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Case Number: S200200010



PTQ5262

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INFO	LOG-00 INL-01 EUR-01 L-00 OPIC-01 SSO-00 PMB-00 SAS-00	NP-00 DODE-00 VC-00 VCE-00 PA-00 STR-00 DSCC-00 /014W	AID-00 DOEE-00 H-01 AC-01 PM-00 TRSE-00 PRM-01	AMAD-01 ANHR-00 TEDE-00 NSAE-00 PRS-00 USIE-00 DRL-02	ACQ-00 SRPP-00 INR-00 NSCE-00 ACE-00 IIP-00 G-00	CIAE-00 DS-00 IO-00 OIC-02 P-00 SNIS-00 FDIC-01	SMEC-00 EB-00 LAB-01 OMB-01 SP-00 NISC-00 NFAT-00
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O 282338Z MAY 00 282338Z MAY 00

FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 4594
INFO AMEMBASSY QUITO
AMEMBASSY SANTIAGO
AMEMBASSY BUENOS AIRES
AMEMBASSY BRASILIA
AMEMBASSY BOGOTA
AMEMBASSY CARACAS
AMEMBASSY MOSCOW

USCINCSO MIAMI FL

RELEASED IN PART B1, 1.5(B)

SECTION 01 OF 03 LIMA 003183

E.O. 12958: DECL: 05/28/05
TAGS: PGOV, PHUM, PREL, PE
SUBJECT: PERU ELECTIONS:
B1

PAGE 02 LIMA 03183 01 OF 03 282339Z REF: (A) LIMA 3128, (B) LIMA 3131

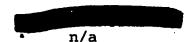
1. (U) CLASSIFIED CONFIDENTIAL BY AMBASSADOR JOHN R. HAMILTON FOR REASONS 1.5 B AND D.

2. SUMMARY: ACCORDING TO THE GOP WOULD NOT AGREE TO A POSTPONEMENT OF PRESIDENTIAL RUNOFF BEYOND JUNE 1 BECAUSE TWO OF THE FIVE MEMBERS OF THE NATIONAL ELECTIONS COMMISSION (JNE) WILL BE REPLACED JUNE 16 AND THE ELECTION LAW ALLOWS 15 DAYS FOR LEGAL CHALLENGES. THAT IS, A DATE LATER THAN JUNE 1 WOULD HAVE RUN THE RISK OF A NEW JNE NULLIFYING THE ELECTIONS.

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UNITED STATES DEPARTMENT OF STATE REVIEW AUTHORITY: WILLIAM E. LANDFAIR DATE/CASE ID: 2 AUG 2002 S200200010



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HAVE AGREED TO A POST-ELECTION VEIFICATION; OF THE SOFTWARE AND VOTE COUNT; THE GO BELIEVES THAT THE OAS (AND U.S.) POSTURE IN RECNT WEEKS WAS INFLUENCED BY A PREFERENCE FOR OPPOSTION CANDIDATE TOLEDO. AMBASSADOR SAID THAT, BY REFUSING TO AGREE TO A SHORT POSTPONEMENT, THE GOPHAD SNATCHED A PUBLIC RELATIONS DEFEAT FROM THE JAWS OF VICTORY. THE U.S. HAD BEEN NEUTRAL THROUGHOUT THE PROCESS; IF THE GOP THOUGHT OTHERWISE, IT WAS SIMPLY MISTAKING U.S. CRITICISM OF THE PROCESS FOR AN ANTI-FUJIMORI BIAS. THE GOP WAS ALREADY CONSIDERING HOW TO REPAIR THE DAMAGE TO ITS STANDING ABROAD. AMBASSADOR SAID THE GOP WOULD HAVE TO GO BEYOND COSMETICS AND SPIN CONTROL TO LIMIT ITS ISOLATION. END SUMMARY.

