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Document Number: 1993LIMA13610

Page: 1

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RELEASED IN PART
B1, B6, 1.5(D)

PAGE 01 LIMA 13610 01 OF 02 301546Z
ACTION ARA-01

INFO	LOG-00	ACDA-17	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	OMB-01	PA-01	PM-01	PRS-01	P-01
	SIL-00	SNP-00	SP-00	SR-00	SS-00	STR-01	TRSE-00
	T-00	USIE-00	RPE-01	/061W			

-----15820E 301547Z /38

P 301548Z DEC 93
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 3797
INFO AMEMBASSY CARACAS
AMEMBASSY BOGOTA
AMEMBASSY QUITO
AMEMBASSY LA PAZ
AMEMBASSY OTTAWA
USCINCSO QUARRY HEIGHTS PM

[REDACTED] SECTION 01 OF 02 LIMA 13610

SOUTHCOM ALSO FOR POLAD

E.O. 12356: DECL: OADR
TAGS: PHUM, PREL, MCAP, KJUS, PE
SUBJECT: ACCOMARCA, HURTADO, AND LA CANTUTA
REF: STATE 372282

PAGE 02 LIMA 13610 01 OF 02 301546Z
1. [REDACTED] - ENTIRE TEXT

2. SUMMARY: CHARGE RAISED WITH [REDACTED]
[REDACTED] REPORTS THAT CAPT TELMO HURTADO IS NOT BEING HELD UNDER DETENTION, DESPITE A SIX YEAR PRISON SENTENCE RESULTING FROM THE ACCOMARCA CASE. [REDACTED] SAID HE WAS UNAWARE OF THIS, BUT SUGGESTED THAT HURTADO MAY HAVE ALREADY SERVED HIS SENTENCE. HE PROMISED TO INVESTIGATE. CHARGE SAID CASE AFFECTS GOP CREDIBILITY IN INVESTIGATION AND DISCIPLINING RESPONSIBLE PARTIES IN HUMAN RIGHTS CASES, AND THUS RAISES

B1

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: 1993LIMA13610

Page: 2
Channel: n/a

PROFOUND CONCERNS FOR USG. "BY CHANCE," [REDACTED]
[REDACTED] WAS IN WAITING
ROOM OUTSIDE OFFICE AS CHARGE ARRIVED. THIS
GENERAL CALLED LA CANTUTA A GRAVE CRIME AND
INSISTED THAT THE MILITARY TRIBUNAL WILL TREAT
IT WITH THE SERIOUSNESS IT MERITS. [REDACTED]
PRAISED CHARGE'S PUBLIC ENGAGEMENT ON HUMAN
RIGHTS ISSUES, A SUPRISING CONTRAST TO JUSTICE
MINISTER'S ATTITUDE ON THIS POINT.---END SUMMARY

B1

B1

HURTADO/ACCOMARCA RAISED

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3. CHARGE CALLED ON [REDACTED]
[REDACTED] DECEMBER 29 TO DISCUSS
INM HELICOPTER PROGRAMS AND PARTICIPATION OF THE
ARMED FORCES IN COUNTER-NARCOTICS STRATEGY. IN
THIS MEETING, CHARGE RAISED THE ALLEGATIONS THAT
CAPT TELMO HURTADO, WHO WAS FOUND GUILTY OF
[REDACTED]
[REDACTED]

B1

PAGE 03 LIMA 13610 01 OF 02 301546Z
CHARGES RELATED TO THE 1985 ACCOMARCA CASE, WAS
NOT SERVING THE SIX YEAR PRISON SENTENCE HE WAS
GIVEN. CHARGE SAID INFORMATION TO THIS EFFECT
HAD COME TO WASHINGTON'S ATTENTION AND THAT THE
EMBASSY HAD BEEN ASKED TO INQUIRE ABOUT THE CASE
AND REGISTER OUR CONCERN. CHARGE SAID THIS CASE
WAS OF SPECIAL IMPORTANCE SINCE IT WAS AN
INDICATOR OF THE GOVERNMENT'S INTENTIONS TO MAKE
GOOD ON ITS PROMISES TO INVESTIGATE SERIOUS
HUMAN RIGHTS VIOLATIONS AND TO DISCIPLINE THOSE
RESPONSIBLE, ESPECIALLY THE LA CANTUTA CASE.
CHARGE WAS VAGUE ABOUT OUR INFORMATION ON
HURTADO [REDACTED]

