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~~NOFORN, WINTTEL~~

DOCUMENT ID: 135982636
INQNO: DOC28D 00241732
DOCNO: [REDACTED]
PRODUCER: JCS
SOURCE: [REDACTED]
DOCTYPE: [REDACTED]
DOR: 19931221
TOR: 235348
DOCPREC: R
ORIGDATE: 199312212020
MHFNO: 93 4944433
DOCCLASS: ~~S~~
CAVEATS: ~~NOFORN, WINTTEL~~

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TOR: 220336Z DEC 93

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FM DIA WASHINGTON DC
INFO RUEADWD/OCSA WASHINGTON DC
RUENAAA/CNO WASHINGTON DC
RUEAHQA/CSAF WASHINGTON DC
RUEACMC/CMC WASHINGTON DC



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R 212020Z DEC 93
FM [REDACTED]
TO RUEKJCS/DIA WASHDC
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CONTROLS

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SERIAL: (U) [REDACTED]

TEXT

COUNTRY: (U) PERU (PE).

COMBINE: COMPLETE

SUBJECT: [REDACTED] OFFICER NOT IN JAIL
- (CORRECTED COPY) (U)

WARNING: (U) THIS IS AN INFORMATION REPORT, NOT FINALLY
EVALUATED INTELLIGENCE. REPORT CLASSIFIED

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DEPARTMENT OF DEFENSE

DOI: (U) 931213.

REQ: (U) [REDACTED]

SOURCES: A. ~~TS~~ [REDACTED]

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B. ~~(S/NF/WI)~~ [REDACTED]

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SUMMARY: ~~(C/NF)~~ PERUVIAN ARMY OFFICER TELMO ((HURTADO))
IS NOT SERVING TIME IN PRISON FOR HIS PARTICIPATION IN
THE 1985 ACCOMARCA MASSACRE. HE WAS RELEASED IN 1991,
PROMOTED TO CAPTAIN, TRIED IN COURT, AND IS NOW WORKING
AT THE INFANTRY SCHOOL. [REDACTED]

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TEXT: 1. ~~(C/NF)~~ [REDACTED]

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[REDACTED] INDICATE THAT LIEUTENANT TELMO ((HURTADO))
HURTADO, CONVICTED AND SENTENCED TO SIX YEARS IN PRISON

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IN CONNECTION WITH THE 1985 PERUVIAN ARMY ACCOMARCA MASSACRE, IS NOT IN PRISON, BUT RATHER, HAS BEEN PROMOTED AND IS STILL ON ACTIVE DUTY IN THE PERUVIAN ARMY. HURTADO WAS TRIED IN 1992 AND A MILITARY REVIEW BOARD HEARD THE CASE IN FEB 93, INCREASING HURTADO'S SENTENCE FROM FOUR YEARS TO SIX YEARS.

2. ~~(S)~~ IN NOVEMBER 1993, [REDACTED] REPORTED THAT HURTADO WAS NOT IN PRISON AND WAS STILL ON ACTIVE DUTY IN THE PERUVIAN ARMY. [REDACTED] FURTHER REPORTED THAT HURTADO HAD BEEN RELEASED IN 1991 ON THE ORDERS OF THEN COMMANDING GENERAL OF THE ARMY, GENERAL PEDRO ((VILLANUEVA)) VALDIVIA. HURTADO WAS ALSO PROMOTED TO CAPTAIN. IN DECEMBER 1993, [REDACTED] REPORTED THAT HE HAD LOCATED HURTADO, WHO HE CLAIMS IS CURRENTLY ASSIGNED TO THE STAFF OF THE PERUVIAN ARMY'S INFANTRY SCHOOL LOCATED IN THE CHORRILLOS DISTRICT OF LIMA.

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3. ~~(S)~~ [REDACTED] EXPLAINED THAT HURTADO HAS BEEN OFFICIALLY GIVEN CREDIT BY THE PERUVIAN ARMY FOR SERVING HIS SENTENCE BEFORE BEING ABLE TO BE RELEASED UNDER GOOD CONDUCT PROVISIONS. [REDACTED] SAYS THAT THE ARMY CREDITED HURTADO'S PRETRIAL CONFINEMENT AS HIS REQUIRED MINIMUM CONFINEMENT.

