

TRP  
VZCZSTGI \*  
RR RUEHC RUEHLL  
DE RUEHTG #1971 269 \*\*  
ZNY SSSSS ZZH  
R 252212Z SEP 84  
FM AMEMBASSY TEGUCIGALPA  
TO RUEHC / SECSTATE WASHDC 5828  
INFO RUEHLL / CONTADORA COLLECTIVE  
BT

UNCLASSIFIED

*Clean A338*  
*R*

CLASS: SECRET  
CHRG: PROG 09/24/84  
APPRV: AMB:JDNEGROPONTE  
DRFTD: AMB:JDNEGROPONTE  
CLEAR: NONE  
DISTR: AMB DCM POL

~~TEGUCIGALPA 11971~~  
**DECAPTIONED**

EXDIS

E.O. 12356: DECL: OADR  
TAGS: PREL, XK, HO  
SUBJECT: ~~LATEST CONTADORA DRAFT~~

REF: MANAGUA 5273

1.  - ENTIRE TEXT.

2. WE NOTE OBSERVATION IN REFTEL THAT GRN ANNOUNCEMENT OF WILLINGNESS TO SIGN THE SEPTEMBER 7 REVISED VERSION OF CONTADORA ACT REFLECTED ITS EVALUATION THAT IT HAD AS MUCH TO GAIN FROM ADHERENCE TO THE ACT AS TO LOSE FROM IT. WE WOULD BE INCLINED TO CARRY THE ARGUMENT ONE STEP FURTHER: THAT IS, IN ITS PRESENT FORM THE DRAFT WOULD BE TO NICARAGUA'S DISTINCT ADVANTAGE. UNITED STATES OBLIGATIONS TO DISENGAGE MILITARILY FROM CENTRAL AMERICA WOULD TAKE EFFECT UPON SIGNATURE AND WOULD NOT DEPEND ON FINAL RATIFICATION; THE DISARMAMENT PROVISIONS ARE UTTERLY DEFICIENT; AND THE DRAFT DOES NOT IN ANY WAY DEAL DIRECTLY WITH THE MOST PRESSING ISSUE FOR OUR SIDE, NAMELY THE CONTINUED FIGHTING IN EL SALVADOR, WHICH WE KNOW NICARAGUA (AND AT LEAST SOME CONTADORA COUNTRIES) HAVE IN MIND AS A COMPLETELY SEPARATE NEGOTIATION ONCE OUR DISENGAGEMENT HAS BEEN ARRANGED. THERE ARE, OF COURSE, ALSO TROUBLING SUBSIDIARY POINTS. THE ENTIRE TONE OF THE DRAFT ACT TENDS TO INCLINE TOWARDS THE MEXICAN/NICARAGUAN INTERPRETATION OF EVENTS AND THE DRAFT IS WOEFULLY INADEQUATE ON THE PRACTICALITIES (E.G. EFFECTIVE VERIFICATION, MEANINGFUL ENFORCEMENT, SENSIBLE DISPUTE RESOLUTION MECHANISMS, ETC.)

3. TO US IT SEEMS ENTIRELY PLAUSIBLE, THEREFORE, THAT NICARAGUANS SEE DRAFT TREATY AS THEIR OWN FORM OF A "DECENT INTERVAL," TO USE A PHRASE FROM A DIFFERENT ERA. SIGN THE TREATY; RELIEVE U.S. PRESENCE AND PRESSURE IN POST-SIGNATORY PHASE; AND THEN CONTINUE CONSOLIDATING REGIME AND EXPORTING REVOLUTION DURING PERIOD BETWEEN SIGNATURE AND RATIFICATION. EVEN IN THE UNLIKELY EVENT OF RATIFICATION, DRAFT CONTAINS REALLY FEW, IF ANY, EFFECTIVE CHECKS ON AGGRESSIVE NICARAGUAN BEHAVIOR, ESPECIALLY AS COMPARED TO SELF-ENFORCING NATURE OF DOCUMENT FOR A DEMOCRACY SUCH AS OURS. MOREOVER, DISARMAMENT PROVISIONS ARE PRESCRIPTION FOR ENDLESSLY STALEMATED TALKS AND CONTAIN SOME DANGEROUS AMBIGUITIES CONCEIVABLY AFFECTING OUR ABILITY TO RESUPPLY OUR FRIENDS

Dept. of State, RPS/IPS, Margaret P. Grafeld, Dir.  
( ) Release ( ) Excise ( ) Deny ( ) Declassify  
Date 6/29/88 Exemption

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~~SECRET~~  
4. SIDE-BY-SIDE WITH THESE SUBSTANTIVE PROBLEMS (AMONG OTHERS) WE CANNOT FAIL TO MENTION THAT PRACTICALLY FROM BEGINNING TO END CONTADORA PROCESS HAS BEEN PROCEDURALLY FLAWED TO THE DETRIMENT OF OUR FRIENDS. AGREED NEGOTIATING MECHANISMS WERE DISREGARDED; IMPROVISATION AND SURPRISE WERE THE ORDER OF THE DAY; AND, FROM HERE AT LEAST, CONTADORA FOUR APPEARED TO BE SEEKING TO IMPOSE SOLUTIONS RATHER THAN FOSTERING GENUINE NEGOTIATIONS AMONG CENTRAL AMERICANS.

5. INDEED, IT IS THIS LAST POINT WHICH IS THE MOST IMPORTANT AND IN THE MOST URGENT NEED OF CORRECTION. THERE HAVE NOT BEEN SERIOUS NEGOTIATIONS BETWEEN THE FIVE CENTRAL AMERICANS ON THESE DRAFT PROPOSALS; NOR HAVE THE CONTADORA FOUR DONE ANYTHING TO PROMOTE THEM. INSTEAD, FOR MOTIVES WHICH WOULD BE VERY INTERESTING TO KNOW, THEY HAVE FOLLOWED THE PATH OF LEAST RESISTANCE BY DEVISING A DRAFT ACCEPTABLE TO THE MOST INTRANSIGENT CENTRAL AMERICAN PARTY. IF, UNDER THE PRESSURE OF CIRCUMSTANCES, THE OTHER CENTRAL AMERICAN NATIONS DECIDE TO SIGN, THERE WILL BE NO PEACE, ONLY U.S. DISENGAGEMENT AND CONTINUED CONFLICT ON TERMS MORE FAVORABLE TO NICARAGUA. NEGROPONTE

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