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ENVELOPE

CDSN = LGX026 MCN = 92126/31448 TOR = 921261759
RTTCZYUW RUEKJCS3268 1261800-CCCC--RUEALGX.
ZNY CCCCC

HEADER

R 051800Z MAY 92
FM JOINT STAFF WASHINGTON DC
INFO RUEKCCG/USDP-CCC WASHINGTON DC
RHLBAAA/USCINCSO QUARRY HEIGHTS PM
RUEOACC/CDRPSYOPGP FT BRAGG NC//AORC-POG-SB//
RUEALGX/SAFE

R 051552Z MAY 92
FM AMEMBASSY LIMA
TO RUEHC/SECSTATE WASHDC 8112
INFO RHEHAAA/THE WHITE HOUSE
RUEHKO/AMEMBASSY TOKYO 0942
RHLBAAA/USCINCSO QUARRY HEIGHTS PM
RUEHNA/DEAHQS WASHDC
RUEKJCS/SECDEF WASHDC
RUEHZC/ARA COLLECTIVE
RUFHOL/AMEMBASSY BONN 0757
RUFHMD/AMEMBASSY MADRID 1096

Dept. of State, RPS/IPS, Margaret P. Grafeld, Dir.
 Release () Excise () Deny () Declassify
Date AUG 17 2000 Exemption _____

BT

CONTROLS

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THE WHITE HOUSE FOR SITUATION ROOM
DEPARTMENT PASS USOAS
SOUTHCOM FOR POLAD

E.O. 12356: DECL: OADR

/***** THIS IS A COMBINED MESSAGE *****/

BODY

TAGS: PREL, PHUM, PGOV, ACOA, PE
SUBJECT: A/S ARONSON'S MEETING WITH PERUVIAN
- HUMAN RIGHTS COORDINATOR

1. ~~CONFIDENTIAL~~ - ENTIRE TEXT.

2. SUMMARY: MEMBERS OF THE HUMAN RIGHTS
COORDINADORA TOLD A/S ARONSON THE HUMAN RIGHTS
SITUATION HAD DETERIORATED FOLLOWING APRIL 5,
ESPECIALLY WITH REGARDS TO A LACK OF ACCESS TO
THE COURTS AND RESTRICTIONS ON JUDICIAL
INJUNCTIONS. THE GOP'S RECENT MASS FIRING OF
JUDGES AND PROSECUTORS, FOLLOWED BY A DECREE
BARRING THEM FROM SUING FOR DUE PROCESS WERE
SYMPTOMATIC. THEY CLAIMED MASS DETENTIONS HAD

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TAKEN PLACE IN TWO SITES BUT DID NOT ALLEGE ANY PERMANENT DISAPPEARANCES, DEATHS OR TORTURE DIRECTLY CONNECTED WITH THE COUP. THE COORDINADORA SAW CONTINUED INTERNATIONAL PRESSURE AS KEY, BUT WERE HIGHLY SKEPTICAL ABOUT FUJIMORI'S WILLINGNESS TO DIALOGUE. MEMBERS HAD NOT FORMULATED A COMMON POSITION REGARDING WAYS OUT OF THE CRISIS, BUT MOST SUPPORTED A CONSTITUTIONAL ASSEMBLY.

3. A/S ARONSON SAID HE WOULD INFORM FUJIMORI DIRECTLY OF THE USG'S FIRM SUPPORT FOR A QUICK RETURN TO CONSTITUTIONAL ORDER THROUGH A NATIONAL PROCESS FOR CONSENSUS THAT INCLUDED ALL SOCIAL AND POLITICAL SECTORS. ARONSON ALSO EMPHASIZED OUR STRONG SUPPORT FOR THE UPCOMING OAS MISSION AND OUR COMMITMENT TO HUMAN RIGHTS. END SUMMARY.

4. A/S ARONSON, ACCOMPANIED BY THE AMBASSADOR, DAS MCLEAN, AND POLOFFS CALLED ON THE COORDINADORA THE MORNING OF MAY 2 BEFORE HIS MEETING WITH PRESIDENT FUJIMORI. ALSO PRESENT WERE COORDINADORA PRESIDENT PILAR COLL, STAFFER JAVIER CEURLIZZA, FRANCISCO SOBERON (APRODEH), DIEGO GARCIA SAYAN (ANDEAN COMMISSION OF JURISTS), JOSE BORNEO (CEPAZ), MIGUEL TALAVERA (ILD) AND OSCAR PENA (AMNESTY INTERNATIONAL). (ARONSON LAST MET THE COORDINADORA ON APRIL 6, IN THE WAKE OF THE GOP'S APRIL 5 ACTION.)

