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O 252131Z JUN 93  
FM AMEMBASSY LIMA  
TO SECSTATE WASHDC IMMEDIATE 9416  
INFO AMEMBASSY BOGOTA  
AMEMBASSY BUENOS AIRES  
AMEMBASSY CARACAS  
AMEMBASSY LA PAZ  
AMEMBASSY OTTAWA  
AMEMBASSY QUITO  
AMEMBASSY TOKYO  
DIA WASHDC  
NSC WASHDC  
USMISSION GENEVA  
USCINCSO QUARRY HEIGHTS PM

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E.O. 12356: DECL:OADR  
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TAGS: PHUM, PGOV, PE  
SUBJECT: PERUVIAN CONGRESSIONAL COMMITTEE  
- ISSUES TWO CONTRADICTORY OPINIONS  
- ON LA CANTUTA INVESTIGATION

REF: A. LIMA 6877, B. LIMA 6963 (NOTAL)

1. (C) SUMMARY THE MAJORITY OPINION OF THE  
CONGRESSIONAL COMMITTEE INVESTIGATING THE LA  
CANTUTA DISAPPEARANCES CALLS ON PRESIDENT  
FUJIMORI TO REMOVE ARMY CHIEF HERMOZA, SINCE  
HERMOZA HAS BEEN IMPLICATED IN COVERING UP THE

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UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: OSCAR J. OLSON  
DATE/CASE ID: 2 AUG 2001 200003853

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ALLEGED INTELLIGENCE OPERATION. THE DOCUMENT ACCUSES SEVERAL MILITARY AND INTELLIGENCE OFFICIALS OF RESPONSIBILITY FOR THE ABDUCTIONS, BUT ESPECIALLY TARGETS HERMOZA AND PRESIDENTIAL INTELLIGENCE ADVISER MONTESINOS. THE MINORITY OPINION REPORTEDLY CONCLUDES THAT THERE IS NOT ENOUGH PROOF TO BLAME ANYONE FOR THE DISAPPEARANCES, OR TO EVEN ESTABLISH THAT A CRIME HAD OCCURRED, AND THAT THE MILITARY COURTS SHOULD PURSUE THE CASE. END SUMMARY.

THE TWO REPORTS FINALLY ISSUED  
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2. (C) GENERAL NICOLAS HERMOZA RIOS SHOULD BE SEPARATED FROM HIS POSITIONS AS CHAIRMAN OF THE PERUVIAN ARMED FORCES JOINT COMMAND AND COMMANDER OF THE ARMY, ACCORDING TO A RECOMMENDATION IN THE MAJORITY OPINION OF THE "LA CANTUTA"  
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CONGRESSIONAL COMMITTEE REPORT. HERMOZA AND SEVERAL OTHERS ARE NAMED IN THE REPORT AS INVOLVED EITHER IN THE LA CANTUTA DISAPPEARANCES OR THE SUBSEQUENT COVER-UP. ROGER CACERES, GLORIA HELPER AND CARLOS CUARESMA, THE THREE NON-GOVERNMENT-PARTY MEMBERS OF THE SPECIAL INVESTIGATIVE COMMITTEE, SIGNED THE MAJORITY OPINION THE AFTERNOON OF JUNE 24. THE TWO CAMBIO 90/NUEVA MAYORIA MEMBERS OF THE COMMITTEE, GILBERTO SIURA AND JAIME FREUNDT-THURNE, COMPLETED THEIR VERSION OF THE REPORT LATER IN THE EVENING. POLOFF OBTAINED AN ADVANCE COPY OF THE MAJORITY OPINION AND A READOUT ON THE DRAFTING AND DEBATE PROCESS JUNE 24 FROM [REDACTED]  
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MAJORITY OPINION BLAMES MANY  
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3. (U) THE FORTY-NINE PAGE OPINION COMES DOWN HARD ON THOSE SUSPECTED OF PARTICIPATION IN THE JULY 18, 1992 ABDUCTIONS OF NINE STUDENTS AND A PROFESSOR FROM THE NATIONAL EDUCATION UNIVERSITY

