

POLITICAL IMPRISONMENT IN URUGUAY

Uruguay in outline

The Eastern Republic of Uruguay is situated on the south-east coast of the South American continent, bordering on Brazil in the north and Argentina in the south. With a total area of 72,000 square miles it is the smallest country in South America. The inhabitants are almost entirely of European descent: the criollos from the colonial period and the immigrants of the 19th and 20th centuries. Half of its predominantly urban population of 2,700,000 live in the capital, Montevideo. It has the largest population of middle class in Latin America and a high level of education and, until recently, of political participation. The Uruguayan economy is based on agriculture and cattle raising, and the main export products are meat and wool.

Since the 19th century, the two main political groups have been the Blancos (Whites) and the Colorados (Reds). Historically the former was predominant in rural areas (and closely linked with the landowning interests, the Church and tradition) while the latter's support comes mainly from the urban middle class (business employees). A left-of-centre coalition, Frente Amplio (Broad Front), was formed for the elections of 1971.

Uruguay had, in 1970, the highest literacy rate, the lowest birth rate and the longest life expectancy in Latin America. It also had one of the highest ratios of newspapers per capita in the world.

Uruguay formed part of the Spanish Empire for over three centuries, but due to its lack of precious metals, it was not exploited like the rest of Latin America by the colonizers. After wars with Spain, Argentina and Brazil, Uruguay achieved its independence in 1828 through the mediation of Great Britain.

Throughout the 19th century Uruguay suffered continual civil wars, foreign intervention and invasion, but in the 20th century, with the exception of President Gabriel Terra's authoritarian measures in 1933, Uruguay became a stable democracy with regular elections, the peaceful transfer of power and respect for legality and civil rights. The statesman José Batlle y Ordóñez introduced a collegiate system of government based on the Swiss model, gave the state control of the main branches of the national economy and created a very advanced system of social welfare. He also curbed the influence of the Church and the Armed Forces.

In the 1950's Uruguay began to experience serious economic difficulties: lower prices and reduced demand for the main export products on the world market, and spiralling inflation. The stagnation of the economy, which could no longer support the extensive welfare system, brought about the widespread social discontent among a highly-unionized labour force, who frequently took strike action, as well as among the large sector of pensioners.

This social unrest led to a gradual erosion of the rule of law in Uruguay. In the late 1960's, the Executive began to use far-reaching emergency legislation in order to curb the labour unrest, control the economy and combat the urban guerilla movement, MLN-Tupamaros (National Liberation Movement). The increasing role of the armed forces in this process culminated in February 1973 when they took control of internal security and economy. In June 1973 the Executive dissolved Parliament. In July it banned the main trade union movement and in December the majority of the political parties, and subsequently suspended all political activity. The Parliament was replaced by the Council of State, designated by the Executive. Military tribunals have been given jurisdiction over civilians in political and trade union matters. This strong executive control has, however, not been followed by improvement of the economy which continues to suffer rampant inflation. Official statistics indicate a drop of 38% in real wages over the past ten years.

While maintaining an appointed, civilian president, the Armed Forces de facto rule the country through a complex structure of newly-created bodies such as the National Security Council and the Council of the Nation, as well as through military appointees to local government, state corporations, the university and other major institutions of society.

The traditional separation between the executive, legislative and judicial power has thus been abolished in the past few years. The Constitution of 1967, although not repealed, is gradually being changed through the passing of Institutional Acts. A new constitution is under preparation.

1. Amnesty International Concerns

In less than a decade Uruguay has passed from being a moving force for the promotion of international safeguards for peaceful settlements of conflicts and for human rights to becoming a target for criticism from the international community for its infringement of basic human rights. Amnesty International's main concerns in Uruguay are the following:

1. Large scale imprisonment of peaceful political opponents and trade unionists, often with retroactive application of new laws to previously legal activities.
2. Illegal detention procedures and lack of legal safeguards, including prolonged detention incommunicado, maltreatment and torture, sometimes resulting in the prisoner's death. Unrecognized arrests ("disappearances").
3. Detention without trial under the emergency provisions of the Prompt Security Measures.
4. Trial of civilians before military tribunals whose procedures do not conform to recognized norms for ensuring a fair trial.
5. Arrests and forcible return of Uruguayan exiles and refugees in neighbouring countries.
6. Prison conditions.

