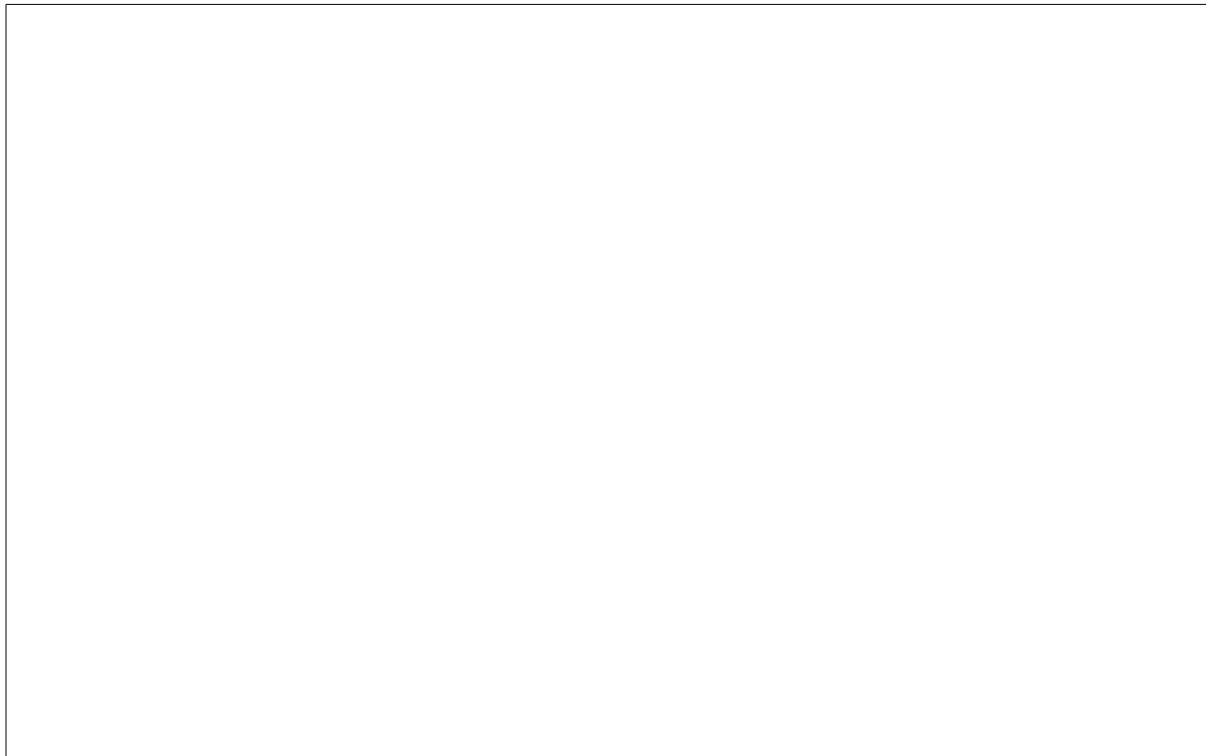


EL SALVADOR

@Killing of Gustavo Rosa Ramírez
Aguilar

EL SALVADOR

Killing of Gustavo Rosa Ramírez Aguilar



Body of Gustavo Rosa Ramírez Aguilar

On 19 May 1991, 32-year-old **Gustavo Rosa Ramírez Aguilar**, from the community of El Charcón, department of La Libertad, was shot dead in his home by three men in civilian clothing, in front of his partner (compañera de vida) and three small children. Gustavo Rosa Ramírez Aguilar was a **desplazado**, one of thousands of Salvadorians displaced from their original communities by the armed conflict in the country. The circumstances of his killing and the events leading up to it, including his arrest and torture by the National Police just three weeks prior to his death, strongly suggest that his killing may have been carried out by individuals linked to government forces.

In a testimony to the **Comité Cristiano Pro Desplazados de El Salvador** (CRIPDES), the Christian Committee for the Displaced of El Salvador, Gustavo Ramirez's partner spoke of what she had witnessed. She said that at around 6.30pm Gustavo Ramirez was sitting in the passageway of their home eating a
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mango, when a man bearing a torch appeared from behind the house and shone the torch in his face. Seeing that the man was armed, Gustavo Ramírez attempted to run out of the house, but was shot three times and he fell by the barbed wire fencing outside. The assailant and two other men then shot him another three times in the head and once in his left hand. One of the attackers told Gustavo Ramírez's partner to stop screaming and asked her for the dead man's name. Before leaving one of the men allegedly said to her, "If the Armed Forces aren't going to do anything to them, we will" [si la fuerza armada no les hace nada, nosotros sí].

