

EXTERNAL (for general distribution)

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"Disappearance"

28 March 1991

PERU: Gerardo YAURI COLQUECHAGUA, aged 34

Amnesty International is concerned at reports of the "disappearance" of Gerardo Yauri Colquechagua from the Huarhuas area of Tarma province, Junín department, following his detention by members of the army.

On 16 February 1991 at approximately 3pm Gerardo Yauri Colquechagua, a member of the Automobile Committee of Tarma, was making his way to participate in a football match along with other members of the Committee. An army patrol and two men wearing civilian clothes, apparently searching for a person accused of terrorism, approached the group. A minor who was being held by the patrol pointed out Gerardo Yauri as the head of the terrorists in that region. The soldiers then reportedly covered Gerardo Yauri's head with a hood and forced him into a white lorry. According to the testimony of Gerardo Yauri's brother-in-law, these events were witnessed by the other members of the football team.

Gerardo Yauri was reportedly taken as far as the "Santo Domingo" petrol station, where the soldiers changed vehicles, forcing the detainee into a lorry belonging to the Tarma military base.

On 18 February the family of Gerardo Yauri reportedly went to the Fiscal Provincial (Provincial Prosecutor) of Tarma, who asked the Jefe del Comando Político-Militar (Head of the political-military command) of Tarma about the events, which the latter denied. The relatives then went to see the Fiscal Superior Decano (Superior Attorney) of Huancayo and the Comando Militar (political-military Commander) of Huancayo, who denied the detention. A habeas corpus petition was also presented, with no apparent results. Gerardo Yauri remains "disappeared".

BACKGROUND INFORMATION

For the last eight years Amnesty International has received numerous reports of incommunicado and unacknowledged detentions from Peru, some of which have led to "disappearances". Most of them have occurred in rural areas and have been carried out by uniformed members of the security forces, who often refuse to acknowledge the detentions. Many of those detained by the armed forces "disappear" indefinitely; others are released after days or weeks in secret custody, during which time they may be subjected to torture. Sometimes their detention is acknowledged, after prolonged secret detention and interrogation.

In these cases detentions are only acknowledged to have occurred as of the date the detainees are transferred from military to police custody, when public prosecutors are informed of the detention. The armed forces as a rule never acknowledge having held prisoners prior to their transfer to the police. This is a major contributing factor to the continuing practice of torture and "disappearance".

Human rights violations take place in a context of increasingly violent activities by armed opposition groups, especially "Sendero Luminoso", which has claimed responsibility for hundreds of execution-style killings of government officials, leaders of left-wing political parties and members of peasant communities believed to have cooperated with the armed forces.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern about the reported "disappearance" after detention of Gerardi Yauri Colquechagua; mention that the detention took place in the presence of several witnesses;
- urging that his whereabouts and legal situation be immediately clarified;
- asking that while in detention he be humanely treated and given access to lawyers and relatives.

APPEALS TO:

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

Telegrams: Presidente Fujimori, Lima, Peru
Telexes: 20167 PE PALACIO; 20331 PE SEC PRE
Faxes: + 51 14 33 7020

General Jorge Torres Aciego
 Ministro de Defensa
 Ministerio de Defensa
 Avenida Boulevard s/n
 Monterrico
 Lima 33, PERU

Telegrams: Ministro Defensa Torres, Lima, Peru
Telexes: 25438 PE COMGREGJ
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Jefe Político-Militar de Junín
 General EP Manuel Delgado Rojas
 Av. 13 de Noviembre 259
 Huancayo
 Junín, PERU

Telegrams: Jefe Político-Militar Delgado Rojas
Telexes: 036 64036 PE CRC HYO

COPIES TO:

Señores
 CEAPAZ
 Apartado 11-0764
 Lima 11, PERU

and to diplomatic representatives of Peru in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 May 1991.