

WILLIAMS JESSIE M
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ORIGIN SCS-06

INFO OCT-31 ISO-00 CA-01 L-03 ARA-14 DHA-05 /000 R

DRAFTED BY CA/SCS/EAPOWERS:REOYLAN:RAM

APPROVED BY CA/SCS/SADOBRENCEUX

CA/SCS/RLRIVERA

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FM SECSTATE WASHDC

TO AMEMBASSY GEORGETOWN IMMEDIATE

UNCLAS STATE 216553

F.O. 11852: N/A

TAGS: CBEM, CASC (STOEN, JOHN VICTOR)

SUBJECT: W/W: JOHN VICTOR STOEN

REF: GEORGETOWN 2175

1. DEPT. APPROVES OF EMBASSY'S SUPPORT AND ASSISTANCE FOR
FAAS AS REPORTED REFTEL.

2. HOWEVER, EMBASSY IS INSTRUCTED NOT TO PROVIDE OFFICER
TO ACCOMPANY FAAS TO SERVE PAPERS FOR FOLLOWING REASONS:

A) UNDER FEDERAL REGULATIONS (22 C.F.R. 92.95) OFFICERS
OF FOREIGN SERVICE ARE PROHIBITED FROM SERVING PROCESS OR
APPOINTING OTHERS TO DO SO. DEPT HAS NO RECORD OF HAVING
MADE AN EXCEPTION TO THIS REGULATION, DESPITE CIRCUMSTANCES
MORE COMPELLING THAN THESE. TO DO SO IN THIS INSTANCE
WOULD SET UNDESIRABLE PRECEDENT. (B) EVEN IF

REGULATIONS DID NOT PRECLUDE CONSULAR OFFICER FROM SERVING
PAPERS, ACTION WOULD BE SUBJECT TO LOCAL AND INTERNATIONAL
LAW. DEPT NOT FAMILIAR WITH PERTINENT GUYANESE LAW BUT
INTERNATIONAL LAW AS REFLECTED IN CONSULAR CONVENTIONS

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PERMITS SERVICE OF PROCESS BY CONOFF ONLY WHEN DOCUMENTS
ORIGINATE IN COUNTRY WHICH OFFICER REPRESENTS. (SEE,

E.F. ART. 17 (1)(G) OF U.S. U.K. CONSULAR CONVENTION).

IN THIS CASE DOCUMENTS ARE FROM GUYANESE COURT AND DEPT.

UNWARE OF ANY PROVISION OF INTL. LAW AUTHORIZING SERVICE
IN SUCH CIRCUMSTANCES. (C) IN ANY EVENT CONSUL HAS NO

JURISDICTION TO FORCE RECIPIENT TO ACCEPT SERVICE OF
DOCUMENTS, SO HIS PRESENCE WOULD BE POINTLESS.

3. DEPT. HAS NO OBJECTION TO EMBASSY REQUEST TO
APPROPRIATE MINISTRY FOR MAXIMUM EFFORT IN DELIVERING
DOCUMENTS. VANCE

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