

[REDACTED]
n/a

Case Number: 200102877

Page: 1
RELEASED IN PART
B1, 1.5(B), 1.5(D)

[REDACTED] PTQ5710

PAGE 01 LIMA 00529 01 OF 04 291155Z
ACTION WHA-00

INFO	LOG-00	NP-00	CIAE-00	SMEC-00	COME-00	INL-00	DODE-00
	DOEE-00	SRPP-00	DS-00	EB-00	EUR-00	OIGO-00	E-00
	VC-00	FRB-00	H-01	TEDE-00	INR-00	IO-00	L-00
	VCE-00	AC-01	NSAE-00	NSCE-00	OIG-03	OMB-01	OPIC-01
	PA-00	PC-01	PM-00	PRS-00	ACE-00	P-00	SP-00
	SSO-00	STR-00	USIE-00	ASDS-01	FMP-00	PMB-00	DSCC-00
	DRL-02	G-00	NFAT-00	SAS-00	/011W		

-----BCFAE0 291156Z /38

P 291152Z JAN 01
 FM AMEMBASSY LIMA
 TO SECSTATE WASHDC PRIORITY 8469
 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
 DIR FBI WASHINGTON DC
 DEPT OF JUSTICE WASHINGTON DC
 DEPT OF TREASURY WASHINGTON DC

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PAGE 02 LIMA 00529 01 OF 04 291155Z
[REDACTED] SECTION 01 OF 04 LIMA 000529

DOJ FOR OIA
TREASURY ALSO FOR FINCEN

E.O. 12958: DECL: 01/25/05
TAGS: PGOV, EFIN, KCRM, PE
SUBJECT: GOP INVESTIGATION OF MONTESINOS EXPANDING

REF A: 00 LIMA 7185 REF B: LIMA 367

1. (U) CLASSIFIED BY AMBASSADOR JOHN R. HAMILTON FOR
REASONS 1.5(B) AND 1.5(D).

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[REDACTED]

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n/a

Case Number: 200102877

2. (C) SUMMARY: FAMILY MEMBERS AND FORMER ASSOCIATES OF MONTESINOS ARE INCREASINGLY BEING INDICTED AND ARRESTED AS INVESTIGATORS TRACK DOWN LEADS AND UNCOVER NEW EVIDENCE OF CORRUPTION. REVIEW OF THE FIRST BATCH OF VIDEOS FROM THE HUNDREDS SEIZED HAVE IMPLICATED PROMINENT MEDIA PERSONALITIES, SENIOR MAGISTRATES AND CONGRESSMEN, PRECIPITATING THE SUSPENSION AND EVENTUAL RESTRUCTURING OF THE CONGRESSIONAL COMMITTEE INVESTIGATING MONTESINOS. THOSE IMPLICATED OFTEN COMPLAIN THEY ARE VICTIMS OF A WITCH HUNT, BUT PROSECUTORS, SO FAR, HAVE BEEN VERY DELIBERATE IN THEIR PROCEEDINGS AND THE ALLEGATIONS OF A WITCH HUNT SEEM UNJUSTIFIED. OVERALL, INVESTIGATIONS ARE PICKING UP SPEED, BUT THE BIGGEST OBSTACLE FACED BY INVESTIGATORS IS THE LEGACY OF CORRUPTION AND CONTROL LEFT BY MONTESINOS AND THE FUJIMORI REGIME. END SUMMARY.

MONTESINOS INVESTIGATION EXPANDING

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PAGE 03 LIMA 00529 01 OF 04 .291155Z

