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EXCISE

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DOCUMENT_ID: 166705372
INQNO: DOC15D 00410244
DOCNO: TEL 008929 90
PRODUCER: LIMA
SOURCE: STATE
DOCTYPE: IN
DOR: 19900614
TOR: 194627
DOCPREC: P
ORIGDATE: 199006142245
MHFNO: 90 0065029
DOCCLASS: C

Dept. of State, RPS/IPS, Margaret P. Grafeld, Dir.
() Release Excise () Deny () Declassify
Date 10/17/02 Exemption B1

HEADER

PP RUEHC
DE RUEHPE #8929/01 1652245
ZNY CCCCC ZZH
P 142245Z JUN 90
FM AMEMBASSY LIMA
TO RUEHC/SECSTATE WASHDC PRIORITY 9065
INFO RUEHBO/AMEMBASSY BOGOTA PRIORITY 4943
RUEHCV/AMEMBASSY CARACAS PRIORITY 9712
RUEHLP/AMEMBASSY LA PAZ PRIORITY 7442
RUEHOT/AMEMBASSY QUITO PRIORITY 4629
RUEHGV/USMISSION GENEVA PRIORITY 1478
RUWMEGA/USAFSO HOWARD AFB PM PRIORITY
RHLBAAA/USCINCSO QUARRY HTS PM PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY
RUEKJCS/DIA WASHDC PRIORITY
BT

CONTROLS

~~REDACTED~~ LIMA 08929

DIA FOR OA-5/OS-1D/DB-6D2/JS1-4B/DB-3C1
USCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR

TEXT

TAGS: PHUM, PTER, PGOV, PE
COMBINE: COMPLETE

SUBJECT: PERUVIAN CONGRESS APPROVES APRA WHITWASH
OF THE RODRIGO FRANCO COMMAND

REF: A) 89 LIMA 15479 B) 89 LIMA 13195
C) 89 LIMA 8086 D) 89 LIMA 7105
E) 89 LIMA 6783 F) 89 LIMA 6400
G) 89 LIMA 2422

1. (C) SUMMARY: THE APRA GOVERNMENT AND INTERIOR
MINISTER AGUSTIN MANTILLA HAVE BEEN ABSOLVED OF ANY
AND ALL TIES TO THE PARAMILITARY RODRIGO FRANCO
COMMAND, ACCORDING TO A MAJORITY REPORT APPROVED MAY
31 BY THE APRA-DOMINATED CHAMBER OF DEPUTIES.

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EMBASSY CONSIDERS THE REPORT TO BE AN EMBARRASSINGLY POOR WHITEWASH. END SUMMARY.

2. (U) AFTER MONTHS OF DELAY AND JUST HOURS BEFORE ADJOURNING THEIR FINAL SCHEDULED SESSION UNDER THE OUTGOING GOVERNMENT OF ALAN GARCIA, THE APRA-CONTROLLED HOUSE OF DEPUTIES APPROVED ON MAY 31 THE MAJORITY (APRA) REPORT OF THE SPECIAL COMMISSION INVESTIGATING THE 1989 DEATHS OF TWO CONGRESSMEN AND THE RISE OF THE PARAMILITARY RODRIGO FRANCO COMMAND (CRF). THE APRA REPORT, APPROVED EVEN THOUGH THERE WERE NOT ENOUGH DEPUTIES IN ATTENDANCE FOR A QUORUM, ABSOLVES INTERIOR MINISTER AGUSTIN MANTILLA AND OTHER APRA AND GOVERNMENT LEADERS OF ANY INVOLVEMENT WHATSOEVER IN CRF ACTIVITIES. INSTEAD, THE REPORT, WRITTEN BY COMMISSION CHAIRMAN CESAR LIMO QUINONES AND SIGNED BY THE THREE OTHER APRA MEMBERS OF THE COMMISSION, ACCUSES ONE UNITED LEFT (IU) DEPUTY OF TERRORISM AND ANOTHER TWO IU DEPUTIES OF BEING INVOLVED IN THE FEBRUARY 1989 MURDER OF MINERS' FEDERATION LEADER SAUL CANTORAL. (A COPY OF THE REPORT IS BEING SENT TO ARA/AND AND TO HA).

