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ACTION DHA-05

INFO OCT-01 ARA-10 ISO-00 SCS-03 CA-01 CIAE-00 DODE-00
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FM AMEMBASSY MONTEVIDEO
TO SECSTATE WASHDC 4917

[REDACTED] SECTION 1 OF 2 MONTEVIDEO 4700

E.O. 11652: NA
TAGS: SHUM, PGOV, UY
SUBJ: HUMAN RIGHTS: INITIAL GOU RESPONSE TO U.S. INQUIRIES
ON PRISONER CASES THROUGH JOINT STAFF CHANNEL

REF: MONTEVIDEO 4269

1. SUMMARY. SEPT. 28, JOINT STAFF COL. CAMPS DELIVERED WRITTEN RESPONSE ON FOUR OF 19 CASES PASSED TO GOU BY CHARGE ON SEPTEMBER 6. RESPONSE INDICATED ONE OF FOUR PERSONS SUBJECT TO INQUIRY IS NOT HELD BY GOU. SOME INFORMATION REGARDING STATUS OF JUDICIAL PROCEEDINGS AGAINST OTHER 3 PRISONERS WAS PROVIDED, AS WELL AS STATEMENT THAT THEIR HEALTH IS SATISFACTORY. THROUGH OTHER SOURCES, EMBASSY HAS LEARNED OF DEVELOPMENTS REGARDING THREE OTHER PRISONERS, ABOUT WHOM WE INQUIRED. HOWEVER, WE CANNOT STATE WITH CERTAINTY THAT THESE DEVELOPMENTS ARE NECESSARILY RELATED TO OUR EXPRESSION OF INTEREST.
END SUMMARY.

2. SEPT. 6, CHARGE PASSED LIST OF NAMES OF 19 URUGUAYANS REGARDING WHOM WE HAVE RECEIVED RECENT INQUIRIES, REQUESTING PARTICULARS RE THEIR PLACE OF DETENTION, STATE OF HEALTH, AND STAGE OF JUDICIAL PROCEEDINGS AGAINST THEM
[REDACTED]
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(SEE REFTEL). THIS WAS FIRST STEP PURSUANT TO AGREEMENT REACHED BETWEEN AMBASSADOR AND CINCS TO OPEN OFFICIAL-

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ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/IPS
Margaret P. Grafeld, Director
Exemption(s):
 Release Excise Deny
Declassify: In Part In Full *Declassify*
Date: _____ Declassify on: _____ Reason: _____

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INFORMAL CHANNEL BETWEEN EMBASSY AND GOU ON HUMAN RIGHTS CASES. SEPT. 28, COL. CAMPS GAVE TO AIR ATTACHE A LETTER TO DCM ENCLOSING GOU'S RESPONSES ON FOUR OF 19 NAMES PREVIOUSLY PRESENTED.

3. TRANSLATION OF COVERING LETTER IS AS FOLLOWS:

"I AM ENCLOSING REPORTS REQUESTED BY THE EMBASSY ON URUGUAYAN CITIZENS; THE REST WILL BE COMPLETED SOON. THE STATE OF HEALTH OF THE DIFFERENT CITIZENS IS OF A SATISFACTORY AVERAGE. THE MEDICAL ATTENTION GIVEN THEM AT THE CENTRAL HOSPITAL OF THE ARMED FORCES IS THE SAME AS IS GIVEN TO ALL MILITARY HIERARCHIES. THEREFORE, IF YOU WISH TO FIND OUT THE STATE OF HEALTH OF ANY ONE OF THEM IN PARTICULAR, PLEASE DO SO IN WRITTEN FORM."

4. RESPONSES ON INDIVIDUAL PRISONERS WERE AS FOLLOWS:

A. JUAN ACUNA CARNEIRO. (NOTE: CASE RAISED BY STATE 192192) DETAINED ON JUNE 18, 1977. HE IS IN THE PRELIMINARY INVESTIGATION STAGE UNDER THE MILITARY INSTRUCTION COURT OF FOURTH INSTANCE. AT PRESENT HE IS IN THE CENTRAL HOSPITAL OF THE ARMED FORCES DUE TO A BREATHING INSUFFICIENCY.

B. LEON DUARTE. (NOTE: CASE RAISED WITH LISTER DURING TODMAN VISIT; BELIEVED TO HAVE DIED IN ARGENTINA.) IN 1972 HE WAS GRANTED HIS DEFINITE FREEDOM. THE MILITARY COURT OF INSTRUCTION OF SECOND INSTANCE HAS REQUESTED HIS CAPTURE.

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C. ANA INES QUADROS HERRERA. (NOTE: CASE RAISED WITH LISTER DURING TODMAN VISIT.) SHE IS IN THE MILITARY JAIL ESTABLISHMENT NO. 2. SHE WAS ARRAIGNED ON NOVEMBER 22, 1976, BEING ACCUSED OF THE CRIMES ESTABLISHED IN ARTICLE 60 (V) (NOTE: SUBVERSIVE ASSOCIATION) OF THE MILITARY PENAL CODE, BY THE MILITARY COURT OF SECOND INSTANCE.

