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Excmo. Ing. Alberto Fujimori Fujimori
Presidente de la República
Palacio de Gobierno
Lima, Perú

Dear Mr. President:

The American Bar Association (ABA), with over 391,000 members of the legal community, strongly supports fundamental human rights and the rule of law worldwide. Our concern focuses on an independent judiciary that is free from undue political influence and that respects the independence of lawyers, judges and human rights advocates in order to maintain internationally recognized standards of fairness and justice. These principles are embodied in the most recent "Rule of Law Resolution" adopted by the ABA House of Delegates in August 1997.

In keeping with this "Rule of Law Resolution," we are deeply concerned by reports that the Peruvian government is engaging in political persecution. Specifically, by reports that the government plotted against the life of human rights lawyer Heriberto Benitez who represented former National Intelligence Agent Sra. Leonor La Rosa. Moreover, the State National Tax Administration has routinely audited the businesses of its critics in order to later threaten them with tax evasion prosecution. According to reports, the main target was Baruch Ivcher Bronstein, majority owner of Channel 2, a TV station which aired an interview of Ms. La Rosa. She told the station that she was tortured and interrogated because she was suspected of leaking to the press secret army intelligence plans to blow up a TV station and intimidate human rights defenders, including lawyer Heriberto Benitez. Days following the screening, helicopters circled over the TV station, and it also received visits from police investigators gathering information about alleged import tax invasion.

The Bar Associations of Lima and Peru, in the defense of the Rule of Law, have publicly criticized the government for these alleged dictatorial measures. The ABA has been informed that leaders of these groups run a serious personal risk and risk to their families for defending the Rule of Law in Peru.

These allegations, if true, cause serious concerns about the safety and freedom of our Peruvian colleagues and suggest a pattern of harassment of lawyers due to their human rights work. Such harassment clearly would violate international human rights norms, which require governments to ensure that lawyers are free to perform their professional functions without intimidation or improper interference. As a representative of the legal profession, the ABA is compelled to call attention to such injustices wherever they occur. Our sole concern is the maintenance of the rule of law throughout the international community. We agree that preservation of security of the state and public order are responsibilities of any government. Notwithstanding, these concerns cannot justify the alleged harassment of members of our sister bar associations.

We respectfully urge that the Peruvian Government take all measures to ensure the safety of the members of the Bar Association of Lima and of the Bar Association of Peru.

We also respectfully urge that your government promptly investigate the aforementioned alleged incidents and, if verified, bring to justice those responsible.

In view of the upcoming 50th anniversary of the Universal Declaration of Human Rights, it is especially incumbent on the government of Peru to implement the fundamental human rights to which it has subscribed as a member of the United Nations.

Sincerely,

Jerome J. Shestack

cc: The Honorable Madeleine Albright
The Honorable John Shattuck
The Honorable Dennis Jett