

[REDACTED]

n/a

Case Number: 200102877

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PTQ8982

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ACTION WHA-00

INFO	LOG-00	NP-00	CIAE-00	SMEC-00	INTL-00	DODE-00	DOEE-00
	SRPP-00	DS-00	EUR-00	VC-00	H-01	TEDE-00	INR-00
	LAE-01	L-00	VCE-00	AC-01	NRRC-00	NSAE-00	NSCE-00
	OIG-03	OMB-01	OPIC-01	PA-00	PC-01	PM-00	PRS-00
	ACE-00	P-00	SP-00	TRSE-00	USIE-00	PMB-00	DSCC-00
	DRL-02	G-00	NEAT-00	SAS-00	/011W		

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P 192033Z JAN 01
 FM AMEMBASSY LIMA
 TO SECSTATE WASHDC PRIORITY 8277
 INFO AMEMBASSY ASUNCION
 AMEMBASSY BOGOTA
 AMEMBASSY BRASILIA
 AMEMBASSY BUENOS AIRES
 AMEMBASSY CARACAS
 AMEMBASSY LA PAZ
 AMEMBASSY MADRID
 AMEMBASSY MEXICO
 AMEMBASSY QUITO
 AMEMBASSY SANTIAGO
 USCINCSO MIAMI FL

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E.O. 12958: DECL: 01/18/06
 TAGS: PGOV, PE
 SUBJECT: PERU POLITICAL UPDATE - JANUARY 19
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CLASSIFIED BY AMBASSADOR JOHN R. HAMILTON FOR REASONS 1.5B AND 1.5D.

1. (U) SUMMARY: OAS SEC GEN GAVIRIA OFFICIALLY CLOSED THE OAS-SPONSORED DEMOCRATIZATION DIALOGUE AND ANNOUNCED THAT FORMER GUATEMALAN FOREIGN MINISTER EDUARDO STEIN WOULD HEAD THE OAS ELECTIONS OBSERVER MISSION. IN AN ADMINISTRATIVE SHUFFLE, THE TRANSITORY JUDICIAL COUNCIL CHANGED TWO KEY JUDGES IN THE MONTESINOS INVESTIGATION. PROSECUTORS SEE THE CHANGE AS "HEALTHY" AND DO NOT EXPECT ADDITIONAL DELAYS. ON JANUARY 12, CONGRESS VOTED TO RETURN PERU TO THE JURISDICTION OF THE INTER-

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AMERICAN HUMAN RIGHTS COURT. SHORTLY THEREAFTER, PERU'S SUPREME COURT ISSUED A RULING BASED ON AN IAIRC FINDING WHICH LIFTED THE OUTSTANDING ARREST WARRANT AGAINST ALAN GARCIA AND CLEARED THE WAY FOR HIS RETURN. END SUMMARY.

GAVIRIA CLOSES OAS-DIALOGUE, ANNOUNCES STEIN TO HEAD NEW MISSION
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2. (U) DURING A JANUARY 16-17 VISIT, OAS SECGEN CESAR GAVIRIA OFFICIALLY DISSOLVED THE OAS-SPONSORED DEMOCRATIZATION DIALOGUE. THE LAST SESSION OF THE TALKS WAS IN NOVEMBER, PRIOR TO PRESIDENT FUJIMORI'S REMOVAL FROM OFFICE. GAVIRIA ANNOUNCED THAT THAT FORMER GUATEMALAN FOREIGN MINISTER EDUARDO STEIN WOULD RETURN TO HEAD THE OAS'S ELECTORAL OBSERVATION MISSION. STEIN PLANS TO BE IN LIMA THE WEEK OF FEBRUARY 4 TO START UP THE MISSION, AND THEN DEPART FOR A NUMBER OF WEEKS TO WRAP UP SEVERAL OUTSTANDING PROJECTS. GAVIRIA EMPHASIZED THE IMPORTANCE OF A FREE AND TRANSPARENT ELECTORAL PROCESS AND EXPRESSED CONFIDENCE IN THE GOVERNMENT OF TRANSITIONAL PRESIDENT PANIAGUA.

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REACTION TO STEIN'S RETURN HAS BEEN POSITIVE.

