

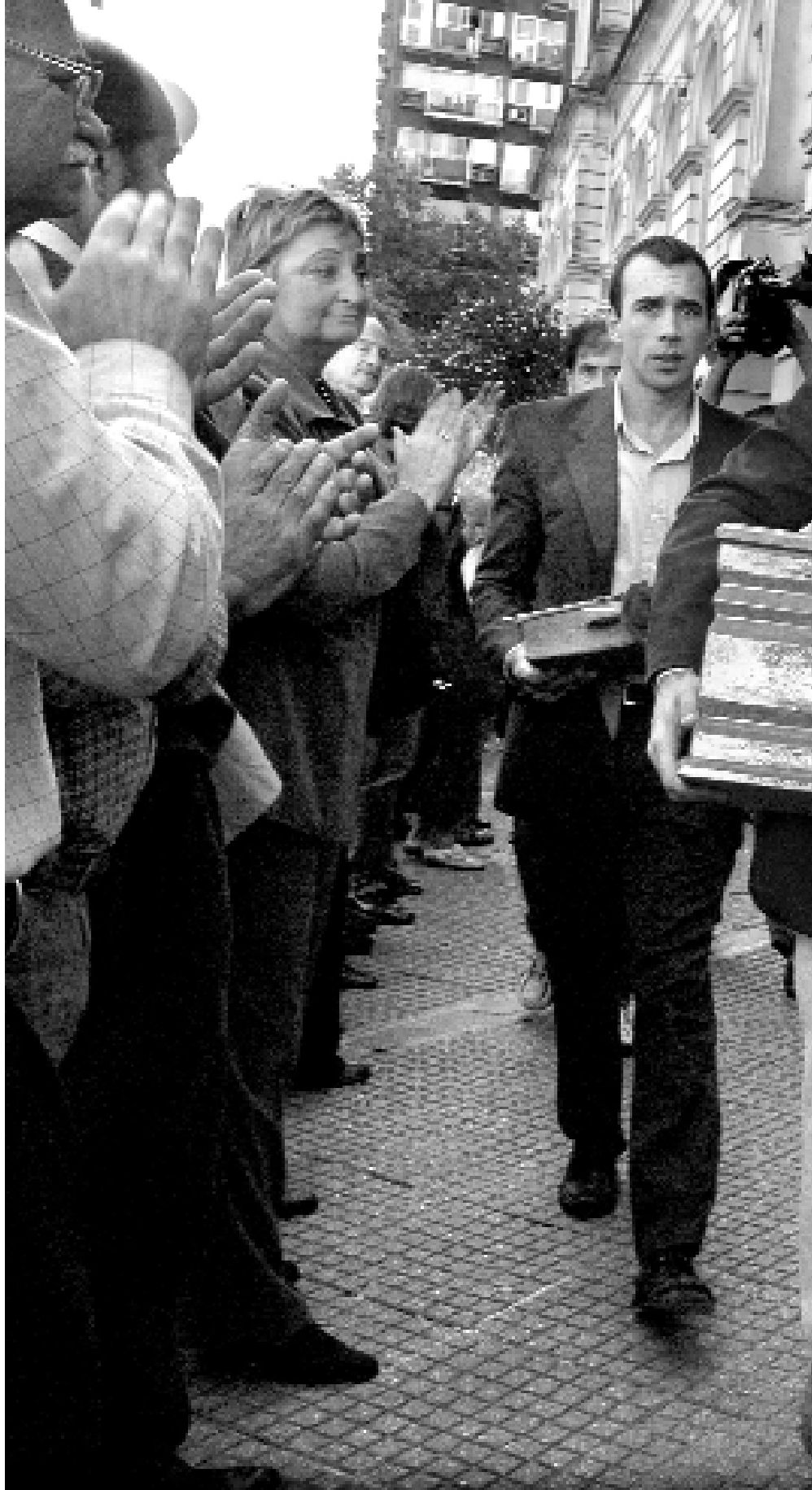
Uruguay

In 2006, EAAF conducted a mission to Uruguay at the request of the Office of the President to analyze remains thought to correspond to two disappeared persons, resulting in the identifications of Ubagesner Chaves Sosa and Fernando Miranda.

These are the first identifications of remains of disappeared persons found in Uruguay.

