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Case Number: S200200010

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ACTION ARA-01

INFO	LOG-00	ACDA-17	ACDE-00	AID-01	AMAD-01	CIAE-00	C-01
	OASY-00	DODE-00	DOEE-00	EB-01	EUR-01	HA-09	H-01
	INM-02	TEDE-00	INR-00	IO-16	JUSE-00	L-01	ADS-00
	NSAE-00	NSCE-00	OIC-02	PA-01	PRS-01	P-01	SP-00
	SR-00	SS-00	STR-01	TRSE-00	USIE-00	RPE-01	/059W
				-----4A5836	242329Z	/38	

R 241541Z MAY 94  
 FM AMEMBASSY LIMA  
 TO SECSTATE WASHDC 7115  
 INFO AMEMBASSY BOGOTA  
 AMEMBASSY LA PAZ  
 AMEMBASSY LONDON  
 AMEMBASSY OTTAWA  
 AMEMBASSY QUITO  
 USMISSION GENEVA  
 USCINCSO QUARRY HEIGHTS PM

RELEASED IN FULL

[REDACTED] SECTION 01 OF 03 LIMA 04698

USCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR  
 TAGS: PHUM, KJUS, OVIP, PREL, PE  
 SUBJECT: PERUVIAN OFFICIALS BOYCOTT AMNESTY  
 INTERNATIONAL VISIT

REF: LIMA 3533

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1. SUMMARY: GOP EXECUTIVE BRANCH OFFICIALS  
 REFUSED TO MEET WITH AN AMNESTY INTERNATIONAL  
 DELEGATION LED BY SECRETARY GENERAL PIERRE SANE.  
 SANE TOLD THE MEDIA THAT TWO OF AMNESTY'S MAIN  
 CONCERNS IN PERU ARE THE HIGH NUMBER OF INNOCENT  
 PEOPLE IN JAIL ON TERRORISM CHARGES AND THE  
 "CONTEXT OF IMPUNITY" IN WHICH THE SECURITY  
 FORCES ACT. THE GOVERNMENT-PARTY CHAIRMAN OF THE  
 CONGRESS HUMAN RIGHTS COMMITTEE AND THE ATTORNEY

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UNITED STATES DEPARTMENT OF STATE  
 REVIEW AUTHORITY: WILLIAM E. LANDFAIR  
 DATE/CASE ID: 5 AUG 2002 S200200010

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GENERAL REJECTED SANE'S PROPOSAL THAT THE GOP CREATE A COMMISSION OF "NOTABLES" TO ENSURE A THOROUGH AND IMPARTIAL INVESTIGATION INTO THE HUANUCO KILLINGS. SANE WAS REASONABLE AND KNOWLEDGABLE ABOUT PERU; PRESIDENT FUJIMORI AND EXECUTIVE BRANCH OFFICIALS SEEM OBSTINATE BY COMPARISON. END SUMMARY.

EXECUTIVE BRANCH OFFICIALS BOYCOTT VISIT  
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2. (U) AMNESTY INTERNATIONAL (AI) SECRETARY GENERAL, PIERRE SANE, ARRIVED IN PERU MAY 14, LEADING AN AI DELEGATION THAT ALSO INCLUDED THE AI LATIN AMERICA DIRECTOR, PETER ARCHARD. AS THEY SAID THEY WOULD, PERUVIAN EXECUTIVE BRANCH OFFICIALS REFUSED TO MEET WITH SANE AND THE DELEGATION (REFTEL). IN LIMA SANE MET WITH HUMAN RIGHTS GROUPS, HEAD OF THE LIMA BAR ASSOCIATION, ARCHBISHOP AUGUSTO VARGAS ALZAMORA, MEMBERS OF THE DIPLOMATIC CORPS (WHICH INCLUDED AMBASSADOR

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ADAMS) AND SEVERAL HUNDRED RELATIVES OF DISAPPEARED, KILLED OR DETAINED INDIVIDUALS. SANE WAS ALSO TO MEET WITH THE CHAIRMAN OF THE CONGRESS'S HUMAN RIGHTS COMMITTEE, CARLOS BLANCO. SANE WAS INTERVIEWED WIDELY BY BOTH ELECTRONIC AND PRINT MEDIA, AND HE PARTICIPATED IN A CONFERENCE AT THE UNIVERSITY OF THE PACIFIC ON AI'S WORLD ROLE. SANE ALSO PUBLICLY DEDICATED A RECORDING OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS IN THE ASHANINKA LANGUAGE.