3. (C) BY ACCEPTING THE "LIMO" REPORT, THE CHAMBER OF DEPUTIES THUS REJECTED THE MUCH MORE THOROUGH (THOUGH, IN OUR VIEW, STILL FLAWED) MINORITY OPPOSITION (IU AND PPC) REPORT RELEASED AMID MUCH PUBLICITY LAST OCTOBER. THAT REPORT, WHOSE RESEARCH WAS SPEARHEADED BY IU DEPUTY MANUEL PIQUERAS, CONCLUDED THAT MINISTER MANTILLA, SUPPORTED BY CERTAIN ELEMENTS OF APRA AND THE MINISTRY OF INTERIOR, WAS INDEED THE MOVING FORCE BEHIND THE CRF (REF A). (THE RODRIGO FRANCO COMMAND FIRST CAME TO PUBLIC ATTENTION BY CLAIMING RESPONSIBILITY FOR THE JULY 1988 INDEPENDENCE DAY KIDNAPPING AND ASSASSINATION OF MANUEL FEBRES FLORES, DEFENSE ATTORNEY FOR PRESUMED SENDERO LUMINOSO LEADER OSMAN MOROTE. THE GROUP TAKES ITS NAME FROM RODRIGO FRANCO MONTES, THE POPULAR APRA DIRECTOR OF ENCI, THE GOVERNMENT FOOD MARKETING AGENCY, WHO WAS SLAIN BY SENDERO TERRORISTS IN AUGUST 1987.)

4. (C) [BARELY HALF OF THE REPORT'S THIRTY-FOUR PAGES ARE DIRECTLY RELATED TO THE COMMISSION'S MANDATE: INVESTIGATING THE 1989 MURDERS OF IU DEPUTY ERIBERTO ARROYO MIO AND APRA DEPUTY PABLO LI ORMENO, AND ASCERTAINING RESPONSIBILITY FOR THE ACTIVITIES OF THE CRF (REFTELS). THE REST IS A HODGEPODGE OF ATTACKS ON THE PARLIAMENTARY OPPOSITION, "INVESTIGATION" OF SEVERAL OTHER CASES OF TERRORISM OR CONTRABAND ARMS SHIPMENTS, AND AN IRRELEVANT LIST OF THE NAMES OF HUNDREDS OF "DISAPPEARED" PERSONS WHO ARE SAID TO HAVE SINCE REAPPEARED.

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WHO KILLED THE DEPUTIES?

5. (C) THE REPORT REACHES PLAUSIBLE CONCLUSIONS WITH REGARDS TO THE KILLINGS OF THE TWO DEPUTIES, ALTHOUGH THE LOGIC APPLIED IN EACH CASE IS LESS THAN

RIGOROUS. A SENDERO LUMINOSO "ANNIHILATION SQUAD" IS BLAMED IN THE CASE OF THE APRIL 27, 1989, KILLING OF DEPUTY ERIBERTO ARROYO MIO, BUT WITHOUT ANY FIRM PROOF BEING PRESENTED. (WE ALSO NOTE THE TIMELY JUNE 7, 1990, PRESS REPORT ANNOUNCING THE CAPTURE OF THE SENDERO LEADER SAID TO HAVE BEEN RESPONSIBLE FOR KILLING ARROYO MIO. THE POLICE SAY THEY CAPTURED ABEL SEGUNDO CASTILLO SANCHEZ, AKA "BLAS," IN CHACLACAYO. CASTILLO, WHO IS CLAIMED TO BE SENDERO'S MILITARY COMMANDER FOR CHOSICA, IS ALSO GIVEN RESPONSIBILITY FOR A NUMBER OF OTHER HIGH-PROFILE UNRESOLVED KILLINGS. HIS ARREST COMES AT A TIME WHEN THE POLICE ARE REPORTING AN ONGOING SERIES OF "MAJOR BLOWS" AGAINST SENDERO LEADERSHIP AND SUPPORT NETWORKS.)

6. (C) THE "LIMO" REPORT ALSO CONCLUDES THAT DEPUTY PABLO LI ORMENO WAS KILLED MAY 6, 1989, BY COMMON THIEVES (NOW UNDER DETENTION) WHO TRIED TO STEAL HIS CAR. THE REPORT SPENDS A GREAT DEAL OF TIME DETAILING THE CRIMINAL HISTORY OF THE ACCUSED GUNMAN (WHOSE CAPTURE WAS ANNOUNCED MAY 31, 1989, REF C), BUT PROVIDES NO EVIDENCE LINKING HIM TO THE MAY 6 CRIME SCENE. NOR DOES THE REPORT MENTION (AS THE PIQUERAS REPORT DOES) THAT CARLOS BRAVO ROJAS WAS HELD INCOMMUNICADO BY THE POLICE FOR SIXTEEN DAYS AFTER HIS ARREST OR THAT BRAVO HAS MAINTAINED EVER SINCE THAT HIS "CONFESSION" WAS EXTRACTED UNDER TORTURE.

