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Case Number: S200200010

RELEASED IN FULL

PTQ3587

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ACTION SCT-00

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	OASY-00	DODE-00	DOEE-00	DOTE-00	SRPP-00	DS-00	EAP-01
	EB-00	EUR-01	FAAE-00	H-01	IMMC-01	TEDE-00	INR-00
	INSE-00	IO-00	L-01	ADS-00	MMP-00	M-00	NRCE-00
	NSAE-00	OCS-03	OIC-02	OIS-01	OMB-01	OPIC-01	PA-00
	PM-00	PRS-00	P-00	CIO-00	SP-00	SSO-00	STR-00
	TRSE-00	USIE-00	USSS-00	ASDS-01	PMB-00	DSCC-00	PRM-10
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INFO NSC WASHINGTON DC IMMEDIATE
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NSC FOR DOBBINS

E.O. 12958: DECL: 02/28/07
TAGS: PTER ASEC PREL PGOV PHUM PE
SUBJECT: GOP CHIPS AWAY AT MRTA INTRANSIGENCE

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1. CLASSIFIED BY DENNIS JETT, AMBASSADOR, REASON: 1.5 (D).

2. SUMMARY: THE PERUVIAN GOVERNMENT APPEARS TO BE MAKING SERIOUS EFFORTS TO REACH A COMPROMISE WITH THE MRTA, BUT WE DO NOT BELIEVE THAT PRESIDENT FUJIMORI WILL COUNTENANCE RELEASING CONVICTED MRTA TERRORISTS. LIBERATION OF THOSE UNJUSTLY ACCUSED AND NOT YET CONVICTED, REVIEW OF SOME OF THE HARSHER SENTENCES, AND IMPROVEMENT IN PRISON CONDITIONS MIGHT BE OFFERED BY THE GOP,

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: WILLIAM E. LANDFAIR
DATE/CASE ID: 13 AUG 2002 S200200010

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BUT IT REMAINS TO BE SEEN WHETHER THIS WILL BE ENOUGH FOR THE MRTA. WE REMAIN CAUTIOUSLY OPTIMISTIC THAT THE NEGOTIATING PROCESS WILL ULTIMATELY CONVINCER MRTA LEADER NESTOR CERPA CARTOLINI TO SETTLE FOR WHAT HE CAN GET. END SUMMARY.

MRTA - STILL STUCK ON PRISONER RELEASES

3. [REDACTED] MRTA COMANDANTE NESTOR CERPA CARTOLINI CONTINUES TO FOCUS ON THE MRTA'S PRIMARY DEMAND - THE RELEASE OF OVER 400 IMPRISONED MRTA MILITANTS. CERPA'S DETERMINATION TO ACHIEVE PRISONER RELEASES REMAINS THE PRINCIPAL OBSTACLE TO RESOLVING PERU'S 73-DAY OLD HOSTAGE CRISIS PEACEFULLY. WHILE CERPA HAS NOT SHOWN GOP INTERLOCUTOR DOMINGO PALERMO ANY LIST OF MRTA PRISONERS HE WANTS FREED, HE HAS INDICATED A SPECIFIC INTEREST IN SEEING MRTA LEADERS RELEASED. WE BELIEVE CERPA FEELS HE NEEDS THEM IN THE SHORT TERM TO ASSIST HIM IN CONCLUDING AN AGREEMENT WITH THE GOP TO END THE CURRENT STANDOFF, AND IN THE LONGER TERM TO RECONSTITUTE THE MRTA'S STRUCTURE. WE PRESUME HE AND OTHER MRTA HOSTAGE TAKERS ALSO WANT THE GOP TO RELEASE THE COMRADES THEY KNOW BEST, ESPECIALLY THOSE WITH WHOM THEY SHARE SOME EMOTIONAL OR FAMILIAL BOND.

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4. [REDACTED] THE ONLY OTHER ISSUE CERPA APPEARS TO BE CONCERNED WITH IS THE SAFE PASSAGE OF THE MRTA HOSTAGE TAKERS. WHILE THE MRTA TERRORISTS PREFER TO RETREAT TO THE PERUVIAN JUNGLE REGIONS, CERPA HAS ALREADY INDICATED THAT HE IS WILLING TO GO TO A THIRD COUNTRY. THE MRTA HOSTAGE TAKERS' WORLD VIEW IS QUITE LIMITED, SO FINALIZING THEIR SAFE PASSAGE OUTSIDE OF PERU WOULD LIKELY REQUIRE DEFT GOP HANDLING. DESPITE CERPA'S EARLY RHETORIC TO THE PRESS, ALL OTHER POINTS OF DISCUSSION, SUCH AS PRISON CONDITIONS AND PERUVIAN ECONOMIC POLICY, ARE MERELY WINDOW DRESSING FOR HIS FIXATION ON PRISONER RELEASES.

