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## **PERU : Amanda Guerra López**

On 25 September 1990, 21-year-old Amanda Guerra López boarded a bus in Pucallpa, department of Ucayali, Peru with her friend, Lester Mozombite Cartagena, aged 23, and three teenage companions - two boys aged 15 and 16 and a girl aged 15. Their destination was the town of Tingo María, but before the end of the day Amanda Guerra and the 15-year-old girl had reportedly been raped by soldiers and the two adults, Amanda Guerra and Lester Mozombite, had "disappeared".

The incident began when the bus was stopped at a check-point next to the Km.86 military base on the Federico Basadre Highway. Witnesses say that a lieutenant ordered Amanda Guerra and her four companions to get off the bus. They were taken into the base where the teenagers were separated from the adults. Neither Amanda Guerra, who was reportedly raped by soldiers, nor Lester Mozombite have been seen since. To Amnesty International's knowledge, they remain "disappeared".

### *Members of the Peruvian military*

The youngsters were beaten by soldiers, had water thrown over them and the 15-year-old girl was also reportedly raped by soldiers from the base.

The three youngsters were then transferred to the Km.11 military base on the Federico Basadre Highway. They remained in detention until 29 September 1990. Before being released soldiers threatened that they would be killed if they reported the incident to the authorities.

The authorities denied any knowledge of the detentions. No independent judicial inquiry into the allegations of rape and "disappearance" is known to have been opened. The youngsters were frightened to reveal their names in case they are detained, tortured and possibly "disappeared" by the military as a result.

Rape is often used as a form of torture. The United Nations Convention against Torture, which Peru has ratified, requires that authorities carry out an independent and impartial investigation into reports of torture. Since December 1982, when areas under a state of emergency were placed under the control of political-military commands, Amnesty International has received dozens of denunciations regarding women being raped by members of the security forces. In spite of repeated reports of rape by soldiers, to the knowledge of Amnesty International no investigation into these allegations has been initiated. On occasions, when journalists and human rights activists have asked about this issue, army officers have replied that rape was to be expected when troops were conducting counter-insurgency operations. In March 1991 the mayor of Chuschi, together with two other local authority officials and a local resident in Cangallo province, Ayacucho department, were taken by the police and handed to the military who "disappeared" them, apparently for, among

other things, their denunciation of the rape of women in the community by members of the district's police.

Detentions leading to "disappearances" in emergency zones under military control have generally been carried out by uniformed troops acting on their own or, increasingly, in conjunction with military-led civil defence patrols. According to figures given to Amnesty International in July 1991 by the Public Ministry, over 5,000 people were "disappeared" since 1981, of which over 4,000 are still unaccounted for.

Most "disappearance" victims are never seen again; others are transferred to the police or are freed, sometimes after being tortured; and still others are later found dead. In some cases the armed forces claim that detainees have been released, but there is often no independent or official witness to corroborate the release and the individual does not reappear.

#### **PLEASE WRITE to the Peruvian authorities:**

- Expressing your concern about the rape and "disappearance" of Amanda Guerra López and the rape of her 15-year-old companion (Please cite the date and location of the incident described);
- Requesting a full and independent inquiry into the "disappearances" and allegations of rape;
- Asking what the government is doing to prevent the rape of women by members of the security forces;
- Pointing out that you welcome the Peruvian Government's pledges to protect and uphold human rights and that they should do everything possible to keep those pledges;
- Recognizing that the armed opposition group Sendero Luminoso has tortured and arbitrarily killed civilians, which Amnesty International continues to condemn, but emphasizing that abuses by opposition groups never justify human rights violations by government forces;
- Agreeing with President Alberto Fujimori who stated in July 1990:

"The terrorist violence our fledgling democracy currently faces cannot justify, in any way, the occasional or systematic violation of human rights."

#### **Write to:**

Presidente Alberto Fujimori  
Presidente de la República  
Palacio de Gobierno  
Plaza de Armas  
Lima 1, Peru

General Victor Malca Villanueva  
Ministro de Defensa  
Ministerio de Defensa  
Avenida Boulevard s/n  
Monterrico  
Lima 33, Peru

Señor Augusto Blacker Miller  
Ministro de Relaciones Exteriores  
Ministerio de Relaciones Exteriores  
Jr. Ucayali 363

Lima 1, Peru

Increase the power of your letter by sending copies to the Peruvian embassy in your country.

