

# Exhibit 6

99th Congress  
2d Session

JOINT COMMITTEE PRINT

*4. Feb 11: H 88/10/85*

**COUNTRY REPORTS ON HUMAN RIGHTS  
PRACTICES FOR 1985**

ORIGINAL

*MF 118*

**COMPLETED**

*1450*

**REPORT**

SUBMITTED TO THE

**COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES**

AND THE

**COMMITTEE ON FOREIGN RELATIONS  
U.S. SENATE**

BY THE

**DEPARTMENT OF STATE**

IN ACCORDANCE WITH SECTIONS 116(d) AND 502B(b) OF THE  
FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED



FEBRUARY 1986

Printed for the use of the Committees on Foreign Affairs and Foreign  
Relations of the House of Representatives and the Senate respectively

*[Handwritten mark]*

*[Handwritten mark]*

This material may be protected by Copyright law (Title 17 U.S. Code)

## COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES

### INTRODUCTION

#### 1985 Human Rights Report

This report is submitted to the Congress by the Department of State in compliance with Sections 116(d)(1) and 502B(b) of the Foreign Assistance Act of 1961, as amended.\* The legislation requires human rights reports on all countries that receive aid from the United States and all countries that are members of the United Nations. In the belief that the information would be useful to the Congress and other readers, we have also included reports on countries such as Switzerland, which are not technically covered in the congressional requirement.

In compliance with a new legislative requirement in Section 505(c) of the Trade Act of 1974, as amended by Title V of the Trade and Tariff Act of 1984 (Generalized System of Preferences Renewal Act of 1984), the 1985 reports include additional information on worker rights. While the legislation requires

\* Section 116(d)(1) of the Foreign Assistance Act provides as follows:

"The Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, by January 31 of each year, a full and complete report regarding --

"(1) the status of internationally recognized human rights, within the meaning of subsection (a) --

(A) in countries that received assistance under this part, and

(B) in all other foreign countries which are members of the United Nations and which are not otherwise the subject of a human rights report under this Act."

Section 503(B)(b) of the Foreign Assistance Act provides as follows:

"The Secretary of State shall transmit to Congress, as part of the presentation materials for security assistance programs proposed for each fiscal year, a full and complete report, prepared with the assistance of the Assistant Secretary for Human Rights and Humanitarian Affairs, with respect to practices regarding the observance of and respect for internationally recognized human rights in each country proposed as a recipient of security assistance."

Section 505(c) of the Trade Act provides as follows:

"The President shall submit an annual report to the Congress on the status of internationally recognized worker rights within each beneficiary developing country."

reports on worker rights in developing countries that are beneficiaries under the Generalized System of Preferences, in the interest of uniformity, and to provide a ready basis for comparison, we have continued our practice of applying the same reporting standards to all countries on which we prepare reports.

This year there are 164 separate reports. Conditions in most countries are described up to the end of 1985; for a few countries, significant developments occurring during the first weeks of 1986 are also included. The guidelines followed in preparing the reports are explained in detail in Appendix A. In Appendix B is a discussion of worker rights reporting. Appendix C contains a list of 12 international human rights covenants and agreements. Appendix D is an explanation of the statistical tables following reports on countries which received United States bilateral assistance or multilateral development assistance within the last 3 fiscal years.

#### Definition of Human Rights

Human rights, as defined in Section 116(a) of the Foreign Assistance Act, include freedom from torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges, disappearance due to abduction or clandestine detention, or the flagrant denial of the rights to life, liberty, and the security of person. Internationally recognized worker rights, as defined in Section 502(a) of the Trade Act, include (A) the right of association; (B) the right to organize and bargain collectively; (C) a prohibition on the use of any form of forced or compulsory labor; (D) a minimum age for the employment of children; and (E) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health. (Categories A and B are covered in Section 2b of each report, C in Section 1d, and D and E in the discussion of the economic, social, and cultural situation.)

