

**Public**

AI Index: AMR 46/008/2003  
Distrib: PG/SC

To: Health professionals  
From: Medical team / Americas Program  
Date: 12 May 2003

## **MEDICAL ACTION**

### **Further information on medical documentation of torture Peru**

(See: AMR 46/006/2002, 5 September 2002)

**Key words** torture/ill-treatment / professional ethics

#### **Action**

On 5 September 2002, Amnesty International initiated a medical action based on its serious concern at the lack of effective investigation and prosecution of those who commit the crime of torture in Peru. Since torture was criminalized in February 1998, in only two cases have perpetrators been charged and punished under this law. (See also: *Peru: Torture and ill-treatment – Time to put words into practice*, AMR 46/05/2002, June 2002; available at: <http://web.amnesty.org/library/Index/ENGAMR460052002>)

AI argued that doctors can play an important role in helping to secure successful prosecution of perpetrators by providing effective medical evidence. Guidelines for the medical documentation of torture are set out in the Peruvian Medical Examination Protocol for the Detection of Injuries or Death as a Result of Torture (*Protocolo de Reconocimiento Médico Legal Para la Detección de Lesiones o Muertes Resultante de Tortura*). However, Amnesty International had received no evidence that these mandatory measures were being implemented. Amnesty International called for the (re)distribution of the protocol to all forensic, prison and police doctors, emphasizing that implementation of the protocol is compulsory. Amnesty International also called for training on the identification of injuries consistent with torture.

#### **Reaction**

A number of groups received responses from the Peruvian Minister of Health expressing surprise at receiving letters about torture but then saying that he realised that the letters were about torture cases dating from the last months of the Fujimori government. He told letter-writers that the current Peruvian government wanted to extradite Mr Fujimori from Japan in order to try him and he urged AI members to write to the Japanese authorities seeking Mr Fujimori's return to Peru to stand trial.

#### **Recommended actions & addresses**

If you have received a letter from the Peruvian health minister (or from other ministers) please respond as follows:

- Thank him for his letter
- Refer to the AI press release of 14 June 2002 calling on the Japanese authorities to either investigate Mr Fujimori or send him back to Peru

- State that the cases mentioned in the report “Peru: Torture and ill-treatment – Time to put words into practice” have not yet been resolved and call on the government to respond to them
- Mention that some of those alleging torture in the post-Fujimori period have been threatened when they have tried to obtain justice; urge the Minister to ensure that these people are protected and that such intimidation will not be tolerated.
- State again the point you made in your previous letter that detainees should be examined by a doctor upon arrival at a place of detention and on a frequent and regular basis throughout detention and imprisonment when requested and immediately before and after transfer or release.
- Call again on the authorities to provide resources for training programs for doctors, in particular forensic, police and prison doctors, on the implementation of the Istanbul Protocol on the medical investigation of torture.

**Amnesty International press release**

**AI Index: AMR 46/010/2002 (Public) News Service No: 101 14 June 2002**

**Peru/Japan: Alberto Fujimori must face justice for human rights violations**

The Japanese authorities must cooperate in ensuring that justice is done for the gross human rights violations - including crimes against humanity - committed during Alberto Fujimori's presidency, Amnesty International said today as the Peruvian government announced its decision to request the extradition of the former President, currently exiled in Japan.

"The thousands of victims of gross human rights violations committed in Peru during Alberto Fujimori's time in power deserve justice," the organization said. Human rights violations, including torture, "disappearance" and political killings, were widespread and systematic during Alberto Fujimori's ten-year presidency (1990 - 2000), and amounted at times to crimes against humanity.

"The Japanese government cannot -- and must not -- shirk its obligation to cooperate in bringing Alberto Fujimori to justice," Amnesty International added, urging the Japanese authorities to either grant Alberto Fujimori's extradition or to open an investigation into his responsibility for the human rights violations committed under his government.

"Bringing Alberto Fujimori to trial for the gross human rights violations committed during his presidency would send a clear, unequivocal message: nobody is above the law and the abuse of fundamental rights cannot be tolerated," the organization concluded.

**Addresses**

**Minister of Health**

Sr. Fernando Carbone  
 Ministro de Salud Pública  
 Ministerio de Salud Pública  
 Av. Salaverry s/n, Cuadra 8  
 Jesús María  
 Lima 11, PERÚ  
 Fax: +511 431 0093

Please send copies of your letter to the Colegio Médico del Perú at the following address:

Dr Álvaro Vidal Rivadeneyra  
 Decano del Colegio Médico del Perú  
 Malecón Armendáriz N° 791  
 Miraflores  
 Lima, PERÚ  
 Fax: +511.447.4930, E-mail: [cmp@colmed.org.pe](mailto:cmp@colmed.org.pe)

and to diplomatic representatives of Peru accredited to your country.

### **Monitoring of action**

If you have access to e-mail you can help our attempt to monitor letter-writing actions. If you write one or two letters, please send us an e-mail and let us know. Please write in the subject line of your e-mail the index number of the action and the number of letters you write:

e.g. AMR 46/008/2003 - 2. Please send your message to [medical@amnesty.org](mailto:medical@amnesty.org)

Thank you.