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 ACTION ARA-01

INFO	LOG-00	ACDA-17	AID-01	AMAD-01	CIAE-00	C-01	OASY-00
	DOEE-00	EAP-01	EB-01	EUR-01	HA-09	H-01	INM-02
	TEDE-00	INR-00	IO-19	JUSE-00	L-03	ADS-00	NSAE-00
	NSCE-00	OIC-02	OMB-01	PA-01	PM-02	PRS-01	P-01
	SIL-00	SNP-00	SP-00	SR-00	SS-00	STR-16	TRSE-00
	T-00	USIE-00	RPE-01	CORE-00	/083W		
					-----E21572	122025Z	/38

R 121755Z AUG 93
 FM AMEMBASSY LIMA
 TO SECSTATE WASHDC 0514
 INFO AMEMBASSY BOGOTA
 AMEMBASSY BUENOS AIRES
 AMEMBASSY CARACAS
 AMEMBASSY LA PAZ
 AMEMBASSY OTTAWA
 AMEMBASSY QUITO
 AMEMBASSY TOKYO
 USMISSION GENEVA
 DIA WASHDC
 USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR
 TAGS: PHUM, PGOV, RJUS, PE

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 SUBJECT: PERU: STATUS OF LA CANTUTA
 INVESTIGATIONS

REF: A. LIMA 6877, B. LIMA 7204 AND PREV

I. (C) SUMMARY: OVER A YEAR AFTER THE ABDUCTION AND DISAPPEARANCE OF NINE STUDENTS AND A PROFESSOR FROM LA CANTUTA UNIVERSITY, THE GOP HAS FAILED TO IDENTIFY THE PERPETRATORS. IT IS DIFFICULT TO DETERMINE THE STATUS OF THE ONGOING SECRET MILITARY INVESTIGATION, AND SOURCES TELL US THAT THE CIVILIAN SPECIAL PROSECUTOR DOES NOT

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HAVE ENOUGH EVIDENCE TO INDICT ANYONE, DESPITE A PRESS STORY THAT ASSERTED THE OPPOSITE. EMBASSY HAS CONTINUED TO REMIND THE GOP THAT THE LA CANTUTA INVESTIGATION IS HIGHLY IMPORTANT. END SUMMARY.

UNIVERSITY MARKS ONE YEAR SINCE ABDUCTIONS

2. (U) OVER A YEAR HAS PASSED SINCE THE DISAPPEARANCE OF NINE STUDENTS AND A PROFESSOR FROM THE ENRIQUE GUZMAN Y VALLE NATIONAL EDUCATION UNIVERSITY, POPULARLY KNOWN AS "LA CANTUTA," YET THEIR FATE REMAINS UNKNOWN. A REMEMBRANCE CEREMONY WAS HELD AT THE UNIVERSITY TO MARK THE ONE-YEAR ANNIVERSARY OF THE ABDUCTIONS; STUDENTS, PROFESSORS, FAMILY MEMBERS AND OTHERS CALLED FOR THE MISSING TO BE RETURNED ALIVE AND FOR THE ABDUCTORS TO BE PUNISHED.

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MILITARY TAKES (BUT DOES NOT MAKE) STATEMENTS

3. (U) THE SECRET MILITARY INVESTIGATION INTO THE DISAPPEARANCES IS NOW IN ITS FOURTH MONTH; VERY LITTLE ABOUT THE INVESTIGATION HAS BEEN MADE AVAILABLE TO THE PUBLIC. IN JULY, THE ATTORNEY REPRESENTING MOST OF THE VICTIMS' FAMILY MEMBERS CHARGED THAT, BASED ON WHAT HE HAD SEEN, THE SUPREME COUNCIL OF MILITARY JUSTICE (CSJM) WAS MORE INTERESTED IN INVESTIGATING THE ORIGINS OF ANONYMOUS DOCUMENTS THAT ACCUSED THE ARMY OF RUNNING A DEATH SQUAD THAN IT WAS IN FINDING OUT WHAT HAPPENED TO THE STUDENTS AND PROFESSOR. THE LAWYER, HERIBERTO BENITEZ RIVAS, ALSO CLAIMED THAT, SINCE TAKING ON THE CASE, HE HAS RECEIVED NUMEROUS ANONYMOUS DEATH THREATS BY TELEPHONE. (NOTE: BENITEZ HAD ALSO DEFENDED SIX ARMY OFFICERS INVOLVED IN THE NOVEMBER 1992 COUP PLOT AGAINST PRESIDENT FUJIMORI.)

4. (U) ACCORDING TO THE CSJM'S PUBLIC RELATIONS OFFICE, MILITARY INVESTIGATORS HAVE BEEN TAKING STATEMENTS FROM FAMILY MEMBERS OF THE VICTIMS.

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HOWEVER, ACCORDING TO PRESS REPORTS, FAMILY MEMBERS COMPLAINED THAT THEY WERE GIVEN SUMMONSES ON VARIOUS OCCASIONS AT 10:00 P.M. AND TOLD TO APPEAR AT THE CSJM THE FOLLOWING MORNING. ONE RELATIVE TOLD THE PRESS THAT HE SHOWED UP AT THE APPOINTED TIME AND WAS TOLD THAT THERE WAS NO ONE

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AVAILABLE TO TAKE HIS STATEMENT. ANOTHER ARRIVED WITH HIS LAWYER AND WAS TOLD THAT ATTORNEYS COULD NOT BE PRESENT. AFTER INSISTING, THE LAWYER WAS ADMITTED. HOWEVER, THE CSJM HAS MADE CLEAR THAT FAMILY MEMBERS' ATTORNEYS CANNOT HAVE ACCESS TO THE CASE FILE, SINCE THE RELATIVES ARE "ONLY WITNESSES" IN THE INVESTIGATIVE PHASE OF THE CASE, AND WITNESSES CANNOT SEE THE CASE FILE.