In addition to discussing the topics specified in the legislation, our reports, as in previous years, cover other internationally recognized human rights and describe the political system and the economic, social, and cultural situation of each country. In other words, these reports deal with the basic standards by which to measure a government's relationship to its people. In applying these standards, we seek to be objective. But the reports unashamedly reflect the American view that the right of self-government is the basic political right, that it is legitimate only when grounded on the consent of the governed, and that government thus grounded should not be used to deny people life, liberty, and the pursuit of happiness. Individuals in a society have the inalienable right to be free from governmental violations of the integrity of the person; to enjoy civil liberties such as freedom of expression, assembly, religion, and movement, without discrimination based on race or sex; and to change their government by peaceful means. The reports also take into account the fact that terrorist and guerrilla groups often violate human rights; such violations are no less reprehensible if committed by violent opponents of the government than if committed by the government itself.

We have found that the concept of economic, social, and cultural rights is often confused, sometimes willfully, by repressive governments claiming that in order to promote these "rights" they may deny their citizens the right to integrity of the person as well as political and civil rights. There exists

BEST COPY AVAILABLE

a profound connection between human rights and economic development; and these reports devote extensive attention to the economic, cultural, and social situation in each country in order to provide the full context in which human rights performance may be judged. Experience demonstrates that it is individual freedom that sets the stage for economic and social development; it is repression that stifles it. Those who try to justify subordinating political and civil rights on the ground that they are concentrating on their economic aspirations invariably deliver on neither. That is why we consider it imperative to focus urgent attention on violations of basic political and civil rights, a position given renewed emphasis in 1985 by the 1984 Congressional Joint Resolution on Torture. If these basic rights are not secured, experience has shown, the goals of economic development are not reached either.

#### United States Human Rights Policy

From this premise, that basic human rights may not be abridged or denied, it follows that our human rights policy is concerned with the limitations on the powers of government that are required to protect the integrity and dignity of the individual. Further, it is in our national interest to promote democratic processes in order to help build a world environment more favorable to respect for human rights and hence more conducive to stability and peace. We have developed, therefore, a dual policy, reactive in the sense that we continue to oppose specific human rights violations wherever they occur, but at the same time active in working over the long term to strengthen democracy. It is in this context that I want to pay tribute to my predecessor, Elliott Abrams, Assistant Secretary of State for Human Rights and Humanitarian Affairs from 1981 to 1985, who played a critical role in helping define a consistent and coherent human rights policy that took into account both our country's national interests and the altruistic sentiments of the American people, who want their Government to identify itself with decency, fairness, and justice throughout the world.

Mr. Abrams is also to be credited with helping devise a human rights policy that is both realistic and effective, one that seeks real progress toward our human rights goals by using those means that have the greatest chance of success in a given circumstance. In much of the world, the United States has a variety of means at its disposal to respond to human rights violations. We engage in traditional diplomacy, particularly with friendly governments, where frank diplomatic exchanges are possible and productive. Where we find limited opportunities for the United States to exert significant influence in bilateral relations, we resort to public statements of our concerns, calling attention to countries where respect for human rights is lacking. In a number of instances, we employ a mixture of traditional diplomacy and public affirmation of American interest in the issue.

The United States also employs a variety of means to encourage greater respect for human rights over the long term. Since 1983, the National Endowment for Democracy has been carrying out programs designed to promote democratic practices abroad, involving the two major United States political parties, labor unions, business groups, and many private institutions. Also, through Section 116(e) of the Foreign Assistance Act, funds are disbursed by the Agency for International Development for programs designed to promote civil and political rights abroad. We also seek greater international commitment to the

**BEST COPY AVAILABLE**

protection of human rights and respect for democracy through our efforts in the United Nations and other international organizations.

Preparation of these annual Country Reports constitutes an important element of our human rights policy. The process, since it involves continuous and well-publicized attention to human rights, has contributed to the strengthening of an international human rights agenda. Many countries that are strong supporters of human rights are taking steps of their own to engage in human rights reporting and have established offices specifically responsible for international human rights policy. Even among countries without strong human rights records, sensitivity to these reports increasingly takes the form of constructive response, or at least a willingness to engage in a discussion of human rights policy. Experience has thus demonstrated that Congress did indeed act wisely in calling upon the State Department to prepare these Reports.