Threats against the family since the killing of Gustavo Rosa Ramírez Aguilar

A week after the killing three local members of the ruling **Alianza Republicana Nacionalista (ARENA)** party came to the home of Gustavo Ramírez's mother-in-law and told her that she should take charge of Gustavo Ramírez's three children (aged 6, 8 and 5 months), since their mother was also going to be killed if she continued denouncing the killing publicly. Gustavo Ramírez's partner made a statement reporting the killing to the Justice of the Peace of Puerto de La Libertad. She requested that the judge put a warrant out for the arrest of the ARENA members, but was apparently told by the judge that he could not do this. To Amnesty International's knowledge by the middle of June the ARENA members concerned had not been summoned for questioning by the judge.

The killing bears all the hallmarks of a "death squad"-style execution. The victim, usually someone the military authorities perceive as having links with the armed opposition, is shot dead at home or in the street by heavily armed men in plainclothes, usually working in groups of two or three. Human rights groups, witnesses, survivors and former members of the military have provided conclusive evidence that many such killings are carried out by official security force agents or individuals acting with their complicity. In the case of Gustavo Ramírez, several indicators point to the involvement of the military and security forces in his killing: his arrest and torture by the National Police three weeks earlier, the threats made against him by members of the ruling ARENA party, an attack on his home allegedly by members of a local military patrol, and the pattern of abuses committed by the military against displaced people and suspected supporters of opposition parties.

Investigations into alleged "death squad" killings have rarely got beyond the stage of certification of death by the justice of the peace. Suspects or key witnesses are often not called to make statements, a symptom of the lack of political will on the part of the authorities to make the military account for their actions. The intimidation of witnesses is another major obstacle. Many are afraid to make formal complaints to the courts, particularly in view of the fact that in many cases they are threatened with death if they denounce what happened. Judges are often powerless to offer protection.

"I say they don't want to help us... Since they've been arriving at my mother's house threatening to kill us all, we're worried about this terrifying situation in our homes, as there's no-one to help us." (1)

Compañera of Gustavo Rosa Ramírez Aguilar

EVENTS LEADING UP TO THE KILLING

Attacks and threats

Two months before his death, Gustavo Rosa Ramírez Aguilar had been the target of threats and physical attacks. Around the time of the national legislative and municipal elections on 10 March, he had received threats from local members of the ARENA party claiming he was an activist for the **Convergencia Democrática** (CD), the left-wing Democratic Convergence coalition party. An ARENA party activist had allegedly come to his home to warn him that he would be killed if he didn't leave the area, since he was on a list of CD sympathizers whom ARENA wanted to expel from the area and whose land would be handed back to the previous landowners.

On 16 March unknown individuals fired several rounds of gunfire and threw two hand grenades at his home. None of the family were hurt in the attack. Witnesses blamed the attack on members of the Civil Defence of La Libertad acting in collaboration with the local ARENA activists who had threatened Gustavo Rosa Ramírez days before.

This was one of several violent attacks carried out during the elections against people known or perceived to be members of the **Convergencia Democrática** or of other left-wing political parties. In February a CD activist and two members of the opposition **Unión Democrática Nacional (UDN)** were killed and in March another UDN activist was shot in the face. In all cases, those responsible are alleged to have been members of the military, or gunmen linked to the ruling ARENA party.

Detention and Torture

Three weeks before his death, on 14 April 1991, Gustavo Rosa Ramírez Aguilar and 5 other residents of the El Charcón community were detained by members of the National Police as they were on their way to play football. Though the maximum period during which a detainee can be kept legally in police custody is 72 hours, they were held incommunicado for ten days in the National Police headquarters in San Salvador, without access to lawyers or family. All six reported having been tortured and coerced to try and force them to admit to being criminals and collaborators of the armed opposition group **Frente Farabundo Martí para la Liberación Nacional (FMLN)**, the Farabundo Martí National Liberation Front. After ten days they were taken before a court on charges of belonging to a band of rapists and criminals. Several days later they were released on the grounds that there was insufficient evidence against them.

