

UNITED STATES OF AMERICA

Leonard Peltier, aged 48, a Lakota-Sioux Indian and a leader of the American Indian Movement (AIM), is serving two consecutive life sentences imposed after he was convicted of killing two Federal Bureau of Investigation (FBI) agents on the Pine Ridge Indian Reservation, South Dakota, in 1975. The agents were shot and killed at point-blank range after being wounded in a gunfight with Indian activists in which a Native American also died. Leonard Peltier fled to Canada. He was extradited to the USA and convicted of the murders in 1977.

Leonard Peltier has always denied killing the agents. According to AIM, he had gone to the Pine Ridge Reservation in response to an invitation from "traditionals" (Indians who attempt to follow ancestral spiritual and cultural practices). The reservation is rich in uranium deposits said to be needed for government energy and defence projects. The official tribal government was believed to be willing to cooperate with US corporations interested in mining the uranium. The "traditionals" were opposed to this and invited AIM to the reservation in an effort to stop the uranium being mined. They also asked AIM for protection against an armed group of civilians allegedly employed by the Pine Ridge tribal government and said to be working with Bureau of Indian Affairs police, who, the "traditionals" said, had harassed, beaten and murdered AIM supporters and "traditionals" on the reservation.

The FBI apparently regarded AIM's presence on the reservation as a form of agitation; according to the FBI, AIM members were heavily armed and dug into fortified bunkers. AIM on the other hand said that the FBI initiated a police build-up in the area because of AIM members' presence on the reservation and that this has led the Indians to fear that their lives were in danger. In previous years, massive build-ups of police and military-power had been deployed in response to protests or other incidents involving Native Americans, resulting in some cases in Indian deaths.

Leonard Peltier was one the AIM members who went to the reservation to provide security and support for the local people. The gunfight which led to Leonard Peltier's imprisonment took place on 26 June 1975 when two FBI agents drove onto Jumping Bull property within the Pine Ridge reservation in search of four individuals wanted on charges of armed robbery and assault -- arising from the theft of a pair of cowboy boots. Leonard Peltier did not deny he was present during the firefight that ensued, nor that he fired a gun. But he did deny killing the wounded agents by firing on them at close range as alleged by the prosecution at his trial. Two other AIM leaders who were accused in connection with the killings were acquitted after their lawyers contended that there was an atmosphere of such fear and violence on the reservation that the move by the Indians in exchanging fire with FBI agents constituted legitimate self-defence.

Amnesty International sent observers to Leonard Peltier's trial in 1977 and to subsequent appeal and evidentiary hearings in 1978, 1983, 1984 and 1991. The organization has repeatedly expressed concern at irregularities in the proceedings which led to Leonard Peltier's conviction, including that his extradition to the USA from Canada in 1976 to stand trial was granted on the basis of evidence which the FBI later admitted it had fabricated. Since the trial, it has emerged that evidence which might have assisted Leonard Peltier's case was withheld from the court by the prosecution. An appeal court found that evidence favourable to Leonard Peltier was withheld though it concluded that this evidence would not have materially affected the outcome of the trial.

Judge Gerald Hanzey, a senior federal judge on the Eighth Circuit Court of Appeal, was a member of the panel which considered and turned down Leonard Peltier's appeal in September 1986. In his letter addressed in April 1991 to the Chair of the Senate Select Committee on Indian Affairs, he concludes:

"At some point, a healing process must begin. We as a nation must treat Native Americans more fairly. To do so, we must recognize their unique culture and their great contributions to our nation. Favorable action by the President in the Leonard Peltier case would be an important step in this regard."

Amnesty International takes no position in relation to the activities of domestic intelligence agencies or irregular government conduct unless these result in violations of the human rights which Amnesty International exists to uphold. In Leonard Peltier's case, however, Amnesty International is concerned that a combination of official misconduct and intelligence activity may well have jeopardized the fairness of his trial. The circumstances of both his extradition and trial were such as to lead Amnesty International to conclude that Leonard Peltier should, in the interest of justice, be granted a retrial.

Amnesty International has investigated a number of cases in which criminal charges are alleged to have been brought for political reasons. The organization documented misconduct by the FBI during a 1981 intelligence investigation into the activities of domestic political groups. Amnesty International identified instances where AIM members and others appeared to have been falsely charged with criminal offenses, selectively prosecuted or deprived of due legal process for reasons of race or political activities.

INDIGENOUS PEOPLES IN THE USA

Estimates vary as to how many Native Americans inhabited the USA before European settlement. Some sources suggest that the figure may even have exceeded 12 million. Disease, starvation and killings on a massive scale decimated the native population over succeeding centuries and in 1920 it was estimated that only 250,000 remained. Today, about one and a half million Native Americans reside throughout the USA, on reservations as well as in towns and cities. They comprise less than one per cent of the total US population of 220 million, and differ widely in social, cultural, economic and linguistic characteristics. Other indigenous people in the USA include indigenous Hawaiians, who are the descendants of the original Polynesian inhabitants of the Hawaiian Islands, and the Inuit, Aleuts and Indians of Alaska. Native Hawaiians (those with more than 50 per cent Hawaiian blood) and Hawaiians (those with less than 50 per cent Hawaiian blood) together make up some 18 per cent of that state's population while the Inuit, who number 30,000, are the largest of the three indigenous groups in Alaska -- the state has a total population estimated at 382,000.

OTHER HUMAN RIGHTS VIOLATIONS¹ IN THE USA

¹These refer to human rights violations which fall within Amnesty International's mandate

Amnesty International's major human rights concern in the USA is the increasing use of the death penalty. Under states' current death penalty laws enacted from 1976 onwards, as of August 1992, 179 prisoners have been executed in 20 states. Some 45 Native Americans are now on death row out of a total US death row population of over 2,500. Studies indicate that there are disparities based on racial factors in death sentencing throughout the USA, with homicides involving white victims more likely to result in a death sentence than homicides where the victim was a member of an ethnic minority group. It has further been shown that the poor often do not have adequate legal representation generally and with respect to capital murder cases, Native Americans are among the disadvantaged US minority groups.

In February 1992 Amnesty International wrote to the Director of the Department of Corrections in the state of Montana, about its concerns regarding the treatment of inmates of Montana State Penitentiary (MSP) Maximum Security Unit, including Native Americans. After a riot in 1991, inmates were severely ill-treated by prison personnel. A Justice Department inquiry commissioned by the Director of the Department of Corrections found repeated breaches of security and abuses of inmates before and after the riot. Amnesty International recognized the serious nature of the riot but emphasized that the authorities are responsible for ensuring that prison personnel are fully aware of the requirement that inmates are treated humanely at all times. Native Americans make up between 18 and 20 per cent of the inmates at MSP; they constitute only four per cent of Montana's population.

Amnesty International has investigated numerous allegations that prisoners, including Native Americans, in state and federal detention and in police custody have been subjected to cruel, inhuman or degrading treatment or punishment.

