 31 October 1976.) Refugees who register have to provide details about their former political activities and they fear that these details will be handed over to the security police of their own countries.

CONCLUSION

In view of the current turmoil in Argentina, a report concerned with human rights must conclude by asking two basic questions. First, to what extent are human rights respected and defended by the government and to what extent are they violated? Secondly, to what extent are the violations explicable or necessary? On both of these questions, the assertions of the government are not supported by the facts available to Amnesty International.

After the coup in March 1976, General Videla stated that the military government had come to power "not to trample on liberty but to consolidate it, not to twist justice but to impose it". But legislation passed since the coup has progressively eroded the individual's liberty and numerous members of the security forces have trampled on that which remains. Justice has been perverted twice - by the imposition of laws which contravene the Constitution, and by the reluctance of the security forces to acknowledge any laws at all.

The state of martial law which is currently in force deprives all the citizens in Argentina of the most fundamental civil and political rights, their constitutional guarantees. What it means in practice is that merely on suspicion of subversion, a citizen may be arrested or abducted, held for a long period incommunicado, tortured and perhaps even put to death. He has no legal safeguards against these measures, and, if it happens that he is released, no hope of legal redress.

Fundamental constitutional guarantees have been suspended since the coup, including the important Right of Option, which is now - unconstitutionally - at the discretion of the Executive Power. Military tribunals have been set up for all crimes pertaining to subversion; sweeping powers of arrest and detention have been conferred on the police. Furthermore, many of the decrees of the military junta free the police and the armed forces from any legal liability in the event of persons innocent of any subversive involvement or intention being detained, injured or killed.

The official suspension and unofficial neglect of fundamental legal rights has had alarming results. Since the coup, the number of political prisoners has increased - and more than three-quarters of these persons are detained at the disposal of the Executive Power: they have never been charged, have never been tried, and may be held indefinitely. Although, according to the Constitution, such prisoners are not supposed to be punished, they are held in punitive conditions. There is evidence that many have been maltreated during transfers and that the majority of them have been tortured as a matter of routine. Frequently, torture has been inflicted on people who have not been officially arrested but merely unofficially abducted. The number of abductions has increased since the coup. Friends and relatives find it all but impossible to ascertain the whereabouts of disappeared persons,

though in many cases they eventually discover that the disappeared person is dead.

The neglect of human rights in Argentina is all the more alarming in that it has no foreseeable end. According to provisions in the Constitution, the State of Siege may be declared only for a specified period of time; but no limit has ever been fixed by the present or the previous government. The citizens of Argentina therefore face an indefinite period without constitutional guarantees; prisoners in preventive detention face indefinite incarceration. There is no limit to the duration of the military government, no limit to the period a prisoner may be held incommunicado and no limit to the time that may elapse before he is brought to trial.

The current legislation in Argentina, together with the latitude allowed to various security forces, has then quite definitely led to gross violations of basic human rights. According to the government, the draconian legislation has been necessary to "restore full legal and social order" and to implement the required program of "national reorganization". A government official explained to the Amnesty International delegation:

> "Systematic subversion and terrorism have cost the lives of many police and military and have compromised the security of the Argentine people. These activities have been repudiated by all citizens. If anybody violates human rights in Argentina, murdering, torturing and bombing, it is undoubtedly the terrorists. These people use violence for its own sake or to create chaos and destruction. We understand that the state has a right to defend itself, using whatever force is necessary."

It is true that any impartial observer must condemn the outrages committed by left-wing extremist groups: they have detonated bombs in barracks and police stations, have kidnapped and assassinated members of the military and business executives. However, it does not seem to Amnesty International that terrorist violence may be held to justify the extreme, and extensive, measures taken since the coup by the government. Firstly, it is doubtful whether these measures are in fact entirely defensive, no more than what is necessary to contain guerrilla violence. The military itself admits that this violence has been greatly reduced* - yet abductions, torture and executions apparently committed by the security forces continue unabated. In 1976, left-wing extremists were allegedly responsible for some 400-500 deaths; the security forces and parapolice groups for over 1,000. Secondly, even if these measures were justifiable as a counter-response to extremist provocation, the undeniable fact would remain that they also strike at innocent citizens. Given the present legislation, no one can rely on legal protection, and in view of the practice of the security forces, no one is safe from abduction

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* Speech of General Menendez in Famailla in the Province of Tucuman to celebrate the "Day of the Flag" (20 June 1976): "Subversion is generally in retreat and on the way to collapse."

and torture. Amnesty International believes there is overwhelming evidence that many innocent citizens have been imprisoned without trial, have been tortured and have been killed. The actions taken against subversives have therefore been self-defeating: in order to restore security, an atmosphere of terror has been established; in order to counter illegal violence, legal safeguards have been removed and violent illegalities condoned.

RECOMMENDATIONS ARISING OUT OF A MISSION TO ARGENTINA ON BEHALF OF AMNESTY INTERNATIONAL FROM 6 - 15 NOVEMBER 1976 SUBMITTED TO THE ARGENTINIAN GOVERNMENT IN FEBRUARY 1977

1. In view of the severe criticisms contained in this report, we recommend that the Argentinian government invite the United Nations to send a mission to investigate the situation of human rights in Argentina at an early opportunity.

2. Given the present anxiety about the whereabouts and security of the detainees, we recommend that the government immediately publish a full list of all its prisoners.

3. In view of the many allegations regarding poor conditions and maltreatment of prisoners, we recommend that the Argentinian authorities enforce Article 18 of the Argentinian Constitution and the United Nations Standard Minimum Rules for the Treatment of Prisoners.

4. Given the large number of politically motivated deaths by armed groups, Amnesty International urges that all those responsible be sought out and brought to trial.

5. In view of the widespread use of torture, Amnesty International refers the Argentinian government to the Resolution adopted by the General Assembly of the United Nations 3452 (XXX) on 9 December 1975 and urges the Argentinian government to implement the recommendations contained therein.

6. Given the uncertainty of relatives of missing persons about their fate, we recommend that a list of all politically motivated deaths and registered disappearances be immediately published. Amnesty International urges that the authorities immediately investigate the disappearance of the persons listed in Appendix 6.

7. In view of the large number of assaults and attacks on Latin American refugees during 1976, we urge the Argentinian government to take immediate steps to ensure their full protection. We further recommend that the Argentinian government withdraw the geographical limitation contained in Article 1B(1)(a) of the United Nations 1951 Convention on the Status of Refugees and do all in its power to assist the United Nations High Commission for Refugees in the peaceful resettlement of refugees.

8. Considering that no citizen should be indefinitely deprived of his constitutional rights, we urge the Argentinian government to announce a time limit for the State of Siege.

APPENDIX 1

TESTIMONY CONCERNING MILITARY TRIBUNALS

In the Penal Unit Unidad 2 of La Plata prison, there is a group of youths from Mendoza who had been arrested immediately after the coup of 24 March 1976 and charged with being guerrillas. They were brought before the first Consejo de Guerra (military tribunal) that was set up in the province after having been subjected to torture. Before they were sentenced, they were given a parody of a defence. Each could choose from a list of officers a defence attorney: these officers did not even know how to present a case for the defence. The following prisoners were forced by threats and intimidation into accepting sentences of between 6 months and 29 years:

Víctor Manuel Sasatini
Nelida Lucia Allegrini de Sasatini
Raúl Eduardo Acuarina
Jaime Arturo Pedroza
Carlos Alberto Roca
Antonio Sirio Vignoni
Eugenio Ernesto Paris
Graciela del Carmen
Liliana Ines Togueti
Nicolás Antonio Zarate

Sergio Muñoz Martinez: London, December 1976

APPENDIX 2

LORD AVEBURY'S ACCOUNT OF HIS VISIT TO VILLA DEVOTO ON TUESDAY 9 NOVEMBER 1976

At the introductory discussion with the Governor, I was told that the total number of prisoners held in Villa Devoto was 2,830, of which there were 560 detained at the disposal of the Executive Power, all held in a separate part of the prison. Thirty-six of these were men, the rest women. The Governor would not confirm that Villa Devoto was being converted to make it an exclusively women's prison, a matter which he said was a decision for the superior penal authorities. But since an additional cell block was being prepared for the reception of women, and the only cell I visited in the men's block, which had accommodation for four, contained one man, it appears probable that shortly all the men will be transferred out.

Interviews were conducted with six of the prisoners in the presence of about 20 prison officials, including the Governor. Summaries of four interviews are given; in each case I give the account provided by Señor Flouret (representative of the Ministry of Interior at a later meeting with the Amnesty International delegation) on these prisoners.

1. Ana Inez Gonzalez

She was arrested on 7 February 1975, and had been in this cell for the last 11 months. She was first taken from the street in San Justo to the Coordinacion Federal, where she was tortured by people in civilian clothes on the second floor of the building. She was subjected to electric shock treatment, repeated blows, the "submarine", and she was raped. She also had to watch her husband being tortured; both of them were kept blindfolded during that first week for the entire time. She was then taken to the third floor, and for the first time the relatives who had previously made inquiries and been told that she was not at the Coordinación Federal were informed that she was in fact being held there. She was then held for 18 days on the third floor before being transferred to Villa Devoto where, for the first time, she was seen by a doctor. The reason for this, she said, was that marks left by the electric shock treatment were no longer visible by that time. (When I mentioned this history at the meeting with the officials on Wednesday, Señor Flouret said:"That shows the story could not have been true, because everyone knows that marks left by the picana (electric prod) last for more than 18 days." In other words, the picana is so common that it is a matter of general knowledge how long it takes for the marks to disappear.)

She said that Villa Devoto was by no means a typical prison. The regime there was very mild compared with many of the prisons in the interior. She also said that there were plenty of women who could tell far worse stories and that she knew of women who had been in cells in Villa Devoto whose bodies had been subsequently found dumped outside the prison. She said I ought to visit the hospital, where there were people crippled by torture.

