

MASTER EXHIBIT SERIES

PERU

A DECADE OF VIOLENCE

DOCUMENTATION FOR PERUVIAN POLITICAL ASYLUM CASES

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A DECADE OF VIOLENCE

Documentation for Peruvian Political Asylum Cases

Attachments

<u>Attachment</u>	<u>Citation/Description</u>
A	<p>Jorge Gonzales-Lara, "Facts on Peru," New York, 1992.</p> <p>Brief summary of the geography, culture, demography, history, political system, political parties, major press publications, insurgent groups, paramilitary groups, labor unions, popular organizations, and human rights groups of Peru.</p>
B	<p>Jorge Gonzales-Lara, "Peruvian Refugees," New York, 1992.</p> <p>Brief summary of the numbers and types of people seeking asylum/refugee status in the United States from 1987-1991.</p>

Articles

<u>Item</u>	<u>Citation/Description</u>
I. - Background: Human Rights Violations in Peru.	
I.	<p>U.S. Department of State Dispatch, <u>Country Profile Peru</u> (Washington, D.C.: Printing US Department of State, 23 September 1991), p. 707.</p> <p>General facts of Peru, geography, population, religion, ethnic groups, economy and type of government.</p>
II.	<p>United States Department of State, <u>Country Reports on Human Rights Practices for 1983</u> (Washington, D.C.: Government Printing Office, February 1984), pp. 673-681.</p> <p>Discusses human rights violations during Fernando Belaunde Terry government. The question of disappeared persons became a major political issue. The Shining Path initially aimed its violence at selected targets such as police, government authorities, and merchants and landlords, in 1983 it expanded its violence, which led to a higher civilian death. The worst incident occurred in April in the emergency zone, when Shining Path led band numbering some 200 persons attacked and massacred villagers in the Andean community of Lucanamarca.</p>
III.	<p>United States Department of State, <u>Country Reports on Human Rights Practices for 1987</u> (Washington, D.C.: Government Printing Office, February 1987), pp. 586-597.</p> <p>Discusses human rights violations during Alan Garcia government, reports of summary executions by security forces dropped in 1987. In 1987 the government withdrew</p>

permission for the International Committee of the Red Cross (ICRC) to visit key prison and detention centers.

- IV. United States Department of State, Country Reports on Human Rights Practices for 1990 (Washington, D.C.: Government Printing Office, February 1991), pp. 736-754.

Alberto Fujimori, a former university president, was inaugurated on July 28, 1990. Human rights violations in Peru are committed by the Sendero Luminoso (Shining Path) and by the government. Security forces were responsible for widespread and egregious human rights violations. 3,452 persons were killed in terrorist related violence in 1990, an increase of over 8 percent from previous years and 75 percent higher than the 1988 total. Peruvian Human rights observers have determined that Sendero is responsible for a majority of killings in the Upper Huallaga Valley. The Country Reports showed widespread credible reports of summary executions, arbitrary detention, torture and rape by the police.

- V. Americas Watch, "The Persecution of Human Rights Monitors," chap. in In Desperate Straits: Human Rights in Peru after a Decade of Democracy and Insurgency (Washington, D.C.: Americas Watch, August 1990), pp. 91-98.

Americas Watch registered from December 1988 through December 1989, nineteen cases of persecution of Peruvians engaged in the defense of human rights, either as members of formal human rights organizations, as witnesses, or as legal representatives of victims of repression. Dr. Carlos Escobar Pineda the prosecutor who investigated the massacre at Cayara in August 1989, received death threats. The threats forced him to leave Peru for the United States. He was granted political asylum. Dr. Coqui Samuel Huamami Sanchez, a lawyer and Director of the Human Rights Committee in Cerro de Pasco, was the first human rights activist killed in August 1989. Dr. Wilfredo Saavedra, a lawyer and president of the Human Rights Committee in Cajamarca. He reported to have been severely tortured by the police. Dr. Jose Burneo, Director of the Center of Study and Action for Peace (CEAPAZ) received death threats in September 1989. On March 1990, persons identifying themselves as members of the Commando Rodrigo Franco made telephone threats to Francisco Soberon, Coordinator of the Pro-Human Rights Association (APRODEH).

- VI. National Coordinating Committee for Human Rights, Report on State of Human Rights in Peru in 1990 (Lima: National Coordinating Committee for Human Rights, 1990), pp. 1-9.

