

RELEASED

TEXT OF TELEGRAM 92LIMA 001791

ADP252

UNCLASSIFIED

2/39

PAGE 01 LIMA 01791 01 OF 09 070015Z
ACTION HA-09

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	DEAE-00	DODE-00	EB-01	H-01	INM-01	INRE-00	INR-01
	ID-19	LAB-04	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02
	OIG-01	OMB-01	PA-02	PM-01	PRS-01	P-01	RP-10
	SIL-01	SNP-01	SP-01	SR-01	SSO-00	SS-01	STR-20
	TRSE-00	T-01	USIE-00	DTC-01	FMP-01	/105W	

0 070006Z FEB 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 5445

UNCLAS SECTION 01 OF 09 LIMA 01791

ARA/AND FOR ANNE PATTERSON
HA FOR MIKE JACOBSON

E.O. 12356: DECL: OADR
TAGS: PHUM, MASS, PREL, SNAR, PE
SUBJECT: COMMENT ON WOLA MEMO: "A STATUS OF
COMPLIANCE WITH HUMAN RIGHTS
CONDITIONS ON U.S. MILITARY AID TO
PERU"

1. THE DECEMBER 17, 1991 WOLA MEMO ON "THE
STATUS OF COMPLIANCE WITH HUMAN RIGHTS
CONDITIONS ON U.S. MILITARY AID TO PERU"
CONTAINS SEVERAL ERRORS OF FACT AND/OR
INFERENCE. WE NOTE THE FOLLOWING:
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 LIMA 01791 01 OF 09 070015Z

CENTRAL REGISTRY OF DETAINEES:

2. WOLA ASSERTION: HUMAN RIGHTS GROUPS ALLEGE
THAT "GENERALLY ONLY THOSE
WHO HAVE BEEN RELEASED OR ARE ABOUT TO BE
RELEASED ARE REPORTED AS DETAINED BY THE
MINISTRY OF DEFENSE." (PG. 3, PARA 1)

ACTUAL SITUATION: LACKING ACCESS TO THE
MILITARY REGISTRY, IT IS
DIFFICULT TO SEE HOW UNSPECIFIED "LOCAL HUMAN
RIGHTS GROUPS" WOULD HAVE ANY FACTUAL BASIS FOR

PAGE NO. 1

CLASSIFICATION OF STATE

RELEASE DECLASSIFY
 EXCISE DECLASSIFY
 DENY IN PART
 DELETE Non-Responsive Info
FOIA Exemptions
PA Exemptions

IS/FPC/ICDR *HA* Date. *1/17/92*

MR Cases Only:
EO Citations

CLASSIFY as
 DOWNGRADE TS to () S or () C OADR

TS authority to
 OADR

011597030

TEXT OF TELEGRAM 92LIMA 001791

SUCH AN ASSERTION. SINCE THE MILITARY REGISTRY WENT INTO EFFECT IN AUGUST, AVERAGE MONTHLY DISAPPEARANCES REPORTED BY THE COORDINADORA DROPPED BY OVER HALF FROM 33 PER MONTH FROM JANUARY-JULY TO 14 A MONTH FROM AUGUST-DECEMBER.

3. WOLA ASSERTION: HUMAN RIGHTS GROUPS INSIST THAT THE LIST INCORPORATE INFORMATION FROM HUMAN RIGHTS GROUPS AND OTHER SOURCES. (PG 3, PARA 1)

ACTUAL SITUATION: THIS CONCEPT WOULD NEGATE THE WHOLE PURPOSE OF A GOVERNMENT REGISTRY. THE POINT IS TO HAVE A REGISTRY OF PERSONS WHOM THE GOVERNMENT DECLARES TO HAVE IN CUSTODY, AND FOR WHOSE WELL BEING IT ACCEPTS RESPONSIBILITY.

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 LIMA 01791 01 DF 09 070015Z

HUMAN RIGHTS CASES: SANTA BARBARA, HUANCVELICA CASE:

4. WOLA ASSERTION: "HOWEVER, THE SIX ARE BEING TRIED IN A MILITARY COURT FOR 'CRIMES COMMITTED IN THE ACT OF DUTY.' UNDER THESE CIRCUMSTANCES, THE ACCUSED CAN ONLY BE TRIED FOR ABUSE OF AUTHORITY AND NEGLIGENCE WHICH CARRIES A MAXIMUM SENTENCE OF THREE YEARS IN JAIL." (PG 3, PARA 3)

ACTUAL SITUATION: ONE ARMY OFFICER AND FIVE NON-COMMISSIONED OFFICERS ARE BEING TRIED VARIOUSLY FOR HOMICIDE, THEFT, AND ABUSE OF SEXUAL FREEDOM, AS WELL AS THE MILITARY CRIMES OF ABUSE OF AUTHORITY AND NEGLIGENCE. WHEN A MILITARY COURT TRIES CRIMINAL CASES, NORMAL PENAL CODE SENTENCES ARE APPLIED. THE FOREIGN MINISTRY HAS INFORMED THE EMBASSY THAT THE PROSECUTION HAS ASKED FOR A FIFTEEN YEAR SENTENCE ON THE HOMICIDE CHARGE.

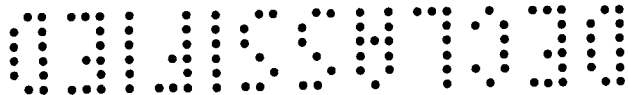
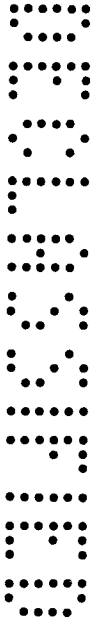
THE ACCUSED AND THE CRIMES THEY ARE CHARGED WITH ARE AS FOLLOWS:

LIEUTENANT JAVIER BENDEZU VARGAS:

- HOMICIDE, ART. 108 OF THE PENAL CODE UNCLASSIFIED

UNCLASSIFIED

PAGE NO. 2



TEXT OF TELEGRAM 92LIMA 001791

PAGE 04 LIMA 01791 01 OF 09 070015Z
APPLICABLE BY REFERENCE TO ART. 744 OF THE CODE
OF MILITARY JUSTICE. CHARGED AS THE
INTELLECTUAL AUTHOR OF THE HOMICIDE, AGGRAVATED
BY INTENT TO COMMIT ROBBERY.

- ROBBERY, ART. 189 OF THE PENAL CODE
APPLICABLE BY REFERENCE TO ART. 744 OF THE CODE
OF MILITARY JUSTICE. CHARGED WITH THEFT OF
LIVESTOCK, AGGRAVATED BY HAVING COMMITTED
HOMICIDE TO ACCOMPLISH THE THEFT.

- ABUSE OF AUTHORITY. ART. 180 OF THE CODE OF
MILITARY JUSTICE. CHARGED WITH ORDERING ACTIONS

NNNN

UNCLASSIFIED

03 15 07 10 30

PAGE NO. 3

03 15 07 10 30

TEXT OF TELEGRAM 92LIMA 001791

ADP254

UNCLASSIFIED

PAGE 01 LIMA 01791 02 OF 09 070016Z
ACTION HA-09

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	DEAE-00	DQDE-00	EB-01	H-01	INM-01	INRE-00	INR-01
	IO-19	LAB-04	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02
	DIG-01	OMB-01	PA-02	PM-01	PRS-01	P-01	RP-10
	SIL-01	SNP-01	SP-01	SR-01	SSO-00	SS-01	STR-20
	TRSE-00	T-01	USIE-00	DTC-01	FMP-01	/105W	

-----OC4244 070017Z /38

O 070006Z FEB 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 5446

UNCLAS SECTION 02 OF 09 LIMA 01791

ARA/AND FOR ANNE PATTERSON
HA FOR MIKE JACOBSON

E.O. 12356: DECL: OADR
TAGS: PHUM, MASS, PREL, SNAR, PE
SUBJECT: COMMENT ON WOLA MEMO: "A STATUS OF
AGAINST LAW AND REGULATIONS BY TROOPS UNDER HIS
COMMAND.

