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Arrest and Imprisonment of Trade Unionists in Uruguay

Trade Union activity in Uruguay is regulated by the Ley de Asociaciones Profesionales (Law of Professional Associations) which was approved in May 1981 by the Council of State, a legislative body appointed by the military government which has replaced the elected parliament, dissolved since 1973. Uruguay's major Trade Union federation, the Convención Nacional de Trabajadores (CNT) was declared illegal by decree No. 196/973 of 3 July 1973, and further restrictions were placed on trade union activity, including a decree of 4 July 1973 which declared that all public and private sector workers who go on strike or who are involved in stoppages or other forms of irregular conduct must be dismissed without compensation. Following the banning of the CNT many hundreds of trade unionists, or those who had previously held posts in trade unions when these were legal were arrested and imprisoned. Many were adopted by Amnesty International as prisoners of conscience.

Although the Ley de Asociaciones Profesionales was approved in May 1981, its application was further clarified by the issue of a Decreto de Reglamentación (Decree regulating application of the Law), on 13 October 1981.

Although the new ruling omits reference to the requirement that trade union leaders should make a declaration of "democratic faith" (fé democrática), following criticism of this rule by the ILO, Article 39 states that no-one may hold office in a trade union who has held posts of responsibility in organizations prohibited by the law or who has been proscribed from political activity according to constitutional regulations. This has been widely interpreted as excluding trade unionists affiliated to the CNT from holding trade union posts, and as extending the bans on individual politicians and trade unionists imposed by Institutional Act No. 4 of July 1976, by disqualifying such persons from holding trade union office. Since there is no mention of legal guarantees or conditions for the right of members of Trade Unions to go on strike or for the right of state employees to organize trade unions, these rights continue to be suspended.

Since the passage of the new Decree in October 1981, reports have reached Amnesty International of the arrest and imprisonment of 30 Trade Unionists, of whom 21 are known from official government announcements to have been charged with offences under the Law of State Security and Internal Order (1972) and face long prison sentences. The Law of State Security and Internal Order brought civilians charged with a new category of crimes of "subversion" under military justice, subject to the Military Penal Code. Trial

No information on the date of their arrests was given. However it is common in Uruguay for political detainees to be held for interrogation for weeks and in many cases for months in secret detention, often in a military barracks, until a confession has been obtained. During this time their families are not told where they are being held, and they have no access to a lawyer. Ill treatment and torture have been frequently reported.

Amnesty International has also been informed of more recent, un-acknowledged arrests. On 8 March 1982 three trade unionists were seized in their homes by armed members of the security forces, in plain clothes, and taken to unknown destinations. They were: Diego Angel Nigro, age 26, a construction worker, married, with a five month old daughter; his brother, Marshall Nigro, a textile worker at the Alpargatas factory, age 27, married, with a seven year old son; Jorge Frutos, a textile worker at the Suitex factory, in his late twenties, married with a 14 month old daughter; José Bruzzone, a bankworker at the Pan de Azúcar Bank was also reported to have been arrested, probably in January. Another trade unionist, Miguel Angel Mato Fagiani, age 27, a worker at the FUSNA tyre factory in Montevideo was reported to have disappeared after going to work on 11 February. He is married with a five year old daughter, and suffers from chronic asthma. Amnesty International has received no further information on the whereabouts of these people, who may be still held in secret detention, in a police station or military barracks. The situation of José Bruzzone and Miguel Angel Mato Fagiani is of particular concern, since their arrest occurred nearly three months ago and they have not appeared on official lists issued by the police.

Recent intensification of trade union activity among university students has been followed by reports of arrests or the disappearance of members of student unions, including Omar Pérez and Gonzalo Fernando Mújica Benoit, both medical students, who were arrested on 20 September 1981 and 21 October 1981, respectively; Ana María Varela, a philosophy teacher who was arrested with Omar Pérez. A final year history student, Sergio Rodríguez Protti, aged 31 is reported to have been arrested during the last week in December, 1981, apparently for his Trade Union activities at the Artigas Teachers Institute. There has been no official confirmation of his arrest. After his family had reported his disappearance to the police, an advertisement appeared in a Montevideo newspaper on 7 March with the facts of his disappearance and asking for information on his whereabouts. In other such cases, the person in question has subsequently appeared in official lists of detainees, which do not give the date of the arrest. Other students and young people reportedly arrested since January 1982 include Antonia Yañez, a student teacher, Ricardo Giuria, a student of architecture, Hugo Machin, Adela Vaz, Raul Clerico and Carlos Escuder.

Rogelio Zorrón: A CNT leader who worked for the state industrial and telephone enterprises. He was arrested in 1975 and has been sentenced to 9 years' imprisonment by a military court of the first instance. The sentence has to go for appeal to the Supreme Military Tribunal, which normally confirms or increases the prison sentence.

Trade Unionist prisoners in Libertad and Punta de Rieles prisons must endure a harsh and inhuman prison regime which does not meet the standards of the United Nations Standard Minimum Rules for the Treatment of Prisoners. Arbitrary punishments, including the suspension of recreation or visiting rights and periods of solitary confinement in an isolation cell for up to 90 days are common. Medical attention is seriously deficient and the health of many of the long term prisoners has deteriorated rapidly since their arrest.