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HUMAN RIGHTS IN URUGUAY AND PARAGUAY

Hearings before the Subcommittee on International Organizations of the Committee on International Relations. House of Representatives. Ninety-Fourth Congress

June 17, July 27 and 28, and August 4, 1976.

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Wednesday, August 4, 1976

Statement of HON. HEWSON A. RYAN, DEPUTY ASSISTANT SECRETARY FOR INTER-AMERICAN AFFAIRS, DEPARTMENT OF STATE

Mr. Ryan: ...Our best general estimate is that national security arrests [in Uruguay] declined in 1975 but increased again late that year and early this year, when some 300 persons were arrested in connection with the discovery of extensive arms caches maintained by the military apparatus of the Communist Party.

Within the last several weeks the additional uncovering of an Argentine-based terrorist network, evidently code named OPR-33 and having assassination plans directed against various officials of the Government of Uruguay, has also led to the detention of more suspected terrorists. [p.112]

Mr. Ryan: ...Our Ambassadors have also explained in unmistakable terms to the governments of the hemisphere that the United States believes the protection and extension of the fundamental rights of human beings is one of the most compelling issues of our times. [p. 113]

Mr. Fraser: Mr. Ryan, can you quote the provision of any treaty that

compels the United States to give military grants or assistance?

Mr. Ryan: It is seen as a traditional, treaty-like obligation.

Mr. Fraser: Is it a treaty obligation or not?

Mr. Ryan: It is not a written treaty obligation.

Mr. Fraser: We are not required to give aid, is that right?

Mr. Ryan: That is right.

Mr. Fraser: And we are giving aid?

Mr. Ryan: Yes.

Mr. Fraser: We are giving it to governments that lack any real respect for human rights?

Mr. Ryan: That determination has not yet been made, sir.

Mr. Fraser: I understand what you are saying is that the Department of State has not decided yet whether there is a consistent pattern of violation of human rights?

Mr. Ryan: We are still attempting to come up with a definition. If you would like to discuss that, we have here Mr. Palmer, the Coordinator for Human Rights Affairs in the Department to discuss the problems of the definition of a consistent pattern of gross violations. [p. 114]

Statement of RONALD PALMER, DEPUTY COORDINATOR FOR HUMAN RIGHTS, DEPARTMENT OF STATE

Mr. Fraser: For the purpose of our discussion today, why don't we take a narrow definition and deal with torture and detention without trial?

Mr. Palmer: Again we still have the problem. The legislation speaks of torture, cruel and inhuman treatment, and punishment and prolonged detention... I think the lawyers point to problems defining what 'gross' means, what 'pattern' means, and what 'consistent' means.

[p.116]

...

Mr. Fraser: Mr. Ryan, there is torture in Uruguay, is there not?

Mr. Ryan: There has been apparently. The Government of Uruguay has admitted that there have been occasional cases of this but they tell us they have taken steps to prevent its recurrence.

Mr. Fraser: Do you believe it?

Mr. Ryan: It is what the Government tells us. We have no reason to doubt them at this moment. I cannot prove that they have not taken steps.

Mr. Fraser: Haven't they been saying that in earlier years?

Mr. Ryan: The first year we discussed this was 1973 or 1974.

Mr. Fraser: In a letter from Mr. McCloskey - which, I assume, the Bureau [Inter-American Affairs, State Department] was involved in preparing in August 1975 - it says:

'The Uruguayan Government apparently intends to prevent recurrence of past abuses by its past policies to bring the accused persons before competent courts of trial for sentencing.'

Has that been the situation over the past 12 months?

Mr. Ryan: Not entirely, sir.

Mr. Fraser: Then where do you come out on this? The statement made before August 1975 has not been carried out?

Mr. Ryan: No; but when I last discussed this they pointed out there were extraordinary circumstances, that the discovery of the Communists' arms cache in OPR-33 prevented that. They indicated to us they have in custody some 200 persons, at the disposition of the executive, a group which they

have no intentions of bringing to ordinary justice because they consider this group of terrorists who, if they are processed through ordinary justice, would immediately return to their terrorist activities. [p. 117]

Mr. Fraser: You referred to Amnesty as an objective organization, which I agree it is. It may make a mistake occasionally but I think they are honest mistake when they make them. I gather you are not one of those who think that it is a Communist agency.

Mr. Ryan: No, sir.

Mr. Fraser: What about our Embassy in Uruguay? What is their view of Amnesty?

Mr. Ryan: I think it coincides with ours.

Mr. Fraser: Do you have a basis for your judgment on that?

Mr. Ryan: I was in Uruguay 2 weeks ago and talked with the Ambassador and members of the staff. I talked with our labor attaché who wrote a rather intemperate letter in which he reflected views which were personal and not in any way reflective of the views of the Embassy or the Department of State.

Mr. Fraser: Did anybody in the Embassy tell you that he thought Amnesty was a misguided and Communist-sympathetic group or something of that substance?