3. (U) SANE ALSO TRAVELED TO AYACUCHO, WHERE HE MET WITH LOCAL OFFICIALS AND RELATIVES OF VICTIMS OF THE WAR AND WHERE HE ADDRESSED STUDENTS AT HUAMANGA NATIONAL UNIVERSITY (WHERE SENDERO LUMINOSO WAS FOUNDED). ARCHARD LED A SMALL GROUP TO TINGO MARIA TO INTERVIEW WITNESSES TO THE KILLINGS IN NORTHERN HUANUCO DEPARTMENT, AND TO MAZAMARI, WHERE THEY SPOKE WITH SURVIVORS OF A RECENT MASSACRE COMMITTED BY SENDERO.

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4. [REDACTED] PRESIDENT OF CONGRESS JAIME YOSHIYAMA TOLD THE AMBASSADOR MAY 13 THAT HE WAS WILLING TO MEET WITH SANE; WE PASSED THIS MESSAGE ON. SANE MET WITH YOSHIYAMA MAY 20.

5. (U) WHEN ASKED IN A MAGAZINE INTERVIEW WHY HE THOUGHT GOP OFFICIALS HAD REFUSED TO MEET HIM, SANE RESPONDED: "PERHAPS THE PERUVIAN GOVERNMENT HAS SPECIAL REASONS ... YOU WOULD HAVE TO ASK THE GOVERNMENT THAT QUESTION." WHEN PRESSED,

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HOWEVER, SANE OBSERVED, "IT IS FREQUENTLY REPRESSIVE GOVERNEMENTS WHICH, DESPITE DECLARATIONS OF PRINCIPLES WITH REGARD TO THEIR INTERNATIONAL OBLIGATIONS, TAKE REFUGE BEHIND THE CONCEPT OF NATIONAL SOVEREIGNTY, QUITE OFTEN BECAUSE OF DOMESTIC POLITICS." SEPARATELY, A PRINT JOURNALIST ASKED PRESIDENT FUJIMORI WHY HE WOULD NOT MEET WITH THE AI DELEGATION; FUJIMORI RESPONDED, "PRESIDENT CLINTON DOES NOT RECEIVE EVERY HUMAN RIGHTS ORGANIZATION, EITHER."

SANE MAKES RECOMMENDATIONS

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INFO	LOG-00	ACDA-17	ACDE-00	AID-01	AMAD-01	CIAE-00	C-01
	OASY-00	DODE-00	DOEE-00	EB-01	EUR-01	HA-09	H-01
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R 241541Z MAY 94  
FM AMEMBASSY LIMA  
TO SECSTATE WASHDC 7116

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INFO AMEMBASSY BOGOTA  
AMEMBASSY LA PAZ  
AMEMBASSY LONDON  
AMEMBASSY OTTAWA  
AMEMBASSY QUITO  
USMISSION GENEVA  
USCINCSO QUARRY HEIGHTS PM

[REDACTED] SECTION 02 OF 03 LIMA 04698

USCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR  
TAGS: PHUM, KJUS, OVIP, PREL, PE  
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6. (U) ON SEVERAL OPPORTUNITIES, SANE PUBLICLY  
MADE THE FOLLOWING RECOMMENDATIONS FOR PERUVIAN

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AUTHORITIES (SUGGESTIONS HE SAID HAD BEEN MADE IN  
LETTERS TO PRESIDENT FUJIMORI):

-- THE GOP SHOULD FORM A "COMMISSION OF NOTABLES"  
TO MONITOR AND TO ENSURE THAT THE INVESTIGATIONS  
INTO THE HUANUCO KILLINGS ARE CONDUCTED WITH  
"RIGOR AND TRANSPARENCY." THE COMMISSION SHOULD  
BE PRESIDED OVER BY A JURIST OR OTHER PERSON OF  
RECOGNIZED INDEPENDENCE.

-- CIVILIANS SHOULD NOT BE TRIED FOR TERRORISM/  
TREASON IN MILITARY COURTS. MILITARY TRIALS OF  
CIVILIANS ARE INAPPROPRIATE AND THE MILITARY  
COURTS LACK INDEPENDENCE, IMPARTIALITY AND  
QUALIFIED PERSONNEL.