2. Political and Constitutional Context

The Uruguayan Constitution of 1967 contains 65 articles guaranteeing civil rights and provides for the full separation of the three branches of state power: executive, legislative and judicial. In less than a decade, however, executive interventions, a number of decree laws and eight Institutional Acts have eroded the constitutional guarantees which were held in great respect in Uruguay during most of the 20th century.

Some laws affect the rights of all citizens of the country, e.g. the right to participate in political life; others are more specifically related to imprisonment for political reasons.

In 1976, after a dispute with the elected President, Juan Bordaberry, the Armed Forces appointed an elderly lawyer, Dr. Aparicio Mendez, to replace him. Presidential elections have been announced for 1981 but with only one candidate, approved by the Armed Forces. It is reported that the Council of State is drawing up a new constitution.

Institutional Act No. 8 (1977) and a decree law of the same year abolished the independence of the judiciary and reduced the authority of the Supreme Court of Justice by making the judges subject to removal during their first four-year period of office. All civilians charged with political and trade union offences are tried by military tribunals.

The Council of State, like the General Assembly, is entrusted with the power of controlling the Executive, particularly with regard to the individual guarantees and rights of citizens. As its members are themselves appointed by the Executive - in practice, the Armed Forces - this function, as well as their legislative one, has not been fulfilled.*

The system of military justice and the powerlessness of the Council of State under the political (i.e. military) authorities have left effectively no possibility for domestic remedy of infringements of human rights. Numerous complaints have therefore been addressed to international bodies such as the Commissions of Human Rights of the United Nations and of the Organization of American States. Uruguay has signed the Universal Declaration of Human Rights, the American Declaration of Human Rights, the American Declaration of the Rights and Duties of Man, the American Convention on Human Rights (which came into force in 1978), and has ratified the International Covenant of Civil and Political Rights, with its Optional Protocol (in force since 1976).

3. Prisons and Prisoners

Since 1971 when political imprisonment began to take place on a larger scale in Uruguay, the number of political prisoners has varied from a few hundred to 5,000-6,000 and, according to exile sources, has even reached 8,000. In 1976, Amnesty International estimated that 1 in every 500 citizens in Uruguay was in prison for political reasons and that 1 in every 50 citizens had been through a period of imprisonment, which for many included interrogation and torture. These figures reflected the frequency of short-term detention without trial of trade union activists and the numerous arrests made during 1975/76, mainly of members or supporters of the Uruguayan Communist Party. In 1979, according to Amnesty International's records, between 2,500 and 2,800 prisoners of conscience and other political prisoners are being held in the various military and civilian prison establishments and military barracks used as places of detention. This still means that one in every 1,000 citizens is a political prisoner,

* The official gazette, Diario Oficial, of 15 November 1978 reports members of the Council of State as considering themselves "advisers to the political power" and as having said: "When a matter is classified as political, our position can only be to support the project in question".

without taking into account the approximately 500,000 Uruguayans who have gone into exile, or all those who, in 1978 and 1979, continued to be arrested for short terms, interrogated and tortured in some military barracks without being charged or tried, or entered in any judicial register. Amnesty International has recorded many such cases but the available information is not complete enough to allow for reliable statistics. The figure does not include those over 100 Uruguayan citizens who in the past 5 years have "disappeared" after arrest either in Uruguay itself or in neighbouring Argentina.

Those at present in prison in Uruguay include:

1. Persons on charges connected with the ideological activities of the urban guerilla organization Movimiento de Liberación Nacional (MLN-Tupamaros), active in the late 1960's and early 1970's.

