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 ACTION ARA-01

INFO	LOG-00	ACDA-17	AID-01	AMAD-01	CIAE-00	CPR-02	C-01
	OASY-00	EAP-01	EB-01	HA-09	H-01	INM-02	INRE-00
	INR-01	IO-19	LAB-04	L-03	ADS-00	MOFM-04	MOF-03
	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-17
	TRSE-00	T-01	USIE-00	RPE-00	/097W		

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R 061842Z JAN 93  
 FM AMEMBASSY LIMA  
 TO SECSTATE WASHDC 4729  
 INFO AMEMBASSY BOGOTA  
 AMEMBASSY BUENOS AIRES  
 AMEMBASSY CARACAS  
 AMEMBASSY LA PAZ  
 AMEMBASSY QUITO  
 AMEMBASSY TOKYO  
 DIA WASHDC  
 USAFSO HOWARD AFB PM  
 USCINCSO QUARRY HEIGHTS PM

RELEASED IN FULL

[REDACTED] SECTION 01 OF 02 LIMA 00138

USCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR  
 TAGS: PHUM, PGOV, OFDP, PE, AR  
 SUBJECT: GOVERNMENT, THE GENERALS AND  
 [REDACTED]  
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 THE LIMITS OF FREEDOM OF SPEECH

REF: LIMA 088

1. (U) SUMMARY: THE GOP HAS ANNOUNCED IT WILL PROSECUTE RETIRED GENERALS ARCINIEGA AND CISNEROS FOR "INSULTING THE NATION AND ARMED FORCES." ARCINIEGA HAS BEEN GRANTED ASYLUM BY THE ARGENTINE GOVERNMENT AFTER SEEKING REFUGE IN THEIR EMBASSY IN LIMA. CISNEROS HAS NOT YET RESPONDED TO THE CHARGES. END SUMMARY.

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

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2. (U) IN ADDITION TO THE GOP'S DECISION TO BRING CHARGES AGAINST RETIRED GENERAL ALBERTO ARCINIEGA FOR "INSULT TO THE NATION AND THE ARMED FORCES" (REFTTEL), THE GOVERNMENT ALSO ANNOUNCED JANUARY 5 IT WILL PROSECUTE ANOTHER RETIRED GENERAL, LUIS CISNEROS VIZQUERRA, FOR DEFAMING THE ARMED FORCES AND ITS COMMANDER. ARCINIEGA SOUGHT AND RECEIVED POLITICAL ASYLUM IN THE ARGENTINE EMBASSY JANUARY 5. PERUVIAN PRIME/FOREIGN MINISTER OSCAR DE LA PUENTE TOLD THE PRESS THAT THE GOP WOULD AUTHORIZE SAFE CONDUCT FOR ARCINIEGA TO LEAVE THE COUNTRY. CISNEROS, WHO WAS DEFENSE MINISTER UNDER THE LAST MILITARY GOVERNMENT, TOLD A JOURNALIST THAT UNLIKE ARCINIEGA HE DID NOT PLAN TO SEEK POLITICAL ASYLUM IN ANOTHER COUNTRY.

3. (U) THE DEFAMATION CHARGES AGAINST BOTH ARCINIEGA AND CISNEROS STEM FROM COMMENTS THEY  
 [REDACTED]  
 [REDACTED]

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 MADE IN RECENT PRESS INTERVIEWS. BOTH MEN CHARGED THAT THE ARMY LACKS LEADERSHIP, AND SUGGESTED THAT CURRENT ARMY CHIEF NICOLAS HERMOZA SHOULD CONSIDER RESIGNING. THEY BOTH EXPRESSED THEIR DISAGREEMENT WITH THE GOP'S POLICY OF JAILING FOILED MILITARY COUP PLOTTERS IN A CIVILIAN PRISON INSTEAD OF A MILITARY FACILITY. IN ADDITION, ARCINIEGA HAS STRONGLY CRITICIZED PRESIDENTIAL ADVISER VLADIMIRO MONTESINOS ON SEVERAL OCCASIONS, SAYING HE HAS TOO MUCH POWER OVER THE ARMED FORCES.

4. (C) COMMENT: THE OPENING OF INVESTIGATIONS AGAINST GENERALS ARCINIEGA AND CISNEROS ARE CLEAR EXAMPLES OF THE GOVERNMENT USING THE LEGAL PROCESS TO DEFINE THE LIMITS AND SUBJECT AREAS BEYOND WHICH CRITICISM WILL HAVE CONSEQUENCES. BOTH ARCINIEGA AND CISNEROS ARE RETIRED AND, AS PRIVATE CITIZENS, ARE NOT SUBJECT TO ANY LEGAL RESTRICTION THAT WOULD PROHIBIT THEIR CRITICIZING GOP POLICIES. THE PUBLISHED COMMENTS BOTH GENERALS MADE HAVE NOT BEEN PARTICULARLY INFLAMMATORY OR AD HOMINEM. WHAT THEY SAID IS LESS DANGEROUS, AT THE MOMENT TO FUJIMORI THAN WHO IS SAYING IT. AS RETIRED

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GENERALS, ARCINIEGA AND CISNEROS'S PUBLIC  
CRITICISM HAS VIOLATED ONE OF THE NORMS OF THE  
MILITARY AS A SEPARATE INSTITUTION IN PERU:  
DIRTY LAUNDRY SHOULD NOT BE WASHED IN PUBLIC.

5. (C) WHAT IS IRONIC IN THIS CASE IS THAT  
[REDACTED]  
[REDACTED]

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NEITHER ARCINIEGA NOR CISNEROS SEEM ON THE  
SURFACE TO BE CRITICIZING FUJIMORI; THEY BOTH  
HAVE PUBLICLY EXPRESSED SUPPORT FOR THE  
PRESIDENT ON SEVERAL OCCASIONS (ARCINIEGA EVEN  
CRITICIZED THE FAILED NOVEMBER 13 COUP  
ATTEMPT). BOTH MEN, HOWEVER, HAVE OPENLY  
CRITICIZED GOVERNMENT POLICIES AND HAVE  
COMPLAINED THAT HERMOZA NO LONGER COMMANDS  
RESPECT IN THE ARMED FORCES. THE RUB IS THAT IF  
FUJIMORI DEPENDS UPON HERMOZA TO KEEP THE THE  
ARMED FORCES IN LINE, ANY CRITICISM OF THE  
PRESIDENT'S MAN IS CRITICISM OF THE PRESIDENT  
AND UNDERMINES HIS CONTROL OVER A KEY  
INSTITUTION HE NEEDS TO REMAIN IN POWER. THIS  
[REDACTED]

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TO SECSTATE WASHDC 4730  
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AMEMBASSY CARACAS  
AMEMBASSY LA PAZ

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UNCLASSIFIED

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AMEMBASSY QUITO  
AMEMBASSY TOKYO  
DIA WASHDC  
USAFSO HOWARD AFB PM  
USCINCSO QUARRY HEIGHTS PM

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IS THE CRIME THEY ARE REALLY BEING CHARGED WITH.  
BRAYSHAW##

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