Mr. Ryan: Yes, sir; I think the labor attaché who wrote that letter is a man of rather strong views. He feels that where there may be - and I hesitate to try to interpret his views but in general his feeling was that these may be a well-intentioned group but they have been taken into camp and have been mouthing the Communist line. Now, this is his personal view expressed to his Congressman. I might say it is not shared by the Ambassador, by the other members of the Embassy. [pp. 117-118]

(Rep. Edward Koch (D-NY), the head of the Appropriations Committee was invited to sit in)

Mr. Koch: ... I must say to you that I do not place much credence in the reports that the State Department has provided on this subject. I may be wrong, and I am willing to be corrected. But, in view of that, would it not make sense that the State Department send down an inspector general to make an investigation into this question of the information needed to report to Congress as to whether or not there is a consistent pattern of repression? (1) [p.121]

(1) 'The Subcommittee subsequently received information from the Department of State that: 'Department of State officials had extended conversations with the U.S. Ambassador to Uruguay to discuss what types of information are needed to adequately report to Congress.'

....

Mr. Koch: Now, the major reason that the Uruguayan Government gives to indicate that there is a continuation of a state of siege is the continuing threat by the Tupamaros. The most recent evidence of this internal threat, as I understand it, is that arms cache found in 1975.

Mr. Ryan: And even more recent was the discovery of the OPR-33 network which I indicated was found to be headquartered in Argentina, funded by the terrorist organization which had obtained great amounts of money from its kidnappings in Argentina.

This has set up cells in Argentina and Uruguay. In the last week there was

discovery of assassination lists of government officials. [p. 121]

Statement of LT. COL. STUART QUIGG, POLITICAL-MILITARY AFFAIRS OFFICER, AMERICAN REPUBLICS AFFAIRS, DEPARTMENT OF STATE

Mr. Fraser: Mr. Ambassador, is it the case that the Uruguayan authorities refused to let Amnesty International back into the country?

Mr. Ryan: Amnesty says this. I have not heard this from the Uruguayan Government. When it was suggested to the Uruguayan Government recently they gave all the indications that they would not look to Amnesty as an impartial source. We have on several occasions suggested to the Uruguayan Government that it would be in their own best interest to admit Amnesty International.

Mr. Fraser: In the report by Amnesty they detail a series of torture techniques. Are you familiar with those?

Mr. Ryan: Yes, sir.

Mr. Fraser: As far as you know have all those techniques been used?

Mr. Ryan: We cannot verify this. I am sure some of them have.

Mr. Fraser: I am very interested in that statement. You have been unable to verify any of those?

Mr. Ryan: I said we have not been able to verify all of them.

Mr. Fraser: How many have you been able to verify?

Mr. Ryan: I am not prepared to discuss this. I did not bring an analysis of that.

Mr. Fraser: Does the Department have an analysis?

Mr. Ryan: I will see what we can put together from our various reports.

Mr. Fraser: How can you make a statement that you have not been able to verify all of them if you don't know what is in the report?

Mr. Ryan: I do know what is in the reports but I have not checked the Embassy's reports on these various techniques and how many of them have actually been verified by witnesses or by statements that we can give full credibility to.

Mr. Fraser: Are you saying that you are not familiar with the Embassy reports?

Mr. Ryan: I don't have them here with me, sir.

Mr. Fraser: Have you read them?

Mr. Ryan: I have glanced at them.

Mr. Fraser: Amnesty lists at least a dozen different kinds of torture. I am now looking at testimony by Dr. Edy Kaufman.

Mr. Ryan: We don't have verification of any of those. However, I will attempt to ascertain this from the Embassy.

Mr. Fraser: When you say you don't have verification ---

Mr. Ryan: The Department of State has not looked into that. Miss Brazeal informs me that we have not formerly --- [Aurelia Brazeal, Country officer for Paraguay and Uruguay]

Mr. Fraser: What you have to be telling me then is that you have not been attempting to verify torture?

Mr. Ryan: Yes, we have.

Mr. Fraser: The Only way you can do that is get details.

Mr. Ryan: To try to find people to tell us in a verifiable form. We have not been able to come on them.

Mr. Fraser: You have not found a single person who has been tortured to talk to.

Mr. Ryan: One or two.

Mr. Fraser: Can you give me an idea of the extent to which an effort was

made to locate people who claimed they had been tortured?

Mr. Ryan: I cannot give you that at this moment. We have attempted in Uruguay to get in touch with as many people who have been in prison as possible and talk to them about their experiences and find out what they know about numbers and things of this nature. We have not come up with verifiable cases.

Mr. Fraser: Do you know how many you have talked to?

Mr. Ryan: No, sir.

Mr. Fraser: How many people has the Embassy talked to? [pp.126-127]

Statement of AURELIA E. BRAZEAL, COUNTRY OFFICER FOR
PARAGUAY AND URUGUAY, DEPARTMENT OF STATE

Ms. Brazeal: Well, to take that question, I have no knowledge of a sum total of people that the Embassy talked to, people in all spectrums, inside government, outside government, students, labor people, all types. I never asked the sum total.

