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 ACTION ARA-01

INFO	LOG-00	ACDA-17	AID-01	AMAD-01	CIAE-00	CPR-02	C-01
	OASY-00	EAP-01	EB-01	HA-09	H-01	INM-02	INRE-00
	INR-01	IO-19	LAB-04	L-03	ADS-00	MOFM-04	MOF-03
	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01	PM-02	PRS-01
	P-01	SIL-00	SNP-00	SP-00	SR-00	SS-00	STR-17
	TRSE-00	T-01	USIE-00	RPE-00	/097W		

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R 121228Z JAN 93
 FM AMEMBASSY LIMA
 TO SECSTATE WASHDC 4894
 INFO AMEMBASSY BOGOTA
 AMEMBASSY BUENOS AIRES
 AMEMBASSY CARACAS
 AMEMBASSY LA PAZ
 AMEMBASSY QUITO
 AMEMBASSY SAN JOSE
 AMEMBASSY TOKYO
 DIA WASHDC
 USCINCSO QUARRY HEIGHTS PM

RELEASED IN FULL

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USCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR
 TAGS: PHUM, PREL, PGOV, OFDP, PE, AR
 SUBJECT: PERUVIAN GENERAL ARCINIEGA REMAINS
 [REDACTED]
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 IN LIMBO

REF: A. LIMA 0138, B. LIMA 0322 (NOTAL)

1. (U) SUMMARY: JUST BEFORE HE SOUGHT ASYLUM
 IN THE ARGENTINE EMBASSY, GENERAL ARCINIEGA
 WROTE A LETTER, PUBLISHED IN A NEWSPAPER SEVERAL
 DAYS LATER, ACCUSING HIGH-LEVEL GOP OFFICIALS OF
 TORTURING OFFICERS IMPLICATED IN THE NOVEMBER 13
 COUP ATTEMPT. INTERIOR MINISTER BRIONES
 DECLARED TO THE PRESS THAT ARCINIEGA WILL BE

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UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: SAM A. MOSKOWITZ
 DATE/CASE ID: 15 JUN 2001 200101053

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"PUNISHED AND MADE AN EXAMPLE OF." MEANWHILE, THE GOP HAS BEEN SILENT ON THE QUESTION OF SAFE CONDUCT FOR ARCINIEGA TO LEAVE THE COUNTRY. GENERAL CISNEROS, ALSO ACCUSED OF "DEFAMING" THE GOVERNMENT AND THE ARMED FORCES, ASSERTED HE WILL NOT FLEE THE COUNTRY BECAUSE HE HAS FAITH IN THE SYSTEM. END SUMMARY.

ARCINIEGA BLASTS GOVERNMENT

2. (U) ON JANUARY 8, THE WIDELY-READ DAILY "LA REPUBLICA" PRINTED THE TEXT OF A LETTER HANDWRITTEN BY RETIRED GENERAL ALBERTO ARCINIEGA, WHOM THE GOP HAS ACCUSED OF CORRUPTION AND HAS ANNOUNCED IT WILL PROSECUTE FOR "INSULTING THE NATION, THE ARMED FORCES AND THE COMMANDING GENERAL OF THE ARMY" (REFTEL A). IN THE LETTER, DATED JANUARY 4, ARCINIEGA ASSERTS THAT THE MILITARY JUSTICE SYSTEM HAS BEEN POLITICIZED.

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 HE CLAIMS THAT THE GOVERNMENT "IS TRYING TO HIDE THE REAL REASON" FOR HIS DISMISSAL FROM THE SUPREME COUNCIL OF MILITARY JUSTICE: "I WOULD NOT LET MYSELF BE MANIPULATED IN THE MISTAKEN ACT...OF MOVING THE OFFICERS IMPLICATED IN THE NOVEMBER 13 CONSPIRACY TO A PRISON FOR HIGHLY-DANGEROUS COMMON CRIMINALS."

3. (U) ARCINIEGA WENT ON TO ACCUSE PRESIDENTIAL ADVISER VLADIMIRO MONTESINOS AND ARMY CHIEF GENERAL NICOLAS DE BARI HERMOZA OF BEING RESPONSIBLE FOR "ACTS OF TORTURE" AGAINST THE COUP PLOTTERS, ADDING THAT DEFENSE MINISTER VICTOR MALCA AND INTERIOR MINISTER JUAN BRIONES HAD "POLITICAL RESPONSIBILITY...JUSTICE SHOULD NOT PERMIT THEM TO LEAVE THE COUNTRY, LET ALONE ALLOW THEM TO REPRESENT US IN EMBASSIES ABROAD" (AS HAD BEEN SUGGESTED IN SOME OF THE CASES).

