

# URUGUAY

**In 2001, EAAF's collaboration with Uruguay's Presidential Peace Commission led to the identification of ten Uruguayans disappeared in Argentina, and to progress in the investigations of Argentine citizens possibly buried in Uruguay. Established in 2000 by incoming President Jorge Batlle, the Commission not only addresses longstanding demands for clarification of Uruguay's recent past, but is aiding research on Argentina's repression. New testimonies before this Commission, finally, are shedding light on the interconnections between the military regimes of the Southern Cone in the 1970's.**

Under the repressive governments of the southern cone in the 1970's, many people were disappeared and killed outside their countries of origin. As a result, uncovering their fates sometimes means researching two or more regimes. In 2000, in response to long-standing demands, incoming Uruguayan President Jorge Batlle established the *Comisión para la Paz*, mandating it to investigate and clarify the history of repression in Uruguay. In 2001, in collaboration with this Commission, EAAF located the remains of ten Uruguayan nationals disappeared in Argentina during the 1970's. Meanwhile, Uruguayan officials are helping us to locate remains of Argentine disappeared persons, whose bodies appeared on Uruguayan beaches after having been sedated by the Argentine Armed Forces and thrown from planes into the sea.

This chapter describes cases resolved on both side of the border, and also reports on the testimony of an exiled former civil servant who made part of this history more visible in 2001.

## HISTORICAL BACKGROUND

Uruguay's repression began in the mid-1960's. Uruguay had been one of Latin America's most stable countries, but a series of economic crises produced socially divisive fears. Some opposition groups became frustrated with the political process and resorted to more violent tactics in the late 60's, most importantly the Tupamaro guerrilla movement. All of these were effectively crushed

by the mid-1970's. During the same decade, Uruguay's parliamentary system gradually broke down, and in 1973 was dissolved entirely in a military coup.

In the early 1970's, Uruguayan dissidents emigrated to Chile and Brazil as well as Argentina. But because of repression in these countries, many eventually concentrated in Argentina, which was considered relatively liberal until its 1976 military coup. With the defeat of the Tupamaros, Uruguay's internal war against subversion was expanded to target more mainstream suspects. Trade unionists, critical journalists, and members of mainstream political parties - most importantly the *Frente Amplio* - were labeled "subversives" and often arrested, giving Uruguay one of Latin America's highest incarceration rates.<sup>1</sup> Uruguay's repressive process also became interlocked with those of its neighbors in the mid-70's, partly via Operation Condor, a covert agreement among military governments in the southern cone whereby information and political prisoners were exchanged. Of approximately 180 permanent disappearances of Uruguayans, 142 are alleged to have happened in Argentina.

Hopes for an end to the repression in Uruguay were sustained into the 1980's by the activities of a handful of organizations, most visibly *Servicio Paz y Justicia* (SERPAJ), an ecumenical service organization with Christian roots. Throughout the gradual transition back to a parliamentary system during the 90's, SERPAJ and others organized public pressure for an official investigation into the detentions, torture, and disappearances of the previous decades. Though elected, the new administrations were polit-

**Uruguay. October 1981. Cover page of the judicial dossier on bodies buried in Colonia and exhumed by EAAF in January 2002. photo by EAAF.**

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135

FICHA	
NUMERO	AÑO
104	1985

ARCHIVO	NUMERO	AÑO
	858	1988



RESUMARIO

**JUZGADO LETRADO DE PRIMERA INSTANCIA DE Colima**

Justicia Departamental de Colima

Inhibición  
de  
N.N.

17 de Octubre de 1988

ically unwilling or unable to release information regarding the fates of missing citizens. A law exempting police and military personnel from prosecution for human rights abuses - the *Ley de Caducidad de la Pretensión Punitiva del Estado* - had been passed in 1989 in a national referendum that set many of the terms for the demilitarization of the government. Despite the fact that it is incompatible with international treaties, and has been condemned by both the UN and the OAS, the *Ley de Caducidad* still obtains in Uruguay at the time of this writing.<sup>2</sup>

Desire for historical information from the Uruguayan government was stimulated in Argentina by the 1995 publication of *The Flight (El Vuelo)*.<sup>3</sup> In a series of interviews with well-known journalist Horacio Verbitsky, retired Argentine Navy Captain Adolfo Scilingo confessed to having participated in flights over the Argentine Sea in 1976 and 1977, during which drugged prisoners were thrown to their deaths. During the same period, unidentified bodies began to be found washed up on Uruguayan beaches, and were buried as “NN,” or John Does, in local cemeteries.

