



# EMERGENCY BULLETIN 45

## International Emergency Committee To Defend The Life of Dr Abimael Guzman

Address: BCM . IEC, 27 Old Gloucester Street, London WC 1N 3XX, U.K. Telephone / Fax : 44-71- 482 0853

1 April 1994

### NEWS ON THE BATTLE TO END THE ISOLATION:

During the past month two IEC international lawyers, Dr Enrique Gonzalez Ruiz from Mexico and Dr Juan Jose Landinez from Colombia, have been in Peru. They have been working with democratic lawyers in Lima to end Dr Guzman's isolation.

Both lawyers filed petitions with the Lima authorities to formally renew the demand to visit Dr Guzman. Special petitions were submitted to Fujimori, the Special Investigation Judge of the Navy, and the Supreme Court of Military Justice. Their request has been supported by some prominent forces in Lima.

Recently, the two Lima lawyers now representing Dr Guzman, Dr Carlos Gamero Quispe and Dr Ernesto Messa Delgado learned that Dr Guzman is named as a defendant in several cases now pending in Peru's civilian courts. One case involves 93 other defendants who are accused of having worked with the newspaper El Diario in March 1992 (prior to Dr Guzman's arrest). Dr Guzman is accused of being the "intellectual author" of the alleged crimes of "terrorism" the other defendants are accused of. The Lima lawyers have been recognised by the Peruvian Court as Dr Guzman's lawyers in this case. Two weeks ago hearings were scheduled to begin, including an interrogation of Dr Guzman. His lawyers demanded to be present. Unwilling to grant such a demand, the authorities have postponed the entire case. The Peruvian regime faces a dilemma: if they continue to pursue the case without allowing Dr Guzman to be represented in interrogatories they will be further exposed. If they allow the lawyers to be present an important step will have been achieved in the battle to end Dr Guzman's isolation. Dr Guzman has been named as "intellectual author" in 10 such cases pending in civilian court.

The Lima lawyers submitted a petition of *habeus corpus* in the civilian case described above, arguing that Dr Guzman was being refused his rights to defense, was being denied freedom of information, and other judicial guarantees. A judge was assigned to perform an investigation of the allegations. In record time the judge concluded that the *habeus corpus* was unfounded. Her reasoning? She had been prevented by the military from visiting Dr Guzman in person to investigate the allegations "due to the special conditions under which Dr Guzman is imprisoned, and also because of the security measures themselves which have been adopted specifically for the purpose of his imprisonment." In addition, she alleged that the Naval Base where Dr Guzman is held "has suffered from flooding by the Rimac River, which has cut off the means of access and communications." She was also prevented from interviewing the authorities accused of violating Dr Guzman's rights. She said that it was impossible to do so because "the security procedures to gain access to the headquarters are difficult". Consequently, she accepted a declaration from a secretary in answer to the allegations. In other words, the judge was assigned to investigate, but was prevented from (1) entering the prison to view the conditions; (2) interviewing Dr Guzman; or (3) interviewing the accused officials. In spite of all this, she ruled that the petition filed by Dr Guzman's lawyers was unfounded, reasoning that because Dr Guzman was being held under such high security for his own protection, it was doubtful that the government violated his rights.

On 15 March Dr Landinez held a press conference in Lima to: (1) expose the manipulations of the government in the El Diario case; and (2) publicise the efforts to see Dr Guzman, and expose obstructions set up by the Fujimori regime.

On 28 March the Peruvian lawyers were summoned before the 12th Penal Branch of the Court. They invited the press to attend.

In a climate of extreme danger more democratic Lima lawyers and even other prominent forces are demanding that the isolation of Dr Guzman end. This situation demands action from IEC supporters. FAX letters demanding that the two Lima lawyers (Dr Carlos Gamero Quispe and Dr Ernesto Messa Delgado), along with international lawyers, be allowed to see their client, *and that lawyers be permitted to practice their profession*. Letters should be faxed to:

Presidente, Tribunal Supremo Justicia Militar (Fax: 5114-337690 or 5114-337532)

Copies should be Faxed to Dr Jorge Avendano, Decano, Colegio de Abogados (Fax: 5114-419484 or 5114-416485) and to the IEC in London. IEC London has received copies of letters from many countries, but many more are needed.

## NEW ATTACKS ON PERUVIAN LAWYERS:

The international lawyers who have gone to Lima to work with the democratic lawyers in Peru report that the risk to the democratic lawyers who are attempting to defend Dr Guzman and other political prisoners exceeds anything they had expected. In the last period, many more courageous lawyers have stepped forward once again to defend Dr Guzman and other political prisoners, but the risks have not gone down. Instead the regime is increasing its repression against the lawyers and the legal profession in general.

