

WE DENOUNCE THE SO-CALLED  
DEFENDERS OF THE HUMAN RIGHTS  
FOR THEIR COMPLICITY WITH THE  
REACTIONARY PLAN OF  
EXTERMINATING CHAIRMAN GONZALO

Peru People's Movement

July 2003

On June 30, 2003, the newspaper *Correo* of Lima, Peru, reported the following:

“Through its general secretary, Miguel Jugo, The Peruvian Association for Human Rights (Aprodeh) backed the request that **the conditions of imprisonment of Abimael Guzmán be made more rigorous**. After confirming that Abimael Guzmán leads each and every step taken by his followers outside prison, the head of the Dircote, Benedicto Jiménez, warned that the Shining Path leader **must be isolated completely** in order to quash the restoration of his subversive organization from inside prison.” The same newspaper also reported, in its July 12, 2003 issue, that: “The director of the National Human Rights Coordination (CNDDHH), Francisco Soberón, yesterday pointed out that it is ‘legitimate’ for the state to **toughen the conditions of imprisonment** in order to prevent the terrorist leaders in prison from giving indications to their followers in freedom. ‘It is valid that the penitentiary policy be modified in order to prevent the evil terrorist activities, provided that one does not transgress neither the law nor the human rights established by international standards,’ he argued. He thereafter specified that ‘what is important’

is that there be no terrorist directives from inside the prisons...  
the measure announced is indeed justifiable.”<sup>1</sup>

These shameless declarations by those who claim to defend the “human rights” against their being violated by the state cause our very deepest indignation and motivate this denunciation against these representatives, well paid by imperialism and reaction. These people blatantly once more show that the so-called “human rights” and the non-governmental organizations (NGOs) which, on the world level and in Peru, claim to dedicate themselves to their defense, are nothing but part of one of the hands that imperialism, principally Yankee imperialism, and Peruvian reaction, its old and rotten state. They act to maintain their system of merciless oppression and exploitation of the immense majority. Thus, while they are wielding the stick with one hand, they hold out the carrot in the other, in order to deviate the anger of the masses and spread false “humanitarianist” illusions. These miserable ones are, in the name of the sanguinary story on the struggle against “terrorism,” giving their backing to the extermination plan of reaction and imperialism (their masters) against Chairman Gonzalo and the thousands of prisoners of war. They are asking for the absolute isolation of Chairman Gonzalo to be further toughened, a sinister attitude of justifying the maintenance of one of the most cruel forms of torture, which goes against all international standards on the treatment of prisoners; of course they do - because at bottom they are all in favor of combating the People’s War even if their “human rights” are violated. Let us look at what their “special vocation” is:

## **1 The Role Imperialism and Reaction has Assigned to “Human Rights” and their “Defenders.”**

To us, **“human rights” are contradictory to the rights of the people**, for we base ourselves on man as product of society, not on the abstract man with innate rights. “Human rights” are nothing but the rights of the bourgeois man, a position that was advanced in the struggle against feudalism. But today in the new era, that of world proletarian revolution, it has

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<sup>1</sup>All underlining in the text is ours.

been historically proven that human rights serve the oppressing and exploiting classes that lead the imperialist and landlord-bureaucrat states (or the bourgeois states in general). As the rights of the people are the rights that the proletariat and the immense masses of the people seize with their own struggle and blood, they are obligations and rights with class character that serve the masses, principally the poor masses, the new state, socialism and the future communism; they are rights of the people that only the People's Republic of Peru, in our case, will be able to guarantee. The principal right is the supreme right of the people to seize political power and exercise it, to transform the old existing order of oppression and exploitation and to build a New State and a New Society for the proletariat and the people.

In order to understand the role of **the so-called "human rights" and their "defenders,"** it is very instructive to take a retrospective look at the previous decade. All the imperialist wars of aggression during the nineties have been covered under the worn-out, decrepit banners of their human rights and they have been given justification by their so-called defenders as being necessary actions in order to "save" the aggressed peoples from "humanitarian catastrophes." That is how they have been acting in the Balkan War for dividing up former Yugoslavia and thus they have maintained the sanctions, the occupation and the aggression against Iraq, etc. The imperialists use their "human rights" for two reasons: 1) to cover up the aggression, the unjust war, their true objective: the booty, with this screen, this cloak; 2) in order to dress up their unbridled aggression against the oppressed countries with a certain "legality," in violation of the established and recognized norms of international law, by using the fairytale that there is a superior norm, the respect for "human rights." They have rearranged the content and function of international law, changing fundamental rights from being institutions of constitutional law and thus national, to being institutions of international law, interstate, "suprastate" institutions. They have thus imposed the violation of the principle of non-intervention as the highest norm of international law, by means of the so-called universality of the human rights, which goes against the international treaties and norms. Against the rights of the oppressed countries, their sovereignty is being constrained, violated; it is not being recognized, and the sovereignty of the superpowers and the imperialist countries is being extended. It is not the case that, through the "globalization" tale, the state tends to disappear; very much to the contrary, what happens is that the sovereignty of the imperialist states is expanded to the detriment of the sovereignty of the oppressed countries. This is why the

