

Amnesty International
International Secretariat
10 Southampton Street
London WC2E 7HF
England

**CONDITIONS OF DETENTION FOR
POLITICAL PRISONERS IN URUGUAY**

June 1979

CONDITIONS OF DETENTION
FOR POLITICAL PRISONERS
IN URUGUAY

Introduction

The growth in the number of political prisoners in Uruguay during the 1970s has inevitably led to an increase in the number of prisons and detention centres in the capital, Montevideo, and throughout the country. Some of these prisons are civilian and fall under the authority of the Ministry of the Interior, but most political prisoners are held in military establishments under the authority of the Ministry of Defence and the General Command of the Armed Forces. In addition, the barracks of virtually all units of the Armed Forces have been used as detention centres for political prisoners. In Montevideo 17 military units serve as arresting agencies and interrogation centres (13 army, one air force and three naval units, including the harbour police, the Prefectura Nacional Naval), as does the Dirección Nacional de Información e Inteligencia (DNII), which is part of the police force. Five of the six departments of the DNII are located at the Police Headquarters (Jefatura de Policía). In the interior of the country, there are 20 army units and a police centre (the riot police in Canelones), making a total of 39 agencies.*

The military barracks are normally used as detention centres for people undergoing pre-trial interrogation and who may or may not be brought to court for committal proceedings, as well as for people held in administrative detention without trial or after the expiry of their sentence. The ordinary and military prison establishments, as well as certain military barracks, are used for prisoners who have been charged and committed for trial.

During the 1970s the existing prisons for common law offenders, such as the penitentiary establishment known as Penal de Punta Carretas (after the district of Montevideo in which it is located) and the women's prison or Cabildo (named after the street in which it is situated) began to be used for political prisoners. Political prisoners in ordinary prisons are normally kept in a separate part of the prison. The prisons are administered by the Director of Penal Institutions (DIP) and fall under the authority of the Minister of the Interior. The DIP is also responsible for the Police Headquarters (Jefatura de Policía) in the centre of Montevideo, which holds a small number of political prisoners who have been committed for trial and a variable number of persons who are in administrative detention under the emergency security legislation (Medidas Prontas de Seguridad) or people who are undergoing pre-trial investigation. Many prisoners who have served their sentence or who have been granted freedom by the judge and are waiting for their release to become effective are also taken to the Jefatura.

* Infantería 1, 2, 3; Caballería 1, 4, 6, 9; Artillería 1, 5; Ingenieros 1; Transmisiones 1; Infantería Blindada 13; Infantería Aerotransportada 14.

The vast majority of male political prisoners are held in Establecimiento Militar de Reclusión No 1 near the town of Libertad. Nearly all women prisoners are held in the Establecimiento Militar de Reclusión No 2, also called Penal de Punta de Rieles, near Montevideo. The School for Nurses, Dr. Carlos Nery (Montevideo), which used to hold women prisoners in one part of the upper floor, is no longer used. A small number of women who are held under security legislation despite the expiry of their sentence or the judge's release order, are held in the Establecimiento Militar de Reclusión No 3 at Paso de los Toros. In 1976 there were about 50 women, all procesadas (undergoing trial), held at the Cavalry Regiment in the town of Treinta y Tres. The present number, if any, is unknown.

Torture

Physical maltreatment and torture do not normally occur in the prison establishments. Since 1971 torture has been common practice during the period before the detainee is brought before the military examining judge (juez de instrucción militar) for committal proceedings. The person, who is arrested without a warrant, is immediately hooded and taken either to a military barracks or a private house used as an interrogation centre, or to one of the six departments of the Dirección Nacional de Información e Inteligencia (Montevideo). The prisoner is held incomunicado and his family is not informed of his whereabouts. After weeks or months, the family may be allowed to deliver a food parcel to a military unit or to the former military secondary school in Montevideo from where it is passed on to the prisoner, but the place of detention is not revealed. Relatives may also take away the prisoner's clothes (which are sometimes bloodstained). The period spent in incomunicado detention may range from a few weeks to many months. After the committal proceedings before the military examining magistrate have taken place and the detention incomunicado has been lifted, the detainee should, if charged, be taken to a prison. However, due to the present overcrowding of the prisons, he is often taken back to the barracks where he has undergone torture. Without taking into account the anomaly of civilians being tried by military judges without legal training, the return to barracks where he can be tortured again makes it virtually impossible for the detainee to retract a "confession" made under torture, or to report to the judge the treatment he has suffered.

People in the custody of the police are often transferred to the fourth floor of the Jefatura de Policía after a period of incomunicado detention at DNII. This transfer is considered a major improvement in detention conditions.

