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ACTION

DEPARTMENT OF STATE
ARA/NEA REARCS

PAGE 01 LIMA 12752 242117Z 020851 S017971 LIMA 12752 242117Z 028851 S017971
ACTION: PE (02)

INFO: DAND (01) SPA (01) PMC (01) RJ (01) RSG (01) RJC (01) ARA (01) DEPARTMENT OF STATE
PPC (01) OAS (01) PPA (01) CO (02) RELEASE DECLASSIFY
 EXCISE DECLASSIFY EO Citations
 DENY IN PART
----- 24/2119Z A1 LM (TOTAL COPIES: 014) Date: 4/28/97

ACTION ARA-00
INFO LOG-00 ACDA-17 AID-00 AMAD-01 CIAE-00 C-01 DODE-00
EB-00 HA-09 H-01 INM-00 INRE-00 INR-01 10-19
LAB-04 L-00 ADS-00 NSAE-00 NSCE-00 OIC-02 OMB-01
PA-02 PM-00 PRS-01 P-01 RP-10 SIL-00 SNP-00
SP-00 SR-00 SS-00 STR-18 TRSE-00 T-01 USIE-00
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FOIA Exemptions _____ TS authority to
PA Exemptions _____ () CLASSIFY as () S or () C Sec. _____
() DOWNGRADE TS to () S or () C

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R 242112Z SEP 92
FM AMEMBASSY LIMA
TO SECSTATE WASHDC 2055
INFO AMEMBASSY BOGOTA
USAFSO HOWARD AFB PM
USCINCSO QUARRY HEIGHTS PM

UNCLAS LIMA 12752

USCINCSO ALSO FOR POLAD

E.O. 12356: N/A
TAGS: PGOV, PHUM, PE
SUBJECT: MILITARY COURT HANDS DOWN LIFE TERMS
TO SENDERO MEMBERS

1. FOR THE FIRST TIME IN RECENT PERUVIAN JURISPRUDENCE, MILITARY COURTS IN PERU HAVE SENTENCED TWO ACCUSED MEMBERS OF THE SENDERO LUMINOSO (SL) GUERRILLA GROUP TO LIFE

IMPRISONMENT FOR TREASON. THE SECRET MILITARY TRIALS, WHICH REPORTEDLY LASTED TWO DAYS, WERE HELD AT THE MIGUEL CASTRO CASTRO PRISON. THE SENTENCES WERE HANDED DOWN TUESDAY NIGHT, ACCORDING TO PERUVIAN NEWSPAPERS. DEFENSE LAWYERS HAVE APPEALED TO THE SUPREME COURT OF MILITARY JUSTICE WHICH HAS FIFTEEN DAYS TO UPHOLD OR REVERSE THE CONVICTION.

2. THE TRIALS WERE CONDUCTED BY A SPECIAL MILITARY COURT ("CONSEJO DE GUERRA ESPECIAL"). THE IDENTITIES OF THE PRESIDING JUDGES AND THE PROSECUTING ATTORNEYS WERE KEPT SECRET.

3. THE TWO SL MEMBERS, JUAN CARLOS QUISPE GUTIERREZ AND EDILBERTO ANTONIO MACALUPU GARCIA, WERE CONVICTED OF THE AUGUST 14, 1992, MURDER OF OF POLICE CAPTAIN CARLOS VERAU ASMAT. ONE DAY EARLIER, AUGUST 13, THE FUJIMORI GOVERNMENT HAD PROMULGATED A DECREE (DECREE LAW 25659) PERMITTING MILITARY COURTS TO TRY AND SENTENCE INDIVIDUALS ACCUSED OF AGGRAVATED ACTS OF TERRORISM. THE TWO TERRORISTS WERE ARRESTED AUGUST 14 AND QUESTIONED BY SECURITY POLICE FOR 15 DAYS BEFORE BEING TURNED OVER TO MILITARY AUTHORITIES FOR TRIAL. THE TOTAL LEGAL PROCESS WAS REPORTEDLY COMPLETED IN TWENTY DAYS.

4. IT IS WIDELY ANTICIPATED THAT SL FOUNDER AND LEADER ABIMAEI GUZMAN AND OTHER LEADERS OF THE GUERRILLA GROUP CAPTURED IN LIMA SEPTEMBER 12

WILL BE SIMILARLY TRIED IN THE MILITARY COURT SYSTEM.
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