She is charged with "illicit association" but she did not know with what association she was alleged to have conspired. Originally, she had refused to testify because no lawyer had been appointed, but since arriving at this prison she had had the services of a lawyer.

Señor Flouret stated that Ana Inez Gonzalez was arrested in Tucumán where she had a "people's prison" in her home. A large cache of weapons was found there by the police, as well as subversive literature. At the house next door a clandestine printing press was discovered. She was arrested on 27 February 1975. When I expressed surprise at the length of time it was taking to bring Señorita Gonzalez to trial, if the evidence was as Señor Flouret described, he said that the cell structure and self-defence mechanisms of the terrorist organizations made a full investigation impossible.

2. Isabel Eckerl de Baez

Señora de Baez said that her husband, who had disappeared about 10 months ago, had been suspected of murdering a Colonel in Mar del Plata. At the time of the murder he was at work. A number of armed men went to look for him at his parents' house, and when they found he was not there they shot and killed his parents and his brother and they also picked up Señora de Baez' mother and tortured her. She was already in custody herself at the time of these events, having been arrested by the provincial police in 1975. She is charged with "illicit association". A lawyer was appointed to defend her in October 1975, but she had not seen him yet. She had only been in Villa Devoto for two weeks and before that was in Olmos prison. Throughout the transfer, the prisoners were struck repeated blows with truncheons and made to stand throughout a journey which lasted two hours in meat wagons; on the day of the transfer they were given nothing to eat for 12 hours. She said that one woman with a new-born baby was unable to feed it during the journey because she was handcuffed.

Señor Flouret explained that Señora de Baez was arrested with a group of Montoneros on 29 July 1975; they had resisted arrest using firearms. Some of them were allegedly responsible for the murder of Colonel Reyes, the commanding officer of a regiment in Mar del Plata. He said that judicial proceedings were still in the initial stages and that the reason for the delay was again caused by the problems of investigating terrorist organizations.

3. Margarita Juana Hobson

Señorita Hobson was arrested in a car with her boyfriend on 20 May 1976. They were both taken to Coordinación Federal in Buenos Aires where she was blindfolded and maltreated. She preferred not to describe in detail what had happened to her. After one month in Coordinacion Federal, she was moved to Villa Devoto. She does not know what happened to her boyfriend. She told me that she was accused of being in possession of arms, but she did not know who was supposed to be investigating the case and she had not seen her lawyer for over one and a half months.

Señor Flouret said that Señora Hobson had been arrested on 2 June 1976 and faced charges for subversive activity and possession of weapons which were found in her house.

4. Alicia Carlota Marambio

She said she had been in prison for 3 years; she did not know what allegations there were against her, but she had been held under Law 2023 as a "highly dangerous" prisoner. This régime includes regular whole-body searches, which are carried out at random - even at meal-times. She said that sometimes male prison staff had been present throughout these procedures - an allegation which was strenuously denied by the Governor. She said that she had made frequent complaints but had not been allowed to see the Governor. She also said that tortures were committed in private houses and that people in the prison knew about them.

The prison Governor said afterwards that Señorita Marambio had deliberately prolonged her detention so as to prevent the case from coming to trial, by asking her previous lawyer to resign. He said that she was suspected of 18 murders, including that of Lt Colonel Ybarzabal, who was kidnapped by terrorists, held for 1 year and then murdered. At the time of his kidnapping, the colonel weighed 80 kilos, and when his body was recovered, 40*.

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* On his arrival in London, Father Patrick Rice, an Irish worker priest detained in Argentina on 11 October 1976 and released in November, informed Amnesty International that some of the women whom Lord Avebury had spoken to in Villa Devoto prison had been put into punishment cells and were kept hooded. The husband of one of the women prisoners concerned, who was detained in La Plata, had given Father Rice this information.

APPENDIX 3

TESTIMONY CONCERNING THE OPERATIONS OF URUGUAYAN SECURITY FORCES IN ARGENTINA

I arrived on 13/14 August 1976, having left Argentina for this country (Sweden). I and my family had left Uruguay for Argentina two and a half years ago, and we were living in Morón, Province of Buenos Aires.

On 13 June about 4.00 to 4.15 am people burst violently into my house demanding whether Washington Perez lived there. We found ourselves confronted with a group of eight heavily armed people. They identified themselves as Uruguayans and Argentinians. They said they had someone they wanted me to see and that there was nothing against me in Argentina as I was working and living in the country with my family in complete legality. One of them said to me: "Look Perro, be quiet because there are no problems, you know me and you know some people who are here." My sons said that one of them should be allowed to accompany me, to which they agreed.

We drove for 20 or 25 minutes. During the journey they communicated by radio with people at some headquarters telling them how far away they were and how long they would take to get there.

We arrived, a metal door was raised and we drove into what appeared to be a garage; because of the light I could see other cars and vans - it was very cold. I was taken out of the car and made to climb some stairs initially made of cement but later of wood. I went through a door which was then closed and the scarf covering my eyes was removed.

I found myself with the same group of men who had been to my house and some others whom I had not seen before. When I entered the room I identified the man who had spoken to me at my home with absolute certainty as a commissar of the Uruguayan police intelligence, Commissar Campos Hermida - I knew him from the time I was arrested in Uruguay. With him was someone they called chief and colonel, also a Uruguayan. I was also able to identify the brother of Colonel Barrios who is commander of the Libertad prison. There was also a captain in the Uruguayan police intelligence, a police investigator whose name I am uncertain about. There was also an Argentinian colonel*. He told me I had been picked because I was not politically involved. They said there were only routine problems in Uruguay and that I would be able to return there in two or three months. The Argentine colonel then said: "Look, we have a friend of yours whom we want you to speak to - fortunately we managed to snatch this person from a place where he had been detained. We don't want to blame

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* He deduced this because of his uniform, Argentinian accent and because he was addressed as colonel by the others.

others, but he had been detained by the Argentine Federal Police, during the time he was there...." What a tremendous shock when comrade Gatti appeared. I had known him since 1952. Gatti was active in the Uruguayan Students' Federation, he was also a founder of the Convención Nacional de Trabajadores of Uruguay and a member of Resistencia Obrera Estudiantil. I embraced Gatti and saw that his left arm was badly infected and his whole arm was inflamed. Gatti told me that it had not been his idea to involve me in this, and that he had been detained for four or five days. (Gatti was abducted on 10 June 1976.)

The Argentinian colonel said: "Well Gatti, we are going to make a concrete suggestion to Don Perro. We want a sum of money for Gatti - a big sum of money." They also proposed to release some 10 comrades detained in Uruguay. Gatti's eyes were very inflamed and he sat down with great difficulty. They left us alone so that Gatti could explain to me whom I should contact. Gerardo and I both felt that this group of individuals were responsible for the kidnapping and murder of Senators Michelini and Gutierrez Ruiz in Argentina as they had used an expression when talking to us about hurrying up the negotiations that had been used when Michelini was taken from his home: "your time is up" (llego la hora).

The Uruguayan promised that I would not be followed. They warned me to make contact as quickly as possible for Gatti's and my own safety. They then referred to a meal I had recently had at Flores railway station. Campos Hermida boasted: "Look, we could have gone to another country in Latin America or Europe but we chose you as intermediary."

They repeated that they would now accompany me and drop me near my home. Before leaving they took me to another room, that is to the same room where they had first taken me. One of them said: "We repeat what we have already said today: don't go to anyone but the designated contact; we aren't interested in who it is, but that you find him as soon as possible." While this person was talking, another Argentinian colonel opened a strong box containing large sums of Argentinian and Uruguayan money together with passports and Argentinian identity cards. They said they would give me a certain amount of money if they had to, but I didn't believe them at all. They also said there would be no problem in my going to another country once my role as intermediary was over. They added : "We repeat that you try to do this as quickly as possible because we know there are ways in which the friends of Gatti can obtain the money we want through unions and solidarity organizations in Europe."

I was then driven with my son to the Ramos Mejia railway station where they left us.

On Tuesday, I managed to contact a friend of Gatti, and outlined the proposal made. The ransom in exchange for the release of 10 comrades in Uruguay, and the release of Gatti via an embassy. I told them speed was essential. Gatti's friends distrusted the "gang".

Later that week the comrades told me where to collect an envelope

containing the reply to the abductors. That same night the "gang" called me only 20 minutes or so after I had collected the packet to say they were coming to fetch me. I was picked up by a Ford Falcon or Torino (police use this type of car without registration plates). I was taken hooded to the same place again. They mentioned that they were a nazi fascist group and there was a framed picture of Hitler on the wall.

The gang reacted furiously to the comrades' demands that they have a note written in Gatti's own hand and guarantees about his physical and mental health. I was taken to see Gatti who was in bed; his arm was less inflamed and he had been to see a surgeon. One of the men, a policeman, joked and said that he had been to the Campo de Mayo (the largest military barracks in the Province of Buenos Aires). This caused much anger among the captors. Gatti was recovering a little but he told me that he had been hung for he didn't know how long and badly tortured. He had been hung with his arms above his head and the handcuffs had cut into his left arm.

Then the officials reappeared with a photographer who took a shot of Gatti in bed showing his arm and me holding a copy of that day's La Tarde (29-30 June 1976) which I had bought. I was instructed to hand the photograph over to Gatti's comrades. On this occasion I was not allowed to speak with Gatti alone. They warned me to speed up the negotiations because the gang was getting nervous. Perez made contact once more with the comrades and was then collected by the gang. A week must have elapsed. This time when they picked me up the second car which was a support vehicle could not be seen; they did a U-turn to see what had happened to them. The support car had been intercepted by the Argentinian plainclothes police. I could see all this through the car back window. I saw the Colonel take out a document - he was holding a weapon - after a minute's discussion he returned to the car and said everything was alright. I was then taken again to the same place. I saw Gatti who said he was getting better. He said he was worried about me and said "what a terrible job you have". The gang opened the note from the comrades and exclaimed: "These people are messing us around too much. They're just pulling our legs; they want nude photos (front and profile) and tapes. That's too much. Yes, we are going to wipe them out. The time has come."