BACKGROUND

In the 1960s, an economic crisis and growing class inequalities prompted popular and political unrest in Uruguay. Internal conflicts in the government and among the political parties, coupled with the rise of armed opposition groups, predominantly the Tupamaros National Liberation Movement, led to a gradual breakdown of the parliamentary system. Beginning in 1966, the executive branch increasingly centralized political power, allegedly to stabilize the economy.¹ In 1968, President Jorge Pacheco Areco declared a state of



Montevideo, Uruguay. Javier Miranda carrying his father's remains following commemorations at the University of the Republic in March 2006. *Photo courtesy of Sandro Pereyra.*



emergency, severely limiting civil rights and repressing labor unions. The Tupamaros opposition began to use greater force in their struggle, while the police and the military detained increasing numbers of people for indefinite periods of time.² President Pacheco also greatly increased military funding during this period. In 1972, his successor, President Juan María Bordaberry, declared a “state of internal warfare” allowing the expanded armed forces to carry out an aggressive campaign against the Tupamaros and other political opponents, leading to the fragmentation of these groups.³ Attempts by the parliament to stem presidential authoritarian rule were ignored or overridden, and the presidents relied increasingly on military force to ensure their position in government.⁴ In 1973, Bordaberry staged an auto-coup with the support of the military and dissolved the parliament. He remained in office until he was ousted by another coup in 1976.⁵

Compared to neighboring countries, the Uruguayan regime killed fewer people, but imprisoned and tortured a very large proportion of the population.⁶ With the defeat of the MLN-Tupamaros in the early 1970s, Uruguay’s repressive state apparatus turned against trade unionists, jour-

nalists who were perceived to be critical of the regime, and members of mainstream political parties.⁷ Striking union members were reportedly frequently drafted into the military or subjected to mass arrests. Pacheco and Bordaberry both used state of emergency powers to close dissident periodicals and jail their writers.⁸

In response to the growing repression, many people fled to neighboring Chile and Argentina. However, because of Operation Condor, a covert agreement among military

Parliament’s dissolution eleven years prior forced the military to negotiate a return to civilian rule.¹¹ The holding of elections was ordered in the 19th Institutional Act of August 1984. The framework agreed upon between the military and representatives of the opposition was a tempered transition to democracy, in which some ex-politicians were barred from running, police and soldiers had their voting powers restored, and military-era bureaucrats were protected from firings.¹²

During the 1980s and 1990s, the Peace and Justice Service (SERPAJ) and other human rights organizations built public support to officially investigate and prosecute those responsible for the repression. Between 2000 and 2003, the Peace Commission established by President Jorge Batlle investi-

gated and compiled cases of state terrorism during the country’s Dirty War period. Relatives of the disappeared contributed testimony and information.¹³

The 1986 Expiry Law (*Ley de Caducidad de la Pretensión Punitiva del Estado*), ratified by a slim margin in a 1989 referendum, protects police and military officers from prosecution for human rights violations committed in Uruguay during the military rule.¹⁴

The Uruguayan regime imprisoned and tortured a very large proportion of the population... Of the approximately 150 disappearances of Uruguayans, 127 occurred in Argentina.

governments in the Southern Cone for the exchange of information and political prisoners, even those living in exile continued to be persecuted.⁹ Of the approximately 150 disappearances of Uruguayans, 127 occurred in Argentina.¹⁰

Uruguay returned to democratic rule in 1984. A combination of economic depression, popular mobilization in the form of protests and a general strike on the 1984 anniversary of



Isidora Musco, the widow of Ubagesner Chaves Sosa, holding his image. *Photo courtesy of Sandro Pereyra*

In 2004, since Tabaré Vázquez was elected president, trials have begun in Uruguay for crimes perpetrated by civilians or in a foreign country; that is crimes outside the scope of the Expiry Law. In September 2006, eight retired military and police officers were indicted for the disappearance of persons in Argentina.¹⁵ In December 2006, Judge Graciela Gatti arraigned Bordaberry for another ten homicides, including those of **Ubagesner Chaves Sosa** and **Fernando Miranda**.¹⁶

EAAF Participation

In 2001, EAAF collaborated with the Peace Commission on the search and identification of the remains of 13 Uruguayans disappeared, killed, and buried in Argentina during the country's last military regime. In 2002, EAAF traveled to Uruguay and recovered the remains of eight individuals believed to have been victims of "Death Flights"—the dumping of people who disappeared in

Argentina from Argentine armed forces' planes into the Río de la Plata. Their bodies washed out on the Uruguayan coast in the 1970s and were buried in anonymous graves in local cemeteries.

In 2005, EAAF conducted two missions to Uruguay to assist local archaeologists with exhumations at a farm in Pando, a town 30 kilometers away from Montevideo, and at the 13th Army Infantry Battalion, in Toledo;



Montevideo, Uruguay. The reburial of Ubagesner Chaves Sosa in 2006 was accompanied by a large march through the city in commemoration of Chaves and other disappeared Uruguayans. *Photo courtesy of Jose Revueltas and Indymedia Uruguay.*

both carried out as part of official investigations resulting from the findings of the Peace Commission.