Among these prisoners are leading members of the MLN as well as persons with marginal connections with the movement. There are also prisoners who have had no connection with the MLN but who have been convicted on the basis of false confessions extracted under torture. Many have not yet been sentenced; others are serving sentences ranging from about 5 to 30 years, some with Security Measures of up to 15 years added to the sentence, which also prevents release before expiry of the sentence. A certain number have now served their sentences; most of these are being released, usually only after a period of a few months of administrative detention in military barracks; others are being kept under indefinite administrative detention in military barracks despite the expiry of their sentence. The male prisoners are held in the military high security prison Establecimiento Militar de Reclusión No. 1 (EMR 1), also called the Penal de Libertad, or in isolation in various military barracks; the women prisoners are held in Establecimiento Militar de Reclusión No. 2 (EMR 2), also called Penal de Punta de Rieles.

2. Supporters or alleged supporters of the various political parties or groups that were outlawed by decree in 1973, including large numbers of trade union activists from a wide range of unions. Virtually every profession is represented: teachers, lawyers, doctors, writers, journalists, members of parliament, and some 20 military officers (two of whom are former generals). Some are held in EMR 1 or 2, others in special sections of common law prisons, such as Penal de Punta Carretas or the Cárcel Central of the Police Headquarters. They face a variety of charges, such as "attack on the moral strength of the Armed Forces", "subversive association" or "assistance to subversive association". The majority have not been sentenced. Sentences passed range from 2 to 14 years imprisonment. A few distinguishable groups are:
 - a) Members of the Grupos de Acción Unificadora (GAU) (Groups for Unifying Action). They were arrested in 1973/74 in connection

with the explosion of a bomb at the Engineering Faculty of the University of Montevideo. The explosion killed one student who was alleged by the authorities to have belonged to a group affiliated to the GAU and to be responsible for the bomb. No evidence has been established to link the student with the bomb, nor has the prosecution been able to advance proof of the GAU leaders' responsibility for the explosion. Some of the defendants were arrested before the explosion, which makes the allegations against them even more dubious. Some of them have now served their sentences and been released; others were given sentences of up to 10 years.

- b) Members of the main trade union organization, Convención Nacional de Trabajadores (CNT). The decree which outlawed the CNT in 1973 also ordered the arrest of its leaders. The banning followed a general strike, organized by the CNT, in protest against the closure of Parliament on 27 June 1973. Arrests of trade unionists have since been numerous. Some are arrested on the basis of their trade union activity alone while others are held and charged for their alleged support or membership of the Uruguayan Communist Party.
- c) Supporters, or alleged supporters, of the Uruguayan Communist Party (PCU). The PCU has a long parliamentary tradition in Uruguay, and was, except for its most important leaders, one of the last targets of repression after the military takeover in 1973. The largest wave of arrests took place at the end of 1975 and the beginning of 1976, but arrests still continued in 1978. The PCU was then accused of having a military branch and of being in possession of arms. Informed observers question this accusation and attribute the persecution of PCU sympathizers to the avowed and virulent anti-marxist position taken by the present Uruguayan regime. The PCU Secretary General was released and allowed to go into exile in 1975. This category of prisoner includes workers, professionals, and members of Parliament.
- d) About 20 military officers, arrested between 1973 and 1976. The charges against them refer to the pre-election period of 1971, when they reportedly pledged themselves to defend the Constitution in the event of a military coup d'etat, as well as to the massive peaceful protest organized in 1973 in Montevideo in protest against the closure of Parliament. Among these officers are General Liber Seregni, candidate for the presidency in 1971, and Captain Carlos Arrarte, who in 1972 tried to stop some military colleagues from torturing a political prisoner.

4. Legal Context

(i) Detention Procedures

Arrests are made by unidentified members of the Combined Forces (Police and Armed Forces) without a written warrant, often at dawn and with a great display of force. The person is immediately hooded and, apparently as a matter of routine, brutally treated. No reason is given for the arrest, nor is the family informed of where the person is taken. There is normally a period of detention incommunicado, often of weeks or even several months, without access to family or to a lawyer. This period is often spent in a military barracks where maltreatment and torture have become routine over the past five years.