Mr. Fraser: I am not now dealing with a specific allegation of torture. Has the Embassy itself undertaken a specific effort to reach and interrogate people who claim they have been tortured?

Ms. Brazeal: I think the Embassy has made an effort to try to find out if torture has been practiced and if they have examples or names of people they can come up with who may have been tortured. I would have to take the question and furnish you an answer exactly.

Mr. Fraser: This is such an important subject I am surprised there is not much specific detail on it. Have you interrogated the Embassy down there by cable on this question?

Ms. Brazeal: As you phrased it?

Mr. Fraser: There have been allegations here before our subcommittee of the extensive use of torture. Since that testimony was presented have you asked the Embassy specifically?

Ms. Brazeal: Yes.

Mr. Fraser: On this point?

Ms. Brazeal: Yes.

Mr. Fraser: What have you asked them in effect?

Ms. Brazeal: In effect we have asked them the questions that the committee asked the Department of State to which we furnished replies.

Mr. Fraser: Do you think you have in your report any indication of how many former prisoners the Embassy interviewed?

Ms. Brazeal: Former prisoners?

Mr. Fraser: Or people still in prison if they can reach them.

Ms. Brazeal: Former prisoners we don't have broken down in that way. They have talked to people. They have not identified necessarily that they were former prisoners or not. But in their efforts to find out information they talked to many people and I would have to take the question and furnish an answer.

Mr. Fraser: What could you tell the subcommittee that would give us reason to believe that there has been a serious sustained effort to inquire with respect to the specific facts on this?

Mr. Ryan: This probably is the most important of the reporting requirements we put on the Embassy in Uruguay in the last year or two, to try to verify the prisoners, to try to verify the various charges that have been made by Amnesty, try to reconcile our figures with those of Amnesty because we are seriously concerned with this discrepancy.

The Embassy has come back with whatever it has been able to learn.

Mr. Fraser: I am not talking about the number of prisoners. I am talking about the use of torture practices.

Mr. Ryan: We sent down all the inquiries and the testimony of the various witnesses. We have had comments back but we have not gotten back into the specific cases of torture because as I indicated there has been, and I think the Government of Uruguay has admitted that there has been, cases of torture but they allege that they have taken remedial action.

Mr. Fraser: Do you know of a single government in the world that admits that it actually engages in torture? One has to be prepared to discount a government statement somewhat on this score. I agree, I don't know any government that will ever admit it. That is why we tend to get back from the Department the assurances which other observers seem to find are not borne out by what happens down there. [pp. 127-128]

Mr. Fraser: Let me try a different source. This is the second supplement from the International Commission of Jurists, dated January 1976 with specific references to treatment given to detainees arrested for political reasons:

'Arrests continue to be effected by police or military officers wearing plain clothes, not identified as such, do not exhibit warrants for arrest. Detainees are kept in solitary confinement during prolonged periods sometimes lasting several months.

During the period serious cases of torture occur as shown by ample and detailed evidence.'

You would disagree with that?

Mr. Ryan: No, sir, not entirely. I think it probably reflects the security practices which our Embassy has been able to ascertain are carried out there, except for the business of torture.

I don't believe we can document that. We have protested very vigorously the arrest practices of the Uruguayan Government at various levels. We do not take the position, sir, that violations of human rights have not occurred in Uruguay. [p. 130]

Mr. Fraser: Could you define U.S. national interests in helping arm the Uruguayan forces?

Mr. Ryan: I think this is a matter of tradition I referred to. We have a long tradition of support of the various military establishments in this hemisphere going back to just about the time of World War II.

Mr. Fraser: Uruguay once was a country which, like Chile, very much valued democratic values. This has largely disappeared at least for the present time.

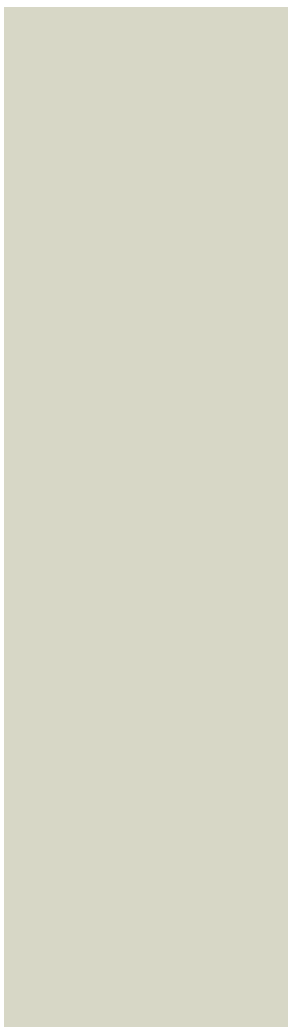
Do you automatically continue to give countries military assistance without reference to what happens?

Mr. Ryan: This is the last year of grant military assistance. [p. 132]

....

Mr. Fraser: Why isn't it in U.S. interest to disengage from that kind of [military] supply relationship so long as Uruguayans rightly or wrongly have suspended most of their political rights?

Mr. Ryan: I think that comes again to our problem of definition and getting back to the problem we face..." [p. 132]



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