Richard Schifter  
Assistant Secretary of State  
for Human Rights and Humanitarian Affairs

BEST COPY AVAILABLE

663

PERU

Peru has a freely elected democratic government, with an executive branch headed by a president, a bicameral legislature, and an independent judiciary. Full political freedom is provided for in law and is respected in practice. Political representation in Congress ranges from conservative to Marxist. Independent trade unions are active, and opposition groups have excellent access to the media. In April 1985, Alan Garcia of the American Popular Revolutionary Alliance (APRA) party was elected President. He took office in July, marking the first transfer of power in forty years between two democratic governments. The new president has vowed to redress social and economic inequities, and to respect human rights.

Peru has a mixed economy with a large private sector, and private property is generally respected. Natural disasters and low commodity prices have seriously affected the economy in recent years, and per capita income has declined to about the 1965 level.

In 1985, the Maoist terrorist group Sendero Luminoso repeatedly carried out attacks in Lima and rural areas, killing police, military, and civilians, and began to use car bombs. The terrorists sought unsuccessfully to disrupt the 1985 electoral process.

Beginning in 1983, some in the security forces responded to Sendero with violence of their own, engaging in extrajudicial killings, disappearances, torture, and arbitrary detentions. Most of these violations occurred during 1983 and 1984 in the Ayacucho Emergency Zone where the declaration of a state of emergency delegated full civil and military authority to the armed forces. (Now applied in an area covering 19 provinces out of 126, the state of emergency suspends the rights of assembly and movement, lifts search warrant requirements, and allows indefinite detention of suspected criminals.) During 1985, reports of such abuses by security forces dropped sharply, reflecting both the previous and the present Governments' desire to improve respect for human rights. However, government investigations revealed that on two occasions in August members of the security forces had killed a total of 76 persons in the Ayacucho area. President Garcia responded swiftly, relieving three top military commanders, and the Government brought charges against the alleged offenders. The President and military leaders reaffirmed their opposition to the use of illegal methods against terrorists. The President also formed a Peace Commission of private individuals to explore the possibility of dialogue with the terrorists and to review pardons for persons claiming to have been unjustly accused of terrorism.

## RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person. Including Freedom from:

## a. Political Killing

Political killing became a significant problem in Peru in the early 1980's, following the initiation of armed activities by the Maoist terrorist group Sendero Luminoso. Committed to the overthrow of Peru's democratic system, Sendero targeted the police and the military, local officials, and peasants, sometimes after submitting victims to torture or mock trials.

664

## PERU

Although the bulk of its attacks occurred in the remote mountain region of Ayacucho, Sendero also operated in other rural and urban areas, including Lima. During 1985, Sendero carried out several car bombings and a substantial number of machine gun attacks in the capital, often against police officers and military members. In late October, it attacked APRA party offices, killing four civilians, and assassinated a prison director, which served to confirm Sendero's intention to continue to engage in terrorism despite the change in administrations. All legitimate political groups in Peru, including the Marxist Left, have condemned the brutal terrorism of Sendero Luminoso. Two other insurgent groups, the Tupac Amaru Revolutionary Movement (MRTA), an unrelated Castroite, urban-oriented group whose leaders reportedly have been tied to Cuba and Nicaragua, and its offshoot the People's Revolutionary Command (CRP), were active in Peru in 1985, causing disruption and damaging property, but apparently causing no fatalities.

Beginning in January 1985, when the armed forces began to concentrate their counterterrorist effort in certain areas of the country, terrorist casualties mounted, but increasing numbers of innocent civilians died as well. Total deaths related to antiterrorist operations of the security forces are estimated by human rights groups as being in the thousands for 1980-85, including about 200 military and police personnel. Precise information is lacking on the number of civilian victims and their identities (terrorist or non-terrorist) as well as the identity of their assailants (terrorists, security forces, or peasant self-defense forces). Until September 1985 the Government did not issue communiqués on clashes with terrorists in the emergency zones, and the threat of violence discouraged private observers from traveling in rural areas. Some allegations of government abuses appeared to be politically motivated, and the picture is further obscured by narcotics-related violence in the Tingo Maria area, as well as traditional peasant inter-communal conflicts, which may have increased in recent years. Nevertheless, Peruvian and foreign human rights groups believe that the security forces may have summarily executed a significant number of terrorists and suspected terrorists as it fought Sendero. Observers believe that the number of extrajudicial killings involving the security forces has declined significantly since early 1985, possibly in response to international and domestic pressure. However, foreign and domestic groups remained concerned about deaths caused by peasant self-defense forces. Membership in those forces was alleged to be involuntary in some cases.