IEC just learned that another democratic lawyer who represents political prisoners, Dr Margarita Chuquiure Silva, was arrested on 28 February. Initially, her 14 year old daughter was kidnapped by DINCOTE. Dr Chuquiure went to the Palace of Justice to file a *habeus corpus* (appeal) on behalf of her daughter. They refused to accept her papers, and instead arrested her. She was paraded on television in a striped prison uniform and taken to be interrogated (which regularly means torture). She has been transferred to the Maximum Security Prison at Chorrillos. She is accused of terrorism. Her husband, who is also a lawyer, and her son, are being harassed and threatened with same charges.

IEC has also received newspaper articles from the city of Trujillo (Northern Peru) that report on the arrest and detention of four lawyers. Two of the lawyers, Dr Oscar Cleza Diaz and Dr Absalon Rios Cabellero, were charged with treason for defending political prisoners accused of subversion. One of the lawyers, Carlos Honores, who is a prominent lawyer and university lecturer, was charged with "terrorism" for his left thinking. According to reports, all four lawyers were presented to the media after their arrest dressed in striped prison uniforms. (This practice of presenting detainees on TV *dressed in the striped prison* uniform sharply illustrates that people who are arrested are presumed guilty, and that the regime does not recognise the judicial principle of "presumption of innocence".) The lawyers are being held in Pisci Prison. The arrest of Dr Honores, in particular, has alarmed even conservative members of the Bar Association because, while he was known to have "left" ideas, they say he did not support armed revolution, and has never defended political prisoners.

IEC has also been informed that the Fujimori regime has sent letters to the Bar Associations in cities throughout Peru, demanding under law that they provide detailed information on approximately 300 lawyers. In other words, **the Fujimori government is attempting to turn legal institutions and organisations into security police informants.**

The government attacks on lawyers who defend political prisoners are reaching extremes which are rare even in other US-backed regimes. It is urgent that lawyers and others mobilise to stand with these courageous people.

*Dr Gonzalez, the international lawyer from Mexico has written an article based on his experience in Peru entitled "The Lawyer Today in Peru: High-risk Profession" which will be published soon. Copies of the article in Spanish and English are available from IEC. Supporters are encouraged to find places to publish the article.*

## THE PEOPLE'S WAR CONTINUES:

The US-backed Fujimori regime's psychological war against the people of Peru is continuing. The people are being bombarded with Fujimori's pronouncements of pacification. Contradictory information is being released about alleged "peace negotiations". A psychological campaign to bring about confusion, despair, and splits is being vigorously pursued by the government.

However, the People's War is not only continuing, but even the media has had to recognise that the end of the people's struggle in Peru is only an empty dream of Fujimori's. Following are excerpts from a February 13 1994 wire service report which appeared in the Toronto Globe and Mail:

"[Abimael Guzman's] arrest was followed by the capture of several other Shining Path leaders, and some observers believed the decapitation of the movement would prove fatal...

"Outside the prison Shining Path was regrouping... Shining Path has demonstrated an unexpected strength...

"... Fujimori is doing little to win the hearts and minds of Peruvians who might be disposed toward some kind of revolutionary change. Gross human-rights violations by security forces are common. Due process has been suspended for terrorism trials... The government's economic policy does almost nothing to relieve the deep misery of most Peruvians.

"There is little optimism that the situation will change under Fujimori, who has shown a penchant for authoritarianism that many Peruvians liken to that of former Chilean strongman Augusto Pinochet...

"Shining Path is gaining on them once again."

The article cites actions on New Year's Eve when the PCP blacked out all of Lima, an action that involved blowing up pylons in a number of different regions, as well as simultaneous guerrilla attacks launched in other parts of the country. In other recent actions, on 7 February a 550-pound bomb exploded at the Air Force Headquarters, and another was planted next to an Army Garrison. Significantly, the Peruvian government extended the State of Emergency in three departments and in 13 provinces in four other departments on 12 February. In these areas constitutional guarantees are suspended and the armed forces attempt to exercise full control. Such an extension of the State of Emergency is only necessary because of the continuation of the powerful People's War.

