



EMERGENCY BULLETIN 41

International Emergency Committee To Defend The Life of Dr Abimael Guzman

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28 November 1993

The Fight to Visit Dr Guzman:

The 5th IEC Delegation, which returned from Peru at the beginning of November, made clear that there is now a good possibility to win the demand to be able to visit Dr Guzman. Widening cracks within the ruling circles in Peru are putting the Fujimori regime under greater pressure to retreat from some of its positions (such as prohibiting visitors to Dr Guzman now that the 1-year solitary confinement order is over). The 5th IEC Delegation found that there are many forces in Peru (including within the reactionary Congress, international human rights agencies, and the reactionary Lima press) who, for their own reasons, openly acknowledge that there is no legal reason to prevent Abimael Guzman from being visited by his lawyers. International exposure of Fujimori's horrific "human rights" record continues to create certain problems for the regime's imperialist backers, especially now that US, European and Japanese investors are being offered all of Peru's major assets at bargain prices as a way of keeping the sickly economy afloat and maintaining the regime's power. Peru's "excellent investment climate" is called into question when the regime's hold on power is so shaky it must sanction military death squad activity and display open disdain for the rights of defence for political prisoners and their lawyers.

The efforts to see Dr Guzman (and their overall exposure of Fujimori's decrees) made by the lawyers from the 5th Delegation have further forced Fujimori onto the defensive. He had to get on Peruvian TV to refuse the demand of the international lawyers to visit Dr Guzman, even calling out Peter Erlinder by name. But even then, interestingly, Fujimori did not say that such a visit could never happen, but resorted to bluster: "I will decide when Abimael Guzman receives visitors..."

It is clear that visiting Dr Guzman will be an uphill battle. But it is worth remembering that over a year ago when Dr Guzman was first captured, there were some who said that defending his life under these circumstances was impossible, that "the government had him and could do what they wanted to him". In fact, it was later revealed that the military did want to kill him by 15 October 1992, but they were unable to do so because of worries about "international repercussions". They were forced to retreat.

Today, some argue that Fujimori would only allow people to visit Dr Guzman if such a visit could be used by the regime. To this, we answer that of course they will try to use it, just as they have used his capture and every development since for their own reactionary interests. But:

a) Not everything is in the control of the reactionaries, (Another example: the regime did not want to allow the Red Cross to visit Dr Guzman or any of the political prisoners, but they were forced, through international pressure, to allow it eventually.)

b) The reactionaries often make mistakes, and

c) The reactionaries never count on, and often cannot defend themselves against the boundless courage, energy, and vision of the conscious people. We were all witness to such an occurrence on 24 September 1992, when the revolutionary leader, Dr Abimael Guzman, was paraded before a pack of 200 international journalists in a striped suit in an iron cage. The open intention of the regime was to present him as humiliated and defeated. Within 10 minutes, Dr Guzman gave the world a completely different picture, and regime was delivered a blow which they have never recovered from.

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Today Dr Guzman's life continues to be in danger. He remains in solitary confinement. We must intensify and persevere in our demands to see Dr Guzman until such a visit is achieved. As reported in EB40, when the international lawyers with the 5th International Delegation were in Peru, they submitted petitions to Fujimori and to numerous government agencies, demanding permission to visit Dr Guzman. This was not granted while they were in Peru, but neither could the government completely close the door. The international lawyers are continuing to fight for this demand, along with the Lima lawyers who are risking their lives in the fight to end Dr Guzman's isolation.

When the 5th delegation was in Lima, the Lima lawyers stressed that actions in the legal arena are essential but not enough, and they called for support from around the world.. IEC put out the call and many letters began to come in to Fujimori and the Supreme Council of Military Justice (who are holding Dr Guzman). The effect of these letters could be felt even while the delegation was in Lima. IEC encourages people to continue to send letters demanding that the international lawyers and Lima lawyers representing Dr Guzman be allowed to visit their client. The letters should also demand that the government stop persecuting the lawyers who defend political prisoners and prisoners of war. Send letters to: Alberto Fujimori, Palacio de Gobierno, Plaza de Armas, Lima, Peru. Please be sure to send a copy of your letter to IEC-London. Letters have already been received from many people, including:

