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E.O. 12356: DECL: OADR  
TAGS: SHUM, PE  
SUBJECT: HUMAN RIGHTS REPORT ON PERU FOR 1984: FINAL  
TEXT

REF: STATE 10204

1. [REDACTED] ENTIRE TEXT.
2. PROVIDED PARA 3 IS THE FINAL TEXT OF THE ANNUAL HUMAN RIGHTS REPORT ON PERU FOR 1984, WHICH WILL SHORTLY BE TRANSMITTED TO CONGRESS. THE REPORT IS CONFIDENTIAL AND NOT TO BE SHARED WITH HOST GOVERNMENT UNTIL PUBLIC RELEASE, IN ACCORDANCE WITH REFTTEL PARA 3.
3. BEGIN TEXT:

PERU RETURNED TO DEMOCRATIC RULE IN JULY 1980, FOLLOWING FREE AND OPEN ELECTIONS HELD IN ACCORDANCE WITH THE 1979 CONSTITUTION WRITTEN BY AN ELECTED CONSTITUENT ASSEMBLY. THE CONSTITUTION PROVIDES FOR A REPUBLIC WITH AN CONFIDENTIAL

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EXECUTIVE BRANCH, A BICAMERAL LEGISLATURE, AND AN AUTONOMOUS JUDICIAL SYSTEM. IT ALSO PROVIDES FOR AN INDEPENDENT PUBLIC MINISTRY, HEADED BY AN AUTONOMOUS ATTORNEY GENERAL WHOSE FUNCTIONS WERE ENVISIONED AS

n/a

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UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: SAM A. MOSKOWITZ  
DATE/CASE ID: 25 JUL 2001 200102002

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INCORPORATING BOTH PROSECUTORIAL AND OMBUDSMAN-LIKE ROLES.

PERU'S RETURN TO DEMOCRACY CAME AFTER MORE THAN A DECADE OF MILITARY RULE THAT BEGAN WITH A COUP IN 1968, AND PERUVIANS HAVE DEMONSTRATED THEIR SUPPORT FOR THE ELECTORAL PROCESS AND THE RIGHT TO CHOOSE AMONG PARTISAN ALTERNATIVES. A LARGE PLURALITY OF VOTERS CAST THEIR BALLOTS FOR FERNANDO BELAUNDE'S POPULAR ACTION PARTY IN NATIONAL AND MUNICIPAL ELECTIONS IN 1980. BUT IN MUNICIPAL ELECTIONS HELD IN NOVEMBER 1983, CANDIDATES OF TWO MAJOR OPPOSITION GROUPS SCORED MAJOR SUCCESSES. THROUGHOUT 1984, THE FOCUS OF THE POLITICAL PROCESS REMAINED ON CANDIDATE SELECTION AMONG THE FOUR MAIN AND THE MANY SMALLER PARTIES EXPECTING TO COMPETE IN NATIONAL ELECTIONS SCHEDULED FOR APRIL 1985. A LIVELY AND OFTEN TIMES HIGHLY PARTISAN PRESS KEPT PERUVIANS INFORMED OF POLITICAL DEVELOPMENTS AND OPINIONS IN THEIR COUNTRY. RESTORATION OF A FREE PRESS WAS ONE OF THE BELAUNDE GOVERNMENT'S MAJOR ACHIEVEMENTS.

IN MID-1984, THE PRESIDENT SIGNED INTO LAW A MAJOR REVISION OF THE COUNTRY'S CIVIL CODE. THE PRODUCT OF NEARLY NINETEEN YEARS OF STUDY, THE REVISED CODE MODERNIZES PERUVIAN LAWS, LEGAL INSTITUTIONS AND PRACTICES IN AN ATTEMPT TO ACHIEVE GREATER COMPATIBILITY WITH CONTEMPORARY PERUVIAN SOCIETY. THE CODE REPRESENTS A MAJOR STEP FORWARD FOR WOMEN IN PERU, WHOSE CONSTITUTIONALLY GUARANTEED EQUALITY WITH MEN IS NOW

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RECOGNIZED IN SPECIFIC LAWS.

ALTHOUGH PERU'S RESTORED DEMOCRATIC INSTITUTIONS CONTINUED TO MATURE IN 1984, THE GOVERNMENT'S EFFORTS TO REVITALIZE A DETERIORATING ECONOMY AND STEM CONSEQUENT SOCIAL UNREST MET WITH ONLY LIMITED SUCCESS. PERSISTENTLY LOW WORLD COMMODITY PRICES AND A VERY HIGH DEBT SERVICE BURDEN FORCED MONETARY AUTHORITIES TO FOLLOW A POLICY OF STRICT AUSTERITY. PER CAPITA GDP FELL 14.4 PERCENT IN 1983; THIS NEGATIVE TREND WAS ONLY PARTIALLY MITIGATED IN 1984.

LABOR UNREST, PARTICULARLY AMONG STATE EMPLOYEES, LED THE GOVERNMENT ON JUNE 8 TO DECLARE A NATIONAL STATE OF EMERGENCY WHICH WAS EXTENDED FOLLOWING THE RECRUDESCENCE

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OF SENDERO LUMINOSO ("SHINING PATH") TERRORIST ATTACKS IN LIMA AND ELSEWHERE IN THE COUNTRY AT MID-YEAR. SECURITY CONDITIONS IMPROVED SUFFICIENTLY TO PERMIT RESTORATION OF SUSPENDED GUARANTEES IN MOST OF PERU BY OCTOBER 6, BUT LIBERTIES WERE CURTAILED THROUGHOUT THE YEAR (AS HAD BEEN THE CASE IN MOST OF THE PERIOD 1981-83 BEFORE THAT) IN A

BROAD, THREE-DEPARTMENTAL "EMERGENCY ZONE" IN THE SOUTH-CENTRAL SIERRA. THIS ZONE REMAINED UNDER THE POLITICAL-MILITARY CONTROL OF PERU'S ARMED FORCES. THE GOVERNMENT ALSO PLACED UNDER A STATE OF EMERGENCY A SMALLER, MOSTLY JUNGLE REGION IN NORTH-CENTRAL PERU, WHERE A COMBINATION OF NARCOTICS TRAFFIC LAWLESSNESS AND EXPANSION OF SENDERO LUMINOSO TERRORISM HAD PLACED GOVERNMENT AUTHORITY IN QUESTION.

THE SENDERO LUMINOSO TERRORIST PHENOMENON HAS HAD A SERIOUSLY DISRUPTIVE EFFECT ON THE POLITICAL LIFE OF THE COUNTRY. IT HAS BEEN RESPONSIBLE FOR A SIGNIFICANT INCREASE IN THE LEVEL OF OVERALL SOCIETAL VIOLENCE AND FOR THE RANDOM AND PARTICULARLY BRUTAL KILLINGS IN THE

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EMERGENCY ZONE SINCE EARLY 1983. SENDERO LUMINOSO'S DISRUPTIVE EFFECT WAS COMPOUNDED DURING LATE 1984 BY THE EMERGENCE OF THE TUPAC AMARU REVOLUTIONARY MOVEMENT (MRTA), AN UNRELATED CASTROITE, URBAN-ORIENTED GROUP WHOSE LEADERS REPORTEDLY HAVE BEEN TIED TO CUBA AND NICARAGUA. MRTA PARTICULARLY TARGETED U.S. INSTALLATIONS AND PRIVATE FACILITIES IN 1984; ITS ACTIONS TOOK PLACE LARGELY IN LIMA AND ACHIEVED A HIGH PUBLIC PROFILE FOR THE GROUP.