PRESS CLAIMS PROSECUTOR WILL INDICT ARMY OFFICERS

5. (U) THE ATTORNEY GENERAL'S SPECIAL INVESTIGATOR INTO THE LA CANTUTA DISAPPEARANCES,

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GUSTAVO QUIROZ, HAS SO FAR MADE NO PUBLIC DECLARATIONS ABOUT THE STATUS OF HIS INVESTIGATION. IN A STRANGE TWIST TO THE STORY, ONE OF LIMA'S LEADING DAILIES, THE LEFTIST "LA REPUBLICA," CARRIED AN ARTICLE JULY 31 ASSERTING THAT QUIROZ WAS ABOUT TO BRING CHARGES AGAINST A GROUP OF ARMY OFFICERS ALLEGEDLY INVOLVED IN THE LA CANTUTA ABDUCTIONS. THE STORY WENT ON TO CLAIM THAT QUIROZ "HAS THE FULL NAME OF AN ARMY LIEUTENANT WHO APPARENTLY MAY HAVE DIRECTED THE OPERATION AND WHO COULD IDENTIFY THE PRESUMED PERPETRATORS," BUT THAT THE MILITARY HAD REFUSED TO LET QUIROZ INTERVIEW THIS LIEUTENANT.

6. (C) THE "LA REPUBLICA" STORY WAS A COMPLETE FABRICATION, ACCORDING TO ASSISTANT ATTORNEY GENERAL FOR HUMAN RIGHTS CLODOMIRO CHAVEZ. CHAVEZ, WHO SAID HE SPOKE WITH QUIROZ, TOLD US AUGUST 3 THAT THERE WAS NO TRUTH TO THE ASSERTIONS THAT QUIROZ HAD THE NAME OF A SPECIFIC LIEUTENANT OR THAT HE WAS ABOUT TO INDICT ANYONE. QUIROZ DOES NOT HAVE ANY MORE INFORMATION THAN THE CONGRESS'S SPECIAL INVESTIGATIVE COMMITTEE WAS ABLE TO ACQUIRE, CHAVEZ SAID. HE OPINED THAT "LA REPUBLICA" WAS TRYING TO STIR UP TROUBLE WITH THE STORY, AND THAT THE PAPER WAS PUTTING QUIROZ IN A DIFFICULT POSITION.

7. (C) WHEN CONTACTED BY A USIS OFFICER ABOUT

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 THE ARTICLE, "LA REPUBLICA" EDITOR ALEJANDRO
 SAKUDA CLAIMED HE COULD NOT RECALL THE STORY AND
 WOULD GET BACK TO THE OFFICER IF HE HAD ANY
 FURTHER INFORMATION.

8. (LOU) QUIROZ IS ON VACATION FOR THE MONTH OF
 AUGUST; WHILE AN ASSISTANT CONTINUES TO WORK ON
 THE CASE, FOR ALL PRACTICAL PURPOSES THE SPECIAL
 PROSECUTOR'S INVESTIGATION IS ON HOLD FOR THE
 NEXT SEVERAL WEEKS.

9. (C) COMMENT: THE CIVILIAN SPECIAL PROSECUTOR
 CANNOT SUCCESSFULLY CARRY OUT HIS INVESTIGATION
 WITHOUT INTERVIEWING ARMY OFFICERS IMPLICATED IN
 THE ANONYMOUS DOCUMENTS AND THE SOLDIERS WHO WERE
 STATIONED AT THE UNIVERSITY AT THE TIME OF THE
 DISAPPEARANCES. THE CSJM WILL NOT LET ANYONE
 OUTSIDE THE MILITARY COURT SYSTEM TALK TO THESE
 INDIVIDUALS ABOUT THE CASE. THEREFORE, THE ONLY
 INVESTIGATION THAT HAS THE CAPACITY TO DISCOVER
 WHO IS RESPONSIBLE FOR THE ABDUCTIONS IS THE
 MILITARY ONE. THE CSJM CONSISTS OF ACTIVE-DUTY
 OFFICERS SUBORDINATE TO ONE OFFICER -- THE ARMY
 COMMANDER, ACCUSED BY ANONYMOUS MILITARY
 DOCUMENTS OF HAVING ORDERED OR FACILITATED THE
 DISAPPEARANCES. WHETHER THE CSJM HAS THE WILL TO
 EFFECTIVELY PURSUE THE CASE IS UNCLEAR; SO FAR
 ITS INVESTIGATION HAS BEEN TOO OPAQUE FOR ANYONE
 OUTSIDE TO KNOW WHAT IT IS DOING.

10. (C) WE HAVE REMINDED THE GOP ON SEVERAL
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 RECENT OCCASIONS AND THROUGH VARIOUS CHANNELS OF
 THE HIGH IMPORTANCE WE PLACE ON A CREDIBLE
 PROSECUTION AND SANCTION OF THE PERPETRATORS OF
 THE LA CANTUTA DISAPPEARANCES. WE WILL CONTINUE
 TO DO SO AS WE MONITOR AS BEST WE CAN BOTH THE
 MILITARY AND CIVILIAN INVESTIGATIONS INTO THE
 INCIDENT.
 BRAYSHAW

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