

n/a
Case Number: 200102877

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RELEASED IN PART
B1, 1.5(D)

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ACTION WHA-00

INFO	LOG-00	NP-00	AID-00	ACQ-00	CIAE-00	SMEC-00	INL-00
	DODE-00	DOEE-00	SRPP-00	DS-00	EB-00	EUR-00	VC-00
	H-01	TEDE-00	INR-00	IO-00	LAB-01	L-00	VCE-00
	AC-01	NRRC-00	NSAE-00	NSCE-00	OIC-02	OMB-01	OPIC-01
	PA-00	PM-00	PRS-00	ACE-00	P-00	SP-00	SSO-00
	STR-00	TRSE-00	USIE-00	R-00	PMB-00	DSCC-00	PRM-01
	DRL-02	G-00	NFAT-00	SAS-00	SWCI-00	/010W	

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O 272207Z SEP 00
 FM AMEMBASSY LIMA
 TO SECSTATE WASHDC IMMEDIATE 6586
 INFO AMEMBASSY CARACAS
 AMEMBASSY MADRID
 AMEMBASSY OTTAWA
 AMEMBASSY MEXICO
 AMEMBASSY QUITO
 AMEMBASSY SANTIAGO
 AMEMBASSY ASUNCION
 AMEMBASSY BUENOS AIRES
 AMEMBASSY BRASILIA
 AMEMBASSY BOGOTA
 AMEMBASSY LA PAZ
 USCINCSO MIAMI FL

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E.O. 12958: DECL 9/25/05

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 TAGS: PGOV, PREL, OAS, PHUM, PE
 SUBJECT: OAS TALKS PROGRESS ON INTELLIGENCE MATTERS

CLASSIFIED BY AMBASSADOR JOHN HAMILTON FOR REASONS 1.5 (B) AND (D).

1. (SBU) IN A THREE-HOUR SESSION OF THE OAS-SPONSORED DEMOCRATIZATION TALKS SEPTEMBER 26 PARTICIPANTS PRODUCED THREE IMPORTANT ADVANCES:

-- AGREEMENT TO RECOMMEND TO THE PERUVIAN CONGRESS THAT LEGISLATION TO DEACTIVATE THE NATIONAL

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INTELLIGENCE SERVICES (SIN) INTRODUCED BY THE GOP BE PASSED WITH AMENDMENTS;

-- RESPONDING TO OPPOSITION WISHES, THE GOP REPRESENTATIVES PRESENTED A MODIFIED GOVERNMENT RESOLUTION ANNOUNCING THE ACCEPTANCE OF EX-INTELLIGENCE CHIEF VLADIMIRO MONTESINOS'S RESIGNATION. JUSTICE MINISTER ALBERTO BUSTAMANTE ALSO SAID THE AD HOC PROSECUTOR'S SEPTEMBER 26 DECISION THAT FOUND INSUFFICIENT EVIDENCE TO PURSUE AN INVESTIGATION AGAINST MONTESINOS FOR BRIBERY WOULD BE APPEALED; AND

-- AGREEMENT TO ADDRESS JUDICIAL AND ELECTORAL ISSUES ON SEPTEMBER 27.

2. (C) [REDACTED] CHARACTERIZED THE MEETING AS ONE IN WHICH "THE GOP ARRIVED WITH A FIRM BOTTOM LINE THAT KEPT DROPPING." THE TALKS ADVANCED, [REDACTED] SAID, DESPITE SOME

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CONCERN THAT THE ABSTENTION OF TWO CIVIL SOCIETY REPRESENTATIVES (HUMAN RIGHTS COORDINATOR SOFIA MACHER AND LABOR LEAD JOSE RISCO) HAD CAST DOUBT OVER WHERE THE DIALOGUE WOULD GO. RESPONDING TO OPPOSITION OBJECTIONS TO THE PROSECUTOR'S FINDING THAT THERE WAS NO BASIS TO PROCEED WITH CHARGES AGAINST EX-INTELLIGENCE CHIEF MONTESINOS, JUSTICE MINISTER ALBERTO BUSTAMANTE AGREED RELUCTANTLY TO APPEAL THE DECISION. THE GOP REPRESENTATIVES ALSO PRESENTED A NEW RESOLUTION THAT MODIFIED THE EARLIER ANNOUNCEMENT REGARDING MONTESINOS'S RESIGNATION. THE NEW DOCUMENT OMITTED PRAISE OF MONTESINOS'S SERVICE, WHICH HAD DRAWN OBJECTIONS FROM OPPOSITION AND CIVIL SOCIETY PARTICIPANTS.

