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Possible Effects of Uruguayan Torture Charges on the AID Public Safety Program, and Other U.S. Relationships with the GOU.

Summary

Unless the GOU takes prompt action, I am concerned that the Paysandu torture charges will lead to pressures in the U.S. to cut back the AID Public Safety Program and otherwise make the U.S. relationship with the GOU more difficult. The decree closing Congress and establishing the Council of State specifically states that this latter body will "Control the actions of the Executive Power in relation to the respect of individual human rights and with the submission of said power to legal and constitutional norms". I think it would be appropriate for Embassy/AID officers in contacts with Uruguayans to stress the need to have the Council or the Armed Forces themselves investigate the Paysandu charges as soon as possible, and take corrective action as needed.

Background.

We are aware that U.S. relationships in Brazil have been made more difficult by the widespread charges there of tortures of terrorist suspects, and by the "death squad" activities of the police. The Public Safety Program there was phased out under pressure, and Congressional pressures resulted in a phasing out of the AID leading program there. Even if many activities of Embassy/AID have continued as desired, there has been heavy pressure on the Mission there, and I am sure much time has been taken up in debate and discussion on just what U.S. policy and actions should be. Torture charges have had similar effects in other countries. We have avoided these pressures so far in Uruguay, although the Council of Churches' "investigation" and now the film "State of Siege" may yet lead to strong pressures on us from U.S. groups and perhaps from some Congressmen. Both in Brazil and Uruguay, it is clear that our critics do not bother to distinguish between police, military, or other forces. If one of them is "torturing", our programs in the internal security fields with all GOU agencies will be condemned by them.

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The Paysandu Incident

Last week's suppression of Congress will focus the attention of potential critics on Uruguay once again, and after the previous publicity from "State of Siege", they will be expecting and looking for the worst. The Paysandu incidents seem to give to provide them with what they are looking for.

After Senator Vasconcellos had denounced tortures of witnesses and suspects in the investigation of Oscar Garrasino, the List 15 Intendente of Paysandu, for "economic crimes", Accion, the List 15 newspaper, published depositions on the tortures starting Friday, June 22, and continuing through Tuesday, June 26, the day it was decided to close Congress. The individual accounts of some seven people have a common theme of being taken to the 8th Infantry Battalion in Paysandu, blindfolded, being forced to stand spread-eagled against a wall for long periods of time, not receiving food for several days, being beaten and repeatedly ducked in a tub of water during interrogations, and otherwise being abused until they confessed falsely to taking part in various illegal activities of the Intendente. Neither these interrogations nor the Carrasino case have anything to do with terrorism or internal security. The depositions are detailed and, to me at least, convincing that activities took place in the 8th Infantry Battalion that should be stopped, and those responsible punished. The June 30 Marcha summarized the depositions that had been in Accion, and added one on the serious mistreatment of a pregnant woman.

GOU Reaction to the Incidents

Both Accion and Marcha were suppressed just after they published these depositions, although officially the closure was for other reasons than the publication of the depositions.

The very final act of the Senate in the early hours of June 27 was to vote, by 16 to 1, an investigation of the Paysandu torture charges. Immediately afterward the Senate was closed and dissolved by President Bordaberry.

Although the actions of the military in Paysandu might charitably be attributed to an excess of zeal in cleaning up fraud, graft, etc., in the Government, as a follow-up on the scandals in Montevideo, a less charitable interpretation, which the List 15 Senators and other influential List 15 people may well give out, is that the military actions in Paysandu had nothing to do with either internal security or fraud in Government, but were solely motivated by a military vendetta against Jorge Batlle and

his political group for daring to criticize the actions of the Armed Services, and were part of a frame-up of the Intendente there as a follow-up to the imprisonment of Jorge Batlle.

Following up on this interpretation, to an outside observer, not familiar with Uruguay, the motivations for closing Congress would be both anger at the failure to prosecute Senator Erro for his Tupamaro ties, and desire by the President and the Armed Forces to prevent a Congressional investigation of the tortures in Paysandu (and elsewhere?).

What the GOU Should Do

The same decree that dissolves Congress establishes a "Council of State", which has as one of its three specific duties "b) control the actions of the Executive Power in relation to the respect of individual human rights, and the submission of said power to legal and constitutional norms". Clearly then, the Council of State, once constituted, is the proper organ to investigate the charges of torture in Paysandu and take appropriate action.

Alternately, the Army, or the Ministry of Defense, could conduct its own internal investigation, and take appropriate action. With the Armed Forces riding high and so sensitive to criticism, and the Council of State new and untried, it is probably not realistic to expect the Council of State to carry out a full scale open investigation of tortures by Armed Forces personnel, but they might persuade the Armed Forces to carry out a proper investigation, and influence them to see that it is done properly. Despite the military sensitivity to criticism, I would hope that at least some of the top Armed Forces officers want to avoid being tagged as a bunch of torturers, and would take steps to clean house.

If the torture charges are investigated promptly and corrective measures taken, not only will the damage to the GOU and the Armed Forces' reputation be partially repaired, but future repetitions of what happened in Paysandu should be avoided or minimized. If this is not done, we can expect many in the Armed Forces to decide that they are indeed above the law, and we can expect more unfortunate incidents in the future that will add to the Armed Forces' troubles and make civil rights and the rule of law even more precarious in Uruguay.

What Can We in the Embassy Do.

While I don't believe that we in the Embassy have much influence over

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the activities of the GOU and the military, I do think that we might be effective in calling the attention of key people in the GOU or the military to the dangers involved in not having the Paysandu torture charges investigated promptly and effectively by the Council of State or the Armed Forces and corrective actions taken. I think it would be entirely appropriate for us to point out that failure to take action may bring heavy pressures on us to reduce our assistance activities, particularly in public safety and perhaps in military assistance, and generally may make relationships more difficult for the GOU in Washington. I think it is also appropriate for us to point out that we have a strong respect for civil rights in the U.S., and that our tradition, as shown in the current Watergate case, is for complete and thorough investigations of irregularities in government, no matter how embarrassing they may be to those involved. Naturally we find it easier to understand and cooperate with other governments that have a similar tradition. Such sentiments could be discussed at as high a level as President Bordaberry, with influential Ministers with whom we have good working relationships, such as Don Benito Medero, Col. Dr. Bolentini, Dr. Ravenna, etc., and with appropriate military officers.

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