I was sent away with yet another message for the comrades. I was also given later a handwritten letter from Gatti outlining the proposal that he be released through an embassy. Unfortunately I was unable to make contact with the comrades. On about 17 July the "gang" collected me again. They came to get me from the kiosk where I sold newspapers. They were in a more serious mood this time. One of them held a machine gun and another a large rifle and motioned me to get in the car. There was a police car nearby about 40 - 50 metres from the corner but the gang could stand there in plain view with their weapons without having problems.

I was taken to the same place. They asked if I had made contact. I had to say no. One then said: "Well give it back to me, it's all over now." I asked what he meant, but he just took back the letter and tore it up saying "the Gatti business is over". I asked to see Gatti but they told me I couldn't, that I was only the mediator. They told me aggressively not to mention Gatti again.

They told me there was a person they wanted me to see. There were more of them than before that night. Some people appeared to have just come from Uruguay, both police and military. Someone came in a few minutes later. If I had been scared the first time I had seen Gatti, you can imagine what I felt when I saw someone appear with his hands tied with a long rope, his head covered with a white scarf, like a mummy. They removed the scarf and I saw León Duarte, prominent Uruguayan trade unionist, founding member of the Convención Nacional de los Trabajadores, a member of Resistencia Obrera Estudiantil and a personal friend. He stood in a battered jacket and a dirty shirt and had clear signs of torture. He was barefoot and his feet were completely white. He had obviously been standing a long time in some cold place; he was in a very poor state.

We embraced. I asked Duarte what they had meant by "the Gatti business was finished" but I don't think he realized that he was in the same place as Gatti. I asked him: "When did they take you?" The "gang" told me to restrict myself to listening. León answered me all the same: "They took me from La Rioja Street, about four or five days ago." (Duarte was abducted on 13 July 1976). "For four days I haven't eaten anything but a slice of bread and a glass of water." He had clearly been brutally tortured. Memories of all this come to me continually, 24 hours a day. If I had only been able to help... It seemed I was still to be the intermediary. I asked them again what had happened to Gatti. They told me to be quiet and listen to León Duarte. He said: "Look, Perro" (we called each other by our nicknames Perro and Loco: we had been friends for 24 years) "the fact is that if you accept to be intermediary these people are suggesting that we can obtain a large sum of money. These people want money, they want dollars, many dollars. I don't know how we can do this but you must take the proposal to the comrades. But it's up to you if you want to continue being the intermediary or not." What alternative did I have? The Argentinian jumped up and said that I had to accept. One of them said angrily that Duarte should be given food and shoes. "I am going for a pair of shoes; there are 40 pairs of shoes below." It was clear that not only Gatti was or had been there, and Duarte, but the 26 others who had fallen into their hands. I don't know if it was just an expression but the fact of there being 40 pairs of shoes was an indication that there were many more people there. I said goodbye to Duarte, afraid that they would continue torturing him.

Before leaving, the gang said to my question about Gatti: "No, no Don Perro, don't ask any more." They dropped me off at Liniers and I went to my home in Morón. It was about 1.00 am or later. My family were worried and we then began to discuss getting help for asylum through the United Nations High Commission for Refugees or something similar. A few days later, a comrade and member of ROE called me and warned me that time was running out: "Stay calm but go away."*

Washington Perez; Sweden, August 1976

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* After the sudden end of negotiations with the "gang", Washington Perez remained only another 15 days in Argentina under the protection of the United Nations High Commission for Refugees and finally found asylum in Sweden.

APPENDIX 4

CASES OF REFOULEMENT OF URUGUAYAN REFUGEES

In press communiqué No 21 dated 28 October 1976, which was widely reproduced by the Uruguayan and Argentine press, the Uruguayan Joint Armed Forces announced the detention in Uruguay of 62 persons accused of subversive activities. On 29 October 1976, the same source provided extensive information about the alleged activities of the group. Only 17 of the 62 persons were named. There is evidence that 14 of the named persons were among about 70 Uruguayan refugees abducted in Argentina this year. There are eyewitnesses to many of the abductions. The United Nations High Commission for Refugees (UNHCR) had placed habeas corpus writs on behalf of 7 of the 14 after their abductions were reported by relatives and witnesses in July 1976. Most of the 14 were abducted on 13/14 July 1976, when 26 Uruguayan refugees were kidnapped, including 11 women and 2 children. The 14 persons who have appeared in detention in Uruguay are:

1. Sara Rita Mendez Lamporio

Aged 32 and a teacher, she had carried out trade union activities in Uruguay as student and teacher. Abducted on 13 July 1976 from her home in Buenos Aires (address: Juana Azurduy 3163) together with her 21-days-old son Simón Antonio Riquelo. The baby has disappeared. According to the Uruguayan armed forces, Señora Mendez Lamporio was arrested in Uruguay on 23 October 1976.

2. Asilu Sonia Maseiro Perez

Aged 47, she was a nurse and former trade union leader at a Montevideo hospital. Abducted together with (1) on 13 July 1976. There are witnesses to both abductions. According to the Uruguayan authorities, she was arrested in Uruguay on 23 October 1976.

3. Sergio Ruben Lopez Burgos

Aged 24, a textile worker and former trade union leader in Uruguay. Former official of the Textile Workers' Convention of Uruguay. Given the precarious situation of refugees in Argentina, he had requested and been granted a visa for Sweden. Abducted in Buenos Aires on 13 July 1976. There are witnesses. According to the Uruguayan authorities, he was arrested in Uruguay on 23 October 1976.

4. María Elba Rama Molla

Aged 22 and a student. She was a refugee in Argentina under UNHCR protection. A habeas corpus writ was filed on her behalf after her abduction on 13/14 July 1976. According to the Uruguayan authorities, she was arrested in Uruguay on 23 October 1976.

5. Ana Ines Quadros Herrera de Strauch

Aged 31 and the daughter of a former Uruguayan ambassador to Great Britain and West Germany. She had legal residence in Argentina since 1974. She was abducted in Buenos Aires on 13 July 1976. Her parents submitted a writ of habeas corpus along with affidavits of witnesses who said she was abducted from her home by a group of armed men. The Uruguayan armed forces claim that: "..... among those arrested on 23 October 1976 is Ana Ines Quadros de Strauch, who, according to certain sources, had been kidnapped in Argentina by an ultra-right or parapolice group. The purpose of this is to bring the Argentine and Uruguayan governments into disrepute."

6. Ana María Salvo Sanchez de Espiga

Aged 22 and a nurse. She had legal residence in Argentina since 1974 and worked at the Pirovana hospital in Buenos Aires. Abducted when she arrived at her home (address: Humberto 1, 1308) on 14 July 1976. There are witnesses. She was a refugee under UNHCR protection. A habeas corpus writ was filed after her abduction. No date of arrest is given by the Uruguayan armed forces.

7. Alicia Raquel Cadenas Ravela (or Ravels)

Aged 26 and abducted on 13 July 1976 together with (6). Same witnesses. She was also a refugee under UNHCR protection and a writ of habeas corpus was placed on her behalf. No date of detention was given by the Uruguayan authorities.

8. Edelweiss (or Elena) Zahn Freire de Andrés

Aged 34, married and a psychologist. Abducted from her home in Deheza Street, Buenos Aires on 13 July 1976. There are witnesses. No date of detention was given by the Uruguayan authorities.

9. Ariel Rogelio Soto Loureiro

Aged 23, a refugee living in Argentina under UNHCR protection. A habeas corpus writ was filed on his behalf after his abduction around 14 July

1976. No date of detention in Uruguay was given.

10. Víctor Hugo Lubian Pelaez

Aged 24 and reportedly of Argentine nationality (probably adopted nationality). Married with two children. He ran a cigarette shop at his home, where he was abducted around 14 July 1976. His wife was arrested immediately after attempting to denounce the abduction at a police station.

11. María Petrides de Lubian

Aged 22 and wife of the above. Held immediately after she attempted to file a denunciation about her husband's kidnapping at a police station. No date of arrest given.

12. María Mónica Solino Platero

Aged 21 and the daughter of a Uruguayan active in Roman Catholic lay organizations. Abducted at her home in Buenos Aires (address: Sargento Cabral 881) on 7 July 1976. Her parents filed a habeas corpus writ along with affidavits of witnesses to the abduction. No date of arrest is given by the Uruguayan authorities.

13. Cecilia Irene Gayoso Jauregui

Aged 20 and abducted with (12) at the same address with the same witnesses to the abduction. No date of arrest is given by the Uruguayan authorities.

14. Carlos (or Gastón) Zina Figeredo

Aged 21, abducted in Buenos Aires at a hotel where he lived with his mother on 22 July 1976. No date of arrest is mentioned by the Uruguayan authorities.

APPENDIX 5

REPRESENTATIVE CASE HISTORIES

Parliamentarians

Dr Hipólito Solari Yrigoyen and Deputy Mario Abel Amaya

These two parliamentarians were both identified with the more progressive or "alfonsinista" line of the Radical Party. On 18 August 1976, Dr Solari Yrigoyen was abducted from his home in Trelew in the southern province of Chubut by persons unknown. On about the same date, Señor Mario Amaya was abducted, apparently by the same group. After a national outcry the two politicians were mysteriously released on 31 August by what official sources described as right-wing extremists, but they were immediately placed at the disposal of the Executive Power and detained in the maximum security prison of Rawson. Both had been maltreated by their abductors. One of the reasons given for their official detention was that they were to be questioned about the details of their abductions.