SUB OFFICIAL DUILIO CHIPANA TARQUI:

CRIMES AGAINST DUTY AND THE DIGNITY OF THE
OFFICE, ART. 200, PARA 3 OF THE CODE OF MILITARY
JUSTICE. CHARGED WITH EXTORTING MONEY FOR
RELEASING A DETAINEE.

UNCLASSIFIED

UNCLASSIFIED

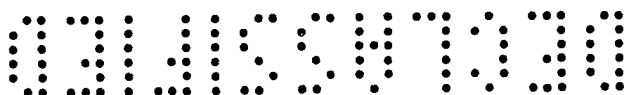
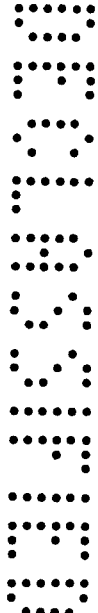
PAGE 02 LIMA 01791 02 OF 09 070016Z

CRIMES AGAINST THE ADMINISTRATION OF JUSTICE,
ART. 302, PARA 2 OF THE CODE OF MILITARY
JUSTICE. CHARGED WITH FAILURE TO REPORT TO
SUPERIOR AUTHORITIES THE ROBBERY AND OTHER
CRIMES COMMITTED BY THE PATROL LED BY LT.
BENDEZU VARGAS.

SUB OFFICIAL FIDEL AUSEBIO HUAYTALLA:

- CRIMES AGAINST DUTY AND DIGNITY OF THE
OFFICE, ART. 200, PARA 3 OF THE MILITARY COURT
OF JUSTICE. CHARGED WITH ALLOWING THE EXTORTION
OF MONEY FROM A DETAINEE AND RECEIVING HALF OF
THE AMOUNT EXTORTED.

PAGE NO. 4



TEXT OF TELEGRAM 92LIMA 001791

FIRST SERGEANT OSCAR CARRERA GONZALES:

- ABUSE OF AUTHORITY, ART. 180, PARAS 1 AND 3 OF THE CODE OF MILITARY JUSTICE. CHARGED WITH EMPLOYING UNAUTHORIZED METHODS IN THE INTERROGATION OF DETAINEES, FOR HAVING DENUDED TWO FEMALE DETAINEES AND SUBSEQUENTLY ALLOWED TROOPERS UNDER HIS COMMAND TO SEXUALLY ABUSE THE WOMEN.

SECOND SERGEANT CARLOS SAA PRADO CHINCHAY:

- HOMICIDE, ART. 108 OF THE PENAL CODE APPLICABLE BY REFERENCE TO ART. 744 OF THE CODE OF MILITARY JUSTICE. CHARGED AS THE MATERIAL UNCLASSIFIED

UNCLASSIFIED

PAGE 03 LIMA 01791 02 OF 09 070016Z AUTHOR, TOGETHER WITH OTHERS, OF THE HOMICIDE OF FOURTEEN DETAINEES.

- ROBBERY, ART. 186 OF THE PENAL CODE APPLICABLE BY REFERENCE TO ART. 744 OF THE CODE OF MILITARY JUSTICE. CHARGED WITH PARTICIPATING IN THE THEFT OF LIVESTOCK.

- VIOLATION OF SEXUAL FREEDOM, ART. 174 OF THE PENAL CODE APPLICABLE BY REFERENCE TO ART. 744 OF THE CODE OF MILITARY JUSTICE. CHARGED WITH HAVING FORCED TWO FEMALE DETAINEES IN HIS CUSTODY TO ENGAGE IN SEXUAL ACTS.

SECOND SERGEANT DENNIS PACHECO ZAMBRAND:

- ROBBERY, ART. 186 OF THE PENAL CODE APPLICABLE BY REFERENCE TO ART. 744 OF THE CODE OF MILITARY JUSTICE. CHARGED WITH PARTICIPATING IN THE ROBBERY OF LIVESTOCK.

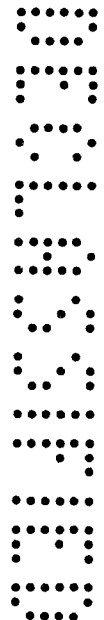
- VIOLATION OF SEXUAL FREEDOM, ART. 174 OF THE PENAL CODE APPLICABLE BY REFERENCE TO ART. 744 OF THE CODE OF MILITARY JUSTICE. CHARGED WITH HAVING ENGAGED IN SEXUAL ACTS WITH TWO FEMALE DETAINEES IN HIS CUSTODY.

5. WOLA ASSERTION: "ACCORDING TO THE PERUVIAN HUMAN RIGHTS ORGANIZATION CEAPAZ, ON NOVEMBER 8 THE PUBLIC PROSECUTOR HANDLING THE CASE AND THE PRESIDENT OF THE SANTA UNCLASSIFIED

UNCLASSIFIED

PAGE 04 LIMA 01791 02 OF 09 070016Z

PAGE NO. 5



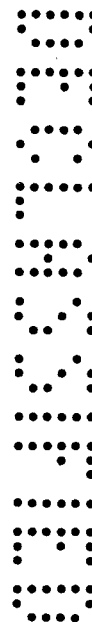
TEXT OF TELEGRAM 92LIMA 001791

BARBARA COMMUNITY WERE DETAINED WITH A JUDICIAL ORDER CHARGING THEM WITH OBSTRUCTING JUSTICE BY MAKING FALSE ACCUSATIONS AGAINST THE PERUVIAN MILITARY. THEY WERE RELEASED AFTER FOUR DAYS, BUT CONTINUE TO FEAR FOR THEIR PERSONAL SAFETY." (PG 3, PARA 3)

ACTUAL SITUATION: ACCORDING TO DR. CLODOMIRO ----- CHAVEZ, CHIEF OF THE SPECIAL HUMAN RIGHTS PROSECUTING ATTORNEY'S OFFICE, THE PUBLIC PROSECUTOR AND HIS BROTHER WERE BRIEFLY ARRESTED IN HUANCVELICA ON DRUNK AND DISORDERLY CHARGES. DR. CHAVEZ INSISTED THAT THIS ARREST WAS TOTALLY UNRELATED TO THE SANTA BARBARA CASE.

UNCLASSIFIED

NNNN



PAGE NO. 6



0311507030

TEXT OF TELEGRAM 92LIMA 001791

ADP255

UNCLASSIFIED

PAGE 01 LIMA 01791 03 OF 09 070017Z
ACTION HA-09

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	DEAE-00	DODE-00	EB-01	H-01	INM-01	INRE-00	INR-01
	IO-19	LAB-04	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02
	OIG-01	OMB-01	PA-02	PM-01	PRS-01	P-01	RP-10
	SIL-01	SNP-01	SP-01	SR-01	SSO-00	SS-01	STR-20
	TRSE-00	T-01	USIE-00	DTC-01	FMP-01	/105W	

-----OC4247 07001BZ /38

O 070006Z FEB 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 5447

UNCLAS SECTION 03 OF 09 LIMA 01791

ARA/AND FOR ANNE PATTERSON
HA FOR MIKE JACOBSON

E.O. 12956: DECL: OADR
TAGS: PHUM, MASS, PREL, SNAR, PE
SUBJECT: COMMENT ON WOLA MEMO: "A STATUS OF
SUBSEQUENTLY, THE NATIONAL COORDINADORA INFORMED
US THAT THE HUANCVELICA PROSECUTOR HIMSELF HAD
CONFIRMED THAT HE HIMSELF WAS NEVER DETAINED,
BUT THAT HIS BROTHER HAS BEEN DETAINED SEVERAL
TIMES, APPARENTLY ON CHARGES OF DRUNKENNESS.
THE PROSECUTOR, HOWEVER, PERCEIVES THESE ACTIONS
AS A PSYCHOLOGICAL PRESSURE ON HIS OWN ACTIONS.