National Lawyers Guild (Seattle Chapter) - US

A group from Berlin, Germany (with signators from Turkey, Pakistan, India, Ghana, and Germany)

Gary P. Leupp (US) - Tufts University, Professor of History

13 lawyers from Kathmandu, Nepal, including members and the former president of the Nepal Bar Association

11 human rights legal workers and lawyers from New York City

Rodney Thaxton (US) - Lawyer

Jose Edgar Navarro, Jr. (Director) and Daniel Orjuela (Secretary), (Colombia) Colombian Association of Social Assistance

Andreas Gross (Germany), Lawyer

Monique Briodes and Anne-Marie Debatisse (France) - Lawyers

National Union of Workers Industry to Transform Rubber, Plastic, Polyethylene, Polyurethane and Synthetics - Itaguí Branch (Medellin, Colombia)

Representatives of Health Workers (Medellin, Colombia)

American Association of Jurists - Mexican Branch (Mexico)

Interview with Dr Crespo's Wife and Mother:

The 5th IEC Delegation was given a video while in Lima which presents a hard-hitting picture of the situation in Peru for the political prisoners and the lawyers who are trying to defend them. The video contains messages from lawyers in Peru, and from the wife and mother of Dr Crespo. It presents a call to lawyers and others around the world to take an active stand in defence of the lawyers for political prisoners in Peru. The video will soon be made available to IEC supporters. Following is a portion of the interview with Mrs Crespo and Mrs Bragayrac (Dr Crespo's mother):

Mrs Crespo (Dr Crespo's wife): Dr. Alfredo Crespo Bragayrac was unfairly arrested on 11 January of 1993... He was arrested solely because he exercised the right of defence of students, workers, peasants and citizens in general. Today I am here with Crespo's mother and his children. Dr Crespo's mother will tell you about Dr Crespo's life, which will show that he has lived a life of struggle and work, and is not as he is painted. Here is his mother, Mrs Blanca Bragayrac.

Mrs Bragayrac: What has happened was a reprisal by Fujimori. My son denounced Fujimori before the Bar Association. The President of the Republic, Fujimori, has made this reprisal against my son. Just after

Fujimori took the office I remember that my son told us, 'The person who will be guilty of everything is Fujimori....'

Mrs Crespo: I emphasize that my husband's arrest is a political matter. Ever since the Garcia government the lawyers have been persecuted. My husband noted several times that he was under surveillance. The government says that my husband was a senderist because he always undertook the defense of those accused of subversion...

I also want to emphasize that he was arrested especially because he undertook the defence of Mr. Abimael Guzman. My husband was a lawyer. He practices his profession as any other lawyer does. And as I have said before, he undertook the defence of those who went to his office to ask his services under contract, mainly workers, peasants and students. He was not a lawyer who charged excessive costs to the people. He was not a lawyer who took advantage of the suffering of the people.

Since he assumed the defence of Mr Abimael Guzman he was constatly harrassed. The trial was a very quick trial. There was no evidence. It was a military trial. He was tried according to the laws issued especially for the arrest of Mr Abimael Guzman ... There was no evidence against him, much less any evidence that would justify his arrest and a sentence to life imprisonment. My husband was arrested and sentenced to prison in less than a month. It was a trial where only one supposed witness was presented.

I find it necessary to make this denunciation because currently all trials follow this pattern. None of the detainees have any right to defence. Many lawyers have been arrested in a similar manner as my husband was simply because they have undertaken the defense of persons accused of terrorism. Lawyers are themselves prosecuted. They cannot go to DINCOTE to ask about any detainee. The reason of my husband's arrest was that he defended many of these cases, but especially because he defended Mr Abimael Guzman.

I want to denounce the fact that currently Fujimori is making the laws according to his will. Under the general excuse that he is going to eliminate the subversion by 1995, he is arresting women, children and men. He is filling the prisons with innocent people. There is no any right to defense. A Peruvian citizen has no rights. Any person can be arrested and accused of subversion or treason; then can be sent to prison in Puno or here in Canto Grande where the basic rights of the people are violated.

For example, look at the situation for the relatives. I have gone to visit my husband only twice. I have never been given the right to see him... To go from where I am in Lima, to Puno, is a long trip and the travel is very expensive. What the Fujimori regime is trying to do is to kill all of the detainees even while saying he is allowing them to live.

