

# PERU

## @Mass Human Rights Violations Continue Under New Government

### INTRODUCTION

In his inaugural speech in July 1990 President Alberto Fujimori stated that "the unconditional respect and promotion of human rights will be a firm line of action during my government" ("el irrestricto respeto y promoción de los derechos humanos será una firme línea de acción de mi gobierno") and that a national commission would be set up to guarantee respect for human rights. However, although a Senatorial Commission investigating a number of cases of gross human rights violations has been established, no national commission on human rights has been set up and there has been no indication of an improvement in Peru's human rights situation.

A pattern of gross human rights violations in Peru has been documented by Amnesty International since early 1983, including "disappearances", torture and extrajudicial executions. Threats and attacks on independent and official human rights defenders have also been consistently reported. During this period, more than 4,000 people have reportedly "disappeared" or been killed in circumstances suggesting extrajudicial execution. A significant number of these violations have been large scale abuses, involving men, women and children.

Since the new government took over in July 1990, this pattern has continued. Amnesty International has received information on over a hundred new cases of "disappearance" following arrest by members of the security forces. Reports of torture and ill-treatment, including rape by the security forces, also continue to be documented. The organization has also called on the Peruvian government to investigate reported extrajudicial executions, including two cases of mass killings.

### Context

Human rights violations in Peru take place in a context of increasingly violent activities by armed opposition groups, especially the Partido Comunista del Perú "Sendero Luminoso", Communist Party of Peru, "Shining Path", which first emerged on the national scene with an attack on a voting station in a remote village in Ayacucho department during the May 1980 elections. Since then Sendero Luminoso has claimed responsibility for hundreds of execution-style killings of government officials, leaders of left-wing political parties and members of peasant communities believed to have cooperated with the armed forces. Ayacucho

has become the group's main strong-hold and political violence and human rights violations by the authorities have become more prevalent in Ayacucho than in any other department of Peru.

The authorities' responded to the spread of violent activities by armed opposition groups by declaring certain areas under a state of emergency; presently two-thirds of the country are under emergency legislation. With the exception of Lima and Callao, responsibility for maintaining internal order in such zones is assigned to a political-military command headed by a high ranking officer. In these areas the armed forces have overall political responsibility, that is, they administer all the functions of the state.

It was after the creation of the first political-military command in December 1982, that Amnesty International first began to receive numerous reports of incommunicado and unacknowledged detentions, many of which have led to "disappearances". Most of them have occurred in rural areas and have been carried out by uniformed members of the security forces, who often refuse to acknowledge the detentions. Many of those detained by the armed forces "disappear" indefinitely; others are released after days or weeks in secret custody, during which time they may be subjected to torture. Sometimes their detention is acknowledged, after prolonged secret detention and interrogation under torture. In these cases detentions are only acknowledged to have occurred as of the date the detainees are transferred from military to police custody, when public prosecutors are informed of the detention. This is a major contributing factor to the continuing practice of torture and "disappearance".

To Amnesty International's knowledge, not a single member of the armed forces has been convicted for a human rights abuse since this pattern of violations began in early 1983. The failure to thoroughly investigate cases and bring to justice the perpetrators means that the Peruvian authorities are not fulfilling their obligations as set out in constitutional and international standards. A consequence of this failure is that gross violations of human rights by members of the security forces have been permitted to occur with impunity.

A contributing factor to this impunity is the fact that perpetrators of human rights violations in the emergency zones are tried in military courts rather than civilian ones. Furthermore, investigations carried out by the Public Ministry and judicial authorities into alleged violations are often obstructed by threats and intimidation on the part of the armed forces. The use of pseudonyms by military officials carrying out counter-insurgency operations also adds to the difficulties of adequately investigating the violations. Their use has been a common practice in Peru over the last few years.

This document details four cases of mass human rights violations which have occurred during the first year of the new administration, all of which took place in the department of Ayacucho.

