

ARGENTINA

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TEXT OF THE ANNUAL REPORT SECTION ON ARGENTINA 1978.

1978

Since March 1976, Argentina has been ruled by the armed forces. The first act of the military junta headed by General Jorge Rafael Videla was to dissolve Congress and suspend all political and trade union activity. The State of Siege, introduced by the former Government in November 1974, has been maintained. There have been few indications that the junta intends either to relax any of the exceptional legislation now in force or to take any immediate steps to return to constitutional rule.

The economic policies adopted by the Argentinian Government have succeeded in reducing the level of inflation, but the country continues to have a high rate of inflation (the annual rate in 1977 was 170%). The wage freeze imposed on public sector workers led to a number of strikes at the end of 1977; strikes have been illegal since March 1976 and anyone participating in them faces as much as 10 years imprisonment. On 2 November 1977, a military patrol shot and killed a trade unionist while he was addressing a crowd near one of the central railway stations, calling for strike action. A subsequent army communique stated that "the legal forces acted in accordance with orders designed to guarantee freedom of employment."

The security forces have, however, publicly announced their success in putting an end to guerilla violence—a success achieved largely by resort to mass arrests, torture and political murder. On 11 April 1978, Miguel Tobias Padilla, Under Secretary for Coordination at the Ministry of Economy, was shot dead near his home. But the official Government figures for political killings in Argentina for a nine-month period between January and September 1977 show that the number of deaths attributed to left-wing violence has sharply decreased. (of 560 people killed, 476 were alleged to be guerillas, 26 police officers and 9 members of the armed forces.)

Nevertheless, the junta continues to speak of a "war" against terrorism as a justification of its retention of unlimited powers and of the scale of its repression. Recently, however, it has no longer cited "subversive acts" but a "subversive mentality" as the reason for its continuing repressive measures. As General Videla has put it: "A terrorist is not just someone with a gun or a bomb but also someone who spreads ideas that are contrary to Western and Christian civilization" (The Times, London, 4 January 1978). The military rulers thus forcibly oppose not only guerillas, but also those who promote, without violence, ideas different from their own.

On 1 September 1977, the military junta established a new legal instrument (Decree 21.650) governing the right of option of prisoners held at the disposal of the Executive Power to leave the country. The new law did not reintroduce the Right of Option as embodied in Article 23 of the Argentine Constitution, which was suspended on March 24 1976 and retroactively annulled on 29 March 1976. Instead, it instituted a lengthy and difficult procedure whereby prisoners may apply to go in exile but do not automatically have their applications granted. By May 1978, fewer than 25 prisoners had been able to leave the country under the Right of Option. Decree 21.650 also instituted new forms of detention for people held under the State of Siege: internal exile, house arrest and incarceration in the camps or bases of the military or security forces. The conditions of detention in these are determined by the local commander. This clause apparently merely "legitimizes" what has been common practice ever since the coup.

According to Decree 21.475 of 13 February 1978, all non-Roman Catholic religious organizations must be recognized and registered before they can undertake any activity. An organization is not registered if its constitution or activities are considered detrimental to public order, national security, morals or ethics. So far, the International Society of Hare Krishna,

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the Divine Light Mission and the Jehovah's Witnesses have all been banned. On 16 February 1978, six members of the Center of Inner Religion (Siloists) were arrested in Resistencia, Chaco province. They were taken to a military detention center where they were subjected to ill-treatment. They were released some six weeks later.

In December 1977, the Argentine Government admitted to holding 3,607 people in detention and, in the first quarter of 1978, official lists of people held at the disposal of the Executive Power were published. The majority of these people are detained without charge or trial. However, the Government has not admitted that these are political prisoners, but has described them as "criminals who call themselves 'political prisoners' " (senores criminales que se autodenominan 'presos politicos' "). It is impossible to estimate the number of people whom the authorities are holding unofficially in both official and unofficial prisons, but Amnesty International believes that the total number of political prisoners is larger than the number indicated in published Government figures.

For all those political prisoners held in official prisons, conditions remain poor. There have been numerous allegations of arbitrary punishments and even of physical attacks on prisoners. An Amnesty International adoptee, Adolfo Perez Esquivel, Coordinator of the Service for Justice and Peace in Latin America and a nominee for the 1978 Nobel Peace Prize, was, on 21 April 1978, severely beaten, locked in a punishment cell in La Plata Prison and given no water for five days. He was punished for laughing at a joke made by a fellow prisoner. (He was released into libertad vigilada, (restricted liberty) on 22 June 1978.)

Amnesty International is also concerned at the reported lack of medical attention for prisoners. In October 1977, Alicia Pais de Juarez died in Pavilion (cell block) 41 of Villa Devoto Prison. During her year of imprisonment, she is reported to have had frequent asthma attacks. When fellow prisoners asked for an investigation into her death, they were locked in punishment cells for 20 days.

The kidnappings by self-proclaimed members of the police and security forces continue. The victims are not only suspected guerillas: in December 1977, two French nuns, Alicia Domon and Leonie Duquet, together with a Paraguayan refugee, Esther Balestrino de Careaga, and several women who belonged to the Comité de Familiares de Desaparecidos y Detenidos por Razones Políticas, were abducted in Buenos Aires. They had organized a number of public demonstrations in the hope of obtaining information about those who had disappeared and this, apparently, had been a source of embarrassment to the Government. Since their abduction there have been conflicting reports about their fate, but in spite of personal inquiries from the President of France, M. Giscard d'Estaing, protests from M. Francois de la Gorce, the French Ambassador to Argentina, and the visit to Argentina of the Bishop of Annecy (in France), there has been no news of what has happened to them.