## INDIA: Jammu and Kashmir

Women in Jammu and Kashmir have been raped by soldiers and members of paramilitary forces with alarming frequency since early 1990 when the security forces were given increased powers in the state. The assaults show a definite pattern. Most take place during counter-insurgency operations when villages are sealed off by the security forces. Women have then been beaten, subjected to electric shocks, molested, raped and gang raped.

*Villagers in Kunan Poshpora,  
Kupwara District, Kashmir*

A young bride was gang raped by soldiers near Badasgam on the way from her wedding to her new husband's house on 18 May 1990. The bus carrying her wedding party was stopped at a roadblock and soldiers reportedly opened fire without warning, killing one and injuring many more. They then entered the bus, ordered the bride and her aunt into a field and raped them. A police inquiry was instigated, but no independent investigation has apparently taken place and no action has been taken to bring to justice those responsible.

One incident which received widespread publicity occurred in Kunan Poshpora, Kupwara District, on 23 and 24 February 1991. Local residents claim that at least 23 women were raped at gun point in their homes by soldiers carrying out a cordon and search operation. Both the District Magistrate and the District Commissioner concluded after visiting the village that the allegations required thorough investigation.

The personal testimony of women who alleged they were raped in Kunan Poshpora was recorded by Indian and international newspapers. Victims of the attack reportedly included a woman and her two daughters aged 13 and 18. She feared the consequences for her daughters' lives; "What man will marry them now their lives have been ruined?" Another woman reportedly stated "I was conscious of two soldiers raping me, but I'm afraid I don't know how many raped me after that."

The Indian Government has published a report concluding that the allegation of mass rape in Kunan Poshpora could not be substantiated. Amnesty International does not believe that this is the case, as there is substantial evidence, for example in the report of the District Magistrate, to conclude that serious human rights violations by the army, including the rape and ill-treatment of women, took place in Kunan Poshpora on the night of 23/24 February 1991.

During the course of counter-insurgency operations women especially appear to have been selected as targets of brutal treatment, and in their testimony they mention only occasionally any attempt by the security forces to extract information from them. Rather they appear to have been victimized simply because they live in an area where armed opposition groups are active, or as punishment for perceived support of the separatist cause, or simply because they were Muslims.

Such abuses not only have traumatic mental, physical and emotional consequences but also have considerable social repercussions for the position and status of women in the community.

Women from this traditional, predominantly Muslim society have organized protests and demonstrations against the human rights violations committed by the security forces. A women's demonstration on 9 June 1990 in Batmaloo, Srinagar was surrounded by the security forces, the demonstrators were hit by rifle butts and women reportedly complained that the security forces molested them as they walked through the streets. Many similar demonstrations have been reported. In March 1991 hundreds of women reportedly demonstrated in Srinagar and at least 34 women were injured when police fired tear-gas and used batons to disperse demonstrators.

Since early 1990 there has been an increasingly violent campaign by armed opposition groups for independence from India for the state of Jammu and Kashmir. Human Rights violations including extrajudicial executions, torture and mass arbitrary arrests have been attributed to the security forces. Official investigations into reported abuses are rarely ordered and Amnesty International knows of only two instances since early 1990 in which members of the security forces have been charged with human rights offences.

Under the Armed Forces (Jammu and Kashmir) Special Powers Act of 1990 the security forces are given wide powers to shoot to kill, to arrest and search without warrant and, most worryingly, they are granted immunity from prosecution for any action taken under the Act.

Amnesty International acknowledges that the security forces have a particularly difficult task in maintaining law and order in the state and calls on all parties to the conflict in Kashmir to observe the basic rules of humanitarian law. Amnesty International condemns the killing and torture of prisoners, the deliberate and arbitrary killing of people taking no active part in the fighting, and hostage taking, by any agency, including armed opposition groups. However, until the Indian Government takes action to investigate human rights violations properly and bring their perpetrators to justice grave abuses by the security forces will continue to occur.