GOP - TRYING TO BE CREATIVE

5. [REDACTED] CONFRONTED WITH AN INFLEXIBLE, SINGLE-MINDED TERRORIST ACROSS THE NEGOTIATING TABLE, THE GOP HAS BEEN FORCED TO PROBE CERPA TO TRY TO SEE IF HE CAN BE ENTICED BY A DEAL SHORT OF

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RELEASING MRTA PRISONERS. IN AN EFFORT TO FIND WHAT FUJIMORI HAS PUBLICLY REFERRED TO AS AN "IMAGINATIVE" SOLUTION, THE GOP IS REVIEWING THE LEGAL STATUS OF ALL MRTA PRISONERS AND HAS QUIETLY ENLISTED THE AID OF THE AD HOC COMMISSION REVIEWING THE SENTENCES OF PERSONS FALSELY ACCUSED OF TERRORISM. PALERMO HAS ALSO SHARED WITH CERPA AND ROJAS THE GOP'S LIST OF MRTA PRISONERS IN AN EFFORT TO GAUGE THE MRTA'S "BOTTOM LINE." THE GOP HAS ALREADY OFFERED TO ALLOW CATHOLIC CLERGY TO VISIT MRTA PRISONERS; THE GOP SUSPENDED ICRC AND FAMILY VISITS IN THE WAKE OF THE HOSTAGE CRISIS.

6. [REDACTED] THE GOP ALSO APPEARS TO BE PREPARING THE PERUVIAN PUBLIC [REDACTED]

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TO ACCEPT SOME KIND OF DEAL. PRESIDENT FUJIMORI HAS MADE FEW PUBLIC COMMENTS ABOUT THE HOSTAGE CRISIS SINCE THE START OF DIRECT TALKS, AND HE HAS TONED DOWN HIS ANTI-TERRORISM RHETORIC CONSIDERABLY. GOP PRESS LEAKS SO FAR HAVE CONVEYED A SINGLE MESSAGE - THAT THE ENTIRE ADMINISTRATION, INCLUDING PERU'S INTELLIGENCE AND DEFENSE COMMUNITY - SUPPORT FUJIMORI'S EFFORTS TO FIND A PEACEFUL RESOLUTION. SEEMINGLY OUT OF THE BLUE, CARLOS TORRES Y TORRES LARA, FIRST VICE PRESIDENT OF CONGRESS AND AN ACTIVE FUJIMORI ADVOCATE, TOLD REPORTERS ON FEBRUARY 24 THAT HE THINKS THE PROVISION IN PERU'S JUSTICE SYSTEM THAT PERMITS "FACELESS JUDGES" TO TRY AGGRAVATED TERRORISM CASES SHOULD BE ABOLISHED AS SOON AS POSSIBLE. CONGRESS EXTENDED THE "FACELESS JUDGES" SYSTEM FOR ONE YEAR LAST OCTOBER.

7. [REDACTED] NEVERTHELESS, IT REMAINS TO BE SEEN IF THE GOP CAN PUT TOGETHER A PACKAGE TO SATISFY CERPA, WHO PALERMO CALLS A "PSYCHOPATH" AND WHO THE GUARANTORS DESCRIBE AS RIGID AND ARROGANT. WHILE THE IDEAS THE GOP AND GUARANTORS HAVE TOSSED AROUND IN THE EARLY ROUNDS REPRESENT SERIOUS GOP EFFORTS TO STRIKE A BARGAIN, THEY DO NOT REPRESENT CONCESSIONS TO CERPA'S ABSOLUTIST POSITION ON PRISONER RELEASES. THE GOP MAY BE PREPARED TO RELEASE INNOCENTS FALSELY ACCUSED OF COMMITTING MRTA-RELATED TERRORIST ACTS OR PERHAPS EVEN MRTA PRISONERS AWAITING TRIAL ON NON-VIOLENT CHARGES OR LOOKING AT SENTENCE REDUCTIONS FOR OTHER MRTA CONVICTS, BUT AT THIS POINT, WE EXPECT PRESIDENT FUJIMORI WILL HOLD THE LINE AGAINST FREEING CONVICTED MRTA TERRORISTS. THROUGH THE PROCESS OF NEGOTIATING AND DANGLING

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ENOUGH OTHER INDUCEMENTS WHICH THE MRTA CAN TRUMPET AS
"VICTORIES," THE GOP MAY EVENTUALLY BE ABLE TO CONVINCCE CERPA TO
LOWER HIS SIGHTS AND FOCUS ON THE END GAME.

