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n/a

Case Number: S200200010

RELEASED IN FULL

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ACTION ARA-00

INFO	LOG-00	COPY-01	ADS-00	INR-10	SS-00	CIAE-00	H-01
	NSC-01	NSAE-00	SY-06	HA-08	L-03	PM-10	PA-01
	MCT-03	OMB-01	A-02	SYE-00	USIE-00	SP-02	SNP-01
	PRS-01	SLPD-01	SPD-02	/054 W			

-----040333 261659Z /52

P 261648Z FEB 85
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 1932
INFO DIA WASHDC
AMEMBASSY PANAMA
USCINCSO QUARRY HEIGHTS PN

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DIA FOR IR BRANCH; PANAMA FOR ADS

E.O. 12356: DECL: 2/21/91
TAGS: SHUM, PTER, PE
SUBJECT: LOCAL DISTRICT ATTORNEYS PRESS CHARGES AGAINST
MARINE COMMANDER IN AYALA DISAPPEARANCE AND
EVANGELICAL KILLING CASES

REF: (A) 84 LIMA 9933
1. (U) ACCORDING TO FEB. 20 REPORT IN LIMA DAILY
"REPUBLICA," TWO DISTRICT ATTORNEYS IN DEPARTMENT OF
AYACUCHO HAVE FILED CRIMINAL CHARGES IN "CAUSE CELEBRE"
HUMAN RIGHTS CASES OF JAIME AYALA (WHO DISAPPEARED IN
EARLY AUGUST 1984--REFTEL) AND THE KILLING OF SIX MEMBERS
OF A PROTEST EVANGELICAL CHURCH AUGUST 1 IN CALLQUI. BOTH
CASES INVOLVED PERUVIAN MARINE FORCES STATIONED IN
NORTHERN AYACUCHO PROVINCE OF HUANTA. THE TWO DISTRICT
ATTORNEYS--IDENTIFIED AS MARIO MIRANDA GARAY AND JORGE
MEJIA CHAHUARA--EACH CITED LT. COMMANDER ALVARO ARTAZA
ADRIANZEN (BETTER KNOWN BY NOM DE GUERRE "COMMANDANTE
CAMION"), FORMER HEAD OF MARINE GARRISON IN HUANTA.

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(ON FEB. 22, "REPUBLICA" INDICATED THAT A SECOND OFFICER

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: WILLIAM E. LANDFAIR
DATE/CASE ID: 15 JUL 2002 S200200010

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HAD ALSO BEEN CHARGED FOR THESE CRIMES.)

"REPUBLICA" ASSERTED THAT PERU'S (AUTONOMOUS) ATTORNEY GENERAL, ALVARO REY DE CASTRO, HAD PERSONALLY ORDERED FILING OF BOTH SETS OF CHARGES.

2. [REDACTED] COMMENT: REY DE CASTRO PREVIOUSLY WAS ON RECORD (JAN. 9) AS ACKNOWLEDGING THAT SECURITY FORCES IN THE "EMERGENCY ZONE" (EZ) HAVE COMMITTED RIGHTS VIOLATIONS. HE HAS NEVER SPECIFIED IN PUBLIC, HOWEVER, LEVEL IN THE MILITARY OR POLICE HIERARCHY WHERE RESPONSIBILITY FOR THESE VIOLATIONS LIES. THIS MARKS FIRST OCCASION SINCE PRESIDENT BELAUNDE PLACED ARMED FORCES IN CHARGE OF THE EZ (DECEMBER 1982) THAT JUDICIAL AUTHORITIES HAVE FORMALLY CITED A MILITARY OFFICER WITH COMMAND RESPONSIBILITY FOR CRIMINAL ACTS COMMITTED AGAINST THE CIVILIAN POPULATION. EVENT DEMONSTRATES CAPACITY INHERENT IN PERU'S CONSTITUTIONAL SYSTEM FOR ONE OR MORE AUTONOMOUS ELEMENTS TO INVESTIGATE AND ACT ON RIGHTS ABUSE ALLEGATIONS. AT SAME TIME, HOWEVER, IT IS NOT CERTAIN WHERE DISTRICT ATTORNEY'S ACTION WILL LEAD. NAVY SOURCES HAVE ASSURED NAVATT THAT IF, IN FACT, THESE TWO OFFICERS ARE TRIED FOR ALLEGED CRIMES, THEY WILL BE TRIED WITHIN THE MILITARY AS OPPOSED TO CIVILIAN JUSTICE SYSTEM. SOURCES WERE SKEPTICAL THAT OFFICERS WOULD COME TO TRIAL IN EITHER SYSTEM. BOTH ARE NOW SERVING IN BILLETS OUTSIDE OF THE PERUVIAN MARINE CORPS. NOTION OF FIXING RESPONSIBILITY FOR RIGHTS VIOLATIONS ON SPECIFIC OFFICERS REMAINS AN EXTREMELY DELICATE SUBJECT WITH PERUVIAN MILITARY PARTLY BECAUSE OF IMPLICATIONS FOR OTHERS IN CHAIN OF COMMAND. IT IS WORTH NOTING THAT, APART FROM QUESTION OF FIXING RESPONSIBILITY FOR KILLINGS AT EVANGELICAL CHURCH, INCIDENT HAS ALREADY SERVED TO BRING ABOUT CHANGES IN COMMAND AND CONTROL OF MARINE

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FORCES IN REGION. PRIOR TO AUGUST, 1984 MARINES OPERATING IN EZ REPORTED EXCLUSIVELY TO EZ (ARMY) COMMANDER. NOW MARINES REPORT ALSO TO MARINE CORPS COMMANDER. JORDAN

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