3. (C) AS THE GOP'S INVESTIGATION OF EX-PRESIDENTIAL ADVISOR AND INTELLIGENCE CHIEF VLADIMIRO MONTESINOS ENTERS ITS FIFTH MONTH, IT HAS STEADILY EXPANDED TO INCLUDE CLOSE FAMILY MEMBERS AND OTHER INDIVIDUALS WHO ALLEGEDLY ACTIVELY COLLABORATED WITH MONTESINOS IN ILLEGAL ACTIVITIES. THE GOP'S ONGOING INVESTIGATIVE EFFORT IS MADE UP OF THREE STATE PROSECUTORS WITH SPECIFIC RESPONSIBILITIES AND A SPECIAL AD HOC PROSECUTOR TO COORDINATE (REF A). THE TWO STATE PROSECUTORS INVESTIGATING ARMS AND NARCOTICS TRAFFICKING AND HUMAN RIGHTS VIOLATIONS ARE STILL IN THE INVESTIGATIVE STAGE. INVESTIGATIONS INTO CORRUPTION, HOWEVER, BY THE TEAMS OF SPECIAL PROSECUTOR JOSE UGAZ AND STATE PROSECUTOR CECILIA MAGALLANES HAVE UNCOVERED CONCRETE EVIDENCE THAT HAS RESULTED IN SIX SEPARATE LEGAL PROCEEDINGS AGAINST MONTESINOS AND ARREST ORDERS FOR OVER 36 INDIVIDUALS, 23 OF WHOM HAVE ALREADY BEEN DETAINED (8 OF WHOM ARE FORMER MEMBERS OF THE ARMED FORCES), AND JUDICIAL ORDERS PREVENTING APPROXIMATELY 12 INDIVIDUALS (5 OF WHOM ARE FORMER MEMBERS OF THE ARMED FORCES) FROM LEAVING THE COUNTRY.

4. (U) INTERESTINGLY, ALL OF THE ABOVE JUDICIAL ORDERS (DETENTION, HOUSE ARREST, OR PREVENTION FROM LEAVING THE COUNTRY) WERE ISSUED UNDER THE NEW ANTI-CORRUPTION LAW PASSED LATE LAST YEAR, WHICH ALLOWS JUDGES TO ISSUE THE

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Case Number: 200102877

ABOVE ORDERS WHILE INVESTIGATIONS ARE STILL UNDERWAY, I.E., BEFORE FORMAL LEGAL PROCEEDINGS ARE INITIATED.

MONTESINOS VIDEOS CONTINUE TO ROIL WATERS

PAGE 04 LIMA 00529 01 OF 04 291155Z

5. (U) SOME OF THE MORE SENSATIONAL EVIDENCE BEING REVIEWED BY PROSECUTORS ARE VIDEO TAPES LEFT BEHIND BY VLADIMIRO MONTESINOS OF HIS AND OTHER MEETINGS AT THE NATIONAL INTELLIGENCE SERVICE (SIN). ALTHOUGH PROSECUTORS AND JUDGES AGREE THAT INFORMATION FROM THE VIDEOS SHOULD BE KEPT CONFIDENTIAL WHILE INDICTMENTS ARE DRAWN UP AND CASES FORTIFIED, A STEADY STREAM OF LEAKS HAS KEPT THE PUBLIC ENTHRALLED OVER WHO WILL STAR NEXT IN WHAT HAVE BECOME KNOWN AS "VLADIVIDEOS." RECENTLY, SOURCES LEAKED TO THE PRESS (AND WE HAVE CONFIRMED) THAT PROSECUTORS AND JUDGES ARE REVIEWING VIDEOS WHICH IMPLICATE IN CORRUPTION OPPOSITION MAYOR OF MIRAFLORES LUIS BEDOYA (ARRESTED 1/26), TV STATION OWNER DELGADO PARKER (PREVENTIVE ORDER FROM LEAVING COUNTRY) AND EXPRESO BOARD MEMBER EDUARDO CALMELL DEL SOLAR (PREVENTIVE ORDER FROM LEAVING COUNTRY):

6. (C) WHILE THE EXISTENCE OF THE BEDOYA, DELGADO PARKER AND CALMELL DEL SOLAR VIDEOS LEAKED, THE VIDEOS THEMSELVES WERE NOT RELEASED. HOWEVER, ON JANUARY 23 NEWLY APPOINTED JUDGE SAUL PENA (REF B) RELEASED OTHER THREE VIDEOS WHICH ARE CAUSING AN UPROAR. THE FIRST VIDEO SHOWED LEGISLATOR ERNESTO GAMARRA, PROMINENT MEMBER OF THE INDEPENDENT

