

EXTERNAL (for general distribution)

AI Index: AMR 46/25/93

Distr: UA/SC

UA 230/93

Fear for Safety

15 July 1993

PERU:

Heriberto BENITEZ RIVAS, lawyer

Amnesty International is deeply concerned about the safety of Heriberto Benítez Rivas, a lawyer presently representing the relatives of nine students and one lecturer who "disappeared" on 18 July 1992. According to a testimony given to an Amnesty International delegation in Peru on 14 July 1993, Heriberto Benítez said that he has been receiving anonymous death threats on the phone during the past few days for his involvement in this case.

The students and lecturer were abducted on the campus of the Enrique Guzmán y Valle University of Education, also known as La Cantuta, allegedly by members of the armed forces. Heriberto Benítez and the relatives of the "disappeared" have been asking the authorities to carry out an investigation into the case. (For further information see Amnesty International's reports: Peru: "Disappearance" of a Lecturer and nine Students, AI Index AMR 46/45/92, Peru: "Disappeared" Lecturer and Nine Students Killed by the Army, AI Index: AMR 46/09/93 and Peru: Army Seeks a Cover-up of Summary Killings, AI Index: AMR 46/12/93.)

Heriberto Benítez and his family have been threatened with death in the past for his participation in the legal defence of members of the army who in November 1992 were accused of having participated in an attempt to overthrow President Alberto Fujimori's Government.

Heriberto Benítez has denounced these latest threats before the dean of the Colegio de Abogados (Bar Association) and to the President of the Congress' Human Rights Commission.

BACKGROUND INFORMATION

President Alberto Fujimori and his government assumed power on 28 July 1990.

The government inherited a legacy of gross human rights violations dating back to January 1988, including thousands of cases of "disappearance" and extrajudicial execution.

The President has repeatedly stated that his government is pursuing a policy of respect for human rights. However, since President Fujimori assumed power, Amnesty International has documented the cases of 607 persons who were "disappeared". The organization has also documented 228 cases of extrajudicial execution during the same period.

Human rights violations occur in the context of the government's counter-insurgency operations directed against the clandestine Partido Comunista del Perú, PCP, Communist Party of Peru, and the Movimiento Revolucionario Túpac Amaru, MRTA, Túpac Amaru Revolutionary Movement. Amnesty International opposes the deliberate and arbitrary killing by the armed opposition of defenceless civilians not directly involved in the internal conflict, and of members of the security forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention or any other cause.

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

- expressing concern that Heriberto Benítez Rivas has been targeted repeatedly with threatening telephone calls to his home, the latest of which was on 12 July 1993;

- calling on the Public Ministry to take all the necessary steps to ensure that Heriberto Benítez is given adequate protection;

- requesting the Public Ministry to thoroughly investigate the allegations and make the findings public;

- requesting the Human Rights Commission of the Congress to ensure that such an investigation is carried out.

APPEALS TO

1) Public Ministry's Attorney General:

Dra. Blanca Nélica Colan Maguiña
Fiscal de la Nación
Fiscalía de la Nación
Edificio Torre de Lima, 7° piso
Centro Cívico
Lima, PERU

Telegrams: Fiscal de la Nación, Lima, Peru

Salutation: Señora Fiscal General de la Nación / Dear Attorney General

2) President, Human Rights Commission of Congress:

Dr Roger Cáceres
President de la Comisión de Derechos Humanos
Consejo Constituyente Democrático
Palacio Legislativo
Plaza Bolívar
Lima, PERU

Telegrams: Dr Cáceres, Palacio Legislativo, Lima, Peru

Salutation: Estimado Dr Cáceres / Dear Dr Cáceres

COPIES OF YOUR APPEALS TO:

Dean of the Lawyers' Bar
Sr. Decano
Colegio de Abogados del Perú
Avda. Sta Cruz 255
Miraflores
Lima, 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 26 August 1993.