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	DINT-00	DODE-00	DOEE-00	SRPP-00	DS-00	EB-00	EUR-01
	FBIE-00	VC-01	H-01	TEDE-00	INR-00	IO-00	L-00
	VCE-00	AC-01	DCP-01	NSAE-00	NSCE-00	OIC-02	OMB-01
	OPIC-01	PA-00	PM-00	PRS-00	ACE-00	P-00	SP-00
	STR-00	TRSE-00	USIE-00	SNIS-00	NISC-00	PMB-00	DSCC-00
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P 152201Z MAY 00
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 4385
INFO AMEMBASSY LA PAZ
AMEMBASSY QUITO
AMEMBASSY SANTIAGO
AMEMBASSY BUENOS AIRES
AMEMBASSY BRASILIA
AMEMBASSY BOGOTA
AMEMBASSY CARACAS
AMEMBASSY MOSCOW
USCINCSO MIAMI FL

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TAGS: PGOV, PREL, PINS, PHUM, PE
SUBJECT: CONGRESSIONAL VOTE IRREGULARITIES UNDERMINE ALREADY
DAMAGED ONPE CREDIBILITY
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1. (U) CLASSIFIED CONFIDENTIAL BY AMBASSADOR JOHN R. HAMILTON
FOR REASONS 1.5B AND 1.5D.

SUMMARY
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2. (C) THE LATE MAY 12 ANNOUNCEMENT OF THE 120 WINNERS OF
CONGRESSIONAL SEATS, 33 DAYS AFTER POLLS CLOSED ON APRIL 9,
WAS GREETED WITH A HEALTHY DOSE OF SKEPTICISM BY THE PERUVIAN
PUBLIC. (SEPTEL WILL REPORT ON THE NEW CONGRESS.) RUMORS OF
FRAUD AND NUMEROUS IRREGULARITIES, INCLUDING THE IMPLICATION
OF SIX CONTRACTED DATA ENTRY CLERKS IN A VOTE MANIPULATION
SCHEME, HAVE FURTHER ERODED WANING PUBLIC CONFIDENCE IN THE

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: JOHN L. MILLS
DATE/CASE ID: 4 FEB 2002 200102973

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OFFICE OF NATIONAL ELECTIONS PROCESSES (ONPE). THE CASE OF CONGRESSIONAL CANDIDATE HERIBERTO BENITEZ PROVIDES INSIGHTS INTO HOW ONPE DATA CAN BE MANIPULATED AND UNDERSCORES WHY ONPE IS PERCEIVED AS EITHER INCOMPETENT OR PARTISAN. PUBLIC PERCEPTION OF THE ELECTORAL PROCESS HAS ALSO BEEN SOURED BY THE PERCEPTION THAT POLITICAL PARTIES MAY ALSO BE INVOLVED IN VOTE MANIPULATION SCHEMES. END SUMMARY.

ONPE AND THE BENITEZ CASE: FRAUD OR IMCOMPETENCE?
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3. (U) WHILE MOST PERUVIAN AND INTERNATIONAL ATTENTION HAS FOCUSED ON THE UPCOMING RUN-OFF FOR THE PRESIDENCY, THE CONTROVERSIES SURROUNDING THE ELECTION OF A NEW CONGRESS HAS BEEN AN INSIDE-PAGES STORY HERE. LATE MAY 12, THE OFFICE OF NATIONAL ELECTIONS PROCESSES (ONPE) FINALLY ANNOUNCED THE WINNERS OF THE 120 CONGRESSIONAL SEATS, MORE THAN ONE MONTH [REDACTED]

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AFTER POLLS CLOSED ON APRIL 9. THIS UNEXPLAINABLE DELAY AND LACK OF TRANSPARENCY HAVE UNDERMINED ONPE'S ALREADY DAMAGED CREDIBILITY. SEVERAL OPPOSITION POLITICAL PARTIES HAVE PETITIONED THE NATIONAL ELECTIONS TRIBUNAL (JNE), WHICH IS CHARGED WITH CERTIFYING ONPE'S RESULTS, TO POSTPONE FORMALIZING THE WINNERS UNTIL INVESTIGATIONS ARE COMPLETED INTO THE NUMEROUS ALLEGATIONS OF FRAUD. MANY CONGRESSIONAL RACE IRREGULARITIES OF VARYING GRAVITY HAVE BEEN TRUMPETED BY THE OPPOSITION PRESS. THE CASE OF CANDIDATE HERIBERTO BENITEZ IS PARTICULARLY INTERESTING, HOWEVER, BECAUSE IT POINTS TO MANIPULATION OF ONPE DATA AND FURTHER UNDERMINES THE GOP'S CREDIBILITY ON THE EVE OF THE SECOND ROUND.

4. (U) BENITEZ IS A WELL-KNOWN HUMAN RIGHTS LAWYER. HE HAS BEEN INVOLVED IN SEVERAL HIGH-PROFILE CASES, INCLUDING THE TORTURE CASE OF FORMER ARMY INTELLIGENCE DEFECTOR LEONOR LA ROSA AND THE 1992 DEATH SQUAD KILLINGS AT LA CANTUTA. HIS HARSH CRITICISMS OF THE GOP, SPECIFICALLY PRESIDENT FUJIMORI AND NATIONAL SECURITY ADVISOR MONTESINOS, RESULTED IN THREATS OF SUFFICIENT MAGNITUDE THAT HIS WIFE AND DAUGHTER WERE GRANTED POLITICAL ASYLUM IN THE U.S. BENITEZ RAN FOR A SEAT IN CONGRESS ON LIMA MAYOR ALBERTO ANDRADE'S SOMOS PERU (SP) TICKET.

