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 FM AMEMBASSY GUATEMALA
 TO SECSTATE WASHDC IMMEDIATE 9725
 INFO AMEMBASSY SAN SALVADOR
 AMEMBASSY TEGUCIGALPA
 AMEMBASSY MANAGUA
 AMEMBASSY SAN JOSE
 AMEMBASSY BELIZE
 AMEMBASSY MEXICO
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~~C O N F I D E N T I A L~~ SECTION 01 OF 02 GUATEMALA 4814

E.O. 12065: GDS 7/1/88 (GONZALES, RAYMOND J.) OR-P
 TAGS: PINS, PINT, MOPS, PGOV, GT
 SUBJECT: (U) RIOS MONTT DECLARES STATE OF SIEGE

REFTEL: GUATEMALA 4578

1. (C) SUMMARY. IN A TELEVISION AND RADIO ANNOUNCEMENT THE NIGHT OF JUNE 30, PRESIDENT RIOS MONTT DECLARED A ONE-MONTH STATE OF SIEGE BEGINNING JULY 1. RIOS MONTT COMMENTED THAT IT WAS NECESSARY TO SUBSTITUTE JUSTICE FOR THE PREVAILING CHAOS AND SPOKE BRIEFLY OF BODIES BEING FOUND BY THE ROADSIDE AND OF PEOPLE BEING DRAGGED OUT OF THEIR HOUSES AT NIGHT. HE ATTRIBUTED
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RESPONSIBILITY FOR THE "CHAOS" TO THE GUERRILLAS AND STATED THAT 1,857 PERSONS HAD TURNED THEMSELVES IN UNDER THE AMNESTY PROGRAM. HE DECLARED THE "FINAL

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BATTLE" AND A "WAR WITHOUT LIMITS" AGAINST THE GERRILLAS AND ANNOUNCED THE FORMATION OF "TRIBUNALS OF SPECIAL JURISDICTION" THAT WOULD "OPENLY TRY" THOSE COMMITTING OR ATTEMPTING TO COMMIT CERTAIN TYPES OF CRIMES (LISTED IN PARA 4). THOSE FOUND GUILTY ARE TO BE EXECUTED BY FIRING SQUAD OR IMPRISONED. MILGP HAS OBTAINED FURTHER INFORMATION THROUGH ITS SOURCES AS FOLLOWS: 1) INDIVIDUALS CAUGHT IN THE ACT OF SUBVERSIVE ACTIVITIES WILL BE TRIED ON THE SPOT; 2) ALL LICENSES TO CARRY ARMS ARE SUSPENDED EXCEPT FOR MILITARY AND SECURITY PERSONNEL; 3) GATHERINGS OF MORE THAN FOUR PERSONS WILL REQUIRE PERMISSION; 4) HOUSE TO HOUSE SEARCHES WITHOUT WARRANTS WILL BEGIN; 5) CURFEWS WILL BE IMPOSED IN CERTAIN DEPARTMENTS OF HIGH CONFLICT; 6) CONSTITUTIONAL GUARANTEES SUSPENDED; 7) MAIL MAY BE OPENED; 8) ENTRY/EXIT TO/FROM GUATEMALA WILL BE TIGHTLY

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2. (U) PRESIDENT RIOS MONTT ADDRESSED THE NATION BY TELEVISION AND RADIO THE NIGHT OF JUNE 30 TO DECLARE A ONE-MONTH STATE OF SIEGE BEGINNING JULY 1. THE ADDRESS LASTED ROUGHLY 15 MINUTES, AND WAS DELIVERED IN A FORMAL AND SERIOUS MANNER BY THE PRESIDENT FROM BEHIND A DESK, UNLIKE THE STYLE ADOPTED FOR THE WEEKLY "SUNDAY ERMONETTES."

3. (U) RIOS MONTT BEGAN HIS ADDRESS BY STATING THAT GUATEMALA FACED TWO SERIOUS PROBLEMS, THE ECONOMY AND SUBVERSION, AND STATED THAT HE WAS GOING TO SPEAK ABOUT THE LATTER PROBLEM DESPITE THE FACT THAT THE TWO WERE INSEPARABLE. HE COMMENTED THAT "THE CONCEPT

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OF JUSTICE HAS ALMOST DISAPPEARED FROM THE COUNTRY, " AND THAT IT "BOTHERS US WHEN WE ARE STOPPED OR GREETED BY A POLICEMAN BECAUSE WE ARE SO USED TO GIVING BRIBES." HE STATED THAT "THOSE WHO HAVE BROUGHT CHAOS TO GUATEMALA" AND HAVE BROKEN DOWN ITS INSTITUTIONS ARE "THOSE WHO OFFER THE RED PARADISE OF SLAVERY, THOSE WHO HAVE UNLEASHED A CHAIN OF DEATH." HE THEN SPOKE OF BODIES BEING FOUND DAILY ALONG ROADSIDES, OF PEOPLE BEING DRAGGED OUT OF THEIR HOUSES DURING THE NIGHT, AND OF THE NEED TO REPLACE "ABUSE OF POWER" WITH A SYSTEM OF JUSTICE. "IT IS TIME," HE DECLARED, "TO BEGIN TO MANAGE THIS SITUATION AS IT SHOULD BE MANAGED, AS GOD ORDERS, AS WE ALL WANT IT TO BE MANAGED." HE

