

**EXECUTIVE SECRETARIAT  
ROUTING SLIP**

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
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13	D/OLL				
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15	D/PERS				
16	VC/NIC				
17	C/CATF/DO	X			
18	C/LA/DO		X		
19	NIO/LA		X		
20	D/ALA/DI		X		
21	ES		X		
22	ER				
		SUSPENSE	_____		
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Remarks  
To 17: for your background at tomorrow's mtg.

Executive Secretary  
12 Feb 86

Date



S/S 8604623  
United States Department of State

Washington, D.C. 20520

February 11, 1986

Executive Registry

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Senior Interagency Group No. 54

TO: OVP - Mr. Donald Gregg  
NSC - Mr. Rodney B. McDaniel  
CIA -   
DOD - COL David Brown  
JCS - MAJ Michael Emerson

STAT

SUBJECT: Senior Interagency Group Meeting on Humanitarian Assistance for Nicaraguan Resistance Forces

An agenda and a copy of the 90-day Report on Nicaragua are attached for use by your Principals at the February 13 SIG meeting.

*B. M. Kelley*  
for Nicholas Platt  
Executive Secretary

~~SECRET~~  
DECL: OADR



*B-601-10*  
*CRC-304P-10*

**SECRET**

**Senior Inter-Agency Group Meeting**

February 13, 1986

**NICARAGUAN HUMANITARIAN ASSISTANCE**

**AGENDA**

- I. Review of Developments
  - A. Summary of 90-Day Report
  - B. New Program Activities of NHAO
- II. Discussion of Ongoing Problems
  - A. Delivery of Supplies in Central America
  - B. GAO Audit
- III. NHAO Operations after March 31

**SECRET**  
**DECL:OADR**

THE WHITE HOUSE

REPORT ON NICARAGUA

February 4, 1986

(NOTE: Annex C classified "Confidential" attached.)

**EFFORTS TO PROMOTE A SETTLEMENT  
IN CENTRAL AMERICA AND IN NICARAGUA**

**Summary:**

The only Contadora negotiations on a regional treaty during this period were held November 19-21. Those talks, involving all nine participating governments, reportedly resulted in some progress on verification and related issues and the five Central American delegations recommended that the negotiations be continued. On December 3, however, Nicaragua asked that they be suspended until May, 1986. The United States, the Contadora Group (Colombia, Mexico, Panama and Venezuela), Contadora Support Group (Argentina, Brazil, Peru and Uruguay), and the four democratic Central American states have publicly urged their resumption. On January 15, Nicaragua endorsed a call by the Contadora Group and Support Group to resume talks, but appeared the following day to condition resumption upon a number of prior actions. At this writing, there are unconfirmed reports that negotiations may resume February 14-17. Whether Nicaragua merely takes a seat at the negotiating table or negotiates seriously remains to be seen.

This period witnessed increased international recognition of the fundamental importance of democratic national reconciliation to a regional solution. On January 12, the foreign ministers of the Contadora Group and Support Group, meeting in Caraballeda, Venezuela, issued a statement emphasizing democratic pluralism and pledged their good offices to "promote new steps" of national reconciliation. Recalling our pledge to renew bilateral talks with Nicaragua if the Sandinistas accepted a Church-mediated dialogue with the United Nicaraguan Opposition (UNO), the United States on January 17 expressed strong interest in the Caraballeda statement. To explore possibilities for diplomatic progress Central American Special Envoy Shlaudeman consulted with several Contadora Group and Central American states January 19-23; Secretary of State Shultz has invited the eight foreign ministers of the Contadora Group and Support Group to a meeting February 10 in Washington.

\* \* \*

Continuing attempts to circumvent Contadora that became apparent in late 1983 and even more obvious in 1984 and 1985,<sup>1</sup> Nicaragua during the last ninety days has tried repeatedly to derail negotiations aimed at producing a final, comprehensive Contadora treaty.

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<sup>1</sup>See the November 6, 1985 Report on Nicaragua.

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Following two rounds of talks in October, on November 11 Nicaragua made public a letter from President Ortega to the presidents of the eight Contadora Group and Support Group governments setting forth objections to the September 12, 1985 draft agreement tabled by the Contadora Group governments. Nicaragua argued that it could not assume the obligations of a Contadora agreement unless it reached a prior accommodation with the United States. Among other demands, it insisted that the United States sign a special protocol to a Contadora agreement pledging itself to a permanent policy of non-aggression toward Nicaragua, in effect a pledge that we would not respond to Sandinista actions regardless of what they do. Nicaragua also objected to the September draft's provision that one international military exercise per year<sup>2</sup> could be held until the parties to an agreement adjusted their military inventories and troop levels to agreed limits.<sup>3</sup>

On November 19-21, plenipotentiary negotiators of the Central American and four Contadora Group governments met for a third round of talks. Progress reportedly was made on verification and the question of when treaty obligations would enter into effect, but the previously agreed 45-day self-imposed period for completing negotiations expired on November 20 without agreement. The delegates nonetheless continued meeting for another day and unanimously recommended to their governments that negotiations be extended indefinitely.

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<sup>2</sup>The one exercise per year would be subject to the following, additional restrictions: a ceiling of 3,000 combined national and foreign troops, with foreign troops not to exceed national troops; a maximum duration of 15 days; 90-days prior notice; and a prohibition on exercising within 50 kilometers of non-consenting states.

<sup>3</sup>The Nicaraguan letter of November 11 was released, inexplicably, as the foreign ministers of the European Communities, Spain, and Portugal met November 11-12 in Luxembourg with the foreign ministers of Central America and the Contadora Group. The ministers approved an EC-Central American economic agreement that is intended to provide the framework for increasing EC economic assistance to Central America. The ministers' political communique supported the Contadora process and emphasized democratic pluralism and, significantly, in light of Nicaragua's suspension of civil liberties on October 15, individual civil liberties. While the EC-Central American meeting was seen as improving the atmosphere for Contadora talks, the Nicaraguan letter introduced a strong element of pessimism.

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On December 2, in Cartagena, Colombia, at the OAS General Assembly, Secretary of State Shultz met with the foreign ministers of the Contadora Group governments to review the status of negotiations. At that time, it was assumed that Contadora negotiations would resume, possibly before Christmas, even though Nicaragua had the day before announced that it would not take part in any Contadora meetings during the OAS General Assembly. (Nicaragua sent a third-level foreign ministry official to the December 2 meeting of OAS foreign ministers.) On December 3, however, Nicaraguan President Daniel Ortega formally requested a suspension in Contadora negotiations until May, 1986. Nicaragua based its request on the grounds that Costa Rica, Honduras and Guatemala were not in a position to negotiate owing to their presidential elections.

Reserving the right to speak for themselves, Costa Rica, Honduras and Guatemala joined 25 other OAS member states in voting for a resolution at Cartagena that simply urged continuation of negotiations. Only Nicaragua voted against. Approval of the resolution followed submission of a status report by the Contadora Group foreign ministers to OAS Secretary General Baena Soares recording their view that talks should continue. Nicaragua's refusal to resume Contadora talks was a major factor in the failure, in the United Nations General Assembly, to achieve consensus on a resolution of support for the Contadora process.

Diplomatic activity during the month after the OAS General Assembly consisted of informal consultations as to how the negotiating process might be resumed. Several Contadora Group foreign ministers, including Venezuela's Consalvi and Mexico's Sepulveda, publicly regretted the suspension of talks and expressed concern that a suspension in talks would create a diplomatic vacuum.

Meeting in Caraballeda, Venezuela, January 11-12, the foreign ministers of the Contadora Group and the Support Group issued a joint statement intended to get talks going again. This "Message of Caraballeda" reiterated basic Contadora principles; urged a series of actions to create a climate in which negotiations could succeed (including, as the first step listed, resumption of talks); and offered Contadora Group and Support Group good offices both to "promote new steps of national reconciliation" and to encourage resumption of U.S.-Nicaraguan bilateral talks.

On January 15, at the inauguration of Vinicio Cerezo as President of Guatemala, the foreign ministers of the five Central American states, including Nicaragua, signed the "Declaration of Guatemala," endorsing the Caraballeda Message. (It was also agreed that the five Central American presidents

would hold a summit in May in Esquipulas, Guatemala.) The Sandinistas reportedly agreed to the Caraballeda message after extended discussions with the foreign ministers of the Contadora Groups, and with President Betancur of Colombia, as to its precise meaning.

