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Department of State

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ACTION MEMORANDUM
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TO: The Acting Secretary
FROM: H - W. Tapley Bennett Jr.
HA - Elliott Abrams
ARA - James Michel, Acting

SUBJECT: Report on Human Rights in Guatemala

ISSUE FOR DECISION

Whether to approve the attached letter transmitting the Section 502B report on the human rights situation in Guatemala which has been requested by the House Foreign Affairs Committee.

ESSENTIAL FACTORS

On January 5 the Department received a letter dated December 23, 1983 from Congressmen Fascell, Barnes, and Yatron requesting that pursuant to the provisions of Section 502B(c) of the Foreign Assistance Act of 1961 the Secretary provide a report on the human rights situation in Guatemala. The law stipulates that unless we transmit this report to the Hill within 30 days (i.e., on or before February 4) we can not provide any "security assistance" to Guatemala after that date until the report is submitted. Security assistance is defined to include ESP, MAP, IMET, FMS credit, FMS cash, and Munitions Control cases. The letter specifically requests that no security assistance be provided to Guatemala until the report is transmitted and consultations held with the Committee on Foreign Affairs, but this request is not legally binding.

The report tells Congress that while serious human rights problems persist in Guatemala, the government has taken actions to reduce them. Continued security assistance is essential to support that process.

RECOMMENDATION

That you approve the letter (copy attached) transmitting the 502(B) report to Chairman Fascell.

Approve *TSB* Disapprove _____

Attachments:

2/4/84

MICROFILMED

- Tab 1 - Letter to Chairman Fascell with report on human rights in Guatemala
- Tab 2 - Chairman Fascell's letter of December 23, 1983

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United States Department of State

Washington, D.C. 20520

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FEB 4 1984

Dear Mr. Chairman:

There is transmitted herewith, in accordance with the provisions of Section 502B(c) of the Foreign Assistance Act of 1961 as amended, statements on the human rights situation in Guatemala, based on information available to the Department of State as of January 31, which was requested in your letter of December 23, 1983.

Sincerely,

W. Tapley Bennett, Jr.
Assistant Secretary

Legislative and Intergovernmental Affairs

The Honorable
Dante B. Fascell,
Chairman,
Committee on Foreign Affairs,
House of Representatives.

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United States Department of State

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88-033-0301

Washington, D.C. 20520

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Sincerely,

W. Tapley Bennett, Jr.
Assistant Secretary

Legislative and Intergovernmental Affairs

The Honorable
Gus Yatron, Chairman,
Subcommittee on Human Rights and
International Organizations,
Committee on Foreign Affairs,
House of Representatives.

United States Department of State
Office of FOI, Privacy, & Classification Review
Review Authority: MOSKOWITZ, SAM
Date: 06/22/95
Case ID: 95A22201

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United States Department of State
Washington, D.C. 20520

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(with SECRET attachments)

FEB 4 1984

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There is transmitted herewith, in accordance with the provisions of Section 502B(c) of the Foreign Assistance Act of 1961 as amended, statements on the human rights situation in Guatemala, based on information available to the Department of State as of January 31, which was requested in your letter of December 23, 1983.

Sincerely,

W. Tapley Bennett, Jr.
Assistant Secretary
Legislative and Intergovernmental Affairs

The Honorable
Michael D. Barnes, Chairman,
Subcommittee on Western Hemisphere Affairs,
Committee on Foreign Affairs,
House of Representatives.

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GUATIMALA

A. Human Rights Information

1. Political/Legal Situation

Guatemala has been ruled by a de facto military government for almost two years. The present Head of State, General Oscar Humberto Mejia Victores, Minister of Defense under President Efraim Rios Montt, assumed power on August 8, 1983 as the result of a nearly bloodless coup. Rios Montt, who himself took office as the result of a military coup in March 1982, was removed because of general discontent with his erratic style and evangelical ideas. Guatemala's senior military commanders believed Rios Montt's departure was necessary to prevent further factionalism within the military and to preempt a possible coup by the far right. Our inability to provide politically meaningful support to the Rios Montt Government contributed indirectly to its downfall.

The Mejia Government has taken a number of positive steps to restore a constitutional, electoral process and to address the practice of extra-legal detentions: it suspended the state of alarm; abolished the controversial special courts; granted an amnesty; confirmed Constituent Assembly elections for July 1, 1984; and announced that an elected president will assume office in 1985. The government further reaffirmed its commitment to democratization by continuing the process of legalizing political parties (37 political groups are now registered) and undertaking the registration of voters.

On January 19, 1984, the government promulgated an electoral law which provides the legal framework for the July Constituent Assembly elections (the law prohibits certain officials of the deposed Lucas regime from holding office, and bans active duty military, close relatives of the head of state, and certain other individuals from being candidates). On January 27, 1984, the Guatemalan Foreign Minister invited the countries with diplomatic missions in Guatemala to send observers to the forthcoming elections, and he indicated that the Guatemalan Government is considering also inviting regional organizations to send observers. The Constituent Assembly will convene on or before August 1 to begin the task of drafting a constitution and an electoral law which will serve as the basis for the presidential and congressional elections to follow. We have no indications that the Guatemalan military is considering running "official" candidates in the upcoming election or is

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favoring any specific group or party. On the contrary, the removal of General Lopez Fuentes (closely aligned with the far right National Liberation Movement) as Chief of Staff is an indication that the military wants to prevent any semblance of alignments with such groups.

Guatemala continues to face a strong Marxist-Leninist insurgency that has its roots in longstanding social, political, and economic inequities. The repression and corruption exhibited by the Lucas regime (1978-82) swelled the guerrilla ranks, and eventually lost the government the support of the young officers in the military. With the coming to power of Rios Montt in March 1982, the army implemented a plan that Lucas had rejected several years earlier -- the so-called "beans and rifles" policy. Central to that policy was the recognition that unless the government addressed the social and economic problems confronting the peasants in the highlands and provided an alternative to the repression, there was no hope in gaining the loyalty of Guatemala's Indian population. Therefore, while the army stepped up its activities against the guerrillas and developed the civil defense forces (taking the unusual action of supplying Indians with weapons to defend themselves), it also provided food, seed, and building materials to those displaced by the violence. Concurrently we saw a reduction in extra-legal violence, though some regional military commanders have exerted more effort in this regard than others.

Although the guerrilla movement is essentially Guatemalan, it has received external support in recent years. The army's shift in strategy caused the guerrillas to suffer military and political setbacks over the past two years. In turn, the guerrillas resorted to violence against elements of the Indian population. Despite government successes, the guerrillas continue to represent a serious threat. Since the August change in government, there has been an upsurge in guerrilla military and terrorist activity, both in the countryside and in the cities.

Following the March 1982 coup, the 1965 Constitution was abrogated and a Statute of government enacted on April 28, 1982. This statute closely resembles the 1965 Constitution. However, under the state of siege (July 1982 - March 1983) and the state of alarm (June - August 1983) political and civil liberties were restricted. General Mejia lifted the state of alarm and the current government, which includes civilian participation at the ministerial level, rules by decree under the framework provided by the April 1982 Statute. The real basis of support of the Mejia Government is the military commanders council.

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2. Observance of Human Rights

Serious human rights problems continued in Guatemala in 1983. However, there has been a decline in the overall levels of politically related violence in 1983 compared to the situation in 1982, particularly in the countryside. Similarly, the situation with respect to civil and political rights has improved.

With the overthrow of the Lucas regime in March 1982, the Guatemalan Government undertook a campaign to aggressively pursue the guerrillas in their own sanctuaries in the highlands, and, at the same time, to better control the misuse of force by its own military. The government was much more successful at the former than the latter, though the trend since March 1982 has been positive (see Table I attached following Question 6, Section D). Though there are peaks (e.g., the summer of 1982 when the army returned to the highlands), generally there has been a progressive reduction in overall violence since 1982. This trend has been less noticeable in the reports of disappearances and kidnappings than it has in the reports of deaths.

Immediately after the August change in government there was an increase in the number of politically related civilian deaths and abductions. The average monthly number of abductions under Mejia (August-December 1983) was 32 compared to 21 under Rios Montt during his last seven months as president (January-July 1983). For this same time period, the average monthly number of non-combat (i.e., civilian) deaths is 41 under Mejia versus 42 under Rios Montt. Disappearances during the Mejia Government, however, after numbering 56 in September, have declined in each succeeding month, totaling 26 in December. Similarly, non-combat deaths were 54 in September and 69 in October, but declined to 33 in November and 20 in December.

We caution against excessive reliance on so-called body counts as a precise measurement of what is occurring in Guatemala, as it is impossible to record every incident that occurs. Figures collected over a period of time, using a similar collection methodology, can, however, indicate the general trends that are occurring.

There has been no resolution of the abductions and murders by Guatemalan security forces of several Guatemalans employed by a contractor for an AID financed bilingual education project. Resolution of these cases is complicated by the reluctance of the military to discipline those involved in such

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offenses. However, the government of Guatemala has given us written assurances that they are willing to work with us to implement safeguards against future abuses by guaranteeing the protection of AID employees working on the bilingual education program. The Mejia Government, according to intelligence reports, has also begun to control extra-legal violence by tightening control over the Presidential Intelligence Service (AGSAEMP) to prevent human rights abuses, and by disciplining AGSAEMP personnel who have ignored the new controls. This is significant because AGSAEMP had been implicated in abductions, tortures, and assassinations. The effectiveness of such actions is called into question by recent reports implicating government security forces in the kidnaping of a patient from a hospital emergency room and the abduction of several persons with ties to individuals believed to have been murdered by government security forces.

Both the governments of Rios Montt and Mejia have cooperated with international and non-governmental organizations who have visited Guatemala to investigate alleged violations of human rights. Lord Colville, the United Nations Human Rights Commission Special Rapporteur, visited Guatemala in June-July 1983 and issued his report in November. While acknowledging that basic rights had been violated, he noted the efforts of the Guatemalan Government to curb abuses and concluded that there has been "marked improvement" in 1983.

a. Integrity of the Person

Approximately 500 civilians were killed in Guatemala in 1983. It is impossible to assess responsibility for each of these deaths, although some were undoubtedly killed by government security forces or civil defense patrols. Other deaths were attributable to the guerrillas. In addition, there were some 1,100 military and guerrilla combat casualties.

