

ACTION WHA-00

INFO	LOG-00	MFA-00	EEB-00	AF-00	AID-00	AIT-00	INL-00	
	DODE-00	DOTE-00	PERC-00	DS-00	EAP-00	DHSE-00	FAAE-00	
	FBIE-00	VCI-00	DIAS-00	FRB-00	TEDE-00	INR-00	IO-00	
	LAB-01	L-00	ARMY-00	MOFM-00	MOF-00	VCIE-00	NSAE-00	
	ISN-00	OIG-00	NIMA-00	OPR-00	PA-00	ISNE-00	DOHS-00	
	FMPC-00	IRM-00	SSO-00	SS-00	NCTC-00	ASDS-00	CBP-00	
	SCRS-00	DSCC-00	PRM-00	DRL-00	NFAT-00	SAS-00	FA-00	
	SWCI-00	PESU-00	/001W					

-----3B5DOE 191719Z /38

O R 191717Z MAR 10
 FM AMEMBASSY GUATEMALA
 TO SECSTATE WASHDC IMMEDIATE 1308
 INFO WHA CENTRAL AMERICAN COLLECTIVE
 DIA WASHINGTON DC
 CDR USSOUTHCOM MIAMI FL
 CIA WASHINGTON DC
 AIT TAIPEI TW 0001

RELEASED IN PART
 B1,1.4(B),1.4(D),
 B7(A),B7(B),B7(F)

C O N F I D E N T I A L GUATEMALA 000089

Classification Extended on : 11/14/2012 ~ Class:
 CONFIDENTIAL ~ Authority: DSCG 11-1 ~
 Declassify on: 03/18/2035

DECONTROLLED

SIPDIS

E.O. 12958: DECL: 2020/03/19
 TAGS: PREL, KJUS, ASEC, KDEM, PGOV, PHUM, PINR, GT
 SUBJECT: Court Approves Portillo Extradition

REF: GUATEMALA 27

CLASSIFIED BY: Drew G. Blakeney, Political and Economic Counselor,
 State, P/E; REASON: 1.4(B), (D)

1. (C) Summary. On the night of March 17, Guatemala's Fifth Sentencing Court ruled in favor of the U.S. extradition request for former President Alfonso Portillo, who governed during 2000-2004. Portillo is wanted in the U.S. for conspiracy to launder some \$70 million embezzled from Guatemala and Taiwan. The court ruled, however, that Portillo must first face Guatemalan charges for embezzling Q120 million (approximately \$15 million) via the Ministry of Defense. Portillo's lawyer, Telesforo Guerra, said he would appeal the ruling by March 20. If the Appeals Court upholds the ruling, Portillo can appeal to the Supreme and Constitutional Courts, and file other injunctions. Current President Alvaro Colom publicly stated he would approve the extradition request if and when it reaches his desk.

[Redacted]

[Redacted] There are also implications for Embassy security. End Summary.

1.4(B)
 1.4(D)
 B1
 B7(A)
 B7(B)
 B7(F)

REVIEW AUTHORITY: Donna M. DiPaolo, Senior Reviewer

2. (SBU) The hearing was briefly interrupted when an anonymous caller claimed to have the family of the three judges hearing the case in his power, and said the family members would be murdered if the hearing was not immediately suspended. The three judges stepped away from the courtroom, verified that their family members were safe, and then continued with the proceedings. Portillo denounced the Ambassador directly, alleging that the extradition request was "revenge" for his unwillingness while president to support the Iraq War or sign an Article 98 agreement with the USG. He [redacted] alleged that the Ambassador had conspired against him ever since his previous assignment to Guatemala as DCM (2000-2003).

B7(A)
B7(B)

[redacted]

3. (U) The Ambassador responded by publicly stating that U.S. judicial actions are not politically motivated, and that the outcome of the U.S. process would not be influenced by political considerations. He commended the work of the Guatemalan Attorney General's Office and CICIG (the UN-led Commission Against Impunity in Guatemala). Asked whether he was concerned about possible threats against himself or members of the Embassy, the Ambassador said that we are clear about what must be done, and we will do it. Portillo also asserted during the hearing that the money laundering charge implied that either the origin or destination of the money in question was hidden. He asserted that therefore he could not be guilty of money laundering, since he had been clear that the money in question had been a private donation from the Government of Taiwan, and had ended up in his family members' bank accounts.

4. (C) Comment.

[redacted]

1.4(D)
B1
B7(A)
B7(B)

B7(F)

6. (C) The Portillo case, as well as other CICIG cases, has implications for Embassy security that we will address septel.
MCFARLAND

NNNN