While its endorsement of Caraballeda was encouraging, Nicaragua issued a press communique the next day that appeared to hedge its acceptance. While noting its "total adherence" to the Caraballeda Message, the January 16 statement characterized the various actions suggested in the Caraballeda Message as prerequisites to resumption of Contadora negotiations. It also reaffirmed the Nicaraguan position of November 11 objecting to the Contadora draft agreement. On the other hand, there are now reports that a meeting of Contadora plenipotentiaries will be held February 14-17. The key question, assuming talks are resumed, is whether Nicaragua is returning to negotiate in good faith or is merely taking a seat at the table to escape further blame for thwarting the peace process and to influence international opinion.

The United States on January 17 welcomed the prospect of renewed negotiations.<sup>4</sup> Our statement noted that Sandinista acceptance of Caraballeda, which emphasized "new steps" to promote national reconciliation, was an interesting development. We reaffirmed our public commitment to resume bilateral talks with Nicaragua if the Sandinistas accept the March 1985 dialogue proposal of the democratic resistance<sup>5</sup> and stated our interest in exploring the possibilities presented by the Caraballeda initiative. Special Envoy Shlaudeman visited three of four Contadora Group countries January 19-23 for that purpose and Secretary of State Shultz has invited the foreign ministers of the eight Contadora Group and Support Group governments to Washington for a meeting February 10 for further consultations.<sup>6</sup>

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<sup>4</sup>See Annex A.

<sup>5</sup>The principal provisions of the March proposal called for Roman Catholic Church mediation, a cease-fire, and suspension of the State of Emergency.

<sup>6</sup>A complete chronology of diplomatic events during the period covered by this report is provided in Annex B.



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**ANNEX A**

January 17, 1986

Department of State Statement on Contadora

ON JANUARY 12 THE FOREIGN MINISTERS OF THE CONTADORA GROUP AND CONTADORA SUPPORT GROUP, MEETING IN CARABALLEDA, VENEZUELA, ISSUED A "MESSAGE FOR PEACE, SECURITY, AND DEMOCRACY IN CENTRAL AMERICA." THE AMBASSADORS OF THESE EIGHT GOVERNMENTS REQUESTED A MEETING WITH SECRETARY OF STATE SHULTZ TO PRESENT THE DOCUMENT AND THAT MEETING WAS HELD YESTERDAY, JANUARY 16.

IN THIS MEETING THE SECRETARY REAFFIRMED OUR STRONG SUPPORT FOR THE PEACE EFFORTS OF THE CONTADORA GROUPS AND SAID WE WELCOMED CONTINUATION OF THE DIPLOMATIC PROCESS. THE SECRETARY SAID THAT IN OUR VIEW NICARAGUA'S BEHAVIOR, IN PARTICULAR ITS REPEATED FAILURE TO KEEP ITS WORD, IS THE HEART OF THE PROBLEM AND THAT, FOR THIS REASON, WE LOOK AT PROSPECTIVE AGREEMENTS FROM THE STANDPOINT OF WORKABILITY.

THE SECRETARY SAID WE WOULD GIVE THE CARABALLEDA MESSAGE VERY CAREFUL STUDY AND THAT IF THERE IS ANY WAY IN WHICH WE THINK WE CAN CONTRIBUTE, WE WILL DO SO. IN THIS RESPECT, WE WILL BE CONSULTING WITH THE CONTADORA GROUP AND CENTRAL AMERICAN COUNTRIES IN THE NEXT FEW DAYS AND WEEKS ABOUT THE POSSIBILITIES CONTAINED IN THIS MESSAGE. AMBASSADOR SHLAUDEMAN WILL BE VISITING THE REGION NEXT WEEK FOR THIS PURPOSE.

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AS IS KNOWN, OUR POSITION ON RESUMING BILATERAL TALKS WITH NICARAGUA HAS BEEN THAT WE WILL RESUME TALKS IF THE GOVERNMENT OF NICARAGUA ACCEPTS THE MARCH 1985 PROPOSAL OF THE DEMOCRATIC RESISTANCE FOR A CHURCH-MEDIATED DIALOGUE, CEASE-FIRE, AND SUSPENSION OF THE STATE OF EMERGENCY.

THAT COMMITMENT STILL STANDS. IT IS OUR UNDERSTANDING THAT NICARAGUA HAS ENDORSED THE CONTADORA COMMUNIQUE, WHICH HEAVILY EMPHASIZES NATIONAL RECONCILIATION AND WHICH PROMISES "NEW STEPS" TO PROMOTE NATIONAL RECONCILIATION. WE ARE VERY INTERESTED IN EXPLORING WHAT THIS MEANS.

**ANNEX B**

**CHRONOLOGY OF KEY DIPLOMATIC EVENTS**  
**November, 1985 - January, 1986**

**1985**

**November 11-12:** Foreign ministers of the nine Central American and Contadora Group governments meet with the foreign ministers of the EC-10, Spain, and Portugal, in Luxembourg. EC-Central American economic agreement is signed; political communique supports Contadora and stresses democratic pluralism and civil liberties.

**November 11:** Nicaragua publishes letter to Contadora Group and Support Group presidents detailing objections to the Contadora Group's September 12, 1985 draft of a final agreement. Nicaragua's position, in essence, is to insist on an accommodation with the United States prior to a Contadora agreement.

**November 19-21:** Third round of negotiations among Contadora "plenipotentiaries" held in Panama. Some progress on verification and related issues is achieved. All delegations recommend extending 45-day deadline for final agreement.

**November 22:** U.S. Permanent Representative to the United Nations Walters addresses the General Assembly on continued US support of the Contadora process.

**December 1:** Nicaragua announces that it will not take part in the Contadora meetings to be held on the margins of the OAS General Assembly meeting in Cartagena, Colombia, December 2-5.

**December 2:** Secretary of State Shultz meets with Contadora Group foreign ministers at the OAS General Assembly in Cartagena.

**December 3:** Nicaragua submits formal request for suspension of Contadora peace negotiations until May, 1986.

**December 6:** Contadora Group submits report to OAS Secretary General expressing hope that negotiations will continue.

**December 7:** Nicaragua reiterates its request for suspension of Contadora talks at a SELA (Latin American Economic System) meeting in Caracas, Venezuela.

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**December 9: OAS General Assembly Resolution, opposed by Nicaragua only, urges continuation of Contadora talks.**

December 10: Venezuelan officials publicly oppose suspension of talks.

December 17-18: Contadora Group governments consult informally in Montevideo.

### 1986

**January 8: Nicaragua publishes letter from President Ortega to the presidents of the Contadora Group and the Support Group proposing a scaled-down treaty of general principles (in lieu of a comprehensive Contadora treaty) and a series of bilateral talks, including U.S.-Nicaraguan talks.**

January 11-12: Eight foreign ministers of the Contadora Group and Support Group governments, meeting in Caraballeda, Venezuela, issue the "Message of Caraballeda." It reiterates basic Contadora principles; urges actions to create climate for negotiations, including resumption of Contadora talks; and offers Contadora good offices to "promote new steps of national reconciliation" and renewal of U.S.-Nicaraguan bilateral talks.

January 14: Vice President Bush leads United States delegation to inauguration of Guatemalan President Vinicio Cerezo.

January 15: Foreign ministers of the five Central American states sign the "Declaration of Guatemala" endorsing the "Caraballeda Communique."

January 15: Central American presidents agree to hold summit in Esquipulas, Guatemala, in May.

January 16: Central American presidents issue statement expressing satisfaction that their foreign ministers have endorsed the Message of Caraballeda.

January 16: Nicaragua publicly reaffirms its position on Contadora, as set forth in its November 11 statement, and describes actions called for in the Caraballeda Message as prerequisites to Contadora talks.

January 16: Secretary Shultz receives the Caraballeda Message from Washington ambassadors of the Contadora Group and Support Group governments and promises to give it careful study.

January 17: US statement on Caraballeda announces visit of Ambassador Shlaudeman to Central American and Contadora Group countries to explore possibilities in the Caraballeda Message.