On his release, Gustavo Rosa Ramírez Aguilar described his arrest and subsequent ordeal in a testimony given to CRIPDES. His description of the methods of torture he endured are consistent with the forms of torture most frequently reported by Salvadorian detainees: beatings causing internal injuries, being held blindfolded for long periods and semi-asphyxiation with a rubber hood. Such methods leave

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few visible marks and are frequently used as a means of terrorizing the detainee into giving information or signing self-incriminatory statements. The denial of access to relatives and lawyers gives interrogators a freer hand to use such practices.

"..They grabbed me at the Chilama bridge where I was waiting for my friends with whom I was going to play football... They handcuffed me with my hands behind.. and they threw me into a small car with tinted windows and elbowed me in the right cheek. They grabbed the three of us.. and took us to the Municipal Police of Puerto. There at midday another car arrived, a pick-up, with the other three lying face down and they put us on top of them, They said they were going to leave us dead in a place known as Puertas Negras.

They took us to the National Police here in San Salvador and they blindfolded us and put us in a dark room and began beating us until two in the morning. We were each in separate rooms. You could hear the others' screams, they hit you so much there. They punched us in the stomach with their hands and they kicked us hard in the back. They came at about two in the afternoon and they punished us until two in the morning. They put a plastic bag over the blindfold and covered my mouth and nose with their hand, with the other hand on my neck. They put the plastic bag on me about four times, They told me to confess that I had FAL and AK-47 machine guns. I handed them over a 22 rifle that I had at home because I couldn't bear the punches in the stomach any longer. they also grabbed me by the hair and beat me against the wall until blood came out of my left ear... During the night I had a very high temperature as a result of the beatings and my swollen stomach..

The next day, Wednesday, they punished me again and took us to a basement. They took out the whole group to interrogate us. Before going into the basement they put the blindfolds on. They said they were going to put the bag on us because we were guerrilleros, thugs, rapists and all sorts of things. One of them stood on my outstretched leg so that I would tell the truth. They pulled my hair and hit me on the head with the side of the hand so that I would tell them where the weapons were. There they saw that we weren't going to say anything. We were in the basement from two in the afternoon to nine at night when they took us out of there and took off our blindfolds.

They took us out to take photographs and forced me to carry the 22 rifle for the photograph. They took photos of the group three times. While I was blindfolded they forced me to put my fingerprint on a piece of paper, they grabbed my finger and placed it on the paper without telling me what it was. They kept us in the Central for ten days and then transferred us to Santa Tecla where we made a statement before a judge...On the Friday we came out of the Municipal Police in Santa Tecla."(2)

Testimony of Gustavo Rosa Ramírez Aguilar

Gustavo Ramírez's friend, **Juan Carlos Nuñez Guardado**, who was detained with him, described how he suffered very similar methods of torture: he was punched repeatedly in the stomach, hit over the ears and had a plastic bag (capucha) tightened over his head until he reached the point of asphyxia so as to extract a confession from him:

".. They took us blindfolded to a basement; they interrogated us and kept hitting us on the head..

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They wouldn't allow our families in to see us...They took us to make a statement in the Police and they put whatever they wanted in the statement, things that I hadn't said, that we went round stealing, raping and they forced us to sign and to put ten fingerprints because if not they would hit us." (3)

Another of the detainees, 19-year-old **Roberto Carlos Castillo Quintanilla**, claimed that the National Police used similar coercive and intimidatory practices during his interrogation:

"There they put us inside and beat us, as if they wanted to extract the truth by sheer blows, but we knew nothing..They separated us one by one but you could always here the others being beaten. They kept us blindfolded and punched us in the stomach and in the chest with their hands and they kicked us. They put a plastic bag over the face. They put it on me for three times until I couldn't bear it any longer."(4)

A seventh person was detained in the afternoon of 14 April in connection with the earlier arrests. **Alfonso Reyes**, a day-worker from nearby Conchalfo in San Rafael, was waiting for a bus by the Chilama bridge when he was arrested by uniformed soldiers, on the grounds that he lived in the same community as those arrested earlier. In his testimony, he said that on arrival at the National Police in Puerto de la Libertad, a detective asked him if he knew why he was being held:

