

PUBLIC

AI Index: AMR 46/009/2009

9 June 2009

UA 143/09

Fear for safety

PERU

At least 79 Indigenous demonstrators in police and military custody

At least 169 injured Indigenous demonstrators

Scores of demonstrators from Indigenous communities in the Amazon were detained and at least 169 injured after demonstrators were forcibly dispersed in the town of Bagua, in Amazonas Department. The government has given no details of those injured or detained.

Members of Indigenous communities had begun demonstrations in mid-April in protest about a series of legislative decrees over the use of land and natural resources in the Amazonian jungle. Indigenous communities were not consulted on this legislation, despite the fact that Peru has ratified the International Labour Organization Convention 169, which obliges them to consult with Indigenous Peoples on any decisions or legislation which affect their interest. As a result of the protests, on 9 May the government declared a 60-day state of emergency in the area.

On 5 June, after 50 days of protests, the National Police forcibly removed Indigenous protestors who had blocked the approach road to Bagua. This action left at least nine Indigenous people and 24 police officers dead and at least 200 injured, including 31 police officers. The number of protestors killed is feared to be higher. According to local sources, some of the protestors who have been injured are not receiving adequate medical care, as local health centres are not well equipped.

The Ombudsperson's office has confirmed that 79 demonstrators are in police and army custody. However, it is not clear how they are being treated, what they have been charged with, and whether they have access to medical care or legal assistance.

BACKGROUND INFORMATION

Amnesty International has received reports of excessive use of force by police, as well as cases of police officers being abducted and killed by members of Indigenous communities.

Several leaders of the Indigenous organizations linked to the protests have been charged with sedition and conspiracy to take action against public order. Among them is Alberto Pizango Chota, President of the *Asociación Interétnica de Desarrollo de la Selva Peruana* (Interethnic Association for the Development of the Peruvian Jungle). On 6 June the authorities issued a warrant for his arrest, and added new charges, including homicide (*homicidio calificado*), attacks against the armed forces and illegal possession of firearms. The charges carry sentences of up to 35 years' imprisonment. Alberto Pizango is understood to have sought refuge at the Nicaraguan Embassy in Lima on 8 June.

In a speech on 8 June, President Alan Garcia linked Indigenous protestors to the armed opposition group *Sendero Luminoso* (Shining Path) and accused them of terrorism.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern at the reported serious human rights violations in the operation in Bagua, Amazonas Department, which led to the deaths of at least nine Indigenous demonstrators and 24 police officers, as well as to injuries to at least 169 Indigenous demonstrators and 31 police officers;
- urging the authorities to ensure that all those injured have access to medical care;
- urging the authorities to publish a list of all those being detained and their places of detention;
- expressing concern that President Alan Garcia has linked protestors with the armed opposition group Shining Path and accusing them of terrorism;
- urging the authorities to either charge those detained with recognisable criminal offences or to release them without charge, to allow them access to a lawyer, and to guarantee that no detainee will be subjected to any form of torture or other ill-treatment;
- calling on them to guarantee access to the area to human rights and humanitarian organizations;
- urging them to ensure that they consult and cooperate in good faith with Indigenous Peoples through their representative institutions before adopting and applying legislative or administrative measures that affect them.

APPEALS TO:

President of the Republic:

Sr. Alan García Pérez

Palacio de Gobierno

Plaza Mayor S/N.

Lima 1, PERÚ

Fax: + 51 1 311 3940

Salutation: Sr. Presidente

Prime Minister:

Sr. Yehude Simón Munaro

Av. 28 de Julio 878

Miraflores

Lima 18, PERÚ

Fax: + 51 1 716 8680

Salutation: Sr. Ministro

Minister of the Interior:

Sra. Mercedes Cabanillas Bustamante

Plaza 30 de Agosto s/n

Urb. Corpac - San Isidro

Lima 27, PERÚ

Fax: + 51 1 225 7234

Salutation: Sra. Ministra

COPIES TO:

Human rights organization:

Coordinadora Nacional de Derechos Humanos

Calle Pezet y Monel 2467

Lima 14

Perú

Fax: + 51 1 419 1112

Tel: + 51 1 419 1111

and to diplomatic representatives of Peru accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 21 July.