-- HUMAN RIGHTS ABUSERS BELONGING TO THE FORCES  
OF ORDER SHOULD BE TRIED IN CIVILIAN COURTS.  
COURTS-MARTIAL FOR MILITARY AND POLICE PERSONNEL  
ACCUSED OF COMMITTING HUMAN RIGHTS ABUSES HAVE  
GENERALLY PERPETUATED IMPUNITY.

-- THE PRACTICE OF INCOMMUNICADO DETENTION SHOULD  
BE DISCONTINUED BECAUSE IT IS USUALLY DURING THE

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FIRST TEN DAYS OF DETENTION THAT TORTURE OCCURS.

-- THE PUBLIC MINISTRY SHOULD BE STRENGTHENED. IT IS A NECESSARY BUT WEAK ORGANIZATION WITHOUT POLITICAL OR FINANCIAL SUPPORT.

-- ANTI-TERRORISM LEGISLATION SHOULD BE MODIFIED

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SO THAT IT IS IN ACCORDANCE WITH INTERNATIONAL STANDARDS OF DUE PROCESS.

-- THE LAW OF REPENTANCE SHOULD BE RECTIFIED TO KEEP SO MANY INNOCENT PEOPLE FROM GOING TO JAIL.

CONGRESSMAN AND ATTORNEY GENERAL REJECT PROPOSAL

7. (U) CONGRESS HUMAN RIGHTS COMMITTEE CHAIRMAN BLANCO AND ATTORNEY GENERAL BLANCA NELIDA COLAN IMMEDIATELY REJECTED SANE'S CALL FOR A COMMISSION TO OVERSEE THE HUANUCO INVESTIGATIONS. "WE CANNOT ACCEPT AMNESTY INTERNATIONAL'S PROPOSAL," BLANCO DECLARED, "BECAUSE WE WOULD BE SAYING THAT THE PUBLIC MINISTRY CANNOT DO THE JOB. A FOREIGNER CANNOT MAKE THAT KIND OF REQUEST." COLAN ADDED, "THE ONLY ORGANIZATION IN PERU WITH THE AUTHORITY TO CARRY OUT INVESTIGATIONS IS THE PUBLIC MINISTRY." (NOTE: NOT TRUE. THE POLICE, ARMED FORCES AND JUDICIAL BRANCH ALSO CARRY OUT INVESTIGATIONS.)

MAIN CONCERNS: INNOCENT DETAINEES AND IMPUNITY

8. (U) MANY OF SANE'S PUBLIC DECLARATIONS SPECIFICALLY REFUTED PREVIOUS GOP ACCUSATIONS THAT AI HAD ONLY CRITICIZED HUMAN RIGHTS ABUSES BY THE FORCES OF ORDER, NOT THE MORE NUMEROUS VIOLATIONS BY TERRORISTS. "WHAT WE DO," SANE

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n/a

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TOLD A CROWD IN AYACUCHO, "IS DEFEND THE VICTIMS,  
WHETHER THEY BE VICTIMS OF ARMED GROUPS OR OF  
MILITARY OR POLICE FORCES." HE NOTED THAT AI HAD  
PUBLICLY DENOUNCED ATROCITIES COMMITTED BY  
SENDERO FOR MANY YEARS.

9. (U) IN A TELEVISION INTERVIEW MAY 15, SANE  
OBSERVED THAT THE HUMAN RIGHTS SITUATION IN PERU  
HAD SEEN SOME IMPROVEMENT IN CERTAIN AREAS.  
NEVERTHELESS, HE SAID, "WE REMAIN EXTREMELY  
CONCERNED ABOUT TWO PROBLEMS: THE INNOCENT  
PRISONERS AND THE ISSUE OF IMPUNITY." SANE  
ASSERTED THAT THE SECURITY FORCES IN PERU "CARRY  
OUT THEIR ACTIONS IN A CONTEXT OF IMPUNITY. THE  
BEST WAY TO CONTRIBUTE TO A RADICAL IMPROVEMENT  
OF THE HUMAN RIGHTS SITUATION IS TO WORK ON THE  
PROBLEM OF IMPUNITY." HE ADDED THAT HE WAS NOT  
IMPLYING THAT FUJIMORI HAS A DELIBERATE POLICY  
TO VIOLATE HUMAN RIGHTS.

