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[REDACTED]

PAGE 001

27 FEB 95

DIRECTOR 157237

[REDACTED] DIRECTOR 157237
TO: IMMEDIATE HQSDISSEX.

SUBJECT: [REDACTED]

PAGE 001

29 FEB 95

GUAT [REDACTED]

TO: IMMEDIATE DIRECTOR [REDACTED]

[REDACTED]

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APPROVED FOR RELEASE

DATE JUNE 96

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

SUMMARY: [REDACTED]

1. [REDACTED]

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THE
GUATEMALAN GOVERNMENT CONDUCTED AN INTENSIVE INVESTIGATION AND A
THREE-MONTH LONG SEARCH FOR BAKACA DURING THE PERIOD OCTOBER TO
DECEMBER 1994 BEFORE CONCLUDING THAT BAKACA DIED OF WOUNDS
RECEIVED IN A FIREFIGHT IN MARCH 1992. THREE SEPARATE
INVESTIGATIONS WERE SIMULTANEOUSLY CONDUCTED UNDER THE DIRECTION
OF THE GUATEMALAN SUPREME COURT AND ATTORNEY GENERAL ASISCLO
((VALLADARES)) MOLINA, PUBLIC MINISTER AND PROSECUTOR GENERAL
RAMSES ((CUESTAS)) GOMEZ, AND THE OFFICE OF HUMAN RIGHTS ATTORNEY
GENERAL JORGE MARIO ((GARCIA)) LAGUARDIA. THE SUPREME COURT
ORDERED THAT JUDGES ACROSS THE REPUBLIC OF GUATEMALA MAKE
UNANNOUNCED VISITS TO POLICE STATIONS AND MILITARY INSTALLATIONS
IN AN EFFORT TO UNCOVER EVIDENCE BAKACA HAS ALIVE AND BEING
DETAINED. ATTORNEY GENERAL VALLADARES ORDERED THE GUATEMALAN
PRESIDENT, THE MINISTERS OF DEFENSE AND GOVERNMENT, THE CHIEF OF
THE NATIONAL POLICE, AND ALL POLICE AND MILITARY AUTHORITIES
THROUGHOUT GUATEMALA TO UNDERTAKE EVERY EFFORT TO PRODUCE BAKACA,
IF ALIVE. HUMAN RIGHTS OMBUDSMAN GARCIA ORDERED PERSONNEL FROM
HIS OFFICE TO BE ACCOMPANIED BY REPRESENTATIVES OF THE UNITED
NATIONS HUMAN RIGHTS VERIFICATION COMMISSION IN GUATEMALA
(MINUGUA) TO MAKE AN UNANNOUNCED VISIT ON 1 DECEMBER 1994, EN
MASSE, TO MILITARY FACILITIES THROUGHOUT GUATEMALA.

EXPLAINED THAT MILITARY ELEMENTS FROM QUETZALTENANGO DEPARTMENT (MILITARY ZONE 1715) WHO KILLED BAMACA IN A FIREFIGHT ON 12 MARCH 1992 WERE NOT AWARE OF BAMACA'S IDENTITY NOR OF THE SIGNIFICANCE OF HIS CAPTURE UNTIL A DAY OR TWO AFTER THE FIREFIGHT. BAMACA HAD NO IDENTITY DOCUMENTS ON HIS PERSON WHEN HE WAS SEARCHED AFTER THE FIREFIGHT. WHEN BAMACA DIED OF WOUNDS, HIS REMAINS WERE BURIED BY MILITARY PERSONNEL WITHOUT MUCH ATTENTION TO THE SITE OR CIRCUMSTANCES.

THE PUBLIC
MINISTRY'S INVESTIGATION OF JENNIFER HARBURY'S CLAIM TO BE THE
LEGAL SPOUSE OF BAMACA. RESULTS OF THE INVESTIGATION
STRONGLY SUGGEST THE MARRIAGE IS A SHAM.

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[REDACTED]

[REDACTED] HARBURY FIRST ATTEMPTED TO FORCE THE GUATEMALAN GOVERNMENT, BY MEANS OF GUATEMALAN LEGAL PROCESS, TO EXHUME THE PRESUMED REMAINS OF BAMACA IN MID-1992, BUT THAT ATTORNEY GENERAL VALLADARES HALTED THE PROCEDURE AT THE PRESUMED GRAVESITE AFTER ASKING IF ANY OF BAMACA'S RELATIVES WERE PRESENT. [REDACTED] POINTED OUT THAT HARBURY WAS PRESENT AND COULD HAVE CLAIMED TO HAVE BEEN THE COMMON-LAW SPOUSE OF BAMACA AT THAT TIME, BUT SAID NOTHING. [REDACTED] NOTED THAT HARBURY'S SUCCESSFUL EFFORTS TO DOCUMENT HERSELF AS THE LEGAL SPOUSE OF BAMACA WITH THE STATE OF TEXAS IN MAY 1993 APPEAR TO HAVE BEEN INTENDED TO ARM HERSELF WITH A LEGAL CLAIM TO BAMACA'S REMAINS. [REDACTED]

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7. SOURCE OF PARAGRAPH 8: [REDACTED]

[REDACTED] THAT THE GUATEMALAN GOVERNMENT HAD CONTRACTED WITH AN UNIDENTIFIED U.S. ATTORNEY LOCATED IN MIAMI, FLORIDA, TO PROVIDE COUNSEL TO THE GUATEMALAN GOVERNMENT ON THE BAMACA HUMAN RIGHTS CASE. [REDACTED]

[REDACTED] THE U.S. ATTORNEY WILL ASSIST THE GROUP OF 23 OFFICERS AND ENLISTEDMEN TO PREPARE A LEGAL DEFENSE IN THE EVENT THIS IS NECESSARY.

[REDACTED]

DISSEM: FIELD: SENT TO: GUATEMALA CITY [REDACTED] USUN;
USCINCSO.


[REDACTED]

END OF MESSAGE

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