

BARNEY FRANK
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Congress of the United States
House of Representatives
Washington, DC

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January 14, 1998

D. Margaret Drury
Office of the City Clerk
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Ms. Drury:

I received the resolution you transmitted at the request of the City Council regarding the imprisonment of Lori Berenson in Peru. As you know, I have joined many of my colleagues in Congress in efforts to convince the Peruvian government to provide Ms. Berenson with a fair trial without further delay. In addition to signing on to the enclosed letter to Secretary of State Madeleine Albright, my efforts include sending the enclosed letter to President Fujimori, urging him to ensure that Ms. Berenson has the opportunity to present her defense in a civilian court. I will continue to do everything I can to help ensure that Ms. Berenson receives a fair trial.

I thank the City Council for its input on this important issue.

Barney Frank
BARNEY FRANK

BF/ja

Congress of the United States

Washington, DC 20515

November 7, 1997

The Honorable Madeleine K. Albright
Department of State
Washington D.C. 20520

Dear Madam Secretary:

On January 11, 1996, Lori Berenson, an American citizen, was sentenced to life in prison by a secret Peruvian military tribunal in violation of international law. Specifically, she was denied a fair public trial by a competent, independent and impartial tribunal, as required by Article 14 of the International Covenant on Civil and Political Rights, ratified by Peru on April 28, 1978. The Peruvian anti-terrorism laws afford no due process and have been strongly criticized by Amnesty International, Human Rights Watch, and other human rights organizations.

Last summer, 20 Senators and 87 Representatives wrote to Peruvian President Fujimori, asking him to take steps to ensure that Ms. Berenson be retried before a civilian court which upholds internationally recognized rights of due process, but have never received a reply. Ms. Berenson is living in excessively harsh conditions in a Peruvian maximum security prison which endangers her health and allows her extremely limited access to her family and legal counsel.

The lack of due process at Ms. Berenson's trial leaves the question of her involvement in illegal activity unanswered and she must be presumed innocent until proven guilty. While we make no claims concerning Ms. Berenson's alleged guilt, we ask that you do all within your power to impress upon the Peruvian government the importance of providing her an open and fair proceeding in a civilian court without further delay.

Thank you for your consideration.

Sincerely,

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April 8, 1996

His Excellency Alberto Fujimori Fujimori
President
Palacio De Gobierno
Plaza De Armes S/n
Lima, 1.-Peru

Dear President Fujimori,

I am writing with respect to Ms. Lori Berenson, a twenty-six year old American woman, who was sentenced to life in prison by a Peruvian military court on treason charges. It has come to my attention that during her trial, Lori was not given an opportunity to call or cross examine witnesses, or to present exculpatory evidence. Ms. Berenson has, in turn, appealed the judgement against her. Although her initial appeal was rejected by the military court, I understand that there is still a possibility for another appeal to a civilian court.

Due to the nature of and the circumstances surrounding this case, I believe that it was inappropriate for a civilian to be tried in a military court. For this reason, I strongly urge you to ensure that Ms. Berenson is offered a chance to present her defense in a civilian court at the earliest possible date. She should have an opportunity to tell her side of the story, to have her attorney cross examine witnesses and to present evidence that may substantiate her claims of innocence. If she is guilty of terrorism, she should be subject to a sentence that befits the crime. However, until she has had the chance to present her defense, her conviction will not stand up to public scrutiny.

I appreciate your attention to this important matter.

Barney Frank

BARNEY FRANK

BF/mt

cc: Ambassador Ricardo Luna, Embassy of Peru

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Consent Communication #1 5-30

Communicaiton was received from
Representative Barney Frank,
transmitting receipt for the
resolution adopted by the City
Council regarding the imprisonment
of Lori Berenson in Peru.

In City Council January 26, 1998

All items carried forward to be a part
of City Council Meeting of
February 2, 1998 on motion of
Councillor Sullivan.

In City Council February 2, 1998

PLACED ON FILE