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Case Number: 200102002

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ACTION ARA-00

INFO LOG-00 COPY-01 ADS-00 AID-00 INR-10 SS-00 CIAE-00
H-01 NSC-01 NSAE-00 HA-09 L-03 PM-10 PA-01
OMB-01 SP-02 SNP-01 PRS-01 SLPD-01 DSE-00 SCT-04
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P 061854Z MAR 86
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 0202
INFO AMEMBASSY BOGOTA
AMEMBASSY LA PAZ
AMEMBASSY SANTIAGO
AMEMBASSY QUITO
USAFSO HOWARD AFB PN
USCINCSO QUARRY HTS PN
DIA WASHDC//AT-5/OS-1D/DB-6D2/JSI-4B/DB-3C1//
USIA WASHDC 5364

LIMA 02397

USIA FOR AR

E.O. 12356: DECL: OADR
TAGS: PHUM, PTER, PGOV, PE
SUBJECT: ALLEGED NAVY INVOLVEMENT IN DISAPPEARANCE
OF NAVAL OFFICER

REFS: (A) LIMA 1267, (B) LIMA 1243

1. (U) ALLEGATIONS CONTINUE OF MILITARY INVOLVEMENT IN
THE FEBRUARY 2 KIDNAPPING OR DISAPPEARANCE OF NAVY
COMMANDER ARTAZA (REF A), FOLLOWING SUPREME COURT'S
RULING THAT ARTAZA BE TRIED IN CIVILIAN COURTS FOR 1984
DISAPPEARANCE OF JOURNALIST JAIME AYALA (REF B).
LATEST PUBLIC DEVELOPMENT WAS SUSPENSION OF MARCH 3
TELEVISION POLITICAL COMMENTARY PROGRAM "ENCUENTROS"

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(CHANNEL 2) OF CESAR HILDEBRANDT; SHOW WAS TO HAVE

n/a

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: SAM A. MOSKOWITZ
DATE/CASE ID: 25 JUL 2001 200102002

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PROBED MILITARY RESPONSIBILITY FOR ARTAZA'S DISAPPEARANCE. HILDEBRANDT BLAMED SUSPENSION ON PRESSURE BROUGHT TO BEAR ON OWNERS OF CHANNEL 2 BY HIGH GOVERNMENT OFFICIALS.

2. (C) COMMENT: WE BELIEVE THAT THE NAVY PROBABLY CARRIED OUT ARTAZA'S DISAPPEARANCE IN ORDER TO AVOID A CIVILIAN (AND PUBLIC) TRIAL THAT WOULD DISCREDIT THAT INSTITUTION, AND WOULD ESTABLISH A DANGEROUS PRECEDENT. POSSIBILITY THAT TERRORISTS (EITHER-SL OR MRTA) KIDNAPPED ARTAZA IS REMOTE, AS THE BODY WOULD HAVE SURFACED BY NOW. POLICE AND MILITARY DO NOT APPEAR TO BE SEARCHING FOR THE ALLEGED KIDNAPPED VICTIM, NOR HAVE THEY APPROACHED US FOR ANY INFORMATION IN THIS REGARD. ALTHOUGH POSSIBILITY EXISTS THAT ARTAZA VANISHED ON HIS OWN, IT IS MORE LIKELY THAT HE COOPERATED WITH THE NAVY.

3. (C) ARTAZA CASE IS A CURVE BALL FOR GARCIA. WE BELIEVE HIS AGREEMENT WITH THE MILITARY ON HUMAN RIGHTS HAS BEEN TO TOLERATE NO ABUSES ON HIS WATCH, BUT NOT TO PUSH FOR INVESTIGATIONS OF VIOLATIONS ALLEGED TO HAVE OCCURRED BEFORE HE TOOK OFFICE, SUCH AS AYALA AND 1984 PUCAYACU MASS GRAVE. IN ADDITION, WE BELIEVE GARCIA AGREED NOT TO PUSH FOR CIVILIAN TRIALS FOR MILITARY OFFENDERS. WITH GARCIA NEUTRAL OR ON MILITARY'S SIDE, IT WAS WIDELY PRESUMED THAT THE MILITARY WOULD BE ABLE TO GET ITS WAY ON THESE TWO ISSUES WITH THE PUBLIC PROSECUTOR MINISTRY AND THE SUPREME COURT, RESPECTIVELY. THE UNEXPECTED JANUARY SUPREME COURT RULING THAT ARTAZA HAD TO STAND TRIAL IN A CIVILIAN COURT, AND THE NAVY'S PROBABLE ACTION TO BLOCK A TRIAL HAVE PLACED GARCIA IN A DIFFICULT POSITION. ALTHOUGH NOT AN AREA IN WHICH HE SEEKS TO CHALLENGE

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THE MILITARY, HE IS CAREFUL TO PROTECT IMAGE OF MILITARY SUBORDINATION TO CIVILIAN RULE. EFFORTS SUCH AS HILDEBRANDT'S TO INCREASE PUBLICITY SURROUNDING THIS CASE UNDERCUT THIS IMAGE AND MAKE IT LESS TENABLE FOR GARCIA TO IGNORE PROBLEM OR COVER IT UP. ALTHOUGH GOP'S FIRST REACTION APPEARS TO HAVE BEEN TO PRESSURE THE MEDIA, ADDITIONAL PUBLIC ATTENTION COULD OBLIGE GARCIA TO RAISE MATTER WITH THE ARMED FORCES. YOULE

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