According to an article in Parade Magazine on 6 March 1994, in spite of US hopes of the defeat of the PCP, "the Shining Path is still very much in business." According to a new study conducted by Gordon McCormick, an "expert" on Peru who runs a program on special operations and low intensity conflict at the US Naval Postgraduate School, after the capture of Dr Guzman, "members soon were going underground faster than they could be caught. Instead of falling apart, the Shining Path turned out to have an effective organization, especially within Peru's massive interior.... Some members are even operating openly within a mile of the capital."

## SUCCESSFUL IEC SPEAKING TOUR IN PHILIPPINES & JAPAN:

**Philippines:** For 10 days in March, three delegates from the IEC brought news of the international campaign to defend the life of Dr Guzman and the struggle of the people in Peru to the people of the Philippines. The tour was sponsored by BAYAN, a broad mass organisation with 2 million members. Meetings were held with BAYAN organisations, with religious and human rights organisations, with representatives from urban poor organisations, and with student activists. Press conferences even revealed that there were sympathetic columnists in the mainstream media, and tens of thousands were able to read favorable articles about Dr Guzman and the revolution in Peru.

The three IEC delegates were Massoud Rahimi, the IEC Coordinator from the international office in London; Yuri Kochiyama, a member of IEC's 4th Delegation from New York; and Carolyn Hadfield, a member of IEC's 5th Delegation from Hawaii.

Everywhere the IEC campaign went, the people were eager to hear about Dr Guzman and the People's War in Peru. Many endorsed the IEC Call and sent letters to Fujimori demanding an end to Dr Guzman's isolation. By the end of the tour, plans were being made for future actions.

Some highlights from the tour:

\* A solidarity meeting with representatives of BAYAN organisations (peasant, worker, student, indigenous peoples', women, urban poor, gay, prison detainees, public transport drivers, etc.) who had come to Manila from various provinces for BAYAN's semi-annual meeting;

\* A meeting with representatives of student newspapers in the Philippines who were eager to get news of the IEC campaign and the struggle in Peru to readers of more than 450 student newspapers. Several journalists, members of the League of Filipino Students (LFS), had already printed an excellent article on the IEC Campaign in the LFS newspaper, and were looking for information for later issues.

\* Meetings with leaders of Gabriela (a militant women's organisation) in both Manila and Mindanao, who were especially interested in the role women played in the revolution in Peru. These women were themselves in the middle of organising demonstrations for International Women's Day which would bring thousands of women to the street to protest the effects of imperialist domination on women (trafficking in women, prostitution, low-wage jobs, reduction in social services, etc.).

\* A press conference with columnists from major Manila newspapers - three of whom had themselves been imprisoned during the Marcos dictatorship. As a result, major opinion columns about conditions in Peru appeared in the The Manila Times, Malaya, and other mainstream newspapers.

\* A forum at the University of the Philippines, where more than 70 students, many of them activists who were in the midst of planning for a march and demonstration in solidarity with striking workers that very afternoon, attended a 3-hour forum. At the close of the forum a student representative gave a powerful statement of solidarity with both the Campaign and the People's War in Peru. Prior to the forum the film "People of the Shining Path" was shown continuously in the University hallways, attracting students who remarked on how familiar the images were to them.

\* A meeting with representatives of human rights and church organisations in Mindanao. Here a church bishop recounted how he had been approached by the CIA to inform on insurgents; a lawyer told about the persecution of lawyers during the Marcos dictatorship; and a human rights activists reported on the more than 250 political prisoners who are illegally detained in prisons in the Philippines. Remembering a time when they had felt isolated, the immediately recognised the necessity for them to support the people in Peru, and began making plans to take up the Campaign.

\* A meeting with residents from a shantytown in one of the poorest areas of Manila, where residents eagerly compared conditions in the shantytowns in Peru and spoke of the necessity to take up the IEC campaign as part of the world-wide struggle against US imperialism;

\* A forum with militants who were especially eager to compare the historical experience of the Maoist People's War in Peru with their own. They were also very interested in the experience of the IEC campaign in uniting people around the world to defend a revolutionary leader of a People's War, and spoke of how this gave encouragement to their own fight for liberation.

It is not surprising that the people of the Philippines responded so favorably to the IEC Campaign and the struggle of the Peruvian people. The Ramos regime boasts that it will industrialise by the year 2000; Fujimori claims Peru will be modernised by the year 2000. Both presidents are on a massive campaign to privatize their assets and sell the resources of their countries at fire sale prices. And the people of the Philippines, like the people of Peru, know that promised changes will only increase the misery of the poor, who are being displaced from land and jobs.

