

Case Number: 200102877

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RELEASED PART B1, 1.5(D)

PTO4417

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ACTION WHA-00

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

- (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

n/a

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UNITED STATES DEPARTMENT OF STATE REVIEW AUTHORITY: MELVIN E. SINN DATE/CASE ID: 14 JUN 2002 200102877

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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)				
CHARACTER	IZED THE MEET	ING AS ONE	IN WHICH	"THE GOP
ARRIVED W	ITH A FIRM BO	OTTOM LINE	THAT KEPT	DROPPING "
THE TALKS	ADVANCED,			SPITE SOME
	· L			3222 50115

PAGE 03 LIMA 05776 01 OF 02 272207Z 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 THE GOP REPRESENTATIVES ALSO PRESENTED A DECISION. 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 IHE SIN. SECOND, THE EXECUTIVE COMMISSION WILL REPORT ON ITS DECISIONS AND ACTIVITIES TO A SPECIAL COMMISSION OF THE CONGRESS RATHER THAN TO THE CHAIRMAN

n/a

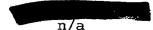
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OF THE COMMITTEE ON DEFENSE, PUBLIC ORDER AND INTELLIGENCE. THE SPECIAL COMMISSION'S MEMBERSHIP WILL BE SELECTED BY CONSENSUS IN THE OAS FORUM. THIRD, THE DRAFT NOW WILL PROVIDE FOR THE DISMISSAL OF ALL LINE AND OPERATIONAL SIN CHIEFS AS WELL AS THE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

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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 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 CARLO'S 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.
- 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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INFO	LOG-00 DODE-00 H-01 AC-01 PA-00 STR-00	NP-00 DOEE-00 TEDE-00 NRRC-00 PM-00 TRSE-00	AID-00 SRPP-00 INR-00 NSAE-00 PRS-00 USIE-00	ACQ-00 DS-00 IO-00 NSCE-00 ACE-00	CIAE-00 EB-00 LAB-01 OIC-02 P-00	SMEC-00 EUR-00 L-00 OMB-01 SP-00	INL-00 VC-00 VCE-00 OPIC-01 SSO-00
	STR-00	TRSE-00	USIE-00	R-00	PMB-00	DSCC-00	PRM-01

n/a

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DRL-02 G-00

NFAT-00 SAS-00

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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.

<< END OF DOCUMENT >>

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