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## RELEASED IN FULL

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ACTION ARA-01

INFO	LOG-00 DODE-00 INR-00 NSCE-00 RPCS-01 TRSE-00	ACDA-17 EAP-01 IO-19 OIC-02 SIL-00 T-00	AID-01 EB-01 JUSE-00 OMB-01 SNP-00 USIE-00	AMAD-01 EUR-01 LAB-04 PA-01 SP-00 RPE-01	CIAE-00 HA-09 L-03 PM-02 SR-00 /089W	C-01 H-01 ADS-00 PRS-01 SS-00	OASY-00 INM-02 NSAE-00 P-01 STR-17
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-----AODCCB 262316Z /38 P 262315Z FEB 93 FM AMEMBASSY LIMA TO SECSTATE WASHDC PRIORITY 6208 INFO AMEMBASSY BOGOTA AMEMBASSY CARACAS AMEMBASSY LA PAZ AMEMBASSY OTTAWA AMEMBASSY TOKYO AMEMBASSY QUITO USMISSION GENEVA USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD

E.O. 12356: DECL:OADR

PHUM, PGOV, KJUS, PE

PERUVIAN ARMY OFFICER RECEIVES SIX SUBJECT:

YEARS FOR ACCOMARCA MASSACRE

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REF:

LIMA 1798 (NOTAL)

(C) COMMENT: AN ARMY OFFICER HAS BEEN GIVEN AN INCREASE IN PRISON TERM FOR ONE OF PERU'S MOST NOTORIOUS MASSACRES. ON REVIEW, HIS SENTENCE WAS INCREASED FROM FOUR TO SIX YEARS. THIS IS THE SECOND DISCIPLINARY ACTION TAKEN BY THE MILITARY JUSTICE SYSTEM IN THE PAST WEEK FOR OFFICERS RESPONSIBLE FOR MAJOR, PAST MASSACRES. THESE ACTIONS, WHILE TARDY IN COMING, ARE SIGNFICIANT SHIFTS FOR THE GOP AND ARMED

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UNITED STATES DEPARTMENT OF STATE REVIEW AUTHORITY: DONALD A. JOHNSTON DATE/CASE ID: 25 OCT 2001 200102054

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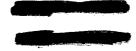
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FORCES. CHARGE IN RECENT WEEKS HAS BEEN PRESSING VERY HARD FOR DECISIVE GOP ACTION IN THIS AREA. END SUMMARY

- (U) THE REVIEW PANEL OF PERU'S SUPREME COUNCIL OF MILITARY JUSTICE UPHELD A SIX-YEAR JAIL SENTENCE FOR ARMY CAPTAIN TELMO HURTADO FOR HIS PART IN THE AUGUST 14, 1985 MASSACRE OF 69 VILLAGERS (INCLUDING WOMEN AND CHILDREN) IN ACCOMARCA, AYACUCHO DEPARTMENT. HURTADO, WHO WAS A SUB-LIEUTENANT AT THE TIME OF THE KILLINGS, IS THE ONLY PERSON TO HAVE BEEN CONVICTED IN RELATION WITH THE INCIDENT. HE WILL SERVE HIS SENTENCE IN A MILITARY PRISON, AND HAS BEEN PERMANENTLY DISCHARGED FROM ACTIVE DUTY.
- (LOU) THE PRESS AND HUMAN RIGHTS GROUPS HAVE EXPRESSED REGRETS THAT IT TOOK NEARLY EIGHT YEARS TO PUNISH ANYONE FOR THE KILLINGS, WHICH



LIMA 02302 262315Z PAGE 03 WERE CARRIED OUT BY AN ARMY UNIT THAT BURNED THE CORPSES, BURIED THEM IN AN UNMARKED GRAVE AND MURDERED SEVERAL WITNESSES. ALL OF THE SUSPECTED PERPETRATORS, INCLUDING HURTADO, HAVE RECEIVED PROMOTIONS SUBSEQUENTLY. IN THE MILITARY SYSTEM, THESE PROMOTIONS WERE AUTOMATIC AND DID NOT INVOLVE RATINGS BY PANELS. HURTADO WAS NOT CONVICTED OF HOMICIDE (WHICH WOULD HAVE MEANT A MINIMUM SENTENCE OF FIFTEEN YEARS), SINCE HOMICIDE IS NOT A CRIME IN THE MILITARY JUSTICE SYSTEM. INSTEAD, HE WAS CONVICTED OF "DISOBEDIENCE AND ABUSE OF AUTHORITY." HIS ORIGINAL SENTENCE WAS FOUR YEARS, BUT THE SUPREME COUNCIL OF MILITARY JUSTICE EXTENDED IT TO SIX.

- (C) COMMENT: ACCOMARCA WAS PERU'S MY LAI. HURTADO CONFESSED TO THE KILLINGS, BUT SAID THE EVEN THREE-YEAR-OLDS WERE POTENTIAL SL MEMBERS AT THE TIME, MANY ARMY AND HENCE FAIR GAME. OFFICERS THOUGHT HURTADO WAS JUST DOING HIS JOB; ONE EVEN TOLD POLCOUNS HIS ERROR WAS IN NOT HIDING THE BODIES.
- HURTADO IS THE SECOND MILITARY OFFICER 5.

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CONVICTED AND SENTENCED FOR A HUMAN RIGHTS VIOLATION IN A MONTH (REFTEL), AND ONE OF THE VERY FEW EVER IN PERU'S HISTORY. ONCE AGAIN, THE REVIEW COURT INCREASED THE SENTENCE. IN THE CASE OF HURTADO, IT IS NOT CLEAR WHEN HE BEGAN SERVING THE SENTENCE AND WHERE. THE GOP WANTS



02302 262315Z PAGE 04 LIMA THIS TO APPEAR AS A SIGN OF PROGRESS; A MILITARY COURT SPOKESMAN CLAIMED THAT THIS CASE PROVES PERU IS SERIOUS ABOUT PUNISHING HUMAN RIGHTS TRANSGRESSORS. WHILE A SIX-YEAR SENTENCE IS LOW, IT IS A WELCOME PRECEDENT IN WHICH MILITARY OFFICERS RARELY HAVE BEEN PUNISHED -- UNTIL NOW -- FOR ABUSES. CHARGE HAS BEEN URGING SENIOR GOP OFFICIALS IN RECENT WEEKS TO BREAK LOGJAMS AND CARRY OUT DISCIPLINARY ACTIONS AGAINST OFFICERS RESPONSIBLE FOR MAJOR HUMAN RIGHTS VIOLATIONS. BRAYSHAW##

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