But the similarity goes much further. The people of the Philippines endured the US-Marcos dictatorship - a time when thousands of progressives and revolutionaries were assassinated, disappeared, and imprisoned. The leader of their own revolution, Jose Maria Sison, was imprisoned, and many of them had waged a campaign for his release. The Communist Party of the Philippines reorganised during the 1960's around Maoist principles, as did the PCP. Today the New People's Army in the Philippines is re-invigorating the People's War against the US-Ramos regime.

Japan: Fujimori has been adopted as a "favorite son" by the Japanese government and press. Many people - even some progressives - believed that Fujimori had brought "democracy and peace" to Peru. The IEC Campaign brought the truth about the US-Fujimori regime to many people for the first time. News of the treatment of Dr Guzman, the massive arrests and conditions for political prisoners, and especially the treatment of lawyers brought expressions of shock - and then determination to find out more and expose both the Fujimori regime and Japan's relationship to it. A letter to Fujimori was drafted in Japanese, and many people signed it. Others promised to write letters of their own. The IEC pamphlet was translated into Japanese; the "People of the Shining Path" video is being subtitled in Japanese. Many organisations requested further information and said they would publish articles on the IEC campaign and conditions in Peru in their newspapers. Student organisations wanted videos to show on college campuses.

While in Japan, the IEC delegates made contact with many people who want to become part of the IEC network. Meetings were held with numerous left progressive groups, radical and progressive religious ministers and lawyers, radical militant organisations, and university students in Tokyo, Fukuoka, and Kitakyushu.

Some high points from the Japan tour:

\* Meeting with representatives from organisations in Tokyo who already support the struggle of the people of the Philippines, and who learned of the similarity between Peru and the Philippines for the first time.

\* A public forum in Fukuoka where people really grappled with their responsibility to oppose the Japanese government's support for the murderous Fujimori regime. Many immediately wrote letters to Fujimori, purchased campaign materials, and pledged to continue to expose Japan-Peru relations and support the IEC Campaign.

\* Meeting with Burakin and Korean people who have themselves experienced the true nature of the Japanese government, and were eager to link their struggles to the struggle of the people in Peru. [The Buraku caste in Japan has for centuries been ordered to do the "dirty work" of the country. Their name, literally means "non-human", and a registry of their family names has been kept. They have had to work as executioners, undertakers, excrement collectors, and more recently, day-laborers. They have been organised since the 1900s to fight discrimination but discrimination continues. Koreans who have lived in Japan for generations are still denied the right to vote; they cannot work as school teachers or in other select professions.]

\* Meeting with representatives of organisations which have taken up the struggle against the increased militarisation of Japan, and especially its recent military involvement in Cambodia under the guise of the UN. These people from groups representing everything from parliamentarian reform to revolutionary militancy, were especially alarmed by information on conditions in Peru and Japan's wholesale support for Fujimori, and were eager to learn more.

*IEC is confident that news of the success of the tour will bring shouts of joy to the people of Peru, and fear to the US-Fujimori regime. The IEC Coordinating Committee especially wants to thank the BAYAN organisation, which sponsored the tour in the Philippines, and the Japan Ad Hoc Coordinating Committee and other individuals and groups who contributed time and money to make the Japan trip possible.*

## BAYAN PRESS RELEASE PLEDGES SUPPORT TO THE IEC CAMPAIGN AND THE PEOPLE OF PERU:

The organisation of BAYAN in the Philippines issued a powerful press statement on 7 March 1994. Following are excerpts:

"The Bagong Alyansang Makabayan (BAYAN) declares its wholehearted support for the campaign to defend the life and rights of Dr Abimael Guzman, and [demands] the release of all political prisoners in Peru.

"The US-backed Fujimori dictatorship steps up the campaign of suppression against the revolutionary and protest movement in Peru, setting aside and trampling on the basic civil and political rights of the Peruvian people. Thousands of struggling Peruvians have ended up in jail for life if not summarily executed, tried by hooded military men in a kangaroo court, since the arrest of Dr Abimael Guzman. Lawyering for the detained activists and revolutionaries is considered a crime by the state, punishable by life imprisonment.

"We are aware of the struggle of the Peruvian people against U.S. imperialist domination and landlordism in their country. We believe that the Peruvian people have the right to take up arms against an oppressive and tyrannical system which the US-backed Fujimori dictatorship is desparately and violently defending. The raging armed revolution in Peru in no way can be considered as terrorism, as the western mass media claims, but a liberation movement of the people seeking profound social change...."