In early September 1976, the condition of Señor Amaya deteriorated and he was transferred to the prison hospital of Villa Devoto in Buenos Aires. Here he was visited by his mother and one of the Radical Party leaders who testified that Señor Amaya had told them that he had been kept in Rawson overnight in his cell in midwinter almost naked and without any blankets. He was known to suffer from asthma and have a weak heart. On 19 October, Señor Amaya died from heart failure. There is no doubt that the treatment he received whilst in official custody precipitated his death.

Dr Solari Yrigoyen is still detained without any charges in Rawson and his health too is believed to have been impaired as a result of the harsh prison conditions. Dr Solari Yrigoyen is well-known as an outspoken advocate of human rights.

Lawyers

There has been a consistent wave of assaults against members of the 30,000 strong legal profession in Argentina over the past three years. In March 1975, the International Commission of Jurists reported that "those lawyers who act as defence counsel for political detainees have been victims of extensive violence, ranging from threats of murder to actual physical elimination. Several have had their offices damaged by explosions and broken into by police authorities. Some are detained on order of the Executive without any regular trial or the laying of formal charges. Others have had to leave the country or go into hiding....."*

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* The Situation of Defence Lawyers in Argentina: March 1975.

In November 1976, the delegation found that the position of lawyers had, if anything, worsened. The Argentine Federation of Bar Associations informed Amnesty International that in November there were between 30 and 40 lawyers detained at the disposal of the Executive Power; they refused to disclose any information regarding these people, but they did state that the Minister of the Interior had promised to review, before January 1977, all cases of lawyers detained for political reasons.

Other measures to discourage lawyers from taking up the defence of political prisoners have continued. During the mission, the Amnesty International delegates learnt about the abduction of seven practising lawyers, all respected and known for their readiness to defend political detainees.

Mario Gerardo Yacub

Mario Gerardo Yacub had represented several detained Chilean refugees. He was abducted from his office by the police and military in early November and has not been heard of since. He taught Law at the University of Buenos Aires. His wife, who was interviewed by the delegates at their hotel on 12 November, was arrested by the police on leaving with her brother-in-law and was held overnight.

Daniel Victor Antokoletz and Liliana María Andres

They were abducted from their home on 10 November 1976 at 8.00 am by men who claimed to be from the Coordinación Federal. They are both lawyers. At this time, there is no information about their place of detention.

Baldomero Juan Valera

Baldomero Juan Valera, a 58-year-old defence lawyer, was kidnapped outside his office in early November in Avellaneda, a suburb of Buenos Aires, and has since disappeared. He defended political prisoners and is a member of the Communist Party. There have been several previous attempts on his life.

Victor Jacobo Noé

On 25 October 1976, Victor Jacobo Noé, a 28-year-old lawyer and high-school teacher, was abducted in Buenos Aires at 11.30 am outside the school where he worked. There were four witnesses who stated that four heavily armed men dressed in plainclothes were responsible for the abduction. They identified themselves as belonging to a group called the National Socialists or Nazis. Victor Jacobo Noé is Jewish; three days prior to his abduction he received several phone calls and a letter threatening him personally and the whole Jewish community in general. At the moment of his abduction, Señor Noé shouted out his name; he is a well-known leader of the Argentine Jewish Youth.

There is still no information as to his whereabouts.

Although there are no indications that Jews have been singled out officially for repression, many former political prisoners have reported that prisoners of Jewish origin are victimized by guards. From July 1975 onwards there has been a marked increase in anti-Semitic attacks; anti-Semitism is clearly an underlying element in many right-wing abductions.

Jorge Teste and Mónica Schteingart de Teste

A married couple, they were allegedly arrested by the army in mid-November in Buenos Aires. They were legal advisers to trade unions; Señor Teste has defended political prisoners.

Academics

In July 1976, a military investigation took place in the University of the South (Bahía Blanca) which resulted in the discovery of an alleged plan of "ideological and socio-cultural infiltration". Seventeen university professors were arrested and the army issued a further list of 31 other "fugitives" who were also wanted, including some people who were already living abroad. The 17 academics, mainly from the Economics Faculty, have been detained in a prison in Bahía Blanca for over 6 months. They will be tried in military courts on charges of subversive instruction. In the present political climate, there are few grounds for optimism about the outcome of the trials. The names of those detained are as follows:

Mario Carlos Aggio
Miguel Angel Arias
Alberto Constante Barbeito
Carlos Barrera
Victor Benano
Héctor Pistonessi Castelli
Stella Maris Ramirez de Custodio
Luis Alberto Rodriguez
Rafael Luis Laplaza
Anahi Silvia Rodriguez de Tapatta
Hugo Reinaldo Sartison
Victor Manuel Schillizzi
Dolio Heralio Sfascia
Heber Nazareno Tapatta
Mario Arnaldo Usobiaga
Eduardo Alfredo Villamil
Héctor Ciafardini

On 4 August 1976, a press conference was given in Bahía Blanca to announce the discovery of academic subversion at the university. General Vilas, the then military commander of the region, referred earlier to a speech made by the commander of the armed forces and reaffirmed that "until the present time only the tip of the iceberg has been touched in our war against subversion". He went on to explain: "It is necessary to destroy the sources which feed, form and indoctrinate the subversive delinquent, and this source is in the universities and the secondary schools themselves." General Vilas maintained that the most dangerous influence was exerted by those academics who had received educational training abroad and then returned to poison the minds of Argentine youth with the ideas they had learnt.

The events which occurred in July 1976 in Bahía Blanca are not an

isolated incident; according to Subcommissioner Alais, who was also present at the August press conference: "We have investigated the University of the South, but we still have many more areas which we have to investigate."

Psychiatrists

Claudio Santiago Bermann

Claudio Bermann, a psychiatrist with a small practise in Córdoba, was arrested in April 1976. A letter written by a relative describes the manner in which he was detained:

> "He was arrested on 27 April 1976, after midnight by an army patrol who searched his house. He is a well-known psychiatrist, devoted to his private practice and the direction of a small family clinic for psychiatric cases in Córdoba. He is 50 years old and has six children, whose ages range from 3 to 26 years old. Before raiding his house, his private office was carefully searched by persons unknown who entered through a window.
>
> "After he was taken from his home, he was apparently held in an old army prison in Córdoba (Campo de la Rivera) which has been functioning again and where many victims of "unofficial" kidnappings are said to have been held. There he was chained to a bench and hooded. After five days he was taken to the Penitentiary, a prison for those already serving trial sentences and used for political prisoners. When he was being taken into the prison he was seen by one of his patients. The military authorities declined to inform his family of his whereabouts and they found out where he was through an anonymous phone call. It was later on that the authorities admitted he was in the Penitentiary and allowed a notary to see him and sign a power of attorney for his wife.
>
> "He is completely incommunicado; the habeas corpus writs presented on his behalf have not been answered and no charges have been presented against him. He has not been able to communicate with his family even by writing; they are only allowed to bring him clothes, and, of course, have not been allowed him. We know of at least one occasion on which he was taken out prison to be questioned and we do not know which methods were used."

Trade Unionists

Rene Salamanca

Rene Salamanca, Secretary General of the Sindicato de Mecánicos (Mechanics'

Union) in Córdoba, was abducted from his home on 28 March 1976, four days after the military coup. He is one of many trade unionists who have been the victims of abduction and arbitrary arrest during the past year, particularly in the Córdoba area where the trade union movement has traditionally been very strong.

It is believed that Rene Salamanca is being held illegally by the armed forces in one of the unofficial detention camps, Campo de la Rivera, which is under the jurisdiction of the 3rd Army Corps in Córdoba. However, his arrest has never been officially acknowledged by the authorities. The long period of secret detention to which Rene Salamanca has been subjected has given rise to grave fears about his physical well-being.

At 8.00 am on 14 November 1976, Rene Salamanca's wife, Olga Cortes de Salamanca, set out from her home to see the mission delegates at their hotel, probably to request an intervention on behalf of her husband. She had decided to approach the delegates, despite the fact that they had warned her that it might be dangerous for her to do so.

Olga Cortes de Salamanca never arrived at the delegates' hotel and her children reported later that she had not returned home. It later transpired that she had been picked up by plainclothes security agents and held prisoner for two days before being released. The reason for her arrest is believed to be retaliation for her attempts to establish the whereabouts of her husband.

The Avellaneda Family

On 15 April 1976, uniformed and plainclothed men machine-gunned the door of the Avellaneda family 's home at 2.00 am. The men looked for Señor Floreal Avellaneda, a former trade union leader in the TENSA factory. Not finding him, they ransacked the house, stole money and other belongings, brutally beat his wife Iris de Avellaneda and his son Floreal Avellaneda, aged 15.

Later the mother and son were taken to the police station of Villa Martelli and tortured. Señora Avellaneda was tied to a bed where, after being soaked with ice-cold water for half an hour, her trousers were pulled off and she was given electric shock treatment all over her body. Her son underwent similar treatment and she could hear him screaming. They were briefly reunited, then Señora Avellaneda was taken hooded to a place she believed was the Brigada Güemes, a police barracks.

Here she was repeatedly questioned about her husband's whereabouts. She was given electric shock treatment and beaten with sticks and gun butts on her head, neck and face. She was carried out to open country where a simulated execution was staged. The torture continued for some days, then the treatment improved and finally she was transferred to the Olmos prison and officially detained, 15 days after her arrest.

Writs of habeas corpus were filed for her son without any result. On 16 August 1976, the newspapers reported that several corpses had been found on the Uruguayan shores of the River Plate. A tattoo (a heart with the letters "F. A.") on one of the bodies fitted the description of Floreal Avellaneda.

The Ministry of Defence acknowledged that Señora Avellaneda was detained at the disposal of the Executive Power, but for reasons of security could not give any information about the personnel responsible for the arrest of her and her son.

