

EXDIS

Case Number: 200102877

PTQ0140

RELEASED IN PART
B1, 1.5(B), 1.5(C), 1.5(D)PAGE 01 LIMA 06323 01 OF 03 231953Z
ACTION SS-00INFO LOG-00 SAS-00 /000W
-----95C176 231953Z /38O 231953Z OCT 00
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 7028

SECTION 01 OF 03 LIMA 006323

EXDIS DECAPTIONED

E.O. 12958: DECL: 10/23/10
TAGS: PGOV, PREL, PHUM, US, PE
SUBJECT: SITUATION IN PERU AS OP MIDDAY OCTOBER 23

REF: LIMA 6313

1. (U) CLASSIFIED BY AMBASSADOR JOHN R. HAMILTON, EMBASSY
LIMA. REASON: 1.5 (B) (C) AND (D).2. (S) SUMMARY: MONTESINOS' RETURN AND THE RESIGNATION OF
FIRST VICE PRESIDENT TUDELA HAVE TURNED A RELATIVELY
PROMISING SITUATION UPSIDE DOWN--AT LEAST TEMPORARILY
OBSCURING WHAT APPEARS TO US TO BE A FORWARD-LEANING
COMPREHENSIVE GOVERNMENT PROPOSAL. KEY POLITICAL FIGURES,
HOWEVER, SEE THE GOP PROPOSAL AS "BLACKMAIL." TUDELA SEES
THE PROPOSAL (ESSENTIALLY, AMNESTY IN EXCHANGE FOR CLEAN
ELECTIONS CUM TRUTH COMMISSION AND INDEMNIFICATION) AS
MONTESINOS AND THE GOVERNMENT HOLDING ELECTIONS HOSTAGE TO
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IMPUNITY FOR MONTESINOS AND THE MILITARY. HE ALSO
EXPLAINED HIS RESIGNATION TO THE AMBASSADOR AS MAKING ANY
POSSIBILITY OF AN ECUADOR-LIKE SCENARIO LESS LIKELY. HUMAN
RIGHTS OMBUDSMAN SANTISTEVAN IS, SIMILARLY, EXTREMELY
NEGATIVE ABOUT ANY AMNESTY BEING ADOPTED BY THE OUTGOING
GOVERNMENT. PERU POSSIBLE LEADER TOLEDO TOLD THE
AMBASSADOR HIS PARTY WILL STAY IN THE OAS DIALOGUE BUT HIS
GAME STILL APPEARS TO BE FORCING FUJIMORI'S RESIGNATION.
OUR OWN TAKE ON THE SITUATION IS THAT THE GOVERNMENT HAS
WORKED WITH MONTESINOS IN FORMULATING THE PROPOSAL FOR A
COMPREHENSIVE AGREEMENT BUT THAT HIS RETURN TO PERU WAS THE

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LAST THING IT WANTED. END SUMMARY.

3. (S) MONTESINOS' RETURN

THE GOVERNMENT WAS DEEPLY CONCERNED LAST WEEK THAT MONTESINOS MIGHT DECIDE ON HIS OWN TO RETURN. THIS WAS WEIGHING ON THE PRESIDENT'S MIND WHEN AMBASSADOR AND DCM MET WITH HIM OCTOBER 16 AND, ON OCTOBER 18, FOREIGN MINISTER DE TRAZEGNIES TOLD THE AMBASSADOR OF TAKING A CALL THAT DAY FROM AN EMOTIONALLY WRUNG-OUT MONTESINOS WHO WAS THREATENING TO RETURN HOME THIS SUNDAY, OCTOBER 22, IF PANAMA DID NOT GRANT HIM ASYLUM. WHEN THE AMBASSADOR PHONED DE TRAZEGNIES CIRCA 8:00 P.M. LOCAL TIME OCTOBER 22 WITH THE NEWS THAT MONTESINOS HAD LEFT PANAMA 90 MINUTES EARLIER, HOWEVER, HE SEEMED GENUINELY SURPRISED. AS DID PALACE AIDES PHONED BY THE DCM. THE AMBASSADOR SPOKE SEVERAL TIMES WITH A HAND-WRINGING PRESIDENT PUJIMORI IN THE NEXT SEVERAL HOURS. FUJIMORI HAD APPARENTLY GOTTEN (FROM WHATEVER SOURCE IS UNCLEAR) THAT PANAMA WAS ABOUT TO

