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EL SALVADOR:
FROM THE GENOCIDE OF THE
MILITARY JUNTA
TO THE HOPE OF THE
INSURRECTIONAL STRUGGLE

[Stamp in right margin: University of (Illegible), El Salvador, C.A.]
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[Emblem] **LEGAL AID**
 ARCHBISHOPRIC OF SAN SALVADOR

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INTRODUCTION

OPEN LETTER TO THE PROGRESSIVE MEN, PEOPLES AND GOVERNMENTS OF THE WORLD

When we intend to express ourselves, we are always conditioned by the socio-historical reality in which we are immersed. On this date of January 15, 1981, our reality is of war, with the threat – which is more than a shadow – of direct North American intervention.

To the strategists, to the men and women of the nation who are fighting at the frontlines of combat, to the leaders and militants engaged in making the political analysis and the correct interpretation of the events, as well as expediting the necessary factors in every phase of the process, facing and overcoming contradictions and achieving the objectives that lead to the nation's definitive triumph.

As part of Legal Aid, rarely have we felt as compelled to such painful reflection as we do now.

With hope, we prepared this small yet precious document full of the desolation and destruction of life in El Salvador. We intend to lovingly fill each word and image with respect to the one who gave his life because he believed the most important thing in his life was to give the best of himself in service to his brothers and sisters of his people.

And we say "with hope" because we drink from the fountains of the prophets' faith, and we learned that the death of the poor people will never be in vain...

One day, the load became heavy: too many cases, numbers, pieces of evidence...And we felt, because of what our hearts told us and because of the proof for the acts, that the time had come to give the exact name to things: and we designated the situation as one "of genocide."

Since then, we understood the right of the people to fight to defend themselves, to triumph and to construct a new man and a new society, where children have the chance to play with the birds...And the situation was one of

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[Translator's note: next two pages of original appear to be missing]

I. POLITICAL ASSASSINATIONS AND THE PARTIES RESPONSIBLE
(Tables no. 1 and 2)

80 per cent of the dramatic figures of political assassinations carried out in 1980 HAVE BEEN COMMITTED BY THE NATIONAL ARMY AND NATIONAL SECURITY MILITARY CORPS (Guard, National Police and the Treasury). The remaining percentage of political assassinations have been committed by paramilitary groups like the Death Squad, the Secret Anti-Communist Army and ORDER who act criminally with the protection of and in coordination with the national security military corps and the Army.

Because of its importance as a repressive agent in El Salvador, we present below the appearance and nature of the Death Squad.

a) *Brief description*

In June 1977, the so called "Death Squad" became known on an international level for threatening to exterminate all religious workers of the Jesuit order residing in El Salvador if they did not leave the country. General Carlos Romero, the elected president of El Salvador at that time, gave guarantees to the effect that such an act would not be carried out.

Although the relationship of General Romero's Government with these "death groups" was never publicly demonstrated, all Salvadorans understood the connection between them perfectly.

At the end of January 1980, the aforementioned squads, which consist of armed men of the "ultra-right" and some members of the Salvadoran Christian Democracy entered into an agreement with the Armed Forces to create the "repression-reforms" political plan.

Several members of the Christian Democratic Party that were opposed to the agreement were assassinated. Both the Army as well as the Junta and the Party blamed the supposed "squads."

Many workers, teachers and students died as a result.

b) *The "squads" respond to the needs of the Military Junta*

The current regime has deemed it necessary, as was done in Guatemala and Uruguay, to exercise selective violence, without appearing directly responsible in view of public opinion.

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In order for the political plan negotiated by the United States to survive, it was necessary to eliminate the individuals catalyzing an awareness within international public opinion that was strongly critical of the regime and the participation of a few demo-Christian militants.

The execrable assassination of S.E.R. Monsignor OSCAR ROMERO, our pastor and tireless promoter of Legal Aid, attributed at first to the previously mentioned "squads," was finally linked to Salvadoran military high commanders with international terrorists organizations based in Miami, Florida (USA).

The subtle sponsorship at the level of coordination given by the Junta and the High Command of the Armed Forces to these "squads," without appearing publicly linked to them, allowed them to claim that the violence "is the product of extremist groups." Thus, in the first months of 1980, the Junta, with the support of several Demo-christian civilians, constructed a "centrist and moderate" image.

An internal document from the U.S. State Department (dated November 6, 1980) indicated that the efficiency of these groups called "squads" was assured with the participation of North American advisors.

Legal Aid has consistently provided evidence of the existing connection between the army and the Salvadoran military corps with these "squads." These terror groups are comprised of, advised and coordinated by Salvadoran soldiers. Many acts committed by these paramilitary groups have been conveniently protected by the army and military corps (see "Typical cases of the practice of genocide in El Salvador"). The assassination of the six leaders of the opposing Revolutionary Democratic Front, which occurred on November 27, 1980, showed the world the coordination that exists between the army and the so called "squads." It confirmed what Legal Aid has proven on numerous occasions: There are no ultra right wing groups. It is the selfsame army and the security corps who sometimes act in military uniform and sometimes without official vestments.

c) Photographic testimony

On page 67, one can take note of the photographic sequence showing the capture of the students VINICIO HUMBERTO BASSAGLIA and MANUEL VELÁSQUEZ TOLEDO.

On October 3, 1980, officers of the National Guard captured the students BASSAGLIA and VELÁSQUEZ TOLEDO on Calle 5 de Noviembre in San Miguelito district, located to the north of San Salvador.

When their family members filed a judicial remedy of personal exhibition in the Supreme Court, they stated that both individuals had been captured separately in an automotive mechanic's establishment. In the morning of October 3, they were both passing through that district independent of one another when National Guard officers surrounded several streets and avenues. In the photographs, one can note the time of capture, the good physical state of the detainees, the moment at which they were bound by their thumbs (this is the manner in which most of the cadavers appear in San Salvador).

The photographic sequence captures the key moment: National Guard officers hand over the two captured students to plainclothes civilian officers.

Five days later, showing cruel indications of physical torture, the dead bodies of both students turned up on the street to the Mariona settlement north of the capital.

Similarly, one may note on page 72, the "death squads" are attributed with the assassination.

On pages 65 and 64, civilian officers of the "terror squads" appear again, acting in conjunction with members of the army and the Salvadoran Police to carry out an urban operation.

The connection is shown with objective proof.

FIGURE No. 1

ASSASINATED: Proven data from LEGAL AID. PERSONS FROM THE POPULAR AND PROGRESSIVE SECTORS ASSASSINATED FOR POLITICAL REASONS, NOT IN MILITARY CONFRONTATIONS, BUT RATHER BASED ON MILITARY OPERATIONS BY THE ARMY, MILITARY SECURITY CORPS, PARAMILITARY ENTITIES COORDINATED BY THE HIGH COMMAND OF THE ARMED FORCES.

[Handwritten, right margin: 1980]

PROFESSION	JAN.	FEB.	MAR.	APR.	MAY	JUN	JUL	AUG.	SEP.	OCT.	NOV.	DEC.
FARMWORKERS	129	126	203	198	800	365	423	297	378	338	279	336
STUDENTS	4	22	47	61	34	111	57	54	59	106	77	112
LABORERS	8	9	31	30	30	24	16	24	62	46	42	96
TEACHERS	8	6	2	12	19	9	3	1	16	9	13	7
PROFESSIONALS	-	4	7	1	5	4	3	1	3	5	4	7
SHANTY DWELLERS	5	5	1	-	-	13	-	-	-	-	-	-
PUBLIC EMPLOYEES	2	-	1	-	32	30	23	27	37	62	62	89
RELIGIOUS WORKERS	-	-	1	-	-	1	1	-	-	1	-	6
OPPOSITION LEADERS	2	-	-	-	-	-	-	-	-	-	-	-
SMALL BUS. OWNERS	-	-	-	-	5	22	22	-	-	33	25	38
OCCUPATION UNKNOWN	110	64	194	179	272	184	184	142	275	164	277	300
TOTALS	268	236	488	480	1,197	769	700	560	830	762	781	991

SUM TOTAL 8,062

Note: there is data for a greater number of persons assassinated in the civil populations, but it was impossible in some regions of the country to access proof of same.

- (1) This data does not include the 600 farm workers killed on May 14 and 15, 1980 in the "SUMPUL" river bordering Honduras. (See case number. "Typical cases of the practice of genocide in El Salvador.") This massacre was reported by the Conference of Honduran Bishops.
- (2) It does not include the victims of the bombings carried out by the Salvadorian Air Force starting in the month of August 1980 in the regions of San Vicente (68 km. southeast of the capital), "El Trilinio," 100 km. west of the capital and Morazán (170 km. east of the capital). In Morazán, according to the "International Medical" organization, four thousand people from the civilian population died in the bombings. In the area of Guazapa, 55 km. north of the capital, at least four hundred people were killed as a result of the bombings. In the areas of San Vicente and "El Trilinio," the data is still not known.

ABBREVIATIONS

SHANTY DWELLERS: *Inhabitants of slums and shanty towns*
PUBLIC EMPLOYEES: *Public and service employees*
OPPOSITION LEADERS: *Leaders in cities belonging to UDN opposition party*
SMALL BUS. OWNERS: *Small business owners*
OCCUPATION UNKNOWN: *Persons of unknown occupation*

FIGURE No. 2

PROVEN DATA FROM LEGAL AID OF THE ARCHBISHOPRIC: PARTIES
RESPONSIBLE FOR POLITICAL ASSASSINATIONS DURING THE THREE
MONTHS OF JUNE, JULY AND AUGUST IN 1980

PARTIES RESPONSIBLE	MAY	JUN.	JUL.	AUG.	SEP.	OCT.	NOV.	DEC.
1. Troops of the National Army in conjunction with military security corps	441	354	377	261	542	554	592	587
2. National Police	9	25	10	36	10	3	5	76
3. National Guard	22	42	55	78	106	30	34	117
4. Special Police	15	29	14	7	20	14	33	40
5. Army in its operations	20	100	44	69	28	16	6	47
6. ORDEN (Democratic Nationalist Organization)	21	53	56	31	32	21	15	15
7. Death Squad	83	157	130	33	92	124	96	124
TOTALS	611	760	686	515	850	762	781	1,006
SUM TOTAL								5,951

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[Illegible] innumerable cases that have been presented this year to LEGAL AID of the ARCHBISHOPRIC, we have selected a few that typically demonstrate the practice of genocide and the way in which the population, mainly the rural farm workers, was criminalized and repressed.

INTRODUCTION TO SIGNIFICANT CASES

1 "On April 17, 1980: Several hundred members of the paramilitary organization ORDEN, protected by the National Army and National Guard officers, militarily invaded the rural Christian communities of 'El Pajal, Tehuiste arriba, El Salto, San Lucas, Ulapa, Santa Lucía, Tepechame' in the jurisdictions of San Vicente and La Paz, departments located in the east of the country. In 'Tehuiste arriba,' the invaders killed the rural farmworker BERNARDO GUZMAN as well as another man who, because of torture, was impossible to identify. In 'Llano Grande,' eleven National Guard officers and members of ORDEN captured and then later decapitated the rural farm workers JOSE ORELLANA and FIDENCIO ALFARO. In the rural village of 'Alférez' in the previously mentioned departmental jurisdictions, they captured an elderly woman, FRANCISCA ESPINOZA (age 77), who was decapitated. They placed the head in the middle of the corpse's legs. In 'El Pajal,' the rural farm workers NAPOLEÓN HERNÁNDEZ, FRANCISCO HERNÁNDEZ, who is the son of the former, ANDRÉS ABREGO, JOSÉ LUIS SERVELLON, ANTONIO SÁNCHEZ, JOSÉ DE PAZ and GERMÁN ARGUETA were assassinated; in 'Tehuiste arriba,' the invaders also murdered the two couples, MANUEL VILCHES and DOLORES de VILCHES, and TEOFILO MORALES and ELENA SARAVIA. Finally, in 'San Lucas,' before they left, they burned down MANUEL OSORIO's ranch house (country house)."

2 "April 1, 1980: On the highway from the capital that leads to San Salvador, the rural farm worker MATILDE FUENTES's dead body, showing signs of savage torture, was found. She had been captured the day before by officers of the National Guard in the settlement of Suchitoto (38 km. northeast of San Salvador). In that rural area, members of the paramilitary organization ORDEN captured the farm worker MARIA JULIA LOPEZ, resident of "El Líbano" canton in Suchitoto jurisdiction. Her dead body was found hanging from a tree, tied by a rope, her breasts had been cut off, showing numerous bullet entry wounds as well. Six children were left orphans, since MATILDE's husband had also been murdered by members of ORDEN on February 11, 1980. On that same day, members of ORDEN and National Army soldiers captured the rural farm worker ADÁN MORALES RIVAS. His family members do not know where they took him. He is missing."

3 "April 24, 1980: At least 1,000 members of the National Guard, the Army and the Paramilitary organization ORDEN, protected by two artillery helicopters and military tank vehicles invaded the adjacent rural settlements 'El Campanario, San Benito, Angulo, Llano Grande, El Obrajuelo, Las Lomas, La Joya, La Pita, Santa Amalia,' all within departmental jurisdiction of San Vicente (66 km. east of the capital). Several eyewitnesses stated that they launched grenades from the helicopters at the houses and that they fired constant blasts from machine guns at them. In that cruel invasion, the following rural farm workers were killed: PABLO HENRÍQUEZ (age 50), ALONSO MIJANGO (age 14), JOSÉ DIMAS (age 22), SEBASTIÁN CHÁVEZ (age 45), ANTONIO MIJANGO (age 59), OLINDA ÉVORA (age 16), LUCIO HENRÍQUEZ (age 26), LUISA and EDITH CORNEJO (age 15 and 16), MIGUEL VALLE (age 35), ALEJANDRO LINARES (age 42), RODOLFO HERNÁNDEZ (age 30), FRANCISCO MARINERO (age 34), FELIPE CLEOFES, MIRIAM COMASAGUA, MARTÍN MARINERO, PASTOR ANDRADE (age 30), DOMINGO ESPINOZA (age 60) and NARCISO RAMOS (age 50). In addition, as a consequence of this cruel invasion, several farm workers were injured, although the exact number could not be specified."

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4 May 14, 1980: Massacre at the Sumpul river. The army and the military corps (National Guard, Treasury police), accompanied by members of the paramilitary organization ORDEN surrounded settlements in extensive rural areas. The rural settlers remained completely isolated for four days. The army set fire to the inhabitants' dwellings with "flamethrower" helicopters. When they fled, the settlers were peppered with shots by the Guard and members of ORDEN. In several operations, as we have seen throughout the report, the farm workers' families, including five year old minors, were executed. The collective death of at least six hundred rural farm workers, women and children on the banks of the "SUMPUL" river marks the beginning of the "total cleaning" stage in rural areas. It indicates the coordination between the armies of El Salvador and Honduras that along with that of Guatemala, began to extend the "sanitary fence" in Salvadoran territory.

Starting in the month of June, extensive Salvadorian rural areas were converted into real "military operations theatres of total extermination" against the civilian population ("El Trifirio," 130 km. northwest of San Salvador; extensive areas in the north of the department Morazán, 170 km. northeast of San Salvador; extensive areas in the south of the department of San Vicente, 60 southeast of San Salvador).

The indiscriminate bombings by air and on land, carried out by the Air Force and Artillery of the army have been the main characteristic of this phase of systematic, intentional extermination. Humanitarian aid associations calculate that at least 4,000 person died in the area bombed by the Salvadoran army in the eastern department of Morazán during the month of October and the beginning of November.

Due to the incident marking the beginning of the systematic operations of collective extermination, Legal Aid considers it necessary to give a detailed account of the incidents that occurred at the "SUMPUL" river.

Chronology

- May 3, 1980:* Secret meeting of Honduran, Salvadoran and Guatemalan high military commanders at the border settlement of "El Poy," 100 km. north of San Salvador. This settlement is located 20 km. from the SUMPUL river. The river serves as a border line between El Salvador and Honduras;
- May 10, 1980:* In San Salvador, Colonel Jaime Abdul Gutiérrez, trusted confidant of Colonels. Guillermo García, Nicolás Carranza, Eugenio Vides Casanova (director of the military extermination operations) assumes control of the Junta of the Government and the Army;
- May 13, 1980:* 250 soldiers of the Honduran Army leave for the Salvadorian border. At 11:30 a.m., they begin to prepare trenches along the bank of the "SUMPUL" river. They take the full military team;
- May 14, 1980:* At 6 a.m., the military operation began. The Salvadorian Army and Guard began to massively persecute the rural dwellers residing in the settlements located in the north of the department of Chalatenango (80 km north of the capital). Hundreds of rural farm workers, along with their families, sought refuge on the banks of the "SUMPUL" river. Two helicopters from the Salvadoran Air Force equipped with automatic machine guns, solders and officers of the Salvadoran guard fired shots on the rural settlement dwellers taking refuge by the river. "Women tortured before the coup de grace, babes in arms thrown into air for target practice, those were some of the horrible scenes of this criminal slaughter. The Salvadorian rural settlement dwellers who went to the river were returned to the area of the massacre by the soldier. When afternoon fell, the genocide ceased, leaving at least 600 dead bodies." (Communiqué of the Diocese and Bishop of Santa Rosa de Copán, Honduras: June 24, 1980);
- May 15, 1980:* Some rural Honduran farm workers traveled around the area. They rescued seriously injured survivors. The armies left the place. At daybreak on the 16th, members of the paramilitary organization ORDEN who participated in the massacre returned to the place and patrolled the area. They kept witnesses from approaching. They burned down the dwellings and they stole the belongings of the dead;
- May 19, 1980:* Four kilometers "down river" from the place where the massacre took place, a Honduran rural settlement dweller

found the bodies of three children under the age of three caught in a fishing trap;

- May 24, 1980:* The priest Fausto Milla from the parish of Corquín, Honduras, denounces the massacre;
- May 26, 1980:* Salvadoran rural settlement dwellers who sought refuge in churches arrive at the Archbishopric and render their testimonies. Other rural settlement dwellers who gave information to journalists disappeared after being captured by the army. Both armies in the last week of May and first week of June exercise violent control over the area to impede access. The Salvadoran army carries out two incursions into Honduran territory in search of refugees;
- June 24, 1980:* The bishop don José Carranza Chávez, Presbyterian priest, religious workers of the Diocese of Santa Rosa de Copán denounce the massacre. They hold the Salvadoran and Honduran governments responsible;
- June 27, 1980:* Honduran government threatens to eject foreign priests who signed the accusatory communiqué;
- June 29, 1980:* The Archbishopric of San Salvador ratifies the denunciation and affirms its solidarity with the Diocese of Santa Rosa Copán;
- July 1, 1980:* The Honduran Episcopal Conference, presided over by archbishop Monsignor Héctor Santos, reaffirms the denunciation of the massacre of 600 Salvadorians on May 14 and 15, 1980 at the "SUMPUL" river,

5 "May 30, 1980: A farm cooperative located in GUAYOYO, department of Santa Ana, 110 km. west of the the capital, was invaded by officers of the national guard after twenty-three hours. Twelve rural farm workers were killed. The cooperative was managed by the SALVADORAN COMMUNAL UNION, the only organization supported by the Government. The Military Junta did not hesitate to assign responsibility for this crime to the people's politico-military organizations. Subsequently, the SCU refuted the official communiqué. This organization affirmed that the "National Guard officers committed the execution of twelve rural settlers in GUAYOYO. One by one the rural settlers were captured in their residences and collectively executed by National Guard officers."

6 "June 22, 1980: THE NATIONAL ASSOCIATION OF SALVADORAN EDUCATORS - NAOSE denounced the killing of ONE HUNDRED AND THIRTY-SIX TEACHERS affiliated with the Association since January 1st of this year. The educator BLADIMIR BARRIOS (age 35), director of the "Dr. José Trinidad Garay" school group in "La Parroquia" district of Tecapán, departmental jurisdiction of Usulután, in the west of the country, was gunned down with a machine gun in front of his students by heavily armed individuals protected with military vests who identified themselves as members of the Death Squad. The student BLANCA LIDIA ORELLANA was seriously injured. Said action was coordinated by the National Guard."

7 "July 7, 1980: The canton "Ojo de Agua," Cojutepeque jurisdiction, department of Cuzcatlán (35 km. west of the capital) was once again invaded by National Guard officers and members of the paramilitary organization ORDEN. In this canton, they killed MARCELINO RAMIREZ (age 28), TERESA GARCÍA (age 28), SIMONA FABIÁN (age 20), ANTONIO GARCÍA (age 40), HIPÓLITO PALACIOS (age 25), FRANCISCO MENDOZA (age 20), CRISTINA HERNÁNDEZ (age 26), MANUEL ASECION (age 25), JOSE CRUZ (age 22), VÍCTOR MANUEL HENRÍQUEZ (age 14), the child MARITZA HENRIQUEZ (age 8). Later the invaders went to the neighboring settlements in the cantons 'San Martín, San Antonio, Soledad, El Carmen, San Andrés, Candelaria and El Carmen.' In their wake, they destroyed crops and sacked the rural dwellings."

8 "July 7, 1980: Thirty heavily armed individuals, equipped with protective vests used by members of the Army, with their faces covered with masks which read: "Death Squad," captured several rural settlement dwellers that they found in their residences in the rural settlement of San Lorenzo, departmental jurisdiction of San Vicente (66 km. west of the capital). At 5 o'clock, after capturing ELISEO ARBAIZA (age 57), his two children JORGE ALBERTO and RODOLFO (age 19 and 17), PEDRO FLORES (age 51) and his two children, of whom was LUIS FLORES (age 19), JORGE ALBERTO ALVARADO (age 21), CARLOS RIVAS (age 28), they tortured them and obligated them to walk on the street that led to the canton exit, where they executed them. After committing that crime, they captured a young rural farm worker, ROMILA HERNÁNDEZ (age 21) originally from Santa Elena, a neighboring settlement, and raped her and then decapitated her: her family members buried her head, since the rest of the body had been burned by the murderers. The criminals left the woman's head in front of her family's house. After committing these crimes, the members of the supposed "Squad" were evacuated on the same day by a Salvadorian National Army helicopter.

9 "July 9, 1980: Thirty-one members of the farm family MOJICA SANTOS, all residents of the "Mogotes" canton in San Pablo Tacachico, departmental jurisdiction of La Libertad (31 km. northeast of the capital) were executed by members of the paramilitary organization ORDEN. FIFTEEN CHILDREN, all under the age of TEN, were assassinated in their mothers' arms. That day, the National Army and officers of the National Guard took over the settlement and began looting the settlement dwellers' residences. Duly protected by members of the Army, ORDEN, the violent paramilitary organization ordered the collective execution of the MOJICA SANTOS family. It was impossible for humanitarian organizations to enter the "Mogotes" canton that day. The list of persons killed: a fifteen day old baby girl born to the Mojica family who had not yet been legally registered; RENE SANTOS (2 months old), BLADIMIR SANTOS (3 months old), HERNAN MOJICA SANTOS (4 months old), EDUARDO SANTOS (age 3), HUGO MOJICA SANTOS (age 4), SERGIO MOJICA (age 4), ELMER MOJICA (age 5), MORELIA MOJICA (age 6), JOAQUINA MEJIA SANTOS (age 8), WALTER SANTOS (age 8), DEMMY SANTOS (age 8), ORBELINA MOJICA (age 9), MARCOS MOJICA (age 10), BEATRIZ SANTOS (age 12), VENECIA SANTOS (age 15), VICTORIA SANTOS (age 15), DORA ALICIA CRUZ (age 20), GENOVEVA CARDOZA (age 22), TERESA SANTOS (age 25), TOMASA SANTOS (age 30), HERMINIA SANTOS (age 30), ROSA SANTOS (age 30), ELBA SANTOS (age 30), ROSA MOJICA (age 30), AGRIPINA MOJICA (age 32), MANUEL CRUZ (age 45), DOMITILA SANTOS (age 45), SANTOS QUINTANILLA (age 50), MERCEDES CRUZ (age 60), CLAUDIA FLAMENCO SANTOS (age 75), ROSA MOJICA (age 85).

10 "July 19, 1980: At least 1,000 heavily armed masked men, equipped with protective vests, with signs that identified them as "Death Squad," accompanied by members of the Army and National Guard officers, invaded the "Mirador" ranch where most of the rural farm workers belong to the SALVADORAN COMMUNAL UNION. The Treasury is located in "Isletas" canton, Coatepeque jurisdiction, department of Santa Ana, in the west of the country. Eyewitnesses indicate that masked National Guard officers executed sixty rural settlement dwellers. These were selected after previously capturing 300 rural cooperative members. Aid institutions were prevented from entering the area, which was completely taken over by members of the Army."

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11 "July 20, 1980: A delegation of North American doctors belonging to the AMERICAN PUBLIC HEALTH ASSOCIATION, which had recently visited El Salvador, denounced the violations to health professionals, workers, and patients, as well as hospital and aid center neutrality violations. At least ten doctors have been murdered since January 1st of this year; hospitals have been invaded by the Police and the National Guard and some of their patients have been captured, made to disappear, and killed. On May 24, 1980, the doctors JOSE CALIXTO BENÍTEZ and RAÚL PINO were gunned down by machine gun fire in San Miguel, the third city in El Salvador, in the west of the country. The academic LEONEL MENÉNDEZ Q., former department chair of the CENTRAL AMERICAN UNIVERSITY, was kidnapped by a group of masked civilians when he was about to be operated on at the "Rosales" National Hospital on May 21, 1980. Two National Police car patrols and a National Army truck outside the hospital awaited the kidnapping of Menéndez. To date, his fate is unknown. At least twenty patients who were receiving medical care at various hospital centers have been murdered under similar circumstances. Heavily armed men, protected by vests, enter hospitals and after they locate the patient's bed, they kill him or her."

12 "August 8, 1980: On this date, a member of the National Army who was at the top of a Government building killed the Mexican journalist IGNACIO RODRÍGUEZ TERRAZAS. The national opposition Press and various international press correspondents have been gunned down by machine guns, captured or killed this year. On April 1, 1980, three Dutch film-makers (Frank Diamond, Ian Van der Putten) were gunned down by machine guns in the center of the capital by the National Police. Two of them were seriously injured. On April 24, the WHUR (Washington, D.C.) radio journalist, RENÉ TAMSEN, was captured. His family members assert that Treasury Police carried out his capture. His whereabouts are still unknown. On July 11, after being captured and horribly tortured, then director of the opposition newspaper "THE PEOPLE'S CHRONICLE," journalist JAIME SUÁREZ QUEMAIN and the photographer from the same newspaper, CÉSAR NAJARRO, were murdered. The radio operator of "Central Radio Chain," the journalist JUAN ANTONIO RODRÍGUEZ was murdered, after being captured on August 5 of this year. The director of the opposition newspaper "THE INDEPENDENT" has been the target of various attempts: JORGE PINTO has been machine gunned on several occasions. Miraculously he was able to escape. The North American journalist JEAN SULLIVAN was captured on December 28 and her whereabouts are unknown. The journalists IAN MATES and MICHAEL TAVERNA were captured in August by the National Guard."

13 November 27, 1980: At 11:20 a.m., 25 officers dressed in civilian clothes entered the Externado school in San José, located on 25 Avenida Norte in San Salvador, where the offices of Legal Aid of the Archbishopric of San Salvador are located.

Twenty minutes prior, around 200 police officers and soldiers surrounded the school building. Upon entering, the officers, dressed in civilian clothes made the entire staff of the Catholic institution and several visitors lie face down. Then they captured the leaders of the Revolutionary Democratic Front (RDF) who were in one of the school classrooms giving a press conference to members of the national and international press. Then, after hitting them and tying their hands behind their back, they obliged them to get into three vehicles, in which they made their escape. The leaders of the RDF captured at that time were: ENRIQUE ALVAREZ CORDÓVA, president of the RDF; MANUEL FRANCO, JUAN CHACÓN, HUMBERTO MENDOZA, ENRIQUE ESCOBAR BARRERA and DOROTEO HERNÁNDEZ. In addition to them, another 23 persons were captured

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The DRF leaders were later found to have been murdered and their bodies showed signs of strangulation, bodily mutilation and bullet holes in the cranium. The bodies of Juan Chacón, Humberto Mendoza, Enrique Escobar Barrera and Doroteo Hernández were found on km. 15 of the highway that leads to the Apulo spa, to the east of the capital, the same day they were captured; meanwhile, the bodies of Enrique Alvarez Córdova and Manuel Franco were found on November at km. 18 of the same highway."

