

# Report on the 7th IEC Delegation to Peru

May 12, 2001

The 7th IEC delegation accomplished a great deal in the time they were in Lima, Peru. While they did not succeed in visiting Dr. Guzmán, they broke new ground in IEC efforts. The delegation met several times with representatives of the Ministry of Justice and the Ombudsman Office. They held a frank discussion with the general who is President of the Supreme Council of Military Justice. **In all of these meetings the Peruvian officials had to acknowledge that there were no legal grounds to deny Dr. Abimael Guzmán direct contact with his lawyers.**

The delegation also talked with the Red Cross. They also met with the Dean of the Lima Bar Association and other lawyers. The delegates also talked personally with relatives of political prisoners, and people met on the streets of Lima. The delegates report that they learned a great deal about the situation in Peru, and that their presence and words - "you are not alone" - conveyed a welcome message of international support directly to the people.

On Thursday, March 29th, the 7th IEC delegation held a major press conference in the America Hall of the Bolivar Grand Hotel in the center of Lima. It was covered by a horde of Peruvian and international press, including TV crews from at least nine channels, and many reporters from radio and newspapers.



7th IEC DELEGATION HOLDS PRESS CONFERENCE IN LIMA, PERU - MARCH 29TH, 2001

**Members of the 7th IEC Delegation: Haluk Gerger [Turkey], Padma Ratna Tuladhar [Nepal], Jaime Bonilla [Colombia], Peter Erlinder [United States], Heriberto Ocasio [United States], José Enrique González Ruiz [México], Juan José Landinez [Colombia]**

The 7th IEC delegation issued a statement at their press conference titled **"A MESSAGE TO THE PERUVIAN PEOPLE"** which read, in part:

**"...we have gone to the civilian and military authorities demanding to meet with Dr. Abimael Guzmán and verify his state of health and well being and we have hopes of being able to achieve this.**

**"The concerns about Dr. Guzmán's health, which come from all corners of the world, are so much more important because the Fujimori-Montesinos dictatorship used his isolation to claim to speak in his name. It is unacceptable to attribute declarations to Dr. Guzmán as long as he does not make them in a direct form before the mass media and without any kind of pressure. No government has the authority to speak on behalf of its political prisoners. And, of course, the only way to verify the changes that the government has indicated regarding his treatment is that Dr. Guzmán be able to express himself in person."**

All seven of the delegates spoke to the press and answered the questions of the reporters who crowded around the international delegation at the close of the press conference.

The attitude of the press towards the delegation was quite mixed. The international make up of the 7th delegation was clearly both newsworthy and controversial. At the press conference one "reporter" repeatedly demanded to know of Haluk Gerger, from Turkey: who was paying the delegates \$20,000 for coming to Lima? After Mr. Gerger made it clear that he was a volunteer, and able to come to Lima due to the contributions of many people, he asked his inquisitor if he was from the Secret Police? But he did not answer.

Some of the press coverage was careful to list all of the delegates and where they had come from. However some of the TV coverage cut out the fact that one of the delegates was from Nepal, Padma Ratna Tuladhar, much less that he was a former Minister of Health and Labour. In fact the copy of the videotape purchased by the delegation from one such station did not begin until after Mr. Tuladhar was introduced and was half way through his statement.

Fortunately, the delegation had their own audio tape of the entire press conference and the following is a transcription of what the TV station chose to censor:

**"Well, I am from Nepal, a country far from Peru. Our country is the country of the Himalayas and we have the tallest mountain, Everest. In our part of the world, that is South Asia, and especially India and Nepal, Sri Lanka and Bangladesh, Comrade Guzmán is highly respected as one of the great revolutionary leaders of the world. So when he was arrested, and the people knew that he was ill-treated in prison, especially that he was imprisoned in a cage-like prison, the people worried about his life."**

Another reporter asked what basis the delegation had for "calling them political prisoners...Abimael Guzmán is not simply a terrorist, but he is the leader of a bloody movement, because here have been many deaths in our country?"