Reports of long, unconstitutional periods of incomunicado detention continued to reach Amnesty International in 1978 and 1979. On 21 July 1978 four persons * were arrested, taken to the DNII

* Pedro Varela Esponda, Francisco Laurenzo Pons, Hugo Montano, Omar Rodríguez.

and held incommunicado until the authorities finally acknowledged their arrest two months later. Luis Barrios Rodríguez was arrested in August 1978 and was still being held incommunicado in January 1979. During February-March 1979 several hundred people were arrested, held incommunicado for prolonged periods and reportedly subjected to torture.

Although there is no direct physical torture in the prisons themselves, harassment and abuses of authority do occur. The main cause of insecurity and anxiety among the prisoners is, however, the constant risk of being removed from the prison to an unknown destination, usually a military barracks, for renewed interrogation and torture. Such removals are often connected with new arrests and the military authorities' desire to obtain further information or "confessions" regarding new detainees, and take place either without the knowledge of the judge in charge of the case or with his connivance. * When four prisoners were removed from E.M.R. 1 (Libertad prison) in 1976, the international outcry made the Uruguayan authorities produce the prisoners for the press and television, although they were not allowed to speak.** Reportedly, they were again removed from Libertad prison after the press conference.

Cuarteles - Military Barracks

Due to the overcrowding of the prison establishments, cuarteles (military barracks) have been increasingly used as long-term detention centres. They mainly hold prisoners who are undergoing interrogation and torture before being brought before a military magistrate to be formally charged or released. In many barracks, however, there are also prisoners who are undergoing trial (procesados). In these barracks, prisoners are held either in very small individual cells (used as punishment cells for soldiers) or in huge galpones (sheds) which hold 30-50 prisoners or, as in the Regimiento 4 de Caballería, in disused railway carriages***. If the prisoner remains in a military unit after his incommunicado detention has been lifted, he may receive visits. Such visits last thirty minutes. For several years such visits took place in the Jefatura. The men were transported, in handcuffs and often blindfold, in armoured lorries. Each lorry contained over 20 prisoners and had only a small ventilation hole 20 cm by 20 cm.

* E.g. Washington de Vargas Saccone, who was missing from 16 March to 17 April 1978 when he was reported to be in the Military Hospital. He lay in a coma for two weeks.

** Alberto Mechoso, Hector Romero, Raul Cariboni, Alfredo Pareja. Romero and Mechoso were again removed for interrogation and torture in January 1979.

*** At one galpón at the Regimiento 5 de Artillería, there were 130 prisoners in 1976. There are also disused railway carriages at: Regimiento de Caballería 9; Infantería 2, 3; Artillería 5.

At the Jefatura they were separated from their families by two wire fences 90 cm apart. Armed guards sat behind the families. The noise generated when twenty prisoners and their families had to speak all at once made it difficult to hold any conversation and created considerable tension.

The military naval unit Fusileros Navales in the harbour of Montevideo has become notorious for the torture of political detainees brought there for various lengths of time before being taken before the military examining magistrate. At Fusileros Navales there are also prisoners already undergoing trial. They are kept in a hangar containing 45 cells, 2.2 m long, 1.4 m wide and about 2 m high, without windows and with only a small hole in the corner for ventilation. The small courtyard used for recreation is inside the same hangar. The general lack of fresh air is aggravated by exhaust fumes from the car engines of an adjacent workshop.

The prisoners are obliged to wear their blindfolds except when they are alone in their cells and during the weekly or fortnightly visits of one hour allowed to close relatives. They are obliged to put on their blindfolds as soon as a guard bangs on the door of the cell, and when being led to the toilet, the recreation yard or the visiting room. A feature peculiar to Fusileros Navales is that the guards themselves wear hoods with slits only for their eyes. This includes the armed soldiers watching the recreation yard and those standing behind the prisoners while they talk to their visiting family through a mesh-covered hole in the wall (30 cm by 30 cm).*

The constant tension and unhealthy conditions create or aggravate health problems among the prisoners, in particular asthmatic conditions. These prisoners, some of whom have spent several years at Fusileros Navales**, are also affected by the proximity of the interrogation and torture rooms: the screams of people being tortured are often heard during the night in all cells. In the words of a released prisoner (1978): "It is very common that when the orderly is busy giving out pills (to the sick prisoners), he may have to run off to the torture room to attend to a prisoner who has had a serious attack".

At the end of 1978, several prisoners were transferred to the military high security prison in the town of Libertad. At the same time, Amnesty International received reports that the prisoners remaining at Fusileros Navales were allowed to spend more time outside their cells.

* The interpretation of this peculiar feature is that it is done so that guards should not later be recognized by the prisoners, and/or so that no human contact should be allowed to build up between guards and prisoners.