In his July inaugural address, President Garcia rejected the use of illegal methods to fight terrorism. He reacted quickly when in September the media reported the discovery of seven bodies in an unmarked grave in Pucayacu (the scene of other mass graves discovered in 1984) and the deaths of as many as 69 peasants in the village of Llocllapampa, in the Accomarca district. Both locations are in the Ayacucho Emergency Zone, under military control. The Government ordered the military to investigate and report within a week. These reports revealed that three military members and a driver were responsible for the killings of seven persons in August at Pucayacu, and that an Army sublieutenant and three other officers were responsible for the Accomarca massacre of some 25 to 69 peasants. A separate investigation by the Senate Human Rights Commission supported these conclusions. In response, the President forced the resignation of the Head of the Armed Forces Joint Command and relieved of their command

BEST COPY AVAILABLE



665

PERU

two generals who had direct responsibility for the Ayacucho Emergency Zone. The President and senior military officials subsequently made numerous statements demanding an end to extrajudicial killings and announced a revision of counterterrorist strategy. The eight implicated individuals have been charged in both the military and the civilian court systems; the Supreme Court is to decide final jurisdiction. Local human rights groups applauded the Government's steps, but called for investigations into earlier cases of reported killings, and for assurances that alleged offenders would be tried in civilian courts.

The deaths of 30 terrorists in October during a police search of Lurigancho Prison led to additional allegations of extrajudicial killings. However, the Government offered persuasive evidence that other prisoners had caused the fire that killed 26 of the 30 inmates who died, and that police had not abused their authority.

In another case, the Chamber of Deputies Human Rights Commission confirmed the finding of a mass grave with 15 bodies including 7 children in the town of Bellavista. According to campesinos, the killing took place on September 3 by military men. Reportedly there are other graves in the area still not dug up. Further, according to newspaper reports, other mass graves had been discovered in the town of Huacar containing bodies of people who had previously been arrested by security forces.

As part of its antiterrorist campaign, the Government has made clear its desire to incorporate insurgents into democratic society, if they renounce violence. In September, the Government created a Peace Commission, composed of six private citizens, with a mandate to study dialogue with the terrorists and the possibility of amnesty. Sendero has rejected dialogue to date and the Commission had by the end of the year made little headway. Some commissioners complained they were not receiving sufficient government support. In October the Government announced that two groups comprised of over 150 Sendero terrorists and peasant support members had turned themselves over to the authorities and had sought their protection.

## b. Disappearance

Domestic and international human rights groups have expressed serious concern about disappearances allegedly carried out by the security forces. Working with local human rights groups, Amnesty International presented a list of about 1,100 disappearance cases to the Government in early 1985. Local groups submitted about 500 of these cases with fuller documentation in June to the United Nations Human Rights Commission Working Group on Forced or Involuntary Disappearances. According to these groups, about 180 additional disappearances occurred between January and August, a figure which reflected a significant decrease in the number of new reports of disappearance cases. The Belaunde Government admitted some excesses had occurred, but claimed that the number of disappearance cases was exaggerated and indicated that it would submit evidence to back these claims to the United Nations Human Rights Commission.

