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Peru: Human rights must be central to OAS visit

Greater protection and promotion of all the rights enshrined in the American Convention on Human Rights should be central to the OAS Secretary General's forthcoming visit to Peru in the wake of Presidential elections marred by fraud, Amnesty International said today.

In a letter sent to the OAS Secretary General, César Gaviria Trujillo, the organization expressed concern that human rights have not been a priority during President Fujimori's terms in office.

"During the 90s the state embarked in a judicial reform which, far from strengthening the judicial system, undermined its independence and impartiality, and further weakened the rule of law," the human rights organization said.

Amnesty International's letter outlined some of the organization's concerns on practices which are incompatible with Peru's obligations under the American Convention on Human Rights. These include limitations to the freedom of expression, the lack of political will to break the circle of impunity and the use of military tribunals under the anti-terrorism legislation.

"Journalists and leaders of the opposition are frequently threatened and harassed for exposing human rights violations or expressing criticism of the government. Such intimidation is carried out with the tolerance if not the connivance of the state authorities and the judiciary," the organization noted.

"The anti-terrorism legislation is in breach of Peru's obligations under international law and has led to a series of human rights violations, including the detention of hundreds of innocent people under false terrorism charges," Amnesty International added.

"In particular, legislation allowing civilians to be tried in military courts for the terrorism-related offence of 'treason' should be amended as the independence and impartiality of such courts is seriously in doubt," the organization continued.

Many victims of grave human rights violations committed between 1980 and 1995 have not been granted the right to obtain justice and compensation as a result of the 1995 amnesty laws which shelter members of the security forces involved in such violations. Amnesty International is calling on the Peruvian authorities to annul these laws.

In the letter the organization also criticizes Peru's decision to withdraw from the jurisdiction of the Inter-American Court of Human Rights, which effectively denies human rights abuse victims any redress before an international court of law.

Finally, Amnesty International calls upon the OAS Secretary General to support the legitimate activities of human rights defenders and to repudiate any act of intimidation or harassment against them.

"If Peru is to be a truly democratic country then the rights enshrined in international human rights standards need to be fully upheld," the organization concluded.

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