UNCLASSIFIED

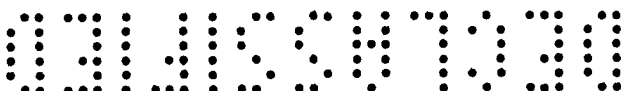
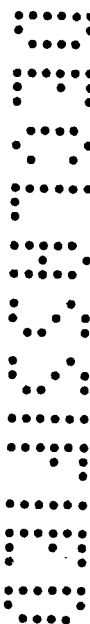
UNCLASSIFIED

PAGE 02 LIMA 01791 03 OF 09 070017Z
CALLAO CASES:

6. WOLA ASSERTION: THREE POLICEMEN ARE IN
----- DETENTION FOR THE HIGHLY
PUBLICIZED ABDUCTION AND MURDER OF THE THREE
STUDENTS WHICH OCCURRED LAST JUNE. (PG 3, PARA 4)

ACTUAL SITUATION: FIVE, NOT THREE, POLICEMEN
----- ARE IN DETENTION. THEY HAVE
BEEN DISMISSED FROM THE POLICE FORCE AND HAVE
BEEN CHARGED IN THE CIVIL COURTS WITH HOMICIDE,
CRIMES AGAINST DUE PROCESS AND PUBLIC FAITH
(I.E., PERJURY). THEY ARE:

PAGE NO. 7



IN THE CASE OF FREDY RODRIGUEZ PIGHI:

- SECOND SERGEANT GUILLERMO CORNEJO ZAPATA
- CORPORAL DAMASO ANTEZANA LINAN
- SUB-OFFICIAL JOSE INFANTES QUIROZ

IN THE CASE OF RAFAEL AND EMILIO GOMEZ PAQUIVAURI:

- SECOND SERGEANT FRANCISCO ANTEZANA
- SANTILLAN
- SUB-OFFICIAL ANGEL VASQUEZ CHUMO

7. WOLA ASSERTION: "ALL OF THE COMMANDING
 ----- POLICE OFFICIALS IMPLICATED
 IN THE KILLING HAVE BEEN RELEASED FROM DETENTION
 AND ARE WORKING IN THEIR ASSIGNED POSTS." (PG
 UNCLASSIFIED

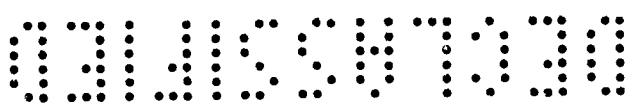
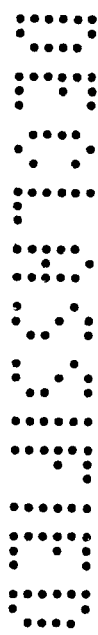
UNCLASSIFIED

PAGE 03 LIMA 01791 03 DF 09 070017Z
3, PARA 4)

ACTUAL SITUATION: FIVE OFFICERS (LISTED BELOW)
 ----- HAVE BEEN CHARGED WITH
 HOMICIDE AND/OR OTHER CRIMES AGAINST PUBLIC
 FAITH. WHILE NOT IN JAIL, NEITHER ARE THEY
 FREE. ACCORDING TO CALLAO PUBLIC PROSECUTOR IN
 THE CASE, DR. MARIA DEL PILAR CASTILLO SOLTERO,
 THEY ARE ONLY "CONDITIONALLY RELEASED" AND
 REMAIN UNDER ORDERS TO APPEAR BEFORE THE COURT.
 THEY ARE UNDER THE RESPONSIBILITY OF THE
 DIRECTOR FOR PERSONNEL, WHO MUST SUBMIT A
 WRITTEN REPORT OF THEIR WHEREABOUTS AND
 ACTIVITIES EVERY FIFTEEN DAYS. THEY ARE
 NORMALLY RESTRICTED TO THEIR RESIDENCES, OR
 "ASSIGNED" TO THE POLICE HOSPITAL. THEY ARE NOT
 ALLOWED TO LEAVE THEIR ASSIGNED POST (RESIDENCE
 OR HOSPITAL) WITHOUT THE PERMISSION OF THE
 DIRECTOR FOR PERSONNEL.

FURTHERMORE, ONLY ONE OF THE CONDITIONALLY
 RELEASED OFFICERS CONTINUES IN THE COMMAND
 ASSIGNMENT HE HELD PRIOR TO THE CALLAO
 KILLINGS. HE IS COMMANDANTE PEDRO GONZALES
 PAREDES, WHO HAS BEEN CHARGED ONLY WITH CRIMES
 AGAINST PUBLIC FAITH, I.E., PERJURY OR COVER
 UP. THE OTHER FOUR CONDITIONALLY RELEASED
 OFFICERS MAY HAVE BEEN GIVEN WORK ASSIGNMENTS
 DURING THE PERIOD OF INVESTIGATION AND TRIAL,
 BUT THEY ARE CERTAINLY NOT/NOT WORKING IN THE
 POSITIONS THEY OCCUPIED BEFORE THE KILLING OF
 UNCLASSIFIED

UNCLASSIFIED



TEXT OF TELEGRAM 92LIMA 001791

PAGE 04 LIMA 01791 03 OF 09 070017Z
THE THREE STUDENTS, AS APPEARS TO BE THE WOLA
ASSERTION. WE HAVE CHECKED AND ARE ABLE TO
CONFIRM THAT FOUR OF THE OFFICERS HAVE BEEN
REMOVED FROM THEIR ORIGINAL COMMAND POSITIONS.
WE HAVE NOT YET BEEN ABLE TO DETERMINE THEIR NEW
DUTIES, IF ANY.

- CAPT. CESAR AUGUSTO SANTOYO CASTRO
- HOMICIDE

- MAJOR JUAN VALDEMAR QUIROZ CHAVEZ
- HOMICIDE

- COMMANDER PEDRO GONZALES PAREDES

UNCLASSIFIED

NNNN

03 15 07 00 00

PAGE NO. 9

03 15 07 00 00

TEXT OF TELEGRAM 92LIMA 001791

ADP259

UNCLASSIFIED

PAGE 01 LIMA 01791 04 OF 09 070019Z
ACTION HA-09

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	DEAE-00	DDE-00	EB-01	H-01	INM-01	INRE-00	INR-01
	ID-19	LAB-04	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02
	OIG-01	OMB-01	PA-02	PM-01	PRS-01	P-01	RP-10
	SIL-01	SNP-01	SP-01	SR-01	SSO-00	SS-01	STR-20
	TRSE-00	T-01	USIE-00	DTC-01	FMP-01	/105W	

-----OC4251 070019Z /38

0 070006Z FEB 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 5448

UNCLAS SECTION 04 OF 09 LIMA 01791

ARA/AND FOR ANNE PATTERSON
HA FOR MIKE JACOBSON

E.O. 12356: DECL: OADR
TAGS: PHUM, MASS, PREL, SNAR, PE
SUBJECT: COMMENT ON WOLA MEMO: "A STATUS OF
- COMMANDER EDGAR IZQUIERDO VICENTE
- CAPT. SANTIAGO VICTOR HUGO BAZAN LLAPAC
- CRIMES AGAINST PUBLIC FAITH.