WHAT YOU CAN DO

If what you have read about the case of Leonard Peltier concerns you, turn that concern into action. Write letters (in English if possible) to the President and authorities in the USA. Send a copy of your letters to indigenous organizations in the USA so that they know that people all over the world are concerned about human rights violations committed against Native Americans.

Points to raise in your letter

- Say in your letter that you have read about the case of Leonard Peltier, and that you are concerned about irregularities in the proceedings which led to Leonard Peltier's conviction which may have prejudiced the fairness of his trial.
- Note in your letter that Leonard Peltier's extradition from Canada to the USA was granted on the basis of evidence which the FBI later admitted it had fabricated.

- Also note that at Leonard Peltier's trial in 1977, his lawyers were not allowed to introduce evidence of FBI misconduct in other political cases -- including members of the American Indian Movement -- which, they considered, would have shown the jury that the authorities were prepared to use improper methods to secure convictions. Refer to the 1976 testimony from a mentally disturbed Indian woman, later shown to be false and to have been given under pressure from the FBI; the judge did not allow the testimony to be used during the trial. Please refer also to the decision by the court that evidence concerning the atmosphere of fear existing on Pine Ridge reservation was not permitted either.
- Also add that since the trial, it has emerged that evidence which might have assisted Leonard Peltier's case was withheld from the court by the prosecution: a 1975 FBI ballistics report stated that the gun said to have belonged to Leonard Peltier had a "different firing pin" to the gun used in the killings.
- Please say that these and other factors have led Amnesty International to conclude that the interests of justice would be best served if Leonard Peltier were granted a retrial, and urge the authorities to review his case in order to bring this about.

Address your letter to:

President George Bush
The White House
Office of the President
1600 Pennsylvania Ave
Washington DC 20500
United States of America

President of the USA

The Honorable William P Barr Attorney General of the USA
Attorney General
Department of Justice
10th Street and Constitution Ave NW
Washington DC 20530
United States of America

The Honorable Daniel Inouye
United States Senate
Select Committee on Indian Affairs
Washington DC 20510
United States of America

Chairman, Senate Select
Committee on Indian Affairs

US ORGANIZATIONS WORKING WITH NATIVE AMERICANS

Please send copies of your letters to the following organizations to indicate your concern about human rights violations against Native Americans.

National Congress of American Indians
840 D Street NE
Washington DC 20002
United States of America

Increase the power of your letter by sending copies to the US Embassy in your country.

PHOTO -- 1. USA

HONDURAS

On 30 September 1991 in Plan Grandz, Yoro Province in northern Honduras, indigenous leader Vicente Matute Cruz was shot dead by armed men believed to be at the service of local landowners. Vicente Matute Cruz was the president of the *Federación de Tribus Xicaques de Yoro* (FETRIXY), Federation of Xicaques Tribes of Yoro, as well as the general coordinator of the *Coordinadora Nacional de Pueblos Autóctonos de Honduras* (CONPANH), National Coordinating Committee for Indigenous People of Honduras, and the president of the *Consejo Asesor Hondureño para el Desarrollo de las Etnias Autóctonas* (CAHDEA), Honduran Advisory Council for the Development of Indigenous Ethnic Groups. He was the second FETRIXY member shot dead that month.

In September Vicente Matute Cruz had received death threats from a group of landowners from Yoro Province, shortly after publicly declaring that civilians, members of the military and government personnel had unlawfully seized land belonging to indigenous communities.

Vicente Matute Cruz had been a vocal leader in calling for respect for the rights of indigenous peoples in Honduras, especially regarding indigenous land claims. Various agrarian reform laws have been implemented since 1962, but *campesino* (peasant) leaders claim that the poor have seldom benefited from them.

FETRIXY's main aim is to obtain recognition of the rights of indigenous people and of the ownership of communal land which they claim has been unlawfully seized by non-indigenous people, including members of the military and government personnel. Indigenous organizations also accused government authorities of arranging the sale of land to transnational companies and other businesses, provoking the violent eviction of *campesinos* living on those lands.

The killing of Vicente Matute Cruz was interpreted by indigenous and *campesino* organizations in Honduras as an escalation of the attacks against the *campesino* movement which had been occupying landholdings for the past several years, frustrated by ineffective agrarian reform laws. In the past four years, at least 10 FETRIXY members have been killed. The most recent killing was that of Florencio Cáceres, a leader of the St. Esteban de la Corosa tribe, department of Morazán, shot dead on 24 December 1991 by a local landowner who claimed title to land the tribe were working. None of the perpetrators have been caught or brought to trial.

Indigenous organizations said in a joint statement:

"In Honduras there is a state of undeclared war against all of the ethnic groups...they have been assassinated for defending their rights to live, to their culture and land, and in the majority of cases, their deaths remain unpunished."

President Callejas expressed sorrow at the murder of Vicente Matute Cruz and ordered an investigation. However, as of September 1992, no one has been brought to justice for the killings of Vicente Matute Cruz and the other FETRIXY members, nor does it appear that the killings have been properly investigated. Amnesty International is concerned that those responsible for the killings may be operating with the complicity or acquiescence of local authorities.

INDIGENOUS PEOPLES IN HONDURAS

An estimated seven per cent of Honduras' population of about five million are indigenous. There are two broad groups of Honduran Indians: the settled agricultural communities of the west and the aboriginal Indians of the northern lowlands. Of the former group, the most important tribe is the Lenca, and others are the Chorti, Chorotega, and Pipil Indians. Indigenous people in Honduras have been organizing on a national level since the 1950s. The principal coordinating organization is CATHENA.

Many of the human rights abuses against indigenous people have occurred in the context of land disputes. Agrarian reform legislation was introduced in 1962. These land reform measures often met with entrenched resistance from landowners' organizations and other vested interests, including foreign fruit companies. In response, the *campesino* organizations often took action to force the pace of land distribution and called attention to the extreme poverty in many rural areas.

OTHER HUMAN RIGHTS VIOLATIONS² IN HONDURAS

Torture and other serious human rights violations are still being committed with impunity by the security forces, despite government pledges to end such practices. Political detainees, *campesinos* involved in land disputes and criminal suspects are among those who have suffered these violations. The methods of torture described by the detainees include: handcuffing and blindfolding for long periods, deprivation of food or water, repeated beatings on the soles of the feet and other parts of the body, suspension by the wrists or ankles, near-suffocation by the *capucha* (a rubber sheet or hood sometimes coated with lime), application of electric shocks, and psychological pressures, such as threats to detain or torture close members of the victim's family.

The number of "disappearances" and political killings by army "death squads" has declined since the early 1980s, and no new "disappearances" have been reported to Amnesty International since President Callejas came to office in January 1990. However, Amnesty International repeated its call to the government to investigate the fate of more than 100 people who "disappeared" after their abduction by the security forces in the 1980s. Despite recent pledges, few steps have been taken to clarify the fate of the "disappeared".