ALTHOUGH THE NATIONWIDE STATE OF EMERGENCY HAD LITTLE IMPACT ON DAILY LIFE FOR MOST PERUVIANS, THOSE LIVING IN THE EMERGENCY ZONE WERE AFFECTED BY THE SPECIAL REGIME THERE. OPERATING UNDER A UNIFIED "POLITICAL-MILITARY COMMAND," UNITS OF PERU'S THREE NATIONAL POLICE SERVICES WORKED WITH SOLDIERS AND MARINES TO REESTABLISH GOVERNMENT AUTHORITY. SUCCESSES WERE SPOTTY, AND THE GOVERNMENT EXPANDED THE ZONE IN LATE 1983-EARLY 1984. AN UPSURGE OF TERRORIST VIOLENCE IN MID-1984 APPEARED TO PROVOKE A CORRESPONDING CAMPAIGN OF SECURITY FORCE COUNTERVIOLENCE. BY LATE 1984, GOVERNMENT FORCES HAD SUCCEEDED IN BREAKING SENDERO LUMINOSO'S DOMINANCE IN

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AYACUCHO, THE ZONE'S MAIN CITY, AND A NUMBER OF RURAL AREAS. BUT ELSEWHERE IN THE REGION TERRORIST CADRES RETAINED AN ABILITY TO OPERATE OPENLY.

THE EMERGENCY ZONE'S ISOLATION FROM LIMA MADE INFORMATION GATHERING ABOUT, OR INDEPENDENT VERIFICATION OF RESPONSIBILITY FOR, EVENTS DIFFICULT. NEVERTHELESS, THE FACT OF A RISING DEATH TOLL AND WIDESPREAD BRUTALITY WAS INDISPUTABLE. ACCORDING TO RECENTLY PUBLISHED STATISTICS, 70 LOCAL GOVERNMENT OFFICIALS HAVE BEEN ASSASSINATED BY SENDERO LUMINOSO THERE SINCE THE

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BEGINNING OF THE BELAUNDE ADMINISTRATION -- 31 IN THE PERIOD JANUARY-OCTOBER 1984 ALONE. THE OVERALL DEATH

TOLL IN THE ZONE RESULTING FROM SENDERO LUMINOSO ACTIONS HAS NOT BEEN TABULATED BUT IS BELIEVED TO BE HEAVY. IN AUGUST 1983, PERUVIAN AUTHORITIES REPORTED TOTAL LOSSES (SINCE THE ONSET OF TERRORIST VIOLENCE IN MAY 1980) OF APPROXIMATELY 1,600. AS OF LATE 1984, THE GOVERNMENT HAD NOT ISSUED ANY UPDATED STATISTICS ON THE DEATH TOLL, EXCEPT TO ANNOUNCE THAT SOME 1,355 TERRORIST INCIDENTS OCCURRED IN 1984. BUT COMPILATIONS OF INDIVIDUAL REPORTS OF DEATHS IN TERRORIST-RELATED INCIDENTS INDICATED THAT THE 1983 FIGURE HAD PERHAPS TRIPLED. FOREIGN AND LOCAL HUMAN RIGHTS ACTIVISTS EXPRESSED CONCERN THAT MUCH OF THIS LOSS OF LIFE WAS THE CONSEQUENCE OF INDISCRIMINATE KILLING BY THE SECURITY FORCES, A CHARGE THAT BOTH MILITARY AND TOP CIVILIAN GOVERNMENT LEADERS DENIED. AMNESTY INTERNATIONAL REPORTS ISSUED IN EARLY 1984 REFERRED TO INCIDENTS IN WHICH PERSONS REPORTEDLY DETAINED BY SECURITY FORCES SUBSEQUENTLY "DISAPPEARED," EVENTUALLY TURNING UP DEAD AND, IN SOME CASES, WITH THEIR CORPSES DISPLAYING SIGNS OF TORTURE.

RESPECT FOR HUMAN RIGHTS

SECTION 1 RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING

- FREEDOM FROM:

- A. POLITICAL KILLING

THE PHENOMENON OF WIDESPREAD POLITICAL KILLING IN PERU IS

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RELATIVELY NEW. ALTHOUGH SENDERO LUMINOSO VIOLENCE BEGAN IN MID-1980, EXTENSIVE BRUTAL KILLING DID NOT BEGIN UNTIL EARLY 1982. THE TERRORISTS' INITIAL TARGETS SEEMINGLY WERE SELECTED: POLICE, GOVERNMENT AUTHORITIES, AND [REDACTED]

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"EXPLOITATIVE" LANDLORDS AND MERCHANTS. BUT IN EARLY 1983 SENDERO CHANGED TACTICS, FOMENTING INDISCRIMINATE COMMUNAL MASSACRES IN WHICH LARGE NUMBERS OF PERSONS--MOSTLY RURAL VILLAGERS--DIED. IN 1984, INTERNECINE CLASHES BETWEEN PRO- AND ANTI-SENDERO LUMINOSO COMMUNITIES BECAME MORE FREQUENT.

SECURITY FORCES RESPONDED TO ESCALATED SENDERO LUMINOSO VIOLENCE WITH INCREASED VIOLENCE OF THEIR OWN. ALTHOUGH MILITARY AUTHORITIES DISCONTINUED IN 1984 THE PREVIOUS PRACTICE OF ISSUING FREQUENT COMMUNIQUES DESCRIBING SENDERO LUMINOSO LOSSES SUFFERED IN "ARMED CONFRONTATIONS" IN THE EMERGENCY ZONE, THUS MAKING IT DIFFICULT TO TRACK THE TOLL OF VIOLENCE, INDIRECT EVIDENCE SUGGESTED THAT THE PACE OF KILLING INCREASED. NEWSPAPER AND MAGAZINE ACCOUNTS IN THE FINAL WEEKS OF

1983 REPORTED THE DISCOVERY OF BODIES, SINGLY AND IN GROUPS, IN DESOLATE SPOTS NEAR THE EMERGENCY ZONE'S TWO MAIN CENTERS, THE CITIES OF AYACUCHO AND HUANTA. MOST OF THESE WERE THE CORPSES OF YOUNG MEN, AMONG WHOM SOME WERE IDENTIFIED AS INDIVIDUALS PREVIOUSLY REPORTED AS "MISSING." A SECOND SERIES OF SUCH DISCOVERIES FOLLOWED IN THE WAKE OF A RENEWED SENDERO LUMINOSO OFFENSIVE THAT BEGAN IN LATE JUNE. ANTI-GOVERNMENT CRITICS CHARGED THAT THESE EVENTS DISCLOSED A SECURITY FORCE PRACTICE OF KILLING SUSPECTS WITHOUT TRIAL OR, FOR THAT MATTER, WITHOUT REGARD TO EVIDENCE OF THEIR INVOLVEMENT IN SUBVERSIVE ACTS. SOME PRO-GOVERNMENT SPOKESMEN ACKNOWLEDGED THE PROBABILITY OF CASES OF SECURITY FORCE "EXCESSES." CONTROVERSY WAS WIDE RANGING REGARDING WHO WAS RESPONSIBLE FOR THE DEATHS AND WHAT SHOULD BE DONE.

