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Review Of Nicaraguan Human Rights Performance, 1989 (s/ s)

by Deborah Tyroler

Category/Department: General

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[Compiled below are reports and statements on human rights performance by the Nicaraguan government and the contra forces in 1989.] AMERICAS WATCH On Statement Regarding Human Rights Abuses by Government Troops Since the Sapoa cease-fire agreement was signed between the Nicaraguan government and the contras in March 1988, government troops have been accused of executing 40 to 50 civilians in northern Nicaragua. In a recent statement, Juan Mendez, executive director of Americas Watch (headquartered in New York), said, "The executions are too numerous to be isolated cases. They constitute a pattern of abuse by government forces." Regional coordinator of Families of the Kidnapped and Disappeared by the Counter-revolutionaries, Dani Chavarria Rivera, told the Times that "The contras disguise themselves as soldiers to discredit the army." She asserted that the contras had killed or kidnapped 6,000 people in Matagalpa department in the last eight years. In the year following the Sapoa ceasefire agreement, she added, the contras have killed or kidnapped 300 people. Human rights groups and residents of the area say the contras continue to perpetrate abuses. According to Americas Watch, in contrast to the contra army, political killings by Nicaraguan government troops were rare throughout most of the war. With the exception of notable cases seven years ago, it said that government abuses had been "sporadic and that they did not reflect a pattern." In a 1988 report, Americas Watch noted a series of murders of suspected contra collaborators and family members. It charged that "the cases are numerous enough to suggest tolerance or complicity by higher authorities." Mendez said the conclusion appearing in the report was confirmed by more recent killings by both army and Interior Ministry troops. In the statement, he said, "The government's failure to put an end to this practice merits severe condemnation." He also commended Nicaraguan officials for prosecuting human rights violators. (Basic data from New York Times, 04/16/89) Delegation Tours Nicaraguan Prisons; Access to Contra Camps in Honduras Denied On Sept. 12 in Managua, Americas Watch executive director Juan Mendez told Barricada that the human rights organization had initiated a tour of Nicaragua's state security prisons, also known as federal penitentiaries. The tour marks the first time, according to Notimex, that Americas Watch has had access to the six institutions. Opposition groups have claimed the prisons harbor clandestine torture chambers, and that 6,000 persons have been incarcerated for political crimes and collaborating with the contras. In August, an International Red Cross inspection team counted 1,306 persons detained for alleged counter-revolutionary activities. Mendez said he and two other Americas Watch representatives will spend two weeks interviewing prison inmates, and conducting other types of investigations of the prisons. Next, Mendez told Barricada that Americas Watch negotiations with the contra commanders in Honduras to obtain authorization to visit their camps have met with little success. The purpose of such visits, he said, would be to determine the number of kidnapping victims held by the contras. The Nicaraguan government claims the contras in Honduras are holding at least 1,800 kidnapping victims. The contras deny the existence of such victims. (Basic data from Notimex, 09/12/89) Mendez Reports Nicaraguan Government Acts to Cease Abuses Against Contra Supporters; Abuses by Contras Continue On Nov. 2, Juan Mendez, author of an Americas Watch report on human rights abuses in Nicaragua, said that the

government had acted to halt human rights abuses against contra supporters in northern Nicaragua. In contrast, he said, abuses committed by contra fighters have not been seriously investigated by contra leaders and commanders, and in general have not led to disciplinary action. Mendez said Americas Watch had not received any new reports of abuses by the Nicaraguan military forces since May. At that point, the group had documented 74 murders, 14 disappearances and two beatings of contra supporters from 1987 to early 1989. Mendez said, "We have continued to receive reports of contra violations, perhaps with a certain increase in September and October." Over the 1987 to 1989 period, Americas Watch said its team of investigators documented 23 murders, 39 kidnappings and two attempted murders of civilians by contra forces. Americas Watch said contra leaders did not respond to questions regarding the documented cases. (Basic data from Reuters, 11/02/89)