Amnesty International has received allegations of physical assaults, death threats and other forms of harassment directly mainly at members of human rights groups, trade unions and other grassroots organizations, which are widely attributed to agents acting with the acquiescence of the armed forces. Since the beginning of 1991 there have been at least 10 political murders committed in circumstances suggesting the participation of members of the official security forces. Five unarmed *campesinos* involved in a land dispute were shot dead in May 1991 by members of the military in Atlántida, in circumstances suggesting they had been extrajudicially executed.

²These refer to human rights violations which fall within Amnesty International's mandate

Amnesty International sent a memorandum to President Callejas in May 1991, outlining the organization's concerns and recommendations relating to torture and official failures to investigate possible extrajudicial executions and past "disappearances". Following the amnesty law approved by the Legislative Chamber in July, Amnesty International urged the president not to ratify any measure which would allow blanket immunity from prosecution to those responsible for human rights abuses.

WHAT YOU CAN DO

If what you have read about the case of Vicente Matute Cruz concerns you, turn that concern into action. Write letters (in Spanish if possible) to the authorities in Honduras. Copy your letters to local organizations concerned with indigenous affairs so that they know that people all over the world continue to be concerned about human rights abuses committed in Honduras, including the failure to bring to justice those who have killed indigenous people such as Vicente Matute Cruz.

Points to raise in your letter

- Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that 1992 is being marked in a number of countries as the 500th anniversary of the arrival of Europeans on the continent. It therefore seems a particularly appropriate time to highlight concerns with respect to unresolved human rights abuses against indigenous peoples of what is now called the Americas, including the case of Vicente Matute Cruz. Explain that your concern will not diminish when 1992 is over.
- Express grave concern about the murder of indigenous leader Vicente Matute Cruz in September 1991. Add that you are also gravely concerned that 10 other FETRIXU members have been killed in the context of land disputes in the past four years.
- Say that you are aware of the fact that President Callejas ordered an investigation into the Vicente Matute Cruz murder. However, point out that to your knowledge no one has been brought to justice for the murder. This raises concern that those responsible may be operating with the complicity or acquiescence of local authorities.
- State that you would be interested to receive information regarding the progress of the investigation and ask what guarantees exist to ensure that it is independent and impartial. Add that the outcome should be made public.
- Say in your letter that Amnesty International does not take sides in land disputes, but is concerned about human rights abuses -- that fall within the organization's mandate -- that occur in such contexts. Ask the government to guarantee that land conflicts will be promptly and justly resolved. This could have an impact on reducing the instances of abuses against indigenous peasants often perpetrated by gunmen acting on behalf of state or private interests in the context of land disputes.

Address your letter to:

S.E. Rafael Leonardo Callejas
 Presidente de la República
 de Honduras
 Casa Presidencial
 6a Avenida, 1a Calle
 Tegucigalpa
 Honduras

President

Dr. Francisco Cordova
 Ministro de Gobernación
 y Justicia
 Ministerio de Gobernación
 y Justicia
 Palacio de los Ministerios, 20 Piso
 Tegucigalpa
 Honduras

Minister of the Interior and Justice

Dr. Mario Carias Zapata
 Ministro de Relaciones
 Exteriores
 Ministerio de Relaciones
 Exteriores
 Edificio Atalaya
 Avenida La Paz
 Tegucigalpa
 Honduras

Minister of Foreign Affairs

HONDURAN ORGANIZATIONS WORKING WITH INDIGENOUS PEOPLES

Your letters to the Honduran authorities can be copied to these organizations to indicate your concern about human rights abuses against indigenous peoples.

Federación de Tribus Xicaques de Yoro
 Comité para la Defensa de los
 Derechos Humanos en Honduras

(FETRIXY)
 Yoro
 Departamento Yoro

(CODEH)
 Apartado Postal 3189

Honduras

Tegucigalpa
Honduras

Increase the power of your letter by sending copies to the Honduran Embassy in your country.

PHOTO -- 2. HONDURAS

Vicente Matute Cruz

CANADA

On 9 March 1988 John Joseph Harper, a Wasagmack Indian, died from a gunshot fired during a struggle with an officer from the Winnipeg Police Department in the province of Manitoba.

The official inquiry into the incident, and that of another incident involving the investigations into the killing of Helen Betty Osborne, was conducted by two senior judicial officials. Their report, the *Aboriginal Justice Inquiry of Manitoba*, concluded in August 1991 that "racism played a part in the shooting of J.J. Harper" and that Helen Betty Osborne's murder was motivated by racism.

More generally the report concluded:

"The justice system has failed Manitoba's Aboriginal people on a massive scale. It has been insensitive and inaccessible, and has arrested and imprisoned Aboriginal people in grossly disproportionate numbers. Aboriginal people who are arrested are more likely than non-Aboriginal people to be denied bail, spend more time in pre-trial detention and spend less time with their lawyers, and, if convicted, are more likely to be incarcerated."

The report went on to make a series of recommendations to the police and other authorities in Manitoba, including that proper and more independent methods of investigating officer-involved shootings should be introduced and that police officers should receive cross-cultural awareness training programs.

John Harper was the executive director of the Island Lake Tribal Council and a leader of Manitoba's Aboriginal community. On the night of his death members of the Winnipeg police force had been pursuing two fugitives described over the police radio network as "natives".

What exactly occurred when a police officer approached Harper and demanded to see his identity papers is disputed. The officer concerned is adamant that a struggle ensued during which Harper tried to remove the officer's gun from his holster.

The official inquiry into the incident questioned whether the gun had not already been unnecessarily drawn by the police officer during an improper questioning of Harper who was stopped primarily because of his race.

The report also looked at the police investigations into the incident and concluded:

"[The] Police department did not search actively or aggressively for the truth about the death of J.J. Harper. Their investigation was at best inadequate. At worst its primary objective seems to have been to exonerate [the police officer] and to vindicate the Winnipeg police department... The police Chief pre-empted the possibility of an effective investigation by exonerating [the police officer] prematurely and unjustifiably."

The report of the Aboriginal Justice Inquiry made a series of recommendations to the authorities in Manitoba. Those which are felt to be particularly relevant to Amnesty International's work include those relating to independent investigation of deaths involving police officers and those which call for training the police in cross cultural awareness. Amnesty International calls upon the authorities in Manitoba to safeguard the rights of indigenous peoples by implementing these recommendations.

INDIGENOUS PEOPLES IN CANADA

There are an estimated 920,000 Indigenous people in Canada, representing more than three per cent of the population. "Aboriginal" peoples is the most commonly used and acceptable term for Indigenous people in Canada. Aboriginal people include status Indians, non-status Indians, Métis and Inuit.

Status Indians, numbering 512,000, are entitled to live on reserves although about one-third now live away from reserves. There are 215,000 non-status Indians. These are individuals of Native ancestry who have given up or lost their Indian status because of legal distinctions and are therefore not recognized as Indians. Métis, of mixed white/Indian descent, number 160,000 and live mainly in Manitoba, Saskatchewan and Alberta. The Inuit, 33,300 people, inhabit northern Canada and identify themselves as a "people", sharing a common culture. There are many other aboriginal "peoples" in Canada, including the Cree, the MicMac, the Haida, the Blackfoot, and the Mohawk, among others.

