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HUMAN RIGHTS SITUATION IN PERU

ISSUE

While human rights violations have somewhat decreased in Peru during 1993, they still remain a major source of concern.

BACKGROUND

President Fujimori has publicly recognized that human rights abuses were committed by government institutions. He has announced a series of measures to address the matter: a human rights section has been created within the Army; a National Human Rights Council has also been created under the Chairmanship of the Minister of Justice; and finally, the Human Rights Commission of the Democratic Constituent Congress (CCD) has played an active role in examining cases against the military. Terrorist activities have dropped but emergency zones, controlled by military commanders, still cover 30% of the Peruvian territory.

The number of terrorist acts has decreased over the past twelve months, with the incarceration of virtually all the leaders of the Tupac Amaru Revolutionary Movement (MRTA) and the majority of those of the Shining Path (SL). However, the SL still has the ability to launch deadly attacks which are often countered by the military. Extra-judiciary killings continue, although they have declined in number. (According to some international human rights organizations, about 150 cases of disappeared persons have been recorded in 1993, which is down significantly from previous years).

Conflicts between government forces and terrorists remain the major cause of human rights violations. Despite new regulations, only a handful of members of the military have been prosecuted, giving military actions an air of impunity. However, human rights training, introduced within the military three years ago, has started showing positive results.

The La Cantuta case (disappearance of nine students and a professor from a University campus under military control in 1992) has kept the relationship between the President and the military in the limelight for most of the year, as well as actively involving the Constituent Congress.

On a positive note, draconian anti-terrorist laws have been amended, permitting the habeas corpus (the right of self-defense with a legal counsel), and eliminating trials and sentences in absentia. Subsequent modifications providing better human rights guarantees are expected. As well, a National Human Rights Council, with members from the government and the NGO communities, was created in October 1993 to advise the President on human rights issues. Finally, the new Constitution, which makes provision for the reinstatement of

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