AMNESTY INTERNATIONAL Report on Human Rights in Nicaragua Compliments Government [Appearing below are excerpts from a review by Paul Laverty of an Amnesty International report on Nicaragua dated 11/09/89 (67 pages, nine-page update). Laverty, a lawyer from Scotland, has worked for 2-1/2 years in Nicaragua as a human rights investigator. The review was distributed on 11/08/89 by Scottish Medical Aid for Nicaragua, a private charity that has provided doctors, nurses and medical equipment to Nicaragua for the past five years. (Scottish Medical Aid for Nicaragua can be contacted at The Scottish Foundation, 25/27 Elmbank Street, Glasgow, Scotland. Telephone 041/226-3431. Fax 041 221 0716.)] Highlights of report: * In its recommendations to the government, Amnesty International writes that it "welcomes the Nicaraguan government's 'open door' policy towards international organizations concerned with the protection of human rights. It is encouraged by the willingness the government has demonstrated to investigate the concerns outlined in this document, the prompt measures it has already taken in response to some of these concerns, and the information provided on numerous cases which the organization has raised." * Amnesty praised the government-sponsored human rights organization, the National Commission for the Promotion and Protection of Human Rights (CNPPDH) for its "serious investigations" (p. 6, update, p. 8). Amnesty also outlines the logistical and financial problems faced by the CNPPDH in carrying out investigations in distant and remote parts of the country. * Human rights abuses by security forces are not condoned by the government (pp. 4, 47). Amnesty referred to convictions and sentences of soldiers charged with human rights abuses as an indication of government policy: "During the first nine months of 1987 military courts handed down sentences of more than three years imprisonment against 192 soldiers, of whom 51 were officers; in 1988 the number increased to 337 of whom 89 were officers" (p. 47). Prosecution and conviction of soldiers accused of human rights abuses, said the Amnesty report, "undoubtedly indicate a serious attempt to preserve standards of discipline and do not lend support to the notion that the higher military authorities condone criminal behaviour by the troops" (p. 47). The Amnesty report cited a government report which points out that Nicaraguan efforts to prosecute and sentence members of its own security forces are an exception to the rule in Latin America: "Nicaragua is one of the very few countries on the...continent which has a certain number of members of its armed forces serving prison sentences for infringing the law" (p. 7). The same report is cited by Amnesty in its Update (p. 7): "The Government of Nicaragua does not deny that isolated violations of human rights have occurred, but this is neither an explicit or tacit policy of the government which does not promote nor tolerate such violations." Regarding the case of an army lieutenant who received Nicaragua's maximum 30-year prison sentence for the murder of two peasants, Amnesty cited the Nicaraguan military court's decision: "These acts which involve seizing and killing civilians, and later presenting them as actions in combat and enemy losses, are personal acts beyond any order and respect for human integrity for which this revolution is, and struggles to be highly respectful. For this reason, such actions must be severely punished as the law

requires" (p. 48). While not condoning government human rights violations, Amnesty emphasized that most abuses have taken place where "armed combat has been most intense" (p. 46), and where the contras have purposefully mutilated and tortured civilian victims before murdering them (pp. 46, 60). Amnesty also points out that of the 56 cases raised by its investigators some dating back to 1985, every one has been investigated by the government or is currently under investigation (p. 1). * In contrast, Amnesty states that contra abuses are "deliberate policy," and as such directed mainly against civilians. Abuses are so widespread, said the report, that "the number of victims...is impossible to determine although there are hundreds of reports of deaths..." (p. 60). The report refers to "thousands of Nicaraguan civilians abducted" by the contras whose whereabouts are unknown, as well as whether they are alive (p. 63). Amnesty reported that it has no information of a single contra fighter being arrested and serving a custodial sentence for human rights abuses, although some have been identified as perpetrators of murder