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	PM-01	PRS-01	P-01	RP-10	SIL-01	SNP-01	SP-01
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O 202239Z MAR 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 6704
SECDEF WASHDC IMMEDIATE
INFO USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD
AID FOR LAC/SAM

E.O. 12356: DECL: OADR
TAGS: PREL, PHUM, EAID, MOPS, PE
SUBJECT: SECOND TRANCHE DISBURSEMENT

REFS: A) 91 LIMA 017259,
- B) 91 STATE 364963

1. [REDACTED] - ENTIRE TEXT.

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2. SUMMARY: THE GOP HAS MADE SUBSTANTIVE
PROGRESS TOWARD MEETING ALL OF OUR SECOND
TRANCHE DISBURSEMENT CONDITIONS. MOST OF OUR
REQUIREMENTS HAVE BEEN COMPLETELY FULFILLED,
INCLUDING: RATIFICATION OF THE KERRY AMENDMENT
AND PRECURSOR CHEMICAL AGREEMENTS, MOUNTING
MAJOR COUNTERNARCOTICS OPERATIONS, RATIFICATION

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: SAM A. MOSKOWITZ
DATE/CASE ID: 18 APR 2001 200004426

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OF THE UN VIENNA CONVENTION AND LAUNCHING JOINT POLICE/MILITARY OPERATIONS. "OPERATION ASPIRADORA" MAY ACCELERATE ONCE WARRANT REQUIREMENTS ARE RESOLVED. PROGRESS HAS ALSO BEEN MADE ON SOME OF THE NINE HUMAN RIGHTS CASES AND ON ESTABLISHING CONTROL AT CIVIL AIRPORTS. MISSION RECOMMENDS DISBURSEMENT OF THE SECOND TRANCHE ESF/FMF AT THIS TIME AS THE BEST WAY TO BUILD ON THE MANIFEST PROGRESS TO DATE AND ACHIEVE OUR FULL OBJECTIVES. END SUMMARY.

3. REF B ESTABLISHED THE CONDITIONS FOR RELEASE OF THE SECOND TRANCHE OF THE ESF AND FMF. CONSIDERABLE PROGRESS HAS BEEN MADE TOWARD MEETING THOSE CONDITIONS AS SET OUT BELOW.

ESF DISBURSEMENT CONDITIONS

4. ECONOMIC PERFORMANCE CONDITIONALITY:

THE GOP, THROUGH THE MINISTRY OF ECONOMY AND FINANCE (MEF) AND THROUGH THE CENTRAL BANK (BCR), HAVE FORMALLY PROVIDED TO USAID/PERU THE

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INFORMATION REQUIRED TO ASSESS ECONOMIC PERFORMANCE RELATIVE TO THE LIMITS AND TARGETS ESTABLISHED UNDER THE IMF RIGHTS ACCUMULATION PROGRAM. THIS INFORMATION DEMONSTRATES THE GOP IS IN COMPLIANCE WITH THE PERFORMANCE CRITERIA. AS SUCH, ALL ECONOMIC CONDITIONALITY HAS BEEN MET AND MISSION WILL BE PREPARED TO DISBURSE UPON SATISFACTORY EVALUATION OF COMPLIANCE WITH NON-ECONOMIC CONDITIONALITY.

5. NARCOTICS CONDITIONALITY:

A. PROGRESS ON THE CARTAGENA AGREEMENTS..
(KERRY AMENDMENT AND PRECURSOR CHEMICALS AGREEMENTS)

PERU SIGNED A BILATERAL AGREEMENT FOR EXCHANGE

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OF INFORMATION ON CASH TRANSACTIONS (KERRY AMENDMENT) ON OCTOBER 15, 1991. THE MAY 1990 BILATERAL AGREEMENT ON CONTROL OF PRECURSOR CHEMICALS WAS BROUGHT FORMALLY INTO FORCE BY EXCHANGE OF DIPLOMATIC NOTES OF FEBRUARY 12 AND 21, 1992, IN LIMA. EXCHANGES OF INFORMATION CONCERNING INTERNATIONAL SHIPMENTS OF PRECURSOR CHEMICALS CONTROLLED UNDER THE BILATERAL AGREEMENT HAD IN PRACTICE BEEN IMPLEMENTED BY DEA AND PERUVIAN AUTHORITIES SINCE 1991. PERU HAS THUS COMPLETED ACTION ON ALL CARTAGENA AGREEMENTS EXCEPT ONE, THE TAX INFORMATION EXCHANGE AGREEMENT WHICH WAS SIGNED AT CARTAGENA BUT HAS NOT YET BEEN RATIFIED BY THE PERUVIAN

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CONGRESS. IN 1992 THE UNITED STATES PROPOSED, AND PERU HAS UNDER CONSIDERATION, A BILATERAL AGREEMENT ON SHARING OF ASSETS SEIZED IN NARCOTICS ENFORCEMENT ACTIONS.