3. (SBU) REGARDING INTELLIGENCE REFORMS, THE PARTICIPANTS FOCUSED ON THE GOVERNMENT'S DRAFT LEGISLATION TO DE-ACTIVATE THE NATIONAL INTELLIGENCE SERVICE. THEY AGREED TO THREE MODIFICATIONS TO THE GOVERNMENT DRAFT. FIRST, A CIVIL SOCIETY REPRESENTATIVE WILL PARTICIPATE IN THE EXECUTIVE BRANCH'S COMMITTEE CREATED TO OVERSEE DEACTIVATION OF THE SIN. SECOND, THE EXECUTIVE COMMISSION WILL REPORT ON ITS DECISIONS AND ACTIVITIES TO A SPECIAL COMMISSION OF THE CONGRESS RATHER THAN TO THE CHAIRMAN

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OF THE COMMITTEE ON DEFENSE, PUBLIC ORDER AND INTELLIGENCE. THE SPECIAL COMMISSION'S MEMBERSHIP WILL BE SELECTED BY CONSENSUS IN THE OAS FORUM. THIRD, THE DRAFT NOW WILL PROVIDE FOR THE DISMISSAL OF ALL LINE AND OPERATIONAL SIN CHIEFS AS WELL AS THE ORIGINAL SENIOR MANAGEMENT IN SIN'S ADVISORY AND

[REDACTED]

PAGE 04 LIMA 05776 01 OF 02 272207Z CONTROL BODIES. THE PARTICIPANTS AGREED TO RECOMMEND TO THE CONGRESS THAT THE LEGISLATION BE PASSED WITH THE ABOVE MODIFICATIONS.

4. (C) PAVING THE WAY FOR THE 9/27 SESSION, ACCORDING TO [REDACTED] BUSTAMANTE ALSO AGREED TO "LOOK INTO" THE GOP'S DECISION TO REPLACE RETIRING (OSTENSIBLY FOR HEALTH REASONS) NATIONAL ELECTIONS BOARD (JNE) PRESIDENT ALIPIO MONTES DE OCA WITH CARLOS SAPONARA, SOMEONE WITH RUMORED LINKS TO MONTESINOS. THE GROUP WILL ALSO EXAMINE A DRAFT LAW ON THE NEW GENERAL ELECTIONS. ON THE JUDICIAL FRONT, THEY AGREED TO DISCUSS THE DEACTIVATION OF EXECUTIVE COMMISSIONS THAT APPOINT PROSECUTORS AND JUDGES; RETURNING TO THE NATIONAL COUNCIL OF MAGISTRATES (CNM) ITS POWERS TO ADMINISTER THE JUDICIAL BRANCH; AND ELIMINATING PROVISIONAL JUDGES AND PROSECUTORS.

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5. (C) THE TWO CIVIL SOCIETY REPRESENTATIVES ABSENT FROM THE 9/26 ARE EVALUATING WHETHER TO RETURN TO THE DIALOGUE. OBJECTIONS REMAIN TO THE GOP'S SUPPORT FOR MONTESINOS'S REQUEST FOR POLITICAL ASYLUM IN PANAMA, ACCORDING TO HUMAN RIGHTS COORDINATOR ADVISOR MIGUEL HUERTA. HE CONCEDED THAT DESPITE THE ABSENCE OF TWO

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	DODE-00	DOEE-00	SRPP-00	DS-00	EB-00	EUR-00	VC-00
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	STR-00	TRSE-00	USIE-00	R-00	PMB-00	DSCC-00	PRM-01

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DRL-02 G-00 NFAT-00 SAS-00 /010W
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CIVIL SOCIETY REPRESENTATIVES, THE 9/26 MEETING
YESTERDAY HAD NONETHELESS SHOWN PROGRESS.

6. (C) COMMENT: THE RESULTS OF THE 9/26 SESSION ARE
TO DATE THE MOST CONCRETE RESULTS OF THE OAS-SPONSORED
EFFORT. THE AGENDA CONTINUES TO FOCUS ON THE MOST
PRESSING ISSUES AND CERTAINLY THE MOST DIFFICULT.
THOUGH THE TALKS INCLUDE REPRESENTATIVES FROM GROUPS
THAT HAVE HAD THE MAJORITY IN CONGRESS, THE MATTER OF
HOW THE AGREEMENTS WILL FARE IN THE LEGISLATURE
UNCLEAR. IN CONTRAST TO THE PROGRESS IN THE OAS
FORUM, CONGRESS HAS BEEN STYMIED BY THE OPPOSITION
BOYCOTT AND, MORE RECENTLY, BY DEFECTIONS FROM THE
MAJORITY.
HAMILTON

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