D. JAIME GERSCHUNI PEREZ. (NOTE: SEE STATE 211745 AND MONTEVIDEO 431 RE AMNESTY INTEREST.) HE IS DETAINED

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AT THE MILITARY JAIL ESTABLISHMENT NO. 1. HE WAS ARRESTED OCTOBER 24, 1974. HE WAS ARRAIGNED AND CHARGED WITH THE CRIMES ESTABLISHED IN ARTICLE 58, PARAGRAPHS 2 AND 3 OF THE MILITARY PENAL CODE (NOTE: ATTACKING THE MORALE OF THE ARMED FORCES) BY THE MILITARY COURT OF INSTRUCTION OF FIRST INSTANCE.

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5. IN ADDITION TO FOREGOING RESPONSE FROM GOU, EMBASSY HAS LEARNED OF THE FOLLOWING DEVELOPMENTS REGARDING THREE OTHER CASES OF INDIVIDUALS INCLUDED IN THE SEPT 6 LIST WHICH WE GAVE TO THE GOU:

A. GLADYS WARDA. MISS WARDA IS THE DAUGHTER OF AN AMERICAN CITIZEN, WHO HAS BEEN IN CONSTANT TROUBLE WITH THE EMBASSY. FOLLOWING OUR INQUIRY TO THE GOU ON HER CASE, SHE WAS ARRAIGNED, HER PARENTS WERE INFORMED OF HER DETENTION AND THE CHARGES AGAINST HER, AND WERE PROVIDED THE OPPORTUNITY TO TAKE ITEMS TO HER. THIS CASE HAS PROGRESSED MUCH MORE RAPIDLY THAN MOST.

B. LUIS ALBERTO VIERA. HIS CASE WAS BROUGHT TO DEPARTMENT'S ATTENTION BY JUAN FERREIRA IN WASHINGTON, AND THROUGH BLANCO PARTY FIGURES IN MONTEVIDEO. BLANCOS INFORMED US ON SEPT. 28 THAT AFTER TWO-MONTH DISAPPEARANCE, VIERA HAS BEEN ARRAIGNED. THEY STATE THAT HE WAS KEPT HOODED DURING ENTIRE PERIOD, AND HAS SUFFERED SOME (PROBABLY TEMPORARY) EYE DIFFICULTIES AS A RESULT.

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C. JULIO CASTRO PEREZ. SUBJECT OF AMNESTY INQUIRY
(STATE 215327) AND WOLA INTEREST (MONTEVIDEO 4338). POLICE
ADVERTISEMENT CALLING UPON CITIZENRY TO PROVIDE INFORMATION

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REGARDING HIS WHEREABOUTS WAS PUBLISHED SEPT. 28. CONCERN
OF POLITICAL PARTY FIGURES THAT CASTRO MAY HAVE DIED
WHILE UNDER DETENTION BY GOU IS DETAILED IN SEPTEM.

6. COMMENT: LENGTH OF TIME REQUIRED FOR GOU RESPONSE
AND ITS SPARSENESS ARE DISAPPOINTING, BUT HARDLY UNEXPECTED.
VIRTUALLY EVERY NAME PRESENTED REPRESENTS A TOUGH CASE FOR
GOU, AND A COMMITMENT TO RESPOND TO ANYONE FOR THEIR ACTIONS
IS A NEW AND UNCOMFORTABLE POSITION FOR THEM. WE WOULD
REGARD AS POTENTIALLY MORE SIGNIFICANT TWO OTHER
DEVELOPMENTS. FIRST, ACTION SEEMS TO HAVE BEEN SPEEDED
ON TWO OF OUR CASES (WANDA AND VIERA) AND A PUBLIC
NOTICE WAS PUBLISHED ON THE MURKY CASTRO CASE. WHILE
WE HAVE NO EVIDENCE THAT THE ACTIONS TAKEN ARE DIRECTLY
LINKED TO OUR INQUIRIES, WE SUSPECT THAT THERE MAY BE A
CAUSAL RELATIONSHIP. ALSO, DURING A LUNCHEON WITH THE
AMBASSADOR ON SEPT 23, CINCS VADORA AND PALADINI
KINICATED THAT AN EXPANSION OF THE CAMPS CHANNEL TO A
FULL-SCALE COMMISSION (WITH REPS FROM THE FOREIGN
MINISTRY, JOINT STAFF, CID, AND COUNCIL OF STATE) WOULD
BE IMPLEMENTED IN THE NEAR FUTURE. SHOULD THIS COMMISSION
BECOME MORE THAN ANOTHER PAPER-PROCESSING BODY, IT COULD
REPRESENT A MEANINGFUL STEP FORWARD IN TERMS OF THE GOU'S
HUMAN RIGHTS RESPONSIVENESS.

7. EMBASSY WILL CONTINUE ACTIVELY TO PURSUE THESE CASES
WITH THE GOU AND REPORT OTHER RESPONSES AS RECEIVED.
PEZZULLO

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