B. DEMONSTRATED CONTROL OF SPECIFIED CIVIL AIRPORTS IN PREVENTING DRUGS FROM TRANSITING THROUGH THOSE AIRPORTS.

THERE IS POLICE AND CIVIL AVIATION AUTHORITY (CORPAC) CONTROL AT TINGO MARIA AIRPORT, SERVING THE LARGEST TOWN IN THE HUALLAGA VALLEY. A UNIT OF THE NATIONAL POLICE ANTI-DRUG DIRECTORATE (DIRANDRO) IS STATIONED IN TOCACHE. ITS PERSONNEL PERIODICALLY VISIT THE TOCACHE AIRPORT

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TO SECSTATE WASHDC IMMEDIATE 6705
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INFO USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD
AID FOR LAC/SAM

E.O. 12356: DECL: OADR
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TO INSPECT AIRCRAFT AND PASSENGERS. A POLICE
POST TO PERMIT 24-HOUR POLICE PRESENCE IS UNDER
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CONSTRUCTION AT TOCACHE AIRPORT, WHICH IS
ESTIMATED TO BE READY FOR OCCUPANCY BY POLICE
BEFORE APRIL 15.

DIRANDRO HAS CONDUCTED A SITE SURVEY AT UCHIZA
AIRPORT, AND IDENTIFIED A BUILDING BELONGING TO

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THE PERUVIAN GOVERNMENT WHICH CAN BE REHABILITATED QUICKLY TO PROVIDE TEMPORARY DAWN-TO-DUSK ACCOMMODATION FOR A POLICE DETACHMENT FROM SANTA LUCIA BASE. DIRANDRO EXPECTS ASSIGNMENT OF 40 ADDITIONAL PERSONNEL SHORTLY, AND WILL BEGIN DEPLOYMENTS AT UCHIZA AIRPORT WHEN THEY ARE ASSIGNED. PLANNING IS IN PROCESS FOR CONSTRUCTION OF A PERMANENT POLICE POST IN UCHIZA TO REPLACE ONE DESTROYED BY SENDERO LUMINOSO IN 1989. DETAILED DESIGN, PROCUREMENT AND CONSTRUCTION OF THIS FACILITY, TO HOUSE A DETACHMENT OF ABOUT 130 POLICE, WILL PROBABLY TAKE THREE TO FOUR MONTHS. CONSTRUCTION IS BY THE INTERIOR MINISTRY SPECIAL PROJECT CORAH, FUNDED BY NAS LIMA, AS AT THE SANTA LUCIA BASE.

IN FEBRUARY, THE MINISTER OF THE INTERIOR BRIEFED THE EMBASSY ON A PLAN TO ESTABLISH POLICE UNITS, TO BE PROTECTED BY PERUVIAN ARMY DETACHMENTS, AT AIRPORTS IN OTHER HUALLAGA TOWNS INCLUDING JUANJUI, BELLAVISTA AND TARAPOTO. THE INTERIOR MINISTER MADE A PERSONAL VISIT TO THESE SITES, ACCOMPANIED BY EMBASSY OFFICERS, ON MARCH 16. THE AIRSTRIP USED BY NARCOTICS TRAFFICKERS

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IN CAMPANILLA IS NOT A REGISTERED AIRSTRIP--IT IS AN IMPROVED SECTION OF THE MAIN HUALLAGA VALLEY HIGHWAY. ENFORCEMENT OPERATIONS NOW IN PLANNING STAGE (SEE BELOW) WOULD INCLUDE DAMAGING THIS AIRSTRIP SUFFICIENTLY TO RENDER IT UNUSABLE BY AIRCRAFT.

C. A MAJOR COUNTERNARCOTICS OPERATION SUCH AS UCHIZA OR CAMPANILLA.

IN NOVEMBER 1991, POLICE AND DEA, USING INM AND DEA FIXED-WING AIRCRAFT AND USG-OWNED POLICE UH-1H HELICOPTERS, MOVED NEARLY 300 MILES TO A FORWARD BASE, THEN OPERATED THROUGH A FORWARD AREA REFUELING POINT (FARP) TO RAID PALMA PAMPA, A TRAFFICKING CENTER IN THE APURIMAC VALLEY.

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UCHIZA HAS BEEN RAIDED SEVERAL TIMES DURING 1992, USING HELICOPTERS AND BY MOVEMENT OVERLAND FROM SANTA LUCIA. ONE SUCH NIGHT OVERLAND RAID, ON JANUARY 23, 1992, RESULTED IN SEIZURE OF OVER 300 KILOGRAMS OF COCAINE BASE.

ON MARCH 9, A RAID IN CAMPANILLA BY 28 POLICE AND DEA, WITH ARMY SECURITY SUPPORT, USING FOUR UH-1H HELICOPTERS AND A DEA CASA TRANSPORT, SEIZED OVER 280 KILOGRAMS OF COCAINE BASE AND ARRESTED FIVE PERSONS.

SINCE TWO HELICOPTER ACCIDENTS IN JANUARY 1992, THE NUMBER OF UH-1H HELICOPTERS AVAILABLE TO

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MOVE ENFORCEMENT FORCES ON OPERATIONS IN PERU HAS BEEN REDUCED TO SEVEN. ALLOWING FOR SECURITY REQUIREMENTS AT SANTA LUCIA BASE AND MAINTENANCE, THE LARGEST NUMBER OF HELICOPTERS THAT CAN NORMALLY BE EMPLOYED FOR A MAJOR OPERATION IS FOUR. THESE OPERATIONS HAVE THEREFORE BEEN AT THE LARGEST SCALE WHICH USG-OWNED AIRCRAFT NOW IN PERU WILL PERMIT.