Discusses human rights violations in Peru during 1990. The violence has killed more than 3,400 people. The Shining Path was responsible for about 1,500 deaths, 80% of the total killings. The National Coordinating Committee has denounced the Peruvian state for human rights violations, and has denounced the insurgent groups for violating international humanitarian law.

- VII. Human Rights Watch, World Report 1990 (Washington, D.C.: Human Rights Watch, 1990), pp. 243-245.

Peruvian human rights developments during 1990. The complex problems of regional, racial and class division have seriously weakened the democratic system. The intimidation of human rights organizations intensified during 1990 against Amnesty

International, the International Committee of the Red Cross, and the Andean Commission of Jurists.

- VIII. Jorge Gonzales-Lara, "Ninos Desaparecidos en el Peru," INFORMATIVO, N-12-13, March-April/May-June 1991, pp. 9-12 (in Spanish).

Since 1983 there have been 167 reported cases of child disappearances. Many children in emergency zones were victims of rape and torture. During 1983 to 1990 in Ayacucho there were 240 children orphaned.

- IX. National Coordinating Committee for Human Rights, Peru 1990-1991: Report of the National Human Rights Coordinator (Lima: National Coordinating Committee for Human Rights, 1991), pp. 1-9.

The political violence and the social cost from 1980 to July 1991. 20,883 people were killed for political reasons. 1,800 were members of the security forces, 8,590 were civilians, 10,464 were presumed subversives and 229 were drug traffickers. The Shining Path has grown more violent since it claimed to have reached the stage of strategic equilibrium in its fight against the security forces. Fidel Intusca Fernandez was tortured by the security forces in the Puquio Military base and Augusto Zuniga Paz, legal counsel for the Human Rights Commission, was the victim of a letter bomb attack on March 16, 1991.

- X. United States Department of State, Country Reports on Human Rights Practices for 1991 (Washington, D.C.: Government Printing Office, February 1992), pp. 708-722.

Discusses human rights violations during Alberto Fujimori government. The Coordinating Committee estimated that Sendero was responsible for a total of 749 political and other extrajudicial killings of civilians in 1991; security forces for 91; the MRTA for 18; and paramilitary forces for 23. Peruvian human rights observers have noted Sendero was responsible for the majority of assassinations and executions of civilians throughout the country in 1991. Police personnel were implicated during 1991 in several murders, including the killing in police custody of a medical student and two teenaged brothers. In most other notable human rights abuse cases implicating the security forces, however, no judicial action was taken to investigate and charge the perpetrators. A March 15 letter bomb attack on human rights lawyer Dr. Augusto Zuniga Paz remained unresolved. The November 3 massacre of 17 persons in the Barrios Altos neighborhood of Lima, by a group of unidentified, armed men, remains under investigation.

- XI. Amnesty International, Peru: Human Rights in a Climate of Terror (New York: Amnesty International USA, November 1991), pp. 7-25.

The early civilian governments have sought to crush the armed opposition in Peru by giving emergency powers to the Military in areas where armed opposition groups were active. By July 1991 over half of the country was administered by political-military commands. Most human rights violations reported in the emergency zones have been attributed to the security forces. The victims have included human rights activists, journalists, lawyers and other critical of government policies. Since 1980, the Shining Path, the principal opposition group, has been responsible for thousands of civilian deaths and has frequently tortured and killed its captives.

- XII. Coordinadora Nacional de Derechos Humanos, Informe Sobre la Situación de los Derechos Humanos en el Perú en 1991 (Lima: Coordinadora Nacional de Derechos Humanos, 1992), pp. 1-32 (in Spanish).

Discusses human rights violations in Peru during 1991. The violence has killed 3,180 people. The Shining Path was responsible for 1,300 deaths and MRTA killed 120 people.

- XIII. Human Rights Watch, World Report 1992 (Washington, D.C.: Human Rights Watch, 1991), pp. 309-320.

According to Americas Watch, Peru ranks as one of the most tormented countries of Latin America. Official statistics show that some 24,000 citizens, most of them civilians, have died in political violence since 1980. 200,000 people have been displaced by the conflict, half of them children. For four straight years, from 1987 to 1990, Peru led the world in new disappearances. Victims of political execution, disappearance, torture and harassment by official forces during 1991 included peasants, labor unionists, university students and journalists; the elderly and children were not exempted. In June 1990, Alberto Fujimori put special emphasis on the creation of village civil-defense patrols, a tactic initiated under the government of Fernando Belaunde (1980-1985) and continued off and on under that of Alan Garcia (1985-1990). The patrols are frequently guilty of killing noncombatants, and for the first time in 1991 carried out disappearances as well. Patrols include women and young boys. These normally civilian sectors of the rural-population were brought into the conflict. On November 3, human rights violations took a new and grisly turn in Peru with the murder of sixteen persons in a barbecue eatery in downtown Lima, perpetrated by a paramilitary group. In December 1990, the president Alberto Fujimori decreed that crimes committed by military personnel in the emergency zones must be defined as acts of duty and adjudicated in military courts. During 1991, the Shining Path continued to be active in most of Peru increasing its attacks in and around Lima and the strategically important central states. The Shining Path has established itself in the central area of Peru; principally the department of Junin, as firmly as it has been established in the highland regions of Ayacucho, Apurimac and Huancavelica since the early 1980's.