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**January 17: President-elect Jose Azcona of Honduras visits Washington for consultations. At National Press Club, Azcona opposes resumption of U.S.-Nicaraguan bilateral talks as detracting from Contadora.**

**January 19-23: Ambassador Shlaudeman visits Panama, Costa Rica, El Salvador, Colombia and Venezuela.**

**January 25: Secretary of State Shultz invites foreign ministers of the Contadora Group and Support Group governments to Washington for February 10 consultations.**

**January 26-27: Vice President Bush leads United States delegation to inauguration of Honduran President Azcona, meets with several Contadora and Central American presidents and foreign ministers.**

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**HUMAN RIGHTS: THE ARMED RESISTANCE**

Since the submission to Congress of the previous report, the United Nicaraguan Opposition (UNO) has continued and expanded its efforts to improve its forces' record on human rights. Toward that end, UNO has established an autonomous Human Rights Commission (UNO-CDH), based in Costa Rica; the fundamental objective of this organization is the promotion, protection, and defense of human rights in Nicaragua. The central concern of UNO-CDH will be the observance by both parties to the civil conflict of the basic principles of human rights. UNO-CDH is currently processing information on charges received concerning alleged abuses committed by both resistance and Sandinista forces. The Commission and prosecutors from various UNO armed elements are also reviewing cases investigated by the prosecutors and the punitive measures taken, where appropriate, against those responsible.

Ismael Reyes, former president of the Nicaraguan Red Cross, presides over the new Commission's Executive Council, other members of which are Santiago Anitua (a Jesuit priest), Lucia Salazar -- the widow of slain private sector leader Jorge Salazar --, and Wycliffe Diego of the Indian-Creole organization KISAN. The Executive Director is Roberto Ferrey, an attorney and founder of the Social Christian Youth Front, which actively opposed former dictator Anastasio Somoza. Following a period of exile from 1976-79, he served as a legal advisor to the Minister of Justice in the post-revolutionary period. He left the country again in 1983, disillusioned by mounting repression inside Nicaragua. Antonio Ruiz, a human rights activist and one of the original members of Nicaragua's Permanent Commission on Human Rights (CPDH), serves as Assistant Executive Director. The Commission's Legal Department will be headed by Alberto Gamez Ortega, a former Vice Minister of Justice in the post-revolution government.

The Legal Department will supervise two subsections, one responsible for investigations and one for publications. Mateo Guerrero, former Executive Director of the Sandinista-sponsored human rights commission CNPPDH, and Alvaro Baldizon, formerly an investigator with the Ministry of Interior, will handle the investigative duties.

Two other elements of the Commission will be an Education and Training Department, directed by Fr. Santiago Anitua, who was expelled from Nicaragua in 1985 by the Sandinista regime, and a Refugee Department, the supervisor of which has not yet been named.

The new Commission is working closely with the prosecutors attached to each of UNO's armed elements, who provide necessary information to UNO-CDH and conduct investigations and prosecutions within their respective jurisdictions.

During this period, UNO human rights officers continued efforts to arrange a system for prisoner exchanges through the good offices of the International Committee of the Red Cross (ICRC) and regional Red Cross Societies and to reach a bilateral agreement with the Sandinistas, through the Red Cross, for the mutual observance of human rights. UNO also has continued to provide these organizations with information concerning Sandinista casualties and prisoners. In order to promote contact with ICRC, UNO in November opened an office in Geneva. According to Dr. Carlos Icaza, prosecutor for the Nicaraguan Democratic Forces, the Sandinista regime for the last year has refused to cooperate in this endeavor, rejecting any prisoner exchanges on Nicaraguan territory. This refusal is attributed in part to a concern that such exchanges would constitute an admission by the regime that the resistance operates within the country and a tacit legitimation of the resistance.

In November, UNO/FDN reported that sixty officers were in training to assume responsibility as human rights officers with the regional commands and task forces. Troops continued to receive general human rights instruction as part of their basic military training, and UNO/FDN plans to expand this instruction to cover all members of the FDN military forces. UNO/CDH held a seminar from January 15-18 on human rights and humanitarian law with 23 leaders of KISAN and 18 civilian Indian leaders from the Council of Elders.

UNO human rights officers have assumed responsibility for monitoring the welfare of those captured during combat. Forces reporting the capture of enemy troops are reminded by headquarters of their responsibility to ensure the prisoners' physical security and to observe internationally recognized standards for their treatment in captivity. In one instance, rather than abandon a 14-year old Sandinista combatant wounded in a January engagement at Copernal, the boy was taken with the FDN forces, given medical treatment by field personnel, and released.

UNO's commitment to human rights has been set forth unambiguously in a statement of principles and objectives presented to the public on January 22, 1986. Undertaking in that document "the unrestricted observance of the human rights of all Nicaraguans without exception," UNO pledges to respect the ethnic, cultural and religious values of Nicaragua's people; to establish a rule of law which assures the equality

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of citizens and the full exercise and development of human rights based on an independent judiciary; to guarantee all basic freedoms; and to adhere strictly to the obligations assumed under international agreements. UNO further pledges to respect the activities within Nicaragua of human rights organizations.

### Abuses by Resistance Forces

Among the abuses attributed since November 1 to the armed resistance by Sandinista authorities were the murders of 32 school children and the "assassination" of farmers, although no number or details concerning the latter offense were offered. We have no other evidence that those assassinations actually occurred. Foreign Minister Miguel D'Escoto publicized the alleged murder of school children while in Canberra, claiming that resistance forces had opened fire on the students while they were at school. When the issue was raised with Sandinista officials in Managua, however, it was learned that the incident in question actually involved an attack on a military training center, in which 30 members of the Sandinista militia were killed.

According to the Sandinista press, during this period the armed resistance killed eleven civilians, injured 21, and kidnapped at least forty-seven. It was also implied that 18-20 unidentified bodies found in a mass grave were victims of the resistance, although that charge was not specifically made. The press further reported that a total of 81 persons allegedly kidnapped by the resistance had been "rescued" and had requested and been granted amnesty by the Sandinistas. Eighteen of those allegedly kidnapped admitted they received military training with the resistance during their four months of "captivity," and asserted that they had been forced to work under duress. The granting of amnesty suggests that those involved may have been deserters from the armed resistance or persons captured during military operations. This suspicion is strengthened by reports in the Sandinista press that 44 persons granted amnesty in January were draft evaders and "contra deserters."

In most cases, information provided by the Sandinista press can be neither confirmed nor refuted by independent information, either because of the areas in which the incidents are said to have occurred or because of a lack of precise details. In one instance, however, Embassy personnel visited the site of a reported "contra" attack to determine the facts. According to the FSLN daily Barricada, on January 25 the town of San Pedro de Lovago was attacked by "hundreds" of contra and the attack repelled by eight Sandinista soldiers. It was also



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claimed that the contra wounded two civilians, and one of the attackers was killed. He was identified by Barricada as "jefe," Felix Matus, a former resident of the town known to residents as a cattle thief.

Embassy officers were unable to find any signs of the heavy firing in the plaza described by Barricada; there was no damage to the Church or houses in the vicinity of the attack. Residents with whom the officers spoke, including four witnesses, stated that the attack began at about 10:30 pm, and firing lasted about 30 minutes. In the morning, it was discovered that a member of the resistance had been killed and two civilians, including a ten-year old girl, had been wounded. Of the people questioned, no one had any idea how many persons had attacked, except for one Sandinista official who stated that 100-150 were involved. Another Sandinista official claimed that many of the attackers had been wounded. The two wounded civilians could not be located, but neighbors said that they lived in houses facing the site of the attack and to the rear of the position held by the attackers where the dead body was found. Both were said to have been wounded by shrapnel from a grenade. The only person cited by witnesses and the Sandinista press as having thrown a grenade was a member of the Sandinista militia. Neighbors stated that the man was wounded in the ankle, and no one knew the injuries of the girl. Neither had been taken to the hospital.

Concerning the identity of the "jefe," residents, including the two officials, denied any knowledge of the man. All who were shown the Barricada article agreed that Felix Matus was not from San Pedro de Lovago.