During 1983 more than 300 persons disappeared. Again, some of these individuals were undoubtedly seized by government security forces, while others were kidnapped by guerrillas or by common criminals. Similarly, both the government and the insurgents have employed torture.

b. Civil and Political Rights

Many of the infringements on personal freedoms were removed when the state of alarm was lifted in August 1983. Public criticism of the government occurs. The government has ended the restrictions on political activity, established procedures to legalize political parties under which 37 political groups have begun the process to be recognized officially as political parties. Trade unions function. Freedom of religion is a

reality, although some tensions exist between the Catholic Church and the government and between the Catholic Church and Protestant groups.

The United Nations High Commission for Refugees (UNHCR) estimates there are 35,000 displaced Guatemalans in UNHCR camps in Mexico. The Guatemalan Government has expressed its strong desire to cooperate in the voluntary repatriation of these refugees, and to assist in their resettlement in their villages of origin.

Although reports of massacres and other atrocities continued in 1983, there was a steep decline in credible reports of government violence in the countryside as compared to 1982. Some reports of massacres were fabricated or based on inaccurate information, such as the reports of massacres in Xoraxaj and Parraxtut. In each of these two cases later investigation determined no massacres had occurred.

The Department's 1983 Human Rights Report for Guatemala provides a more comprehensive account of the human rights situation in that country, and a copy of that report is attached.

B. U.S. Government Action in Human Rights Area

1. Promotion of respect for and observance of Human rights

During the past three years, U.S. officials have stressed with their Guatemalan counterparts the importance of human rights in American foreign policy and to our relationship. For the most part, our conversations have been held in private, though, at times, we have been public about our concerns. For example:

On January 7, 1983, when announcing the approval of the sale of spare parts, the Department of State stated, "...we want to see further progress in Guatemala in promoting respect for human rights..."

On March 4, 1983, following the execution of six persons, the Department of State stated, "We're naturally disturbed by reports that those executions took place after a secret trial. We've consistently stressed our support for due process and an open judicial system..."

On March 11, 1983, following reports of the disappearance and death of Patricio Ortiz Maldonado, an AID contractor, the Department of State stated, "We fully expect that the Guatemalan Government will see that justice is done in this case. We are also seeking assurances from the Guatemalans that anyone directly or indirectly in our employ can carry out his duties safely in Guatemala."

On June 20, 1983, following Rios Montt's announcement that elections would take place during the latter half of 1984, the Department of State noted that this was "...a positive step in returning Guatemala to democratic government."

On June 30, 1983, reacting to the imposition of the state of alarm, the Department of State expressed the hope that "the decree will be temporary and applied moderately in keeping with the government's announced intention to inaugurate today the Supreme Electoral Tribunal which will be initiating planning for the Constituent Assembly elections."

In a speech to the American Chamber of Commerce of Guatemala on August 9, 1983, Ambassador Chapin told his audience that there was a direct relationship between Administration support for assistance to Guatemala and progress on human rights issues.

More recently, on January 17, 1984, the Department of State noted that "we would oppose any change of government in Guatemala other than through democratic means."

On January 20, 1984, the Department of State "noted with pleasure" the Guatemalan Government's announcement the previous day of the electoral decree convening constituent assembly elections to be held on July 1 and stated that that government "has taken an important step toward the establishment of democratic constitutional rule."

Embassy officers, as a matter of course, have emphasized the importance of respect for human rights in their contacts with Guatemalan officials. In particular, senior Embassy officers, including the Ambassador and the Deputy Chief of Mission, emphasize human rights subjects in their public and private discussions. President Reagan's special envoy for Central America, Ambassador Richard Stone, also emphasizes respect for human rights in his discussions with top-level Guatemalan authorities. During visits to the countryside, Embassy officers have taken the opportunity to meet with senior Guatemalan military officers in the area and to stress to them the importance that the United States places on respect for human rights.

Human rights is the major issue discussed by high-level officials visiting Guatemala. During the past two years these have included, former Deputy Assistant Secretary of State for Inter-American Affairs, Ambassador Bosworth (June 1982); former Deputy Assistant Secretary of State for Human Rights, Melvin

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Levitsky (August 1982); Ambassador Walters (April 1983); Deputy Assistant Secretary of State for Human Rights, Gary Matthews (June 1983); Assistant Secretary of State for Inter-American Affairs, Langhorne Motley (September 1983); Under Secretary of Defense, Fred Ikle, and Assistant Secretary of State for Human Rights, Elliott Abrams, (November 1983). Bilateral discussions in which human rights have been a central topic have taken place in third countries, as did one recently (December 1983) between General Mejia and Vice President Bush during the Argentine presidential inauguration.

Recognizing that democracy is not just elections, we have supported the return of the AIFLD (American Institute for Free Labor Development) program to Guatemala to build a truly independent labor movement. Our development assistance has the purpose of strengthening Guatemala's rural population. Congressional restrictions in the FY-84 Continuing Resolution prohibit our funds from going through government agencies and thus limit our ability to help build the rural health, education and agriculture infrastructure so necessary for Guatemala's future. For example, because of these restrictions we are unable to provide funds to the Peace Corps for use in local development projects or to include Guatemala in our efforts to help improve Central American judicial systems.

During the Lucas Government (1978-1982) we were unable to have any kind of productive dialogue on human rights issues. That has not been the case with his successors, though obviously progress on some items has been greater than on others (e.g., progress toward democratic elections vs. punishment of military officers for infractions of the code of conduct). Publicly and privately we have sought to reinforce the positive steps taken by the Guatemalan Government since March 1982 -- electoral calendar, amnesty, and of the states of alarm and siege. Privately, we have told the Guatemalans that, despite this progress, actions must be taken to eliminate any involvement by members of government security forces in kidnappings and killings. If such actions are not forthcoming, we have said that the bilateral relationship will remain strained and there will be no significant amounts of economic let alone any security assistance.

2. Disassociation of U.S. Security Assistance from Violations of Human Rights

Since FY 1978 there has been no military assistance program (MAP, FMS credit or IMET) for Guatemala. The only significant action concerning defense-related items since FY 1980 has been limited to a single authorization of six million dollars in

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helicopter and other spare parts and safety of flight equipment. Key government officials clearly understand that any resumption of a normal security relationship depends upon a substantially improved human rights performance on their part. Our recent action to proceed with that sale was due to our belief that since the human rights situation had not deteriorated since our original decision, it was important to fulfill the commitment we made to Guatemala in January 1983, in large part to encourage them to continue to make progress in the areas of human rights and democracy including especially the control of the security forces. This action in moving forward on spare parts -- at a time when only three of Guatemala's eleven helicopters that carry eight or more people are operational -- does not mean we will automatically approve other FMS cash sales or Munitions Control licenses. These cases will be addressed individually, and will hinge on continued Guatemalan progress in the areas of concern. In private conversations informing the Guatemalan government of our action, we have made this point very clear.

C. U.S. Interests Justifying a Security Assistance Program

Our principal interest in Guatemala is in promoting the development of a stable democratic society that will protect human rights. That will not come overnight. But for the first time in many years, there appears to be a government in place that is committed to hold honest elections, to lessen the role of the military in the government, and to reduce the levels of political violence that have plagued that country for years.

Our ability to influence that process is minimal at present. We have not had a close relationship with Guatemala for several years. All Guatemalans, regardless of their political viewpoints, are wary of U.S. interference in what they regard as their internal affairs. Nevertheless, the limited security program that now exists (FMS cash sales) can act as a positive sign in reinforcing the military's commitment to the democratic process. How much influence we will have is open to conjecture. But without such a tool, we will have little or none. Failure to provide some politically meaningful sign of support for the efforts being undertaken to return the country to democratic rule, and to reduce human rights violations, will only increase the chance of further political instability.

In addition, the U.S. has other strong interests in Guatemala and the region which necessitate a solid, bilateral relationship, including a positive relationship with the Guatemalan military. Guatemala has been an active participant

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in the Contadora process and a supporter of a comprehensive approach to peace in the region. We need tools to encourage the GOG -- and its military -- to continue to support the unity of the Central American nations in this process. Also, we have an interest in encouraging the Guatemalans to continue to seek dialogue with Belize and the United Kingdom in order to reach a peaceful, negotiated solution to the century-old Belize-Guatemala territorial dispute. Moreover, our overall regional economic and security interests cannot be effectively addressed if Guatemala -- Central America's most populous and industrialized country -- is kept at the margins.

The Department believes that the continuation of our economic and security programs, in a measured fashion in order to promote further human rights progress, is in the national interest. The resumption of developmental assistance programs with governmental entities and the approval of a security assistance program for Guatemala, including FMS credit, IMET, and ESF, could act as a catalyst for further improvements in the human rights situation in Guatemala. A limited security assistance program could open lines of communication with key officers who have felt isolated from the United States for years. Through IMET, younger officers, who have had little or no experience with democracy, would receive valuable exposure to the operation of the military under such a system. Properly channeled, FMS credits would allow us to work more effectively with those elements in the Guatemalan Government who share our goals of restoring democracy and addressing the nation's social and economic needs. It would reinforce developing a positive relationship between the military and the indigenous population in Guatemala through emphasis on civic action and tighter command and control (now hindered by inadequate transport and communications facilities). ESF can play a vital role in bringing about economic stability, particularly necessary as the country enters the electoral campaign.

On the basis of the above considerations, we have determined that it is in the national interest of the United States to provide limited amounts of security assistance (as defined in Section 502 B (d) (2) of the Foreign Assistance Act) to Guatemala.

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D. Other Information Requested by the Committee on Foreign Affairs

(1)(a) All information available to the U.S. Government with respect to the recent disappearance and murder of AID employees in Guatemala. (b) The Department of State's judgment as to whether or not any Guatemalan civilian or military officials were involved in planning, implementing or covering up these disappearances or murders.

Maria Julieta Esperanza Sanchez Castillo and her daughter, Piedad Esperanza Barrios Sanchez, were abducted by armed men on October 7, 1983. At the time, Mrs. Sanchez was employed by the Guatemalan Ministry of Education in the Rural Education Department. She was peripherally involved with AID because she was studying for a Masters Degree at a local university under the sponsorship of the Ministry in a program financed by AID for education administration.

Jose Felipe Ralac and his wife, Celia, were abducted on October 18, 1983. He was then employed by an American company holding an AID contract for work with the Guatemalan Ministry of Education on a pilot bilingual education project.