- XIV. Jo-Marie Burt and Aldo Panfichi, "Political Violence and Human Rights: Revolutionary War versus Dirty War," chap. in Peru Caught in the Crossfire (Jefferson City: Peru Peace Network, 1992), pp. 21-33.

This chapter discusses the human rights situation in Peru and the Armed opposition movements: Communist Party of Peru on the Shining Path and the Tupac Amaru Revolutionary Movement. The Prison Massacres in 1986 and the abuses by Civil Defense Patrols and Paramilitary groups were a new phenomenon in Peru.

- XV. Carlos Chipoco, "Peru 1980-1991: More than Ten Years of Violence and Human Rights Violations," INFORMATIVO, N-12-13, March-April/May-June 1991, pp. 4-6.

Discusses the reasons why violations of human rights are committed in Peru. The counter-insurgency strategy and attitude of the civilian governments: Fernando Belaunde, Alan Garcia and Alberto Fujimori.

- XVI. Amnesty International, Amnesty International Report 1989 (New York: Amnesty

International USA, 1989), pp. 144-147.

During 1989 over 300 people "disappeared" after being arrested by army and navy counterinsurgency forces in zones under state of emergency. Torture continued to be reported in political cases. There were an estimated 630 political prisoners, including prisoners of conscience.

- XVII. Americas Watch, "Human Rights Violations in 1989 and 1990," chap. in In Desperate Straits: Human Rights in Peru after a Decade of Democracy and Insurgency (Washington, D.C.: Americas Watch Report, August 1990), pp. 65-89.

Human rights violations in 1989 and 1990 by the Army and Police during the State of Emergency. These include massive detention, torture, disappearances and extrajudicial executions. During 1989 the paramilitary group Commando Rodrigo Franco was responsible for at least eleven killings, as well as bombings and innumerable threats against persons it considered sympathizers of Shining Path or the Tupac Amaru (MRTA). The Role of Self Defense Patrols in the emergency zones.

- XVIII. United States Department of State, Country Reports on Human Rights Practices for 1986 (Washington, D.C.: Government Printing Office, February 1987), pp. 611-621.

Human rights abuses by government security forces increased in 1986. The Public Ministry reports a backlog of over 3,000 pending cases of disappearances, over 500 of them filed in 1986. Frequent use of torture by police and the military. In December two police officers were sentenced to a prison term for their roles in the 1986 massacre of 124 prisoners at Lurigancho prison.

- XIX. Michael Shifter, "The Human Rights Challenge in Peru," INFORMATIVO, N-9, July 1990, pp. 4-6.

Discusses the human rights challenge in Peru. The traditional conceptual framework in human rights and the new alternatives.

II.- Violations of the Laws of War by Insurgents

- XX. Americas Watch, "Violations of the Law of War by Insurgents," chap. in In Desperate Straits: Human Rights in Peru after a Decade of Democracy and Insurgency (Washington, D.C.: Americas Watch, August 1990), pp. 53-64.

Discusses human rights violations by the Shining Path and the Tupac Amaru Revolutionary Movement (MRTA), during 1989. Both insurgents groups have violated Common Article 3 of the four Geneva Conventions of 1949. The Shining Path was responsible for selective assassinations, group killings, kidnapping, and an indeterminable number of threats of death and other acts of intimidation against unarmed civilians and peasants organized for self-defense.

- XXI. Americas Watch, "Violations of the Laws of War by Insurgents," chap. in Into the Quagmire: Human Rights and U.S. Policy in Peru (Washington, D.C.: Americas Watch, 1991), pp. 25-30.

Human rights violations in 1991 by the Shining Path and Tupac Amaru Revolutionary

Movement. In the cities Shining Path engages in terrorism to establish its presence, and works through facade organizations which attempt to dominate community, women's, student and union activism. Any popular organization with a genuine following, Sendero considers competition and sets out to destroy, often by murdering its leaders; this is equally true of traditional and elected authorities in rural areas. Sendero's growth over the past decade has been slow but steady, and through its front organizations and military actions the insurgents are now present in virtually the entire national territory.

