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Page: 1

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RELEASED IN PART
B1, 1.5(B), 1.5(D)

PAGE 01 LIMA 12846 032114Z
ACTION ARA-01

INFO	LOG-00	ACDA-17	AID-01	AMAD-01	C-01	OASY-00	EB-01
	HA-09	H-01	INM-02	TEDE-00	INR-00	IO-16	JUSE-00
	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02	PA-01	PM-02
	PRS-01	P-01	RPCS-01	SIL-00	-SP-00	SR-00	SS-00
	STR-16	TRSE-00	USIE-00	RPE-01	/078W		
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O 032115Z DEC 93
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 3249
INFO AMEMBASSY QUITO
AMEMBASSY BOGOTA
AMEMBASSY LA PAZ
DIA WASHDC
CIA WASHDC
USCINCSO QUARRY HEIGHTS PM

[REDACTED] LIMA 12846
SOUTHCOM ALSO FOR POLAD

E.O. 12356: DECL: OADR
TAGS: PHUM, PREL, PGOV, KJUS, PE
SUBJECT: ARMY OFFICER CONVICTED IN ACCOMARCA
- CASE REPORTEDLY NOT JAILED

REFS: (A) LIMA 2302
(B) LIMA 1798

PAGE 02 LIMA 12846 032114Z

1. [REDACTED]/NOFORN - ENTIRE TEXT.

2. [REDACTED] REPORT THAT ARMY
CAPT. TELMO HURTADO, WHO HAD BEEN CONVICTED FOR
THE 1985 ACCOMARCA MASSACRE, IS STILL ON ACTIVE
DUTY AND IS NOT INCARCERATED. IN FEBRUARY 1993,
THE REVIEW PANEL OF PERU'S SUPREME COUNCIL OF
MILITARY JUSTICE UPHELD A SIX YEAR SENTENCE FOR
HURTADO, WHO WAS CONVICTED OF THE AUGUST 14,
1985, MASSACRE OF 69 NON-COMBATANT VILLAGERS IN
ACCOMARCA, AYACUCHO DEPARTMENT (REF A). IT WAS

B1

Current Class: [REDACTED]

Page: 1

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: DONALD A. JOHNSTON
DATE/CASE ID: 25 OCT 2001 200102054

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1993LIMA12846

Page: 2
Channel: n/a

ONE OF TWO HUMAN RIGHTS CASES DURING THE LAST 13 YEARS THAT HAD RESULTED IN THE CONVICTION OF AN ARMY OFFICER (REF B). GOP POINTED TO BOTH CASES AS PROOF OF ITS WILLINGNESS TO DISCIPLINE THOSE RESPONSIBLE IN HUMAN RIGHTS CASES THAT INVOLVED THE MILITARY.

3. [REDACTED] STATED THAT THEN ARMY COMMANDER GEN. PEDRO VILLANUEVA VALDIVIA (COMMANDER JANUARY-DECEMBER 1991) ORDERED HURTADO RELEASED FROM CUSTODY OF THE MILITARY POLICE FOLLOWING HIS INITIAL CONVICTION BY A LOWER MILITARY COURT. DOCUMENTS [REDACTED] ALSO SHOW THAT HURTADO WAS AN ACTIVE DUTY CAPTAIN AS OF JULY 1992. [REDACTED] INFORMATION SHOWS THAT HURTADO WAS AT THE ARMY TRAINING AND INSTRUCTION COMMAND (COINDE) INFANTRY SCHOOL AS OF SEPTEMBER AND OCTOBER 1993 (SEP IIR).

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[REDACTED]
[REDACTED]

PAGE 03 LIMA 12846 032114Z

4. COMMENT: WE CANNOT STATE CONCLUSIVELY THAT HURTADO IS FREE. THESE TWO REPORTS, HOWEVER, INDICATE THERE IS A HIGH POSSIBILITY HE IS FREE AND ON ACTIVE DUTY. THE MILITARY IS FULLY AWARE OF THE SIGNIFICANCE OF THE CASE TO THE USG AND TO THE NATIONAL AND INTERNATIONAL HUMAN RIGHTS COMMUNITY. THIS INFORMATION WOULD NEGATE THE POSITIVE RESULTS GENERATED FROM HURTADO'S CONVICTION AND RAISES SERIOUS QUESTIONS ABOUT THE GOP'S WILL TO ADDRESS MILITARY IMPUNITY IN HUMAN RIGHTS CASES IN THE FUTURE.
BRAYSHAW

[REDACTED]

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Current Class: [REDACTED]

Page: 2