Firemen in Coatepeque, Quezaltenango, received an anonymous telephone call on November 12, 1983, informing them that a car that had been involved in an accident could be discovered near Pajapita, San Marcos, a nearby town. When the firemen arrived at Pajapita, they found a wrecked vehicle and the bodies of Jose Felipe Ralac, Maria Julieta Sanchez and Piedad Barrios Sanchez. According to the coroner's report, both Mr. Ralac and Mrs. Sanchez died of second degree burns, and Ms. Barrios died of a severe blow to the head. Firemen also discovered identification documents for the three victims, as well as several forged I.D. papers. At this time, Celia Ralac has not appeared.

The evidence strongly suggests the three were killed prior to the accident. People who knew the victims claimed that none of the three knew how to drive a car. An eyewitness also claimed that he saw a man get out of the vehicle, pour gas on it, and then leave with another man on a motorcycle.

Guatemalan Government officials maintain in public and private that the three people died in the automobile accident though we are unaware of any official Guatemalan Government investigation which has probed the strange circumstances surrounding the accident. The lack of a thorough investigation and the

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repeated assertion by the officials that the victims had been involved in "subversive" activities suggests involvement on the part of some Guatemalan Government officials though we have no evidence that directly implicates anyone.

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(2)(a) All information available to the U.S. Government concerning the case of Patricio Ortiz Maldonado, an AID employee who was murdered in February, 1983. (b) The Department of State's judgment as to who was responsible for that murder and as to whether or not those responsible will be brought to justice.

Patricio Ortiz Maldonado was a Guatemalan employee of an American company holding an AID contract for work with the Guatemalan Ministry of Education on a pilot bilingual education project. He traveled to the small rural town of Ixtahuacan, Huehuetenango, on February 8, 1983, on official project-related business. That afternoon, he presented himself at the military post in Ixtahuacan to identify himself and his reason for being in the area. The following morning, he, along with two Ministry of Education counterpart employees and the mother of one of them, left Ixtahuacan to go to Colotenango, Huehuetenango. They were reportedly stopped at 6:00 a.m. about two kilometers outside of Ixtahuacan at a military check point by an army patrol.

It has never been clearly established what happened after their car was stopped by the army patrol and they were seized. According to an army press release, they were shot and killed by the patrol as they attempted to escape. They reportedly fall into the Cuilco River; the army patrol never recovered their bodies.

Second Lieutenant Ottoniel Fajardo Miranda was arrested in March 1983, and charged with kidnapping in this case. He was the officer in charge of the unit which seized the four. On June 29, 1983, a military court acquitted Lt. Fajardo because of insufficient evidence. The Eighth Chamber of the Court of Appeals of Quezaltenango, a civilian court, upheld the military court's verdict on July 15, 1983.

There is no question about the Guatemalan military's responsibility for the deaths of Patricio Ortiz and his companions -- the Guatemalan Government admits it. What is uncertain is the exact circumstances of the deaths of these people, and the involvement of the Guatemalan military leadership in either the crime itself or in the cover-up. The official version of the circumstances of the death is factually inconsistent and represents the third revised official version, none of which was internally consistent.

Information provided by those close to the deceased indicate that an army patrol, headed by Lt. Fajardo, detained Patricio Ortiz and his companions, and eventually took them to the military zone headquarters in Huehuetenango. What exactly

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happened at the base is conjecture, though at some point the detainees were killed. Upon whose orders is unknown. It appears from the multiple and conflicting explanations surrounding the disappearances that senior Guatemalan officers have been involved in the cover-up of the crime.

It is unlikely that anyone will be brought to justice, because the Guatemalan Government considers the case closed. The Guatemalan Government, however, has taken steps to prevent a recurrence of this kind of incident. In a January 5, 1984 diplomatic note, the Guatemalan Government pledged "with all the means in its reach to guarantee the security of the experts, technicians and in general of all the personnel who lend their services to the (bilingual education) project."

Our Embassy has provided the government of Guatemala with the names of individuals involved in the project so that they may be issued I.D. cards which will be recognized by the military authorities. We understand the government plans to initiate a similar program for its own employees involved with the project in the Ministry of Education. We have not made this known publicly because of fears on the part of the Guatemalan Government that if the document becomes known to the guerrillas, they might assassinate an AID-related employee in order to embarrass the government of Guatemala and further damage relations between that government and the United States.

Recent events raise doubts about the government's ability to implement such a program. On January 21, a regional education supervisor under the bilingual education project was stopped at a military roadblock and taken to the military base at Huehuetenango. He was released the following day at noon. On the night of January 20, armed men reportedly left that same base and attempted to detain a first cousin to Patricio Ortiz Maldonado, the contract employee killed by security forces in February 1983. This person escaped and is now in hiding. Whether these people were detained because of their association with the bilingual education program or because of some other reason, is unknown.

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(3)(a) All information available to the U.S. Government concerning the murders of Father Stanley Rother, Reverend James Troyer, Brother James Miller and Mennonite missionary Kai Yutah Clouds. (3)(b) The Department of State's judgment as to whether the Government of Guatemala has made a serious attempt to investigate and bring to justice those responsible for these murders, and whether civilian or military officers were involved in any aspect of the murders or in covering up these murders.

Father Stanley Rother: Father Stanley Rother, a Catholic priest, was killed on July 28, 1981, at his parish in Santiago de Atitlan by three unidentified assailants. At the time of his murder, there was considerable guerrilla activity in the area south of Lake Atitlan. In May 1980, ORPA guerrillas had briefly occupied Santiago. Subsequently, Guatemalan Government forces stepped up their operations in the area.

From November 1980, Father Rother had been in contact with the United States Embassy in Guatemala. At first he viewed the situation in Santiago as quiet. On January 14, 1981, however, he advised the Embassy that 17 unarmed peasants had been killed by soldiers in the area, that his catechist had been abducted, and that he had received two death threats. Despite the death threats, Father Rother said he was more concerned for the safety of his Indian assistant than for himself. On January 20, 1981, Father Rother advised the Embassy of his plans to depart Guatemala with his assistant, and did so on January 28. He returned to Guatemala later in the spring.

On the night of July 28, 1981, three assailants went to Father Rother's residence and forced the gardener to lead them to the priest's rooms where they shot Father Rother. The National Police report of their investigation included reference to the victim's ransacked room and open safe. Statements were taken from the gardener and a Mexican nun who also saw the assailants. The witnesses described the three men as Ladinos (that is, of mixed Indian and European ancestry, as opposed to Indians).

On August 1, 1981, three Indians, who were acquaintances of Father Rother, were arrested and charged with robbery and murder. The police stated that the arrests were based upon statements provided by the Mexican nun. Guatemalan newspapers reported that the three men had confessed to the crime. Doubt persisted, however, regarding the guilt of the three men. The Mexican nun returned to Mexico where her order released a statement saying that the Guatemalan police had used her name to make false statements. The physical descriptions of the

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assailants did not match those of the arrested men. Robbery in the poor parish was considered an unlikely motive. The U.S. Embassy, which had obtained the slug and casing from the scene of the murder, delivered this evidence to the Guatemalan Government with an offer by the FBI to assist in examining them. The Guatemalan Government never requested U.S. assistance and no reports of the government's own findings have ever been made available to the U.S. or presented to the Court.

In September 1981, the U.S. Ambassador discussed this case with the Guatemalan Interior Minister, who stated his opinion that the arrested men were not guilty. The Ambassador expressed U.S. concern that there not be a miscarriage of justice. In January 1982, the three men were found guilty of murder and condemned to 8 years imprisonment and payment of a fine. After the change of government in March 1982, and at the request of the U.S. Ambassador, the Chief Justice of the Guatemalan Supreme Court agreed to review the lower court decision. On May 17, 1982, an appellate court reversed the conviction and the men were released.

Since that time, the Embassy has made numerous requests to the Guatemalan Government for the results of its investigation into the murder of Father Rother. On July 19, 1983, the Ministry of Foreign Affairs advised the Embassy that the case is of great concern to the government of Guatemala and an effort was being made to investigate it. The Ministry's note referred to the difficulty in investigating the case after the passage of so much time and the fact that people who might have been able to give testimony have not come forth for fear of reprisal. The latest communication the Embassy received on the case was dated November 8, 1983, and provides no further information.

Elements of the Guatemalan security forces could have been involved in the murder of Father Rother. Certainly, government officials, either through ineptness or intention, failed to provide evidence to the Court or others investigating the case. The arrest of the three Indians stopped any active investigation for more than six months. It is unlikely that any further information will be developed at this point, more than 30 months after the murder.

Reverend John David Troyer: Mennonite Pastor John David Troyer was shot to death on September 14, 1981, in the village of Palama, Department of Chimaltenango. According to eyewitness accounts provided by his wife, Mary Troyer, and a Mennonite missionary, Gary Miller, 10 armed men attacked the Troyer house at about 2300 hours on September 13. After ransacking the house for two hours, and burning the Mennonite mission vehicle,

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one of the 10 men shot both John Troyer and Mr. Miller with an automatic weapon, killing the former.

The Embassy requested the government of Guatemala to investigate Pastor Troyer's death. On June 25, 1982, the government advised the Embassy that on January 18 Guatemalan security forces engaged and destroyed a guerrilla unit operating in the area of Tecpan and San Jose Poaquil, Chimaltenango. Based upon the area in which the guerrilla group had been operating, the weapons it had been using, and the eyewitness accounts provided by Mary Troyer and Gary Miller, the government of Guatemala is of the opinion that it was this guerrilla group which killed John David Troyer.

The government explanation is plausible, as guerrilla groups were active in the area.

Brother James Miller: James Miller, a Christian Brother, was murdered on February 13, 1982, by three unidentified assailants in front of his residence in Huehuetenango. The Huehuetenango police report indicated that the murder was witnessed by a number of people and that it was presumed the assailants were "subversives." On May 31, 1982, the Embassy received a diplomatic note in answer to earlier notes from the Embassy. The Guatemalan Government note stated that Brother Miller was well known to the authorities in Huehuetenango for his close collaboration with personnel of the military zone, that in that area subversive elements were physically eliminating civil and military authorities and their collaborators, and that Brother Miller unfortunately was one of their victims. The Embassy reiterated its interest in this case most recently to the Ministry of Interior on October 13, 1983, but a response of November 14 provided no further information.