B1

AMBASSADOR CALLED ON

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FOR POST-MORTEM OF WHY OAS-GOP EFFORTS TO AGREE ON A NEW DATE FOR PERU'S RUNOFF ELECTIONS HAD UNRAVELED. AMBASSADOR SAID THAT, AFTER TOLEDO PUBLICLY DENOUNCED GOP/OAS TALKS AS AN "AMBUSH," THE GOP HAD A MAGNIFICENT

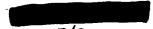
01 OF 03

PAGE 03 LIMA 03183 282339Z OPPORTUNITY TO CLAIM THE MORAL HIGH GROUND, SHOWING ITSELF TO BE THE MORE SERIOUS AND RESPONSIBLE OF THE TWO CONTENDING PARTIES. IT WAS INEXPLICABLE TO THE RESIDENT DIPLOMATIC CORPS WHY THE GOP HAD ALLOWED A TWO-DAY DIFFERENCE (THE GOP PROPOSING JUNE 1, THE OAS INSISTING ON A POSTPONEMENT AT LEAST UNTIL JUNE 3) TO BLOCK AGREEMENT. WITH THE OAS MISSION STANDING DOWN ITS OBSERVATION, THERE WAS NOW NO WAY THE ELECTIONS COULD BE JUDGED TO HAVE MET MINIMUM INTERNATIONAL STANDARDS. THIS WAS NOT THE OUTCOME WE OR ANYONE ELSE IN THE INTERNATIONAL COMMUNITY WANTED. WHY COULDN'T THE GOP HAVE OFFERED TWO MORE DAYS -- UNTIL JUNE 3?

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THE FOLLOWING WAS HIS "PERSONAL READING OF GOP THINKING. ON JUNE 16, THE TERMS OF TWO OF THE FIVE MEMBERS OF THE JNE EXPIRE AND THE TWO MEMBERS WILL BE REPLACED. ONE OF THE TWO NEW MEMBERS COULD WELL BE VLADIMIR PAZ DE LA BARRA, FORMER PRESIDENT OF LIMA BAR ASSOCIATION (DE FACTO NATIONAL BAR ASSOCIATION) AND A STRÎDENT ANTI-FUJIMORISTA. UNDER THE ELECTION LAW, THE POLITICAL PARTIES HAVE TWO PERIODS FROM THE DAY OF ELECTIONS TO SUBMIT LEGAL CHALLENGES -- ONE OF FIVE DAYS (FOR CHALLENGES TO BE SUBMITTED TO THE REGIONAL ELECTIONS TRIBUNALS), AND A SECOND OF TEN DAYS (FOR CHALLENGES TO BE SUBMITTED TO THE JNE ITSELF). THE TWO PERIODS RUN CONSECUTIVELY, FOR A TOTAL OF 15 DAYS. THE JNE HAS TO ALLOW THE FULL 15 DAYS TO RUN





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BEFORE RULING ON THEM AND DECLARING THE ELECTION RESULTS FINAL. THE EARLIEST THAT THE JNE COULD RULE ON CHALLENGES TO ELECTIONS HELD JUNE 3 WOULD BE JUNE 18. BY THAT TIME THE COMPOSITION OF THE JNE WOULD HAVE CHANGED. THE GOP FEARED THAT A NEW JNE, WITH SOMEONE LIKE PAZ PARTICIPATING, MIGHT JUST NULLIFY THE ELECTIONS ALTOGETHER. HENCE, THE BOTTOM-

PAGE 04 LIMA 03183 01 OF 03 282339Z LINE OFFER OF JUNE 1. THAT DATE WOULD HAVE ALLOWED THE CURRENT JNE TO RULE ON ANY CHALLENGES.

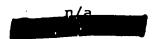
CONSTITUTIONAL CONCERNS (I.E., THAT 5. RUNOFF ELECTIONS MUST BE HELD WITHIN 30 DAYS OF THE ANNOUNCEMENT OF OFFICIAL RESULTS FROM THE FIRST ROUND) WERE ALSO A FACTOR IN GOP THINKING. HE COULD NOT BI ACCEPT THE CYNICAL VIEW THAT A GOVERNMENT THAT HAD COME UP WITH THE LAW OF AUTHENTIC INTERPRETATION COULD FIND A CONSTITUTIONAL BASIS FOR POSTPONEMENT. THE AMBASSADOR SAID HE PLED GUILTY TO THAT KIND OF CYNICISM. THE GOP HAD TO UNDERSTAND THAT, AFTER THE LEGAL CONTORTIONS THE GOP WENT THROUGH TO JUSTIFY THE PRESIDENT'S RE-ELECTION BID, THE INTERNATIONAL COMMUNITY COULD NOT ACCEPT CONSTITUTIONAL OBSTACLES AS THE REAL REASON WHY THE GOP REFUSED TO BUT, AS THE GOP HAD OFFERED JUNE 1, HOW HAD IT **B**1 PLANNED TO JUSTIFY THAT CONSTITUTIONALLY? THE JNE RESOLUTION PROCLAIMING MAY 28 AS THE RUNOFF DATE HAD NOT BEEN PUBLISHED IN PERU'S FEDERAL REGISTER UNTIL APRIL 30, AND DID NOT TAKE EFFECT UNTIL THE NEXT DAY, MAY 1. THUS, THE GOP WOULD HAVE MAINTAINED THAT JUNE 1 WOULD HAVE FALLEN WITHIN THE 30-DAY PERIOD FOLLOWING MAY 1. AMBASSADOR POINTED OUT THAT THE MONTH OF MAY HAS 31 DAYS BUT OTHERWISE LET THAT SUBJECT DROP.