In the meantime, families will wander from regiment to regiment trying to locate their relative. Writs of habeas corpus are ineffective, either because of the judge's failure to act or because the arrest is claimed to have been made under the Prompt Security Measures and consequently is considered to fall outside the judge's authority.

It should be noted that the practice of "disappearances" and political killings which is common in several Latin American countries, e.g. Guatemala, Chile and Argentina, is not a predominant feature of repression within Uruguay itself. Persons who are reported to have "disappeared" in Uruguay tend to appear after months of unrecognized detention incommunicado. Those who have remained "disappeared" are believed to have died under torture, although the authorities have refused to return the body to the families for burial. However, Uruguayan and Argentinian security forces are jointly responsible for the "disappearances" of Uruguayan refugees and exiles in Argentina. Also, 22 dead bodies have been washed ashore in Uruguay since 1976. The latest victims, found in April 1979, showed, like the others, signs of illtreatment and had hands and feet tied together.

(ii) The Administration of Military Justice

The Uruguayan legal system is based on Roman Law and trials are conducted almost exclusively by means of exceedingly slow written proceedings. Interventions by the prosecution and defence, as well as depositions by witnesses, form the trial dossier on the basis of which judgement and sentence are passed by the trial judge.

Trial proceedings normally take several years and pass through three court stages: the examining magistrate (juez de instrucción); the sentencing judge (juez de primera instancia); and, in nearly all cases, the appeal, which under military jurisdiction is made to the Supreme Military Tribunal. When military justice was introduced for civilians in 1972, it lacked judges, personnel and offices. The military magistrates were increased from three to six and generally have the rank of colonel. With

the sudden increase in political imprisonments, extensive use has also been made of an exceptional provision under military law, the summarizing judge (juez sumariante). He is a military officer, without any legal training, and is in charge of the preliminary investigation in cases where the judge will be delayed, e.g. if the military crime has been committed on a ship. With the breakdown of the rule of law in recent years in Uruguay, the juez sumariante has come to be used to obtain the prisoner's statement after weeks or months of detention incommunicado, interrogation, maltreatment and torture in a military barracks where he can still be subjected to further torture if he does not confess. Some prisoners are released from barracks without further judicial intervention.

The same lack of protection exists in practice also when the prisoner is brought before the military examining magistrate. These judges have proved not to have the will or the power to prevent the Combined Forces from sending the defendant back to the barracks. The judge can either release the prisoner or file an indictment on the grounds of prima facie evidence, a "confession" extracted under torture, or his own "moral conviction" that the defendant is guilty.

It is only at this stage that the defendant first has access to defence counsel. An appeal against the indictment can be made to the Integrated Supreme Court (five civilian and two military members) but the lack of civilian defence lawyers, the three day limit for presenting the appeal and the slow handling of the case gives this recourse little practical effect.

During the first period of military trials, the judges never passed sentences higher than the prosecution requested. However, after one judge passed one such sentence (ultrapetita), this soon became general practice, supported by the Supreme Military Tribunal (STM). This tribunal receives 80-90% of all cases for a review of the trial. This review was intended to serve as a guarantee for the defendant but, at present, the STM often passes higher sentences than those given by the trial judge - even when the defence was the only party to appeal.

The authority of the Integrated Supreme Court to review cases once a year and grant early releases has been abolished.

The military judges have, on the whole, no legal training and continue to be part of the military hierarchy, even to the extent of enjoying "battle pay" like other active members of the Armed Forces. It is significant that the trial begins on an order from the Ministry of Defence who gives the magistrate the authority to act. According to the law, the case should go to whichever magistrate who happens to be on duty (de turno) for that week. The current practice is, however, different: all important cases are reported to be sent to magistrates and judges who enjoy the confidence of the military command.

Jurists have expressed concern that the judges do not understand the nature of a trial, i.e. they may take measures against defendants and defence counsel for behaviour or acts that are part of their normal rights and duties under law. Another serious allegation made against the military courts is their reliance on a parallel or "submerged" dossier drawn up by the security forces and consisting of information on the defendant's character and on activities which are not proven in court. As the defence counsel does not have access to this dossier, he cannot provide a proper defence against these allegations.