- XXII. World Council of Churches, "Violence by Insurgent Forces, chap. in Peru One Year Later: Report of an International Ecumenical Delegation to Peru (Geneva: World Council of Churches, 7 October 1991), pp. 10-11.

During 1991, Sendero Luminoso and the MRTA have intensified attacks on the security forces, economic sabotage aimed at both public and private properties, rocket attacks against embassies, occupation of towns and village, kidnapping and assassination. Sendero's objective is to polarize the society, destroying projects, groups or persons capable of offering an alternative to the people. Selective assassinations are a common practice of Shining Path. During 1991 Shining Path killed 662 people. Among these were nine foreign workers: two Japanese technicians, one Italian and two Polish priests, one Australian nun, one Polish aid worker and two representatives of World Vision from Canada and Colombia. Approximately 85% of Shining Path victims are civilians. The Shining Path has launched in 1991 a new phase of activity defined as "Strategic Equilibrium" which is understood as moving from a mobile war strategy to establishing regular battalions. Lima has become a key objective of Shining Path war strategy. Shining Path has a growing military-political presence in Lima's poor districts.

- XXIII. Washington Office on Latin America, "Human Rights Atrocities Committed by Rebel Forces," chap. in Peru Under Scrutiny: Human Rights and U.S. Drug Policy (Washington, D.C.: Washington Office on Latin America, 13 January 1992), pp. 11-15.

Discusses human rights abuses committed by the Shining Path and the MRTA. Shining Path in particular is responsible for systematic, widespread human rights atrocities. In 1991 the Shining Path's presence in Lima has intensified. Many community leaders in Lima have received death threats from Shining Path, and some have gone into hiding.

- XXIV. Gustavo Gorriti, "The War of the Philosopher-King," The New Republic, Vol. 202 Number 24, 18 June 1990, pp. 15-22.

The Shining Path wages revolutionary war according to Maoist "People's War" doctrine, keeping the orthodox course through extensive practice of "Cultural Revolution" purging rituals, and maintaining unity through a personality cult of proportions that would put Orwell's imagination to shame. Before the Shining Path went to war, infra-red Maoism in Latin America had become mostly associated with marginalized student groups.

- XXV. Nelson Manrique, "Time of Fear," Report on the Americas, Volume XXIV Number 4, December/January 1990/1991, pp. 28-39.

The Shining Path won support in the isolated country side by unleashing ethnic hatred and guaranteeing certain peasant rights. The Communist Party of Peru on the Shining Path does routinely resort to terrorism, but the character of the organization is much more complex.

- XXVI. Carlos Ivan Degregori, "A Dwarf Star," Report on the Americas, Volume XXIV Number 4, December/January 1990/1991, pp. 10-16.

The Communist Party of Peru, commonly known as Sendero Luminoso, points to the remote date of May 1980 as the beginning of the "People's War." In ten years since then, Sendero has emerged as the most important armed movement in contemporary Peruvian history, and surely the most unique to appear in Latin America in decades. A small group from the Andean mestizo has declared itself the beacon of world revolution, its leader the "fourth sword of Marxism." Their quasi-religious world-view, a hybrid of Maoist and Peruvian authoritarianism, resonates in the mountains where feudalism is still fading.

III.- Abuses by State Agents

- XXVII. Americas Watch, "Abuses by State Agents," chap. in Into the Quagmire: Human Rights and U.S. Policy in Peru (Washington, D.C.: Americas Watch, 1991), pp. 5-23.

According to Americas Watch, from January through July 1991, the number of deaths in Peru caused by political violence totaled 1,620, and June 1991 was the bloodiest month in the eleven years of conflict, with an average of 18 people dying daily for political reasons. The counterinsurgency policy in Peru, since 1980 when Sendero Luminoso openly declared its intention to overthrow the state, has been to declare departments, or provinces within those departments, under emergency control. In April 1991, 55 percent of the population was living under military control and the national territory affected had spread to nearly 40 percent. During the first year of President Fujimori's government, there has been no fresh coherence in counterinsurgency thinking or protection for the population. The new element is in fact one with an already long and checkered history; the creation and arming of more village civil-defense patrols.

- XXVIII. Deborah Poole, "Military Terror in Antabamba and Chumbivilcas," INFORMATIVO, N-11, January/February 1991, pp. 5-7.