## 1. THE IQUICHA MASSACRE - AUGUST 1990

### Victims

**Santiago HUAMAN GOMEZ, Presidente del Comité de Defensa Civil de Iquicha,  
(President of the Civil Defence Committee of Iquicha), 55**

**Mariano NAVARRO HUACHACA, Community Leader, 58**

**Filomeno CUCHURI RAMIREZ, 34**

**Alejandro AYALA PEÑA, 26**

**Sergio CURI AGUILAR, 66**

**Mariano ALLPACCA HUAYTA, 48**

**Melitón FIGUEROA LAPA, 49**

**Pío MORALES FIGUEROA, 45**

**Virgilio LAPA HUAMAN, 20**

**Pablo Andrés LAPA LEON, 28**

**Saturnino FIGUEROA LAPA, 46**

**Elena VARGAS MACHACA, 46**

**Benedicto VICAÑA HUAYTA, 17**

**Anita FIGUEROA VARGAS, 11**

**Darío HUAMAN CURI, 15**

**Juana LAPA HUACHACA, 72 (killed one week later)**

On 22 August 1990 12 men and women, plus three minors, aged 11, 15 and 17, all from the Iquicha community, near Uchuraccay, Huanta province, Ayacucho department, were reportedly killed by soldiers and members of an army-controlled Comité de Defensa Civil, Civil Defence Committee, in what appears to have been a mass extrajudicial execution.

This incident occurred after Iquicha's community leaders refused to accept a demand made by the military to cooperate in a planned confrontation with the armed group Partido Comunista del Perú "Sendero Luminoso", Communist Party of Peru "Shining Path".

According to reports, the community members had decided not to participate in the confrontation because, from their experience as former civil defence recruits, they felt that they were used by the soldiers as protection shields.

Two days after the confrontation, some 50 soldiers based at the Machente and Ccano military bases and approximately 100 members of a Civil Defence Committee reportedly entered the community of Iquicha and detained 15 men, women and children, on the pretext that their assistance was needed to track down "subversives". According to reports, members of the patrol stole cattle and belongings from the community and beat the detainees. After leading them to a spot some 10 kilometres away, they reportedly shot them dead.

According to a formal complaint made to the Fiscal Superior de Ayacucho, the Public Prosecutor of Ayacucho, by the Juez de Paz de Iquicha, the Iquicha Justice of the Peace, when the latter went to the site in Uchuraccay where the bodies had reportedly been found, members of the army and the Civil Defence Committee would not give him access so that identification of the bodies could be carried out:

"In my capacity as Justice of the Peace ... I went to the scene of the events, where members of the army ... would not allow us to carry out the task of recognising and identifying the bodies. Likewise, the members of the army ... proceeded to burn the community members' houses ...

with all their supplies, belongings and cattle ... All this constitutes a grave crime against humanity".<sup>1</sup>

A week after the killings took place Juana Lapa Huachaca, a 72-year-old woman from the Iquicha community was also killed by soldiers, according to the Juez de Paz de Iquicha. She apparently went back to the community when she saw the houses being burnt by the soldiers and was shot dead. The Justice of the Peace stated in his report:

"Her head was in pieces and her face was completely black; she also had a wounded knee, as if she had been hit with a club".<sup>2</sup>

According to the transcription of the testimony of a member of the Iquicha community, although Juana Lapa Huachaca's body was found intact, the other bodies were reportedly so badly burnt that they could not be buried:

"We didn't bury them because there was scarcely anything left of them, there were only decomposed pieces ... their hair, burnt bones, some pieces of clothing ..."<sup>3</sup>

A denunciation was also made to the Prefecto de Ayacucho, a political authority of the department of Ayacucho, by the Juez de Paz de Iquicha and another community member, in which they stated that after the killings the villagers had had to move to another community:

"Seventy-six villagers in all moved to this place and we are terrified that members of the Machente army base and of the Ccentabamba Civil Defence Committee will come here as well to commit acts of genocide and pillage against our community".<sup>4</sup>

A denunciation was also made to the Fiscal Superior Decano de Ayacucho, the Chief Public Prosecutor of Ayacucho. As far as Amnesty International is aware, no full judicial investigations have been initiated.

### Senate Commission

On 26 October 1990, in response to a motion initiated by Senator Javier Diéz Canseco, the Peruvian Senate agreed to set up a Commission, presided over by Senator Gustavo Mohme Llona, to investigate a number of cases of gross human rights violations. The alleged massacre of the Iquicha residents has been included by the Commission in its case list, but by the end of June 1991 the Commission had not reported its findings.

In Peru, Senate commissions have played a major role in the investigation and clarification of gross abuses of human rights. The commissions are empowered to submit their findings to a plenary session of the Senate. Commission reports approved by the Senate are then sent to the Public Ministry who, in turn, may initiate their own independent investigations. However, prosecution of security forces personnel found responsible by such commissions for the violations of human rights have rarely progressed.

