

EXTERNAL

AI Index: AMR 13/05/95

27 October 1995

Further information (3) on UA 123/94 (AMR 13/03/94, 29 March 1994) and follow-ups AMR 13/04/94, 18 May, and AMR 13/06/94, 18 October - Death in Custody / Death Threats and new concern: Fear for Safety

ARGENTINADiego RODRÍGUEZ LAGUENS, aged 26, forestry expert
Dr. Federico Alfredo HUBER (-note correct spelling-Rodríguez Laguens family lawyer)

Mabel Cristina LAGUENS de RODRÍGUEZ, (Diego's mother) Felipe RODRÍGUEZ LAGUENS, (Diego's brother)

The oral public proceedings (*Juicio Oral y Público*) of the trial concerning the killing of Diego Rodríguez Laguens are scheduled to start on 31 October 1995 at the Palace of Justice in Jujuy, Jujuy Province. Twelve members of the Jujuy police unit and two civilians will be tried on charges ranging from illegal detention, homicide, theft and failure to uphold public duties, to concealment and false statement. Amnesty International continues to fear for the safety of relatives of the victim, the family's lawyer, the forensic expert and the main witnesses. Furthermore, AI is concerned that the impartiality and independence of the court should be guaranteed at all times and that lawyers and witnesses should be allowed to perform their role without fear or intimidation.

Diego Rodríguez Laguens died in February 1994 while in the custody of the Provincial Police in San Pedro, Jujuy Province. Twenty days after he had gone missing, his body was found in an unmarked grave in the local cemetery where he had been buried, according to the police, as the unidentified victim of a road accident. A subsequent independent forensic examination revealed that he had died as the result of a sudden torsion of the neck which broke the third and fourth cervical vertebrae. The body had wounds consistent with a severe beating.

Relatives, experts and witnesses involved in clarifying the circumstances of Diego Rodríguez Laguens' death have been subjected to death threats and intimidation. The police and judicial investigations procedures have been allegedly hampered by members of the Jujuy police.

The Rodríguez Laguens family and their lawyer are concerned that if the Provincial Police were in charge of court security this could lead to an atmosphere of intimidation during the trial which might hinder the proceedings. Federal Police has already been involved in the investigations and a request for its presence has already been made.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or in your own language:

- recognizing the trial as a positive development in the clarification of the killing of Diego Rodríguez Laguens and welcoming the steps taken to determine responsibility;
- seeking assurances that during the trial the lawyers and forensic experts be allowed to perform their role and that the witnesses be allowed to testify without fear or intimidation;
- urging that the safety of the relatives and witnesses be adequately guaranteed;
- requesting that steps be taken to allow for the participation of the Federal Police in court security and the protection of witnesses, experts and relatives.

APPEALS TO:

1) Minister of the Interior

Sr. Ministro del Interior
Sr. Carlos Corach
Ministerio del Interior
Casa de Gobierno
Balcarce 50
Buenos Aires, CF
Argentina

Telegrams: Sr. Ministro Corach, Ministerio Interior, Buenos Aires, Argentina

Faxes: +541 331 1156

Salutation: Señor Ministro / Dear Minister

2) Governor of Jujuy Province

Sr. Gobernador de la Provincia de Jujuy
Palacio de Gobierno
San Martin 450
4600 San Salvador de Jujuy
Provincia de Jujuy, Argentina

Telegrams: Sr. Gobernador, San Salvador de Jujuy, Argentina

Faxes: 54882 33949

Salutation: Señor Gobernador / Dear Governor

3) National Senator

**(elected governor for Jujuy
due to take office on 10 December 1995)**

Senador de la Nación
Dr. Guillermo Snopek
Senado de la Nación, 4o. Piso, Of.658
1845 Capital Federal
Argentina

Telegrams: Sr. Senador Snopek, Senado, Capital Federal, Argentina

Faxes: 541 953 5003

Salutation: Señor Senador / Dear Senator

COPIES TO:

Newspapers:

Tribuno de Jujuy
Belgrano 306
4600 San Salvador de Jujuy
Provincia de Jujuy, Argentina

El Dia

Diagonal 80, No.815
1900 La Plata
Provincia de Buenos Aires
Argentina

University Federation - Human Rights Office

Federacion Universitaria Argentina
Secretario Derechos Humanos
Sr. Carlos Grela
Cordoba 2122, Planta Baja

1120 Capital Federal
Argentina

and to diplomatic representatives of Argentina accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 8 December 1995.