



INTERNATIONAL SECRETARIAT
1 Easton Street London WC1X 8DJ
United Kingdom

EXTERNAL (for general distribution)

**URGENT
ACTION**

AI Index: AMR 46/24/90
Distr: UA/SC

12 April 1990

Further information on UA 348/89 (AMR 46/68/89, 11 September 1989)
Extrajudicial Execution

PERU: Marta CRISÓSTOMO GARCÍA, witness to Cayara massacre

Amnesty International has received from the Attorney General of Peru a report concerning the investigation of the killing of Marta Crisóstomo García, a 22-year-old nurse shot dead in Ayacucho city on 8 September 1989. According to reports by eyewitnesses at the time, she was shot by eight men in army uniform.

The investigation report indicates that an autopsy found that her death was caused by a bullet wound to the head, although there is no indication as to the type of weapon used nor whether the autopsy found any evidence tending to identify the perpetrators. The report then states that the Policía Técnica (formerly the Peruvian Investigative Police) went to her home to seek evidence and to interview witnesses, but that they failed either to find evidence or to receive testimonies (despite the fact that there had been several eyewitnesses to the killing, who indicated that the army was responsible). Therefore, according to the report, it had not been possible to identify, locate or apprehend those responsible for the killing, and a decision was taken to archive the investigation provisionally ("archivar provisionalmente los actuados en esta Fiscalía") until such time as more information should come to light.

Amnesty International welcomes this information concerning the investigation, the first information provided by the Peruvian authorities on any of the cases related to the Cayara massacre. However, the organization is concerned by the apparent shortcomings in the investigation and fears that this case may also in effect be permanently closed.

BACKGROUND INFORMATION

Marta Crisóstomo García is one of nine witnesses to the 14 May 1988 Cayara massacre who has since "disappeared" or been killed. In each case eyewitnesses indicated that troops were responsible. After her death troops were reportedly searching in Cayara for a tenth witness, who has now fled the area.

At least 29 peasants were massacred by troops in Cayara on 14 May 1988, and several others were killed over the following week. After exhaustive investigations, which appear to demonstrate conclusively army responsibility for the massacre, the case was ordered "definitively archived" by the Attorney General's office on 30 January 1990. On 31 January 1990, following a secret hearing before a military court earlier in the month, the Supreme Council of Justice of the Armed Forces suspended the case. The case is now effectively closed in both civil and military justice systems.

For more information on the Cayara case and the previous related killings, see UAs 133/88 and 352/88 and follow-up actions dated 20 May 1988, 27 May 1988, 12 July 1988, 22 December 1988 and 3 February 1989, as well as UA 348/89 and "Peru: The Cayara Massacre" (AMR 46/56/89) and "Peru: The Cayara Massacre Recent Developments" (AMR 46/13/90).

FURTHER RECOMMENDED ACTION: Airmail letters:

- expressing appreciation for the information forwarded by the Attorney General;
- expressing concern about the apparently superficial nature of the autopsy report and subsequent investigations;
- asking whether the autopsy report provided any further information concerning the nature of the weapons used and the possible authors of the killing;
- asking whether the investigation has been linked to the other cases of witnesses killed or "disappeared" following the Cayara massacre;
- expressing concern that, in the light of the closure of the Cayara investigation, this case may be permanently shelved;
- urging that the investigation be actively pursued and that those found responsible be brought to justice.

APPEALS TO:

Presidente Alán García
Presidente de la República
Palacio de Gobierno
Plaza de Armas
Lima 1, Peru

Dr Manuel Catacora González
Fiscal General de la Nación
Fiscalía de la Nación
Edificio Torre de Lima, 7o piso
Centro Cívico
Lima, Perú

and to diplomatic representatives of Peru in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 24 May 1990.