The distinction between civilians and military personnel is increasingly blurred in the Nicaraguan conflict as the Sandinistas continue their policy of arming persons in civilian occupations and tasking them with military responsibilities. FSLN coordinator Carlos Zamora, according to a December 28 Barricada report, announced that half of the 10,000 coffee pickers in Military Region VI had been armed and had received military training. Armed harvesters included members of the Sandinista Youth described as occupying the "second defensive echelon...after the irregular warfare troops...the permanent territorial troops and the territorial militia." Newspapers also have printed photographs of uniformed and partially-uniformed members of "harvest brigades" who are virtually indistinguishable from regular army troops. On January 11, Daniel Ortega distributed land titles for communal farms. At the same time, he distributed rifles to the farmers. On January 12, El Nuevo Diario reported the formation of the Manuel Escobar Shock Brigade, which will be sent to build bridges and roads in Northern Zelaya. The youths

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pictured in the article were uniformed, and brigade members were described as members of the Army reserve, militarily experienced, and "ready to work with a rifle at their shoulder." The sixty-one members were said to be prepared to act as "soldiers" if necessary. By arming persons engaged in what are normally civilian occupations and placing them in war zones, the Sandinista regime compromises the protections accorded civilians under internationally-recognized rules of conflict. The Sandinista press does not explicitly acknowledge the deaths of persons in this category in its reporting. Those the Sandinista press reported killed by the armed resistance between November 1 and January 31 included only the military, the militia, the police, and civilians. The press did not report how many of these alleged civilian casualties involved persons acting in a military or paramilitary capacity.

The most highly publicized charge of atrocities during this period was made by Maria Mercedes Obregon Rivas at a press conference in Managua on November 13. A member of the "50th Anniversary Brigade" -- a group that provides basic education in rural areas and that is also normally tasked with military responsibilities, according to Sandinista publications -- Obregon and eight others were taken prisoner by the resistance in late 1984. According to a report filed by a Reuter correspondent present at the press conference, Obregon claimed to have escaped at great risk from an FDN camp and to have been raped and tortured during her captivity. She also reportedly stated that she had "no idea" what had happened to the others taken prisoner with her. Nevertheless, the Sandinista press reported on November 14 that Obregon charged the resistance with the rape and murder of Ana Julia Cortes Martinez and the "assassination" of three other companions in her group. She claimed to have learned of their deaths only indirectly, having been separated from the other prisoners immediately after her capture.

Information provided to the ICRC by UNO/FDN in response to a specific inquiry, well before Obregon's reappearance in Managua, offered a different version. According to UNO/FDN, Maria Obregon worked as a volunteer with the FDN after her capture, operating in a task force commanded by "El Tigrillo." After several months, she left the FDN and began living with another ex-FDN combatant, "Gato Negro," in Danli, Honduras, where she worked as a waitress in the El Rodeo restaurant. She later legally departed Honduras, which departure was recorded with Honduran Immigration.

While the question might arise whether Obregon, if she did cooperate with the FDN, did so for fear of retribution, it should be noted that another of those taken prisoner with Obregon chose not to work with the FDN and remains in an FDN

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prison awaiting exchange or release. Obregon admitted to having seen this woman, and made no claims that she was being mistreated. Obregon did not mention another of the nine prisoners, Marcia Chamorro, who has been active with the resistance since being taken captive by the FDN, and who has made several addresses on Radio 15 September.

UNO reports that it has eleven pending cases involving various human rights abuses. One of the cases, involving a task force commander charged with several counts of rape, has resulted in conviction. He is currently under detention and his sentence is due to be announced shortly. A denunciation of these crimes by members of his own command was the initiating cause for investigation.

In a second case, another task force commander is now under restriction, charged with plotting the murder of one man and then murdering the person whom he convinced to commit the crime. The actual facts of the crimes, however, remain unresolved, as another person has been denounced as the actual perpetrator of the murders. The investigation of the case is still underway.

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**HUMAN RIGHTS: THE SANDINISTA REGIME**

The human rights situation in Nicaragua, which has steadily deteriorated during the period of Sandinista rule, has worsened markedly since the promulgation of the renewed State of Emergency on October 15. In an ominous series of tactical moves against the civil opposition, the chief victim of which has been the Catholic Church, the Sandinista regime has acted forcefully to use the vastly expanded powers it assumed under the decree to silence dissent and extend its control over all sectors of the population. The following citation from an interview with Tomas Borge, printed in Mexico's Excelsior November 16, captures the Sandinista view of "political pluralism":

"Our enemies have organized to disown the state institutions and validate the counterrevolution. Certain sectors have organized and are shielding themselves behind religious organizations -- the Catholic Church -- or some rightist institutions to plant the position of the U.S. administration in the conscience of our people as something natural...The newspaper LA PRENSA was censored on various occasions, but failed to comply with the censorship. On many occasions, Mr. Bismarck Carballo, director of a radio station which is linked to the country's most reactionary religious sector, disobeyed numerous orders from the Communications Media Directorate. They met in churches and private places to justify counterrevolutionary activity. Leaders of the Council for Private Enterprise have repeatedly called for identification with the counterrevolutionary armed struggle. In the same vein, in the church, some priests have openly proclaimed their identification with the counterrevolution. That is, the permanent drizzle on the conscience of the people...confused a sector of the population. We cannot afford to let the enemies of the people take advantage of the weaknesses that are characteristic of the revolution...to sow discord and distrust, and to misguide and divide the people."

The intensified assault on the Catholic Church, begun in September 1985, continued and sharpened during the past three months. As the country's leading spiritual authority and staunch defender against depredations on the basic rights of the Nicaraguan people, both now and during the Somoza regime, the Church constitutes the single greatest impediment to the consolidation of Sandinista one-party rule. It is not surprising, therefore, that the regime has focused its efforts on the Church as the main target of oppression.

Between November 1 and January 31, actions taken by the Sandinista regime to undermine the Church included the following:

- arrests, interrogations, and in some cases imprisonment of Catholic lay workers;
- interrogation of priests, in at least two instances involving physical abuse, and warnings of possible expulsion of foreign priests;
- censorship of Church-related news from La Prensa;
- arrest and deportation of a Salvadoran technician employed by the now-occupied Curia Social Services Offices (COPROSA), on charges of "counterrevolutionary activities" and confiscation of his home;
- declaration of COPROSA as "illegal" by the Ministry of Justice;
- closure of Radio Catolica;
- denial of permission for Cardinal Obando to deliver the traditional Christmas mass for patients at a health center;
- escalation of virulent media attacks on Nicaraguan Church leaders and Pope John Paul II by high-ranking Sandinistas, including Daniel Ortega, Sergio Ramirez, Tomas Borge, Omar Cabezas, and Miguel D'Escoto.

Based on actions taken to date and statements by Sandinista leaders, the Sandinista strategy against the Catholic Church appears to have two goals: decimation of the ranks of traditional clergy and the isolation of the Church from its worshippers. The forced draft of Nicaraguans studying for the priesthood, continuing threats to expel foreign priests loyal to the Church, and the regime's recently announced decision to deny entry to "new foreign priests" to replace those expelled clearly indicate the methods to be used to implement the first element of the strategy.

The media campaign against other Church leaders, who fall neither into the draft-age nor foreign-born groups, suggests that other actions are intended to deal with them. The thrust of the statements by Sandinista leaders is that the Pope, Cardinal Obando, and such Church leaders as Monsignor Bismarck Carballo are direct agents of the counterrevolution and the CIA

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and thus fall beyond the protection normally afforded members of the Church. The latest salvo in this attack came in late January. El Nuevo Diario on January 24 published several articles condemning the Cardinal's January visit to the United States and asserting that the purpose of the trip was to lobby in favor of military assistance to the counterrevolution. The newspaper also published a letter purportedly from a "voluntary coffee picker" demanding to know why Cardinal Obando was being allowed to reenter Nicaragua. This theme was repeated in the following days, and a new suggestion raised that the Cardinal had left himself open to arrest and trial by his actions in the United States.

On January 25, Sandinista media announced the apprehension of members of an "internal front" who allegedly were preparing a series of terrorist incidents in Nicaragua. Of the twenty-five persons arrested around the country, the "ringleaders" were alleged to have links to various sectors of the civil opposition: the independent trade unions, the Social Christian Party, and the Catholic Church. Thus, Guillermo Aguilera, who allegedly received his orders from Honduras, was an "ex-director" of the Nicaraguan Workers Central Union who acted in concert with Father Oswaldo Mondragon. Father Mondragon is in charge of the seminary from which students were forcibly drafted in September; his involvement in public protests of the action has caused the regime considerable embarrassment. Father Mondragon on January 24 received a summons to State Security. He was released after interrogation with a warning that he would be watched.

