

PERU

@19-year-old student dies under torture

Amnesty International is seriously concerned about the reported death under torture of 19-year-old Peruvian student Jhoel Huamán García, of Cerro de Pasco, Pasco province, department of Pasco.

The organization is also concerned about reported death threats received by the victim's relatives and two journalists who claimed to have been harassed and threatened by members of the police, after having broadcast on the local radio and television strong protests at the reported killing of Jhoel Huamán at the hands of the police.

According to reports, Jhoel Huamán García was detained at midday of 26 May 1995, by members of the police in the building of the *Instituto Superior Pedagógico de Pasco Gamaniel Blanco Murillo*, Pasco's Teachers' Institute, Gamaniel Blanco Murillo.

The following day the victim's relatives were told at the police centre, where Jhoel García was reported to be held, that he had been transferred to the Daniel Alcides Carrión hospital. However, at the hospital the relatives were told that Jhoel Huamán was dead on arrival at the hospital.

The reports received indicate that two autopsies have been carried out on Jhoel Huamán's body. The first one was ordered by the police and was carried out by medical doctors of the Daniel Alcides Carrión hospital, in the presence of the secretary of the public attorney's office. This report is said to have stated that the cause of death of Jhoel Huamán was a heart attack.

Unsatisfied with this report, the victim's relatives and a local human rights organization requested a second autopsy by forensic medical doctors from Lima and Huánuco. This second autopsy was carried out on 31 May. The report of this second autopsy states as the cause of death "*traumatismo múltiple por efecto contundente, a consecuencia de la tortura que sufrió la víctima*", "multiple wounds caused by a blunt instrument, as a result of the torture suffered by the victim".

Trial procedures were initiated against three police officers at the *primer juzgado en lo penal de Pasco*, first criminal court of Pasco, for *lesión seguida de muerte*, death after injury. However the legal representatives of the victim's relatives believe that this charge diminishes the crime and is asking that it be changed to murder. The relatives' legal representative is also asking that the charge be extended to the police commander and a lieutenant.

According to the police, Jhoel Huamán was detained following a denunciation of assault and robbery. The death of Jhoel Huamán was followed by a protest march of his fellow students and by strong protests on the part of local and national human rights organizations and the media. The reports received by Amnesty International indicate that relatives of the victims have suffered harassment on the part of the police and that two journalists who protested the police abuse on radio and television, were followed, harassed and received death threats for which they believed members of the local police to be responsible.

BACKGROUND

The Peruvian security forces have been operating in a climate of impunity for at least 15 years. During this period human rights of detainees have been systematically violated. There have been only very few cases in which those responsible for human rights violations been brought to justice, and only a handful of these have been convicted.

In most of the trials concerning human rights violations by members of the security services, charges are brought against the lower ranking officers, while those in command appear to be beyond justice.

Journalists have been a target under the government of President Alberto Fujimori and those of his predecessors, Alan García and Fernando Belaúnde Terry. Since 1983 Amnesty International received numerous reports of journalists being threatened, harassed and sometimes even killed by members of the security forces or by civilians acting with their support.

Most of the reports of human rights violations received by Amnesty International occur in the context of the government's counter-insurgency operations directed against the clandestine armed opposition group *Partido Comunista del Perú, (Sendero Luminoso)*, PCP, Communist Party of Peru, (Shining Path) and other smaller groups. However, especially outside the main urban centres, journalists who denounce human rights violations outside the counter-insurgency context have also seen their personal security under threat by those who they have denounced.

KEYWORDS: DEATH IN CUSTODY / TORTURE/ILL-TREATMENT / STUDENTS / HARASSMENT / JOURNALISTS / FAMILIES / POLICE / POST MORTEMES /