On 14 March 1994 BAYAN sent a letter to the Supreme Council of Military Justice which began:

"...BAYAN, which is the single biggest multi-sectoral federation and comprising 2 million members nation-wide in the Philippines, is urging the Tribunal Supremo Justicia Militar to allow the 2 Peruvian lawyers, Dr Carlos Gamero Quispe and Dr Ernesto Delgado, and the international lawyer Dr Juan Landinez, to visit their client, Dr Guzman...."

"BAYAN expects no less than compliance with this demand by an official body that calls itself 'Justice'."

## PERUVIAN REGIME TRIED BY TRIBUNAL IN BELGIUM

On 26 February more than 250 people attended a powerful hearing. Speaking before a panel of prominent judges, witnesses to events in Peru, including a delegate from the

IEC, gave testimony to the crimes of the Fujimori regime. Luis Arce Borja, the editor of El Diario Internacional, exposed the role of the non-government organisations (NGO's) in Peru, who he argued are now carrying out the policies of the imperialists - especially US - to crush the People's War while wrapped in a mask of "humanitarianism". The author of a recent book on Peru, Hernando Calvo Ospina, testified to the harassment he has been subjected to simply because he published a book of interviews he did in Peru (many of which were with military officers and officials of the regime). His testimony illustrated how the media is controlled, and how even progressive authors are threatened for telling the truth about what is happening in Peru. Tomas Armas, a Peruvian professor of Sociology from Lima until two years ago (now in exile), testified to the exploitation of Peru by imperialism. Carolyn Hadfield, a member of the 5th delegation to Peru, testified on the treatment of Dr Guzman and other political prisoners in Peru. At the end of the hearing she also read a letter to Fujimori demanding that the isolation of Dr Guzman end, and that political prisoners be afforded treatment in accordance with international law, which was endorsed by show of hands.

After hearing and considering the testimony, the judges presented their findings and delivered a powerful indictment against the Fujimori regime.

The hearing was sponsored by the "Initiative Committee for an Inquiry Commission on Peru", and was part of a 2-day event sponsored by the Anti-Imperialist League in Belgium.

### NEWS FROM AROUND THE WORLD:

Turkey: Six Kurdish members of parliament were arrested this past week on charges of supporting the Kurdish Workers Party (PKK) and the struggle of the Kurdish people. Five belong to the Kurdish-based Democracy Party (DEP). They are currently being detained, and could face the death penalty. During the past months several other DEP MP's have been intimidated and detained; several have been assassinated. Next month 16 lawyers who are accused of supporting the PKK will go to trial. Several of the detained MP's and lawyers are signatories to the IEC Call and have supported the campaign.

*The IEC has received much news on the activities of supporters around the world which, because of lack of space, will be included in the next EB.*

### NEW SIGNATORIES TO THE IEC CALL:

Bagong Alyansang Makabayan (BAYAN), a multi-sectorial federation with 2 million members - Philippines

Mrs Dolly Islam, Bengali Literature Society, London U.K.

S. M. Hossain, Deshbarta News Weekly, London, U.K.

S. S. Haque, Editor, Janoma News Weekly, London, U.K.

404 individuals from the Palakkad District, Kerala, India,

including K.V.K. Warriar (freedom fighter and civil rights activist); A. Vasu (communist trade union leader); Olappamanna (poet); Mundur Krishnankutty and Mundur Sethumadhavan (novelists); Moinbapu (trade union leader)

Rev Aso Toshifumi, Minister, United Church of Christ; Tokyo, Japan

From Davao City, Mindanao, Philippines:

Bishop Callao (Philippines Independent Church); Victoria R. Montillo (University of the Immaculate Conception); Rey Cuizon (Social Pastoral Institute); Loreto Trocio (Promotion of Church People's Rights); Louie Biljao and Joel Virador (Task Force Detainees of the Philippines); Dionisio S. Cervantes and Emma L. Villega (S. Mindanao Alliance of Human Rights Advocates); Bebeth Casiple, Nanie B. Cullo, Jeanette Cagas, Imelda Carreon, and Inday Carrion (Kingman Center for Children's Concerns Fdtn.); June Sanchez, Tess Casasay, Elsa Batalla-Macatol (Citizen's Council for Justice & Peace); Lyda J. Canson (Gabriela - S. Mindanao); Alma Lusanta (Talikalala); Jan Michael Restauro (League of Filipino Students); Cris Ranoa (Amnesty International Philippines); Vicencio D. Aratan (People's Alternative Program for Agri-Workers Institute); Arline A. Cubero and Remma R. Baban (Mindanao Interfaith People's Conference)

... and others