**2. THE CHILLCAHUAYCCO MASSACRE - SEPTEMBER 1990****Victims****Detained in the District of San José de Ticllas**

<b>Marcelino VELARDE RODRIGUEZ, 18</b>	<b>(detained in Tomarencca)</b>
<b>María PALOMINO CALLE, 14</b>	<b>(detained in San Juan de Orcohuasi)</b>
<b>Augustín PALOMINO CALLE, 26</b>	( " )
<b>María Elena PALOMINO MEDRANO, 19</b>	( " )
<b>Gabriel PALOMINO HUAYHUA, 28</b>	( " )
<b>Juanita CCONAN SAUÑE, 14</b>	( " )
<b>Victoria ESPINOZA CCONOCC, 20</b>	<b>(detained in Chacapuquio)</b>
<b>Marcelino CCONOCC LLACTAHUAMAN, 39</b>	<b>(detained in Ticllas)</b>
<b>Sonia SANTIAGO LLACTAHUAMAN, 14</b>	<b>(detained in Ccochapampa)</b>

**Detained in District of Santiago de Pischa**

<b>Emilio LOBATON PALOMINO, 51</b>	<b>(detained in Pongoyocc)</b>
<b>Delia MELGAR QUISPE, 15</b>	( " )
<b>Dina TELLO ALBUJAR, 13</b>	( " )
<b>Timoteo PINCO TELLO, 56</b>	( " )
<b>Bernardino MELGAR HUAROTO, 50</b>	( " )
<b>Irene MELGAR QUISPE, 19</b>	( " )
<b>Evaristo HUAMANCUSI BARBOZA, 48</b>	( " )
<b>Julia MENDOZA GOMEZ, 21</b>	( " )

**And one unidentified victim.**

On 18 October 1990 the beaten and bullet-ridden bodies of 18 people were exhumed from three mass graves, 17 of which have reportedly been identified. The graves, which had previously been discovered by relatives and friends of the victims, were located in a ravine ('quebrada') named Chillcahuaycco, in the district of Santiago de Pischa, Huamanga province, Ayacucho department. According to reports, the bodies presented bullet holes in the skull and other parts of the body.

### **Mass detentions in San José de Ticllas and Santiago de Pischa districts**

The discovery of the mass graves followed reports that nearly 40 peasants, including those subsequently found dead, had been detained between the dates of 21 and 22 September 1990 by soldiers from the Castropampa military base in Huanta, acting together with army-controlled Comités de Defensa Civil, Civil Defence Committees. The joint patrols had carried out incursions in the districts of Santiago de Pischa and San José de Ticllas, Huamanga province. These incursions are said to have taken place in the wake of an attack by members of "Shining Path" on members of the Cangari Committee of Civil Defence in Huanta on 21 September. The Civil Defence Committee had reportedly asked for military assistance to track down their attackers.

On 21 September soldiers from the Castropampa military base, led by two officers using the pseudonyms "Centurión" and "Tigre", in conjunction with local civil defence members, reportedly entered Tomarencca, district of San José de Ticllas, where they detained Marcelino Velarde Rodríguez and Florentino Mendoza Acasio (the latter was later released) and forced them to accompany the patrol to the community of San Juan de Orccohuasi, also in the district of San José de Ticllas. Here, according to a written statement made to the Fiscal Provincial de Huamanga, the Provincial Prosecutor of Huamanga, by members of the community, the soldiers detained María Palomino Calle, Augusto Palomino Calle, María Elena Palomino Medrano, Gabriel Palomino Huayhua and Juanita Cconan Sauñe. The statement goes on to say:

"Soldiers and Civil Defence Committee members arrived with two army trucks, gathered us outside and began to beat us and threatened us with death if we did not hand over the subversives' arms which they thought were in the village".<sup>5</sup>

The patrol then continued on to the villages of Chacapuquio and Ticllas where they detained Victoria Espinoza Cconoc and Marcelino Cconoc Llactahuamán, respectively.

On the following day, after detaining Sonia Santiago Llactahuaman in the village of Ccochapampa, similar incursions were reportedly carried out in the district of Santiago de Pischa.