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IN ADDITION TO DEATHS ARISING DIRECTLY FROM THE CONFLICT BETWEEN TERRORIST AND COUNTER-TERRORIST FORCES,

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GOVERNMENT AUTHORITIES ACKNOWLEDGED THE INVOLVEMENT OF A LOCAL POLICE GARRISON IN THE MASSACRE OF OVER 30 VILLAGERS IN SOCOS IN MID-NOVEMBER 1983. CIVIL GUARD HEAD JUAN BALAGUER REVEALED ON SEPTEMBER 7, 1984 THAT 26 POLICEMEN (LATER INDICTED) WERE IMPLICATED IN THAT EVENT. ALTHOUGH HE PROVIDED NO DETAILS, NEWS MEDIA ALLEGED THAT THE POLICE IN QUESTION HAD ACTED UNDER THE INFLUENCE OF ALCOHOL -- WITH A MINOR DISPUTE BETWEEN VILLAGERS AND POLICEMEN SETTING OFF A TRAGIC MASSACRE WHICH THE POLICE LATER SOUGHT TO COVER UP. PRESS REPORTING ON OTHER OCCASIONS ALSO CHARGED DRUNKENNESS AMONG SECURITY FORCES AS A CAUSAL FACTOR IN PRODUCING EMERGENCY ZONE TRAGEDIES. THE ZONE'S POLITICAL-MILITARY HEAD, GENERAL ADRIAN HUAMAN, ATTEMPTED TO RESTRICT ACCESS TO ALCOHOL BY PERSONNEL UNDER HIS COMMAND.

- B. DISAPPEARANCE

THE QUESTION OF DISAPPEARED PERSONS ("DESAPARECIDOS") BECAME A MAJOR POLITICAL ISSUE IN AUGUST-SEPTEMBER 1983, WITH THE PUBLICATION OF AMNESTY INTERNATIONAL'S REPORTS. AMNESTY INTERNATIONAL ISSUED FOLLOW-UP REPORTS IN EARLY 1984 BUT, WITH A CHANGE OF MILITARY LEADERSHIP IN THE EMERGENCY ZONE AND APPARENT CORRESPONDING CHANGE IN SECURITY FORCE TACTICS, THE ISSUE BEGAN TO RECEDE FROM THE FOREGROUND. THE PRIVATE NATIONAL COMMISSION ON HUMAN RIGHTS PRESENTED TO THE PUBLIC MINISTRY ON MAY 9 A DOCUMENTED LIST OF 661 CASES OF "DESAPARECIDOS." ALMOST WITHOUT EXCEPTION, HOWEVER, THIS LIST DEALT WITH COMPLAINTS THAT HAD BEEN REGISTERED IN 1983 (I.E., BEFORE THE JANUARY 1 CHANGE IN ZONE COMMAND). STATISTICS

RELEASED IN LATE APRIL BY AYACUCHO'S DISTRICT ATTORNEY, BENJAMIN MADUENO, OFFERED A SIMILAR PICTURE: OF SOME 690  
[REDACTED]

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INSTANCES FILED WITH HIS OFFICE, THE LARGEST PORTION (ALL BUT 100) DATED FROM 1983. THE ANTI-GOVERNMENT LIMA DAILY "LA REPUBLICA" REPORTED ON JUNE 26 THAT THE TOTAL NUMBER OF COMPLAINTS PRESENTED TO PUBLIC MINISTRY AUTHORITIES FROM DECEMBER 1982 UNTIL MAY 1984 NUMBERED 1,200, A LARGE MAJORITY HAVING OCCURRED IN THE SINGLE DEPARTMENT OF AYACUCHO.

HOWEVER, BEGINNING IN LATE JULY AND CONTINUING THROUGH

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AUGUST AND SEPTEMBER, THE CONTROVERSY SURROUNDING DISAPPEARANCES INTENSIFIED DRAMATICALLY. ON JULY 27, CAMPESINO LEADER JESUS OROPEZA WAS DETAINED IN A POLICE STATION IN THE SOUTHERN AYACUCHO DEPARTMENT TOWN OF PUQUIO. BETWEEN THAT DATE AND THE DISCOVERY OF HIS MUTILATED CORPSE ON AUGUST 10, OROPEZA WAS OFFICIALLY "MISSING," AS POLICE AUTHORITIES ASSERTED THEY HAD TURNED OROPEZA OVER TO AN UNIDENTIFIED MILITARY UNIT ON THE NIGHT OF THE 27TH. INTERIOR MINISTER LUIS PERCOVIC4 ON AUGUST 13 SENT THE SENATE A POLICE INVESTIGATIVE REPORT THAT CHANGED FUNDAMENTAL DETAILS FROM THE ORIGINAL POLICE VERSION BUT MAINTAINED THAT THE POLICE HAD NOT BEEN RESPONSIBLE FOR OROPEZA'S DEATH. BUT, AFTER TESTIFYING BEFORE A CLOSED SENATE SESSION AUGUST 16, PERCOVICH ACKNOWLEDGED THAT THE PUQUIO POLICE APPEARED TO HAVE BEEN RESPONSIBLE. THE SENATE ITSELF ISSUED A COMMUNIQUE NOTING THAT GROUNDS EXISTED "TO PRESUME THAT THE CITIZEN OROPEZA COULD HAVE BEEN VICTIMIZED BY (THOSE) FORCES RESPONSIBLE FOR HIS CUSTODY AND TRANSPORT."

IN A CONTEMPORANEOUS CASE IN NORTHERN AYACUCHO DEPARTMENT, "LA REPUBLICA" HUANTA CORRESPONDENT JAIME AYALA SULCA WENT TO THE LOCAL SECURITY FORCE HEADQUARTERS ON AUGUST 2 TO PROTEST A FORCED ENTRY BY POLICE EARLIER

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THAT DAY AT HIS MOTHER'S HOME. ALTHOUGH PERU'S ATTORNEY GENERAL HIMSELF INVESTIGATED, AYALA WAS NEVER SEEN THEREAFTER.

ON AUGUST 24, THE PRESS REPORTED THE DISCOVERY NEAR HUANTA OF NUMEROUS CORPSES IN SEVERAL "CLANDESTINE" GRAVES. APPROXIMATELY FIFTY BODIES WERE UNCOVERED. BOTH PRESIDENT BELAUNDE AND THE MILITARY HIGH COMMAND DISCLAIMED SECURITY FORCE RESPONSIBILITY FOR THE DEATHS, ASSERTING THAT THE VICTIMS WERE LIKELY SENDERO MILITANTS WHO HAD FALLEN IN COMBAT AND BEEN BURIED BY THEIR COMRADES. MANY PRESS COMMENTATORS IN LIMA DISAGREED, CITING THE FACT THAT THE VICTIMS' CORPSES HAD BEEN DISFIGURED AND LEFT NUDE TO PREVENT IDENTIFICATION; THE

MANNER OF DEATH TOO, THEY POINTED OUT, WAS INCONSISTENT WITH BATTLE-INFLICTED WOUNDS. MANY NORMALLY PRO-GOVERNMENT PUBLICATIONS EDITORIALIZED ON THE DANGERS TO PERUVIAN POLITICAL SOCIETY OF ALLOWING SECURITY FORCE

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EXCESSES TO OCCUR, BUT COMPLAINTS OF DISAPPEARANCES (SUCH AS THAT OF HUANCVELICA LABOR UNION LEADER HILARIO AYUQUE ON SEPTEMBER 20) CONTINUED, AND LIMA'S PRESS REPORTED THE DISCOVERY OF MORE CLANDESTINE GRAVES NEAR HUANTA.