Survivors of some Clandestine Detention Centers (CDCs) in Argentina had always spoken of these flights, and they were mentioned in the 1983 Junta trials. EAAF actually became aware of the bodies found in Uruguay during the late 1980’s, by way of a little-known report. An exiled ex-technician in the

Uruguayan *Prefectura*, or Port Authority, took microfilmed *Prefectura* documents about the bodies to the Netherlands for safekeeping. (Please see the final section in this chapter). In 1984, he released parts of these documents in a book entitled *The Crimes of Río de la Plata (Los crímenes del Río de la Plata)*, published in Amsterdam. But it was not until the end of the 90’s that the Uruguayan state softened its stance regarding the repression. It was only with the opening of an official investigation that binational investigations could begin, and that EAAF could gain access to witnesses, documents, and cemeteries.

## THE PEACE COMMISSION AND EAAF’S WORK

The *Comisión para la Paz* was set up in 2000 by newly-elected President Jorge Batlle in response to public demands for historical clarification of Uruguay’s “Dirty War.” When Dr. Batlle entered office that March, he appointed Carlos Ramela, a lawyer and activist, as the Commission’s secretary. Relatives of disappeared persons began to open cases with the Commission immediately, despite the fact that the *Ley de Caducidad* would preclude any kind of prosecution.

At Ramela’s request, the Commission sought out EAAF and met with us several times during 2000 and 2001. We



Uruguay. 2001. President Batlle meeting with EAAF members Luis Fondevibrer, Carlos Somigliana and Daniel Bustamante, and members of the Peace Commission. photo EAAF.



**Juan Carlos Insausti and María Angelica Ibarbia, Uruguayans disappeared in Argentina in 1977.**

agreed to exchange information about Uruguayans presumed disappeared in Argentina, as well as about the unidentified bodies washed up on Uruguayan beaches during Argentina's Dirty War. In early 2001, the Commission delivered files on thirty discoveries of bodies on the coasts of Colonia, Montevideo, Maldonado and Rocha departments, together with fingerprints of 130 Uruguayans believed to have disappeared in Argentina.

The week of September 25, 2001, EAAF members Carlos Somigliana, Daniel Bustamante, and Luis Fondebrider traveled to Uruguay to visit cemeteries and to take part in an event organized by the organization Mothers of Detained and Disappeared Uruguayans. At the Montevideo City Hall, Luis Fondebrider gave a public talk about the uses of forensic anthropology in human rights investigations. Other member of both the EAAF and the Commission were on hand to take questions and to have informal conversation with families and other concerned attendees. EAAF's photographic exhibition, which illustrates the team's work with examples from six countries, was installed at this location from September 25th through mid-October.

During this visit, President Jorge Batlle invited EAAF to a reception, where he expressed "appreciation and admira-

tion" for the joint work of the Commission and EAAF. Visiting team members thanked Batlle for the efficient, serious, and friendly assistance offered by his administration. This was the first time that EAAF members had ever met with a head of state.

Finally, in November, there was a joint meeting with the Uruguayan Commission and several members of the Federal Court of Buenos Aires, which has processed most of the identifications made in Argentina since 1997. The purpose of the meeting was to ratify streamlined procedures for exchanging official information.

## URUGUAYANS DISAPPEARED IN ARGENTINA: EARLY RESULTS

The binational investigation continues under the direction of EAAF member Carlos Somigliana, and is still very much in the historical reconstruction phase. Nevertheless, during 2001, EAAF was able to establish the fates of ten Uruguayans disappeared in Argentina.