A patrol reportedly entered the nearby village of Pongoyoc. According to the wife of Bernardino Melgar Huaroto, a member of the community, soldiers and members of the Civil Defence Committees, led by the officer named "Centurión", arrived at Pongoyoc with the detainees. She claims that the soldiers came to her house, where, after firing their weapons, they detained her husband Bernardino Melgar Huaroto and her daughters Irene and Delia Melgar Quispe, as well as Timoteo Pinco Tello, Evaristo Huamancusi Barboza, Emilio Lobatón Palomino and Dina Tello Albújar. Julia Mendoza Gómez, who happened to be in the village selling supplies, was also detained.

According to reports, throughout the two day operation, the combined patrol of soldiers and members of the Civil Defence Committee detained altogether nearly 40 men, women and children, including those named above. The detainees were eventually taken on 22 September to a place called Putuccasa, where all but 18 of them were said to have been released. The

bodies of these 18 detainees were subsequently to be discovered in three mass graves located in Chillcahuaycco.

On 23 September, when relatives of the 18 peasants still detained went to the Castropampa military base in Huanta to make enquiries as to their whereabouts, the head of the patrol, the officer named "Centurión", is said to have denied any knowledge of the detentions.

During the last week in September relatives reported the "disappearance" of the detainees to the Provincial Prosecutor of Huamanga, Dr. Mario Almonacid, who is entrusted with the investigation of "disappearances". Following this denunciation, the relatives again returned to the Castropampa military base, where, once more, a military official apparently assured them that their relatives had not been detained.

### **Discovery of Mass Graves**

On 18 October 18 bodies were exhumed from three mass graves in Chillcahuaycco, of which 17 were identified as those listed above. The graves had been discovered on 6 October by relatives of the detainees. The exhumation took place in the presence of the Presidente de la Región Libertadores-Wari, the President of the Wari-Liberators Region, a Prosecutor, a Judge, police officers, two doctors, and friends and relatives of the victims. Because of lack of adequate resources and transportation, the bodies were reburied.

Ten days after the exhumation the same Judge, Henry Lahud, and the Provincial Prosecutor of Huamanga, Dr. Mario Almonacid, as well as a military doctor, reportedly returned to the site of the mass graves in a helicopter provided by the security forces. According to reports, on this occasion journalists and relatives of the victims were denied access to the mass graves and no information on the findings of the forensic specialists and other authorities attending the on-site autopsies has been made public.

### **Investigations**

The Senatorial Commission, presided over by Senator Gustavo Mohme Llona, set up in October 1990 to investigate two other alleged massacres (Chumbivilcas, department of Cuzco, in April 1990, and Iquicha, department of Ayacucho, in August 1990), also investigated the events leading up to the discovery of the mass graves at Chillcahuaycco. The Commission requested information from representatives of the Public Ministry, the Ministry of Defence and from the military judicial system.

On 16 November, the head of the Public Ministry, Attorney General Manuel Catacora (Fiscal General de la Nación), in his presentation before the Senate Commission of Justice, is reported to have confirmed the discovery of the mass graves in Chillcahuaycco and stated that there was evidence to suggest that members of the armed forces and members of the Civil Defence Committees had participated in the killing of the 18 peasants. His statement was reportedly based on investigations carried out "in situ" by the Prosecutor Mario Almonacid, the

findings of which were handed to the Fiscal encargado de la Defensoría del Pueblo, the Public Ministry's Special Attorney for the People's Defence, Clodomiro Chávez.

According to reports, on 25 February 1991 Clodomiro Chávez announced that a judicial investigation had been initiated into the events leading to the discovery of the mass graves. He reportedly confirmed that during his visit to Ayacucho he had found conclusive evidence that the army officer known as "Centurión" was responsible for the killings.

On 28 May 1991 the Senatorial Commission published its findings. It concluded that those responsible for the killings in Chillcahuaycco were members of the Peruvian army, operating under the command of the Sergeant known as "Centurión", and with the collaboration of members of the Civil Defence Committee of Huanta. The Commission also noted that judicial proceedings against a military officer for allegedly participating in the killings had been initiated in both civil and military courts, thereby requiring a decision by the Supreme Court of Justice as to which of the courts should hear the case. The Commission concluded, however, that the killings were a common crime and that there is no valid judicial reason for the case to be heard by a military court.



