

EXTERNAL (for general distribution)

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PLEASE ORGANIZE APPEALS FROM LAWYERS AND JUDGES.

UA 195/91

Intimidation of Judge

10 June 1991

PERU:

Dr Moisés OCHOA GIRON

Amnesty International is concerned about the reported attempts on the part of the Peruvian army to intimidate Dr Moisés Ochoa Girón, Inspecting Judge of Huanta, Juez instructor de Huanta.

According to reports, on 4 June 1991, some 30 members of the army under the command of someone known under the pseudonym of "*Capitán Tauro*", burst into Dr. Ochoa's home in Huanta, and searched the house, allegedly in search of "*subversives*". Reports indicate that in response to protests from the judge, "*Capitán Tauro*" said that he was acting on the orders of higher ranking officers. After some 15 minutes, the military left the judge's house.

Dr Moisés Ochoa is the Inspecting Judge in a trial against the army officers accused of being involved in the murder in 1988 of journalist Hugo Bustíos (*See Peru Briefing: Caught Between Two Fires*, AI Index: AMR 46/81/89). Dr Ochoa had recently issued detention orders against several army officers believed to be responsible for the Bustíos murder.

Dr Toribio Vega Fajardo, senior judge in Huanta, Juez decano de Huanta, has publicly complained about the "*illegal search*" (*allanamiento ilegal*) of Dr Ochoa's home which he considers to be an "*insult to the judiciary*" (*afrenta al poder judicial*) and has requested an explanation from the authorities. In a public statement Dr Vega called on the army to respect members of the judiciary.

Peruvian human rights organizations have also protested about the attempts of the army to obstruct the investigative work of Judge Ochoa through intimidation.

BACKGROUND INFORMATION

There have been other recent complaints about the intimidation of those trying to investigate the responsibility of the army in human rights violations in areas that are under state of emergency and political- military control.

At the end of March 1991, a group of nine people, including the human rights attorney of Cangallo, were threatened and intimidated by soldiers while they waited outside the military base of Pampa Cangallo to be received by the commander of the base. The intimidation included the detonation of explosive devices. In a report the attorney stated that his life, that of his secretary and others were in serious danger. Subsequently, there was an armed attack on the Mayor of the Consejo Provincial de Cangallo, who was one of the nine people mentioned by the human rights attorney.

RECOMMENDED ACTION: Telegrams/telexes/faxes and airmail letters:

- expressing concern at the reported illegal search of Dr Ochoa's house by the army on 4 June 1991, and asking for a full and impartial investigation into the incident;

- asking that all necessary measures be taken to guarantee his physical safety and that of his family;

- asking for guarantees that he may carry out his legitimate tasks as Inspecting Judge regarding the case of Hugo Bustíos, without being subjected to any further intimidation.

APPEALS TO:

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

Telegrams: Presidente Fujimori, Lima, Peru
Telexes: 20167 PE PALACIO; 20331 PE SEC PRE
Faxes: + 51 14 33 7020

General Jorge Torres Aciego
 Ministro de Defensa
 Ministerio de Defensa
 Avenida Boulevard s/n
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 Lima 33, Perú

Telegrams: Ministro Defensa Torres, Lima, Peru
Telexes: 25438 PE COMGREGJ
Faxes: + 51 14 33 4470

Attorney General:

Dr Pedro Méndez Jurado
 Fiscal General de la Nación
 Fiscalía General de la Nación
 Edificio Torre de Lima, 7 Piso
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 Lima, Perú

Telegrams: Fiscal General Mendez, Lima, Peru
Telexes: 20055 PE MINPUBL

President of the Supreme Court:

Dr César Fernández Arce
 Presidente de la Corte Suprema
 de Justicia de la República
 Palacio Nacional de Justicia
 Cuadra 2 Av. P. de la República
 Lima, Perú

Telegrams: Presidente de Corte Suprema, Lima, Peru
Telexes: 25473 PE CSUPREMA

COPIES TO:

Señores
 Asociación Pro Derechos Humanos (APRODEH)
 Avenida Abancay 210
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 Lima, Perú (Human Rights Association)
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and to diplomatic representatives of Peru in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 July 1991.