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(AKA "LA CANTUTA"). THE REPORT HOLDS MILITARY ELEMENTS (THOUGH NOT THE ARMY AS AN INSTITUTION) RESPONSIBLE BECAUSE THE ABDUCTORS WERE ABLE TO ENTER THE UNIVERSITY AND REMOVE THE VICTIMS WHILE ALL ENTRIES TO THE CAMPUS WERE UNDER THE CONTROL OF AN ARMY UNIT. THERE ARE NUMEROUS

CONFIDENTIAL

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WITNESSES WHO HAVE DEMONSTRATED BEYOND DOUBT, THE REPORT SAYS, THAT A GROUP OF MEN WITH MILITARY EQUIPMENT ENTERED THE UNIVERSITY AND TOOK AWAY THE STUDENTS AND PROFESSOR. "THERE ARE SUFFICIENT SIGNS TO INDICATE THAT THE INTERVENTION...CORRESPONDS TO AN INTELLIGENCE OPERATION CARRIED OUT BY A SPECIALIZED UNIT OF THE SECURITY FORCES, WHICH INCLUDED SOME MILITARY AGENTS," THE OPINION STATES.

4. (U) THE REPORT STRONGLY CRITICIZES THE MILITARY FOR OBSTRUCTING THE COMMITTEE'S INVESTIGATION. IT ACCUSES BOTH HERMOZA AND DEFENSE MINISTER VICTOR MALCA OF BEING

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AMEMBASSY OTTAWA  
AMEMBASSY QUITO  
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USCINCSO QUARRY HEIGHTS PM

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TAGS: PHUM, PGOV, PE  
SUBJECT: PERUVIAN CONGRESSIONAL COMMITTEE  
POLITICALLY RESPONSIBLE FOR THE MILITARY'S  
ACTIONS AND ITS LACK OF COOPERATION. THE  
MAJORITY MEMBERS ALSO COMPLAIN THAT THE MILITARY  
COURT "ILLEGALLY IMPEDED THE ATTENDANCE BEFORE  
THIS COMMITTEE OF THE ATTORNEY VLADIMIRO  
MONTESINOS TORRES." PRESIDENTIAL INTELLIGENCE  
ADVISER MONTESINOS WAS SUMMONED TO GIVE TESTIMONY  
BECAUSE HIS NAME CONTINUALLY SURFACED DURING THE  
INVESTIGATION AS ONE OF THE ALLEGED MASTERMINDS  
BEHIND THE DISAPPEARANCES.

5. (U) IN ADDITION TO ATTRIBUTING POLITICAL  
RESPONSIBILITY TO HERMOZA AND MALCA, THE REPORT  
CLAIMS THAT THE FOLLOWING SHARED IN THE  
RESPONSIBILITY FOR HAVING AUTHORIZED,  
PARTICIPATED IN OR COVERED UP THE ABDUCTIONS:  
ARMY SPECIAL FORCES CHIEF GEN. LUIS PEREZ  
DOCUMET; NOMINAL NATIONAL INTELLIGENCE SERVICE  
(SIN) DIRECTOR GEN. JULIO SALAZAR MONROE; AND  
ARMY INTELLIGENCE CHIEF GEN. JUAN RIVERO LAZO.  
SALAZAR AND MONTESINOS ARE ALLEGED TO HAVE  
DIRECTED THE OPERATION. IN ADDITION, THE REPORT  
NAMES THOSE ALLEGED TO HAVE BEEN PART OF THE  
UNIT THAT CARRIED OUT THE KIDNAPPING: COL.  
CARLOS ERNESTO MIRANDA BALAREZZO, COL. FEDERICO  
NAVARRO, LT. COL. ROBERTO HUAMAN, MAJ. SANTIAGO  
ENRIQUE MARTIN RIVAS, CAPT. ELISEO PICHILINGUE,  
LT. MANUEL GUZMAN CALDERON AND LT. AQUILINO  
PORTELLA. THE ARMY UNIT THAT OCCUPIED AND

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CONTROLLED THE UNIVERSITY AT THE TIME OF THE  
DISAPPEARANCES IS ALSO HELD RESPONSIBLE.