EVIDENCE AGAINST THE GOVERNMENT AND ARMED FORCES OF EL SALVADOR

In view of the governmental version of assigning responsibility for this massacre to an "Ultra Right" group, Legal Aid take the following information into consideration which contradicts the governmental version: at the time of the operation, officers kidnapped the doorman of the Externado School and transferred him to the grounds of the Salvadorian Social Security Institute, located a block from the school. According to testimony of the innumerable persons who witnessed the operation, the officers maintained contact between the Social Security Institute and the school via radio. Officers dressed in civilian clothes arrived at the school armed with machine guns, G-3 rifles which were only used by the National Guard; the automobiles in which they arrived at the school had license plates identifying them as belonging to official entities. Another form of evidence is the impunity with which the operation was carried out: in broad daylight at the largest secondary school in the country, on one of the most trafficked avenues of the capital, and two halls of the most heavily guarded building in the country, like the North American Embassy; it seems incredible that no authority had been present from the time the events took place to provide them with due protection, in which one can take into consideration the magnitude of the operation, in which more than two hundred "uniformed" troops surrounded the building for more than 25 minutes. But if there is still any doubt regarding the government's responsibility in this multiple assassination, we submit the following cable from the North American AP agency for consideration, in which the Salvadoran authorities brought about the captures of the leaders:

"San Salvador, November 27 (AP). The authorities announced today to have captured the leaders of the Revolutionary Democratic Front (RDF) which exercises political leadership of the leftist entities that seek to overthrow the government." (*Appeared in "Latest News" (second edition) of the Excelsior Daily, front page, November 27, 1980*).

A known member of the Salvadoran National Police named MARIO SAÚL MERINO who participated in the morning operation disguised as a civilian, was also identified in the operation to raid Legal Aid offices on the same day during the afternoon at the Externado School of San José, an occasion in which he used the National Police uniform. The same eyewitnesses confirm that to have heard the agents at the time the operation was carried out communicating by radio with National Police Central Headquarters, where they asked them if they had already accomplished the operation.

World public opinion, the international press, Human Rights organizations and Ecclesiastic Institutions should understand that THERE ARE NO "extreme right wing" groups in El Salvador; the NATIONAL ARMY and "SECURITY" CORPS are the ones who with or without military uniform commit innumerable repressive acts against the Salvadorian People. The High Command of the Armed Forces carries the responsibility for this horrible act, as well as the assassination of Archbishop Monsignor Oscar Romero.

[Right margin: J.S. CAÑAS UNIVERISTY, CIDAI, El Salvador, C.A.]

II. DISAPPEARANCES – CAPTURES DUE TO POLITICAL REASONS

FIGURE No. 3

CAPTURED BY ARMY AND MILITARY SAFETY CORPS. LATER DISAPPEARED (FOR MONTHS DURING 1980)

MONTH	
January	10
February	14
March	15
April	13
May	22
June	35
July	21
August	81
TOTAL OF POLITICAL DISAPPEARANCES	211

The savage practice of “disappearing” persons who have been captured without being presented before judicial Tribunals has been permanently utilized by different military regimes in El Salvador: As of October 15, 1979, LEGAL AID OF THE ARCHBISHOPRIC had registered figures of TWO HUNDRED AND FIFTEEN PERSONS captured and then “disappeared” by the military governments of Colonel Arturo Armando Molina and General Humberto Romero (1972-1979). In just EIGHT MONTHS THIS YEAR, the current MILITARY JUNTA surpassed the military regimes that preceded it in this inhumane practice. Not only does this cruel, repressive method affect the person who has “disappeared,” but there are also serious moral, psychological and social consequences to the family unit. If the “disappeared” is the head of the family unit, it is logical to think that there are serious consequences in economic terms.

In 1978, two dramatic testimonies of political disappearances

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[Illegible] the opinion [illegible] December [illegible] September [illegible] captured in November 1978 who managed to escape from the National Police in December 1978). A secret basement jail of the Treasury Police was discovered in November 1979 by two attorneys, Dr. José Fabio Castillo and Lic. Roberto Cuéllar) who entered a remedy of personal exhibition in favor of the rural farm worker ROGELIO GUARDADO.

Attached to this report are the two official notes from the INVESTIGATIVE SPECIAL COMMISSION OF PRISONERS AND POLITICAL DISAPPEARANCES (official entity of the 1st Military Junta: October 15 – December 31, 1979). Many military personnel who are currently in power ARE RESPONSIBLE, according to the Special Commission on this inhumane and cruel practice. Up until August 1980, not a single soldier had been prosecuted for his or her special participation in committing these political crimes.

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III. GENERAL REPRESSION

FIGURE No. 4

REPRESSION CARRIED OUT BY THE NATIONAL ARMY, MILITARY SECURITY FORCES AND PARAMILITARY ORGANIZATIONS IN RURAL AGRARIAN SETTLEMENTS, LABORERS' SETTLEMENTS, DEMOCRATIC, EDUCATIONAL, PRIVATE AND OFFICIAL INSTITUTIONS, UNIONS AND CHURCH, ESPECIALLY IN REGARD TO THE ARCHBISHOPRIC

REPRESSIVE ACTS	JANUARY	FEB.	MAR.	APRIL - MAY	JUNE	JULY
- Military invasions by the Army and military corps in rural settlements areas	81	59	74	60	85	78
- Military operations by the Army and military corps in laborers' settlements (urban areas)	17	13	25	31	23	11
- Searches, raids and looting of union, student, democratic premises, the Archbishopric's premises	5	6	29	15	21	14
- Machine gun attacks, sabotage and attacks with dynamite on places of the same type	23	34	19	29	17	11
- Destruction and arson of rural settlement dwellers' houses during Army military invasions	35	21	17	45	140	148

- On May 13, 14, and 15, 1980, one of the bloodiest actions ever undertaken by the Army, the National Guard and the paramilitary organization ORDEN took place with the pursuit over many kilometers of thousands of rural settlers residing in the northern area of the department of Chalatenango (85 km. north of

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the capital). On that occasion, SIX HUNDRED RURAL SETTLERS, mainly women, children and the elderly, were killed at the SUMPUL river. The river serves as a border line with Honduras and is territory under the special jurisdiction of the ORGANIZATION OF AMERICAN STATES. Priests and bishops from Santa Rosa de Copán, Honduras and the NATIONAL CONFERENCE OF BISHOPS denounced this massacre. There is photographic documentation.

- The National University of El Salvador was militarily taken over by the Army and military corps. During this action, in addition to damaging the academic facilities, 23 students were killed. On June 26, 1980, the date of the takeover, a foreign reporter captured the terrible scenes of a 14 year old student's murder on the university campus. A National Guardsman peppered the student with shots. Union locations were searched: the Revolutionary Union Federation was violently raided during an Army operation on March 19, 1980. During that action, the laborer MAURICIO BARRERA, the Secretary of Union Organization Conflicts, was assassinated. Documentation was seized and 25 laborers were captured.

Locations of the Independent journalism Agency and the Catholic educational institutions "LA SAGRADA FAMILY [The Holy Family]" and "EXTERNADO SAN JOSÉ," were raided by the Army on June 20 and July 5 respectively.

Legal Aid of the Archbishopric was raided and looted by the Army and the National Police on July 5, 1980. On August 16, 1980, the Army carried out a search and seizure operation at a refugee center for the persons persecuted authorized by the Archbishopric. The center, which was sheltering more than 400 rural women and children who had fled the governmental repression, was located in Mejicanos, north of the capital.

- As of the month of July in 1980, right after the destruction of the union locations, it was impossible for the Salvadoran worker to exercise his or her right to meet and assemble. All the locations for the Unions of El Salvador have been destroyed as a result of the terrorist action by the Army, military corps and paramilitary organizations which sponsor the current Military Junta (secret Squads and Armies). The opposition newspaper "THE INDEPENDENT" was destroyed in the month of June with dynamite. Its director, JORGE PINTO, stated that the National Guard is responsible for the terrorist act. The Catholic radio station of the Archbishopric, "YSAX, THE VOICE OF THE TRUTH," was destroyed on February 18 with dynamite, after Monsignor Romero delivered his letter to the President of the United States. The radio station has since been the object of four attacks with dynamite. The Human Rights Commission of El Salvador was also dynamited at the end of the month of August in 1980. Two of its members, MARÍA MAGDALENA HENRÍQUEZ and RAMÓN VALLADARES PÉREZ, were murdered in October.

The Rector of the National Autonomous University, Doctor FÉLIX ANTONIO ULLOA was murdered on October 30, 1980. The union leader FELIPE ANTONIO ZALDIVAR, murdered at the beginning of the month of November in 1980.

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NYC Translation #101587 (Spanish) (b) (6)

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IV. PERSECUTION OF THE CHURCH

A. INTRODUCTION

We detail the persecution of the Church in the strictest sense of the word, that is, the persecution of strictly ecclesiastical persons and institutions, not counting the numerous murders of many Christians of the nation, nor the numerous attacks on the institutions which in one way or another have Christianity as the basis for their inspiration.

The clearest act of persecution has been, undoubtedly, the murder of Monsignor OSCAR ROMERO, pastor and prophet of the Church and of the entire Salvadorian nation. He was murdered for his loyalty to the Gospel and his genuine preference for the poor. His murder was intended to silence the voice of the Church and to render defenseless all Christians who wished to follow in his footsteps.

Throughout the year, persecution of, as well as cruelty to, the Church exceeded all absolute and relative limits, as it extended into areas which had never previously been attacked. And all that took place with complete impunity.

Priests, seminarians, catechists and other direct contributors to the Church have been killed. They have been machine gunned and searched, bombs have been placed in religious institutions like schools, universities, residences of religious workers and diocese priests. Four North American nuns were raped before being murdered.

The attacks on YSAX, the radio station of the Archbishopric, the only source of mass communication that tell the truth about the country, that dare to voice dissent and criticism of the current government, that energize and give hope to the nation, have particular significance. The radio station suffered threats, interference, machine gun attacks and numerous bombings until finally it was destroyed.

The persecution has reached the most obviously religious of symbols. One extremely potent bomb went off in the Archiepiscopal Curia and in the Central Seminary. Temples have been machine gunned on numerous occasions, mostly when liturgical services were being celebrated. The Holy Sacrament has been profaned repeatedly, which has been the most painful and outrageous to the religious sentiments of the nation and of the Church.

The evidence we present shows, without any room for doubt, that there is terrifying persecution of the Church and furthermore, that it is carried out in a premeditated, planned way, because all sectors of the Church and all ecclesiastical institutions are victims of the persecution. This picture is incredible in and of itself and would be unthinkable in any civilized country. But what is absolutely incredible is that the current persecution takes place under a regime

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whose political leadership is in the hands of a small group which calls itself democratic and Christian. The executors of this persecution are, in almost all cases, members of the Army and security corps. The final responsibility falls to the Military Junta, currently under the command of Napoleón Duarte and Jaime Gutiérrez.

In spite of the promises for an investigation, all year long, the Military Junta has gone back on its word since being faced with so many serious occurrences. It has punished the guilty even less, which makes matters worse because in most cases, it's very easy to identify the perpetrators since there are many witnesses. In other cases, especially in that of Monsignor Romero, that of P. Marcial Serrano (November 28, 1980), that of four North American nuns who were working in El Salvador (December 2, 1980), and the raid of the Archbishopric (November 19, 1980), there are suspicions that are based on and known about the perpetrators of such.

In lieu of proceeding with the investigation, a search of Legal Aid's new offices was ordered, which since November 28, 1980 has impeded its functioning. All of the files which contain the evidence of responsibility for the repression and persecution of the Church have been stolen.

B. CHRONOLOGY OF THE PERSECUTION OF THE CHURCH

JANUARY

- 5 In San Salvador, the UGB machine guns the Externado School of San José.
 - 10 Unidentified persons machine gun the façade of the Heart of Mary Church at midnight.
 - 12 In Arcatao, the N.G. captures the religious workers Giovanni Lerda and Nicolasa Ramirez. They are threatened with execution at the Guard post. They are freed twenty-four hours later.
 - 12 The N.G. captures the religious worker Beatriz Velásquez Ortega while she is traveling on a bus. She is threatened with execution at the Guard post. She is freed the following day.
 - 22 In San Salvador, the N.P. machine gun the Church of the Rosary where 308 people are receiving refuge.
 - 22 The OLC dynamites the premises of the Archbishopric.
 - 28 Members of the N.G. and ORDEN evacuate the Church of Ilobasco and execute four of its occupants.
 - 29 María Erciia Martínez and Ana Coralía Martínez, active collaborators in the Parish of Aguilares, are kidnapped, tortured and murdered.
- Armed officers in civilian clothes attack the Church of San Francisco in San Miguel and four persons die.
- The Cathedral of Santa Ana and the churches of Ahuachapán, Ilobasco and Santa Rosa de Lima are machine gunned.
- The convent door of Divine Providence Church is broken down and the priests' house is searched in Col Atlacatl of San Salvador.

FEBRUARY:

- 2 Unidentified persons machine gun the Church of the Rosary of San Salvador.
- 3 Three people die and eighteen are injured as the result of the machine gun attack on the persons visiting an exposition in the atrium of the Rosary of San Salvador.
- 16 The residence of the PP. Jesuits is machine gunned. Machine gun fire was heard; around a hundred bullet holes were found.
- 18 N.G. officers machine gun the Parish Church of Nejapa at three thirty in the morning.
- 18 Two highly explosive bombs completely destroy the transmission facilities of the Archbishopric radio station.
- 18 A bomb destroys part of the Library at Central American University run by the PP. Jesuits.
- 19 The Church of Tonacatepeque is machine gunned.

Unidentified persons machine gun the Sacred Heart School.

MARCH:

- 1 Snipers fire on the Church of San Miguel.
- 3 José Trinidad Canales, a professor at the Externado School of San José, is peppered with shots.
- 7 In San Miguel, seven corpses are found, showing signs of torture, appear, among them, a catechist.
- 8 The catechist Ruben Benítez of the Parish of La Unión turns up dead. The N.G. interrogated him at his house on March 5.

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- 9 The façade of the Rosary Church of San Salvador is machine gunned from several vehicles. Hours later, well equipped military officers try to evacuate the church with heavy fire lasting around a half an hour.
- 9 A suitcase with seventy-two sticks of dynamite is found inside the Basilica of the Sacred Heart, with a device to activate it at 5 p.m., the time at which Monsignor Romero would celebrate a mass for Mario Zamora, a leader of the PDC who was murdered.
- 12 Combined forces (40 officers) search the priests' dwelling in Colonia Zacamil; they entered by breaking down the door and they stole documents.
- 16 Rural farm family threatened with death because of its friendship with Father Rutilio Grande.
- 16 Bombs go off at the ARS Sacerdotal Cooperative, causing serious material damage.
- 22 The N.P. enters the premises of the UCA Central American University, killing one student, capturing another two and causing panic amongst the students and teachers.
- 24 Monsignor Oscar Arnulfo Romero, archbishop of San Salvador, is murdered.
- 26 During the transfer-procession of Monsignor Romero's body to the Cathedral, the N.G. fires shots into the air and captures three young people who were directing traffic.
- 29 The Caritas Archdiocese denounces the murder of a promoter in El Salitre by unidentified persons.
- 30 Snipers open fire on the crowd attending Monsignor Romero's funeral.
- "The following is what we were able to perceive from the Cathedral steps and from its towers, as well from the testimonies gathered during our journeys around the city:
- a) the explosion of an intense bomb was suddenly heard, that several witnesses state they saw being thrown from the National Palace.
- b) Then shots and blasts were heard that several priests present stated came from the second floor of the National Palace.
- c) We saw or we were able to prove the presence of Security Forces as of the first hours of the morning in the streets of San Salvador and in the access routes to the city. (*Statements of the Prelates attending the funeral*)
- APRIL:
23 The N.G. attacks a group of Christians from the canton of San José Segardo de San Martín and kill María Elena Pérez,
- catechist from the Parish of San Martín.
- 26 In San Pedro Perulapán, members of the Army and officers dressed in civilian clothes torture and murder seven catechists.
- 27 In San José Cortés, three persons are captured, members of Christian communities.
- 28 Combined forces raid San Martín Church. They destroy the altar and profane the Sacrament. They also loot the parish house.
- MAY:
1 The Church of the Rosary of Mora in the Department of San Salvador is machine gunned.
1 The convent house of the Rosary of Mora is machine gunned.
- 14 The N.G. machine guns the Cathedral of San Salvador; one dead.
- 15 The ESS detonates a bomb in the Church of Don Rúa (PP. Salesians).
- 15 A bomb is detonated at La Madona Social Work of the Salesians. The ESS takes responsibility.
- 16 During the night, the Church of the Rosary of San Salvador is machine gunned.
- 17 The Army searches the convent of San José Villanueva and captures Sister Teresa Larios.
- 18 Unidentified persons machine gun the offices of the Catholic radio station YSAX.
- 19 Bombs are launched at the studios and offices of the Archbishopric radio station. The dynamite explosive device did not go off.
- 20 Unknown persons machine gun the Church of Don Rúa (María Auxiliadora).
- 23 The N.G. assassinate Luisa Jiménez, a catechist, in Quebrada del Llano (El Paisnal).
- 29 A Security Corps roadblock captures a young catechist. His dead body was found at Amapulapa tourist center detour.
- JUNE:
1 The Citalá religious community withdraws for safety reasons.
- 4 Mauricio Flores Cardona, a teacher at the Divine Providence School of San Salvador, is assassinated in front of his students.
- 7 A military patrol attacks two seminarians while they are doing pastoral work in Tamaniac, Department of La Libertad.
- 8 Meetings by Christian communities in Potonico, Los Ranchos and Reubicación are brutally harassed by security forces.
- 9 Mr. Ismael Enrique Pineda, promoter of the Caritas Archdiocese, disappears, along with another member of the National Office

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- of Caritas. Both had left with food for the mother and child program of Miraflores canton, Cojutepeque jurisdiction, in a vehicle of the Archbishopric.
- 12 The N.P. raids the residence of the HH. Offerings of the Sacred Heart in San Salvador.
- 12 Uniformed personnel raid the residence of the Secular Institute of Zacamil in San Salvador.
- 12 A military operation interrupts the funeral of a rural settler murdered in a canton of Usulután.
- 12 A catechist is captured in San Pedro canton of Usulután; he is tortured and the joints of his fingers are destroyed.
- 14 Father Cosme Spezzotto, Italian Franciscan, age 57, is murdered. He was the parish priest for San Juan Nonualco for twenty-seven years. At the time of his murder, he was praying in the Church breviary.
- 19 Combined forces of the N.P., N.G. and the Army search the Holy Family School, robbing the nuns' belongings and destroying the portrait of Monsignor Romero's portrait.
- 19 A nun and five employees are detained during the search of the Holy Family School.
- 21 The "Maximiliano Hernández Martínez" Anticommunist Brigades machine gun the Holy Family School.
- 25 The Army brutally raids the Parish of Aguilares.
- 29 Two highly explosive bombs go off on the campus of the UCA Central American University, destroying most of the university press.
- JULY:**
- 5 Members of the Armed Forces raid the Catholic school Externado San José. Soldiers posted on the street prohibited the Rector and the Administrator to enter the school.
- 5 Security Forces and Army occupy and loot the Legal Aid office of the Archbishopric (Legal assistance office of the Church of El Salvador).
- 5 The EAS Salvadorian Anticommunist Army interferes repeatedly with programs of VSAX, Catholic radio station.
- 6 A member of ORDEN tries to kill Sor Dionisia in Rosario de Mora, Department of San Salvador and injures her with a machete.
- 18 During his homily, Monsignor Rivera Damas denounces the threats received

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against the radio station of the Archbishopric, YSAX.

- 25 Combined forces with the support of ORDEN kill the seminarian José Othmaro Cáceres and twelve other persons during a military operation carried out in the village of Los Leones, Platanares canton, Departemnto of Cuscatlán. The seminarian Cáceres died after several shots to the chest, after which they destroyed his head with blows from a machete.
- 25 Leaders of Christian communities are persecuted by Combined Forces in the canton of La Nueva Encarnación of San Juan Opico.
- 26 Combined forces and members of ORDEN capture three priests when they were on their way to celebrating a mass in the canton of Jicaro and Las Minas. They search and take them to the Chalatenango barracks.

AUGUST:

- 8 Unidentified officers break in to the parish temple in the Calle Real canton. They break into the Sacramentum and take the pyx with the sacred hosts.
- 12 Army troops break down the main door of the Church of Huizúcar. They profane the Sacramentum and the credence table.
- 12 Combined forces raid the Fátima de Santa Tecla school during the night.
- 13 The Fátima de Santa Tecla School is surrounded by Army troops at six in the morning.
- 13 The P.H. captures Sandra Price, North American nun; she was released as a result of measures by the North American Ambassador.
- 20 Security Corps surround and invade the location occupied by the church of Colonia Santa Lucia in Ilopango.
- 20 Security Corps kidnap and murder five catechists in the canton of Las Delicias de San Martín.
- 25 N.P. officers capture, interrogate and beat a seminarian in Santa Tecla.
- 30 Combined Forces break down the door of the Church of San Martín, utilizing cannon balls. They destroy parts of the inside of the temple.

SEPTEMBER:

- 5 Ten members of the Army under the command

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- of a lieutenant conducts a search of the Parish of San Francisco in Mejicanos.
- 7 Members of ORDEN harass and threaten Carmelite Nuns of Ciudad Barrios with death.
- 11 Combined Forces raid the Colonial Church of Huizúcar.
- 13 Five bombs were placed in transmission plants of YSAX, radio station of the Archbishopric, of which only one exploded, damaging a radio antenna.
- 17 Combined Security Forces machine gun the Cathedral of San Miguel.
- 18 Combined forces raid the residence of the Oblates of the Sacred Heart in San Salvador.
- 18 In San Salvador, the Cathedral and the Church of the Calvary are machine gunned.
- 18 Combined Security Forces machine gun and enter the Cathedral of San Miguel, leaving five persons dead and capturing nine, who two days later turned up dead with M.E. notices.
- 18 Combined Security Forces machine gun the Cathedral of San Miguel at noon; in the afternoon, they entered the church where they assassinated 10 rural agricultural workers and kidnapped fifty, of which twenty-six were found dead, with M.E. posters, on the 20th and 21st.
- 19 The N.G. searches the Church of the canton Plan del Pino in the Department of San Salvador.
- 19 The Cathedral and the Church of the Calvary in San Salvador are once again machine gunned.
- 20 Heavily armed men, some in uniform, dynamite the Archbishopric's radio station transmitters. They placed the first bomb in the access gate to the premises. Having destroyed the gate, they went in firing submachine guns until they reached the shed, where they fired two other bombs; since they were not able to completely destroy the transmitter, the same individuals went back to the shed one [illegible] later and they placed two other [illegible] with which they completely destroyed the [illegible].
- 21 The Army [illegible] the school "Sacred Family" [illegible] of the Assumption of Santa Ana, destroying a door.
- 21 During his homily, Monsignor [illegible] Damas said, "We consider condemnable [illegible] every point of view, the methods [illegible] by the Army in evacuating [illegible] high number of dead and wounded [illegible] Cathedral of San Miguel and of Santa Lucia of Zacatecoluca.
- 22 The Cathedral of San Salvador is machine gunned again.
- 24 In [illegible], the CMHM burns the parish archives, the photos of John Paul II and Monsignor Romero. They set fire to the convent house and threaten the nuns in order to make them leave the area.
- 26 Combined forces machine gun the Cathedral of San Salvador.
- 29 Army troops raid and loot the convent house of San Antonio [illegible], Chalatenango. They burn a [illegible] of Bibles and catechisms.
- 29 An Army demolition squad raids and sacks the church of San Antonio de los Ranchos. [illegible] the Sacrament, they throw the Cup on the ground, causing the consecrated [illegible] to disappear.
- 30 [illegible] teachers from the Catholic school Externado de San José are killed at the school door.

OCTOBER:

- 6 Security Corps raid the residence of priest Manuel Antonio Reyes [illegible]. They remove him forcibly from his house and he turns up dead the following day.
- 6 Canton Military Patrols search the storeroom of Caritas Archdiocese in Aguilares.
- 6 A Canton Patrol invades the atrium of the Church of Aguilares and fires its weapons into the air.

C. RELEVANT CASES OF PERSECUTION TO THE CHURCH

C.1. On July 25, 1980, National Guard officers and members of ORDEN killed the young seminarian JOSÉ [illegible] CÁCERES. The seminarian Cáceres, who had been ordained as priest on July [illegible] was building a small church with several rural settlement dwellers in the "Plantanares" canton in Suchitoto (35 km. northeast of the capital). During this incident, the officers killed thirteen rural settlers.

The priest COSME SPEZZOTTO, of Italian nationality, was murdered in the church of San Juan Nonualco, department of La Paz, 40 km.

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west of the capital. In his last homiletic discourses, he had denounced the repression suffered by the rural population in the area of San Juan Nonualco.

C.2. RAID ON PREMISES
OF THE SAN SALVADOR ARCHBISHOPRIC

All the employees, workers, and directors of Criterio press, where the newspaper ORIENTATION is published, and the Catholic Radio Station of YSAX of the Archbishopric witnessed the military operation conducted by North American soldiers on November 19, 1980.

The Archbishopric was surrounded by military tanks at 16:00 hours in a perfectly coordinated joint operation by soldiers not in uniform, who entered the premises and proceeded to conduct a violent search. The premises of one of ten refugee centers of the Archbishopric, created to protect women and children, was also raided. They destroyed a medical aid clinic.

The area around the Archbishopric remained surrounded for two hours by National Guard officers. The soldiers struck several Archbishopric employees during the raid.

C.3. CAPTURE AND DISAPPEARANCE OF FATHER ERNEST ABREGO.
MURDER OF VARIOUS FAMILY MEMBERS

Father Ernest Abrego, priest of the Archdiocese of San Salvador, left Guatemala City for El Salvador on November 23, 1980 in a private vehicle, accompanied by his brother Guillermo Abrego, Ms. Teresa Gálvez, the widow of Liévano, and her daughter, Ana Maria Liévano. Witnesses stated that they took the highway for the border known as "Las Chinamas."

Upon learning that they had not arrived at their destination, Father Abrego's brother, Mr. Luis Abrego, a resident of Guatemala, went to San Salvador, accompanied by Dr. Jaime Bolaños. On November 29, both of them returned to Guatemala. Nothing more was known of them until their dead bodies were found in Juayúa, department of Sonsonate, 70 km. west of the capital.

Another one of Father Abrego's brothers who resided in Guatemala, Mr. Carlos Abrego, received a telephone call telling him to go to the Hotel Camino Real bar in Guatemala, where he would be given information about his brothers. Nothing further is known about Mr. Carlos Abrego, who disappeared. Father Abrego's four brothers: three disappeared and one was murdered.

C.4. Father Manuel Antonio Reyes, priest of the San Salvador Archdiocese, was murdered on October sixth, 1980. On that day, his house was raided by the National Police and the priest was captured. The following day, his body was found in a settlement adjoining San Salvador, with a bullet in his mouth and another in his chest.

C.5. Father Marcial Serrano, parish priest of Olocuilta, was kidnapped by National Guard officers when he left the canton Chalpipa, in the jurisdiction of Santiago Texacuangoes, 40 km. west of the capital, after celebrating mass. The act occurred on Thursday, November 28 at 17:00 hours. His vehicle was found at a National Guard barracks. Without being able to recover it, it has been established that his body is at the bottom of Lake Ilopango, near San Salvador.

C.6. MURDER OF FOUR NORTH AMERICAN RELIGIOUS WORKERS

The nuns ITA FORD, MAURA CLARKE, DOROTHY KZLEM and the lay missionary were captured on December second, 1980 when the latter two had arrived at the El Salvador international airport to meet the first two, who had arrived on a flight on the

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Panamanian airline. Their bodies [illegible] found in Santiago Nonualco [illegible] of La Paz [illegible] The coroner [illegible] at least [illegible] of them had been raped. [illegible] Arturo Rivera [illegible] signed a communiqué indicating, "when [illegible] their vehicle turned up [illegible] burned on kilometer forty [illegible], at a short distance from where a contingent of National Guard members had previously detained two vehicles with priests [illegible]. Witnesses state that the Ambassador of the United States, who [illegible] the measure for the exhumation of the bodies, asked them to take [illegible] from Santiago Nonualco. The Judge stated to him that if he granted him protection, he would inform him of the other information that he knew of. Two days later, the Judge of Santiago Nonulaco was murdered.

...all this occurs in our "Christian" country. The little self-proclaimed "Christian democrat" group [illegible] specialized in Archbishops, priests, and nuns...

International Christian democracy has the floor...