and rape (pp. 63-65). * The report indicates US government responsibility for contra human rights abuses. Amnesty considers distribution by the CIA of its Assassination Manual to contra fighters as "tantamount to encouraging these forces to carry out selective assassinations" of civilians (p. 60). The report cited the decision of the International Court of Justice which stated that by producing and distributing the manual to the contras, the US government had "encouraged the commission by them of acts contrary to the general principles of humanitarian law" (p. 61). In the most diplomatic language and by implication, the report indicated that former US Asst. Secretary of State for Inter-American Affairs Elliott Abrams had lied when he complained of "outrageous charges against the Resistance" (pp. 61, 62). Next, the report referred to "the sanguine view taken by the [US] State Department" in its attempts to minimize abuses by the contras (p. 62). * The Amnesty report said that "notable improvements" in human rights protection have occurred, and that "many of these have been the direct result of the government's diplomatic efforts to negotiate a solution" to the conflict. Examples mentioned in the report follow: a) The release from prison of all but 39 of 3,500 former National Guardsmen (p. 1). b) The release from prison of 239 former contras since the signing of the Aug. 7 Tela agreement. The government has pledged to release the remaining approximately 1,240 prisoners as the contras are demobilized. c) Immediate release of prisoners certified to be in poor health (update, p. 2). d) Lifting the state of emergency. e) Dissolution of the anti-Somocista tribunals criticized by Amnesty in its 1986 report. f) Introduction of draft legislation to repeal emergency powers Decree 1074 used throughout the war. g) Introduction of draft legislation to end police sentencing powers inherited from the old regime. h) Increased use and effectiveness of habeas corpus as a remedy to protect the rights of detainees. Amnesty notes that "any citizen may apply on behalf of any person illegally detained or threatened with illegal detention" (p. 16). i) Amnesty notes that pre-trial detention time by security forces was "greatly reduced" in 1988 and 1989 (p. 15). INTERAMERICAN HUMAN RIGHTS COMMISSION Report Criticizes Procedures Used in Determining Release of Former National Guardsmen An April 17 report by the Interamerican Human Rights Commission (CIDH), an affiliate of the Organization of American States (OAS), criticized the Nicaraguan government's procedures in granting pardons to former Guardsmen. A similar critique appeared in an earlier report by Americas Watch. The CIDH said that Nicaraguan officials had ignored its recommendations on procedures for granting pardons which appeared in a May 1988 report. The latter report was not made public, result of the breakdown in talks between Nicaraguan government and contra leaders last June. (Basic data from 04/17/89 report by Regional Coordination for Economic and Social Research of Central America and the Caribbean-CRIES, Managua) NATIONAL PERMANENT COMMISSION FOR THE PROTECTION OF HUMAN RIGHTS (CNPPDH) Notes on Human Rights Violations Reported by Americas Watch

Representatives of Americas Watch met recently with Nicaraguan government officials regarding allegations of a pattern of human rights abuses that if confirmed would indicate government tolerance or complicity at the highest levels of authority. The charges publicly appeared in the April 1989 Americas Watch Bulletin, including a list of 40 alleged cases of human rights violations. A total of about 80 cases were reported to the government by Americas Watch, most reported between mid-March and June 21. Americas Watch was supplied with information to disprove the charges and recently issued a follow-up to this effect. Since the release of the April bulletin, the National Commission for the Promotion and Protection of Human Rights, Nicaragua's government agency charged with investigating violations, compiled the following information. According to the Commission, the war with the contras has created a climate conducive to a certain number of isolated incidents of abuse, but there has been no pattern of systematic abuse or complicity by high representatives. In less than four months, the government provided responses to 32 of the charges. The remainder continue under investigation to be concluded before year-end. Americas Watch was provided with information on 22 concluded investigations and on 10 others that are nearly complete. Of the 22 completed cases, only six were confirmed as actual rights violations perpetrated by government security personnel. Four