The *Comisión para la Paz* compiled the fingerprints of 130 persons and forwarded them to EAAF for comparison at the

beginning of 2001.<sup>4</sup> The prints had been made for missing individuals' National Identity Cards, which are required of everyone in Uruguay and stored in government archives.

When disappeared persons were killed in Argentina, their bodies were usually left in the open for local officials to "discover." These officials then followed normal procedures that they followed for all unidentified bodies with violent or suspicious deaths, creating a paper trail that also usually included fingerprints. The work of comparison involves a characterization of each print based on the direction of lines at six key points. Through historical research, EAAF forms hypotheses about the identity of a deceased person (please see the Argentina section of this report). When a set of identity-card prints corresponds characteristically with postmortem prints, EAAF forwards them to an expert who examines them with a comparison dactyloscope.

Because of the way this collaboration is structured, EAAF serves as technical advisor to the Federal Court of Buenos Aires, which makes the final, official determination of identity. After that decision is made, the original death "NN" certificates have to be rectified by court order. Time is also allowed for the families of the victims to receive the information and make their own decisions regarding exhumation, reburial, and publicity. For these reasons, we can only give information about the lives and deaths of four individual victims at this time.

## THE CASE OF IBARBIA AND INSAUSTI

The case that was solved the most quickly concerned the fate of a married couple, María Angélica Ibarbia and Juan Carlos Insausti. Middle-aged owners of a newsstand in Montevideo, the couple had ties to the Frente Amplio, a center-left party, and left Uruguay soon after the 1973 coup. In Buenos Aires, they opened a florist's shop. Their disappearance occurred on March 18th, 1977. On March 19th, according to police records, one male and one female body appeared on the side of a road in La Matanza, Buenos Aires Province, with tied hands and gunshots

wounds. As was often the case under the Argentine military regime, once the bodies appeared in a public place, they were processed according to normal bureaucratic procedures: the medical examiner's inspection, including fingerprinting; the death certificate; and the burial in the municipal cemetery, each of these steps generating a file which would, nevertheless, be considered closed.

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The comparison of the couple's Uruguayan identity card prints and those taken from the bodies proved positive. EAAF members located the couple's remains in Sector "O" of the General Villegas cemetery, and exhumed them on May 18, 2001. Anthropological analysis confirmed their identities. The remains were finally repatriated in November, and reburied by their families in Canelones, Uruguay on November 29th. EAAF members attended the funeral at a private cemetery. Transportation of the bodies, the funeral, and the cemetery plots were donated by the Martinelli Cemetery, an Uruguayan company with ties to a labor union. The inscription on the shared grave marker reads "Disappeared in Argentina."<sup>5</sup> On behalf of the family, the *Comisión para la Paz* is requesting access to the Argentine government's reparations fund, established for the families of the Argentine disappeared.

## THE CASE OF MENDEZ DONADIO AND CORREA CANDIA

Two recent identifications of Uruguayans correspond to cases which were already listed in *Nunca Más*, the report of the Argentine National Commission on the Disappearance of Persons (CONADEP) which functioned for nine months in 1984. According to *Nunca Más*, Uruguayans José Hugo Méndez Donadio and Francisco Edgardo Candia Correa were kidnapped on the 15th and 17th of June, 1976, respectively. Both of the men had been labor organizers affiliated with the *Grupo de Acción Unificadora*, and were employed at an Argentine textile factory at the time of their disappearances. Méndez Donadio, then 31 years old, was disap-

peared from the Villa Ballester train station, in Buenos Aires Province, as he headed home from work. His partner, María del Carmen Martínez, was kidnapped from their home, but released six days later. The three of them, along with several other Uruguayans belonging to the People's Victory Party (PVP) were held at the Clandestine Detention Center known as Automotores Orletti, located in Buenos Aires, which was apparently dedicated to the detention of Uruguayans. According to the Uruguayan organization *Familiares de Desaparecidos*, both the Intelligence Service of the Buenos Aires Police and the Uruguayan Intelligence Battalion 601 were involved in the kidnapping.<sup>6</sup> Thanks to Martínez' testimony, a great deal of the situation at this CDC can be reconstructed. Most importantly for the identification, she remembered that Méndez and Candia Correa had been "transferred" from the site on June 20th.



