

FINDINGS OF THE APRIL DELEGATION
OF THE INTERNATIONAL EMERGENCY COMMITTEE
TO DEFEND THE LIFE OF ABIMAEEL GUZMAN

We came to Peru to investigate the conditions of the imprisonment of Dr. Abimael Guzman and other political prisoners, including the imprisoned lawyers of the political prisoners; to represent and communicate the protest of millions around the world about the repeated reports of death penalty threats, the denial of the most basic human rights, and summary military trials with hooded judges and no defense. While in Lima we have received written statements of support from 63 members of the Nepal parliament, prominent attorneys and public figures from Barcelona, Britain, Australia, the United States, including professors, clergy, and political activists.

In Lima we have met personally with Dr. Jorge Avandano, president of the Lima Bar Association; Teodomiro Chavez, head of the Public Ministry of the National Office of Human Rights; Francisco Soberon, Association for Human Rights; and with family and representatives of those imprisoned and have talked with people of the Shanty Towns. We have also contacted the Lima office of the International Red Cross, the office of the Inter American Commission on Human Rights of the Organization of American States, the Womens International League for Peace and Freedom, AND OTHERS.

DR. Jorge Avandano asked the Ministry of Justice and the President of the Supreme Court to meet with us, but both refused saying there was nothing to talk about. Nor were we able to visit Dr. Guzman or other prisoners as was our highest goal. However, based on our discussions and observations we are able to conclude the following:

1. As the world knows, Abimael Guzman was transferred on Saturday, April 3rd to an underground cell at the Callao Naval Base in Lima. This transfer was broadcast at length and repeatedly on TV in Peru and the Sunday frontpage papers headlined that he would "never be seen again" "underground forever." The Minister of Justice stated on TV that Dr. Guzman's case was a military matter and said, "I wash my hands of it." Abimael Guzman has had no visits from anyone-attorneys, family or doctors since early October, 1992. Everyone we spoke to at any length recognized that the trial and treatment of Abimael Guzman has been a stark violation of all legal and human rights, of the most basic standards of humanity.

2. The other political prisoners, including the attorneys Crespo, Cartagena and Huatay, all given life sentences, are also being denied the most fundamental rights including visits and medical care. Dr. Marta Huatay has, according to reports, "lost her mental capacity," due to severe torture and beatings which took place in the DINCOTE headquarters at the time of her arrest. The IRC reported at that time that she has a fractured skull. Doctors who try to care for these prisoners are themselves harassed. The doctor for Dr. Jorge Cartagena since he was shot last summer has now been arrested and in prison. Recently another lawyer, Alberto Huaman Loaytz has been sentenced and imprisoned.

3. The International Red Cross (IRC) appears to be the only people able to get into the prisons and that is extremely limited, and the IRC issues no reports except the most minimal to family members. Philip Comtesse of the IRC in Lima told us that they "had seen Crespo, Cartagena and Huatay in the last fifteen days" but not Guzman, and would provide no more details.

4. The organizations and individuals we spoke with said they did not think the court and prison situation would change soon, in fact most expect it to get worse. We were told in several ways that to even express strong concern for the human rights of political prisoners in Peru could be very dangerous. Not only have attorneys for the political prisoners

been imprisoned for life, but doctors, friends and attorneys for those imprisoned attorneys have been arrested, detained and harrassed. Clearly the most fundamental right to practice the medical and legal profession in defense of human beings is being trampled on.

5. The hooded military summary tribunals of civilians as well as others is the most blatant violation of all legal norms, United Nation treaties, the San Jose pact and more. The right to counsel is non-existent, frequently lawyers arrive, if at all, after the conviction in time to hear the sentence. The appeals process for Abimael Guzman took five days, Dr. Crespo and Cartegena have their last appeal in early May with a fore ordained confirmation of their life sentences for "treason", which they are already servin in Puno, far from Lima.

The Peruvian government reported while we were in Lima that all 115 of these "trials" held since the first one with Dr. Guzman have resulted in summary convictions with 80% of them convicted of treason and sentenced to life. The government also announced that many of the prisons were being rebuilt for isolated maximum security cells for political prisoners and that 20 new prisons were to be built for this purpose. On April 5th, the one year anniversary of the coup, Fujimori was shown on TV opening a new wing at the women's prison, Chorilles, near Lima, which has a built in "court" where the judges sit behind a one way window and speak through a distorted loudspeaker. Thus the inquisition has been institutionalized!

We conclude that there can be no doubt but that the present "justice" system in Peru resembles that of a fascist, police state in violation of all legal and human rights international treaties and norms. Moreover the conditions of the prisons are worsening. All of this is concntrated in the case of Abimael Guzman.

Furthermore, as several people in Peru pointed out and we agree the treatment of Guzman, Crespo, Cartegena, Huatay and others is a most dangerous precedent for political prisoners everywhere. If it is true as reported that the government of the United States played a major role in establishing this modern inquisition we may anticipate more of it in the "New World Order."

But there are many people in Peru who expressed outrage at the situation, many are risking their own freedom and very lives to defend the life of the political prisoners. These people need the support of all people of conscience to protest with all their strength the death penalty and the grievous violations of human rights of all political prisoners in Peru. We are pleased to note that on May 15th in Paris on the occasion of the transfer of the presidency of the European Federation of Attorney's Bars from Barcelona to Paris, the outgoing Barcelona president, Eugeni Gay Montalvo, will publically propose that a delegation of Bar presidents come to Peru to investigate the situation with the attorneys and the right of defense of political prisoners.

In conclusion we express our thanks to all who helped the delegation's work and we take pride in announcing from Lima, Peru that May 14th and 15th are the International Days to Defend the Life of Abimael Guzman.

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