7. (C) THE PIQUERAS REPORT CONCLUDED LAST FALL THAT ARROYO MIO'S DEATH WAS "CLEARLY ATTRIBUTABLE" TO THE CRF, AND THAT LI ORMENO WAS "PROBABLY" KILLED BY THE CRF. THERE IS ALSO PERSUASIVE EVIDENCE THAT ARROYO MIO WAS KILLED BY SENDERO LUMINOSO AND THAT LI ORMENO WAS KILLED BY CAR THIEVES. AS REPORTED PREVIOUSLY (REFS A AND D), THESE ARE BOTH AMONG THE SEVERAL POSSIBLE EXPLANATIONS FOR THESE MURDERS. WE STILL FIND IT DIFFICULT TO BELIEVE THAT THE CRF WOULD HAVE "BUMPED OFF" SITTING CONGRESSMEN, ONE OF THEM A MEMBER OF THE APRA PARTY. WE DO NOTE, HOWEVER, THAT THE "EVIDENCE" PRESENTED IN EACH CASE BY THE "LIMO" REPORT IS QUITE FLIMSY AND MAKES LITTLE ATTEMPT TO CONSIDER OTHER POSSIBILITIES. ADDITIONALLY, WE NOTE THAT THE COMMISSION'S PARTICULAR CONCLUSIONS IN EACH CASE CLOSELY REFLECT THE OFFICIAL VIEWS OF THE MINISTRY OF INTERIOR.

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THE RODRIGO FRANCO COMMAND (CRF)

8. (C) THE "LIMO" REPORT'S ANALYSIS OF THE ACTIVITIES OF THE CRF IS EVEN LESS RIGOROUS THAN ITS INVESTIGATION OF THE DEPUTIES' DEATHS. THE REPORT IS REplete WITH CONTRADICTIONS, ERRORS AND OUTRIGHT EVASIONS, AND PUFFED OUT WITH NON-GERMANE "FACTS." A FEW EXAMPLES OF THE REPORT'S METHOD OF INVESTIGATION FOLLOW.

9. (C) THE CARBOMBING OF "EL DIARIO": THE REPORT DEVOTES SIGNIFICANT SPACE TO THE OCTOBER 2, 1987, CRF-ATTRIBUTED CARBOMBING OF THE PRO-SENDERO NEWSPAPER, "EL DIARIO." (TWO CARBOMBERS WERE KILLED AND THE THIRD, JESUS MIGUEL RIOS SAENZ, WAS SEVERELY INJURED. RIOS SAENZ WAS WHISKED AWAY AND TREATED UNDER A FALSE NAME AT THE POLICE HOSPITAL BEFORE BEING RELEASED SEVERAL WEEKS LATER. NO CHARGES ARE PENDING AGAINST RIOS SAENZ. A WEALTH OF PUBLIC DATA SINCE HAS LINKED RIOS SAENZ TO BOTH APRA AND THE MINISTRY OF INTERIOR.) THE "LIMO" REPORT FUMBLES THE CASE, HOWEVER, IN ITS OPENING SENTENCE, LINKING RIOS SAENZ AND THE CAR TO THE WRONG CARBOMBING: A SECOND ONE AT "EL DIARIO" TWO YEARS LATER, ON OCTOBER 10,

1989.