It is difficult to determine who is responsible for Brother Miller's death. On the one hand the Christian Brothers had received threats, presumably from the right, for operating an Indian school. On the other hand, Brother Miller, who had departed from Nicaragua after the Sandinistas came to power, was rumored to have maintained ties with wealthy Nicaraguans--giving reason for the left to kill him. There is no indication in any of the information available to the Embassy that any military or civilian authorities of the government of Guatemala have been involved in the murder or in any cover-up. Without a new development it is unlikely that there will be any further progress in the investigation of this case. The Embassy maintained close contact with church sources, who initially indicated they had leads in the case and, in one instance, thought they might know who was

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responsible; nonetheless, these sources never provided that information to the Embassy, although the Embassy said it would bring that information to the attention of the government.

Kai Yutah Clouds: The body of Veit Nikolaus Stoscheck, also known as Kai Yutah Clouds, was found on October 11, 1980, in Antigua, Guatemala. The autopsy report states that death was due to traumatic shock and fracture of the skull.

Mr. Stoscheck had been working in the village of San Jose Poaquil, Chimaltenango since shortly after the 1976 earthquake. Mr. Stoscheck was not a Mennonite missionary.

He was last seen in the town of Chimaltenango on October 10, where he was giving a class on agronomy under the auspices of a private voluntary organization, World Neighbors. Although there were third-hand reports that Mr. Stoscheck was forced into a vehicle one block away from the main square of Chimaltenango by several armed men, no witnesses ever came forward.

The Embassy has brought this case to the attention of the Guatemalan Government on many occasions since October 1980, most recently on October 13, 1983. The latest response of the government, dated November 14, 1983, contains no information which would lead to those responsible for Mr. Stoscheck's death.

It is unlikely the Guatemalan authorities will be able to develop any information regarding this case. Despite unverified reports that government security forces were involved in Mr. Stoscheck's murder, there is no evidence which supports the supposition that the government of Guatemala was involved. Similarly, we have no information which would indicate an effort by any military or civilian authorities to cover-up the facts or circumstances of Mr. Stoscheck's death.

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(4) All information available to the U.S. Government which would indicate that the officials of the Government of Guatemala have been or are now engaged in, have ordered, or have otherwise been involved in murdering or kidnaping any individual or group of individuals in Guatemala.

As noted in the Department's 1983 Human Rights Report on Guatemala, elements of the Guatemalan security forces have been responsible for a number of deaths and disappearances. In the case of Patricio Ortiz Maldonado, an A.I.D. contract employee who was killed in February 1983, the Guatemalan Government has admitted its responsibility. Security forces for a long time have detained persons without due process for questioning about their alleged involvement in guerrilla activities, although they have officially denied doing so. A number of cases processed by the Special Courts are examples. Except in cases where guerrilla forces admit responsibility for a disappearance or execution, one can only speculate about who was responsible for any particular act of violence or what was their motive.

Although the Guatemalan Government has frequently denied that any of their security forces have been involved in such acts, both the Rios Montt Government and that of General Mejia have taken action against some security force personnel allegedly involved in criminal activity. Under Rios Montt, approximately 270 policemen were removed from office, tried and convicted in criminal courts for crimes ranging from murder to extortion. Among these was Roberto Cruz Gudiel, head of Guatemala's INTERPOL section, who was arrested for murder. Before a verdict could be reached, he was found hanged in his prison cell.

Under General Mejia, some 125 policemen have been removed from office and turned over to the courts for legal action. On January 5, 1984, Guatemalan newspapers reported that the government had arrested two members of the National Police for kidnapping and murder, and that three military policemen were arrested for committing a series of robberies and assaults in the Department of Escuintla. The articles stated that the three were involved with a band of civilian criminals. The civilians reportedly were arraigned before a regular criminal court, while military authorities brought the three men to the capital to face a military court.

Intelligence information indicates that General Mejia has taken action to reign in the Presidential Intelligence Service which long has been accused of involvement in kidnappings and murders. Officers reportedly have taken stiffer action against personnel who exceed their authority and use excessive

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violence. Some low-level employees have been arrested for their involvement in criminal acts. Events like the abduction of a patient from his hospital bed on January 31 by individuals believed to be associated with the security forces raise serious concerns about the ability or willingness of elements of the security forces to carry out directives issued by Meja. It remains to be seen how effective these actions will be in changing the overall modus operandi of the security forces.

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(5) A list of all cases of murder, kidnapping or disappearance, with the circumstances and political implications, since August 8, 1983, which have come to the attention of U.S. officials through the Guatemalan press or through other means.

This is a partial list based largely on public reports. While an effort has been made to exclude obviously criminal activity, most of these incidents cannot be attributed with certainty to political as opposed to criminal or personal motives. Even when political motives are suspected it is difficult in most cases to determine with certainty if the actions were perpetrated by groups of the right, left or elements associated with or within the government.

August 1983

Soldiers KIA: 17
Civil Defense KIA: 5
Guerrillas KIA: 50

- 8/08 One weather technician killed by guerrillas that attacked and destroyed GOG weather station near the Usmacinta River, La Libertad, El Peten.
- 8/09 Body of female blindfolded, stabbed, and decapitated, found on road to Puerto San Jose, Escuintla.
- 8/10 Bodies of male and female, tortured and shot, found on the Atlantic Highway, Palencia, Guatemala
- 8/12 Agronomist Jorge Alberto Rosales Paz kidnapped by armed men in Lo de Pinto, Teculután, Zacapa.
- 8/13 Two bodies, tortured and shot, found in the Nahualate River, Chicacao, Suchitepequez.
- 8/13 Two bodies, naked, tortured and shot, found in the Sigüacán River, Rio Bravo, Suchitepequez.
- 8/14 Julio Lowenthal Arceyuz found beaten and shot. He was the son of a well known businessman and conservative political figure. Victim had been kidnapped by leftist subversive group (PGT) on June 29, 1983.
- 8/14 Guerrilla group took over finca near Mazatenango, Suchitepequez. Held rally and killed the owner's chauffeur.

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- 8/15 Bodies of three males aged 30 to 35, tortured and shot, found in Pan American Highway, San Bartolome Milpas Altas, Sacatepequez.
- 8/15 Body of a worker of the national cemetery with several bullet wounds found on the outskirts of Guatemala City.
- 8/18 Male, machine-gunned from moving vehicle at night in a downtown section of Guatemala City.
- 8/19 Industrialist Luis Felipe Valenzuela, kidnapped by the Communist PGT on June 29, 1983, was released unharmed after ransom was paid.
- 8/20 Security guard of the El Salto sugar mill machine-gunned in Guatemala City, supposedly by two young guerrillas that stole a 12-gauge shotgun and a .38 caliber revolver.
- 8/20 Finca worker kidnapped by several armed men in vehicles from his home in Finca El Baluarte, La Reforma, San Marcos.
- 8/24 Body naked, beaten and strangled, thrown from a vehicle at night in San Juan.
- 8/24 Bodies of two Indians, tortured and shot, found on a rural road of Coyutenango, Suchitepequez.
- 8/26 Taxi driver kidnapped with vehicle by several men with machine guns at night in Coatepeque, Quetzaltenango.
- 8/28 Three bodies with hands and feet tied, strangled and with bullet wounds found on road to Salama, Baja Verapaz.
- 8/29 Finca owner and member of well known Guatemalan family shot by armed men, on road to his finca in Yepocapa, Chimaltenango.
- 8/30 Body of Elfidio Gonzalez, poet and song writer, tortured and with eight bullet wounds, found on outskirts of Guatemala City.

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September 1983

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Soldiers KIA: 21

Civil Defense KIA: 2

Guerrillas KIA: 86

- 9/01 National policeman machine-gunned at night near downtown Guatemala City by men who stole his revolver.
- 9/02 Three members of a peasant family kidnapped by armed men in olive green uniforms at night from their home in San Pablo, San Marcos.
- 9/02 Three members of a peasant family, including a 15 year-old girl, kidnapped by several men with machine guns and their faces covered in Madronales Village, Ocos, San Marcos.
- 9/02 Disappearance of a counselor of the Municipality of San Lucas Tolimán.
- 9/03 Five bodies found with marks of torture and several bullet wounds on roadside between Poptun and Flores, El Peten.
- 9/03 Three bodies discovered stabbed and shot in the Department of Totonicapán.
- 9/04 Member of a civil defense patrol kidnapped by men with machine guns in a white van in Escuintla.
- 9/05 Two bodies with their hands and feet tied, found in Naranjo River, Fajapita, San Marcos.
- 9/07 Peasant kidnapped by armed men in olive green in El Coba Village, Flores, El Peten.
- 9/07 Gustavo Adolfo Meza Soberanis, M.D., kidnapped by armed men in station wagons in Guatemala City.
- 9/08 Marco Antonio Quinochez Flores, a law student at San Carlos University, kidnapped at night from his home in Amatitlan, Guatemala, by men with machine guns who had their faces covered.
- 9/08 Worker at Finca Filipinas in El Tumbador, San Marcos disappeared, possibly kidnapped.

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- 9/08 Body of a naked female found beaten in El Campanero, a housing development on the outskirts of Guatemala City.
- 9/09 Janneth Meza Soberania, a student at San Carlos University, kidnapped by armed men in station wagons in Guatemala City.
- 9/09 Two bodies, male and female, found naked and beaten in El Campanero, a housing development on the outskirts of Guatemala City.
- 9/09 Luis Rene Juarez Villala, lawyer and former professor at San Carlos University, kidnapped on road to Villa Canales Village near Guatemala City by an unknown armed group. Twenty days later he was released unharmed.
- 9/10 Celeste Mejia Victores, sister of the Chief of State, kidnapped by the guerrilla group Rebel Armed Forces (FAR) in Guatemala City. She was released on October 26 after the government allowed publication of a FAR manifesto in the Guatemalan media.
- 9/10 Salvador Valdez Fajardo, university student, shot by a group of armed men in Tiquisate, Escuintla.
- 9/11 Two burned bodies of finca workers blindfolded, hands tied, with several bullet wounds found at Finca Mirandilla, Santa Lucia Cotzumalguapa, Escuintla.
- 9/11 Jose Pajarito, well known cooperative leader, kidnapped from his office in Chimaltenango by men in uniform.
- 9/11 Father and son, workers in a government institution, kidnapped by men with machine guns in Malacatan, San Marcos.
- 9/13 Moises Ramirez Perez, a school teacher, kidnapped by armed men in a parking lot in downtown Guatemala City.
- 9/13 Three bodies, two males and one female, discovered beaten and tortured in El Campanero, a housing development in the outskirts of Guatemala City.
- 9/16 Body, with hands and feet tied and several bullet wounds, thrown from moving vehicle on road to Ayampuc, Guatemala.

