

EXTERNAL (for general distribution)

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"Disappearance"

17 October 1991

PERU:

Ricardo Fernando DEL RIO ADRIAN, 30

Amnesty International is concerned about the reported "disappearance" of Ricardo Fernando del Río Adrián, a farmer from the town of Tocache, Tocache province, San Martín department, following his detention by members of the army.

According to reports, on 9 September 1991 uniformed soldiers detained Ricardo Fernando del Río, who was with his young daughter in a restaurant in Tocache. Witnesses to the detention apparently took the child back to their hamlet and informed his common-law wife.

When the wife of Ricardo Fernando del Río went to the army base in Tocache (Base Contra-Subversiva No. 26) to obtain information about him, the army authorities refused to acknowledge his detention. The provincial attorney, fiscal provincial, received the same negative answer from the army authorities. On 14 September a step-sister of the detainee made inquiries at the army base and received a written answer denying the detention. According to reports, the Fiscalía Provincial Mixta de Tocache, the office of the provincial attorney of Tocache, ordered the opening of a police investigation into the case, classed as a crime against public peace and terrorism by "disappearance, delito contra la tranquilidad pública, terrorismo por desaparición."

The "disappearance" has also been denounced by relatives to the Justice and Human Rights Commission in the Chamber of Deputies, Presidencia de la Comisión de Justicia y Derechos humanos de la Cámara de Diputados, and Senate as well as to the human rights office of the Public Ministry. A habeas corpus writ has been filed with the San Martín examining magistrate juez instructor, without positive results yet.

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 carried out without warrant, by members of the security forces, especially the army, and is systematically denied by the authorities. In a small number of cases the fate of a "disappeared" person has been clarified when they are transferred to police custody, released, or they 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 Ricardo Fernando del Río Adrián following his detention by the armed forces;
- urging that his whereabouts and legal situation be immediately clarified;
- asking that if detained he be immediately brought before a judge or released;
- asking that while in detention he be humanely treated and given access to a lawyer, a doctor and relatives.

APPEALS TO

1.

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

2.

General EP Jorge Torres Aciego
Ministro de Defensa
Ministerio de Defensa
Avenida Boulevard
Monterrico
Lima 33, Perú

Señor Ministro

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

3.

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

Señor Embajador

Telegrams: Sr Subsecretario, Ministerio Relaciones
Exteriores, Lima, Peru
Telexes: 20142/20165/20467 (Attn: Sr Subsecretario)
25435 PE ESTADO

COPIES TO:

Señores
CEAPAZ
Apdo. 11-0764
Lima 11, Perú (human rights organization)

and to diplomatic representatives of Perú in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat or your section office if sending appeals after 28 November 1991.