

UNCLASSIFIED

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INQUIRE=DOC25D
ITEM NO=00045583

ENVELOPE

CDSN = LGX060 MCN = 94019/23071 TOR = 940191702
PTTCZYUW RUEKJCS4152 0191706-CCCC--RUEALGX.
ZNY CCCCC

HEADER

P 191706Z JAN 94
FM DIA WASHINGTON DC
INFO RUEADWD/OCSA WASHINGTON DC
RUENAAA/CNO WASHINGTON DC
RUEAHQA/CSAF WASHINGTON DC
RUFGAID/USEUCOM AIDES VAHINGEN GE
RUFQBBA/US SURVEY SHAPE BE
RUWMBKA/12AINS DAVIS MONTHAN AFB AZ
RUCMACC/CDRPSYOPGP FT BRAGG NC//AORC-POG-SB//
RUCBSAA/CINCUSACOM NORFOLK VA//J2//
RUEATAC/CDRUSAITAC WASHINGTON DC//KT//
RUWSMXI/AMC INTEL CEN SCOTT AFB IL//IN//
RUCQVAB/USCINCSOC INTEL OPS CEN MACDILL AFB FL
RUEOFAA/COMJSOC FT BRAGG NC//J2//
RUFTAKC/UDITDUSAREUR HEIDELBERG GE
RULKQAN/MARCORINTACT DET QUANTICO VA
RUEABOA/HQ AFOSI BOLLING AFB DC
RULSJGI/COGARD INTELCOORDCEN WASHINGTON DC
RUDHSIC/CDRUSASOIC WASHINGTON DC//DI//
RUEALGX/SAFE

P 191703Z JAN 94
FM AMEMBASSY LIMA
TO RUEHC/SECSTATE WASHDC PRIORITY 4223
INFO RUEHBO/AMEMBASSY BOGOTA 3971
RUEHLP/AMEMBASSY LA PAZ 5949
RUEHQT/AMEMBASSY QUITO 2221
RUEHGV/USMISSION GENEVA 2432

BT
CONTROLS

~~IDENTIFICATION~~ LIMA 00536

E.O. 12356: DECL: OADR

BODY

TAGS: PHUM, PGOV, KJUS, PE
SUBJECT: PERUVIAN PROSECUTOR SUBMITS OPINION
- THAT LA CANTUTA SHOULD BE TRIED IN
- CIVILIAN COURT

1. (U) THE PUBLIC MINISTRY PROSECUTOR IN CHARGE OF THE LA CANTUTA INVESTIGATION, VICTOR CUBAS, FORMALLY DELIVERED HIS OPINION ON THE JURISDICTION ISSUE TO THE CIVILIAN COURT JUDGE IN CHARGE OF THE CASE. IN THE WRITTEN OPINION, CUBAS ASSERTED THAT THE CASE SHOULD BE TRIED IN

~~IDENTIFICATION~~

Dept. of State, RPS/IPS, Margaret P. Grafeld, Dir.
() Release (X) Excise () Deny (X) Declassify
Date 9/29/00 Exemption B1, 2D

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CIVILIAN COURT BECAUSE THE CRIMES COMMITTED
(KIDNAPPING, MURDER) ARE NOT COVERED BY THE CODE
OF MILITARY JUSTICE; THE ACTS WERE NOT "CRIMES
OF FUNCTION;" AND THE VICTIMS WERE CIVILIANS.
CUBAS'S OPINION OFFICIALLY STARTS IN MOTION THE
PROCESS BY WHICH THE PERUVIAN SUPREME COURT WILL
DECIDE WHETHER JURISDICTION GOES TO THE CIVILIAN
OR THE MILITARY COURT SYSTEM.

ADMIN

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