

URGENT ACTION

DISAPPEARED DURING COVID-19 QUARANTINE

22-year old Facundo Astudillo Castro went missing on 30 April 2020. Police arrested him in Mayor Buratovich town in the Province of Buenos Aires for violating the COVID-19 quarantine imposed by the State at the national level. Contradicting police accounts and other testimonies lead to a presumption of responsibility by the police officers involved. On 2 July his family filed a federal complaint to start investigations into Facundo's disappearance. Facundo is still missing. We demand authorities to determine Facundo's whereabouts, ensure an independent, effective and impartial investigation on the case making the results public, and to bring those responsible for his disappearance to justice.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Mr. Sergio Berni
Ministry of Security, Province of Buenos Aires
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Twitter: @SergioBerniArg

Dear Minister Berni,

Facundo Astudillo Castro, 22, went missing on 30 April 2020 in the Province of Buenos Aires. Three witnesses saw police detain him in the Mayor Buratovich town, while looking for a ride to Bahia Blanca. Police accused him of allegedly violating the COVID-19 quarantine imposed by the State at the national level.

After more than 80 days Facundo is still missing. Contradicting accounts by the involved police officers, and other testimonies lead to a presumption of responsibility by the police in his disappearance. Consequently, the UN Committee on Enforced Disappearances also called on Argentina to immediately investigate his disappearance (Res. 906/2020).

I call on you to urgently adopt all the necessary measures to find Facundo Astudillo Castro and ensure an independent, effective and impartial investigation into the events occurred, to make the results public, and to bring those responsible for Facundo's disappearance to justice.

Yours sincerely,

ADDITIONAL INFORMATION

On 12 March 2020 President Alberto Fernández declared a “sanitary emergency” pursuant to Law 27.541 due to the COVID-19 pandemic. A week later, on 19 March, he ordered mandatory confinement for all the inhabitants of the country, pursuant to emergency decree n. 297/2020.

Measures restricting freedom of movement and assembly (social distancing and mandatory confinement) have been strictly enforced. Amnesty International has verified more than 20 cases of unlawful use of force against people allegedly violating the governmental measures to contain the COVID-19 spread.

After Facundo went missing, a “whereabouts investigation” case was filed at the Villarino Office. Following two months of unfruitful investigation and some irregularities and contradictory statements by the police, on 2 July, the family -with lawyers Luciano Peretto Ithurralde y Leandro Aparicio- filed a criminal complaint with the federal justice system so that the forced disappearance could be investigated.

Four members of the Buenos Aires Province police are under suspicion after a string of contradictions in their statements to investigators. One is said to have claimed Castro left in a truck after being stopped by officers, though he later changed his story to say the 22-year-old departed on foot. Three witness accounts, however, say the young man was put into a police vehicle.

After more than 80 days missing, and despite several measures conducted to find Facundo including raking operations along National Road 3, and tests in two of the vehicles of the police for “possible blood stains”, and testimonial hearings, the investigations on the case has not yet resulted in finding Facundo.

On 6 July, The Provincial Commission for Memory (CPM) - an autonomous and independent public body- intervened as local Mechanism for the Prevention of Torture and introduced a petition for urgent action before the United Nations Committee against Forced Disappearance; underlying the contradictions in the testimonies of the police officers involved in the arrest operation that lead to the presumption of responsibility of the officers in the disappearance of Facundo.

On 10 July, the UN Committee on Enforced Disappearances called on the state to adopt a “comprehensive strategy” to find Facundo and to complete an “immediate and exhaustive” investigation into the disappearance of a 22-year-old who was last seen being detained at a police checkpoint in Buenos Aires Province (Res. 906/2020)

The International Convention for the Protection of All Persons from Enforced Disappearance defines an enforced disappearance as “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.” Argentina has ratified the convention in 2007 (Law Ley 26.298).

PREFERRED LANGUAGE TO ADDRESS TARGET: SPANISH

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 1 September 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Facundo Astudillo Castro (He, him, his)

LINK TO PREVIOUS UA: n/a

ADDITIONAL TARGETS

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