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- 9/17 Body of Efrain Avalos Gonzalez, kidnapped three days before, was found in Guanagazapa, Escuintla with several bullet wounds.
- 9/18 Body found stabbed in El Campanero, a housing development in the outskirts of Guatemala City.
- 9/19 Two bodies found beaten and shot outside Guanagazapa, Escuintla.
- 9/20 Hector Jimenez Martinez, mechanic, kidnapped by four armed men in a blue station wagon from his shop in Guatemala City.
- 9/20 Body with six bullet wounds found in a street of the El Campanero housing development.
- 9/20 Military policeman shot at night by armed men in Cuyuta Village, Masagna, Escuintla.
- 9/21 Police officer killed when eight guerrillas attacked the police station in San Antonio, Suchitepequez, with machine guns and hand grenades.
- 9/21 Efrain Moreno Tax kidnapped by armed men in Guatemala City.
- 9/21 Guadalupe Perez Lara kidnapped by armed men in Miriam Village, Santa Lucia Cotzumalguapa, Escuintla.
- 9/22 Jose Rodolfo Perez kidnapped by armed men in vehicles at night from his home in a finca near Tiquisate, Escuintla.
- 9/22 Gilberto Ozaeta kidnapped by armed men in Nueva Concepcion, Escuintla.
- 9/22 Alberto Pelaez kidnapped by armed men in Patulul, Suchitepequez.
- 9/23 Body discovered beaten and shot on road to Villa Canales, a town near Guatemala City.
- 9/23 National policeman and a civilian killed when guerrillas attacked a police station on the outskirts of Guatemala City.

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- 9/23 Body found strangled and shot in the head on roadside near Guanagazapa, Escuintla.
- 9/24 Armando Saenz kidnapped by men armed with machine guns from his home in Escuintla.
- 9/25 Body found with several bullet wounds on roadside near Villa Canales, a town near Guatemala City.
- 9/25 One man killed and his two sons (22 and 20 years of age) kidnapped by six men that attacked their home with machine guns and hand grenades in Finca La Esperanza, Santa Lucia Cotzumalguapa, Escuintla.
- 9/25 Silvia Elizabeth Gonzalez Alvarez, a teacher, kidnapped by armed men in a white van in Guatemala City.
- 9/26 Vida Gomez, construction worker, and his two sons (23 and 17 years of age) kidnapped from their home on the outskirts of Guatemala City by armed men in a vehicle.
- 9/26 Four members of a rural family kidnapped at nighttime from their home in Barberena, Santa Rosa, by armed men.
- 9/27 Agricultural worker kidnapped from his home in Miriam Village, Santa Lucia Cotzumalguapa, Escuintla, by armed men.
- 9/27 Agricultural worker, his wife and son (11 years old) kidnapped by armed men from his home in Santa Lucia Cotzumalguapa, Escuintla.
- 9/29 Member of the civil defense patrol of Chichicastenango killed by armed men in the outskirts of Guatemala City.
- 9/29 Three agricultural workers kidnapped by armed men in San Juan Ostuncalco, Quezaltenango.
- 9/30 Several persons (3 males, 2 females and 2 youths) kidnapped by sixty armed men in trucks in La Blanca agrarian development, Ocos, San Marcos.

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October 1983

- 10/1 Two young males machine-gunned from another moving vehicle while driving their own car in Guatemala City.
- 10/1 Alfonso Figeroa Lopez kidnapped from his home in Guatemala City by armed men in a vehicle that had its license plates covered.
- 10/1 Two Indians kidnapped by men in olive green uniforms in Rio Frio village, San Cristobal, Alta Verapaz.
- 10/4 Hilario Rasguay and Alberto Rasguay Quispal, members of the Popular Organized Front, a political party in formation, kidnapped by armed men in Palin, Escuintla.
- 10/6 Two Indians kidnapped by armed men in the bus terminal of Coban, Alta Verapaz.
- 10/7 Civil defense patrols executed fourteen peasants who refused to serve as patrolmen, in Chiftinimit, Chichicastenango, El Quiche.
- 10/7 Julieta Sanchez Castillo, employed in an AID-related project, and her daughter Piedad Barrios Sanchez kidnapped by men in civilian clothes in Guatemala City. The bodies of Sanchez Castillo and her daughter found at scene of car accident on road near Pajapita, San Marcos on November 12.
- 10/8 Pedro Julio Garcia, well known journalist and Director of Prensa Libre, one of the largest newspapers in the country, kidnapped by the Guatemalan Communist Party (PGT). He was released on October 22 after a ransom paid and a PGT manifesto printed in local and foreign newspapers.
- 10/11 Robert Rosenberg, well known businessman, kidnapped in Guatemala City. His body was found days later on the outskirts of Guatemala City with several bullet wounds and with his hands tied behind his back.
- 10/11 Oscar Erick Estrada kidnapped from his home by armed men in two vehicles in Guatemala City.
- 10/11 Four persons, three males and one female, kidnapped at night from their homes in Guatemala City by armed men in vehicles.

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- 10/12 Body found blindfolded and with several bullet wounds in El Campanero housing development on the outskirts of Guatemala City.
- 10/13 Body of the young daughter of a National Police Chief found tortured, strangled and with several bullet wounds, in Guatemala City.
- 10/14 Guerrillas take over a finca in Pajapita, San Marcos, killed two workers and burned the buildings.
- 10/14 Cecilio Luis and Juan Ortega, bilingual promoters, kidnapped in San Juan Ostuncalco, Quezaltenango.
- 10/15 Body found, tortured and stabbed, with the letters "FAR-ORPA" written on his face, near Chiquimulilla, Santa Rosa.
- 10/15 Three persons disappeared, possibly kidnapped, in different sections of Quezaltenango.
- 10/15 Two brothers kidnapped by armed men in La Avellana village, Taxisco, Santo Rosa.
- 10/17 Two persons machine-gunned in downtown Guatemala City by men in a white van. Subversive leaflets found near the bodies.
- 10/18 Body found ten miles from Guatemala City on the Atlantic Highway with hands and feet tied, tortured, and with several bullet wounds.
- 10/18 Jose Felipe Ralac Xiloj, AID linguist, and his wife kidnapped by armed men in Guatemala City. The body of Felipe Ralac found inside a burning vehicle on a road near Pajapita, San Marcos on November 12, 1983. Whereabouts of wife remains unknown.
- 10/19 Body of a female, tortured, strangled, and with several bullet wounds, found in San Juan River near Palencia, a town fifteen miles from Guatemala City.
- 10/19 Jorge Augusto Velasquez kidnapped by six armed men in Quezaltenango.
- 10/19 Eudilio Gonzalez kidnapped by men with rifles in San Andres Chicaj, Baja Verapaz.

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- 10/20 A finca owner killed while driving his car by armed men on a road near Patulul, Suchi.
- 10/21 Body with several bullet wounds thrown from a moving vehicle on the outskirts of Guatemala City.
- 10/21 Body found decapitated and with several bullet wounds, on road to El Salvador, ten miles from Guatemala City.
- 10/22 Two bodies found with the hands and feet tied, mutilated and stabbed, on road to San Juan Sacatepaquez, nine miles from Guatemala City.
- 10/24 Cesar Perez Ramos, agricultural worker, kidnapped in San Rafael Pie de la Cuesta, San Marcos, by armed men with a list of names, who were traveling in a truck.
- 10/24 Alfredo Coc Ramirez, agricultural worker, kidnapped in Ocos, San Marcos by armed men with a list of names, who were traveling in a truck.
- 10/24 Florentino Juarez Lopez, agricultural worker, kidnapped in Ocos, San Marcos by armed men with a list of names.
- 10/25 Body found with several bullet wounds in Finca Barcenas near Villa Nueva, ten miles from Guatemala City.
- 10/25 Orencio Sosa Calderon, M.D., wounded and kidnapped by armed men while driving in car in Chimaltenango. He is presumed dead.
- 10/28 Body found stabbed and with several bullet wounds, at Finca Los Carritos, Escuintla.
- 10/28 Body of Antonio Valladares found beaten and with bullet wounds, near Taxisco, Santa Rosa.
- 10/28 Two bodies of peasants, stabbed and with signs of torture, found in the Atlantic Highway, fifteen miles from Guatemala City.
- 10/28 Rafael Ovalle Luna, M.D., kidnapped by armed men in Guatemala City. He was released on November 4, supposedly after ransom was paid.

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November 1983

Soldiers KIA: 12
Civil Defense KIA: 4
Guerrillas KIA: 62

- 11/01 Body of Rolando Orantes, veterinarian, found tortured and with several bullet wounds, in Guatemala City.
- 11/01 One person machine-gunned and his companion kidnapped by armed men in two vehicles in Guatemala City.
- 11/01 Romelia Tuch, a student, kidnapped by two men and a woman in a jeep without license plates in Totonicapan.
- 11/01 Oscar Leonel Velasquez, mechanic, kidnapped by armed men in Guatemala City.
- 11/02 Two bodies found tortured, with bullet wounds, and with a letter M made with razor blades in their backs, near Chinautla, a town ten miles from Guatemala City.
- 11/02 Body found tortured and with bullet wounds, on Atlantic Highway, fifteen miles from Guatemala City.
- 11/04 Three persons machine-gunned while driving a pick-up truck on road near La Blanca agrarian development, Ocos, San Marcos, by men that left a note saying: "this is revolutionary justice - PGT (Guatemala Communist Party)."
- 11/04 Two persons kidnapped in downtown Guatemala City, 7 men with machine guns in a yellow vehicle.
- 11/04 Ruben Quevedo, agricultural worker, kidnapped from his home in Chiquimulilla, Santa Rosa, by armed men. His body with bullet wounds found in a nearby finca two days later.
- 11/04 Francisco Chinchilla, agricultural worker, wounded and kidnapped by armed men from his home in Chiquimulilla, Santa Rosa. His body was found next day in same area with several bullet wounds.
- 11/05 Ricardo Bolovito Gonzalez and Juan Chacon Tuche, workers of the El Salto Sugar Mill and members of the Popular Organized Front, a political party, kidnapped from their homes near the sugar mill in Escuintla by men armed with machine guns in a white van.