"I said no and he said 'You'll soon find out'. He took me out to put the capucha on me. They put this plastic bag on my head. First they put my shirt and then the plastic bag over it and then they put their hands over my nose and mouth until I couldn't bear it any more. They put it on me about five times in the Puerto. They asked me if I had weapons and how many times I'd gone around robbing and raping. Now you're going to confess' they said to me and I said that I wasn't going to confess to something that was false."(5)

He was transferred the next day to the National Police in San Salvador, where he too was beaten in the stomach and on the ears and face in an attempt to force him to confess. The police interrogators also threatened him with further torture:

"They took us to some chairs where we could hear a metallic sound but we couldn't see anything because they didn't take our blindfolds off. There they told us that we had to confess or else they would decapitate us and nobody would find out. They kept questioning me and threatening me saying that to start with they would pull out my nails."(6)

Threats were also used against eighteen-year-old **José Balbino Serrano Ramírez**. The National Police threatened to make him "disappear" and placed a gun against his head during interrogation. He said that the police showed him a list of names of people they were supposedly looking for and had threatened that "even the little old people on the list would be knocked off" [aunque sea viejitos van a caer].

BACKGROUND TO THESE EVENTS

The detainees linked their arrest to earlier harassment by a local ARENA party member and her family at the time of the elections. One of the detained men said that at that time the ARENA member had tried to

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make him attend an ARENA public meeting, which he had not attended because he had been at work. He claimed she had then threatened to throw him and other desplazados onto the street. On the day of the arrests, relatives of the detainees claimed they saw one of the ARENA members concerned in vehicle with tinted windows parked just outside the National Police headquarters. The same woman testified against the detainees before the judge shortly before they were released.

Humanitarian organizations working with communities of displaced people believe these events illustrate a governmental strategy of repression against people who have been displaced by the conflict between the FMLN and the government's armed forces. Displaced people and refugees who have resettled in self-organized communities have been prime targets of human rights violations by government forces, who accuse them of collaborating with the FMLN. CRIPDES and other organizations working with the displaced and with refugees claim that the present government is using these accusations as a pretext for evicting resettlers from their land, as part of a policy to reverse the process of agrarian reform initiated under the previous administration.



Amnesty International is concerned at the "death squad"-style killing of Gustavo Rosa Ramírez Aguilar. The organization has for many years deplored the persistent failure by the authorities to carry out effective investigations into alleged extrajudicial killings. It is appealing to the Salvadorian government to ensure that all allegations of involvement of government security forces in the death of Gustavo Rosa Ramírez Aguilar be rigorously examined by an independent judicial body and that those responsible be brought to justice.

Amnesty International is also urging that the government include as part of its investigations an enquiry into reports that he and six other residents of El Charcón were held *incomunicado* for ten days by the

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National Police, in violation of legal detention procedures which stipulate that detainees must be brought before a judge within 72 hours of arrest. Allegations that the seven detainees were tortured during detention should be thoroughly investigated and any police officers found responsible should be sanctioned as appropriate.

The organization is calling on the government to comply with the commitments made in the Agreement on Human Rights of July 1990, in which the government and the FMLN pledged to guarantee the protection of displaced people, as well as to take steps immediately to investigate and prevent all practices which are an attack on the right to life. It is also asking the government to take steps urgently to ensure the safety of the family of Gustavo Ramírez Aguilar, particularly in view of the threats they received after his death.

SPANISH ORIGINAL OF QUOTES FROM TESTIMONIES:

(1) "Yo digo que no quieren ayudarnos...Por las amenazas que han llegado a hacerle a mi mamá a la casa de que nos van a matar a todas, nos preocupa esta situación de temor que tenemos en nuestras casas, ya que no hay nadie por nosotros."