THE GUARANTORS - PUSHING FOR A SETTLEMENT

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8. MEMBERS OF THE GUARANTOR COMMISSION, PARTICULARLY ARCHBISHOP JUAN LUIS CIPRIANI AND TDY JAPANESE AMBASSADOR TERUSUKE TERADA, HAVE PUSHED THE GOP TO SHOW MORE FLEXIBILITY TO THE MRTA HOSTAGE TAKERS. GOJ OFFICIALS BELIEVE PALERMO NEEDS TO TALK ONE-ON-ONE WITH CERPA TO ESTABLISH HIS "PRICE." THE GOJ TASK FORCE IN LIMA IS ALSO ACTIVELY WORKING ON WAYS TO CONSTRUCT A PACKAGE THAT MIGHT BE ACCEPTABLE TO THE MRTA. JAPANESE DIPLOMATS HAVE MET WITH MEMBERS OF THE AD HOC COMMISSION REVIEWING CASES OF PERSONS FALSELY ACCUSED OF TERRORISM AND WITH OTHER DONORS TO BUILD SUPPORT FOR A MULTILATERAL JUDICIAL REFORM PACKAGE.

9. ALTHOUGH STAUNCHLY PRO-GOVERNMENT, ARCHBISHOP CIPRIANI IS INTENT ON FINDING A PEACEFUL RESOLUTION TO THE HOSTAGE STANDOFF. IN CONCERT WITH THE OTHER GUARANTORS, HE CONVINCED FUJIMORI TO ACCEPT ESSENTIALLY AGENDALESS TALKS IN WHICH EVERYTHING, INCLUDING PRISONER RELEASES, CAN BE DISCUSSED. ALTHOUGH CIPRIANI'S ANTI-TERRORIST SENTIMENTS ARE DEEPLY HELD, HE IS MORE FLEXIBLE THAN THE GOP. HE MAY EVEN ASK THE GOP TO ACCEPT EXCHANGING FOR THE 72 HOSTAGES A NUMBER OF MRTA PRISONERS CONVICTED OR AWAITING TRIAL FOR NON-VIOLENT OFFENSES. AT THE SAME TIME, THE ARCHBISHOP, KNOWN MORE FOR HIS OUTSPOKENNESS THAN PATIENCE, CAN BE EXPECTED TO LEAN ON CERPA WHEN CIPRIANI BELIEVES

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THE GOP HAS OFFERED THE MRTA LEADER ALL THAT HE CAN REASONABLY EXPECT.

THE IMPETUS FOR INERTIA

10. THE DECISION BOX FOR THE GOP AND MRTA REMAINS LARGELY THE SAME AS IT WAS SINCE THE MRTA STORMED THE JAPANESE AMBASSADOR'S RESIDENCE ON DECEMBER 17, 1996. TAKING NO ACTION STILL POSES FEWER RISKS AND GREATER ADVANTAGES TO BOTH THE GOP AND MRTA. IF THE MRTA TERRORISTS HARM ANY HOSTAGES, THEY WILL GIVE THE GOP EASY JUSTIFICATION FOR A RESCUE ATTEMPT. IF PRESIDENT FUJIMORI AUTHORIZES A MILITARY SOLUTION WITHOUT ANY APPARENT MRTA PROVOCATION, HE WOULD LOSE HIS "SPECIAL" RELATIONSHIP WITH JAPAN AND FACE DOMESTIC AND INTERNATIONAL CRITICISM FOR THE ALMOST CERTAIN LOSS OF MANY HOSTAGES' LIVES. IN THE ABSENCE OF ANY RESOLUTION, PUBLIC OPINION HAS GENERALLY BEEN SUPPORTIVE OF THE GOVERNMENT. IN STARK CONTRAST, A FLOOD OF

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INTRA-GOP FINGERPOINTING FOR ALLOWING THE MRTA TO SEIZE THE JAPANESE AMBASSADOR'S RESIDENCE IN THE FIRST PLACE WILL BE UNLEASHED AS SOON AS THE CRISIS IS OVER. FUJIMORI HAS ALREADY DEFENDED THE NATIONAL INTELLIGENCE SERVICE AND FAULTED THE NATIONAL POLICE FOR NOT PREVENTING THE MRTA ATTACK.

