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ICJ CONDEMS THE IMPOSITION OF STATE OF EMERGENCY IN PERU

Today the ICJ wrote to President Alejandro Toledo urging him to ensure that Peru respect its human rights obligations in its confrontation with striking workers. President Toledo declared a state of emergency effective throughout the country on 27 May.

"The ICJ is alarmed at the heavy-handed manner in which the Peruvian authorities have handled this dispute", said ICJ Legal Adviser Ian Seiderman. "Under international law, the imposition of a State of Emergency must be reserved for such occasions as when there is a genuine threat to the very life of the nation."

Under the emergency, a number of rights were suspended, including the right to liberty and security of the person, freedom of association and movement and the right to inviolability of the home. The armed forces were placed in charge of maintaining public order in twelve regional departments and the province of Callao.

The imposition of the emergency has already led to at least one tragic incident. On 29 May a demonstrating student, Edy Jhony Quilca Cruz, was killed and more than sixty were injured during a confrontation with the Peruvian army, which had been called pursuant to the emergency declaration to deal with labour unrest.

The state of emergency was said to have been invoked in response to a program of strikes by teachers, farmers, health workers and court personnel demanding a raise in pay which they say had been promised during the past electoral campaign.

Under international human rights treaties to which Peru is a party, including the International Covenant on Civil and Political Rights and the American Convention on Human Rights, certain rights are non-derogable, even under a state of emergency.

"The Peruvian Government is required to protect the right to life and physical integrity of all of its citizens. In addition, persons detained must be taken before a judge and subject to ordinary, non-military judicial procedures, or released", said Seiderman.

The ICJ has also called on the Government to undertake a prompt and impartial investigation into the army shootings of 29 May.

For further information, please contact: Ian Seiderman (English) (41-22-979-3823) or Jose Zeitune (Spanish) (41-22-979-3818).

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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