José Arpino Vega and Ubagesner Chaves Sosa, reportedly Communist Party members, were disappeared by security forces in 1974 and 1976, respectively. According to the Uruguayan Air Force, both men died under torture at the Captain Boisso Lanza air force base and were buried at a farm in the town of Pando.

In 2005, EAAF assisted a team led by archaeologist Jose López Mazz from the University of the Republic to exhume remains belonging to one male from the Pando farm and deliver them to the Forensic Technical Institute in Montevideo. Two separate DNA tests—one performed at LIDMO, the genetic laboratory contracted by EAAF in Argentina, and the other conducted at the Scientific Technical Police of Uruguay—confirmed that the remains belonged to **Ubagesner Chaves Sosa**. A metallurgist,

Ubagesner was 38 years old and had one daughter at the time of his disappearance on May 28, 1976.

Also, in 2005, at the request of Soledad Cibils Braga, of the now dissolved Peace Commission, EAAF assisted with an excavation at the 13th Battalion, where López Mazz's team recovered a complete male skeleton that was sent to the Forensic Technical Institute, in Montevideo. EAAF conducted an anthropological analysis of the remains and sent samples to LIDMO and the Scientific Technical Police for DNA testing. A genetic comparison with seven families of disappeared persons who were likely to have been detained at the barracks in the 1970s produced negative results.

At the request of the Secretary General of the Presidency in January 2006, EAAF member Luis Fondebrider and EAAF consultant Mercedes Salado examined the remains of the unidentified male remains found at the 13th

Battalion and those of Chaves Sosa. Both remains were stored at the Technical Forensic Institute in Montevideo and they had been previously examined by local professionals. The request to EAAF was to conduct a further examination and provide a second opinion.

In the case of the unidentified remains found at the 13th Battalion, by comparing the biological profile of the skeleton and distinctive ante-mortem features on one hand and both feet to ante-mortem and genetic information on file for each of the 26 Uruguayan individuals who disappeared in Uruguay, EAAF narrowed the identification possibilities to six potential matches. The team met with the presidential secretary, Dr. Gonzalo Fernández, and representatives of Relatives of the Detained-Disappeared of Uruguay, among others, to report on the progress made on this case. EAAF requested additional pre-mortem information on these six cases and blood samples from their

relatives for DNA analysis. Bone and tooth samples from the skeleton and samples from the six selected families were sent to LIDMO and to the Scientific Technical Police laboratories.

In March 2006, DNA analyses conducted at both laboratories concluded that the remains found at the 13th Battalion belonged to **Fernando Miranda**, a notary, law professor, and member of the Communist Party, kidnapped by military officers from his residence on November 30, 1975, and reportedly killed as a result of torture.

During the same trip in January 2006, Fondebriber and Salado were also

asked by the President's Office to examine the remains of Ubagesner Chaves Sosa in search of peri-mortem lesions and other indications that

In 2006, the team identified the remains of **Fernando Miranda**, a notary, law professor, and member of the Communist Party, kidnapped by military officers from his residence on November 30, 1975, and **Dardo Rutilio Betancourt** whose remains were found in the Argentine province of Catamarca

might provide cause of death information, but reached inconclusive results. EAAF was asked to reexamine the skeleton found at the 13th Battalion, and had similar inconclusive results in

locating peri-mortem lesions. In both cases several important sections of the skeletons were not present at the time of this examination as they have been sent for further analysis to histopathology section and to the genetic laboratory of the Forensic Technical Institute and were not available for view.

The institute's director, Dr. Guido Berro, Cibils Braga, and archaeologists López Mazz and Laura del Puerto, were present during the analysis.

In 2006, the team also identified the Uruguayan **Dardo Rutilio Betancourt** in the Argentine province of Catamarca, as reported in the Argentina section of this report.

ENDNOTES

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- In September 2006, Uruguayan Judge Luis Charles issued indictments against the eight military and police officers for the disappearance of Adalberto Sosa in Buenos Aires in 1976. In November 2006, Judge Roberto Timbal ordered the detention of former President Bordaberry and former Minister of Foreign Affairs Juan Carlos Blanco for four murders which occurred in Buenos Aires in 1976. See Amnesty International. 2007. *Annual Report 2007: Uruguay* <http://www.amnestyusa.org/countries/uruguay/document.do?id=ar&yr=2006&c=URY>; and Pellegrino, Guillermo. 2006. "Por primera vez procesan a miliares en Uruguay por delitos aberrantes." *Clarín*. September 12. <http://www.clarin.com/diario/2006/09/12/elmundo/i-02401.htm>.
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