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ACTION ARA-16

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C O N F I D E N T I A L PARAMARIBO 2055

E.O. 12356: DECL: 09/06/89
TAGS: PGOV, NS
SUBJ: HORB COUP COURT MARTIAL CONCLUSION

REF: PARAMARIBO 1961

1. (U) SUMMARY: COURT MARTIAL OF FOUR PERSONS CHARGED WITH CONSPIRING WITH LATE MAJOR ROY HORB TO ASSASSINATE CINC BOUTERSE ENDED WITH RELEASE OF THREE AND SENTENCING OF ONE TO 10 MONTH PRISON TERM. ACCOUNT OF COURT JUDGMENT WAS CARRIED IN DAILY PAPER SEPTEMBER 1 AND MADE NO REFERENCE TO UNITED STATES. END SUMMARY.

2. (U) COURT MARTIAL OF FOUR BODYGUARDS OF LATE MAJOR ROY HORB WHO WERE CHARGED WITH CONSPIRACY TO ASSASSINATE CINC BOUTERSE (REFTEL) ENDED WITH COURT CONCLUSION THAT THE CRIME--KNOWLEDGE OF CONSPIRACY TO COMMIT A CRIME AND FAILURE TO DISCLOSE SUCH INFORMATION TO MILITARY AUTHORITIES--WAS PUNISHABLE ONLY IF THE ACT WAS COMMITTED. THE COURT CITED ARTICLES 183 OF CRIMINAL CODE AND 126 OF MILITARY CRIMINAL CODE AS BASIS FOR ITS DECISION. THE COURT ALSO POINTED OUT THAT INVESTIGATION OF THE CONFIDENTIAL

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CASE DID NOT PROVE THAT SAID CRIME WAS COMMITTED.

3. (U) THE COURT ALSO POINTED OUT THAT THE PROPER MILITARY AUTHORITIES HAD FOREKNOWLEDGE OF THE CONSPIRATORS' PLANS, AND IN FACT TOOK "TIMELY AND PRECISE" ACTION ON JANUARY 30 TO PREVENT EXECUTION OF THE ASSASSINATION PLOT. HENCE, THE PROSECUTION'S ARGUMENT THAT AMRY'S PROPER FUNCTION WAS DAMAGED BECAUSE IT WAS NOT INFORMED COULD NOT BE UPHELD BY THE COURT.

REVIEW AUTHORITY: Adolph Eisner, Senior Reviewer

4. (U) ONE SUSPECT, RUDY CHOTKAN, WAS SENTENCED TO TEN MONTHS IMPRISONMENT FOR MISTREATMENT OF MAJOR HORB'S BODYGUARD. THREE MONTHS OF SENTENCE ARE PROBATIONARY, AND CHOTKAN WILL REMAIN ON PROBATIONARY STATUS FOR THREE YEAR PERIOD. ALL FOUR OFFENDERS RETAIN THEIR STATUS IN ARMY.

5. (C) COMMENT: PRESS ACCOUNT MADE NO REFERENCE TO FORMER MINISTER HARDJOPRAITNO, STILL INTERNED AND THOUGHT TO BE FACING TRIAL IN OCTOBER. KILLOUGH

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