cases involved victims who died in cross-fire between government troops and contra forces. Two cases involved persons who were found to be living, and quite healthy. Allegations of abuses in these cases were found to be fabrications. Two other cases involved persons who were killed while attempting escapes, one from prison. The other had been taken to a hospital for treatment after being wounded in combat, and tried to escape. In three cases, violations of rights occurred but the perpetrators were civilians, not government security forces. The civilians in question are currently in jail, and await prosecution. In five cases, evidence at this point is inadequate for either indictment or dropping the charges. Americas Watch was requested to supply more information. [Notes: Article 23 of the Nicaraguan Constitution establishes that the right to life in Nicaragua is inviolable. The death penalty was abolished in 1979 as one of the first reforms of the new government. Nicaragua is one of the few nations in the hemisphere where a significant number 235 of former members of the Armed Forces are completing jail sentences for human rights violations. Nicaragua encourages and maintains an open door policy in relation to visits by internationally recognized human rights organizations and has consistently advocated the adoption of similar policies by its Central American neighbors. Recently, Nicaragua presented a proposal for political verification of human rights by all five of the Central American nations as part of the regional peace process. As of Aug. 22, Americas Watch, Amnesty International and the International Red Cross were formally invited to make a head count in Nicaraguan prisons, and have been given access to the State Security Detention Centers.] (Basic data from 08/24/89 report by Agendas International, New York, NY) Report on Prison Population, Tally of Persons Kidnapped by Contras According to a report prepared in November by the CNPPDH, Nicaragua's prison population totals 4,957. Of the total, 1,117 are former contras and persons arrested for collaboration with the contras. Next, 39 prisoners are former National Guardsmen. President of the government commission, Vilma Nunez, said the CNPPDH estimates the number of Nicaraguans kidnapped by the contras at 7,472. Nunez said the Commission is preparing a report on the deaths of contra sympathizers in northern Nicaragua, and has completed investigations of 22 of the 79 cases presented by Americas Watch. Nunez said that as a result of the investigations, 12 members of the Nicaraguan military have thus far been sentenced to prison terms ranging from six to 30 years. (Basic data from Xinhua, 11/17/89) NICARAGUAN PRO-HUMAN RIGHTS ASSOCIATION Nicaraguan Government Accused of Using Common Criminal Label for Political Prisoners According to a new Miami-based organization, known as the Nicaraguan Pro-

Human Rights Association, 5,416 persons have been incarcerated in Nicaragua for political reasons. The Nicaraguan government, says the Association, obscures the existence of political prisoners by calling them common criminals. In a report by Notimex, the Association was described as financed by the US government. The Association dismissed a recent report by the International Red Cross on the number of political prisoners in Nicaraguan jails. In a Sept. 9 communique, the Association said, "The Red Cross saw what the Sandinistas wanted it to see." Next, the Association demanded a detailed review of Nicaragua's judicial system archives to determine the true number of political prisoners. This review would be executed by the Nicaraguan Human Rights Commission, the UN Permanent Human Rights Commission, the Catholic Church, and organizations of former political prisoners. The Nicaraguan government has pledged to free some 1,300 political prisoners most in jail on charges of collaborating with the contras when demobilization of the contra army in Honduras is completed. (Basic data from Notimex, 09/09/89) U.S. GENERAL ACCOUNTING OFFICE REPORT U.S. Auditors Find Evidence of Torture & Other Abuses by Contras Against Prisoners In recent interviews in Honduras by auditors from the General Accounting Office (GAO) and the US Agency for International Development, prisoners taken by the contras said they had been tortured or raped by contra officials. A confidential summary of the auditors' report states that according to the prisoners' testimony, the contras are guilty of human rights abuses. The report said the prisoners "claim to have been raped and tortured by Nicaraguan resistance officials at the time of their detention so they would confess to being infiltrators." The prisoners included Sandinista soldiers