IN ADDITION:

- COL. CESAR CORDOVA VILLALTA, PROVINCIAL
CHIEF OF POLICE OF CALLAO WAS ADMINISTRATIVELY
SANCTIONED FOR NEGLIGENCE AND FAILURE OF COMMAND
UNCLASSIFIED

UNCLASSIFIED

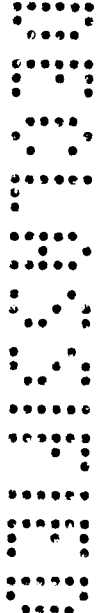
PAGE 02 LIMA 01791 04 OF 09 070019Z
RESPONSIBILITIES. HE HAS BEEN REASSIGNED TO
OTHER DUTIES AND SUBJECTED TO 8 HOURS ARREST.

- COMMANDER EDGAR IZQUIERDO VICENTE WAS
ADMINISTRATIVELY SANCTIONED FOR NEGLIGENCE. HE
WAS REASSIGNED TO OTHER DUTIES AND SUBJECTED TO
12 HOURS ARREST.

- CAPT. VICTOR HUGO BAZAN LLAPAC WAS
ADMINISTRATIVELY SANCTIONED FOR DISOBEDIENCE AND
NEGLIGENCE. HE WAS REASSIGNED TO OTHER DUTIES
ON GROUNDS OF INEPTITUDE AND SUBJECTED TO 15
DAYS ARREST.

8. WOLA ASSERTION: "AS SOON AS THE CASE WAS

PAGE NO. 10



03150700

----- INITIATED IN THE CIVILIAN COURT, THE MILITARY COURT OPENED PROCEEDINGS -- PRESUMABLY TO CIRCUMVENT A VERDICT IN THE CIVILIAN COURT." (PG 3, PARA 4)

ACTUAL SITUATION: THE OPENING OF A PARALLEL CASE IN THE POLICE COURT SYSTEM WAS VIRTUALLY AUTOMATIC IN THIS CASE. THE INTERNAL POLICE INVESTIGATION REVEALED SERIOUS CRIMES HAD BEEN COMMITTED. THE POLICE PROSECUTOR, WHOSE FUNCTIONS PARALLEL THOSE OF THE CIVIL PROSECUTOR, AUTOMATICALLY TURNED HIS FINDINGS OVER TO THE POLICE COURT WHICH OPENED THE CASE. AT THE REQUEST OF INTERESTED PARTIES, THE POLICE COURT JUDGE APPLIED FOR A JURISDICTIONAL RULING FROM THE SUPREME COURT.

UNCLASSIFIED

UNCLASSIFIED

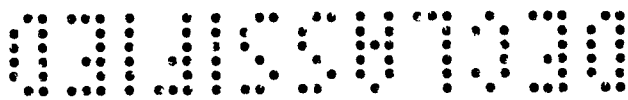
PAGE 03 LIMA 01791 04 OF 09 070019Z

9. WOLA ASSERTION: "THE SUPREME COURT IS TO DECIDE WHICH IS TO HAVE JURISDICTION. IT HAD RULED EARLIER IN FAVOR OF THE CIVILIAN COURT, BUT DUE TO A TECHNICAL ERROR WAS FORCED TO REVIEW THE CASE AGAIN AND AS OF THE END OF NOVEMBER HAD YET TO REACH A SECOND VERDICT." (PG 3, PARA 4)

ACTUAL SITUATION: ACCORDING TO BOTH THE PROSECUTING ATTORNEY, DRA. MARIA DEL PILAR CASTILLO SOLTERO, AND CEAPAZ LAWYER, DR. ROGER NIEGO ARANA, CIVIL JURISDICTION WAS DECIDED DEFINITELY BY THE SUPREME COURT ON AUGUST 28, 1991. HOWEVER, THREE SEPARATE BRIEFS REGARDING THE JURISDICTIONAL DISPUTE WERE PRESENTED TO THE SUPREME COURT, ONE BY THE CENTRO DE ESTUDIOS Y ACCION PARA LA PAZ (CEAPAZ), AND TWO BY DEFENSE ATTORNEYS. THE TECHNICAL ERROR TO WHICH WOLA REFERS IS THAT THE COURT CLERK INSTEAD OF INCLUDING ALL THREE PETITIONS IN ONE CASE AND ASSIGNING ONE CASE NUMBER, ASSIGNED EACH PETITION A SEPARATE CASE NUMBER. THE COURT, HOWEVER, RULED ONLY ON THE CEAPAZ PETITION AND AWARDED JURISDICTION TO THE CIVILIAN COURT, THEREBY DENYING THE OTHER TWO PETITIONS AT THE SAME TIME. IT IS TECHNICALLY CORRECT THAT THE COURT COULD YET RULE ON THE REMAINING TWO PETITIONS. THERE IS NO INDICATION HOWEVER, THAT THE COURT HAS ANY INTENTIONS OF DOING SO.

UNCLASSIFIED

UNCLASSIFIED



TEXT OF TELEGRAM 92LIMA 001791

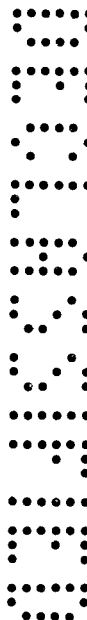
PAGE 04 .LIMA 01791 04 OF 09 070019Z
IS IT LIKELY THAT THE COURT WOULD OVERTURN ITS
OWN RULING. WE ARE INFORMED BY THE
COORDINADORA, HOWEVER, THAT IT HAS OCCASIONALLY
HAPPENED, THE LAST SUCH REVERSAL OCCURRING IN
1984.

HUGO BUSTIOS CASE:

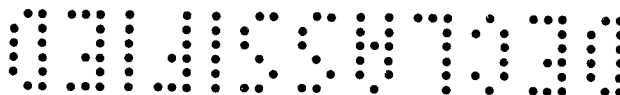
10. WOLA ASSERTION: THE ACQUITAL OF THE
----- DEFENDANTS IN MILITARY
COURT "MAKES IT EVEN LESS LIKELY FOR THE
PROSECUTION TO BE CARRIED FORWARD IN THE

NNNN

UNCLASSIFIED



PAGE NO. 12



TEXT OF TELEGRAM 92LIMA 001791

ADP260

UNCLASSIFIED

PAGE 01 LIMA 01791 05 OF 09 070020Z
ACTION HA-09

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	DEAE-00	DODE-00	EB-01	H-01	INM-01	INRE-00	INR-01
	IO-19	LAB-04	L-03	ADS-00	NSAE-00	NSCE-00	DIC-02
	DIG-01	OMB-01	PA-02	PM-01	PRS-01	P-01	RP-10
	SIL-01	SNP-01	SP-01	SR-01	SSO-00	SS-01	STR-20
	TRSE-00	T-01	USIE-00	DTC-01	FMP-01	/105W	

0 070006Z FEB 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 5449

UNCLAS SECTION 05 OF 09 LIMA 01791

ARA/AND FOR ANNE PATTERSON
HA FOR MIKE JACOBSON

E.O. 12956: DECL: OADR
TAGS: PHUM, MASS, PREL, SNAR, PE
SUBJECT: COMMENT ON WOLA MEMO: "A STATUS OF
CIVILIAN COURT SYSTEM." (PG 4, PARA 1)

ACTUAL SITUATION: NEVERTHELESS, THE CASE
REMAINS OPEN IN THE CIVIL
COURT OF HUANTA. ONE OF THE DEFENDANTS HAS
REQUESTED DISMISSAL OF THE CASE ON GROUNDS OF
DOUBLE JEOPARDY. THIS REQUEST WAS DENIED. THE
DEFENDANT HAS APPEALED TO THE SUPREME COURT.
UNLESS THE SUPREME COURT UPHOLDS THE LOWER COURT
UNCLASSIFIED

UNCLASSIFIED

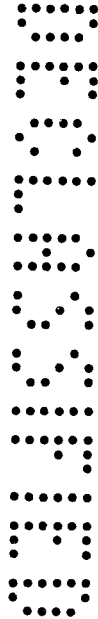
PAGE 02 LIMA 01791 05 OF 09 070020Z
RULING, THE CASE WILL PROCEED IN CIVIL COURT.