6. (U) THE REPORT EVEN GOES ON TO CRITICIZE THE  
CCD PRO-GOVERNMENT MAJORITY: "THE POLITICAL  
RESPONSIBILITY OF THE MAJORITY OF THE CONGRESS  
HAS ALSO BEEN DEMONSTRATED SINCE IT ABDICATED  
ITS POWERS OF INVESTIGATION AND OVERSIGHT."

GET RID OF HERMOZA AND GO AFTER THE CULPRITS  
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7. (U) FOLLOWING ARE THE REPORT'S MAJOR  
RECOMMENDATIONS:

-- AN INTELLIGENCE OVERSIGHT COMMITTEE SHOULD BE  
ESTABLISHED IN THE CCD.

-- THE CCD SHOULD DEMAND THAT THE PUBLIC  
MINISTRY OFFICE MOVE TO HAVE THE CIVILIAN COURT  
SYSTEM ASSUME THE INVESTIGATION OF THE  
DISAPPEARANCES.

-- THE PUBLIC MINISTRY SHOULD IDENTIFY AND  
PROSECUTE THOSE INDIVIDUALS RESPONSIBLE FOR THE  
ABDUCTIONS.

-- THOSE INDIVIDUALS SHOULD BE "DRASTICALLY  
PUNISHED."

-- PRESIDENT FUJIMORI SHOULD REMOVE GEN. HERMOZA  
[REDACTED]  
[REDACTED]

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FROM HIS OFFICIAL POSITIONS.

-- THE CCD SHOULD "ENSURE THAT THE INVESTIGATIVE  
POWERS THAT THE CURRENT CONSTITUTION CONCEDES TO  
THIS COMMITTEE BE FULLY MAINTAINED."

8. (U) AN ADDITIONAL RECOMMENDATION CALLS ON  
THE EXECUTIVE BRANCH TO CLARIFY THE ROLE OF

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SECURITY ADVISER MONTESINOS. THE REPORT NOTES THAT, ACCORDING TO SALAZAR AND HERMOZA, MONTESINOS IS AN UNPAID ADVISER WHO WORKS "24 HOURS A DAY" FOR THE SIN. THE REPORT ASKS FOR A DISCLOSURE OF HOW MONTESINOS EARNS A LIVING.

MINORITY OPINION: NO PROOF TO BLAME ANYONE  
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9. (U) THERE IS NOT ENOUGH EVIDENCE TO BLAME ANY INDIVIDUAL FOR THE DISAPPEARANCES, ACCORDING  
[REDACTED]

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SUBJECT: PERUVIAN CONGRESSIONAL COMMITTEE

TO SIURA AND FREUNDT'S MINORITY OPINION. THE PRESS REPORTED THAT THE MINORITY OPINION RECOMMENDS THAT THE MILITARY JUSTICE SYSTEM CARRY OUT THE INVESTIGATION INTO THE INCIDENT. SIURA TOLD THE MEDIA JUNE 24 THAT NO ONE COULD BE ACCUSED BASED ONLY ON TESTIMONY; HARD EVIDENCE IS NEEDED. ACCORDING TO THE PRESS, SIURA FORESEES CHAOS IN PERU IF THE CCD'S PLENUM APPROVES THE MAJORITY OPINION. FREUNDT REPORTEDLY REFERRED TO THE OPPOSITION'S DOCUMENT AS "NOT VERY SERIOUS."

WHY THE REPORT WAS DELAYED  
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10. [REDACTED] TOLD US JUNE 24 THAT THE REPORT HAD BEEN DELAYED SEVERAL DAYS BECAUSE COMMITTEE MEMBERS FOUND IT DIFFICULT TO ARRIVE AT A CONSENSUS, AND "BECAUSE ROGER (CACERES) IS A SLOW READER." [REDACTED] WAS AMAZED THAT CACERES HAD SIGNED THE MAJORITY OPINION, SINCE MANY HAD EXPECTED HIM TO SHY AWAY FROM HARSH CRITICISM OF THE ARMY AND OTHER GOP AUTHORITIES. [REDACTED] CLAIMED THAT IT WAS MORE DIFFICULT TO GET CUARESMA TO AGREE TO THE WORDING, BECAUSE HE WANTED TO INCLUDE FUJIMORI AS ONE OF THE RESPONSIBLE INDIVIDUALS. THE FINAL PRODUCT WAS THE RESULT OF A COMPROMISE

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[REDACTED] SIURA AND FREUNDT DID NOT WANT TO ISSUE THEIR OPINION UNTIL AFTER THE OPPOSITION'S WAS DONE, [REDACTED] ADDED, BECAUSE THEY INTENDED THEIRS TO BE A REACTION TO THE MAJORITY OPINION.

