

TELEGRAM

OUTGOING

AMEMBASSY PANAMA

Foreign Service of the
United States of America

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Charge:

Classification

Control: Panama 4949

Date: Oct. 16, 1968

ACTION: SECSTATE WASHDC (PRIORITY)

INFO: PanCanal
USCINCSO
Analysis Unit

PANAMA: 4949

SUBJ: Panama Junta Reportedly Asks U.S. to Get Arias Out of Zone

1. This morning's Star & Herald carries banner heading asserting "Junta Asks U.S. to Get Arias Out of Zone." Long article in Star & Herald and shorter one, La Estrella, quote Junta FonMin LOPEZ Guevara as saying efforts being made obtain Arias' departure from Zone. Articles also have Lopez emphasizing transitory nature of Junta and mentioning possibility its tenure could be limited to a year or less if conditions permit it to organize and hold elections within that time.

2. Star & Herald article clearly designed for U.S. consumption. USIS contacts say there was no Lopez statement made available to press generally, but Lopez did meet with some members of Foreign Press yesterday afternoon, and commented informally to them.

3. Following is abbreviated text pertinent sections of Oct. 16 Star & Herald article mentioned earlier:

"Panama's govt. junta has made 'informal contacts' with U.S. to have

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Approving Officer: ADCM:WBMiller

Concurrence: POL:SMoskowitz

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Dr. Arnulfo ARIAS sent out of country from Canal Zone where he has been refuged since his overthrow Fri. night by military coup, FonMin Carlos Lopez Guevara said yesterday.

"FonMin did not indicate what results have been obtained, but noted that State Dept. yesterday announced Arias was being politically neutralized in Canal Zone,

"He did not reveal what contacts have been made.

" 'We understand perfectly,' Dr. Lopez Guevara said, 'that for humanitarian reasons Dr. Arias should have been permitted remain in Zone for prudential time to facilitate his departure from country under conditions of respect for his human dignity and for his personal safety.

" 'Efforts are being made to obtain Dr. Arias' departure from Canal Zone.'

"But, FonMin added, Arias' presence in Canal Zone now has become too prolonged and therefore is 'irregular.'

"According to Panama-U.S. treaties, he pointed out, only those persons who meet specified conditions can remain in Canal Zone.

" 'Dr. Arias does not meet any of these conditions,' FonMin declared.

"There is no question of asylum involved, he stressed. In first place, Panama cannot acknowledge asylum in Canal Zone, he said, in the second place, the U.S. itself does not recognize right of asylum, he added.

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But even if asylum were invoked, Dr. Lopez Guevara went on, under international law first duty of state which grants asylum in one of its diplomatic missions is to seek safe-conduct for refugee to leave country. This has not been done in Dr. Arias' case, the official pointed out.

"The Panamanian official noted that Robert McCloskey, U.S. State Dept, spokesman, invoked Article III of 1903 Convention under which U.S. was given rights in Canal Zone as if it were the sovereign. He added:

" 'Panamanian position at all times has been that U.S. has jurisdictional rights for specific purposes, which cannot be extended under provisions of international law.

" 'Dr. Arias' position must be pretty embarrassing, if his presence in Canal Zone, according to the U.S. statement, emanates from Article III, for acceptance of this (by Dr. Arias) would mean that he has totally deviated from Panamanian position.

" 'We are confident that U.S. will fulfill its contractual obligations with Panama,' FonMin added, 'and that it therefore will take the measures necessary for Dr. Arias to leave Canal Zone shortly'."

ADAIR

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