OTHER HUMAN RIGHTS VIOLATIONS³ IN CANADA

Government research carried out in a number of provinces suggests that general prejudice against Native Canadians has led to discrimination in the justice system. The official Aboriginal Justice Inquiry of Manitoba published in 1991, which examined the case of John Joseph Harper, also examined the case of Helen Betty Osborne, a Cree Indian, who was murdered in 1971. It took 16 years to bring people to trial for her murder. The Inquiry concluded that Helen Betty Osborne's murder by a young man was motivated by racism and that several aspects of the police investigation into the case were marred by racist attitudes.

Amnesty International is concerned that several Mohawk Indians were reportedly ill-treated by the Quebec police in 1990. They were arrested during a confrontation between Mohawks and Canadian security forces in the context of a land dispute. Amnesty International has identified six cases of alleged police ill-treatment which it believes merit rigorous official investigation. One complaint of ill-treatment, made by Ronald Cross, is said to be investigated by the Quebec *Commissaire à la déontologie policière*, police ethics commissioner.

WHAT YOU CAN DO

³These refer to human rights violations which fall within Amnesty International's mandate

If what you have read about the case of John Joseph Harper concerns you, turn that concern into action. Write letters to the authorities in Canada.

Points to raise in your letter

- Say in your letter that you have read about the cases of John Joseph Harper and Helen Betty Osborne and how they were investigated by the *Aboriginal Justice Inquiry of Manitoba*.
- Explain that you are writing in the context of Amnesty International's concerns about human rights violations against indigenous peoples of the Americas and that other letters are being written to the authorities of many other countries in the region about human rights violations.
- Urge the authorities to carefully consider the findings of the official inquiry, and ask what steps have been taken to implement the recommendations made in the report which would protect fundamental rights of indigenous peoples.
- Note in particular the recommendations which refer to proper and more independent methods of investigation into police officer-involved shootings and to those which recommend that cross-cultural awareness training programs should be provided to the police.

Address your letter to:

The Hon Jim McCrae
 Minister of Justice for Manitoba
 9th Floor, Woodsworth Building
 405 Broadway
 Winnipeg
 Canada R3C 3L6

Your letter to the authorities can be copied to the following to indicate your concern about human rights violations against indigenous peoples.

1. Please note: Copies to the first address below should include a cover note asking what steps the federal authorities are taking to ensure that the human rights of indigenous people are protected in Manitoba and elsewhere.

The Hon Thomas Siddon
 Minister of Indian Affairs and Northern Development
 Department of Indian Affairs and Northern Development
 Terrasses de la Chaudière

10 Wellington St, 21st Floor, Room 2100
Hull
Québec R1A 0H4
Canada

2. One of the two Chief Judges who conducted the inquiry

C.M. Sinclair
Public Inquiry into the Administration of Justice
and Aboriginal People
5th Floor - 175 Carlton Street
Winnipeg
Manitoba R3C 3H9
Canada

Increase the power of your letter by sending copies to the Canadian Embassy in your country.

PHOTO -- 3. CANADA

John Joseph Harper

COLOMBIA

On 16 December 1991, 20 Paéz Indians, including four women and four children, were killed by a group of about 40 heavily armed men, some dressed in military style uniform.

Members of the Paéz community had gathered together on a ranch near the town of Caloto, in Cauca department. The community met to discuss common problems and to celebrate a religious feast. In the middle of the celebration armed men burst into the building and started to shoot at the men, women and children inside. Some were killed outright, others managed to escape. Witnesses also say that some people were made to lie face down on the ground before being shot in the back of the head.

The ranch where the Paéz met was called "El Nilo". It had been occupied by the Indians for four years as they claim it falls within their ancient reservation. The killings occurred at a time when drug traffickers were attempting to gain control of land in the fertile Cauca valley, where most Paéz Indians live. The Paéz claim that the land was assigned and titled to them during the Spanish colonization. The killings followed a pattern of harassment and abuse against Indians by gunmen apparently employed by drug traffickers said to have purchased the disputed land from its former owner just two months before the massacre.

President César Gaviria Trujillo visited the scene of the massacre and said he would convene a commission of officials from the judiciary and criminal justice department to investigate the killings.

Two lawyers, Carlos Edgar Torres Aparicio and Rodolfo Alvarez, and an anthropologist, Etnio Vidardo, started an independent investigation and were also helping those who survived the massacre. On 8 January 1992 the two lawyers were killed at their homes in Cali by unknown gunmen and the anthropologist "disappeared". On 29 May 1992 Oscar Elías López, also a lawyer and legal adviser of the *Consejo Regional Indígena del Cauca* (CRIC), Regional Indigenous Council of Cauca department, was killed in Santander de Quilichao in circumstances suggesting he may have been the victim of an extrajudicial execution. He had been advising the members of the Paéz community occupying "El Nilo".

Before the massacre, the Paéz had made repeated official complaints to the authorities about the harassment to which they were subjected, but there was apparently no official action to investigate the threats, nor to protect the community. Following the massacre, Colombia's Procurator General said his office was investigating senior police officials in Cauca for negligence and their participation in the massacre. Judicial officials investigating the massacre have reportedly stated that suspects who were arrested or gave themselves up had claimed that members of the National Police were among those responsible for the massacre. Amnesty International has called for all those responsible for having ordered and carried out the killings to be brought to justice. Although several civilians have been arrested in connection with the killings, no arrest warrants have so far been issued against the members of the National Police implicated in the massacre.

Despite repeated pledges by the government to protect human rights, Amnesty International continues to receive reports of widespread political killings and "disappearances" committed by members of the armed forces and paramilitary forces associated with them. Paramilitary groups were declared illegal in 1989 but they continue to commit abuses with virtual impunity. Indigenous communities involved in land disputes are among those targeted for human rights abuses by these

groups, whose activities are also supported by the armed forces and, in some cases, by local authorities. Investigations into human rights violations lead rarely to the trial and conviction of those responsible. Witnesses to these violations have frequently been killed or "disappeared" before they have been able to testify.

INDIGENOUS PEOPLES IN COLOMBIA

There are estimated to be 450,000 indigenous people in Colombia from more than 60 groups. The Paéz community comprises approximately 100,000 people, most of whom live in the southwest province of Cauca. Within their communities they maintain their own form of government, based on their own traditions and religions.

Colombia's legislation with respect to recognition of indigenous rights and protection of their lands is generally considered progressive. However, abuses against indigenous people continue to be reported, particularly in areas where guerrillas are active, where they are "caught between two fires". On the one hand, the local population are often perceived by

the army as potential collaborators. On the other, indigenous communities whose leaders have refused to accept the authority of guerrillas in areas they claim to control are subjected to abuses by insurgent armed groups.

OTHER HUMAN RIGHTS VIOLATIONS⁴ IN COLOMBIA

Amnesty International has raised its concern regarding human rights violations with successive Colombian governments. In recent years widespread and systematic human rights violations, including extrajudicial execution, torture and "disappearance", have occurred against a background of a long-running civil conflict.

