

EXTERNAL

AI Index: AMR 46/26/95

28 November 1995

Further information on UA 237/95 (AMR 46/22/95, 12 October 1995) - Fear of re-detention / Fear of torture

**PERUCésar Augusto Sosa Silupú, prisoner of conscience
and 300 other former prisoners**

Former prisoner of conscience César Augusto Sosa Silupú has been re-detained.

Amnesty International considers him once again to be a prisoner of conscience and fears that his re-detention will be followed by the re-detention of hundreds of other former prisoners of conscience and possible prisoners of conscience.

César Augusto Sosa Silupú was detained on 16 November 1995 by members of the police at the National University of Piura, his place of work. His re-detention order was issued because on 6 June 1995 the Supreme Court of justice ruled to overturn, on procedural grounds, the July 1993 decision of a High Court to absolve César Augusto Sosa of the "crimes of terrorism".

Between August 1992 and July 1993 César Augusto Sosa was imprisoned after having been falsely accused of terrorism-related offences. Amnesty International adopted him as a prisoner of conscience because there was no evidence of him having any links whatsoever to the armed opposition, the charges he faced appeared to be politically motivated and he had neither used nor advocated violence.

Since May 1992, when Peru's current anti-terrorism legislation came into effect (see *Peru: Reforms of anti-terrorism laws fail to match international human rights standards*, AMR 46/06/95, October 1995) Amnesty International has adopted 83 prisoners of conscience, 59 of whom have already been released. In addition the organization has documented the cases of at least a further 800 possible prisoners of conscience, many of whom have been released.

The release of these prisoners of conscience and possible prisoners of conscience is ordered by the High Courts, who rule that the defendant is not guilty or that there is no case against them to answer. However, under Peru's current anti-terrorism legislation, High Courts' rulings have to be referred to the Supreme Court of Justice for ratification or veto. In recent months, the Supreme Court of Justice has frequently ruled to overturn these decisions. Independent human rights organizations claim that there are at least 300 former prisoners who, having been falsely charged with crimes of terrorism, and having spent up to 30 months in prison, face re-detention. Their cases have now to be heard again before High Courts, which are compelled to order their re-detention.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Spanish or in your own language:

- expressing concern at the re-detention of prisoner of conscience César Augusto Sosa Silupú on 16 November 1995;
- urging that he be released immediately and unconditionally;
- expressing concern that there are some 300 other released prisoners of conscience and possible prisoners of conscience who are also in danger of being re-detained;
- urging the authorities to take the necessary steps to ensure that those prisoners falsely accused of terrorism-related offences who have already been acquitted and released are not re-detained.

APPEALS TO:

Sr. Fernando Vega Santa Gadea
Ministro de Justicia
Ministerio de Justicia
Scipion Llona 350
San Isidro
Lima, PERU

Faxes: +5114 223577

Telegrams: Ministro de Justicia, Lima, Peru

Salutation: Dear Minister/Sr. Ministro

Sra. Martha Chávez Cossio
Presidente del Congreso
Plaza Bolívar, s/n
Lima, PERU

Telexes: 20002 pe sen rep

Telegram: Presidente del Congreso, Lima, Peru

Faxes: + 5114 328842

Salutation: Dear President of Congress/Sra. Presidente del Congreso

COPIES TO:

(Human rights organization)
Coordinadora Nacional de Derechos Humanos
Jr. Túpac Amaru 2467
Lima 14, PERU

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 10 January 1996.