

10-26-2000

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Recommended Citation

LADB Staff. "Peruvian Intelligence Chief Requests Asylum in Panama, Returns to Peru." (2000). <https://digitalrepository.unm.edu/noticen/8769>

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Peruvian Intelligence Chief Requests Asylum in Panama, Returns to Peru

by LADB Staff

Category/Department: Panama

Published: 2000-10-26

Vladimiro Montesinos, de facto head of Peru's Servicio de Inteligencia Nacional (SIN), left Panama Oct. 23 and returned to Peru, apparently abandoning further efforts to acquire political asylum in Panama. Montesinos' return complicated an already uncertain political situation for President Alberto Fujimori. For Panama, his flight left President Mireya Moscoso with nothing to show for a month of international pressure and domestic discontent.

Montesinos arrived in Panama Sept. 24 after his bribe of Peruvian Deputy Alberto Kouri set off a scandal that forced Fujimori to remove him as advisor to the SIN (see NotiSur, 2000-10-06). Upon Montesinos' arrival, Moscoso's government gave him temporary asylum under a 90-day tourist visa. Moscoso had first rejected asylum but reversed that decision after US Undersecretary of State Thomas Pickering intervened through telephone calls warning Moscoso that Fujimori faced a military takeover if Montesinos remained in Peru.

A week after Montesinos' arrival, Moscoso said she would announce a decision in 12 days. Events in Peru suggested Montesinos' return had more to do with an assertion of political power by the Peruvian military, which backs Montesinos, than with any decisions made in Panama. Nevertheless, Montesinos' four-week sojourn in Panama illustrated Panama's weakness in negotiating with the US.

OAS, US apply pressure on Panama

Moscoso came under intense pressure from the Organization of American States (OAS) and the US to give Montesinos asylum. OAS Secretary General Cesar Gaviria argued that asylum was necessary to avert instability in Peru.

By granting asylum, Gaviria said, "Panama would perform an important service for Peruvian democracy." The service he wanted Panama to perform was to cooperate with the Peruvian military's desire to give Montesinos a safe haven in return for allowing Fujimori to stay in power. Gaviria said Fujimori was under threat from the military, "and this pressure could be a problem for the democratic stability of Peru."

The international pressure placed Panama in a difficult situation. Public opinion in Peru favored Montesinos' extradition and trial for human rights and other abuses, while his presence in Panama set off protest demonstrations. Panamanian, Peruvian, and international human rights groups also opposed asylum.

Reed Brody of Human Rights Watch (HRW) advised Panama not to become the trash dump for Latin American criminals. On a two-day visit to Panama, Brody said asylum is for people fleeing

political, religious, or racial persecution, not those seeking immunity for common and human rights crimes.

During a session of the Legislative Assembly Oct. 2, lawmakers strongly opposed a grant of asylum. Explaining the government's situation to the Assembly, Foreign Minister Jose Miguel Aleman said the administration was considering the OAS and US appeals in the light of other asylum cases, particularly the asylum given by former President Ernesto Perez Balladares (1994-1999) to former Haitian dictator Gen. Raoul Cedras (see NotiSur, 1994-10-14).

But the chair of the Assembly's Foreign Relations Committee, Hector Aleman, opposed granting asylum, arguing that, under international law, Montesinos is not a victim of political persecution. He is a common criminal who should be returned to Peru to face trial, Aleman said. As for helping avoid a crisis in Peru, Jose Isabel Blandon asked how much Panama's acceptance of former Ecuadoran President Abdala Bucaram (see NotiSur, 1997-05-09) had helped Ecuador or the acceptance of Cedras had helped Haiti. Some legislators agreed with reports from diplomatic sources in Lima that the reports of a possible military coup were a fabrication by the SIN to force Panama to accept Montesinos.

Another concern was the danger of inadvertently bringing Montesinos' enemies into Panama. Legislator Teresita Arias said that, by accepting Montesinos, Panama would also take on his enemies, including Peru's guerrilla organizations. "We have the canal sitting here," said Arias. "We do not need to create an international security problem."

In an editorial, the daily La Prensa said the Moscoso administration had a "soap-opera vision" of international politics if it thought that by giving asylum to Montesinos the US would respond with favors.

Panama hoped for deal with Peru, US

Initially, some Panamanian officials said that Montesinos would easily receive asylum because Moscoso was willing to make deals with Peru and the US. In exchange for asylum, Moscoso would ask Peru to free jailed Panamanian Pacifico Castellon. Castellon received a prison sentence from a Peruvian military tribunal, along with US citizen Lori Berenson (see NotiSur, 1996-01-10, 1996-10-10). Both were convicted of having ties to the guerrilla organization Movimiento Revolucionario Tupac Amaru (MRTA).

On three major issues, Panama wants something from the US but has nothing to offer in return. Since the US began its withdrawal from Panama in the mid-1990s, it has refused to clean up several former bases where live ammunition and toxic wastes were left behind (see EcoCentral, 1998-11-19). Panama also has been struggling to get off a blacklist of countries considered uncooperative in stamping out money laundering (see NotiCen, 2000-08-03).

And while the US has recently included Panama in an advantageous trade program (see NotiCen, 2000-10-12), Panama needs to stay in the good graces of the US to remain in the program. Panamanian government sources told the daily El Panama America that Moscoso might be willing to grant Montesinos asylum if the US helped Panama get off the blacklist. If the US refused, Panama

would give the US until Oct. 28 to find another country that would take Montesinos. Foreign Minister Aleman said Panama would also lodge a formal complaint against the Group of Seven Industrialized Nations (G-7), which compiled the blacklist, and cool its relations with them. "We have made efforts and received nothing as a result," he said.

As the Panamanian government pondered its options, Carlos Cordero, special envoy to the G-7's Financial Action Task Force on Money Laundering (FATF), warned that, if Panama did not get off the blacklist, the consequences for trade could be "very serious." Cordero said the G-7 countries could impose trade and financial sanctions and drive away foreign investment.

El Panama America reported positive signs from a White House official that the US was favorably disposed toward helping Panama get off the blacklist because of Moscoso's willingness to take Montesinos in. But in the end, there was no deal, and Aleman said he was disappointed that the US had rejected Panama's efforts to get off the blacklist.

Following Montesinos' departure, the Panamanian government instructed its consulates in Peru and elsewhere in the region to refuse any further request from Montesinos for a visa. The Foreign Ministry said the Montesinos case was now closed. Montesinos says he left to avoid assassination. Montesinos' attorney Renato Pereira said he left Panama because the government was taking too much time reviewing his request for political asylum.

Moscoso confirmed that she had received a communication from Montesinos saying he would return to Panama once his application for asylum had been approved. But a Panamanian official said Montesinos had sent a note informing the government that he left the country to avoid assassination. The note said he had received death threats and was unable to contact Aleman and other top officials for help because they were out of the country.

In Peru, Montesinos said on a radio broadcast that Peruvian guerrillas and drug traffickers were out to kill him because of his efforts to combat them. [Sources: Notimex, 09/23/00, 09/24/00, 09/25/00; La Prensa (Panama), 10/03/00, 10/21/00, 10/22/00; Associated Press, 10/23/00; El Panama America, 09/30/00, 10/02/00, 10/03/00, 10/04/00, 10/05/00, 10/08/00, 10/09/00, 10/11/00, 10/24/00; The New York Times, 10/23/00, 10/24/00; The Miami Herald, 09/25/00, 09/26/00, 10/25/00]

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