

# Press Release

Inter-American Court of Human Rights

CorteIDH\_CP-45/18 Inglés

Should you have any trouble viewing this message, please click [here](#)



## **PERU IS RESPONSIBLE FOR THE ENFORCED DISAPPEARANCE OF FIVE PEOPLE**

*San José, Costa Rica, 30 October 2018.* - In the judgment published today in the Case *Terrones Silva et al v. Peru*, the Inter-American Court of Human Rights (the Court) declared that Peru is responsible for the enforced disappearance of Wilfredo Terrones Silva, Teresa Díaz Aparicio, Néstor Rojas Medina and Cory Clodolia Tenicela Tello, as well as for the enforced disappearance and torture inflicted on Santiago Antezana Cueto. The official summary of the judgment can be found [here](#) and the entire text of the judgment [here](#) (in Spanish).

The Court determined that the enforced disappearances, which were committed between 1984 and 1992, took place in the context of an armed conflict in Peru during which there was a systematic practice of forced disappearances as part of the Peruvian State's fight against terrorism. This practice was targeted, *inter alia*, against members of the Communist Party of Peru - Shining Path, without distinction between members, collaborators or supporters. In particular, the Court determined that between 1980 and 1995 university students were specifically persecuted, since universities were connected to the emergence of Shining Path.

After analyzing all the elements of the case, the Court considered sufficiently proved that the five victims were subject to enforced disappearance in violation of their rights to personal liberty, personal integrity, life and juridical personality.

Additionally, the Court concluded that Peru violated the victims' right to a fair trial and their right to judicial protection, since the investigations were not initiated *ex officio*, were not carried out with due diligence within a reasonable time in order to identify, prosecute and, where appropriate, sanction those responsible for these acts and did not find the whereabouts of the victims.

The Court also declared that the State was neither diligent in the framework of the criminal conviction against one of the persons responsible for the enforced disappearance of Santiago Antezana Cueto, nor carried out an investigation into the acts of torture to which Mr. Antezana was subject. The Court additionally concluded that the State is responsible for the violation of the right to know the truth.

Lastly, the Court declared that the State violated the victims' relatives' right to personal integrity due to the impact and consequences of these facts.

In view of these violations, the Court ordered several measures of reparation.

\*\*\*\*


The Court's composition for the sentence included the following: Judge Eduardo Ferrer MacGregor Poisot, President (Mexico); Judge Eduardo Vio Grossi, Vice-President (Chile); Judge Humberto Antonio Sierra Porto (Colombia); Judge Eugenio Raúl Zaffaroni (Argentina); and Judge Patricio Pazmiño Freire (Ecuador). Due to force majeure reasons accepted by the Plenary of the Court, Judge Elizabeth Odio Benito (Costa Rica), did not participate in this period of sessions.

\*\*\*\*

This press release was produced by the Secretariat of the Inter-American Court of Human Rights, which has the sole responsibility to do so.

For the latest information please visit the website of the Inter-American Court, <http://corteidh.or.cr/en>, or send an email to Pablo Saavedra Alessandri, Secretary, at [corteidh@corteidh.or.cr](mailto:corteidh@corteidh.or.cr).

For press inquiries please contact Marta Cabrera Martín at [prensa@corteidh.or.cr](mailto:prensa@corteidh.or.cr). You can sign up for updates from the court [here](#) or unsubscribe sending an email at [biblioteca@corteidh.or.cr](mailto:biblioteca@corteidh.or.cr). You can also follow the activities of the Court on [Facebook](#), [Twitter](#) and [Flickr](#).

[Corte Interamericana de Derechos Humanos](#). 2018.  BY-NC-ND  
Esta obra está bajo una [Licencia Creative Commons Atribución-NoComercial-SinDerivadas 3.0 Unported](#)  
Avenida 10, Calles 45 y 47 Los Yoses, San Pedro, San José, Costa Rica.



Facebook



Twitter



Correo



(506) 2527 - 1600



(506) 2280 - 5074



Apdo. 6906 - 1000  
San José, Costa Rica



[corteidh@corteidh.or.cr](mailto:corteidh@corteidh.or.cr)



[www.corteidh.or.cr](http://www.corteidh.or.cr)