

EXTERNAL (for general distribution)

AI Index: AMR 46/26/93

Distr: UA/SC

UA 236/93 "Disappearance"

20 July 1993

PERU: Justiniano NAJARRO RUA, baker

Amnesty International is concerned about the reported "disappearance" of Justiniano Najarro Rúa on 6 July 1993 in San Juan de Miraflores district, Lima, Peru.

According to relatives who spoke to Amnesty International delegates visiting Peru, on 6 July Justiniano Najarro and his 14-year-old nephew were detained on the street by two armed men in civilian clothes, who reportedly identified themselves as policemen. Justiniano Najarro and his nephew were forced by the policemen into a light blue car and were driven to an unknown destination.

Justiniano Najarro's nephew was subsequently released in the early hours of 7 July. According to his testimony he had been constantly ill-treated and asked about Justiniano Najarro's alleged "subversive" activities.

Justiniano Najarro has remained "disappeared" since his abduction. His relatives have visited several installations of the Policía Nacional del Perú, national Police of Peru, including the headquarters of the DINCOTE, the anti-terrorist police. However, the authorities have repeatedly denied having any knowledge of his detention.

On 15 July a *habeas corpus* writ was presented before a judge in favour of Justiniano Navarro Rúa. Amnesty International has been unable to learn whether the judge acceded to the petition.

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 "disappearances" and extrajudicial executions.

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 have "disappeared". The organization has also documented 228 cases of extrajudicial executions during the same period.

Human rights violations occur in the context of the government's counter-insurgency operations directed against the clandestine armed

opposition group 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 about Justiniano Najarro Rua's reported detention on 6 July 1993 by members of the police and his subsequent "disappearance";
- urging the Public Ministry to immediately and thoroughly investigate his "disappearance" and that the results be made public;
- urging that if in detention, Justiniano Najarro Rua be humanely treated and given access to relatives, a lawyer and a doctor;
- urging that if in detention, he be brought before a judge and either be released or charged with a recognized criminal offence.

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

Telexes: 20167 PE PALACIO

Salutation: Señor Presidente/ Dear Mr President

2) Public Ministry's Attorney General:

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

Telegrams: Fiscal de la Nacion, Lima, Peru

Telexes: 20055 PE MINPLUB

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

COPIES OF YOUR APPEALS TO:

Human Rights Association:

Señores
APRODEH
Jirón Pachacutec 980
Jesús María
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 31 August 1993.