

EXTERNAL

AI Index: AMR 46/25/95

UA 257/95

Death threats / Fear for safety

20 November 1995

PERUSusana Villarán (f), human rights activist
Gisella Ortíz (f), relative of La Cantuta victim
Raida Condor (f), relative of La Cantuta victim
Francisco Soberón, human rights activist
Ernesto de la Jara, human rights activist
Heriberto Benítez, lawyer
General Rodolfo Robles, dissident army officer
Henry Pease, Congressman
Javier Diez Canseco, Congressman
Gustavo Mohme, Congressman

On the morning of 16 November 1995, a wreath in the shape of a cross was delivered at the premises of the *Asociación Pro Derechos Humanos*, an independent human rights organization. A card attached to the wreath read: "*En recuerdo de los que fueron y por la eterna calcinación de sus restos: NADA SOMOS*", "In memory of those who lived and for the eternal cremation of their remains: We're nobody".

This message was followed by the names of the three women and seven men listed above.

Although the message was signed off anonymously, its salutation, "*Con mucho recuerdo de la comunidad Colina*", "With best regards from the Colina community", indicates that members of the *Grupo Colina*, a "death squad" allegedly linked to the Peruvian *Servicio de Inteligencia del Ejército* (SIE), were the senders.

In February 1994 members of the army, said to be part of the *Grupo Colina*, were found guilty and sentenced up to 20 years imprisonment for the abduction and killing of nine students and a professor from La Cantuta University in July 1992. (See *Peru: La Cantuta killings and other human rights violations not yet fully investigated*, AMR 46/03/94, March 1994). However, following the government's promulgation of an amnesty law in June 1995, they were immediately released.

Amnesty International is seriously concerned for the safety of those named in the death threat. The seven have all actively promoted respect for human rights in Peru, and have condemned widespread human rights violations by the security forces which have occurred in the context of a 15-year-old internal conflict against the armed opposition. In addition, since the amnesty law came into effect they have actively sought to have it revoked by Congress.

BACKGROUND INFORMATION

In June 1995 Congress passed a law which grants a general amnesty to all members of the security forces and civilians who were subject of a complaint, investigation, indictment, trial or conviction, or who were serving prison sentences, for human rights violations committed between May 1980 and 15 June 1995.

Amnesty International has documented thousands of cases of "disappearance", extrajudicial execution and torture which occurred between 1980 and 15 June 1995. Only on very few occasions were those responsible brought to justice. The "institutionalization of impunity in Peru", wrote the United Nations (UN) Special Rapporteur on extrajudicial, summary or arbitrary executions in his 1994 report following a visit to the country, is one of "the main problems with the regard to [a lack of respect for] the right to life". With the passing of the Amnesty Law in June 1995, institutionalised impunity was also legalised.

Amnesty International believes that the Amnesty Law was passed in response to an ongoing judicial investigation against members of the army suspected of having been responsible for the 1991 Barrios Altos massacre, in which 15 people were killed (see UA 401/91, AMR 46/75/91, 15 November 1991). Among those being investigated were members of the *Grupo Colina* "death squad" and high ranking army officers, including the Chief Commander of the Armed Forces and the head of the SIE.

The Amnesty Law effectively closed this investigation. However, the decision of the judge investigating the Barrios Altos massacre that the Amnesty Law was inapplicable to this case, prompted a further law to be passed by Congress. This law effectively prevents the judiciary from deciding on the legality or applicability of the Amnesty Law.

National and international human rights defenders have strongly condemned both laws, in effect impunity laws which are an affront to the victims and their relatives, and which nurture a vicious circle of violence in which human rights abuses go unpunished. Both laws were also strongly condemned by UN human rights experts in a letter to the Government of Peru. The UN experts stated that both laws "favour impunity".

Since these laws came into effect, human rights defenders who have opposed their promulgation have received death threats on many occasions. (see UA 146/95, AMR 46/10/95, 23 June 1995 and follow-up, AMR 46/21/95, 3 October; UA 149/95, AMR 46/12/95, 26 June and follow-ups, AMR 46/16/95, 13 July and AMR 46/18/95, 12 September; and UA 168/95, AMR 46/15/95, 12 July).

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/airmail letters in Spanish or your own language:

- expressing concern that Susana Villarán, Gisella Ortiz, Raida Condor, Francisco Soberón, Ernesto de la Jara, Heriberto Benítez, General Rodolfo Robles, Henry Pease, Javier Diez Canseco and Gustavo Mohme have been threatened with death, apparently by members of the *Grupo Colina*, a "death squad" allegedly linked to the Peruvian Servicio de Inteligencia del Ejército (SIE), Army Intelligence Service;
- urging that all necessary steps be taken to ensure the safety of the above named women and men;
- urging the Attorney General to ensure that a prompt and thorough investigation in the death threat is conducted, the findings are made public, and the perpetrators brought to justice.

APPEALS TO:

Minister of Defence
 General EP Víctor Malca Villanueva
 Ministro de Defensa
 Ministerio de Defensa
 Avenida Boulevard y Monterrico
 Lima 33, PERU

Faxes: +5114 334470

Telexes: 225438 comgregj

Telegrams: Ministro de Defensa, Lima, Peru

Salutation: Sr. Ministro/ Dear Minister

Attorney General

Dra. Blanca Nélide Colán Maguiño
Fiscal de la Nación
Fiscalía de la Nación
Av. Abancay, 5 cuadra, s/n
Lima 1, PERU

Faxes: +5114 262474 (if voice, ask "me da tono de fax, por favor", you may then be asked who you are wishing to send to, reply "Fiscal de la Nación")

Telegrams: Fiscal de la Nación, Lima, Peru

Salutation: Sra. Fiscal de la Nación/ Dear Attorney General

COPIES TO:

Human rights organization
CNDDHH, Jr. Túpac Amaru 2467
Lince, Lima 14, 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 6 January 1996.