Amnesty International is also concerned about killings and hostage-taking by guerrilla groups which have carried out numerous attacks on military and economic targets, in which civilians were deliberately killed. Scores of people have been kidnapped and held to ransom: some have been killed in captivity. Several guerrilla groups have recently demobilized after reaching peace agreements with the government. Others, although still active, have started talks with the government. Despite these developments, political violence has continued unabated. People living in areas where the guerrillas are active are often perceived by the armed forces as actual or potential guerrilla collaborators and have, as a result, been subjected to arbitrary arrest, torture, "disappearance" and extrajudicial executions by army personnel and paramilitary forces working with the army.

WHAT YOU CAN DO

If what you have read about the cases of the Paéz Indians concerns you, turn your concern into action. Write letters (in Spanish if possible) to the authorities in Colombia. Copy your letters to a local organization concerned with indigenous affairs so that they know that people all over the world are concerned about human rights violations committed against indigenous people in Colombia.

Points to raise in your letter

- Explain that you are always concerned about the violation of anyone's human rights. Explain that 1992 is being marked in a number of countries as the 500th anniversary of the arrival of Europeans on the continent. It therefore seems a particularly appropriate time to highlight concerns with respect to human rights violations against indigenous peoples of what is now called the Americas, including the case of the Paéz Indians. Explain that your concern will not diminish when 1992 is over.

⁴These refer to human rights violations which fall within Amnesty International's mandate

- Say in your letter that you are concerned at the massacre of 20 Paéz Indians in the Cauca valley apparently by paramilitary forces.
- Say that you are also concerned at the further killing of Carlos Edgar Torres Aparicio, Rodolfo Álvarez and at the "disappearance" of Etnio Vidardo, an anthropologist, in Cali in January. Express further concern at the safety of Etnio Vidardo and urge that his whereabouts be made known; that if he is detained, he be humanely treated and charged with a recognizably criminal offence or else released.
- Express your concern at the killing of CERIC lawyer Oscar Elias López in Santander de Quilichao in May.
- Express your concern at the failure of the authorities to investigate complaints of threats and harassment against members of the Paéz Indigenous communities. Urge the authorities to take measures to protect the surviving members of the community.
- Urge the Colombian authorities to bring to justice all those responsible for having ordered and carried out the massacre of the Paéz Indians. Also urge that there should be an immediate inquiry into the killing of the three lawyers and the "disappearance" of the anthropologist, the results of which should be made public and those responsible brought to justice.

Address your letter to:

Señor Presidente César Gaviria Trujillo President
 Presidente de la República
 Palacio de Nariño
 Bogotá
 Colombia

Dr. Gustavo de Griff Restrepo Attorney General
 Fiscal General del Estado
 Hotel Orquídea Real
 Bogotá
 Colombia

Dr. Humberto de la Calle Lombana Minister of the Interior
 Ministro de Gobierno
 Ministerio de Gobierno
 Calle 13, No. 8-38, Of. 304
 Bogotá D.C.
 Colombia

COLOMBIAN ORGANIZATIONS WORKING WITH INDIGENOUS PEOPLES

Your letters to the authorities can be copied to these organizations to indicate your concern about human rights violations against indigenous peoples.

ONIC/Unidad Indígena
A.A. 32395 A.A. 516
Santa Fe de Bogotá/Popayán
Colombia/Cauca
Colombia

CRIC

Increase the power of your letter by sending copies to the Colombian Embassy in your country.

PHOTO-- 4. COLOMBIA

Paéz Indian standing before the coffins
during the funeral of the 20 Paéz Indians massacred
(c) *Colombia Hoy*

MEXICO

In January 1992 the Preventive Police, the State Judicial Police and local gunmen raided homes in the indigenous community of La Trinidad Yaveo, state of Oaxaca. The homes were reportedly singled out by gunmen accompanying the police. A Mixe Indian was summarily executed and six other members of the community were arbitrarily arrested and tortured.

According to reports, on 25 January 1992, the police arrived at the village at around 4am. They raided the homes of several inhabitants. They arrested, without warrant, Agustín Diego García, Odilón García Serafín, Abraham Miguel Prudencio, Efraín Miguel Prudencio, Alberto Martínez Hernández -- all Mixe Indians; and Daniel Muez García -- a Zapotec Indian. During the raid, two Indian women, Cristina Diego García and Teresa Esteban Pacheco were said to have been beaten with weapons and a member of the State Judicial Police is said to have put a barrel of his gun into the mouth of five-year-old Misael García Santiago, and to have threatened to kill him if he continued to cry.

During the raid, 20-year-old Tomás Diego García, brother of Agustín, was shot at close range in the back of the head as he ran unarmed after the vehicles in which the detainees were being taken away. Crispina García discovered her son's body near the house with a bullet through his head. Agustín Diego García described his pain when he discovered that his brother had been killed:

"I asked them why they had killed my brother, why they had beaten me so severely... that is what hurts so much... I have a pain in my heart, a pain that one would feel for anyone who dies and even worse when you have been ill-treated, as I had been. I felt as if a knife had entered my heart the moment I found out he was dead."

A complaint has been presented to the state authorities and to Mexico's National Commission for Human Rights regarding the extrajudicial execution of Tomás Diego García. In the last 20 years, at least 13 members of the community of La Trinidad Yaveo have been killed.

The six Indians arrested were handcuffed and blindfolded and driven away to the State Judicial Police office in the local town. During the journey, they were reportedly subjected to beatings which continued inside the police station. They were punched, hit with weapons and kicked all over their bodies. Alberto Martínez reportedly had his head bashed against the wall. The police are also said to have poured burning candlewax over the hands of Daniel Muez García and Alberto Martínez. Agustín Diego García was released without charge the same day, the others were transferred to prison. Taken before a district attorney the following day, the other five were, under threats of further torture by members of the State Judicial Police, obliged to sign papers they were unable to read, and later forced to pose with some weapons and photographed. The five Indians were given no medical examination or legal advice and were held incommunicado for 28 hours. On 29 January they were brought before the judge who reportedly refused to take down their allegations that they had been forced to sign confessions under torture. The Indians were charged with killing a local landowner in February 1990 and were transferred to prison in Matías Romero.

In July 1990 another eight members of the community were detained on the same charges; in December 1991 they were sentenced to 25 years' imprisonment.

In February 1992 an Amnesty International delegation visited the prisons to interview the detainees. It also visited the community to obtain first-hand accounts of the incidents that occurred when police raided the community. Between April and June all 13 were released. Amnesty International remains concerned at the lack of progress into the extrajudicial execution of Tomás Diego García and arbitrary arrest and torture of the six men on 25 January 1991, and urges the authorities to bring those responsible to justice.

