

PUBLIC

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Cruel, inhuman or degrading treatment
or punishment

23 December 1998

PERU Lori Helene Berenson (f)

Lori Helene Berenson, 29, a US citizen, has been in solitary confinement for over two and a half months. Prolonged solitary confinement can cause severe and lasting physical and psychological damage, and Amnesty International is concerned that this amounts to cruel, inhuman or degrading treatment or punishment.

Lori Berenson was convicted of the terrorism-related crime of treason and sentenced to life imprisonment by a Peruvian military court in January 1996, for her alleged links to the armed opposition group *Movimiento Revolucionario Túpac Amaru* (MRTA), Túpac Amaru Revolutionary Party.

She was transferred from the *Penal de Máxima Seguridad de Yanamayo*, Yanamayo Maximum Security Prison, to Socabaya Prison, on 7 October 1998, ostensibly because of her poor health. Since then she has been in solitary confinement, in "dark silence" from 6pm to 6am.

In a letter to Amnesty International her parents say: "Her day is spent in an almost completely silent environment. Her cell is in a separate wing of the prison and she is unable to hear or see anyone else. Her only communication is with the guard who brings her food and water and takes her to a courtyard for one hour of isolated outdoor activity. She is permitted no access to telephone, radio, TV, or any item, either electric or battery operated. She is not permitted newspapers or political magazines. She is cut off from the world. She said that she spends the day in her cold concrete cell singing so she can hear another human voice, albeit her own."

BACKGROUND INFORMATION

Since new legislation was introduced in 1992, Amnesty International has been concerned at the conditions endured by prisoners accused of terrorism-related offences. For example, in September 1998 an Amnesty International delegation visited Chorrillos high security women's prison, in Lima, where they saw that prisoners from the MRTA and the *Partido Comunista del Perú (Sendero Luminoso)* (PCP), Communist Party of Peru (Shining Path), were only able to talk to family visitors through a metal grille, through which it was difficult to hear or see.

Amnesty International believes that the Peruvian authorities are inflicting cruel, inhuman and degrading punishment on PCP and MRTA prisoners. There is evidence that PCP and MRTA prisoners who refuse to renounce their ideas are being systematically denied rewards for "good behaviour" (which includes renouncing their political beliefs). These rewards include extra time in the prison yard and physical contact with visitors.

Amnesty International considers that under the 1992 anti-terrorism legislation Lori Berenson did not receive a fair trial. The organisation has repeatedly called on the Peruvian authorities to bring this legislation into line with international standards on fair trial.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Spanish or your own language:

- expressing concern that Lori Berenson has been in solitary confinement since 7 October 1998 in Socabaya Prison, which amounts to cruel, inhuman or degrading treatment or punishment;
- urging that Lori Berenson's total isolation be brought to an end immediately;
- reminding the Government of Peru of its commitment to the Universal Declaration of Human Rights, in particular Article 5: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

APPEALS TO:

Minister of Justice

Dr. Alfredo Quispe Correa
Ministro de Justicia
Ministerio de Justicia
Scipión Llona 350
Lima 18, PERU

Telegrams: Minister Justice, Lima, Peru

Faxes: + 511 422 3577

Salutation: Dear Minister/Sr. Ministro

President of the National Penitentiary Institute

General PNP Juan Nakandakari Kanashiro
Presidente del Consejo Penitenciario
Instituto Nacional Penitenciario
Jr. Carabaya 456
Lima 1, PERU

Faxes: + 511 427 0624

Salutation: Dear President / Sr. Presidente

Prison Governor

Sr. Director
Establecimiento Penal de Socabaya
Arequipa
PERU

Telegrams: Prison Governor, Socabaya, Arequipa, Peru

Salutation: Dear Governor/Sr. Director

COPIES TO:

Human Rights Organization

Coordinadora Nacional de Derechos Humanos
CNDDHH
Jr. Túpac Amaru 2467
Lince
Lima 14, PERU

and to diplomatic representatives of Peru accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 2 February 1999.

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment"

Article 5, Universal Declaration of Human Rights

Visit the Amnesty International UDHR campaign website on <http://www.amnesty.excite.com>