B1

"HE MAY HAVE SERVED HIS TIME"

4. [REDACTED] SAID HE WAS NOT FAMILIAR WITH THE
CURRENT STATUS OF THE HURTADO CASE. HE PROMISED
TO LOOK INTO IT AND REPORT BACK TO US. HE SAID
IT WAS POSSIBLE, HOWEVER, THAT, GIVEN THE LONG
TIME LAPSE SINCE THE OCCURRENCE OF THE ACCOMARCA
CASE, HURTADO HAD SERVED THE CUSTOMARY TIME
PROVIDED FOR IN A SIX YEAR SENTENCE AND WAS THUS
ENTITLED TO BE RELEASED. CHARGE SAID THAT OUR

B1

Current Class: [REDACTED]

Page: 2

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1993LIMA13610

Page: 3
Channel: n/a

INFORMATION INDICATED THAT HURTADO WAS NOT HELD IN DETENTION PRIOR TO HIS TRIAL FOR THE ACCOMARCA CASE. [REDACTED] ACKNOWLEDGED THAT THIS MAY BE TRUE SINCE THE ARMED FORCES DID NOT, IN FACT, HAVE A "TRUE PRISON." HE MENTIONED THE REAL SAN FELIPE CASTLE IN CALLAO (WHERE GEN. JAIME SALINAS SEDO

B1

PAGE 04 LIMA 13610 01 OF 02 301546Z AND OTHERS FROM THE NOVEMBER 13, 1992, COUP ATTEMPT ARE HELD), BUT SAID THIS IS A MAKESHIFT ARRANGEMENT. HE REITERATED THAT HE WOULD LOOK INTO THE CASE FOR US. HE ALSO ACKNOWLEDGED THAT TREATMENT OF HURTADO HAD HIGH IMPORTANCE FOR THE LA CANTUTA CASE AND THEN ASSURED CHARGE THAT THE GOP WAS FULLY COMMITTED TO COMPLETE INVESTIGATION OF THAT CASE AND DISCIPLINE OF THOSE RESPONSIBLE.

[REDACTED]

B1

5. WHEN CHARGE ARRIVED FOR HIS APPOINTMENT, HE FOUND [REDACTED]

B1

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PAGE 01 LIMA 13610 02 OF 02 301547Z
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-----158221 301548Z /38

P 301548Z DEC 93
FM AMEMBASSY LIMA
TO SECSTATE WASHDC PRIORITY 3798
INFO AMEMBASSY CARACAS
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AMEMBASSY LA PAZ

Current Class: [REDACTED]

Page: 3

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1993LIMA13610

Page: 4
Channel: n/a

AMEMBASSY OTTAWA
USCINCSO QUARRY HEIGHTS PM

[REDACTED] SECTION 02 OF 02 LIMA 13610

SOUTHCOM ALSO FOR POLAD

E.O. 12356: DECL: OADR
TAGS: PHUM, PREL, MCAP, KJUS, PE
SUBJECT: ACCOMARCA, HURTADO, AND LA CANTUTA

WAITING ROOM. [REDACTED] IS A SENIOR MEMBER OF THE SUPREME COUNCIL FOR MILITARY JUSTICE, WHICH HAS

B1

PAGE 02 LIMA 13610 02 OF 02 301547Z
CURRENT CONTROL OF THE LA CANTUTA CASE. [REDACTED]

