

EXTERNAL

AI Index: AMR 13/07/97

UA 325/97

Fear for safety

17 October 1997

**ARGENTINAMario Humberto Gómez Yardez
Gloria Alvarez (f)
Natalia Gómez (f), aged 5, daughter of above**

There is grave concern for the safety of Mario Humberto Gómez Yardez and his family who have reportedly received death threats. Amnesty International believes this is as a result of legal proceedings he has initiated against members of the Mendoza police force for subjecting him to torture.

Mario Humberto Gómez Yardez, a Chilean, was arbitrarily detained in 1990 by provincial police in the locality of Lavalle, Mendoza Province. He was tortured and served a year in prison. He was subsequently released without charge.

On 14 October 1997, Mario Humberto Gómez Yardez received an anonymous phone call from a man who warned him of the following if he failed to halt his legal action: "*Te advertimos lo que te iba a pasar y no nos hiciste caso, bancate lo que se pueda llegar a venir con vos y tu familia*", "We warned you what was going to happen to you, and you didn't take any notice, bank on what might happen to you and your family"

On another occasion, on 10 October 1997, Mario Humberto Gómez Yardez was visited by an unidentified man in an unmarked car whilst at home with his common-law-wife (*pareja*) and daughter, who threatened him thus: "*Acepta el trato que has hecho con los abogados, y si no, ya sabes lo que te va a venir*", "Accept the deal you have made with the lawyers, if you don't, you already know what is going to happen to you".

On 15 October, Mario Humberto Gómez Yardez filed an official complaint before the Provincial Attorney (*Fiscal Correccional*). On 20 October legal proceedings against those police officers responsible for the torture will commence.

BACKGROUND INFORMATION

Since the return of a civilian government in Argentina, Amnesty International has received reports of human rights violations committed by members of the provincial police in Mendoza Province. In three cases registered between 1990 and 1992 individuals arrested by the police have "disappeared" and a number of cases of ill-treatment and torture have been reported.

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

- recognizing the trial of those who allegedly tortured Mario Humberto Gómez Yardez as a positive development;
- expressing concern at the threats made against Mario Humberto Gómez Yardez, Gloria Alvarez and Natalia Gómez;
- seeking assurances that during the trial the authorities take effective measures to guarantee the safety of Mario Humberto Gómez Yardez and his family and that the family, lawyers and witnesses be allowed to perform their role without fear or intimidation;
- calling for a prompt, thorough and impartial investigation into the campaign of threats against Mario Humberto Gómez Yardez and his family;
- urging that those responsible be brought to justice.

APPEALS TO:

Governor of Mendoza Province

Dr. Arturo Lafalla
Gobernador de la Provincia de Mendoza
Casa de Gobierno
5500 Mendoza
Provincia de Mendoza, Argentina
Telegrams: Gobernador, Mendoza, Argentina
Faxes: + 5461 492142
Salutation: Sr. Gobernador / Dear Governor

Undersecretary of Justice

Dr. Julio R. Gomez
Subsecretario de Justicia
Ministerio de Gobierno
Casa de Gobierno, 3er Piso
5500 Mendoza,
Provincia de Mendoza, Argentina
Telegrams: Subsecretario de Justicia, Mendoza, Argentina
Faxes: + 5461 492142
Salutation: Sr. Subsecretario de Justicia / Dear Secretary of Justice

Interior Minister

Sr. Pablo Marquez
Ministro de Gobierno Interino
Ministerio de Gobierno
Casa de Gobierno
3er Piso - Cuerpo Central
5500 Mendoza,
Provincia de Mendoza, Argentina
Telegrams: Ministro de Gobierno, Mendoza, Argentina
Faxes: + 5461 492142
Salutation: Sr Ministro / Dear Minister

COPIES TO:

Government Human Rights Body
Human Rights Under secretariat
Subsecretaria de Derechos Humanos
Ministerio del Interior
Dra. Alicia Pierini
Moreno 711, 2o. Piso
1091 Capital Federal, Argentina
Faxes: + 541 343 2326

Newspapar

Diario Los Andes
San Martín 1049
5500 Mendoza,
Provincia de Mendoza, Argentina
Faxes: + 5461 491218

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 28 November 1997.