5. (U) NATIONAL ELECTIONS TOOK PLACE APRIL 9. ON APRIL 18 ONPE PUBLISHED OFFICIAL RESULTS OF 99.972% OF VOTING TABLES WHICH SHOWED SOMOS PERU WITH 725,452 CONGRESSIONAL VOTES. BASED ON THIS INFORMATION, EXPERTS CALCULATED THAT SOMOS PERU WOULD BE AWARDED 9 SEATS IN THE NEW CONGRESS. BENITEZ WAS SOMOS PERU'S

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NUMBER 10 VOTE GETTER AND NOT EXPECTED TO WIN A SEAT. ON APRIL 23, HOWEVER, SOMOS PERU'S NUMBER NINE VOTE GETTER, [REDACTED]

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GUSTAVO MOHME, UNEXPECTEDLY DIED AND BENÍTEZ SUDDENLY LOOKED TO BE GUARANTEED A SEAT.

6. (U) ON MAY 5, ONPE'S WEB PAGE POSTED RESULTS FOR 99.99% OF VOTING TABLES, AN INCREASE OF .018%, BUT THE TOTAL OF SOMOS PERU DROPPED TO 715,384, OR 10,068 LESS THAN THE 725,452 ANNOUNCED ON APRIL 18. AS A RESULT, SOMOS PERU'S TOTAL NUMBER OF SEATS IN CONGRESS DROPPED FROM 9 TO 8. SOMOS PERU PROTESTED THAT IT WAS IMPOSSIBLE THAT A VOTE TOTAL COULD BE REDUCED BY COUNTING VOTES FROM ADDITIONAL TABLES. ONPE RESPONDED THAT THE PARTIAL RESULTS ANNOUNCED APRIL 18 HAD INCLUDED OVER 14,000 "CHALLENGED VOTES" (I.E., CHALLENGED BY A POLL WATCHER) AND THAT THE INVALIDATION OF MANY OF THESE VOTES HAD UNFORTUNATELY GONE POORLY FOR SOMOS PERU. THE SEAT SOMOS PERU LOST WAS GAINED BY NATIONAL SOLIDARITY CANDIDATE EDUARDO FARAH. WHILE NATIONAL SOLIDARITY IS AN OPPOSITION PARTY, FARAH DECLARED JUST DAYS PREVIOUSLY THAT IN THE RUN-OFF FOR THE PRESIDENCY HE WOULD SUPPORT PRESIDENT FUJIMORI RATHER THAN OPPOSITION CANDIDATE ALEJANDRO TOLEDO.

7. (U) SOMOS PERU'S KEY ELECTORAL OFFICIAL NATALE AMPRIMO EXPLAINED TO POLOFF THAT ONPE'S EXPLANATION WAS INVALID FOR TWO REASONS. FIRST, PERUVIAN ELECTORAL LAW 307 STATES THAT ONPE MUST PUBLISH PARTIAL RESULTS AS THEY BECOME AVAILABLE AND [REDACTED]

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FM AMEMBASSY LIMA
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INFO AMEMBASSY LA PAZ

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THAT CHALLENGED VOTES MUST BE LISTED SEPARATELY AND NOT INCLUDED IN THE PARTY TOTALS. SECOND, ONPE'S APRIL 18 PUBLICATION LISTED 4,806 CHALLENGED VOTES. SOMOS PERU WANTS TO KNOW WHERE THE OTHER 14,000 CHALLENGED VOTES CAME FROM. ACCORDINGLY, SOMOS PERU HAS FORMALLY ASKED ONPE TO PROVIDE COPIES OF THE CHALLENGED TABULATION FORMS SO THAT THEY CAN BE REVIEWED. ONPE HAS YET TO RESPOND.

COMMENT
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8. (C) SHORT NINE CONGRESSIONAL SEATS TO FORM A MAJORITY, FUJIMORI AND HIS ADVISORS CERTAINLY HAD AMPLE MOTIVE TO WANT TO MANIPULATE A FEW CONGRESSIONAL SEATS. AND, GIVEN BENITEZ' POLITICS, HE IS PROBABLY ONE OF THE OVER 1,000 CONGRESSIONAL CANDIDATES WHO COMPETED WHICH THE GOP WANTED LEAST TO WIN. MOREOVER, THE 33 DAYS IT TOOK ONPE TO ANNOUNCE THE CONGRESSIONAL WINNERS, COUPLED WITH ITS LACK OF TRANSPARENCY, GAVE RISE TO SWARMS OF RUMORS THAT CONGRESSIONAL SEATS WERE BEING AUCTIONED TO THE HIGHEST BIDDER. ONPE'S FIRING OF SIX OF ITS CONTRACTED DATA ENTRY CLERKS FOR ATTEMPTING TO FRAUDULENTLY RAISE THE VOTE TOTALS OF TWO OTHER CONGRESSIONAL CANDIDATES LENT CREDENCE TO THESE RUMORS. AT THE VERY LEAST, THE CASE OF BENITEZ IS ANOTHER CLEAR EXAMPLE OF ONPE INCOMPETENCE.



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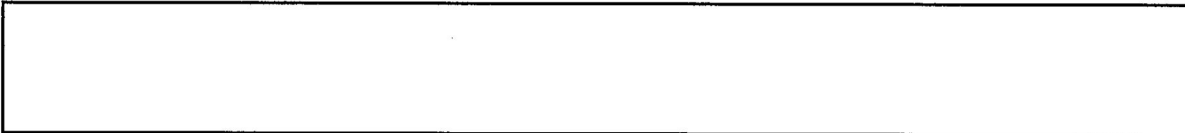
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