D. COMMUNIQUE FROM THE BISHOP, APOSTOLIC ADMINISTRATOR, PRIESTS AND RELIGIOUS WORKERS OF THE ARCHDIOCESE OF SAN SALVADOR

We, the bishop, priests and nuns, want to say to all Christians, to the Salvadoran people and to all the men and women of good will around world something clear and firm about the latest cruel occurrences against the Church in the country. As teachers, we are required to tell the truth. As pastors, we are obligated to counsel, teach and inspire people of God that feels frightened and powerless at these moments in the face of so much barbarity. We speak with the responsibility that the Lord demands of us and with the pain and suffering of the Salvadorian people. We have no other interest than to fulfill our obligation as pastors.

1. – First of all, we wish to shed light on the latest, cruelest acts of persecution against the Church. We energetically denounce and condemn the disappearance of Father Marcial Serrano, parish priest of Olocuitla, on November 28th, who by all the [illegible] has been murdered. Father Serrano came to celebrate mass in the canton of [illegible] he returned to his parish, however, instead of celebrating mass in the same parish, eyewitnesses retraced his route accompanied by Army personnel. Since then, the priest has not turned up. His pick up was found at the National Guard post, with its license plate changed in San Miguel Tepezontes. Members of the Guard stated that they had found the pick up abandoned in a specific place. Eyewitnesses, however, contradict this version, because they didn't see the pick up in the place where the National Guard went to get it.

We energetically denounce and condemn the kidnapping, torture and likely rape of three of them [illegible] murder of the Sisters Maura and Ita of Mariknoll Congregation and of Sister Dorothy of Ursulinas Congregation of the Cleveland Diocese [illegible] Miss Jean Donovan, lay missionary. On the second, Sister Dorothy [illegible] Miss Donovan who worked in La Liberty parish went to meet the other two sisters at the airport. A little later, when [illegible] to meet them, their car turned up completely burned on kilometer 41, a short distance from where, hours before, there had been a Security Corps contingent that had earlier detained two vehicles with priests and monks.

We denounce and condemn the disappearance of Father Ernesto Abrego. On November 23, he traveled from Guatemala in a car with several family members, the whereabouts of all of whom remain unknown to this day. Everything leads one to believe that he was the victim of murder as well.

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NYC Translation #101587 (Spanish)

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2. – These criminal acts of persecution to the Church are the culmination of four years of persecution, which has increased in quantity and cruelty in the year of 1980, coinciding with the new political leadership of this country by military personnel and the Christian Democratic Party. This year, Monsignor Oscar Romero, pastor and prophet of the Church and the Salvadorian people, was assassinated, along with two other priests, Fathers Spezzotto and Manuel Reyes, and a seminarian about to be ordained, and a great number of catechists, delegates of the Word and the Christian faithful. This year, various pastoral representatives, priests, nuns, and religious catechists have been threatened with death, detained, and captured, and their residences have been raided, machine gunned or dynamited. The same attempts have taken place in Catholic schools, in the offices of the San Salvador Archbishop, such as the Criterion press, the radio station YSAX, and Legal Aid. This year, temples have been profaned, shots have been fired on them, their occupants at times have been assassinated, and the Holiest of Sacraments on occasion has been profaned. In summary, so far this year, the Church has been attacked in all aspects of its scope, its pastoral representatives, its educational institutions and its social communication media. It has been the object of a cruel and systematic persecution, which in spite of the Government's promises, has increased rather than diminished, as the most recent events show.

3. – While we, horrified and powerless, witness all these incidents, we assert that the mainstream commercial media and the officials of the Armed Forces and the Government Junta have often silenced, distorted or falsified these events and their interpretation.

On the other hand, Church media was silenced with bombs and assassinations, as was the most notorious case of YSAX. In this situation, we have the sacred obligation to speak the truth about the persecution to the church and those responsible.

The Church has been persecuted because it tells the truth, which disturbs those in power and because it has taken a position of preference in regard to this country's poor, who have been secularly oppressed through unjust hierarchies, and continue to be oppressed at this time, and furthermore are oppressed with a virulence that borders on inconceivable.

Although those directly responsible for this persecution wish to downplay easily inciting the violence of the right and left or those sheltered by the all powerful politico-military apparatus, during the nearly four years of persecution suffered by the Church, it has been nonetheless evident that most of the acts of persecution against the Church have been carried out by members of security corps and paramilitary entities. As such, we reject versions that lay the blame on other social groups, which some members of the Government have confirmed several times.

4. – As such, we hold the Security Corps and the extreme right wing groups responsible for the persecution of the Church, specifically the assassinations of both the priests as well as the Pastoral Representatives. And, as a consequence, we also hold the Government Junta responsible, which by exercising supreme command of the Armed Forces, is responsible for the actions of its members. We regret that the Governments prior to the Junta and the same Revolutionary Junta of the Government has not fulfilled its promise to shed light on the criminal assassinations of Monsignor Romero, priests, nuns and Pastoral Representatives.

As such, its statements lack credibility and we cannot accept its oft-repeated excuses any longer after the incidents, nor the promises of an investigation.

Only an immediate and efficient cessation of the repression and persecution could demonstrate the will determined to put an end to same and to exonerate the Junta of its responsibility in any way. And only the immediate cessation of the repression and persecution would give credibility to the repeated offers of dialogue to pacify the country. On the other hand, all possibility for true peace in the country through nonviolent means is being cut off.

5. – The circumstances of the last assassinations have involved North Americans, three nuns and a lay missionary. These religious workers, who came to this country to give their lives unselfishly and generously,

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deserve our tribute of admiration and appreciation and [illegible] which consists of real greatness, solidarity and help from many Christians of our neighboring country, the United States. But they also show us that it must not involve help from the Government of the United States to El Salvador. As such, just as our Archbishop Mártir asked in a prophetic gesture, we demand that the Government of the United States not provide military aid to our Government, because in spite of the declarations about its intent, military aid facilitates the repression of the nation and the persecution of the Church.

6. – This is our word of truth. But we wish to also say a word of encouragement and hope to the Christians and to the people who suffer cruel persecution, and a word of solidarity to our Pastoral Representatives so that they do not feel abandoned by their pastors during trials as difficult as these.

The persecution is a sign of the Church's authenticity because the resemblance to its Divine Founder, Jesus Christ, who was also persecuted for telling the truth and preferring the poor, and also because of the placement in the middle of the pain and suffering of a poor nation. That is why we must not lose heart. A persecuted Church today is like Jesus Christ, God's servant, and takes on the sin of the world, the sin of injustice and of repression. Such a Church always ends up crucified, and many Christians today have been led to the cross.

But due to our faith, we know that the cross leads to the glorious resurrection with Jesus Christ and to the historical liberation, which will result in a more just and brotherly society, in which there is true peace, one in which fear and terror give way to brotherhood and joy.

As Christians, we believe that the bodies of Ita, Maura, Jean and Dorothy, four Christian women who surrendered their lives for the poor will be the pledge of Christian hope and strength, of justice to the poor and of the peace so eagerly awaited by Salvadorians.

We are in Advent, which is a time of anticipation and hope. We believe in God, we shall be faithful to our preference for the poor, we share their sufferings. One day soon, this hope will become a reality and there will be justice and peace for the poor. In the meantime, let us remember the basis of our hope. "Do not fear," Christ tells us, "I have overcome the world."

(Stamp) Arturo Rivera y Darnas. Bishop, Apostolic Administrator of the San Salvador Archdiocese.

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GENOCIDE AND WAR OF EXTERMINATION IN EL SALVADOR

(*"José Simeón Cañas" Central American University*)

1. BY WAY OF INTRODUCTION

The subject of human rights violations in our country already has a history. Just in the period 1977-1979, four investigations were carried out by international observers,¹ in which constant violations were noted and recommendations were made to the Salvadorian government in order to guarantee respect and compliance of such rights.

Let us also recall that at the beginning of 1979, the Organization of American States (OAS) had suggested, as a subject of the agenda for its General Assembly, a possible sanction of the Salvadoran regime for constant violations of the human rights outlined in the American Rights Convention (San José, 1969). Said subject was not discussed at the Ordinary General Assembly due to the events which took place in El Salvador on October 15, 1979.

As of that date, contrary to what was declared by the Salvadorian Armed Forces and what was hoped – both by the Salvadoran people as well as the rest of the international community – the constant human rights violations have not lessened, but instead have been growing at an exponential rate.

Certainly one cannot speak of human rights violations in El Salvador anymore. The evidence indicates, quantitatively and qualitatively, that a broad segment of the Salvadoran population is being systematically exterminated and instruments of extermination are being designed and fine-tuned for such purpose.

The league of nations has given a name to the practice by governments which systematically and intentionally exterminate segments of the population that they are supposed to represent. The name is *genocide*. This article will attempt to demonstrate that the current Christian Democratic Military Junta is developing and implementing genocidal practices against the Salvadorian population.

We based our argument on the following points:

a) The elimination of broad segments of the Salvadoran population has taken on proportion of *extermination*. If one assumes that the current repressive trends of the regime remain constant, it would result in approximately 15,000 defenseless Salvadorians murdered in the course of a year.

¹We refer to the U.S. State Department Report, submitted to the Senate Foreign Relations Committee and to the North American Congress Foreign Relations Committee (1978); to the Great Britain Parliamentary Commission report (Dec. 1978); to the report and Findings of the Inter-American Human Rights Commission of the OAS (Nov. 1978); and to International Commission of Jurists' Report (1978). See Dr. Ungo's article, 'Human Rights, necessary condition for peace and social coexistence in El Salvador' (ECA, No. 369/370, July/August 1979, Year XXXIV), for a summary of the main conclusions of said investigations.

b) Extermination, on the other hand, is *systematic* in the way it is directed at a segment of the population, the common denominator for which is its ideological opposition to the regime; and is indiscriminate against the general civil population in that it is not possible to systematically identify said political opposition, given its degree of growth and strength.

c) Extermination, ultimately, is *intentional* in the way in which the regime creates legal and political instruments to carry it out. The creation of such instruments is preceded by the Junta's ideological policies which distort political opposition and are intended to justify and legitimize the creation of such instruments.

2. GENOCIDE: THE SUBJECT THAT CONCERNS US

After the Second World War, as a reaction to the bloody experience of Nazism, the people and nations of the world recognized the term *genocide* as an International Rights subject.

In 1945, the Charter of the Nuremberg Trials listed racial or religious persecution as a crime for which the victorious allies could try Nazi offenders. Said charter established the principle of individual responsibility for government officials responsible for carrying out extermination policies.

By 1948, the United Nations completed a convention regarding prevention and punishment of the crime of genocide. Said convention established the crime as intentional and systematic extermination, total or partial, of a group by the government, for reasons of race, ethnicity, or religion. Moreover, it established the procedures for its punishment in national tribunals of the State in whose territory the crime had been committed, or through international tribunals.²

El Salvador ratified said convention on December 9, 1948.³ It is interesting to note that the United States of America, alleging that the convention violated national sovereignty, especially in the provisions regarding international tribunals and individual responsibilities of government officials, never ratified the convention's agreements.⁴

Independent of the term that was coined in 1944 or recognized by the league of nations community in 1948, genocide is part of humanity's history. Just recall two classic examples from this century: the genocide of the Armenian people by the Turks at the decline of the Ottoman Empire and that of the Jewish people and the Slavic nations by the Nazi machine during the Second World War.

During the second half of this century, however, the classic definition of the term has needed broadening, in spite of it not having been recognized in international courts. The national liberation struggles that different peoples of the world carry out demand that the definition of genocide be expanded in order to include intentional and systematic extermination, total or partial, of a group by part of a government, not just for racial, ethnic and religious reasons, and religion, but also for *ideological* reasons.

No one can deny, for example, that the practices of systematic and intentional extermination by the Shah of Iran's regime against the Iranian people or by the Saigon regime and its North American allies against the Vietnamese people, or by the Somoza regime against the Nicaraguan people, were genocidal practices. In spite of the quantitative aspect, all of them had, as a common denominator, the intent to systematically exterminate the political opposition. Consequently, the practice of genocide resulted in most of the nation constituting itself in opposition.

² *The New Columbia Encyclopedia*, New York: J.B. Lippincott Company, 1975: p. 1060.

³ Inter-American Human Rights Commission, *Human Rights Violations in El Salvador*, San José: Organization of American States, 1979: p. 64.

⁴ *The New York Encyclopedia*, *op.cit.*

We want, nonetheless, to go deeper in two fundamental ways. One of them refers to the *design* in which this intentionality can be put in objective terms; the other, to the *legitimization* of the design and to the *justification* of the practice of genocide. Both aspects are indelibly linked, but are perfectly observable in their time, identifiable in practice and subject to analysis in the political discourse of the regime.

4.1. *The design of extermination*

By design of extermination, we understand it to be that structured whole in which:

- *Advance* is perceived *toward the predetermined objective* of totally annihilating the political opposition;
- it is possible to identify the legal and political *instruments* as well as those of execution that make such an advance possible;
- one can observe both the connection between these instruments in *concrete political practices* as well as the adoption of certain practices that assure and increase the efficacy of such instruments; and
- individual or institutional *responsibilities* can be established for the execution and legitimization of the design.

A careful examination of figure no. 3 permits us to distinguish 5 moments in which these four dimensions are put into objective terms and put into historical context. Let us examine each one of them.

a) *First phase: The Transition* – We consider the first phase encompasses the period between January 6 (date upon which the Armed Forces accepted the platform that the Christian Democracy proposes as the minimum to form a government) and March 3 (date upon which Héctor Dada Hirezi renounces the Junta Government).

During this period, the greatest force of the Government Junta is focused on nominating a Cabinet. The relative weakness of the project, above all concerning legitimacy, is manifest. The intent to minimize the crisis caused by the resignation of many officials of the First Junta requires the new government to act with great caution.

The assassinations stay at levels similar to those of December, even though the repressive practices have adopted new modalities. If public displays of opposition were attacked by security forces in order to disperse them before, now the attacks stem from paramilitary groups with ties to public forces in places where demonstrators have sought refuge after being attacked. Such is the case of the attack which had as its object the gigantic "Unity Demonstration," held by the recently formed Revolutionary Coordinator of the Masses (RCM) on January 22, and the subsequent attacks on the demonstrators who sought refuge, both at the Church of the Rosary, as well as at the campus of the National University.¹¹ Military responses to labor disputes and other types of peaceful demonstrations of dissatisfaction by the opposition have become commonplace: ¹² the roadblocks spring up on the main interdepartmental arteries of communication; the paramilitary groups act with a relative degree of impunity, eliminating both the base leader of the people's organizations as well as those personalities within the very same military-demo-Christian who are opposed to implementing more advanced phases of the design. Such is the case, for example, with the assassination of Mario Zamora Rivas.¹³

¹¹ See Escobar, Francisco Andrés, "In the Line of Death," *ECA*, Year XXXV No. 375/376 (January/February 1980): 21-35, for a detailed account of the events occurring on that date.

¹² Security forces arrive even to attack the headquarters of the very same Christian Democratic Party (taken peacefully by the February 28 People's Leagues) against the express orders of the Junta.

¹³ The resignation letter that Dr. Zamora Rivas's widow presented to the Christian Democratic Party implicates certain persons in that Party in the assassination of her husband. See "Aronniete de Zamora's Resignation Letter" in *ECA*, Year XXXV, No. 381/382 (July/August 1980): 772

3. EXTERMINATION IN EL SALVADOR?

In spite of the official negotiations in this regard, El Salvador's situation seems to be similar to that of the previous examples. The levels of repression and repressive practices already exceed, quantitatively and qualitatively, what could be called a "systematic human rights violation," and are quickly reaching *extermination* levels.

El Salvador is no stranger to this practice. In 1932 alone, between 25 and 30 thousand men, women and children died. Starting from that date is also when the chain of military dictatorships was established which has been the Salvadorian *modus vivendi* for 50 years.

Supposedly one of the objectives of the military insurrection on October 15, 1979 was to put an end of this state of things. That's what the Armed Forces Proclamation affirmed in explaining General Carlos Humberto Romero's motives and in integrating a Revolutionary Junta Government composed mainly of civilians.⁶ Meanwhile, the conditions necessary for carrying out free elections were established, and an emergency program was proposed, which contains the following in its framework

- I. "Cessation of the violence and the corruption.
 - a) Effecting the dissolution of ORDEN and fighting the extremist organizations which violate human rights with their actions...
- II. Guarantee the validity of human rights.
 - a) Creating an atmosphere well-disposed to achieving truly free elections within a reasonable time limit.
 - b) Permitting the constitution of parties of all types of ideologies in order to strengthen the democratic system.
 - c) Conceding general amnesty to all exiles and political prisoners.
 - d) Recognizing the right to organize unions in all sectors.
 - e) Stimulating the free emission of thought, of agreement and ethical standards..."⁷

Let's see what's happened since that eminent October 15.

3.1 *Quantitative aspects.*

Figure no. 1 shows comparative data in regard to "those assassinated for political reasons by security forces" in 1978 and 1979 right up until the October coup.

In the 21 months between January 1978 and September 1979, 727 assassinations for political reasons were registered, attributed to security forces. Although for 1978, the average number of assassinations for political reasons was 12.25 per month, in the first 9 months of 1979 this average had risen to 64.44 per month. This specific situation was one of those that the Armed Forces supposedly intended to change.

Figure no. 2 presents the corresponding figures for the last 3 months in 1979. The monthly average for this period rose to 150 assassinations per month. This was one of the pieces of data that most members of the Cabinet of the First Junta demonstrated to indicate the process was "leaning to the right," that the most reactionary oligarchy had strengthened itself and that once again, the idea of "reform" with repression was being imposed.⁸

In January 1980, the Christian Democratic Party made an agreement with the Armed

⁵In this regard, see Thomas P. Anderson. *Massacre*. Nebraska: University of Nebraska Press, 1971: 134 and following.

⁶"Proclamation of the Revolutionary Junta Government," *The Press Graphics*, October 16, 1979. p. 72.

⁷*Ibid.*

⁸"Resignation of several Ministers and Undersecretaries of State," *ECA*, Year XXXV, No. 375/376 (January/February 1980): 120-121.

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Forces to form a new government. Starting from that time, the assassinations for political reasons attributed to security corps have constantly increased. Quantitatively, more persons died between January and April 1980 than all the persons in the year 1979 (See figure no. 3).

FIGURE No. 1
ASSASSINATIONS FOR POLITICAL REASONS BY SECURITY FORCES BY
PROFESSION: JANUARY 1978 – SEPTEMBER 1979

PROFESSION	1978	1979 JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	TOTAL
Agricultural	83	3	7	16	13	43	70	15	5	7	179
Laborer	12	1	7	5	12	22	15	5	8	5	80
Student	2	4	1	1	7	30	4	3	2	13	65
Teacher	4	-	1	1	3	11	12	2	-	3	33
Professional	-	-	1	2	1	2	1	1	1	-	9
Religious worker	1	1	-	-	-	-	1	-	1	-	3
Unknown	45	6	1	13	22	52	38	27	28	24	211
Totals	147	15	18	38	58	160	141	53	45	52	580

SOURCE: Office of Social Communications of the Archbishopric: *Report on the Repression in El Salvador* (International Informative Bulletin, Number 10): December 1979.

FIGURE No. 2
ASSASSINATIONS FOR POLITICAL REASONS BY SECURITY FORCES
BETWEEN OCTOBER AND DECEMBER 1979

PROFESSION	(1)			(2)		
	OCT	NOV	DEC	TOTAL OCT-DEC	TOTAL 1979	(1)/(2)%
Agricultural	39	1	154	194	373	52.0
Laborer	16	4	29	49	129	38.0
Student	9	2	18	29	94	30.8
Teacher	-	-	-	-	33	0.0
Professional	1	1	-	2	11	18.2
Religious	-	-	-	-	3	0.0
Unknown	94	1	80	176	387	45.0
TOTALS	159	10	281	450	1030	44.0

[continued from previous page]

SOURCE: Office of Social Communications of the Archbishopric, op.cit.

In the first ten months of the year, ten persons have died, assassinated by security forces or by paramilitary groups associated with said forces, at least 6,450 Salvadorans, among them men, women, children and the elderly. If we take into consideration the victims of different massacres mentioned in figure number 3, this total would be 10,450. During this year, on the average, 1,045 Salvadorans have been assassinated monthly by security forces or by paramilitary groups. To continue with this monthly average to the end of the year, 12,540 Salvadorans will have been victims of their Armed Forces. This is 17 times more than those assassinated in the 2 years of General Romero's government.

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If we suppose that the population of El Salvador is 4,354,000 inhabitants, this total of victims represents 0.3 per cent of the population. The comparative proportional data of what this percentage means to the population of other countries can be noted in figure no. 4.

We're not aware of any international agreement in which a percentage of the population must be annihilated in order to be able to speak of extermination. Nevertheless, the data that we have presented clearly demonstrates a growing trend toward assassinations for political reasons on the part of the regime. In absolute terms, these figures already exceed those for which General Romero's government was going to be sanctioned by the community of American nations.

FIGURE No. 3
ASSASSINATIONS FOR POLITICAL REASONS BY SECURITY FORCES,
FROM JANUARY 1 TO OCTOBER 24, 1980^a

PROFESSION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	TOTAL
Agricultural	129	126	203	198	200	393	524	236	378	338	2725
Laborer	10	9	32	30	53	87	52	55	104	106	538
Student	4	22	47	61	14	98	52	77	59	106	510
Teacher	8	6	3	12	21	9	7	4	9	9	88
Professional	2	4	7	-	17	11	8	6	-	38	93
Religious	-	-	1	-	-	1	1	-	-	1	4
Unknown	115	69	195	179	306	429	403	327	275	164	2462
TOTALS	268	236	488	480	611^b	1028	1047	705	825	762^c	6450

^a SOURCES: from January to May, Legal Aid of the San Salvador Archbishopric, "Assassinations for political reasons, January 1 to October 24, 1980" (mimeograph)

June to August, CUDI, *Statistical Assessment*, Year 1, no. 2 (August 1980)

September, CUDI, Provisional statistics for the month of September," (mimeograph).

October, Legal Aid of the San Salvador Archbishopric, *op.cit.* and Weekly Bulletin *Solidarity* (November 1, 1980) (mimeo).

^b Does not include the data regarding the massacres at the Sumpul River and El Trifinio, department of Chalatenango and San Vicente. There are only approximate numbers for those incidents. The Archdiocese of Santa Rosa de Copán calculates that approximately 600 Salvadorans were massacred on the banks of the Sumpul River on May 14 by army troops from El Salvador and Honduras. The military operations in El Trifinio and San Vicente may have resulted in approximately 400 more victims.

^c This figure does not include the victims resulting from the operations in Morazán and San Vicente. There were around 3,000 victims in Morazán, according to what "Medical Aid International" and Children's AID Latin America" has reported. The national press has reported 40,000 refugees in the area. In regard to San Vicente, there is still no data.

3.2. Qualitative aspects

Qualitatively, figures 1, 2 and 3 show that these assassinations are being perpetrated upon a very specific segment of the Salvadoran population. In terms of profession or occupation, most of those assassinated are rural agricultural workers, laborers and students. These three occupations represent 58.9 per cent of all those assassinated in 1980. In terms of those whose profession is known, the rural agricultural workers represent 68.3 per cent of those assassinated; the workers, 13.5; and the students, 13.5 per cent (See figure no. 5).

⁹ DEGESTYC. *El Salvador in numbers*. 1979. San Salvador, Ministry of Economy, 1979: 22.

Figure no. 3 also shows that there are significant increases in terms of the workers/employees and students assassinated in the months of June/July and August/September. These months coincide with the strikes called for by the Revolutionary Coordinator of the Masses and the Revolutionary Democratic Front, respectively. During the strikes, the political activity shifted fundamentally to the urban centers. Professions which show significant increases in regard to the assassinations during these months have workplaces mainly in urban centers.

FIGURE No. 4

COMPARATIVE DATA OF THE 0.3 % OF THE POPULATION OF VARIOUS COUNTRIES

COUNTRY	POPULATION* O	0.3%
United States	217,000,000	651,000
West Germany	61,440,000	184,320
Spain	36,448,500	109,345
The Netherlands	13,850,000	41,550
Venezuela	12,737,000	38,211
Denmark	5,090,000	15,270
Costa Rica	2,044,257	6,132

SOURCE: World Almanac 1979. Panamá: America Publishers, S.A. 1979.
 *All population data is from 1977.

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FIGURE No. 5
ABSOLUTE AND RELATIVE TOTALS OF ASSASSINATIONS FOR POLITICAL
REASONS BY SECURITY FORCES: 1978 – OCTOBER 1980.

<i>PROFESSION</i>	<i>1978</i>		<i>1979</i>		<i>Jan – Oct 1980</i>		<i>TOTALS</i>	
	<i>ABS.</i>	<i>%</i>	<i>ABS.</i>	<i>%</i>	<i>ABS.</i>	<i>%</i>	<i>ABS.</i>	<i>%</i>
Agricultural	83	56.5	373	36.2	2725	42.2	3181	41.7
Laborer	12	8.2	129	12.5	538	8.3	679	8.9
Student	2	1.4	94	9.1	540	8.4	636	8.3
Teacher	4	2.7	33	3.2	88	1.4	125	1.6
Professional	-	-	11	1.1	93	1.4	104	1.4
Religious worker	1	0.7	3	0.3	4	0.1	8	0.1
Unknown	45	30.6	387	37.6	2462	38.2	2894	37.9
TOTALS	147	100.0	1030	100.0	6450	100.0	7627	100.0

The same can be said of the number of assassinated professionals. This increased significantly in May, a few weeks after having agreed to the formation of the Democratic Front and the Revolutionary Democratic Front (RDF). Furthermore, it calls attention to the radical increase in October, a few weeks after the Revolutionary Democratic Front (RDF) took over the OAS headquarters.

Complete data is not available regarding the distribution by age of those assassinated. However, out of the 2,870 dead registered during the three month period from June to August and for those which the age is known (1,102), 731 – which represents 66.3 per cent – are between the ages of 16 and 30 years of age (see figure no, 6).

What is the common denominator for all these people? Obviously, it's not ethnic, racial or religious. But it appears that the common denominator is their organized and militant opposition to the regime, or in other words, a supposed

militancy. The vast majority of the workers assassinated are either union leaders or base members affiliated with some union. Most of the teachers assassinated belong to the teachers' association – the June 21 ANDES – whose affiliation with the Revolutionary People's Bloc (one of the people's organizations in the country) is well known. A high percentage of these persons have been assassinated during political actions intended as statements to publicly protest the present Government Junta's practices, political actions which were attacked when they took place.

Of the rural agricultural workers assassinated, a high percentage have died in peaceful takeovers of farms, demanding salary raises, which resulted in savage military operations in retaliation against them; in gigantic "combings" and "rakings" that the army and the security corps carry out in the name of "cleanup operations," supposedly to reduce and control the guerrilla groups; and more recently, in indiscriminate bombardments, by artillery as well as by air troops, upon vast rural areas, which are becoming more sophisticated and merciless acts of counterinsurgency all the time.

We must conclude, then, that the main characteristic that serves as a common denominator amongst the persons assassinated is their real or apparent opposition to the regime. The Junta Government seems to have decided to *exterminate* the opposition, and judging by the growing trends in the massacres, the opposition is neither as small as the official discourse nor does it appear to be diminishing. Quite to the contrary. Each it seems to use greater force and the way that it has been growing stronger, the repressive practices and the annihilation have taken on an indiscriminate character. It has gone from the raids and the comb-throughs to bombings of entire rural areas; from "cleanup operations" to "definitive military action."¹⁰ The extermination of the Salvadorian people by the Christian Democratic Military Government is systematic and bigger every day.

[continued on next page]

[continued from previous page]

FIGURE No. 6
ASSASINATIONS FOR POLITICAL REASONS BY SECURITY FORCES, BY AGE – JUNE/AUGUST
TRIMESTER

<i>AGE</i>	<i>June</i>	<i>July</i>	<i>Aug.</i>	<i>Total</i>
0-10	9	26	5	40
11-15	23	30	26	75
16-20	112	127	83	322
21-25	94	83	76	253
26-30	68	53	35	156
31-35	31	32	22	85
36-40	25	18	12	55
40 +	46	44	26	116
Unknown	620	634	424	1678

SOURCE: CUDI. *Statistical Assessment*, year 1, No. 2 (August 1980).

4. ASPECTS OF INTENTIONALITY

Certainly, a first argument that affirms that this systematic extermination is *intentional* is its volume and the possibility to clearly identify at whom it is directed. It is difficult to suppose that 10,450 people located on one pole of the political spectrum were killed without impunity and by chance.