INDIGENOUS PEOPLES IN MEXICO

Nearly one third of Mexico's 84 million people are indigenous. There are 56 ethnic groups whose members live throughout the country, primarily in rural areas in central and southern regions. Major language groups are the Nahuatl, Maya and Zapotec, though some 30 other indigenous languages are reportedly spoken in the country. Many of Mexico's indigenous people belong to the poorest sectors of the population and have historically been victims of violations of their cultural, social and economic rights. They have also suffered individual human rights violations such as "disappearance", extrajudicial execution, torture and arbitrary imprisonment.

In the late 1970s political conflict in Mexico intensified as a result of the growth of independent peasant organizations such as the *Coalición Obrero Campesina Estudiantil del Istmo* (COCÉI), the Worker-Peasant-Student Coalition of the Isthmus. These organizations, including COCÉI, participated actively in local politics, pressing land claims of peasants, a large number of whom are Zapotecos, Zoques and Huave indigenous people, and challenging what they claimed was a lack of democracy in municipal and community affairs. There have been repeated episodes of violence against COCÉI and other independent peasant organizations, including alleged extrajudicial executions of some of their members.

OTHER HUMAN RIGHTS VIOLATIONS⁵ IN MEXICO

More than 400 "disappearances" have been recorded in Mexico. Most occurred in the 1970s and early 1980s, but at least four people have "disappeared" since the present administration took office in 1988. Despite investigations initiated by the *Comisión Nacional de Derechos Humanos*, National Human Rights Commission, the whereabouts of most of the "disappeared" remain unknown and those responsible have not been brought to justice.

Over many years Amnesty International has also received reports of the widespread use of torture by Mexican law-enforcement agents, in several cases leading to the death of victims. Members of indigenous communities have frequently been victims of such abuses. Despite repeated official announcements and a number of measures adopted, according to the authorities, to stop such

⁵These refer to human rights violations which fall within Amnesty International's mandate

practices, including legal reforms and the creation in June 1990 of the *Comisión Nacional de Derechos Humanos*, human rights violations have continued, in particular the practice of torture and ill-treatment.

The organization has also received occasional reports of alleged extrajudicial executions and arbitrary killings by law-enforcement agents. Since 1988 the victims have included at least two human rights monitors and Tomás Diego García.

Most of those responsible for the reported abuses have continued to benefit from impunity. Amnesty International believes that unless the Mexican Government abides by its commitment to implement measures to stop all abuses, including bringing those responsible to justice, indigenous people and others will continue to risk being victimized.

WHAT YOU CAN DO

If what you have read about the torture of Agustín Diego García, Odilón García Sagrafín, Abraham Miguel Prudencio, Efraín Miguel Prudencio, Alberto Martínez Hernández and Daniel Muez García and the killing of Tomás Diego García concerns you, turn that concern into action. Write courteous letters (in Spanish if possible) to the authorities in Mexico.

Copy your letters to local organizations concerned with indigenous affairs so that they know that people all over the world are concerned about human rights violations committed against indigenous people in Mexico.

Points to raise in your letter

- Explain that you are always concerned about the violation of anyone's human rights. Explain that 1992 is being marked in a number of countries as the 500th anniversary of the arrival of Europeans on the continent. It therefore seems a particularly appropriate time to highlight concerns with respect to unresolved human rights violations against indigenous peoples of what is now called the Americas, including the cases of the people mentioned above. Explain that your concern will not diminish when 1992 is over.
- Tell the authorities that you have read of torture and killing and other intimidation and abuses suffered by the Mixe and Zapotec indigenous communities. Express concern about the apparent lack of effective investigations into these incidents and that those responsible remain at large.
- Ask that thorough and effective judicial investigations be carried out and that those responsible be brought to justice.
- Express concern about continuing reports of arbitrary imprisonment, torture and other human rights violations being directed against members of indigenous communities in Mexico, and

request information about further measures the authorities propose to adopt to prevent such abuses.

Address your letter to:

Lic. Carlos Salinas de Gortari President
 Presidente de la Republica
 Palacio Nacional
 06067 México DF
 México

Lic. Gilberto Trinidad Gutiérrez Attorney General of the
 Procurador General de Justicia del Estado state of Oaxaca
 Plaza de Danza s/n
 Oaxaca
 Estado de Oaxaca
 México

Dr. Jorge Carpizo MacGregor National Commission for
 Comisión Nacional de Derechos Humanos Human Rights
 Periférico Sur 3469
 Col. San Jerónimo Lídice
 Del. Magdalena Contreras
 CP 10200 México DF
 México

MEXICAN ORGANIZATIONS WORKING WITH INDIGENOUS PEOPLES

Your letters to the authorities can be copied to these organizations to indicate your concern about human rights violations against indigenous peoples.

Sres. Human Rights Organization
 Comité Popular Cristiano
 de Derechos Humanos Pueblo Nuevo
 Tenagueca 55, desp. 303
 Col. Narvarte
 0320 México DF
 México

Sres. Assembly of Mixed Authorities
 Asamblea de Autoridades Mixtas (ASAM)
 Priv. de Sabinos 113
 Col. Reforma
 68050 Oaxaca

Oaxaca
México

Increase the power of your letter by sending copies to the Mexican Embassy in your country.

PHOTO -- 5. MEXICO

Agustín Diego García (centre right)
and his mother, Crispina García Francisco (centre left)

GUATEMALA

María Tiu Tojín and her one-month-old daughter, María Josefa, were last seen in the hands of the Guatemalan military. They "disappeared" in August 1990.

The events leading up to their "disappearance" began on the morning of 29 August 1990 when troops arrived in the village of Santa Clara, in the Amacchél area of El Quiché department. María Tiu Tojín and her daughter were among 86 men, women and children detained by the troops in the village that morning.

Those detained were members of a *Comunidad de Población en Resistencia* (CPR) -- a group of indigenous communities who fled to the mountains to escape the army counter-insurgency campaigns in the early 1980s, and have refused to live in areas under army control. Members of CPR have been accused of being guerrilla collaborators and have been targeted by the army.

After the 86 people, including María Tiu Tojín and her daughter, were rounded up they were forced to walk for nine hours to the town of Amacchél. After they arrived in Amacchél they were held in a school hall for nine days. The only time they allowed out of the hall was when they were taken to the local military garrison to be interrogated.

On the morning of 8 or 9 September the group was taken to La Pista, a village near Amacchél, from where they were taken by army vehicles to the military garrison in central Nebaj. They reportedly arrived there in the early afternoon and were given lunch there. Although there appears to be some confusion as to the exact moment where María Tiu Tojín and her daughter were separated from the group, eyewitnesses reported that as they were having lunch, a soldier came and took them away. María Tiu Tojín was reportedly crying. Neither the baby nor her mother were ever seen again. The rest of the group was eventually transferred to a refugee and displaced persons' reception centre nearby run by the *Comisión Especial de Atención de Refugiados* (CEAR), Special Commission for the Care of Refugees, a government refugee organization.

