

February 4, 1999

# Alberto Fujimori Comes to Washington: Welcome Mr. President

- *Another example of Washington glad-handing one of Latin America's most odious, autocratic and power-hungry leaders.*
- *When President Fujimori, whose popularity has bottomed-out amongst most Peruvians (who give him scarcely a 20 percent approval rating in the polls) comes to town today to meet with President Clinton, he will be stressing the importance of his agreement with the Ecuadorian president (who will accompany him) to end the two countries' long and contentious border dispute. But he also will have on his mind the wooing of the IDB and World Bank officials, as well as members of Congress, from whom he hopes to obtain financial support for his sagging economy. Certainly not on his agenda will be the fate of U.S. citizen Lori Berenson who continues to waste away in one of Fujimori's prison facilities high up in the Andes, in which she was just forced to serve 115 days in solitary confinement. After three years and countless human rights violations authored by the Fujimori regime, she remains "guilty" of a crime she has not even been given a right to fairly contest.*
- *After Berenson was moved from Peru's harshest prison located in the Andes at an altitude of 12,700 feet, to one located at 7,600 feet, the Clinton Administration has engaged in reassuring dialogue in Berenson's defense but, in reality, appears to be unwilling to go to bat for her elemental rights.*
- *The time has come for Clinton to use one-tenth of the energy he expends in his impeachment defense to obtain justice for Lori Berenson.*

## Fujimori the Hard-Hearted

Alberto Fujimori, his nation's prince of darkness and arguably the most odious contemporary leader in all of Latin America, has presided over a democratization process that has gone way off course. While in office, he has displayed a personal conduct that is more akin to exposing a personal pathological psychology than high-minded leadership. He now must be told by President Clinton when they meet today that the U.S. will not go out of its way to back Lima's request for stand-by funds from international leading agencies as long as one of its citizens is being grossly mistreated by that country's authorities. The centerpiece of Fujimori's visit must not be Peru's rapidly failing economy, nor the salubrious settlement of the Peru-Ecuador border dispute, valuable as was that step. Rather, the White House's attention must be riveted on the case of Lori Berenson, a U.S.-born national.

A free-lance journalist at the time, Berenson was living in Lima when she was apprehended by Peruvian authorities on Nov. 30, 1995, as she rode a bus downtown. Upon her detention, Fujimori's aides accused her of being an above-ground front for the Tupac Amaru Revolutionary Movement (MRTA), a left-wing guerrilla group. Within weeks, she was tried by a military court, which implicated her in an attack allegedly being planned on the Congress (ironically, Fujimori himself used tanks to close down the national legislature in his April 1992 *autogolpe*). The military tribunal that tried Berenson's case was

hooded and anonymous, without any writ of habeas corpus being accorded to the defendant. The judge, usually a retired military officer (who rarely had even a day of legal training), sat concealed behind mirrored glass. Her lawyer was not allowed to cross-examine prosecution witnesses, and was given only two hours before the case began to review over 2,000 pages of "evidence" compiled against her.

Within a matter of hours, she was convicted of treason (though she is not a Peruvian citizen) and given a life sentence. The spectacularly grotesque legal system instituted by Fujimori was so controversial that he was forced to eventually terminate it as a result of worldwide criticism. It was characteristic of his utter contempt for the democratic process in his country that, despite Peru being a signatory of such major human-rights documents as the UN Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the American Declaration on the Rights of Man and the American Convention on Human Rights, he has acted in utter disregard of the country's international obligations.

In reviewing the record of the military courts which he established to rid the country of terrorist activity, the president himself has acknowledged that many of the thousands of Peruvians that the military had jailed for life terms (with only a minority even being afforded the luxury of a trial) may have been entirely innocent. The government tacitly admitted as much last year when it freed 400 innocent citizens jailed by military tribunals. Meanwhile, the Peruvian military, with total impunity, committed thousands of acts of murder, torture and drug trafficking, which Fujimori could be counted on to always faithfully cover up.

### **Peru: Bucking the Democratization Trend**

In contrast to some of its hemispheric neighbors, who are making at least marginal progress toward establishing authentic democracies, Fujimori's Peru remains a bastion of a *caudillismo* more reminiscent of the 19th century than the 21st. Since closing down the Congress in 1992 – for which Peru's membership in the OAS was later suspended – and rewriting the nation's constitution into a praetorian document, Fujimori continues to rule over a custom-tailored autocracy with a rubber-stamp congress, and, at this moment, plans to run for reelection in 2000, after 10 years in power.

But even though he has manipulated the courts (discharging constitutional judges who had ruled against his eligibility for reelection), which the U.S. embassy was moved to protest (to Fujimori's sneers), and has presided over a country with one of the worst human rights records in the hemisphere, the White House, with its Disneyesque comprehension of Latin America, will surely greet him as a paladin of democracy. This is what it did a number of days ago when it hosted the head of the hemisphere's most scandal-ridden government, President Carlos Menem. Despite Fujimori's claim that the controversial emergency measures that he imposed are still needed to fight terrorism, the threat of guerrilla-bred violence in the country has decreased dramatically in the last two years. The 1992 capture of Shining Path leader Abimael Guzman, weakened that terrorist group enormously, as did the 1995 arrest of MRTA leader Miguel Rincon. Nonetheless, under strict anti-terrorism measures enacted in 1996, civil liberties remain almost non-existent in Fujimori's Peru.