¹⁰ Statements by Dr. José Ehrlich, *Diario El Mundo*, November 14, 1980, p.4

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The only political instrument responsible for overseeing faithful compliance with the intent of the proclamation of the Armed Forces – the Permanent Committee of the Armed Forces – ends up being neutralized when almost all of its original members are replaced. Within the Armed Forces, the most reactionary faction maintains parallel command over which it has no control and whose decisions seem to be opposed even to the military decisions of the Junta which emanate from the same Junta. This faction, in alliance with some Junta members, maintains a constant threat of coup d'etat. Furthermore, it appears to control the activities of the paramilitary groups.¹⁴

In legal terms, the Constitutional Statute is decreed, which ratifies the Political Constitution of 1962 as the legal basis of the State of Law, always and when the concepts of said constitution are not opposed nor in contradiction to the legal dispositions necessary to implement the "reforms" contemplated in this political project.

During the time, recognition is maintained, though in a decreasing manner, of the legitimacy of people's political organizations, as well as a position of openness to dialogue with them. The media as a whole remains open to publish and issue their opinions, although in the capacity of "paid political advertisements." The Christian Democratic party maintains an apparent rejection of private companies, a rejection which is shared – publicly, at least – by the North American embassy. The CDP publicly declares its will to withdraw from the government if levels of repression do not decrease and if investigations pertaining to reducing responsibilities in cases of public abuse are not carried out.

At the end of that time, appearances start to fade away. Monsignor Romero warns of the excesses that the forces of public order is committing and reveals the project's intentionality. The resignation of Héctor Dada Hirezi confirms this intentionality. His transfer by the Junta Government permits the advance toward a new phase in the extermination plan.

b) *Second phase: The mask of the reformer* – Three days after having published Dada Hirezi's resignation, Agrarian Reform, Nationalization of Banking and State of Siege are decreed throughout the national territory. We consider this date the beginning of the second phase, a period which extends to May 1st, the date upon which Colonel Arnoldo Majano orders the capture of Major Roberto D'Abuisson, spokesperson and apparent leader of the Broad Nationalist Front.

The State of Siege's only program favors and permits a hitherto unknown repressive capacity by the regime. In the month of March alone, there were almost as many people killed as there were in the two previous months. Among those assassinated is Monsignor Romero, who before his death denounced the magnitude of the repression and announced the intent of extermination hiding behind the reforms and warns of the United States intervention in the country. We cite the following public information by way of example: it is known that the Demo-Christian Military Junta has requested "non-lethal military equipment" valued at U.S. \$5.7 million dollars from the Carter Administration; it is known that Mr. Roy Prosterman, agrarian reform advisor to the regime in South Vietnam, is providing consulting services to Salvadorian agrarian reform, and has come to the country with a team of technicians from the organization AIFLD to assist with agrarian reform, with known connections to the CIA.

In addition to the legal instruments mentioned at the beginning of this section, Armed Forces issue the Disarmament or Gun Control Decree. Under its pretext to disarm the population in order to carry out the pacification of the country, the roadblocks and raids have multiplied in urban centers in order to registrar vehicles, persons and addresses.

¹⁴ This is how it is stated in Héctor Dada Hirezi's resignation letter, and the subsequent resignations from the party by a significant numbers of its more progressive members (see ECA, Year XXXV, No. 377/378 [March/April 1980]: 376 and subseq.)

New repressive modalities have emerged. Everyday, numerous mutilated, tortured corpses turn up along the highways of the country, in the capital, in the rivers throughout the country. Persons are captured and then disappear for political reasons. Their remains appear a few days later, obviously the result of physical violence. The Death Squad, operating out of Santa Ana, has turned up in San Salvador, and then has moved on to San Miguel and is now throughout the republic. The people who for some reason survive are finished off in health centers where they recuperate, and a campaign to eliminate medical staff, medical support staff and health employees in general has been initiated.

At the political level, the State of Siege carries out press censorship and as a result, the ideological battle which managed to get out in the "paid political advertisements" in the media has disappeared. At the end of that period, the only dissident voices remaining are YSAX (radio station of the Archbishopric), the newspaper The Chronicle and the newspaper The Independent. The Armed Forces Press Committee (AFPC) has emerged which from this moment on shall be dedicated to officially providing misinformation and distorting the news about the real situation in the country.

In view of the events occurring in the Cathedral for Monsignor Romero's funeral, the national radio stations are placed on a leash. The regime was pressured to blame to opposition, an accusation which the North American Embassy echoes. The North American ambassador seems to have more direct involvement in governmental workings and the project's direction all the time.

Even within the project, the isolation and elimination of possible opposition continues. Three of Colonel Majano's main advisors died in a mysterious flying accident; a campaign is carried out accusing Colonel Majano of being a member of the Communist Party and there is an attempt on the life of Captain Mena Sandoval, one of the leaders of the October coup and Colonel Majano's right hand man.

The period concludes with the order to capture Major Roberto D'Abuissou, which Colonel Majano issues. It's a desperate attempt that, more than a concrete action to control the extermination, will demonstrate the genuine lack of power that the progressive segments of the Armed Forces have to impede the genocide. D'Abuissou's capture will set the stage for a confrontation of powers within the Junta Government and the Armed Forces, and as the beginning of the following phase.

c) *Third phase: The mask slips* -- This moment encompasses the period in which Colonel Jaime Abdul Gutiérrez is named Administrator of the Armed Forces (at the beginning of May) until the military intervention of the National University (June 16). This moment is, without a doubt, the unmasking of all the real intentions hidden behind supposed reforms which had been decreed and the declaration of fact regarding the extermination of the Salvadoran people. During the 60 days encompassed by the period, more than 2,500 Salvadorians are assassinated, tortured and massacred.

The massacres are massive, and are dependent on the cooperation of the Guatemalan and Honduran armies for their execution, with support from the Salvadoran Armed Forces. The paramilitary groups seem to have been unified under one command and have now been brought together under the name of the Secret Salvadoran Army (SSA) which does not keep them from proliferating new execution squads. In accordance with an internal document from the U.S. State Department, the new efficiency and unity of these groups is achieved with direct participation from North American advisors who not only seek out a single command for the Salvadoran groups, but also pursue better coordination and unity with Guatemalan and Honduran paramilitary groups.¹⁵

In qualitative terms, the *terror* appears to be of a distinct character from the period. The levels of cruelty evidenced in the cases of people who have

¹⁵ ESCAT/F/D, Department of State. "Dissent Paper on El Salvador and Central America" (mimeograph), November 6, 1980.

disappeared and then have turned up, tortured and murdered, surpasses every kind of terrorism detailed in the previous moments. The corpses show up with slit throats, flayed, decapitated, dismembered. The heads of those decapitated are found hanging from trees or impaled on spikes.

The action by the paramilitary squads has been completed by massive operations in the northern and central-eastern regions of the country, where women and children were massacred while attempting to flee the national territory, seeking refuge in neighboring Honduras. In the urban centers, the Armed Forces initiates a merciless campaign of repression upon the educational field, health care workers and the Church. The raids on educational institutions proliferate, the armed harassments of the country's two main universities occur with greater frequency, the raids on convents, Catholic schools and health care centers and Church refugees multiply. 21 teachers are murdered during the month of May alone.

In the face of the opposition organization's advance, the regime threatens to impose a State of Emergency. Reforms are made to the Penal Code, in which the peaceful takeover of public institutions is punishable as a crime of subversion. Mass communication media is used to justify and legitimize future acts of repression.¹⁶

The nomination of Colonel Gutiérrez as Administrator of the Armed Forces seems to coincide with this increase in repression. A few days after the nomination, Major D'Abuissou is freed. The massive operations in Trifinio, Sumpul and San Vicente are carried out after his return from Guatemala, where he held talks with his Guatemalan counterparts. At the end of that period, there are public statements about talks and arrangements with parts of the Private Sector.

Faced with the fullest expression of an organized opposition – the strike by the Revolutionary Coordinator of the Masses on June 24 and 25 – the Armed Forces responds with even greater vehemence than before: it enters the National University and militarizes it, in addition to launching a cleanup operation on union leadership which will be expressed in full during the following period:

d) *Fourth phase: The trend toward fascism* – In view of the success of the strike summoned by the CRM, the extermination project enters a new phase. At the legal level, the regime issues Decree 296 which sanctions the right to organize and to strike by public employees, and Decree 43 by which autonomous and semi-autonomous organizations considered strategic shall be militarized: the Autonomous Port Executive Commission (APEC), which controls the air and seaports; National Association of Aqueducts and Sewers (NAAS), which controls water services; the Lempa River Hydroelectric Executive Commission (ECL), which controls electric services; and the National Telecommunications Association (NATEL) which controls telephones and international communications in general. The period which this moment includes begins with the issuance of Decree 296 and terminates with the issuance of Decree 43.

As in the better times of German fascism, the regime attacks all forms of mass media which are opposed to it and denounce the practice of genocide. In the first days of July, the newspaper *The Independent* is the victim of three attacks, an explosive charge is set at the "José Simeón Cañas" Central American University, the International News Agency API is raided and the editor and a photographer for the newspaper *The Chronicle* are kidnapped, the corpses of whom are found days later, showing terrible signs of torture.

If that wasn't enough, once the dissident media is silenced, a smear campaign begins. The Armed Forces supplies a telephone to anyone who calls to report "suspicious activities," without needing to identify oneself nor verify the suspicions with further details.

¹⁶ Such is the case with Mr. Julián Ignacio Otero's capture by the National Guard. After publishing Mr. Otero's accusations, it proceeded to take action, militarily or paramilitarily, against all the persons or institutions that had been mentioned.

Under the pretext of having received such reports, the Armed Forces continues with its string of searches of educational centers and of Church institutions which in some way are related to the denunciation of violation by the Archbishopric, which is the object of a raid that seeks to eliminate evidence that links the "distinguished" National Guard with paramilitary bands.

The acts of terrorism by the paramilitary groups are carried out now with complete impunity. Most union locations are the object of terrorist attacks or raided by forces of public order. Massive operations in the rural areas continue, and the reports of the use of artillery helicopters, as well as heavy artillery in carrying out same, are occurring with great frequency. With the Armed Forces' consent, civilian guards begin to form, which are nothing more than new execution squads.

The militarization of the country and the city is complete, and reaches its fullest expression during the strike that takes place on August 13, 14, and 15. Even though during the month of August, the number of assassinations registers a decline (possibly due to the presence of foreign correspondents due to the announcement of the strike), it stays above 700, which averages out to almost 25 murders per day.

The participation of the United States in managing the design is more obvious all the time. In terms of the campaign through the mass media, the Internal Document of the State Department confirms that at least 12 governmental agencies and many other non-governmental organizations are involved in the following activities in El Salvador:

- "Projecting a moderate, reformist image of the present government.
- Projecting an image in which the United States supports extensive yet moderate reforms in the region as a means to contain extremist and Communist expansion.
- Establishing connections between opposition guerrilla groups in Guatemala and El Salvador with Cuba.
- Carrying out actions intended to discredit centrist opposition voices as hard line puppets.
- Maintaining careful monitoring of the coverage that the Salvadorian situation has within the United States so that the opposition does not get Nicaragua-style publicity..."¹⁷

In the midst of constant affirmations that the opposition has been beaten and that the only thing it has left as an out is terrorism, the militarization of multiple workplaces and autonomous and semi-autonomous organizations is ordered. The design needs new adjustments.

e) *Fifth phase: Total extermination* – The militarization of workplaces, which takes place at the end of August, serves as the beginning of the end of isolating the few progressive strongholds which still remain within the Armed Forces. The period that this fifth phase covers spans the Junta crisis caused by the Military Order of September 1st until the end of October.

The modest drop in political assassinations during this period signals its inexorable climb. The Armed Forces publicly announces that it is using the Air Force in counter-insurgency operations. The denunciations of indiscriminate bombings, both by air as well as heavy artillery, the utilization of artillery helicopters and the use of armored vehicles proliferates. "Definitive military actions" are unleashed in places where guerrilla bases are located. Such was the case in the Morazán campaign in the northeast of the country, where 5,000 army troops are engaged. Various international organizations have denounced the deaths of at least 3,000 civilians in said operation.¹⁸

¹⁷ ESCATF/D. *op.cit.*, pp. 8 and subs.

¹⁸ As confirmed in a cable from the DPA press agency. The international organizations that denounce the massacre are "MEDICAL AID INTERNATIONAL" and "CHILDREN'S AID INTERNATIONAL."

The paramilitary groups continue their inexorable job of terrorizing the population and eliminating base members as well as people's movement leaders. Massive Death Squad executions re-appear and an attempt is even made on the life of Colonel Majano, whose isolation within the Junta is already evident after civil Junta members ratify the September military order by which Colonel Majano's trusted officers in command were ousted. That same individual states that the attempt on his life comes from "very high up and very inside." The big capital, regrouped in a new front made up of old, known associations, takes a more aggressive position and draws a line to the government. The suggestions that it launches in regard to the solutions that the country needs are retaken by the Junta Government, which announces them as grand conciliatory measures for the anniversary of the October coup.

Space for political opposition closes in all the time. The enclosure and information gag is such that the Revolutionary Democratic Front carries out actions as a matter of course to call the attention of the public and that of international organizations which have kept silent, without intervening, in the face of North American government pressure. Not even the assassination of two members of the El Salvador Human Rights Commission incites these organizations to respond.

At the close of this phase, it remains clear that responsibility for the design belongs to the United States, in terms of concept as well as the technical and political support to carry it out. The Salvadoran armed forces and their paramilitary groups are responsible for executing it; the Salvadorian Christian democracy and its main leaders, Napoleón Duarte and José Antonio Morales Ehrlich, for legitimizing and justifying it.

4.2. *Legitimization and justification*

A project of this magnitude and nature duly requires legitimacy and justification. While the legitimacy for it is in the supposed reform program, the economic recovery plan, the pacification program, the calls for dialogues and free elections and the unconditional support of foreign regimes (particularly the United States, Costa Rica and Venezuela), the justification comes as a result of a denaturalization in terms of the way in which the regime defines political opposition. The latter is supported by the former and in turn, the former conditions the redefinitions that the regime will make of the opposition.

a) *Legitimization* – One need not look far to show that the supposed reforms that the regime has attempted are its way of legitimizing itself. Perhaps it merits a short pause to demon that the only thing that the reforms are after is just that – to legitimize itself – and that it does not necessarily have any intention of carry them out in any depth.

It is sufficient for us in such regard to make reference to a few paragraphs from the Internal Document from State Department of the United States which we have mentioned previously. From a partial list made of the activities in which several United States governmental and non-governmental organizations have been involved, the following is referenced:

"Expanding the flow of resources and reinforcing the agrarian reform program administration in order to reduce its impact upon the traditional elites and increase the population's short term benefits..."¹⁹

And it states in the appraisals that the same document makes in regard to the situation in El Salvador:

"The Junta Government and the armed forces have failed in their attempt to obtain a base of social support for its reforms and its counter-insurgency programs.

The land redistribution effort has failed to neutralize the

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¹⁹ ESCATF/D. *Op. cit.*, p. 6

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rural agricultural population and has not had success in isolating the guerrilla forces..."²⁰

A second aspect of the legitimization refers to the possibility of the regime not being intentionally isolated. As such, the United States has been instrumental. The same document to which we have referred cites the following out of the many activities intended to "improve and protect the international prestige and legitimacy of the regime:"

"Promoting the recruitment of moderate, reformist Salvadorian staff for diplomatic representation.

Providing logistical support and training through United States embassies and missions.

Actively promoting a growing diplomatic support on part of sympathetic Latin American regimes and other allied governments.

Dissuading any resolution and other diplomatic resolutions that are critical of the current government or that many contribute to legitimizing opposition forces.

Creating conditions favorable for other countries to intervene in support of United States initiatives in the core of the OAS and the United Nations, in all that relates to the Salvadorian situation..."²¹

It concludes, however, that:

"Neither the armed forces nor the government has been able to demonstrate their will or capacity to avoid the indiscriminate repression of the civil population, thus contributing to the rapid deterioration of its image within the population and abroad."²²

b) *Justification* – If the United States has brought the legitimizing aspect to the outside, and the Junta's farce of reforms to the inside, the justification for the design of extermination fundamentally has been in the hands of Salvadorian Christian democracy through the definition of political opposition, more and more denaturalized all the time, by means of the ideological discourse and its representations via mass media.

We would like to point out here that each one of the phases that we have mentioned in the design of extermination conveys a definition of political opposition which has been clearly delineated in the period that preceded it. The emerging definition also provides warnings about the legal and political instruments as well as those of execution that will be utilized in the following phase.

• THE TRANSITION

During the first phase, the discourse by the Junta and the Democratic Christian leadership recognizes, *de jure*, that there is political opposition with whom it may have a dialogue.

This opposition is the only political party which still has not declared itself a member of the Revolutionary Coordinator of the Masses: The National Revolutionary Movement (NRM), with which it even tries to form a government. It is a period in which the old official party – the National Conciliation Party (NCP) – is trying to change its image and does not present any opposition in such regard. However, in its pluralist appearance, the Junta tolerates paid political advertisements and the development of a vigorous ideological campaign via the mass media.

The people's organizations are considered existing groups with whom they *should* have a dialogue, and are perfectly distinct amongst themselves and the politico-military groups. On the left side of the political spectrum, these groups re-

²⁰ *Ibid.*, p. 8.

²¹ *Ibid.*, p. 7.

²² *Ibid.*, p. 9.

present the "ultra-left" which is opposed by the "ultra-right" represented by the FAN and the paramilitary groups. This ultra-right is indirectly associated with the great capital and its known trade associations (ANEP, ASI, Cotton Growers' Cooperative, etc.). In spite of the fact that all these groups represent the "opposition," the CDP as such gives off the appearance of considering the extreme right more as "opposition to combat." That's what two paid political advertisements that the Party publishes in January seem to suggest: one refers to the assassinations of several Chinamequita party members, and the other, to its position in view of the January 22 massacre.²⁵

As the progressive sector of the Party gives up, blaming the leadership sector for the massacres to which the people have been subjected, the definition of opposition tends to shift toward the left of the political spectrum.

* THE MASK OF THE REFORMER

During the second phase, political opposition defines the regime as "the extremes." It's interesting to note that since this period, the people's organizations have gone on to comprise part of the ultra-left, or in other words, that politico-military and people's organizations have formed a group at one extreme. The extreme right continues to define itself as the largest main group, which the government is fighting through its reforms.

However, the official discourse maintains that in view of the violence generated by the extreme left, there is no other alternative than to respond to it with force. The violence of the ultra-left is attributed to the reforms that, as they are being implemented, are taking away its symbols. The left begins to be characterized as "disrespectful" to the same population it is said to be fighting for. The accusations that the Government Junta and the North American Embassy make about the Revolutionary Coordinator of the Masses causing the Cathedral massacre during Monsignor Romero's burial is an irrefutable display of this emerging characterization. As the extreme left is characterized as generating violence, the extreme right seems to figure less as the opposition to the regime, although always as an agent of violence. The tremendous loss of life occurring during this period is attributed to the fratricidal conflict that the extreme have maintained. The regime defines itself as the mediator of the conflict.

* THE MASK FALLS

The form in which the left defines itself during the second phase gives cause for it to be characterized as *subversive* in the third. The emergence of the Revolutionary Democratic Front, which includes old members of Christian democracy, obliges momentary consideration of an extreme left (RDF) and an ultra left (politico-military organizations) again. The operations that the regime launches in the north and center of the country necessitate the mention of subversion again. The language of the Christian democrat ideologues takes on the same tonalities as that of the "national security" ideologues from the times of General Romero.

The new levels of repression that the design contemplates, nonetheless, require an intensive campaign in regard to foreign intervention (above all, from Cuba and Nicaragua) in support of the subversion. This will guarantee the possibility of a North American "rescue," as well as a new characterization in the fourth phase. The events resulting from the June strike called for by the CRM give rise to the new formulation.

* THE TREND TOWARD FASCISM

In so far as the Junta defines itself as "revolutionary" because it carries out "reforms," those groups, whose demonstrations

²⁵ See "Documentation," in ECA, Year XXXV, No. 377/376 (March/April 1980): 374-379 and 396 and ss.

of protest obstruct economic activity, should be defined as "counterrevolutionary." The extreme left will then become "subversive and counterrevolutionary."

In view of the success achieved during the June strike by the Coordinator, the Junta initiates a campaign via the mass media to misinform both national as well as international public opinion. The disinformation campaign includes the total blockade of the extermination campaigns that are being carried out; the disappearance of news reported in the mass media regarding the political assassinations that the public forces and paramilitary groups are committing; the publicity for the "subversive acts," attributing responsibility for the same crimes that the regime commits to the politico-military organizations, and launching a campaign intended to create confidence in the "economic recovery process."

During this phase, the identification of Democracy and the Armed Forces is complete. Drs. Napoleón Duarte and Morales Ehrlich become the spokesmen for the "national security" discourse.

The publicity campaign which is made ready for the failed strike by the Revolutionary Democratic Front in July sets the stage to declare the August strike a "failure" of the left and along with the image of a unsuccessful left, a new definition of the opposition.

* TOTAL EXTERMINATION

Dr. Duarte's smug assessment after the August strike characterizes the left as "unsuccessful" and even a failure with two possible options: submit to the Junta's project or terrorism. During the fifth phase, and in view of the obvious refusal by a left which incorporates more and more moderate sectors all the time, the Junta and the Party characterize the left as *terrorist* and, as the contradictions within the regime become more apparent, as *criminal*. If it fights "anti-revolutionary subversives" within the traditional outlines of the national security doctrine, it exterminates "terrorists and criminals." The regime announces and launches "definitive" military campaigns, such as those in Morazán, and Dr. Morales Ehrlich announces on national television and radio that any individual involved in terrorist activities associated with the Revolutionary Democratic Front will suffer full legal consequences.

It is interesting to note that since this phase the RDF has been included among the "terrorists." What's more, as a result of mass social media, all actions by the Unified Revolutionary Directorate (URD-PMO) have been attributed to the RDF, making it appear as if it were "terrorism's brain."

At the conclusion of the fourth phase, the CDP and its civil representatives in the Junta have spoken about possible elections. The representative associations of the nucleus have again taken a visible initiative in regard to possible solutions to the national conflict, solutions that the Junta has adopted as its own and has announced them during the first anniversary celebrations of the October coup. At the conclusion of this phase, private enterprise's discontent is manifest and the attempts to physically eliminate Colonel Majano hint at new escalations of repression, as well as new methods of defining the political opposition.

We note for the record that "political opposition" is our term. In spite of the increase in massacres, the constant military operations, the assassinations, the dead bodies found daily on the highways and slums of the country, the regime affirms that the left has been beaten and that the people in the opposition "are a minority of terrorists and common criminals."

5. BY WAY OF CONCLUSION

With the understanding that genocide is systematic extermination executed by a government upon a population group for ethnic, racial or ideological reasons, we come to the conclusion that the current Salvadorian regime is implementing genocidal practices.

It's genocide in that it deals with a systematic and intentional extermination of a segment of the population. Quantitatively, more than 10,000 deaths attributed to the regime in less than 10 months, besides the whole range of humiliations and violations of the Salvadoran population's human rights which the regime has caused, as well as the growing tendency of said assassinations, which cannot otherwise be qualified as extermination.

The systematic persecution of the opposition, by murdering the leaders and members of the union movement, leaders and members of the rural agricultural movement, leaders and members of the democratic sectors, as well as all of that portion of the civil population suspected of having the slightest sympathy for the people's movement, qualifies this extermination as systematic and indicates its intentionality.

By contrast, the fact that the regime has not taken any measures at all against other segments of the population serves to place further limits on the group that is being systematically exterminated and to define its character with greater clarity as that of the "*opposition*." At the same time, it serves to send a signal to the participating segments and accomplices of the genocide.

Last of all, we find its intentionality in the instruments that the same regime has created to increase efficiency in extermination, as well as political practices that contribute to the task. The acts of completely misinforming the population by placing a gag on the media and relentlessly persecuting any voice that has tones of dissidence merit special mention in this section, as well as the growing tendency to militarize all aspects of civilian life.

If there was the slightest doubt remaining, some of the documents which we have cited show that the policy of extermination has been perfectly devised and permit establishing responsibilities for the case. Under the pretext of protecting the western world against the advance of Communism and extremism, the United States of America blatantly intervenes, providing impetus and advice for the design. The Salvadoran Armed Forces and the paramilitary groups under its control are the main executors of the extermination. There is not enough room here for distinctions in regard to the different tendencies that might be detected within those Armed Forces. The institution, as such, is intended for a project. Individual intentions cannot go against the dynamic structure that the project demands and has put in motion. It's not unreasonable to conclude that, given the dynamic of the process, some of the soldiers who disagree with the fundamental direction and with the intentionality that extermination has impressed on them will at some point become victims of that same extermination.

In conclusion, responsibility goes to the Christian Democratic Party and its members in the Junta for being accomplices of the United States and to the Armed Forces for their capacity as justifiers and authenticators of the genocide project. Christian democracy has offered its prestige (if that is what it has) and its political skill for preparing the ideological discourse that justifies and legitimizes the massacre. Propaganda which conceals the project's intentions has been designed. In the last instance, it has been offered in disguise in order to massacre the Salvadoran people.

For much less than everything that has been indicated, the OAS was on the point of condemning and sanctioning General Romero's regime. If at any time, energetic intervention by the international community has been required, El Salvador at the end of 1980 demands the league of nations's most decisive intervention to put a stop to this genocide.

San Salvador, November 18, 1980
R 5002

**RIGHT TO EXERCISE
LEGITIMATE DEFENSE:
POPULAR INSURRECTION**

R 5003

RIGHT TO EXERCISE LEGITIMATE DEFENSE: POPULAR INSURRECTION

FAITHFUL TO THE TRUTH AND JUSTICE CONTAINED IN THE GOSPEL, FAITHFUL TO THE MEMORY OF MONSIGNOR OSCAR ARNULFO ROMERO WHO ENTRUSTED TO US HIS UNCONDITIONAL SERVICE TO THE HUMAN RIGHTS OF THE POOR AND OPPRESSED IN EL SALVADOR, LEGAL AID OF THE ARCHBISHOPRIC CONSIDERS IT NECESSARY TO PUT FORTH ITS POINT OF VIEW REGARDING THE IMPOSITION OF JOSE NAPOLEON DUARTE AND JAIME ABDUL GUTIERREZ AS PRESIDENT AND VICE PRESIDENT "NOMINATED" IN EL SALVADOR.

LEGAL AID OF THE ARCHBISHOPRIC, to the Christians of El Salvador, of the American continent and of the world, to the Democratic Governments, to the governmental and non-governmental human rights institutions, to the men of Good Will:

1. BACKGROUND

- 1.1. As a result of the MILITARY COUP D'ETAT occurring on October 15, 1979 in El Salvador, which ousted General Carlos Romero, on the 22nd of the same month, LEGAL AID, accompanied by Monsignor Oscar Romero, declared: "In order for this Junta Government to obtain credibility, it has to provide an explanation for that very delicate point about political prisoners who have disappeared in previous regimes, indemnify the families of the victims, punish the soldiers who are guilty of these horrendous crimes. On that occasion, Monsignor Romero added prophetically: "The Church does not have to give its approval to the Government. The Church of our Archdiocese is with the people, which is what we have shown. If the people support the Government, it is our duty to go along with the people."

LEGAL AID cannot disappoint so many family members of prisoners and persons who have disappeared for political reasons.

In three months, the Junta Government showed its repressive character. The repression assassinated 370 people and never provided any explanation in regard to the whereabouts of 213 political prisoners who disappeared.

All the civilian members of the Government resigned en masse in December of this year so as not to cover up the repression of the people with its presence.

- 1.2 On March 20, 1980, the National University, the Catholic University, the Independent Movement of Technicians and Professionals of El Salvador and Legal Aid declared in a document titled: "IN VIEW OF THE REPRESSIVE ESCALATION

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SUFFERED BY THE SALVADORAN PEOPLE: STOP THE REPRESSION:" "...in the beginning of 1980, when Christian Democracy was the only support for a project that promised 'deep reforms' to the economy, but which entailed the annihilation of people's organizations, arbitrarily branded as extremist and subversive. The Christian Democratic Party would carry out the political management of the reforms, while the Armed Forces would take responsibility for militarily crushing the people's groups. The new project would be promoted and backed by Venezuela and above all, by the United States." From January 1 until the present time, seven hundred persons have been assassinated. Later on, the document added: "As a result, it is necessary to point out the set of repressive actions represents a new project, a project of repression with reforms, in which repression has greater importance than the reforms. This is where the Christian Democratic Party's serious responsibility appears, as well as that of the United States, Venezuela and other countries. Behind the façade of the structural reforms, which have been severely hindered, the people are in fact being massacred at a rate and with a cruelty never before attained even the worst times of Colonel Molina and General Romero." The document went on to add: "...some of the most valuable people in the Christian Democratic Party have found themselves forced in all conscience to not only abandon their posts in the official apparatus, but also to take leave of the Party. Such was the case of eight prominent Party executives. The presence of Christian Democracy, more apparent than real, in power, as those resigning will attest, is in fact sheltering the barbaric, systematic and permanent violation of human rights, especially the right to life. The world should know that. Behind the mask of a democratic project, it is leading toward the holocaust of its finest children. This political project is connected to the strategic, economic and political interests of the United States..." WE STATED THIS ON MARCH 20, 1980!