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R 241541Z MAY 94  
FM AMEMBASSY LIMA  
TO SECSTATE WASHDC 7117  
INFO AMEMBASSY BOGOTA  
AMEMBASSY LA PAZ  
AMEMBASSY LONDON  
AMEMBASSY OTTAWA  
AMEMBASSY QUITO  
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USCINCSO QUARRY HEIGHTS PM

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USCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR  
TAGS: PHUM, KJUS, OVIP, PREL, PE  
SUBJECT: PERUVIAN OFFICIALS BOYCOTT AMNESTY

10. (U) SANE ALSO MET WITH 1980 NOBEL PEACE  
PRIZE WINNER ADOLFO PEREZ ESQUIVEL WHO VISITED  
[REDACTED]  
[REDACTED]

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PERU CONCURRENTLY TO PARTICIPATE IN A SEMINAR.  
AFTER THE MEETING, ESQUIVEL DECLARED TO THE PRESS  
THAT "PRESIDENT FUJIMORI SHOULD MEET WITH HUMAN  
RIGHTS ORGANIZATIONS. THE NEWS COMING OUT OF  
PERU SHOWS A NEGATIVE PICTURE."

11. [REDACTED] COMMENT: MEDIA COVERAGE OF THE VISIT  
HAS BEEN MOSTLY POSITIVE. IN HIS MEETINGS WITH  
RELATIVES OF VICTIMS OF BOTH THE SECURITY FORCES  
AND SENDERO, SANE HAS COME ACROSS AS A  
COMPASSIONATE AND REASONABLE MAN. THE MEDIA HAS  
SHOWN PHOTOS OF SANE COMFORTING WEEPING PARENTS  
OF DISAPPEARED INDIVIDUALS. FUJIMORI, BY  
CONTRAST, APPEARS OBSTINATE AND UNREASONABLE BY  
REFUSING TO MEET WITH HIM. PRO-GOP COMMENTATOR  
PATRICIO RICKETTS, WRITING IN "EXPRESO," ATTACKED  
SANE, NOTING, AMONG OTHER THINGS, THAT HE IS  
BLACK. IF NOTHING ELSE, SANE'S VISI HAS GIVEN  
ENCOURAGEMENT TO OTHER HUMAN RIGHTS MONITORS IN  
PERU. SOME REPORTS INDICATE THAT A NUMBER OF  
PEOPLE HAVE EXPRESSED INTEREST IN WORKING IN  
HUMAN RIGHTS AS A RESULT OF HEARING SANE. AT  
THE SAME TIME, THE GOP WAS CLEARLY UNCOMFORTABLE  
WITH SANE'S RECOMMENDATIONS AND PRESENCE, WHICH  
SOME PRO-GOP MEDIA BRANDED INTERFERENCE IN  
INTERNAL AFFAIRS.

12. [REDACTED] AMBASSADOR'S COMMENT: I MET SANE IN THE  
COMPANY OF SEVERAL OTHER AMBASSADORS MAY 19. HE  
FOCUSED OUR ATTENTION ON THE NEED FOR REVIEW OF  
ARBITRARY DETENTIONS AND EXCESSIVE SENTENCES  
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ALREADY HANDED DOWN, AND RECOGNIZED THE  
CONTRIBUTIONS OF "AMBASSADORS" IN LIMA AS ONE OF  
THE PRESSURE POINTS WHICH HAVE HELPED MOVE THE  
GOP TO POSITIVE ACTIONS. AMNESTY, HE NOTED  
PRIVATELY, HAS NO QUARREL WITH FACELESS JUDGES  
"PER SE," BUT DOES, AS DO WE, WITH THE LACK OF  
KEY ELEMENTS OF DUE PROCESS WHICH HAMPER A  
DEFENDANT'S ABILITY TO DEFEND HIMSELF IN TREASON/  
TERRORISM PROCEEDINGS. SANE NOTED THAT AMNESTY  
NOW HAS "SOLID" CASES ON SOME 200 ARBITRARY  
DETENTIONS WITH ANOTHER 100 CASES LIKELY TO BE  
"ADOPTED". SANE NOTED AS WELL THAT CONTARY TO  
THE PRESIDENT'S RHETORIC ABOUT SANE SEEING HIM,  
FUJIMORI HAD MET TWICE WITH THE PAST SECRETARY  
GENERAL OF AMNESTY -- ONCE AS A CANDIDATE IN  
1990 AND ONCE AS PRESIDENT IN 1991. HE ADDED  
THAT AS RECTOR OF LA MOLINA UNIVERSITY, FUJIMORI  
HAD ALSO WRITTEN LETTERS OVERSEAS ON THE HUMAN  
RIGHTS CASES ESPOUSED BY AMNESTY.  
ADAMS  
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