** For example: Manuel Vidarte (3 years), Sra de Ambrosis (6years), a woman doctor (5 years).

The "Hostages"

A special situation is faced by nine male political prisoners*, all leading members of the Movimiento de Liberación Nacional (MLN - Tupamaros) and all of whom are undergoing trial proceedings. On 7 September 1973 they were transferred from the Penal de Libertad to different military barracks in the interior of the country. They have been moved on several occasions but they are continuously held in isolation from other prisoners and in extremely harsh conditions. At times some of them have been held in a kind of underground, unused water cistern. These conditions have affected the mental health of at least two of these prisoners (Mauricio Rosencoff and Henry Engler). They all have physical health problems due to poor food, lack of proper sanitary conditions, lack of sunshine, etc.

The authorities claim that the irregular conditions of detention are for "reasons of security" but have provided no further details. Other sources say that these nine men are "hostages" who would suffer the consequences if the MLN resumed any activities. A former Uruguayan military officer reported to Amnesty International in 1979 that in 1975 he saw on the noticeboard of Batallón de Infantería 4 in the town of Colonia, where one of the group, Raúl Sendic, was then being held, a permanent written instruction that the officer on duty should immediately shoot Raúl Sendic if there was ever an attack on the regiment.

In similar circumstances, two groups of women prisoners were also removed from the prison and placed in various military barracks throughout the country. Although their detention conditions were far from satisfactory, the women were kept in pairs and their general situation was less harsh than that of the male prisoners. They were all returned to Punta de Rieles prison in 1976.

* Henry Engler Golovtchenko (32), Eleuterio Fernández Huidobro (40), Jorge A. Manera Lluveras (50), Julio Marenales Saenz (49), José Mujica Cordano (47), Mauricio Rosencoff Silvermann (46), Raúl Sendic Antonaccio (53), Adolfo Wassen Alarniz (35), Jorge Zabalza Waksman (36).

CIVIL PRISONS

Among the long-term prisoners at present held in the Penal de Punta Carretas and the Jefatura de Policía are members of the Groups for Unifying Action (GAU), the Uruguayan Communist Party (PCU), and 20 military officers, among them General Liber Seregni, a candidate for the presidency in the last parliamentary elections (1971). In 1978-79, four leading members of the traditional Blanco party were also held in the Jefatura. Prisoners who have been committed for trial are allowed weekly visits by family and lawyer, books and a radio, but no newspapers.

Penal de Punta Carretas

The Penitentiary of Punta Carretas, situated in a residential area of Montevideo, was built in 1910 as an ordinary prison. In 1969 a special section was created for political prisoners. Conditions are reported to be materially poor: the buildings are old and in need of repair (broken windows, defective waterpipe system); sanitary conditions are inadequate (there is only one shower for 100-200 prisoners); and there is serious overcrowding (cells intended for one person may be occupied by up to five or six prisoners). These conditions, which in themselves represent a health hazard, are exacerbated by the inadequate facilities for medical treatment, which to a large extent depends on the medical knowledge of the prisoners themselves and medicines provided by their families.

The general atmosphere is reported to be considerably more humane in these civil penitentiaries, which come under the administration of the Director of Penal Institutions, than in the military prisons. However, here too, prisoners undergoing trial have been subjected to illegal transfers to military barracks or other torture centres for further interrogation and torture.*

* For example: Walter Argüello, F. Gallardo, Raúl Rezzano, Jaime Pérez, J. Fonseca, Luis María Bazzano, Juan Verdum, Daniel Estela, Samuel Guristem, Enrique Rubio, Jessie Enríquez (3 times), Celestino Amaya, Roberto Pineyro. All these, except Pérez, Bazzano and Fonseca, who were transferred to a military prison, returned to Punta Carretas with clear marks of torture (1974-78).

Luis María Bazzano was removed from the Jefatura during a visit of inspection by the International Committee of the Red Cross in 1976. As of April 1979 he continued in detention, despite a judge's release order and his family's payment of bail.

In April 1978, trade union leader and teacher, Ricardo Vilaró, was kidnapped by naval personnel on the doorstep of the Jefatura as he was being released after 4½ years' imprisonment. The presence of personnel from Fusileros Navales can only have occurred with the connivance of the Chief of Police who reportedly witnessed the abduction.

El Cilindro

Until 1975 a roofed sports stadium in Montevideo, El Cilindro, was used almost exclusively for short-term detention under the emergency legislation Medidas Prontas de Seguridad. The number of detainees held at any given time varied between 20 and 100. Most of the detainees were trade unionists but the editor and other journalists working for the weekly magazine Marcha (banned in 1974) and the Christian Democrat Senator, Juan Pablo Terra, have also been held there. Although conditions were materially poor and fairly primitive in the Cylinder, the detainees considered it to be the best place of detention. There was comparative security from abuse of authority; visits by family and even friends were frequent; the detainees could move around freely within the stadium and could also cook their own food brought by their families.