Jorge di Pascuale

Jorge di Pascuale, a leader of the Pharmaceutical Workers' Union, about 42-years-old and closely associated with the left-wing Peronist movement "Peronismo de Base", was kidnapped on his way home on 30 December 1976 in Buenos Aires. Since then, he has disappeared. He was opposed to the corrupt leadership of the orthodox Peronist trade union movement of the "62 Organizations"; he was also a close friend of a Peronist trade unionist, Mayor Bernardo Alberte, who died shortly after the coup when, trying to escape arrest, he fell from a sixth-floor window. Jorge di Pascuale has several children.

Journalists

Enrique Walker

On Saturday 17 July 1976, two police vans parked outside a Buenos Aires cinema and asked the management to turn on the light because they were looking for someone. When this was done, plainclothes men burst into the auditorium. Enrique Walker tried to escape but was arrested at gunpoint. He was an Argentine journalist who had worked for the publications Gente and Nuevo Hombre. Since that date, there has been no news of his whereabouts.

Eduardo Molina y Vedia

Eduardo Lucio Molina y Vedia is 39 years old. He began his career as a journalist when he was 18, working for a provincial newspaper called El Territorio in the town of Resistencia. Since that time he has worked for several well-known Argentine periodicals, including Siete Días and the political review Primera Plana. At the time of his arrest, he was working for the national newspaper La Opinión.

He was abducted by a group of unidentified armed men, together with the social scientist Emilio de Ipola and his Chilean wife Gloria Rojas de Ipola, when he visited their home in Buenos Aires on 6 April 1976. The reason for his abduction is not clear; Señor Molina y Vedia is not known to have been

engaged in any political activity in Argentina.

Initially, relatives were unable to trace his whereabouts, but after a period of 12 days he was reported to be in the Coordinación Federal, the police headquarters in Buenos Aires, where prisoners are held for interrogation purposes. It has been frequently cited as a torture centre. Here Señor Molina y Vedia was subjected to torture.

After the interrogation period, he was transferred to Villa Devoto prison in Buenos Aires. Since then, he has been moved to La Plata prison. he is being held in preventive detention at the disposal of the Executive Power and has been neither charged nor tried.

APPENDIX 6

LIST OF DISAPPEARANCES SINCE THE COUP

The following list is incomplete; it includes only those cases reported to Amnesty International since 24 March 1976 and which we have been able to corroborate from other sources. This list omits all cases of persons who subsequently have been released, found dead or acknowledged to be held in official custody. It is correct at the time of going to press.

The disappearance cases documented by Amnesty International have occurred principally in three metropolitan areas: Buenos Aires, Córdoba and, to a lesser extent, Mendoza. But the phenomenon of disappearances is not just confined to these areas and Amnesty International has received unspecified reports of widespread disappearances from many other regions of Argentina, notably Tucumán.

NAME	DATE OF ABDUCTION	OTHER DETAILS
ABRIATA Hernan	29 October 1976	Architect
ACHO Graciela	5 August 1976	Employee
ALMADA Carlos Juan	13 June 1976	Paraguayan
ALMADA VILLALBA Carlos Alberto	14 August 1976	
ALVADE Carlos Juan	13 June 1976	
ALVAREZ Elía	28 March 1976	Uruguayan
ALVAREZ Pedro	Late September 1976	Trade-unionist
ALVAREZ Stela Maris	28 July 1976	Aged 19; employee
ALVAREZ de BARROS Lucina	7 May 1976	Teacher
ALVAREZ ROJAS Federico	1 October 1976	Physicist employed at National Atomic Energy Commission
AMADO Gloria	19-21 July 1976	
AMICO Salvador	22 May 1976	Aged 27; Italian
ANDREOTTI Juan Carlos	25 October 1976	Aged 23; businessman
ANGELO Alfredo Gustavo d'	26 March 1976	Aged 22; student
APAZA Arturo	12 May 1976	Metallurgical worker

NAME	DATE OF ABDUCTION	OTHER DETAILS
ARDITO Roberto and wife and two children	10 October 1976	Electrical engineer employed at National Atomic Energy Commission
ARNONE de URTEAGA Esperanza	4 January 1977	Grandmother of URTEAGA José
ASTELARA Santiago Pedro	23 November 1976	Abducted with SCOPISE Norma Mary
AVALOS Nélida Graciela	10 September 1976	Aged 21
AVELLANEDA Floreal Edgardo	15 May 1976	Aged 15; abducted with mother
BABUYA Alberto Horacio	20 April 1976	
BALBUENA Señora		Abducted with husband who was subsequently released
BARRERA ORO Jaime		
BARRERA Juán Carlos	7 April 1976	Post office employee
BARRIONUEVO Edy	3 August 1976	
BARROS Oscar Osvaldo	7 May 1976	Employee at OCA Intercargo
BARTUCCI Francisco	29 July 1976	Italian
BATISTA Susana	24 September 1976	Teacher
BELLAGAMBA Hugo Francisco	19 April 1976	Psychoanalyst
BENITEZ Anibal Carlos	12 September 1976	Construction worker
BENVENUTTO Jorge Omar	23 July 1976	
BERARDO Amado	17 July 1976	Bank employee; graduate in Political Sciences
BERNAL Alberto	28 May 1976	
BIANCO Alicia Hilda	30 April 1976	
BINSTOCK Guillermo Daniel	20 August 1976	Employee
BJELIS Sergio Jorge Pablo	31 August 1976	Aged 33
BLAHOURCADE Ernesto	22 October 1976	Aged 45

NAME	DATE OF ABDUCTION	OTHER DETAILS
BLANCO Roberto	May/June 1976	
BONALDI de CARRERA Adriana Irene	1 December 1976	Wife of CARRERA Marcelo
BOUVIER Edmundo	12 May 1976	
BRANDT Arturo	March 1976	Doctor
BRAVO Graciela	12 October 1976	
BRAVO Juan Humberto Ruben	21 October 1976	Radio actor and director; General Secretary of Argentine Association of Actors of Mendoza
BRAWERMAN Alfredo Oscar	18 August 1976	Aged 22; student of Political Sciences
BRIZUELA Nicolas Hector		
BRONZEL Jose Daniel	27 July 1976	Architect
BUENANUEVA Blanca Cristina	8 September 1976	Hospital employee
BUSTAMANTE Juan Carlos	March 1976	Student
CABEZAS Gustavo Alejandro	10 May 1976	Student
CABRERA Ary	5 April 1976	Bank employee; Uruguayan. His body is believed to have been washed up on shores of River Plate in late April
CAFARO Daniel	20 June 1976	Student
CALEFFA Victor	15 April 1976	Fiat mechanic; aged 30
CAMPOS Silvia María	14 May 1976	
CANDELARIA MIGNONE Monica Maria	14 May 1976	Remedial teacher
CANELLA Lucia Elena	14 September 1976	Aged 51
CARABELLI Gabriela and 3-year-old daughter	April 1976	University lecturer
CARBONEL de PEREZ WEISS Beatriz Carolina	14 May 1976	Aged 23; social worker

NAME	DATE OF ABDUCTION	OTHER DETAILS
CAREAGA Ana María	14 September 1976	Paraguayan
CAREAGA Claudia Mabel	14 September 1976	Sister of above
CARMEN DITO FINO Tomas del	28 November 1976	Electricity workers' trade union leader
CARRANZA Carlos Alberto	18 August 1976	Aged 29; teacher
CARRENO Enrique Oscar	18 May 1976	Trade union leader of public workers of Córdoba
CARRERA Marcelo Guillermo	24 November 1976	Aged 22; petroleum worker
CERREA Ines	28 May 1976	
CERRUTI Fernando Ruben	10 May 1976	
CERRUTI Victorio		
CHABROL Juan C.	18 October 1976	Street vendor
CHABROL Oscar D.	18 October 1976	Street vendor
CHABROL Pablo José	20 October 1976	
CHARPARIN Juan Carlos	May/June 1976	
CHERSANAZ Juan Carlos	13 May 1976	
CHIDICHIMO Ricardo Dario	20 November 1976	Metallurgist; worked for Air Force
CHOQUE COSME Benito	14 September 1976	Hospital employee
COLLADO Jorge Daniel		
COMBA SIBEIRA Liliana	26 April 1976	Aged 23
CONCEPCION Noemi	22 September 1976	
CONTI Haroldo	5 May 1976	Writer
CORREA Maria Ines	May/June 1976	
COYTE de CARRANZA Marcela	18 August 1976	
CRUCES Celso Pedro	27 October 1976	Aged 22
CUPAIOLI Guillermo Hernan	13 May 1976	Aged 21; medical student

NAME	DATE OF ABDUCTION	OTHER DETAILS
DEGET Raul Arturo	22 May 1976	Supervisor at ASTARSEA
DELFINO Liliana	19 July 1976	Psychologist; believed to be held in Campo de Mayo
DEMARCHI Hector Ernesto	5 July 1976	
DIAZ Francisco Genaro	28 April 1976	Employee at Hidrofila factory
DORIGO Pablo Hermes	20 August 1976	Television accountant
DORRONSORO Dardo Sebastian	26 June 1976	Blacksmith and writer; aged 63
DRUETTA Pedro Hector	July 1976	
DUARTE Leon		Uruguayan; trade unionist
DUBSOVSKY Pablo	7 July 1976	Student
EISENSCHLAS Enrique	2 July 1976	Employee at Continental SA
ENRIQUEZ ESPINOSA Edgardo	10 April 1976	Chilean; engineer; leader of MIR
ERLICH Margarita	6 April 1976	Student
ESCAMEZ Alfredo	27 October 1976	Student at University of Mendoza
ESCAMEZ Francisco Alberto		
ESCUDERO PICCALUGA Cristina	28 September 1976	Antique dealer
ESCUDERO PICCALUGA Fernando	28 September 1976	Unemployed; was receiving neurological treatment at time of abduction
ESQUERRA Jose F.	19 April 1976	Trade-unionist; Secretary General of Bank Associates' Union
ESPINDOLA Fernando Rafael	14 June 1976	
FALCON Carlos Agustin	26 March 1976	Employee at SAMPI factory