Discusses the Peruvian military strategies and goals in the highland emergency zones. The activities of the "patrulla" in Chumbivilcas constituted a de facto geographical extension of both emergency measures and human rights violations. The parallels between Nazi technologies of war and terror and those practiced by Peruvian armed forces in Apurimac, Chumbivilcas, and other areas of the Peruvian highlands are striking. Details military techniques of terror against civilians and peasants in Chumbivilcas and Antabamba.

- XXIX. Amnesty International, Violations of Human Rights in the Emergency Zones (London: Amnesty International, August 1988), pp. 1-21.

Discusses the violations of human rights in the emergency zones. A significant number of disappearances and extrajudicial executions were reported for the first time in 1983, in provinces where states of emergency had been imposed. The detention of prisoners of conscience and unfair trial proceedings in which statements produced under torture have sometimes gone unchallenged by courts is a further cause of concern. Also, disappearances in the Ayacucho and San Martin departments. Investigation of alleged abuses and the use of torture in Peru.

- XXX. Amnesty International, Amnesty International Report 1991 (New York: Amnesty International USA, January 1992), pp. 182-185.

According to Amnesty International, the victims of human rights violations in Peru were peasants, including human rights defenders, community leaders, politicians, and trade unionists. By December, 69 of Peru's 183 provinces were administered by the Armed Forces Joint Command. The Peruvian authorities failed to investigate and punish violations committed by their security forces. Torture and ill-treatment as means of interrogating and intimidating political detainees were frequently reported. The rape of peasant women, either while in detention or during counter-insurgency operations, was a common practice.

- XXXI. World Council of Churches, "Political Violence," chap. in Peru One Year Later: Report of an International Ecumenical Delegation to Peru (Geneva: World Council of Churches, 7 October 1991), pp. 7-9.

Political violence in Peru has intensified in the first year of President Fujimori's government. In July 1991, eighty-four provinces in sixteen departments were under a state of emergency. 42.33 percent of the national territory were under a state of emergency. The proliferation in attacks by the Commando Rodrigo Franco and other similar groups led to the creation in May 1989 of a special parliamentary commission mandated to investigate the phenomenon. Churches, the press, human rights groups and universities work in a climate of fear and intimidation.

- XXII. Jorge Gonzales-Lara, Human Rights Violations in Peru Against Women (New York: 1992), pp. 1-16.

Discusses human rights violations against women in the emergency zones. In Peru torture is frequent practice. The army and police both practice torture systematically. Persons who "reappear" after a period of acknowledged detention in army centers, describe extensive torture under interrogation. Credible reports of rape by elements of the security forces in the emergency zone were so numerous that such abuse can be considered a common practice condoned or at least ignored by the military leadership. Women who stand up for their rights are under threat in Peru's human rights crisis, are particularly vulnerable in the emergency zones. Rape as a form of torture. Members of the security forces appear to be entirely free to abuse women during counterinsurgency operations. The rape became a form of torture as a serious psychological problem, many women in Peru were victims.

- XXXIII. U.S. Committee For Refugees, The Decade of Chaqwa: Peru's Internal Refugees (Washington, D.C.: United States Committee for Refugees, May 1991), pp. 12-21.

Thousands of peasants and Indian families from the highlands have been forced to flee their homes because of decade-long conflict between Shining Path and Peru's security forces. However, as internally displaced civilians, they go uncounted and unrecognized, and face poverty levels considered extreme even for Peru. The US Committee for Refugees (USCR) estimates that over 200,000 Peruvians are now internally displaced by violence.

Appendices

<u>Item</u>	<u>Citation/Description</u>
XXXIV.	Glossary
XXXV.	The Emergency Zones
XXXVI.	Emergency Zones in Peru, 1989
XXXVII.	Emergency Zones in Peru, 1990
XXXVIII.	Emergency Zones in Peru, 1991
XXXIX.	The Disappeared of Peru, 1984
XL.	The Disappeared of Peru, 1991
XLI.	Zones Under State of Emergency
XLII.	Victims of Political Violence, 1980-1991
XLIII.	Victims of Political Killings, 1989-1991
XLIV.	Peruvian Human Rights Groups in the U.S.
XLV.	The Human Rights Coordinating Committee of Peru
XLVI.	Violations of Human Rights in San Martin
XLVII.	Attacks on the Press in Peru, 1991
XLVIII.	Arbitrary Detention During the April 5 Coup in Peru
XLIX.	United Nations Universal Declaration of Human Rights
L.	Bibliography