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INFO	LOG-00	NP-00	AID-00	AMAD-01	ACQ-00	CIAE-00	SMEC-00
	INL-01	DODE-00	DOEE-00	ANHR-00	SRPP-00	DS-00	EB-00
	EUR-01	VC-00	H-01	TEDE-00	INR-00	IO-00	LAB-01
	L-00	VCE-00	AC-01	NSAE-00	NSCE-00	OIC-02	OMB-01
	OPIC-01	PA-00	PM-00	PRS-00	ACE-00	P-00	SP-00
	SSO-00	STR-00	TRSE-00	USIE-00	ACE-00 IIP-00	P-00 SNIS-00	SP-00 NISC-00





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O 282338Z MAY 00
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 4595
INFO AMEMBASSY QUITO
AMEMBASSY SANTIAGO
AMEMBASSY BUENOS AIRES
AMEMBASSY BRASILIA
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SECTION 02 OF 03 LIMA 003183

E.O. 12958	B: DECL:	05/28/05	
TAGS: PGC	OV, PHUM,	PREL, PE	
SUBJECT: E	PERU ELECT	rions:	3]

PAGE _02 03183 02 OF 03 282339Z THEN SPENT CONSIDERABLE TIME ARGUING THAT THE OAS MISSION'S INSISTENCE ON A FULL EVALUATION OF THE ONPE SOFTWARE PRIOR TO THE ELECTION WAS UNREASONABLE. HE ADMITTED THAT ONPE SHOULD HAVE COME UP WITH THE FINAL VERSION OF THE SOFTWARE BEFORE MAY 24. HE ALSO ADMITTED THAT ONPE'S CLAIM THAT THE MAY 21 SIMULATION EXERCISE WAS A SUCCESS HAD TAKEN ITS TOLL ON OAS TRUST. BUT THE SOFTWARE HAD WORKED AS IT WAS SUPPOSED TO IN THE MAY 24 SIMULATION; EVEN THE OAS SAID SO. AS THERE WAS NOT ENOUGH TIME AS OF THAT DATE FOR THE OAS TO CHECK OUT THE SOFWARE'S INTEGRITY PRIOR TO THE ELECTIONS, THE OAS COULD AND SHOULD HAVE WORKED WITH THE GOP TO VERIFY IT POST-FACTO. PLUS, THE GOP AND OAS COULD HAVE COME UP WITH A BACKUP SYSTEM TO VERIFY THE ACCURACY OF THE VOTE COUNT.

J PROPOSED THIS TO STEIN, WHO HAD REJECTED IT AS
INSUFFICIENT TO RE-ESTABLISH CONFIDENCE AND TO DISSIPATE THE
CLIMATE OF TENSION AND POTENTIAL VIOLENCE.
THAT HAD MADE THE GOP ANGRY, AS DEALING WITH POTENTIAL
VIOLENCE WAS INOT STEIN'S PROPLEM.

VIOLENCE WAS "NOT STEIN'S PROBLEM."