#### **PLEASE WRITE to the Indian authorities:**

Please send appeals to the authorities listed below urging the Indian Government to:

- publicly condemn torture and ill-treatment, including rape, and instruct the army and security forces to protect women from rape and other torture and ill-treatment during searches;
- investigate fully and impartially all reports of human rights violations in Kashmir;
- revoke immunity from prosecution in law and practice for any member of the security forces responsible for human rights violations and bring to justice all such officials against whom there is evidence that they ordered, committed or concealed human rights violations.

#### **Write to:**

Prime Minister  
Mr P V Narasimha Rao  
Office of the Prime Minister  
South Block, Gate No. 6  
New Delhi 110 011  
India

Mr G C Saxena  
Governor of Jammu and Kashmir  
Office of the Governor  
Srinagar  
Kashmir  
India

Mr Mahavsinh Solanki  
Minister of External Affairs  
Ministry of External Affairs  
South Block  
Delhi 110 011  
India

Increase the power of your letter by sending copies to the Indian Embassy in your country.

## PHILIPPINES: Cherry Mendoza

Cherry Mendoza and Cecilia Sanchez were arrested on 3 December 1990 by approximately 30 soldiers of the Philippines Constabulary (PC) and the Philippines Army (PA) who blocked their way as they were out walking in *barangay* Binaritan, Morong, Bataan.

After examining the women's possessions and finding cigarettes, sweets and letters, the soldiers accused Cherry Mendoza and Cecilia Sanchez of taking provisions to members of the New People's Army (NPA), the armed wing of the banned Communist Party of the Philippines (CPP). The women were forced aboard a military vehicle where they were made to lie on the floor and covered with clothing so as not to be seen.

The women were taken to the 176th PC Company headquarters in Morong. Cherry Mendoza reported that during interrogation she was slapped in the face and her breasts and sexual organs were touched. She said the officer in charge of the interrogation threatened that she would be "horsed" (raped) later that night.

After the interrogation, Cherry Mendoza said that she was forced to eat fried rice which she found very strongly seasoned. She subsequently experienced severe dizziness and lost

*Cherry Mendoza*

consciousness.

The next day, 4 December, Cherry Mendoza awoke at 2am. She later told relatives that her whole body ached, including her genitals. She noticed that the zipper of her trousers was undone and that her underwear was stained with blood. She said that military officials were laughing at her.

Cecilia Sanchez also reported that her sexual organs were touched during interrogation. She said that she was told she would be tested to see whether she really was a *dalag* (a single woman). She said the military officer in charge of questioning her had wanted her to eat something, but that she had refused.

Cherry Mendoza underwent a medical examination at the provincial hospital in Bataan on 12 December. The report of the examination detailed lacerations of the hymen and vagina indicating that serious sexual abuse had occurred.

The two women reported that military officials tried to make them sign a statement saying they were NPA couriers, but both women refused. They were released on 19 March 1991 after posting bail of 10,000 pesos.

The Provincial Director of the Philippines National Police<sup>1</sup> vehemently denied the accusations that the two women had been sexually abused.

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<sup>1</sup> The Philippines Constabulary was incorporated into the new Philippines National Police, which was established in January 1991 and formally placed under civilian control.

On 29 and 30 January 1991, a letter of invitation was sent by the Bataan Provincial Warden to Cherry Mendoza inviting her to appear at the Office of the Investigation Section of Bataan PNP Provincial Headquarters to shed light on her complaint of sexual abuse. Cherry Mendoza was advised by her lawyers not to respond to this invitation. She has since filed an official complaint against the alleged perpetrators.

Thousands of people have been detained for political reasons in the Philippines in the past two years. Most have been released after interrogation but hundreds are currently serving prison sentences. Many detainees have alleged that they were ill-treated or tortured by their captors, either to extract confessions or to obtain other information. The victims of torture have included human rights workers, villagers living in areas of suspected rebel activity and members of lawful organizations labelled as "fronts" for the CPP/NPA.

Members of armed opposition groups are also known to have been responsible for human rights abuses. Nevertheless the actions of armed opposition groups, however widespread and violent, can never be used to justify human rights violations by government forces or others acting with their cooperation.