- 1.3. On November 27, 1980, security corps of the Salvadoran Army protecting civil officers captured six high leaders in our building from the REVOLUTIONARY DEMOCRATIC FRONT of El Salvador, the biggest opposition force generated in the political history of the country, and tortured and killed them. On November 28, the Catholic priest MARCIAL SERRANO is captured by the National Guard. His corpse is still at the bottom of Lake Ilopango. Another priest, ERNESTO ABREGO, is captured on November 23 and is still missing. Four Christian women from the United States, the nuns ITA FORD, MAURA CLARKE, DOROTHY KAZELM and the lay missionary JEAN DONOVAN are savagely murdered on December 3. Even the North American government, which has supported the Salvadoran regime in both argument and finances, indicated that members of security corps participated in these crimes. The Archbishopric of San Salvador categorically held the governing Junta, an entity which Napoleón Duarte and Abdul Gutiérrez are part of, responsible. Since January 1, 1980, when the Salvadoran army and some civilian opportunists from Christian Democracy, including Napoleón Duarte, made an agreement on the blood of the Salvadoran people, at least TEN THOUSAND Salvadorans have been killed by the Armed Forces in the worst blood bath that the history of El Salvador has recorded since 1932.

Even some members within Christian Democracy who opposed sponsoring this bloody project – like Dr. Mario Zamora Rivas, national executive of the Party – were eliminated by their companions with the help of the Armed Forces. Social-Christian mayors were murdered this year for denouncing this regime's atrocities.

The Salvadoran Army and its main allies – both the oligarchy as well as the United States government – and persons like Napoleón Duarte could not bear the prophetic voice of Monsignor Oscar Romero, for which he was calculatedly eliminated. “The light shone on the darkness, and the darkness couldn’t bear it.”

The repression in El Salvador which is now wider, deeper and crueler than any other period in history, with its thousands of victims, is the criterion of truth, the fundamental political act beyond the shadow of a doubt that betrays the true nature of the current regime, headed by Duarte and Gutiérrez, and the scope of its purposes.

2. IMPOSITION OF NAPOLEON DUARTE AND ABDUL GUTIERREZ

In this socio-political context, when the biggest popular democratic opposition in the history of El Salvador rises to maturity, the Salvadoran regime observes its most serious state of decomposition.

All the propaganda internationally deployed by the Military Junta and the State Department of the United States; the so-called “peace treaty” between El Salvador and Honduras, have been a farce which has accompanied the reign of terror in El Salvador.

It has been incredible, even in comparison with previous regimes, how information has been manipulated so that things seem to say the opposite of what they mean. The forces of evil, national and international, interested in prolonging the reign of terror, interested in prolonging the people’s martyrdom, indubitably powerful, have had to withdraw before a popular democratic option based in El Salvador and dealt with every kind of injury at the international level.

In this context, the decimated Demochristian Party – with its individual characteristics from Duarte– which does no less than stain international social Christian principles with blood, and an Army known throughout the world for its criminal actions – even worse than the Somoza Guard – decides to impose two people who are committed to repression. **THIS IMPOSITION IS INTENDED TO DEEPEN REPRESSIVE POLICY AS THE LAST RESOURCE OF THE DESPERATE DICTATORSHIP FACED WITH THE IMMINENT TRIUMPH OF THE SALVADORAN PEOPLE.**

AS SUCH, LEGAL AID OF THE ARCHBISHOPRIC HAS A MORAL OBLIGATION TO DECLARE:

2.1. That at the international level, after the resolution issued by the UNITED NATIONS ORGANIZATION which condemned the “serious human rights violations,” it is revealed that the Salvadoran conflict has never been caused by a supposed war “between political extremes” – the only thing that fits into the intelligence from the State Department of the United States. There has been the immediate consequence of the war triggered by the Salvadoran military dictatorship, its national and international allies, accompanied by eight members who remain in an anti-popular party of single characteristics;

2.2. That THERE IS NO NEW GOVERNMENT with the imposition of Napoleón Duarte and Abdul Gutiérrez in the Presidency and Vice-presidency of the Republic.

The military structures remain intact and with the displacement of Colonel Arnoldo Majano and of progressive military, the repression of the Salvadoran people and of the Church will extend to unimaginable limits. Those who have directed all the repressive policies to date HAVE COMPLETELY HEGEMONIZED THE POWER;

2.3. That with the “Military Junta” scheme, the possibilities for dialogue were reduced to a minimum; it seems incredible to us at this time to call for dialogue with the opposition when the obstacles that impede such dialogue have not been eliminated:

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a) THERE HAS BEEN NO EXPLANATION GIVEN for the case of persons captured for political reasons who then disappeared due to the regime. What's more, during this year, the figures for persons who have disappeared during the last fourteen years in the regimes of Sánchez, Molina and Romero have nearly doubled from 213. Since January 1, 380 persons have been captured and made to disappear by the Junta;

b) THERE HAVE BEEN NO TRIALS of the military responsible for the repression (assassinations, disappearances, torture, military invasions, disrespect to the neutrality of places of refuge and hospitals). Some military personnel cited as responsible for Monsignor OSCAR ROMERO's murder have even been freed (as was the case with Major Roberto D'Aubuisson). Others hold offices and are advisors of the Military Junta. Let us recall Monsignor Romero's prophetic words when he publicly demanded that Colonel José Guillermo García resign from his post due to his responsibility in the repressive actions;

c) THERE HAS BEEN NO INVESTIGATION of the acts of persecution against the Church. Six priests assassinated, four nuns. The Armed Forces is responsible for most of these acts; military of other nationalities have intervened;

2.4 That in the current regime headed by Napoleón Duarte and Abdul Gutiérrez DOES NOT REPRESENT ANY SECTOR OF THE SALVADORAN PEOPLE. When Duarte affirms to have arrived at the Presidency "by mandate of the Army and his Party," he is admitting that there is no social basis of popular support. He definitively admits he can only continue because of the strength of weapons, since what is called "his party" only has eight people in it (Napoleón Duarte, Antonio Morales Ehrlich, Fidel Chávez Mena, Ovidio Hernández, Adolfo Rey Prendes, Julio Samayoa, David Trejos and Roberto Viera);

2.5 That the first of the fundamental right is the RIGHT TO LIFE. When this right is threatened, when the victim is being massively trampled, he or she has the right to the supreme appeal of legitimate defense. In this case, the Salvadoran people, savagely attacked this year, as was officially recognized by the UNITED NATIONS ORGANIZATION, obtains the authority to fully exercise its right to legitimate defense.

The Church, citing an instance that is "very exceptional due to evident, prolonged tyranny that seriously threatens the fundamental rights of individuals and dangerously damages the country's common good," mentions the LEGITIMACY OF AN INSURRECTION as supreme appeal of the people's defense.

3. APPEAL TO THE WORLD'S DEMOCRATIC-CHRISTIAN ORGANIZATIONS

LEGAL AID OF THE ARCHBISHOPRIC deems it appropriate to call upon all the Democratic-Christian organizations of Europe and Latin America. The eight persons who currently make up Christian Democracy are muddying the principles of Social Christianity and staining them with blood. This action can only be explained by the majority opposition's blind hatred or by an untrammelled desire for power.

Sooner or later, history will judge this group of demo-Christians and those Latin American governments that have supported them for having given political respectability to the worst massacre, to the cruelest repression, to the last genocide that contemporary history has seen on the Continent. These eight individuals, famous for their complicity in the terror, do not influence anything in Government, but harbor those who stain Salvadoran soil with blood.

LEGAL AID OF THE ARCHBISHOPRIC of San Salvador appeals to the Democratic Christian organizations of Europe and Latin America so that they do not end up being persuaded by the remainder of a party distant from the Salvadoran people and friendly to those that butcher that people. This remainder politically supports the military that is responsible for the systematic massacre of the Salvadoran people.

For all the thousands of Christians who have been murdered in El Salvador, we ask that your institutions to not recognize the current Government ideology in El Salvador and to not offer it support.

4. APPEAL TO THE WORLD'S GOVERNMENTS

WE URGE governments to respect the resolution of the UNITED NATIONS ORGANIZATION so that no weapons or any other type of military aid is supplied to the Salvadoran Government.

We ask the Christian people of the United States for their guarantee that their Government will not support any kind of aid, either military or economic, to those who have been their protégés to date.

5. APPEAL TO THE WORLD'S CHRISTIANS AND PEOPLE OF GOOD WILL

Finally, Legal Aid of the Archbishopric asks all Christians and people of good will throughout the whole world TO UNITE IN SOLIDARITY for the just outcome of the poor people of El Salvador.

A society that generates injustice and sin must be destroyed at its roots and the hateful homicide that intends to perpetuate it must be confronted. When the moment of victory arrives, we shall understand that the blood of so many Christians has been the seed of liberty. We will be able to declare, in the words of our beloved Monsignor Oscar Arnulfo Romero: *"I want to stay on the land with the people, fighting for freedom with them. I cannot be happy and I do not want to rest while there are people to set free."*

*LEGAL AID OF THE ARCHBISHOPRIC
San Salvador, December 15, 1980*

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PHOTOGRAPHIC PROOF

R 5009

NYC Translation #101587 (Spanish)

(b) (6)

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[Photo]

From occupied Legal Aid, we are witnesses to the genocide perpetrated on our Salvadoran people

R 5010

NYC Translation #101587 (Spanish)

(b) (6)

55

ARMY-SECURITY APPARATUS

PARAMILITARY ORGANIZATIONS

Professionals of death.

Children of death.

There will be black flowers on your grave.

Your eyes will never close,

But your gaze will remain empty.

God cannot forgive you.

You crucified your people.

You will be buried face down.

Your bodies will not rise from the dead.

R 5011

[Photos]

[Seal: (illegible) CAÑAS UNIVERSITY, CIDAI, El Salvador, S.A.]

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R 5012

NYC Translation #101587 (Spanish)

(b) (6)

57

[Photos]

64

R 5013

NYC Translation #101587 (Spanish)

(b) (6)

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001082

[Photo]

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R 5014

NYC Translation #101587 (Spanish)

(b) (6)

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THOSE WHO DISAPPEARED

Like moss

A question sticks

In the hearts of men

In the decision of governments:

How,

In any place in the world,

Have they really not collaborated

With the junta genocide

On this long day of pain,

Imprisonment,

Torture,

Loss?

The disappeared ones is your name.

R 5015

[Photos]

67

R 5016

NYC Translation #101587 (Spanish)

(b) (6)

61

[Photos]

68

R 5017

NYC Translation #101587 (Spanish)

(b) (6)

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001086

[Photos]

69

R 5018

NYC Translation #101587 (Spanish)

(b) (6)

63

ASSASSINATED

And the lark sang.

And the jasmine

Was arrayed in its best enchantment

Nothing lost its shape and color:

The light took care of that.

It's true:

Your death will not be for nothing.

If we partake of it,

With the goodness of free men

Sowers of life,

The rifle at the shoulder

And a childlike gaze full of the infinite.

...your bodies will be resuscitated first.

R 5019

[Photos]

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R 5020

NYC Translation #101587 (Spanish)

(b) (6)

65

[Photos]

72

R 5021

NYC Translation #101587 (Spanish)

(b) (6)

66

67

001090

[Photos]

73

R 5022

NYC Translation #101587 (Spanish)

(b) (6)

67

REFUGES

It's better to not forget

Without bitterness.

But for the memory

To dominate every day of our lives forever.

The Military Junta,

In El Salvador,

Are the assassins,

The ones who destroyed,

The ones who condemned to fear,

The ones who filled with sadness.

Wretches!

Napoleón Duarte,

You are condemned to withstand the gaze of

A Salvadoran child at a refuge center who asked you why.

R 5023

[Photos]

R 5024

NYC Translation #101587 (Spanish)

(b) (6)

70

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[Photos]

R 5025

NYC Translation #101587 (Spanish) (b) (6)

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[Photos]

R 5026

NYC Translation #101587 (Spanish) (b) (6)

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LEGAL AID was founded in 1975 by a small group of Catholic attorneys in order to represent El Salvador's poor in Salvadoran Courts and Tribunals. In this Central American country, 80 per cent of the population – we have five million inhabitants – lacks the economic resources to feed itself and live.

In 1977, *MONSIGNOR OSCAR ARNULFO ROMERO Y GALDAMEZ* took over the Archbishopric of San Salvador. In June of that year, *LEGAL AID* was officially as an Organization of the Archbishopric entrusted with promoting the defense of Human Rights of the Salvadorian people.

For three years, the valiant prophet, the Archbishop of San Salvador, denounced the constant violations to fundamental human rights from his pulpit. He was "the voice for those without a voice."

No other military regime (Colonel Arturo A. Molina, General Carlos H. Romero, the Government Military Junta) was able to destroy the authenticity of the prophet's denunciation. The cases presented every Sunday were previously submitted to a process of documentation and legal verification at *LEGAL AID*. Therefore, *LEGAL AID* was considered the Entity that cooperated closely with the church in defense of the poor, under the masterful direction of *MONSIGNOR ROMERO*. "The leading bishop made that defense." Our main instigator attended to the people's sadness and hope. "The poor and oppressed and all those needed it, knew it, and that's why they went him with their needs as something evident. It was good he went to denounce the injustices, to demand their rights, to mediate in land disputes, or to churches surrounded by security forces to find those who had disappeared...they went to the archbishop for all this, but not just as a friend in search of justice, but also as their defender, who must put all his bishopric power in service of the defense of the poor and the oppressed."

Along with Master *MONSIGNOR OSCAR ROMERO*, this reality had an impact on us, and "far from separating us from our faith," it put us in the world of the poor for their unconditional defense, to encompass the poor people and provide impetus for all liberation movements which truly lead to justice and peace for the majority.

For the exact reason of carrying on *MONSIGNOR ROMERO*'s legacy, *LEGAL AID* of the *ARCHBISHOPRIC* was taken over by the Salvadorian Armed Forces on July fifth, 1980.

Since September 28, 1980, El Salvador National Police officers have tried to capture *LEGAL AID*'s attorneys on thirty occasions.

This unconditional defense of the poor in a conflicted society has caused the Church to be persecuted. "No priest has been persecuted, nor has any institution been attacked. The part of the church that is on the side of the poor and has gone to its defense has been persecuted and attacked."

This, in short, is the spirit of the *LEGAL AID OF THE ARCHBISHOPRIC OF SAN SALVADOR*. "The defense of El Salvador's poor is not another thing for the poor's destiny to take on."

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Tanto el Ejército salvadoreño, sus aliados principales —tanto la oligarquía como el gobierno de los Estados Unidos—, y personas como Napoleón Duarte no soportaron la voz profética de monseñor Oscar Romero, por lo que fue calculadamente eliminado. “La luz resplandeció en la tinieblas y las tinieblas no la soportaron”. La represión en El Salvador que es ahora más extensa, más profunda y más cruel que en ningún otro período de su historia, es con sus miles de víctimas el criterio de verdad, el hecho político fundamental que deplata sin sombra de duda la verdadera naturaleza del régimen actual, encabezado por Duarte y Gutiérrez, y los alcances de sus propósitos.

2. IMPOSICION DE NAPOLEON DUARTE Y ABDUL GUTIERREZ

En este contexto sociopolítico, cuando se alza maduramente la más grande oposición democrático popular en la historia de El Salvador, el régimen salvadoreño observa su más grave estado de descomposición.

Toda la propaganda desplegada internacionalmente por la Junta Militar y el departamento de Estado de los Estados Unidos; el llamado “tratado de paz” entre El Salvador y Honduras, han sido las falacias que han acompañado al reino del terror en El Salvador.

Ha sido increíble, incluso en comparación con regímenes anteriores como se ha manipulado la información para que las cosas parezcan decir lo contrario de lo que dicen. Las fuerzas del mal, nacionales e internacionales, interesadas en prolongar un reino de terror, interesadas en prolongar el martirio de un pueblo, poderosas indudablemente, han tenido que replegarse ante una opción democrática popular asediada en El Salvador y tratada con todo tipo de perjuicios a nivel internacional.

En este contexto el diezmando Partido Demócrata —con características unipersonales duartistas—, que no hace más que manchar con sangre los principios internacionales del social cristianismo, y un Ejército reconocido en todo el mundo por sus acciones criminales —aún peores que la Guardia somocista—, deciden imponer a dos personas comprometidas con la represión. ESTA IMPOSICION PRETENDE PROFUNDIZAR LA POLITICA REPRESIVA COMO ULTIMO RECURSO DE UNA DICTADURA DESESPERADA ANTE EL INMINENTE TRIUNFO DEL PUEBLO SALVADOREÑO.

POR ELLO EL SOCORRO JURIDICO DEL ARZOBISPADO ESTA EN LA OBLIGACION MORAL DE MANIFESTAR:

- 2.1. Que a nivel internacional, después de la resolución emitida por la ORGANIZACION DE LAS NACIONES UNIDAS en la que condena las “graves violaciones a los derechos humanos”, se revela que el conflicto salvadoreño jamás ha sido originado por una supuesta guerra “entre extremas políticas” —lo que sólo cabe en la inteligencia del departamento de Estado de Estados Unidos—. Ha sido inmediata consecuencia de la guerra desatada contra el pueblo por la dictadura militar salvadoreña. sus aliados nacionales e internacionales, acompañados por ocho miembros que quedan de un Partido antipopular de características unipersonales;
- 2.2. Que con la imposición de Napoleón Duarte y Abdul Gutiérrez en la Presidencia y Vicepresidencia de la República NO EXISTE NINGUN NUEVO GOBIERNO.
Las estructuras militares permanecen intactas y con el desplazamiento del coronel Arnoldo Majano, de militares progresistas, la represión en contra del pueblo e Iglesia salvadoreña tenderá a llegar a límites inimaginables. Los que hasta estos momentos han dirigido toda la política represiva HEGEMONIZAN TOTALMENTE EL PODER;
- 2.3. Que con el esquema de “Junta Militar” las posibilidades de diálogo estuvieron reducidas al mínimo; actualmente, nos parece increíble se esté llamando al diálogo con la oposición cuando no se han eliminado los obstáculos que impidieron tal diálogo:

- a) NO SE HA ESCLARECIDO el caso de las personas capturadas por razones políticas y posteriormente desaparecidas por el régimen. Es más, durante este año se ha duplicado la cifra de 213 personas desaparecidas en catorce años durante los regímenes de Sánchez, Molina y Romero. Desde el 1.º de enero 380 personas han sido capturadas y desaparecidas por la Junta;
- b) NO SE HA JUZGADO a los militares responsables de la represión (asesinatos, desaparecimientos, torturas, invasiones militares, irrespeto a neutralidad de refugios y hospitales). Inclusive algunos militares señalados como responsables del asesinato de monseñor OSCAR ROMERO fueron liberados (caso del mayor Roberto D'Aubuisson). Otros ocupan cargos y son asesores de la Junta Militar. Recordamos las proféticas palabras de monseñor Romero cuando le exigió públicamente al coronel José Guillermo García renunciara de su cargo por ser responsable de acciones represivas;
- c) NO SE HAN INVESTIGADO todos los actos persecutorios en contra de la Iglesia. Seis sacerdotes asesinados, cuatro religiosas. En la mayor parte de estos actos la Fuerza Armada ha tenido responsabilidad; militares de otras nacionalidades han intervenido;

2.4. Que el régimen actual, encabezado por Napoleón Duarte y Abdul Gutiérrez NO REPRESENTAN A NINGUN SECTOR DEL PUEBLO SALVADOREÑO. Al afirmar Duarte haber llegado a la Presidencia "por mandato del Ejército y su Partido" está aceptando no tener ninguna base social de apoyo popular. Acepta definitivamente sostenerse solo por la fuerza de las armas, ya que lo que denomina "su partido" está compuesto por únicamente ocho personas (Napoleón Duarte, Antonio Morales Erlich, Fidel Chávez Mena, Ovidio Hernández, Adolfo Rey Prendes, Julio Samayoa, David Trejos y Roberto Viera);

2.5. Que el primero de los derechos fundamentales es el DERECHO A LA VIDA. Cuando este derecho está amenazado, cuando está siendo pisoteado masivamente al agredido le asiste el recurso supremo de legítima defensa. En este caso el pueblo salvadoreño —agredido salvajemente durante este año, tal como se reconoce oficialmente por la ORGANIZACION DE LAS NACIONES UNIDAS, obtiene la facultad de ejercitar plenamente el derecho de legítima defensa.

La Iglesia, en el caso "muy excepcional de tiranía evidente y prolongada que atentase gravemente a los derechos fundamentales de la persona, y dañase peligrosamente el bien común del país", menciona la LEGITIMIDAD DE UNA INSURRECCION como supremo recurso de defensa popular.

3. LLAMADO A LAS ORGANIZACIONES DEMOCRATA-CRISTIANAS DEL MUNDO.

El SOCORRO JURIDICO DEL ARZOBISPADO considera conveniente hacer una llamada a todas las organizaciones demócratacristianas de Europa y América Latina. Las ocho personas que actualmente conforman la Democracia Cristiana están enlodando y manchando de sangre los principios del socialcristianismo. Esta actitud sólo puede explicarse por un odio ciego a la oposición mayoritaria o por una desmedida ambición de poder.

La historia, más temprano que tarde, juzgará a este grupo de demócratas y a aquellos gobiernos latinoamericanos que los han apoyado; por haber dado respetabilidad política a la peor masacre, a la más cruel represión, al último genocidio que conoce la historia contemporánea del Continente. Estos ocho personajes, famosos por la complicidad con el terror, no influyen nada en el Gobierno, pero encubren a quienes manchan con sangre el suelo salvadoreño.

El SOCORRO JURIDICO DEL ARZOBISPADO de San Salvador hace un llamado a las Instituciones democratacristianas de Europa y América Latina, para que no se dejen convencer por el residuo de un partido alejado del pueblo salvadoreño y amigo de los verdugos de ese pueblo. Este residuo avala políticamente a los militares responsables de la matanza sistemática del pueblo salvadoreño.

Por todos los miles de cristianos que han caído asesinados en El Salvador pedimos a vuestras instituciones desconozcan y no presten apoyo al actual esquema de Gobierno de El Salvador.

4. LLAMADO A LOS GOBIERNOS DEL MUNDO.

URGIMOS de los Gobiernos respetar la resolución de la ORGANIZACION DE LAS NACIONES UNIDAS, a fin de que no se suministre armamento u otro tipo de ayuda militar al Gobierno salvadoreño.

Al pueblo cristiano de los Estados Unidos les pedimos sea garante de que su Gobierno no aporte ningún tipo de ayuda, tanto militar como económica, a quienes hasta hoy han sido sus protegidos.

5. LLAMADO A LOS CRISTIANOS Y HOMBRES DE BUENA VOLUNTAD DEL MUNDO.

Finalmente, el Socorro Jurídico del Arzobispado pide a los cristianos y hombres de buena voluntad en el mundo entero UNIRSE SOLIDARIAMENTE con el objetivo justo del pueblo pobre de El Salvador.

Hay que destruir de raíz la sociedad que genera injusticia y pecado y hay que enfrentar el odio homicida que intenta perpetuarlos. Cuando llegue la hora del triunfo comprenderemos que la sangre de tantos cristianos ha sido semilla de libertad. Podremos manifestar con nuestro querido monseñor Oscar Arnulfo Romero: *"Quiero permanecer en la tierra, junto a los hombres, luchando con ellos por la liberación. No puedo gozar y no quiero descansar mientras halla hombres a quienes liberar"*.

SOCORRO JURIDICO DEL ARZOBISPADO
San Salvador, 15 de diciembre de 1980.

PRUEBAS
FOTOGRAFICAS

R 5009



Desde el socorro jurídico ocupado, somos testigos del genocidio perpetrado sobre nuestro pueblo salvadoreño.

R 5010

**EJERCITO-APARATO DE SEGURIDAD
ORGANIZACIONES PARAMILITARES**

*Profesionales de la muerte.
Hijos de la muerte.
Habrá flores negras en su tumba.*

*Sus ojos nunca se cerrarán,
pero su mirada permanecerá vacía.*

*Dios no podrá perdonarles.
Crucificaron a su pueblo.*

*Quedarán enterrados hacia abajo.
Sus cuerpos no resucitarán.*



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DESAPARECIDOS

*Como el musgo
una pregunta se adhiere
al corazón de los hombres
a la decisión de los gobiernos:*

*¿Cómo,
desde cualquier lugar del mundo,
no se colabora,
realmente,
con la junta genocida,
en este largo día de dolores,
detención,
tortura,
cercenamiento?
Desaparecidos es su nombre.*



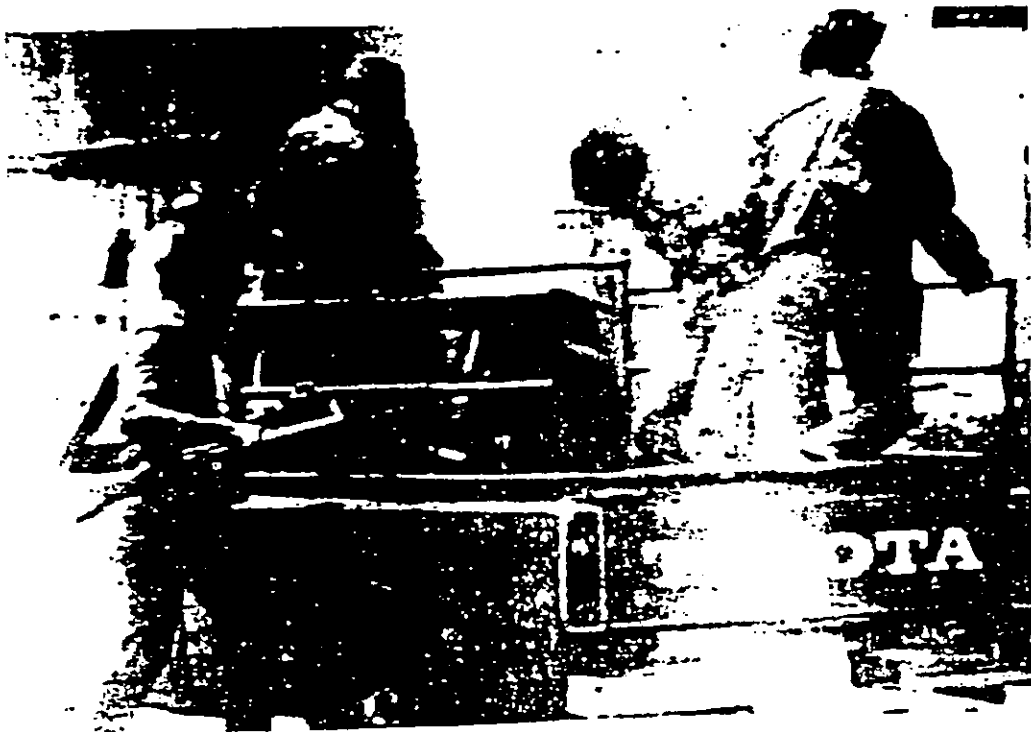
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R 5018

ASESINADOS

*Y la alondra cantó.
Y los jazmines
vistieron su mejor embrujo.
Nada perdió su forma y color;
la luz se encargó de ello.*

*Es verdad:
Su muerte no se hará inútil.
Si desde ella partimos,
con la bondad de los hombres libres
sembradores de vida,
el fusil al hombro
y una mirada infantil cargada de infinito.
...y sus cuerpos resucitarán primero.*

R 5019



71

R 5020



72

R 5021



73

R 5022

REFUGIOS

*Es mejor que no se olvide.
Sin amargura.
Pero que el recuerdo
presida ya para siempre todos los días de nuestra vida.
Para que no puedan volver.*

*La Junta Militar,
en El Salvador,
son los asesinos,
los que destruyen,
los que condenan al miedo,
los que llenan de tristeza.*

*¡Miserables!
Napoleón Duarte,
estás condenado a no resistir la mirada de
un niño salvadoreño que desde el refugio te pregunte por qué.*

R 5023

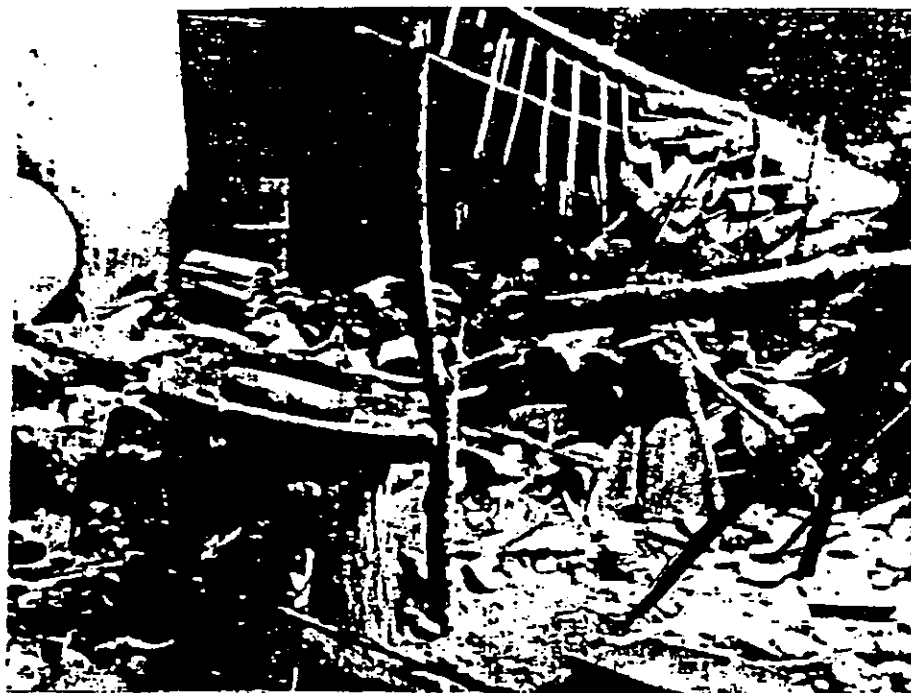


77

R 5024



R 5025



R 5026

El *SOCORRO JURIDICO* se funda en 1975 por un reducido grupo de abogados católicos con el fin de representar en las Cortes y Tribunales salvadoreños a los pobres de El Salvador. En este país centroamericano el 80 por ciento de la población —somos cinco millones de habitantes— carece de recursos económicos para alimentarse y vivir.