The second element of the strategy, already well underway, involves denial to the Church of the means of mass communication, increasingly severe restrictions on permissible Church activities, and expanded control over those activities officially tolerated. Implementation thus far has been initiated through the prohibition of the Church newspaper; closure of Radio Catolica; censorship of Church-related news from other media; declaration as illegal of traditional Church services related to housing, health and education and seizure of premises and records of the Church agency responsible for those areas; prohibition of outdoor masses; imposition of government control over the internal travel of Cardinal Obando for the purpose of delivering mass; and the institution of mandatory Marxist-Leninist indoctrination in Church-run schools.

The plight of the Church has been publicized and its cause supported by, among others, Nicaragua's Permanent Commission on Human Rights (CPDH), the Central American bishops, and Pope John Paul II. The reaction from the Sandinistas was predictable. Vice President Sergio Ramirez on November 3 told Brazilian newsmen that the Pope's "policy in Central America

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greatly resembles that of Ronald Reagan...the Pope decided to promote Bishop Obando to the post of cardinal to cause discomfort to the government of Nicaragua." Ironically, he flatly denied the existence of a Church-State confrontation.

This theme was repeated by Minister of Interior Tomas Borge in a January 6 interview with Mexico's El Dia, in which he ridiculed the Cardinal's masses in rural areas as "applause-seeking...not for evangelism and religious faith but for a political project that coincides fully with that of Reagan." Labeling Cardinal Obando "the spiritual guide" of the armed resistance and comparing him to the infamous Borgias, Borge declared him outside the "transcendental and metaphysical" character of the Church. Daniel Ortega on January 13 justified the regime's expulsion from Nicaragua of ten priests by comparing its action to the alleged "expulsion" from religious duties of 100 priests by Catholic authorities. To our knowledge, only the four priests who held high-level government positions were deprived of the right to offer the sacraments while retaining their official status.

The attack on religious liberty was broadened with a campaign of harassment against Nicaragua's Protestant evangelical community. Although this group had been the victim of earlier attempts at intimidation, such as refusal to allow the use of meeting places and denial of entry to the country to foreign evangelists, the attack intensified on October 30 when many of the community's leaders and activists were arrested and subjected to lengthy and threatening interrogations. Among the most prominent of those arrested were Reverend Felix Rosales, President of the National Council of Evangelical Pastors (CNPEN), Dr. Jimmy Hassan of the Crusade of Students and Professionals for Christ, Dr. Ignacio Hernandez, President of the Nicaraguan Bible Society, Modesto Alvarez of the Alliance for the Evangelization of Children, and Reverend Boanerges Mendoza, pastor of the First Evangelical Church of Central America.

According to censored La Prensa reports on the round-up and information provided by those involved, the evangelicals were stripped, searched, photographed, fingerprinted, and held naked for several hours in a room maintained at an extremely low temperature. They were then given prison uniforms and questioned concerning their travels outside Nicaragua and contacts with foreign evangelicals. Journalists in Managua also reported that those interrogated were warned that under the State of Emergency prayer meetings were illegal. After interrogation, the detainees were taken to dark, cramped, airless cells, where they were held for several more hours without food or water before being released. All were warned, when set free, to avoid all contact with the U.S. Embassy, and to remain silent concerning their arrest and detention.

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On October 31, in an incident suppressed by the Sandinistas until January 9, evangelical minister Juan Pablo Pineda was murdered, ostensibly by two Sandinista soldiers whom the regime claims to have tried and sentenced for the crime. No details of the murder have been provided, but its coincidence with the round-up by State Security of other evangelical leaders raises serious questions about the reliability of the claim that the murder was a random act.

On November 1, State Security agents conducted an armed search of Campus Crusade for Christ headquarters, seizing all written and printed materials, as well as mimeograph machines.

Reverend Mendoza, having failed to observe the warning not to discuss his incarceration, was again arrested by State Security on November 11. His home was searched and his personal and professional papers confiscated, as was his automobile. Mendoza was released November 21, and has since declined to divulge any details concerning his imprisonment. In December Dr. Jimmy Hassan, of the Crusade of Students and Professionals for Christ, elected to leave Nicaragua permanently because of the severity of the harassment directed against himself and his family.

As of November 12, according to a member of the evangelical community, all those who had been arrested in October were being kept under constant surveillance at home, at work, and at church. Since the first wave of arrests on October 30, twelve other evangelicals have reportedly been arrested in Southern Zelaya.

As in the case of the Catholic Church, Sandinista spokesmen have dismissed the complaints of their victims and denied that the actions taken against them represent religious persecution. In a November 28 press conference, Chief of Internal Order Omar Cabezas (since promoted to Chief of the Directorate of State Security) admitted the arrests of the evangelicals, even citing their names. At the same time, he declared that the National Council of Evangelical Pastors was an illegal organization and charged all those arrested with criminal activity for preaching "disobedience to the law," specifically alleging that they spoke against the draft. Cabezas further accused them of being agents of the Institute for Religion and Democracy ("the child of President Reagan and the CIA") and of smuggling into Nicaragua large sums of foreign currency and pacifist literature "based on the Bible." Cabezas accused Dr. Hassan of operating a "clandestine printing shop" in violation of the country's laws on printing presses; termed Modesto Alvarez a "bad-mannered Salvadoran" seeking to export "Salvador's system" to Nicaragua; and claimed that Reverend Mendoza was rearrested for continuing to speak against the draft. Cabezas also stated that Mendoza's imprisonment was



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extended because of his "frequent contradictions" and suggested that Mendoza was mentally ill, a familiar charge against the opponents of communist regimes.

### Press Censorship

"The criticism from La Prensa, from Radio Catolica, and the whole lot of propaganda from abroad is intended to be destructive. Only constructive criticism is acceptable in a revolutionary process."

- Tomas Borge, Pensamiento Proprio  
June 1985

Censorship of Nicaragua's independent media increased in the wake of the October 15 State of Emergency. During the November 1-January 31 period, Radio Catolica was closed for repeated "violations of law;" the Permanent Commission on Human Rights was officially notified that henceforth all of its letters, communiques, and reports must be submitted for censorship review; "Conservatism on the Move," a radio program of the Conservative Party, was suspended; publication of an irregularly-issued flyer "Prisma" was suspended and three of its editors -- two of whom are also La Prensa reporters -- were arrested for violating the "Law for the Maintenance of Order and Public Security;" Solidaridad, the official monthly magazine of the independent Confederation of Labor Unification (CUS) was suspended; and attacks on independent La Prensa escalated, bringing the conflict between the newspaper's editorial board and State Security to open confrontation.

Stringent censorship of La Prensa continued, with most news relating to the Catholic Church, as well as reports of attacks on evangelicals, deleted by censors. Despite regime claims that only sensitive military and economic information was subject to review, articles banned included reports on the formation of a Church human rights commission, a meeting of the Independent Liberal Party, the closure of a coffee plant due to material shortages, public dissatisfaction with the conduct of resident Cubans, the influx of migrants to Managua, arrests of civil opposition leaders, and clarification of currency laws. Censorship resulted in the gutting of the daily editions of La Prensa, affecting approximately 80% of the paper's material.

On November 5, in response to the increasingly severe censorship imposed on the paper, co-director Jaime Chamorro sent a letter to National Assembly President Carlos Nunez complaining of the failure of the Communications Media Directorate to observe the limits to its authority as stated in an amendment passed by the Assembly. Chamorro pointed out that the Directorate had gone so far as to censor La Prensa's report on the amendments made by the Assembly to the State of Emergency.