PTQ5711

PAGE 01 LIMA 00529 02 OF 04 291156Z ACTION WHA-00

INFO	LOG-00	NP-00	CIAE-00	SMEC-00	COME-00	INL-00	DODE-00
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	VC-00	FRB-00	H-01	TEDE-00	INR-00	IO-00	L-00
	VCE-00	AC-01	NSAE-00	NSCE-00	OIG-03	OMB-01	OPIC-01
	PA-00	PC-01	PM-00	PRS-00	ACE-00	P-00	SP-00
	SSO-00	STR-00	USIE-00	ASDS-01	FMP-00	PMB-00	DSCC-00
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Case Number: 200102877

P 291152Z JAN 01
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 8470
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
DIR FBI WASHINGTON DC
DEPT OF JUSTICE WASHINGTON DC
DEPT OF TREASURY WASHINGTON DC

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PAGE 02 LIMA 00529 02 OF 04 291156Z
[REDACTED] SECTION 02 OF 04 LIMA 000529

DOJ FOR OIA
TREASURY ALSO FOR FINCEN

E.O. 12958: DECL: 01/25/05
TAGS: PGOV, EFIN, KCRM, PE
SUBJECT: GOP INVESTIGATION OF MONTESINOS EXPANDING

MORALIZING FRONT (FIM) AND, IRONICALLY, VICE PRESIDENT OF THE CONGRESSIONAL COMMISSION INVESTIGATING MONTESINOS (WHICH HAS BEEN TEMPORARILY SUSPENDED PENDING RESTRUCTURING (SEE BELOW)), ACCEPTING MONEY FROM A MONTESINOS CRONY. THE SECOND VIDEO SHOWED THE FORMER HEAD OF THE NATIONAL ELECTIONS BOARD ALIPIO MONTES DE OCA NEGOTIATING HIS SALARY AND A BENEFITS PACKAGE WITH MONTESINOS. THE THIRD VIDEO SHOWED MONTESINOS PRESSURING SUPREME COURT JUSTICE JAIME BELTRAN TO FAVOR A U.S. MINING COMPANY IN A DIFFICULT LEGAL CASE, ALLEGEDLY TO ASSURE U.S. SUPPORT OF THE PERU-ECUADOR PEACE ACCORD.

IS THIS ROMEND MINE COMPANY?
YES

[REDACTED] RATIONALIZED THE RELEASE OF THESE PARTICULAR VIDEOS BECAUSE GAMARRA, MONTES DE OCA AND BELTRAN, AS SENIOR GOP OFFICIALS, ENJOYED A LIMITED IMMUNITY WHICH WOULD FIRST HAVE TO BE LIFTED IN PUBLIC SESSIONS OF CONGRESS BEFORE LEGAL PROCEEDINGS COULD BE OPENED AGAINST THEM.

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n/a

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Case Number: 200102877

7. (C) PROSECUTORS, BOTH STATE AND SPECIAL, HAVE BEEN UNHAPPY WITH THE INCESSANT LEAKS AND ARE OUTRAGED BY THE RELEASE OF THE VIDEOS.

[REDACTED]

B1

IN A JANARY 23 RADIO INTERVIEW, MINISTER OF JUSTICE DIEGO GARCIA SAYAN JUMPED INTO THE FRAY, REAFFIRMING SUPPORT FOR THE INDEPENDENCE OF THE JUDICIARY, BUT DESCRIBING PENA'S DECISION TO RELEASE THE VIDEO AS "HIGHLY IRREGULAR." CONTACTS WITHIN THE SUPREME COURT AND THE NATIONAL COUNCIL OF MAGISTRATES TELL US THAT STATEMENTS CRITICAL OF THE RELEASE WILL BE ISSUED SHORTLY.