...I have been under surveillance continously, both at my work and in my home. By this means [through this video] I want to ask for guarantees for my life and for the lives of my children. Currently nobody has any guarantees to life in Peru. Any person could be accused of being a terrorist. They plant evidence against anyone. For example they plant a grenade, or a gun, or a document. Then the person is sentenced to life imprisonment. This is the real situation that we are living under in Peru. The stories of Fujimori or of the foreign ministers about peace in Peru are not true. Those stories are lies. Most of the people have been arrested because the government has planted evidence. Because of this I am asking for guarantees for my life and the lives of my children. There is great risk for me because I have made these denunciations.

I want to reiterate that the arrest of my husband was without any evidence. It was completely unlawful. He was only arrested because he practiced his profession - what he studied. He was accused of trying to become clandestine, or go underground, because he was moving things out of his office. But he was moving to another office. That was the reason he was moving things out of his office. However, he was arrested because of this supposed evidence.

Mrs Bragayrac: He has his own political ideas... I argued with others about my son. I said to them: Is he a criminal? I told them that people have political ideas in every part of the world. You see Marx, Lenin all those great leaders of the world have had their political ideas. Even Fidel Castro himself. So, people don't have to argue against me. It would be as if I were stupid. It is right to have ideas. Things should be like that.

Interviewer: Even if it caused him to be arrested?

Mrs Bragayrac: Yes, yes!

Interviewer: Are you proud of him?

Mrs Bragayrac: Of course, I am proud. But he must not surrender. I prefer he be killed... I prefer death instead of his repentance before that bloody Fujimori. My character is very strong.

Mrs Crespo: Exactly the last time I saw him was on 20 of February in Canto Grande, through a glass. It was like seeing him on a screen, without being able to hug him. Even under such conditions I could see he was very optimistic. He was sure that his case would be resolved. He was a happy man. People around him constantly say that he radiates optimism. They remember him because of his tender and loving attitudes. He didn't discriminate people because of social conditions. He used to feel special affection for the people who had little.

...I ask for guarantees for the life of my husband. I demand his immediate release, alive and healthy. I ask that his case be reversed. He was sentenced without any evidence. I ask guarantees and the release of the other lawyers - Dr Martha Huatay and Dr Cartagena. I also call on Bar Associations worldwide to make a statement for the life of these law professionals who have been unfairly arrested just for practice their profession.

I make a call and a denunciation to the international media because in Peru human rights are daily violated. In this moment in Peru no human right is acknowledged. Any person can be arrested, tortured, charged, sentenced and imprisoned under the pretext of treason.

I ask for guarantees for the life of my husband who is in prison in Puno. Puno is one of the highest cities in Peru. It is extremely cold. He has never lived in a place like that. He has lived all of his life in Lima. Of course, this change of weather has affected his health. Additionally, the food he is receiving does not provide him with the necessary calories and carbohydrates to counteract the cold. This is how the prisoners have been killed: through the restriction of food.

I ask that international observers come to corroborate the real situation. They should come to visit the prisons. But they should not go with the national authorities, such as ministers and prison authorities. When they do this, the authorities order that the prisons be cleaned, and special food be prepared, before the visit. I ask the so-called defenders of human rights to come to see the prisoners' situation. The rights of prisoners are being violated. The prisoners are prisoners of war because in Peru there is an internal war. Whether one wants to acknowledge it or not, there is a war going on in Peru."

The video contains portions of three interviews: two with ADL lawyers, and one with Dr Crespo's wife and mother. All of the interviews contain urgent and moving appeals for immediate international support for lawyers who defend political prisoners. Once the video is made available, it is important that these videos reach the broadest audiences possible. Efforts should especially be made to air portions of the video on television. IEC will notify people when video is available.