Institutional Act No. 8 (1977) and a decree law of the same year changed the system of designation and security of office of all members of the judiciary. They removed from the Supreme Court the authority to designate judges and established that all judges can be dismissed without cause at any time during their first four years in office. In addition, all current judges were declared "interim" for a period of four years. These changes finalize the process begun in 1972 of eliminating the independence of the judiciary.

(iii) Defence Counsel

The erosion of traditional principles of law has also affected those who act as defence counsel for political prisoners. Their work is seriously hampered by the following factors: they have access to their client only after a prolonged period of incommunicado detention and, frequently, maltreatment, and after the indictment has been drawn up; in prison, they are not allowed to speak to their client in private despite explicit provision in Uruguayan law; they do not have the same access to the trial dossier as the prosecution and are generally not treated on equal terms with the latter. The practice of increasing a defendant's sentence on appeal can also be used as a kind of punishment of counsel. The intimidation of lawyers who take on the defence of political prisoners has gone much further in recent years. Many have been imprisoned themselves or have had to go into exile, while others no longer take on political cases. Apart from the assumption by the rulers that defence implies sympathy for the prisoner's beliefs and activities, the persecution of lawyers is believed to stem from the fact that in the course of their work they became witnesses to a number of irregularities committed by the Combined Forces (Armed Forces and Police).

5. Amnesty International Action

1. In 1969 Amnesty International sent an observer to Uruguay who reported that there was some incidence of torture of political detainees by the police and, to a much lesser extent, by the Armed Forces.
2. In 1974 Amnesty International and the International Commission of Jurists had a joint mission to Uruguay. The delegates met the political and judicial authorities to discuss legal safeguards, arrest procedures, administrative detention under the Prompt Security Measures, and individual cases of prisoners of conscience and political prisoners. They also visited the Penal de Libertad (EMR No. 1). The recommendations made in the mission report included: stringent safeguards against the abuse of authority by arresting agencies, written warrants of arrest by competent judicial authorities, and an early return to civilian justice.
3. In 1976 Amnesty International organized a worldwide campaign against torture in Uruguay and published information on 22 cases of persons who had died in the custody of the Armed Forces. The campaign was supported by governments, as well as by non-governmental organizations. A petition with 350,000 signatures asking for an independent inquiry into the allegations of torture was presented to the Uruguayan Permanent Mission to the United Nations in New York with a copy to the Secretary General of the United Nations, Dr. Kurt Waldheim.

The same year, Amnesty International gave a testimony to a hearing on human rights violations in Uruguay before a United States Congressional Subcommittee.

The Uruguayan Government has invariably responded to all concern expressed by the international community at violations of human rights, by saying that such allegations are part of an international marxist conspiracy. No independent inquiry has ever taken place within the country.

4. In 1978 Amnesty International published information on 12 further cases of deaths under torture. The leaflet also included five cases of persons who have disappeared but who are believed to have died in detention.
5. For several years Amnesty International has maintained an extensive adoption program of Prisoners of Conscience in Uruguay. Currently over 300 cases are allocated to Amnesty International groups in 19 countries. Every year Amnesty International has organized a considerable number of Urgent Actions on behalf of victims of unrecognized arrest, maltreatment and torture. Amnesty International has frequently released information to the press on illegal detention procedures and arbitrary arrest.

6. Amnesty International regularly submits information on violations of human rights in Uruguay to the Inter-American Commission on Human Rights and to the Secretary General of the United Nations.
7. In February 1979, Amnesty International made public several testimonies about torture in Uruguay, including a statement made by a former officer of the Uruguayan Armed Forces, who had himself been implicated in torture. His testimony corroborated Amnesty International's earlier information on the use of torture in Uruguay.
8. Amnesty International urges the Uruguayan Government to:
 - a) release all Prisoners of Conscience;
 - b) ensure that law enforcement agencies observe the legal safeguards enshrined in the Constitution and international instruments to which Uruguay is a party;
 - c) return to ordinary justice for civilians in accordance with the Uruguayan Constitution (Article 253);
 - d) establish an independent inquiry into all allegations of unlawful arrest and detention, maltreatment and torture, and in proven cases provide for compensation for the victims, according to Uruguay's undertakings under the International Covenant of Civil and Political Rights.

