

**PUBLIC**

**AI Index: AMR 46/010/2003**

**UA 162/03**

**Police Brutality/Excessive use of Force**

**4 June 2003**

**PERU**

**Scores of demonstrators**

**Killed**

**Hedí Quilca Cruz (m) – Student**

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On 27 May, a thirty-day state of emergency was declared in Peru, under which certain Constitutional rights have been suspended. Amnesty International is concerned that this could result in the security forces using excessive force against demonstrators. The organization is also concerned that this might mark the beginning of further human rights violations.

Student Hedí Quilca Cruz was killed and scores of others injured in the city of Puno, Puno department, on 30 May, during clashes between protesters and the security forces. Amnesty International is concerned that excessive use of force may have been used during these clashes by the security forces in violation of the United Nations Code of Conduct for Law Enforcement Officials and the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

The state of emergency was declared in response to nation wide strikes and protests by the teachers union, *Sindicato Unitario en la Educación Peruana* (SUTEP), Peruvian Education Unitarian Union and other unions who are demanding higher salaries. The state of emergency has restricted the right to freedom and personal security, the right to freedom of movement and assembly and the right for the authorities not to enter a home without a search warrant.

Amnesty International takes no position on whether or in what circumstances it is legitimate for the authorities to declare a state of emergency. However, the organization is concerned that in enforcing a state of emergency, the authorities could be failing to ensure that human rights are unequivocally and fully respected at all times and in all places whatever the circumstances.

#### **BACKGROUND INFORMATION**

Unions throughout the country have been striking and protesting for better living conditions and against some of President Alejandro Toledo's economic policies during the past year. For example, in April 2002, the government had to halt plans to privatize part of their electrical plants in the town of Arequipa following mass demonstrations. Two demonstrators died in circumstances suggesting that the security forces used excessive force to disperse protesters.

Social and economic rights are far from being fulfilled in a country were according to the Peruvian Institute of Statistics, over 50 percent of the population live in poverty.

Amnesty International believes that social, economic, cultural civil and political rights, which are fundamental to the dignity and development of every human being, are indivisible and universal. The context which gives rise to human rights violations is invariably complex and cannot be divorced from issues of health and status, injustice and impunity. The protection of civil and political rights cannot be fulfilled without the protection of social, economic and cultural rights. The organization believes Peru must abide by the international human rights standards such as the International Covenant on Civil and Political Rights and the International Covenant on Social, Economic and Cultural Rights.

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

- expressing concern for the apparent excessive use of force by the security forces against protesters in the city of Puno, Puno department which resulted in scores of protesters being injured and one being killed on 30 May 2003;
- urging the authorities to fully, impartially and thoroughly investigate the events of 30 May and role that the security forces may have played in the death of Hedí Quilca Cruz;
- calling on the authorities to send a clear message to the security forces enforcing the state of emergency that human rights should be fully respected at all times;
- urging the authorities to ensure that the security forces respect the United Nations Code of Conduct for Law Enforcement Officials and the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials throughout Peru.

**APPEALS TO:**

President

Presidente Alejandro Toledo Manrique  
Presidente de la República del Perú  
Palacio de Gobierno  
Plaza Mayor  
Lima 1, Perú

**Telegram:** Presidente de la Republica del Peru, Lima, Peru  
**Fax:** + 51 1 426 6770  
**Salutation:** Sr. Presidente/Dear President

Interior Minister

Ab. Alberto Sanabria  
Ministro del Interior  
Ministerio del Interior  
Plaza 30 de Agosto s/n  
Urb. Córpac  
San Isidro  
Lima 27, Perú

**Telegram:** Ministro del Interior Lima, Peru  
**Fax:** + 511 224 2405  
**Salutation:** Sr. Ministro/Dear Minister

**COPIES TO:**

Defence Minister

Sr. Aurelio Loret de Mola  
Ministro de Defensa  
Ministerio de Defensa  
Av. Arequipa 291  
Lima 1, Perú

**Fax:** + 51 1 433 6906 (if someone answers say "me da tono de fax por favor")  
**Salutation:** Sr. Ministro/Dear Minister

Human Rights Organization

Coordinadora Nacional de Derechos Humanos (CNDDHH) National Human Rights Coordinating Body  
Jr. Túpac Amaru 2467  
Lince  
Lima 14, Perú

**Tel/fax:** + 51 1 441 1533/422 4827(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 16 July 2003.