contradictions among the imperialist countries and the principal contradiction, between the oppressed nations and imperialism, are becoming sharper. It cannot be otherwise, it is the antagonistic clash, sometimes violent and at other times peaceful, between Yankee imperialism's plan for hegemony and of being world gendarme and the plans and interests of their rivals, and between all the aforementioned and the interests and aspirations of the immense majority of the peoples, nations and countries of the Earth. On the level of international law, this manifests itself as open, blatant and cynical violation of the national sovereignty of our countries and of the right of non-intervention in the internal affairs of the same countries.

**The innumerable war crimes** directly or indirectly committed by the imperialists during the Balkan War remain unpunished, although they themselves have established an International Court to Condemn War Crimes in Former Yugoslavia, where the local chieftains and politicians are being taken as principal defendants. However, those that never appear are the political, military and economical representatives of the Yankee, Russian, German, etc., imperialists who have instigated, financed, armed, trained and led them, and who therefore are those who are principally responsible for and benefit from what is taking place there. As we have already pointed out, they present this as defense of "human rights." If we point our eyes to Africa, the wars there - endless wars waged to dispute the spheres of influence and the predominance of this continent and waged principally between the United States and France, without forgetting that all the rest are part of this sanguinary party as well - have left more than three million dead, hundreds of thousands of wounded and mutilated, and destruction. But these very imperialists, their intellectuals, the large-scale mass media that serve them, and - as usual! - the "defenders" of the "human rights" and the NGOs, present this carnage as tribal wars, as war crimes by the native mercenaries and lackeys, concealing the fact that the latter have acted to serve the interests of Yankee imperialism or of the French imperialists. These are the ones who have instigated, financed, armed, trained, led, etc., and therefore they are those truly responsible for this immense carnage. Thus, the greatest perpetrators of genocide and war criminals are, in all these cases, not merely the actual hand that pulls the trigger, against some of whom the imperialists through the UN are promoting their famous Courts, but also the finance oligarchy, their representatives in the governments of the imperialist countries and their general staffs, etc. These have been covered and served by these "defenders" when they very "radically" denounced and achieved the sentencing of some

of the genocidal chieftains who stand in the service of the most powerful ones on the planet, without ever denouncing those who are truly responsible for this “humanitarian hecatomb,” i.e. for these imperialist carnages over spheres of influence. These people are thus accomplices in the crime of genocide against millions dead from hunger in Africa, Asia and even in Europe; they are promoters of impunity for the greatest war criminals. This period of recent world history has been that of the preparation for the imperialist world war. Today, Yankee imperialism is developing the imperialist war, why it is to be expected that the carnage and destruction by the imperialists will be greater, and an even blacker role is heralded for these “defenders.”

The imperialists use the double policy of “human rights” for their wars of aggression, for their counter-revolutionary wars. This double policy serves them in their contention for world hegemony and in their struggle for areas of influence; this is the context of the current inter-imperialist dispute concerning the International Penal Court.

## **2 In Peru, Imperialism, principally Yankee Imperialism, uses this Double Policy of “Human Rights” in the Low-Intensity Warfare it Leads Against the People’s War**

They use it together with the other double policy they make use of, which is the war on drugs, against coca. In Peru, the role of these “defenders” and of the NGOs is therefore neither less black nor less criminal; they have always tried to relativize the crimes of the state, of the old and rotten state, presenting them as a reaction in the face of “terrorism,” not as crime or genocide that is organized, planned as part of their countersubversive strategy, talking of “excesses in the repression” and concealing the responsibility of Yankee imperialism. Being well paid by these imperialists, they seek to cover up the fact that the war they lead follows the counter-revolutionary principle of “burning everything, stealing everything and killing everybody.” They serve to conceal the fact that the practice of genocide, of making persons disappear by force, clandestine assassinations, torture, etc., form part of the training of the officer corps and the antisubversive troops, a training the Yankees provide in their School of the Americas (using a different letter-

head), in other installations on US territory and in the conflict area itself. These practices are prescribed in the manuals for their covert operations, in the CIA manuals, and others. These “defenders” seek to conceal the fact that these practices are taught to the antisubversive troops in Peru, in the concrete case, along with the course on “respecting human rights.”

