

EXCISE

ADP732

CONFIDENTIAL

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ACTION ARA-01

INFO	LOG-00	ACDA-17	AID-01	CIAE-00	C-01	OASY-00	DODE-00
	EB-01	HA-09	H-01	INM-02	TEDE-00	INR-00	IO-19
	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01
	PM-02	PRS-01	P-01	SIL-00	SNP-00	SP-00	SR-00
	SS-00	STR-16	TRSE-00	T-00	USIE-00	RPE-01	CORE-00

/080W

-----C33240 250001Z /38

R 242158Z MAY 93
FM AMEMBASSY LIMA
TO SECSTATE WASHDC 8602
INFO USCINCSO QUARRY HEIGHTS PM

DEPARTMENT OF STATE

IS/FPC/CDR

Date. 9/5/95

() RELEASE () DECLASSIFY
(X) EXCISE (X) DECLASSIFY
() DENY IN PART
() DELETE Non-Responsive Info
FOIA Exemptions 05910 131
PA Exemptions

MR Cases Only:
EO Citations

TS authority

() CLASSIFY () S or () C OADR
() DOWNGRADE TS to () S or () C OADR

CONFIDENTIAL SECTION 01

UNCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR
TAGS: PREL, PGOV, PHUM, PE
SUBJECT: [REDACTED] SLOW AND CAUTIOUS ON
ARMY VIOLATIONS INVESTIGATION

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1. CONFIDENTIAL - ENTIRE TEXT.

2. SUMMARY:

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[REDACTED] BELIEVES MAY 21 SHOUTING MATCH IN
CONGRESS, AND THE RETRACTED COMPROMISE ON A LA
CANTUTA INVESTIGATION, WAS NOT ACT OF BAD FAITH
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ON PART OF GOP. HE ASSIGNED GREATER BLAME TO
THE OPPOSITION. CHARGE SUGGESTED CONGRESS USE
OPPORTUNITY TO SET PRECEDENT OF EFFECTIVE
MILITARY JUSTICIAL ACTION, AFFIRMING BOTH THE
NEED TO INVESTIGATE SERIOUS HUMAN RIGHTS ABUSE
CASES AND THE AUTONOMOUS AUTHORITY OF CONGRESS
TO REVIEW ACTIONS OF THE EXECUTIVE BRANCH.
[REDACTED] SOLUTION WAS TO LOOK FOR MILITARY JUSTICE
TRIBUNAL TO PUNISH GUILTY PARTIES, BUT WAS LESS
SURE THERE WOULD BE EFFECTIVE INVESTIGATION INTO
SENIOR ARMY RESPONSIBILITY. HE SAID THE USG --
WHICH "WAS GUILTY OF SERIOUS HUMAN RIGHTS ABUSE
ITSELF FOR ALLOWING MASS ABORTION" -- WAS NOT ON
FIRM GROUND IN ACCUSING OTHERS AND SHOULD BE
CAUTIOUS IN CRITICIZING THE GOP. END SUMMARY.

3. [REDACTED]

[REDACTED] BEGAN BY REVIEWING THE COLLAPSE OF THE GOP-OPPOSITION CONGRESSIONAL NEGOTIATIONS ON THE INVESTIGATION OF THE ALLEGED ARMY KILLINGS AT LA CANTUTA (REFTEL). [REDACTED] THE NEGOTIATIONS HAD RESULTED IN A JOINT CONGRESSIONAL MOTION WHICH MOST OF THE GOP MEMBERS HAD SIGNED. THE LATTER HAD THEN CHANGED THEIR MINDS WHEN THE OPPOSITION MADE CLEAR THAT IT INTENDED TO PROCEED WITH SUMMONING JUNIOR ARMY OFFICERS TO TESTIFY. [REDACTED] THE OPPOSITION HAD INTENTIONALLY BLOWN OUT OF PROPORTION THE GOP MEMBERS' WITHDRAWING OF THEIR SIGNATURES FROM THE DOCUMENT.

