

UA 324/02

Threats/Fear for Safety

1 November 2002

ARGENTINA

**Gustavo Melmann (m)
Laura Melmann (f), his wife
Their four children and other relatives
Yesica Mariela Alvarengo (f), witness
Carlota del Valle Soria (f), witness
Haydee Susana Lima (f), witness
Other witnesses and members of the judiciary involved in
the Natalia Melmann murder trial**

Amnesty International is seriously concerned for the safety of Gustavo Melmann, members of his family and witnesses in the trial after the murder of Gustavo Melmann's daughter Natalia. They have received repeated death threats since they instigated the investigation into her murder.

On 30 September, three policemen from the Buenos Aires police force were sentenced to life imprisonment in connection with the rape and murder of Natalia Melmann in Miramar, Buenos Aires province, on 4 February 2001. The same day, while in court, members of the policemen's families made death threats against Gustav Melmann, the public prosecutor and members of the court, saying "*Melmann, no vuelvas a Miramar*" ("Melmann, you're not going back to Miramar") and "*a vos y al fiscal ya los vamos a encontrar*" ("we're going to find you and the prosecutor"). Relatives of the policemen also appeared on television repeating death threats against Gustavo Melmann, saying "*...judio hijo de puta te vamos a matar...*" ("we're going to kill you, you Jewish son of a bitch").

Members of the Melmann family were threatened throughout the murder investigation and trial. On 19 February 2001 Gustavo Melmann's mother-in-law received death threats against her family when an unidentified person told her, "*Decíle a tu yerno que cierre el culo, sino quiere más muertes en la familia*" ("Tell your son-in-law to shut his mouth, unless he wants more deaths in the family").

Yesica Mariela Alvarengo, a witness to Natalia Melmann's abduction, was threatened in the street on 20 September 2001, the day she gave her statement to the police, when an anonymous group of people shouted "*... te hubieras callado la boca, hija de puta...te vamos a matar...*" ("... you should have kept your mouth shut, bitch...we're going to kill you..."). Yesica Mariela Alvarengo's mother was threatened that anyone who gave evidence would be at risk: "*...la van a encontrar muerta, tirada en una zanja...*" ("...[they] will be found dead, thrown into a ditch..."). Another witness, Susana Haydee, has made an official complaint that she has been followed by relatives of the policemen. Carlota del Valle Soria, also a witness, was knocked over and seriously injured by a motorcycle allegedly ridden by a relative of one of the policemen.

The Melmann family have filed judicial complaints about the threats made against themselves and the witnesses. Amnesty International is not aware of any action taken by the authorities regarding these complaints.

BACKGROUND INFORMATION

15-year-old Natalia Melmann disappeared on 4 February 2001 as she returned home from a discotheque in the city of Miramar, south of Buenos Aires. Her body was found four days later, and showed signs of sexual assault and torture. She had been last seen getting into a police car under duress. There was a public outcry, and the Melmann family received a great deal of support as they pressed for an investigation, which led to the trial of those accused of the murder.

Human rights organizations have repeatedly expressed concern at the violent practices of members of the Buenos Aires Province police force. There have been frequent reports of '*gatillo fácil*' (trigger-happy style killing),

detention without charge and torture, including of minors (those under the age of 18). At least 60 minors were killed by police in Buenos Aires Province between 1999 and 2000.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing your concern at the death threats received by the Melmann family and witnesses in the investigation and trial of the murder of Natalia Melmann;
- calling for an immediate, independent and thorough investigation into these death threats, for the results to be made public and those responsible brought to justice;
- asking for assurances that the authorities will take all necessary steps to protect the threatened parties and effectively guarantee their safety.

APPEALS TO:

President of Argentina
Excelentísimo Sr. Presidente
Dr Eduardo Duhalde
Presidencia de la Nación
Casa Rosada, Balcarce 50
1064 Buenos Aires, Argentina
Telegram: President Duhalde, Buenos Aires, Argentina
Fax: + 54 114 344 3800
Salutation: Excmo. Sr. Presidente/ Dear President

Governor of Buenos Aires Province
Sr. Gobernador de la Provincia de Buenos Aires
Ing. Felipe Carlos Solá
Casa de Gobierno
Calle 6 entre 51/53
1900 La Plata, Provincia de Buenos Aires, Argentina
Telegram: Governor Provincia de Buenos Aires, Argentina
Fax: + 54 221 429 4189 (If someone answers say "Fax, por favor")
Salutation: Sr. Gobernador/Dear Governor

Minister for Foreign Affairs
Sr. Ministro de Relaciones Exteriores, Comercio Internacional y Culto
Dr. Carlos Ruckauf
Ministerio de Relaciones Exteriores
Esmeralda 1212
1003 Buenos Aires, Argentina
Telegrams: Foreign Minister, Buenos Aires, Argentina
Fax: + 54 11 4819 7619
Salutation: Sr. Ministro/ Dear Minister

COPIES TO:

Mayor of Miramar
Sr Intendente de Miramar
Dr Marcelo Honores
Calle 28 N. 1084
7607 Miramar
Provincia de Buenos Aires, Argentina
Salutation: Sr. Intendente/Dear Mayor

Newspaper
Clarín
Tacuarí 1840
1139 Buenos Aires, Argentina
Fax: + 54 11 4309 7200

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 13 December 2002.