- C. TORTURE AND CRUEL, INHUMAN, OR DEGRADING  
- TREATMENT OR PUNISHMENT

THE CONSTITUTION PROHIBITS CAPITAL PUNISHMENT (EXCEPT FOR TREASON IN TIME OF FOREIGN WAR), TORTURE AND INHUMANE OR HUMILIATING TREATMENT. NEVERTHELESS, CHARGES OF SECURITY FORCE BRUTALITY TOWARD DETAINED PRISONERS HAVE BEEN COMMONPLACE SINCE THE MILITARY ENTERED THE EMERGENCY ZONE IN DECEMBER 1982. AMNESTY INTERNATIONAL'S REPORT "TORTURE IN THE EIGHTIES" ASSERTS THAT TORTURE VICTIMS IN PERU "HAVE INCLUDED PEOPLE FROM ALL WALKS OF LIFE," ALTHOUGH THOSE OF "THE LARGELY INDIAN PEASANTRY, OR FROM [REDACTED]

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SECTIONS OF THE URBAN POOR" ARE MORE LIKELY TO EXPERIENCE SERIOUS MISTREATMENT. THE AMNESTY INTERNATIONAL REPORT ALSO CHARGED THAT TORTURE IS MORE LIKELY TO OCCUR BEFORE PRISONERS APPEAR IN COURT AND (REFERRING TO THE EMERGENCY ZONE) OFTEN PRECEDES EXTRA-JUDICIAL EXECUTIONS.

IN GENERAL, PRISON CONDITIONS IN PERU ARE PRIMITIVE, AND PERSONS UNDER DETENTION ARE LIKELY TO ENCOUNTER LIMITED HYGIENIC FACILITIES, POOR NUTRITION, AND OCCASIONAL ILL-TREATMENT BY POORLY PAID PRISON STAFF. CHARGES OF OUTRIGHT TORTURE IN SUCH FACILITIES, HOWEVER, WERE NOTABLY ABSENT IN 1984. TORTURE CHARGES THAT DID APPEAR IN THE PRESS ASSOCIATED SUCH ACTIVITY WITH SENDERO LUMINOSO TERRORISTS AND SECURITY FORCES ENGAGED IN COMBATTING SUBVERSION. CHAMBER OF DEPUTIES PRESIDENT ELIAS MENDOZA ACKNOWLEDGED ON AUGUST 13 THAT SOME OF THOSE ENGAGED IN THE ANTI-TERRORIST EFFORT INDEED HAD COMMITTED ABUSES. ALTHOUGH PRO- AND ANTI-GOVERNMENT POLITICAL LEADERS OFTEN DISAGREED AS TO THE IDENTITY OF THOSE RESPONSIBLE FOR PARTICULAR EVENTS, THE MUTILATED BODIES OF VICTIMS FOUND IN THE EMERGENCY ZONE FREQUENTLY TESTIFIED TO THEIR HAVING BEEN TORTURED PRIOR TO EXECUTION. A NUMBER OF FEMALE DETAINEES COMPLAINED THAT THEY HAD BEEN RAPED OR OTHERWISE SEXUALLY ABUSED. IN ONE SUCH EXAMPLE, JUANA LIDIA ARGUMEDO, A KEY WITNESS IN THE TRIAL OF SUSPECTS ACCUSED OF THE JANUARY 1983 MURDER OF

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EIGHT PERUVIAN NEWSMEN AT UCHURACCAY WAS, ACCORDING TO CHARGES FILED BY THE PUBLIC PROSECUTOR, RAPED BY SECURITY

FORCE MEMBERS AFTER SHE WAS TAKEN INTO CUSTODY IN MID-SEPTEMBER 1984.

- D. ARBITRARY ARREST, DETENTION, OR EXILE  
[REDACTED]

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THE CONSTITUTION REQUIRES THAT PERSONS ARRESTED BE ARRAIGNED WITHIN 24 HOURS FOR ALL CRIMES EXCEPT DRUG TRAFFICKING, TERRORISM, OR ESPIONAGE, FOR WHICH THE LIMIT IS 15 DAYS. ADMINISTRATIVE DIFFICULTIES SOMETIMES PRECLUDE THE 24-HOUR DEADLINE FROM BEING MET, BUT ARRAIGNMENT USUALLY OCCURS IN A TIMELY MANNER. THE CONSTITUTION ALSO GUARANTEES HABEAS CORPUS WHICH IS RESPECTED IN PRACTICE. THESE GUARANTEES ARE SUSPENDED, HOWEVER, BY THE DECLARATION OF A STATE OF EMERGENCY, UNDER WHICH POLICE AUTHORITIES ARE EMPOWERED TO DETAIN INDIVIDUALS INDEFINITELY.

ASIDE FROM THE PARTICULAR EXPERIENCE OF THE SOUTH-CENTRAL SIERRA EMERGENCY ZONE, HOWEVER, THE 120 DAYS THAT PERU SPENT UNDER A NATIONAL STATE OF EMERGENCY IN 1984 PASSED VIRTUALLY UNNOTICED. NOTWITHSTANDING THE SUSPENSION OF CONSTITUTIONAL GUARANTEES, WITH ONLY ISOLATED EXCEPTIONS POLICE AUTHORITIES DID NOT DETAIN PERSONS LONGER THAN PERMITTED BY THE CONSTITUTION. THE EXCEPTIONS IN GENERAL APPEARED TO BE THE PRODUCT OF LOCAL INITIATIVE, WERE OF SHORT-TERM DURATION AND RESULTED IN NO KNOWN DISAPPEARANCES. WITHIN THE ZONE, LITTLE CHANGED IN REGARD TO SECURITY FORCE PRACTICES ESTABLISHED IN 1983. ALLEGATIONS CONTINUED TO BE PUBLISHED IN THE LIMA PRESS CONCERNING THE DETENTION OF PERSONS IN THE ZONE BY MEMBERS OF THE SECURITY FORCES, SOME OF WHOM ALLEGEDLY WERE NOT IN UNIFORM OR WERE MASKED, AND OF THE DIFFICULTY EXPERIENCED BY RELATIVES IN ESTABLISHING THE WHEREABOUTS OF PERSONS SO DETAINED. THESE COMPLAINTS ON OCCASION WERE ECHOED BY PUBLIC MINISTRY OFFICIALS POSTED IN THE ZONE. DISTRICT ATTORNEY MADUENO, FOR EXAMPLE, PROTESTED PUBLICLY IN APRIL ABOUT A LACK OF COOPERATION BY SECURITY FORCE AUTHORITIES WHO, HE SAID, WERE IMPEDING HIS OFFICE'S OPERATIONS. OF SEVERAL HUNDRED INQUIRIES REGARDING COMPLAINTS OF "DESAPARECIDOS" THAT HIS OFFICE CONFIDENTIAL

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HAD SENT TO THE ZONE'S POLITICAL-MILITARY COMMAND, ONLY A HANDFUL ELICITED RESPONSES. ON MAY 1, MADUENO RESIGNED IN PROTEST, AN EXAMPLE THAT SOME OTHER PUBLIC MINISTRY REPRESENTATIVES IN AYACUCHO LATER FOLLOWED.

