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Peru: Time for concrete action to eradicate torture

Despite major political changes and repeated commitments to human rights by those in power, torture and ill-treatment remain widespread in prisons, police stations and military installations in Peru, Amnesty International said today.

The organization is releasing a new report today highlighting how political and common prisoners, criminal suspects and military conscripts continue to suffer torture and ill-treatment -- including electrical shocks, asphyxiation, near-drowning, beatings, sexual abuse and denial of food at the hands of state officials and military personnel.

"Torture and ill-treatment continue to thrive on a culture of impunity fed by the lack of adequate investigations, a climate of intimidation against victims who dare to speak up, and failure to bring those responsible to justice," Amnesty International stated. "It is of great concern that, since torture was criminalized by law under President Fujimori's administration in 1998, little has been done to put an end to this scourge, and in only two cases have perpetrators been sentenced," the organization added.

Confessions extracted under torture are still widely admitted as evidence in court and often provide the sole basis for convictions. In prisons and military barracks torture and ill-treatment are used to punish, discipline and humiliate inmates and new recruits. Children and adolescents are also subjected to torture and harsh treatment, and cases reported to Amnesty International include sexual abuse and death in custody.

The report documents over 30 cases of torture recorded in the past three years. These include the beating of Clotilde Vidal Paredes by police officers who stopped her and her husband on their way to work in a field in La Libertad department; the torture of student Aldo Mercedes Silvestre Ramírez -- a student suffering from paranoid schizophrenia; and the repeated sexual abuse in custody of Elisa Rivera Toribio in Santa Lucía prison, Pasco department.

Amnesty International's report also highlights how conditions in maximum security prisons continue to amount to cruel, inhuman and degrading treatment. In particular, the Inter-American Commission on Human Rights and several human rights organization have called for the closure of Challapalca prison, situated 4,600 metres above sea level, where temperatures are extremely cold and conditions of isolation seriously curtail inmates' rights to maintain contacts with their families, lawyers and doctors.

"Not only has Challapalca prison not been closed. Prisoners continue to be transferred there -- the last group as recently as April this year," Amnesty International said, renewing its call on the Peruvian authorities to close Challapalca prison and transfer all inmates.

"It is undoubted that the government of President Toledo has taken important steps to protect human rights and put an end to torture," Amnesty International acknowledged. Such steps include: the establishment of a Special Commission for the Restructuring of the National Police of Peru to carry out an in-depth evaluation to identify the main strengths and weaknesses within the police; the creation of an ombudsperson for the police and the strengthening of the human rights division within the Ministry of the Interior to deal with human rights complaints.

"However, much remains to be done to ensure that all Peruvians can live free of violence at the hands of state agents, and to turn promises into real change," the organization continued.

Amnesty International, which welcomed the report of the Special Commission for the Restructuring of the National Police of Peru, recommends that police training should include training on human rights, interrogation techniques, investigation techniques, crime scene handling, basic forensic knowledge and training on appropriate use of force according to human rights principles. In addition to training, the police should be given the resources needed to be able to do their job efficiently without resorting to human rights violations.

In its report, Amnesty International makes a series of concrete recommendations to eradicate torture and ill-treatment, which include:

- carrying out prompt, thorough, effective and impartial investigations into allegations of human rights violations by members of the security forces, who should be suspended from duty pending investigation and tried in civilian courts, in accordance with international standards; and
- ensuring that confessions extracted under torture or duress are not admissible as evidence in criminal proceedings against the victim.

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