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ACT FAVORABLY ON MONTESINOS' ASYLUM REQUEST AND SEEMED PARTICULARLY UNABLE AT FIRST TO FOCUS ON THE URGENT TASKS AT HAND. HE DID AGREE TO PHONE ECUADORIAN PRESIDENT NOBOA TO HAVE THE GOE KEEP MONTESINOS AT LEAST TEMPORARILY IN GUAYAQUIL BUT TOLD THE AMBASSADOR LATER IN THE EVENING THAT HE HAD BEEN UNABLE TO GET THROUGH. WITH QUITO'S HELP GETTING A PHONE NUMBER, HE ALSO SPOKE DIRECTLY WITH MONTESINOS IN GUAYAQUIL, BUT PHONED THE AMBASSADOR BACK TO REPORT HE HAD BEEN UNABLE TO PERSUADE HIM NOT TO RETURN. AS REPORTED BY PHONE TO THE DEPARTMENT, MONTESINOS' PLANE LANDED AT AN AIR FORCE BASE AT PISCO, A HUNDRED MILES SOUTH OF LIMA AND MONTESINOS DEPARTED ALMOST IMMEDIATELY. WE DO NOT KNOW HIS EXACT WHEREABOUTS NOW BUT PUJIMORI ASSURED THE AMBASSADOR HE WOULD NOT BE PERMITTED TO RETURN TO HIS OLD OFFICES OR OTHER GOVERNMENT INSTALLATION. MONTESINOS HAS SEVERAL RESIDENCES AND COULD BE AT ANY ONE OF THEM; WE ARE ATTEMPTING TO RUN THIS TO GROUND.

4. (S) OCTOBER 23 CONVERSATION WITH FUJIMORI

AN EXHAUSTED AND DISPIRITED FUJIMORI SPOKE WITH THE AMBASSADOR BY PHONE FOR ALMOST AN HOUR THE MORNING OF OCTOBER 23. IN THIS RAMBLING CONVERSATION, HE SEEMED AT

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LOOSE ENDS AS TO WHAT HE NEEDED TO DO NEXT. MIDWAY THROUGH THE CONVERSATION, HE RECEIVED NEWS OF TUDELA'S RESIGNATION AND COMPLAINED MATTER OF FACTLY THAT HE HAD NO INKLING IT WAS COMING AND THAT IT "COMPLICATED MATTERS." FUJIMORI DID SAY HE WAS INTENDING TO SPEAK WITH OAS ENVOY EDUARDO LATORRE TO HAVE TODAY'S MEETING OF THE OAS POSTPONED, FIGURING THAT NOTHING COULD BE ACHIEVED IN THE CURRENT

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 ATMOSPHERE IN ANY EVENT. BEYOND THAT, HE SEEMED TO HAVE NO IDEAS. THE AMBASSADOR SAID HE SHOULD NOT LET TOO MUCH TIME GO BY WITHOUT ADDRESSING THE SITUATION PUBLICLY, AS THE OPPOSITION WOULD OTHERWISE FILL THE VACUUM WITH THE MOST CONSPIRATORIAL KINDS OF EXPLANATIONS. THE AMBASSADOR ALSO URGED HIM TO GO BACK TO THE DRAWING BOARDS ON REMOVING MONTESINOS FROM THE SITUATION; PROGRESS IN THE OAS OR PRIVATE DIALOGUE WOULD OTHERWISE PROVE IMPOSSIBLE. THE PRESIDENT AGREED BUT INDICATED HE DIDN'T KNOW AT THIS POINT WHETHER MONTESINOS WOULD AGREE TO GO ANYWHERE ABROAD. WITHOUT SPECIFYING WHAT HE WANTED, HE ASKED FOR CONTINUING U.S. SUPPORT AND "INPUTS." FUJIMORI SAID HOW MUCH WASHINGTON'S SUPPORT MEANT TO HIM, SPOKE AGAIN OF HIS POSITIVE MEETINGS WITH THE SECRETARY AND NSC DIRECTOR BERGER AND WONDERED ANXIOUSLY HOW WASHINGTON WAS TAKING THESE LATEST DEVELOPMENTS. HE CONCLUDED THAT HE WANTED TO MEET WITH HIS CLOSE CABINET ADVISERS AND WOULD THEN BE BACK IN TOUCH.