OTHER CONDITIONS

11. WOLA ASSERTION: "IN ADDITION TO DR.
CHAVEZ, THERE ARE
PRESENTLY EIGHT SPECIAL PROSECUTORS." (PG 4,
PARA 3)

ACTUAL SITUATION: IN ADDITION TO DR. CHAVEZ,
THERE ARE TEN SPECIAL HUMAN
RIGHTS PROSECUTORS' OFFICES OPERATING IN THE
CITIES OF PIURA, CHICLAYO, TRUJILLO, MOYOBAMBA.

PAGE NO. 13



01791000

HUARAZ, HUANUCO, CALLAO, HUANCAYO, HUAMANGA AND AREQUIPA. EACH OFFICE IS STAFFED WITH A PROSECUTOR AND ASSISTANT PROSECUTOR FOR A TOTAL OF 22 HUMAN RIGHTS PROSECUTORS. IN ADDITION, HUMAN RIGHTS PROSECUTORS ARE OFFICIALLY ASSIGNED TO, BUT NOT ACTUALLY RESIDENT IN HUANCAMELICA, APURIMAC, PUNO, TACNA AND AMAZONAS. IN THOSE AREAS, THE SPECIAL HUMAN RIGHTS FUNCTION IS USUALLY FULFILLED BY ANOTHER PROSECUTOR, MOST COMMONLY THE CRIME PREVENTION PROSECUTOR, AS IS THE CASE IN HUANCAMELICA. THUS, AN ADDITIONAL 5 PROSECUTORS CAN BE CONSIDERED TO BE ASSIGNED AT LEAST PART TIME TO HUMAN RIGHTS PROTECTION.

12. WOLA ASSERTION: "AN OCTOBER 1991 REPORT BY THE GENERAL ACCOUNTING UNCLASSIFIED

UNCLASSIFIED

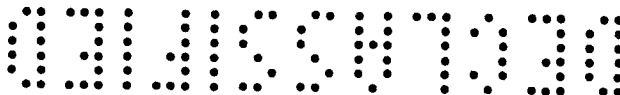
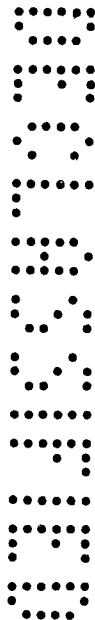
PAGE 03 LIMA 01791 05 OF 09 070020Z OFFICE NOTES THAT OVER 50 PERCENT OF THE PERUVIAN POLICE RECEIVING U.S. SPECIAL FORCES TRAINING ARE COUNTERINSURGENCY -- NOT ANTINARCOTICS -- UNITS." (PG 4, PARA 4)

ACTUAL SITUATION: THIS IS AN ACCURATE REPETITION OF AN INCORRECT STATEMENT. THE MISSION SUBSEQUENTLY CORRECTED THE GAO'S ERRONEOUS CONCLUSION: A TOTAL OF 810 POLICE PERSONNEL HAVE BEEN TRAINED FROM THE START OF THE BLUE VENTURE PROGRAM IN 1989 THROUGH THE END OF 1991. OF THIS NUMBER, 560 WERE ASSIGNED TO COUNTERNARCOTICS UNITS AT THE TIME OF THEIR TRAINING. AS OF THE END OF 1991, 3/4THS OF THEM WERE STILL ASSIGNED TO COUNTERNARCOTICS UNITS, AND MOST OF THE REMAINDER WERE IN UNITS WITH A STRONG SECONDARY COUNTERNARCOTICS MISSION.

DETERIORATION (SIC) IN PERU'S HUMAN RIGHTS SITUATION: A) VIOLATIONS BY STATE AGENTS (PG 5-6)

13. WOLA ASSERTION: "THERE HAS BEEN A MARKED DECLINE IN DISAPPEARANCES SINCE THE TEMPORARY SUSPENSION OF U.S. ASSISTANCE TO PERU LAST AUGUST ... (BUT) THE NUMBER OF EXTRAJUDICIAL EXECUTIONS ATTRIBUTED TO THE SECURITY FORCES SINCE AUGUST HAS INCREASED ... DEATH SQUAD ACTIVITY APPEARS TO BE ON THE UNCLASSIFIED

UNCLASSIFIED



TEXT OF TELEGRAM 92LIMA 001791

PAGE 04 LIMA 01791 05 OF 09 070020Z
RISE AS WELL. IT MAY BE THAT A NEW PATTERN IS
EMERGING IN PERU WHEREBY THE SECURITY FORCES ARE
RESORTING LESS TO THE TACTIC OF DISAPPEARANCE
AND MORE TO THAT OF EXECUTION AND DEATH SQUAD
ACTIVITY. THERE IS NO INDICATION THAT THE
OVERALL LEVEL OF HUMAN RIGHTS VIOLATIONS BY
STATE AGENTS HAS DECREASED; INDEED, THERE ARE
SIGNS THAT IT HAS INCREASED." (PG 5, PARAS
2-3)

ACTUAL SITUATION: ACCORDING TO FEBRUARY 3
----- FIGURES FROM THE
COORDINADORA, NOTHING COULD BE FURTHER FROM THE
TRUTH. THE COORDINADORA'S FIGURES SHOW:

UNCLASSIFIED

NNNN

017910509070020Z

PAGE NO. 15

017910509070020Z

TEXT OF TELEGRAM 92LIMA 001791

ADP261

UNCLASSIFIED

PAGE 01 LIMA 01791 06 OF 09 070021Z
ACTION HA-09

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	DEAE-00	DODE-00	EB-01	H-01	INM-01	INRE-00	INR-01
	ID-19	LAB-04	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02
	DIG-01	OMB-01	PA-02	PM-01	PRS-01	P-01	RP-10
	SIL-01	SNP-01	SP-01	SR-01	SSO-00	SS-01	STR-20
	TRSE-00	T-01	USIE-00	DTC-01	FMP-01	/105W	

0 070006Z FEB 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 5450

UNCLAS SECTION 06 OF 09 LIMA 01791

ARA/AND FOR ANNE PATTERSON
HA FOR MIKE JACOBSON

E.O. 12958: DECL: OADR
TAGS: PHUM, MASS, PREL, SNAR, PE
SUBJECT: COMMENT ON WOLA MEMO: "A STATUS OF
-- DISAPPEARANCES ATTRIBUTED TO THE GOVERNMENT
FOR AUGUST-DECEMBER (71) DECREASED BY AN AVERAGE
OF 18.5 PER MONTH AS COMPARED TO JANUARY -JULY
(229).

