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ACTION SS-00

RELEASED IN PART
B1, 1.5(D)

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O 301726Z AUG 93
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 1017

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DECAPTIONED
EXDIS

E.O. 12356: DECL: OADR
TAGS: PHUM, KJUS, PGOV, PE
SUBJECT: PERU: CIVILIAN INVESTIGATION OF LA
CANTUTA MAY BE CLOSED

REF: A. LIMA 8845, B. LIMA 9362

1. (U) THERE ARE INDICATIONS THAT THE CIVILIAN INVESTIGATION INTO THE LA CANTUTA DISAPPEARANCES, UNDER THE AUSPICES OF THE PUBLIC MINISTRY, HAS BEEN CLOSED AND ALL DOCUMENTS RELATING TO THE INVESTIGATION TURNED OVER TO MILITARY INVESTIGATORS OF THE SUPREME COUNCIL OF MILITARY JUSTICE (CSJM). LIMA'S MOST WIDELY-CIRCULATED DAILY, "EL COMERCIO," BROKE THE STORY AUGUST 26, REPORTING THAT AN ASSISTANT DISTRICT ATTORNEY, MARIA ISABEL RABINES, DECIDED AUGUST 9 TO CLOSE

[REDACTED]

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THE CASE, REPORTEDLY BECAUSE THE PUBLIC MINISTRY WAS UNNECESSARILY DUPLICATING THE CSJM'S EFFORTS.

2. (C) THE PUBLIC MINISTRY'S INVESTIGATION IS INDEED CLOSED, [REDACTED]

B1

CONFIRMED TO POLOFF AUGUST 26. [REDACTED] ALLEGED THAT ATTORNEY GENERAL BLANCA NELIDA COLAN HAD ORDERED THE CASE CLOSED IN EARLY AUGUST. BEFORE HER ORDERS COULD BE CARRIED OUT, THE SPECIAL PROSECUTOR, GUSTAVO QUIROZ, "CONVENIENTLY" WENT ON VACATION, LEAVING RABINES IN CHARGE. RABINES

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WAS UNCOMFORTABLE WITH THE ORDER AND CONSULTED WITH A SUPERIOR COURT PROSECUTOR, WHO [REDACTED] DECIDED TO SUSPEND THE CASE TEMPORARILY. [REDACTED] CLAIMED THAT COLAN THEN INTERCEDED AGAIN AND HAD A SUPREME COURT PROSECUTOR, CESAR GALVEZ SOTO, ENSURE THAT ALL THE EVIDENCE IN THE CASE WAS SENT TO THE CSJM. WHEN ASKED WHY COLAN HAD DIRECTED THIS, [REDACTED] SAID, "SHE WAS PROBABLY ORDERED TO DO IT BY (PRESIDENTIAL INTELLIGENCE ADVISOR VLADIMIRO) MONTESINOS." [REDACTED] WAS ALSO PESSIMISTIC THAT THE SEPARATE PUBLIC MINISTRY INVESTIGATION INTO THE HUMAN REMAINS FOUND AT CIENEGUILLA JULY 8, NOW APPARENTLY LINKED TO THE LA CANTUTA VICTIMS (REF B), WOULD RESULT IN INDICTMENTS. "THE MILITARY WILL NOT LET CIVILIANS BRING CHARGES AGAINST THEM," HE ASSERTED.

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3. (C) COMMENT: WE ARE TRYING TO CONFIRM WHAT [REDACTED]

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HAPPENED, AND WHETHER THE CIVILIAN JUDICIAL INVESTIGATION OF LA CANTUTA CAN CONTINUE. THE IMPLICATIONS OF THE MOVE WILL BECOME MORE APPARENT IN THE NEXT FEW DAYS. IF THERE IS NO TURNING BACK, THEN THE SECRET MILITARY INVESTIGATION WILL BE THE ONLY ONE STILL ACTIVE.
COOPER

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