

(E6)

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ACTION INM-02

INFO	LOG-00	ACDA-17	ACDE-00	AID-01	AMAD-01	ARA-01	CG-00
	C-01	DEAE-00	OASY-00	DINT-01	DOTE-00	EB-01	FAAE-00
	FBIE-00	TEDE-00	INR-00	IO-16	JUSE-00	L-01	ADS-00
	NSAE-00	OIC-02	OMB-01	PM-00	P-01	SP-00	SS-00
	TRSE-00	USIE-00	FMP-00	PMB-00	/046W		
				-----44D1BA	091734Z	/38	

O 091736Z MAY 94
 FM AMEMBASSY LIMA
 TO SECSTATE WASHDC IMMEDIATE 6810
 INFO SECDEF WASHDC//DEP&S/RSA-IA//
 JOINT STAFF WASHDC//J3-CNOD//
 DIRONDCP WASHDC
 CIA WASHDC
 USCUSTOMS WASHDC
 AMEMBASSY BOGOTA
 AMEMBASSY LA PAZ
 AMEMBASSY QUITO
 USCINCSO QUARRY HEIGHTS PM//SCCC/SCJ3/POLAD//
 USCINCSO HOWARD AFB PM//SCJ3-DDD//

SECTION 01 OF 02 LIMA 04197

E.O. 12356: DECL:OADR
 TAGS: SNAR, MOPS, EAIR, PBTS, US, PE
 SUBJECT: SUSPENSION OF PROVISION OF DOD
 - REAL-TIME RADAR TRACK DATA TO PERU

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 REF; LIMA 3975 DTG 022321Z MAY 94

1. SECRET - ENTIRE TEXT.
2. AS REPORTED PARA 7 REFTTEL, ON APRIL 28, CHARGE SENT A LETTER TO GOP MINISTER OF DEFENSE NOTING THAT USG POLICY CONCERNING SHARING OF INFORMATION RELATING TO AIRCRAFT KNOWN OR SUSPECTED OF DRUG TRAFFICKING WAS UNDER REVIEW, AND ASKING WHETHER THE DEFENSE MINISTRY WOULD

ASSURE THE EMBASSY THAT THE GOP WOULD NOT USE WEAPONS AGAINST A CIVIL AIRCRAFT IN FLIGHT.

3. ON MAY 6, EMBASSY RECEIVED A RESPONSE TO THIS LETTER, WHICH IS QUOTED IN INFORMAL EMBASSY TRANSLATION AS FOLLOWS:

BEGIN QUOTE:

LIMA, 06 MAY 1994

MINISTRY OF DEFENSE

NO. 2326 SGMD-D

MR. CHARLES H. BRAYSHAW
CHARGE D'AFFAIRES OF THE
EMBASSY OF THE UNITED STATES OF NORTH AMERICA

SUBJECT: ABSTENTION FROM USE OF ARMED FORCE
AGAINST CIVIL AIRCRAFT

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REFERENCE: YOUR LETTER OF 28 APRIL 1994

I HAVE THE HONOR TO ADDRESS YOU IN REGARD TO THE DOCUMENT UNDER REFERENCE IN ORDER TO INFORM YOU THAT THIS MINISTRY SUGGESTS THAT FLIGHTS OVER PERUVIAN TERRITORY OF CIVIL AIRCRAFT ("AVIONES CIVILES") OF THE U.S. COMMITTED TO INTELLIGENCE OPERATIONS FOR INFORMATION PROVIDED BY THE UNITED STATES DEPARTMENT OF DEFENSE BE TEMPORARILY SUSPENDED, AND A TEMPORARY SUSPENSION IN THE OPERATION OF THE RADAR LOCATED IN YURIMAGUAS, WHILE THE NORTH AMERICAN GOVERNMENT TAKES A DEFINITIVE DECISION WITH REGARD TO POLICY CONCERNING SHARING WITH OTHER GOVERNMENTS OF REAL TIME TRACK DATA REGARDING THE OPERATION OF AIRCRAFT DETECTED BY MEANS OF THE UNITED STATES DEPARTMENT OF DEFENSE.

SIMILARLY, IT IS PERTINENT TO EMPHASIZE THE DECISION OF THE PERUVIAN GOVERNMENT TO CONTINUE TO FRONTALLY COMBAT, WITH THE MEANS OF WHICH IT

ITSELF DISPOSES, AGAINST ILLICIT TRAFFICKING IN DRUGS WITHIN THE PARAMETERS OF ITS INTERNAL LEGAL REGIME IN FORCE AND IN RECOGNITION OF THE SPIRIT EXPRESSED IN ARTICLE I - "SOVEREIGNTY" CHAPTER I, FIRST PART OF THE CHICAGO CONVENTION OF DECEMBER 7, 1944, WHICH STATES: "THE CONTRACTING STATES RECOGNIZE THAT EVERY STATE HAS FULL AND EXCLUSIVE SOVEREIGNTY IN THE AIRSPACE SITUATED OVER ITS TERRITORY."

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I TAKE THIS OPPORTUNITY TO RENEW THE ASSURANCES OF MY HIGHEST CONSIDERATION.

VICTOR MALCA VILLANUEVA
GENERAL
MINISTER OF DEFENSE

END QUOTE.

4. COMMENT: EMBASSY ASSUMES THAT THE REFERENCE TO "CIVIL" AIRCRAFT OF THE U.S. IN THE FIRST PARA IS INADVERTENT, AND INTERPRETS THIS AS

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ACTION INM-02

INFO LOG-00 ACDA-17 ACDE-00 AID-01 AMAD-01 ARA-01 CG-00

Date Printed: 03/13/1998 DOC_NUMBER: 94LIMA04197 CHANNEL: n/a 39

C-01	DEAE-00	OASY-00	DINT-01	DOTE-00	EB-01	FAAE-00
FBIE-00	TEDE-00	INR-00	IO-16	JUSE-00	L-01	ADS-00
NSAE-00	OIC-02	OMB-01	PM-00	P-01	SP-00	SS-00
TRSE-00	USIE-00	FMP-00	PMB-00	/046W		

-----44D1EA 091734Z /38

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SECTION 02 OF 02 LIMA 04197

E.O. 12356: DECL:OADR
 TAGS: SNAR, MOPS, EAIR, PBTS, US, PE
 SUBJECT: SUSPENSION OF PROVISION OF DOD
 INTENDED REFERENCE TO U.S. DOD AIRCRAFT WHICH
 HAVE BEEN CONDUCTING COUNTERNARCOTICS DETECTION



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 AND MONITORING AND INTELLIGENCE COLLECTION
 MISSIONS IN PERUVIAN AIRSPACE.

5. COPIES OF LETTER WILL BE FAXED TO USSOUTHCOM
 AND ARA/AND. ADAMS##

