

EXTERNAL (for general distribution)

AI Index: AMR 22/11/92

Distr: UA/SC

UA 271/92

Death Penalty

21 August 1992

CHILE:

Mauro González Quispe, 32

René Larico Aguilar, 21

Lisbert Fausto Mamani Morales, 20

Amnesty International is concerned for the lives of Mauro González Quispe, René Larico Aguilar and Lisbert Fausto Mamani Morales, three Peruvians sentenced to death for the murder of two Chilean students in January 1992.

In the first week of August 1992 the Corte de Apelaciones de Arica, Arica Appeals Court, in northern Chile, confirmed a lower court decision to sentence the three Peruvians to death. The case has gone straight to President Patricio Aylwin, who has discretionary powers to grant clemency.

It is believed that González Quispe, Larico Aguilar and Mamani Morales crossed the border between Peru and Chile carrying weapons. On the evening of 31 January 1992, they allegedly kidnapped Marjorie Navarro and Alexander Orrego in La Lisera, a beach close to Arica. According to reports, the two students were then taken to the Pampa de Codpa, a deserted plain off the main international road, where they were shot and buried by the three men.

BACKGROUND INFORMATION

After taking office in March 1990, the civilian government of President Aylwin proposed the abolition of the death penalty. In December 1990 this proposal was rejected by the Senate. In January 1992 the Senate introduced a proposal for the extension of the death penalty to include the murder of off-duty *carabineros*, the uniformed police. In July 1992, the Chamber of Deputies rejected this extension. The bill is now expected to go to an mediating body, the Comisión Mixta, a mixed commission made up of members of both Chambers.

There is currently one other common-law prisoner - Juan Domingo Salvo Zúñiga (see UA 195/92, AMR 22/08/92, 11 June 1992) - whose death sentence has been upheld by an appeals court. His case is now before the Supreme Court. Hugo Gómez Peña, a political prisoner, still faces a recommended death sentence for his alleged participation in the killing of a police officer in 1986. A further eight political prisoners who had received recommended death sentences during the former military government, were sentenced to life imprisonment in 1991 (see Amnesty International Report 1991).

President Aylwin has repeatedly made public his opposition to the death penalty and has promised to use his discretionary powers to grant clemency in death penalty cases which come before him.

Amnesty International opposes the death penalty in all cases as a violation of the

right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights.

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

- welcoming President Patricio Aylwin's opposition to the death penalty and respectfully requesting that he exercise his power of clemency and commutes the death sentences against Mauro González Quispe, René Larico Aguilar and Lisbert Fausto Mamani Morales;

Page 2 of UA 271/92

- stating Amnesty International's total opposition to the death penalty;

- calling for the total abolition of the death penalty in Chile in line with the worldwide trend (over 40 per cent of all countries have now abolished the death in law or in practice), stating that abolition would ensure long-term respect for the human rights of all peoples, regardless of nationality, which the death penalty clearly violates.

APPEALS TO:

1. President:

Sr. Patricio Aylwin Azócar
Presidente de la República de Chile
Palacio de la Moneda
Santiago, Chile

**Salutation: Excelencia /
Your Excellency**

Telegrams: Presidente Azocar, Santiago, Chile
Telexes: 240152 segrg cl
Faxes: + 56 2 697 3262

2. Minister of Justice:

Sr. Francisco Cumplido Cereceda
Ministro de Justicia
Ministerio de justicia
Compañía 1111
Santiago, Chile

**Salutation: Señor Ministro /
Dear Minister**

Telegrams: Ministro de Justicia, Santiago, Chile
Telexes: 242316 minju cl
Faxes: + 56 2 696 6952

COPIES OF YOUR APPEALS TO:

1. President of the Senate's Commission on Human Rights, Nationality and Citizenship:

Sr. Ricardo Martín Díaz
Presidente
Comisión de Derechos Humanos,
Nacionalidad y Ciudadanía
Cámara de Senadores edificio del Congreso
Valparaíso, Chile
Faxes: + 56 2 232654

2. Committee for the Defense of the Rights of the People:

Sres. CODEPU
Bandera 465, 4to piso

Santiago, Chile

3. Weekly magazine:

Sr. Editor

Análisis

Manuel Montt 425

Santiago, Chile

Faxes: + 56 2 461468

and to diplomatic representatives of Chile accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 2 October 1992.