THE CONSTITUTION EXPRESSLY FORBIDS EXILE, AND NO SUCH ACTS OCCURRED IN 1984.

E. DENIAL OF FAIR PUBLIC TRIAL

THE PERUVIAN JUDICIARY IS INDEPENDENT OF THE EXECUTIVE IN BOTH LAW AND PRACTICE. THE NATIONAL COUNCIL OF THE MAGISTRACY, UNDER THE ATTORNEY GENERAL, SELECTS NOMINEES FOR JUDICIAL VACANCIES; APPOINTMENTS ARE FOR LIFE, AND ONLY SUPREME COURT JUSTICES REQUIRE LEGISLATIVE CONFIRMATION. CHARGES OF LOWER COURT MALFEASANCE ARE INVESTIGATED BY THE SUPREME COURT, WHILE THE NATIONAL COUNCIL OF THE MAGISTRACY INVESTIGATES ANY COMPLAINTS AGAINST THE TOP TRIBUNAL AND TURNS THEM OVER TO THE ATTORNEY GENERAL IF THERE ARE GROUNDS FOR INDICTMENT. THE SUPREME COURT ITSELF HAS RESPONSIBILITY FOR FINAL ACTION.

ALL CIVIL CRIMES ARE TRIED IN CIVILIAN COURTS. THOSE ARRESTED ARE ENTITLED TO HAVE AN ATTORNEY PRESENT WHEN THEY MAKE STATEMENTS TO THE POLICE. PUBLIC PROSECUTORS (FROM THE PUBLIC MINISTRY) CUSTOMARILY ALSO ARE PRESENT, TO ASSURE THAT SUCH STATEMENTS HAVE NOT BEEN MADE UNDER THREAT OR COERCION. A SYSTEM OF PUBLIC DEFENDERS EXISTS, BUT RESOURCES AVAILABLE TO SUPPORT IT ARE LIMITED AND, IN THE FINAL ANALYSIS, MOST DEFENDANTS MUST THEMSELVES BEAR THE COSTS OF ARRANGING FOR THEIR OWN DEFENSE. IN

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ACCORDANCE WITH THE CONSTITUTION, THE BURDEN OF PROOF FORMALLY LIES WITH THE PROSECUTION AND ARRESTED PERSONS ARE PRESUMED INNOCENT. NEVERTHELESS, PERU'S JAILS ARE CLOGGED WITH LARGE NUMBERS OF UNTRIED PRISONERS WHOSE CASES HAVE NOT BEEN ADJUDICATED DUE TO ADMINISTRATIVE BACKLOGS. A TRIAL REVIEW SYSTEM PROVIDES FOR A CLOSED JUDICIAL HEARING, FOLLOWED BY A PUBLIC TRIAL IN SUPERIOR COURT FOR THOSE HELD FOR PROBABLE CAUSE AT LOWER LEVELS.

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WHERE ITS JURISDICTION SO PERMITS, THE SUPREME COURT HEARS FINAL APPEALS.

IN COMMON WITH OTHER PRISONERS, PERSONS ARRESTED AND FORMALLY CHARGED WITH TERRORIST CRIMES FACE LONG PERIODS OF DETENTION WHILE THEIR CASES REMAIN UNDER INVESTIGATION. SOME 900 SUCH PERSONS WERE IN VARIOUS PRISONS THROUGHOUT PERU IN NOVEMBER 1983; BY JUNE 1984, THAT NUMBER HAD RISEN TO APPROXIMATELY 1,100, AND IN DECEMBER THE PRIME MINISTER DECLARED THAT 1,966 SUBVERSIVES WERE DETAINED. FOR SECURITY REASONS, ALL TRIALS OF TERRORISM CASES ARE CONCENTRATED IN LIMA, A FACTOR WHICH ITSELF ADDS TO DELAY, AND THE OVERWHELMING MAJORITY OF TERRORISM SUSPECTS HAVE YET TO SEE THEIR CASES PROCESSED TO A FINAL VERDICT THROUGH THE SEVERAL STAGES OF THE JUDICIAL PROCESS.

- F. ARBITRARY INTERFERENCE WITH PRIVACY, FAMILY,
- HOME, OR CORRESPONDENCE

A JUDICIAL WARRANT IS REQUIRED TO ENTER A PRIVATE DWELLING, THE INVIOABILITY OF WHICH IS GUARANTEED BY THE CONSTITUTION EXCEPT UNDER A STATE OF EMERGENCY. STATE AUTHORITIES DO NOT INTERFERE WITH OR REGULATE THE RIGHT OF INDIVIDUALS TO JOIN POLITICAL OR RELIGIOUS ORGANIZATIONS. THERE IS NO INDICATION THAT THE GOVERNMENT MONITORS CORRESPONDENCE OR TELEPHONE

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COMMUNICATIONS EXCEPT AS AUTHORIZED BY JUDICIAL WARRANT. FOREIGN PUBLICATIONS CIRCULATE FREELY, AND RADIO BROADCASTS FROM ABROAD ARE NOT JAMMED. THE GOVERNMENT PERMITS, ENCOURAGES, AND ASSISTS THE PROMOTION OF INDIGENOUS LANGUAGES.

SECURITY FORCES IN THE EMERGENCY ZONE ROUTINELY AVAILED THEMSELVES OF THEIR AUTHORITY UNDER THE STATE OF EMERGENCY DECREE TO MAKE WARRANTLESS SEARCHES OF PRIVATE HOMES. ELSEWHERE IN THE COUNTRY, HOWEVER, POLICE EXERCISED THIS LIBERALIZED AUTHORITY IN ONLY ISOLATED INSTANCES.

SECTION 2 RESPECT FOR CIVIL RIGHTS, INCLUDING:

n/a  
[REDACTED]

[REDACTED]  
n/a

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- A. FREEDOM OF SPEECH AND PRESS

PERU'S CONSTITUTION GUARANTEES, AND THE GOVERNMENT IN PRACTICE ALLOWS, FREEDOM OF SPEECH AND OF THE PRESS. ACKNOWLEDGED TO BE ONE OF THE BELAUNDE ADMINISTRATION'S KEY ACHIEVEMENTS, THE REESTABLISHMENT OF A FULLY INDEPENDENT MEDIA WAS ACCOMPLISHED ON ITS FIRST DAY IN OFFICE. PERUVIAN PUBLICATIONS REFLECT POLITICAL VIEWPOINTS ACROSS THE SPECTRUM, AND THE GOVERNMENT MAKES NO ATTEMPT TO CENSOR CRITICISM, INCLUDING CRITICISM OF ITS HUMAN RIGHTS RECORD. UNDER PERU'S CONSTITUTION AND IN PRACTICE, PRESS FREEDOM IS NOT ONE OF THE CIVIL LIBERTIES SUSPENDED WHEN A STATE OF EMERGENCY IS DECLARED, WHETHER NATIONWIDE OR IN THE EMERGENCY ZONE.