The system of using separate detention centres for preventive detention under emergency legislation, as established in the Uruguayan Constitution, Article 168 (17), fell into disuse as political imprisonment, illegal detention procedures and torture became increasingly widespread. Following the dissolution of the elected Parliament in June 1973, the constitutional provision for communication to Parliament within 24 hours of such detention and the option of exile instead of imprisonment became less and less respected. At present, the Prompt Security Measures are cited as a routine, retroactive, explanation for all arrests and cases of incommunicado detention which, illegally and unconstitutionally, precedes the committal proceedings before the military examining magistrate.

MILITARY PRISONS

Establecimiento Militar de Reclusión No. 1 (E.M.R. 1), also known as the Penal de Libertad, is situated outside the town of Libertad in the Province of San José, 53 km from the capital, Montevideo.

Originally built as a model prison for ordinary prisoners, who are now held in another establishment nearby, E.M.R. 1 was inaugurated on 1 October 1972 as the largest detention centre for male political prisoners, and falls under the authority of the General Command of the Army. It is a high security prison with one central five-storey concrete building on pillars, containing 500 cells. Five barracas (barrack buildings) were added later and these hold between 70 and 80 prisoners each. The prison is surrounded by a double wire fence and there are towers every eighty metres with guards armed with machine guns. Trees surrounding the prison have been cut down within a radius of two kilometres.

The 1330 prisoners at present held in the Penal de Libertad are guarded by 500 military personnel from all three branches of the services, including the administrative personnel. The guards serve only one month at the prison, reportedly in order to prevent prolonged contact between them and the prisoners.

Conditions vary considerably according to where in the prison the person is held. Prisoners in the barracas enjoy the best conditions with 35-40 men in one communal room and more access to work and recreation. In the main building, on four of the floors, which are divided into two sections (A and B), there are two prisoners in each cell. They are normally allowed out of their cells to work within the prison and for recreation. The prisoners in section B on the second floor, who are all held in individual cells, are not allowed out of the cells except for short periods of recreation which are often cancelled due to weather conditions or as a punishment.

Most prisoners who arrive at the Penal have spent several months in a military unit where they have been held incommunicado and subjected to maltreatment. The people arrested in October/November 1975 and charged with supporting the Uruguayan Communist Party began arriving at the Penal only at the end of July 1976 when they had been charged and committed for trial (procesados). Until 1974, on arrival at the Penal, prisoners were reportedly made to run between rows of soldiers who tripped them up and beat them when they fell. All prisoners are locked up in their cells when a new prisoner arrives. The prisoner is thoroughly searched in all body cavities, his hair is shaved and he is dressed in a grey prison uniform with a number and a coloured ribbon which denotes the section of the prison in which he is held. From then on he will be referred to as a number, even in dealings with his family. This treatment appears to be a distorted application of Rule 100 of the prison

regulations which refers to "inscription, undressing, bath and careful search of his body". The next stage is officially justified as the need to observe and study a prisoner for a few days before he is assigned to a prison floor. During this period some prisoners are in fact locked up in the isolation and punishment cells in the so-called "island" (La Isla).

Originally the main building was intended for individual cells to be used for rest and sleep. Each cell is now used by two prisoners who work, eat and spend most of the day there. The cells measure 3.4m x 2m, and have concrete walls, one barred window, and an iron door with a cell window (ventanilla de chapa) measuring 20cm x 20cm through which food is passed. Inside each cell there is an iron bunkbed, a small table and a concrete bench, a washbasin and a taza (bucket). There is often a shortage of water, particularly in the summer.

Until 1975 the prisoners were woken by a siren at 6 a.m. and ordered out of their cells to be counted. At night they were counted again. The lights are switched off at 9 p.m. One hour's recreation out of doors is allowed depending on the weather and the prisoner's good conduct. Each sector has its recreation period at a different time. Food was earlier reported to be of an acceptable quality but insufficient in quantity. During 1978 and 1979 the food is said to have deteriorated in quality and to contain hardly any meat. It is prepared by the prisoners themselves in the prison kitchens which were originally built to cater for only about 500 prisoners. The lack of heating makes the concrete building very cold in the winter. The prisoners are in charge of cleaning the premises. They are allowed one shower per week and they have their heads shaven twice a month.

Prisoners who are allowed to leave their cells can work, without any form of payment, in the kitchen, the quinta (vegetable garden), and the administrative, medical or dental services. In their cells they can make products of artesanía. Those who cannot leave their cells are sometimes allowed to make leather goods, etc. with simple tools, which are removed in the evening.