1. 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).

2. Relevant Articles

a) International Covenant on Civil and Political Rights

Article 4

1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the State Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.
2. No derogation from Articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.
3. Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary on the date on which it terminates such derogation.

Article 6

1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

Article 15

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby.
2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations.

b) Constitution of the Republic of Uruguay 1967

Article 7. The inhabitants of the Republic have the right of protection in the enjoyment of life, honor, liberty, security, labor, and property. No one may be deprived of these rights except in conformity with laws which may be enacted for reasons of general interest.

Article 8. All persons are equal before the law, no other distinctions being recognized among them save those of talent and virtue.

Article 11. The sanctity of the home is inviolable. No one may enter it by night without the consent of its master, and by day only at the express order of a competent judge, in writing, and in cases determined by law.

Article 12. No one may be punished or imprisoned without due process of law and a legal sentence.

Article 14. The penalty of confiscation of property may not be imposed for reasons of a political nature.

Article 15. No one may be arrested except in case of flagrante delicto or by written order of a competent judge based on reasonable grounds.

Article 16. In any of the cases contemplated in the preceding article, the judge, under the gravest responsibility, shall take the declaration of the person under arrest within twenty-four hours and shall begin the summary process within forty-eight hours at the most. The declaration of the accused must be taken in the presence of his defender. The latter shall also have the right to attend all summary hearings.

Article 17. In the event of unlawful detention, the interested party or any other person may apply to the competent judge for a writ of habeas corpus to the end that the detaining authority shall immediately explain and justify the legal grounds for such detention, the decision of the aforementioned judge being final.

(iii)

Article 20. The taking of an oath by the accused in making a declaration or confession regarding his own acts is abolished; and it is prohibited that the accused shall be treated as a criminal.

Article 22. Every criminal trial shall begin with an accusation by a complaining witness, or by the public prosecutor, secret examinations being abolished.

Article 23. All judges are responsible before the law for the slightest infringement of the rights of individuals as well as for deviation from the established order of procedure in that respect.

Article 24. The State, the departmental governments, the autonomous entities, the decentralized services, and in general any agency of the State, shall be civilly liable for injury caused to third parties, in the performance of public services, entrusted to their action or direction.

Article 25. Whenever the injury has been caused by their officials, in the performance of their duties or by reason of such performance, in the event they have been guilty of gross negligence or fraud, the corresponding public agency may reclaim from them whatever has been paid as compensation.

Article 26. The death penalty shall not be applied to anyone.

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.

Article 27. In any stage of a criminal trial which will not result in a penitentiary sentence, judges may place the accused at liberty, under a bond as determined by law.

Article 29. The expression of opinion on any subject by word of mouth, private writing, publication in the press, or by any other method of dissemination is entirely free, without prior censorship; but the author, printer or publisher as the case may be, may be held liable, in accordance with law, for abuses which they may commit.

Article 30. Every inhabitant has the right of petition to all or any of the authorities of the Republic.

Article 168.

17) To take prompt measures of security in grave and unforeseen cases of foreign attack or internal disorder, giving an account within twenty-four hours to a joint session of the General Assembly, or during its recess, to the Permanent Commission, of the action taken and its motives, the decision of the latter bodies being final.

(iv)

With respect to persons, the prompt measures of security authorize only their arrest or removal from one place in the territory of the country to another provided they do not elect to leave it. This measure, like the others, must be submitted within twenty-four hours to a joint session of the General Assembly or to the Permanent Commission, which will make the final decision;

The detention shall not be at a place intended for the incarceration of criminals.

c) Convention No. 87 of the International Labour Organization

Convention concerning Freedom of Association and Protection of the Right to Organize

Article 2

Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization.

Article 4

Workers' and employers' organizations shall not be liable to be dissolved or suspended by administrative authority.