At some point the army prepared a list of all the detainees' names. This list then served as the basis for a list prepared by CEAR of those transferred to its refugee centre. The name "María Tojín García" and, immediately underneath, that of "María Josefa", listed as aged one month, appeared on both lists, representing a misrecording of María Tiu Tojín's name on the original army list, which was then automatically reproduced on the CEAR list. It is clear, however, that María Tiu Tojín never reached there. Instead, the mother and the baby were apparently taken to a military base outside Nebaj. Soldiers reportedly told her relatives that they were held there, and at the time of the two "disappearances" it is known that soldiers in the area had a baby in their possession. However, when family members and others approached the military authorities to inquire about María Josefa Tiu Tojín and her mother the army denied holding either of them, and said they knew nothing of a baby. Two writs of *habeas corpus* were filed on María Josefa and her mother's behalf, but they remain "disappeared".

INDIGENOUS PEOPLES IN GUATEMALA

Guatemala has one of the highest percentages of indigenous peoples of any country in the Americas; some sources suggest the proportion may be as high as 70 to 75 percent. Over 20 Mayan

languages are reportedly spoken. The Quiché of northeastern Guatemala are the largest of these groups, estimated in a 1950 census (subsequent counts did not break down the indigenous population by ethnicity) to number 339,332, making up 33.6 percent of the country's indigenous population. Indigenous Guatemalans in highland departments like El Quiché, where guerrillas were active in the late 1970s and early 1980s, were a major target of army counter-insurgency policies during those years. Tens of thousands were killed; thousands of others were "disappeared", displaced or forced into exile as successive military governments sought to eliminate any potential source of political sympathy or logistical support for the armed opposition. Since then, indigenous Guatemalans (not only in such areas) have continued to be subjected to large-scale human rights violations, and the situation is particularly difficult for those who have organized to defend their rights.

OTHER HUMAN RIGHTS VIOLATIONS⁶ IN GUATEMALA

In a pattern of human rights violations which Amnesty International has monitored closely for more than two decades, real or suspected opponents of the government continue to be subjected to threats, harassment, "disappearance" and extrajudicial execution often following torture. The abuses are carried out by all branches of the police and military acting both in uniform and in plain clothes in the guise of the so-called "death squads". Victims have included members and leaders of trade unions and popular movements, journalists, politicians, students, lawyers, human rights activists and others who pressed for or were involved in investigations into human rights violations, and indigenous people who have attempted to organize to defend their rights or who were simply resident in areas contested between the Guatemalan military and the armed opposition.

Amnesty International is also concerned about the use of torture; street children, some of them indigenous, have been among recent victims.

In the very few cases where abuses have been investigated, the investigations have in almost all cases been flawed and fraught with judicial irregularities. It is extremely rare for those responsible for human rights violations to be brought to justice.

WHAT YOU CAN DO

If what you have read about María Tiu Tojín and her one-month-old daughter, María Josefa, concerns you, turn that concern into action. Write courteous letters (in Spanish if possible) to the authorities

⁶These refer to human rights violations which fall within Amnesty International's mandate

in Guatemala. Copy your letters to a local organization concerned with indigenous affairs so that they know that people all over the world are concerned about human rights violations committed against indigenous people in Guatemala.

Points to raise in your letter

- Explain that you are always concerned about the violation of anyone's human rights. Explain that 1992 is being marked in a number of countries as the 500th anniversary of the arrival of Europeans on the continent. It therefore seems a particularly appropriate time to highlight concerns about human rights violations against indigenous peoples in what is now known as the Americas, including the case of María Tiu Tojín and her one-month-old daughter, María Josefa. Explain that your concern will not diminish when 1992 is over.
- Tell the authorities that you have read of the "disappearance" of María Tiu Tojín and her daughter and of other abuses directed at Guatemala's indigenous peoples.
- Ask that a thorough and effective judicial investigation of her "disappearance" be conducted and that those responsible be brought to justice.
- Ask the authorities to inform you of the outcome of their investigations and request information about measures they propose to adopt to prevent abuses against indigenous people.

Address your letter to:

S.E. Jorge Serrano Elías
 Presidente de la República
 de Guatemala
 Palacio Nacional
 Guatemala
 Guatemala

President

Gral. José García Samayoa
 Ministro de Defensa
 Ministerio de Defensa
 Palacio Nacional
 Guatemala
 Guatemala

Minister of Defence

Señor Heiselo Valladarzs
 Procurador General de la Nación
 Procuraduría General de la Nación
 18 C 10-36, Zona 1
 Guatemala
 Guatemala

Attorney General

GUATEMALAN ORGANIZATION WORKING WITH INDIGENOUS PEOPLES

Your letters to the Guatemalan authorities can be copied to this organization to indicate your concern about human rights violations against indigenous peoples.

Coordinadora Maya Majawil Q'ij
36 Calle A 2-42
Zona 8
Guatemala
Guatemala

Increase the power of your letter by sending copies to the Guatemalan Embassy in your country.

PHOTO -- 6. GUATEMALA

Indigenous women looking at photographs of "disappeared" in the office of GAM,
the mutual support group for relatives of the "disappeared",
Guatemala City

PERU

On 18 October 1990 the beaten and bullet-ridden bodies of 14-year-old Juanita Ceonan Sauñe and 17 others were exhumed from three mass graves. The graves, which had previously been discovered by relatives and friends of the victims, were located in a ravine (*quebrada*) named Chileahuayeco, in the district of Santiago de Pischa, Huamanga province, Ayacucho department. The exhumation took place in the presence of the president of the *Región Libertadores-Wari*, Wari-Liberators region, a prosecutor, a judge, police officers, two doctors and friends and relatives of the victims.

A journalist described the scene when the bodies of some of the victims were exhumed:

"... the relatives find a second grave ... After removing the branches, cactus and stones, everyone starts digging frantically, some with spades, others with pickaxes, and others with their bare hands. Nearly all of them are crying and the stench is increasing. The first big bone appears, long, like a huge accusing finger. The weeping of the relatives turns to melancholy songs in the local Quechua dialect."

Reports indicated that nearly 40 peasants, including those subsequently found dead, were detained on 21 and 22 September 1990 by soldiers from the Castropampa military base in Huanta, acting together with army-controlled *Comités de Defensa Civil*, Civil Defense Committees. The detentions reportedly took place in the wake of an attack by members of the *Partido Comunista del Perú* (*Sendero Luminoso*), PCP, Communist Party of Peru (Shining Path), on a local Civil Defense Committee on 21 September.

The soldiers, led by two officers using the pseudonyms "Centurión" and "Tigre," and acting in conjunction with local civil defense members, reportedly detained people at six separate locations during the course of 21 and 22 September. According to a written statement made by members of the community of San Juan de Orecchuasi to the *Fiscal Provincial de Huamanga*, the provincial prosecutor of Huamanga, the soldiers detained Juanita Ceonan Sauñe and four others from that community on 21 September. The statement goes on to say:

"Soldiers and Civil Defense Committee members arrived with two army trucks, gathered us outside, began to beat us and threatened us with death if we did not hand over the subversives' arms which they thought were in the village."