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4. CHARGE REVIEWED IMPORTANCE OF HUMAN RIGHTS AND CONGRESSIONAL AUTONOMY. IDEALLY, CONGRESS COULD SEIZE THE OPPORTUNITY TO MAKE THE MILITARY JUDICIAL SYSTEM, WHICH HAD BEEN ACCUSED OF ENTERING HUMAN RIGHTS CASES SOLELY TO COUNTER THEIR INVESTIGATION BY CIVIL COURTS, A TRULY EFFECTIVE INSTRUMENT FOR INVESTIGATING AND DISCIPLINING THOSE IN THE ARMY RESPONSIBLE FOR SERIOUS ABUSE. CONGRESS COULD THEN INVESTIGATE THE RESULTS OF THE MILITARY TRIAL TO ASSURE THE VALIDITY OF THE PROCESS AND TO LOOK INTO POSSIBLE HIGHER MILITARY RESPONSIBILITY. [REDACTED]

[REDACTED] THAT CONGRESS SHOULD BE SATISFIED IF ITS EFFORTS TO INVESTIGATE RESULTED IN A TRIAL -- WHICH WAS NOW THE CASE. HE WAS LESS HOPEFUL THAT CONGRESS WOULD INVESTIGATE RESPONSIBILITY OF ARMY SENIOR OFFICERS, NOTING NEED TO SUPPORT THE ARMY DURING A VICIOUS INTERNAL WAR. [REDACTED]

[REDACTED] WOULD NOT WALK OUT OF THE CONGRESS, REGARDLESS OF WHATEVER SOLUTION MIGHT BE IMPOSED BY THE GOVERNMENT MAJORITY. IF THE LEFT AND THE PPC CHOSE TO DO SO, THAT WAS THEIR PROBLEM. [REDACTED] HE, AND THE REST OF CONGRESS, WERE DEMOCRATICALLY ELECTED, AND HAD ALL THE AUTONOMY THEY NEEDED.

5. [REDACTED] HUMAN RIGHTS ABUSES WERE FAIRLY WIDESPREAD IN THE WORLD. STRESSING HE WAS SPEAKING IN FRANKNESS AS A FRIEND, HE DESCRIBED HIS CONCERN THAT THE USG HAD LEGALIZED

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AND PERMITTED WIDE USAGE OF ABORTION, WHICH HE
TERMED MURDER. CHARGE SAID WE RECOGNIZED HUMAN
RIGHTS IMPROVEMENTS IN PERU, AND WE KNEW
PERUVIANS HAD TO COME UP WITH SOLUTIONS TO THEIR
COUNTRY'S PROBLEMS. WE GAVE PRESIDENT FUJIMORI
CREDIT FOR HAVING CURBED ABUSE IN THE MOST
SERIOUS CATEGORIES -- DISAPPEARANCE AND SUMMARY
EXECUTIONS. THERE WAS, HOWEVER, AMPLE PRECEDENT
FOR GOVERNMENTS TO MAKE HUMAN RIGHTS CONCERNS
PART OF THEIR FOREIGN POLICY AGENDAS. REFERRING
TO THE DEPARTMENT OF STATE HUMAN RIGHTS REPORT,
HE SAID THAT IT IS CLOSELY KEYED TO RIGHTS
CATEGORIES SET FORTH IN INTERNATIONAL TREATIES
AND CONVENTIONS. THESE TREATIES AND THE

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R 242158Z MAY 93
FM AMEMBASSY LIMA
TO SECSTATE WASHDC 8603
INFO USCINCSO QUARRY HEIGHTS PM

C O N F I D E N T I A L SECTION 02 OF 02 LIMA 05910

UNCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR
TAGS: PREL, PGOV, PHUM, PE
SUBJECT: RAFAEL REY: SLOW AND CAUTIOUS ON

CATEGORIES THEY RECOGNIZE GIVE STATES THE BASIS
ON WHICH TO DETERMINE THEIR BILATERAL RELATIONS
WITH ANY OTHER STATE -- A SOVEREIGN RIGHT THAT
NO ONE QUESTIONS -- BUT ALSO THE GROUNDS FOR
EVALUATING THE PERFORMANCE OF EACH STATE AS A
MEMBER OF THE CIVILIZED COMMUNITY OF MAN.

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6. COMMENT: WHILE TECHNICALLY NOT PART OF THE
PRO-GOVERNMENT MAJORITY. [REDACTED]

[REDACTED] HE IS
UNLIKELY TO SUPPORT THE OPPOSITION'S EFFORT TO
SECURE SOME INVESTIGATION OF THE SENIOR ARMY
LEADERSHIP'S RESPONSIBILITY FOR LA CANTUTA.
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