En 1977 *MONSEÑOR OSCAR ARNULFO ROMERO Y GALDAMEZ* toma posesión del Arzobispado de San Salvador. En Junio de ese año reconoce oficialmente al *SOCORRO JURIDICO* como el Organismo del Arzobispado encargado de promover la defensa de los Derechos Humanos del pueblo salvadoreño.

Durante tres años el valiente profeta, Arzobispo de San Salvador, denunció desde el púlpito las constantes violaciones a los derechos fundamentales. Fue "la voz de los sin voz..."

Ningún régimen militar (coronel Arturo A. Molina, general Carlos H. Romero, Junta Militar de Gobierno) logró destruir la autenticidad de la denuncia del profeta. Los casos presentados cada domingo eran previamente sometidos a un proceso de documentación y comprobación legal en el *SOCORRO JURIDICO*. Así el *SOCORRO JURIDICO* fue considerado como el Organismo que estrechamente colaboró en la pastoral por la defensa de los pobres guiada magistralmente por *MONSEÑOR ROMERO*. "Hizo de esa defensa ministerio principal del obispo". Nuestro principal impulsor acompañó en sus tristezas y esperanzas al pueblo. "Los pobres y oprimidos y todos cuantos estaban en necesidad lo sabían, y por ello acudían a él en sus necesidades como algo evidente. Bien fuese para denunciar injusticias, para reclamar derechos, para mediar en conflictos de tierras, o iglesias rodeadas por cuerpos de seguridad, para encontrar desaparecidos..., para todo ello acudían al arzobispo, pero no sólo como a un amigo en busca de consuelo, sino como a su defensor, que debe poner todo su poder episcopal al servicio de la defensa de los pobres y oprimidos".

Junto a nuestro *MONSEÑOR OSCAR ROMERO* esa realidad nos impactó, y "lejos de apartarnos de nuestra fe", nos situó en el mundo de los pobres para su defensa incondicional, para comprender desde el pueblo pobre e impulsar a todos los movimientos de liberación que conduzcan realmente a la justicia y paz de las mayorías.

Precisamente por cumplir la herencia de *MONSEÑOR ROMERO* el *SOCORRO JURIDICO* del *ARZOBISPADO* fue intervenido por las Fuerzas Armadas Salvadoreñas el cinco de julio de 1980.

Desde el 28 de noviembre de 1980 agentes de la Policía Nacional de El Salvador han intentado en treinta ocasiones capturar a los abogados del *SOCORRO JURIDICO*.

Esta defensa incondicional de los pobres en una sociedad conflictiva ha ocasionado la persecución a la Iglesia. "No se ha perseguido a cualquier sacerdote ni atacado a cualquier institución. Se ha perseguido y atacado a aquella parte de la Iglesia que se ha puesto del lado del pueblo pobre y ha salido en su defensa".

Esto es en breves rasgos el espíritu de la labor del *SOCORRO JURIDICO DEL ARZOBISPADO DE SAN SALVADOR*. "La defensa de los pobres en El Salvador no es otra cosa que asumir el destino de los pobres".

R 5027

*Y murieron los que creyeron en su pueblo.
Y temblaron las entrañas de la tierra.
Pero los hombres del Pentágono, del Departamento de Estado,
de la CIA, de la DC.
siguieron emborrachándose,
en la sangre de los pueblos.*

*Padre nuestro,
reconocido en la Historia de los pobres,
creemos en la causa de la justicia,
en que la liberación será posible.*

*Que se cumpla tu voluntad de paz
que es la firme voluntad de nuestro pueblo.
Danos coraje en la lucha
y los mejores estrategias en el frente de combate.
Perdón por los errores que hasta aquí cometimos
y hayan contribuido a retrasar el triunfo.
Que la luz de Monseñor Romero
y la Dirección del pueblo nos guíen
hasta la victoria final.*

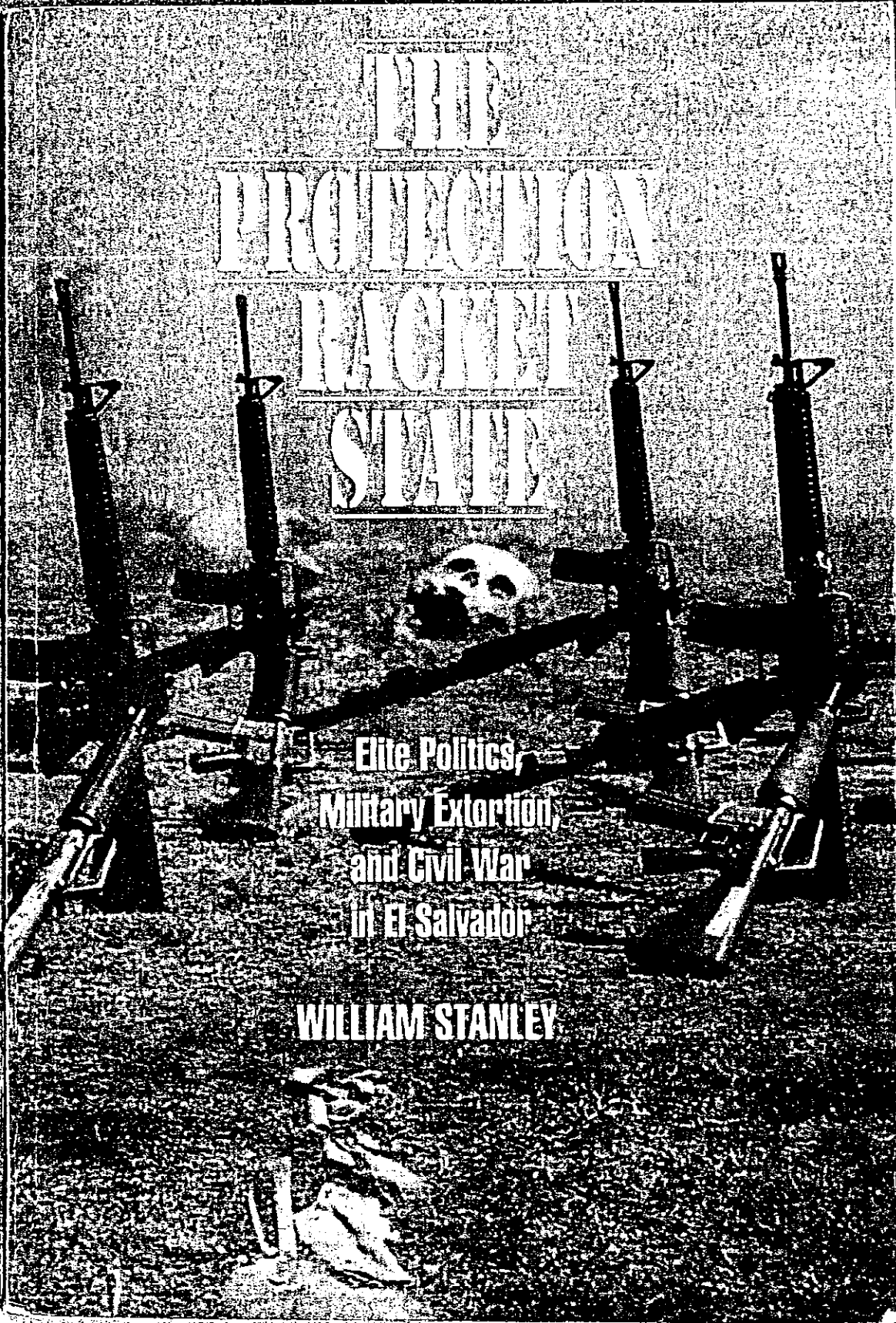
AMEN.



75

R 5029

RRR



THE PROTECTION RACKET STATE

Elite Politics,
Military Extortion,
and Civil War
in El Salvador

WILLIAM STANLEY

THE PROTECTION RACKET STATE

**Elite Politics, Military Extortion,
and Civil War in El Salvador**



William Stanley



Temple University Press
Philadelphia

APPENDIX A

Proclamation of the Armed Forces of the Republic of El Salvador, 15 October 1978

A. The Armed Forces of El Salvador are fully conscious of their sacred duties toward the Salvadoran People and sympathize with the clamor of all of the people against a government that has

1. violated the Human Rights of the population;
2. fomented and tolerated corruption in public administration and the justice system;
3. created a veritable economic and social disaster;
4. profoundly discredited the country and the noble armed institution.

B. The Armed Forces are convinced that the problems mentioned are the product of antiquated economic, social, and political structures that have prevailed traditionally in the country which do not provide the majority of inhabitants with the minimal conditions necessary for them to realize themselves fully as human beings. Moreover, the corruption and incapacity of the regime have caused mistrust on the part of the private sector, resulting in millions of colones in capital flight, intensifying the economic crisis at the expense of the popular sectors.

C. The Armed Forces are well aware that recent governments, products as they were of scandalous electoral frauds, have adopted inadequate programs of development. Those timid programs of structural change that have been attempted have been obstructed by the economic and political power of conservative sectors, which have consistently defended their ancestral privileges as dominant classes, endangering in the process the more socially progressive and conscious sectors of capital, which have shown an interest in achieving a form of economic development that would be more just toward the population.

D. The Armed Forces are firmly convinced that the conditions mentioned are the fundamental cause of the economic and social chaos and of the violence that we are suffering at the moment. These conditions can only be overcome through the arrival in power of a government that will guarantee the installation of a genuinely democratic regime.

Toward that end, the Armed Forces, whose members have always been identified with the people, hereby, on the basis of the Right of Insurrection that all peoples have when governments fail to uphold the Law, depose the Gov-

Source: Castro Morán 1989, 412-15. Text cited from the Spanish by William Stanley.

PLAINTIFF'S EXHIBIT

CASE
NO.

EXHIBIT
NO.

35

PLAINTIFF'S EXHIBIT

CASE 99-8364
NO. CIV-HURLEY

EXHIBIT 339
NO.

*And those who believed in their nation died.
And the bowels of the earth trembled.
But the men from the Pentagon, from the State Department,
from the CIA, from DC,
went on getting drunk
off the blood of the people.
Our father,
Acknowledged in the story of the poor,
We believe in justice's cause,
That freedom is possible.
That your will of peace is to be done,
That it is the firm will of our people.
Give us courage in the struggle
And the best strategies at the front of combat.
Forgive the errors that we have committed so far
Which have caused triumph to delay.
May the light of Monsignor Romero
And the Direction of the people guide us
To the final victory.*

AMEN.

[Photos]

75

R 5029

NYC Translation #101587 (Spanish)

(b) (6)

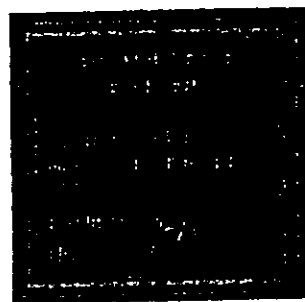
74

75

001126

000170
170

EL SALVADOR:
DEL GENOCIDIO DE
LA JUNTA MILITAR
A LA ESPERANZA
DE LA LUCHA
INSURRECCIONAL



SOCORRO JURIDICO
ARZOBISPADO DE SAN SALVADOR

R 4957



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R 4958

INTRODUCCION

CARTA ABIERTA A LOS HOMBRES, PUEBLOS Y GOBIERNOS PROGRESISTAS DEL MUNDO

Cuando pretendemos comunicarnos siempre lo hacemos condicionados por la realidad concreta histórico-social en la que estamos inmersos. En esta fecha, 15 de enero de 1981, nuestra realidad es de guerra, con una amenaza —que es algo más que una sombra— de intervención directa norteamericana.

A los estrategas, a los hombres y mujeres del pueblo que están luchando desde el frente de combate, a los dirigentes y militantes les compete hacer el análisis político y la interpretación correcta de los acontecimientos, así como la activación de los factores necesarios en toda fase del proceso, de cara a ir superando contradicciones y llegar a conquistar los objetivos que conduzcan al triunfo definitivo del pueblo.

Como parte del Socorro Jurídico, pocas veces como ésta nos hemos sentido llamados a la reflexión más dolorosa.

Con ilusión fuimos componiendo este pequeño pero precioso documento lleno de desolación y destrozo de la vida en El Salvador. Intentamos hilar cada palabra y cada imagen, amorosamente, con el respeto que produce la muerte del que murió porque creyó que lo más importante en su vida era entregar lo mejor de sí mismo al servicio de sus hermanos y de su pueblo.

Y decimos "con ilusión" porque bebimos en las fuentes de la fe de los profetas y aprendimos que la muerte de los pobres nunca será inútil...

Un día la acumulación se hizo pesada: demasiados casos, números, comprobaciones... Y sentimos, porque nos lo decía el corazón y por la evidencia de los hechos, que había llegado la hora de ponerle el nombre exacto a las cosas: y denominamos a la situación "de genocidio".

Desde ella entendimos el derecho del pueblo a luchar para defenderse, para triunfar y construir un hombre nuevo y una sociedad nueva, donde los niños tuviesen la posibilidad de jugar con los pájaros... Y la situación era de es-

I. ASESINATOS POLITICOS Y SUS RESPONSABLES (Cuadros núm. 1 y 2)

El 80 por ciento de las dramáticas cifras de asesinatos políticos efectuados durante 1980, HAN SIDO COMETIDOS POR EL EJERCITO NACIONAL Y LOS CUERPOS MILITARES DE SEGURIDAD NACIONAL (Guardia, Policía Nacional y de Hacienda). El porcentaje que resta de asesinatos políticos han sido cometidos por grupos paramilitares como el Escuadrón de la Muerte, Ejército Secreto Anticomunista y ORDEN que actúan delictivamente con la protección y coordinación de los cuerpos militares de seguridad nacional y el Ejército.

Por su importancia como agente represor en El Salvador, presentamos a continuación la aparición y naturaleza del Escuadrón de la Muerte.

a) Breve reseña.

En junio de 1977 se conoció a nivel internacional que un llamado "Escuadrón de la muerte" amenazaba con exterminar a todos los religiosos de la orden jesuita, residentes en El Salvador, si no abandonaban el país. El general Carlos Romero, entonces presidente electo de El Salvador, dio garantías en el sentido de que ese acto de violencia no se llevaría a cabo.

Sin aparecer públicamente demostradas las relaciones del Gobierno del general Romero con estos "grupos de la muerte", todos los salvadoreños comprendieron perfectamente los nexos que los ligaban.

Vuelven de nuevo a mencionarse "los escuadrones", como brazos armados de la "ultraderecha", justamente cuando, a finales de enero de 1980, algunos miembros de la Democracia Cristiana salvadoreña pactan con la Fuerza Armada la realización del esquema político "reformas-represión".

Varios miembros del Partido Demócrata Cristiano que se opusieron al pacto fueron asesinados. Tanto el Ejército como la Junta y el Partido, inculparon a los supuestos "escuadrones".

Así han muerto muchos obreros, profesores, estudiantes.

b) Los "escuadrones" responden a una necesidad de la Junta Militar.

El régimen actual se ha visto en la necesidad, tal como lo hicieron en Guatemala, Cruzaguay, de ejercer una violencia selectiva, sin aparecer ante la opinión pública como directamente responsable.

Para la supervivencia del esquema político tratado por los Estados Unidos, era necesario eliminar a personalidades que generaban entre la opinión pública internacional una conciencia fuertemente crítica al régimen y la participación de unos pocos militantes democristianos.

El execrable asesinato de S.E.R. monseñor OSCAR ROMERO, nuestro pastor e incansable impulsor del Socorro Jurídico, atribuido en un principio a los mencionados "escuadrones", vincula finalmente a altos militares salvadoreños con organizaciones internacionales terroristas que tienen su base en Miami, Florida (USA).

El patrocinio sutil, a nivel de coordinación que la Junta, el Alto Mando de la Fuerza Armada promueve hacia estos "escuadrones", sin aparecer vinculados públicamente, le permitía afirmar que la violencia "es producto de grupos extremistas". Así, en los primeros meses de 1980 la Junta, con el aval de algunos civiles democristianos configuraba una imagen "centrista y moderada".

Un documento interno del departamento de Estado Norteamericano (fechado el 6 de noviembre de 1980), señalaba que la eficiencia de estas bandas denominadas "escuadrones" se aseguraba con la participación de asesores norteamericanos.

El Socorro Jurídico continuamente ha aportado pruebas de la vinculación existente entre el ejército y cuerpos militares salvadoreños con estos "escuadrones". Estos grupos del terror están compuestos, asesorados y coordinados por militares salvadoreños. Muchas acciones cometidas por estos grupos paramilitares han sido convenientemente protegidas por el ejército y cuerpos militares (ver "Casos típicos de la práctica genocida en El Salvador). El asesinato de los seis líderes del opositor Frente Democrático Revolucionario, sucedido el 27 de noviembre de 1980, demostró internacionalmente la coordinación que existe entre el ejército y los llamados "escuadrones". Confirmó lo que Socorro Jurídico ha probado en muchas ocasiones: No existen grupos de ultraderecha. Es el mismo ejército y cuerpos de seguridad que unas veces actúa con uniforme militar y otras sin vestimenta oficial.

c) Testimonio fotográfico.

En la página 67 se puede apreciar la secuencia fotográfica que recoge la captura de los estudiantes VINICIO HUMBERTO BASSAGLIA y MANUEL ALFREDO VELASQUEZ TOLEDO.

Agentes de la Guardia Nacional capturaron el 3 de octubre de 1980 a los estudiantes BASSAGLIA y VELASQUEZ TOLEDO en la calle "5 de Noviembre" del barrio San Miguelito, ubicado al norte de San Salvador.

Al interponer sus familiares recurso judicial de exhibición personal ante la Corte Suprema de Justicia relataban que ambos habían sido capturados separadamente en un establecimiento de mecánica automotriz. El 3 de octubre, por la mañana, ambos transitaban independientemente por ese barrio cuando agentes de la Guardia Nacional coparon varias calles y avenidas. En las fotografías se aprecia el momento de la captura, el buen estado físico de los detenidos, el momento en que son atados de los dedos pulgares (esta es la forma en que aparecen la mayoría de cadáveres en El Salvador).

La secuencia fotográfica recoge el momento clave: los agentes de la Guardia Nacional entregan a los dos estudiantes capturados a agentes civiles sin uniforme militar.

Cinco días después, con crueles señales de tortura física aparecen los cadáveres de ambos estudiantes en la calle hacia la población de Mariona, al norte de la capital.

Tal como se aprecia en la página 72, los "escuadrones de la muerte" se atribuyen el asesinato.

En las páginas 65 y 64, aparecen nuevamente agentes civiles de los "escuadrones del terror" actuando coordinadamente en compañía de miembros del ejército y Policía salvadoreños cuando efectuaban un operativo urbano.

La vinculación es demostrada con pruebas objetivas.

CUADRO NUM. 1

ASESINADOS: Datos completamente comprobados por el SOCORRO JURIDICO. PERSONAS DE LOS SECTORES POPULARES Y PROGRESISTAS ASESI-
NADOS POR MOTIVOS POLITICOS, NO EN ENFRENTAMIENTOS MILITARES, SI-
NO A RAIZ DE OPERACIONES MILITARES DEL EJERCITO, CUERPOS MILITARES
DE SEGURIDAD, ORGANISMOS PARAMILITARES COORDINADOS POR EL ALTO
MANDO DE LA FUERZA ARMADA.

1980

PROFESION	ENE.	FEB.	MAR.	ABR.	MAY.	JUN.	JUL.	AGO.	SEP.	OCT.	NOV.	DIC.
CAMPESINOS	129	126	203	198	800	965	423	297	378	338	279	336
ESTUDIANTES	4	22	47	61	34	111	57	54	59	106	77	112
OBROS	8	9	31	30	30	24	16	24	62	46	42	96
PROFESORES	8	6	2	12	19	9	3	1	16	9	13	7
PROFESIONALES	-	4	7	1	5	4	3	1	3	3	4	7
POBLADS. TUGURS.	5	5	1	-	-	13	-	-	-	-	-	-
EMPLDS. PUBLICOS	2	-	1	-	32	30	23	27	37	62	62	89
SACERDTS. RELIGIOS. ..	-	-	1	-	-	1	1	-	-	1	-	6
ALCALDES OPOSIC.	2	-	-	-	-	-	-	-	-	-	-	-
COMERCIANTE PEO.	-	-	-	-	5	22	11	-	-	33	25	38
PROFES. DESCONOC. ...	110	64	194	179	272	184	145	142	275	164	277	300
SUMAS	268	236	488	480	1.197	769	700	560	830	762	781	991
SUMA TOTAL												8.062

NOTA: Existen datos de un número mayor de personas asesinadas de la población civil, pero en algunas zonas del país fue imposible el acceso para comprobarlos.
(1) Estos datos no incluyen los 600 campesinos asesinados el 14 y 15 de mayo de 1980 en el río "SUNIPUL", fronterizo con Honduras. (Ver: an. num. "Ca-
típicos de la práctica genocida en El Salvador"). Esta masacre fue atribuida por la Conferencia de Obispos Hondureños.
(2) No incluyen las víctimas de bombardeos llevados a cabo por la Fuerza Aérea Salvadoreña a partir de los meses de agosto de 1980 en las zonas de San Vi-
cente (68 km. al suroeste de la capital), "El Trifinio", 110 km. al occidente de la capital y Morazán (170 km. al oriente de la capital). En Morazán, según
la organización "Médica Internacional" murieron en los bombardeos cuatro mil personas de la población civil. En la zona de Guazapa, 33 km. al norte de la
capital, fueron eliminados por lo menos cuatrocientas personas a causa de bombardeos. En la zona de San Vicente y "El Trifinio" aún no se conocen datos.

ARROJADORES:

PORTALOS, LUGARES: Habitantes de villas miserias, pobladores de tugurios,
 EMPLEADOS PUBLICOS: Empleados publicos y de servicios;
 ALIADOS OPONIC: Jefes de municipios pertenecientes al partido UDN de oposicion,
 CAMBIANTES PQC: Personas comerciantes,
 PROFES. DESCONOC.: Personas de profesion desconocida.

CUADRO NUM. 2

DATOS COMPROBADOS POR EL SOCORRO JURIDICO DEL ARZOBISPADO:
 RESPONSABILIDADES DE LOS ASESINATOS POLITICOS DURANTE TRES MESES:
 JUNIO, JULIO Y AGOSTO DE 1980.

RESPONSABLES	MAY.	JUN.	JUL.	AGO.	SEP.	OCT.	NOV.	DIC.
1. Efectivos del Ejército Nacional en combinación con cuerpos militares de seguridad . . .	441	354	377	261	542	554	592	587
2. Policía Nacional	9	25	10	36	10	3	5	76
3. Guardia Nacional	22	42	55	78	106	30	34	117
4. Policía Especial	15	29	14	7	20	14	33	40
5. Ejército en sus operaciones	20	100	44	69	28	16	6	47
6. ODHEN (Organización Democrática Nacionalista)	21	53	56	31	32	21	15	15
7. Escuadrón de la Muerte	83	157	130	33	92	124	96	124
SUMAS	611	760	686	515	830	762	781	1.006
SUMA TOTAL	5.951							

R 4965

... e innumerables casos que en este año se han presentado al SOCORRO JURIDICO del ARZOBISPADO, hemos seleccionado algunos que demuestran típicamente la práctica genocida y la relación para delinquir y reprimir a la población, principalmente campesina.

PRESENTACION DE CASOS SIGNIFICATIVOS

1 "Día 17 de abril de 1980: Varios centenares de miembros de la organización paramilitar ORDEN, protegidos por el Ejército Nacional y agentes de la Guardia Nacional invadieron militarmente las comunidades cristianas campesinas de "El Pajal, Tehuiste arriba, El Salto, San Lucas, Ulapa, Santa Lucía, Tepechame" de las jurisdicciones de San Vicente y La Paz, departamentos situados al oriente del país. En "Tehuiste arriba" los invasores asesinaron al campesino BERNARDO GUZMAN y otro que por las torturas fue imposible identificar. En "Llano Grande" once agentes de la Guardia Nacional y miembros de ORDEN capturaron y posteriormente decapitaron a los campesinos JOSE ORELLANA y FIDENCIO ALFARO. En el caserío campesino "Alferez", de las referidas jurisdicciones departamentales capturaron los invasores a la anciana FRANCISCA ESPINOZA (77 años), quien fue decapitada. La cabeza la colocaron en medio de las piernas en el cadáver. En "El Pajal" fueron asesinados los campesinos NAPOLEÓN HERNÁNDEZ, FRANCISCO HERNÁNDEZ, quien es hijo del anterior, ANDRÉS ABREGO, JOSÉ LUIS SERVELLON, ANTONIO SANCHEZ, JOSÉ DE PAZ y GERMÁN ARGUETA; en "Tehuiste arriba" también los invasores asesinaron a los esposos MANUEL VILCHES y DOLORES de VILCHES, TEOFILO MORALES y ELENA SARAVIA. Finalmente, en "San Lucas", antes de retirarse incendiaron el rancho (casa campesina) de MANUEL OSORIO".

2 "Día 18 de abril de 1980: En la carretera que de la capital conduce hacia San Salvador fue localizado el cadáver con señales de salvajes torturas de la Campesina MATILDE FUENTES. Un día antes había sido capturada por agentes de la Guardia Nacional en la población de Suchitoto (38 km. al nor-oriente de San Salvador). En esa zona campesina miembros de la organización paramilitar ORDEN capturaron a la campesina MARÍA JULIA LÓPEZ, residente en el cantón "El Líbano", de la jurisdicción de Suchitoto. Su cadáver apareció atado a una soga colgando de un árbol, sus senos estaban cercenados, presentando también numerosos impactos de bala. Seis niños han quedado huérfanos, ya que también el esposo de MATILDE fue asesinado por miembros de ORDEN el día 11 de febrero de 1980. Este mismo día, miembros de ORDEN y soldados del Ejército Nacional capturaron al campesino ADÁN MORALES RIVAS. Sus familiares desconocen hacia dónde lo llevaron. Se encuentra desaparecido."

