SECRET

UNCLASSIFIED

RELEASED

ARA/CEN: D A MCCARTHY: JDH
12/18/90 X74975
D: L EAGLEBURGER

ARA/CEN: E F PEREZ, ARA/CEN: P F ROMERO, ARA/FO: D G SULLIVAN,
ARA: B ARONSOI, HA: R SCHIFTER, CA: B PAIGE, P: R KIMMITT,
T: R BARTHOIPOSE, DOD: N DORN, PM: R CLARKE, NSC: B PACELLI,
S/ S:

IMMEDIATE GUATEMALA

E.O. 12356: DECL: OADR

TAGS: MASS, GT

SUBJECT: STOP DELIVERY OF MILITARY ASSISTANCE TO GUATEMALA
3. (S) THIS MESSAGE INSTRUCTS THE EMBASSY TO IMMEDIATELY SEEK AN
APPOINTMENT WITH PRESIDENT CEREZO TO INFORM HIM OF THE MALT OF
DELIVERY OF MILITARY ASSISTANCE. THIS ALSO CONTAINS THE TEXT OF A
STATEMENT TO BE ISSUED SIMULTANEOUSLY IN WASHINGTON AND IN GUATEMALA
FOLLOWING THE MEETING AS WELL AS QUESTIONS AND ANSWERS. FOLLOWING
THese STEPS THE EMBASSY IS INSTRUCTED TO MEET WITH BOTH PRESIDENTIAL
CANDIDATES AND INFORM THEM OF THIS ACTION.

2. (S) IT HAS BECOME CLEAR THAT THE CEREZO ADMINISTRATION IS NOT
GOING TO PURSUE THE CASE OF THE MURDER OF U.S. CITIZEN DEVINE BY
MILITARY PERSONNEL. THE GOG INTENDS TO STRING THE INVESTIGATION
OUT, AS IT HAS ON ALL PAST CASES, UNTIL IT LEAVES OFFICE IN THREE
WEEKS.

3. (S) THIS IS UNACCEPTABLE. THE RECENT MASSACRE OF 14 CIVILIANS
BY THE GUATEMALAN MILITARY ONLY REINFORCES THE FACT THAT THE
MILITARY CONTINUE TO ACT WITH IMPUNITY ON HUMAN RIGHTS. A SIGNAL
NEEDS TO BE SENT IMMEDIATELY THAT ACCUSES THE CEREZO ADMINISTRATION
AND THE MILITARY IN PARTICULAR OF LACK OF ACTION. AT THE SAME TIME
WE WANT TO ESTABLISH A MARKER ON HUMAN RIGHTS AND CIVILIAN CONTROL
OVER THE MILITARY FOR THE INCOMING ADMINISTRATION. WE HAVE THEREFORE
DECIDED TO SUSPEND MILITARY ASSISTANCE IN THE PIPELINE AS WELL AS
MILITARY ASSISTANCE TO BE PROVIDED FOR FY71 UNTIL THE NEW GOVERNMENT
COMES INTO OFFICE IN JANUARY. AT THAT TIME, WE WILL SEEK TO OBTAIN
A FIRM COMMITMENT BY THE NEW GOG ON HUMAN RIGHTS AND THE EXERTION
OF GREATER CIVILIAN CONTROL OVER THE MILITARY, SPECIFICALLY INCLUDING
CONCRETE STEPS TO RESOLVE THE DEVINE MURDER. ONCE {AND IF ASSURED}
WE CAN MOVE TO TURN ON THE DELIVERIES WITH THE CAVEAT THAT THEY CAN
BE TURNED OFF IF THE GOG FAILS TO COMPLY WITH ITS STATEMENTS
TO US.

4. EMBASSY IS INSTRUCTED TO DRAW FROM THE FOLLOWING STATEMENT FOR
THE MEETING.

5. (U) BEGIN TEXT OF STATEMENT:

THE UNITED STATES WISHES TO EXPRESS ITS DEEP DISAPPOINTMENT WITH THE
LACK OF COMMITMENT OF THE GOVERNMENT OF GUATEMALA TO PROTECT HUMAN
RIGHTS. THE RECENT MASSACRE IN ATITLAN IS A VIVID ILLUSTRATION OF
THE VIOLENCE WHICH CONTINUES TO PLAGUE THE COUNTRY. WHILE
RECOGNIZING THAT THE GOVERNMENT DOES NOT PURSUE A POLICY OF ABUSING
HUMAN RIGHTS, WE NOTE THAT IT RARELY TAKES ACTION TO THOROUGHLY
INVESTIGATE AND PROSECUTE THOSE WHO DO.