A MORE ELABORATE OPERATION HAS BEEN PLANNED TO RAID OVER THIRTY IDENTIFIED TRAFFICKING TARGETS IN CAMPANILLA, USING FOUR HELICOPTERS, INM AND DEA FIXED-WING AIRCRAFT, WITH SECURITY SUPPORT BY THE PERUVIAN ARMY. THIS OPERATION WAS BRIEFED TO THE DIRECTOR OF THE NATIONAL POLICE ANTI-DRUG DIRECTORATE IN EARLY MARCH. DUE TO ITS SCOPE AND COMPLEXITY, THE POLICE DETERMINED THAT APPROVAL BY THE INTERIOR MINISTER AND COORDINATION WITH THE MINISTRY OF DEFENSE AT

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FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 6706
SECDEF WASHDC IMMEDIATE
INFO USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD
AID FOR LAC/SAM

E.O. 12356: DECL: OADR
TAGS: PREL, PHUM, EAID, MOPS, PE
SUBJECT: SECOND TRANCHE DISBURSEMENT

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MINISTERIAL LEVEL WAS REQUIRED. AS OF MARCH 20,
THE EMBASSY HAD NOT YET BEEN ADVISED THAT THESE

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GOP COORDINATION PROCEDURES HAD BEEN COMPLETED.

D. LARGE SCALE INITIATION OF AN "OPERATION ASPIRADORA" TO ENABLE THE GOVERNMENT TO SEIZE AIRCRAFT CONTAINING TRACES OF COCAINE.

THE CHIEF PUBLIC PROSECUTOR (FISCAL DE LA NACION) OF PERU HAS INFORMED THE EMBASSY THAT PERUVIAN CRIMINAL LAW WOULD PERMIT A PROSECUTOR TO ORDER SEIZURE OF AN AIRCRAFT FOUND TO CONTAIN COCAINE RESIDUE, PROVIDING THERE WAS SUFFICIENT COLLATERAL INFORMATION TO ASSOCIATE THE AIRCRAFT WITH DRUG TRAFFICKING ACTIVITY. INITIALLY, THE PUBLIC PROSECUTOR HAD THE OPINION THAT TECHNICAL SEARCHES OF SUCH AIRCRAFT USING VACUUM SWEEP EQUIPMENT COULD BE MADE ON THE BASIS OF SUCH PROBABLE CAUSE, WITHOUT A SEARCH WARRANT. AFTER TWO EXPLORATORY OPERATIONS, THE PROSECUTOR ADVISED THAT HIS FINAL OPINION WAS THAT AUTHORIZATION BY A JUDGE WAS REQUIRED TO PERMIT TECHNICAL SEARCH OF A PERUVIAN-REGISTERED AIRCRAFT NOT APPREHENDED IN THE ACT OF COMMITTING A CRIME. THE EMBASSY IS EXPLORING WITH THE PUBLIC PROSECUTOR MEANS OF MINIMIZING THE EXTENT OF THE PRACTICAL LIMITATIONS IMPOSED ON SUCH VACUUM SEARCH TECHNIQUES BY THE SEARCH WARRANT REQUIREMENT.

 ADDITIONAL CONDITIONS ON FMF DISBURSEMENT

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6. NARCOTICS CONDITIONALITY:

A. JOINT POLICE/MILITARY OPERATIONS HAVE BEEN CONDUCTED.

ON MARCH 9, AT THE DIRECTION OF A LIAISON OFFICER FROM THE HEADQUARTERS OF THE POLITICAL-MILITARY COMMANDER FOR THE HUALLAGA FRONT IN TARAPOTO WHO ACCOMPANIED A POLICE/DEA ENFORCEMENT RAID, THE PERUVIAN ARMY DETACHMENT

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AT CAMPANILLA PROVIDED SECURITY FOR USG-OWNED POLICE UH-1H HELICOPTERS AND A DEA-OWNED CASA TRANSPORT AT THE CAMPANILLA AIRSTRIP, AND RESPONDED WITH FIRE TO SHOTS FIRED AT ENFORCEMENT FORCES. AS NOTED ABOVE, THE MORE EXTENSIVE ENFORCEMENT OPERATION AT CAMPANILLA NOW IN THE PLANNING PROCESS INCLUDES SECURITY ELEMENTS PROVIDED BY THE PERUVIAN ARMY.

AFTER A USG-OWNED UH-1H HELICOPTER WAS DAMAGED IN MAKING AN EMERGENCY LANDING NEAR SANTA LUCIA, A PERUVIAN ARMY HELICOPTER ON JANUARY 12 RECOVERED THE DAMAGED HELICOPTER AND MOVED IT TO SANTA LUCIA BASE.

POLICE AND PROSECUTORS HAVE BEEN MOVED BY AIR FORCE AIRCRAFT BETWEEN IQUITOS AND ANDOAS TO INSPECT AIRCRAFT FORCED TO LAND IN THE AIR FORCE AIR INTERDICTION PROGRAM IN NORTHERN PERU.