COMMENT  
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11. (C) THE REPORT IS SIGNIFICANT ON MORE THAN

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ONE LEVEL. AS A CONCLUSION TO THE COMMITTEE'S INVESTIGATION, THE MAJORITY OPINION IS MUCH MORE STRONGLY-WORDED THAN WE EXPECTED. IN MANY WAYS THIS IS GOOD; THOSE WHO HAVE OBSTRUCTED THE INVESTIGATION NEED TO BE CHASTISED. ON A POLITICAL LEVEL, THE MAJORITY OPINION WILL ANGER THE ARMY COMMAND AND THE PRO-GOVERNMENT MAJORITY IN CONGRESS. IT IS HIGHLY UNLIKELY THE LATTER WILL ADOPT ANY OF THE OPPOSITION DOCUMENT'S CONCLUSIONS AND RECOMMENDATIONS. DEBATE ON THE ISSUE WILL BE ACERBIC, AND THE CCD WILL MOST LIKELY ADOPT THE SIURA/FREUNDT RECOMMENDATION AND LET THE MILITARY JUSTICE SYSTEM TAKE ITS COURSE.

12. (C) ON YET ANOTHER LEVEL, WITH THE SPECIAL COMMITTEE'S MANDATE ENDED, THE WHOLE PROCESS HAS BEEN ONE MORE EXAMPLE OF HOW WEAK THE CCD IS. THE MAJORITY HAS INSISTED ON SHOWING DEFERENCE TO BOTH THE EXECUTIVE BRANCH AND THE MILITARY. NEVERTHELESS, THE REPORT ALSO SHOWS THAT WITHIN

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THE CCD THERE IS A DYNAMIC (BUT OUTNUMBERED) OPPOSITION THAT HAS BEEN ABLE TO INFLUENCE THE CONGRESS'S AGENDA IN SOME AREAS. MANY EXPECTED THE INVESTIGATION TO BE A WHITEWASH AND BELIEVED THAT CACERES WOULD ROLL OVER, YET THE OPPOSITION'S OPINION WENT SO FAR AS TO CALL FOR THE REMOVAL OF PERU'S TOP MILITARY CHIEF. (SEVERAL POLITICAL OBSERVERS TOLD US THEY WERE BAFFLED BY CACERES' FAILURE TO SUPPORT THE GOP; THEY SUGGESTED CACERES HAD A PERSONAL PROBLEM WITH HERMOZA.) FURTHERMORE, THE ISSUE IS BEING DEBATED OPENLY IN THE CCD AND THE MEDIA. THE ISSUE OF RESPONSIBILITY FOR THE LA CANTUTA DISAPPEARANCES THUS IS NOT DEAD; ALTHOUGH THE SPECIAL CONGRESSIONAL COMMITTEE COULD NOT GET TO THE BOTTOM OF THE INCIDENT, ITS INVESTIGATION HAS HELPED OTHERS (INCLUDING THE INTERNATIONAL COMMUNITY) TO FOCUS ON THE MATTER. WITH SO MANY EYES ON THE CASE, IT HAS BECOME VIRTUALLY IMPOSSIBLE FOR THE GOP AND THE MILITARY TO SWEEP

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THIS INCIDENT UNDER THE RUG AS IT HAS WITH  
SIMILAR EVENTS IN THE PAST.

13. (C) THE FULL CCD IS SCHEDULED TO DEBATE THE  
REPORTS JUNE 25. THERE IS THE POSSIBILITY THAT  
THE REPORTS WILL INCREASE CONFLICT WITHIN THE  
ARMY, AND BETWEEN CONGRESS AND ARMY LEADERSHIP.

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