Almost all of the disappearances are alleged to have been carried out by the military or the police, generally in the Ayacucho Emergency Zone. Peruvian human rights groups believe

BEST COPY AVAILABLE

666

PERU

that victims frequently are detained in military installations. Although some individuals eventually are freed or legally detained, most remain unaccounted for. The fact that the seven persons killed by the security forces in Pucayacu had all been detained immediately prior to their deaths has been cited by human rights groups as evidence that disappearances continued to be a problem, notwithstanding the overall decline in alleged cases since the beginning of 1985.

c. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits torture and inhumane or humiliating treatment. Nevertheless, charges of security force brutality toward detainees and accused criminals have been commonplace since the military first took control of the emergency zone in December 1982. Although such accusations are frequently difficult to verify, a local prosecutor affirmed that the bodies of the seven Pucayacu victims bore signs of torture. Survivors of the Accomarca killings claim that soldiers raped numerous female victims before killing them. A Senate Commission, however, was unable to prove this allegation. Local human rights groups and criminal lawyers generally concur privately that police frequently engage in abusive practices toward accused persons, such as beatings. Prison conditions in Peru are extremely poor, and detained persons are likely to encounter limited hygienic facilities, poor nutrition, ill-treatment by prison staff, and abuses by other prisoners who take advantage of lax prison supervision. The Garcia administration has expressed outrage over these conditions and has acknowledged the need to improve them, particularly conditions of dangerous and violent criminals (including terrorists) and female prisoners (whose minor children frequently live with them in prison). The Government has also initiated a major anti-corruption drive to end abusive practices, including the dismissal of 369 police officers.

d. Arbitrary Arrest, Detention, or Exile

The Constitution requires that persons arrested be arraigned within 24 hours, except in cases of alleged drug trafficking, terrorism, or espionage, for which the limit is 15 days. Arraignment normally occurs in a timely manner. Arrested persons are entitled to have an attorney present when they make statements to the police. Public prosecutors (from the Public Ministry) customarily are also present during such statements, and they are supposed to ensure that statements are not made under threat or coercion. Human rights groups continue to express concern that these safeguards are not always respected by authorities in terrorism cases in areas under a state of emergency.

Though not mentioned specifically in the Constitution, habeas corpus is a concept in Peruvian law supported by the Constitution and respected in practice. However, the state of emergency permits authorities to detain individuals indefinitely in those areas in which it is in effect. Local human rights groups claim that security forces in the Ayacucho Emergency Zone frequently detain citizens arbitrarily for brief periods, but the groups lack overall statistics on the number of such incidents. Although bail is available in most cases, in practice the Government successfully seeks to deny it to persons accused of terrorism.

BEST COPY AVAILABLE

667

PERU

The Constitution prohibits compulsory labor or unpaid personal service.

## e. Denial of Fair Public Trial

The Peruvian judiciary is an independent branch of government. Judicial appointments are for life; only Supreme Court justices require legislative approval. The legal system is based on the Napoleonic Code. Once criminal charges are filed, a judge determines whether probable cause exists. The next step is a judicial hearing process that may last up to five months, followed by a public trial. Sentences may be appealed, and courts may send cases back to lower courts for additional investigations. Although public defenders exist, their numbers are inadequate; most defendants must pay for legal counsel or depend upon pro bono lawyers, including some provided by Peru's human rights organizations. For security reasons, all terrorism trials are held in Lima; most persons accused of terrorism are held without bail in Lima prisons.

The courts face severe backlogs, the product of the sharp increase in cases of alleged terrorism, inefficiency, and, according to some observers, influence peddling. According to the Government, 17,000 of Peru's 22,000 prisoners have not been sentenced and remain at some stage in the trial process. Local human rights groups have documented numerous cases of persons who have been detained, without bail, awaiting trial for periods up to four years. In September the Government dispatched 100 additional prosecutors to a Lima prison in order to reduce this backlog. Terrorists reportedly have threatened judges handling terrorism cases and in October took one hostage for eleven hours.

Throughout 1985, Marxist opposition parties denounced the detention of between 150 and 300 alleged political prisoners. The opposition maintained that most of these persons had not committed violent crimes, but rather had been accused under the broad antiterrorism statute to punish them for carrying out legitimate political or labor union activity. Both the Belaunde and Garcia administrations have denied the existence of such political prisoners. In his July inaugural address, President Garcia recognized that some persons might have been arrested unjustly, and called upon the executive and judicial branches to address the problem. In September the President announced the formation of the Peace Commission, one of whose duties is to study individual cases and recommend presidential pardons where merited. Several dozen alleged political prisoners reportedly have been freed since July; about 150 remain in jail.