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In lieu of a response to La Prensa's complaint, on December 2 the editorial board received notification from the Directorate that the continued distribution of censored articles -- regularly given to foreign journalists and members of the diplomatic community -- would result in actions against the paper's directors. Jaime Chamorro, to whom the letter was addressed, was warned that "the next violation will be rigorously sanctioned." La Prensa's board responded by cancelling the December 2 issue, and called a press conference to publicize the threats against the newspaper and its editors. Chamorro also filed a sworn statement with Managua's Appellate Tribunal rejecting the charges of illegal activity and requesting an injunction against the chief officer of the Communications Media Directorate. No action has yet been taken on Chamorro's complaints, nor is any remedial action expected. Instead, on December 6 the newspaper was prohibited from publishing for 48 hours in retaliation for continued distribution of censored articles.

Harassment of La Prensa personnel also continued. Following the murder of a regional vendor of the paper in September, who was killed by unknown assailants after several days of surveillance and intimidation by State Security agents, La Prensa's religion editor, Norman Talavera, was arrested on November 10. State Security raided his home and seized Talavera's personal and professional papers, photographs of Cardinal Obando, personal correspondence, and the family's passports. The home was then placed under constant surveillance. Talavera was taken to State Security prison El Chipote and held until November 15.

#### Other Civil Opposition

The narrow space for political activity to which Nicaragua's civil opposition has been confined diminished even further over the last 90 days. While the Sandinistas have continued to rely largely on arbitrary arrest and interrogation as the primary means of intimidation, the use of overt force and the threat of force to ensure compliance has become more prominent. More important to the long-term success of the totalitarian model being imposed by the regime is the use of nearly unfettered state power to control or confiscate the material resources essential to effective democratic dissent, and the revision or promulgation of laws to provide the legal basis for incapacitating it.

Included among the thirteen substantiated cases of political murders reported to CPDH in 1985 was an incident involving the brutal assault on two Social Christian Party youths in November, in which one boy was severely injured and the other tortured and killed. After resisting military

impressment, the two boys were taken away by force in a military vehicle. According to press reports and a complaint filed with CPDH, the family inquired the following day about the boys' whereabouts, and was told by military authorities that they had been shot while attempting to escape. One of the boys was later found, unconscious and badly beaten. Two days later, on November 11, the decomposing body of the second boy was discovered. His murderers had cut out his tongue, gouged out his eyes, and slashed his stomach.

In another case, four men aged 22-29 were killed after having been arrested on November 10 on what their families insist were trumped-up charges of assault and possession of illegal weapons. According to relatives, Ivan Enrique Garcia Lopez, Denis Jose Sanchez Gutierrez, Julio Alberto Lopez Lopez, and Wilmar Jose Navarro Garcia had refused induction prior to their arrest. Although an attorney stated that he had visited the four at the Palo Alto Prison on November 22, and a morgue employee claimed that the bodies were delivered on the evening of November 22, a Ministry of Interior Communique issued November 25 stated that all four had been killed that day in a shoot-out.

The majority of the remaining incidents reported by opposition sectors involved the use of arbitrary arrests, detentions of varying lengths of time, and interrogation; the conduct of armed raids on organizational offices and search and seizure of documents and property; and the banning of institutions and organizations as illegal.

In addition to the arrests previously mentioned, some forty-five persons active in the civil opposition were arrested or summoned for interrogation during this period. Among those arrested were members or employees of the Social Christian Party, Independent Liberal Party, Conservative Party, Superior Council of Private Enterprise, Cattlemen's Association, Union of Parents of Catholic School Children, Confederation of Professionals, Nicaraguan Private Development Institute (INDE), Nicaraguan Cotton Growers' Association, Social Christian Workers Front, Nicaraguan Workers Federation, and Lidia Maradiaga Peasants Trade Union. Lino Hernandez of the CPDH estimates that over 300 members of the opposition were interrogated between October 15 and mid-December.

The Sandinistas in November also summoned for interrogation Nicaraguans employed at several foreign missions. Included among those summoned to El Chipote's interrogation center for intense and abusive questioning were sixteen employees of the U.S. Embassy, and others from the Embassies of Venezuela and Honduras. The employees were put through what has now become the normal routine: weighing,

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measuring, fingerprinting, photographing, and confinement in tiny, dark, airless cells for hours. Some were stripped; some were videotaped. All of them were subjected to interrogations lasting from 6-14 hours, during which they were probed concerning intimate details of their lives, their religious beliefs, and their political sympathies, and threatened with further actions against themselves and their families. They were also warned not to discuss with anyone the details of their detention.

To reinforce psychological intimidation, the Sandinistas have erected a legal structure -- prominent in which is the State of Emergency -- that gives them the authority to carry out virtually any action at will. Refinement of this legal facade appears to be emerging as a favored means of effecting the elimination of the opposition without having to resort to visible force. The monopoly on legislative authority has enabled the Sandinistas to pass laws stripping opposition parties of their legal recognition, and to close down as "illegal" organizations including the Curia Social Services Offices, the Institution for Unity and the Promotion of Democracy, and 12 affiliates of the Confederation of Labor Unification (the Professional Agricultural Workers Union, the Miskito Workers Union, the Dress Workers Union, the Casares Fishermen's Union, the Faustino Martinez Union, an office workers union, and six others not identified in the press report). There are indications that the Nicaraguan Private Development Institute is slated for similar treatment.

On January 27, the Ministry of Interior issued a communique setting forth further restrictions on political activity. Under the new regulations, political parties must notify the police one week in advance of any political "event," giving the time, place, and date, which event will be subject to authorization or denial by the police. All parties not represented in the National Assembly are prohibited from conducting any political activities or issuing any "propaganda" related to the drafting of a new constitution. The new regulations codified a situation already in effect: on January 26 the recognized faction of the Conservative Party, represented in the National Assembly, was denied permission by the police to hold an open meeting in the small town of Caterina to discuss the constitution. Assembly President Carlos Nunez, according to El Nuevo Diario, described the action as an isolated incident, and promised to speak with Interior Minister Borge.

The Sandinistas have also used FSLN-devised legislation to expropriate enterprises and lands from political enemies. In the latter case, existing legislation has proven inadequate to the task of completely crippling the private sector. As a

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result, Daniel Ortega proclaimed on January 11 that the Agrarian Reform Law had been substantially revised. Explaining that the revisions had been made to avoid an appearance that the regime was "disrespectful of the law," Ortega announced that in future there will be no limit on the size of farms that can be confiscated. (Under the old law, farms under 1500 manzanas were immune from confiscation.) Now, any farm can be taken provided only that the confiscation is of some "social utility" or is in the "public interest." While the earlier law had made it possible to move against political opponents, even those whose lands were highly productive, the new version provides the regime unlimited powers of political retribution. According to Ortega, however, not everyone need worry. Those who "behave patriotically, who are not counterrevolutionaries, and do not support the counterrevolution's activities" are not at risk. Others are thus clearly forewarned, and it is generally accepted within the private sector that the coming months will see many in the opposition dispossessed of their holdings.

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**HUMANITARIAN ASSISTANCE**  
**FOR THE NICARAGUAN DEMOCRATIC RESISTANCE**

In its first five months of operation, the Nicaraguan Humanitarian Assistance Office (NHAO) has obligated \$16.4 million of the \$18 million made available to date for humanitarian aid to the Nicaraguan democratic resistance. With submission of this report, the final \$9 million tranche of funds approved through 3/31/86 becomes available. Expenditures continue to be guided by the criteria set forth in the legislation, as clarified by subsequent expressions of Congressional intent (see below).

During the reporting period (November 1, 1985, through January 31, 1986), NHAO has continued to conduct operations in the same manner as described in the first Presidential Report to Congress (dated November 6, 1985) and with only a slightly increased staff. However, the pace of disbursements accelerated as the staffs of NHAO and the United Nicaraguan Opposition (UNO) first developed and then gained experience with effective modalities for the provision of aid through NHAO.

**NEW PROGRAMS**

As indicated in the statistical summary, the overwhelming percentage of assistance to the democratic resistance continues to be in the form of food, medicine, clothing, equipment and transportation. However, there are three new programs worthy of special mention.

**A. Human Rights Commission**

NHAO began in December 1985 to fund UNO's newly-created Human Rights Commission (UNO/CDH). The objective of UNO/CDH is to defend and promote human rights, with particular emphasis on their protection during armed conflict. UNO/CDH will train UNO forces in a code of conduct, will investigate and monitor punishment of derelictions, and will also monitor and expose violations of human rights committed by the Sandinistas. This program is being directed by one of UNO's principal leaders, Arturo Cruz, assisted by Ismael Reyes, former head of the Nicaraguan Red Cross.