**The reports** that these “defenders” have been presenting during more than 23 years of People’s War repeat the same old story that both “the forces of law and order and the subversives” are violators of human rights; a sinister “impartiality” for they are in this way seeking to present the thousands of victims of the planned repression by the Armed Forces under Yankee command as being responsible for having provoked their own genocide. With this, they try to condemn those who rebel against so much exploitation and oppression. They say that this has been provoked by the rebellion and that the rebels also commit violations of the “human rights” of the military, of the authorities and the civilians. They seek to portray the actions in the People’s War, combat actions, as massacres, and the just and necessary response of the revolutionaries in order to restrain the genocide and the reactionary barbarism - as genocide. Following this logic they would have sentenced, along with the Nazis, those who waged resistance against them in the occupied countries, and the Vietnamese patriots just as well as the Yankees. Whom does all this favor? The true perpetrators of genocide, the wars of aggression, the countersubversive war. Thus, they are not impartial, as they like to portray themselves, they are partial, they are a necessary part of the reactionary of the reactionary activity in order to “legitimize,” in order to restrain and deviate the rage of the immense majority against the reactionary war crimes, so that they will be able to evade their own laws and international legislation on this matter, in order to in vain strive for people to believe in their “justice,” in order to obtain impunity for these people while crying “no to impunity!”

This is why they raise the cases of some prisoners in order to conceal the situation of the majority, in order to conceal the criminal acts against Chairman Gonzalo, the most important prisoner of war and the one that represents all the others, in order to propitiate these criminal acts. Thus, the shameless declarations of the “defenders” of “human rights” quoted above have as their central objective to justify the criminal plans of imperialism and reaction against Chairman Gonzalo.

### **3 These Defenders of Human Rights and the NGOs are thus Serving to Back Up the Extermination Plan Against Chairman Gonzalo**

Imperialism and Peruvian reaction, counting on the complicity of the rats of the revisionist and capitulationist right opportunist line (ROL), are setting up a “new trial” against Chairman Gonzalo, violating all his rights and maintaining him in absolute isolation in order to condemn him for “genocide” in order to subsequently assassinate him. The shameless declarations of Miguel Jugo and Francisco Soberón in order for “the conditions of imprisonment to be toughened and made more rigorous,” in agreement and accordance with the declarations of second highest man of Peru’s antiterrorist police (Dircote), Benedicto Jiménez, saying that Chairman Gonzalo “must be completely isolated,” only make sense within the context of this extermination plan. This is the purpose they serve, because there cannot be any prison conditions tougher than those that Chairman Gonzalo is already suffering under, nor can someone who, since his arrest (September 1992) is in absolute and perpetual isolation, be any more isolated. That none of this has changed with the governments of Paniagua and the current one of Toledo (runts of imperialism) is proven by the declarations of Diego García Sayán, former minister of state in both of these governments and a well-known member of the Andean Lawyers’ Guild, another NGO, who lent services of advice to Montesinos’ SIN in the hoax on the “peace accords” and who later, with the Paniagua government, promoted its continuation as “political solution...” In a letter addressed to the newspaper Correo, Lima, June 27, 2003, García Sayán says: “...Firstly, during the transition government, the maximum security center of imprisonment at the Callao Naval Base was in the hands of the Supreme Council of Military Justice. Peru’s Navy was in charge of its administration. The Minister of Justice had no interference in the decisions taken there. It was only during the Toledo government that regulations for said naval center were dictated, norms that were necessary precisely in order to fill a normative void brought about during the Fujimori government. Secondly, during the transition government, no modifications were effectuated in the penitentiary conditions in force at the Naval Base. If any minor modifications took place, these were the consequence of coordination between the Supreme Council of

Military Justice, the Ombudsman's office and the International Committee of the Red Cross... that none of these modifications affected the prison security nor did they in any way facilitate communication with the exterior." These declarations come from the inside of the monster and therefore have the value of a "confession by the accused." In these, what we are saying on the true situation of absolute and perpetual isolation of our Chairman Gonzalo comes out very clearly. This is overwhelming proof against all the hoaxes of imperialism, reaction and their servants such as the rats of the ROL and the NGOs. It further shows **the complicity of the Red Cross**, its role in all this, as well as the role of the so-called "Ombudsman's office" [the term used for Ombudsman in Spanish literally means "defender of the people" -trans.]. This is the reason for this denunciation that we address against them all.