There was originally a good library of some 3000 volumes, most of them donated by the families of prisoners. In 1974, the prison authorities began to "purge" the library by removing and even burning books on history, sociology, economics, mathematics, certain classical literature, novels by authors of a Marxist tendency (who had previously got past the censor) and the journals, Courier (UNESCO) and Readers Digest. Neither dictionaries nor the study of languages are allowed.

Prisoners who are themselves medical doctors or dentists are in charge of medical and dental care. Medication, however, can be given only by the medical service of the Penal. Seriously ill prisoners are transported to the Military Hospital (Hospital Central de las Fuerzas Armadas) in Montevideo. Transportation reportedly takes place in totally unsatisfactory conditions. The prisoners

travel in armoured lorries without ventilation and with their hands and feet tied, however delicate their state of health. During 1978 several prisoners at the Penal died from illnesses which, it is believed, had not been treated properly.* Several other prisoners were released before the expiry of their sentence only to die from terminal illness shortly afterwards.** In 1979 there were reports of cases of leprosy in the Penal.

Correspondence is very limited and subject to censorship. One forty-five minute visit by immediate family is permitted every fortnight. These visits take place in special halls with long concrete tables and benches. The prisoners are separated from their families by a pane of glass and they talk to them by telephone, except for children under five years of age who can remain with their father. The conversations are monitored, at least intermittently, from a switchboard and can be cut off if the conversation goes beyond family matters. This may lead to the suspension of the visits or even to a spell in the punishment cells. On leaving the room at the end of the visits, the families are allowed to briefly kiss the prisoner, watched by the guards. The families, children included, are searched on arrival and children under five are picked at random for a second search on leaving. Visits allowing other physical contact take place only once a year, at Christmas. Travel to the Penal involves considerable cost for the families, whose breadwinner is imprisoned.

Defence lawyers can only speak to their clients under the same conditions as the families. It is alleged that telephone conversations are recorded, a practice which violates internationally recognized norms for legal defence as well as Uruguayan Penal Legislation which states that all conversations between a prisoner and his lawyer should be confidential.

Penal de Libertad is, in many ways, a modern high security prison and it does have certain facilities for the prisoners and is regarded with a certain pride by the Uruguayan authorities. For those prisoners who have spent many months in incommunicado detention, deprived of their most fundamental legal safeguards, transfer to a prison is without doubt an improvement. To the families it is also a great relief since it means that they know where their relative is and they are also able to make visits. However, there are numerous allegations of harassment and abuses of authority against prisoners. These harassments serve to humiliate and "depersonalize" the prisoner, instead of achieving the constitutional aim of promoting "re-education, aptitude for work and crime prevention".*** Harassment occurs mainly in connection with

* E.g. Mirtho Perdomo Sosa; Roberto Barbeito Filipone.

** E.g. Manuel Toledo; Antonio Denismar Fachelli Márquez.

*** In this discussion on prison conditions, it should, of course, be borne in mind that the majority of political prisoners in Uruguay are detained in violation of the Universal Declaration of Human Rights, the American Convention on Human Rights and the International Covenant of Civil and Political Rights.

disciplinary measures, to which reference has already been made. Punishments are reportedly given for the slightest reason (such as for nodding to or exchanging a word with a prisoner from another sector; delay in obeying an order, etc.). It is alleged that sanctions alternating with "privileges" are used to pressurize prisoners into collaborating or informing.

In a separate building called "La Isla" (Pabellón de Exclusión Temporal), about 50 metres from the main building, there are around 20 punishment cells, all small, individual and without windows. Some have double doors, a concrete bunk and a hole in the floor which serves as a toilet. A mattress is provided between 9 p.m. and 6 a.m. The light is kept on night and day and there is no running water. Some prisoners are taken to these cells on arrival at the prison and others may spend from 15 to 90 days in them as part of a punishment. They are held in isolation, without reading material or tobacco. One prisoner was reportedly found hanged in his cell in "La Isla" in 1974.*

A major cause for anxiety and insecurity is the lack of safeguards against illegal transferral to a military barracks for renewed interrogation and torture. This may take place in spite of the fact that the prisoner is already undergoing trial and is therefore under the protection of a military judge. Such transfers may take place without the knowledge of the judge or with his connivance (see cases quoted earlier). It is believed that this insecurity is a contributory factor in the number of suicides that have occurred at the Penal.** Prisoners are transferred in vehicles belonging to the military unit. One prisoner brought back in April 1978 from such an interrogation suffers from partial amnesia concerning that period.***

Establecimiento Militar de Reclusión No. 2 (E.M.R. 2), also known as Penal de Punta de Rieles, is situated 13 kilometres from Montevideo. Punta de Rieles also falls under the authority of the General Command of the Army. It was initially used for male prisoners but since 16 January 1973 has been used exclusively for female prisoners.

