

105TH CONGRESS  
2D SESSION

# H. RES. 609

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

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 1998

Mr. GILMAN (for himself, Mr. HAMILTON, and Mr. LANTOS) submitted the following resolution; which was referred to the Committee on International Relations

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## 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 have been brought into question by the May 29, 1997, dismissal of 3 Constitutional Tribunal magistrates;

Whereas actions related to efforts to authorize President Alberto Fujimori to seek a third term in office have raised questions about the independence of the National Council of Magistrates and the National Election Board in Peru;

Whereas the Department of State's Peru Country Report on Human Rights Practices for 1997, dated January 30, 1998, found that "[i]ncidents of harassment of media

representatives increased to such an extent as to create the perception of an organized campaign of intimidation on the part of the Government, specifically, on the part of the armed forces and intelligence services”;

Whereas the Department of State’s Peru Country Report on Human Rights Practices for 1997 states that Channel 2 television station reporters in Peru “revealed torture by Army Intelligence Service officers; the systematic wire-tapping of journalists, government officials, and opposition politicians; and the income tax return of Vladimiro Montesinos, President Fujimori’s senior intelligence adviser”;

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

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, leading the State Department’s Report on Human Rights Practices to conclude that “the Government’s action in this case was widely interpreted as an attempt to prevent the station from broadcasting any more negative stories about the regime”;

Whereas the Peruvian Government empaneled a special court to prosecute Baruch Ivcher for alleged tax offenses employing judicial procedures described by Peruvian legal experts as completely irregular and as constituting political interference in the independence of the judiciary; and

Whereas the Peruvian Government has issued an INTERPOL warrant for Baruch Ivcher’s arrest and has

initiated investigations aimed at prosecuting members of Baruch Ivcher's immediate family: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2 representatives that—

3           (1) the erosion of the independence of judicial  
4       and electoral branches of the Government of Peru  
5       and the blatant intimidation of journalists in Peru  
6       are matters for concern by the United States; and

7           (2) the United States should seek an independ-  
8       ent investigation and report on threats to press free-  
9       dom and judicial independence in Peru by the Inter-  
10       American Commission on Human Rights of the Or-  
11       ganization of American States.

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