captured in combat; Nicaraguan civilians accused of trying to infiltrate the contra camps; and, contras accused of espionage and sabotage on behalf of the Sandinistas. An unidentified State Department official cited by the New York Times said US Ambassador to Honduras, Everett Ellis Briggs, had been "less than helpful" to those investigating the charges against the contras. The official said, "The embassy could have put more pressure" on contra commanders to investigate and correct the problems. At a public hearing on Feb. 8, Rep. David R. Obey (D-Wisc.), chairperson of the Appropriations subcommittee on foreign aid, said he had found the embassy "most uncooperative." The auditors did not say how many abuses had occurred. At least five contras have been accused of torturing prisoners. The auditors' conclusions were based on 22% of those detained by the contras in camps in the Bocay and Yamales areas of Honduras. Under a 1986 law, no contra aid "may be provided to any group that retains in its ranks any individual who has been found to engage in gross violations of internationally recognized human rights." Of the five accused of torture, four have been receiving "family assistance payments" from the US government. The purpose of such cash payments is to "defray basic family living expenses" for senior members of the contra army. In a letter to three members of Congress dated March 17, six of the seven contra directors said, "We do not deny that there have been abuses of human rights by certain of our troops." The letter said that a contra known by the pseudonym Israelita was a "principal offender" responsible for many of the reported human rights violations. Contra spokesperson Bosco Matamoros said a preliminary investigation indicated that Israelita was responsible for the death of one prisoner, a suspected Sandinista agent. (Basic data from New York Times, 03/23/89) SAMPLE OF STATEMENTS BY NICARAGUAN LEADERS, EVENTS RELATED TO HUMAN RIGHTS ISSUES * 104 CONTRA PRISONERS RETURNED TO NICARAGUA: SUMMARY OF EVENTS & STATEMENTS On Dec. 27 in Tegucigalpa, a contra spokesperson said the contras had released 104 prisoners on the Nicaraguan border. The prisoners, he said, were turned over to Red Cross, Roman Catholic church and human rights representatives near the border towns of Trojes and Capire. Dec. 29: Honduran Red Cross administrator Abraham Manun told reporters that 44 of the 104 prisoners released in the previous week were turned over to Nicaraguan Red Cross officials

at the Las Manos border post, located 250 km. north of Managua in Nueva Segovia department. Journalists at Las Manos said the group included a contra commander accused of working for the Nicaraguan government, and a Nicaraguan soldier captured when his helicopter was shot down by the contras. * NICARAGUAN CONTRA TRIBUNAL FINDS SIX GUILTY OF TORTURE & OTHER HUMAN RIGHTS ABUSES On March 26, contra spokesperson Bosco Matamoros told reporters that a contra tribunal had found six of their number guilty of torture or other human rights abuses, and ordered their expulsion from the contra movement. The tribunal comprised of seven contra military commanders was established as a result of US pressure. Matamoros said the tribunal's decision, issued March 24 in Tegucigalpa, found the six responsible for 14 crimes with 14 separate victims: 1 murder, 2 rapes and 11 instances of torture or other mistreatment of prisoners. Expulsion from the movement was considered the most severe possible penalty. The Honduran government reportedly no longer allows the contras to operate prisons on Honduran territory. Matamoros said there was no point in imposing fines because the defendants were peasants with "no economic resources." One of the offenders, "Israelita," has been deported from Honduras to Nicaragua. Matamoros said he was tried in absentia and was found guilty of murder, rape and torture. Contra intelligence chief and former Guardsman, "Commander Mack," was found guilty of covering up the murder of a contra who was suspected of being a Sandinista agent. According to Matamoros, a former Sandinista and current contra regional commander known as "Nolan," was found to be an accomplice in the crimes of murder, rape and torture. A contra called "Pandillero" was found guilty of murder and torture, Matamoros said. Two others, known as Rambo and Ali, were found guilty of torture, he added. (Basic data from New York Times, 03/27/89) * NICARAGUAN PRESIDENT URGES U.S. TO ASSIST IN RELEASE OF PRISONERS HELD BY CONTRAS In Managua on March 8, Nicaraguan President Daniel Ortega urged the Bush administration to exert pressure on the contra forces to release prisoners captured in Nicaraguan territory. Ortega