The prison is surrounded by several wire fences, with guards armed with machine guns placed in towers at intervals of 80 metres. The external guards are all military personnel accompanied by police dogs, while the guards who are in direct contact with the prisoners belong to a new corps of military policewomen (Policía Militar Feminina).

* José Artigas

** Víctor Hugo Padilla, Rodolfo Fernández Cúneo

*** Washington de Vargas Saccone

The prison regulations and regime are largely similar to those at the Penal de Libertad. There is a special category of prisoners who are held under a harsher regime than others. One hour's recreation is permitted depending on good conduct and the weather conditions. The female police guard is changed regularly. It is reported that the relations between women prisoners and their guards are more strained than those between male prisoners and their guards.

The prison consists of a two-storey building and two barracas, all without heating. The first floor of the main building has three sections - A, B and C. In section A there are two cells 6m x 10m with 10 double bunk beds in each. In section B there is one cell 10m x 15m with 15 bunk beds and four smaller cells which can hold up to 4 prisoners each. Section C is an old chapel with two rows of bunk beds for about 40 prisoners. In the four cells on the second floor, there are up to 48 prisoners. In each of the barracas, there are about 120 prisoners in two different sections. While at first being in the barracas was considered a privilege, they are now the most overcrowded part of the prison.

The day starts at 5.30 a.m. The prisoners have 15 minutes to dress and put their cells in order. Breakfast of milk and bread is served after the prisoners have been counted and respects have been paid to the flag. Some detainees work in the kitchen, which is modern and provides food for about 500 prisoners and guards. Others may work (without pay) in the field, vegetable garden or on the farm. Prisoners work in groups of 30 people, supervised by a military policewoman equipped with a long wooden truncheon, and guarded by between two and eight armed soldiers.

Until the beginning of 1976 the prisoners had a workshop where they could use sewing and knitting machines to mend their clothes and make things for their families, or in order to buy provisions in the canteen. The workshop was closed without explanation and replaced later in the year by a system whereby the prisoners could carry out paid work for a company which exported leather goods. Any money earned under this scheme was originally stated to be for the prisoner to use as she wished. However, such earnings, although minimal, reportedly have to be spent in the canteen shop. There have been reports that prisoners, including those in a precarious state of health, have been forced to do very heavy work, such as masonry.

One prisoner*, a journalist in her sixties, suffered a heart attack in 1978. The authorities have officially claimed that she had a congenital heart condition while other well-informed sources deny that she had a heart problem before her imprisonment and say that her heart attack was the result of 5½ hours' digging on a very hot day. In protest, other prisoners refused to work in the field, for which they were punished by having family visits cancelled and all correspondence stopped for a period of two months. The sick prisoner has since received adequate medical treatment and no longer has to do forced labour.

* Rita Ibarburú

Visits by close family are allowed every two weeks for half an hour. The visitors are separated from the prisoner by a thick wall with a small mesh-covered opening. Guards listen to the conversation on both sides of the wall. Visits permitting physical contact are rare.

There is a library, administered by the prisoners themselves, with censorship similar to that in Penal de Libertad. Books on philosophy, politics, economics and psychology are forbidden.

The women are carefully body-searched on arrival, their hair is cut very short and birthmarks and other distinguishing features are noted. The women are given a uniform and a number, by which they are known from that point on. Disciplinary measures are taken for all forms of misbehaviour (e.g. delay in obeying orders, breaking the silence rule, lack of respect towards visitors to the prison). Two such misdemeanours can lead to a period of incommunicado detention lasting from 1 to 20 days. Lack of respect, failure to answer an official's question, making a collective complaint to the authorities, refusal to eat, any one of these may lead to a period of incommunicado detention lasting from 46 to 60 days according to the prison regulations.

Sanctions appear to be given in an irregular and unsystematic fashion which leaves the prisoner uncertain of what is or is not forbidden. This is further aggravated by the practice of not informing the prisoner of the reason for her punishment. Such uncertainty and other forms of harassment are reported to have led to nervous conditions and depression among the prisoners.

The Military Hospital

Seriously sick prisoners are transferred to the Armed Forces' own hospital, the Hospital Central de las Fuerzas Armadas. The regime in the ward reserved for political prisoners is extremely severe, i.e. the prisoners are not allowed to speak to each other, and for the first three months they are not allowed any visits. Amnesty International has also received several reports of neglect on the part of the medical staff, which in some cases is alleged to have led to a patient's death from an illness which could have been cured or improved with proper diagnosis and treatment. Some reports indicate that medical resources have increased recently in the Military Hospital.

