

EXTERNAL (for general distribution)

AI Index: AMR 29/07/87
Distrib : CO/GR + rel SC

Amnesty International
 International Secretariat
 1 Easton Street
 London WC1X 8DJ
 United Kingdom

20 February 1987

EL SALVADOR

INVESTIGATIONS INTO TORTURE ALLEGATIONS

1. Reyna Isabel HERNANDEZ DE CASTRO
2. Gregoria PAISA VIDES
3. Herbert Ernesto ANAYA SANABRIA
4. Reynaldo Leonidas BLANCO ROJAS
5. Rafael Antonio TEREZON RAMOS

(for background on these cases, see AMR 29/59/86 - Allegations of Torture of detained Human Rights Workers).

6. Gilberto Omar LOPEZ SANCHEZ
7. Maximiliano CASTRO NAVAS
8. Antonio CAMPOS MENDOZA

(for background information on these cases, see UA 73/86 AMR 29/22/86 and 29/27/86 - Fear of Torture; AMR 29/06/86 - Human Rights Violations directed at Trade Unionists in El Salvador; AMR 29/41/86 - Medical Action). (The fourth person mentioned in these actions, José Salomón SANCHEZ MARTIR, had already been released on 16 November 1986).

9. Brigido BELTRAN SANCHEZ

(for background information on this case, see UA 04/86 AMR 29/02/86 and AMR 29/04/86 - Fear of Torture; AMR 29/12/86 - Detention of Brigido Beltrán Sánchez and other recent apparently arbitrary arrests of lay church and refugee workers)

10. Oscar Ramón ROSALES MELENDEZ

(for background information on this case, see UA 281/85 AMR 29/42/85 and 29/13/85 - Fear of Torture)

* * * *

The above-mentioned prisoners were among the 57 political prisoners released in El Salvador on 2 February 1987 in exchange for Col. Omar Napoleón Avalos, former Head of Civil Aviation, who had been held by the armed opposition since October 1985. All have reportedly opted for remaining in El Salvador. According to an Agence France Presse (AFP) news agency report of 2 February, released human rights worker Herbert Anaya Sanabria said that he did not fear remaining in the country and that "we are members of trade unionists, cooperatives and associations and not guerrillas which is what the government accuses us of. We have legitimate rights." (No somos guerrilleros como se nos acusa el gobierno, sino

miembros de sindicatos, cooperativas y gremios, que tenemos legítimos derechos.")

In its initial actions on behalf of the above-mentioned prisoners, Amnesty International members expressed fear that the prisoners might be subjected to torture while held in administrative detention (1). Subsequently, allegations of physical and/or psychological torture were received with respect to all the above-mentioned cases. The organization is therefore asking the Salvadorian authorities for an investigation into these allegations and for any persons found to have been responsible for torture or inhuman or degrading treatment to be brought to justice.

In October 1985, Amnesty International documented its concerns regarding the reported use of torture to extract extrajudicial statements (which may then be used as evidence against the prisoner) in "Recent Allegations of Torture of Political Prisoners" - AMR 29/45/85. A February 1987 document "Two Cases of Legal Concern" - AMR 29/02/87, details Amnesty International's concerns with respect to the inadequate functioning of El Salvador's judiciary, resulting in large-scale, long-term untried political detention and creating a judicial framework which contributes to human rights abuses such as the torture of detainees.

* * * *

Under Decree Law 50 of February 1984, governing penal proceedings against persons accused of offences against the State while constitutional guarantees are suspended under the State of Siege, detainees may be held for 15 days in administrative detention during which they may not be permitted access to family or legal counsel. It is during this period - and particularly during the first eight days of complete incommunicado detention - that torture is frequently reported to occur.