**These declarations by Jugo and Soberón form part of the new hoax of imperialism and reaction**, made with the complicity and in agreement with the rats of the ROL, saying that Chairman Gonzalo leads his followers through the "conveyor belt," to which end Morote, Pantoja and the pettifogging lawyer have provided them with these apocryphal little notebooks with "directives of Chairman Gonzalo" (another ridiculous invention). Jugo and Soberón are, as we see, further hoax makers at the service of their masters. In order to "legalize" these "new trials" against Chairman Gonzalo and the thousands of prisoners of war, they all, just like their masters, start from the recognition of Fujimori's coup d'état, of his decree-laws and of the Constitution he dictated as being legitimate, which was in violation of their own legal order. Despite the fact that they all, according to their own legal code, have committed themselves to defending and respecting, they are obliged to reestablish the validity of the 1979 Constitution (see its article 307), a Constitution that in its article 82 established the nullity of any usurped authority. But what does their Constitutional Court (TC) say in its resolution of January 3, 2003? The TC in short says that the Constitution always have been violated in Peru and that the thing to do therefore is to recognize the acts of the de facto government and among these obviously and foremost the so-called antiterrorist legislation that according to its ruling is to be adapted to what has been pointed out by international organizations, i.e. to the necessity of the "legitimization" for their counter-revolutionary "low-intensity" warfare. This confirms that they cannot combat our People's War as they say "with the law in their hands" or from the position of "democratic superiority," they cannot have any kind of "legitimacy."



In order to **show their inconsistency, the conscious violation of their legal order** we contrast them with what the bourgeoisie's own doctrine of law says on this matter. On the question: **What is the secret of the state ruled by law?** Bourgeois doctrine answers: It lies in acting in accordance with the law of the state power, of the administration and of justice. The law is to confer democratic legitimacy to its acts, and its acting in accordance with the law guarantees the protection of freedom and property. It constitutes the most wide-ranging guarantee of freedom facing the state power. However, the Constitution prevails over every other legal norm. It is thus not the law but the Constitution that makes up the supralegality (superior norm), which is the true basis of the state ruled by law in its meaning in fundamental law. The law legitimizes the state power only on the condition of its being in conformity with this supralegality. Its legitimization as expression of the sovereignty of the people comes to be relativized by the duplicity of legality. Above the sovereignty of the people, which is expressed in the predominance of the law, the fundamental law establishes the predominance of the Constitution. So far the bourgeois doctrine and the state ruled by law for the validity of their "human rights." **What does this simple contrasting of the doctrine they claim to defend with their practice show us?** That they all (the old state, its institutions, its authorities, starting with the one that heads it - the Yankee with the indian hat, Toledo - and the functionaries and authorities) violate their own legal regulations, their own reactionary class law, negating their own international commitments, that the NGOs form part of the ruling order of oppression and exploitation and that they act as counter-revolutionary ideologues, as in this case, even though they try to appear as standing above the war, which is the reason behind some ambiguous positions, such as that "both sides are violating human rights"; these NGOs and their representative, such as the "defenders" of you-know-what, are giving their backing to the great crime committed against Chairman Gonzalo, the extermination plan against him, because he is the Great Leadership of the Communist Party of Peru and of the Peruvian revolution. The facts that we denounce plainly and simply show that they are all in favor of backing up every kind of crime in order to defend the old and rotten order of exploitation; they show that they all, despite their different shades, agree on justifying the violation of their "human rights" and of their legal order, which they claim to defend, in order to annihilate the People's War, a reactionary task whose realization is a historical and political impossibility. These defenders today show themselves as being

more shameless because of their desperation in the face of the invincibility of the People's War, which is advancing ever more merging with the stormy sea of the popular struggle, showing the world its invincibility.

Finally, to this date we have not found among the NGOs any that openly and courageously defend the rights of the poorest, and even less so any that have advanced revolutionary positions; at most you find humanitarianist bourgeois positions, but the vast majority are conscious or unconscious lackeys of imperialism, The devotion their master and they, themselves, have for "human rights" serve to cry out for international "aid" to their counter-revolutionary "low-intensity warfare" and for their own pockets.

**Long live Chairman Gonzalo! Long live  
Marxism-Leninism-Maoism, Gonzalo Thought! Long live the  
Communist Party of Peru! Long live the People's War! We  
demand the public and direct presentation of Chairman Gonzalo  
before the national and international press, and that he may  
speak! Crush the isolation and the extermination plan against  
Chairman Gonzalo!**