The Constitution requires that civilians be tried in civilian courts. A separate military court system exists for military offenders. There is wide disagreement over the conditions under which military members can be tried in the civilian court system.

## f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution stipulates that police require a judicial warrant to enter a private dwelling, which is generally respected in practice. The requirement for a warrant is suspended in areas under a state of emergency, and security forces in those areas routinely conduct searches of private homes without a warrant.

NO COPY AVAILABLE

668

PERU

## Section 2 Respect for Civil Rights, Including:

## a. Freedom of Speech and Press

The Constitution guarantees freedom of speech and the press, and these rights are honored in practice. The media reflect viewpoints across the political spectrum and frequently criticize the Government. Neither the Belaunde nor the Garcia administration has sought to censor the media. In October the Government annulled the law of disrespect (Ley de Desacato) under which some journalists had been charged in previous years. Journalists are not required to belong to a professional association. In addition to the numerous privately owned media outlets, the Government owns two newspapers, two television and radio networks, and a news service.

The declaration of a state of emergency does not affect freedom of speech and press. However, legal restrictions on travel, as well as the threat of terrorist violence, have restricted journalists' work in the emergency zones. Two journalists were killed during 1983, one by an unidentified assailant and one by a police officer; motives for both killings were unclear.

## b. Freedom of Peaceful Assembly and Association

These rights are expressly guaranteed in the Constitution and are normally respected in practice. Municipal authorities are usually forthcoming in approving 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 in those areas under a state of emergency.

The Constitution guarantees private workers the right to organize, to bargain collectively, and to strike. Unions are required to engage in direct negotiation and to seek conciliation (at the Ministry of Labor) prior to any strike action. Public sector workers (except for the armed forces and high officials) have similar rights. In practice, all workers organize and strike freely.

According to the Government, 17.5 percent of the work force is organized. Total membership in Communist and other far left unions is larger than that in democratically-oriented unions. Unions generally are not formally linked with political parties, but important national confederations are identified with particular political tendencies, ranging from the far left to the government party. Union leaders are consulted regularly by the government. 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 (ILO).

The Committee on Freedom of Association of the ILO has criticized the Government for failing, despite numerous requests, to respond to charges that arrests and violent deaths occurred during a general strike in 1983.

## c. Freedom of Religion

The Roman Catholic faith is overwhelmingly predominant in Peru, and the Constitution formally recognizes the Church's importance. The Constitution also establishes the

BEST COPY AVAILABLE

669

PERU

independence of church and state and guarantees freedom of religion and conscience. These rights are respected fully in practice. 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.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution guarantees the right of free movement and prohibits the exile of citizens. There are no political or legal constraints on foreign travel or emigration. Freedom of movement is suspended in those areas governed by a state of emergency.

Peru is a signatory of the 1967 United Nations Protocol on the Status of Refugees. Persons fleeing turmoil in other countries traditionally have been encouraged to return eventually to their country of origin, but have not been forced to do so. Involuntary repatriation occurs only in the cases of persons accused of nonpolitical crimes.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Peru is a democracy governed by a freely elected President and Congress. The political process is completely open and is vigorously contested by groups ranging from conservative to Marxist. Suffrage is universal for persons over 18 years old (except for members of the military). In April 1985 Peru had free and fair elections for a president, two vice-presidents, and 240 members of the two houses of Congress. In July the incumbent administration (whose Popular Action party was defeated in the elections) turned power over to the rival American Popular Revolutionary Alliance Party (APRA), marking the first transfer of power between democratically elected presidents in 40 years. The current president's party has a majority in the congress.