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- 11/06: Cecilio Tejax Coj, secretary of the Organization of the Workers Union of the Finca Santa Rosa Zusatan, in Yepocapa, Chimaltenango, kidnapped by armed men in a car in Santa Lucia Cotzumalguapa, Escuintla.
- 11/07 Body of Father Augusto Ramirez Monterroso found beaten and machine-gunned on the freeway on the outskirts of Guatemala City.
- 11/07 Machine-gunned body found in a residential area in Guatemala City.
- 11/07 Body of agricultural worker, shot five times, found in La Maquina agrarian development, Suchitepequez.
- 11/07 Oscar Gomez Cojulun, employee of the Pacific Bottle Co. of Coyutenango, Suchitepequez, kidnapped by armed men.
- 11/09 Body of Guillermo Cubas Torres found with several bullet wounds and hands tied, inside a burning vehicle on the outskirts of Guatemala City.
- 11/09 Three bodies found naked and decapitated, near Maria Linda River, Guanagazapa, Escuintla.
- 11/10 Miguel Solon kidnapped by several men in civilian clothes in Guatemala City.
- 11/12 Guillermo Galvez Santos kidnapped by armed men in Antigua Guatemala, Sacatepequez.
- 11/13 Cipriano Guerra, a National Police Colonel, and four companions, kidnapped by armed men while driving a vehicle in Cuilapa, Santa Rosa.
- 11/13 Body with several bullet wounds found on road to El Salvador, near Barberena, Santa Rosa.
- 11/13 Delia Garcia, wife of National Police Colonel Cipriano Guerra, kidnapped by armed men from her home in Guatemala City.
- 11/14 Body found strangled and with several bullet wounds inside a vehicle near Mixco, a town near Guatemala City.

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- 11/15 Herminio Edelfo Ramos Perez, linguist in an AID project, kidnapped by armed men in Labrican, Quezaltenango.
- 11/15 Carlos Eugenio de Leon Gudiel, economist and professor, kidnapped by armed men in downtown Guatemala City.
- 11/16 A Ministry of Health employee shot by armed men that broke into his home in El Tumbador, San Marcos, and then fled in vehicles.
- 11/17 A person machine-gunned in one of the housing developments on the outskirts of Guatemala City.
- 11/17 Mauro de Leon Cifuentes, Deputy Mayor of El Cielo Village, El Tumbador, San Marcos, dragged out of his home and shot in front of his family.
- 11/17 Alma Rosa Gudiel kidnapped by armed men who dragged her out of her home at night in one of the new housing developments on the outskirts of Guatemala City.
- 11/19 Edgar Salguero Guillen kidnapped by armed men in a white pick-up truck in Coatepeque, Quezaltenango.
- 11/20 Body found beaten and with several bullet wounds on the Pacific Highway eight miles from Guatemala City.
- 11/21 Victor Davila, owner of a used car lot, machine-gunned in Guatemala City and his brother Armando kidnapped. Armando's body was found with several bullet wounds five days later near Escuintla.
- 11/22 Body of Francisco Perez Lopez found stabbed and with several bullet wounds near Metacalpa River, Malacatan, San Marcos.
- 11/22 Jose Miranda Gonzalez dragged out of his home in El Recuerdo Village, La Reforma, San Marcos, by armed men that shot him in front of his family.
- 11/23 Luis Felipe Castillo, administrator of Finca Esperancita, in San Andres Villa Seca, kidnapped from the finca by armed men in a black pick-up truck. Family believes this is a case of extortion.

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- 11/22 Toribio Rodas Santos, beaten and kidnapped from his home in Retalhuleu, by armed men in olive green uniforms.
- 11/22 Douglas Perez Rivas, a high school student, kidnapped by men with machine guns in Retalhuleu.
- 11/24 Noel Escobedo, agricultural worker, kidnapped from his home in Finca El Salto, Escuintla by armed men.
- 11/25 Leonel Carrillo Reeves, former rector of San Carlos University and current secretary of the School of Pharmacy, shot on the University campus in Guatemala City by two young men that fled on a motorcycle. Family members blamed the guerrillas.
- 11/25 Roberto Sandoval Dubon kidnapped by armed men in downtown Guatemala City. He was released after having been severely beaten.
- 11/25 Two deputy chiefs of the National Police kidnapped in the Department of Santa Rosa.
- 11/28 A man, possibly a guerrilla, killed in a shootout with armed men in a vehicle in Guatemala City.

December 1983

Soldiers KIA: 73
Civil Defense KIA: 5
Guerrillas KIA: 38

- 12/01 Jose Luis Lopez Balan and Miguel Gomez, labor leaders of Pantaleon Sugar Mill Workers Unions in Santa Lucia Cotzumalguapa, Escuintla, kidnapped.
- 12/02 Sebastian Gonzalez Tiniguer, employee of a transportation company, kidnapped from his home in the outskirts of Guatemala City by armed men in two vehicles.
- 12/02 Jose Ramiro Estrada Lopez and Salvador Martinez Gramajo kidnapped in Guatemala City.
- 12/04 Robelio Roan Bonilla kidnapped in Nuevo Progreso, San Marcos.
- 12/05 Luis Pack Tumax kidnapped from his home in Quezaltenango by men with machine guns.

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- 12/07 Julio Rene Gudiel kidnapped by three men in Jutiapa.
- 12/07 Carlos Penagos Arrecis, labor lawyer, and his assistant kidnapped from his office in downtown Guatemala City. The lawyer's vehicle found days later near Guatemala City.
- 12/08 Pedro Lorrenzo Lopez kidnapped near Concepcion Chirquirichpa, Quezaltenango by men with machine guns.
- 12/09 Dina Argentina Miranda Ortiz, high school student, kidnapped by armed men in a vehicle in the Central Park in Quezaltenango.
- 12/12 Prudencio Mendoza Garcia, a Catholic seminarian, shot by a member of Civil Defense Patrol. This was reportedly an accident, as Mendoza allegedly did not stop when requested to do so by the patrol.
- 12/12 Relatives claimed that Mario Flores Godinez was first tortured and then kidnapped by a military commissioner in Usumatlan, Zacapa.
- 12/13 Julio Almazan-Murga, university student and executive of the Texaco Oil Company of Guatemala, shot on a university campus in Guatemala City.
- 12/13 Body with torture marks and several bullet wounds found in San Jose El Golfo, a town fifteen miles from Guatemala City.
- 12/16 Ruben Pinto Guerra, assassinated in Vado Mondo, Chiquimula. Pinto Guerra was the National Liberation Movement (MLN) party secretary in the department of Chiquimula.
- 12/17 Bullet-riddled body of a young male found near the town of Poptun, El Peten.
- 12/18 Vicente Ruiz and Pedro Martinez, evangelical pastors, kidnapped by armed men from their homes in the villages of La Esperanza and Rancho Alegre in La Libertad, El Peten. The bodies of the two were found by government authorities in late January.
- 12/19 Body found tortured and with several bullet wounds near the town of Zacapa.

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- 12/20. Claudio Dionisio Cardona kidnapped by ten armed men from his home in San Miguel Pajafa, Pajapita, San Marcos.
- 12/21. Two persons machine-gunned from a white pick-up truck while riding a motorcycle on a rural road near Palin, Escuintla.
- 12/21. Four bodies with several bullet wounds found in the Department of Jutiapa. Two were found near the Agua Blanca and the other two near Santa Catarina Mita.
- 12/23. Ovidio Mendez and Jose Leiva, peasants, kidnapped from their homes in San Francisco and La Esperanza, respectively, both about ten miles from the city of Flores, El Peten.
- 12/23. Two bodies, one male and one female, found tortured, strangled, and with several bullet wounds near San Andres Villa Seca, Retalhuleu.
- 12/24. Jose Gilberto Caballeros, an accountant, kidnapped by armed men at a bus stop on the outskirts of Guatemala City.
- 12/27. Two bodies found burned with torture marks and several bullet wounds, near the town of Mixco, seven miles from Guatemala City.
- 12/28. Two bodies, supposedly of taxi drivers, who had been beaten and had bullet wounds in the head, found near the town of Santa Catarina Pinula, ten miles from Guatemala City.
- 12/28. Body with the hands tied, torture marks and several bullet wounds, found near Coatepeque, Quezaltenango.
- 12/28. Seferino Cuco Cifuentes, agricultural worker, kidnapped by armed men in olive green uniforms from his home in Finca Concepcion Candelaria, La Reforma, San Marcos.
- 12/28. Romulo Ramirez Lima and six other people reportedly abducted by GOG security forces.
- 12/29. National Police Captain Manuel de los Reyes Serrano Cano kidnapped.

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12/31. Body of a taxi driver found shot in the head, near the town of Santa Catarina Pinula, ten miles from Guatemala City.

January 1984 (through January 16, 1984)

Soldiers KIA: 10
Civil Defense KIA: 4
Guerrilla KIA: 2

01/03. Body found mutilated, strangled and burned on the outskirts of Guatemala City.

01/04. Three bodies of taxi drivers found with several bullet wounds, near the town of Santa Catarina Pinula, ten miles from Guatemala City.

01/04. Three persons kidnapped from their homes in Retalhuleu by armed men. Two of the victims identified as Jorge Maralies and Dario Ralda Ramos.

01/08. Efraim Vargas kidnapped by eight men armed with machine guns who broke into his home in El Gran Canon, Morales, Izabal.

01/09. Jorge Crocker Cordova machine-gunned by two men on a motorcycle in Guatemala City.

01/11. Former captain of the National Police and his driver assassinated on the outskirts of Guatemala City.

01/16. Guerrillas attacked four police stations on the outskirts of Guatemala City with machine guns and hand grenades. One four year-old girl killed, and nine policemen and a civilian woman wounded.

The information contained above was compiled from official Government of Guatemala bulletins, independent news reports, guerrilla reports, and other sources available to the U.S. Embassy in Guatemala. In most cases, kidnap victims are still missing unless otherwise indicated.