10. (C) THE REPORT GOES DOWNHILL FROM THERE. IT SAYS THE CAR USED IN THE 1987 BOMBING HAS ONCE OWNED BY "A MR. AUGUSTO CALLEJA," WHO SOLD THE CAR TO A "ROLANDO COLLADO SAENZ," WHO THEN LOANED IT TO RIOS SAENZ (WHO THEN PROCEEDED TO BLOW IT UP). THE REPORT DOES NOT PROVIDE ANY EVIDENCE SUPPORTING THE CLAIM THAT CALLEJA EVER SOLD THE CAR TO ANYONE. IT NEVER ADDRESSES THE ISSUE OF HOW THIS CAR CAME TO BE LADEN WITH EXPLOSIVES. MOST GLARING, PERHAPS, IS THE ABSENCE OF ANY INVESTIGATION INTO WHO THE ACCUSED ARE, OR OF THE RELATIONSHIP BETWEEN THEM, EVEN THOUGH THE REPORT EXPLICITLY CLEARS CALLEJA AND COLLADO SAENZ OF INVOLVEMENT IN ANY WRONGDOING WHATSOEVER. THE "LIMO" REPORT FAILS EVEN TO MENTION WHAT ANY INDEPENDENT INVESTIGATOR WOULD IMMEDIATELY SEIZE AS A RED FLAG, IMPOSSIBLE TO OVERLOOK: AUGUSTO CALLEJA, A FRIEND OF RIOS SAENZ, FROM UNIVERSITY DAYS, WAS EMPLOYED AS DIRECTOR OF LOGISTICS AT THE MINISTRY OF INTERIOR WHEN HIS CAR WAS BEING USED TO BOMB "EL DIARIO."

11. (C) THE KILLING OF SAUL CANTORAL: THE LIMO REPORT ACCUSES UNITED LEFT (IU) DEPUTY AGUSTIN HAYA DE LA TORRE DE LA ROSA OF OWNING THE GUN THAT KILLED MINERS FEDERATION LEADER SAUL CANTOQAL HUAMANI ON FEBRUARY 13, 1989. (WE BELIEVE CANTORAL COULD HAVE

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BEEN KILLED BY EITHER SENDERO OR CRF, BUT WE LEAN MORE TOWARDS BLAMING CRF; SEE REF G). THE REPORT ASSERTS THAT HAYA DE LA TORRE LENT THE WEAPON TO IU DEPUTY JULIO CASTRO GOMEZ, WHO IN TURN LENT IT TO TWO THUGS WHO WERE ARRESTED IN APRIL 1989 AND CHARGED WITH THE KILLING.

12. (C) NO BALLISTICS EVIDENCE IS PRESENTED TO LINK THE GUN SEIZED IN APRIL WITH THE KILLING OF CANTORAL. HAYA DE LA TORRE ALSO CRIES FOUL, SAYING THE GUN, ONE OF MANY GIVEN TO DEPUTIES BY THE MINISTRY OF INTERIOR FOR PERSONAL PROTECTION, HAD BEEN RETURNED TO THE MININT LONG BEFORE THE KILLING. HE SAYS HE STILL HAS THE RECEIPTS TO PROVE IT. THE "LIMO" REPORT CONCLUDES BY CHARGING DEPUTIES HAYA DE LA TORRE AND CASTRO GOMEZ WITH VIOLATING ARTICLE 288 OF THE PENAL CODE. THERE IS ONLY ONE PROBLEM: ART. 288 DOES NOT DEAL WITH ARMS VIOLATIONS, BUT WITH GRAVE ROBBERY.

13. (C) NORTH KOREAN ARMS SHIPMENTS: THE REPORT ABSOLVES MANTILLA AND COMPANY OF ANY IMPROPER BEHAVIOR WITH REGARDS TO THE JANUARY 1988 DIVERSION OF SOME 10,000 NORTH KOREAN AKM-65 RIFLES AND AMMUNITION. PUBLIC REPORTS HAVE LINKED THE "MOTONAVE SABOGAL" SHIPMENTS WITH APRA PARTY ATTEMPTS TO CACHE WEAPONS. THE PURCHASE WAS ALLEGEDLY A PACKAGE DEAL, PART OF THE APRA GOVERNMENT'S 1989 RECOGNITION OF NORTH KOREA. THE "LIMO" REPORT SIMPLY STATES THAT THE SHIPMENT WAS IN "COMPLIANCE WITH THE LAW" AND WAS NECESSARILY A CLASSIFIED OPERATION.

