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Former Spy Chief Montesinos Sentenced

by LADB Staff

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Former spymaster of Peru Vladimiro Montesinos received a 20-year sentence for authoring a scheme that delivered 10,000 combat rifles to the Fuerzas Armadas Revolucionarias de Colombia (FARC). The sentence concludes a trial that has been running for nearly three years (see NotiSur, 2004-01-30), and, since he is serving a number of other criminal sentences, adds only five years to his time in jail. Nonetheless, the 61-year-old Montesinos still faces more trials for abuses of power during his time as head of Peruvian intelligence during the administration of Alberto Fujimori (1990-2000).

Adds 5 years to current prison terms

Montesinos is already serving a 15-year term on about a dozen corruption convictions, which under Peruvian law are served concurrently. Counting time served, he is scheduled for release March 17, 2023 just before his 78th birthday. Montesinos reportedly appeared impassive as a tribunal of judges on Sept. 21 declared him guilty closing a trial that has heard testimony resembling a spy thriller with gun buys in Jordan and an arms dealer called the Merchant of Death.

The court also ordered Montesinos and five co-defendants to pay a fine of US\$3.1 million. The court rejected the prosecution's recommendation that half the money be paid to Colombia's government, state attorney Juan Carlos Portocarrero said. Montesinos told the judges he plans to appeal. He also faces a possible 35-year sentence in another trial for allegedly directing a paramilitary death squad during the first half of Fujimori's 10-year authoritarian government. Other trials against him are ongoing or have yet to begin.

Montesinos' latest conviction involves a case in which men working for him posed as Peruvian military representatives to purchase Soviet-era assault rifles from Jordan that were delivered in 1999 to the leftist FARC rebels. The plot included a stealth Ukrainian flight crew, a French financier, and a Lebanese arms dealer, the court ruled. Montesinos who during the 1990s gained control of Peru's military, the courts, and most media outlets maintained throughout the trial that he had nothing to do with the arms deal and that he was responsible for uncovering the scheme.

Testimony from Montesinos' 18 co-defendants most of whom received sentences ranging from six to 15 years overwhelmingly fingered him as the leader of the plot. Montesinos' influence permeated a nation already weakened by chronic corruption until Fujimori's regime collapsed in November 2000 amid a bribery scandal involving his spymaster (see NotiSur, 2000-08-25, 2000-09-22 and 2000-10-06).

The arms scandal came to light three months earlier when Montesinos made a rare public appearance with Fujimori to announce that Peruvian authorities had dismantled a gunrunning ring led by brothers Jose Luis and Luis Frank Aybar, both Peruvian army veterans. But their version quickly unraveled under skepticism from Colombian and Jordanian officials. Montesinos fled Peru

but was captured in Venezuela in June 2001. He has since been locked up in the high-security naval prison in Lima's port of Callao, which he helped design for Peru's most notorious guerrilla leaders. Fujimori, who was not charged in the arms-trafficking case, also fled first to Tokyo, then to Chile, where he remains fighting extradition to his homeland (see NotiSur, 2005-11-18).

Co-defendant Jose Luis Aybar said he helped arrange the deal at Montesinos' behest but denied knowing the arms were destined for Colombia. He testified he was tortured by Montesinos' intelligence agents, who warned him to take the blame for the illegal arms deal or his family would suffer. Aybar and his brother were sentenced Sept. 22 to 15 years in jail.

In 1998, the Aybars contacted Miami-based businessman Charles Acelor, a French-born naturalized US citizen, in search of assault rifles. Acelor, who also received a 15-year sentence, put them in touch with international weapons broker Sarkis Soghanalian, a Turkish-born Lebanese citizen and US resident whose long career supplying arms to ex-dictators like Nicaragua's Anastasio Somoza and Iraq's Saddam Hussein earned him the nickname the Merchant of Death. Soghanalian one of 15 defendants tried in absentia in the case has said he personally negotiated the deal with Montesinos but insisted he believed it was a legal transaction. The court reserved dictating a verdict for him.

State Attorney Juan Carlos Portocarrero said Peru is trying to extradite Soghanalian from the US. The weapons were reportedly bought in three lots and delivered on four flights between March and August 1999 by a Ukraine-registered military-surplus cargo jet. The original plan allegedly had been to sell another 40,000 rifles to the rebels, but Jordan canceled the deal when the CIA tipped it off in mid-1999 that the rifles were turning up in the hands of captured Colombian guerrillas.

Delays in extradition of ex-President Fujimori from Chile

Lima daily newspaper La Republica carried a column by Mirko Lauer after the verdict against Montesinos, saying the former spymaster, once able to negotiate with sitting governments, was now powerless and "is only waiting for Fujimori." But the Fujimori extradition from Chile is dragging slowly. La Republica wrote on Sept. 30 that the government of President Alan Garcia had frozen the work of two commissions that the government of ex-President Alejandro Toledo (2001-2006) had set up to accelerate the Fujimori extradition.

One of them, complained reporter Milagros Salazar Herrera, was the Foreign Relations Ministry's special commission on international jurisdictional procedures, a particularly relevant issue if the government seeks to extradite an accused person from Chile. The other was an interinstitutional commission for extradition trials for those accused of corruption and human rights violations, first set up in July 2005. "Neither is functioning," wrote Salazar, who mentioned that the government claims it does not want to "politicize" judicial procedures.

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