Leadership of the various parties tends to be dominated by the urban elite, whose educational, financial, and communications resources give them advantages over rural-based elements. Indians and the small black community remain underrepresented at top levels of all governmental institutions and professional associations. The new Government has made it a top priority to increase the flow of resources and attention to the poor, largely Indian, rural areas.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Amnesty International and Americas Watch expressed serious concern during 1985 about extrajudicial killings, disappearances, torture, and arbitrary detention in Peru. The Belaunde administration reluctantly admitted that unauthorized excesses had occurred in the course of the antiterrorism campaign in isolated cases but continued to dispute the veracity of complaints made by these groups, as well as by domestic human rights groups. The Government claimed that the vast majority of the 1,100 disappearance cases presented by Amnesty International involved persons who had been legally detained, or involved fictitious persons. The Government

NOT COPY AVAILABLE

670

PERU

facilitated working visits to Peru by the United Nations Human Rights Commission's Working Group on Forced Disappearances in June, and by an international group in July that included Nobel Prize winner Adolfo Perez Esquivel.

The new Garcia administration has welcomed investigations by domestic or foreign groups in human rights. A recent editorial in the government-owned daily La Cronica lauded Amnesty International and its 1985 World Report. The newly established Senate Human Rights Commission played a major role in the investigation of the Pucayacu and Accomarca killings. While voicing concern about the human rights situation, local human rights groups have reacted favorably to the new Government's approach and believe they have much better access to officials than before.

A number of human rights groups exist in Peru. In January, 1985, thirteen groups formed the National Coordinator of Human Rights. The three largest groups are the Association for Human Rights (APRODEH), formed in 1983; the Evangelical Commission for Social Action (CEAS), a Catholic church group; and the National Commission of Human Rights (CONADEH), formed in 1980. Lima is also the headquarters of the Regional Andean Commission of Jurists. In September the Government formed a Peace Commission composed of private citizens, including a member of the Catholic Church hierarchy. It was charged with seeking a dialogue with terrorists, with a view to reincorporating the latter into democratic society. It was also to have begun to study pardons for persons who are allegedly unjustly accused of terrorism.

Although local groups remained concerned about the human rights situation, they acknowledged that the new Government had carried out unprecedented steps to assert its constitutionally mandated authority over the military and to address human rights violations.

Freedom House rates Peru "free."

ECONOMIC, SOCIAL, AND CULTURAL SITUATION

Peru's population was estimated at 19.7 million in 1985, growing at an annual rate of 2.6 percent. Per capita gro was calculated at \$1,040 in 1983, down from \$1,254 in 1982.

Composed of several 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 one-third 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. Development efforts have been impeded by the difficulty and cost of providing services to areas remote from the mainstream of the dominant hispanicized culture and the centers of economic activity. 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 mixed or pure Indian heritage.

Natural disasters and low commodity prices have had a negative impact on Peru's economy. The new Government has implemented a wage and price freeze and has promised an austerity budget, with important consequences for Peru's economic future. The Government has also promised that assistance to the distressed

**BEST COPY AVAILABLE**

671

PERU

agricultural sector will be one of its top priorities. During the latter half of 1985, inflation dropped from an annualized rate of about 200 percent to between 43 and 51 percent. About 60 percent of the labor force is either unemployed or underemployed. Foreign debt in 1985 reached \$13.5 billion. Peru received an estimated \$800 million annually in foreign assistance during 1983-1985. The new Government changed the previous policy of carrying out frequent mini-devaluations and has maintained a stable foreign exchange rate.

Life expectancy at birth is 58 years, with an infant mortality rate of 96 per thousand. The literacy rate is 72 percent. Some 84 percent of children between the ages of 6 and 14 are enrolled in school. Fifty-one percent of the population have access to safe water and 70 percent have access to some type of health care. Figures for 1977 indicate that 49 percent of the urban population was below the absolute poverty level; although statistics on rural poverty are unavailable, the situation in those areas probably is worse.

Peruvian law prohibits the employment of children under 14, but it allows the employment of older children who are literate. Although minimum-age legislation generally is enforced in all sectors of the official economic system, chronic social problems lead many destitute children to seek a living on the streets. The present administration has launched a campaign to protect these minors.

Employers are required by law to pay workers the minimum wage. Ministry of Labor inspectors are charged with enforcing compliance with workplace safety and health regulations. Both public and private sector employees are covered under the state-run Social Security Institute health plan. Workers have benefited from an eight-hour workday since 1918, and the official work week is forty hours.