USG COMMITTED TO QUICK RETURN TO DEMOCRACY

5. A/S ARONSON EXPLAINED THAT HE HAD RETURNED TO PERU TO FOLLOW UP ON PRESIDENT BUSH'S RECENT CONVERSATION WITH FUJIMORI AND WOULD INFORM FUJIMORI DIRECTLY, AND WITHOUT AMBIGUITY, OF THE USG'S POSITION. A/S ARONSON OUTLINED THE USG'S FIRM SUPPORT FOR A QUICK RETURN TO CONSTITUTIONAL ORDER BASED ON A DEMOCRATIC NATIONAL PROCESS FOR CONSENSUS THAT INCLUDED ALL SOCIAL AND POLITICAL SECTORS. FAILURE TO FIND SUCH A SOLUTION QUICKLY RISKED ISOLATING PERU INTERNATIONALLY AND ENDANGERED PERU'S HARD-WON REINSERTION INTO THE INTERNATIONAL FINANCIAL SYSTEM. A/S ARONSON ADDED THAT THE U.S. FULLY SUPPORTED THE OAS AND ITS UPCOMING SECOND MISSION TO PERU. A/S ARONSON ALSO STRESSED THE IMPORTANCE THE USG ATTACHED TO HUMAN RIGHTS. HE WAS ENCOURAGED BY THE FLEXIBLE AND REALISTIC VIEWS EXPRESSED BY THE MEMBERS OF THE COORDINADORA REGARDING THE

CURRENT CRISIS AND HOPED THE MEETING ITSELF WOULD SEND A MESSAGE.

KEEP UP PRESSURE; SUPPORT A CONSTITUTIONAL ASSEMBLY

6. A/S ARONSON ASKED HOW NEGOTIATIONS BETWEEN THE TWO SIDES MIGHT BE ENCOURAGED. THE COORDINADORA MEMBERS INDICATED THAT THEY HAD NOT REACHED A UNITED POSITION WITH RESPECT TO A SOLUTION TO THE POLITICAL CRISIS. HOWEVER, ALL

/***** BEGINNING OF SECTION 002 *****/
THE COORDINADORA MEMBERS THOUGHT INTERNATIONAL PRESSURE WAS KEY TO BRINGING THIS ABOUT. ALL THE MEMBERS WERE EQUALLY UNANIMOUS IN REJECTING THE GOP'S ANNOUNCED PLEBISCITES, WHICH THEY DISPARAGED AS A FALSE MEANS FOR THE GOP TO "LEGITIMATE" ITS COUP. CEAPAZ'S JOSE BORNEO POINTED OUT THAT EVEN SENDERO LUMINOSO HEAD ABIMAEEL GUZMAN WOULD VOTE "YES" IN SUPPORT OF THE GOP'S DISSOLUTION OF CONGRESS. COORDINADORA MEMBERS INDICATED WIDE SUPPORT FOR A CONSTITUTIONAL ASSEMBLY, BUT PROVIDED FEW DETAILS ABOUT ANY PROCESS TO BE USED.

7. PILAR COLL THANKED THE U.S. SPECIFICALLY FOR ITS LEADING ROLE IN THE INTERNATIONAL ARENA, BUT JOINED THE REST OF HER COLLEAGUES IN EXPRESSING SERIOUS DOUBTS ABOUT FUJIMORI'S WILLINGNESS TO NEGOTIATE. "THE POSSIBILITY OF DIALOGUE WAS LAMENTABLY MINIMAL" SINCE FUJIMORI HAD NEVER DIALOGUED WITH ANYONE. IN FACT, COLL SAW A HARDENING IN FUJIMORI'S POSITION AS THE "DICTATORSHIP" SOLIDIFIED ITS CONTROL. AS AN EXAMPLE, SHE MENTIONED RECENT GOP LEGISLATIVE ACTIONS SUCH AS A GOP DECREE PREVENTING SACKED JUDGES AND PROSECUTORS FROM SEEKING INJUNCTIONS AGAINST THEIR FIRINGS. CEAPAZ'S JOSE BORNEO SAID THIS WAS BORNE OUT BY FUJIMORI'S STATEMENTS ON MAY 1 THAT REJECTED ANY MEDIATION BY THE CHURCH OR FORMER UN SECGEN JAVIER PEREZ DE CUELLAR.

8. DIEGO GARCIA SAYAN, SPEAKING FOR THE ANDEAN COMMISSION OF JURISTS, FAVORED THE CREATION OF AN ELECTED CONSTITUTIONAL ASSEMBLY. THIS ASSEMBLY WOULD PRESIDE UNTIL GENERAL ELECTIONS FOR A NEW CONGRESS AND EXECUTIVE WERE HELD. HE STRESSED REPEATEDLY THAT ANY ELECTIONS SHOULD BE CONDUCTED WITH A VERIFYING PRESENCE BY EITHER

THE OAS OR THE UN. GARCIA ADMITTED THAT A MAJORITY OF THE POPULATION SUPPORTED FUJIMORI'S ATTACKS ON CONGRESS AND THE JUDICIARY. NEVERTHELESS, HE INSISTED THAT ONLY A DEMOCRATIC PROCESS OF DIALOGUE COULD RESTORE THE "UNITY" NECESSARY FOR THE COUNTRY TO OVERCOME THE CRISIS. BORNEO PERSONALLY SUPPORTED A CONSTITUTIONAL ASSEMBLY AS THE BEST, BUT ADMITTEDLY IMPERFECT, SOLUTION.

