

URGENT ACTION

TRADE UNION LEADERS DETAINED

Peruvian trade union leaders Pedro Condori Laurente and Antonio Quispe Tamayo were detained on 11 January on unfounded charges. No evidence that they committed any crime has been presented, and Amnesty International believes they are being detained solely because of their peaceful human rights work.

Pedro Condori Laurente is the Secretary General of the Casapalca Mine Workers Union. **Antonio Quispe Tamayo** is the union's Secretary for Organizations. The two men have been charged with crimes against the public administration ("delito contra la administración pública"), the use of violence, ("violencia") and resisting arrest ("resistencia a la autoridad"). Union members, as well as workers of the mine, have faced unsubstantiated charges and months of unfair imprisonment on at least three separate occasions since the union was established in 2008.

The charges against both men refer to an incident which took place on 19 July 2010, when a miner was killed following an accident at the Casapalca mine, Huarochiri province, Lima Department. Both trade union leaders stayed at the site of the accident to wait for the arrival of a public prosecutor. According to reports, when the public prosecutor arrived, he attempted to remove the body without having collected any evidence to determine whether there was any responsibility on the part of the company. Pedro Condori Laurente and Antonio Quispe Tamayo made a complaint to the public prosecutor and opposed the immediate removal of the body, but no violence was used.

An investigation carried out by the Investigative police (División de Investigación Criminal de la Policía Nacional), reportedly concluded that there was no evidence that any crime had been committed, but, nevertheless, a judge issued an arrest warrant against the trade unionists. Amnesty International believes the charges against the men are unsubstantiated, and that they are being detained solely for being leaders of a trade union that is calling for the protection of miners' rights.

PLEASE WRITE IMMEDIATELY in Spanish, English or your own language:

- Pointing out that there is no evidence that Pedro Condori Laurente or Antonio Quispe Laurente committed any crime on 19 July 2010, and demanding that the authorities either substantiate the charges with solid evidence or release them immediately and unconditionally;
- Expressing concern that Pedro Condori Laurente or Antonio Quispe Laurente appear to have been targeted solely because they are trade unionists demanding better working conditions for miners in Huarochiri province;
- Urging the authorities not to subject those who defend human rights to criminal investigations based on unfounded allegations, as their work is essential to ensure the promotion and protection of the human rights of all;

PLEASE SEND APPEALS BEFORE 3 MARCH 2011 TO:

Attorney General

Dra. Gladys Margot Echaiz Ramos
Fiscal de la Nación
Ministerio Público
Av. Abancay cdra. 5 s/n
Lima 1, PERU
Fax: +511 625 5555 (a recorded voice will ask you in Spanish for the extension number: enter 6304. If a voice answers, ask "¿Me puede dar tono de fax, por favor?")
Salutation: Sra. Fiscal

Minister of Justice

Dra. Rosario Fernández Figueroa
Ministerio de Justicia
Scipión Llona 350 - Miraflores, Lima 18, PERU
Fax: +511 4223577 (if voice answers, ask "¿Me puede dar tono de fax, por favor?")
E-mail: rfernand@minjus.gob.pe
Salutation: Sra. Ministra

And copies to:

Human rights NGO
Asociación Pro Derechos Humanos
Jr. Pachacútec 980
Lima 11, PERU
Email: raquel@aprodeh.org.pe
Fax: +511 431 0477 (if voice answers, ask "¿Me puede dar tono de fax, por favor?")

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date. This is the first update of UA 15/10. Further information: <http://www.amnesty.org/en/library/info/AMR46/002/2010/en>

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ADDITIONAL INFORMATION

Trade Unionists Pedro Condori Laurente, Antonio Quispe Tamayo, other members of the Casapalca Mine Workers Union, as well as workers of the mine, have faced unsubstantiated charges and months of unfair imprisonment on at least three separate occasions since 2008, when the trade union was established. The charges have included causing disturbances (“disturbios”), murder (“Homicidio culposo”) of a police officer during a protest and hindering the functioning of public services (“entorpecimiento al funcionamiento de los servicios públicos”). In all three cases, in spite of the lack of evidence, judges have issued arrest warrants.

In July 2010, Pedro Condori Laurente and Casapalca Mine Workers Union’s Secretary for Security and Hygiene, Claudio Boza, were released after seven months in prison charged with the murder of a police officer (see UA 15/10, AMR 46/0002/2010, <http://www.amnesty.org/en/library/info/AMR46/002/2010/en>). The judge ruled that there was no evidence against them. The case is under appeal.

Pedro Condori Laurente was also in prison for three months, together with Antonio Quispe Tamayo, on charges of hindering the functioning of public services.

Five workers of the Casapalca mine were also unfairly imprisoned for over six months in 2008 on charges of causing disturbances. They were released after the judge ruled that there was no evidence against them. The appeal by the public prosecutor is still pending.

Amnesty International believes that they have been targeted because they demand better respect for mine workers’ human rights.

Over recent years, Amnesty International has documented cases of people who have opposed or criticized the government or their policies who have been detained on the basis of unfounded charges. In particular, there has been an increase in the use of unsubstantiated criminal charges against leading members of organizations working to protect human rights (see Peru: Bagua six months on "Just because we think and speak differently, they are doing this injustice to us" AMR 46/017/2009, <http://www.amnesty.org/en/library/info/AMR46/017/2009/en>). Crimes, including the killing of police officers have to be investigated; however, the criminal investigation should not be used to target and persecute those who have a leading role defending human rights.

Further information on UA: 15/10 Index: AMR 46/001/2011 Issue Date: 20 January 2011