NAME	DATE OF ABDUCTION	OTHER DETAILS
FARINA Beatriz	14 June 1976	Employee at SAMPI factory
FERNANDEZ Gustavo Javier	27 August 1976	Aged 26
FERNANDEZ Carlos Alberto	27 August 1976	Aged 26
FERNANDEZ Jesus Alberto	28 August 1976	Aged 35; actor
FERNANDEZ MEIJIDE Pablo	22 October 1976	Student
FERREIRA Juan Esteban	April 1976	Trade unionist and worker at Terrabusi plant
FERREIRA Luis	28 March 1976	Uruguayan; trade unionist
FIGUEREDO Gaston Zina	14 July 1976	Aged 21; Uruguayan
FLORES Jose Francisco	9 September 1976	Aged 24; student of Architecture
FOSSATTI Luis	26 November 1976	Journalist
FOTE Fortunato Leandro	1 December 1976	Aged 38; trade unionist
FRIGOLI Alejandro Jose	2 September 1976	
FRIGOLI Carlos Alberto	2 September 1976	Trade unionist
FUENTES Hilda	25 August 1976	Aged 35; infant teacher
GAGLIANO Juan Carlos	7 June 1976	Worker
GALLARDO Ana Maria	8 July 1976	Aged 15; student
GALLARDO Juan Carlos	May 1976	Physicist
GALVAN Enrique Jesus	18 November 1976	Aged 25; metallurgist
GARCIA Antonio		
GARCIA Claudia Iruretagoyena	24 August 1976	
GARCIA Juan Carlos	9 July 1976	Aged 38
GARCIA Luis Daniel	12 August 1976	Aged 20
GARCIA Omar	27 March 1976	Agricultural worker

NAME	DATE OF ABDUCTION	OTHER DETAILS
GARCIA Rudyar Eduardo	9 July 1976	Aged 15; student in technical school. Abducted with father GARCIA Juan Carlos
GATTI Gerardo	10 June 1976	Uruguayan; journalist and trade unionist. Founder of CNT
GATTO Carlos Oscar Dr	29 April 1976	Lawyer
GELMAN Marcelo Ariel and wife	24 August 1976	
GHIOINO Ricardo	May 1976	
GIL Ricardo	28 March 1976	Uruguayan; university professor of Economics
GIMENEZ Juan Carlos	May/June 1976	
GLEYZER Raimundo	27 May 1976	Film-maker; aged 34
GOICOECHEA Daniel Horacio	6 June 1976	
GOLDSTEIN Monica Liliana	6 October 1976	University lecturer
GOMEZ Maria Elena	1 June 1976	Aged 36; fashion model
GONZALEZ Eusebio	22 September 1976	
GONZALEZ Alfredo	April 1976	Member of Christian Revolutionary Party
GONZALEZ CARDODO Jorge	15 June 1976	Uruguayan
GONZALEZ Pedro Antonio	5 July 1976	Aged 18; student
GRABLE Javier	20 May 1976	Student; Polish refugee
GRANDE Sara Elba	28 July 1976	
GRANDI Nicolas and wife	July 1976	
GRANIC Hector	14 May 1976	
GUERRERO Angelica Marta	3 June 1976	
GULLO Angela María Aieta de	5 August 1976	
GUTIERREZ Ana María	7 May 1976	Wife of PRIETO Antonio

NAME	DATE OF ABDUCTION	OTHER DETAILS
GUTMAN Alberto Marcos	28 September 1976	
ISLAS de ZAFFARONI María Emilia	27 September 1976	Uruguayan; wife of ZAFFARONI CASTILLA Jorge
ILLA Santiago Jose	May/June 1976	
JAKOWZYK Carlos		
JARACH Franca	25 June 1976	Aged 18; student
KHUN María Teresa	31 May 1976	Bank employee
KITZLER Mabel	28 July 1976	Aged 38
KNOBEL Carlos Abel	11 November 1976	
KOELLIKER FRERS Alfredo Arturo	15 December 1976	Journalist
KOHAN Ricardo	12 August 1976	Opthalmologist
KONIG Emma Raquel	June 1976	Student of Educational Sciences at University of Cordoba
KORIN Eduardo Mario	20 December 1976	Psychiatrist
KORSUNSKY Eduardo Sergio	4 August 1976	Aged 24
KRAISELBURG David	2 September 1976	Two-year-old son of newspaper editor
LABBATE Pedro Hugo	13 July 1976	
LANZILLOTTO de MENNA Ana Maria	19 July 1976	Student; believed to be held in Campo de Mayo
LEIKIS de ALVAREZ ROJAS Hilda	1 October 1976	Computer programmer; wife of ALVAREZ ROJAS Federico
LEVITAN Claudio Augusto	27 October 1976	Aged 23; employee of DODERO company
LIBEDINKY Susana Beatriz	22 May 1976	Aged 18; teacher
LIBERTORIO Salvador F:	7 April 1976	
LILLE Maria Cristina	4 June 1976	
LOPEZ MARTIN Angela	25 September 1976	Spanish; teacher

NAME	DATE OF ABDUCTION	OTHER DETAILS
LOPEZ Braulio	15 December 1976	Uruguayan; singer
LOPEZ Eduardo Nestor	12 October 1976	Bank employee
LOPEZ Mauricio	Late December 1976	University professor; ex-official of World Christian Student Federation and worked for WCC in Geneva
LORENZO Roberto Adolfo	14 August 1976	Electrical engineer
LORUSSO LAMMLE María Esther	14 May 1976	Aged 23; Peruvian
LOZANO Jaime Emilio	24 July 1976	Technician
LUCA Ricardo de	Late September 1976	Leader of shipbuilders' trade union
LUGONES Cesar Amadeo	15 May 1976	Aged 26; veterinary surgeon
LUNA Hugo Rene	19 April 1976	Lawyer
LUNA Sonia Rosa	25 May 1976	
LUQUE BRACHI Emilio Alberto		
MAGNET FERRERO de TAMBURINI Maria Cecilia	16 July 1976	Teacher
MALDONADO PETINARI Miguel Angel		Member of Christian Revolutionary Party
MANSILLA Miguel Angel	10 September 1976	Aged 22; teacher
MARCHETTI Americo Jorge	13 August 1976	Teacher
MARCHINI de NICOTERA Alicia Isabel	21 July 1976	Worker; abducted with husband NICOTERA Ricardo Alfredo
MARI Leonardo		
MARIN Juan Carlos	7 July 1976	Student
MARINIS Lidia Beatriz de	May/June 1976	
MARGUETICH Marcelo	19 August 1976	Aged 25
MAROTTA Arturo G.	26 April 1976	Aged 22; student

NAME	DATE OF ABDUCTION	OTHER DETAILS
MARTINEZ GARCIA Angela	10 September 1976	Nurse
MARTINEZ Daniel	2 July 1976	Worker
MARTUL Frederico	26 June 1976	
MASERA Omar		
MENDEZ Hugo	15 June 1976	Uruguayan textile worker; member of CNT
MENNA Domingo	19 July 1976	Medical student; believed to be held in Campo de Mayo
MERAJVER Eduardo Ezequiel	13 May 1976	Aged 26; worker
MERBILHAS Eduardo Raul	14 September 1976	Metallurgical worker; believed to be held in Campo de Mayo
MERCURI Maria Leonor	May/June 1976	
MINGORACE Alicia Marina	23 July 1976	Aged 16; student
MINGORACE Jorge de	23 July 1976	Aged 19; student
MISETICH Antonio	19 April 1976	Physicist employed at National Atomic Energy Commission
MOAVRO Horacio Roberto	29 March 1976	Lawyer
MOLINA Antonio Juan		
MOLINA Raul	27 April 1976	President of Architectural Students' Association in Cordoba
MORAL Jorge Nestor	18 August 1976	Aged 37
MOUJAN Hugo Alfredo	May/June 1976	
MOYANO Daniel Jorge	12 May 1976	
MOYANO Salvador Alberto		
MUJICA Susana Edith	9 June 1976	
MULLER Hector	28 May 1976	Aged 65; chemical worker. His body believed to have been found floating in River Paraná

NAME	DATE OF ABDUCTION	OTHER DETAILS
MUNIZ Eduardo	22 October 1976	Student
MUNOZ Antonio Hernan	28 September 1976	Student of Law and Social Sciences
MUNOZ Julio Anibal	28 September 1976	Student of Law at University of Buenos Aires
NACHMAN Gregorio	19 June 1976	
NAVAJA Cristina Silvia	14 July 1976	Sister-in-law of SANTUCHO Carlos Hiber
NICOTERA Ricardo Alfredo	21 July 1976	Graphics worker
NIETO Adriana Silvia	15 August 1976	Aged 20
NOE Víctor Jacobo	27 October 1976	Lawyer/lecturer. Believed to be attack on Jewish community
OJEA QUINTANA Esteban María	3 April 1976	Aged 21
OJEDA Aldo Oscar	30 June 1976	Aged 24
OLIVERI Gloria Marta	6 May 1976	
ORFANO Pantaleon Daniel	30 July 1976	Aged 25; student
ORTEMBERG Jose Eduardo	May/June 1976	
OVIEDO Mario Domingo	24 June 1976	
PALAZZO Ricardo Luis	16 September 1976	Aged 21
PARDO Alicia Cecilia	29 May 1976	Aged23; worker
PARRA Jorge Rodolfo	5 April 1976	Aged 19; Paraguayan; student
PARRA Manuel	April 1976	Member of Christian Revolutionary Party
PASCUALE Jorge di	30 December 1976	Trade unionist; unsuccesful parliamentary candidate in 1973
PASIK Gustavo Jose	22 May 1976	Aged 19; student
PEDEMONTE de RUIZ VARGAS Josefina	10 August 1976	Worker