UNO/CDH has submitted to NHAO a budget projecting expenses of approximately \$950,000 during the period January - June 1986. To date, NHAO has provided \$125,000 in start-up money for this undertaking.

## B. Medical Care Facilities

In addition to paying for pharmaceuticals and other consumable medical supplies, NHAO is providing funding for longer-term treatment in the United States of seriously wounded combatants requiring restorative surgery. This assistance takes the form of payment of hospital and doctors' bills and maintenance of a hospice (capacity approximately 15 persons) for patient lodging during the period of treatment and rehabilitation. NHAO made a separate grant to the Fundacion de Nicaragua, a Miami-based non-profit organization, to administer this program.

NHAO has also funded the enhancement or expansion of several UNO medical clinics within the Central American region, where the vast majority of UNO's medical needs are met. These funds cover construction costs, salaries of health-care personnel, and the purchase of medical equipment such as X-ray machines and refrigerators to store perishable pharmaceuticals.

## C. Vehicles

During the initial phase of its operations, NHAO abstained from funding the purchase of vehicles (trucks, boats and aircraft) because the theoretical potential for dual use (to transport both humanitarian and lethal supplies, for example) could lead to controversy over compliance with the legislative guidelines. NHAO recognized nonetheless that without effective means of transport, NHAO-purchased supplies might not reach and thus could not serve their intended recipients. In light of this dilemma, the Department of State suggested to the Congress in November 1985 that the Intelligence Authorization Act for 1986 specifically provide that appropriated funds could be used for the purchase of vehicles. The conference committee chose, instead, to clarify NHAO's authority in the following statement:

The conferees note that they considered authorizing the intelligence agencies to provide transportation equipment to the Nicaraguan democratic resistance, but determined not to authorize funds for such equipment because the Nicaraguan Humanitarian Assistance Office established by Executive Order 12530 of August 29, 1985, pursuant to the International Security and Development Cooperation Act of 1985 (P.L. 99-83) and the Fiscal Year 1985 Supplemental Appropriations Act, already has the authority to provide transportation equipment as part of the humanitarian assistance program, and the provision of such equipment is not precluded by the definition of humanitarian assistance contained in those Acts so long as no modifications are made to the equipment designed to be used to inflict serious bodily harm or death. (Emphasis added.)

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On this basis, NHAO has begun to consider requests for funding the purchase and maintenance of small trucks, boats and aircraft, provided their primary and predominant use is the delivery of humanitarian assistance commodities or the transport of the wounded, and provided no modifications designed to inflict serious bodily harm are made to such equipment. These conditions have been discussed in detail with the UNO leadership, which has fully accepted them, and been inserted in all grant documents pertaining to the purchase, maintenance and use of such vehicles.

### OVERSIGHT AND CONTROL

#### A. By the State Department's Inspector General

In October 1985, the Inspector General of the Department of State initiated a two-week, informal audit of NHAO's operations and procedures, culminating in a report on November 8, 1985. The audit concerned itself primarily with the adequacy of NHAO's procedures for ensuring that assistance not be diverted for unauthorized purposes.

The audit report approvingly noted NHAO's adoption of operating procedures and controls similar to those used by AID disaster relief programs. However, the report suggested a number of refinements. Citing concerns about NHAO's ability to verify the bona fides of off-shore suppliers and the ultimate end use of supplies procured in both the United States and Central America, the report suggested that NHAO recruit and assign additional personnel to the monitoring function, while continuing to make maximum use of U.S. resources within the region to ensure proper use of NHAO-funded materiel. Finally, the report suggested that NHAO request that UNO develop budget projections for disbursing the balance of the funds appropriated for humanitarian assistance.

On December 20, 1985, NHAO responded to the Inspector General that NHAO concurred with all recommendations; as of the date of this report, they have been fully implemented.

#### B. By the General Accounting Office

On November 5, 1985, the General Accounting Office (GAO) notified the Department of State that at the request of the Chairman of the House Foreign Affairs Subcommittee on Western Hemisphere Affairs, GAO was commencing a review and audit of NHAO operations. Representatives of GAO, NHAO and the State Department met on December 6, 1985, to discuss audit procedures; the audit has been in progress since that date.



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TRANSPORTATION PROBLEMS

In mid-October 1985, a flight from the United States containing NHAO-purchased supplies was forced to return from the region without discharging its cargo. (This episode was included in the first report under the heading "Delivery Incident.") From that time, UNO's previously existing arrangements for the delivery of U.S.-sourced supplies to the region were suspended. NHAO has worked with UNO to devise alternate delivery arrangements, but to date has achieved only limited success.

One result of this development is that UNO has been obliged to rely more heavily on supplies purchased within the region than would otherwise have been the case.

SUMMARY OF GRANTSNHAO Grants

1. Program Grants (to be disbursed through letters/memoranda of commitment, except Project Hope and Fundacion grants [see below])

<u>Grant 601 (UNO)</u> (issued 10/3/85)	\$1,000,000
<u>Grant 602 (UNO)</u> (issued 10/15/85)	\$1,500,000
<u>Grant 603 (UNO)</u> (issued 10/29/85)	\$3,000,000
<u>Grant 604 (UNO)</u> (issued 11/11/85)	\$3,000,000
<u>Grant 605</u> (Fundación de Nicaragua) (issued 11/13/85)	\$1,000,000 <sup>a</sup>
<u>Grant 606 (UNO)</u> (issued 12/23/85)	\$3,000,000
<u>Grant 607 (Project Hope)</u> (issued 12/02/85)	\$3,750,000 <sup>b</sup>

2. Administration Grants

<u>Grant 641-001 (UNO Washington)</u> (issued 10/17/85)	\$ 50,000 <sup>c</sup>
<u>Grant 641-002 (IDEA, Inc.)</u> (issued 11/06/85)	\$ 50,675 <sup>d</sup>

3. Direct NHAO Obligations

<u>Grant 632-001 (Butler Buildings)</u> (issued 12/23/85)	\$ 28,000
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TOTAL.....\$16,378,675

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NHAO Commitments1. Against Program Grants through 1/31/86

Humanitarian Assistance.....\$14,131,860

Medical	\$5,111,180	(36.2%)
Food	\$3,665,589	(25.9%)
Clothing	\$3,064,254	(21.7%)
Equipment	\$1,399,747	( 9.9%)
Transport	\$ 766,090	( 5.4%)
Human Rights Program	\$ 125,000	( 0.9%)

2. Against Administration Grants through 1/31/86

Administration Commitments.....\$ 100,675

UNO Liaison Office	\$ 50,000
IDEA, Inc.	\$ 50,675

TOTAL NHAO COMMITMENTS.....\$14,232,535

In-House NHAO Administrative Expenses through 1/31/86

NHAO Administrative Expenses.....\$ 66,953

Direct Personnel Costs	\$ 33,286
Office Rent	\$ 14,667
Travel	\$ 14,000
Telephone toll calls	\$ 3,000
Miscellaneous	\$ 2,000

Notes

a. The program grant to the Fundacion de Nicaragua funds longer-term care in the U.S. and UNO's medical staff in the Central American region. At least initially, support for UNO's human rights program is also being channelled through the Fundacion.

b. Using information provided by NHAO staff, Project Hope produced a comprehensive program to meet both emergency and on-going health care supply needs. Pursuant to that program, the grant to Project Hope funds the purchase within the United States of pharmaceuticals and medical equipment.

c. The administration grant to UNO's Washington office stipulates that its activities must be strictly limited to providing liaison between UNO and NHAO so as to facilitate the flow of humanitarian assistance. This grant permits UNO to receive a cash advance to cover administrative expenditures, which must be documented and justified to NHAO before further cash advances are made.

d. The administration grant to IDEA, Inc. funds administrative support services, including assistance to the regional medical program and to KISAN (the Indian/Creole component of UNO).