said his government is participating in the formation of an international commission whose task would be to secure the prisoners' release. The president asserted that the National Assembly should also take into consideration prisoners held by the contras in deliberating on amnesty for nearly 2,000 former National Guardsmen held in Nicaraguan prisons. The government has submitted to the Assembly a list of former Guardsmen in fulfilling an agreement reached at the Feb. 14 Central American summit. (Basic data from Tass, 03/10/89) * NICARAGUA: ON MASS RELEASE OF GUARDSMEN In a brief ceremony March 17 in Tipitapa, the Nicaraguan government officially pardoned 1,894 former members of the National Guard imprisoned when the Sandinistas overthrow Somoza in 1979. The pardon granted unrestricted freedom to all, excepting 39 of the former Guardia. Government officials said the 39 have been found guilty of "atrocious crimes" and had been violent or uncooperative in prison. They will remain in prison, most in Tipitapa, located east of Managua. Meanwhile, officials have suggested that their cases would be reconsidered in any future pardon for imprisoned contra and contra supporters. The latter would be released when contra bases in Honduras are dismantled. During the 30-minute ceremony, an announcer read the pardon decree and introduced officials, including President Daniel Ortega and Interior Minister Tomas Borge. Prisoners and a crowd of 3,500 relatives applauded when the announcer introduced representatives of the Organization of American States, the Red Cross and the Nicaraguan Roman Catholic Church. The prisoners filed past desks in the recreation yard to receive documents certifying their release with a formal seal and identifying them by thumb-print. The prisoners and their families rushed to embrace before boarding 60 chartered buses bearing signs for their hometowns. Among the crimes committed by the 39 who remain in prison are the murder of children, and a Sandinista prisoner who was pushed to his death from a helicopter. The authorities said all the prisoners

remaining in jail also belonged to a group of former guardsmen who refused to accept work or education assignments in prison and who maintained military discipline according to their former ranks. Of the prisoners released, the officials said, 640 were in that group. The pardoned prisoners included more than 300 former guard officers. Among the officers were three colonels and 20 lieutenant colonels. According to the New York Times, most prisoners who were freed said they had been well treated in prison. Their statements confirm a consensus among human rights groups that conditions in Nicaraguan prisons meet or surpass standards in other Central American countries. (Basic data from New York Times, 03/18/89) * CONTRAS RENEGE ON PLEDGE TO SUSPEND COMMANDER WITH RECORD OF HUMAN RIGHTS ABUSES In March contra leaders agreed to suspend Jose Benito Bravo Centeno ("Commander Mack") as head of contra intelligence after an investigation of his and others' human rights abuse records. Deputy Asst. Secretary of State Cresencio Arcos warned that if the contras did not suspend Bravo, US aid would be cut. Unidentified contra sources told the Washington Post that the agreement has since been ignored, and reporters who visited rebel bases in Yamales during the second week of April said Bravo was seen working in strategic command headquarters. In March, Bravo and five others were convicted by a contra tribunal in a case involving the torture and murder of suspected Nicaraguan government infiltrators of contra bases. The six were sentenced to be expelled from the contra movement, but the case is pending appeal to the civilian directorate of the Nicaraguan Resistance. In a letter to the directorate this month, three US congresspersons Democrats Ike Skelton (Mo.) and Charles W. Stenholm (Tex.) and Republican Rod Chandler (Wash.) said that the tribunal's verdict against Bravo and the five others "makes possible continued US support for the Nicaraguan Resistance." (Basic data from Washington Post, 04/18/89) * NICARAGUA: GOVERNMENT MAY RECONSIDER RELEASE OF REMAINING GUARDSMEN PRISONERS Unidentified Nicaraguan officials cited by the New York Times (06/11/89) said the government is preparing to reconsider the cases of 39 former National Guardsmen who remain inmates at the maximum security prison in Tipitapa. On March 17, 1,894 counterparts were pardoned and released from prison, but the 39 remained incarcerated due to the particularly notorious and heinous nature of their alleged crimes. Reports of the government's apparent willingness to reconsider their cases have raised doubts about the charges against