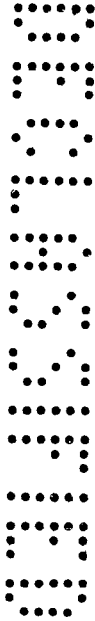
-- EXTRAJUDICIAL KILLINGS ATTRIBUTED TO
GOVERNMENT FORCES FOR AUGUST-DECEMBER (45)
INCREASED BY AN AVERAGE OF 1.3 PER MONTH AS
COMPARED TO JANUARY-JULY (54). (HOWEVER, THIS
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 LIMA 01791 06 OF 09 070021Z
INCLUDED 30 KILLINGS IN SAN MARTIN IN OCTOBER
WHICH THE COORDINADORA CANNOT INDEPENDENTLY
CONFIRM; NEVERTHELESS, THE COORDINADORA IS
RECORDING THEM, CONTRARY TO ITS NORMAL PRACTICE,
IN LIGHT OF PRESS REPORTS WHICH HAVE NOT BEEN
DISPROVEN. ALSO THE COORDINADORA'S FIGURES SHDW
NO/NO KILLINGS ATTRIBUTED TO THE GOP IN EITHER
NOVEMBER OR DECEMBER.)

-- TOTAL DISAPPEARANCES AND EXTRAJUDICIAL
KILLINGS ATTRIBUTED TO GOVERNMENT FORCES IN
JANUARY-JULY DROPPED FROM 283 (AVERAGE PER MONTH
- 40.4) TO 116 FOR AUGUST-DECEMBER (AVERAGE PER
MONTH - 23.2). THUS, TOTAL EXTRAJUDICIAL
KILLINGS AND DISAPPEARANCES ATTRIBUTED TO

PAGE NO. 16



01791000

TEXT OF TELEGRAM 92LIMA 001791

GOVERNMENT FORCES DROPPED BY AN AVERAGE OF 17.2 PER MONTH, COMPARING THE JANUARYJULY AND AUGUST-DECEMBER PERIODS. THIS REPRESENTS A 43 PERCENT DROP IN AVERAGE MONTHLY ABUSES BY GOVERNMENT FORCES COMPARING THE TWO PERIODS -- USING THE COORDINADORA'S OWN FIGURES.

-- EVEN IF ALL KILLINGS BY PARAMILITARIES ARE ADDED IN, THE COORDINADORA'S FIGURES STILL SHOW A NET AVERAGE MONTHLY IMPROVEMENT OF 36 PERCENT COMPARING THE TWO PERIODS.

THESE FIGURES, FLATLY CONTRADICT THE UNDOCUMENTED WOLA ASSERTION THAT "THERE IS NO INDICATION THAT THE OVERALL LEVEL OF HUMAN RIGHTS VIOLATIONS BY STATE AGENTS HAS

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 LIMA 01791 06 OF 09 070021Z DECREASED; INDEED, THERE ARE SIGNS IT MAY HAVE INCREASED."

EXTRAJUDICIAL EXECUTIONS:

14. WOLA ASSERTION: BASED ON CEAPAZ STATISTICS, 88 EXTRAJUDICIAL EXECUTIONS OCCURRED BETWEEN JANUARY AND OCTOBER 1991, WITH 45 OCCURRING BETWEEN AUGUST AND OCTOBER. (PG 5, PARA 3)

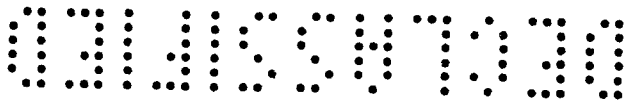
ACTUAL SITUATION: THE MONTHLY BREAK DOWN WAS 10 IN AUGUST, 1 IN SEPTEMBER AND 35 IN SEPTEMBER. JAVIER CIURLIZZA OF THE NATIONAL HUMAN RIGHTS COORDINADORA TOLD EMBOFF THAT 30 OF THE 35 REPORTED IN OCTOBER REFLECTED PRESS ACCOUNTS OF KILLINGS IN TOCACHE, AND HAVE NOT/NOT BEEN INDEPENDENTLY CONFIRMED. NOTE: EMBASSY EFFORTS TO CONFIRM THESE PRESS REPORTS HAVE BEEN EQUALLY FRUITLESS.

15. WOLA ASSERTION: "EXTRAJUDICIAL EXECUTIONS BY STATE AGENTS ARE EXTREMELY HARD TO DOCUMENT IN PERU. AS WITH DISAPPEARANCES THE ACTUAL FIGURE IS THOUGHT TO BE MUCH HIGHER THAN THE NUMBER OF DOCUMENTED CASES." (PG 5, FOOTNOTE 3)

ACTUAL SITUATION: ONLY 270, OR 21 PERCENT, OF THE 1,306 POLITICAL
UNCLASSIFIED

UNCLASSIFIED

PAGE NO. 17



TEXT OF TELEGRAM 92LIMA 001791

PAGE 04 LIMA 01791 06 OF 09 070021Z
ASSASSINATIONS RECORDED BY THE COORDINADORA IN
1991 WERE LISTED AS "AUTHOR UNIDENTIFIED." OF
THE REMAINDER. GOVERNMENT FORCES WERE CLEARLY
BLAMED FOR 99 AS COMPARED TO 842 IN THE SENDERO
COLUMN -- AN 8.5:1 RATIO.

B) INCREASED DEATH SQUAD ACTIVITY (PG 5-6)

16. WOLA ASSERTION: "SINCE THE NOVEMBER 3
----- (BARRIOS ALTOS) MASSACRE,
A NUMBER OF KILLINGS HAVE TAKEN PLACE IN LIMA IN
CIRCUMSTANCES INDICATING THAT THEY MAY HAVE BEEN

NNNN

UNCLASSIFIED

0
1
2
3
4
5
6
7
8
9
0

PAGE NO: 18

011507000

TEXT OF TELEGRAM 92LIMA 001791

ADP262

UNCLASSIFIED

PAGE 01 LIMA 01791 07 OF 09 070022Z
ACTION HA-09

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	DEAE-00	DODE-00	EB-01	H-01	INM-01	INRE-00	INR-01
	ID-19	LAB-04	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02
	DIG-01	OMB-01	PA-02	PM-01	PRS-01	P-01	RP-10
	SIL-01	SNP-01	SP-01	SR-01	SSO-00	SS-01	STR-20
	TRSE-00	T-01	USIE-00	DTC-01	FMP-01	/105W	

-----OC426B 070023Z /38

O 070006Z FEB 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 5451

UNCLAS SECTION 07 OF 09 LIMA 01791

ARA/AND FOR ANNE PATTERSON
HA FOR MIKE JACOBSON

E.O. 12958: DECL: OADR
TAGS: PHUM, MASS, PREL, SNAR, PE
SUBJECT: COMMENT ON WOLA MEMO: "A STATUS OF
THE RESULT OF DEATH SQUAD ACTIVITY." PG 6, PARA
4)

ACTUAL SITUATION: TO THE BEST OF OUR KNOWLEDGE,
----- THE SUBSEQUENT INCIDENTS TO
WHICH WOLA REFERS WERE ALL MAFIA-STYLE RUB-OUTS
OF ALLEGED CRIMINAL ELEMENTS BY CORRUPT POLICE
WHO WERE THEMSELVES PERHAPS ENGAGED IN ILLEGAL
PROTECTION RACKETS. THE JANUARY 19 HUACHIPA
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 LIMA 01791 07 OF 09 070022Z
KILLINGS OF THREE ALLEGED HOODS BY THE 75TH
COMMANDANCIA IS AN EXAMPLE. THE GOVERNMENT
CASHIERED AND IMPRISONED FOR TRIAL IN CIVIL
COURT ONE OFFICER AND FIVE ENLISTED POLICEMEN.
THE KEY IS THAT THIS WAS A GANGLAND-STYLE ABUSE
COMPLETELY UNRELATED TO POLITICAL "DEATH SQUADS"
AS THE TERM IS GENERALLY UNDERSTOOD.