Jose Hugo Mendez Donadio and Francisco Edgardo Candia, Uruguayans disappeared in Argentina in 1976.

These dates were highly significant, since on the 18th, General Cardozo, the Chief of the Federal Police, had been assassinated. On the 19th, the newspapers erroneously attributed the killing to the People's Revolutionary Army (ERP), Argentina's second largest guerrilla movement. Beginning on the 20th, there was a wave of apparent reprisals. By searching the Federal Police Archives for deaths recorded around this time, we found the fingerprints of two unidentified males. It was not until the Uruguayan Commission forwarded the premortem fingerprints, however, that we could make a positive identification.

By using documents from the criminal branch of the National Judicial Archive, we further corroborated Martínez' account, and learned that the bodies were discovered on the sidewalk to the west of the Argerich Hospital, only ten blocks from Automotores Orletti. Police from the 50th Commissary arrived to collect them at noon and made complete descriptions of their clothing - which in the case of "NN #2" consisted only of a pair of socks - and of the hematomae, contusions, and other lesions on their bodies. The two men, they noted, were bound at the feet, one with a tape of the sort used in venetian blinds, the other with a pigskin belt. Each of them, finally, was covered with a white flag bearing a red star, the acronym ERP, and the message "Commander Cardozo. Death to Subversion. Unite and Fight, Enough Talking."

The bodies were processed in the usual way, and in addition were photographed. The cause of death was stated as "contusion and cerebral hemorrhage" for both. The photos and autopsy notes also corroborate the reports of beatings by survivors of the Orletti CDC, who described partly-healed wounds on each of the men's bodies. The final identification was made by comparing fingerprints taken from the NNs at the time of death with the two Uruguayans' identity cards. Sadly, according to the records of the Chacarita Cemetery in Buenos Aires, Méndez Donadio and Candia Correa's remains were removed from their graves in 1981 and placed in a general ossuary. On September 11th, 2001, after months of historical reconstruction, Commission Secretary Carlos Ramela made their names and fates public.

## BODIES WASHED ASHORE IN URUGUAY: PROGRESS

According to the Uruguayan government, at least twenty-nine unidentified bodies were found on Uruguayan shores between 1976 and 1980. The bodies were buried in cemeteries in Colonia, Montevideo, Maldonado and Rocha Departments.

In Montevideo, the remains were unfortunately moved to a general ossuary several years ago. Similarly, in the case of Rocha, the Commission learned that the remains of seven individuals were removed from their original graves and reburied together in a common grave.

During the EAAF's late September visit to Uruguay, team members Carlos Somigliana, Daniel Bustamante, and Luis Fondebrider visited cemeteries in Colonia and Maldonado. The officials in charge of the Colonia cemetery confirmed that "NNs" or John Does from the time period in question were buried in individual graves. They confirmed that the remains of eight persons are still buried in the original graves, and made a commitment to provide access to graves presumed to contain the remains of disappeared persons.

The visit to Maldonado, unfortunately, confirmed that the bones of John Does there were moved to a common repository or ossuary from which we can no longer recover them. Thus, it appears that it will only be possible to recover remains that were found on the coasts of the Colonia and Rocha Departments.

## ONGOING WORK

Comparison of fingerprints of Uruguayans continues under the direction of EAAF researcher Carlos Somigliana. In a November meeting, the Batlle administration confirmed its support of the evolving 2002 workplan. Exhumation and analysis of the eight bodies in Colonia was carried out in early 2002, with the help of Uruguayan archaeologists and physical anthropologists. Exhumations in Rocha will take place later in the year. The Genetics Laboratory of the Ministry of

the Interior is prepared to extract mitochondrial DNA from the remains should it become necessary.