DURING 1991, THE PERUVIAN ARMY ASSIGNED A
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 DETACHMENT WITH TWO 81 MM MORTARS TO AUGMENT THE SECURITY FORCES AT THE SANTA LUCIA POLICE BASE.

B. PERU RATIFIES THE 1988 VIENNA CONVENTION.

THE PERUVIAN CONGRESS HAS RATIFIED THE VIENNA CONVENTION. (AS OF 3/13, THE FOREIGN MINISTRY HAS NOT YET RESPONDED TO INQUIRY AS TO WHETHER PERU'S INSTRUMENT OF RATIFICATION HAS BEEN DEPOSITED WITH THE UNITED NATIONS.)

7. HUMAN RIGHTS CONDITIONALITY: PROGRESS ON THE NINE CASES

ESSENTIALLY, TWO OF THE CASES (SANTA BARBARA AND CALLAO) ARE OPEN IN COURT AND PROCEEDING SATISFACTORILY, WITH GOOD PROSPECTS FOR CONVICTIONS.. THE BUSTIOS CASE IS TECHNICALLY OPEN IN CIVIL COURT, BUT MAY WELL BE STAYED ON

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O 202239Z MAR 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 6707
SECDEF WASHDC IMMEDIATE
INFO USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD
AID FOR LAC/SAM

E.O. 12356: DECL: OADR
TAGS: PREL, PHUM, EAID, MOPS, PE
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REFS: A) 91 LIMA 017259,
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THE GROUNDS OF DOUBLE JEOPARDY FOLLOWING
ACQUITTALS IN MILITARY COURTS. A POLICEMAN WAS

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FORMALLY CHARGED IN THE PASCA HUAMANI CASE, BUT
FLED TO ESCAPE PERSECUTION. THE CAYARA CASE IS
CLOSED AND THE ONLY VENUE NOW IS THE EXPECTED
RULING BY THE INTER-AMERICAN COURT OF HUMAN
RIGHTS, WHICH THE GOP IS COMMITTED TO ACCEPT.
THE EVIDENTIARY BASE IS VERY WEAK ON THE ALLEGED
IQUICHA MASSACRE, ALTHOUGH WITNESSES MAY BE ABLE
TO ESTABLISH KIDNAPPING IF A FORMAL CASE WERE
OPENED. THERE ARE NO JUDICIAL CASES PENDING IN
THE MEJIA EGOCHEAGA, CHUSCHI OR VILCASHUAMAN
CASES, ALTHOUGH INVESTIGATIONS FORMALLY REMAIN
OPEN IN ALL THREE.

SANTA BARBARA, HUANCAMELICA
JULY 4, 1991

AN ARMY PATROL WAS ACCUSED OF KILLING 14
PEASANTS, INCLUDING WOMEN AND CHILDREN, WHOSE
BODIES WERE DISCOVERED IN AN ABANDONED MINE IN
SANTA BARBARA, HUANCAMELICA. THE VICTIMS HAD
BEEN DETAINED ON JULY 4 BY MEMBERS OF THE ARMY
WHO ENTERED THEIR VILLAGE DEMANDING FOOD AND
LIVESTOCK. A MILITARY INVESTIGATION HAS CHARGED
A LIEUTENANT AND FIVE NON-COMMISSIONED OFFICERS
WITH RESPONSIBILITY. A CASE HAS BEEN OPENED
BEFORE THE PERMANENT WAR COUNCIL OF THE SECOND
JUDICIAL ZONE. IT IS IN THE INSTRUCTIONAL PHASE.

THE SIX MILITARY PERSONNEL ARE CHARGED VARIOUSLY

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WITH HOMICIDE, THEFT, AND ABUSE OF SEXUAL
FREEDOM, IN ADDITION TO THE MILITARY CRIMES OF
ABUSE OF AUTHORITY AND NEGLIGENCE. IN TRYING
CRIMES SUCH AS HOMICIDE, THEFT OR RAPE, THE

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MILITARY COURTS ARE EMPOWERED UNDER ARTICLE 744 OF THE MILITARY CODE OF JUSTICE TO APPLY THE NORMAL PENAL CODE PROCEDURES AND SENTENCES WHEN TRYING CRIMES NOT COVERED UNDER THE CODE. MILITARY SOURCES HAVE INDICATED THAT THEY WILL SEEK 15 YEARS IMPRISONMENT ON THE HOMICIDE CHARGES.

CHARGES, RAISED BY WOLA, THAT THE CIVILIAN PROSECUTOR HANDLING THIS CASE HAD BEEN DETAINED ON A JUDICIAL ORDER CHARGING THEM WITH OBSTRUCTING JUSTICE BY MAKING FALSE ACCUSATIONS AGAINST THE PERUVIAN MILITARY PROVED TO BE UNFOUNDED, OR AT LEAST GROSSLY EXAGGERATED. THE PROSECUTOR'S BROTHER HAS BEEN BRIEFLY ARRESTED IN HUANCVELICA ON DRUNK AND DISORDERLY CHARGES TOTALLY UNRELATED TO THE SANTA BARBARA CASE. MORE RECENTLY, HOWEVER, A MILITARY OFFICER NOT INDICTED IN THE MILITARY CASE BUT NAMED IN A SEPARATE, CIVILIAN PROSECUTOR'S DENUNCIATION, HAS VERBALLY HARASSED AND THREATENED A CIVIL PROSECUTOR IN THE SANTA BARBARA CASE.

