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Death threats / Fear for safety

26 June 1995

PERU

Tito Guido Gallegos Gallegos, human rights lawyer

On 23 June 1995 human rights lawyer Tito Guido Gallegos Gallegos reportedly received a letter at his home in the department of Puno threatening him with death. Amnesty International fears for his safety.

The one-page letter states: *"te exigimos que no jodas más... y no sigas metiendote en aquello que puedes lamentar pues de lo contrario te mataremos como al perro terrorista que eres... quiza debimos haberlo hecho antes... No te avisaremos más la proxima actuaremos pues conocemos todos tus movimientos"* "we urge you not to mess with us anymore... and to stop interfering in what you may regret, otherwise, we will kill you like the terrorist dog you are... perhaps we should have done it earlier. We will not warn you, next time we will act because we know all your movements".

The letter ends: *"Viva el Frente Militar Patriotico. Viva nuestras gloriosas y heroicas Fuerzas Armadas. La [ley de] amnistía es un deber y gratitud de la civilidad."* "Long live the Patriotic Military Front. Long live our glorious and heroic Armed Forces. The amnesty [Law] (see below) is a must and an expression of gratitude by civilised society".

Tito Gallegos is a lawyer of the *Vicaría de Solidaridad de la Prelatura de Juli*, a church-based human rights organization in the town of Juli, Chucuito province, Puno department. He has on numerous occasions represented victims of human rights violations.

Amnesty International believes that the death threats are a direct consequence of his opposition to an amnesty law which was promulgated by President Alberto Fujimori on 15 June 1995 and came into effect on 16 June. Indeed the letter states: *"... nunca te hemos molestado, pero nos hemos enterado que estas promoviendo la no aplicación de la Ley de Amnistía..."* "we have never bothered you, but we have learnt that you are promoting the non-application of the Amnesty Law..."

The amnesty law closes all investigations and judicial proceedings linked to past human rights violations and renders ineffective those few sentences handed down for such crimes. Amnesty International reiterates its unequivocal condemnation of the law, in effect an impunity law which is designed to protect those responsible for thousands of human rights violations committed in Peru during the past 15 years. Amnesty International believes that amnesty laws which have the effect of preventing the emergence of the truth and subsequent accountability before the law, are not acceptable.

BACKGROUND INFORMATION

Since Peru's Amnesty Law came into effect, Amnesty International has also received information that Judge Antonia E. Saquicuray Sánchez, who ruled that the amnesty law was inapplicable to the investigations already initiated into the November 1991 Barrios Altos massacre, has received death threats (see UA 146/95, AMR 46/10/95, 23 June 1995).

Impunity in Peru has been a hallmark of the abject failure by the authorities to effectively investigate, prosecute, convict and sentence those responsible

for thousands of cases of torture, enforced disappearance and extrajudicial execution, committed by the security forces since 1980. In early 1994 the UN Special Rapporteur on extrajudicial, summary or arbitrary executions stated, in his report on his mission to Peru in 1993, that there was compelling evidence of an "institutionalization of impunity in Peru", and that this was one of "the main problems with regard to [a lack of respect for] the right to life."

Such impunity, and the systematic pattern of gross human rights violations that lie behind it, has arisen in the context of efforts by three successive governments to combat the armed opposition groups *Partido Comunista del Perú (Sendero Luminoso)*, PCP, Communist Party of Peru (Shining Path), and *Movimiento Revolucionario Túpac Amaru, MRTA, Túpac Amaru Revolutionary Movement*. Since the early 1980s the PCP, and to a lesser extent the MRTA, have tortured and deliberately and arbitrarily killed thousands of civilians and members of the security forces who are *hors de combat*. Amnesty International reiterates its unequivocal condemnation of these atrocities. However, the organization believes that the actions of the PCP and the MRTA do not justify under any circumstances whatsoever the violation by the security forces of fundamental human rights.

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

- expressing concern at reports that Tito Guido Gallegos Gallegos received death threats on 23 June 1995 in his home in the department of Puno;
- urging the Minister of the Interior to ensure that all the necessary steps are taken to protect Tito Guido Gallegos Gallegos;
- urging the Attorney General to ensure that a prompt and thorough investigation into the reported death threats is conducted, the findings made public, and the perpetrators brought to justice;
- condemning the amnesty law which grants total impunity to those responsible for past human rights violations in Peru, and closes all investigations;
- urging President Fujimori to take all necessary measures to have the amnesty law immediately annulled.

APPEALS TO:

1. President

Presidente Alberto Fujimori
 Presidente de la República
 Palacio de Gobierno
 Plaza de Armas, Lima 1, PERU

Telegrams: Presidente Fujimori, Lima, Peru

Salutation: Sr. Presidente / Dear President

2. Minister of the Interior

General EP Juan Briones Dávila
 Ministro del Interior
 Ministerio del Interior
 Plaza 30 de Agosto 150
 San Isidro, Urb. Córpac, Lima 1, PERU

Telegrams: Ministro del Interior, Lima, Peru

Salutation: Sr. Ministro / Dear Minister

3. Attorney General

Dr. Blanca Nélica Colán Maguiño
 Fiscal de la Nación

Fiscalía de la Nación

Avda. Azángaro, Lima, PERU

Faxes: + 5114 262474 (if voice, ask, "me da tono de fax, por favor")

Telegrams: Fiscal de la Nación, Lima, Peru

Salutation: Sr Fiscal de la Nación / Dear Attorney General

COPIES OF YOUR APPEALS TO:

Human Rights Organization

Coordinadora Nacional de Derechos Humanos

Túpac Amaru 2467

Lince, 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 August 1995.