### **3. THE VILCASHUAMAN MASS TORTURE - SEPTEMBER 1990**

#### **Death Under Torture**

**Bernabé BALDEON GARCIA  
& 2 unnamed people**

#### **Torture**

**Jesús BALDEON ZAPATA  
Santos BALDEON PALACIOS  
Fernando BALDEON, Mayor of Pacchahuallhua, aged 64  
Francisco CARHUAZ, teacher  
Juan URQUIZO FLORES, teacher  
Benigno URQUIZO, teacher  
Apolinario GOMEZ  
Feliciano URQUIZO  
Marciano URQUIZO  
Apolinario DIAZ  
Jacinto PERALTA PALACIOS  
Martín PALACIOS  
Modesto Clarte PERALTA**

At least 16 peasants were reportedly tortured by members of the armed forces in the province of Vilcashuamán, Ayacucho department. Local authorities recorded that three of the detainees had died as a result of the torture.

#### **Detentions**

According to reports, in the early hours of 25 September 1990, a contingent of soldiers from the Accomarca military base, led by two officers known by the pseudonyms "Moreno" and "Gitano", went to the community of Pucapaccana, district of Independencia, Vilcashuamán province. They reportedly called the community together and forced them to hand over cattle, money and belongings. (According to reports, ever since the military base was established in Accomarca in 1985, the armed forces have obliged local peasant communities to supply animals to the base for the soldiers' own consumption. Failure to do so is known to elicit reprisals). The names of Bernabé Baldeón García, Jesús Baldeón Zapata and Santos Baldeón Palacios were then apparently read from a list. The three men were ordered to accompany the soldiers to Pacchahuallhua, bringing the animals with them.

According to information, when the group arrived at Pacchahuallhua, capital of Independencia district, they were taken to a local government centre where they were joined by

other men, women and school children being held by soldiers who had carried out similar raids in nearby areas.

### **Torture and Ill-treatment**

The entire group was later transferred to a nearby church, where torture and ill-treatment reportedly took place. In a written denunciation made by the Federación de Instituciones de la Provincia de Vilcashuamán (FIPV), the Federation of Institutions of the Province of Vilcashuamán, its representatives describe the torture to which the peasants were allegedly subjected:

"... they were tied up with wire and hung upside-down from a beam and whipped; afterwards they were made to lie on the floor, one on top of another, forming a pile of human bodies such that the person at the bottom carried the weight of all the others and the soldiers jumped on top of them; after this ill-treatment they were submerged in water contained in cylinders, but the water was hot ... and then they were moved to another cylinder full of cold water and submerged, until they were dying ..." <sup>6</sup>

The denunciation by the FIPV goes on to state that Fernando Baldeón, the Mayor of Pacchahuallhua, was also tortured after inquiring why the other detainees were being ill-treated.

### **Deaths Under Torture**

Bernabé Baldeón García and two other unidentified victims reportedly died under torture. In a recorded statement - later transcribed - to an independent Peruvian human rights organization, Bernabé Baldeón's son testified what he had been told by witnesses to his father's torture:

"... they say his head was split, his nose was broken ... My father is completely in pieces, in pieces, sir." <sup>7</sup>

In a certificate signed and stamped by official representatives of the district of Independencia, the authorities state that Bernabé Baldeón arrived at the district government centre in good health but that he was later transferred dead to the military base at Accomarca, the victim of torture.

On 26 September the 13 surviving torture victims, together with the bodies of Bernabé Baldeón García and the two unidentified victims, were taken from Pacchahuallhua to the Accomarca military base. According to reports, the whereabouts of the bodies of the two unidentified victims who are alleged to have died under torture is not known. At the military base, the sergeant commanding the patrol informed the military base's head, known by the pseudonym "Capitán Mapocha", that Bernabé Baldeón had died from a heart attack when he fell off a donkey. His body was reportedly buried that day without being submitted for an autopsy. The 13 surviving torture victims were apparently freed on 26 September and were told that they must not inform the authorities because "tu vida está en peligro" ("your life is in danger").

## **Rape**

According to reports, in addition to the torture that took place in the church, several unidentified women and schoolgirls were raped by soldiers involved in the above manoeuvres. On the way to Pacchahuallhua three women who were grazing their sheep were reportedly raped by five of the soldiers escorting the three men detained in Pucapaccana.