them, and led to debate on the appropriate fate of such prisoners following revolutions. Last year an independent secret study by the Inter-American Commission on Human Rights, a branch of the Organization of American States, is known to have recommended that all but a small number of Guardsmen in government prisons be released or retired due to insufficient evidence, or what were described as unfair convictions. The study was commissioned during peace talks between the Nicaraguan government and the contra leaders. In February at a regional summit meeting, Nicaraguan leaders reportedly agreed to adhere to the Commission's classifications in implementing a general pardon for the Guardsmen. In mid-April statement, the Commission said its recommendations on inmates to be released, and those to be kept in prison had not been strictly observed. According to the Times, unidentified Sandinista officials "now privately acknowledge" that at least 22 of the 39 men were not included on the Commission's list (of persons to remain in prison), making them potential candidates for a pardon or retrial. An unidentified "Sandinista intellectual" cited by the Times said, "It is the same dilemma that was confronted after the French Revolution. If we try them again, they might be found innocent but if men like these are innocent, what was our revolution for? We know that 50,000 people died, and they didn't kill themselves." The idea of a new release prompted Bayardo Arce, a member of the Sandinista National Liberation Front (FSLN) directorate, to say: "To pardon these men would be like pardoning the Somoza era. They are a symbol, just as others

who remain in high-security prisons in Europe were symbols of the Nazis. They must remain to insure that this type of phenomenon never repeats itself in our history." Danilo Aguirre Solis, a newspaper editor and FSLN member of the National Assembly, said, "If you tried some of these men 20 times, they would be convicted 20 times. But there are others, like Eric Aguilar Downs, who might well be acquitted." Aguilar is known to the Nicaraguan public as a CIA agent who allegedly tossed suspected Sandinista guerrillas to their deaths from his helicopter during interrogation. According to the Times, Sandinista officials now acknowledge that the helicopter episode does not appear on Aguilar's criminal record. * NICARAGUA: ANOTHER THREE FORMER GUARDSMEN PRISONERS TO BE RELEASED The National Assembly's Permanent Human Rights Commission announced June 15 that three of the 39 former Guardsmen remaining in prison after the March 17 mass release would be freed the following day. In March, a total 1,894 former members of Somoza's National Guard received pardons and were released from penitentiaries. Cesar Augusto Castillo, deputy of the Democratic Conservative Party (PCD) told Notimex that the former colonels Silvio Mayorga, Guadalupe Pineda and Miguel Cordero would be released Friday morning for health reasons. He added that the men could not leave the country in accordance with a ruling handed down by criminal court Judge Roger Montenegro. The authorities opted to release the three prisons following requests to do so by Vilma Nunez, president of the governmental National Commission for Promotion and Protection of Human Rights. (Basic data from Notimex, 06/16/89) * REPORT ON 1989 NICARAGUAN CASUALTIES: CONTRAS, SANDINISTA SOLDIERS, CIVILIANS On June 25 in an interview broadcast by Radio Sandino, army intelligence chief Lt. Col. Ricardo Wheelock said that clashes between the contras and the army thus far this year have caused 1,572 casualties. Wheelock said 440 contras were killed, 355 taken prisoner and 100 wounded. A unilateral cease-fire on the part of the government has been in force for the period in question. The Nicaraguan government has repeatedly accused the contras of launching offensive operations against civilians and soldiers since the cease-fire began. Next, Wheelock said that a total of 129 soldiers were killed, 252 wounded and 24 disappeared, for a total of 405 casualties. Wheelock said that since Jan. 1, 62 civilians were killed and 48 wounded by contras. In addition, contra forces abducted 162 civilians. Next, the intelligence officer pointed out that the Guardianes del Rey joint US-Honduran military maneuvers would begin June 26 in the Gulf of Fonseca. He said, "These exercises increase tension...in the Central American region." (Basic data from Notimex, 06/25/89) * PRESIDENT ORTEGA CALLS ON POLITICAL PARTIES & RELIGIOUS TO EXPRESS EQUAL CONCERN ON RELEASE OF CONTRA ABDUCTEES On Aug. 30 at a meeting with peasant farmers in Matagalpa, President Daniel Ortega called on "all political parties and all churches in