DUE PROCESS AND THE JUDICIARY INDEPENDENCE WORSE

9. RESPONDING TO A/S ARONSON'S QUESTION, COORDINADORA MEMBERS SAID PERU'S HUMAN RIGHTS SITUATION HAD GENERALLY WORSENERD SINCE APRIL 5. THEY EXPRESSED CONCERN OVER THE GOP'S UNFETTERED CONTROL OF THE JUDICIARY AND SAID THAT AN INDEPENDENT JUDICIARY ABLE TO COUNTERACT THE EXECUTIVE NO LONGER EXISTED. THE COURTS WERE CLOSED, CIVIL PROTECTIONS SUCH AS DUE PROCESS AND HABEAS CORPUS LARGELY UNATTAINABLE OR BEING LIMITED VIA NEW DECREE LAWS, AND THE GOP HAD FIRED AND REPLACED JUDGES AND PROSECUTORS AT WILL. (COMMENT: THE COURTS HAD REOPENED FIVE DAYS BEFORE THE COORDINADORA MET WITH A/S ARONSON BUT WERE NOT YET CONDUCTING BUSINESS AS USUAL. END COMMENT.)

10. CEAPAZ'S JOSE BORNEO EXPRESSED CONCERN OVER THE MILITARY'S RISING POWER AND THE LACK OF LEGISLATIVE OR JUDICIAL CHECKS AGAINST POSSIBLE ABUSES. DECREE LAW 749 GRANTING "SUPREME" AUTHORITY TO EMERGENCY ZONE POLITICAL/MILITARY COMMANDERS HAD GONE INTO EFFECT AND THE PACIFICATION COMMAND STRUCTURE HAD BEEN PLACED ENTIRELY UNDER THE MILITARY. CONGRESS HAD CLEARLY HAD RESERVATIONS IN BOTH OF THESE CASES, BUT THE GOP COULD DO WHAT IT WANTED NOW THAT

/***** BEGINNING OF SECTION 003 *****/
CONGRESS WAS OUT OF THE WAY.

ICRC/PROSECUTOR ACCESS AND CENTRAL REGISTRY

11. A/S ARONSON ASKED IF ICRC/PROSECUTOR ACCESS TO DETENTION CENTERS CONTINUED AND ENQUIRED ABOUT THE STATUS OF THE CENTRAL REGISTRY FOR DETAINEES. CEAPAZ'S JOSE BORNEO SAID THERE HAD

BEEN "ABSOLUTE INTERFERENCE" BY THE GOP IN BOTH. THE COURTS AND THE JUDICIARY, INCLUDING THE PROSECUTORS, HAD BEEN CLOSED -- IT WAS IMPOSSIBLE TO PRESENT A WRIT OF HABEAS CORPUS AND PROSECUTORS WERE NO LONGER CONDUCTING VISITS. HOWEVER, BORNEO ADMITTED THAT THEY DID NOT KNOW IF THE ICRC CONTINUED ITS VISITS, BECAUSE ITS WORK WAS CONFIDENTIAL. APRODEH'S FRANCISCO SOBERON SAID WORK ON THE CENTRAL REGISTRY HAD STOPPED AND EXPRESSED CONCERN THAT NATIONAL PROSECUTOR FOR HUMAN RIGHTS CLODOMIRO CHAVEZ APPEARED READY TO RESIGN.

12. COMMENT: ICRC CHIEF DELEGATE ARMIN KOBEL ON MAY 4 ASSURED POLCOUNS THAT ALL ICRC WORK WAS PROCEEDING NORMALLY AND WITHOUT INTERFERENCE. THERE HAD BEEN SOME INITIAL CONFUSION FOR THE "FIRST FEW DAYS" AFTER APRIL 5, BUT THE ICRC SOON REESTABLISHED UNRESTRICTED ACCESS TO ALL POLICE AND MILITARY PRISONS FOR UNMONITORED INTERVIEWS. KOBEL HAD MET WITH THE SIX "DEMOCRATIC LAWYERS" (OF SENDERO) AFTER THEY HAD BEEN PICKED UP AND EVEN HAD ACCESS, AFTER EXERTING GREAT PRESSURE, TO AUGUSTIN MANTILLA. SIMILARLY, ACCORDING TO KOBEL, THE MILITARY CONTINUED TO COLLECT ITS NATIONAL LIST OF DETAINEES AND AN ICRC DELEGATE REVIEWED THE LIST EVERY DAY AT THE MOD. THE MILITARY LIST WAS THE CORE OF THE AID/ILANUD NATIONAL REGISTRY PROJECT WHICH HAS BEEN PUT ON HOLD BY USG ORDER AFTER APRIL 5. END COMMENT.

