

10-1-1993

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Recommended Citation

Harding, Erika. "Americas Watch Issues Report On La Cantuta Massacre & Subsequent Government Coverup." (1993).
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Americas Watch Issues Report On La Cantuta Massacre & Subsequent Government Coverup

by Erika Harding

Category/Department: General

Published: Friday, October 1, 1993

[Below is the text of a press release issued Sept. 27 by Washington-based human rights organization Americas Watch, reprinted with permission by its New York-based umbrella organization, Human Rights Watch. The press release announces release of an Americas Watch report on the July 1992 La Cantuta disappearances and the subsequent government-orchestrated coverup. For previous coverage of the La Cantuta case see NotiSur 06/04/93, 07/16/93] In a report released Monday, the human rights organization Americas Watch, a division of Human Rights Watch, accused the Peruvian government of covering up the involvement of the military in the disappearance and apparent murder of nine students and a professor from La Cantuta university. The ten victims were seized by hooded, armed plainclothesmen, with assistance from uniformed soldiers, before dawn on July 18, 1992. The campus was under military occupation and a tightly enforced curfew at the time of the disappearance. La Cantuta is not an isolated case, Americas Watch states in its 21-page report, but rather an appropriate measure of the government's approach to human rights. Although the number of reported disappearances committed by government forces has decreased in the first months of 1993 compared with the same period last year, the government's protection of the authors of the La Cantuta disappearances demonstrates that it is unwilling to relinquish this cruel tactic as a secret tool in its counterinsurgency efforts. The Americas Watch report, titled "Peru: Anatomy of a Cover-Up, the Disappearances at La Cantuta," analyzes evidence implicating a secret death squad operated by the military's National Intelligence Service (SIN) in the case. Information about the death squad has been leaked by several anonymous military sources, including participants in the crime, and by Peru's third-ranking army officer, who sought asylum in the US Embassy in May 1993 after publicly denouncing the death squad's crimes. On July 8, 1993, four clandestine graves were found on the outskirts of Lima, apparently containing the remains of some, if not all, of the victims. Two sets of keys fished from the graves have opened the doors to the wardrobes and residences of two of the students. The government's handling of the case illustrates the lack of independence of the Attorney General's office, judiciary, and Congress since President Fujimori's self-inflicted coup of April 5, 1992. Following his seizure of dictatorial powers on that date, the Attorney General, the Supreme Court, and dozens of prosecutors and judges were summarily fired and replaced by Fujimori appointees. The Congress was shut down and replaced by one elected under rules designed by Fujimori over protests by the major political parties, giving the government a majority and control over the process of writing a new constitution. Each of these institutions has failed to exercise proper oversight over the military in this case, literally allowing its members to get away with murder. Elements of the coverup include: * The burning and secret burial of the victims' bodies; * public threats by the president of the joint chiefs of staff, Gen. Nicolas de Bari Hermoza Rios against those legislators who sought to investigate the case as well as the parade of dozens of tanks in the streets of Lima as an effort at further intimidation; * efforts by the government's majority in the Congress to derail the congressional investigation of the case; * refusal of military leaders and the military tribunal to provide information to the congressional investigating committee; * the public prosecutors' abdication of responsibility to investigate the

crime; * the Attorney General's failure to seal off the site where the remains of some of the La Cantuta victims were found for six days, while hordes of people trampled the site and disturbed the evidence; * the refusal by the Attorney General to accept international assistance in the exhumation and forensic analysis of the remains; * the police mounting of a propaganda operation intended to discredit the discovery of the remains; * the harassment of journalists who have investigated the case. Americas Watch also notes that the insurgent group Shining Path, although severely weakened by the capture of many top leaders, continues to commit horrendous violations of the laws of war, including the recent massacre of more than 60 Ashaninka Indians, many of them children. No repressive action by the government can justify the targeting of civilians by the guerrillas, Americas Watch stated, nor can any atrocity committed by the insurgents provide an excuse for government abuses. The report recommends that the government of Peru assign a respected independent jurist to act as a special prosecutor to investigate and prosecute those responsible for the La Cantuta affair within the civilian court jurisdiction. The prosecutor should also be assigned to investigate possible obstruction of justice by government and military officials and should order prosecutions if the evidence so warrants. In the report, Americas Watch notes that the Clinton administration has used "quiet diplomacy" rather than public criticism to pressure the Fujimori government on the La Cantuta case. Unfortunately, this diplomatic pressure has been ignored by the government, the report states. It should be replaced by public pressure, including the continued withholding of all security assistance until the government has made genuine progress in prosecuting the case, along with other egregious human rights violations such as the Barrios Altos massacre of November 1991 and nine cases singled out by the US Congress that year. The 12 page report is available through the Publications Department, Human Rights Watch, 485 Fifth Avenue, New York, NY 10017 for US\$3.00.

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