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ACTION ARA-01

INFO	LOG-00	ACDA-17	AID-01	AMAD-01	CIAE-00	C-01	OASY-00
	DODE-00	DOEE-00	DS-00	EAP-01	EB-01	EUR-01	HA-09
	H-01	INM-02	TEDE-00	INR-00	IO-19	LAB-04	L-03
	ADS-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01	PM-02
	PRS-01	P-01	SCT-03	SIL-00	SNP-00	SP-00	SR-00
	SS-00	STR-16	TRSE-00	T-00	USIE-00	RPE-01	/090W

-----BFE1B3 142313Z /38

O 142309Z MAY 93
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 8359
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY TOKYO
AMEMBASSY OTTAWA
USEC BRUSSELS
AMEMBASSY BOGOTA
AMEMBASSY CARACAS
AMEMBASSY LA PAZ
AMEMBASSY QUITO
USMISSION GENEVA
USCINCSO QUARRY HEIGHTS PM

Release in Full
~~RELEASED IN PART~~
~~1.5(D), B1~~

C O N F I D E N T I A L SECTION 01 OF 02 LIMA 05559

USCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR
TAGS: PGOV, PHUM, PREL PE
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SUBJECT: OPPOSITION RAISES THREAT OF
CCD WALKOUT IF MILITARY DO NOT
TESTIFY

REF: A. LIMA 4603, B. LIMA 5499 (NOTAL)

1. (U) SUMMARY: UNLESS GOVERNMENT OFFICIALS
ARE PERMITTED TO TESTIFY, LISTS OF MILITARY
OFFICIALS ON DUTY THE NIGHT OF THE "LA CANTUTA"
DISAPPEARANCES OCCURRED ARE PROVIDED, AND OTHER
DOCUMENTATION IS SUBMITTED, MOST OF THE

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: SAM A. MOSKOWITZ
DATE/CASE ID: 15 JUN 2001 200101053

DEPT OF STATE APPEALS REVIEW PANEL (ARP) Page: 1

FOIA/PA		Mandatory Policy	
(<input checked="" type="checkbox"/>) Release	() Excise	() Declassify	() Declassify in Part
() Deny		() Class. Rct/Renew	
Exemptions			
ARP Action Cert. <i>me</i>		Date <i>070402</i>	

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OPPOSITION PARTIES IN THE CCD SAY THEY WILL CONSIDER WALKING OUT. FAILURE TO MEET THESE DEMANDS WILL CALL INTO QUESTION THE CCD'S INDEPENDENCE AND AUTONOMY, THEY DECLARE. THE OPPOSITION REQUEST WILL BE DEBATED MAY 14.
END SUMMARY.

OPPOSITION MAKES THREE DEMANDS

2. (U) IN A MAY 12 LETTER ADDRESSED TO CONSTITUENT CONGRESS (CCD) PRESIDENT JAIME YOSHIYAMA, REPRESENTAIVES FROM SEVEN POLITICAL PARTIES IN THE CCD CALL UPON YOSHIYAMA TO ASSURE THAT "OFFICIALS AND PERSONNEL OF THE ARMY NEEDED BY THE 'LA CANTUTA' INVESTIGATIVE COMMITTEE, AS WELL AS VLADIMIRO MONTESINOS AND EMPLOYEES OF THE NATIONAL INTELLIGENCE SERVICE...." ARE MADE AVAILABLE TO THE COMMITTEE. THE PARTY OF HUMAN RIGHTS COMMITTEE CHAIRMAN ROGER CACERES JOINED

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THE CALL.

3. (U) THE OPPOSITION LETTER ALSO MAKES TWO OTHER DEMANDS. THE SIGNERS REITERATE THEIR CALL FOR THE REMOVAL OF ARMY COMMANDER GENERAL NICOLAS HERMOZA AND INTELLIGENCE ADVISER MONTESINOS FROM THEIR POSITIONS. THE MINORITY PARTIES ALSO CALL ON YOSHIYAMA TO PROVIDE THE SPECIAL INVESTIGATIVE COMMITTEE WITH THE IDENTITIES OF MILITARY PERSONNEL ON DUTY AT "LA CANTUTA" UNIVERSITY ON JULY 18, 1992, THE NIGHT THE DISAPPEARANCES OCCURRED; MEMORANDUMS DATED JUNE 25, 1991, AND JULY 30, 1991, BETWEEN THE PRESIDENT AND THE DEFENSE MINISTER; AND "IN GENERAL ALL DOCUMENTS AND MATERIAL NEEDED FOR A COMPLETE CLARIFICATION OF ALL OF THE ACTS IN QUESTION."

4. (U) IN JUSTIFYING THEIR REQUEST, THE SIGNERS NOTE THE "GRAVE POLITICAL CIRCUMSTANCES" WHICH CURRENTLY EXIST IN PERU. THE DIVISION OF POWERS AND THE OVERSIGHT FUNCTIONS OF CONGRESS HAVE BEEN CALLED INTO QUESTION, THEY WRITE, PUTTING THE STABILITY OF THE POLITICAL SYSTEM AT RISK IF

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OFFICIAL DECLARATIONS ABOUT THE CONGRESS'S
POWERS ARE NOT BACKED UP BY DEEDS. TRYING TO
MINIMIZE OR DOWNPLAY THE GRAVITY OF THE CRISIS,
THEY CONTINUE, WILL NOT CAUSE IT TO DISAPPEAR
AND WOULD FURTHER UNDERMINE THE RULE OF LAW IN
THE COUNTRY.

