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On Sept. 14, President Alberto Fujimori expressed his support for imposition of the death penalty against Sendero Luminoso (Shining Path) leader Abimael Guzman. Guzman and several other Sendero leaders were arrested Sept. 12. However, legal experts have indicated that use of the death penalty against Guzman would violate Peruvian law as well as international agreements to which the country is a signatory. Fujimori has indicated that national laws could be modified to deal with the Guzman case, possibly through a national referendum. On Sept 15, Supreme Court president Luis Serpa told reporters Guzman will be tried in a military court for the crime of treason, but that the death penalty is not applicable. Under terms of the existing legal code, the death penalty can only be applied in cases of acts of treason committed during a war against foreign aggressors. According to legal expert Luis Bramont Arias, even if the government were to succeed in modifying legislation regarding the death penalty, it would still not apply to Guzman as the constitution mandates that no new law can be applied retroactively, unless it is in favor of a defendant. Serpa said that in addition to treason charges Guzman faces in the military court, he also faces over 1,000 charges in the civilian court system for crimes including murder, sabotage, drug trafficking and kidnapping. Also on Sept. 15, Fujimori announced he would allow a "grace period" of between 30 and 45 days for rebels to turn themselves in to government authorities and be eligible for special protection and reduced sentences. According to Industry, Trade and Tourism Minister Jorge Camet, over 100 Sendero rebels have surrendered since Guzman's capture. [Sources: Radio Havana Cuba (Cuba), 09/15/92; Spanish news service EFE, 09/16/92; Agence France-Presse, 09/14-16/92]

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