FOR THE PAST SIX MONTHS WE HAVE MET WITH PRESIDENT CEREZO AND
MINISTER OF DEFENSE BOLANOS TO REQUEST THE IMMEDIATE DETENTION AND

SECRET
PROSECUTION OF THOSE WHO KILLED US CITIZEN MICHAEL DEVINE ON JUNE 6. WHILE SOME ACTION WAS TAKEN INITIALLY TO DETAIN 6 SUSPECTS, INCLUDING 5 MILITARY MEN, IT APPEARS THAT THERE IS NOW A DELIBERATE ATTEMPT TO STALL THIS INVESTIGATION.

GIVEN THESE DEVELOPMENTS, THE UNITED STATES DOES NOT FEEL IT IS APPROPRIATE TO CONTINUE A NORMAL MILITARY RELATIONSHIP WITH THE GOVERNMENT OF GUATEMALA. WE WILL THEREFORE IMMEDIATELY STOP DELIVERIES OF MILITARY ASSISTANCE.

IT IS OUR FIRM HOPE THAT THE NEW GUATEMALAN ADMINISTRATION WILL, AS SOON AS POSSIBLE, TAKE THE STEPS NECESSARY TO RESOLVE THIS SERIOUS MATTER AND DEMONSTRATE THROUGH CONCRETE STEPS ITS COMMITMENT TO THE RULE OF LAW AND HUMAN RIGHTS SO THAT WE MAY RESUME OUR MUTUALLY BENEFICIAL RELATIONSHIP.

END TEXT OF STATEMENT.

BEGIN QUESTIONS AND ANSWERS:

Q1: YOU MENTION THE DEVINE MURDER AS THE PIVOTAL POINT FOR THE DECISION TO STOP DELIVERIES? WHAT ABOUT THE OTHER OUTSTANDING CASES, I.E., THE SAN CARLOS UNIVERSITY STUDENTS, HECTOR OQUELI, SISTER DIANA ORTIZ, ETC....

A1: WE HAVE VIGOROUSLY PRESSES THE GOVERN TO PURSUE A NUMBER OF CASES OF HUMAN RIGHTS ABUSE. DUE TO INACTION ON THE INVESTIGATION OF HUMAN RIGHTS CASES, WE TEMPORARILY WITHDREW OUR AMBASSADOR LAST MARCH. HE RETURNED WITH A LETTER FROM PRESIDENT BUSH EXPRESSING OUR DEEP CONCERN ABOUT HUMAN RIGHTS OBSERVANCE AND THE RULE OF LAW IN GUATEMALA.

THE DEVINE CASE INVOLVES THE MURDER OF A UNITED STATES CITIZEN IN WHICH THERE IS VERY STRONG EVIDENCE THAT THAT SECURITY FORCES WERE INVOLVED. WE WILL BE DISCUSSING WITH THE NEW GOVERNMENT THE WHOLE ISSUE OF HUMAN RIGHTS, INCLUDING OUTSTANDING CASES.

Q2: HOW MUCH MONEY IS INVOLVED?

A2: OUR FY90 FMF ASSISTANCE WAS $2.9 MILLION. CONGRESS APPROVED $2.667 MILLION FOR FY93.

Q3: WHEN IS THIS ACTION EFFECTIVE?

A3: THE SUSPENSION IS EFFECTIVE IMMEDIATELY.

Q4: WHAT ABOUT ECONOMIC ASSISTANCE? WILL THAT BE SUSPENDED?

SECRET
A: NO.

Q: WHAT ABOUT COMMERCIAL LICENSES? WILL GUATEMALA BE ABLE TO PURCHASE WHAT IT NEEDS FROM ITS OWN FUNDS?

A: DURING THE STOPPAGE, WE WILL ALSO NOT APPROVE COMMERCIAL LICENSES FOR THE EXPORT OF EQUIPMENT TO THE GUATEMALAN ARMED FORCES.

END QUESTIONS AND ANSWERS.

7. WHILE THIS ACTION WILL DISTANCE US FROM THE GUATEMALAN MILITARY, IT SHOULD NOT MEAN, HOWEVER, THAT WE CANNOT CONTINUE TO MEET WITH GUATEMALAN MILITARY OFFICERS TO RE-EMPHASIZE THE REASONS WHY WE ARE NOW TAKING THIS ACTION.

8. THE EMBASSY IS INSTRUCTED TO OBTAIN, IF POSSIBLE, A LATE AFTERNOON/EARLY EVENING APPOINTMENT WITH CEREZO SO THAT THE STATEMENT CAN BE RELEASED THE NEXT DAY AT THE NOON BRIEFING IN WASHINGTON.