Later on, several other women and schoolgirls were raped at the local government centre. It was here that, according to the recorded and transcribed testimony of one of Bernabé Baldeón's sons:

"... they began to rape them, they raped the schoolgirls just as they raped the community women, but they won't report it because they are frightened, they won't talk..."<sup>8</sup>

Amnesty International believes that the rape of detainees by security forces is a form of ill-treatment or torture. However, the shame and fear suffered by the victims of rape often stops them from denouncing the fact to the authorities. In other cases, victims may denounce rape, but refuse to have their names associated with any judicial proceedings. Both factors make it difficult to determine the extent of rape being carried out by the Peruvian military and to bring the perpetrators to justice.

Amnesty International has not heard of any investigation having been initiated by the Public Ministry or the judiciary into the above reported human rights violations.

#### **4. THE CHUSCHI "DISAPPEARANCES" AND SUBSEQUENT HARASSMENT AND ATTACK ON INVESTIGATING AUTHORITIES - MARCH 1991**

##### **Victims**

##### **Name and position of "disappeared" persons**

Manuel PACOTAYPE CHAUPIN, Alcalde del Consejo Distrital de Chuschi, Mayor of the District Council of Chuschi

Martín CAYLLAHUA GALINDO, Secretario del Consejo Distrital de Chuschi, Secretary of the District Council of Chuschi

Marcelo CABANA TUCNO, Teniente Gobernador del Consejo Distrital de Chuschi, Lieutenant Governor of the District Council of Chuschi

Isaías HUAMAN VILCA

##### **Name and position of persons threatened and intimidated**

Guillermo GARCIA ZAMORA, Fiscal Provincial de Cangallo, Provincial Prosecutor of Cangallo

Leoncio COSSIO MENDOZA, Secretario de la Fiscalía Provincial de Cangallo, Secretary of the Provincial Prosecutor of Cangallo's Office

José LOPEZ ALCAS, Agente de la Policía Técnica de Cangallo, Agent of the investigative police of Cangallo

Edilberto OSORIO MERCADO, Agente de la Policía Técnica de Cangallo

Moisés QUINTO HUANANCHAHUA, Agente de la Policía Técnica de Cangallo

Alejandro GAMBOA ORE, Agente de la Policía Técnica de Cangallo

Feliciano HUAMANI QUISPE, Alcalde del Consejo Provincial de Cangallo, Mayor of the Provincial Council of Cangallo

Julia GALINDO de CAYLLAHUA, wife of "disappeared" person, Martín Cayllahua

Adolfo PACOTAYPE TUCNO, relative of "disappeared" person, Manuel Pacotaype

##### **Name and position of person attacked**

Feliciano HUAMANI QUISPE, Alcalde del Consejo Provincial de Cangallo, Mayor of the Provincial Council of Cangallo

Four people, including local authorities from the district of Chuschi, Cangallo province, Ayacucho department, reportedly "disappeared" after their detention by soldiers. This was followed by threats and intimidation by members of the armed forces directed at a delegation seeking information about the "disappearances" and an attack on one member of the delegation.

According to an official report dated 3 April 1991, submitted by the Fiscal Provincial de Cangallo, the Provincial Prosecutor of Cangallo, Guillermo García Zamora, to the Fiscal Superior Decano del Distrito Judicial de Ayacucho, the Chief Public Prosecutor of the Judicial District of

Ayacucho, the Provincial Prosecutor opened an investigation into the alleged illegal detention and "disappearance" of Manuel Pacotaype Chaupín, Martín Cayllahua Galindo, Marcelo Cabana Tucno, respectively Mayor, Secretary and Lieutenant Governor from the District Council of Chuschi, and the citizen Isaías Huamán Vilca. The four men had been detained in their peasant community in Chuschi on the night of 14 March 1991 by the Chuschi Detachment of the Policía General del Perú, the Peruvian General Police, and later transferred to the custody of soldiers who took them to the Pampa Cangallo military base. The Provincial Prosecutor stated in his report that:

"the "disappeared" persons had been illegally detained for refusing to co-operate with the formation of civil defence patrols incorporating council members from the Chuschi district, and for their denunciation of robbery, ill-treatment and the rape of women by members of the General Police in the district." <sup>9</sup>

On 19 March 1991 the Provincial Prosecutor wrote to the Peruvian General Police of the district of Chuschi, to the commander of the 34th infantry batallion of the Pampa Cangallo military base, and to the Political-Military Chief of the Ayacucho Sub-zone, inquiring as to the motive for the detention of the four men. The Provincial Prosecutor requested that, if suspected of breaking the law, the detainees be transferred to the Policía Técnica, the Peruvian investigative police, for judicial processing. Having received no replies, on 26 March the Provincial Prosecutor, his secretary, four members of the investigative police based in Cangallo, the Alcalde del Consejo Provincial de Cangallo the mayor of the province of Cangallo, and two witnesses to the detentions on 14 March - nine persons in all - went personally to the Pampa Cangallo military base to make further inquiries as to the whereabouts of the detainees. The delegation was denied access to the base and base commander. As a result, the Provincial Prosecutor failed to obtain any information as to the whereabouts of the "disappeared".