Peter Erlinder spoke to the "legal basis:"

**"...your definition or mine about who is a terrorist, or who isn't a terrorist, is not recognised as relevant with respect to international law and the treatment of individuals accused of a crime, and any attempt to characterise a prisoner with a political label is completely contrary to international law. Individuals of course can do as they please, but lawyers who respect international law, and governments that respect international law, cannot do that."**

Heriberto Ocasio also responded to this line of questioning:

**"With respect to the things that you say about the war that has been led by Dr. Guzmán, on this we should say that while we (the delegation) have different points of view, different political views, ideologies, and on methods of struggle, on one thing we are in agreement, and it is that the way the government of Fujimori and Montesinos, and also the United States, through the CIA and their other agencies, try to label movements, to call them terrorists and this type of thing, is something we don't accept, because it is something used to deny the people their fundamental rights. How the people choose to struggle in Peru is not for us to decide, that is for the Peruvian people to decide".**

The morning after the press conference, a popular TV news and talk show featured a debate between the IEC delegate from Mexico, Dr. Enrique Gonzalez, and a former top general of DINCOTE, the notorious "anti-terrorist" police. In the course of the show the moderator repeated several times the full name of IEC and why the delegation was in Lima. Footage from the press conference was aired, as well as old clips from Dr. Guzmán's speech from the cage on September 24, 1992

With the press coverage the word about the 7th IEC delegation spread throughout Peru. People on the street recognised the delegates and found ways to thank them for coming. Some called their hotel room, simply leaving an anonymous "Thank You" message. Relatives of political prisoners expressed their thanks and asked that people around the world intensify the pressure on the Peru government to respect the life and rights of all political prisoners.

In one encounter, one of the delegates was quietly pulled aside by someone on the street. The Peruvian pointed to a picture in a newspaper of the delegation at the press conference and shook the delegate's hand. The two embraced warmly and then parted.

However, the interim government of Peru did not have the same warm feelings for the 7th delegation. After high ranking authorities at three major offices, especially the Ministry of Justice, had given the impression for several days that a visit with Dr. Guzmán was both legally in order, but also likely, on Monday, April 2 the delegation was informed by that Ministry of Justice that the visit could not take place. The excuse given was that the military had objections, which contradicted what the President of the Supreme Council of Military Justice had told the delegation on Tuesday, March 26th.

On receiving this denial the delegates issued a press release, dated April 2, 2001, which read in part:

**"The International Delegation - which has been in Peru during the last week of March - met with the office of the Peruvian Ombudsman, the Supreme Council of Military Justice, and the Ministry of Justice. But these officials did not allow a visit between Dr. Guzmán and his lawyers. Yet these same official bodies concede that the fundamental rights of Peru's political prisoners - who are held in subhuman and torturous conditions - have been violated, as in the case of Dr. Abimael Guzmán.**

**" We will continue to demand an end to the isolation of Dr. Guzmán, and of others held in the special prison at the El Callao naval base who are suffering similar conditions of isolation - including Mr. Oscar Ramirez Durand who was more recently imprisoned there.**

**"Our committee will also continue to demand that Dr. Guzmán be allowed to speak live and in person before the press. This would serve as evidence that the Peruvian government is correcting the grave violations committed by the Alberto Fujimori regime.**

**"If the Peruvian government does not respond to these demands, the international community concerned about fundamental Human Rights will realize that, even in times of a supposed democratic opening in Peru, the rights of political prisoners continue to be violated.**

The work of the 7th IEC delegation and what took place while they were in Lima is of great importance. The delegation seized upon openings in the political situation in Peru and pushed through cracks in the Peru ruling ranks. In doing so they probably widened those fissures and did very sharply expose the chasm between the new image the government wants to project and the reality in Peru. The ruling ranks in Peru and U.S. are having to deal with the collapse, exposure and scandal of the fascistic edifice and operation of the CIA-Fujimori-Montesinos regime. Sayan, the Minister of Justice is said to have "human rights credentials." Mr. De Cuellar, the Prime Minister, was once the Secretary General of the United Nations. They are trying project an image of a transition to a "new government" which will look different from the old one, but which must, in reality carry on the oppressive U.S.- controlled set up in Peru.

