

THE HUMAN RIGHTS SITUATION IN PERU

ISSUE

Peru's human rights record has continued to improve over the past year. Problems remain, however, many of which are linked to the struggle against terrorism and narco-trafficking. Rectification of other deficiencies requires the strengthening of democratic practices and institutions which remain fragile.

BACKGROUND

Terrorism has been curbed but threats of its recurrence remain. The Government and people are highly cautious about dismantling extraordinary anti-terrorism measures, including: Emergency Zones (covering 48% of population and 25% of territory), "Secret Courts" (Congress extended for further year) and military trials for civilians on terrorist charges (344 deaths attributable to political violence were registered in first 6 months of 1995). As NGOs point out, with "structures of repression" in place, the opportunity remains to perpetuate disappearances, arbitrary arrest and extrajudicial killing. The 14 June Amnesty Law has generated further concerns about impunity for agents of the state. Death threats have been reported by NGOs who actively oppose the Amnesty Law. The Government has established a public register of those detained on charges of terrorism. Joint police/military patrols have been instituted and those arrested are transferred more quickly to civilians hands. The record for 1994 suggests that assassinations by terrorists were higher than those attributed to agents of the government (3 disappearances registered in Ayacucho Province for 1994, down from 184 in 1988). Human rights groups claim some 700 persons are unjustly jailed on terrorism charges (most sentenced by Secret Courts). Congress is debating a bill to expedite review of cases where such doubts exist. The Supreme Court reviewed terrorist cases and released 620 prisoners over the past three years on technical grounds. The courts have long suffered from a lack of transparency and accountability, political interference, corruption, and a serious backlog of cases. Congress has passed measures to force the judiciary to improve administrative effectiveness and efficiency of the system in order to streamline, reduce corruption and restore public confidence in the courts. Peruvian jails are seriously overcrowded. Processing is slow - only 24% of inmates have received sentences. Reports of torture and abuse suggest the problem of violence is serious. Insufficient funding is available for rehabilitation programs, training of warders or proper food and medical attention.

Corruption is endemic in Peru. In November, the President publicly denounced corruption by public servants and elected officials (with emphasis on corruption by narco-traffickers), pledged to use state resources frugally, and to prosecute offenders including the police and military. Congress is examining a bill to demand honesty of state employees, and the obligation to declare income and assets. The police are attempting to improve their image: 1,200 officers were dismissed this year for corruption, armed robbery and other crimes. The 1993 Constitution established the office of Ombudsman, but Congress has been slow in