THE GOVERNMENT CAME IN FOR OCCASIONAL PRESS CRITICISM IN 1984 RESULTING FROM ALLEGATIONS CONCERNING INAPPROPRIATE POLICE BEHAVIOR TOWARD INDIVIDUAL JOURNALISTS COVERING

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NEWS EVENTS ON LIMA'S STREETS. AS IN 1983, MORE SERIOUS ALLEGATIONS OF SECURITY FORCE INTERFERENCE WITH PRESS FREEDOM AROSE IN THE EMERGENCY ZONE. TWO "EL DIARIO" CORRESPONDENTS (ABILIO ARROYO IN HUANTA AND LUIS MORALES IN AYACUCHO) COMPLAINED THAT THE POLICE CONTINUED TO THREATEN AND DETAIN THEM ARBITRARILY. THE LATTER NEWSMAN'S 16-YEAR OLD SON "DISAPPEARED" BRIEFLY IN APRIL,

BUT PROMPT INTERVENTION BY DISTRICT ATTORNEY MADUENO RESULTED IN HIS RELEASE. THE DISAPPEARANCE OF JAIME AYALA LED THE PERUVIAN PRESS ASSOCIATION TO ISSUE A COMMUNIQUE ON AUGUST 14 DEMANDING HIS IMMEDIATE LIBERATION AND AN END TO INFRINGEMENTS ON PRESS FREEDOM IN THE ZONE. THE FOREIGN PRESS CORRESPONDENTS ASSOCIATION ALSO ISSUED A PUBLIC PROTEST (AUGUST 21), WHEN SECURITY FORCES BRIEFLY DETAINED THREE NEWSMEN (TWO OF THEM FROM UPI) WHEN THEY ARRIVED IN AYACUCHO TO COVER THE AYALA DISAPPEARANCE. CONVERSELY, MANY PERUVIANS WERE CRITICAL OF WHAT THEY CONSIDERED THE GOVERNMENT'S EXCESSIVE TOLERANCE OF DELIBERATELY FALSE REPORTING BY SOME MEDIA REGARDING THE TERRORIST/ANTI-TERRORIST SITUATION WHICH, IN THEIR VIEW, WAS DESTABILIZING AND DAMAGING TO PERU'S IMAGE ABROAD.

- B. FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION

n/a  
[REDACTED]

[REDACTED]  
n/a

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THESE RIGHTS ARE GUARANTEED IN THE CONSTITUTION AND ARE NORMALLY RESPECTED BY THE GOVERNMENT, WHICH IS FORTHCOMING IN ISSUING PERMITS FOR DEMONSTRATIONS. FOR THE MOST PART, THE GOVERNMENT DEALS WITH EVEN UNAUTHORIZED DEMONSTRATIONS IN A NON-CONFRONTATIONAL MANNER. THE RIGHT TO ASSEMBLY IS AMONG THOSE SPECIFICALLY SUSPENDED BY THE PROCLAMATION OF A STATE OF EMERGENCY, AND ON OCCASION THE GOVERNMENT AVAILED ITSELF OF THIS SUSPENSION DURING THE 120-DAY PERIOD OF NATIONAL EMERGENCY.

[REDACTED]

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THE CONSTITUTION GUARANTEES PRIVATE SECTOR WORKERS THE RIGHT TO ORGANIZE, BARGAIN COLLECTIVELY, AND STRIKE. PUBLIC SECTOR WORKERS (EXCEPT FOR ARMED FORCES, JUDGES, AND HIGH OFFICIALS) HAVE SIMILAR RIGHTS, ALTHOUGH WITH SOME RESTRICTIONS. IN PRACTICE, EMPLOYEES ORGANIZE AND STRIKE FREELY. A LEGISLATIVE PROPOSAL TO REGULATE THE RIGHT TO STRIKE HAS BEEN UNDER CONSIDERATION IN CONGRESS FOR OVER TWO YEARS.

ABOUT TEN PERCENT OF THE WORK FORCE IS ORGANIZED, AND TOTAL MEMBERSHIP IN COMMUNIST AND OTHER FAR LEFT UNIONS IS SOMEWHAT LARGER THAN THAT OF DEMOCRATICALLY-ORIENTED UNIONS. NO SIGNIFICANT PART OF THE LABOR MOVEMENT IS TIED TO THE GOVERNMENT OR THE GOVERNMENT PARTY. UNIONS GENERALLY ARE NOT FORMALLY LINKED WITH POLITICAL PARTIES, BUT IMPORTANT NATIONAL CONFEDERATIONS ARE IDENTIFIED WITH PARTICULAR POLITICAL TENDENCIES. UNION LEADERS ARE CONSULTED REGULARLY BY THE PRESIDENT, PRIME MINISTER, AND MINISTER OF LABOR, AS WELL AS CONGRESSIONAL COMMITTEES. PERUVIAN LABOR ORGANIZATIONS AFFILIATE FREELY WITH

REGIONAL AND INTERNATIONAL TRADE UNION ORGANIZATIONS OF ALL IDEOLOGICAL TENDENCIES. PERU IS AN ACTIVE MEMBER OF THE INTERNATIONAL LABOR ORGANIZATION.

C. FREEDOM OF RELIGION

THE ROMAN CATHOLIC FAITH IS OVERWHELMINGLY PREDOMINANT IN PERU, AND THE CONSTITUTION FORMALLY RECOGNIZES THE CHURCH'S IMPORTANCE. IT ALSO ESTABLISHES THE INDEPENDENCE OF CHURCH AND STATE, WHICH IS RESPECTED IN PRACTICE, AND GUARANTEES FREEDOM OF RELIGION AND

CONFIDENTIAL

n/a

[REDACTED]

[REDACTED]  
n/a

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CONSCIENCE. MEMBERS OF MINORITY RELIGIONS ENCOUNTER NO DIFFICULTY IN PRACTICING THEIR FAITH OR IN EXEMPTING THEIR CHILDREN FROM RELIGIOUS INSTRUCTION IN PUBLIC SCHOOLS. MISSIONARY ORGANIZATIONS OPERATE FREELY IN THE COUNTRY WITH THE COOPERATION OF GOVERNMENT MINISTRIES.

THE FEW COMPLAINTS THAT AROSE IN 1984 WITH RESPECT TO FREEDOM OF RELIGION HAD TO DO WITH THE CONSEQUENCES OF PERU'S ONGOING EFFORTS TO COMBAT TERRORISM. CHARGES OCCASIONALLY SURFACED IN SECTORS OF THE MEDIA, AND WERE REPEATED BY SOME GOVERNMENT PARTY MEMBERS OF CONGRESS, OF SUBVERSIVE ACTIVITIES BEING CARRIED OUT IN PERU BY CERTAIN FOREIGN NUNS AND CLERICS. THE OCCASIONAL DETENTION OF A NUN OR CLERIC BY LOCAL POLICE OFFICIALS ON SUSPICION OF INVOLVEMENT WITH TERRORISTS (SUCH AS THAT OF SALESIAN PRIEST ROLANDO RAMOS IN CUZCO IN EARLY OCTOBER) INDICATED THAT THESE EXPRESSIONS OF CONCERN, WHETHER OR NOT INTENDED TO BE MORE THAN RHETORICAL BY GOVERNMENT SPOKESMEN, COULD CREATE AN ATMOSPHERE OF SUSPICION. IN NONE OF THE CASES DID THE INITIAL DETENTION LEAD TO THE PRESSING OF CHARGES, AND ALL SUCH INDIVIDUALS WERE SET FREE, USUALLY AFTER ONLY A SHORT DELAY.