B6

6. [REDACTED] BEGAN AN IMPROMPTU CONVERSATION BY PRAISING THE CHARGE WARMLY FOR HIS VARIOUS PUBLIC STATEMENTS DURING HIS TIME AS ACTING COM. HE CALLED THESE STATEMENTS BALANCED, THOUGHTFUL AND HELPFUL IN MARKING OUT U.S. VIEWS ON BILATERAL RELATIONS. CHARGE THANKED [REDACTED] BUT NOTED THAT WE HAD HAD A NUMBER OF DIFFICULT SITUATIONS TO DEAL WITH OVER THAT PERIOD, SOME OF WHICH HAD CREATED FRICTIONS. [REDACTED] BRUSHED THIS ASIDE. HE THEN RAISED THE LA CANTUTA CASE, SAYING THAT IT WAS A DIFFICULT MATTER, BUT SINCE IT CLEARLY INVOLVED A SERIOUS CRIMINAL ACTION OF WHICH THE MILITARY FORCES OCCUPYING THE UNIVERSITY CAMPUS OF LA CANTUTA IN CHOSICA MUST HAVE HAD KNOWLEDGE, THERE WAS NO QUESTION THAT THE CASE REQUIRED URGENT AND SERIOUS ATTENTION BY THE MILITARY JUSTICE SYSTEM. HE SAID THE SUPREME COUNCIL OF MILITARY JUSTICE WAS GIVING IT THAT ATTENTION.

B1

B1

B1

7. CHARGE SAID WE WELCOMED THIS COMMITMENT, BUT ALSO HAD TO TAKE INTO ACCOUNT THE FACT THAT MUCH TIME HAS PASSED SINCE THE CASE OCCURRED WHILE THERE HAS BEEN LITTLE APPARENT MOVEMENT. CHARGE RECALLED HIS JULY INTERVIEW IN "LA REPUBLICA" IN WHICH HE SAID WE HAD NOT SEEN A THOROUGH

Current Class: [REDACTED]

Page: 4

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1993LIMA13610

[REDACTED]
[REDACTED]

PAGE 03 LIMA 13610 02 OF 02 301547Z
INVESTIGATION OF THE CASE AND URGED THAT IT BE
TREATED WITH THE SERIOUSNESS IT MERITED. THAT
SITUATION STILL OBTAINED. CHARGE TOLD [REDACTED]
THAT CREDIBILITY OF THE MILITARY JUSTICE SYSTEM
IS AT STAKE OVER THIS CASE, AS WELL AS THE
ULTIMATE AUTHORITY OF THE CIVIL COURTS OVER THE
ENTIRE JUDICIAL SYSTEM IN PERU. GRACIOUSLY,
[REDACTED] SAID HE AGREED, ADDING THAT THE ISSUE
SHOULD BE RESOLVED SOON TO THE PUBLIC'S
SATISFACTION.

B1

B1

8. COMMENT: CHARGE WENT TO SEE [REDACTED] ABOUT THE
HURTADO CASE AFTER ANNOUNCING HE WOULD BE RAISING
CN ISSUES. [REDACTED] HOWEVER, WAIVED ASIDE
PARTICIPATION IN THE MEETING BY MAAG OFFICER WHO
HANDLES MILITARY CN PROGRAMS AND ASKED CHARGE TO
COME ALONE. THE UNEXPECTED APPEARANCE OF [REDACTED]
IN [REDACTED] WAITING ROOM INDICATED THAT HIS PRIME
SUBJECT OF THE DAY MAY NOT HAVE BEEN CN AS WELL.
BOTH [REDACTED] WERE VERY FRIENDLY AND
FULL OF PRAISE FOR CHARGE, IN CONTRAST TO RECENT
TREATMENT BY JUSTICE MINISTER VEGA OVER HUMAN
RIGHTS ISSUES. THEY MAY SEEK TO SIGNAL THAT THE
MILITARY WANTS TO BE SEEN AS RESPONSIVE TO OUR
CONCERNS IN THIS AREA, ESPECIALLY LA CANTUTA.
THEIR WORDS CERTAINLY CONVEYED THAT MESSAGE; WE
AWAIT THEIR ACTIONS ON THE SPECIFIC CASES WE HAVE
RAISED. ON LA CANTUTA, WE HAVE NOTED PRESS
REPORTS THAT TWO ARMY GENERALS HAVE BEEN DETAINED
OVER POSSIBLE COMPLICITY IN THE ABDUCTION AND
DEATH OF THE PROFESSOR AND NINE STUDENTS. WE

B1

B1

B1

B1

B1

[REDACTED]
[REDACTED]

PAGE 04 LIMA 13610 02 OF 02 301547Z
WILL FOLLOW UP WITH [REDACTED] AND OTHER OFFICIALS
AND CONTINUE TO REGISTER OUR PROFOUND CONCERN.
BRAYSHAW##

B1

[REDACTED]

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Current Class: [REDACTED]