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STATED THAT THE AMNESTY HAD BEEN PART OF THE GOG'S PLAN TO ELIMINATE NOT JUST THE SUBVERSION, BUT ITS UNDERLYING CAUSES, AND CLAIMED THAT 1,857 PEOPLE HAD TURNED THEMSELVES IN AS OF NOON JUNE 30 BUT THAT OTHERS COULD NOT DO SO DUE TO GUERRILLA INTIMIDATION. "NOW, HE CLAIMED. "THERE WILL BE NO POLICE ACTIONS HIDDEN FROM THE EYES OF THE CITIZENS AND OF THE WORLD." THE "FINAL BATTLE." A " FIGHT WITHOUT LIMITS (SIN CUARTEL)" HAD BEGUN.

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4. (U) RIOS MONTT ANNOUNCED THE FORMATION OF "TRIBUNALS OF SPECIAL JURISDICTION (TRIBUNALES DE FUERO ESPECIAL)" THAT WOULD OVERSEE "OPEN, COMPLETELY JUST TRIALS." THOSE CONVICTED WOULD BE EXECUTED BY FIRING SQUAD OR IMPRISONED. CRIMES OVER WHICH THESE TRIBUNALS WILL HAVE JURISDICTION ARE AS FOLLOWS: KIDNAPPING, ARSON, ATTACKS ON DEFENSE INSTALLATIONS, FABRICATION OR POSSESSION OF EXPLOSIVE MATERIALS, CAUSING RAILWAY DISASTERS, ATTACKS AGAINST THE SECURITY OF MARITIME, FLUVIAL OR AIR TRANSPORTATION, ATTACKS OR ATTEMPTS AGAINST BUSES OR ANY OTHER TYPE OF LAND TRANSPORTATION, DAMAGE OR ATTEMPTS AGAINST SERVICES OF PUBLIC NECESSITY SUCH AS WATER AND ELECTRICITYN ACTS OF AIR OR OTHER PIRACY, POISONING OF WATER OR FOOD,

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TREASON AGAINST THE NATION, ATTEMPTS AGAINST THE INTEGRITY OF THE STATE, MASSACRES, THE PRACTICE OF TERRORISM, STORING OF ARMS OR MUNITIONS, AND TRAFFICKING IN EXPLOSIVES. HE ALSO NOTED THAT ANYONE SUSPECTED OF ATTEMPTING ANY OF THESE ACT WOULD BE TRIED.

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5. (U) RISO MONTT ANNOUNCED THAT THIS "STATE OF SIEGE" WOULD LAST FOR A MONTH, AND STATED THAT "LIFE WILL BE NORMAL FOR THOSE WITHIN THE LAW." HE FINISHED HIS ANNOUNCEMENT BY SPEAKING OF THE NEED TO DEVELOP A GUATEMALAN IDENTITY APART FROM "THE U.S. OR MOSCOW, NORTH OR SOUTH."

6. (C) THIS MORNING, JULY 1, FURTHER ORAL INFORMATION OBTAINED BY MILGP COMMAND FROM THE GOG CHIEF OF STAFF'S OFFICE GAVE MORE DETAILS ON THE STATE OF SIEGE, AS FOLLOWS:

(1) COURTS MARTIAL IN EFFECT - ANY INDIVIDUALS CAUGHT IN THE ACT OF SUBVERSIVE ACTIVITY WOULD BE TRIED
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ON THE SPOT. THE FACT OF BEING CAUGHT IN THE ACT WOULD BE PRIMA FACIE EVIDENCE OF GUILT.

(2) ONLY THE MILITARY (AND GOG SECURITY ELEMENTS) ARE AUTHORIZED TO CARRY WEAPONS. ALL OTHER LICENSES TO CARRY ARMS ARE TEMPORARILY SUSPENDED.

(3) COUNTRY-WIDE - NO GATHERING OF FOUR OR MORE PEOPLE WILL BE AUTHORIZED WITHOUT PRIOR APPROVAL FROM THE MILITARY.

(4) HOUSE TO HOUSE SEARCHES WILL BEGIN WITHOUT A REQUIREMENT OF JUDICIAL ORDERS.

(5) A CURFEW WILL BE IMPOSED IN THE DEPARTMENTS OF HIGHEST CONFLICT (PROBABLY EL QUICHE, QUEZALTENANGO, HUEHUETENANGO, AND SOLOLA.)

(6) ALTHOUGH THE CONSTITUTION WAS SUSPENDED AFTER THE GOLPE OF MARCH 23, THE MILITARY DECLARED ANEW THAT CONSTITUTIONAL GUARANTEES HAVE BEEN SUSPENDED.

(7) MAIL MAY BE OPENED.

(8) ENTRY/EXIT TO/FROM GUATEMALA WILL BE TIGHTLY CONTROLLED.

EMBASSY WILL REPORT IN FURTHER DEPTH ON THE STATE OF SIEGE AS SOON AS A COPY OF THE GOG DECREE BECOMES AVAILABLE.

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