

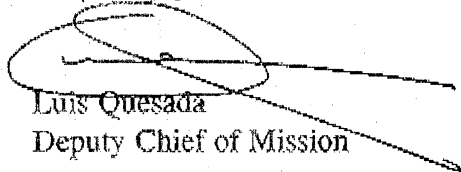
Article XXVII. Therefore, the trial of Lori Berenson has taken place within the limits and exceptions clearly stipulated in contemporary international law in this field.

It must be borne in mind that the regime under which Ms Berenson is presently being held is very similar to the regime prevailing in maximum security prisons in North America, to wit, one hour a day in the courtyard, one visit a month in a screened parlor, the right to work in her cell and access to penitentiary facilities such as legal assistance, psychological and medical attention and social services. The authorities are presently evaluating the possibility of changing Lori Berenson's regime to "medium security", which would provide for two hours in the courtyard every day, two hours a week of visits with direct contact, and the right to join in work and educational activities inside the prison.

Ms. Berenson is no longer in Yanamayo prison. She has been moved to the Socabaya facility in Arequipa, located at a lower altitude, where she has received appropriate medical care for her minor health problems.

I would appreciate it if you could convey the information above to the honorable members of the City Council.

Very truly yours,


Luis Quesada
Deputy Chief of Mission

EMBASSY OF PERU
WASHINGTON DC

Washington D.C., April 22, 1999

1999 APR 26 P 4:29
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Ms. Margaret Drury
City Clerk
Office of the City Clerk
Cambridge MA.-

Dear Ms. Drury:

I acknowledge receipt of your letter dated February 8th, 1999, in which you inform me about the resolution adopted by the City Council of Cambridge, Massachusetts, with regard to Ms. Lori Berenson.

Ms. Berenson was arrested in Lima on November 30, 1995, after the police received reliable information that made her a suspect involved with the terrorist group MRTA. At the time of arrest, she was in the company of Nancy Gilvonio, a well-known terrorist and the wife of Nestor Cerpa, the MRTA leader who stormed the Japanese Ambassador's residence in Lima and took a number of hostages in December 1996. The evidence gathered during the police investigation established that Ms. Berenson belonged to the MRTA's leadership and was involved in organizing an attack against the Peruvian Congress in order to kidnap some of its members. The police also found that she had rented the house used by that criminal organization, which has a well-known record of assassinations, bombings, kidnappings, robberies and attacks, also involving American interests in Lima.

Aggravated terrorism is considered a very serious offense in Peru and everywhere else. Ms. Berenson was tried and convicted according to Peruvian law. She had the right to legal counsel and her lawyer was empowered to enter appropriate pleas on her behalf. Like any Peruvian citizen found guilty of committing this type of offense, she was sentenced to life in prison.

The Resolution of the honorable City Council states that Peru has acted in contravention of international law. If this assertion is based on the fact that the trial was not open to the public, I must point out that the International Covenant on Civil and Political Rights contains an exception to the right to a public hearing when it provides for the possibility that "The press and the public may be excluded from all or part of a trial for reasons of morals, public order (*ordre public*) or national security...". In addition, Article IV of the Covenant contemplates the possibility that, in an exceptional situation that threatens the life of the nation, the existence of which is officially proclaimed, States Parties may adopt measures derogating from their

Consent Communication #4 3305

A communication was received from Luis Quesada, Deputy Chief of Mission, Embassy of Peru, transmitting response relative to Lori Berenson's imprisonment in Peru.

In City Council May 3, 1999

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