[REDACTED] PRIVATELY DISAGREED, HOWEVER, ASSERTING THAT MAKING THE TAPE PUBLIC WAS THE MOST EFFICIENT WAY TO REMOVE A "MONTESINOS AGENT" FROM A KEY POSITION (I.E. FROM THE WAISMAN COMMISION).

B1
B1

8. (U) MOREOVER, IN THE WAKE OF THE RELEASE, ANOTHER FIM LEGISLATOR, GUIDO PENNANO, CONFESSED THAT HE HAD MET WITH MONTESINOS AT THE SIN ON THREE OCCASIONS. PENNANO ALLEGES THAT MONTESINOS ATTEMPTED TO BRIBE HIM, BUT THAT HE DID NOT ACCEPT. PENNANO'S ADMISSION WAS MADE AFTER OPPOSITION LEADERS URGED THOSE WHO HAD MET WITH MONTESINOS TO COME FORWARD AND EXPLAIN THE CIRCUMSTANCES OF THE MEETING BEFORE THE MEETING WAS REVEALED BY A VIDEO.

COMMISSION INVESTIGATING MONTESINOS TEMPORARILY SUSPENDED
=====

9. (C) THE DISPARATE FACTIONS OF FUJIMORI'S PERU 2000 COALITION REUNITED BRIEFLY ON JANUARY 25 TO PASS A BILL CALLING FOR THE RESTRUCTURING OF THE COMMISSION INVESTIGATING MONTESINOS. PROPONENTS OF THE BILL ARGUED

[REDACTED]

PAGE 04 LIMA 00529 02 OF 04 291156Z
THAT THREE OF THE FIVE COMMISSION MEMBERS NO LONGER HAD THEIR CONFIDENCE. FIRST, COMMISSION VICE PRESIDENT GAMARRA APPARENTLY WAS ON MONTESINOS' PAYROLL; SECOND, COMMISSION PRESIDENT DAVID WAISMAN RECENTLY DIVULGED SENSITIVE AND

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[REDACTED]

[REDACTED]

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Case Number: 200102877

CONTROVERSIAL TESTIMONY THAT HAD BEEN DELIVERED IN A SECRET SESSION OF THE COMMISSION AND WHICH APPARENTLY NAMED "DOZENS" OF LEGISLATORS AS HAVING VISITED SIN HEADQUARTERS.

[REDACTED]

B1

THIRD, IN DECEMBER THREE MILITARY PERSONAL WHO HAD TRAVELED WITH MONTESINOS AS HE FLED PERU IN LATE OCTOBER IN A YACHT APPROACHED COMMISSION MEMBER ANEL TOWNSEND. RATHER THAN SHARE THIS INFORMATION WITH HER COLLEAGUES, POLICE OR PROSECUTORS, TOWNSEND ELECTED TO HOLD A PRESS CONFERENCE.

10. (C)

[REDACTED] THAT THE COMMISSION WOULD HAVE BEEN RECONSTITUTED IMMEDIATELY AFTER IT WAS SUSPENDED EXCEPT THAT LEGISLATORS COULD NOT AGREE ON ITS COMPOSITION. WORKING WITH THE HEADS OF THE DIFFERENT BLOCKS WITHIN

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PTQ5713

PAGE 01 LIMA 00529 03 OF 04 291156Z ACTION WHA-00

INFO	LOG-00	NP-00	CIAE-00	SMEC-00	COME-00	INL-00	DODE-00
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	VC-00	FRB-00	H-01	TEDE-00	INR-00	IO-00	L-00
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	PA-00	PC-01	PM-00	PRS-00	ACE-00	P-00	SP-00
	SSO-00	STR-00	USIE-00	ASDS-01	FMP-00	PMB-00	DSCC-00
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P 291152Z JAN 01
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 8471
INFO AMEMBASSY ASUNCION
AMEMBASSY BOGOTA
AMEMBASSY BRASILIA
AMEMBASSY BUENOS AIRES
AMEMBASSY CARACAS
AMEMBASSY LA PAZ
AMEMBASSY MADRID
AMEMBASSY MEXICO
AMEMBASSY QUITO