the country" to request that the contras release kidnapping victims. He said that once the contras free abductees, his government would release all campesinos detained for counterrevolutionary activities. Ortega said that as the president of all Nicaraguans, he was obligated to call on those who "cry every day requesting the freedom of the Somocista Guardsmen and the contras, that they also request the freedom of kidnapped [Nicaraguans] in the hands of the contras." The president said that 7,478 Nicaraguans, including teachers, peasants, students, professionals, nurses, doctors, technicians and others have been kidnapped by the contras and taken to their camps in Honduras. The pro-government National Farmers and Livestock Growers Union (UNAG) requested that Ortega release from prison some 1,200 persons accused of collaborating with the contras. In the past two weeks, the government has released 239 prisoners. (Basic data from Notimex, 08/30/89) * NICARAGUAN CONTRAS DISCHARGE FIVE FOR HUMAN RIGHTS ABUSES; CHIEF REP IN WASHINGTON FIRED FOR EMBEZZLEMENT On Aug. 24 in Washington, contra spokesperson Bosco Matamoros said a "contra appellate tribunal" in Honduras dishonorably discharged five contras who were

convicted in March of the torture and murder of a prisoner and of several rapes committed in northern Nicaragua in late 1988. Another contra commander was cleared of similar charges. The source said that in a separate action, Ernesto Palazio, chief contra representative in Washington, was fired for embezzling hundreds of thousands of dollars of contra funds. Copies of the contra tribunal's decision furnished to the press said commander Isaac Blacker Hurtado, nicknamed Israelita, had the "premeditated intention" of murdering alleged Sandinista spy "Managua-2" in November 1988. Matamoros said he did not know the exact circumstances of the alleged spy's death, but said he was supposedly tortured and drowned. (Basic data from AFP, 08/24/89) * PRESIDENT ORTEGA ON TIMETABLE FOR PRISONER RELEASE, PRISON POPULATION On Aug. 15, President Daniel Ortega announced in Pantasma the release of 29 campesinos who had been jailed for collaborating with the contras. He said another 1,200 campesinos associated with the contras or contra activities would be released Sept. 3 if the pro-government Union of Farmers prepares a list of imprisoned peasants. The rest of the prisoners accused of collaboration with the contras would be released in the course of contra demobilization, he added. The president also reported on the number of prisoners remaining in Nicaraguan jails as follows: Common criminals 5,328 Former members of the Army (EPS) and Police (MINT). 235 Former members of Somoza's National Guard 39 Nicaraguans associated with the contras 1,515 Total prison population 7,117 [Basic data from 08/16/89 report by Agendas International (Suite 1301, 820 Second Ave., New York NY 10017); AFP, 08/15/89] * NICARAGUA: 179 PEASANTS IMPRISONED FOR COUNTER-REVOLUTIONARY ACTIVITIES RELEASED On Aug. 24, the Nicaraguan government released 179 peasants imprisoned for counterrevolutionary activities, bringing the total number of prisoners released in the past two weeks to 231. At a ceremony in Nueva Guinea, President Daniel Ortega said the release was "a gesture of good will." The action was in response to requests from the National Farmers' and Cattlemen's Union (UNAG), which seeks the release of all peasants imprisoned for counterrevolutionary activities. UNAG estimates the total number of such prisoners at between 800 and 1,200. The government has pledged to free all of them in September, said unidentified UNAG spokespersons cited by AFP. (Basic data from AFP, Notimex, 08/24/89) * NICARAGUAN INTERIOR MINISTER OPENS JAILS TO COUNTER "LIES" REGARDING NUMBER OF CONTRA COLLABORATOR PRISONERS On Aug. 22, Interior Minister Tomas Borge opened Nicaraguan jails to inspection by international organizations and the foreign press to prove there are only 1,440 contras imprisoned in Nicaragua. Groups receiving invitations to count prisoners were the International Red Cross, Amnesty International, Americas Watch, and the Inter-American Human Rights Committee (affiliated with the Organization of American States). (See CAU 08/16/89 for report on prison population by President Daniel Ortega.) Lino Hernandez, chairperson of the Permanent Human Rights Committee in Nicaragua, has claimed on numerous occasions that 6,000 contras and contra collaborators are languishing in Nicaraguan jails. This claim has also been reiterated by the US government and contra spokespersons. Borge described such claims as "lies." (Basic data from AFP, 08/22/89)

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