

TELEGRAM

Foreign Service of the
United States of America

INCOMING AMEMBASSY BRASILIA POL 23-8

UNCLASSIFIED

Classification

Control: GUATEMALA 2971

Recd: AUG 13 1978

ACTION
POL
CHRON
RF-2
R 122346Z AUG 78
FM AMEMBASSY GUATEMALA
TO RUEHC/SECSTATE WASHDC 1189
INFO RUESUA/AMEMBASSY RIO DE JANEIRO 82
RUESDO/AMEMBASSY MONTEVIDEO 62
RULPAL/C NCSO
BT
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ACTION TAKEN

SUBJ: FLY/MITRIONE KIDNAPPINGS - GUATEMALAN POSITION

1. ON AUGUST 12 GOG RELEASED FOLLOWING OFFICIAL COMMUNIQUE:

QUOTE: GOG CONDEMNS POLITICAL ASSASSINATION OF DANIEL A. MITRIONE, U. S. OFFICIAL IN URUGUAY; HOPES THAT TWO PERSONS STILL IN KIDNAPPERS POSSESSION BE FREED, AND FULLY BACKS GOU IN ITS REFUSAL BEGIN NEGOTIATIONS WITH SEDITIOUS URUGUAYANS.

GOG MAINTAINS THAT KIDNAPPING AS MEANS OF TERROR OR POLITICAL PRESSURE AND MEANS OF FINANCING ARMED SUBVERSION IS UNACCEPTABLE FORM OF POLITICAL CONFLICT.

ASSASSINATION AS PROCEDURE TO INTIMIDATE ADVERSARY OR TO DEFEAT HIM NEVER IS LEGITIMATE FORM POLITICAL CONFLICT.

GOG REAFFIRMS STATEMENT MADE BY PRESIDENT ARANA UPON ASSUMING OFFICE JULY 1 IN WHICH DESCRIBED GOVERNMENT POLICY THAT "ANY CITIZEN WHO RESORTS TO VIOLENCE WILL BE JUDGED BY LAW AS COMMON CRIMINAL NO MATTER WHAT HE CALLS HIMSELF IN ORDER TO PROTECT HIMSELF. WITHIN JURIDICAL ORDER IT IS UNACCEPTABLE FOR SOME TO CLAIM SPECIAL PRIVILEGES. THOSE WHO VIOLATE PUBLIC ORDER BECOME CRIMINALS ALTHOUGH THEY HIDE BEHIND SUPPOSED ASPIRATIONS FOR SOCIAL JUSTICE."

GOG HOPES THAT UNIVERSAL CONDEMNATION OF ASSASSINATION OF MITRIONE WILL CAUSE KIDNAPPERS OF ALOYSIO MARES DIAS GOMIDE AND SOIL TECHNICIAN CLAUDE FLY TO RETHINK POSITION AND NOT HARM THEM AND RELEASE THEM PROMPTLY.

GOG UNDERSTANDS AND THEREFORE SUPPORTS PACHECO GOVERNMENT IN THAT INDEPENDENCE OF GOVERNMENTAL POWERS IS GENERAL NORM OF

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CONSTITUTIONAL LAW AND THAT LIBERTY OF COMMON CRIMINALS DEMANDED BY KIDNAPPERS IS NOT POSSIBLE WITHIN LAW SINCE THEY HAVE BEEN SENTENCED BY COURTS OF JUSTICE.

ACCORDINGLY, POSITION ADOPTED HAS THE SUPPORT OF GUATEMALA AND OF CIVILIZED PEOPLE THROUGHOUT WORLD. END QUOTE

2. IN COMMENTS TO PRESS, GUATEMALAN FONMIN ROBERTO HERRERA ADDED THAT GOG IS ADHERENT AND DEFENDER STRICT MAINTENANCE OF INSTITUTIONALITY. HE OBSERVED THAT PRESENT GOU POSITION HAS PRECISE PRECEDENT IN GUATEMALA AND ARGENTINA WHERE RESPECTIVELY GOVERNMENTS REFUSED RELEASE PRISONERS. WE MOURN SITUATION FACING GOU. HAVE SENT CONDOLENCE MESSAGES TO GOU AND UNITED STATES FOR DEATH OF MITRIONE.

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