4. ~~(S/NF)~~ [REDACTED] INDICATES THAT AS OF JULY 1992 HURTADO WAS STILL BEING CARRIED ON THE PERUVIAN ARMY ACTIVE DUTY ROLAS AS AN INFANTRY CAPTAIN, INDICATING THAT HURTADO WAS STILL ON ACTIVE DUTY AND THAT HE HAD BEEN PROMOTED PRIOR TO JULY 1992.

COMMENTS: 1. ~~(S)~~ [REDACTED] DOES NOT BELIEVE THAT HURTADO HAD SERVED A TOTAL OF TWO YEARS PRETRIAL CONFINEMENT [REDACTED]

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2. ~~(S)~~ [REDACTED] --HURTADO WAS CONVICTED IN 1992 BY THE PERUVIAN MILITARY COURT SYSTEM OF ABUSE OF AUTHORITY FOR HIS ROLE IN THE 14 AUG 85 MASSACRE AT ACCOMARCA, AYACHUCHO DEPARTMENT. IN THIS INCIDENT, 69 VILLAGERS, INCLUDING WOMEN AND CHILDREN, WERE KILLED. HURTADO WAS A SUB-LIEUTENANT AT THE TIME OF THE MASSACRE, OR THE EQUIVALENT OF A SECOND LIEUTENANT, AND HAD BEEN PROMOTED TO THE EQUIVALENT OF FIRST LIEUTENANT BY THE TIME THAT HURTADO'S TRIAL BEGAN SEVERAL YEARS LATER. HE WAS CONVICTED IN 1992 AND SENTENCED TO FOUR YEARS IN PRISON. A MILITARY REVIEW BOARD REVIEWED THE CASE IN

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FEBRUARY 1993 AND INCREASED THE SENTENCE FROM FOUR YEARS TO SIX YEARS IN PRISON. THE PERUVIAN ARMY ALSO ANNOUNCED AT THAT TIME THAT HURTADO HAD BEEN PERMANENTLY DISCHARGED FROM ACTIVE DUTY.

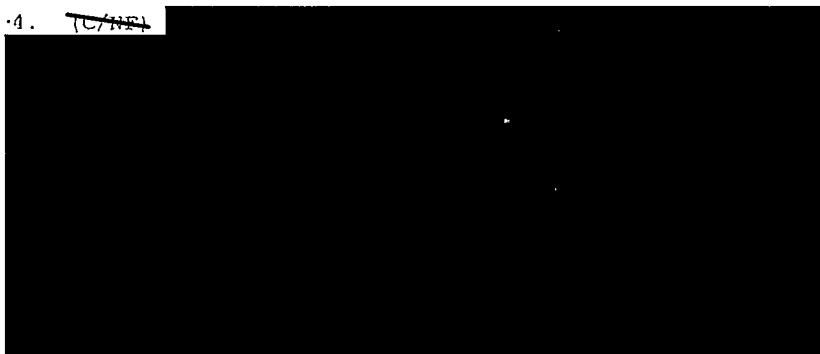
3. ~~(S/NF/NOI)~~ [REDACTED]

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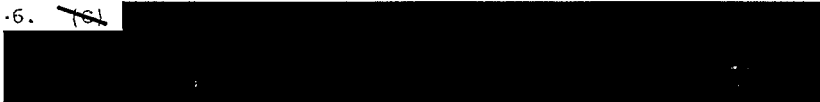
4. ~~(U/NE)~~



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5. ~~(U)~~ THE PERUVIAN MILITARY LEGAL CODE DOES NOT HAVE PROVISIONS FOR CHARGES SUCH AS MURDER OR MANSLAUGHTER. ALTHOUGH THE MILITARY IS ABLE TO BRING THESE CHARGES INTO A MILITARY TRIAL THROUGH A PETITION TO APPLY THE CIVILIAN CHARGE, IT IS RARELY EVER DONE. THE ARMY NORMALLY CHARGES MILITARY PERSONNEL WITH "ABUSE OF AUTHORITY" IN THESE CASES.

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ADMIN
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PREP: (U)
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ACQ: (U)
DISSEM: (U) FIELD:
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~~DECL. OADR~~

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END OF MESSAGE

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