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Case Number: 200102877

AMEMBASSY SANTIAGO
USCINCSO MIAMI FL
DIR FBI WASHINGTON DC
DEPT OF JUSTICE WASHINGTON DC
DEPT OF TREASURY WASHINGTON DC

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PAGE 02 LIMA 00529 03 OF 04 291156Z
[REDACTED] SECTION 03 OF 04 LIMA 000529

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TREASURY ALSO FOR FINCEN

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CONGRESS, [REDACTED] SAYS THAT FIVE NAMES HAVE TENTATIVELY BEEN
AGREED TO, DAVID WAISMAN (PERU POSIBLE), WILLIE SERRATO,
(VAMOS VECINOS), CARLOS CUARESMA (FIM), LUIS AMORIN (PERU
2000), MERCEDES CABANILLAS (APRA). WAISMAN AND AMORIN ARE
THE ONLY TWO RETURNING MEMBERS. COMMISSION MEMBERS WILL
ELECT A PRESIDENT FROM AMONG THEMSELVES. [REDACTED] SPECULATED
THAT WAISMAN HAD A GOOD CHANCE OF BEING ELECTED PRESIDENT
AGAIN IF HE APOLOGIZED SINCERELY FOR HIS RECENT "LACK OF
DISCRETION."

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SO FAR, WITCH HUNT CLAIMS LARGELY UNSUBSTANTIATED
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11. (C) OVER THE JANUARY 20-21 WEEKEND, MONTESINOS'
DAUGHTER, BROTHER AND SISTER-IN-LAW WERE TAKEN INTO CUSTODY
AND A BATCH OF NEW ARREST OR JUDICIAL ORDERSN WERE ISSUED,
INCLUDING AN ORDER PREVENTING THE DEPARTURE FROM THE
COUNTRY OF EXPRESO BOARD MEMBER CALMELL DEL SOLAR, WHO WAS
VIDEO-TAPED RECEIVING A TWO MILLION DOLLAR PAYMENT.
CALMELL, AFTER TELLING REPORTERS HE WAS BEING UNFAIRLY
PERSECUTED AND THAT THE GOP WAS ATTEMPTING TO MUZZLE THE
PRESS, EXPLAINED AWAY THE VIDEO BY STATING THAT HIS GOOD
FRIEND MONTESINOS HAD GIVEN HIM ONE MILLION DOLLARS AS A
CONFIDENTIAL

PAGE 03 [REDACTED] LIMA 00529 03 OF 04 291156Z
GIFT. [REDACTED] OTHERS IMPLICATED IN THE ONGOING
INVESTIGATION ARE FROM THE UPPER CRUST OF SOCIETY AND ARE
USING THEIR CONSIDERABLE RESOURCES TO TRY TO DISCREDIT THE

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[REDACTED]

[REDACTED]
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Case Number: 200102877

INVESTIGATION AS A WITCH HUNT.

12. (C) OUR HUMAN RIGHTS CONTACTS DENY THAT INVESTIGATORS HAVE CROSSED THE LINE, OR THAT A WITCH HUNT IS UNDERWAY. ONE HUMAN RIGHTS LAWYER SAID PRIVATELY THAT BRINGING THE "MONTESINOS MAFIA" TO JUSTICE WAS VITAL TO SHOW THAT RULE OF LAW COULD PREVAIL OVER CORRUPTION. THAT SAID, OTHER CONTACTS HAVE VOICED CONCERN THAT THE ARREST OF MONTESINOS' FAMILY MEMBERS, PARTICULARLY HIS DAUGHTER SILVANA, HAD CROSSED THE LINE. FOR THEIR PART, PROSECUTORS HAVE BEEN EMBARRASSED BY THE FLIGHT OF SEVERAL HIGH-PROFILE SUSPECTS. SINCE PERUVIAN LAW PERMITS SUSPECTS TO BE HELD 15 DAYS BEFORE CHARGES ARE FORMALIZED OR IN PREVENTIVE DETENTION, THEY INSIST THAT THEY ARE WITHIN THE LAW IN ORDERING THE DETENTION OR HOUSE ARREST OF THOSE SUSPECTS AND WITNESSES WHO ARE ALMOST CERTAIN TO FLEE OTHERWISE. NEVERTHELESS,