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WALKOUT THREATENED IF DEMANDS NOT MET

5. (U) THE OPPOSITION GROUPS SIGNING THE LETTER
POINT OUT THAT THEY WERE ELECTED TO WORK IN AN
"AUTONOMOUS AND SOVEREIGN PARLIAMENT WITH FULL
GUARANTEES TO LEGISLATE AND CARRY OUT OVERSIGHT
WITH INDEPENDENCE." THE FAILURE TO MEET THEIR
DEMANDS WOULD PUT INTO QUESTION THE REASON FOR
THE CCD'S EXISTENCE AND "WE WOULD BE OBLIGATED
TO CONSIDER VERY SERIOUSLY OUR FUTURE CONDUCT,
INCLUDING OUR PRESENCE IN THE CONGRESS...."

SIGNERS REPRESENT ONE-THIRD OF CONGRESS

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USEC BRUSSELS
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SUBJECT: OPPOSITION RAISES THREAT OF

6. (U) THE LETTER WAS SIGNED BY EIGHT
INDIVIDUALS REPRESENTING SEVEN DIFFERENT
OPPOSITION GROUPINGS IN THE EIGHTY-MEMBER CCD.
THE SIGNERS' AFFILIATION AND VOTING BLOC IN THE
CCD ARE AS FOLLOWS:

ANTERO FLORES ARAOZ		
LOURDES FLORES NANO	PPC	8 SEATS
FERNANDO OLIVERA	FIM	7 SEATS
HENRY PEASE	MDI	4 SEATS
MANUEL MOREYRA	SODE	1 SEAT
GUSTAVO GARCIA MUNDACA	MIA	1 SEAT
PEDRO CACERES	FNTC	3 SEATS
JORGE LUIS DONAYRE	CD	4 SEATS
	TOTAL:	28 SEATS

7. (C) NOT ALL OPPOSITION PARTIES IN THE CCD
SIGNED THE LETTER. CONSPICUOUS BY THEIR ABSENCE
FROM THE LETTER WERE REPRESENTATIVES OF THE
"RENOVATION" MOVEMENT OF RAFAEL REY REY (6

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SEATS) AND THE "POPULAR AGRICULTURAL FRONT"

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("FREPA", TWO SEATS). REY IS CONSIDERED A
GOVERNMENT SURROGATE AND HIS ABSENCE IS
PREDICTABLE. FREPA IS A SMALL, SPECIAL-INTEREST
PARTY WHOSE TWO PROVINCIAL REPRESENTATIVES ARE
NOT COMFORTABLE PLAYING FOR SUCH LARGE POLITICAL
STAKES. THEY WOULD LIKE TO AVOID INVOLVEMENT IN
THE WHOLE CONTROVERSY.

ISSUE TO BE DEBATED FRIDAY

8. (U) THE OPPOSITION DEMANDS WILL BE DEBATED
DURING THE CCD'S PLENARY SESSION ON MAY 14.
WITH ONLY 28 VOTES, ON A STRICTLY PARTY VOTE
THEY WILL NECESSARILY LOSE UNLESS A COMPROMISE
IS REACHED.

9. (C) COMMENT: WHEN GENERAL HERMOZA SENT HIS
ARMORED VEHICLES INTO THE STREETS APRIL 21-22,
MDI LEADER HENRY PEASE TOLD POLOFF THAT THE
OPPOSITION WAS CONSIDERING THE THREAT OF A
BOYCOTT OF CONGRESS TO FORCE THE APPEARANCE OF
DEFENSE MINISTER MALCA TO ANSWER QUESTIONS ABOUT
THE TROOP MOVEMENTS. AS A MULTI-PARTY MINORITY,
THE OPPOSITION'S WEAPONS ARE LIMITED TO
STUDYING, ANALYZING, CRITICIZING AND PUBLICIZING
SHORTCOMINGS OF GOVERNMENT PROPOSALS, AND,
ULTIMATELY, THREATENING TO WITHDRAW AND THEREBY
DELEGITIMIZE THE CCD. BY MOVING CAREFULLY AND
INCREMENTALLY, THE OPPOSITION HAS KEPT THE
INITIATIVE AND MORAL HIGH GROUND ON THE LA

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CANTUTA INVESTIGATION. IF THEY CONTINUE TO PLAY
THEIR WEAK HAND SKILLFULLY ENOUGH TO BLUFF THE
GOVERNMENT -- PERHAPS WITH SOME OUTSIDE
ASSISTANCE AT CRUCIAL MOMENTS -- GENERAL
HERMOZA'S IMPETUOUS DECISION COULD REBOUND TO
STRENGTHEN BOTH THE CCD AND HUMAN RIGHTS IN PERU.
BRAYSHAW