

1 [Urging the Peruvian government to release Lori Berenson.]

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3 **Resolution urging the Peruvian government to release Lori Berenson and allow her to**
4 **return to the United States immediately; calling upon the appropriate committees to**
5 **investigate potential legislative remedies to be in effect until Ms. Berenson is released;**
6 **and calling on President George W. Bush to do everything.**

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8 WHEREAS, On November 30, 1995, Peruvian authorities arrested Lori Berenson, a
9 United States citizen, on charges of terrorism for allegedly collaborating MRTA rebels on a
10 planned attack of the Peruvian Congress; and

11 WHEREAS, In January 1996, a secret military tribunal convicted Ms. Berenson of
12 treason and sentenced her to life imprisonment in Peru; and,

13 WHEREAS, The military tribunal denied Ms. Berenson any of the due process
14 safeguards afforded in a normal civil legal proceeding, including the opportunity to have a
15 trial, present evidence, offer testimony in her own defense, or cross-examine any witnesses;
16 and,

17 WHEREAS, Ms. Berenson has been subjected to harsh and debilitating conditions
18 during her five years in prison, causing her numerous physical ailments; and,

19 WHEREAS, In December 1998, the United Nations High Commission on Human
20 Rights, after nearly three years of fact-finding missions to Peru and a visit with Ms. Berenson
21 in Yanamayo Prison, issued Opinion 26/1998, which states that Lori Berenson has been
22 deprived of her liberty arbitrarily and that the Peruvian government is in violation of articles of
23 the Universal Declaration of Human Rights and the International Covenant on Civil and
24 Political Rights, both of which Peru has ratified; and,

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1 WHEREAS, In March 2000, the United States Department of State issued a report
2 condemning Peru's human rights record in areas such as the protection of civil and political
3 rights, overall prison conditions, judicial due process, and the lack of accountability within the
4 armed forces, particularly regarding counter-terrorist operations; and,

5 WHEREAS, Ms. Berenson has continuously denied ever collaborating with insurgent
6 rebels or participating in violent acts; and,

7 WHEREAS, In April 1998, Amnesty International issued a press release declaring Lori
8 Berenson to be a political prisoner and criticizing anti-terrorism legislation in Peru; and,

9 WHEREAS, In July 2000, a majority on the House of Representatives and 40 Senators
10 signed letters to the President asking him to secure the release of Lori Berenson; and,

11 WHEREAS, In August 2000, the Supreme Military Court of Justice of Peru found Ms.
12 Berenson innocent of all of the charges against her and dismissed her life sentence, yet sent
13 her case to the civilian courts for a "double jeopardy" retrial; and,

14 WHEREAS, Ms. Berenson has never been informed of the detailed charges against
15 her, and continues to be wrongfully held by the government of Peru; and,

16 WHEREAS, The United States Congress has directed the President in Title 22 U.S.C.
17 Section 1732 to take all steps short of going to war to secure the release of an American
18 citizen incarcerated abroad if the detention appears wrongful; now, therefore, be it

19 RESOLVED, That the San Francisco Board of Supervisors urges the Peruvian
20 government to release Lori Berenson and allow her to return to the United States
21 immediately; and, be it

22 FURTHER RESOLVED, That the appropriate committees of the San Francisco Board
23 of Supervisors investigate potential legislative remedies, such as suspending City business
24 with Peru, similar to chapter 12J of the Administrative Code prohibiting City business with
25 Myanmar, to be in effect until Ms. Berenson is released; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors urges President George W.
2 Bush to do everything in his power to secure Ms. Berenson's immediate release; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors requests the Clerk forward this
4 resolution to President George W. Bush, Senators Dianne Feinstein and Barbara Boxer,
5 Representatives Nancy Pelosi and Tom Lantos and the United States Ambassador to Peru.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 010410

Date Passed:

Resolution urging the Peruvian government to release Lori Berenson and allow her to return to the United States immediately; calling upon the appropriate committees to investigate potential legislative remedies to be in effect until Ms. Berenson is released; and calling on President George W. Bush to do everything.

March 12, 2001 Board of Supervisors — ADOPTED

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, Newsom, Peskin
Absent: 5 - Daly, Hall, McGoldrick, Sandoval, Yee

File No. 010410

I hereby certify that the foregoing Resolution was ADOPTED on March 12, 2001 by the Board of Supervisors of the City and County of San Francisco.

Jean Lum
Acting Clerk of the Board

MAR 23 2001

Date Approved

Mayor Willie L. Brown Jr.