

[REDACTED]
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Case Number: S200200010

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ACTION ARA-01

INFO	LOG-00	ADS-00	AID-01	INR-05	SS-01	OIC-02	CIAE-00
	DODE-00	IO-19	NSCE-00	NSAE-00	HA-09	L-03	PA-01
	VO-06	INRE-00	OCS-06	CA-02	RP-10	SR-01	PRS-01
	DS-01	SCT-03	/072 W				

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P 241638Z MAR 90
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 6877
INFO USINS WASHDC PRIORITY
AMEMBASSY BOGOTA
USMISSION GENEVA
USMISSION USUN NEW YORK
AMEMBASSY MONTEVIDEO

RELEASED IN FULL

[REDACTED] SECTION 01 OF 02 LIMA 04489

DEPT ALSO FOR ROBERTA JACOBSON

E.O. 12356: DECL: OADR
TAGS: PHUM, CASC, PE

SUBJECT: A PERUVIAN REQUEST FOR U.S. ASYLUM

REF: A) 89 LIMA 13549, B) LIMA 3842

1. [REDACTED] - ENTIRE TEXT.

2. SUMMARY. A FORMER PERUVIAN GOVERNMENT PROSECUTOR VISITING IN THE U.S. HAS APPLIED FOR POLITICAL ASYLUM, ACCORDING TO A LIMA NEWSPAPER HEADLINE. THE PROSECUTOR IS CARLOS ESCOBAR PINEDA WHO CONDUCTED AN INVESTIGATION INTO THE ALLEGED 1988 MASSACRE OF CIVILIANS BY THE ARMY. THE INVESTIGATION OF THE CASE IS STILL OPEN BUT THE THREE PRINCIPAL WITNESSES AGAINST THE ARMY HAVE BEEN KILLED UNDER UNUSUAL

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CIRCUMSTANCES. ESCOBAR HAS BEEN THREATENED, BUT SO

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HAVE OTHER HUMAN RIGHTS WORKERS HERE. EMBASSY WOULD APPRECIATE CONFIRMATION OF THE ASYLUM REQUEST. END SUMMARY.

3. ACCORDING TO A LIMA NEWSPAPER, A PERUVIAN PROSECUTING ATTORNEY (FISCAL), VISITING IN THE UNITED STATES, HAS APPLIED FOR POLITICAL ASYLUM. THE REPORT (DATELINED "UPI, SAN FRANCISCO") WAS THE LEAD HEADLINE IN THE MARCH 21 EDITION OF LEFTIST "LA REPUBLICA." THE PAPER STATES THAT THE ASYLUM REQUEST HAS BEEN SUBMITTED BY CARLOS ESCOBAR, THE FORMER SPECIAL PROSECUTOR WHO HEADED THE INVESTIGATION INTO THE ALLEGED MASSACRE OF CIVILIANS BY THE ARMY IN CAYARA VILLAGE, AYACUCHO DEPARTMENT, ON MAY 14, 1988.

4. ESCOBAR WAS ASSIGNED TO THE AYACUCHO PROSECUTOR'S OFFICE IN 1987. UNLIKE OTHER PROSECUTORS WHO BEAR THE DUAL RESPONSIBILITY TO PROSECUTE CRIMES AS WELL AS TO DEFEND THE HUMAN RIGHTS OF THE ACCUSED, ESCOBAR WAS SPECIFICALLY ASSIGNED TO INVESTIGATE ALLEGED VIOLATIONS OF HUMAN RIGHTS AND, IN PARTICULAR, DISAPPEARANCES IN THE VIOLENCE-TORN DEPARTMENT OF AYACUCHO. BY ALL REPORTS HE WAS AGGRESSIVE IN FULFILLING HIS CHARTER.

5. THE NIGHT OF MAY 13, 1988 A COLUMN OF SENDERO LUMINOSO GUERRILLAS AMBUSHED AN ARMY PATROL NEAR THE AYACUCHO DEPARTMENT VILLAGE OF CAYARA. FOUR SOLDIERS, INCLUDING AN OFFICER, DIED. THE FOLLOWING DAY THE ARMY, UNDER THE COMMAND OF GENERAL VALDIVIA, ARRIVED TO RESCUE THE SURVIVORS AND PURSUE THE TERRORISTS. ACCORDING TO ESCOBAR'S REPORT, THE ARMY

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ENTERED CAYARA VILLAGE AND SUMMARILY EXECUTED AT LEAST 21 VILLAGERS. THE ARMY DENIES THAT THE EXECUTIONS OCCURRED. ONLY TWO BODIES WERE EVER RECOVERED. THE REMAINDER OF THE ALLEGED VICTIMS ARE OFFICIALLY LISTED AS "DISAPPEARED."