CONCLUSION

Article 26 of the Uruguayan Constitution provides that: "In no case shall brutal treatment be allowed in prisons; they shall be used only as a means of assuring that convicts and prisoners are reeducated, acquire an aptitude for work, and become rehabilitated".

Penitentiary laws and regulations provide for correspondence, visits, the right to consult defence counsel in private without the presence of guards, separation of unconvicted and convicted prisoners (procesados and penados), the right to be called by name and not by number, and several other regulations that maintain the spirit of the Constitution. The Penal Code and the Law of National Security also provide for the punishment of any member of the prison administration who violates any of these provisions.

Prison conditions acquire a particular importance in a country where the penal system has very little provision for granting liberty pending trial, and which, at the same time, is characterized by exceedingly slow trial proceedings which entail several years' imprisonment before the final verdict is pronounced.*

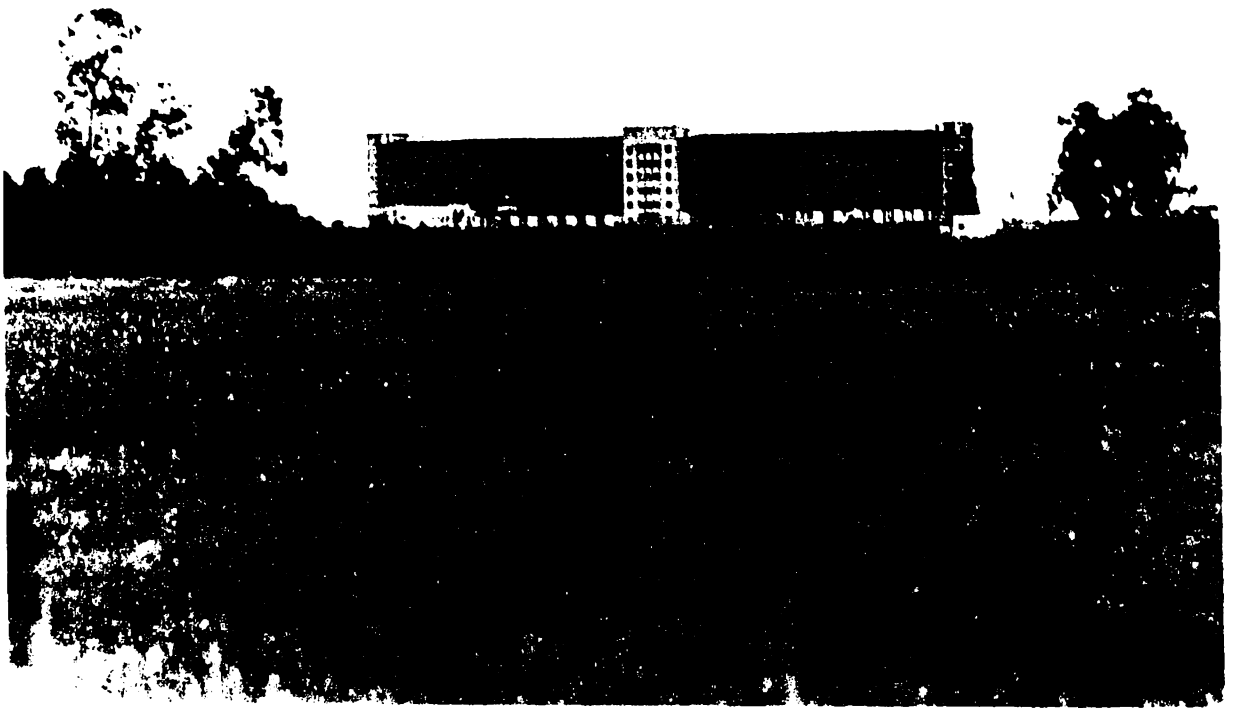
As the Uruguayan Penal System provides for full legal safeguards, adequate conditions during detention and imprisonment, including provision for payment for work in order to facilitate the readaptation to society and life after release, other reasons must be sought to explain the conditions under which political prisoners are held. Both the illegal long pre-trial detention, which violates the Uruguayan Constitution (24 hours) and an executive decree of 1972 (ten days), and the system of insecurity and harassment which exists in some prisons are a reflection of the political situation within the country. The atmosphere of internal war and the anti-subversion and anti-communist crusade on the part of the Combined Forces which has existed in Uruguay for over half a decade makes itself felt inside the prisons. Many of the guards see, or are made to see, the prisoners as the enemy, albeit captured. This theory would appear to be borne out by regular reports in recent years of increasing harassment whenever political events take place, either inside or outside Uruguay, which affect the political stability of the country. It is thus evident that the judicial and penitentiary system in Uruguay lack independence from the political authorities, i.e. the Armed Forces.