ALLEGATIONS, RAISED BY THE COORDINADORA, THAT THE CASE FILES PREPARED BY THE SPECIAL CRIME PREVENTION PROSECUTOR WERE STOLEN BY ANOTHER CIVILIAN PROSECUTOR, MAY HAVE MORE VALIDITY. THE SPECIAL CRIME PREVENTION PROSECUTOR IN

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HUANCVELICA, DRA. LUZ ROQUE, HAD INVESTIGATED THE MASSACRE AND REPORTEDLY PREPARED A CASE FOR PRESENTATION IN CIVILIAN COURT. ACCORDING TO DR. CLODOMIRO CHAVEZ, CHIEF OF THE SPECIAL HUMAN RIGHTS PROSECUTORS OFFICE, THE SPECIAL PROSECUTOR'S FILES WERE NOT "STOLEN," BUT RATHER, WERE REMOVED BY ANOTHER CIVILIAN PROSECUTOR IN THE OFFICE AND NOT RETURNED. IT IS ASSUMED THAT HE ACTED IN COLLUSION WITH MILITARY OFFICIALS AND THAT THE FILES WILL NOT BE RETURNED. THIS PROSECUTOR HAS SUBSEQUENTLY BEEN DISMISSED FROM HIS POSITION FOR MANIFEST MENTAL INSTABILITY.

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CALLAO, CALLAO
JUNE 23, 1991

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INFO USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD
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REFS: A) 91 LIMA 017259,
B) 91 STATE 364963

MEDICAL STUDENT CARLOS ALBERTO RODRIGUEZ PIGHI
AND TWO TEEN-AGED BROTHERS, RAFAEL AND EMILIO
██████████

██████████

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GOMEZ PAQUIYAURI, WERE FILMED BEING FORCED INTO
THE TRUNKS OF POLICE CARS ON JUNE 23. HOURS
LATER, THEIR BODIES WERE DISCOVERED IN THE
MORGUE. THEY HAD BEEN KILLED BY GUNSHOTS TO THE
HEAD.

FOUR POLICE OFFICERS AND FIVE NON-COMMISSIONED
OFFICERS HAVE BEEN CHARGED VARIOUSLY WITH
HOMICIDE AND CRIMES AGAINST DUE PROCESS AND
PUBLIC FAITH (I.E., PERJURY) IN A CIVILIAN COURT
CASE. THE ACCUSED PERSONNEL WERE "CONDITIONALLY
RELEASED" FROM DETENTION BY COURT ORDER, BUT
REMAIN UNDER ORDERS TO APPEAR BEFORE THE COURT.

DUE TO THE APPEARANCE OF POLICE MISCONDUCT, THIS
CRIME WAS INVESTIGATED SIMULTANEOUSLY BY POLICE
PROSECUTOR AND BY THE CIVILIAN PROSECUTOR. BOTH
PROSECUTORS FOUND EVIDENCE OF THE COMMISSION OF
A CRIME AND OPENED CASES IN THEIR RESPECTIVE
JUDICIAL SYSTEMS. IN ORDER TO RESOLVE THE
JURISDICTIONAL CONFLICT, THE MATTER WAS REFERRED
TO THE SUPREME COURT. AS IS OFTEN THE CASE,
SEVERAL, CONFLICTING BRIEFS WERE RECEIVED BY THE
COURT. NORMAL PROCEDURE WOULD HAVE BEEN TO
COMBINE ALL THREE RELATED BRIEFS INTO ONE CASE.
IN THIS CASE, THE COURT CLERK INCORRECTLY
ASSIGNED EACH PETITION A SEPARATE CASE NUMBER.
THE SUPREME COURT, HOWEVER, RULED FIRST ON THE
CEPAZ PETITION, AND AWARDED JURISDICTION TO THE
CIVILIAN COURTS. WHILE IT IS TECHNICALLY TRUE,
AS ASSERTED BY WOLA, THE SUPREME COURT COULD YET
RULE ON THE REMAINING TWO PETITIONS, THERE IS NO

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 INDICATION THAT IT INTENDS TO DO. THE
 COORDINADORA NOTES THAT THE COURT HAS
 OCCASIONALLY REVERSED ITS OWN RULINGS IN THE
 PAST, BUT THE LAST SUCH CASE OCCURRED IN 1984.

 HUGO BUSTIOS, AYACUCHO
 NOVEMBER 24, 1988.

