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19 March 2019

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Peru: The gang "Los Malditos de Bayóvar," including activities, targets, group structure and areas of influence and operation (2015-March 2019)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Structure, Targets and Activities

According to sources, before his death in January 2014, Los Malditos de Bayóvar were led by Juan Rayo Céspedes, alias "Chicharrón" (América TV 25 May 2016; *El Popular* 10 Jan. 2014). According to the Peruvian television channel América TV, upon the death of Céspedes, the organization was divided into three groups, led by the following individuals: René Aroni Lima [Renne Jesús Aroni, Renée Jesús Aroni Lima], Darwin Malca [Darwin Malca Hernández] and Harry Cano Dávila (América TV 25 May 2016). A 2016 article by Peruvian newspaper *El Comercio* also

names Aroni and Malca as leaders of Los Malditos de Bayóvar, and Cano as a member of the gang (*El Comercio* 27 Oct. 2016). Other 2016 sources name Cano as the gang's leader (*La República* 12 June 2016; *El Peruano* 26 May 2016).

Citing a representative of the Lima police, sources report that Los Malditos de Bayóvar was engaged in extortion toward businesses and schools, as well as several assassinations, in multiple districts of Lima, including [or [translation] "especialmente" (*El Peruano* 26 May 2016)] in the district of San Juan de Lurigancho (*El Peruano* 26 May 2016; *El Comercio* 25 May 2016a). América TV reports that the gang would leave grenades near educational institutions, along with threatening messages (*América TV* 25 May 2016). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

1.1 Arrest of Los Malditos de Bayóvar Members

Sources indicate that in January 2016, Darwin Malca Hernández, along with [his accomplice (*El Popular* 29 Jan. 2016)] Eduardo Vilca Febres, was sentenced to 35 years in prison for the murders of Juan Rayo Céspedes and Carlos Casamayor Rodríguez "Trujillano" [a member of Los Malditos de Bayóvar (*El Popular* 21 Jan. 2014)] (*La República* 28 Jan. 2016; *El Popular* 29 Jan. 2016). According to the same sources, René Aroni was acquitted for the same crime (*La República* 28 Jan. 2016; *El Popular* 29 Jan. 2016).

On 25 May 2016, the Peruvian National Police (Policía nacional del Perú - PNP), [in collaboration with the Public Ministry (Ministerio Público) (*El Peruano* 26 May 2016)], arrested 19 alleged members of Los Malditos de Bayóvar, including leader, "Loco Harry" Cano Dávila (*La República* 12 June 2016; *El Peruano* 26 May 2016). According to América TV, Harry Cano was the last of the three leaders of the organization to be arrested (*América TV* 25 May 2016). Sources report that, according to the Lima regional police chief, this operation led to the complete dismantling of the Malditos de Bayóvar (*El Comercio* 25 May 2016a; *El Peruano* 26 May 2016; *Correo* 25 May 2016). Sources also indicate that, among the alleged members of "los Malditos de Bayóvar" arrested, there were two members of the police force from the Kidnapping division of the PNP (*El Comercio* 25 May 2016b; *El*

Popular 27 May 2016). Sources report that in June 2016, the 19 members were sentenced to 36 months of pre-trial detention for charges of robbery, kidnapping, and extortion (*La República* 12 June 2016; *El Comercio* 12 June 2016).

According to América TV, Harry Cano Dávila was sentenced to 20 years of prison for the murder of a businessman, Carlos Percy Rojas Oré; the murder had taken place seven years earlier (América TV 17 Jan. 2019). The source also reports that the victim's mother said that she would ask for protection for herself and her family because she feared reprisals and that the senior prosecutor in San Juan de Lurigancho had requested protection because he was receiving threatening calls, but did not receive any protection measures (América TV 17 Jan. 2019). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

1.2 Los Malditos de Bayóvar II

Sources report that in October 2016, the PNP, jointly with the Public Ministry, arrested 20 or 21 alleged members of the criminal gang named "Los Malditos de Bayóvar II," led by René Aroni Lima, who was among those arrested (*La República* 27 Oct. 2016; *El Popular* 27 Oct. 2016). The sources add that the gang was operating extortion schemes in the construction sector in the San Juan de Lurigancho district (*La República* 27 Oct. 2016; *El Popular* 27 Oct. 2016). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

1.3 Los Malditos de Bayóvar III

According to a November 2017 press release by the Ministry of the Interior (Ministerio del Interior), the PNP, in collaboration with the Criminal Investigation Department of San Juan de Lurigancho, arrested two members of the criminal organization "Los Malditos de Bayovar III," who engaged in aggravated robbery (Peru 27 Nov. 2017). The two individuals arrested were Ken Lachi Espinoza, the organization's leader, and Francisco Sandoval Celis, alias "Pelo duro" (Peru 27 Nov. 2017). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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