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International Emergency Committee to Defend the Life of Abimael Guzman

FAX/Telephone: (44) (71) 482 0853

Address: BCM-IEC, 27 Old Gloucester Street, London WC1N 3XX, England

FUJIMORI AGAIN THREATENS DR ABIMAEI GUZMAN

The Peruvian dictator, Fujimori announced on 8 December: "I will not assume under my government any 'personal' guarantees for the security of Mr. Abimael Guzman in the treatment of his illness." This was stated during a speech given at a celebration of Armed Forces day.

This constitutes yet another threat on Dr Guzman's life by the one who calls himself the President of Peru, this time under the guise of "death by illness." The IEC urges people to send protest letters to Fujimori.

In another significant development, an article which appeared in the French newspaper, Le Monde (the main daily newspaper of Paris), mentioned that the military had wanted to kill Dr Guzman on October 15, but were prevented from doing so because of the fear of international repercussions.

DEMOCRATIC LAWYERS ARRESTED IN PERU

We received a letter from The Association of Democratic Lawyers in Peru saying that DINCOTE (the counter-insurgency police) have arrested and detained 5 defense lawyers of political prisoners who practice law in the city of Chiclayo, capital of the Lambayegue Department in northern Peru.

The detained lawyers are:

- Miguel Olazabal Ancajino
- Ernesto Cuba Montes
- Victor Siguenas Campos
- Gilver Alarcon Requejo
- Ruben Bustamente Banda

The letter says: "All of these colleagues are being slandered with 'apology for terrorism.' Today they are detained in the jails of the Police, handcuffed, and are subject to physical and psychological torture." The IEC also urges people to contact human rights organizations and lawyers groups to ask that they protest the detention and torture of these lawyers.

FUJIMORI OUTLAWS THE PERUVIAN BAR ASSOCIATION

Two weeks ago, Fujimori banned the "Colegio de Abogados" (This is the Peruvian equivalent of the Bar Association. Bar associations are the main lawyers' organizations in most countries; often it is a requirement for lawyers to join them in order to practice law.) This outrageous move occurred shortly after the Colegio had issued an extremely significant 11-point declaration condemning many violations of human rights by the Fujimori dictatorship, including the "torture and humiliating treatment" of Marta Huatay and the proposal for the death penalty referendum. Many of these points were suggested by the Association of Democratic Lawyers (which is headed by Dr Crespo). This development is all the more significant since the Colegio had earlier been used to condemn to the first IEC delegation of international lawyers as being unqualified to make comments on the political prisoners in Peru, and therefore liable to arrest as "apologists for terrorism." All this is another indication that the ranks of Fujimori supporters are getting quite thin, even among those with high positions.

3RD DELEGATION MEETS WITH DR. ALFREDO CRESPO

The following are some excerpts of a meeting held with Dr Crespo while the 3rd IEC delegation was in Lima over the 22 November election weekend:

Q1:...What does life in prison mean? Is there the possibility of parole?

A: Up until [Dr Guzman] dies, that's what life in prison means in Peru.... Right now he's on the island of San Lorenzo in a military prison.... The last time I saw him was on the occasion of making oral defense before the military Tribunal on October 11....This is the situation now. I am not seeing him, and I am very concerned about his life, for his physical integrity, for his health. He needs certain medicines for his illnesses... but with treatment he can live well. He needs a certain diet...

Q2: We've seen in the media talk about the death penalty coming back. What is your assessment of that?

A: We have placed a motion opposing this in front of the Lima College of Lawyers [Colegio de Abogados], against the death penalty, and they have approved the motion. The Peruvian state has been applying the death penalty for a long time. Now all they want to do is legalize it. Many prisoners are locked up and killed.... In the countryside, the Peruvian government is fighting a war without prisoners. Those detained are not taken to any police authority, they are killed. There's a situation where disappearances are increasing. They disappeared 35 students at the Universidad Nacional del Centro in the Department of Junin in the Peruvian Andes. On different days, the bodies of 25 of these students have shown up on the streets. At the University of Lima, the army went in and arrested 10 students and one professor. This was at La Cantuta. The National Education University La Cantuta.... This took place about two months ago. Up to now, nothing has been heard from any of them. In this way, the death penalty has been applied in our country for a long time....

Q: Could the death penalty be applied retroactively if it were established?

A: Definitely not. Because no penal law can be applied retroactively. The law is to be applied in the future. The Peruvian government can not apply it to past cases - this would be very serious because it would violate every principle of law which prevents them from being applied retroactively.

Q: Is this what Fujimori wants to do?

A: There has been talk of this. But this would be an assault on penal law. In the Peruvian state, the armed forces and the police forces are desperate in the face of the advance of the armed struggle which the Communist Party of Peru is leading. These efforts to impose the death penalty, life imprisonment, these are manifestations of their desperation. Because the Communist Party of Peru is spreading more and more throughout the country. It's a situation which they themselves have had to recognize. The military authorities and the government leaders.