HUGO BUSTIOS, A JOURNALIST EMPLOYED BY CARETAS
 MAGAZINE WAS KILLED ON NOVEMBER 24, 1988,
 ALLEGEDLY BY TWO ARMY OFFICERS, LT. COL. VICTOR
 LA VERA HERNANDEZ AND CAPT. AMADOR VIDAL
 SAMBENTO. BOTH WERE ACQUITTED BY THE SUPREME
 COUNCIL OF MILITARY JUSTICE IN JUNE 1991. A
 PARALLEL CASE IN THE CIVILIAN COURT IN HUANTA
 CONTINUES. THE ACCUSED HAVE PETITIONED FOR
 DISMISSAL IN THE CIVILIAN COURT ON GROUNDS OF
 DOUBLE JEOPARDY. THE HUANTA CIVILIAN JUDGE
 DENIED THE PETITION. THE ACCUSED HAVE APPEALED
 THAT DECISION TO THE SUPREME COURT. IF THE
 SUPREME COURT UPHOLDS THE LOWER COURT, I.E.,
 DENIES THE EXCEPTION, THE CASE RETURNS TO THE
 HUANTA CIVILIAN COURT AND PROCEEDS IN NORMAL
 FASHION. IF THE SUPREME COURT OVERTURNS THE
 LOWER COURT, I.E., UPHOLDS THE DOUBLE JEOPARDY
 ARGUMENT, THEN ALL PERUVIAN PROCEDURES WILL HAVE
 BEEN EXHAUSTED AND THE ONLY RECOURSE WOULD BE
 THE INTER-AMERICAN COURT OF HUMAN RIGHTS.

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 ZACARIAS PASCA HUAMANI AND MARCELINO VALENCIA
 ALVARO
 SANTO TOMAS, CUZCO, SEPTEMBER, 24, 1990

FIVE DAYS AFTER THEIR DETENTION BY UNIDENTIFIED
 CIVIL GUARDS ON SEPTEMBER 24, 1990, THE TORTURED
 BODIES OF UNIVERSITY STUDENT ZACARIAS PASCA

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HUAMANI AND PROFESSOR MARCELINO VALENCIA ALVARO WERE EXHUMED ON SEPTEMBER 29, 1990 FROM THE GROUNDS OF THE LOCAL POLICE STATION IN SANTO TOMAS, CUZCO DEPARTMENT.

THE MINISTRY OF INTERIOR HAS CONFIRMED THAT POLICE SUB LT. MIGUEL ANGEL ALVA QUIROZ AND PATROLMAN GUIDO HAPAYA ROCA DETAINED MARCELINO VALENCIA ALVARO AND ZACARIAS PASCA HUAMAN ON SUSPICION OF TERRORISM. SUB LT. ALVA QUIROZ

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	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01
	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
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FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 6709
SECDEF WASHDC IMMEDIATE
INFO USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD

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AID FOR LAC/SAM

E.O. 12356: DECL: OADR
TAGS: PREL, PHUM, EAID, MOPS, PE
SUBJECT: SECOND TRANCHE DISBURSEMENT

REFS: A) 91 LIMA 017259;
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KILLED BOTH DETAINEES ON THE DAY OF THE ARREST.
HOMICIDE CHARGES WERE FILED AGAINST SUB LT. ALVA

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QUIROZ ON SEPTEMBER 30, 1990. ALVA QUIROZ FLED
PROSECUTION ON APPROXIMATELY OCTOBER 3, 1990 AND
REMAINS AT LARGE.

CAYARA, AYACUCHO
MAY 14, 1988

ON MAY 14, THE DAY FOLLOWING A SENDERO AMBUSH
WHICH KILLED 4 SOLDIERS AND INJURED 15, THE
MILITARY ALLEGEDLY ENTERED CAYARA AND ROUNDED UP
AND KILLED AT LEAST 28 VILLAGERS. EFFORTS OF
THE CIVILIAN SPECIAL PROSECUTOR TO INVESTIGATE
THE CASE WERE FRUSTRATED, CIVILIAN WITNESSES
WERE KILLED, AND THE CASE DISCONTINUED BY THE
SUPREME COUNCIL OF MILITARY JUSTICE IN JANUARY
1990.

THIS CASE IS NOW BEFORE THE INTER-AMERICAN COURT
OF HUMAN RIGHTS. THE PERUVIAN JUDICIAL SYSTEM
ALLOWS APPEAL TO THE INTER-AMERICAN COURT, AND
THE GOVERNMENT OF PERU IS OBLIGATED BY
CONVENTION TO ENFORCE THE JUDGMENTS OF THE COURT.

IQUICHA, AYACUCHO
AUGUST 22, 1990

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SIXTEEN CAMPESINOS WERE ALLEGEDLY KILLED BY
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SECURITY FORCES ON AUGUST 22, 1990.

THE MINISTRY OF DEFENSE CONFIRMS THAT ON AUGUST 19, 1990, A COLUMN OF TERRORISTS ENTERED THE TOWN OF CHUQUI, NEAR IQUICHA, LEAVING TWO VILLAGERS KILLED, ONE INJURED AND HOMES BURNED. IN RESPONSE, AN ARMY PATROL ENGAGED THE SUBVERSIVES AND ONE SOLDIER WAS KILLED. THE ARMY UNIT THEN RETURNED TO ITS BASE ON AUGUST 20, 1990, LEAVING NO ARMY UNITS IN THE IQUICHA AREA ON AUGUST 22, 1990.

