

# AMNESTY INTERNATIONAL

## PERU - A P P E A L

### CLOSE CHALLAPALCA PRISON!

The treatment of prisoners in Challapalca Maximum Security Prison, *Establecimiento Penitenciario de Régimen Especial de Challapalca*, amount to cruel, inhuman and degrading ill-treatment.

Challapalca Prison is located in a remote and isolated Andean region in the Department of Tacna. It is situated at over 4,600 metres above sea level. The prison's inaccessibility makes it difficult for the inmates to contact their relatives and lawyers without interference or censure and to have access to appropriate medical attention without delay.

Ever since Challapalca Prison was opened, inmates have reported being subjected to physical and psychological violence as well as irregularities in their treatment and the conditions of detention. The temperature in the prison fluctuates between 8 and 9 degrees Celsius during the day but drops sharply at night, sometimes going as low as 20 degrees below Celsius. Icy winds exacerbate the effects of the altitude and this situation becomes even worse with the onset of winter. The water available for human consumption in the prison is reportedly not properly treated and virtually undrinkable.

The harsh conditions in Challapalca Prison have been highlighted by Amnesty International, and by national and other international human rights organizations. All have been calling on the Peruvian authorities to close it down.

The Inter-American Commission on Human Rights, who visited the prison in August 2002 stated that "... Challapalca Prison is unfit to serve as a prison" and that prisoners held there should be transferred in order to be nearer to their families. The Commission also stated that "[t]he conditions of detention of the persons held there (...) amount to an additional punishment for them, their family members, and the staff of the Prison Institute stationed there, endangering the right to life, the right to humane treatment, and the right to be deprived of liberty in dignified and safe conditions (...)"<sup>1</sup>

In August 2003, the Truth and Reconciliation Commission in its *Final Report*, called for the Challapalca Prison to be closed down, amongst other recommendations.<sup>2</sup> However, the Challapalca Prison remains open to date.

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<sup>1</sup> *Special Report on the Human Rights Situation at the Challapalca Prison, Department of Tacna, Republic of Peru* by the IACHR, OEA/Ser.L/V/II.118, Doc. 3, 9 October 2003, paragraphs 119 and 117.

<sup>2</sup> *Final Report* of the Truth and Reconciliation Commission, Volume IV, "Crimes and human rights violations", chapter I: Patterns in the perpetration of crimes and human rights violations, pp.459-460. Set up in 2001, the Truth and Reconciliation Commission, *Comisión de la Verdad y Reconciliación*, was mandated to establish the circumstances surrounding the human rights violations and abuses committed by the State and the armed opposition groups, between May 1980 and November 2000.

In March 2004 the President of the National Prisons Institute, *Instituto Nacional Penitenciario*, reportedly said that Challapalca Prison would be closed down bit by bit until such time as a new prison could be opened.

More recently, according to newspaper reports dated 13 September 2004, the President of the National Prisons Institute announced that the recommendations made by the Truth and Reconciliation Commission with regard to prisons, including the closure of Challapalca Prison, would be implemented within 90 days and that, at the end of that period, a preliminary report on everything that had been done would be issued.

Amnesty International urgently calls on the Peruvian authorities to close down Challapalca Prison immediately, thereby meeting the requirements of the United Nations Standard Minimum Rules for the Treatment of Prisoners and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment which set standards for the protection of the human rights of anyone being held in detention or prison.

**TAKE ACTION ON CHALLAPALCA - WHAT YOU CAN DO:**

*, Write to the Peruvian authorities and/or to the Peruvian embassy in your country highlighting the following points:*

- expressing concern that the prison conditions at Challapalca Maximum Security Prison amount to cruel, inhuman and degrading treatment and constitute an additional punishment for the inmates;
- stating that the Inter-American Commission on Human Rights, the Truth and Reconciliation Commission, and national and international human rights organizations have repeatedly recommended that Challapalca Prison should be closed down;
- reminding them of their stated commitment to comply with these recommendations;
- urging them to immediately close down the prison.

**ADDRESSES FOR APPEALS**

Minister of Justice  
Dr. Carlos Alberto Gamarra Ugaz  
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Ministerio de Justicia  
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National Prisons Institute President  
Dr. Wilfredo Pedraza  
Presidente del Instituto Nacional  
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*, Publicize this issue in your national and local news media*

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**Appeal**

**CLOSE CHALLAPALCA PRISON**

**RECOMMENDED ACTIONS**

This appeal is part of the campaign launched in August 2004 in order to urge the Peruvian authorities to implement the recommendations of the Truth and Reconciliation Commission's *Final Report*. As stated in the Action Circular, *Peru– The Truth and Reconciliation Commission - a first step towards a country without injustice*, AMR 46/006/2004, the campaign includes appeal cases and action recommendations, which will be issued at approximately 3-monthly intervals. This is the first of such appeals.

During the Christmas festivities the Peruvian authorities tend to grant pardons and early releases on humanitarian grounds. This is a window of opportunity to achieve the closure of Challapalca Prison. We are launching this first appeal on 1 December 2004, so that AI puts pressure on the Peruvian authorities, particularly during this period. The appeal will run from the 1 December 2004 to 2 February 2005.

Please ensure that all relevant people within your section receive a copy of the attached public document for their information and that the document is filed centrally for future reference.

**DISTRIBUTION FROM THE IS**

The document has been sent by the IS to section campaign coordinators, South Andean RAN coordinators and Peru coordinators.