7. AMBASSADOR COMMENTED THAT, IN RETROSPECT, OTHER SOLUTIONS MIGHT APPEAR TO HAVE BEEN REASONABLE AND ACHIEVABLE. BUT, AT THE TIME, OAS CONFIDENCE IN AND

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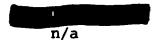
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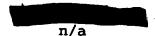


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PATIENCE WITH THE ONPE AND THE GOP HAD BEEN EXHAUSTED. AMBASSADOR POINTED OUT THAT ONPE HAD AGREED TO A TIMETABLE FOR FIXING THE ONPE SOFTWARE BUT DIDN'T COME UP WITH A

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PACKAGE THAT PERFORMED THE FUNCTIONS REQUIRED OF IT UNTIL	
FOUR DAYS BEFORE THE ELECTION. IT HAD ALSO INVITED SUSPICION	
THAT, AFTER UNPUBLISHED POLLS SHOWED FUJIMORI OPENING UP A	
SIGNIFICANT LEAD IT HAD TAKEN ONDE ONTV TUDER DAVE TO BIV	
THE SOFTWARE. NOTHING SINISTER	
PAGE 03 LIMA 03183 02 OF 03 282339Z	
WAS GOING ON. AFTER THE DISASTROUS SIMULATION MAY 21, B1	
FOUND ITS PERSONNEL WANDERING AROUND	
AIMLESSLY, UNSHAVEN AND PHYSICALLY AND EMOTIONALLY	
EXHAUSTED. WITH NO GAME, PLAN FOR PULLING ITSELF TOGETHER.	
THE PRESIDENT, VP CANDIDATE TUDELA AND DE FACTO B1	
INTELLIGENCE CHIEF MONTESINOS HAD MET WITH ONPE CHIEF	
	31
GET HIS SOFTWARE PROBLEM FIXED ONCE AND FOR ALL.	31
DESCRIBED THE MEETING AS FOLLOWS: (TO PORTILLO), TELL US	
WHAT YOU NEED. THIRTY ADDITIONAL SCANNERS? OK, YOU GOT	
THEM. WHAT ELSE, SIXTY ADDITIONAL DEDICATED PHONE LINES?	
OKAY, WE'LL GET TELEFONICA TO GIVE THEM TO YOU. AND SO ON.	
PORTILLO GOT THE MESSAGE THAT ANOTHER FAILURE WOULD NOT BE	
ACCEĄTĘD.	
B1	
8. THE GOP'S RELATIONS WITH	
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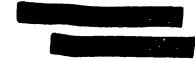
Page: 6

ITS THINKING NOT TO ACCOMMODATE INTERNATIONAL COMMUNITY CONCERNS INDEFINITELY. AMBASSADOR SAID AGAIN THAT

MISTAKING CRITICISM OF PROBLEMS OF PROCESS
FOR OPPOSITION TO FUJIMORI. THERE WAS A CLEAR DIFFERENCE.
AMBASSADOR POINTED OUT THAT, AS RECENTLY AS THE AMBASSADOR'S MEETINGS MAY 16-18 (WITH MONTESINOS, BUSTAMANTE AND FM DE TRAZEGNIES), OUR MESSAGE HAD BEEN THAT, WITH NO DETERIORATION IN ELECTION CONDITIONS AND A SCRUPULOUSLY HONEST VOTE COUNT, THE GOP WOULD SQUEAK BY. THAT IS, THAT WE--LIKE STEIN--HAD BEEN TRYING TO GIVE THE GOP EVERY CHANCE TO GET A PASSING GRADE.

AMBASSADOR TURNED DISCUSSION TO THE INCIDENT REPORTED IN ALL LIMA PRESS MAY 25 OF A JOURNALIST CLAIMING TO HAVE BEEN BRUTALLY TORTURED BY NATIONAL INTELLIGENCE SERVICE (SIN) AGENTS AFTER RECEIVING VIDEOS AND OTHER DOCUMENTARY EVIDENCE OF CONTACTS BETWEEN MONTESINOS AND JNE OFFICIALS, AMONG OTHERS.

