

PUBLIC

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Fear for safety

PERU

María Magdalena Sullca Ávila (f)
Narciso Quispe Landeo (m), her husband
Teresa Ávila Rivera (f), her relative
Their relatives

María Magdalena Sullca Ávila and Teresa Ávila Rivera have reportedly been threatened and intimidated in an apparent attempt to force them to drop their legal action against military and former military officers allegedly responsible for the torture and "disappearance" of their relatives in 1992. Amnesty International believes the two women and Narciso Quispe Landeo, husband of María Magdalena Sullca Ávila, are in danger.

On 23 August, María Sullca Ávila and her husband Narciso Quispe Landeo were reportedly visited at their home by a man known to her family. The man reportedly offered her US\$10,000 if she withdrew her penal complaint filed with the Attorney General's office for the torture and "disappearance" of her parents, Natividad Ávila Rivera and Beningno Sullca Castro, who were last seen in detention at the Madre Mia Military Base, San Martin Department, in June 1992. María Sullca Ávila told the man that his money would not pay for all the pain caused by the "disappearance" of her parents. The man responded by telling her that her parents were dead and that she would not achieve anything with her claim.

María Sullca Ávila was shocked that the man had been able to find out her address. She and her husband had moved house two months earlier, and had asked the Attorney General's office not to disclose her address and personal details to anyone. When María Magdalena Sullca Ávila asked the man how he found her, he answered in a threatening manner: "*Yo llego a cualquier parte*" (I arrive anywhere).

The same man was reportedly seen outside the home of Teresa Ávila Rivera the day before his visit to María Magdalena Sullca Ávila's house. According to reports, this man appears to have close links to Ollanta Humala Tasso, the leader of *Partido Nacionalista Peruano* (Peruvian Nationalist Party), who was the Commander of the Madre Mia Military Base at the time of the alleged torture and "disappearance" of María Magdalena Sullca Ávila's parents. On 9 February 2006, according to reports, María Magdalena Sullca Ávila and Teresa Ávila Rivera filed a penal complaint against Ollanta Humala Tasso and other military officers for the torture and "disappearance" of Natividad Ávila Rivera and Beningno Sullca Castro. On 1 September 2006, a judge opened a penal investigation into the forced "disappearance", homicide and serious injury of Natividad Ávila Rivera and Beningno Sullca Castro involving Ollanta Humala Tasso.

María Magdalena Sullca Ávila and Teresa Ávila Rivera reported the man's activities to the Attorney General's office on 25 August, and requested that they be provided with police protection. Since 13 September, María Magdalena Sullca Ávila and Teresa Ávila Rivera have reportedly been provided with police protection, but only during the daytime, leading them to fear for their safety at night. Amnesty International is not aware of the outcome of the investigations made into any of the threats.

This is the latest in a series of acts of intimidation against María Magdalena Sullca Ávila, Teresa Ávila Rivera and their relatives. In February 2006, soon after they filed their penal complaint, unknown individuals allegedly arrived at María Magdalena Sullca Ávila's former home, stating that they were police officers and were there to provide the police protection she requested. However, neither María Magdalena Sullca Ávila, nor Teresa Ávila Rivera had requested police protection at that time. More recently, in June 2006, unknown individuals approached their relatives asking questions about the whereabouts of the two women.

BACKGROUND INFORMATION

The Peruvian government set up a Truth and Reconciliation Commission in 2000, to investigate human rights violations during the internal armed conflict (1980-2000). The Commission published its final report in 2003, documenting nearly 24,000 cases of people who died or "disappeared" during the internal armed conflict and thousands of other cases of gross human rights violations and abuses, including torture, sexual violence, unfair trials, kidnapping and hostage taking, and violations to the human rights of children and indigenous people. Since the publication of the Commission's report, the victims, their relatives, witnesses and those working on their behalf during investigations and trials have suffered threats and intimidation.

The lack of protection for these people is such that the office of the Ombudsman (*Defensoria del Pueblo*) expressed serious concern and urged the authorities to guarantee that all those at risk would be effectively protected, in its September 2005 report, entitled "Two years on from the Truth and Reconciliation Commission", (*A dos años de la Comisión de la Verdad y Reconciliación*), The national umbrella group of human rights organizations, the *Coordinadora Nacional de Derechos Humanos*, presented a report to the Inter-American Commission of Human Rights in October 2005. The report detailed 46 cases of those people at risk being harassed, intimidated and threatened during 2005. In March 2006, a follow-up report was sent to the Inter-American Commission of Human Rights by the *Coordinadora Nacional de Derechos Humanos* reporting 21 new cases of threats and death threats in the context of judicial processes for human rights violations.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing serious concern for the safety of María Magdalena Sullca Ávila, Narciso Quispe Landeo, Teresa Ávila Rivera and their relatives, following reports that they have been threatened and intimidated in an apparent attempt to make them withdraw legal action against those accused of involvement in the torture and "disappearance" of Natividad Ávila Rivera and Beningno Sullca Castro, in 1992;
- noting that this is the latest in a series of acts of intimidation against them;
- calling for a prompt, impartial and independent investigation into the intimidation, with the results made public and those responsible brought to justice;
- requesting information on the outcome of this investigation;
- urging the authorities to do everything in their power to guarantee the safety of María Magdalena Sullca Ávila, Narciso Quispe Landeo, Teresa Ávila Rivera and their relatives, in accordance with their own wishes, including by providing them with full police protection.

APPEALS TO:

Attorney General

Dra. Adelaida Bolívar Arteaga

Fiscal de la Nación

Fiscalía de la Nación

Av. Abancay, cuadra 5 s/n

Lima 1, PERU

Fax: +51 1 427 1792 / 426 2800

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

COPIES TO:

Human rights organization

Coordinadora Nacional de Derechos Humanos

CNDDHH

Calle Pezet y Monel (ex Tupac Amaru) 2467

Lince, Lima 14, Perú

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 27 October 2006.