11. [REDACTED] AFTER MORE THAN TEN WEEKS, PERU'S HOSTAGE "CRISIS" HAS REALLY BEEN TRANSFORMED INTO A "SITUATION." AFTER THE INITIAL SHOCK AND PARALYSIS THE GOP SUFFERED IN THE WAKE OF MRTA'S HOSTAGE TAKING, FUJIMORI HAS ESSENTIALLY PUT THE GOVERNMENT BACK TO WORK. ALL THE GOP OFFICIALS HELD HOSTAGE (EXCEPT THE FOREIGN AND AGRICULTURE MINISTERS) HAVE BEEN REPLACED OR BYPASSED.

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FUJIMORI HAS RECEIVED ONE HEAD OF STATE (THEN PRESIDENT OF ECUADOR BUCARAM) AND VISITED THREE FOREIGN COUNTRIES IN 1997 (ALBEIT MAINLY TO DISCUSS THE HOSTAGE STANDOFF). THIS WEEK HE SPENT MOST OF HIS WORK DAYS IN THE COUNTRYSIDE DISTRIBUTING AID TO FLOOD AND LANDSLIDE VICTIMS. THE LOCAL MEDIA PAY CONSIDERABLY LESS ATTENTION NOW TO THE STANDOFF AT THE JAPANESE AMBASSADOR'S RESIDENCE, AND PUBLIC OPINION HAS BEEN DECIDEDLY PATIENT WITH ONGOING EFFORTS TO ACHIEVE A PEACEFUL SOLUTION.

12. [REDACTED] WE EXPECT THE OPEN-ENDED, AGENDALESS GOP-MRTA DIALOGUE TO CONTINUE FOR AT LEAST SEVERAL MORE ROUNDS WITH ITS SHARE OF BUMPS ALONG THE WAY. THE APPROACH OF HOLY WEEK (MARCH 22-29), THE MOST IMPORTANT HOLIDAY SEASON IN PERU, MAY PROVIDE THE GOP AND MRTA SOME EXTRA INCENTIVES TO MOVE TALKS ALONG. MRTA EXPLOITED CHRISTMAS TO MAKE SOME "GESTURES." WHILE AN UNEXPECTED ACCIDENT, PROVOCATION, OR ILLNESS COULD STILL DETERMINE THE OUTCOME OF THE CRISIS, THE GOP AND ICRC HAVE ESTABLISHED MECHANISMS TO RESPOND QUICKLY TO ANY MEDICAL EMERGENCY INSIDE THE HOSTAGE SITE. THE PERUVIAN SECURITY FORCES CONTINUE TO BLARE MUSIC AND OCCASIONALLY THROW STONES, BUT THEY HAVE NOT RESUMED PARADING IN FRONT OF THE HOSTAGE SITE. THE MRTA TERRORISTS HAVE NOT FIRED ANY "WARNING SHOTS" SINCE FEBRUARY 11. NONETHELESS, THE RISKS OF SOMETHING UNEXPECTED ENDING A CRISIS THAT HAS LASTED OVER 10 WEEKS ALREADY ARE VERY REAL.

COMMENT

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13. [REDACTED] WHILE WE ANTICIPATE NO IMMINENT END TO THE 73-DAY OLD HOSTAGE CRISIS, THE GOP-MRTA DIALOGUE MAY BE REACHING A CRITICAL STAGE. PALERMO HAS SHOWN THAT THE GOP IS PREPARED TO MAKE COMPROMISES, BUT HE CANNOT SATISFY CERPA'S UNREALISTIC DEMAND THAT ALL OR EVEN KEY IMPRISONED MRTA PRISONERS BE RELEASED. IN THE NEXT SERIES OF TALKS, THE BURDEN WILL SHIFT INCREASINGLY TO

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CERPA TO SHOW THAT HE REALLY IS INTERESTED IN A NEGOTIATED, PEACEFUL SOLUTION AND NOT A SHOWDOWN WITH THE SECURITY FORCES. AGAINST THE BACKDROP OF ONGOING NEGOTIATIONS, WE WILL CONTINUE TO EMPHASIZE TO THE GOP AND GUARANTORS THAT THE U.S. SUPPORTS PERU'S EFFORTS TO RESOLVE THIS CRISIS PEACEFULLY WITHOUT MAKING ANY CONCESSIONS TO TERRORISTS.

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