

EXTERNAL (for general distribution)

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Legal Concern

17 December 1991

PERU Rodolfo BERNEDO, university administrator
 Isaac ORTÍZ MATOS, university administrator
 Jhon HUAROC, student
 Germán SALDAÑA MORALES, student
 Geremías ARMAS CERRÓN, student
 José MACURÍ, student

Amnesty International is concerned about the legal situation of the university administrators and students named above.

According to reports, they were detained by members of the Huancayo armed forces during an incursion into the Universidad Nacional del Centro, National University of the Centre, in the town of Huancayo, Huancayo province, Junín department on 12 December 1991 and taken to the 9 de Diciembre army barracks, where they were seen by the provincial prosecutor. On 14 December they were reportedly transferred to Dirección Contra el Terrorismo, DIRCOTE, the police anti-terrorism division, in Huancayo.

Rodolfo Bernedo is the Press and Propaganda Secretary of the Universidad Nacional del Centro. He is also the Human Rights Secretary of the Frente Nacional de Trabajadores Universitarios del Centro, (FENTUC), the National Organization for Workers of the University of the Centre.

BACKGROUND INFORMATION

These detentions took place in the context of the invocation of Decree Law No. 726 which came into effect on 12 December 1991 and which grants the security forces entry into universities for the purpose of controlling the activities of armed opposition groups. According to reports, some 120 students and university staff from the Universidad Nacional del Centro were detained, but the vast majority were subsequently released.

According to reports, the university administrators and students listed above are being interrogated on suspicion of having links to armed opposition groups. In Peruvian law, such detainees may be held for up to 15 days, after which they must be brought before a judge or released. However, detainees are known to be held without charge for periods which extend beyond this time.

Approximately 30 legislative decrees focusing on counter-insurgency were issued by the executive under powers granted to it by Congress in the first week of November. These have now taken effect. Congress is currently in the process of drafting a law modifying the decrees. However, until such modifications are finally approved, the original decrees issued by the executive remain effective.

RECOMMENDED ACTION: Telegrams/telexes/airmail letters:

- welcoming the access granted to the provincial prosecutor of the Public Ministry to see the detainees in the military barracks;

- asking that the legal status of the detainees be clarified;
- asking that, unless charged with a recognizable criminal offence, they be released within the 15 days' detention permitted by law.

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APPEALS TO:

1) Subsecretary of Multilateral Policy

Embajador Fernando Guillen Salas
Subsecretaría de Política Multilateral
Ministerio de Relaciones Exteriores
Jr. Ucayali 363
Lima 1, Peru

Telegrams: Sr Subsecretario, Ministerio Relaciones Exteriores, Lima 1 Peru

Telexes: (attn. Sr. Subsecretario) 20142; 20165; 20467

[Salutation: Señor Embajador/Dear Ambassador]

2. General EP Juan Briones Dávila
Ministro del Interior
Ministerio del Interior
Plaza 30 de Agosto 150
San Isidro
Urb. Córpac
Lima 27, Peru

Telegrams: Ministro Interior Davila, Lima, Perú

Telex: 21133 PE OCMI/21697

[Salutation: Señor Ministro/Dear Minister]

3. General de Brigada EP Luis Pérez Documet
Jefe Político-Militar del Frente Mantaro
Cuartel 9 de Diciembre
13 de Noviembre, 259
Huancayo
Junín, Peru

Telegrams: Gral. Delgado, Jefe Comando Militar, Huancayo, Peru

Telexes: 036 64036 PE CRC HYO (via Oficina de Desarrollo, Huancayo)

[Sr. General/Dear General]

COPIES TO:

Señores

Comisión Arquidiocesial de Acción Social
Moquegua 438
Oficina 1
Huancayo
Junín, 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 27 January 1992.