MOREOVER, THE COORDINADORA'S OFFICIAL FIGURES
FOR "PARAMILITARY" KILLINGS FOR 1991 WAS 30,
INCLUDING THE BARRIOS ALTOS INCIDENT. HOWEVER,
CONTRARY TO THE WOLA ASSERTION "SINCE THE
NOVEMBER 3 MASSACRE" THE COORDINADORA SHOWS ONLY
"2" SUCH DEATHS, BOTH IN DECEMBER. THIS IS
REGRETTABLE, BUT IT HARDLY SUPPORTS WOLA'S

PAGE NO. 19



091507000

INNUENDO ABOUT "A NUMBER OF KILLINGS (THAT) MAY HAVE BEEN THE RESULT OF DEATH SQUAD ACTIVITY."

DENUNCIATIONS OF HUMAN RIGHTS GROUPS:

17. WOLA ASSERTION: "DURING THE COURSE OF MY STAY IN PERU, PRESIDENT FUJIMORI REITERATED ... ACCUSATIONS AGAINST HUMAN RIGHTS GROUPS -- OFTEN CITING AMNESTY INTERNATIONAL AND AMERICAS WATCH BY NAME -- ON A DAILY BASIS." (PG 7, PARA 2, HIGHLIGHTING BY WOLA)

UNCLASSIFIED

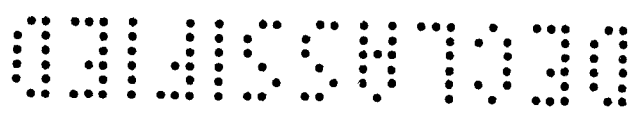
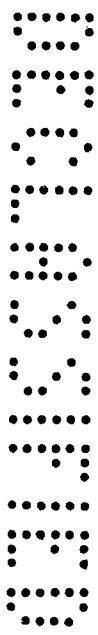
UNCLASSIFIED

PAGE 03 LIMA 01791 07 OF 09 070022Z
ACTUAL SITUATION: IN THE BEGINNING OF THE REPORT, THE WOLA INVESTIGATOR INDICATED SPENDING TEN DAYS IN PERU. EMBASSY IS UNABLE TO DOCUMENT MORE THAN THREE SUCH PUBLIC STATEMENTS MADE BY THE PRESIDENT IN THE PAST SIX MONTHS. ALL THREE WERE MADE TO MILITARY AUDIENCES, AND ALL THREE INCLUDED STRONG DEMANDS THAT PERUVIAN SECURITY FORCES CONTINUE TO AGGRESSIVELY PURSUE THE ANTI-TERRORIST CAMPAIGN "WHILE RESPECTING HUMAN RIGHTS."

18. WOLA ASSERTION: PRESIDENT FUJIMORI'S DENUNCIATIONS "APPEAR TO BE ORIENTED TOWARD DELEGITIMIZING CONCERN WITHIN PERU FOR HUMAN RIGHTS VIOLATIONS BY STATE AGENTS AND CASTING THE BLAME FOR SUCH ATROCITIES SOLELY ON THE GUERRILLAS." (PG 7, PARA 2, HIGHLIGHTING BY WOLA)

ACTUAL SITUATION: THIS IS WOLA'S INTERPRETATION. ANOTHER IS THAT THE PRESIDENT'S STATEMENTS CONVEY LEGITIMATE FRUSTRATION WITH ORGANIZATIONS THAT HARSHLY CRITICIZE GOVERNMENT ABUSES WHILE VIRTUALLY IGNORING THOSE COMMITTED BY TERRORISTS. WE NOTE THAT AMNESTY INTERNATIONAL HAS CHANGED ITS POLICY OF COMMENTING ONLY ON GOVERNMENT "VIOLATIONS" AND NOW REPORTS AT LEAST NOMINALLY ON TERRORIST "ABUSES." PRESIDENT FUJIMORI PUBLICLY ACKNOWLEDGED THE POSITIVE CHANGE IN AI'S POLICY, ALTHOUGH HE LAMENTED THAT

UNCLASSIFIED

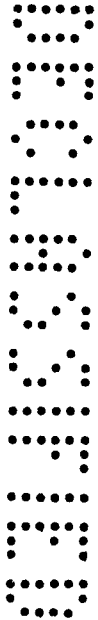


TEXT OF TELEGRAM 92LIMA 001791

PAGE 04 LIMA 01791 07 OF 09 070022Z
THE AI DISCUSSION OF TERRORIST ABUSES REMAINED
"TIMID." EVEN THE WOLA MEMO ADMITS THAT SENDERO
WAS RESPONSIBLE FOR 619 OF THE 916 POLITICAL
ASSASSINATIONS THROUGH OCTOBER. HOWEVER, ONLY 4
PAGES OF AI'S NOVEMBER 1991 76 PAGE REPORT
"PERU: HUMAN RIGHTS IN A CLIMATE OF TERROR"
SPECIFICALLY FOCUSED ON "THE ARMED OPPOSITION",
I.E., SENDERO AND MRTA. OUTSIDE OF THOSE FOUR
PAGES, ALMOST ALL OF THE GRAPHIC EXAMPLES DEAL
WITH ABUSES ATTRIBUTED TO GOVERNMENT FORCES. IT
IS NOT UNREASONABLE THAT THE GOVERNMENT OF PERU
WANTS TO SEE ITS HUMAN RIGHTS SITUATION REPORTED
IN CONTEXT, ESPECIALLY TO FOREIGN AUDIENCES.

NNNN

UNCLASSIFIED



PAGE NO. 21

03 15 58 70 30

TEXT OF TELEGRAM 92LIMA 001791

ADP264

UNCLASSIFIED

PAGE 01 LIMA 01791 08 OF 09 070024Z
ACTION HA-09

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	DEAE-00	DODE-00	EB-01	H-01	INM-01	INRE-00	INR-01
	IO-19	LAB-04	L-03	ADS-00	NSAE-00	NSCE-00	DIC-02
	OIG-01	OMB-01	PA-02	PM-01	PRS-01	P-01	RP-10
	SIL-01	SNP-01	SP-01	SR-01	SSO-00	SS-01	STR-20
	TRSE-00	T-01	USIE-00	DTC-01	FMP-01	/105W	

0 070006Z FEB 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 5452

UNCLAS SECTION 08 OF 09 LIMA 01791

ARA/AND FOR ANNE PATTERSON
HA FOR MIKE JACOBSON

E.D. 12356: DECL: OADR
TAGS: PHUM, MASS, PREL, SNAR, PE
SUBJECT: COMMENT ON WOLA MEMO: "A STATUS OF
19. WOLA ASSERTION: THE WOLA MEMO APPEARS TO
IMPLY THAT THE PRESIDENT'S
CRITICISMS MAY HAVE BEEN A FACTOR IN THE MARCH
1991 LETTER-BOMBING OF DR. AUGUSTO ZUNIGA PAZ.
(PG 7, PARA 3)

ACTUAL SITUATION: THE FIRST PUBLIC PRESIDENTIAL
FAULT-FINDING OF
INTERNATIONAL HUMAN RIGHTS GROUPS, THAT THE
UNCLASSIFIED

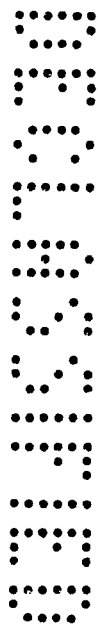
UNCLASSIFIED

PAGE 02 LIMA 01791 08 OF 09 070024Z
EMBASSY CAN DOCUMENT, OCCURRED IN SEPTEMBER
1991, FULLY SIX MONTHS AFTER THE MARCH 15, 1991
ATTACK ON DR. ZUNIGA.