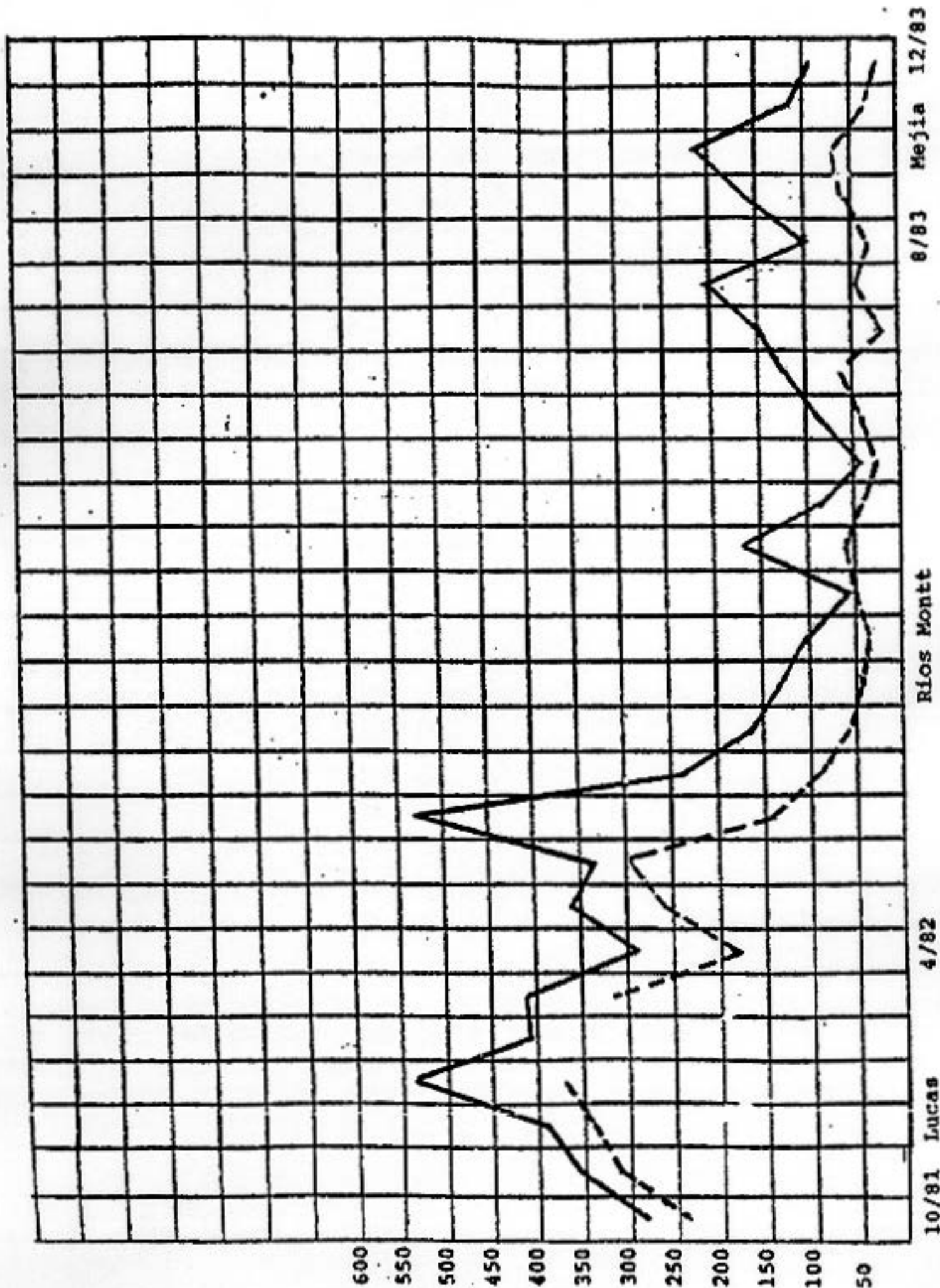
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GUATEMALA: DEATHS



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— Total Deaths
- - - - - Non Combatants Deaths

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TABLE I

DATA ON VIOLENCE IN GUATEMALA

	DISAPPEARANCES				TOTAL DEATHS		
	1981	1982	1983		1981	1982	1983
JAN	20	44	28	JAN	372	538	168
FEB	--	29	11	FEB	--	406	88
MAR	27	37	16	MAR	304	412	46
APR	16	4*	14	APR	278	294*	90
MAY	38	23	16	MAY	231	355	126
JUN	27	49	44	JUN	237	337	150
JUL	44	24	20	JUL	349	524	205
AUG	65	36	12**	AUG	512	240	98**
SEP	14	26	56	SEP	321	161	163
OCT	54	24	34	OCT	281	137	218
NOV	39	19	30	NOV	355	103	97
DEC	9	26	26	DEC	390	56	97

	NON-COMBAT DEATHS				COMBAT DEATHS		
	1981	1982	1983		1981	1982	1983
JAN	291	374	61	JAN	81	164	107
FEB	--	--	40	FEB	--	--	48
MAR	--	310	27	MAR	--	102	19
APR	--	181*	40	APR	--	113*	50
MAY	--	257	63	MAY	--	98	63
JUN	--	298	18	JUN	--	39	132
JUL	--	140	48	JUL	--	394	157
AUG	--	92	31**	AUG	--	148	67**
SEP	281	59	54	SEP	40	102	109
OCT	240	48	69	OCT	41	89	149
NOV	314	43	33	NOV	41	60	82
DEC	344	51	20	DEC	46	5	77

* Beginning of Rios Montt term

** Mejia takes control

Compiled from official GOG bulletins, independent news reports, guerrilla reports, and other sources available to the U.S. Embassy in Guatemala.

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(7) All information available to the U.S. Government on the disposition, legal status, right of appeal, and conditions of incarceration of those Guatemalan citizens who were subject to judicial processes by the courts of special jurisdiction.

The Special Courts were created by ex-President Jose Efraim Rios Montt on July 1, 1982, by Decree Law 46-82, using the powers contained in Article 85 of the "Fundamental Statute of Government." (This Statute replaced the 1965 Constitution which was annulled by the military coup of March 23, 1982.)

The announcement of the abolition of the secret Special Courts was made by the current Guatemalan Head of State, General Mejia, on August 13, 1983. The Special Tribunals were abolished effective September 1, 1983, by Decree Law 93-83.

Article Six of Decree Law 93-83 provides that persons who have been convicted and sentenced to prison by the Special Courts may appeal to the Supreme Court of Guatemala for a review of their sentence and have it adjusted downward to the "most benign" sentence provided for the crime of which they were convicted in the country's penal code.

The prisoner must first petition the Supreme Court for a reduction in sentence. The Supreme Court will accept a request for application of the "most benign" provision in any type of written format including a letter, a telegram, or a professionally prepared legal petition. Upon receipt of the request, the Supreme Court assigns the case to a lower court for review to determine if the sentence should be reduced. The Supreme Court itself does not "track" the cases once they have been assigned to a lower court. The results of the lower court's review regarding any reduction in sentence are communicated directly to the Office of Prisons which maintains all prisoners' records.

In addition to a possible reduction in sentence, under the provisions of Decree Law 93-83, all prisoners in Guatemala, including those convicted by the Special Courts, are eligible for a further reduction in their sentences for "good behavior" while incarcerated.

Officials in the Judicial Branch indicate that prisoners convicted by the Special Courts are assigned to regular prisons and are not per se kept in any special form of confinement.

The following is a list (as of January 17, 1984) of prisoners who have been tried, convicted, and sentenced by the Special Courts. Some have been released from prison. No firm numbers are available regarding the total number of persons

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processed by the Special Courts (i.e., arrested but not brought to trial or tried but found innocent). The numbers following an individual's name refer to the crime of which the person was convicted in those cases in which this information was available. Because the information was obtained from various sources, there are occasional inconsistencies in the spellings of names. In addition, in September 1982 and in March 1983 a total of 15 persons were executed by the Rios Montt regime after being convicted by the Special Courts.

AGUILAR, Felipe Patrocinio
AJJON SHAJIL, Efrain
ALVAREZ MENDEZ, Celso
ARCHILA MEJIA, Nery Orlando
ASCON, Erasmo Victor
AZURDIA REYES, Nelson Orlando (1)
BARRERA DE LA ROSA, Candelaria (2)
BARRERA, Victorana (2)
BROOKS MARTINEZ, Graviola Ruth (1)
CAMPOSANTO DUENAS, Pedro Pab. (4)
CARRETO JUAREZ, Raymundo
CASTELLANOS, Douglas Estuardo
CASTRILLO, Carlos Humberto
CEDADA LUNA, Guillermo Alberto
CHINCHILLA MAJARRO, Nehemir
CRUZ, Jose Alberto
DE PAZ ALPIREZ, Jorge Augusto
ESTRADA ARGUETA, Axel Manolo (13)
ESTRADA MORALES, Carlos Enrique (7)
FIALLOS OVALLE, Jaime Armando
FIGUEROA ARENALES, Jose Eduardo (7)
FUENTES MARTINEZ, Dora Mercedes
GARCIA CASTILLO, David (7)
GOMEZ SOLANO, Jose Guillermo (8)
GOMEZ TEMA, Maria del Carmen
GONZALEZ RECINOS, Inocente (7)
GRAJEDA, Jose Francisco
GRAMAJO RUIZ, Herculano Candelario (7)
GRAMAJO SANDOVAL, Carlos Anibal
GUERRERO VELASQUEZ, Erwin Leonel
GUTIERREZ LOPEZ, Joel Anias (10)
GUTIERREZ, Alfredo
HERNANDEZ y HERNANDEZ, Sixto
JIMENEZ AQUINO, Vitalino (5)
JORDAN CARCAMO, Franklin Rene
JUAREZ GARCIA, Zacarias (7)
LOPEZ CHAVEZ, Francisco Javier (7)
LOPEZ LARA, Byron Nolberto
LOPEZ MORALES, Enrique