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 -----95C17F 231953Z /38

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 FM AMEMBASSY LIMA
 TO SECSTATE WASHDC IMMEDIATE 7029

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5. (S) TELECON WITH VICE PRESIDENT TUDELA

WE WILL BE REPORTING SEPARATELY ON TUDELA'S RESIGNATION (ANNOUNCED 9:00 A.M., OCTOBER 23) AND HIS PUBLIC RATIONALE FOR IT, SET FORTH IN HIS LETTER TO THE PRESIDENT. TO THE AMBASSADOR, TUDELA SAID IT WAS A COMBINATION OF THREE FACTORS: MONTESINOS' RETURN; A COMMUNIQUE PUT OUT OVER THE WEEKEND BY THE MINISTERS OF DEFENSE AND INTERIOR (IN WHICH THEY CONFIRM MILITARY INTEREST IN AN AMNESTY WHILE DENYING THAT THEY ARE SEEKING IMPUNITY); AND THE GOVERNMENT'S PROPOSAL. ON THE LATTER, TUDELA BELIEVES THE GOVERNMENT IS IN ESSENCE HOLDING CLEAN ELECTIONS HOSTAGE TO AN AMNESTY

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 NOT ONLY FOR THE MILITARY BUT FOR MONTESINOS AS WELL AND SAID HE WANTED NO PART OF THAT. HE SAID HE ALSO WANTED TO REMOVE ANY POSSIBILITY THAT THE MILITARY MIGHT BE TEMPTED TO FORCE FUJIMORI OUT AND PUT HIM IN AND SAID HIS OWN RESIGNATION WOULD MAKE A FUJIMORI RESIGNATION EVEN LESS LIKELY. COMMENT: AS OUR PREVIOUS REPORTING HAS DOCUMENTED, TUDELA HAS BEEN UNHAPPY WITH HIS OWN POSITION ON THE MARSHS OF THE FUJIMORI GOVERNMENT FOR SEVERAL MONTHS AND HAS BEEN LOOKING FOR AN EXCUSE TO EXIT. HE FOUND IT IN THIS WEEKEND'S EVENTS AND IT, OF COURSE, ADDS TO THE SENSE OF CRISIS AND UNRAVELING OF THE FUJIMORI GOVERNMENT.

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6. (S) VIEWS OF HUMAN RIGHTS OMBUDSMAN SANTISTEVAN

SANTISTEVAN TOLD THE AMBASSADOR HE IS ADAMANTLY OPPOSED TO ANY AMNESTY WHATSOEVER BEING ADOPTED BY THE OUTGOING, DISCREDITED GOVERNMENT. HE BELIEVES THERE IS PLENTY OF TIME TO ADOPT AN AMNESTY, IF ONE IS NEEDED, ONCE A NEW GOVERNMENT AND CONGRESS, ELECTED IN A CLEAN PROCESS, TAKES OFFICE. HE SENSES NO IMPENDING "WITCHHUNT" OF MILITARY LEADERS AND BELIEVES TALK OF ONE AS A WAY OF JUSTIFYING AMNESTY IS SIMPLY A SMOKE SCREEN FOR GETTING MONTESINOS SOME PROTECTION. THE AMBASSADOR SAID THE USG TYPICALLY TAKES NO POSITION ON AMNESTIES BUT RESPECTS THEM IF THERE

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IS A BROAD SOCIETAL CONSENSUS UNDERLYING THEM. WE WERE CERTAINLY NOT ADVOCATING ONE IN THE PRESENT INSTANCE BUT THOUGHT THAT THE OPPOSITION AND CIVIL SOCIETY OUGHT TO
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RESPOND AS POSITIVELY AS IT CAN IN GOOD CONSCIENCE TO A PROPOSAL THAT CONTAINS MANY ATTRACTIVE ELEMENTS. THE AMBASSADOR ALSO URGED SANTISTEVAN TO EXPRESS HIS CONVICTION THAT THERE WAS NO IMPENDING "WITCHHUNT" PUBLICLY, IN THE HOPE THAT IT WOULD LOWER LEVELS OF CONCERN. SANTISTEVAN SAID HE WOULD.