IN SUPPORT OF THE MINISTRY'S CLAIM THAT NO ARMY UNIT WAS INVOLVED IN THE IQUICHA MASSACRE, IT PROVIDES WRITTEN STATEMENTS FROM RAMON HUAMAN GUTIERREZ, THE MUNICIPAL AGENT, ALEJANDRO ALCANTARA HUAMAN, THE LT. GOVERNOR, RAMON HUAMAN GUTIERREZ (NFI), SEBASTIAN VICUNA MAURICIO (NFI), PROSPERO FIGUEROA LLANCE (NFI), PROSPERO MORALES YULGO (NFI) AND RAMOS MARQUEZ LUIS (NFI). (NOTE: COPIES OF ACTUAL DOCUMENTS WERE NOT MADE AVAILABLE.)

THE MINISTRY OF DEFENSE HAS TAKEN THE POSITION THAT IQUICHA CASE IS BASICALLY A FALSE ACCUSATION, AND APPARENTLY PERUVIAN AMBASSADOR MCLEAN IS WIDELY CIRCULATING THIS VERSION IN WASHINGTON. THE PUBLIC MINISTRY HAS ALSO INFORMALLY TOLD EMBASSY OFFICERS THAT AS FAR AS THEY HAD BEEN ABLE TO DETERMINE NO MASSACRE OCCURRED IN IQUICHA.
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NEVERTHELESS, MIGUEL JUGO OF APRODEH HAS INFORMED THE EMBASSY THAT THEY HAVE ORAL AND

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WRITTEN TESTIMONY FROM WITNESSES AND RELATIVES OF THE VICTIMS REGARDING THE ALLEGED MASSACRE. MANY OF THESE WITNESSES FLED THE VILLAGE OF IQUICHA FOLLOWING THE EVENTS OF AUGUST 22, 1990, AND PRESENTLY RESIDE IN OR NEAR LIMA. DR. JUGO OFFERED TO ARRANGE PERSONAL INTERVIEWS OF THE WITNESSES BY SPECIAL HUMAN RIGHTS PROSECUTOR CLODOMIRO CHAVEZ.

NOTE: FROM THE LEGAL POINT OF VIEW, THE ALLEGED MASSACRE OF IQUICHA IS THE WEAKEST OF THE NINE CASES, CERTAINLY THE HARDEST TO INVESTIGATE. FROM THE DETAILS PROVIDED BY APRODEH, IT APPEARS THAT NO BODIES WERE EVER RECOVERED AND THERE NO EYEWITNESSES TO ANY ACTUAL MURDERS. HOWEVER, WITNESSES MAY BE ABLE TO ESTABLISH THAT A

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ACTION ARA-01

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	CIAE-00	C-01	EB-01
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	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01
	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

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TO SECSTATE WASHDC IMMEDIATE 6710
SECDEF WASHDC IMMEDIATE
INFO USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD
AID FOR LAC/SAM

E.O. 12356: DECL: OADR
TAGS: PREL, PHUM, EAID, MOPS, PE
SUBJECT: SECOND TRANCHE DISBURSEMENT

REFS: A) 91 LIMA 017259,
B) 91 STATE 364963

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KIDNAPING OCCURRED.

VILCASHUAMAN, AYACUCHO
SEPTEMBER 25, 1990

ON SEPTEMBER 25, 1990, AN ARMY UNIT FROM THE ACCOMARCA BASE ENTERED THE VILLAGE OF VILCASHUAMAN AND DETAINED FOUR VILLAGERS, INCLUDING BERNABE BALDEON. THEY WERE REMOVED TO ANOTHER VILLAGE WHERE FIVE MORE PERSONS WERE DETAINED. ALL WERE ALLEGEDLY TORTURED, AND BERNABE BALDEON IS ALLEGED TO HAVE DIED AS A RESULT OF THE TORTURE. THE REMAINING DETAINEES REPORTEDLY WERE THEN KILLED.

THE ARMY HAS ACKNOWLEDGED THAT BERNABE BALDEON WAS DETAINED, BUT MAINTAINS THAT HE DIED OF A HEART ATTACK WHILE IN CUSTODY. THE ARMY FURTHER MAINTAINS THAT ITS INTERNAL INVESTIGATION HAS ABSOLVED THE FORCES OF ORDER OF ANY CULPABILITY IN THE CASE. THE MINISTRY OF DEFENSE BASES ITS FINDINGS ON THE FOLLOWING DOCUMENTARY EVIDENCE:

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- 1) THE DEATH CERTIFICATE OF BERNABE BALDEON
- 2) STATEMENTS FROM SANTOS HUARIPAUCAR, CIRILO LIZARES AND JACINTO PERALTA
- 3) CERTIFICATES OF RELEASE FROM CUSTODY FOR SANTOS BALDEON AND JESUS BALDEON ZAPATA, AND ██████████

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- 4) A LETTER DATED OCTOBER 31, 1990, SIGNED BY THE MAJORS, COUNCILMEN, JUSTICE OF THE PEACE, AND CHIEF OF THE MEDICAL POST. (NOTE: COPIES OF THE ACTUAL DOCUMENTS HAVE NOT BEEN MADE AVAILABLE.)