It was in part due to these conditions that the delegation was able to meet with high-ranking

government officials and challenge them to live up to international and Peruvian legal norms and treaties in the treatment of all political prisoners, and Dr. Guzmán in particular. It was in this political situation that these officials had to acknowledge, whether they wanted to or not, that there was no legal basis for denying Dr. Guzmán contact with the lawyers. This was an important advance on the legal front, within the overall political situation.

However, in the end the government overruled their own admission that they have no legal basis for not allowing the lawyers to talk with Dr. Guzmán and denied access anyway. And this comes more than eight years after his trial in a faceless military court, the legitimacy of which has been officially rejected by the Inter-American Court. That is the Court that the Fujimori regime "pulled out of" rather than abide by its rulings precisely on the illegality of military trials of civilians, the Court that the "new" government says that it will abide by.

**It could not be more clear that the treatment of Dr. Guzmán, and of Oscar Ramirez Durand, and other political prisoners in Peru, has nothing to do with legal or human rights. It was, and still is, motivated by the political and economic interests of those in power in Peru and the United States.**

**This has also again underlined that the struggle to end the isolation of Dr. Guzmán, and of Oscar Ramirez Durand, is above all a political battle, as is the effort to force the Peruvian government to allow Dr. Guzmán to speak for himself live and in person before the press.**

Lima, March 29, 2001

## Message to the Peruvian People

We send our warmest greetings to the People of Peru, whose history, traditions and customs we admire very much. Our presence here is an expression of the respect that we feel towards one of the nations that has made important contributions to humanity.

This seventh delegation of the International Emergency Committee, like the previous ones, takes up a mission of the very highest importance: To put an end to the serious situation of isolation imposed upon Dr. Abimael Guzmán Reinoso and other political prisoners in the prison of El Callao. We are also deeply concerned about the treatment of all political prisoners in the prisons of Peru.

A lot of people in all parts of the world have their eyes on what this delegation is doing; they care deeply about the fate of Dr. Guzmán and the other 4,000 political prisoners.

It is clear that our presence here does not represent interference in the internal affairs of the Peruvian people, but rather an attempt to redeem the principle of the human rights inherent to every person.

No one ought to be subjected to such extremely cruel treatment, such as being held prisoner without contact with relatives, friends and even legal advisors for more than eight years, as has been the case with Dr. Guzmán.

Now that the dictatorship of Fujimori and Montesinos has fallen, there is a possibility of overcoming a whole set of violations of international standards in the treatment of political prisoners. These violations include the sentencing of civilians by military tribunals, their incarceration in prisons that degrade human dignity, and the terrible effects of total isolation with all kinds of abuse like that suffered by Dr. Guzmán.

The recent changes are an opportunity for the new Peruvian authorities to implement a different policy in the treatment of Dr. Guzmán and the other political prisoners. In fact, Peru has returned to the jurisdiction of the Inter-American Commission on Human Rights, where we have taken legal actions in defence of Peruvian political prisoners. We are encouraged by the hope that it will now be

possible to address these questions within the realm of international norms, without the institutionalised violence and repression of the Fujimori-Montesinos dictatorship.

In this seventh visit, we have gone to the civilian and military authorities demanding to meet with Dr. Abimael Guzmán and verify his state of health and well being, and we have expectations of being able to achieve this.

The concerns about Dr. Guzmán's state of health, which come from all corners of the world, are even more important because the Fujimori-Montesinos dictatorship used his isolation to claim to speak in his name. It is unacceptable to attribute declarations to Dr. Guzmán as long as he does not make them in a direct form before the mass media and without any kind of pressure. No government has the authority to speak on behalf of its political prisoners. And of course, the only way to verify the government's claims of changes regarding his treatment is for Dr. Guzmán to be able to express himself in person.

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