### *Testimonies of Former Uruguayan Military Personnel*

In February 2001, an deserter from the Uruguayan military returned to Montevideo after twenty years in exile to testify to the *Comisión para la Paz*. Daniel Rey Piuma served in the late 1970's as a technician in the *Dipre*, or *Dirección de Inteligencia de la Prefectura* - the intelligence branch of an institution that officially combined the functions of a Coast Guard and a Port Authority. During his time at the *Dipre*, he acquired documents which may help in the historical reconstruction of both Uruguay's and Argentina's repressions. He also brought attention to the existence of another testimony, from an ex-Navy gunner, and expressed hopes that others would come forward to add to his account.

In 1977, Rey Piuma became aware of torture in the government installation where he worked, as well as of bodies washed ashore near Montevideo. He began to copy and smuggle out documents and photographic evidence of the repression. According to his testimony before the Commission, Rey Piuma overheard discussions among officers, and was able to alert a clandestine opposition group to impending military operations.<sup>7</sup> As a member of the *Dipre*, and moreover specialist in fingerprinting techniques, he also had access to files on bodies that were found in the water. As he told the Commission, he was unsettled by disinformation in the official press regarding their probable identities and the mode of their deaths. In one case, the official press reported that several bodies found on the shore of the Rio de la Plata had been murdered during a mutiny on a Korean fishing boat. Viewing the photographs, Rey Piuma said, he saw that some were in fact women, that the clothing of one had Argentine labels, and that several of the bodies showed signs of torture. Realizing that these were probably the bodies of Argentineans, he began to hoard documentation in his parents' cellar, amassing several boxes over the course of almost three years.

Rey Piuma said that he began to realize that he might eventually be caught when he came across transcripts of a confession mentioning the group he had been assisting. Together with the remaining members of his group, he designed an alibi in case of questioning, and a strategy for salvaging the information. In 1980, after a tense period at the Prefectura, he married an ex-prisoner and the two traveled together to Brazil, with microfilms sewn into the sleeves of his suit jacket. In Río de Janeiro, they used these to obtain refugee status for travel to the Netherlands. After two attempts to detain them in Río, he says, they left for Amsterdam. There he provided copies of his microfilmed documents to Amnesty International. In 1984 his booklet was published in the Netherlands, but his meetings with the Commission marked his first public appearance in Uruguay.

Rey Piuma indicated the existence of another testimony, from a still-anonymous Navy gunner, which details exchanges of prisoners between members of the Argentine and Uruguayan Armed Forces on Martín García island, near the mouth of the Río de la Plata. According to Rey Piuma, the witness describes a close relationship between the Uruguayan Navy and the Argentine Navy Mechanical School (ESMA), a notorious clandestine detention center. This document is allegedly in the possession of *Colarch*, a Belgian group in solidarity with Latin American exiles. It is hoped that the document will aid the historical reconstruction of how the two countries' repressions were interconnected, and that more witnesses will now step forward.

### FOOTNOTES

1. For more background on the repression in Uruguay, please see *Uruguay Nunca Más*, by Servicio Paz y Justicia (1992); Lawrence Wechsler's *A Miracle, A Universe* (Pantheon 1990); and EAAF's 2000 Annual Report.
2. The Uruguayan government was censured by the Human Rights Commission of the UN in 1989 and 1998 on the grounds that the *Ley de Caducidad* contradicts Uruguayans' "collective right to know the truth." The OAS Inter American Commission on Human Rights similarly condemned the law, as it violates the Inter American Declaration on Human Rights, which states that investigations into Human Rights abuses may not be legally banned.
3. *El Vuelo*, by Honacio Verbitsky, was released in Spanish by Editorial Planeta, and in English as *The Flight* from The New Press (New York, 1996).
4. "Primera identificación de restos de desaparecidos. Antropólogos establecieron correspondencia entre huellas dactilares en casos remitidos por Comisión de Paz." *El País*, Montevideo, April 4, 2001
5. *El Observador*, Montevideo, November 30, 2001.
6. For more information on these kidnappings, please see the *Familiares* website at [www.tau.org/familiares/actualidad](http://www.tau.org/familiares/actualidad)
7. See "La integridad de un desertor" by Samuel Blixen, in *Brecha*, Montevideo, February 15, 2001. [www.brecha.com.uy/numeros/n794/sumario.html](http://www.brecha.com.uy/numeros/n794/sumario.html).