14. (C) THE "LIMO" REPORT IS HARD-PRESSED EVEN TO ADMIT THAT THE CRF EXISTS. THE CLOSEST IT COMES AMONG ITS REPEATED REFERENCES TO THE "SUPPOSED" CRF OR "PRESUMED PARAMILITARIES" IS THE STATEMENT THAT "ONE DEDUCES THAT VARIOUS RODRIGO FRANCO COMMANDS EXIST OR THAT VARIOUS GROUPS OF PERSONS USE ITS NAME." THE "LIMO" REPORT CLOSES WITHOUT RESPONDING TO ANY OF THE DETAILED ACCUSATIONS PRESENTED IN THE TWO PREVIOUS REPORTS (LAST AUGUST AND OCTOBER) PRESENTED BY THE PIQUERAS-LED MINORITY. AT NO TIME DOES THE REPORT EVEN VENTURE A GUESS AS TO WHO MIGHT BE INCLUDED IN THE "VARIOUS GROUPS OF PERSONS" WHO USE THE CRF NAME.

15. (C) THE ANTICS OF CHAIRMAN LIMO: LIMO HAS SOUGHT TO DISRUPT ANY SERIOUS INVESTIGATION OF THE CRF SINCE THE COMMISSION WAS FORMED A YEAR AGO (BIO NOTE: PRIOR TO HIS 1985 ELECTION AS AN APRA DEPUTY LIMO WAS EMPLOYED AS A PARAPSYCHOLOGIST OF THE SPOON-BENDING SORT). HE CONSTANTLY PLAYED PARLIAMENTARY GAMES WITH THE OPPOSITION, TAKING THE CLASSIFIED FILES AND REFUSING TO RETURN THEM, AND ULTIMATELY, CLOSING DOWN THE COMMISSION BEFORE ITS MANDATE WAS DUE TO EXPIRE.

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HE DENOUNCED THE OPPOSITION'S OCTOBER 1989 FINAL REPORT AS CALUMNIES NOT WORTHY OF BEING READ.

16. (C) IN FEBRUARY, 1990, LIMO ANNOUNCED TO THE PRESS THAT HE HAD JUST DELIVERED A 1400-PLUS PAGE REPORT TO THE LEADERSHIP OF THE CHAMBER OF DEPUTIES, ABSOLVING APRA AND MINISTER MANTILLA OF ANY WRONGDOING. HE THEN DEPARTED FOR UN HUMAN RIGHTS COMMISSION MEETINGS IN GENEVA TO AID IN THE EFFORT TO COUNTER CHARGES OF HUMAN RIGHTS ABUSES BY THE COP. NO ONE IN LIMA, HOWEVER, INCLUDING THE OTHER APRA MEMBERS OF THE COMMISSION, KNEW ANYTHING ABOUT THE REPORT LIMO SWORE ALL FOUR APRA DEPUTIES HAD SIGNED. LIMO NOW MAKES NO MENTION OF THE 1400-PAGE REPORT.

NOT EVEN RODRIGO FRANCO'S WIDOW BELIEVES IT

17. (U) CECILIA MARTINEZ DE FRANCO, WIDOW OF THE SLAIN RODRIGO FRANCO, ENDORSED MARIO VARGAS LLOSA'S PRESIDENTIAL CANDIDACY ON JUNE 5. IN A ONE-HOUR VISIT WITH VARGAS LLOSA AND THE PRESS, MARTINEZ CONDEMNED THE ACTIONS OF THE CRF AND THE USE OF HER HUSBAND'S NAME, AND CALLED FOR THE NEXT (POST-APRA) CONGRESS TO CONTINUE THE INVESTIGATION INTO HIS DEATH AND THE SUBSEQUENT RISE OF THE PARAMILITARY COMMAND. MARTINEZ TOLD POLOFFS JUNE 12 THAT SINCE HER PUBLIC APPEARANCE ON BEHALF OF VARGAS LLOSA, SHE HAS RECEIVED TELEPHONE DEATH THREATS AND TWO ANONYMOUS LETTERS TELLING HER TO KEEP QUIET. SHE ADDED THAT SHE HAD BEEN THE VICTIM OF SUCH THREATS BEFORE, BUT NOT IN RECENT MONTHS. SHE UNEQUIVOCALLY BLAMES THE APRA GOVERNMENT FOR THE THREATS.

COMMENT

18. (C) THE "LIMO" REPORT'S ATTEMPT TO ABSOLVE APRA OF PARAMILITARY ACTIVITIES WAS EXPECTED. [

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[THE REPORT'S APPROVAL, COMING AS IT DID JUST TEN DAYS BEFORE THE PRESIDENTIAL RUNOFF ELECTION, CAUSED BARELY A RIPPLE, EVEN IN THE LEFTIST PRESS.

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END OF MESSAGE

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