

EXTERNAL (for general distribution)

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UA 137/92

Fear of "Disappearance"

1 May 1992

PERU:

Andrés REYES ROJAS, 58, farmer
Gaudencio TOLENTINO ROMO, farmer
Walter TOLENTIONO ROMO, 20, farmer
Alejandro VENTOSILLA CASTILLO, 25, teacher

Paulino VENTOSILLA CASTILLO, 23, farmer
Simón VENTOSILLA CASTILLO, 27, teacher
Alfonso VENTOSILLA PABLO, 26, farmer
Rafael VENTOSILLA ROJAS, 50, farmer

Amnesty International fears for the safety of the above two teachers and six farmers from the community of Cejetuto, Cochamarca, district of Santa María, province of Huaura (previously known as Chancay), Lima department, who were reportedly detained and subsequently "disappeared" by members of the army.

According to reports, on 27 April 1992 some forty armed soldiers burst into the homes of the above mentioned members of the Cejetuto community and detained the eight men. Rafael Ventosilla Rojas is a former mayor of the Santa María district. Alejandro, Simón and Paulino Ventosilla Castillo are his sons. Relatives of the "disappeared" travelled to Lima, the capital, to inform the press of the detentions. The Public Ministry headquarters in Lima, where complaints as to alleged human rights violations are lodged, have been closed by Presidential orders since 5 April 1992.

The reports further indicate that relatives of the detainees, who witnessed the detentions were reportedly threatened with death. All efforts by the relatives to obtain information as to the whereabouts of the detainees failed. The military authorities in the area refused to acknowledge the detentions.

BACKGROUND INFORMATION

On 5 April 1992 President Alberto Fujimori announced the immediate dissolution of Congress, a reform of the Constitution and a reorganization of the Judiciary and the Public Ministry. Between then and the end of April most of the Judiciary remained paralysed and the right of *habeas corpus*, which is meant to guarantee a court appearance quickly, was suspended in practice. In 1987 the Inter-American Commission of Human Rights ruled that the right to *habeas corpus* cannot be suspended under any circumstances, even under a state of emergency.

President Fujimori and his government assumed power on 28 July 1990. The government inherited a legacy of gross human rights violations dating back to January 1983,

including thousands of cases of "disappearance" and extrajudicial execution. In his inaugural speech the President stated that his government would fully respect human rights. On a number of subsequent occasions President Fujimori and representatives of his government have repeated that pledge. However, according to the cases documented by Amnesty International, between 28 July 1990 and 31 March 1992 some 486 people allegedly "disappeared" after arrest and 169 were extrajudicially executed. Dozens of cases of torture, and of death threats and attacks on human rights defenders, have also been documented by the organization since July 1990.

Page 2 of UA 137/92

RECOMMENDED ACTION: Please send telegrams/telexes/express and airmail letters:

- expressing concern at the "disappearance" of the two teachers and six farmers named from the Cejetuto community following their reported arrest by members of the military and urging that their whereabouts be immediately clarified;
- asking that they be given immediate access to representatives of the Public Ministry;
- asking that they be brought before a judge so that they may be charged with a recognizable criminal offence or be released;
- asking that while in detention they be humanely treated and given access to a lawyer, doctor and relatives.
- urging that the government immediately and regularly make available a completed and updated register of people detained after 5 April 1992.

APPEALS TO

1) President:

Presidente Alberto Fujimori
Palacio de Gobierno
Plaza de Armas
Lima 1 PERU

Señor Presidente / Dear President

Telegrams: Presidente Alberto Fujimori, Lima, Peru

Telexes: 20167 PE PALACIO

2) Minister of Defence:

General EP Víctor Malca Villanueva
Ministro de Defensa
Ministerio de Defensa
Avda. Boulevard
Monterrico, Lima 33, Peru

Señor Ministro / Dear Minister

Telegrams: Ministro Defensa Malca, Lima, Peru

Telexes: 25438 PE CONGREGJ

3) President of the Armed Forces Joint Comand:

General Nicolás Hermoza Ríos
Presidente del Comando Conjunto de las
Fuerzas Armadas
291 Av. Arequipa
Lima, PERU

Señor General / Dear General

Telegrams: Presidente del Comando Conjunto de las Fuerzas Armadas, Lima, PERU

COPIES OF YOUR APPEALS TO:

National Commission for Human Rights:

Señores

Comisión Nacional de Derechos Humanos (COMISEDH)

Apartado 11-0247

Lima

PERU

and to diplomatic representatives of Peru in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your Section office, if sending appeals after 12 June 1992.