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Case Number: S200200010

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ACTION ARA-01

INFO LOG-00 ADS-00 ONY-00 SSO-00 /001W
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P 262258Z MAR 91
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 6396

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E.O. 12356: DECL: OADR
TAGS: AMGT
SUBJECT: OFFICIAL - INFORMAL

REF STATE 095085

INCA DETERMINATION

1. WHAT HAPPENED TO THE CASE OF ARMY OFFICER CENTURION, WHOSE CASE WAS TRANSFERRED TO CIVILIAN COURTS? THE CRIMINAL CASE WAS FILED WITH THE FISCAL'S OFFICE IN AYACUCHO IN LATE JANUARY. CLODOMIRO CHAVEZ, CHIEF OF THE PUBLIC MINISTRY'S OFFICE OF HUMAN RIGHTS, TRAVELED TO AYACUCHO IN FEBRUARY TO CHECK IN ON THE CASE'S PROCEEDINGS. THE CASE HAS SINCE BEEN FORMALLY PRESENTED TO THE JUDGE. THE FAMILIES OF THE VICTIMS HAVE ALSO FILED A CIVIL SUIT. THAT PROCESS HAS BEEN HINDERED SOMEWHAT NOW BY

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THE COMISEDH BOMBING (DR. ZUNIGA WAS THE FAMILIES' LAWYER). SENATE INVESTIGATORS ARE ALSO KEEPING AN EYE ON THE CASE. FROM OTHER SOURCES WE HEAR (BUT CANNOT POSITIVELY CONFIRM) THAT YENTURION IS NOT BEING HELD IN DETENTION, AN UNUSUAL STATUS FOR SOMEONE CHARGED WITH TORTURE AND MULTIPLE HOMICIDES.

2. HAS ICRC ACCESS IMPROVED OR CHANGED SINCE FUJIMORI TOOK OFFICE? THERE HAS BEEN AN IMPROVEMENT

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IN ICRC ACCESS. THE ICRC NOW ENJOYS ACCESS TO ALL POLICE DETENTION FACILITIES IN LIMA, AND TO WHAT WE JUDGE TO BE A SUBSTANTIAL MAJORITY OF FORMAL POLICE DETENTION FACILITIES IN THE EMERGENCY ZONES. THAT ACCESS HAD BEEN FURTHER RESTRICTED IN THE PAST, EVEN DURING THE FIRST MONTHS OF THE FUJIMORI GOVERNMENT. THE ICRC HAS FIVE RURAL SUB-DELEGATIONS OPERATING IN PERU NOW, UP FROM THREE EIGHTEEN MONTHS AGO. TWO MORE ARE TO OPEN THIS YEAR. THIS IMPLIES A CERTAIN LEVEL OF MILITARY COOPERATION, WITH EZ COMMANDERS (WHETHER THEY LIKE IT OR NOT) ALLOWING THE ICRC TO OPERATE IN THEIR JURISDICTIONS. THE ICRC STILL HAS NO ACCESS TO ANY MILITARY BARRACKS OR DETENTION FACILITIES IN PERU, HOWEVER.

3. HAS THERE BEEN ANY CHANGE THAT WE CAN POINT TO SINCE FUJIMORI TOOK OFFICE ON CHARGES OF TORTURE? NO, TORTURE IS STILL A ROUTINE POLICE, MILITARY AND SUBVERSIVE TECHNIQUE. THERE HAVE BEEN CONTINUING, CREDIBLE REPORTS OF A WIDE RANGE OF TORTURE PRACTICES COMMITTED BY ALL THESE FORCES, MOSTLY - BUT NOT EXCLUSIVELY - IN THE EMERGENCY ZONES. THERE ARE NO

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KNOWN CONVICTIONS OF SECURITY FORCE PERSONNEL ACCUSED OF TORTURE SINCE FUJIMORI CAME TO OFFICE.

4. WHAT IS THE LATEST ON THE COMISEDH BOMBING? BOMBING UPDATE BEING REPORTED SEPTTEL, BUT AS OF YET IT IS NOT A CASE YOU WOULD WANT TO POINT TO IN PRESSING FOR CERTIFICATION. THE PUBLIC ACCUSATION HERE IS THAT AN ACTIVE DUTY POLICIA GENERAL COMMANDER, COMANDANTE JUAN CARLOS MEJIA LEON, HAS BEHIND THE BOMBING. COMISEDH WAS AGGRESSIVELY PURSUING MEJIA IN THE COURTS FOR THE OCTOBER DISAPPEARANCE OF CATHOLIC UNIVERSITY STUDENT ERNESTO CASTILLO PAEZ. THE INVESTIGATION IS STILL UNDERWAY, BUT, AS THE LAPD WOULD TESTIFY, IT IS NOT EASY FOR COPS TO TURN IN THEIR FELLOW OFFICERS...

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5. THANKS FOR THE UPDATED INFORMATION ON THE SEMINAR DATE SLIPPING. WE'RE DISAPPOINTED IT'S SO FAR AWAY, BUT ONCE IT'S CONFIRMED WE'LL GO BACK TO FUJIMORI AND OFFER HIM THE NEW DATE INSTEAD OF SOMETIME IN APRIL AS WE HAVE ALREADY TOLD HIM IN WRITING. PLEASE KEEP US POSTED. QUANTON

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