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Uruguay: Law protecting police and military torture suspects must be annulled

A law in Uruguay that has allowed the police and military to get away with torture and murder should be annulled, Amnesty International said today, as the country prepares to vote in a referendum on the future of the law.

The law -- Ley de Caducidad de la Pretencion Punitiva del Estado, or Expiry Law – prevents the prosecution of police and military officials for crimes committed until 1985, covering the eleven-year period of military and civilian rule when thousands of cases of torture and many disappearances were documented.

Ninety-nine percent of political prisoners interviewed at the time by local human rights groups claimed they had been tortured. At its peak, the number of political prisoners held during the period reached 7000, according to estimates.

"This law was designed as a get-out-of-jail-free card for those who tortured, killed and disappeared people in Uruguay," said Guadalupe Marengo, Americas Deputy Director at Amnesty International.

"Now it is time for Uruguay to show that it will not permit impunity for these crimes. Justice is owed to the victims."

"The law violates Uruguay's international legal obligation to provide justice and uncover the difficult truths of its recent past. This law must be declared null," said Guadalupe Marengo.

The law was proposed by the democratically-elected government of Julio Maria Sanguinetti and approved by Congress in December 1986. It was confirmed by popular vote through a referendum in 1989.

Interpretations of the law have limited its reach to cover crimes committed after the military coup of June 1973 and within Uruguayan territory.

Although some judges have used their discretion to exclude certain cases from the reach of this law, its annulment is the only way that Uruguay can ensure it will not hinder the course of justice, and that similar abuses will not occur in the future.

A judgement that will rule the Expiry Law unconstitutional is also expected soon from the Uruguayan Supreme Court of Justice in the case relating to the 1974 death of activist Nidia Sabalsagaray in a military establishment.

On 9 October, the Court's judges gave an indication of their long-awaited ruling in this case, in response to a

petition by prosecutor Mirtha Guianze.

Uruguayans are set to vote in a referendum on the law on 25 October.