3 "Día 24 de abril de 1980: Por lo menos 1.000 agentes de la Guardia Nacional, del Ejército y de la organización paramilitar ORDEN, protegidos por dos helicópteros artillados y vehículos tanquetas militares invadieron las poblaciones colindantes campesinas "El Campanario, San Benito, Angulo, Llano Grande, El Obrajuelo, Las Lomas, La Joya, La Pita, Santa Amalia", todas de la jurisdicción departamental de San Vicente (66 km. al oriente de la capital). Varios testigos presenciales declararon que desde los helicópteros lanzaron granadas a las casas de los campesinos y se les dispararon constantes ráfagas de ametralladoras. En esa cruel invasión fueron asesinados los campesinos PABLO HENRÍQUEZ (50 años), ALONSO MIJANGO (14 años), JOSÉ DIMAS (22 años), SEBASTIÁN CHÁVEZ (45 años), ANTONIO MIJANGO (59 años), OLINDA ÉVORA (16 años), LUCIO HENRÍQUEZ (26 años), LUISA y EDITH CORNEJO (15 y 16 años), MIGUEL VALLE (35 años), ALEJANDRO LINARES (42 años), RODOLFO HERNÁNDEZ (30 años), FRANCISCO MARINERO, (34 años), FÉLIX CLEOFES, MIRIAM COMASAGUA, MARTÍN MARINERO, PASTOR ANDRADE (30 años), DOMINGO ESPINOZA (60 años), y NARCISO RAMOS (50 años). A consecuencia de esta cruel invasión militar también resultaron varios campesinos heridos sin poder precisarse el número exacto."

4 Día 14 de mayo de 1980: Masacre en el río Sumpul.

El ejército y los cuerpos militares (Guardia Nacional, Policía de Hacienda), acompañados por miembros de la organización paramilitar ORDEN rodean poblaciones en extensas zonas rurales. Los poblados campesinos permanecen totalmente incomunicados durante cuatro días. Desde helicópteros "lanzallamas" el ejército incendia las viviendas de los habitantes. Al huir los pobladores son acibillados por la Guardia y miembros de ORDEN. En varios operativos, como estamos viendo a lo largo del informe, familias de campesinos, incluyendo menores de cinco años de edad, han sido fusilados. La muerte colectiva de por lo menos seiscientos campesinos, mujeres y niños en las riberas del río "SUMPUL" marca el inicio de la etapa de "limpieza total" en las zonas rurales. Denota la coordinación entre los ejércitos de El Salvador y Honduras que, junto con el de Guatemala, comenzarían a extender el "cerco sanitario" sobre territorio salvadoreño.

A partir del mes de junio extensas zonas rurales salvadoreñas se convirtieron en verdaderos "teatros de operaciones militares de exterminio total" contra la población civil ("El Trifirio", 130 km. al nor-occidente de San Salvador; extensas zonas del norte en el departamento de Morazán, 170 km. al nor-orienté de San Salvador; Aguilares y Guazapa, 35 km. al norte de San Salvador; extensas zonas del sur en el departamento de San Vicente, 60 km. al sur-orienté de San Salvador).

Los bombardeos indiscriminados por aire y tierra, realizados por la Fuerza Aérea y Artillería del ejército han sido la característica principal en esta etapa del exterminio sistemático e intencional. Asociaciones de asistencia humanitaria calculan que en la zona bombardeada por el ejército salvadoreño, en el departamento oriental de Morazán durante el mes de octubre y principios de noviembre murieron por lo menos 4.000 personas.

Por ser el hecho que marca el inicio de operaciones sistemáticas de exterminio colectivo, el Socorro Jurídico considera necesario dar un tratamiento detallado de los acontecimientos ocurridos en el río "SUMPUL".

Cronología:

- 5 mayo 1980:** Reunión secreta de altos militares hondureños, salvadoreños y guatemaltecos en la frontera población de "El Poy", 100 kilómetros al norte de San Salvador. Esta población está situada a 20 km. del río SUMPUL. El río sirve de límite fronterizo entre El Salvador y Honduras;
- 10 mayo 1980:** En San Salvador el coronel Jaime Abdul Gutiérrez, hombre de confianza de los coroneles Guillermo García, Nicolás Carranza, Eugenio Vides Casanova (directores de las operaciones militares de exterminio), asume el control de la Junta de Gobierno y del Ejército;
- 13 mayo 1980:** 250 soldados del Ejército hondureño parten hacia la frontera salvadoreña. A las 11.30 am., comienzan a preparar trincheras a lo largo de la ribera del río "SUMPUL". Llevan completo equipo militar;
- 14 mayo 1980:** A las 6 am., se inició el operativo militar. El Ejército y Guardia salvadoreños comienzan a perseguir masivamente a campesinos residentes en las poblaciones ubicadas al norte del departamento de Chalatenango (80 km. al norte de la capital). Cientos de campesinos, junto a sus familias se refugian en las riberas del río "SUMPUL". Dos helicópteros de la Fuerza Aérea Salvadoreña equipados con ametralladoras automáticas, soldados y agentes de la guardia salvadoreña disparan contra los campesinos refugiados en el río. "Mujeres torturadas antes del tiro de gracia, niños de pecho lanzados al aire para hacer blanco fueron algunas de las horribles escenas de esta matanza criminal. Los campesinos salvadoreños que pasaban el río eran devueltos por los soldados hondureños a la zona de la masacre. Al caer la tarde cesó el genocidio dejando un saldo mínimo de 600 cadáveres". (Comunicado de la Diócesis y Obispo de Santa Rosa de Copán, Honduras: 24 de junio de 1980);
- 15 mayo 1980:** Por la noche algunos campesinos hondureños recorren la zona. Rescatan sobrevivientes gravemente heridos. Los ejércitos abandonan el lugar. Al amanecer del día 16, miembros de la organización paramilitar ORDEN que participaron en la masacre regresan al lugar y patrullan la zona. Impiden que se acerquen testigos. Queman viviendas y roban pertenencias de los muertos;
- 19 mayo 1980:** Un campesino hondureño, cuatro kilómetros "rio abajo" del lugar donde

sucedió la masacre encuentra cinco cadáveres de niños menores de tres años atrapados en una trampa para pescar;

24 mayo 1980: El sacerdote Fausto Milla, párroco de Corquín, Honduras, denuncia la matanza;

26 mayo 1980: Campesinos salvadoreños que lograron refugiarse en Iglesias llegan al Arzobispado y rinden su testimonio. Otros campesinos que entregaron informes a periodistas desaparecen después de ser capturados por el ejército. Ambos ejércitos, en la última semana de mayo y primera de junio ejercen un violento control de la zona para impedir acceso. Dos incursiones realiza el ejército salvadoreño al territorio hondureño en busca de refugiados;

el ejército salvadoreño al territorio hondureño en busca de refugiados;

24 junio 1980: El obispo don José Carranza Chávez, presbítero religioso, religiosas de la Diócesis de Santa Rosa de Copán denuncian la matanza. Responsabilizan a los gobiernos salvadoreño y hondureño;

27 junio 1980: Gobierno hondureño amenaza expulsar a sacerdotes extranjeros que firmaron comunicado denuncia;

29 junio 1980: El Arzobispado de San Salvador ratifica la denuncia y se solidariza con diócesis de Santa Rosa Copán;

1 julio 1980: La Conferencia Episcopal Hondureña, presidida por el arzobispo monseñor Héctor Santos, reafirma la denuncia de la matanza de 600 salvadoreños el 14 y 15 de mayo de 1980 en el río "SUMPUL".

5 "Día 30 de mayo de 1980: Una cooperativa agrícola situada en GUAJOYO, departamento de Santa Ana, a 110 km. al occidente de la capital fue invadida por agentes de la guardia nacional, después de las veintitrés horas. Fueron asesinados doce campesinos. La cooperativa estaba administrada por la UNIÓN COMUNAL SALVADOREÑA, única organización avalada por el Gobierno. La Junta Militar no vaciló en señalar como responsables de este crimen a las organizaciones político-militares del pueblo. La UCS se encargó posteriormente de desmentir el comunicado oficial. Aseguró esta organización que "el fusilamiento de doce campesinos en GUAJOYO lo cometieron agentes de la Guardia Nacional. Uno a uno los campesinos fueron capturados en sus casas de habitación y fusilados colectivamente por agentes de la Guardia Nacional."

6 "Día 22 de junio de 1980: La ASOCIACION NACIONAL DE EDUCADORES SALVADOREÑOS-ANDES 21 de JUNIO - denunció el asesinato de CIENTO TREINTA Y SEIS MAESTROS afiliados a la Asociación desde el 1.º de enero de este año. El profesor BLADIMIR BARRIOS (35 años), director del grupo escolar "Doctor José Trinidad Garay" del barrio "La Parroquia" de Tecapan, jurisdicción departamental de Usulután, al oriente del país, fue ametrallado frente a sus alumnos por individuos fuertemente armados y protegidos con chalecos militares que se identificaron como miembros del Escuadrón de la Muerte. La alumna BLANCA LIDIA ORELLANA resultó gravemente lesionada. Dicha acción fue coordinada por la Guardia Nacional."

7 "Día 7 de julio de 1980: El cantón "Ojo de Agua", jurisdicción de Cojutepeque, departamento de Cuzcatlán (35 km. al oriente de la capital) fue nuevamente invadido por agentes de la Guardia Nacional y miembros de la organización paramilitar ORDEN. En este cantón asesinaron a MARCELINO RAMIREZ (28 años), TERESA GARCÍA (28 años), SIMONA FABIAN (20 años), ANTONIO GARCÍA (40 años), HIPOLITO PALACIOS (25 años), FRANCISCO MENDOZA (20 años), CRISTINA HERNÁNDEZ (26 años), MANUEL ASENCIO (25 años), JOSE CRUZ (22 años), VÍCTOR MANUEL HENRÍQUEZ (14 años), la niña MARITZA HENRÍQUEZ (8 años). Posteriormente los invasores se dirigieron hacia las poblaciones colindantes cantones "San Martín, San Antonio, Soledad, El Carmen, San Andrés, Candelaria y El Carmen". A su paso fueron destruyendo cultivos y saqueando las viviendas campesinas."

8 "Día 7 de julio de 1980: Treinta individuos fuertemente armados, equipados con chalecos protectores que utilizan los miembros del Ejército, y cubriendo sus rostros con mascarotas en las que se leía: "Escuadrón de la muerte", capturaron en la población campesina de San Lorenzo, jurisdicción departamental de San Vicente (66 km. al oriente de la capital) a varios campesinos que se encontraban en sus casas de habitación. A las cinco horas, después de capturar a ELISEO ARBAIZA (57 años), a sus dos hijos JORGE ALBERTO y ROBALFO (19 y 17 años), PEDRO FLORES (51 años), a sus dos hijos, uno de ellos LUIS FLORES (19 años), JORGE ALBERTO ALVARADO (21 años), CARLOS RIVAS (28 años), los torturaron y les obligaron a caminar hacia la calle que lleva a la salida del cantón donde les fusilaron. Después de cometer este crimen capturaron a la joven campesina ROMILA HERNÁNDEZ (21 años), originaria de Santa Elena, población aledaña, la violaron y después la decapitaron: su cabeza la enterraron sus familiares, ya que el resto del cuerpo fue quemado por los asesinos. Los criminales dejaron la cabeza de la campesina frente a la casa de sus familiares. Los miembros del supuesto "Escuadrón" después de cometer estos hechos fueron evacuados ese mismo día por un helicóptero del Ejército Nacional salvadoreño."

9 "Día 9 de julio de 1980: Treinta y un miembros de la familia campesina MOJICA SANTOS, todos residentes en el cantón "Mogotes" de San Pablo Tacachico, jurisdicción departamental de La Libertad (31 km. al nor occidente de la capital), fueron fusilados por miembros de la organización paramilitar ORDEN. Abrazados a sus madres fueron asesinados QUINCE NIÑOS, todos menores de DIEZ AÑOS DE EDAD. Ese día el Ejército Nacional y agentes de la Guardia Nacional ocuparon la población e iniciaron un saqueo de las viviendas campesinas. ORDEN, la violenta organización paramilitar ejecutó, debidamente protegida por miembros del Ejército, el fusilamiento colectivo de la familia MOJICA SANTOS. Para las instituciones humanitarias fue imposible penetrar ese día al cantón "Mogotes". La nómina de personas asesinadas: una niña de quince días de nacida de la familia Mojica, aún sin asentamiento legal; RENE SANTOS (2 meses de edad), BLADIMIR SANTOS (3 meses de edad), HERNAN MOJICA SANTOS (4 meses de edad), EDUARDO SANTOS (3 años), HUGO MOJICA SANTOS (4 años), SERGIO MOJICA (4 años), ELMER MOJICA (5 años), MORELIA MOJICA SANTOS (6 años), JOAQUINA MEJIA SANTOS (8 años), WALTER SANTOS (8 años), DEMMY SANTOS (8 años), ORBELINA MOJICA (9 años), MARCOS MOJICA (10 años), BEATRIZ SANTOS (12 años), ESMILDA MOJICA SANTOS (13 años), SONIA MOJICA (14 años), VENECIA SANTOS (15 años), VICTORIA SANTOS (15 años) DORA ALICIA CRUZ (20 años), GENOVEVA CARDOZA (22 años), TERESA SANTOS (25 años), TOMASA SANTOS (30 años), HERMINIA SANTOS (30 años), ROSA SANTOS (30 años), ELBA SANTOS (30 años), ROSA MOJICA (30 años), AGRIPINA MOJICA (32 años), MANUEL CRUZ (45 años), DOMITILA SANTOS (45 años), SANTOS QUINTANILLA (50 años), MERCEDES CRUZ (60 años), CLAUDIA FLAMENCO SANTOS (75 años), ROSA MOJICA (85 años).

10 "Día 19 de julio de 1980: Por lo menos 1.000 hombres enmascarados fuertemente armados, equipados con chalecos protectores, con señales que les identificaban como del "Escuadrón de la Muerte", acompañados por miembros del Ejército y agentes de la Guardia Nacional invadieron la Hacienda "Mirador", en la cual la mayoría de miembros campesinos pertenece a la UNIÓN COMUNAL SALVADOREÑA. La Hacienda está situada en cantón "Isletas", jurisdicción de Coatepeque, departamento de Santa Ana, al occidente del país. Testigos presenciales indican que agentes de la Guardia Nacional y enmascarados fusilaron a sesenta campesinos. Los seleccionaron previamente después de capturar a 300 campesinos cooperativistas. A las Instituciones de asistencia se les impidió ingresar a la zona que está totalmente ocupada por miembros del Ejército."

11 "Día 20 de julio de 1980: Una delegación de médicos norteamericanos pertenecientes a la AMERICAN PUBLIC HEALTH ASSOCIATION, que visitó recientemente El Salvador denunció las violaciones a los profesionales y trabajadores de la salud, pacientes, así como la violación a la neutralidad de hospitales y centros de asistencia. Por lo menos diez médicos han sido asesinados desde el primero de enero de este año; los hospitales han sido invadidos por la Policía y Guardia Nacional y sus pacientes, algunos capturados y desaparecidos, otros son asesinados. El día 24 de mayo los doctores JOSE CALIXTO BENÍTEZ y RAÚL PINO fueron ametrallados en San Miguel, la tercera ciudad de El Salvador, al oriente del país. El licenciado LEONEL MENÉNDEZ Q., ex catedrático de la UNIVERSIDAD CENTROAMERICANA fue secuestrado por un grupo de civiles enmascarados, cuando iba a ser intervenido quirúrgicamente en el Hospital Nacional "Rosales", el día 21 de mayo de 1980. En las afueras del hospital dos autopatrullas de la Policía Nacional y un camión del Ejército Nacional esperaba el secuestro de Menéndez. Se desconoce desde fecha su destino. Por lo menos veinte pacientes que se encontraban recibiendo asistencia médica en distintos centros hospitalarios han sido asesinados en similares circunstancias. Hombres fuertemente armados, protegidos con chalecos, ingresan en los hospitales y después de ubicar el lecho del paciente le asesinan."

12 "Día 8 de agosto de 1980: Un miembro del Ejército Nacional que se encontraba en lo alto de un edificio del Gobierno asesinó este día al periodista mexicano IGNACIO RODRÍGUEZ TERRAZAS. La Prensa nacional de oposición y varios corresponsales de prensa internacional han sido ametrallados, capturados o asesinados en este año. El 1.º de abril de 1980 tres cineastas holandeses (Frank Diamand, Ian Van der Putten) fueron ametrallados en el centro de la capital por la Policía Nacional. Dos de ellos fueron gravemente heridos. El 24 de abril fue capturado el periodista de la radio WHUR de Washington DC, RENÉ TAMSEN. Sus familiares aseguraron que la Policía de Hacienda realizó la captura. Aún se encuentra desaparecido. El 11 de julio, después de ser capturados y horriblemente torturados fueron asesinados el entonces director del periódico nacional de oposición "LA CRÓNICA DEL PUEBLO", periodista JAIME SUÁREZ QUEMAIN y el fotógrafo del mismo periódico CÉSAR NAJARRO. El radio operador de la "Radio Cadena Central", periodista JUAN ANTONIO RODRÍGUEZ fue asesinado, después de ser capturado el día 5 de agosto de este año. El director del periódico de oposición "EL INDEPENDIENTE" ha sido blanco de varios atentados: JORGE PINTO ha sido ametrallado en varias ocasiones. Milagrosamente ha logrado escapar. La periodista norteamericana JEAN SULLIVAN fue capturada el 28 de diciembre y se ignora su paradero. Los periodistas IAN MATES y MICHAEL TAVERNA fueron capturados en agosto por la Guardia Nacional."

13 "Día 27 de noviembre de 1980: A las 11,20 a.m., 25 agentes vestidos de civil penetraron al colegio Externado de San José, situado en la 25 Avenida Norte de San Salvador, donde se encuentran ubicadas las oficinas del Socorro Jurídico del Arzobispado de San Salvador.

Veinte minutos antes, cerca de 200 policías y soldados se encontraban rodeando el edificio del colegio. Al penetrar los agentes vestidos de civil colocaron boca abajo a todo el personal de la institución católica y a varios visitantes. Posteriormente procedieron a capturar a los dirigentes del Frente Democrático Revolucionario (FDR), que se encontraban en una de las aulas del colegio ofreciendo una conferencia de prensa a los miembros de la prensa nacional e internacional. A continuación, tras golpearlos y atarles las manos a las espaldas, les obligaron a subir a tres vehículos, en los que emprendieron la huida. Los dirigentes del FDR capturados en esa oportunidad eran los dirigentes: ENRIQUE ÁLVAREZ CORDOVA, presidente del FDR; MANUEL FRANCO, JUAN CHACÓN, HUMBERTO MENDOZA, ENRIQUE ESCOBAR BARRERA y DOROTEO HERNÁNDEZ. Además de ellos otras 23 personas fueron captura-

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das. Posteriormente los dirigentes del FDR aparecieron asesinados y sus cadáveres mostraban señales de estrangulamiento, mutilaciones en el cuerpo y varios orificios de bala en el cráneo. Los cadáveres de Juan Chacón, Humberto Mendoza, Enrique Escobar Barrera y de Doroteo Hernández fueron encontrados en el km. 15 de la carretera que conduce al balneario de Apulo, al oriente de la capital, el mismo día de la captura; mientras que los cadáveres de Enrique Álvarez Córdova y de Manuel Franco fueron encontrados el 28 de noviembre en el km. 18 de la misma carretera."

PRUEBAS EN CONTRA DEL GOBIERNO Y FUERZAS ARMADAS DE EL SALVADOR.

Ante las versiones gubernamentales de descargar su responsabilidad en esta masacre en un grupo de "Ultraderecha", El Socorro Jurídico pone a consideración los siguientes datos que contradicen la versión gubernamental: En el momento del operativo los agentes secuestraron al portero del Colegio Externado de San José trasladándolo a las instalaciones del Instituto Salvadoreño del Seguro Social, situado a una cuadra del colegio. Según testimonios de las innumerables personas que presenciaron el operativo, los agentes se comunicaban por radio desde el Instituto del Seguro Social hacia el colegio. Los agentes vestidos de civil llegaron al colegio armados de ametralladoras y fusiles G-3, que sólo son usados por la Guardia Nacional; los automóviles con que llegaron al colegio tenían placas que los identificaban como pertenecientes a organismos oficiales. Otra evidencia es la impunidad con que se efectuó el operativo: a plena luz del día, en el mayor colegio de secundaria del país, en una de las avenidas más transitadas de la capital, y a dos cuadras del edificio más custodiado del país, como es la Embajada Norteamericana; parece increíble que ninguna autoridad se haya hecho presente en el momento de los sucesos a brindar la protección debida, sobre todo si se toma en cuenta la magnitud del operativo, en el cual participaron más de doscientos elementos "uniformados" rodeando el edificio por más de 25 minutos. Pero si aún quedaran dudas sobre la responsabilidad del gobierno en este asesinato múltiple, ponemos a consideración el siguiente cable de la agencia norteamericana AP, en el que las autoridades salvadoreñas se agenciaban las capturas de los dirigentes:

"San Salvador, 27 de noviembre (AP). Las autoridades anunciaron hoy haber capturado a los máximos dirigentes del Frente Democrático Revolucionario (FDR) que ejerce la conducción política de los organismos izquierdistas que buscaban derrocar al gobierno." (*Aparecido en "Últimas Noticias" (segunda edición) del Diario Excelsior, primera plana, 27 noviembre 1980.*)

Un conocido elemento de la Policía Nacional Salvadoreña de nombre MAURO SAÚL MERINO, que en el operativo de la mañana participó disfrazado de civil, fue reconocido también en el operativo de allanamiento de las oficinas del Socorro Jurídico, el mismo día en horas de la tarde en el Colegio Externado de San José, ocasión en que llegó uniformado de Policía Nacional. Los mismos testigos presenciales afirman haber oído, en el momento en que se realizaba el operativo, que los agentes se comunicaban por radio con el Cuartel Central de la Policía Nacional, desde donde les preguntaban si ya habían realizado el operativo.

La opinión pública mundial, la prensa internacional, los organismos de Derechos Humanos e Instituciones Eclesiásticas, deben comprender que en El Salvador NO EXISTEN grupos de "ultraderecha"; es el EJÉRCITO NACIONAL y los CUERPOS DE "SEGURIDAD" los que actúan con uniforme militar o sin él, cometiendo innumerables acciones represivas contra el Pueblo Salvadoreño. Es el Alto Mando de las Fuerzas Armadas el que carga con la responsabilidad de este horrible hecho, así como con el asesinato del arzobispo monseñor Oscar Romero.



II. DESAPARECIMIENTOS-CAPTURAS POR RAZONES POLITICAS

CUADRO NUM. 3

CAPTURADOS POR EJÉRCITO Y CUERPOS MILITARES DE
SEGURIDAD. POSTERIORMENTE DESAPARECIDOS. (POR
MESES DURANTE 1980.)

MES	
Enero	10
Febrero	14
Marzo	15
Abril	13
Mayo	22
Junio	35
Julio	21
Agosto	81
TOTAL DE DESAPARECIDOS POLITICOS	211

La salvaje práctica de "desaparecer" a las personas que han capturado sin ser presentadas ante Tribunales judiciales ha sido permanentemente utilizada por los distintos regímenes militares de El Salvador. Hasta el día 15 de octubre de 1979 el SOCORRO JURÍDICO DEL ARZOBISPADO tenía registrada la cifra de DOSCIENTAS QUINCE PERSONAS capturadas y posteriormente "desaparecidas" por los gobiernos militares del coronel Arturo Armando Molina y general Carlos Humberto Romero (1972-1979). La actual JUNTA MILITAR supera en únicamente OCHO MESES DE ESTE AÑO a los regímenes militares que le antecedieron en esta práctica inhumana. Con este cruel método represivo no sólo se afecta a la persona "desaparecida", sino que también derivan graves consecuencias morales, psicológicas y sociales al grupo familiar. Si el "desaparecido" es la cabeza del grupo de familia es lógico pensar que sobrevienen graves consecuencias en el aspecto económico.

En 1978 dos testimonios dramáticos de ex-desaparecidos políticos conmo-

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dieron la opinión que la denuncia del Sr. F. J. MENDOZA, capturado en diciembre de 1977, fue logro escapar de las garras de la Policía de Hacienda en septiembre de 1978), y FRANCISCO BALTAZAR CAMPOS MENDOZA (capturado en noviembre de 1978, que logro escapar de la Policía Nacional en diciembre de 1978). Una cárcel clandestina-sotano de la Policía de Hacienda fue descubierto en noviembre de 1979 por dos abogados (doctor José Fabio Castillo y Lic. Roberto Cuéllar), que diligenciaban recurso de exhibición personal a favor del campesino ROGELIO GUARDADO.

Se agrega a este informe las dos notas oficiales de la COMISIÓN ESPECIAL INVESTIGADORA DE PRESOS Y DESAPARECIDOS POLITICOS (organismo oficial de la 1ª Junta Militar: 15 de octubre al 31 de diciembre de 1979). Muchos militares que actualmente se encuentran en el poder SON RESPONSABLES, según la Comisión Especial de esta práctica inhumana y cruel. Hasta agosto de 1980, ningún militar había sido procesado por su participación especial en el cometimiento de estos delitos políticos.

R 4973

III. REPRESION GENERAL

CUADRO NUM. 4

REPRESIÓN REALIZADA POR EL EJÉRCITO NACIONAL, CUERPOS DE SEGURIDAD MILITAR Y ORGANIZACIONES PARAMILITARES EN POBLACIONES CAMPESINAS, POBLACIONES OBRERAS, INSTITUCIONES DEMOCRÁTICAS, EDUCATIVAS PRIVADAS Y OFICIALES, SINDICATOS E IGLESIA, ESPECIALMENTE DEL ARZOBISPADO.

ACCIONES REPRESIVAS	ENERO	FEBR.	MARZ.	ABRIL-MAYO	JUNIO	JULIO
- Invasiones militares del Ejército y cuerpos militares a zonas y poblados campesinos	81	59	74	60	85	78
- Operativos militares del Ejército y cuerpos militares a poblaciones obreras (zonas urbanas)	17	13	25	31	23	11
- Cateos, allanamiento y saqueo de locales sindicales, estudiantiles, democráticos, locales del Arzobispado	5	6	29	15	21	14
- Ametrallamiento, sabotajes y atentados dinamiteros contra locales del mismo tipo	23	34	19	29	17	11
- Destrucción e incendio de casas campesinas durante las invasiones militares del Ejército . .	35	21	17	45	140	148

- Los días 13, 14 y 15 de mayo de 1980 se cometió una de las más sangrientas acciones del Ejército, la Guardia Nacional y la organización paramilitar ORDEN al perseguir por muchísimos kilómetros a miles de campesinos residentes en la zona norte del departamento de Chalatenango (85 km. al norte de

19

R 4974

MCH

Loren G. Coy
Gina Garrett-Jackson
Brian McGloin
Assistant Chief Counsels
Miami Office of the Chief Counsel
U.S. Immigration and Customs Enforcement
United States Department of Homeland Security
333 South Miami Avenue
Suite 200
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UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
MIAMI, FLORIDA

In the Matter of:

Jose Guillermo GARCIA-MERINO

In removal proceedings

File No.:

(b) (6)

Immigration Judge Michael C. Horn

Next hearing: Not scheduled

DEPARTMENT OF HOMELAND SECURITY'S SECOND NOTICE OF FILING

VOLUME III OF III

EXHIBIT # 5
Marked For Identification ☐
Admitted ☒

12/10/2012

9010 MAY 24 PM 2:24

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001143

MOH

The United States Department of Homeland Security, Immigration and Customs Enforcement ("DHS"), hereby files the following Exhibits in the above-styled cause of action before the Honorable Michael C. Horn:

2008 MAY 24 PM 2:24
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DIRECT

TABLE OF CONTENTS

II. Evidence establishing that Garcia ordered, incited, assisted, or otherwise participated in torture during his tenure as Minister of Defense.

TAB	PAGES
AA. <i>Summary of DOS cable from (illegible) Dec. 80, from AMEM San Salvador to Secretary of State, Washington D.C.</i>	765
Subject: The Continuing Crisis in El Salvador	
Text: Ambassador White told group, including Garcia, Carranza, 4 Junta members that "I regretted having to state the hard truths but that it was essential that they control the security forces and not allow subordinates to take the law into their own hands. These lawless elements were a cancer that had to be cut out or it would eventually destroy the military. We did not waste time over the proof that exists of the complicity of certain elements of the Security Forces in the assassination of the FDR leaders.... [The military] made no effort to rebut my stated assumption of Security Force's complicity.	
BB. <i>Summary of DOS cable 01010Z Feb 1982, from AMEM San Salvador to Secretary of State Washington D.C.</i>	775
Subject: Saving El Salvador	
Text: Under Secretary Buckley warned all concerned that violence needed to be avoided if there was ever going to be a chance of pushing through supplementary help for Salvadoran economy and military. Military folly in massacre in San Salvador of 17 people, and military explanation that such actions are the result of malevolent forces beyond control of military, General Garcia talks a good game but the Ambassador no longer trusts him or believes him. General Garcia should be read the riot act while in Washington. Ambassador is ready to lay it on the line and not too diplomatically. Suggests that U.S. Government should insist on written rules of engagement and their widespread diffusion.	