(2) "Me agarraron en el Puente Chilama donde esperaba a mis amigos con quien iba a jugar al futbol...Me pusieron las esposas con las manos atras...y me echaron en un carro pequeño con vidrios oscuros y me pegaban con el codo en el cachete derecho. Nos agarraron a nosotros tres..y nos llevaron a la Policia Municipal del Puerto. Ya allí al mediodía llegó otro carro, un pick-up, con los otros tres tirado boca abajo y nos metieron encima de ellos. Decían que nos iban a dejar muertos por un lugar conocido como Puertas Negras. Nos llevaron a la Policía Nacional aquí en San Salvador y nos vendaron y nos metieron en un cuarto oscuro y empezaron a golpearlos hasta las dos de la mañana. Estabamos en un cuarto cada uno. Allí se oían los gritos de los otros porque allí es demasiado como le pegan a uno. Nos pegaban en el estómago con las manos y nos daban unas grandes patadas en la espalda. Llegaron como a las dos de la tarde y nos castigaron hasta las dos de la mañana. Me pusieron una bolsa de plástico encima de la venda y taparon la nariz y la boca con la mano y pusieron la otra mano en el pescuezo. Me pusieron la bolsa de plástico como cuatro veces. Decían que me hiciera cargo de que yo tenía unos FALes y un AK-47. Yo les entregue un fusil 22 que tenía en la casa porque ya no aguantaba los golpes en el estómago. También me agarraron por el pelo y me daban en la pared hasta que salió sangre de mi oído izquierdo... En la noche me daba calentura de los golpes porque se hinchaba el estómago... El siguiente día miércoles... me volvieron a castigar y nos llevaron a un sotano. Sacaban todo el grupo para interrogarnos. Allí antes de entrar al sótano nos pusieron las vendas. Decían que nos iban a embolsar porque eramos guerrilleros, mañosos, violadores de mujeres, y todo. Se paró uno en mi pierna con la pierna estirada para que yo diera la verdad. Me jalaban por el pelo y me pegaban en la nuca con el lado de la mano para que yo les dijera dónde tenía las armas. Allí vieron que no íbamos a decir nada. Estabamos en el sotano desde las dos de la tarde hasta las nueve de la noche cuando nos sacaron de allí y nos sacaron para afuera y quitaron las vendas. Nos sacaron para tomar fotos y me obligaron a llevar el fusil 22 para la foto. Tres veces tomaron fotos del grupo. Cuando me tenían vendado me obligaron a poner mi huella en un papel, agarraron a mi dedo y lo pusieron en un papelito sin decirme lo que era. Nos tuvieron en el Central por diez días y después nos pasaron a Santa Tecla donde fue la declaración de nosotros... Salimos el día viernes de la Policía Municipal de Santa Tecla."

(3) "Nos llevaron vendados a un sotano; nos interrogaron siempre con golpes allí en la cabeza con la mano...No dejaban entrar que nos viera la familia...Nos llevaron a declarar allí en la Policia y pusieron lo que querían ellos en la declaración, cosas que yo no les había dicho, que nosotros habíamos andado robando, violando, y nos obligaron a firmarla y a poner las huellas de los diez dedos porque si no le pegan a uno."

(4) "Allí nos metieron adentro y nos golpearon, queriendo sacar la verdad a puros golpes, pero nosotros no sabíamos nada... Nos separaron uno por uno pero siempre se oía los golpes de los demás. Nos tenían vendados y nos golpearon en el estómago y en el pecho con las manos y nos daban patadas. Metían una bolsa de plástico en la cara. A mí me lo pusieron tres veces hasta que ya no aguantaba."

(5) "Le decía que no y dijo "ya vas a saber". Me sacó para ponerme la capucha. Me pusieron esta bolsa de plástico en la cabeza. Primero pusieron mi camisa y después la bolsa plástica encima y luego me socaron de la nariz y la boca con las manos hasta que no aguantaba. La puso como cinco veces allí en el Puerto. Me preguntaban si habían armas y cuantas veces había andado robando y violando. "Aquí va a hacer cargo" me decían y yo les decía que no iba a hacer cargo de lo que era falso".

(6) Nos llevaron a unas sillas donde oímos un sonido como de lata pero no vimos nada porque no nos quitaron las vendas. Allí nos decían que hicieramos cargo y si no, nos iban a arrancar las cabezas y que nadie iba a dar cuenta. Solo me preguntaban y me amenazaron diciendo que iban a arrancar las uñas para empezar."

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(7) "Nos decían que por ser desplazados nos basabamos en los Derechos Humanos y que eramos unos grandes ladrones igual que quienes los defienden"

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*"They said to us
that as displaced
people we based
ourselves on
human rights and
were nothing but
thieves just like
those who defend
those rights"(7)*

Resident of El
Charcón detained
with Gustavo Ramírez.

**Body of
Gustavo Ramírez**