6. ESCOBAR COLLECTED THE EYEWITNESS ACCOUNTS OF SEVERAL VILLAGERS. THREE OF THESE WITNESSES SPECIFICALLY STATED THAT THE ARMY KILLED VILLAGERS

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INSIDE THE VILLAGE CHURCH AND ALONG A ROAD LEADING TO THE VILLAGE. ALL THREE HAVE SINCE BEEN KILLED UNDER UNUSUAL CIRCUMSTANCES. THE LAST SURVIVING WITNESS, MARTHA CRISOSTOMO, WAS KILLED SEPTEMBER 8 (REFTEL A). SHE WAS DRAGGED FROM HER HOME IN AN AYACUCHO CITY SUBURB AT 0300 HOURS (DURING CURFEW) BY EIGHT MASKED MEN AND SHOT TO DEATH IN FRONT OF FAMILY MEMBERS. THE KILLING WAS IN THE STYLE OF SENDERO LUMINOSO, OR THE STYLE OF THOSE TRYING TO MAKE A KILLING LOOK LIKE SENDERO.

7. WE WERE TOLD BY ESCOBAR PRIOR TO HIS MOST RECENT TRIP TO THE U.S. THAT HE WAS CONCERNED FOR HIS AND HIS FAMILY'S SAFETY HE TOLD US THAT HE THOUGHT HIS PERSONAL SITUATION WOULD IMPROVE ONCE THE NEW INVESTIGATION INTO THE CAYARA INCIDENT WAS RESOLVED. THAT INVESTIGATION IS STILL PENDING, BUT IS NOT ACTIVE. HE ALSO TOLD US HE HAD BEEN PROMISED A JOB WITH A LOCAL HUMAN RIGHTS ORGANIZATION.

8. ESCOBAR IS NOT THE ONLY PERSON INVOLVED IN HUMAN RIGHTS WORK HERE WHO HAS BEEN THREATENED OR HAS BEEN

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[REDACTED] SECTION 02 OF 02 LIMA 04489

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E.O. 12356: DECL: OADR
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THE VICTIM OF VIOLENCE. DEATH THREATS -- ANONYMOUS OR OTHERWISE -- OFTEN GO WITH THE TURF FOR HUMAN RIGHTS WORKERS HERE. RECENTLY THIS INCLUDES DR. FRANCISCO SOBERON, DIRECTOR OF THIS CITY'S LARGEST HUMAN RIGHTS GROUP, APRODEH, WHO WAS THREATENED BY RODRIGO FRANCO COMMAND. THREE HUMAN RIGHTS ORGANIZATIONS WERE BOMBED IN FEBRUARY AND MARCH BY UNKNOWN ASSAILANTS (REFTEL B). PILAR COLL, NATIONAL COORDINATOR FOR HUMAN RIGHTS, WAS IMPRISONED BY AYACUCHO POLICE IN 1988 AND THREATENED WITH DEATH. THE PRESIDENT OF THE HUMAN RIGHTS COMMITTEE OF HUANCVELICA, ANGEL ESCOBAR JURADO (NO RELATION), WAS PUBLICLY DETAINED BY ARMED MEN ON FEBRUARY 27, 1990.

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HE HAS NOT BEEN SEEN SINCE AND IS NOW LISTED AS "DISAPPEARED." SL THREATENED A STAFFER AT THE ANDEAN COMMISSION OF JURISTS THIS FEBRUARY (REF B). PROTESTING THREATS AGAINST LEGITIMATE HUMAN RIGHTS ACTIVISTS IS BECOMING AN IMPORTANT PART OF OUR POLITICAL AGENDA WITH CONTACTS ACROSS THE BOARD HERE.

9. WE WOULD APPRECIATE CONFIRMATION FROM THE DEPARTMENT OF ANY ASYLUM REQUEST BY CARLOS ESCOBAR PINEDA. CONSIDERED IN THE ADJUDICATION OF HIS Q

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