[REDACTED] ADMITTED THAT MONTESINOS' 25 YEAR OLD DAUGHTER, ACCUSED OF LIBERALLY USING A CREDIT CARD PROVIDED BY HER FATHER, SHOULD NOT BE IN JAIL. [REDACTED] HAD ISSUED A FINDING TO THE DUTY JUDGE RECOMMENDING THAT SILVANA BE BARRED FROM LEAVING THE COUNTRY. THE JUDGE, UNFAMILIAR WITH THE FACTS OF THE CASE, USED HIS DISCRETION TO ORDER HER DETENTION INSTEAD. [REDACTED] WAS CONFIDENT THAT ONCE THE FACTS BECAME CLEAR, SILVANA WOULD BE RELEASED ON BAIL.

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[REDACTED] PROSECUTORS WERE [REDACTED]

PAGE 04 LIMA 00529 03 OF 04 291156Z
PROCEEDING IN A VERY DELIBERATE FASHION, WITH ONLY THE MOST EGREGIOUS OFFENDERS TARGETED, WHERE THE BODY OF EVIDENCE IS BOTH COMPELLING AND "GRAVE."

MONTESINOS LEGACY OBSTACLE TO EFFECTIVE INVESTIGATION
=====

13. (C) THE GREATEST OBSTACLE FACING POLICE, JUDGES AND PROSECUTORS IN THEIR EFFORTS TO INVESTIGATE MONTESINOS IS THE 10 YEAR LEGACY OF CORRUPTION AND CONTROL LEFT BY THE FUJIMORI REGIME, ACCORDING TO [REDACTED]

[REDACTED] SPECIFICALLY, MONTESINOS CONTROLLED THE PUBLIC MINISTRY -- WHICH INCLUDES THE ATTORNEY GENERAL'S OFFICE AND THE JUDICIARY -- THROUGH A NETWORK OF INFORMERS AND BOUGHT-OFF JUDGES AND PROSECUTORS. [REDACTED] HAS TOLD US ONLY THE TOP LAYER OF MONTESINOS LOYALISTS HAVE BEEN

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[REDACTED]

[REDACTED]

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Case Number: 200102877

REMOVED AND THAT MUCH OF THE NETWORK REMAINS IN TACT. AS A RESULT, [REDACTED] PROSECUTORS AND JUDGES ARE HAVING TO RECREATE A CULTURE OF PROFESSIONALISM WITHIN THE PUBLIC MINISTRY WHILE UNAVOIDABLY REMAINING SUSPICIOUS OF MANY OF THEIR COLLEAGUES AND STAFF.

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[REDACTED] IMPARTIAL AND VIGOROUS SUPPORT OF THE MONTESINOS INVESTIGATIONS, WILL INSPIRE

[REDACTED]

[REDACTED]

PTQ5715

PAGE 01 LIMA 00529 04 OF 04 291156Z ACTION WHA-00

INFO	LOG-00	NP-00	CIAE-00	SMEC-00	COME-00	INL-00	DODE-00
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P 291152Z JAN 01
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PAGE 02 LIMA 00529 04 OF 04 291156Z
[REDACTED] SECTION 04 OF 04 LIMA 000529

DOJ FOR OIA

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TREASURY ALSO FOR FINCEN

E.O. 12958: DECL: 01/25/05

TAGS: PGOV, EFIN, KCRM, PE

SUBJECT: GOP INVESTIGATION OF MONTESINOS EXPANDING

CONFIDENCE AND A COMMITMENT TO PROFESSIONALISM WITHIN THE
[REDACTED] DEPARTMENT.

HAMILTON

[REDACTED]

<< END OF DOCUMENT >>

n/a

[REDACTED]