

EXTERNAL (for general distribution)

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"DISAPPEARANCES"

8 November 1991

PERU Rafael MAGALLANES HUAMAN
 Carlos FABIAN

Amnesty International is concerned about the reported "disappearance" of Rafael Magallanes Huamán and Carlos Fabián following their detention by members of the army.

According to reports, on 15 October 1991 the army detained the above two men in the hamlet of Pueblo Nuevo, near the town of Aucayacu, Leoncio Prado province, Huánuco department, in the presence of villagers. Rafael Magallanes and Carlos Fabián were reportedly seen being taken inside the Aucayacu army barracks. On 22 October, a military helicopter was seen landing at the Aucayacu army barracks. According to several witnesses Rafael Magallanes and Carlos Fabián were then taken away in the helicopter.

Relatives of the detainees tried to obtain information concerning their whereabouts at the army barracks in Aucayacu and Tingo María in the department of Huánuco and at the military base in Tarapoto, San Martín department. However, military authorities refused to acknowledge their detentions.

Relatives of the detainees presented petitions of habeas corpus and denounced the detentions to the provincial attorney of Tingo María. According to reports the military authorities in Tingo María also refused to acknowledge the detentions when the provincial attorney and the local judge of Tingo María requested information about Rafael Magallanes Huamán and Carlos Fabián.

BACKGROUND INFORMATION

For the last two years Peru has been the country from which the largest number of "disappearances" have been reported to the United Nations Working Group on Enforced or Involuntary Disappearances.

"Disappearance" is a practice that has been used extensively by the security forces during the present and previous two governments in Peru, in their attempt to deal with armed opposition groups that are active in the country, particularly the Partido Comunista del Perú, "Sendero Luminoso", the Communist Party of Peru, Shining Path.

Most of the "disappeared" are people detained in areas that are under state of emergency and political-military command. In most cases the detention is denied by the authorities. In some cases the fate of the "disappeared" is clarified when they are transferred to police custody, released, or are found dead. In the majority of cases, however, the fate of the detainees remains unknown.

RECOMMENDED ACTION: Telegrams/telexes/airmail letters:

- expressing concern about the reported "disappearance" of Rafael Magallanes Huamán and Carlos Fabián, following their detention by the armed forces;
- urging that their whereabouts and legal situation be immediately clarified;
- asking they be given immediate access to a Public Ministry provincial attorney and a representative of the International Committee of the Red Cross, or brought before a judge and their case judicially investigated or released;
- asking that while in detention both be humanely treated and given access to a lawyer, a doctor and relatives.

APPEALS TO

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

Señor Presidente

Telegrams: Presidente Fujimori, Lima, Peru
Telexes: 20167 PE PALACIO

General EP Víctor Malca Villanueva
Ministro de Defensa
Ministerio de Defensa
Avenida Boulevard
Monterrico
Lima 33, Perú

Señor Ministro

Telegrams: Ministro Defensa Torres, Lima, Perú
Telexes: 25438 PE COMGREGJ

Embajador Fernando Guillén Salas
Subsecretario de Política Multilateral
Subsecretaría de Política Multilateral
Ministerio de Relaciones Exteriores
Jr. Ucayali 363
Lima 1, Peru

Señor Embajador

Telegrams: Sr Subsecretario, Ministerio Relaciones Exteriores, Lima, Peru
Telexes: 25435 PE ESTADO

COPIES TO:

Señores

CEAPAZ
Apdo. 11-0764
Lima 11, Perú (Human Rights Organization)

and to diplomatic representatives of Peru in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with International Secretariat or your section office if sending appeals after 20 December 1991.