More on Fujimori's Referendum

Analysis of the voting figures on the 31 October referendum for Fujimori's new Constitution now indicate even more decisively that although Fujimori "won" (51% to 49%), the referendum was basically a failure for him. Voting is mandatory in Peru, punishable by severe fines and even arrest, yet 38% of the eligible voters abstained (4,500,000). Of those voting, 7% spoiled their ballots (829,000). The "no" and "yes" votes were divided almost half and half for a total of 6,513,700. So, at best, Fujimori received no more than 3,300,000 "yes" votes, out of a possible 12,000,000 registered voters, or 28%. It is also estimated that over 2,500,000 people eligible to vote have not registered, and we can presume that most of those would not have voted "Yes". This means that a total of approximately 7,829,000 people (out of a possible 14,342,700 people over 18 years old), or 58%, openly rejected the referendum process. This is counting 1) those who abstained, 2) those who spoiled their ballots, and 3) those who refused to register. Taking these figures into account, and adding the "no" vote, it can be calculated that only 22.71% of the 14,342,700 people eligible to vote in Peru chose to vote "yes".

These calculations are based on the government's own figures published in the Lima press. It does not even take into account the voting fraud which undoubtedly took place, as the National Intelligence Service (SIN) were reported to have carried out ballot-counting operations in some Departments.

American Association of Jurists Condemns Reinstatement of the Death Penalty and Persecution of Lawyers in Peru

An important development occurred 5 November when the full Continental Council of the American Association of Jurists (AAJ) voted to condemn Fujimori for his reinstatement of the death penalty, and for the persecution of the lawyers who defend political prisoners. The vote took place during a meeting in Montreal of this international group of high-ranking jurists from countries throughout the Western Hemisphere. Their board includes people from Argentina, Cuba, Brasil, Canada, Guatamala, Nicaragua and Costa Rica. The Mexican chapter of the AAJ has been particularly persistent in bringing these matters before the whole AAJ (and they have also regularly sent letters to Fujimori and to the Inter-American Commission on Human Rights). The Mexican AAJ chapter reports that this decision was the result of intense discussions during the November meeting. Excerpts of the AAJ Declaration follow:

"We vigorously denounce the constitutionalization of the death penalty in Peru, which makes this country the first on the American Continent to flagrantly contravene the American Convention of Human Rights. In this way the Peruvian State removes itself from the jurisdiction of the Inter-American Commission and Court of Human Rights.

"We make a call to the international community to denounce the judicial context in which the death penalty will be applied. The self-coup of President Fujimori subordinated the judicial power with the removal of the majority of the judges of the Supreme Court, and by giving the military tribunals competence and authority to judge civilians. With the accusation of treason or terrorism, the accused are tried by military tribunals with anonymous judges who are officials of the armed forces. The investigations are carried out exclusively by the Police, who utilize violent methods, and do not respect the fundamental rights of defence.

"....The lawyers defending those accused of treason and terrorism are persecuted, detained, and are the targets of attacks and threats, and, in some cases, they are killed.... We demand the immediate intervention of the organizations of protection of our regional system of human rights, and the designation of a special rapporteur from the United Nations to investigate the situation in Peru."

More News from the 12-24 September Escalation:

Bolivia: An open meeting was held in a very remote peasant community in Cochabamba. Almost 150 people attended the meeting - mainly indigenous people. They resolved to multiply efforts to defend Dr Guzman's life and to condemn the death penalty. "The People of the Shining Path" along with a video on the shantytowns and prisons in Peru were shown. Long discussions followed. In the main square of the town there was a display of large banners, photos, articles and documents from IEC which created unusual interest among the people. Musicians played caluyo and huayño songs throughout the day; one was inspired to compose a song dedicated to Dr Guzman.

In one of the villages of the city of El Alto, on 12 Sep a political-cultural festival was held attended by ex-political prisoners accused of terrorism, housewives, ex-miners, factory workers, migrant workers, and sympathisers of IEC. Speeches expressed international solidarity with Dr Guzman and the People's War. People spoke about the fact that those who live under poverty and exploitation in the Bolivian Andes take inspiration from the fight of PCP because these are people like themselves. "We are going to win the good battle that our grandparents have left to us", said one of the migrant workers.

