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ACTION ARA-10

INFO OCT-01 SS-14 ISO-00 PM-03 AID-10 IGA-01 NSC-07 NSCE-00
CIAE-00 INR-10 NSAE-00 RSC-01 DODE-00 L-02 SP-01
OMB-01 TRSE-00 H-01 PRS-01 DRC-01 SCCT-02 SNM-02

DEAE-00 /068 W

R 191604Z APR 74
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 1275

SECTION 1 OF 2 MEXICO 3309

LIMDIS

E.O. 11652: GDS
TAGS: EAID, MASS, PINS, MX
SUBJECT: FAA SECTION 32 - POLITICAL PRISONERS

TOAID

REF: STATE 068545

1. SUMMARY: EMBASSY BELIEVES THAT GOM DOES NOT RPT NOT FALL
WITHIN DEFINITION OF GOVERNMENT WHICH SHOULD BE DENIED
ECONOMIC OR MILITARY ASSISTANCE UNDER SECTION 32 OF THE FAA
OF 1973, ALTHOUGH SOME MEXICAN PRACTICES BORDER ON THOSE
PROSCRIBED BY ACT. SINCE AID HAS NO COUNTRY PROGRAM IN MEXICO,
WE ASSUME THIS REPLY REQUIRED ONLY BECAUSE OF MODEST MILITARY
TRAINING PROGRAM FOR MEXICO FUNDED UNDER FAA. END SUMMARY.

2. AS DEPT AND AID/W AWARE, THERE IS NO AID COUNTRY PROGRAM
FOR MEXICO. ONLY AID PROGRAM HERE IS REGIONAL (RTAC). MEXICO
DOES, HOWEVER, RECEIVE TRAINING UNDER MILITARY
ASSISTANCE PROGRAM, FUNDED UNDER FAA, INVOLVING
APPROXIMATELY 24 STUDENTS AT COST OF APPROX DOLLARS
100,000 ANNUALLY. POST THEREFORE ASSUMES THAT FOR THIS

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4. WHERE GOM REMAINS UNCOMPROMISING (AND INDEED MAY HAVE STIFFENED ITS ATTITUDE IN RECENT MONTHS) IS IN RESPECT TO THOSE PERSONS WHO HAVE TAKEN UP ARMS AGAINST THE STATE. GOM ARGUES (AND, WE THINK, WITH JUSTIFICATION) THAT SUCH PERSONS, WHATEVER THEIR PROFESSED MOTIVATION, HAVE COMMITTED FELONIES (MURDER, KIDNAPPING, ARMED ROBBERY, ETC.) AND ARE THEREFORE SOUGHT, APPREHENDED, AND PUNISHED NOT FOR THEIR BELIEFS BUT FOR CONCRETE ACTS.

5. IT IS IN DEALING WITH PERPETRATORS OF SUCH ACTS THAT GOM APPEARS FREQUENTLY TO OVERSTEP LEGALLY PRESCRIBED PROCEDURES. THERE ARE RECURRENT REPORTS OF DETENTION OF "SUSPECTS" WHOSE ONLY CONNECTION WITH ANTI-GOVERNMENTAL
ACTIVITY MAY BE BLOOD RELATIONSHIP WITH WANTED GUERRILLAS; OF CIVILIANS DETAINED EXTRA-CONSTITUTIONALLY BY MILITARY AUTHORITIES, TO PRECLUDED POSSIBILITY WHICH WOULD EXIST WITHIN REGULAR JUDICIAL SYSTEM OF THEIR OBTAINING RELEASE THROUGH "AMPARO" PROCEEDINGS; OF PERSONS HELD FOR MORE THAN THREE DAYS WITHOUT ARRAIGNMENT AND/OR FOR MORE THAN ONE YEAR WITHOUT TRIAL, IN VIOLATION OF CONSTITUTIONAL STIPULATIONS; AND OF PRISONERS TORTURED WHILE IN DETENTION. LATELY, THERE HAVE BEEN INDICATIONS ALSO THAT GOM HAS MURDERED SOME PRISONERS AFTER EXTRACTING ALL INFORMATION THEY HAVE TO GIVE, PRESUMABLY WITH INTENTION OF COMMUNICATING GOM'S HARD LINE AND KEEPING DOWN NUMBER WHOSE RELEASE MIGHT BE SOUGHT IN EXCHANGE FOR LIFE OF KIDNAPPING VICTIM (SEE GUADALAJARA A-81, NOV. 27, 1973 AND A-92, DEC. 28, 1973).

6. IN CANDID MOMENTS, GOM OFFICIALS WILL SOMETIMES CONCEDE THAT EXCESSES ARE COMMITTED. THUS A US-CITIZEN CORRESPONDENT JOVA

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LIMDIS
WAS REPORTEDLY TOLD RECENTLY BY A SUBCABINET OFFICIAL THAT GOM CONSIDERS ITSELF "AT WAR" WITH GUERRILLA/TERORIST GROUPINGS. "A 19-YEAR-OLD GIRL ARMED WITH A SUBMACHINE GUN," HE ADDED, "CAN BE A DEADLY ENEMY." IMPORTANT POINT IN EMBASSY'S OPINION, HOWEVER, IS THAT GOM IN THESE INSTANCES APPEARS TO BE RESPONDING --HOWEVER HEAVY-HANDEDLY -- TO LEGITIMATE AND SERIOUS PROVOCATION BY ARMED OPPONENTS WHO SEEK ITS OVERTHROW AND WHO IN LAST SEVERAL YEARS HAVE COME TO CONSTITUTE A GENUINE THREAT TO PUBLIC ORDER IN SEVERAL PARTS OF COUNTRY.

7. PRINCIPAL HANG-UPS FOR GOM IN DEALING WITH MODERN-DAY GUERRILLAS AND TERRORISTS HAVE HAD TO DO WITH PUBLIC POSTURE: A DESIRE TO MINIMIZE SERIOUSNESS OF PROBLEM SO AS NOT TO ALARM PUBLIC OPINION (EVEN WHILE APPLYING HARSH MEASURES TO DEAL WITH PROBLEM); AND AN UNWILLINGNESS TO CONCEDE POLITICAL MOTIVATION (EVEN THOUGH IT UNDOUBTEDLY EXISTS) TO GUERRILLAS AND TERRORISTS. HOWEVER, THIS ASPECT OF GOM'S PROBLEMS IS NOT GERMANE TO QUESTIONS RAISED REFTEL.

8. ON BALANCE, THEREFORE, EMBASSY WOULD CONCLUDE THAT, WITHIN MEANING OF SECTION 32 OF THE FAA, MEXICO DOES NOT

PRACTICE INTERNMENT OR IMPRISONMENT OF CITIZENS FOR POLITICAL PURPOSES EXCEPT WHEN FACED WITH ACTIVE, ARMED OPPOSITION THAT POTENTIALLY THREATENS SECURITY OF STATE, AND THAT THERE IS NO CONSISTENT PATTERN OF VIOLATION OF RIGHT TO BE FREE OF ARBITRARY ARREST.

9. WE WOULD ADD JUDGMENT THAT

MEXICAN ARMY COMMITMENT TO

JOINT US/GOM ANTI-NARCOTICS EFFORT (ESTIMATED BY DAO AT 30 BATTALIONS FULL- OR PART-TIME) FAR OUTWEIGHS MONETARY VALUE OF TRAINING PROVIDED BY THE USG UNDER MAP.

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