



ONE YEAR ON, JUAN ALMONTE'S FATE CONTINUES TO BE UNKNOWN: POSSIBLE ENFORCED DISAPPEARANCE IN THE DOMINICAN REPUBLIC.



Juan Almonte Herrera has not been seen since 28 September 2009, when he was reportedly abducted by four men identified by eyewitness as police officers. Since he went missing, his family and lawyers have reported being followed and watched by police officers. He may have been subjected to enforced disappearance.

According to lawyers for his family, Juan Almonte, member of the NGO, the Dominican Committee of Human Rights, was walking to the office where he worked as an accountant, when he was stopped by four armed men who forced him into a car and drove away. According to reports, eyewitnesses identified the four armed men as officers from the anti-kidnapping department of the national police. Two hours after his detention, the police announced on TV that they were searching for Juan Almonte Herrera as he was being investigated in relation to the kidnapping of a 19-year old man in the eastern coastal town of Nagua.

On 2 October 2009, after lawyers acting on Juan Almonte's behalf filed a habeas corpus petition challenging the legality of his detention, the Second Criminal Section of the National District Court (la Segunda Sala Penal del Distrito Nacional) ordered the authorities to release him immediately. The court noted that Juan Almonte had been deprived of his liberty without the order of judicial authorities. The police did not comply with the order as they denied that he was in their custody and declared him to be a fugitive.

Juan Almonte's relatives and lawyers have reported being under surveillance by individuals identified by eyewitnesses as police officers. They have been followed by people in cars and watched from the street in front of their house. His sister has received anonymous telephone calls asking her to stop publicizing her brother's enforced disappearance. His wife, who lives in the USA, reported being followed by a car during visits to the Dominican Republic. They have reported the incidents of surveillance to the authorities, who have told them they can receive protection from the police, the same body that they claim is harassing them.

At the end of October 2009, two unidentified charred bodies were found in a car in Santo Domingo and were taken to the National Forensic Pathology Institute. One of the bodies was identified by Juan's sister as being that of Juan Almonte. However, when DNA tests were carried out on the body, the results were negative, although the family has contested how the tests were carried out.

Despite the eyewitness statements that he was abducted, the Dominican authorities have done very little to investigate his whereabouts. The police maintain that Juan Almonte is a fugitive, and have requested the records of those who have left the country in an apparent attempt to establish if he was among them. Juan Almonte's family and lawyers have not received any official communication on the status of the investigation into his disappearance, in spite of having submitted three complaints to judicial authorities about his abduction. The Inter-American Commission on Human Rights has judged the response of the Dominican authorities to be inadequate.

Disappearances and abductions cause a particular agony for relatives of the victims, unable to determine whether the disappeared person is dead or alive, unable to go through bereavement and unable to resolve legal and practical matters such as pensions and inheritance. For them the disappearance continues without end.



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ACT NOW

WRITE POLITELY TO THE DOMINICAN REPUBLIC AUTHORITIES TO:

- Urge them to take immediate steps to establish the whereabouts of Juan Almonte Herrera, who was abducted on 28 September 2009.
- If he is in custody, calling for his immediate release, or otherwise that he be charged with a recognizably criminal offence; and calling for him to be given immediate access to his family, a lawyer and any medical treatment he may require;
- Expressing concern that his family and lawyers have not received any official communication on the investigation into his whereabouts
- Calling on them to ensure that a full, impartial and independent investigation into the enforced disappearance of Juan Almonte Herrera is conducted, that the results are made public and that those responsible are brought to justice;
- Call on the authorities to provide adequate protection to Juan Almonte Herrera's relatives and lawyers, as a matter of urgency and according to their wishes.

SEND YOUR LETTERS TO:

Sr. Radhamés Jiménez Peña
Public Prosecutor

Procurador General de la República
Palacio de Justicia, Ave. Jiménez Moya esq. Juan Ventura Simón,
Centro de los Heroes, Constanza, Maimón y Estero Hondo.
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Sr. Franklin Almeyda Rancier
Minister of the Interior and Police

Secretario de Estado del Interior y la Policía
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Lic. José Armando Polanco Gómez
Chief of Police

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AND COPIES TO:

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