THE INCIDENT WAS A HOAX--THE REPORTER WAS CLAIMING TO HAVE HAD HIS WRISTS SAWED TO THE BONE AND YET HAD RECEIVED ONLY THREE STITCHES. HE ALSO POINTED TO THE ARRIVAL IN PERU THAT SAME DAY OF FORMER ARMY INTELLIGENCE (SIE) AGENT LEONOR LA ROSA (WHO WAS IN FACT TORTURED BY SIE AGENTS SEVERAL YEARS



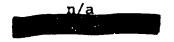
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INFO	LOG-00 INL-01 EUR-01 L-00 OPIC-01 SSO-00 PMB-00 SAS-00	NP-00 DODE-00 VC-00 VCE-00 PA-00 STR-00 DSCC-00 /014W	AID-00 DOEE-00 H-01 AC-01 PM-00 TRSE-00 PRM-01	AMAD-01 ANHR-00 TEDE-00 NSAE-00 PRS-00 USIE-00 DRL-02	ACQ-00 SRPP-00 INR-00 NSCE-00 ACE-00 IIP-00 G-00	CIAE-00 DS-00 IO-00 OIC-02 P-00 SNIS-00 FDIC-01	SMEC-00 EB-00 LAB-01 OMB-01 SP-00 NISC-00 NFAT-00
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O 282338Z MAY 00
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 4596
INFO AMEMBASSY QUITO
AMEMBASSY SANTIAGO
AMEMBASSY BUENOS AIRES
AMEMBASSY BRASILIA

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n/a

Case Number: S200200010

AMEMBASSY BOGOTA AMEMBASSY CARACAS AMEMBASSY MOSCOW USCINCSO MIAMI FL

SECTION 03 OF 03 LIMA 003183

E.O. 12958: DECL: 05/28/05 TAGS: PGOV, PHUM, PREL, PE

SUBJECT: PERU ELECTIONS: MEETING WITH PM BUSTAMANTE 5/26/00

PAGE 02 03183 LIMA 03 OF 03 282339Z AGO) AS TOO MUCH OF A COINCIDENCE. THIS WAS ALL A BARUCH IVCHER-ORGANIZED CIRCUS (COMMENT: THE REPORTER DOES HAVE A LONG-STANDING RELATIONSHIP WITH IVCHER AND STILL WORKS FOR HIM), AND HE CALLED ON THE U.S. TO BE SKEPTICAL, NOT TO BE TAKEN IN. AMBASSADOR SAID, IN FACT, WE WOULD LOOK INTO THE MATTER VERY CLOSELY. HE NOTED THAT THERE IS A HISTORY OF LEAKS FROM THE SIN AND THE STORY WAS BY NO MEANS IMPLAUSIBLE ON ITS FACE.

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IN CLOSING, AFTER THE MAY 28 ELECTIONS, THE GOP MIGHT "ADVANCE THE DATE" OF FUJIMORI'S **B**1 NEW TERM, BY WHICH HE SAID HE MEANT THAT CABINET MEMBERS MIGHT LEAVE RIGHT AWAY, WITH FUJIMORI BRINGING IN A NEW TEAM TO GET TO WORK ON REPAIRING PERU'S INTERNATIONAL STANDING. HE THOUGHT TUDELA WOULD PLAY A PROMINENT ROLE IN THE NEW GOVERNMENT, AS LIKELY WOULD FORMER FINANCE MINISTER CARLOS BOLONA. HE ALSO MENTIONED THAT DE FACTO SIN CHIEF MONTESINOS WOULD LIKELY BE PUT FORMALLY IN CHARGE OF A REFORMED SYSTEM OF INTELLIGENCE SERVICES, WITH CONGRESSIONAL OVERSIGHT. (NOTE: MONTESINOS MENTIONED THIS TO THE AMBASSADOR IN THEIR MAY 16 MEETING AND PRESIDENT FUJIMORI SPEAKS OF IT IN A NEWSPAPER INTERVIEW PUBLISHED HERE MAY 28). AMBASSADOR SAID HE HOPED THAT GOP EFFORTS TO REPAIR ITS STANDING WOULD GO BEYOND DIPLOMATIC MISSIONS TO TELL ITS SIDE OF THE STORY (A DEVICE IT HAS USED BEFORE). THE GOP NEEDED TO LOOK AT CRITICISMS WE HAVE MADE (IN OUR HUMAN RIGHTS REPORT, FOR EXAMPLE) OF ITS RESTRICTIONS ON CIVIL AND POLITICAL LIBERTIES AND TAKE REAL, CONCRETE STEPS TO ADDRESS THEM. ONLY THAT WOULD BEGIN TO GET THE GOP OUT

OF THE SITUATION IN WHICH IT NOW FOUND ITSELF.

HAMILTON

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