

EXTERNAL (for general distribution)

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UA 148/92 Fear of Torture/Fear of Extrajudicial Execution

7 May 1992

PERU: Canto Grande prisoners

Amnesty International is seriously concerned for the physical safety and lives of prisoners from the clandestine armed opposition group Partido Comunista del Perú (Sendero Luminoso), PCP, Communist Party of Peru (Shining Path), who remain held in the Canto Grande prison following a reported armed confrontation between the security forces and prisoners. The organization is similarly concerned for the safety of those prisoners who were transferred out of the prison during or after the confrontation.

According to reports, in the early hours of the morning on 6 May 1992, armed detachments of the police, supported by contingents of the armed forces, attempted to transfer out of the prison women from the PCP who were confined to one of the prison wings. During the attempted transfer a confrontation ensued between the security forces and PCP prisoners, who were said to be armed. The confrontation apparently lasted several hours. Eight prisoners and two members of the police are reported to have been killed in unclear circumstances during the confrontation.

BACKGROUND INFORMATION

In June 1986, following simultaneous mutinies by members of the PCP in three Lima prisons, members of the armed forces and the police extrajudicially executed 124 prisoners at Lurigancho prison, and killed or "disappeared" a further 120 inmates at El Frontón and Santa Bárbara prisons. Ten members of the police were subsequently convicted for the Lurigancho killings but as yet no member of the armed forces has been convicted for their alleged involvement. The 1986 prison killings and "disappearances" took place in the context of a pattern of widespread human rights violations by the security forces, including thousands of cases of "disappearance" and extrajudicial execution dating back to January 1983.

On 28 July 1990 President Alberto Fujimori and his government assumed power. Since then the president and other officials have repeatedly said that human rights would be fully respected. However, between 28 July 1990 and 30 April 1992, Amnesty International documented the cases of 392 people who "disappeared" and remain unaccounted for. A further 169 people were allegedly extrajudicially executed over the same period.

On 5 April 1992, President Fujimori announced the immediate dissolution of Congress and a wholesale reorganization of the judiciary and the Public Ministry. Following these measures, congressional commissions charged with investigating human rights violations have been stopped from working. In addition the judiciary and the Public Ministry in Lima were also brought to a halt. The right of habeas corpus, which is meant to guarantee a court appearance quickly, was suspended in practice. According to reports from human rights defenders, by 7 May 1992 the presentation of an habeas corpus writ before a

judge or the lodging of a complaint before a Public Ministry official in Lima was made difficult because both the courts and the Ministry's headquarters were not fully functioning.

Amnesty International opposes the arbitrary and deliberate killing by the PCP of defenceless civilians not involved in the armed conflict, and of members of the security forces who have surrendered, been injured or taken captive.

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RECOMMENDED ACTION: Please send telegrams/telexes and airmail letters:

- expressing concern for the physical safety and lives of those prisoners who remain held in Castro Grande prison, and of those who were transferred out of the prison, following the reported confrontation between prisoners and members of the security forces on 6 May 1992;
- recognising the right of the authorities to ensure that prisoners follow prison regulations consistent with UN minimum standards;
- asking that the security forces employed in imposing order in Canto Grande prison be given explicit instructions to conduct their operations within a strict observance of internationally recognised human rights standards;
- asking that the authorities make immediately available a full and updated list of the prisoners who remain in Canto Grande Prison, and of those who were transferred out of the prison, indicating their present whereabouts;
- asking that the prisoners be humanely treated and given access to independent lawyers, doctors and relatives;
- requesting that a full and impartial inquiry be immediately set up to investigate the circumstances in which eight members of the PCP and two members of the police were killed in Castro Grande prison on 6 May 1992, and that the findings be made public.

APPEALS TO:

1. President

Presidente Alberto Fujimori
Palacio de Gobierno
Plaza de Armas
Lima 1 PERU

Telegrams: Presidente Alberto Fujimori, Lima, Peru

Telexes: 20167 PE PALACIO

[Salutation: Señor Presidente/Dear President]

2. President of the Armed Forces Joint Command

General Nicolás Hermoza Ríos
Presidente del Comando Conjunto de las
Fuerzas Armadas

291 Av. Arequipa
Lima, PERU

**Telegrams: Presidente del Comando Conjunto de las
Fuerzas Armadas, Lima, PERU**
[Salutation: Sr. General / Dear General]

COPIES OF YOUR APPEALS TO:

Human Rights Organization
Señores
Coordinadora Nacional de Derechos Humanos
Túpac Amaru 2467
Lince
Lima 14, PERU

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 18 June 1992.