In the capital city of La Paz, IEC distributed leaflets in the shantytowns, set up literature tables at some trade unions, and showed videos about the People's War. On 21 September, at the Universidad Mejor de San Andrés, a 3-story high banner of Dr Guzman was hung, along with a banner saying "No to the Death Penalty in Peru". A cartoon later appeared in the school newspaper showing this massive banner of Dr Guzman hung from a building; standing in front is military general and a university administrator remarking to the press: "There isn't a trace of Sendero around here." IEC-Bolivia reports that Bolivian TV and radio news programs have covered the campaign extensively, "repeating however the attacks against PCP and now against the activities of IEC, calling them 'undercover activities of Sendero' and calling the attention of the authorities to the supposed 'presence of Senderistas' in Bolivia." IEC-Bolivia notes that the attention of mass media to the 12-24 Sep activities was greater than during the earlier days of action (14-15 May).

Efforts are now being made to organise IEC on a country-wide basis.

Galicia, Spain: The Comité Gallego de Emergencia organised a concert in solidarity with political prisoners in Peru on 23 September in the city of La Coruña. Several musical groups participated and Dr Guzman's speech was delivered. More than 100 people attended. On 24 September Francesc Arnau spoke to a conference organised by IEC-La Coruña in collaboration with another organisation. The IEC also reports that there has been much controversy in La Coruña about their activities, including an attack in the newspaper. However, as a result of the attack, the newspaper published a portion of the IEC Call, and many more people heard about the campaign.

Colombia: The Committee to Support the Revolution in Peru (CARP) in Colombia reports that during the 12-24 escalation they carried out many activities to defend the life of Dr Guzman which took place in several cities. In Bogota, more than 1,000 leaflets were distributed in two popular markets at 15:09 on 12 Sept. More than 1,000 stickers were also posted. On 24 September activists held a meeting in front of the Peruvian Embassy in Bogota. One supporter dressed in a striped shirt delivered Dr Guzman's speech from a cage. A few minutes later the police broke up the meeting - detaining and interrogating the activist who delivered Dr Guzman's speech for more than 5 hours. In Medellin, more than 50 shantytown residents, students, workers and teachers attended a program organised by CARP on 12 September. The program included reports on the People's War in Peru and the international campaign

to defend Dr Guzman's life. During the following days the "People of the Shining Path" video was shown and stickers appeared throughout the city. In Pereira, graffiti and stickers appeared in the shantytowns and at the Technological University. On 26 September more than 100 people attended a program on the struggle in Peru. During the escalation videos were shown to many groups. Activities were also carried out in Cali, Manizales and Cartago.

Vienna, Austria: More than 100 people came to a rally in solidarity with Dr Guzman, and the revolution in Peru, at Stephansplatz in Vienna. A march was planned to the Peruvian Embassy which was forbidden by the authorities. After the rally there was a festival which was attended by more than 600 people - mostly Turkish and Kurdish. The main initiators of both events were members of ATIGF (a Turkish workers organisation in Europe).

Other News From Around the World:

Kerala, India: On 1 November, the Kerala Communist Party organised a procession in Chittur, a district of Keralam, to commemorate the 46th anniversary of the formation of United Keralam (a State in India). Many of the placards celebrated the struggle of the Peruvian people - holding it up as an example for the Indian people. One of the slogans read: "Our Solidarity with the Revolutionary People of Peru is Indomitable. Down with the Indian Fujimoris - the Lackeys of U.S. Imperialism!" Copies of Dr Guzman's speech from the cage were distributed along the route. The organisers report: "Hundreds of people on both sides of the road witnessed the procession waving hands. The effigy of Fujimori with a badge 'Man Eater' was the one that attracted the public attention. At the culmination of the procession the effigy of Fujimori, which also symbolizes the rulers of India, was burned and the head of the 'Fujimori' was beaten to smithereens, in the presence of hundreds gathered. People applauded the action."

Punjab, India: Twenty members of the Punjab Committee to Defend the Life of Dr Abimael Guzman met with the Ambassador of Peru at the Peruvian Embassy in New Delhi on 4 October to deliver a protest letter for President Fujimori. The letter was signed by 2,000 workers, peasants, employees, students, women, intellectuals, teachers, lawyers, doctors, journalists, writers, poets, artists and sportsmen. The letter condemned the crimes of the Fujimori regime and concluded by demanding that Peru:

- * Reject the death penalty;
- * Release Dr Guzman and other political prisoners in Peru unconditionally;
- * Stop the repression being let loose on Peru's people, especially against the political prisoners and lawyers of political prisoners.
- * Stop the military and political intervention of imperialism in Peru - particularly American imperialism.

