



UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL  
E/CN.4/1985/61  
4 March 1985  
ENGLISH  
Original: SPANISH

COMMISSION ON HUMAN RIGHTS  
Forty-first session  
Agenda item 10 (b)

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY  
FORM OF DETENTION OR IMPRISONMENT

QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES

Letter dated 28 February 1985 from the Permanent Representative of Peru  
to the United Nations Office at Geneva addressed to the Chairman of the  
Commission on Human Rights

I have the honour to transmit herewith the text of the statement issued on 22 February 1985 by the President of the Council of Ministers and Minister for Foreign Affairs of Peru, Dr. Luis Pércovich Roca, to the information media in Lima in connection with the report by Amnesty International which is entitled "Peru, documents series" and was published in January 1985 on alleged disappearances of persons in my country.

I should nevertheless point out that, prior to the above-mentioned statement by the Government of Peru and the publication that prompted it, Amnesty International recognized, in the statement it made to the Commission on Human Rights on 25 February 1985, that the members of Sendero Luminoso form a group which carries out terrorist activities, but it did not describe them as guerrillas.

I would be grateful to you for making the necessary arrangements to have the text of the attached statement, as well as the text of this letter, published and circulated as official documents of the forty-first session of the Commission on Human Rights.

(Signed) Nicolás de Piérola  
Representative of Peru to  
the Commission on Human Rights

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Annex

TEXT OF THE STATEMENT ISSUED BY THE GOVERNMENT OF PERU  
ON 22 FEBRUARY 1985 IN CONNECTION WITH THE REPORT BY  
AMNESTY INTERNATIONAL

With regard to the recent Amnesty International report on alleged disappearances in our country, the Government wishes to make the following general comments and to report on the results of the preliminary investigations being conducted in this regard:

1. The report uses the term "guerrillas" to refer to the members of Sendero Luminoso - a characterization that is denied them by other human rights organizations, which describe them as "terrorists". The Working Group on Enforced or Involuntary Disappearances of the United Nations Commission on Human Rights has described Sendero Luminoso as "a dogmatic and fanatical organization which indulged in terrorist practices and had unleashed a cycle of violence, massacring entire peasant communities".
2. Amnesty International states that one of its objectives is to work towards the release of persons detained by reason of their beliefs, colour, sex, ethnic origin, language or religion, provided that they have not used or advocated violence. These are so-called "prisoners of conscience". It is obvious that the terms used by that organization to describe such prisoners are inaccurate and ambiguous. Since it is public knowledge that such detainees have practiced terrorism or have been involved in acts of violence, it is strange that attempts are being made to deny the fact that Sendero Luminoso uses and advocates violence.
3. Of the 1,005 persons who have allegedly disappeared, only 42 per cent are included in the old Electoral Register, while 579 (58 per cent) were not registered and it is therefore extremely difficult to try to find them. The possibility that many of the names referred to by Amnesty International are not authentic cannot be ruled out. The very high proportion of persons without papers is not typical of the general situation in the country, where about 96 per cent of the population is registered in the Electoral Register. The electoral card is available to and compulsory for all persons over 18 years of age, whether or not they know how to read and write.
4. The list prepared by Amnesty International contains nine names which are repeated as if they involved different cases.
5. Several of the persons referred to in the report have more than one electoral card and this may be an indication of criminal intent.
6. During the investigation of the new Electoral Register, it was found that 23 persons who were said by Amnesty International to have disappeared had registered again after the date of their alleged disappearance. This constitutes irrefutable proof of the existence of these persons, who have appeared following the alleged disappearances reported by Amnesty International, since, in order to obtain an electoral card, the individual concerned has to appear in person at the Electoral Register, sign the new membership form and place his fingerprint on it. This investigation, which is in its initial phase, has not been concluded because the alphabetical index of the new Electoral Register has not yet been completed.

7. The Huamanga Prosecutor's Department has, as part of the investigations it has been conducting, found seven of the persons referred to in the Amnesty International list.

8. In the exercise of its legal authority, the Government is forced to take measures to halt terrorist activities. In some cases, excesses may have been committed by law enforcement officials. Accordingly, the Government of Peru, which is opposed to arbitrary repression, has reacted in accordance with its unswerving policy of protecting and guaranteeing respect for and the observance of human rights by ordering the investigations that are being conducted and placing the accused at the disposal of the judicial power.

This preliminary evaluation will enable public opinion to have the facts it needs in order to make its own assessment of the report by Amnesty International.

Lima, 22 February 1985