The total number of disappearances attributable to the security forces over the past two years has been put at 15,000 by human rights groups within Argentina; many of the victims are now presumed to be dead. These same groups claim that there are about 60 secret camps throughout the country in which torture is routine. Over the past year, Amnesty International has received at first-hand testimonies from prisoners who have been held in these unofficial camps; nearly all describe the lives of people who have disappeared into these camps as subject to systematic brutality; sometimes they are even murdered. Amnesty International has intervened urgently over the past year on behalf of 114 individuals whose disappearance came to the attention of the International Secretariat.

In April 1978 the junta published a list of 232 people, confirming that they were being held in detention, although it had been reported that

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they had disappeared. None of the names published were those of disappeared people whose cases are in Amnesty International's file.

In early 1978, disturbing incidents involving the disappearance and killing of prisoners were reported: La Nacion of 12 February 1978 stated that Sra Sara Muniz de Carranza had approached the judicial authorities in an attempt to locate her son, Gonzalo Abel Carranza. Having served a sentence of three-and-a-half years' imprisonment for possession of subversive literature, he had been released from La Plata Prison, together with three other prisoners, at ten minutes past midnight on 3 February. They did not arrive home and have not been seen since. In March, a fifth person disappeared shortly after his release from La Plata Prison: Dr. Juan Carlos Deghi, a labour lawyer who had been abducted from his home in Zarate, Buenos Aires province, and who was traced to La Plata Prison where he was detained at the disposal of the Executive Power, was released from prison at 22.00 hours on 21 March. Dr. Deghi and his wife—who had been waiting for him—were set upon near the prison entrance and abducted. Sra. de Deghi was left handcuffed and hooded in a nearby street. Three days later she was summoned to a police station in the city of La Plata to identify her husband's body and take it away for burial. She was given a death certificate which stated that the date of death was 21 March. One source reported that the body had bullet wounds.

During the period 1977-1978, the situation of Latin American exiles living in Argentina has continued to be unstable. Under the terms of Decree-Law 1383 of July 1977, some 2,000 of them will have to find another country of asylum in the immediate future.

Although recently there has been a decrease in the number of abductions or detentions of refugees, for many exiles the risk of abduction or forced repatriation is still there. In December 1977 11 Uruguayans were kidnapped in Buenos Aires. One of them, Yolanda d'Elia, was eight months pregnant at the time. At least six of the group were officially registered as refugees with the United Nations High Commission for Refugees. They were not involved in Argentine political activities. There are fears that they may have been forcibly returned to Uruguay, as happened in 1976 with a group of more than 60 exiles, who disappeared in Buenos Aires.

During 1978, Amnesty International has continued to receive testimonies of torture from released prisoners. Torture in Argentina is closely associated with disappearances, since it is apparently most likely to be inflicted on people secretly detained in military barracks, local police stations and disused buildings; it is, however, also carried out in official prisons.

Veronica Handl-Alvarez, aged 24 and of dual Argentine-Austrian nationality, disappeared in Buenos Aires on 5 September 1976. She was pregnant at the time. Despite her family's efforts to trace her, there was no news of her whereabouts until nearly two months later. They were informed that she was being held in Villa Devoto—an official prison in the center of Buenos Aires. During her period of detention, she was subjected to various forms of torture, including blows with fists and an iron rod, kicking, electric shocks, sexual abuse, deprivation of sleep and sham executions. She was unexpectedly released in October 1977 after the Austrian Government had granted her a visa.

Dr. Estela Cornalea de Falicoff was arrested on 24 November 1976, together with her husband, Dr. Alberto Falicoff, and held in an unofficial detention center. After one month she was released; her husband is still missing. The following is an extract from her testimony: "I heard there had been three deaths through that day. Later I saw a man beaten to death. Once, while I was hearing the screams of Alberto, the loudspeakers called for a doctor. Then I heard the doctor say, "That is all, if you still want

him alive...' There was scarcely one inch of skin without injury. He was sweating profusely and crying, 'water, water', but his voice was weak and he could hardly speak. A guard told him they could not give him water because he would die. He was not allowed to drink any liquid for at least five days, and he was not able to eat, so his condition was worse every day."

During the period 1977-78 Amnesty International heard of the releases of 80 prisoners adopted by the organization, the majority of whom went into exile almost immediately after their liberation. At the time of writing, Amnesty International is working on behalf of 258 individuals who are either detained or have disappeared in Argentina.

In spring 1978 a major campaign was launched by Amnesty International in order to inform public opinion about the serious violations of human rights in Argentina and to call on the Government there to acknowledge the detention of the people who have disappeared. National sections of Amnesty International prepared special material for sports journalists who were going to Argentina to cover the World Cup football matches to encourage them to report on political prisoners and disappearances as well. Background papers were produced on journalists, academics, trade unionists, lawyers and doctors who are detained or have disappeared; as a result many professional organizations were prompted to make presentations to the Argentine authorities about the cases described in the reports.

In June 1978, Amnesty International sent a communication to the United Nations documenting the consistent pattern of gross violations of human rights in Argentina. It included material from a substantial dossier sent to the UN Commission on Human Rights in 1977.