- D. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL, EMIGRATION, AND REPATRIATION

THE CONSTITUTION GUARANTEES THE RIGHT OF FREE MOVEMENT. THERE ARE NO POLITICAL OR LEGAL CONSTRAINTS ON FOREIGN TRAVEL OR EMIGRATION. THE DECLARATION OF A STATE OF EMERGENCY SUSPENDS THE GUARANTEE OF FREE MOVEMENT WITHIN THE COUNTRY BUT, IN PRACTICE, EVEN DURING THE PERIOD OF NATIONAL EMERGENCY IN 1984 TRAVELERS WERE SELDOM HINDERED BECAUSE OF THE SUSPENSION OF THIS GUARANTEE. TRAVEL IN THE EMERGENCY ZONE CONTINUED TO BE AFFECTED MORE BY THE DIFFICULTY OF MOVING ABOUT IN MOUNTAINOUS AND DANGEROUS TERRAIN THAN BY PROHIBITIONS SET BY THE SECURITY FORCES.

[REDACTED]  
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IN JUNE 1984, PERU ACCEDED TO THE 1967 UN PROTOCOL ON THE STATUS OF REFUGEES. EVEN BEFORE ACCESSION, THE GOVERNMENT HAD ACCEPTED THE PROTOCOL IN PRINCIPLE AND DID NOT FORCE REFUGEES TO RETURN TO COUNTRIES WHERE THEY HAD

n/a  
[REDACTED]

[REDACTED]  
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REASON TO FEAR PERSECUTION; RATHER, PERU HAS ASSISTED REFUGEES TO INTEGRATE INTO PERUVIAN LIFE. MOST OF THE CUBAN REFUGEES WHO CAME TO PERU IN 1980 HAVE NOW BEEN RESETTLED. HISTORICALLY, REFUGEES FLEEING TURMOIL IN NEIGHBORING COUNTRIES HAVE BEEN ENCOURAGED EVENTUALLY TO RETURN BUT HAVE NOT BEEN PRESSURED. REFUGEES FROM MORE DISTANT PLACES (SUCH AS IRAN) HAVE BEEN EITHER RESETTLED OR ASSISTED IN FINDING THIRD COUNTRIES THAT WOULD ACCEPT THEM. THE ONLY CASES IN WHICH PERU HAS APPROVED INVOLUNTARY REPATRIATION HAVE INVOLVED NON-POLITICAL CRIMINALS.

SECTION 3 RESPECT FOR POLITICAL RIGHTS: THE RIGHT OF  
- CITIZENS TO CHANGE THEIR GOVERNMENT

PERU IS A DEMOCRATIC COUNTRY GOVERNED BY A FREELY ELECTED PRESIDENT AND CONGRESS. THE CONSTITUTION MANDATES UNIVERSAL SUFFRAGE FOR ALL PERUVIANS (EXCEPT ARMED FORCES MEMBERS) 18 YEARS OF AGE AND OLDER. THE POLITICAL PROCESS IS COMPLETELY OPEN AND VIGOROUSLY CONTESTED BY A BROAD VARIETY OF POLITICAL GROUPS, ANY OF WHICH CITIZENS CAN JOIN WITHOUT GOVERNMENT INTERFERENCE. CONSTITUTIONAL PROVISIONS GUARANTEE PARTICIPATION IN THE POLITICAL PROCESS TO ALL, REGARDLESS OF RACE OR SEX. LEADERSHIP OF THE VARIOUS PARTIES TENDS TO REMAIN LARGELY IN THE HANDS OF URBAN ELITES, WHOSE ACCESS TO EDUCATIONAL, FINANCIAL, AND COMMUNICATIONS OPPORTUNITIES AFFORDS THEM DE FACTO

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ADVANTAGES OVER RURAL-BASED ELEMENTS. INDIANS AND PERU'S SMALL BLACK COMMUNITY REMAIN UNDERREPRESENTED AT TOP LEVELS OF ALL GOVERNMENTAL INSTITUTIONS AND PROFESSIONAL ASSOCIATIONS.

THE BELAUNDE GOVERNMENT HAS ENJOYED WORKING MAJORITIES IN BOTH HOUSES OF CONGRESS FOR ALMOST ALL OF ITS INCUMBENCY. (THE GOVERNMENT'S SENATE MAJORITY DEPENDED ON COOPERATION BY A COALITION PARTNER, THE POPULAR CHRISTIAN PARTY, WHICH OPTED TO END THEIR ALLIANCE IN MID-1984.) ALTHOUGH MEMBERS OF CONGRESS TENDED TO ACCEPT PARTY DISCIPLINE, ENOUGH INSTANCES OF BROKEN RANKS OCCURRED TO MAKE VOTES AT TIMES UNPREDICTABLE.

SECTION 4 GOVERNMENTAL ATTITUDE REGARDING INTERNATIONAL  
- AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED

n/a  
[REDACTED]

n/a

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## - VIOLATIONS OF HUMAN RIGHTS

PERUVIAN GOVERNMENT AUTHORITIES CONTINUED TO DISPUTE

CHARGES IN 1984 OF ALLEGED ABUSES MADE BY BOTH INTERNATIONAL AND DOMESTIC HUMAN RIGHTS SPOKESMEN AND ASSOCIATIONS. PRIME MINISTER LUIS PERCOVICH AND SECOND VICE PRESIDENT JAVIER ALVA, AMONG OTHERS, DESCRIBED AMNESTY INTERNATIONAL'S 1984 REPORT ON PERU (WHICH EXPRESSED SERIOUS CONCERN ABOUT EXTRAJUDICIAL EXECUTIONS, DISAPPEARANCES, TORTURE AND PROLONGED DETENTION OF PEASANT LEADERS, AS WELL AS THE USE OF TORTURE AND EXECUTION-STYLE KILLINGS BY GUERRILLAS) AS ONE REplete WITH ERRORS AND INADEQUATELY INVESTIGATED CHARGES. THE GOVERNMENT-OWNED LIMA DAILY "CRONICA" EDITORIALIZED IN OCTOBER THAT AMNESTY APPEARED "TO HAVE NO OTHER SOURCE OF INFORMATION THAN COMMUNIST NEWSPAPERS" CIRCULATING IN PERU (REFERRING TO CONSIDERABLE AMNESTY INTERNATIONAL RELIANCE ON "EL DIARIO MARKA"). PRO-GOVERNMENT PRESS SECTORS PERIODICALLY CONDEMNED FOREIGN PUBLICATIONS,

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ESPECIALLY IN WESTERN EUROPE, FOR PRINTING ALLEGEDLY DISTORTED ACCOUNTS OF RIGHTS VIOLATIONS. NOTWITHSTANDING SUCH CRITICISM, HOWEVER, GOVERNMENT OFFICIALS TREATED VISITING FOREIGN HUMAN RIGHTS ADVOCATES COURTEOUSLY AND AFFORDED THEM OPPORTUNITIES TO TRAVEL ABOUT THE COUNTRY AND INTERVIEW BOTH GOVERNMENT SPOKESMEN AND CRITICS. THIS WAS THE CASE WITH A DECEMBER 1983 VISIT BY AN "AMERICAS WATCH" DELEGATION, WHICH CONFERRED WITH THEN-PRIME MINISTER FERNANDO SCHWALB AND THEN-INTERIOR MINISTER PERCOVICH, AMONG OTHERS. THE GOVERNMENT ALSO TREATED VISITING NOBEL PEACE LAUREATE ADOLFO PEREZ ESQUIVEL WITH DEFERENCE, FACILITATING HIS MID-MAY VISIT TO PERU WITH A TRIP TO AYACUCHO AND A PRIVATE INTERVIEW WITH PRESIDENT BELAUNDE. DOMESTIC PERUVIAN HUMAN RIGHTS ADVOCATES DENOUNCED ALLEGED VIOLATIONS AND ATTACKED THE GOVERNMENT'S LETHARGY IN DEALING WITH THEM; NONE APPEARED TO SUFFER ANY RETALIATION OR OTHER ADVERSE CONSEQUENCES AS A RESULT.