NAME	DATE OF ABDUCTION	OTHER DETAILS
PEDRINI Susana Elena	27 July 1976	Abducted with husband BRONZEL Jose Daniel
PENA Irene Nelida	14 September 1976	Sanitorium employee; abducted with husband
PENDER Luis Roberto	10 May 1976	Worker
PEREZ LUTZ Elizabeth	15 June 1976	Uruguayan
PEREZ WEISS Horacio	14 May 1976	Aged 25; Geology student
PEREZ de AGUIRRE Raul	7 July 1976	Student
PINTO Gabriel Daniel	4 June 1976	Employee at Liquidadora Carbonic
PIPINO Bruno Tomas	21 June 1976	
PODOLSKY Cecilia	27 July 1976	
PONCE de LEON Gustavo Adolfo	5 August 1976	Computer programmer/ systems analyst
PRADANOS Juan Carlos	22 April 1976	Professor
PRIETO Antonio	7 May 1976	
PUCCIO Jorge Eduardo	2 November 1976	
QUINTEIROS Monica	14 May 1976	Teacher
RAMOS de GONZALEZ Diana Cristina	22 September 1976	
RAVIONANI Pablo	8 August 1976	
RAVINOVICH de SANDOVAL Alicia Ines		Aged 30; Economics graduate
REISMAN Alberto Luis	23 July 1976	
REQUENA Eduardo	23 July 1976	
RESTA Fabian	15 April 1976	Aged 13; student
RESTA Marina Scza de	15 April 1976	Aged 30; shop assistant
RIQUELO Simon Antonio	13 July 1976	Uruguayan; aged 6 weeks at time of abduction

NAME	DATE OF ABDUCTION	OTHER DETAILS
RIQUELO Stella Maria	13 July 1976	Mother of RIQUELO Simon Antonio
RISAU Juan Carlos	July 1976	Psychiatrist
RODRIGUEZ RODRIGUEZ Julio Cesar	15 June 1976	Uruguayan; employee of Stein-Yteichberg Co
ROMAN Nicolas Miguel Angel	7 May 1976	Aged 37; worker at Tensa factory
ROSELL Angel Walter	31 May 1976	Aged 48 ; worker
RUBINO Raquel del Carmen	23 June 1976	Aged 22; student of Architecture
RUFFA Ricardo Armando	2 April 1976	Aged 23; student
RYAN Santiago	7 April 1976	Aged 54; graphics worker
SABINO Maria del Carmen	29 August 1976	Sociologist
SADY Americo	10 May 1976	Grocery store owner; epileptic - needed injections
SADY Delia	10 May 1976	Wife of above
SAID BAZZE Hugo	20 October 1976	Aged 22
SALAMANCA Rene		Trade-unionist; believed to be held in unofficial detention centre in Córdoba
SANCHEZ Maria Matilde		Aged 27
SAN JOSE Daniel Enrique	3 June 1976	Teacher
SANTAMARIA Graciela Blanca	14 May 1976	
SAN VICENTE Jorge	29 April 1976	
SANTUCHO Manuela Hiber	14 July 1976	
SARAVIA Maria Zaida	12 October 1976	Aged 35; teacher
SARMIENTO Estela del Rosario	10 September 1976	Aged 47
SCHAEGR Frederico Simon	10 September 1976	

NAME	DATE OF ABDUCTION	OTHER DETAILS
SCHAEGR Juan Pablo	10 September 1976	Young child; abducted with nurse. Parents murdered after resisting abduction. Brother of SCHAEGR Frederico Simon
SCHILLER José Francisco		Aged 28
SCHULTIS Juán Alberto	6 August 1976	Worker
SCHULTZ Mirabella Raquel	13 June 1976	
SEGHEZZO Eduardo Oscar	10 September 1976	Aged 28
SEMBER Gregorio Marcelo	30 May 1976	Teacher
SENAR Alberto	15 September 1976	Aged 27; bank employee
SERSON Gerardo and sister	May 1976	Aged 16; student. Both reportedly assassinated
SILVA Alberto da	July 1976	
SIMONAZZI Alberto Luis del Valle	1 June 1976	Aged 24
SINIGAGLIA Roberto	11 May 1976	Lawyer
SOBEL Hector Natalio	20 April 1976	Lawyer
SOBRADO Jorge	May 1976	
SOLIS ..... de	28 August 1976	Aged 76 (male)
SOSA Miguel Angel	25 May 1976	Aged 31
SOTO Damián	13 November 1976	Student
SOTO Edilberto	5 August 1976	Paraguayan; shoe-maker
SOUTO Manuel Ramon	13 June 1976	
SPAGNOLI Marta Alicia de Vera	3 August 1976	Employee of National Granary Board
STEIMBERG Luís Pablo	10 August 1976	Law student
SUAREZ Virginia Adela	May/June 1976	
SZAPIRO Edmundo	5 September 1976	
SZAPIRO Susan	5 September 1976	

NAME	DATE OF ABDUCTION	OTHER DETAILS
TALQUENCA Hugo Alfredo	14 May 1976	
TALQUENCA Julio Felix	14 May 1976	
TAMBURNIN Guillermo	16 July 1976	Doctor
TARNOPOLSKY Bettina	15 July 1976	Daugher of TARNOPOLSKY Hugo and Blanca
TARNOPOLSKY Blanca	15 July 1976	Psychiatrist
TARNOPOLSKY Hugo	15 July 1976	Chemical engineer
TARNOPOLSKY Sergio and wife Laura	July 1976	On military service; son of above couple
TATTER Jorge Frederico	15 October 1976	Aged 54; Paraguayan; radic technician
TESTE Jorge	November 1976	Lawyer
TESTE Monica Schteingart de	November 1976	Lawyer and wife of above
THOMAS Alfredo Mario	5 June 1976	Aged 22; on military service
TOMASIN Emilio Jaime	25 March 1976	Aged 26; metallurgical worker
TORRENTS Irene Laura	13 November 1976	Niece of BERMANN Claudio, detained psychiatrist
TORRES Mario Rufino	3 May 1976	
TOSO Hugo	7 July 1976	Student
TRIGO Raul Horacio	23 June 1976	Aged 28; student of Architecture
ULRICH Agustin Hilario	6 April 1976	
URRUTI Dora Alicia	21 April 1976	Student
URTEAGA Jose	19 July 1976 and 4 January 1977	Aged 3; father guerrilla shot in armed confrontation in July 1976
VAISMAN Gustavo Alberto	20 April 1976	Aged 22; student
VALENCIA de FERNANDEZ Isabel Noemi	12 October 1976	Businesswoman

NAME	DATE OF ABDUCTION	OTHER DETAILS
VALENTICH Jose	15 September 1976	Worker
VALERA Baldomera Juan	November 1976	Lawyer
VALLEJOS de BENVENUTTO Rosa Elena	23 July 1976	
VALLEJOS Tomas	April 1976	Member of Christian Revolutionary Party
VASQUEZ Victor	4 June 1976	Leader of Railway Workers' Union
VAZQUEZ OCAMPO de LUGONES María Marta	14 May 1976	Remedial teacher
VEGA Jesús Miguel	25 September 1976	Factory worker
VEGA de ESPECHE Mercedes S.	8 June 1976	
VEDA de LUZI Stella María	14 April 1976	Aged 27
VERA Juan Carlos	3 August 1976	
VERA BARROS Roberto Miguel	3 April 1976	Aged 23; student
VIDAL Emil Carlos	19 August 1976	
VILA BUSTOS José Salvador	May/June 1976	
WALKER Enrique	17 July 1976	Journalist
YACUB Mario Gerardo	8 November 1976	Lawyer
ZAFFARONI CASTILLA Jorge	27 September 1976	Uruguayan
ZAFFARONI ISLAS Mariana	27 September 1976	Aged 1; daughter of above
ZEFF Ricardo Jaime		Aged 18
ZIESCHANK Klaus	26 March 1976	German; student at University of Technology, Munich. Reportedly seen in unofficial detention centre in May 1976
ZIMMERMAN Leonora	22 October 1976	Student
ZIMMERMAN Maria	22 October 1976	Student and sister of above
ZINA FIGUEREDO Gaston	14 July 1976	Uruguayan; worker

NAME	DATE OF ABDUCTION	OTHER DETAILS
ZINGARETTI Zulma	May/June 1976	
ZOPPI Gustavo	17 August 1976	
ZOPPI Ricardo Jaime	23 July 1976	Student
ZUKERNIK Martín Norberto	10 June 1976	

The following is a list of disappearance cases compiled from habeas corpus writs filed during November and December 1976:

ABEL RIVERO Victor
ALBURQUERQUE Rosa
ALFIB Jacobo
ALFONSO Jorge María
AMADO RAAGUIP Horacio
AMCARAZ MUNOZ Jose Alfredo
ANDALUZ María Graciela
ANGELES QUINTEROS Maria de los
AQUINO Jesus Antonio
AYALA Zoilo
AYOROA Averbal Domingo

BALVIANO Irma Beatriz de
BARROS Celina
BAYETO Adolfo Arturo
BEOVIC Marcos Antonio
BERNARDO Jose Pablo
BLANCA Carlos A.
BLANCA MARTELLI Marina Celina
BONCIED Carlos Ignacio
BRONZEL Jacobo
BRZOSTOQSKY Miguel Jacobo

CABRAL Carlos Alberto
CAGOSSI de PEREZ VARGAS Maria Luisa
CALANERI Julio Cesar
CALBACINI Daniel Alberto
CAMPOS de BLANCO Ivonne
CAMPOS Jair Beatriz
CAMPOS Miguel Angel
CANEDO Arturo
CANO Efrain Guillermo
CAPRIOLI Carlos Alberto
CARRIZO Manuel
CARTIZ Carlos Jorge
CHERSANAZ Juán Carlos
CHEULA Osvaldo Ruben
CIARLETTI Silvano Egidio
COBAS CRESPI Osvaldo Pedro
COLLADO Jorge Daniel

