

Press Release

Inter-American Court of Human Rights

I/A Court H.R._PR-104/2021 English

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I/A Court H.R.

Protecting Rights

URUGUAY IS RESPONSIBLE FOR THE FORCED DISAPPEARANCE OF TWO PEOPLE DURING THE DICTATORSHIP AND THE LACK OF DILIGENT INVESTIGATION IN THE CASE OF THE VIOLENT DEATH OF THREE YOUNG WOMEN

San José, Costa Rica, December 20, 2021. In the Judgment of the *Case of Maidanik et al. v. Uruguay*, notified today, the Inter-American Court of Human Rights declared the State of Uruguay internationally responsible for the violations of various human rights, to the detriment of Luis Eduardo González González and Óscar Tassino Asteazu (victims of forced disappearances that began during the dictatorship in Uruguay between 1973 and 1985), and their families. It also established Uruguay's international responsibility for human rights violations to the detriment of the relatives of Diana Maidanik, Silvia Reyes, and Laura Raggio, executed by the military during the same period. More than three decades later the full truth about the events is not known, nor have those with criminal responsibility for these events been identified.

The Court concluded that the State is responsible for the violation of the rights of Messrs. González González and Tassino Asteazu to recognition of legal status, life, personal integrity, and personal liberty. At the same time, the State is responsible for the lack of adequate investigation of the forced disappearances, violating the judicial rights and the judicial protection of the two disappeared victims and their next of kin.

The Court also concluded that the State did not properly investigate the violent deaths of the young women, Maidanik, Reyes and Raggio, thus violating the rights of their next of kin to judicial guarantees and judicial protection.

You may consult the official summary of the Judgment [here](#), and the complete text of the Judgment [here](#).

The events that gave rise to the human rights violations found in this case occurred during the civil-military dictatorship in Uruguay which, following a coup, lasted from June 27, 1973, until February 28, 1985. During this period, serious human rights violations were committed by state agents. This included the systematic practice of arbitrary detentions, torture, executions and forced disappearances carried out by the security and intelligence forces.

The Court noted that Messrs. González González and Tassino Asteazu were deprived of their liberty, in a context of illegal detentions in clandestine centers. The Court noted that there were no immediate searches made for Messrs. González González and Tassino Asteazú and that, more than 44 years after their disappearance, there is still no certainty of their whereabouts. The Court indicated that, in this regard, the State has not been diligent in its conduct.

The Court also noted that the authorities did not behave diligently in respect of the investigation of the deaths of the young women Diana Maidanik, Silvia Reyes and Laura Raggio.

In addition to this is the issuance, following the end of the dictatorship on December 22, 1986, of the Expiry Law, which expired the State's punitive claim with respect to the crimes committed by military and police officers up to March 1, 1985. The Court indicated that this law had a direct impact on all investigative actions pertaining to the case, which were interrupted for several years.

The time taken to investigate these disappearances exceeds the parameters of reasonableness. The longest and most evident delays occurred for several years, prior to 2006, due to the application of the Expiry Law, although the lack of diligence in avoiding delays due to the abusive presentation of appeals was also a relevant factor.

In addition, in relation to the aforementioned investigations, Uruguay violated the rights of the next of kin of Luis Eduardo González González, Óscar Tassino Asteazu, Diana Maidanik, Silvia Reyes and Laura Raggio, to know the truth.

Regarding the rights to judicial guarantees and judicial protection, Uruguay failed to comply with the obligation to adopt provisions of domestic law established in Article 2 of the American Convention, given that, for several years, the Expiry Law prevented the investigation and punishment of serious human rights violations.

As a consequence of the aforementioned human rights violations, the State infringed on the right to personal integrity of the next of kin of the five named persons, in contravention of Article 5 of the American Convention.

Due to these violations, the Court ordered that the State undertake various measures of reparation.

The composition of the Court for this Judgment was as follows: Judge Elizabeth Odio Benito (President), Judge L. Patricio Pazmiño Freire (Vice President), Judge Eduardo Vio Grossi (Chile), Judge Eduardo Ferrer Mac-Gregor Poisot, Judge Humberto Antonio Sierra Porto, and Judge Eugenio Raúl Zaffaroni.

Judge Ricardo Pérez Manrique, a Uruguayan national, did not participate in the hearing or deliberation of this judgment, in accordance with Article 19 of the Inter-American Court's Rules of Procedure.

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