**CONFIDENTIAL****ANNEX C**  
**Humanitarian Assistance**  
**for the Nicaraguan Democratic Resistance****ITEMIZED PROGRAM COMMITMENTS THROUGH 1/31/86**

<u>Grant-Letter/Memo</u> <u>Of Commitment No.</u>	<u>Item, quantity</u>	<u>Value</u>
<b><u>I. Food and consumables</u></b>		
602-001	various foodstuffs	\$196,875
602-008	various foodstuffs	\$214,982
602-012	eggs	\$ 6,474
603-007	various foodstuffs	\$827,872
603-011	various foodstuffs	\$ 26,766
603-012	foodstuffs, sundries	\$ 15,907
603-021	various foodstuffs	\$ 43,939
603-022	various foodstuffs	\$ 98,950
603-024	various foodstuffs sundries	\$ 39,000 \$ 6,536
603-027	various foodstuffs	\$497,471
604-002	various foodstuffs	\$901,034
604-004	various foodstuffs	\$ 19,997
604-008	various foodstuffs	\$ 20,627
604-019	various foodstuffs	\$ 65,000
604-023	various foodstuffs	\$ 11,991
604-025	various foodstuffs	\$ 57,919
604-026	various foodstuffs	\$ 59,173
604-030	various foodstuffs	\$ 16,342

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604-031	various foodstuffs	\$346,634
604-033	various foodstuffs	\$ 32,810
604-034	various foodstuffs	\$ 16,182
606-002	various foodstuffs	\$126,603
606-012	various foodstuffs	\$ 1,103
606-014	various foodstuffs	\$ 15,402
	<u>Category Subtotal:</u>	<u>\$3,665,589</u>

**II. Clothing**

601-001	waterproof material (21,000 yds.) caps (10,000)	\$ 32,970 \$ 12,500
601-002	socks (2,000 dz. prs.)	\$ 17,000
601-003	boots (16,000 pr.) shirts and trousers (3,468 sets)	\$496,000 \$ 55,408
601-004	boots (1,000 pr.)	\$ 19,150
601-005	boots (1,080 pr.)	\$ 22,200
602-003	boots (500 pr.)	\$ 9,575
602-005	shirts and trousers (15,000 sets)	\$243,750
602-006	sewing labor costs for manufacture of 6,351 sets of shirts and trousers	\$ 41,282
602-009	suspenders (6,000) belts (10,000)	\$ 19,500 \$ 27,500
602-010	boots (10,000)	\$305,520
602-011	ponchos (20,000)	\$178,400

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602-017	underwear 2016 dz. sets	\$ 34,272
603-001	boots (15,000)	\$457,500
603-002	belts (6,120) trousers (5,300) suspenders (1,077)	\$ 18,972 \$ 5,300 \$ 700
603-010	boots (6,800)	\$108,100
603-019	boots (500 pr.) socks (200 dz pr.) bandanas (200 dz. pr.)	\$ 12,425
603-023	socks (2010 dz. pr.)	\$ 18,808
604-004	various clothing	\$ 9,587
604-007	trousers (1,000 pr.) shirts (1,000) rubber boots (1,000 pr.)	\$ 14,300 \$ 5,720 \$ 6,200
604-012	shirts (1,600)	\$ 12,800
604-015	trousers (300) shirts (300) hats (300) coats (348) gloves (300 pr.)	\$ 13,604
604-016	boots (5,276 pr.)	\$166,194
604-023	various clothing	\$ 33,556
604-034	various clothing	\$ 7,567
606-004	uniforms (20,000)	\$325,000
606-007	boots (2,820 pr.) uniforms (420 sets)	\$100,970
606-011	boots (2,000 pr.) socks (4,000 pr.) t-shirts (4,000) caps (2,000)	\$ 81,656

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606-012	various clothing	\$ 7,012
606-014	various clothing	\$ 7,393
606-020	pants (3,000 pr.) shirts (3,000)	\$ 79,118
606-022	shirts (2,000) pants (2,000 pr.)	\$ 56,745
	<u>Category Subtotal:</u>	<u>\$3,064,254</u>

III. Medicine and Medical Care

601-007	medical expenses for wounded Nicaraguan	\$ 4,350
602-007	pharmaceuticals	\$ 38,540
602-018	pharmaceuticals	\$ 1,327
603-008	pharmaceuticals	\$ 18,269
603-013	pharmaceuticals	\$ 857
603-014	medical services (US)	\$147,200
603-015	refrigerators for pharmaceuticals (3)	\$ 9,008
603-017	pharmaceuticals	\$ 61,494
603-024	pharmaceuticals	\$ 1,250
603-026	pharmaceuticals	\$ 5,252
604-003	pharmaceuticals	\$ 4,770
604-005	pharmaceuticals	\$ 5,647
604-006	pharmaceuticals	\$ 14,079
604-017	pharmaceuticals	\$ 23,109
604-018	pharmaceuticals	\$ 26,545

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604-021	medical services	\$ 14,266
604-024	pharmaceuticals	\$ 16,112
604-028	hospital	\$ 52,583
604-035	pharmaceuticals	\$ 2,384
606-010	pharmaceuticals	\$ 16,624
606-013	pharmaceuticals	\$ 1,911
606-019	pharmaceuticals	\$ 20,603
-----	Project Hope commitment	\$3,750,000
-----	Fundacion commitment (medical)	\$875,500
	<u>Category Subtotal:</u>	<u>\$5,111,180</u>

**IV. Equipment**

601-001	backpacks (4,000)	\$ 45,400
	large tents (7)	\$ 8,050
601-002	poncho liners (20,000)	\$230,000
601-009	mountain rescue equipment	\$ 970
	canteen covers (10,000)	\$ 17,500
	mess trays (100)	\$ 525
602-004	watches (1,000)	\$ 13,750
	cargo straps (100)	\$ 600
	flashlights (5,000)	\$ 14,905
602-009	pouches (4,000)	\$ 13,400
	flashlights (8,064)	\$ 24,192
	bags (4,000)	\$ 8,400
	canteen covers (6,000)	\$ 16,200
602-011	canteens (10,000)	\$ 5,800
	fabric storage tanks (13)	\$ 9,750
602-013	farm tools	\$ 22,261

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602-014	sanitary napkins (400 cs.) candles (165 cs.)	\$ 16,445
603-003	canteens (6,120)	\$ 3,978
603-004	web belts (500 dz.)	\$ 6,000
603-005	spray paint (2,432 cans)	\$ 6,880
603-006	hammocks (20,000)	\$191,000
603-018	canteen covers (20,000)	\$ 33,000
603-020	cots, folding (332)	\$ 6,557
603-025	evacuation markers (500)	\$ 3,175
603-030	cargo parachutes (74)	\$ 4,440
604-013	canteen belts (10,000)	\$ 22,500
604-014	binoculars (260) monoculars (190)	\$ 20,500
604-027	tents (2) plastic canteens	\$ 988 \$ 12,000
604-036	break cords (30 rolls) retainer bands (200 lbs.)	\$ 594 \$ 644
606-001	warehouse lease, 6 mos. (for storage of NHAO- purchased supplies)	\$ 18,000
606-003	utility motors (6) corn grinders (4)	\$ 19,894
606-005	office supplies	\$ 2,289
606-006	field packs (20,002)	\$484,660
606-009	cargo parachutes (125)	\$ 15,000
606-018	belt pouches (15,000) suspenders (5,000)	\$ 71,500
632-001	Butler Buildings (4)	\$ 28,000
	<u>Category Subtotal:</u>	<u>\$1,399,747</u>

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**V. Transportation**

601-006	air charter service	\$ 35,850
602-002	air charter service	\$ 35,850
603-007	ground transportation	\$ 68,250
603-009	air charter service	\$ 33,100
603-016	ground transportation	\$ 32,750
603-024	petrol, oil and lubricants	\$ 147
603-028	air charter service	\$182,000
603-029	aircraft parts	\$ 5,834
604-001	air charter service	\$ 48,000
604-002	ground transportation	\$ 75,100
604-009	ground transportation	\$ 7,000
604-010	boat purchase	\$ 2,860
604-011	outboard motors and parts	\$ 5,809
604-020	air charter service	\$ 44,129
604-022	ground transportation	\$ 69,150
604-031	ground transportation	\$ 2,631
604-032	air charter service	\$ 48,538
606-008	air charter service	\$ 7,070
606-015	Land Cruiser	\$ 41,392
	pick-up truck	\$ 21,449
	<u>Category Subtotal:</u>	<u>\$766,090</u>

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