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LOPEZ MIRANDA, Aureliano Bernabe
LOPEZ ORBELLANA, Jose Antonio
LOPEZ RODRIGUEZ, Maria Cruz (6)
LUNA MENDEZ, Byron Roberto (1)
MENDEZ FUENTES MARTINEZ, Dora (11)
MENDEZ GALICIA, Julio Cesar (1)
MENDIOLA SOCOR, Amelio Israel (13)
MUNCHEZ FUENTES, Pablo Juventino (7)
MOLINA DEL CID, Geremias (2)
MORAN MARTINEZ, Wilfredo (8)
MURILLES DE LOPEZ, Maria Bernabela
MURCIA VANEGAS, Ascencio (8)
NAJARRO VALDEZ, Francisco Rene (1)
NAJARRO VALDEZ, Francisco Rene
NALLERA SAGASTUME, Jorge Alfredo (7)
ORTIZ, Oscar Rene
PEREZ OLIVA, Moises
PEREZ ROSALES, Gloria Esperanza
PEREZ VASQUEZ, Jose
PINEDA LOPEZ, Rigoberto
POYON OTZCY, Juan de Dios (12)
POYON OTZCY, Michael Angel (12)
QUINONEZ GRANADO, Juan Jose (13)
RAMIREZ GOMEZ, Jorge Mario
RAMIREZ MORA, Nelson (1)
REYES LOPEZ, Alvaro Rolando
REYES PEREZ, Gloria Elizabeth
RODAS FLORES, Juan Francisco
RODAS SAMAYOA, Jose Ismael
ROEZ DE LEON, Belizario (7)
ROEZ, Jaime Moises (13)
ROEZ ORTEGA DE TEJADA, Maria C.
SALAZAR ALFARO, Jose Miguel (10)
SALAZAR, Jose Miguel
SAMAYOA ARCHILA, Fernan
SANCHEZ, Marta Alicia
SANDOVAL, Teresa Isabel (11)
SANTOS PEREZ, Juan Antonio (1)
SINTUN CARCHA, Jose Elias
SOLORZANO ANAVISCA, Florencia de Jesus
SOTO CATU, Baldomero Nicolas (12)
TEJADA SAENZ, Mario Alberto
TEO RAMIREZ, Carlos Israel
TEO RAMIREZ, Oscar
TOT HERNANDEZ, Alfonso Jose Maria
VIDES ARROYAVE, Mario Salvador
ZELADA LUNA, Guillermo Alberto (4)

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- 1) Possessing and carrying arms.
- 2) Possessing and illegally carrying arms.
- 3) Possessing and withholding arms.
- 4) Theft, possessing and carrying arms.
- 5) Aggravated robbery and carrying arms.
- 6) Kidnapping.
- 7) Kidnapping and aggravated robbery.
- 8) Aggravated robbery.
- 9) Aggravated robbery and possessing arms.
- 10) Aggravated robbery, carrying and possessing arms.
- 11) Aggravated robbery and illegal associations.
- 12) Continued associations.
- 13) Illegal associations.

The following individuals convicted by the Special Courts have applied for a reduction in their sentence in accordance with Article Six of Decree Law 93-83. In some cases, such as that of Graviola Ruth Brooks Martinez, the review has been completed and the sentence handed down by the Special Courts has been reduced.

BROOKS MARTINEZ, Graviola Ruth
CASTELLANOS, Douglas Estuardo
ESTRADA ARGUETA, Axel Manolo
GUTIERREZ, Alfredo
GUTIERREZ LOPEZ, Joel Anias
JIMENEZ AQUINO, Vitalino
MINCHEZ FUENTES, Pablo Juventino
PEREZ ROSALES, Gloria
PINEDA LOPEZ, Rigo erto
RAMIREZ GOMEZ, Jose (Jorge) Mario
RIVAS (RIOS) PEREZ, Gloria
RUIZ, Jaime Moises
SALAZAR, Jose Miguel
SAMAYOA ARCHILA, Fernando
SAMAYOA, Fernando
TEO RAMIREZ, Oscar

The following individuals have challenged their convictions by the Special Courts in the regular civil courts of Guatemala:

ALVAREZ MENDEZ, Celso
BARRERA DE LA ROSA, Candelaria
BARRERA, Victorana
BROOKS MARTINEZ, Graviola Ruth
CARRETO JUAREZ, Raymundo
FIGUEROA ARENALES, Jose Eduardo
GARCIA CASTILLO, David
GOMEZ SOLANO, Jorge Guillermo

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GRAJEDA, Jose Francisco
GRAMAJO SANDOVAL, Carlos Anibal
JORDAN CARCAMO, Franklin Rene
LOPEZ LARA, Byron Nolberto
LOPEZ MORALES, Enrique
LOPEZ RODRIGUEZ, Maria Cruz
LUNA MENDEZ, Byron Roberto
MOLINA DEL CID, Jeronias
MORALES DE LOPEZ, Maria Bernabela
NAJARO VALDES, Francisco Rene
ORTIZ, Oscar Rene
PEREZ OLIVA, Moises
RAMIREZ MORA, Nelson
RODAS FLORES, Juan Francisco
SANCHEZ DE TEJADA, Maria Concepcion
SANCHEZ, Marta Alicia
SANTOS PEREZ, Juan Antonio
TEJADA, Mario Alberto
VIDES ARROYAVE, Mario Salvador

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(8) All information available to the U.S. Government on religious persecution in Guatemala and, in particular, information related to threats against or killing of religious workers and officials.

Thirteen Catholic clergy were murdered at the height of the violence which took place during the government of General Lucas Garcia. No clergy, however, were murdered during the year and one half in which the fundamentalist Protestant General Rios Montt ruled. Accusations of religious persecution during the Rios Montt Government were limited for the most part to the perception that Protestants were receiving preferential treatment from civil and military officials, or that Catholic Church property in the conflictive zones had been occupied by government troops. One of the major justifications of the August 1983 coup which overthrew Rios Montt was that in his fervent Protestant belief, Rios Montt had discriminated against Catholics. Therefore, it was generally believed that the new government would move quickly to restore close relations with the Catholic Church. General Mejia, in fact, did promptly state that the government would see that adherents of all faiths were treated equally by the state, and that the traditionally Catholic Guatemala would return to warm relations with the Church.

The warm feeling between the Catholic Church and state occasioned by the numerous professions of faith and other pro-Church statements emanating from the new Mejia Government did not continue uninterrupted. The most serious rift occurred when Father Ramirez Monasterio of Antigua was murdered on November 7 -- the first priest killed since the Lucas Government. The situation was further complicated by the fact that this murder took place only a few days after General Mejia himself had excoriated the Church for tolerating elements known to support guerrillas.

The Church hierarchy condemned the government as responsible for the crime, although local clergy in Antigua believe the government was not behind the murder and the government has steadfastly and emphatically denied involvement. According to some intelligence reports, extreme right wing groups may have been responsible for the murder. In addition, there is also speculation that Father Ramirez was assassinated by the guerrillas.

Chief of State Mejia, accompanied by his Foreign Minister and Chief of Staff, called upon the Papal Nuncio to offer condolences. Nonetheless, the situation continued to deteriorate as Archbishop Penados -- then in Rome prior to his investiture -- decried Guatemala's endemic violence in the Vatican newspaper. Government spokesmen lambasted the Bishop as unpatriotic. The Church, in turn, blasted the spokesmen as "liars." At this point the government apparently decided to begin anew and the spokesmen publicly apologized.

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The Department is not aware of any reports that members of the clergy have been threatened since the death of Father Ramirez. The Chief of State's numerous public appearances at Church functions during his tenure have signaled his support for the Church. This has seemingly filtered down to the most minor officials. Catholic Church contacts report that local officials grant Church officials more respect in their dealings with them than was so during the Ric Montt Government.

Most of the difficulty in maintaining good Church/state relations in Guatemala stems from the continuing insurgency. The most recent incident to arise concerned the December 22 arrest and questioning of an American priest, Father Haren, in the northern Department of the Peten. Father Haren serves parishioners who live in the area of a recent guerrilla attack on an army patrol which resulted in the deaths of forty soldiers. A soldier who searched Father Haren's pick-up truck said he found the fuse of a grenade in the back. The priest was detained, questioned and released into the custody of the Church. The public coverage of the incident -- connecting the priest with the guerrillas -- did nothing for the rapprochement desired by the government.

Similarly, a December 12 incident in Huehuetenango in which a Catholic seminarian was shot and killed by a Civil Defense patrol when he failed to heed a warning to stop, has hurt Church/state relations. Although the Church decried the killing as an "assassination," the army spokesman said it was an accident. Like the Peten, Huehuetenango is a scene of such guerrilla activity.

It was prior to both of these incidents that the acting Apostolic Administrator of the Archdiocese had implied government complicity in the disappearance of some five hundred catechists. The current government was alleged to be responsible. It appears that this number was a compilation of disappearances since unrest heightened in 1979; the Church has not amplified on this statement.

Catholic Church relations with the government are clearly improving in the Department of El Quiche which was the scene of some of the country's worst violence in 1981. After several priests were killed in El Quiche, the Bishop retired his personnel from the diocese, and fled to Costa Rica in 1982. He returned and now resides in Guatemala City. Following the departure of Church personnel from El Quiche, the army occupied numerous vacant Church properties, using them to store food for its civic action programs, house troops, serve as headquarters,

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etc. Since the appointment of a new apostolic administrator for the diocese in 1983, however, the Church has sent several priests back to the department. As Church personnel have returned, the army has returned several properties, and has promised to return others. In the meantime, the army asserts that if it had not occupied the vacant properties, they would have been destroyed by vandals.

After a rough start, the relations between Guatemalan Protestant churches and the Mejia Government are improving. Alleged to have benefited unjustly from preferential treatment during the Rios Montt Government, the Protestant churches were widely criticized during the initial days of the Mejia Government. Some Protestants also state that numerous members were threatened by unknown elements during that period. As a result of this change in the political climate, the Protestant churches formed a new political umbrella organization known as the Evangelical Churches Coordinating Committee to defend their interests. This new committee met with Gen. Mejia and was reportedly pleased with the reception it received.

The Protestant churches have reopened numerous chapels which they, like the Catholics, had closed for two years in the areas of conflict. They are actively preaching the gospel throughout the country with little -- if any -- official harassment.

This does not mean that preaching the gospel in Guatemala is without danger for Protestants as well as Catholics: on December 18 two evangelical pastors were kidnapped in the Peten after preaching to a youth convention held in an area of intense guerrilla activity. In late January the bodies of the two pastors were located by government authorities in another village in the Peten close to the site of their abduction. Although church officials believe that the government was responsible for the kidnappings, no conclusive evidence has come to light to substantiate this belief.

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