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7. (S) ALEJANDRO TOLEDO

TOLEDO, WHO HAD TRASHED THE GOVERNMENT'S PROPOSAL FOR ELECTIONS CUM AMNESTY ON TELEVISION THE EVENING OF OCTOBER 22, TOLD THE AMBASSADOR HIS PARTY WOULD STICK WITH THE OAS DIALOGUE AND THAT IT WAS PREPARED TO DISCUSS THE GOVERNMENT'S PROPOSAL IN A "REALISTIC WAY." HE ALSO SAID HE BELIEVED THE GOVERNMENT HAD NOT ENGINEERED MONTESINOS' RETURN. NONETHELESS, HE REMAINS DEEPLY SKEPTICAL OF GOVERNMENT INTENTIONS AND GOOD FAITH AND CONTINUES TO THINK PRESIDENT FUJIMORI MUST RESIGN.

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8. (S) OUR VIEWS

THE GOVERNMENT IS PLAYING HARD BALL IN SEEKING AN AMNESTY NOT ONLY FOR THE MILITARY BUT ALSO--IT WOULD APPEAR--FOR CIVILIANS LIKE MONTESINOS. ASKED ABOUT THIS, FUJIMORI ADMITTED TO THE AMBASSADOR THAT THE GOVERNMENT'S CONCEPT WOULD INCLUDE CIVILIANS AND JUSTIFIED IT ON THE GROUNDS THAT THERE WERE

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THOUSANDS OF PARTICIPANTS IN CIVILIAN DEFENSE PATROLS ("RONDEROS") WHO WERE ENTITLED TO AMNESTY ALONG WITH THE MILITARY. THE PRESIDENT ALSO ALLOWED AS TO HOW MONTESINOS UNDOUBTEDLY FAVORED THE AMNESTY PROPOSAL BUT HAD HIS OWN IDEAS ABOUT STOPPING THE OAS DIALOGUE (WHICH WE TOOK TO MEAN THAT MONTESINOS WOULD GO FURTHER THAN THE PRESIDENT IS PREPARED TO IN THREATENING TO CUT OFF OAS TALKS IF AN AMNESTY IS NOT AGREED).

9. (S) POLICY IMPLICATIONS: IN A VERY FLUID AND AT LEAST TEMPORARILY DETERIORATING SITUATION, WE (AND FUJIMORI) WILL

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ACTION SS-00

INFO LOG-00 SAS-00 /000W
-----95C188 231953Z /38

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FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 7030

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FACE QUESTIONS ON WHETHER FUJIMORI SHOULD REMAIN IN OFFICE. FUJIMORI SEEMED THIS MORNING STILL TO BE DETERMINED NOT TO RESIGN BUT THE POSSIBILITY NO LONGER SEEMS AS UNTHINKABLE OR AS REMOTE AS IT DID A SHORT WHILE AGO. WE BELIEVE THE PROBLEMS ASSOCIATED WITH ANY KIND OF TRANSITION GOVERNMENT, HOWEVER, WOULD PROVE AS DIFFICULT OR MORE SO THAN THE ONES THAT COME WITH FUJIMORI STAYING IN OFFICE AND SO COUNSEL NOT GIVING ANY SUPPORT TO THAT POSSIBILITY. WE NEED TO ENCOURAGE FUJIMORI TO GET BACK TO WORK ON THE MONTESINOS ISSUE, EITHER TO FIND HIM ANOTHER LOCATION ABROAD OR SOMEHOW OTHERWISE TO CONVINCE THE PERUVIAN PUBLIC THAT HE NO LONGER INFLUENCES EVENTS HERE. THAT COULD ONLY BE ACCOMPLISHED BY A VIGOROUS PROSECUTION, WHICH WE DOUBT IS IN THE CARDS. IN A SITUATION THAT OFFERS NO OBVIOUSLY

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ATTRACTIVE OPTIONS IN THE SHORT TERM, WE WILL CONTINUE TO
ENGAGE ALL THE PARTIES TO ENCOURAGE MODERATE DISCOURSE AND
A CONTINUATION OF OAS TALKS. OUR CONTACTS THIS MORNING
WITH TOLEDO AND OTHERS SUGGEST THAT POSITIVE ENGAGEMENT BY
THE INTERNATIONAL COMMUNITY IS APPRECIATED BY ALL SIDES.
HAMILTON

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