With polls indicating that Fujimori's popularity rating is hovering around an all-time low of 20 percent, and with the value of the *sol* plummeting, as is the country's standard of living (after two years of decline, wages last year grew by 0.4 percent, but consumer prices jumped 8.6 percent, continuing a trend of costs strongly outstripping wages that has plagued the Fujimori regime), his economic model is disintegrating nearly as fast as his already scant interest in civil liberties.

### **Fujimori's Gethsemane**

While the State Department has resorted to the flimsy argument that any threat to curtail U.S. aid to Peru over the Berenson case will only heighten negative public opinion about her (and thus strengthen Fujimori's resolve), it is Fujimori who has gone to great distances to drum up such domestic anti-Berenson sentiment. Even as Fujimori arrives in Washington to ask for U.S. support for bailout funds to salvage his mauled economy, he continues, for domestic consumption, to hold up his conduct toward the Berenson case as an "example" to his own people as well as the rest of Latin America, of his macho defiance of Washington's wishes. Of course, his real purpose is to tacitly warn Peruvians to shun any form of dissension or risk peril. He repeatedly has shown Berenson's picture on television or made references to her, to demonstrate his political pluck. In doing this, he is dissembling to his own people about his real motivation, which is to frighten them into deferring completely to his autocratic rule. U.S. Ambassador Dennis Jett has even publicly accused Fujimori of singling out Berenson for punishment, simply because she is an American.

### **Lori Ranks Below Monica**

Throughout the miscarriage of justice involving the Berenson case, the U. S. government has remained passive, acting more as spectator than participant. The U.S. president, Madeline Albright, and the State Department sporadically show pro forma concern for Berenson (at a private meeting with Fujimori several years ago, Clinton did ask him to see to it that Berenson be given a fair trial before a civilian judge, to which Fujimori gave short shrift). In fact, they have done little to advance this professed concern. Last year's response by Albright to a December 1997 letter protesting Fujimori's treatment of Berenson which was signed by 180 House members and 55 senators, was tepid at best and contained misinformation, including the erroneous statement that Berenson's best hope for freedom was through the far-from impartial Peruvian Ad Hoc Pardon Commission.

But an appeal to the commission – notorious for being a heavily politicized forum, crammed with Fujimoristas – would require that her present appeal to the OAS on human rights grounds would have to be dropped. Though the commission is not supposed to be subject to political pressure, Fujimori has refused a number of its recommendations. The State Department's muffled stand on the fate of this U.S. citizen suggests that it would rather focus on its anti-narcotrafficking relationship with Lima's prima donna political leader, than the denial of basic human rights to a U.S. citizen who had never received a fair trial.

### **A Call to Presidential Action**

There is no doubt that Fujimori has singled out Lori Berenson for "special treatment," but, in this instance, it is not a matter of taking the reprehensible form of a dependent state genuflecting before the Imperium. Rather, this special treatment appears as the unusually harsh punishment accorded to her so that Fujimori can show that he is "one tough cookie." Originally, her "life" sentence differed from the lesser terms handed down on Peruvian nationals who had committed the same crime with which she was charged. Second, in contrast to a number of those found guilty who had been imprisoned in relatively habitable facilities, Berenson was sent to Yanamayo, a dreaded Andean prison located nearly 13,000 feet above sea level. And unlike other prisoners, her case was never adequately reviewed and she was accorded the unique punishment of solitary confinement for 115 days after she had been moved to another prison last October.

Washington publicly has declared a "zero tolerance" policy for terrorists who assault American citizens abroad. In such cases, Secretary Albright repeatedly has called for swift military retaliation against those who do harm to Americans living or traveling in a foreign country. That such a policy does not also extend to a vicious repressive government that offers no semblance of justice or due process to an American citizen is preposterous. It is not a matter of big power chauvinism or arrogance for President

Clinton to make Fujimori aware that with the Peruvian economy ailing and with Fujimori's popularity at an all-time low in his own country, that the U.S. leader is definitely linking Fujimori's urgent need for economic aid (Peru's presidential elections are just a year away) with Berenson's urgent need for justice. President Clinton's leverage has never been greater; nor his hemispheric standing lower. The time for him to act is now. This young woman must not be allowed to suffer anymore. Nor must her fate be left to any misguided notion that Fujimori has any sense of gallantry. That grievous lack was indicted when he authorized the gunning down of two teen-age girls who were participants in the 1997 guerrilla takeover of the Japanese embassy in Lima, who were killed by Fujimori's swat team, upon his specific instruction, after they had surrendered.