CRAM GONZALEZ Washington
CRESPO Carlos E. Gea
CROLLA Julia Graciela

DADIN Hector Jorge
DAVID Eugenio Rafael
DELGADO Adriana Graciela
DIAZ Guillermo Enrique
DIEGO Ana Teresa

ECCIO BOCCI Alfredo
ENGEL Oscar Guillermo
ESCALANTE Maria Andrea
ESPINDOLA Carlos

FERNANDEZ Pedro César
FERNANDEZ Pedro Oscar
FERNANDEZ GOMEZ Ricardo
FISCHER Omar Jose
FUD Juan Carlos

GALDAMES María Teresa
GALVEZ de BINI Elda Isabel
GEROUIMO Jose Maria
GERZEL Lorenzo Gerardo
GOMEZ Juan Guillermo
GONZALEZ Mora Cristina
GONZELEZ Roque Agustín

HERMONES de PORTILLO Medina

IRIARTE Rodolfo Jose

KEHEYAN Noemi Valentina
KENNEDY Delia
KRUG Alberto Roque

LAMORCA de Ernesto Bonifacio
LANZA Francisco Antonio
LARROSA Roberto Júan

LEZCANO Hugo Oscar
LEZCANO Sebastian
LOPEZ de MARQUES Estrelia
LOPEZ Francisco
LOPEZ Lelio Reinaldo
LUCAS Orfano Guillermo
LUGONES Carlos Eduardo

MALDONADO Julio Cesar
MALDONADO Pedro L.
MARIZCURRENA Andrés
MARIZCURRENA Liliana
MARTELLI Marina Celina Blanca
MARTIN Pedro de
MATARAZO Carlos Alberto
MAYMAR Alicia Irene
MENDOZA José Martín
MICUCCI Daniel Bernardo
MICUCCI Viviana Ercilla
MILLAN Analia
MILLON Jorge Luis
MONOURCADE Ernesto Bonifacio

PAREDES Francisco
PEREZ Hector Alberto
PERNAS Graciela Eugenia
PEYEYRA Raul
PIAGGI Jose Alberto
PIEVAUL Eduardo Alberto
POCCIO Alberto
POCE Julio Gerardo
PONTI Daniel Ricardo
PORTILLO PENAYO Presentado

OBLIGADO Maria
ORONO
ORTIZ Anselmo

RAAGUIP Horacio Amado
RIVERO Victor Abel
RODRIGUEZ Carlos Alfredo
RODRIGUEZ Daniel
ROMERO Ramon Eduardo
ROSAS Camilo

SALAS Nicasio Bernardo
SANCHEZ Juán Carlos
SANCHEZ Ruben Alberto
SCARPIZZO Julio I.
SCIDONES Carmelo
SERRIN Santiago
SORIA Miguel Angel

TALICE María Ester

TORRES Daniel Domingo
TRIAS HERNANDEZ Cecilia Susana

URCOLA Raul Oscar

VARGAS VIGO Graciela
VASSENA Raul Felix
VIGO Victorina
VILLA LOBO Lorenzo Alejo
VILLANUEVA Victor
VILLEGAS Rita

ZOMAIZN Horacio

In attempts to trace missing persons, friends and relatives may make systematic approaches to police, military, government and church authorities, although these will rarely yield any fruitful result. Police often refuse to investigate or even record an abduction and newspapers have been discouraged from publicising such cases. More sympathetic authorities may warn them that it is unwise to take their inquiries too far.

After learning of the abduction of their 22-year-old son, Luís Pablo Steimberg, on 10 August 1976, his parents took the following actions:

Writs of habeas corpus were filed in the Courts of Penal de Moron, the Federal Court of San Martin and of the Federal Capital.

Telegrams denouncing the abduction and requesting an interview were sent to:

- President of the Republic of Argentina;
- Secretary General of the Presidency;
- Minister of the Interior;
- Commander in Chief of the Army;
- Commander in Chief of the Air Force;
- Commander of I Army Corps;
- Federal Police Chief;
- Papal Nuncio;
- President of the Argentine Episcopal Assembly;
- General Commander of the Military Institutes,

none of which had any result.

They saw the following people:

- Director of the Miltary College (three times);
- Chief of Operations of the Military College (five times);
- First Secretary of the Papal Nuncio (twice);
- Head of Security of the Commander in Chief of the Army (three times);
- Dean of the Faculty of Social Sciences (once);
- Ecumenical Movement for Human Rights (twice);
- Permanent Assembly for Human Rights (once).

They had articles published in La Opinion, Cronica and the Buenos Aires Herald. They requested an interview with the Commander of Military Institutions, who, after keeping them waiting for two hours, refused to see them. One month after the abduction, telegrams were sent once again to all those people mentioned above, and the writs of habeas corpus were filed once again.

APPENDIX 7

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS

2433RD PLENARY MEETING
9 December 1975

3452 (XXX). Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The General Assembly,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Considering that these rights derive from the inherent dignity of the human person,

Considering also the obligation of States under the Charter, in particular Article 55, to promote universal respect for, and observance of, human rights and fundamental freedoms,

Having regard to article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one may be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Adopts the Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the text of which is annexed to the present resolution, as a guideline for all States and other entities exercising effective power.

ANNEX

Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Article 1.

1. For the purpose of this Declaration, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally

inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners.

2. Torture constitutes an aggravated and deliberate form of cruel, inhuman or degrading treatment or punishment.

Article 2.

Any act of torture or other cruel, inhuman or degrading treatment or punishment is an offence to human dignity and shall be condemned as a denial of the purposes of the Charter of the United Nations and as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights.

Article 3.

No State may permit or tolerate torture or other cruel, inhuman or degrading treatment or punishment. Exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment.

Article 4.

Each State shall, in accordance with the provisions of this Declaration, take effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment from being practised within its jurisdiction.

Article 5.

The training of law enforcement personnel and of other public officials who may be responsible for persons deprived of their liberty shall ensure that full account is taken of the prohibition against torture and other cruel, inhuman or degrading treatment or punishment. This prohibition shall also, where appropriate, be included in such general rules or instructions as are issued in regard to the duties and functions of anyone who may be involved in the custody or treatment of such persons.

Article 6.

Each State shall keep under systematic review interrogation methods and

practices as well as arrangements for the custody and treatment of persons deprived of their liberty in its territory, with a view to preventing any cases of torture or other cruel, inhuman or degrading treatment or punishment.

Article 7.

Each State shall ensure that all acts of torture as defined in article 1 are offences under its criminal law. The same shall apply in regard to acts which constitute participation in, complicity in, incitement to or an attempt to commit torture.

Article 8.

Any person who alleges that he has been subjected to torture or other cruel, inhuman or degrading treatment or punishment by or at the instigation of a public official shall have the right to complain to, and to have his case impartially examined by, the competent authorities of the State concerned.

Article 9.

Wherever there is reasonable ground to believe that an act of torture as defined in article 1 has been committed, the competent authorities of the State concerned shall promptly proceed to an impartial investigation even if there has been no formal complaint.

Article 10.

If an investigation under article 8 or article 9 establishes that an act of torture as defined in article 1 appears to have been committed, criminal proceedings shall be instituted against the alleged offender or offenders in accordance with national law. If an allegation of other forms of cruel, inhuman or degrading treatment or punishment is considered to be well founded, the alleged offender or offenders shall be subject to criminal, disciplinary or other appropriate proceedings.

Article 11.

Where it is proved that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed by or at the instigation of a public official, the victim shall be afforded redress and compensation in accordance with national law.

Article 12.

Any statement which is established to have been made as a result of torture

or other cruel, inhuman or degrading treatment or punishment may not be invoked as evidence against the person concerned or against any other person in any proceedings.

Amnesty International Publications

Report of an Inquiry into Allegations of Ill-Treatment in Northern Ireland, A4, 48 pages, March 1972: 75 pence (US $1.85).
Report on Allegations of Torture in Brazil, A5, 108 pages, first edition September 1972, re-set with updated preface March 1976: £1.20 (US $3.00).
Political Prisoners in South Vietnam, A4, 36 pages, July 1973: 35 pence (US $0.90).
A Chronicle of Current Events (Journal of the Human Rights Movement in the USSR), numbers 17, 18, 21, 24, 27 published individually: 65 pence (US $1.60); double volumes 19-20, 22-23, 25-26: 85 pence (US $2.10); numbers 28-31 in one volume: 95 pence (US $2.50); numbers 32-33, one volume, £1.95 (US $4.95).
Amnesty International Report on Torture, 246 pages. First published December 1973, second (updated) edition January 1975: £1.50 (US $3.75).
Chile: an Amnesty International Report, A5, 80 pages in English, 88 pages Spanish, September 1974: 85 pence (US $2.10).
Short Report on Prison Conditions in West Bengal Jails, A4, 16 pages, September 1974.
Report of an Amnesty International Mission to Israel and the Syrian Arab Republic to Investigate Allegations of Ill-Treatment and Torture, A5, 34 pages, April 1975: 50 pence (US $1.25).
Workshop on Human Rights: Report and Recommendations, A5, 15 pages, April 1975, issued by the Amnesty International Campaign for the Abolition of Torture.
Report of an Amnesty International Mission to Spain, A5, 24 pages in English, 28 pages Spanish, September 1975: 35 pence (US $0.90).
Prisoners of Conscience in the USSR: Their Treatment and Conditions, A5, 154 pages, November 1975: £1.00 (US $2.50).
AI in Quotes, A5, 24 pages, May 1976: 25 pence (US $0.50).
Amnesty International 1961-1976: A cnronology, May 1976: 20 pence (US $0.40).
Report of an Amnesty International Mission to Sri Lanka, A4, 52 pages, second edition December 1976: 75 pence (US $1.25).
Report of an Amnesty International Mission to the Republic of the Philippines, A5, 60 pages, September 1976: 90 pence (US $1.80).
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