

Center for Justice and Accountability

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://cja.org/what-we-do/litigation/accomarca-massacre/perpetrators/>

Campaign and Advocacy

Telmo Hurtado Hurtado is a citizen of Peru who, as of early 2009, is incarcerated at an immigration detention center in Miami, Florida. In 1985, Hurtado was a Second Lieutenant (Subteniente) in the Peruvian Army. In August 1985, Hurtado served in the Lince Company of the Second Infantry Division in Ayacucho, Peru, where he commanded, Lince Companys 7th patrol unit: Lince 7. On August 14, 1985, Hurtado personally oversaw the Accomarca Massacre which killed 69 innocent civilians.

In 1993, Hurtado was tried and convicted by a Peruvian military council of abuses of authority and for making false statements. The charges were incidental to the Accomarca Massacre itself; Hurtado was never prosecuted for the massacre. And in any case, former President Alberto Fujimori passed an amnesty law which shielded all military personnel who had been involved in the counterinsurgency from prosecution. Hurtado was able to live with impunity.

Following a historic decision by the Inter-American Court for Human Rights, which held that the amnesty law was in violation of international law, the Peruvian Supreme Court nullified the amnesty law in 2002. Shortly thereafter, Hurtado fled Peru for the United States, where he found safe haven in Miami Beach.

Hurtado was arrested for immigration fraud in 2007 by U.S. authorities. Separately, the Peruvian government sought to have Hurtado extradited to Peru to stand trial for his role in the Accomarca Massacre. While Hurtados extradition was granted by U.S. authorities on June 16, 2009, he remained in immigration detention for the next two years. During that period, CJA worked with Peruvian and U.S. authorities to help ensure the extradition and a successful criminal prosecution of Hurtado on human rights charges. Hurtado was finally extradited to Peru on July 15, 2011, marking the first time that a CJA defendant was extradited to face trial for human rights crimes.

The Accomarca Massacre trial in Peru started in November 2010 and is ongoing. On January 19, 2012, Hurtado testified in the criminal case in Peru for the first time and initially denied any wrongdoing. In a complete turn around, during his testimony on April 9, 2012, Hurtado confessed that he was responsible for the killing of 31 villagers. He also testified for the first time that he was ordered to cover up the military High Commands role in the Accomarca Massacre. A decision on the first part of the trial is expected in the fall of 2012.

Juan Manuel Rivera Rondn was formerly an officer in the Peruvian Army. At the time of the Accomarca Massacre in 1985, Rondn held the rank of lieutenant. He served as a member of Lince Company a special counter-subversive intelligence unit that could be deployed rapidly to different regions and commanded the Lince 6 patrol unit, which was involved in the massacre. Toward the end of 1985, the Peruvian Senate interviewed eyewitnesses and reached the conclusion that 69 civilians had been killed in what became known as the Accomarca Massacre. The Peruvian Supreme Court eventually delegated the case to the military as opposed to the civil justice system, which subsequently dismissed all charges against military personnel, including Rivera Rondn, who was later promoted by the Army.

He then came to the United States in the early 1990s and bought a home in Montgomery County, Maryland. Meanwhile, in Peru, the Government of President Alberto Fujimori passed a law in 1995 which gave amnesty to all members of the military Rivera Rondn included for police actions taken against terrorists, making the amnesty retroactive to 1980.

However, in 2000, the Fujimori Government was replaced and the amnesty law repealed. In 2005, Peruvian prosecutors filed criminal charges against Rivera Rondn and Telmo Hurtado Hurtado, among others, for their involvement in the Accomarca Massacre. However, because Rivera Rondn was absent from Peru, the criminal case against him in Peru could not go forward.

Rivera Rondn lived with impunity in an upscale suburb of Washington D.C. until 2003, when he was arrested and charged with the sexual abuse of a young relative. In 2005, the charge was reduced to contributing to a minor child in need of assistance and Rivera Rondn was given a one-year suspended sentence.

On March 23, 2007, agents of the U.S. Immigration and Customs Enforcement arrested Rivera Rondn in Baltimore for failing to tell immigration officials that he had been convicted of a crime. Although Rondns involvement in the massacre was cited as a key reason for his arrest, the criminal and immigration charges did not directly concern the killings in Accomarca or the defendants role in human rights abuses in Peru.

Finally, on August 15, 2008, Rivera Rndon was deported by I.C.E. to Peru where he was immediately detained by Peruvian authorities and a criminal human rights investigation was initiated. In an example of the inside-outside approach to transnational human rights accountability, a CJA attorney traveled to Peru to assist local prosecutors and the investigative judge Salvador Neyra on the human rights prosecution. On January 14, 2009, criminal authorities in Peru concluded the initial investigation phase into human rights crimes committed by Rivera Rondn. The criminal trial in Peru against Rivera Rondn began on November 18, 2010 and is ongoing.



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*"We will never catch all the torturers—but we will always catch some,
and none of them will ever know who is next."*