

106TH CONGRESS
1ST SESSION

S. RES. 209

Expressing concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 1999

Mr. HELMS (for himself, Mr. LEAHY, Mr. COVERDELL, Mr. DODD, Mr. DEWINE, and Mr. JEFFORDS) submitted the following resolution; which was referred to the Committee on Foreign Relations

NOVEMBER 3, 1999

Reported by Mr. HELMS, without amendment

NOVEMBER 8, 1999

Considered and agreed to

RESOLUTION

Expressing concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru.

Whereas the independence of Peru's legislative and judicial branches has been brought into question by the May 29, 1997, dismissal of 3 Constitutional Tribunal magistrates;

Whereas Peru's National Council of Magistrates and the National Election Board have been manipulated by President Alberto Fujimori and his allies so he can seek a third term in office;

Whereas the Department of State's Country Report on Human Rights Practices for 1998, dated February 26, 1999, concludes, with respect to Peru, that "government intelligence agents allegedly orchestrated a campaign of spurious attacks by the tabloid press against a handful of publishers and investigative journalists in the strongly pro-opposition daily La Republica and the other print outlets and electronic media";

Whereas the Department of State's Country Report on Human Rights Practices for 1997, dated January 30, 1998, states that Channel 2 television station reporters in Peru "revealed torture by Army Intelligence Service Officers" and "the systematic wiretapping of journalists, government officials, and opposition politicians";

Whereas on July 13, 1997, Peruvian immigration authorities revoked the Peruvian citizenship of Baruch Ivcher, the Israeli-born owner of the Channel 2 television station; and

Whereas Baruch Ivcher subsequently lost control of Channel 2 under an interpretation of a law that provides that a foreigner may not own a media organization, causing the Department of State's Report on Human Rights Practices for 1998 to report that "threats and harassment continued against Baruch Ivcher and some of his former journalists and administrative staff . . . In September Ivcher and several of his staff involved in his other nonmedia businesses were charged with customs fraud. The Courts sentenced Ivcher in absentia to 12 years imprisonment and his secretary to 3 years in prison. Other persons from his former television station, who resigned in protest in 1997 when the station was taken away, also have had various charges leveled against them and com-

plain of telephone threats and surveillance by persons in unmarked cars”: Now, therefore, be it

1 *Resolved,*

2 **SECTION 1. SENSE OF THE SENATE ON ANTIDEMOCRATIC**
 3 **MEASURES BY THE GOVERNMENT OF PERU.±**

4 It is the sense of the Senate that—

5 (1) the erosion of the independence of judicial
 6 and electoral branches of the Government of Peru
 7 and the blatant intimidation of journalists in Peru
 8 are matters of serious concern to the United States;

9 (2) efforts by any person or political movement
 10 in Peru to undermine that country’s constitutional
 11 order for personal or political gain are inconsistent
 12 with the standard of representative democracy in the
 13 Western Hemisphere;

14 (3) the Government of the United States sup-
 15 ports the effort of the Inter-American Commission
 16 on Human Rights to report on the pattern of threats
 17 to democracy, freedom of the press, and judicial
 18 independence by the Government of Peru; and

19 (4) systematic abuse of the rule of law and
 20 threats to democracy in Peru could undermine the
 21 confidence of foreign investors in, as well as the
 22 creditworthiness of, Peru.

1 **SEC. 2. TRANSMITTAL OF RESOLUTION.**

2 The Secretary of the Senate shall transmit a copy
3 of this resolution to the Secretary of State with the re-
4 quest that the Secretary further transmit such copy to the
5 Secretary General of the Organization of American States,
6 the President of the Inter-American Development Bank,
7 and the President of the International Bank for Recon-
8 struction and Development.

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