Furthermore, the delegation was threatened and intimidated by soldiers while they waited outside the military base and on withdrawing from it. According to the Provincial Prosecutor, two explosive devices were detonated inside the base while the delegation waited, and one further device was detonated near them by three soldiers who threatened them as they withdrew from the base. The Provincial Prosecutor, in the report dated 3 April referred to above, concluded that his life, and that of his Secretario, Secretary, the Alcalde del Consejo Provincial de Cangallo, the Mayor of Cangallo and the four members of the investigative police who assisted him, were in serious danger. He alerted the Fiscal Superior Decano, the Chief Public Prosecutor, of possible reprisals and requested that they all be given adequate protection.

However, there was subsequently an armed attack on the Mayor of Cangallo, Feliciano Huamaní Quispe, who was one of the persons for whom protection had been requested. According to reports, in the early hours of 25 April 1991 Feliciano Huamaní was gravely injured when unidentified persons entered his home and shot him.

Amnesty International has not heard of any investigation being initiated by the judicial authorities into the threats and intimidation of the delegation nor into the "disappearances". The whereabouts of the four "disappeared" people remains unknown.

### ORIGINAL SPANISH QUOTES

- (1)"en mi condición de Juez de Paz ... me he constituido al lugar de los hechos, donde los miembros del ejército ... no nos permiten practicar la diligencia de reconocimiento e identificación de los cadáveres. Asimismo, los miembros del ejército ... han procedido a quemar las casas de los comuneros ... con todos los víveres, pertenencias y ganado ... Todo ello, constituye grave delito de lesa humanidad".
- (2)"Su cabeza estaba en pedazos y su cara bien negra, después tiene una herida en la rodilla como si le hubiesen tirado con garrote".
- (3)"No hemos enterrado ya porque no había casi nada, sólo había sobritas ... su pelo, huesos quemados, algunas partes de su ropa ..."
- (4)"a este lugar nos hemos trasladado la cantidad de 76 pobladores y tenemos que también a este lugar puedan llegar los miembros del Ejército Peruano de Machente como los de la Defensa Civil de Ccentabamba para volver a cometer actos de genocidio y pillaje con nuestra población."
- (5)"Llegaron, soldados y montoneros, con dos camiones del Ejército, nos reunieron en pleno sol, empezaron a golpearnos, nos amenazaron de muerte si no entregábamos las armas de los subversivos, que ellos suponían habían en el pueblo".
- (6)"... se les colgó boca abajo sujetos con alambres de un palo y lo flagelaron; después colocaron en el suelo uno sobre otros formando una ruma de seres humanos de tal manera que el comunero que estaba primero soportaba todo el peso del resto de los que estaban echados encima y los soldados saltaban por encima de ellos; después de haber sido maltratados eran sumergidos en agua contenidos en cilindro, pero el agua era caliente ... y luego lo trasladaban a otro cilindro llena de agua fría y los sumergían hasta que quedaban muriendo..."
- (7)"... dice han visto su cabeza estaba partida, dice que su nariz estaba doblada ... Mi papá está todo deshecho pedazos, pedazos, señor."
- (8)"... comenzaron a violarlas, a las alumnas han violado tanto y de igual manera a las mujeres de las comunidades, pero esos señores no declaran porque temen, tienen miedo, no hablan..."
- (9)"... la detención ilegal de los desaparecidos se debe fundamentalmente a: (A) La de no haber aceptado formar grupos de Defensa Civil por parte de los comuneros del Distrito de Chuschi; (B) Las denuncias formuladas por algunos comuneros del Distrito de Chuschi, contra los Miembros de la Policía General del indicado Distrito, por los constantes abusos, robos y violaciones de mujeres, perpetrados por Miembros Policiales..."