Q1: Will they try to impose the death penalty on Dr. Guzman because of crimes of violence attributed to him?

A: They have talked about passing a law that will punish the political responsibility. In this way, if actions continue, he, for having been the head of the Communist Party of Peru would have this applied to him. But this doesn't have any juridicial basis. With him being in jail, he can't give any orders. He doesn't have the power of telepathy.

Q1: Recently the United States government in Washington, the U.S. Attorney's Office, put forth an identical law. Maybe they're getting that idea from the U.S. government. In other words, if a head of a gang is in prison and one of his gang members commits a crime. When I saw that identical language for here and there, I knew there was some collaboration.

A: This is what they are trying to do in the United States?

Q1: This is a bill, what they are trying to do.

A: This is an expression of the states becoming more reactionary in the face of the people's struggles. Because these laws are to repress the people. Under the cover of anti-gang laws or under the pretext of anti-drug laws, they repress the people.

Q1: Same thing. Same language ...

A: Would it be possible for you to get me a copy of this bill so that I can expose it here too? Because it's the same imperialist thinking that they're applying. We are aware that this anti-subversive war that the Peruvian government is waging is being done with training by the United States government. One sign of this is the sentence for the civil fine is in dollars--US money. And the striped uniform that the prisoners are wearing is from the United States.

Q1: People are making buttons in New York of the image of Dr. Guzman with the number 1509.

Q2: What has been the impact of the international campaign vis a vis Dr. Guzman up until now?

A: Here? It seems that it has been very good. It has had good repercussions, above all the arrival here of the internationalist lawyers. Even their arrest by the government has been beneficial for exposures. Clearly this has had a big effect.

Q1: Will you get us out if we're locked up?

A: (laughs) Clearly, they can lock you up. But because you are foreigners, and the government doesn't want to have big problems with other countries' consulates intervening, the most likely thing is that they will put you on a plane and that's it. So I've got to talk with you now before they put you on a plane.

Q1: Under civil law, are there juries where defendants would stand a better chance than in the military courts?

A: In the civil trial there's more possibilities for the defense, although now there are laws which cut that all down. But in the military court, as the laws are now, the trials are practically clandestine.

Q2: In Peru, before the military tribunals were in operation, was the system an adversarial one, as they have in the United States and the English influenced countries, or is it inquisitorial as in Spain or Germany which I think is inquisitorial?

A: In the civil court you have three judges, the prosecutor and the defense. In the military court it's similar, but they all have hoods in the "terrorism" cases, in the cases of the fighters.

Q3:...Why the necessity for the hoods?

A: Because what they are trying to do is totally arbitrary, without any judicial guarantee. So for that reason they hide their face. But before that when there were trials in the civil courts, they also convicted many fighters, nevertheless none of the judges were killed...because that would be a case of revenge...

Q1: The monies that this government receives for its military from the United States - is that money used for these trials? ...

A: ...Bernard Aronson, the US State Department secretary, gave a report to the US Congress that there is an assistance program from the US to the Peruvian judiciary. This is for the civilian courts. Regarding the military courts, I don't have any information. But in any case it could come with the money that they sent for the anti-drug agreement...

Q2: The military judges - are they in fact just military officers that call themselves judges?

A: ...They are not lawyers. They don't have any legal ability. They only have a lawyer present in the military tribunal as an auditor, a legal advisor - that's the only one who is a lawyer, but the decisions are made by the military. In other words, it's just a farce, a great farce. It's not a trial, there's no right for the accused to defend himself, the defense is limited, no resources for the defense are taken into account. My participation in reality has been to be a witness to an arbitrary proceeding to expose it.

Q1: Witness to a hanging.

A: I had to go there to find out what would happen. I didn't know what was

going to happen. Anything could have happened. They could have killed me. But I had to be there. And so I'm exposing it, knowing what happened.

Q1: How long have you been a lawyer?

A: Just a short time. Nine years ... Since 1983. But defending the prisoners for the last 7 years-- the prisoners of war.

Q2: Would you be interested in talking with someone from Amnesty International right now while we're here, so they can see how serious the situation is? Because their official position is that he had a fair trial.

A: A fair trial? It was unjust!

Q2: They have said nothing since the trial. They have received more telegrams and letters of protest regarding the case of Dr. Guzman than of any other single individual in the history of Amnesty International, and that comes from someone in Amnesty International in London.

A: I have also sent one, but they haven't answered me. I have sent communications to Amnesty International, including my fax number for them to answer me, and they have not answered me...

REPORTS FROM AROUND THE WORLD

AFGHANISTAN - A donation of \$200 has been collected and sent to the IEC from Afghan refugees in Pakistan.

