

# ***amnesty international***

## **PERU**

### **@ "DISAPPEARED" LECTURER AND STUDENTS KILLED BY THE ARMY**

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Further to Amnesty International document "Disappearance" of a Lecturer and Nine Students (AI Index: AMR 46/45/92, September 1992), Amnesty International has now learnt that all ten were apparently killed by the army.

According to information received by Amnesty International, in the early hours of 18 July 1992, members of the army entered the university campus of the *Universidad Nacional de Educación Enrique Guzmán y Valle*, Enrique Guzmán y Valle University of Education, located on the outskirts of Lima, the capital. The college is also known as *Universidad de la Cantuta*. The officers and soldiers detained nine students (seven men and two women). Around the same time a group of hooded men also entered the campus home of lecturer Hugo Muñoz Sánchez and detained him.

On 28 October 1992 the Government of Perú through its Permanent Mission in Geneva, Switzerland, transmitted to the United Nations Centre for Human Rights information it had received from the Ministry of Defence about investigations carried out into the alleged "disappearances". The Ministry of Defence had stated among other things, that: "After finishing its investigations, the Joint Command of the Armed Forces reported that [the students and lecturer] had not been detained or captured by members of the army under any circumstances". (*"El Comando Conjunto de las Fuerzas Armadas luego de concluir las investigaciones, informó que los mencionados [estudiantes y profesor] no han sido detenidos ni capturados bajo ninguna circunstancia por parte de efectivos militares".*)

In a statement made on 2 April 1993 before the *Congreso Constituyente Democrático*, CCD, Democratic Constituent Congress, Henry Pease, one of its members, claimed to have documents in his possession indicating that the detainees had been driven in an army lorry towards the Central Highway. On arriving at a place called Huachipa at about 4-30 am, the detainees were killed and buried, allegedly on the orders of a high-ranking army officer. Henry Pease further indicated that the following day orders were given to a lieutenant to exhume the bodies and transfer them to a safer place, to prevent them from being located.

Congressman Henry Pease also claimed to be in possession of documents that included the names of the army officers that ordered, took part in and were in full knowledge of, the operation leading to the alleged killing of the professor and students. However, due to the seriousness of the allegations, Henry Pease stated that it was necessary to keep this information confidential.

Also on 2 April, the CCD set up a special commission to investigate the incidents. This commission is reported to have 30 days to produce a report. Under the present Constitution and procedural rules of such commissions, the team investigating the allegations has the right to call anyone, including witnesses and members of the Government and the security forces, for questioning. Once a report is completed, the Commission must submit it to Congress for its approval. Only then may the report be formally transmitted to the Public Ministry for its consideration. Up to the present the vast majority of the cases of summary killings by the armed forces have not resulted in those responsible being brought to justice. In those few cases where a judicial investigation has been initiated the case is usually handled within the jurisdiction of the military courts. Most of these end with judgements absolving the accused of having committed any crime.

Amnesty International has repeatedly urged the Peruvian authorities to have all human rights violation cases brought before civilian courts.

The Public Ministry, on the basis of the report and its own investigations, may formalize charges against the perpetrators and have them brought to trial.