Women represent 26 percent of the Peruvian labor force. In 1984, 61.9 percent of the female workforce was employed in commerce and services, 16.6 percent in the industrial sector and the remaining 19.5 percent in other occupations (mainly as domestics). The average wage of male workers is double that of females. Women are well represented in government and professional occupations, although not as well in large businesses. There are three women in the 60-member Senate, and there are 10 women in the Chamber of Deputies (out of 180). Several women's groups exist in Peru, but the scope of their activities is limited compared with that of human rights groups. The Constitution grants women equality with men, and laws on marriage and divorce do not discriminate against women. Nevertheless, tradition still tends to impede the access of women to leadership roles in major social and political institutions. A similar situation is faced by the rural indigenous population and by Peru's small black community. The former group traditionally has lacked access to public goods and services. The new Government has vowed to increase public resources to the rural poor.

BEST COPY AVAILABLE

672

U.S.OVERSEAS -LOANS AND GRANTS- OBLIGATIONS AND LOAN AUTHORIZATIONS  
(U.S.FISCAL YEARS - MILLIONS OF DOLLARS)

COUNTRY: PERU

	1983	1984	1985	
I.ECON. ASSIST.-TOTAL...	93.4	164.6	79.1	
LOANS.....	48.5	119.0	25.5	
GRANTS.....	44.9	45.6	53.6	
A.AID .....	35.5	118.9	37.9	
LOANS.....	19.5	100.0	0.5	
GRANTS.....	16.0	18.9	37.4	
(SEC.SUPP.ASSIST.)...	0.0	0.0	0.0	
B.FOOD FOR PEACE.....	55.9	42.9	38.8	
LOANS.....	29.0	19.0	25.0	
GRANTS.....	26.9	23.9	13.8	
TITLE I-TOTAL.....	29.0	19.0	25.0	
REPAY. IN \$-LOANS.....	29.0	19.0	25.0	
PAY. IN FOR. CURR.....	0.0	0.0	0.0	
TITLE II-TOTAL.....	26.9	23.9	13.8	
E.RELIEF.EC.DEV & WFP.....	10.6	2.7	4.0	
VOL.RELIEF AGENCY.....	16.3	21.2	9.8	
C.OTHER ECON. ASSIST....	2.0	2.8	2.4	
LOANS.....	0.0	0.0	0.0	
GRANTS.....	2.0	2.8	2.4	
PEACE CORPS.....	0.0	0.0	0.0	
NARCOTICS.....	1.8	2.8	2.4	
OTHER.....	0.2	0.0	0.0	
II.MIL. ASSIST.-TOTAL...	4.6	10.7	8.7	
LOANS.....	4.0	10.0	8.0	
GRANTS.....	0.6	0.7	0.7	
A.MAP GRANTS.....	0.0	0.0	0.0	
B.CREDIT FINANCING.....	4.0	10.0	8.0	
C.INTL MIL.ED.TRNG.....	0.6	0.7	0.7	
D.TRAN-EXCESS STOCK....	0.0	0.0	0.0	
E.OTHER GRANTS.....	0.0	0.0	0.0	
III.TOTAL ECON. & MIL....	98.0	175.3	87.8	
LOANS.....	52.5	129.0	33.5	
GRANTS.....	45.5	46.3	54.3	
OTHER US LOANS.....	26.3	0.3	0.0	
EX-IM BANK LOANS.....	26.3	0.0	0.0	
ALL OTHER.....	0.0	0.3	0.0	
ASSISTANCE FROM INTERNATIONAL AGENCIES				
	1983	1984	1985	1946-85
TOTAL.....	454.1	317.6	72.1	3302.1
IBRD	302.2	122.5	31.0	1677.4
IFC	8.0	9.2	16.8	90.1
IDA	0.0	0.0	0.0	0.0
IDB	142.3	184.8	24.3	1466.7
A08	0.0	0.0	0.0	0.0
AF08	0.0	0.0	0.0	0.0
UNOP	1.6	1.1	0.0	53.3
OTHER-UN	0.0	0.0	0.0	14.6
EEC	0.0	0.0	0.0	0.0

BEST COPY AVAILABLE