THE GOVERNMENT'S ATTITUDE TOWARD THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) APPEARED TO UNDERGO CHANGE AS 1984 ADVANCED. WHILE WELCOMING AND PUBLICIZING AN ICRC DELEGATION VISIT TO AYACUCHO IN JANUARY,

n/a



[REDACTED]  
n/a

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GOVERNMENT OFFICIALS LATER IN THE YEAR TENDED TO IGNORE THE ORGANIZATION AND WERE UNRESPONSIVE WHEN THE POLITICAL/MILITARY COMMAND DENIED ICRC REPRESENTATIVES ACCESS TO DETENTION FACILITIES IN THE EMERGENCY ZONE.

PERU SUPPORTS HUMAN RIGHTS CAUSES IN INTERNATIONAL FORUMS, BUT MAINTAINS A LOW OFFICIAL PROFILE. MOST PERUVIAN DECLARATIONS ON INTERNATIONAL HUMAN RIGHTS ISSUES TAKE THE FORM OF EDITORIAL COMMENT IN THE PRESS AND PUBLIC COMMENT BY ELECTED PARTY AND POLITICAL [REDACTED]

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FIGURES. PERU IS A MEMBER OF THE UN HUMAN RIGHTS COMMISSION.

#### ECONOMIC, SOCIAL, AND CULTURAL SITUATION

PERU'S POPULATION, GROWING 2.4 PERCENT YEARLY, EXCEEDED 19 MILLION IN 1984. GDP PER CAPITA WAS ABOUT DOLS 1,254 IN 1982 AND DECLINED IN REAL TERMS BY ABOUT 10 PERCENT IN 1983. MEDIAN PER CAPITA INCOME WAS ESTIMATED IN MID-1982 AT DOLS 640 IN LIMA AND DOLS 600 IN OTHER MAJOR CITIES; IN THE RURAL AREAS IT IS LOWER. MANY OTHER INDICES ILLUSTRATE PERU'S RELATIVE POVERTY. IN 1984, LIFE EXPECTANCY AT BIRTH WAS SLIGHTLY OVER 59.2 YEARS, WHILE THE INFANT MORTALITY RATE WAS 98.9 PER 1,000 BIRTHS. DATA FROM 1978 SHOW THAT ONLY 25 PERCENT OF THE RURAL POPULATION HAD ACCESS TO POTABLE WATER SOURCES, WHILE 60 PERCENT OF URBAN DWELLERS DID.

A 1977 STUDY SHOWED THAT PERUVIANS OBTAINED 96.8 PERCENT OF THEIR CALORIC NEEDS. IN 1980, THE ADJUSTED PRIMARY SCHOOL ENROLLMENT RATIO STOOD AT 118. ABOUT 73 PERCENT OF THE ADULT POPULATION WAS LITERATE IN 1972 (THE LAST YEAR FOR WHICH DATA IS AVAILABLE). THIS FIGURE PROBABLY IMPROVED IN THE SUCCEEDING DECADE.

COMPOSED OF COMPLETELY DISTINCT GEOGRAPHIC REGIONS, PERU IS A CLASSIC CASE OF DIFFERENTIAL DEVELOPMENT. PUBLIC INVESTMENT TRADITIONALLY HAS BEEN FOCUSED ON THE COAST, DRAWING MIGRANTS TO THE CITIES, ESPECIALLY LIMA. THE ONETHIRD OF THE POPULATION IN THE CAPITAL AREA ACCOUNTS FOR TWO-THIRDS OF GROSS DOMESTIC PRODUCT (GDP). MANY INDIANS LIVE IN PERU'S POOREST REGIONS IN THE MOUNTAINS, AND THE DIFFICULTY AND COST OF PROVIDING SERVICES TO

[REDACTED]  
n/a

n/a

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AREAS REMOTE FROM THE MAINSTREAM OF THE DOMINANT  
HISPANICIZED CULTURE AND THE CENTERS OF ECONOMIC ACTIVITY

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IMPEDES DEVELOPMENT EFFORTS. AS A RESULT OF THIS  
DICHOTOMY AND OF HISTORICAL PREJUDICES, THE ECONOMIC AND  
SOCIAL NEEDS OF PERUVIANS OF EUROPEAN ANCESTRY ARE MORE  
LIKELY TO BE MET THAN THOSE OF PERUVIANS OF MIXED OR PURE  
INDIAN HERITAGE.

THE PREVIOUS MILITARY GOVERNMENT MADE SIGNIFICANT EFFORTS  
TO RECTIFY THIS SITUATION. THE BELAUNDE ADMINISTRATION  
ATTEMPTED TO CONTINUE THESE EFFORTS AND PROVIDE FOR  
SUSTAINABLE AND EQUITABLE ECONOMIC DEVELOPMENT. THE  
DEVELOPMENTAL ACHIEVEMENTS OF PRESIDENT BELAUNDE'S  
ADMINISTRATION HAVE BEEN LIMITED BY A VARIETY OF  
FACTORS. ADVERSE ECONOMIC CONDITIONS THAT INTENSIFIED IN  
1983-84 OVERWHELMED THE GOVERNMENT AND FORCED IT TO ADOPT

AUSTERITY MEASURES. AUSTERITY PROGRAMS, ESSENTIAL FOR  
ECONOMIC RECOVERY, CREATE TEMPORARY HARDSHIP FOR THE  
UNEMPLOYED OR UNDEREMPLOYED (ABOUT 60 PERCENT OF THE WORK  
FORCE) AS WELL AS FOR THE EMPLOYED, WHOSE WAGES HAVE  
DECLINED IN REAL TERMS.

TRADITION HAS IMPEDED THE ACCESS OF BOTH WOMEN AND  
MEMBERS OF MINORITY GROUPS TO LEADERSHIP ROLES IN MAJOR  
SOCIAL AND POLITICAL INSTITUTIONS. THIS SLOWLY IS  
CHANGING. A REVISED CIVIL CODE, WHICH TOOK EFFECT IN  
NOVEMBER 1984, ELIMINATED THE INEQUALITY WITH RESPECT TO  
THE OWNERSHIP OF PROPERTY TO WHICH WOMEN HAD PREVIOUSLY  
BEEN SUBJECTED. MOREOVER, FOR THE FIRST TIME, A WOMAN  
WAS CHOSEN (DECEMBER 1983) TO HEAD LIMA'S SUPERIOR  
COURT. ALL MAJOR POLITICAL PARTIES INDICATED INTEREST IN  
SELECTING MORE WOMEN AS CANDIDATES FOR CONGRESSIONAL  
RACES IN 1985. PROPOSALS TO OPEN THE OFFICER RANKS OF  
THE THREE NATIONAL POLICE SERVICES AND ARMED FORCES TO

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WOMEN, HOWEVER, DID NOT PROSPER IN 1984.  
SHULTZ

n/a