SPECIFIC HR VIOLATIONS RAISED

13. APRODEH'S FRANCISCO SOBERON INFORMED A/S ARONSON ABOUT THE MOST SALIENT HUMAN RIGHTS VIOLATIONS THAT HAD ARISEN SINCE APRIL 5. AMONG THESE WAS THE OVERNIGHT DETENTION (AND SUBSEQUENT RELEASE) ON APRIL 25-26 OF NEARLY HALF THE POPULATION OF THE HAMLET OF SAN MIGUEL DEL RIO MAYO, IN SAN MARTIN DEPARTMENT. THIS WAS THE FIRST REPORTED CASE OF "MASS DETENTIONS" BY THE MILITARY AND SOBERON ALLEGED IT WAS AN INDICATION OF THE MILITARY'S LESSENING RESPECT FOR CIVIL LIBERTIES. ALSO MENTIONED WAS THE CASE OF LAW STUDENT AND APRA YOUTH LEADER ANDRES DE LOS RIOS, WHO WAS REPORTEDLY DETAINED FOR 14 DAYS BY SECURITY FORCES AND RELEASED APRIL 27.

HR ACTIVISTS FEEL UNSAFE

14. SOBERON RESPONDED TO A QUESTION BY A/S ARONSON BY SAYING THAT THE HUMAN RIGHTS ACTIVIST COMMUNITY HAD TAKEN ADDED SAFETY PRECAUTIONS FOLLOWING APRIL 5. THE HUMAN RIGHTS COMMUNITY WAS UNCERTAIN WHAT THE GOP MIGHT DO AGAINST THEM. HOWEVER, IMPORTANT FILES AND COMPUTER DISKS HAD BEEN REMOVED FROM HUMAN RIGHTS OFFICES FOR SAFEKEEPING AND SOME SUSPECTED SURVEILLANCE HAD BEEN NOTICED. PILAR COLL COMMENTED THAT PUBLICITY GIVEN TO THE APRIL 6 COORDINADORA MEETING WITH A/S ARONSON MAY HAVE DISCOURAGED GOP MOVES AGAINST THE HUMAN RIGHTS COMMUNITY.

COMMENT

/***** BEGINNING OF SECTION 004 *****/

15. THE COORDINADORA IS SKEPTICAL ABOUT THE CHANCES OF A NEGOTIATED SOLUTION IN THE NEAR TERM AND IS CONCERNED THAT THE GOP WILL STEP UP ITS REPRESSION AGAINST OPPONENTS AS FUJIMORI CONSOLIDATES HIS POSITION. NEVERTHELESS, IT IS ENCOURAGING THAT THE GOP HAS REFRAINED FROM CRACKING DOWN ON THE HUMAN RIGHTS COMMUNITY. MINDFUL OF THE COORDINADORA'S BELIEF THAT THE HUMAN RIGHTS SITUATION WAS LOOKING BLEAKER, WE NOTED THAT NONE OF THE COORDINADORA'S MEMBERS PRESENTED FACTUAL EVIDENCE OF A WORSENING IN ANY OF THE BENCHMARK HUMAN RIGHTS CATEGORIES -- DEATHS, DISAPPEARANCES, DETENTIONS, TORTURE, ETC. THE HUMAN RIGHTS ACTIVISTS DID NOT ALLEGE ANY DEATHS OR "DISAPPEARANCES" ASSOCIATED DIRECTLY WITH THE APRIL 5 COUP OR ITS AFTERMATH -- NOR DID THEY ALLEGE TORTURE OR CITE THE RAPID RELEASE OF ALL POLITICAL PRISONERS TAKEN APRIL 5 EXCEPT FOR MANTILLA. THE LATEST FIGURES FROM THE COORDINADORA SHOW A 50 PERCENT AVERAGE MONTHLY DROP OF GOP HR VIOLATIONS (EXTRAJUDICIAL KILLINGS AND "DISAPPEARANCES") FOR JULY-FEBRUARY AS COMPARED WITH THE PREVIOUS SEVEN MONTHS; A 43 PERCENT DROP OF ALL "DEATH SQUAD" ACTIVITY IS INCLUDED. FIGURES FOR MARCH-APRIL ARE NOT OUT, BUT WE DOUBT THEY WILL CONFIRM ANY DETERIORATION. END COMMENT. QUANTON##

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