 FERNANDO MEJIA EGOICHEAGA, OXAPAMPA, PASCO
 JUNE 15, 1989

ON JUNE 15, 1989, UNIDENTIFIED SOLDIERS ALLEGEDLY ENTERED THE HOME OF FERNANDO MEJIA EGOICHEAGA IN OXAPAMPA, PASCO. MEJIA, A LAWYER AND HUMAN RIGHTS ACTIVIST WAS DETAINED IN THE PRESENCE OF HIS WIFE AND FOUR YEAR OLD DAUGHTER. HIS WIFE WAS REPORTEDLY SUBSEQUENTLY RAPED AND HIS DAUGHTER MISTREATED. THE BODIES OF MEJIA AND ALBINO MELGAREJO PONCE WERE DISCOVERED LATER BY CAMPESINOS. BOTH BODIES HAD SUFFERED GUNSHOT WOUNDS AND SHOWED SIGNS OF TORTURE. MEJIA'S WIDOW DENOUNCED THE DETENTION AND EXTRAJUDICIAL EXECUTION OF HER HUSBAND TO THE PROVINCIAL PROSECUTOR. THE PROSECUTOR, HOWEVER, ELECTED NOT TO FORWARD THE CASE SINCE THE PERPETRATORS HAD NOT BEEN IDENTIFIED. PERUVIAN HUMAN RIGHTS GROUPS FORMALLY PROTESTED THIS DECISION TO THE ATTORNEY GENERAL. THE ATTORNEY GENERAL THEN ORDERED THE PROVINCIAL PROSECUTOR TO OPEN THE CASE IN CIVIL COURT. AT ██████████

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THE REQUEST OF THE LOCAL MILITARY COMMANDER, THE
CASE WAS TRANSFERRED TO THE MILITARY COURT SYSTEM.

THE MINISTRY OF INTERIOR HAS CONFIRMED THAT
FERNANDO MEJIA EGOICHEAGA AND ALBINO MELGAREJO
PONCE WERE KILLED BETWEEN OCTOBER 14 AND 17.
(NOTE THE DISCREPANCY: INFORMATION SUPPLIED TO
THE DEPARTMENT OF STATE BY HUMAN RIGHTS GROUPS
INDICATES THAT THE BODIES WERE FOUND THREE DAYS
AFTER THEIR DETENTION ON JUNE 15.) THE MINISTRY
MAINTAINS, HOWEVER, THAT IT HAS NOT BEEN
POSSIBLE TO PROVE THE RESPONSIBILITY OF MILITARY
PERSONNEL STATIONED AT THE "9 DE DICIEMBRE"
BASE, HUANCAYO, BUT TEMPORARILY QUARTERED IN THE
OXAPAMPA LIBRARY DURING THE PERIOD IN QUESTION.
BOTH THE MINISTRY OF DEFENSE AND THE PUBLIC
MINISTRY REPORT THE CASE STILL UNDER
INVESTIGATION.

CHUSCHI, AYACUCHO

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ACTION ARA-01

INFO	LOG-00	ACDA-15	AID-01	AMAD-01	CIAE-00	C-01	EB-01
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	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01

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SR-01 SSO-00 SS-01 STR-20 TRSE-00 T-01 USIE-00
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TO SECSTATE WASHDC IMMEDIATE 6711
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INFO USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD
AID FOR LAC/SAM

E.O. 12356: DECL: OADR
TAGS: PREL, PHUM, EAID, MOPS, PE
SUBJECT: SECOND TRANCHE DISBURSEMENT

REFS: A) 91 LIMA 017259,
- B) 91 STATE 364963

MARCH 14, 1991

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ON MARCH 14, 1991, A MILITARY PATROL ALLEGEDLY MURDERED FOUR VILLAGE LEADERS, INCLUDING THE MAYOR OF CHUSCHI, AYACUCHO, BECAUSE THE FOUR REFUSED TO THE JOIN THE CIVIL PATROLS. WITNESSES ALLEGE THAT THE FOUR WERE TAKEN BY 25 SOLDIERS TO THE MILITARY BASE A PAMPA CANGALLO. A CIVILIAN PROSECUTOR ATTEMPTING TO INVESTIGATE HAS REPORTED BEING SEVERELY HARASSED.

THE MINISTRY OF DEFENSE HAS STATED THAT ON MARCH 14, 1991, AN ARMY PATROL ALERTED A POLICE CHECK POINT TO THE PRESENCE OF 40 SUBVERSIVES IN POMABAMBA WHILE RETURNING TO THE PAMPA CANGALLO BASE ON MARCH 15, 1991. ON MARCH 15, THE MOD STATES THAT A GROUP OF VILLAGERS REPORTED TO THE

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TERRITORIAL CONTROL POST IN CHUSCHI THAT UNKNOWN PERSONS HAD VIOLENTLY REMOVED MANUEL PAYCO CHAUPIN, DISTRICT MAYOR, MARTIN CAYLLAHUA GALINDO, SECRETARY OF THE COUNCIL, MARCHE CABANA TUCNO AND ISAIAS HUAMAN VILCA FROM THEIR HOMES AND TAKEN THEM AWAY. THE MOD DENIES THAT ANY OF THESE INDIVIDUALS WERE EVER UNDER MILITARY CUSTODY. THE JOINT COMMAND HAS REQUESTED ADDITIONAL DOCUMENTARY EVIDENCE IN THE CASE. THE PUBLIC MINISTRY REPORTS THE CASE REMAINS UNDER INVESTIGATION.
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