**PLEASE WRITE to the Philippine authorities:**

- Expressing your concern at reports of the rape and sexual abuse of Cherry Mendoza and Cecilia Sanchez;
- Asking what steps the government is taking to ensure that other women held in custody are not raped or sexually abused by members of the security forces;
- Urging an immediate and thorough investigation into the allegations of ill-treatment and sexual abuse made by Cherry Mendoza and the reports of sexual abuse of Cecilia Sanchez, and urge the authorities to ensure that those found guilty are brought to justice.

**Write to:**

President Corazon Aquino  
Malacañang Palace  
Manila  
Philippines

General Renato de Villa  
Secretary of National Defense  
Camp General Emilio Aquinaldo  
1110 Quezon City  
Metro Manila  
Philippines

Increase the power of your letter by sending copies to the Philippine Embassy in your country.

## GREECE : Maria Nikolaidou

On 2 November 1991, 33 people were detained by six police officers in Athens while sticking up posters criticizing police actions taken in the course of demonstrations in October. Violent incidents had occurred during the demonstrations which were against government policy on education.

The 33 detainees, 12 of whom were women, were taken to the headquarters of the Geniki Asfalzia (General Security) on Alexandras Avenue where they allege they were tortured and otherwise ill-treated from 3pm on 2 November until 1.30am on 3 November. Fifteen of the detainees, including four women, Maria Nikolaidou, aged 23, Katerina Maliou, aged 22, Roubini Theotokatou, aged 20 and Dina Kalakou, aged 24, lodged a formal complaint against the police on 4 November. They also sued for a nominal sum of 1,000 drachmas in damages.

Maria Nikolaidou stated:

"Although I am three months' pregnant and informed the police of this immediately, they did not hesitate to hit me on my head on the 12th floor of the General Security. More specifically, a senior plainclothes police officer who was sitting in an office, came out of his office, grabbed me by my hair and beat my head against the wall violently, abusing me with foul language such as: *'You are a whore, tramp'*"

Dina Kalakou said:

"I was beaten by a group of policemen on the 7th and 12th floors of the General Security, chiefly on the face. On 3 November while I was being taken to the public prosecutor, I was spat at by members of the police van crew. They also verbally abused me and asked me vulgar questions such as: *'Who knows how many and who has fucked you? Were you all having sex with each other every night?'*"



The complaint stated that all the female prisoners were ordered to get completely undressed so the police could carry out body searches. These were allegedly carried out under conditions which the women stated were "offensive, crude, irregular and humiliating". The women stated that the police left the doors of the room in which the women were standing naked open in full view of policemen who were wandering about outside. These policemen allegedly made comments of a sexist nature such as: *"look at them - they're like sexually frustrated bitches"* and many other such comments.

The 33 detainees were charged with illegal posting of bills; resisting authority; damaging private property; upsetting security communications; abuse and disseminating false information. On 5 November they all started a hunger-strike in protest against their continued detention by the security police. Their trial started on 4 November. On 13 November they were released from detention after they were sentenced to six months' imprisonment for illegal posting of bills and verbal abuse by the Three Person Court of Athens. They remain free pending appeal.

#### **PLEASE WRITE to the Greek authorities:**

- expressing concern about the allegations made by 15 of the 33 people detained in Athens on 2 November 1991 of torture and ill-treatment;
- urging that a thorough and impartial inquiry is conducted into the allegations made by the women detainees that they were beaten, subjected to stripping in full view of male policemen and verbal abuse. State that this clearly constitutes cruel, inhuman or degrading treatment and as such violates the UN Convention against Torture, which Greece has ratified;
- expressing particular concern that Maria Nikolaidou continued to be beaten even though she had informed the police that she was pregnant;
- urging that the formal complaint lodged by 15 of the detainees is given urgent consideration.

#### **Write to:**

Theodoros Anagnostopoulos  
Minister of Public Order  
Ministry of Public Order  
1 Katchaki Street  
101 77 Athens  
Greece

Michalis Papakonstandinou  
Minister of Justice  
96 Messogion Avenue  
115 27 Athens  
Greece

Antonis Samaras  
Minister of Foreign Affairs  
Ministry of Foreign Affairs  
1 Akadimias  
106 71 Athens  
Greece

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