* According to official Uruguayan sources (1978), 72% of the prisoners held under ordinary criminal law have not been sentenced. Although no official or complete statistics are available for political prisoners, it appears from information available that the percentage of sentenced political prisoners could be considerably lower than 28%.

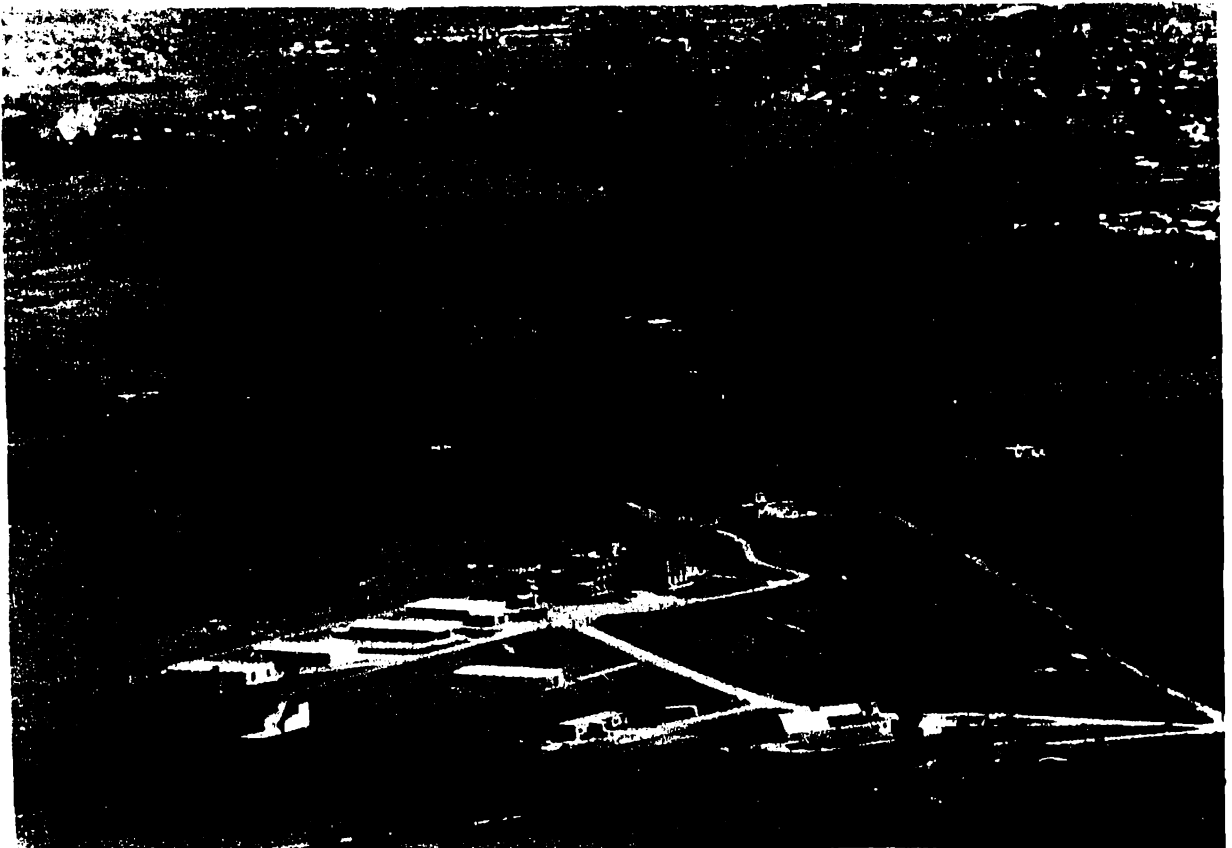
APPENDIX

International Instruments

Uruguay is a party to the following international or regional agreements in the field of human rights: the International Covenant of Civil and Political Rights and its optional Protocol (ratified by Uruguay on 11 July 1969); Freedom of Association and Protection of the Right to Organize Convention (No. 87); the Right to Organize Collective Bargaining Convention (No. 98); both ratified by Uruguay on 18 March 1954; Convention Relating to the Status of Refugees and Protocol, both ratified by Uruguay on 14 October 1969. Uruguay has signed the Universal Declaration of Human Rights (1948) and the American Convention on Human Rights (1969) and voted for the American Declaration of the Rights and Duties of Man (1948). Uruguay is also bound to respect the UN Declaration on the Protection of All Persons from Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1975) and the Standard Minimum Rules for the Treatment of Prisoners (1957).



Establecimiento Militar de Reclusión No 1, or Libertad prison, for male political prisoners.



Establecimiento Militar de Reclusión No 2, or Punta de Rieles prison, for female political prisoners.