TURKEY: Donations have been collected among the shanty dwellers and workers in Ankara, Turkey to the amount equivalent to 650 DM, (£250).

Ragip Zarakolu, a journalist with Gundem newspaper and a member of the second IEC delegation to Peru, held a public seminar program in Istanbul, Turkey on December 8th, 1992, which was well attended and extremely well received. The Istanbul Doctors Guild provided its conference hall for this program which was billed as "Abimael Guzman and Peru Reality". Mr Zarakolu has also started a series of articles in Gundem dealing with the struggle of the people of Peru and the role of Abimael Guzman. This newspaper is under attack now from the Turkish government for its overall political stand, and especially its support of the Kurdish peoples' struggle against the Turkish government. Recently, Gundem published a letter sent by IEC to the political prisoners in Turkey.

An all-day meeting was held inside Buca Prison Izmir by the political prisoners who signed the IEC Call. The banner the prisoners stretched across the prison courtyard reads (in Turkish and Kurdish), "Free Guzman" and the name of the political organizations these prisoners are affiliated or accused of being affiliated with.

Separate groups of lawyers from Turkey (Izmir and Istanbul) are circulating their own petitions in support of Abimael Guzman.

Over 7,000 people have signed the IECy in Istanbul, Turkey alone.



SPAIN: An IEC group has recently been formed in Barcelona (Catalonia). They have put up 2,000 posters and distributed postcards with Dr. Guzman's words. A demonstration was held on 3 December in front of the Peruvian consulate. A lawyers organization there, the "Comision de Defensa del Colegio de Abogados de Barcelona", recently wrote a protest letter to Fujimori.

US: At an Amnesty International Concert in London, David Byrne, the musician, songwriter and filmmaker from New York City, signed a statement demanding that Amnesty act on its principles and intervene on behalf of Dr. Guzman, as well condemn the violations of international law in this case.

At a conference called "Rethinking Marxism", attended by several hundred Marxist scholars in Amherst, Massachusetts, the campaign to defend Dr. Guzman caused quite a stir in workshops. The video "People of the Shining Path" was shown in one workshop, with very positive impact.

A demonstration was held in sub-freezing weather outside an Amnesty International benefit event at a Boston hotel. Demonstrators held a banner demanding that AI implement their charter and passed out protest postcards.

NEW SIGNATORIES

Unity Group For Rebellion of the Poor (Gruh Tawhidi Qeyam Mustazafeen) - Afghanistan

Path to Unity of Labour (Etehad Rah Zahmatkash)- Afghanistan

58 people from Geneva, Switzerland including:

- Jean Ziegler- parliamentarian, Conseiller National
- Veronique Reizner- Committee Against Sexual Harassment
- Francois Boesch- Deputy, Party of Labor
- Guillaume Arbex, Sebastien L'Haire, Stephane Muller- Alternative Solidaire

Ronnie Moodley- Chair, International Refugee Forum, London, England

Faik Balut- Writer/Journalist, former political prisoner for 7 years in Israeli prisons, Turkey

Ali Ekber Kaypakaya- Journalist, Ankara, Turkey

Turhan Selcuk- Caricaturist (political cartoonist), Istanbul, Turkey

Demirtas Ceyhun- Writer, V.P. of Writers Syndicate of Turkey

Ahmet Kaya- Singer, Istanbul, Turkey

Menderes Samancilar- Actor, Istanbul, Turkey

Nur Surer- Actor, Istanbul, Turkey

Ferhat Tunc- Singer, Istanbul, Turkey

Arsian Baser Kafaoglu- Chartered Public Accountant/Writer, Istanbul, Turkey

Deniz Turkali- Actor/Singer, Istanbul, Turkey

Bilgesu Erenus- Singer, Istanbul, Turkey

Selda Bacan- Singer, Istanbul, Turkey

Akin Birdal- President, All Turkey Human Rights Organization

200 Refugees and workers from Turkey, in Frankfurt, Germany

22 journalists/writers - Turkey

300 Workers and students - KÖln, Germany

700 Immigrant workers- from Turkey, in France

Mr. and Mrs. Rodolpho Milla-Villena, Paris France

La Ligue Anti-Imperialiste - Brussels, Belgium

Louis Wolf- Co-editor, Covert Action Bulletin*, Washington, DC, US

Joel Kovel- author, Age of Desire, Bard College, US

Praful Bidwai- journalist, Times of India, Amherst College, US

Gayatri Chakravorty Spivak- author, Columbia University, US

Lester Grinspoon- co-founder, Physicians for Human Rights*, US

Dennis Brutus- South African activist, former political prisoner, poet, professor, US

Stanley Aronowitz- Editor, Social Text, New York, US

*Organizations are listed for identification only

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