PRESIDENTIAL DECREES:

20. WOLA ASSERTION: PRESIDENTIAL "DECREES
FURTHER MILITARIZE THE
CONFLICT IN PERU AND POLITICIZE THE PERUVIAN
ARMED FORCES." WOLA CLAIMS THAT THE DECREES
CALL INTO QUESTION THE GOVERNMENT'S POLITICAL
WILL TO PROMOTE RESPECT FOR BASIC HUMAN RIGHTS.
WOLA FURTHER NOTES THAT THE DECREES ARE VAGUELY

PAGE NO. 22



001100000000

WORDED AND THAT IT IS UNCLEAR HOW OR WHEN THE GOVERNMENT WOULD ACTUALLY IMPLEMENT THEM. (PG 7, PARA 5)

ACTUAL SITUATION: THE PRESIDENTIAL DECREES, ESPECIALLY AS THEY RELATE THE GOVERNMENT'S COUNTERINSURGENCY STRATEGY, SEEM TO BE MOVING IN THE DIRECTION OF CONSOLIDATING AND RATIONALIZING PERUVIAN ANTI-SUBVERSION, ANTI-NARCOTICS TRAFFICKING POLICIES. THEY APPEAR DESIGNED TO DEAL MORE EFFICIENTLY WITH A FULL-FLEDGED INSURGENCY WHICH HAS ALREADY CLAIMED MORE THAN 25,000 LIVES IN THE LAST ELEVEN YEARS. IN ISSUING THE DECREE LAWS PRESIDENT FUJIMORI HAS ACTED WITHIN THE CONSTITUTION AND LAWS OF PERU. FURTHER, IN UNCLASSIFIED

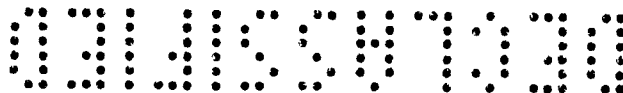
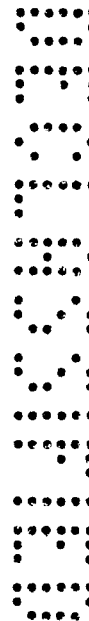
UNCLASSIFIED

PAGE 03 LIMA 01791 08 OF 09 070024Z ACCORDANCE WITH DEMOCRATIC NORMS AND PRINCIPALS, THE DECREES HAVE BEEN, AND CONTINUE TO BE, ACTIVELY DEBATED BY CONGRESS. SOME HAVE BEEN DEROGATED, OTHERS SIGNIFICANTLY ALTERED. CONGRESS HAS SUGGESTED ALTERNATIVE MEASURES, AND THESE SUGGESTIONS ARE ALSO BEING HOTLY DEBATED.

AS WOLA CORRECTLY POINTS OUT, SOME OF THESE DECREES ARE VAGUELY WORDED, AND IT IS NOT CLEAR HOW, OR IF THEY WILL BE IMPLEMENTED. HOWEVER, IT IS WITHIN THE SOVEREIGN POWER OF ANY GOVERNMENT TO DECIDE FOR ITSELF HOW TO ORGANIZE ITS HUMAN AND MATERIAL RESOURCES TO DEAL WITH BRUTAL TERRORISTS AND A NARCOTRAFFICKERS.

THE ONLY VALID QUESTION IS WHETHER THESE DECREES HAVE IN FACT CONTRIBUTED TO "THE DETERIORATION OF THE POLITICAL CLIMATE IN WHICH HUMAN RIGHTS VIOLATIONS ARE TAKING PLACE IN PERU." (PG 7, PARA 5) FROM THE COORDINADORA FIGURES IT WOULD APPEAR NOT. THE DECREES WERE IMPLEMENTED ABOUT NOVEMBER 12-15. COORDINADORA FIGURES FOR GOVERNMENT DISAPPEARANCES IN NOVEMBER/DECEMBER AVERAGE 8 PER MONTH, AS COMPARED TO AN AVERAGE OF 28 PER MONTH FOR THE PRECEDING TEN MONTHS. SIMILARLY THE COORDINADORA ATTRIBUTES NO/NO EXTRAJUDICIAL KILLINGS TO THE GOVERNMENT IN EITHER NOVEMBER OR DECEMBER AFTER THE DECREES WERE ISSUED, AS COMPARED TO AN AVERAGE OF 10 PER MONTH FOR THE PRECEDING 10 MONTHS. THE ALLEGED "DETERIORATION IN POLITICAL CLIMATE" APPEARS TO UNCLASSIFIED

UNCLASSIFIED



TEXT OF TELEGRAM 92LIMA 001791

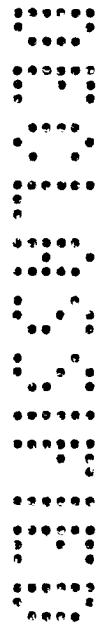
PAGE 04 LIMA 01791 08 OF 09 070024Z
HAVE BEEN ACCOMPANIED BY A MARKED IMPROVEMENT IN
ACTUAL HUMAN RIGHTS PERFORMANCE.

21. WOLA ASSERTION: "IT IS IMPORTANT TO NOTE
----- THAT IT IS EASIER TO
DOCUMENT SUCH (ASSASSINATIONS AND EXTRAJUDICIAL)
KILLINGS BY SENDERO THAN BY MEMBERS OF THE
SECURITY FORCES. IN RECENT YEARS, EACH SIDE HAS
BEEN RESPONSIBLE FOR ABOUT HALF OF ALL POLITICAL
KILLINGS (INCLUDING DEATHS IN COMBAT) DOCUMENTED
ANNUALLY." (PG 9, FOOTNOTE 6)

ACTUAL SITUATION: THE COORDINADORA'S DATA ON
----- ASSASSINATIONS/EXTRAJUDICIAL

UNCLASSIFIED

NNNN



031550700

TEXT OF TELEGRAM 92LIMA 001791

ADP265

UNCLASSIFIED

PAGE 01 LIMA 01791 09 OF 09 070024Z
ACTION HA-09

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	ARA-01	CIAE-00	C-01
	DEAE-00	DODE-00	EB-01	H-01	INM-01	INRE-00	INR-01
	ID-19	LAB-04	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02
	OIG-01	OMB-01	PA-02	PM-01	PRS-01	P-01	RP-10
	SIL-01	SNP-01	SP-01	SR-01	SSQ-00	SS-01	STR-20
	TRSE-00	T-01	USIE-00	DTC-01	FMP-01	/105W	

-----OC4278 070024Z /38

O 070006Z FEB 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 5453

UNCLAS SECTION 09 OF 09 LIMA 01791

ARA/AND FOR ANNE PATTERSON
HA FOR MIKE JACOBSON

E.O. 12356: DECL: OADR
TAGS: PHUM, MASS, PREL, SNAR, PE
SUBJECT: COMMENT ON WOLA MEMO: "A STATUS OF
KILLINGS CLEARLY ATTRIBUTES 79 PERCENT OF ALL
SUCH KILLINGS TO IDENTIFIED PERPETRATORS --
WITH SENDERO OUTSCORING THE GOVERNMENT BY A
RATIO OF 8.5:1. WOLA'S ASSERTION THAT EACH SIDE
IS RESPONSIBLE FOR ROUGHLY HALF OF THE POLITICAL
DEATHS (INCLUDING THOSE IN COMBAT) CREATES A
FALSE IMPRESSION OF MORAL EQUIVALENCY. OF
COURSE, THE ARMY KILLS MORE TERRORISTS IN COMBAT
THAN VICE VERSA: THAT IS WHAT IT IS SUPPOSED TO
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 LIMA 01791 09 OF 09 070024Z
DO AND IT IS NO HUMAN RIGHTS VIOLATION.
BRAYSHAW##

UNCLASSIFIED

NNNN

PAGE NO. 25