JUDGES REPLACED IN MONTESINOS INVESTIGATION
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3. (C) THE TWO PRINCIPAL AD HOC JUDGES HANDLING THE CRIMINAL PROCEEDINGS AGAINST MONTESINOS, JOSE VARGAS AND SELINA SEGURA, WERE UNEXPECTEDLY REMOVED IN EARLY JANUARY BY THE NEWLY INSTALLED TRANSITIONAL JUDICIAL COMMITTEE. VARGAS, WHO WAS LOOKING INTO CHARGES OF MONEY LAUNDERING, DRUG TRAFFICKING AND PUBLIC CORRUPTION, WAS REPLACED BY SAUL PENA FARFAN. SEGURA, WHO WAS INVESTIGATING CHARGES OF ARMS TRAFFICKING (THE "AYBAR" CASE), WAS SUCCEEDED BY JUDGE MARCOS VISARRAGA REBASA. CONTACTS WITHIN THE PUBLIC MINISTRY HAVE TOLD US THAT VARGAS, A PROVISIONAL JUDGE, WAS AXED TO MAKE ROOM FOR A TENURED JUDGE AND THAT SEGURA WAS TAINTED BECAUSE SHE HAD BEEN APPOINTED BY THE FUJIMORI GOVERNMENT. SPECIAL PROSECUTOR JOSE UGAZ TOLD US THE CHANGES, ALBEIT POLITICALLY MOTIVATED, WERE "HEALTHY." STATE PROSECUTOR ALEJANDRO ESPINO CONCURRED, ADDING THAT BOTH PENA AND VISARRAGA WERE EXPERIENCED AND HONEST.

CONGRESS RETURNS PERU TO INTER-AMERICAN HUMAN RIGHTS COURT
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4. (U) THE GOP HAS RETURNED TO THE JURISDICTION OF THE INTER-

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AMERICAN HUMAN RIGHTS COURT (IAHRC). CONGRESS PASSED THE REQUIRED LEGISLATION JANUARY 12: 40 IN FAVOR, 35 AGAINST. OPPOSITION WAS CONCENTRATED AMONG FORMER SUPPORTERS OF PRESIDENT FUJIMORI. AS REQUIRED, THE GOP HAS NOTIFIED THE PERUVIAN SUPREME COURT OF THE CHANGE.

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5. (U) TO DEAL WITH THE BACKLOG OF PENDING LEGISLATION, CONGRESS HAS INCREASED ITS NUMBER OF REGULAR SESSIONS FROM ONCE TO TWICE WEEKLY. DURING THE WEEK OF JANUARY 7, 15 NEW LAWS WERE PASSED. OF PARTICULAR MOMENT ARE NEW LAWS WHICH RAISE THE MINIMUM AGE OF CHILD LABORERS TO 15, GREATLY EXPAND MATERNITY BENEFITS, CREATE A NEW TECHNICAL UNIVERSITY IN THE SHANTY TOWNS OF SOUTHERN LIMA, AND SHARPEN THE GOP'S ABILITY TO FIGHT CORRUPTION BY PERMITTING THE ATTORNEY GENERAL'S OFFICE TO INITIATE PRELIMINARY INVESTIGATIONS OF INDIVIDUALS WHO MAY HAVE VIOLATED THE CONSTITUTION WHILE SERVING IN SENIOR GOVERNMENT POSITIONS.

ARREST ORDER LIFTED AGAINST ALAN GARCIA
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6. (U) PERU'S SUPREME COURT RULED JANUARY 18 TO LIFT THE OUTSTANDING ARREST ORDER FOR EX-PRESIDENT ALAN GARCIA, CLEARING THE WAY FOR HIS RETURN. IT BASED ITS DECISION ON A FINDING BY THE IAHRC FROM LATE LAST YEAR. GARCIA RUNNING MATE AND APRA CONGRESSMAN JORGE DEL CASTILLO HAS TOLD REPORTERS THAT GARCIA WILL RETURN TO PERU JANUARY 27. THE SUPREME COURT RULING IS SUBJECT TO APPEAL AND THE STATUS OF THE SEVERAL LEGAL PROCEEDINGS AGAINST GARCIA REMAINS UNCLEAR. REACTION TO THE RULING AND GARCIA'S IMPENDING CAMPAIGN FOR THE PRESIDENCY

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	LAB-01	L-00	VCE-00	AC-01	NRRC-00	NSAE-00	NSCE-00
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	DRI-02	G-00	NEAT-00	SAS-00	/011W		

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CONTINUES TO BE LARGELY NEGATIVE AMONG THE MEDIA AND POLITICAL LEADERS.

HAMILTON
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