The men, women and children detained over the two days were eventually taken on 22 September to a place called Putuecasa where all but the 18 later found dead were released. When relatives of those still detained went to the Castropampa military base on the following day, the head of the patrol, the officer named "Centurión" is said to have denied any knowledge of the detentions.

On 25 February 1991 the Public Ministry's Special Attorney for the People's Defense, Clodomiro Chávez, announced that a judicial investigation had been initiated and reportedly confirmed that he had found evidence that the army officer known as "Centurión" was responsible for the killings. On 28 May 1991 the Peruvian Senate Commission, which had been set up in June 1990 to investigate other cases of gross human rights violations, published its conclusion. The Commission report stated that those responsible for the killings in Chileahuayeco were members of the Peruvian Army, operating under the command of the sergeant known as "Centurión" and with the collaboration of members of the Civil Defense Committee of Huanta. The Commission noted that judicial proceedings had been

initiated against a military officer in both the civil and military courts, thereby requiring a decision by the Supreme Court of Justice as to which court should hear the case. The Commission concluded that as the killings were a common crime there was no valid judicial reason for the case to be held in a military court.

In February 1992 it was reported that a lower civilian court had found sufficient evidence to charge "Centurión" with aggravated homicide. It is believed he is being held at the Rimac army barracks in Lima. There are two processes against him, one in a civil court in Ayacucho which has ground to a halt because he did not appear before the court -- according to reports this was because the military would not allow him to appear before a civilian court. The other process is that of a military court. However, there is no information of any progress made by the military court in this case.

To Amnesty International's knowledge not a single member of the Peruvian armed forces has been convicted for a human rights abuse since the pattern of "disappearances" and killings began in early 1983. A consequence of the failure to bring the perpetrators to trial is that gross violations of human rights by members of the armed forces have been permitted to occur with impunity. A contributing factor to this impunity is the fact that perpetrators of human rights violations are generally tried in military rather than civilian courts.

INDIGENOUS PEOPLES IN PERU

At least 50 percent of Peru's 22 million people are indigenous. The Quechua and Aymara peoples of the highlands comprise some nine million people. The Peruvian Amazon contains about 60 groups with a population of around 100,000 people.

Most human rights violations against the indigenous peoples of Peru take place in the highlands. Fighting between the government forces and the PCP has caused the death or "disappearance" of thousands of members of indigenous communities. Indians suspected of supporting or sympathizing with the PCP have been imprisoned and tortured.

The PCP has also killed thousands of people in Peru's highlands and rainforest regions. Many of the victims were indigenous people who opposed the PCP's political ideology and program. PCP captives are frequently tortured and subjected to mock trials before they are murdered.

OTHER HUMAN RIGHTS VIOLATIONS⁷ IN PERU

Over the past ten years Amnesty International has documented thousands of cases of people who were reported "disappeared" after being detained by the security forces, or summarily killed by

⁷These refer to human rights violations which fall within Amnesty International's mandate

government forces. These extrajudicial executions include some 500 people killed in 18 separate massacres documented by Amnesty International. Many of these victims were indigenous people.

President Fujimori and his government assumed power in Peru on 28 July 1990. In his inaugural speech the President stated that his government would fully respect human rights. However, according to the cases documented by Amnesty International, between 28 July 1990 and 31 March 1992 some 486 people allegedly "disappeared" after arrest and 169 were extrajudicially executed. Scores of cases of torture, and of death threats and attacks on human rights defenders, have also been documented by the organization since July 1990.

Human rights violations occur in the context of the government's counter-insurgency operations directed against the clandestine armed opposition groups PCP and the *Movimiento Revolucionario Túpac Amaru*, Túpac Amaru Revolutionary Movement. Amnesty International is concerned about and condemns abuses by the armed opposition, including torture, and the deliberate and arbitrary killing of defenceless civilians not directly involved in the internal conflict and of all combatants who have laid down their arms and those placed "*hors de combat*" by sickness, wounds, detention or any other cause.

WHAT YOU CAN DO

If what you have read about 14-year-old Juanita Ceonan Sauñe and 17 others whose bodies were found in a mass grave concerns you, turn that concern into action. Write letters (in Spanish if possible) to the authorities in Peru.

Points to raise in your letter

- Explain that you are always concerned about the violation of anyone's human rights. Explain that 1992 is being marked in a number of countries as the 500th anniversary of the arrival of Europeans on the continent. It therefore seems a particularly appropriate time to highlight concerns with respect to unresolved human rights violations against indigenous peoples of what is now called the Americas, including the incidents at Chileahuayco. Explain that your concern will not diminish when 1992 is over.
- Write that you have read about the massacre at Chileahuayco, in the district of Santiago de Pischa, Huamanga province, Ayacucho department.
- Ask that a full, independent judicial inquiry by civilian and not military courts -- given the record of failure in bringing to justice members of the security forces -- be set up, with the aim of making known the full truth about what happened.
- Ask that the perpetrators of this massacre be brought to trial as soon as possible.

Address your letter to:

Minister of the Interior

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

Minister of Justice

Señor Fernando Vega Santa Gadea
 Ministro de Justicia
 Ministerio de Justicia
 Av. Emancipación y Lampa
 Lima
 Peru

Minister of Defence

General EP Victor Malca Villanueva
 Ministro de Defensa
 Ministerio de Defensa
 Avenida Boulevard
 Monterico
 Lima 33
 Peru

Your letters to the Peruvian authorities can be copied to the following to indicate your concern about human rights violations against indigenous peoples.

Comisión de Derechos Humanos (COMIDEPH)
 Av. Horacio Urteaga 704
 Lima 11
 Peru

Increase the power of your letter by sending copies to the Peruvian Embassy in your country.

PHOTO -- 7. PERU

Chileahuaycco mass grave,
discovered in October 1990

INTERNAL (for AI members only)

AI Index: AMR 01/15/92

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 Amnesty International
 International Secretariat
 1 Easton Street
 London WC1X 8DJ
 United Kingdom

September 1992

INDIGENOUS PEOPLES OF THE AMERICAS

Second Appeal Cases

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 Amnesty International, International Secretariat,
 1 Easton Street, London WC1X 8DJ, United Kingdom

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<p>2. HONDURAS Vicente Matute Cruz</p>	-----	-----
<p>3. CANADA John Joseph Harper</p>	-----	-----
	No. of prints	No. of negatives

- | | | | |
|----|---|-------|-------|
| 4. | COLOMBIA
Paez Indian standing before
the coffins during the funeral
of the 20 Paez Indians massacred | ----- | ----- |
| 5. | MEXICO
Agustin Diego Garcia (centre right)
and his mother, Crispina Garcia
Francisco (centre left) | ----- | ----- |
| 6. | GUATEMALA
Indigenous women looking at
photographs of "disappeared" in the
office of GAM, the mutual support
groups for relatives of the
"disappeared", Guatemala City | ----- | ----- |
| 7. | PERU
Chilcahuaycco mass grave,
discovered in October 1990 | ----- | ----- |

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Signed _____

Name and position _____
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