

EXTERNAL (for general distribution)

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UA 357/92

Death threats and harassment

16 November 1992

PARAGUAY:

Ramón MELGAREJO ORTEGA, aged 16

Amnesty International is concerned for the safety of 16 year-old Ramón Melgarejo Ortega. The organization has received information that Ramón Melgarejo has been the victim of persecution, including death threats and harassment, by agents of the Paraguayan police force since making allegations of torture and ill-treatment against them in April 1992.

According to his sworn statement, Ramón Melgarejo was arbitrarily detained by the police on 6 April 1992 whilst travelling on a bus. He was taken to the 26th police station in San Lorenzo on the outskirts of the capital Asunción. He states that he was blindfolded and handcuffed to a chair and interrogated about alleged thefts. A plastic bag was repeatedly placed over his head and tied around his neck bringing him close to the point of asphyxiation. He alleges that he was later beaten on the palms of his hands and suffered injuries to his mouth when a police officer used pliers to grip and tear the tissue under his tongue. He was released without charge on 8 April. A medical certificate confirms that on 8 April he received treatment for injuries consistent with his allegations of torture. A judicial investigation was subsequently opened into the allegations of torture and ill-treatment on presentation of an official complaint, *querrela*, by Ramón Melgarejo against named police officers. The judge in charge of the case has now called the two police officers allegedly responsible to make statements before the court on a date which has not yet been fixed. There is serious concern that the threats and harassment against Ramón Melgarejo will now be increased.

Subsequent to the presentation of the *querrela*, Ramón Melgarejo states that he has repeatedly been harassed by the police and has been arbitrarily detained on at least two occasions. Recently, on 18 October, police officers allegedly came to his mother's home asking for him; his lawyer later verified that there was no warrant for his arrest. On 24 October armed police in civilian dress, who appeared to have been drinking heavily, reportedly forced entry into Ramón Melgarejo's sister's house, where he was sleeping. They questioned a brother of his who was also staying there at gunpoint as to his whereabouts. Ramón Melgarejo fled from the back of the house. One police officer reportedly fired three shots at him but missed, reportedly remarking that next time he would not miss.

On 26 October Ramón Melgarejo's mother presented a preventive *habeas corpus* on his behalf, seeking to protect him from further harassment. The *habeas corpus* has not yet been resolved although the maximum time permitted for response is 48 hours.

BACKGROUND INFORMATION

The general human rights situation in Paraguay has improved considerably since the government of General Andrés Rodríguez took power in February 1989. However Amnesty International is concerned at continuing reports of the torture of young people in detention centres and police stations by the Paraguayan police. The Paraguayan government has publicly condemned torture, but although a number of formal complaints have been presented in the courts, in the majority of cases judicial authorities have failed to conduct thorough investigations into these complaints and to bring those responsible to justice.

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

- expressing concern at the death threats and harassment against 16 year-old Ramón Melgarejo by officers of the Paraguayan police, allegedly as a result of the presentation of a *querrela* against police officers for torture and ill-treatment;

- urging that there be an immediate and thorough investigation into the threats and harassment, the results of which should be made public and those responsible brought to justice;

- urging that all possible measures be taken to protect Ramón Melgarejo from further death threats and harassment.

APPEALS TO

1) Minister of the Interior:

Excmo. Sr. Ministro del Interior
General de División (R)
Orlando Machuca Vargas
Ministerio del Interior
Estrella y Montevideo
Asunción, Paraguay

Salutation: Dear Minister/
Sr. Ministro del Interior

Telegrams: Ministro del Interior, Ministerio del Interior, Asuncion, Paraguay

2) Chief of Police of Asunción:

Sr. Jefe de la Policia de la Capital
Comisario General
Germán Franco Vargas
Departamento Central de la Policía
El Paraguayo Independiente y Chile y N.S. de la Asunción
Asunción, Paraguay

Salutation: Dear Chief of Police/
Sr. Jefe de la Policia
de la Capital

**Telegrams: Jefe de la Policia, Departamento Central de la Policia
Asuncion, Paraguay**

Telexes: 44154 ccpol

3) Attorney General:

Fiscal General de Estado
Dr. Luís Escobar Faella
Palacio de Justicia
Chile y 14 de julio
Asunción, Paraguay

Salutation: Dear Attorney General/
Sr. Fiscal de Estado

Telegrams: Fiscal General de Estado, Palacio de Justicia, Asuncion, Paraguay

Telexes: 22138 ofsan

4) President of the Supreme Court of Justice:

Sr. Presidente de la Corte Suprema de Justicia
Sr. José Alberto Correa

Salutation: Dear President of the
Supreme Court of Justice/

Palacio de Justicia
Chile y 14 de julio
Asunción, Paraguay

Sr. Presidente de la Corte
Suprema de Justicia

Telegrams: Presidente de la Corte Suprema de Justicia, Palacio de Justicia
Asuncion, Paraguay

Telexes: 25182

COPIES OF YOUR APPEALS TO:

Lawyers' association:

Fundación Tekojojo
CC 1364
Asunción, Paraguay

and to diplomatic representatives of Paraguay accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 28 December 1992.