

URGENT ACTION



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15 January 2010

UA 15/10

Unjust imprisonment

PERU

Pedro Condori Laurente (m)] trade unionists
Claudio Boza Huanhayo (m)]

Trade unionists Pedro Condori Laurente and Claudio Boza Huanhayo have been in prison since 9 and 23 September respectively, on an unfounded charge of murder. Amnesty International believes they are in prison solely because they are defending human rights.

Pedro Condori is the Secretary General of the Casapalca Mine Workers Union. Claudio Boza is the union's Secretary for Security and Hygiene. The two men have been charged with the murder (*homicidio culposo*) of a police officer during a miners strike on 24 November 2008 in Huarochiri province, Lima department, in central Peru. The miners were demanding better working conditions. During the protest, demonstrators threw rocks down from a hillside to blockade a public road below. One of the rocks hit a police officer and killed him. However, there is no evidence to support the charges brought against the two trade unionists. According to the men's lawyers, they were in Lima at the time in a meeting with government officials from the Ministry of Labour and representatives of the mining company.



Pedro Condori and Claudio Boza are held in Aucallama prison in the province of Huaral, also in Lima department. Both men are being represented by lawyers from the human rights organization *Asociación por la Defensa de los Derechos Humanos* (APRODEH) and have appealed against the detention order. They expect a ruling by the end of January.

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 claiming respect for the mining workers' human rights.

BACKGROUND INFORMATION

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"). 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.

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- Pointing out that there is no evidence to link Pedro Condori Laurente or Claudio Boza Huanhayo to the 24 November murder of the police officer, and demanding that the authorities either substantiate the charges with solid evidence or release them immediately and unconditionally;
- Expressing concern that according to APRODEH, the two men were in a meeting with government officials at the time of the police officer's death, and that they appear to have been detained 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 protected by international human rights law;
- Condemning the killing of the police officer and calling for this death to be fully investigated and those responsible brought to justice.

APPEALS TO:

Attorney General

Dra. Gladys Margot Echaiz Ramos
Fiscal de la Nación
Ministerio Público
Av. Abancay cdra. 5 s/n
Lima 1, PERU

Fax: 011 511 625 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

Dr. Aurelio Pastor Valdivieso, Ministro de Justicia
Ministerio de Justicia
Scipión Llona 350 – Miraflores
Lima 18, PERU

Fax: 011 511 4223577 (if voice answers, ask “¿Me puede dar tono de fax, por favor?”)

E-mail: apastor@minjus.gob.pe

Salutation: Sr. Ministro

COPIES TO:

Human rights NGO

Asociación Pro Derechos Humanos
Jr. Pachacútec 980
Lima 11, PERU

Website: <http://www.cmstheme.net/>

Email: raquel@aprodeh.org.pe

Fax: 011 511 431 0477 (if voice answers, ask “¿Me puede dar tono de fax, por favor?”)

Ambassador Luis Valdivieso Montano
Embassy of Peru
1700 Massachusetts Ave. NW
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Fax: 202 659 8124

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PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 26 February 2010.