

EXTERNAL (for general distribution)

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UA 09/93 Fear for Physical Safety/Legal Concern

13 January 1993

PERU: Dr Alfredo CRESPO BRAGAYRAC
Dr Jorge CARTAGENA VARGAS
Dr Andrés COHELLO

Amnesty International is concerned for the physical safety and legal situation of lawyers Dr Alfredo Crespo Bragayrac, Dr Jorge Cartagena Vargas and Dr Andrés Coehlllo, who were reportedly detained by the police on 11 January 1993, in Lima, the capital.

All three were reported to have been arrested by members of the Brigada Especial de Detectives Contra el Terrorismo, a special unit of detectives attached to the Dirección Nacional Contra el Terrorismo, DINCOTE, the anti-terrorist police. The detainees are probably being held at the DINCOTE headquarters in Lima.

Following the arrest of Dr Crespo, the police are said to have searched his home. Some reports claim that the police found several boxes of propaganda material supporting the clandestine Partido Comunista del Perú (Sendero Luminoso), PCP, Communist Party of Peru (Shining Path), in Dr Crespo's home. Other reports disclaim these allegations.

The three lawyers are members of the Colegio de Abogados, the lawyers' Bar Association, and of the Asociación de Abogados Democráticos, Association of Democratic Lawyers. The latter organization defends PCP members charged with offences under Peru's counter-insurgency laws. In October 1992 Dr Crespo defended Abimael Guzmán, leader of the PCP, when he faced charges of treason before a secret military court. In December 1992 Dr Cartagena defended Martha Huatay on similar charges. Dr Huatay is a lawyer and alleged head of Socorro Popular, a PCP welfare organization. Both defendants were sentenced to life imprisonment for their part in the PCP, an armed opposition group responsible for thousands of killings.

BACKGROUND INFORMATION

Over the years members of the Asociación de Abogados Democráticos have been targeted with death threats, attacked and killed by civilian-dressed gunmen said to be operating with the support of the security forces, and reportedly tortured.

In July 1988, Dr Manuel Febres Cordero was abducted and shot dead. His killing was claimed by the Comando Rodrigo Franco (CRF), a so-called "death squad". This group was alleged to have links with the government of former president Alan García.

In April 1989, Dr Cartagena was reported to have received a death threat in the name of the CRF. In April 1992 Dr Cartagena was detained together with five other lawyers attached to the Asociación de Abogados Democráticos. They were released shortly afterwards without charges (see UA 120/92, AMR 46/14/92, 10 April 1993 and follow ups, AMR 46/16/92, 23 April 1992 and AMR 46/24/92, 19 May 1992). The following September, Dr Cartagena was seriously injured when unidentified men were reported to have entered his office and shot him using firearms attached with silencers.

In a press release issued in October 1992, Dr Crespo claimed that he had received anonymous telephone calls threatening him with death.

In November 1992, the Colegio de Abogados de Lima, Lima Bar Association, published a resumé of a motion approved unanimously by its members requesting the Association to condemn the "proven" police torture of Dr Martha Huatay. According to reports, Dr Huatay was tortured and seriously injured while detained by the DINCOTE, prior to her trial by a secret military tribunal.

Since 1983, Amnesty International has documented an extensive and systematic pattern of human rights violations by the government's security forces, and of abuses by the PCP. The government has "disappeared", extrajudicially executed, and tortured thousands of people since the armed forces took responsibility for counter-insurgency operations in December 1992. The PCP, as part of a widespread and systematic campaign of terror, has tortured and summarily executed thousands of civilians and members of the security forces in violation of humanitarian standards enshrined in Common Article 3 of the four Geneva Conventions of 1949. Amnesty International unequivocally condemns and is opposed to abuses by the security forces and the armed opposition.

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

- expressing concern for the physical safety of Dr Alfredo Crespo Bragayrac, Dr Jorge Cartagena Vargas and Dr Andrés Cohello, reportedly detained on 11 January 1993 by members of the DINCOTE;
- urging that they be humanely treated and given access to independent lawyers, doctors and their families;
- requesting information about the legal grounds for their arrest.

APPEALS TO

1) President:

Presidente Alberto Fujimori
Presidente de la República
Palacio de Gobierno
Plaza de Armas
Lima 1, PERU

Salutation: Señor Presidente/Dear President

Telegrams: Presidente Fujimori, Lima, Peru
Telexes: 20167 PE PALACIO

2) Minister of the Interior:

General EP Juan Briones Dávila
Ministro del Interior
Ministerio del Interior
Plaza 30 de Agosto 150
San Isidro
Urbanización Corpac
Lima 27, PERU

Salutation : Sr. Ministro/Dear Minister

Telegrams: General Briones, Ministro Interior, Lima, PERU
Telexes: 21133 PE OCMI/21697

3) Head of police anti-terrorism division:

General Carlos Domínguez Solís
Jefe de la Dirección Nacional Contra
el Terrorismo - DINCOTE

**Salutation: Sr. General/
Dear General**

Cdra. 4, Avenida España
Lima, PERU

Telegrams: General Dominguez, Jefe de DINCOTE, Lima, PERU

COPIES OF YOUR APPEALS TO:

Lima Bar Association
Señores
Colegio de Abogados de Lima
255 Avenida Santa Cruz
Lima 18
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 24 February 1993.