BRIONES: ARCINIEGA WILL BE PUNISHED

4. (U) A VISIBLY ANGRY BRIONES DECLARED TO THE PRESS ON JANUARY 9 THAT ARCINIEGA "WILL BE

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PUNISHED AND MADE AN EXAMPLE OF." BRIONES THEN
 REMARKED THAT THERE WAS "A BLACK HAND" --
 SOMEONE MANIPULATING ARCINIEGA -- BEHIND THE
 RETIRED GENERAL'S BEHAVIOR, BUT DID NOT ELABORATE.

SAFE CONDUCT ON HOLD

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5. (U) AS OF JANUARY 11, ARCINIEGA HAS SPENT A
 WEEK IN THE ARGENTINE EMBASSY. BUENOS AIRES HAS
 GRANTED HIM ASYLUM, BUT SO FAR THE GOP HAS NOT
 AUTHORIZED HIM SAFE CONDUCT TO LEAVE THE COUNTRY.
 THE HALF-DOZEN OR SO PERUVIANS WHO IN THE LAST
 TWO MONTHS HAVE REQUESTED ASYLUM IN LATIN
 AMERICAN EMBASSIES HAVE ALL RECEIVED THAT
 PERMISSION WITHIN TWO OR THREE DAYS. IN THIS
 CASE, THE GOVERNMENT HAS MADE NO ANNOUNCEMENT
 REGARDING SAFE CONDUCT SINCE THE DAY ARCINIEGA
 SOUGHT REFUGE. ON JANUARY 11, ARCINIEGA'S SON
 ACCUSED PRESIDENT FUJIMORI OF "DELIBERATELY
 DELAYING THE DELIVERY OF A SAFE CONDUCT DOCUMENT."

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AMEMBASSY LA PAZ
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 CISNEROS HAS FAITH

6. (U) IN CONTRAST TO ARCINIEGA, RETIRED GENERAL AND FORMER DEFENSE MINISTER LUIS CISNEROS VIZQUERRA DECLARED TO THE PRESS JANUARY 9 THAT HE WOULD NOT LEAVE PERU, "BECAUSE I HAVE FAITH IN THE MILITARY JUDICIAL SYSTEM AND CONFIDENCE IN THE MEN IN UNIFORM THAT ADMINISTER IT." CISNEROS EXPRESSED HIS GRATITUDE FOR "ALL THE INVITATIONS, DIRECT AND INDIRECT, THAT I HAVE RECEIVED TO SHELTER MYSELF IN DIFFERENT DIPLOMATIC MISSIONS," BUT INSISTED HE WOULD NOT ACCEPT THOSE OFFERS. CISNEROS, LIKE ARCINIEGA, HAS HARSHLY CRITICIZED HERMOZA AND MONTESINOS, AND ALSO FACES TRIAL FOR ALLEGED DEFAMATION (REF A).

7. (C) COMMENT: WHEN ARCINIEGA ENTERED THE ARGENTINE EMBASSY, PRIME MINISTER/FOREIGN MINISTER OSCAR DE LA PUENTE TOLD THE PRESS THAT HE DID NOT FORESEE ANY PROBLEM WITH THE GRANTING OF SAFE CONDUCT FOR THE RETIRED GENERAL. HOWEVER, IT NOW SEEMS HE SPOKE TOO SOON. WHAT IS MOST LIKELY IS THAT THERE IS NO AGREEMENT AT THE HIGHEST LEVELS OF THE GOP OVER WHETHER OR NOT THEY CAN LET ARCINIEGA GO. THOSE ARCINIEGA HAS SINGLED OUT FOR CRITICISM MAY BE ARGUING, LIKE BRIONES, THAT HE MUST BE PUNISHED, BOTH TO SILENCE HIM AND TO INTIMIDATE OTHERS WHO MAY BE CONTEMPLATING SPEAKING THEIR MINDS. IF THE GOP

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DENIES THE SAFE CONDUCT, THE ARGENTINE EMBASSY
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WOULD EITHER HAVE TO LET THE GENERAL STAY IN THE
MISSION INDEFINITELY OR CAVE INTO PRESSURE TO
HAND HIM BACK.
BRAYSHAW##
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