

23 March 2007

UA 75/07 Fear for safety

PERU **Javier Rodolfo Jahncke Benavente (m), human rights defender
Other members of the *Red Muqui* human rights group**

Human rights defender Javier Rodolfo Jahncke Benavente has received a death threat which appears to be directly linked to his work to protect the rights of communities affected by mining projects in the north of the country. Amnesty International believes that he and other members of the *Red Muqui* (Muqui Network) may be in danger.

Javier Rodolfo Jahncke Benavente received an anonymous call to his mobile phone on 15 March from a man who told him, *Vas a morir* (You are going to die). Javier Rodolfo Jahncke works for the *Red Muqui* in rural communities in Piura department. The *Red Muqui* support group he runs is working to ensure that the communities have access to information about projected mining activities, and to a transparent and fair consultation before any such activities are carried out.

The *Red Muqui* is a nationwide umbrella group of 19 organisations which work for the defence of the rights of rural and indigenous communities affected by mining projects. These include the right to information and to be consulted before any decisions are made about mining activity in their communities.

Javier Rodolfo Jahncke Benavente filed a complaint about the threat with the prosecutor's office in Lima on 16 March. Amnesty International is not aware that they have opened an investigation.

BACKGROUND INFORMATION

Most mining in Peru is for metals and the mining projects covered by the organisations in the *Red Muqui* include the extraction of copper, zinc, lead and gold. The communities' main preoccupation is the environmental impact that these projects may have in their region. However, this is compounded by a lack of access to information and consultation prior to any decisions being made about mining activity in their communities.

Other human rights defenders working on similar issues to Javier Rodolfo Jahncke Benavente have also received threats. On 31 August 2006, Dr Mirtha Vasquez Chuquilin, Executive Director of environmental and human rights organisation, GRUFIDES, received an anonymous telephone call in which she was told *Te vamos a violar y luego te vamos a matar* (We will rape you and then we will kill you). Father Marco Arana, a member of GRUFIDES, received anonymous death threats by telephone on both 3 and 4 August 2006. On 27 September 2006, Father Arana's niece received a telephone call in which she was told: *Dile a tu tío que no se meta, le vamos a disparar un balazo en la cabeza* (Tell your uncle not to get involved, we will put a bullet through his head).

Father Marco Arana and Dr. Mirtha Vasquez Chuquilin, as well as other members of GRUFIDES, have apparently also been followed by unidentified individuals on motorbikes, and have also been filmed and photographed in the street. GRUFIDES is part of the *Red Muqui*. (For more information see UA 312/06, AMR 46/029/2006, 22 November 2006).

Human rights defenders are a fundamental part of any society. The protection of human rights depends on the state accepting criticism and proposals from civil society in order to remove any obstacles to the promotion and attainment of all human rights. Therefore, human rights defenders should have the right and be encouraged to carry out their work without fear of reprisals.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern that human rights defender Javier Rodolfo Jahncke received an anonymous death treat on 15 March;
- expressing concern for his safety and for the safety of all human rights defenders working in the *Red Muqui*;
- urging the authorities to take steps to guarantee the safety of Javier Rodolfo Jahncke and all human rights defenders working in the *Red Muqui*, in accordance with their own wishes;
- urging the authorities to carry out an independent and impartial investigation into the death threat received by Javier Rodolfo Jahncke, making the results public and bringing those responsible to justice;
- asking to be informed of the results of this investigation;

- urging the authorities to send a clear public message that they will not tolerate intimidation and harassment of human rights defenders;
- urging the authorities to guarantee the right of local communities affected by mining projects to information and to participate in an open, transparent and fair consultation process before any mining activities take place;
- stating that human rights defenders are a fundamental part of society and that the protection of human rights depends on human rights defenders being able to carry out their work without fear of reprisals.

APPEALS TO:

Attorney General

Dra. Adelaida Flora Bolívar Arteaga
Fiscalía de la Nación
Av. Abancay, cuadra 5 s/n, Lima 1, PERÚ
Fax: +51 1 426 2800
Salutation: Sra. Fiscal de la Nación

Minister of Energy and Mines

Sr. Juan Gualberto Valdivia Romero
Ministro de Energía y Minas
Ministerio de Energía y Minas, Av. Las Artes Sur 260, San Borja, Lima 41, PERÚ
Fax: +51 1 224 4490
Salutation: Sr. Ministro

Minister of the Interior

Sr. Luis Alva Castro
Ministro del Interior
Ministerio del Interior, Plaza 30 de Agosto 160, Urb. Córpac, San Isidro, Lima 27, PERÚ
Fax: +51 1 225 7234
Salutation: Sr. Ministro

COPIES TO:

Human Rights Organisation

Fundación EcuMénica para el Desarrollo y la Paz
FEDEPAZ
Jr. Trinidad Morán 286, Lince, Lima 14, PERÚ
Fax: +51 1 421 4747 (If someone answers, say: Me da tono de fax por favor)

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 4 May 2007.