Queensland, Australia: A group of Latin American, Australian, and Maori people who live in Northwest Australia have joined the battle to defend the life of Dr Guzman. They report that they have been organising meetings and showing the video "People of the Shining Path" as well as Dr Guzman's speech from the cage. They also sent an amicus brief to the Inter-American Commission on Human Rights which was signed by 80 individuals.

Denmark: On 31 October, the day of the referendum in Peru, members of the IEC picketed the Peruvian Embassy all day. The Peruvian Embassy called the police and aggressively confronted the IEC supporters - saying that they were "trying to stop Peruvians from voting by force". However, when the IEC supporters actually spoke to Peruvians who had come to vote, most said they were afraid of reprisals from the government. Altogether about 30-35 people came to vote (out of a population of about 1,000 Peruvians living in Denmark).

Barcelona, Catalunya: On 18 October a conference was held by the Defence Committee of the Bar Association of Barcelona-Catalunya (in Spain) entitled "Human Rights and the Right to Defence in Peru". Francesc Arnau, a member of the Bar Association who went to Peru as part of the 4th IEC Delegation, addressed the group of more than 100 people. IEC-Barcelona reported that many participants had previously known little about events in Peru, but as a result of the conference speeches and a huge IEC literature table, many now knew the truth. More than 25 participants also signed a petition to the Inter-American Commission on Human Rights protesting the treatment of Dr Abimael Guzman, the lawyers who defend political prisoners, and the political prisoners.

New Zealand: A protest of human rights abuses in Peru was held at the Peruvian Consulate in Auckland, New Zealand on 7 October. About 35 New Zealanders and Latin Americans attended, and the action was covered in the daily New Zealand Herald. The action was organised by Radical Society, a university student group, and Peruvian People's Committee.

A new IEC chapter is in the process of being organized in New Zealand, with participation from Peruvian People's Committee, Radical Society, and the group "Justice, Peace and Development". Other groups who have supported the campaign in New Zealand are Lawyers Against Torture and Oppression Anywhere (LATOAA), who sent an amicus brief in support of the petitions at OAS, and the Workers Party of New Zealand who have taken up the campaign and supported the IEC for the past year.

Galicia, Spain: In Santiago, a city in the state of Galicia (Spain), a well known writer and poet, Miguel Anxo Fernán-Vello, published an article on the campaign in the 28 October of El Correo Gallego, a newspaper which is distributed throughout Galicia. On 31 October, in La Coruña, an action to denounce the referendum in Peru was held at the local Peruvian Consulate. A large banner was displayed with the slogans: "Genocidal Fujimori" and "No to the Death Penalty". The banner remained up for 2 days.

Bogotá, Colombia: The daily newspaper El Tiempo featured a large photograph of the huge mural of Dr Guzman in the central square of the National University in Bogota. The slogans: "Defend the Life" and "Abimael Guzman - the Most Important Political Prisoner in the World" appear on the mural. [This mural is also featured on the back cover of the IEC pamphlet.]

Mexico: The daily newspaper El Universal recently published an extensive article on a Forum held by the IEC-Mexico. Speakers included Pilar Noriega from the National Front of Democratic Lawyers and a member of the 4th International Delegation, Dr Fausto Trejo, a Steering Committee of IEC, and Jose Enrique Gonzales Ruiz from the Mexican Branch of the American Association of Jurists. The article reported that speakers denounced the reinstatement of the death penalty and the harassment of lawyers who defend political prisoners, and that Dr Trejo spoke on increasing economic and political support from the US at the very point when mass arrests are increasing and the right to defence has been virtually eliminated. A report of the meeting also appeared on the international alternative wire service, Interpress Service.

New Signatories to the IEC Call

Karrim Essack (Tanzania) - High Court Advocate; Author and Journalist
Haider Akbar Khan Rano (Bangladesh) - Workers Party of Bangladesh; Member,
Central Committee

Miguel Anxo Fernán-Vello, (Galicia, Spain) - Poet and writer
Emerkci, Sadik Gurbuz, Yilmaz Celik, Serdar (Turkey) - Singers

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