

LATIN AMERICA

Argentina

PEN Prisoner Release Prospects. A well-informed Argentine official provided Embassy Buenos Aires in early June with the following accounting of PEN (held on executive authority) prisoners:

- about 1,600 persons are being held for other than common crimes;
- of the 1,600, 800 have been tried and sentenced in military or civilian courts;
- before the end of 1980, the government plans to reduce the 1,600 figure to approximately 1,000, with roughly 300 "hard core" cases still remaining outside the judicial system; and
- junta meetings to consider lists of proposed releases will be held in June and October; the first group of prisoners released is expected to include about 200 detainees, most of whom will be freed under a program of continuing supervision.

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The estimated 300 "hard core" cases include those prisoners who are considered too dangerous for release but who, for various reasons, cannot be tried or retried under present laws. The Argentine official noted that consideration was currently being given to special legislation that would permit civilian courts to try these cases under a "clear and present danger" concept for which, he claimed, there were precedents in European law.

Embassy Buenos Aires notes that the Argentine's figures on detainees fall somewhat shy of the 1,800 prisoners counted by the US Consul in May when he visited prisons. The prospect of a reduction to about 1,000 by December has been mentioned by other Argentine officials, and the reduction of uncharged detainees to 300 is in line with predictions made to General Goodpaster during his January visit to Buenos Aires.

INR Comment. The reported plans for PEN prisoner releases are credible. Argentine leaders believe that relations with the US are improving, and they probably view prisoner releases as a significant, visible area in which they can be responsive to human rights criticism and, thereby, maintain the positive momentum in bilateral contacts. Intramilitary disagreement over the projected releases probably will be minimized by the decision to move very slowly and cautiously on the 300 "hard core" cases. (CONFIDENTIAL, Buenos Aires 4729, June 9.)

Uruguay

Prisoners and Prison Visits. Col. Silva Ledesma, Chief of the Uruguayan Military Justice System, told an Embassy Montevideo officer on June 6 that there were exactly 1,308 civilian prisoners (including 190 women) in the system as of June 5. He also indicated that:

- the current release rate of about 30 prisoners a month would be maintained in the foreseeable future;
- about 300 of the current detainees were directly implicated in violent crimes; and
- less than 3 percent of the 1,308 prisoners had not received at least preliminary sentencing.

The Embassy finds Silva Ledesma's figures credible.

According to a Swiss Embassy official, the International Committee of the Red Cross (ICRC) team visiting prisoners in Uruguay

is about to complete its work and considers its visit an overall success. While the Swiss official was not privy to the details of the deliberations and conclusions of the ICRC mission, he informed Embassy Montevideo that members of the mission had visited every prisoner known to be in the Military Justice System, including about a dozen to whom the Government of Uruguay had originally denied access because the government considers them "extremely dangerous." In a few cases, ICRC representatives were not satisfied with interview conditions, but generally they were convinced that the interviews were private and unrecorded.

The government, according to the Swiss official, is not pleased with all the recommendations that will appear in the ICRC's report, but many of them (unspecified) have already been implemented. Tentatively, the ICRC plans a followup visit in September-November. (CONFIDENTIAL, Montevideo 2110, June 5; 2140 June 6.)

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