CC. *Summary of Two-Part Cable (illegible) (illegible): AMEM San Salvador to U.S.....778*
Secretary of State (illegible).

Subject: Charge Gives President Duarte Name of Suspected Murderers of U.S.
Churchwomen

Text: Part 1:

President Duarte stated that throughout the Christian Democratic Party's partnership with the armed forces it had found nearly impossible any effort to punish or even transfer any soldier because the military institution insisted on disciplining its own people as and when it chose.

Part 2:

In response to developing crisis over nuns and labor leaders' murders, military transferred a number of mid-level officers with a long history of rightist activities. However military refuses to part company with Moran though he is widely condemned for culpability in the Soyapango incident. In the case of military personnel implicated in the churchwomen murders, it will be essential for United States Government to pressure military to take action. Duarte expressed gratitude at being updated on progress of investigations but said that military would have to make decision on whether to discipline their own people.

DD. *U.S. Department of State Scope Paper.783*

Subject: What Could be Accomplished, by the Rogers/Bowdler Mission

Text: Prospects of a government of the far right are greater since last May when Ex-Major D'Aubuisson was arrested by the Majanistas. The dangers for the "middle option" are the worsening economic situation, the surge of rightist violence and the polarization of Salvadoran society. Reviving immediate middle and upper class belief in the middle course will revolve around punishing and curtailing the activities of criminal elements of the army and security forces. If symbolic "heads roll" the present directors of the Hacienda Police, the national police or even the National Guard would go a certain distance toward restoring public faith in the middle course. The worse danger of the middle course is the fact of a military establishment answerable to no one. Even the military code of conduct announced on October 15 is enforceable only to the extent that the Ministry of Defense chooses to act. It has not acted and will not so long as the present leadership remains.

EE. *Summary of DOS Cable (illegible) Nov, From AMEM San Salvador to U.S.....787*
Secretary of State, Washington, D.C.

Subject: Some Tough Discussion with Garcia

Text: Persistent problem of violence which senior U.S. officials should raise with Defense Minister Col. Garcia during his Washington visit. In past, reports of direct army participation in excesses have been few, rather problems of abuses of authority was seen largely as one of better control of specialized security forces. Thus it is particularly disturbing to have detailed reports of Salvadoran Army massacres of woman and children along the Rio Lempa and in Chalatenango. The DOS' own officials were witnesses to the machine gun attack on unarmed civilians by helicopter.

FF. *CIA Cable – December 17, 1980.*789

Subject: El Salvador: Military Attitude Toward Compromise

Text: "The military is more unified and its chain of command more consolidated than at any time since the coup in October 1979. The Defense Ministry retains complete control of all military affairs and has significant veto power over other government policy through junta VP Colonel Gutierrez, the official military spokesman in the civilian-military alliance. The armed forces are set on eliminating the revolutionaries through indiscriminate warfare and probably would reject moves viewed as hampering that effort.

...the military will even drag its feet on transfers of officers associated with human rights abuses and rightist plotting for example, the deputy defense minister, "a key rightist officer targeted for removal by the Christian democrats will remain in office...."

GG. *Summary of DOS cable 212243Z May (year illegible) from AMEM San Salvador to Secretary of State, Washington D.C.*791

Subject: Call on Minister of Defense May (illegible)

Text: Ambassador White called meeting with Garcia: Told Garcia that the torturing and killing of unarmed civilians by the security forces had gone way beyond any conceivable justification. Stability questioned because there were two rightist coup attempts linked to D'Aubuisson and the United State Government was unable to understand how the coup attempts could go unpunished.

Garcia responded that he was aware that excesses were grave, he had a good idea who was responsible; extreme left was attacking military daily; Orden was not dead, although no confirmation, he was sure there were cases of security forces participation in death squads

In response to concerns about D'Aubuisson (who had attempted a right wing coup), Garcia suggested he be reintegrated back into military and made attaché to Taiwan. White rejected this because D'Aubuisson could request an administrative transfer back to El Salvador.

White comments in cable this is most disappointing conversation since arrival in El Sal because Garcia made no promise, implicit or explicit to end official violence. Clear to White that Garcia wants to drive off Majano and rehabilitate D'Aubuisson. Real threat to stability comes from officers in High Command who are secretly in right corner.

HH. Amnesty International (AI) Report dated September 1982.....794

Subject: Assigning Responsibility for Human Rights Abuses: El Salvador's Military and Security Units

Text: All of the GOES special security forces, including the National Guard, have been named in reports of human rights violations. While the authorities continue to maintain that the abuses committed by the security or armed forces personnel were carried out at lower levels by personnel exceeding their authority, on several occasions the government has also stated that the officers and troops implicated in the abuses have been removed from duty or rotated to non-combatant positions. In other cases, authorities have stated that criminal proceedings had been instituted against personnel who committed human rights violations. AI indicated that such cases were rare.

In 1982, 12 members of a Brigade de Defensa Civil, civil defense patrol made up of former members of ORDEN and formed under the direction of the Ministry of Defense, were arrested as well as Treasury police for a group murder of 19 people including 5 children under age two.

In late May 1982, six members of one such civil defense committee were arrested in connection with the murders of two Christian Democrats, including two newly elected mayors.

The security forces have allegedly provided the United States Embassy with lists detailing charges against 292 persons dismissed from the four branches of the security services (National Guard, National Police, Treasury Police and the Army). Very few of the charges are related to human rights violations, none was charged with EJK or torture, which were the abuses that the security forces were accused of committing. Only four of the cases dealt with human rights of victims because of their actual or suspected political beliefs and those were the guardsman arrested in connection with the killings of the four American churchwomen.

The Treasury police have regularly been implicated in human rights violations, frequently directed at young people.

Constitutionally, the president is commander in chief of the military and security forces, all of which are responsible to him through the Minister of Defense. Units of the regular military continue to be cited for arbitrary detentions and abductions in the capital and in towns throughout the country. The regular army and the new US trained rapid deployment forces, the Atlacatl, Ramon Belloso and Atonal Brigades are frequently cited as responsible for massive killings of non-combatants.

Paramilitary groups – the countryside is patrolled by members of ORDEN, which is a civilian paramilitary unit established in 1967 and operates in conjunction with the army and security units. It also operates under the name of Frente Democratico Nacionalista and AI obtained evidence that suggests that the death squads are made up of ORDEN personnel.

Testimony to the US Congress in April 1981 by former Salvadoran military doctor Captain Ricardo Fiallos stated that the forces of the extreme right or the Death Squads do not operate independent of the security forces.

Colonel Adolfo Arnoldo Majano, who was an original Junta member and was forced from government in December 1980, has also stated that high level members of government including Defense Minister Jose Garcia, former Deputy Defense Minister Col Carranza and Colonel Gutierrez... are covering up the actions of such rightists groups.

II. *Memo re: Satisfaction of Many Military Officers with Assassination of Leaders.....801 of the Revolutionary Democratic Front (FDR): Belief that the same Tactics Should be Used to Eliminate Other Leftist Leaders.*

Excerpt: Many senior and mid level military and national guard (GN) officers believe that the assassination of the six leaders of the Revolutionary Democratic Front on November 27, 1980 was a positive act. While the Revolutionary Junta has publicly promised an investigation into the killings, it is not expected to be carried out. The military believes that the FDR leaders were extremist terrorists or “useful fools” for the terrorists and deserved to be killed. The Junta believes that the U.S. will protest the killings but they believe they can exist without U.S. government support. The military will turn to Argentina, Chile, and Guatemala and the private investments from the Salvadoran oligarchs currently in exile. It is believed that either the Treasury Police, the National Police or the National Guard were responsible for the deaths. Many military believe they are wasting their time fighting low level terrorists in the countryside and need to focus their resources on the leftist leaders operating in the capital city. These feelings were expressed by several mid-level army officers on November 28, 1980 in the presence of Col Jose Garcia Merino,

Minister of Defense and Nicolas Carranza, sub-minister of defense and both General Garcia and Carranza indicated they supported this line of thinking. From the comments of all those present during this conversation, it was clear that General Garcia, Carranza and the other officers present accepted as fact that the military services were responsible for the assassination of the six leaders.

JJ. *Summary of DOS cable (illegible number and date), from AMEM San Salvador803 to Secretary of State, Washington D.C. (3 cables).*

Subject: Ambassador and COMUTILGP presentation of helicopter proposal to JRG and High Command, August 21

Text: Ambassador indicated continuing United States support for Junta and its policies of carrying out reforms and democratization but noted serious problems were being created in that relationship by continuing violence of extreme right which was perceived to be and often actually was condoned by the military. U.S outlined proposal to lease helicopters which included 5 conditions related to limiting the violence and measuring GOES' success in meeting the 5 conditions. Garcia's reaction: human rights goals were good but El Salvadoran idiosyncrasies were not being taken into account. By that he meant abuses by the military should be handled quietly and in house. He agreed there had been abuses but did not think it was a good idea to proclaim that fact. He vouched for the efforts of the Junta and High Command to improve human rights and said United States recommendations are being carried out. However it was one thing to carry them out voluntarily and another to have them enforced by another country – i.e., the country's dignity was offended. Ambassador White pointed out that some progress in human rights had been made in El Salvador but more needed to be done.

KK. *Summary of DOS Cable, 021338Z, Feb. 1982, from AMEM in San Salvador to.....814 U.S. Secretary of State, Washington, D.C.*

Subject: More on Alleged Morazán Massacre: San Antonio Abad; and Nuns

Text: U.S Defense Attaché tried to identify which units of Salvadoran Army were in El Mozote at the time of the massacre. General Garcia wanted no one other than himself to deal with that question. Garcia said the Morazán business was a "Novela", pure Marxist propaganda devoid of foundation. The attaché stated that he was concerned over the references to the Atlacatl battalion and Lts. Caceres and Ortega had been engaged at El Mozote. Garcia acknowledged knowing Lt. Caceres and said that he was an honorable soldier who would never kill women and children. He denied knowing Ortega. He admitted that the Atlacatl Battalion had been at El Mozote during the December sweep but reiterated that the story was a pack of lies. Garcia stated that he would talk to Caceres to get his side of the story and be prepared when he got to

Washington. He said that he would examine the daily action reports received from units in the operation reporting on friendly, enemy and other casualties.

As for the San Antonio Abad incident, allegation that it was being distorted by the press as part of a campaign. Neighbors had reported suspicious meetings at a house and when the troops of the first brigade went to the house, they were fired upon. The Brigade returned fire so those in the house who were killed were killed in action. Weapons were seized from the house. Claims of rapes and women being killed was nothing more than leftist propaganda. The women who were killed were guerillas. Garcia stated that he was sure of these facts because he had discussed the incident directly with Col. Palacios, Brigade Commander. The defense attaché advised Garcia that some of the dead showed signs of torture and many had been killed with bullets to the head. Garcia did not try to explain the inconsistencies except to say that it was plot to discredit the armed forces. The defense attaché agreed that there appeared to be some factual basis for the exaggerated stories but urged Garcia to exhort his commander to exercise more rigorous control over their forces.

It was also mentioned that Garcia's account of the San Antonio Abad incident is inconsistent with Palacio's report that there was a fire which caused confusion which led to possibly innocent people being killed.

LL. *Summary of DOS Cable (illegible) Feb 82, from AMEM San Salvador to Secretary of State, Washington D.C.*820

Subject: Chat with General Garcia.

Text: Prior to visit to US, Garcia he was told to be ready to answer questions regarding Morazán Massacre. "He was his usual cocky self. 'I'll deny it and prove it fabricated.'"

MM. *Summary of DOS cable 192334Z May 83(illegible).*822

Subject: Travel to El Salvador by Captain Eduardo Avila Avila, Alleged Conspirator in the 1980 Assassinations of Two U.S. Citizens in the San Salvador Sheraton Hotel.

Text: Captain Eduardo (Avila) Avila, a Salvadoran rightist armed forces officer alleged to have been a conspirator in the assassinations of two U.S. citizens in the San Salvador Sheraton Hotel currently spends most of his time living in Uruguay but is able to visit El Salvador frequently. When in El Salvador, Avila resides at a private home in Santa Tecla adjacent to a National Guard headquarters. The private home is in fact a National Guard safe house which is protected by armed guards provided by the National Guard and civil defense. When Avila is present in Santa Tecla, the National Guard provides him with a security team of at least six men armed with automatic weapons.

There is substantial support for Captain Avila within the armed forces, especially among rightist officers. It is unlikely that Avila will ever be arrested in El Salvador as long as he retains the support of D'Aubuisson and the rightist military officers.

NN. *Summary of DOS cable 021700Z May 80, from AMEM San Salvador to825*
Secretary of State, Washington D.C.

Subject: Conversation with UCS Leaders

Text: Labor Attaché commented that the killings in the countryside. Seemed to be coming from all directions and that he had heard that local National Guard commanders bore much of the responsibility for the repression. The (UCS) directors agreed but named three officials who could stop the repression if they wished, Garcia, Carranza (sub minister of Defense), and Vides. They added that three are not in favor of Junta reforms and are allowing lower ranking officers to obstruct them.

OO. *A Staff Report to the Committee on Foreign Relations US Senate, Nov 1983.....828*

Subject: Central America: Treading Dangerous Waters

Text: Increased US military activity in Central America is having a profound impact on nations of the region in terms of their own domestic situations. Politically, the government of EL Sal is slowly moving toward elections. Human rights violations continue with the military leadership admitting no responsibility for the killing and abuses. There has been no progress in the cases of the murdered Americans and the prime military suspects still remain free.

The change in leadership from Garcia to Casanova, plus strong urgings by U.S. military personnel seem to have resulted in a revitalized military. The military leadership is quick to point out to visiting US delegations that the new military attitude includes instructions in human rights and human relations. The military is optimistic about the new strategy and tactics.

PP. *Summary of DOS cable 291802Z Jun 88, from AMEM San Salvador to837*
Secretary of State Washington D.C.

Subject: "Post Reporting Plan: Military's Response" (3 of 7)

Text: The Code of Silence; The solidarity of the officer corps in covering up human rights violations does not imply that all officers commit violations or condone them. The officer corps' tolerance of officers who order human rights violations is only part of a syndrome of tolerance of incompetence and willful misconduct by other officers. Not only has no high ranking officer ever been convicted of a human rights violation none has been dismissed for ineptitude

in combat or gross misuse of government funds or other corrupt practices. The solidarity of the officer corps is in part a conspiracy to keep closet skeletons from awakening. In the early 1980s when the military was fighting a dirty war with little aid from the outside, it is likely that some who are now colonels ordered acts of violence that they would not like resurfaced, even though they would probably be granted amnesty from prosecution. The drastic change in human rights observance in recent years did not occur because all the offenders were dismissed from the service or sent to foreign lands as attaches. It came about because officers still on active duty changed their methods as better tools for fighting the war were made available to them.

QQ. Summary of unidentified cable, 200047Z Jul 83, (heavily redacted).840

Subject: Reluctance of the Salvadoran Minister of Defense to Prosecute Military Officers for Alleged Human Rights Violations

Text: Minister of Defense Vides Casanova confided to officers of the Salvadoran General Staff that he was troubled over the attention given by the media and human rights group to the atrocity that was committed by the military in the Sonsonate Department. The atrocity involved the murder of 18 peasant members of a cooperative farm on February 22, (no year given) Eyewitness said it was the uniformed members of the 6th Detachment under Commander Captain Salvador Figueroa Morales. Vides stated that he did not doubt that Figueroa was guilty of supervising the massacre or the troops but the media attention is bad for troop morale and he instructed the Chief of the Armed Forces Press Commission to play down the incident in media. Vides transferred Figueroa from Sonsonate to Morazán as punishment in lieu of prosecution. He appointed Lt Colonel Denis Moran, a well known rightist implicated in the murders of two U.S. citizens in the Sheraton Hotel, as head of the Engineer Instruction Center. (CIIFA)

RR. U.S. Department of State Memo from R. Melton to E. Abrams re: Meeting842 with Salvadoran Chief of Staff, Gen. Adolfo Blandon, June 29 (year illegible).

Text: President Duarte and El Salvadoran Armed Force ("ESAF") have been successful at turning the human rights situation around. However, the failure to bring to trial any officer for past, documented abuses continues to undermine efforts to show the world how the situation has improved. Recent reports about possible executions by the Arce Battalion and several alleged abductions and murders by other units are now raising questions about gains to date. The ESAF should act to investigate fully and to dismiss from the military officers involved in past or current abuses.

SS. Summary of U.S. Government Cable (illegible) June 88: AMEM in San845 Salvador to U.S. Secretary of State.

- Subject: Post Reporting Plan, Military's Response to Human Rights Accusations
- Text: Discussion of how officer misconduct is still tolerated. Things have improved overall, but the military's code of silence makes it difficult to go after any high ranking officer. Not only has no higher ranking officer ever been convicted of a human rights violation, none has been dismissed for ineptitude in combat, or gross misuse of government funds or other corrupt practices. The Embassy has met many good officers, but has yet to meet the one who will cast the first stone. Institutional and attitudinal changes are needed.
- TT.** *Memorandum re: Belief Among Christian Democratic Party (PDC) Leaders866 that the Salvadoran Right is Increasing Its Influence in the Armed Forces. (June 1983).*
- Text: During a June 16, 1983 meeting of the fourteen Christian Democratic Party (PDC) Departmental Secretary Generals, the PDC officials expressed unanimous concern that the Salvadoran extreme right has increased its influence in the armed forces since the appointment of General Casanova as Minister of Defense. Concerns relate to Casanova's appointment and failure to remove individuals implicated in past atrocities.
- UU.** *Summary of U.S. Government Cable 301800Z, Oct 1979: AMEM in San869 Salvador to U.S. Secretary of State, Washington, D.C. (2 parts).*
- Subject: Assistance to New Government of El Salvador
- Text: U.S. officials met with the Revolutionary Governing Junta (JRG), including Defense Minister Garcia. They discussed economic, social and political reform. They also discussed the problems relating to political prisoners and the disappearance of individuals.
- Indicated to Garcia that they recognized the necessity to defend the JRG and Salvadoran society against political violence, but urged that this be done with minimal counter-violence.
- VV.** *Summary of U.S. Government Cable 272320Z, Oct 1980: AMEM in San874 Salvador to U.S. Secretary of State, Washington, D.C.*
- Subject: Meeting with Minister and Vice-Minister of Defense
- Text: Describes meeting with Minister of Defense Garcia and Vice-Minister Carranza. Ambassador White emphasized the need to control right wing violence and to put an end to the abuses committed by the military. Carranza was included in the meeting because he and Garcia "inseparable." The Ambassador thought that Carranza's presence was helpful to make any progress. The Ambassador informed Garcia that the entire world believed that the security forces were involved in right wing violence and that restoring the

reputation of the Junta required special efforts to bring rightists under control. Garcia pleaded his good faith and denied attachments to either the right or left and claimed his only objective was to bring peace and order to the country.

Garcia accepted the Ambassador's suggestion to appear on television to read the Junta's new decree ordering the military to observe civilized standards and protect human rights. He agreed that his appearance would lend greater force to the decree.

The report includes a comment from the Ambassador that there is something of an "alice-in-wonderland air" to his conversation with Garcia and Carranza. He goes on to state that Garcia knows perfectly well that some middle and low level members of the military are involved in death squads and other right wing violence, and as long the Ambassador attempts to continue with civilized discourse, there is no way to break through Garcia's adopted pose.

- WW.** *Photograph: El Salvador. 1981. Members of ruling Junta take salute879*
(dark sunglasses) Guillermo Garcia-Defense Minister, to his right, VP Jaime Gutierrez,
far right, Colonel Castillo-Deputy Chief of Staff.

II. Legislative History of Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA).

- XX.** *John Cannan, Legislative History of Anti-Atrocity Alien Deportation.....881*
Provisions, Law Library of Congress (March, 2010), including Senate Report Nos. 107-
144 (April 25, 2002) and 108-209 (November 24, 2003).

General Garcia was referenced in the legislative history of one of the predecessors of the IRTPA amendments, the Anti-Atrocity Alien Deportation Act of 2001 (S.864). The Senate Report for that bill cited a 2002 Amnesty International USA publication, *The United States of America: A Safe Haven for Torturers*, that documents General Garcia as a case study for an individual alleged to be responsible for human rights abuses in his home country.

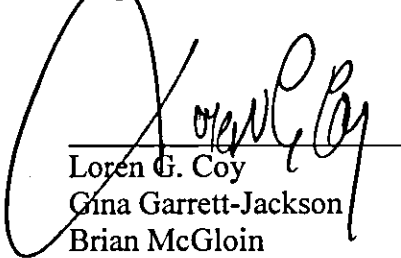
- YY.** *Senate Report No. 107-144, Anti-Atrocity Alien Deportation Act of 2001 (April889*
25, 2002) (referred to in XX).
- ZZ.** *Senate Report No. 108-209, Anti-Atrocity Alien Deportation Act of 2003.....900*
(November 24, 2003).
- AAA.** *Amnesty International USA, United States of America: A Safe Haven for911*
Torturers (20020).

Excerpt from page 48 of the Report:

In 1993, the United Nations sponsored Truth Commission in El Salvador concluded that Vides Casanova concealed the fact that the murders had been carried out pursuant to superior orders and that Garcia made no serious effort to investigate those responsible for the murders. Robert E. White, former U.S. Ambassador to El Salvador, has testified that the failure of Garcia, Vides Casanova, and other members of the Salvadoran military high command to take serious action to investigate and prosecute human rights abuses by their personnel led to the deaths of thousands including the American women.

DHS hereby advises the Immigration Court that it may supplement the record of proceeding with additional evidence depending on the outcome of discussions with respondent's counsel regarding stipulations to evidence and the Department's review of the respondent's evidentiary submissions. Any amendments to this list will be submitted in accordance with the local EOIR filing guidelines.

Respectfully submitted,



Loren G. Coy
Gina Garrett-Jackson
Brian McGloin
Assistant Chief Counsels
Miami Office of the Chief Counsel
U.S. Immigration and Customs Enforcement
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(b) (6)

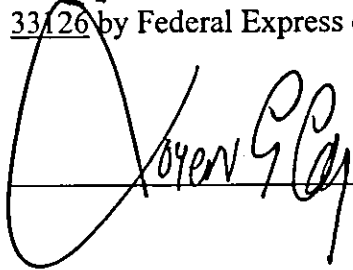
5-24-10
Date

Jose Guillermo GARCIA-MERINO

(b) (6)

PROOF OF SERVICE

On May 24, 2010, I, Loren G. Coy, Senior Attorney, sent a copy of this Notice of Filing of Department of Homeland Security and any attached pages to Alina Cruz, Esquire, attorney for the respondent at the following address: 6303 Blue Lagoon Drive, Suite 400 Miami, Florida 33126 by Federal Express overnight delivery.

 _____

5-24-10
Date

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5.0. 120651 XUS-3 12-2-82 (WHITE, ROBERT E.) DR-M
TAGS: MASS MILI PIMS PIAT SHUN 25
SUBJECT: THE CONTINUING CRISIS IN EL SALVADOR

REF: STATE 316182

1. (ENTIRE TEXT)

2. EARLY IN THE MORNING OF DECEMBER 2, FOREIGN MINISTER
FIDEL CHAVEZ MENA CAME TO THE RESIDENCE TO INFORM ME OF
THE LATEST DEVELOPMENTS
WITHIN THE CHRISTIAN DEMOCRATIC
PARTY IN THE AFTERMATH OF THE SLAYING OF THE FDR LEADER-
SHIP. HE SAID THAT AS A RESULT OF NUMEROUS MEETINGS WITH
THE SECOND ECHELON PARTY LEADERSHIP, THE POSITION OF THE
CHRISTIAN DEMOCRATS HAD HARDENED SIGNIFICANTLY TOWARDS
THE MILITARY. CHAVEZ MENA SAID THAT THE CHRISTIAN DEMO-
CRATS WILL DEMAND A THOROUGHGOING INVESTIGATION OF THE
KILLINGS OF FDR LEADERS AND PUNISHMENT OF THOSE GUILTY.
A REVISED COMPACT WITH THE CHRISTIAN DEMOCRATS PETERATING
SPECIFICALLY THE MILITARY'S COMMITMENT TO BRING ABOUT 2
NATIONAL DIALOGUE, FOSTER PLURALISM, AND HOLD ELECTIONS.
CRUCIAL TO THE DECISION OF THE CHRISTIAN DEMOCRATS TO
TAKE A HARDER LINE WAS THE INSISTENCE OF THE RANK AND FILE
THAT THEIR LIVES WERE IN DANGER FROM THE SECURITY FORCES.

PLAINTIFF'S
EXHIBIT
CASE 99-8364
NO. CIV-HURLEY
EXHIBIT
NO. 191

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CHAVEZ HENA SAID THAT THE CHRISTIAN DEMOCRATIC LEADERSHIP HAD MET WITH COLONELS GUTIERREZ AND GARCIA AND BELIEVED THAT THEY COULD WORK OUT AN ARRANGEMENT THAT WOULD SATISFY BOTH CIVILIAN AND MILITARY PARTIES. CHAVEZ HENA SAID THAT COLONEL GARCIA HAD AGREED TO ISSUE WARRANTS FOR THE ARREST OF CERTAIN RIGHTISTS THAT ALL KNOW WERE INVOLVED IN THE KILLING OF THE FOR LEADERSHIP BUT THAT GARCIA HAD INSISTED THAT WARRANTS GO OUT ALSO FOR THE ARREST OF LEFTIST LEADERS SUCH AS PICHINTE AND OTHERS. THE CHRISTIAN DEMOCRATS READILY ACCEPTED GARCIA'S DEMAND.

3. LATER IN THE MORNING I MET FOR ABOUT TWO AND A HALF HOURS WITH THE FOUR MEMBERS OF THE JUNTA, THE MINISTER AND VICE MINISTER OF DEFENSE, AND COLONEL CASTILLO, THE CHIEF OF STAFF OF THE ARMED FORCES. I MADE MY PRESENTATION BASED ON POINTS IN TEPEL. I STATED THAT THE UNITED STATES WANTED TO BE HELPFUL IN THIS CRISIS AND THAT OUR DELEGATION SHOULD BE LOOKED UPON AS THE COUNSEL OF A FRIEND AND ALLY. I EMPHASIZED THAT WHILE WE WERE REVIEWING OUR POLICY, WE WERE NOT LAYING DOWN ANY CONDITIONS; WE WERE SIMPLY ALERTING THE GOVERNMENT TO THE SERIOUSNESS OF THE SITUATION AS WE SAW IT.

4. WHEN I FINISHED, THERE WAS A LONG AND TENSE SILENCE. FINALLY, NAPOLEON DUARTE SPOKE UP, REPHRASING THE POSITION OF THE UNITED STATES IN THE MOST POSITIVE AND ENCOURAGING WAY POSSIBLE, STRESSING THE IMPORTANCE OF THE INTERNATIONAL REACTION AND THE ISOLATION EL SALVADOR COULD FACE.

5. COLONEL GUTIERREZ THEN MADE A BRIEF DECLARATION, STATING THAT THE SALVADOREAN ARMED FORCES HAD INITIATED THE REVOLUTIONARY CHANGES AND WERE SUFFERING SEVERE CASUALTIES IN ORDER TO SAVE

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THEIR COUNTRY FROM COMMUNISM AND IT WAS BITTER FOR THEM TO HAVE
TO HEAR THEIR OLDEST FRIEND AND ALLY QUESTIONING THEIR DEDICATION
TO REFORM AND DEMOCRACY.

6. IN THAT WAS CLEARLY A PREVIOUSLY AGREED
ARRANGEMENT, JUNTA MEMBER DR. AVALOS, WHO IS NEITHER A
CHRISTIAN DEMOCRAT NOR A MILITARY OFFICER, LAUNCHED INTO
A VERY STRONG INDICTMENT OF THE UNITED STATES POSITION.
HE SAID THAT THIS "REVIEW" AS I HAD DESCRIBED IT WAS REALLY
NOTHING MORE THAN A BIG COUNTRY BLACKMAILING A LITTLE
COUNTRY. HE ASKED IF THE UNITED STATES WANTED TO DELIVER THE
COUNTRY INTO THE HANDS OF THE COMMUNISTS, AND CHARACTERIZED
MY VISIT TO THE SOCORRO JURIDICO AS ALLYING MYSELF WITH THE ENEMY.

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WDDIS

7. I DID NOT RESPOND IN KIND BUT LIMITED MYSELF TO

DEFINING AND CLARIFYING THE DESIRE OF THE UNITED STATES
TO BE HELPFUL WHILE POINTING OUT THAT THE JRG COULD NOT
STATE THAT IT WAS IN FAVOR OF MEDIATION AND THEN PERMIT
THE POTENTIAL LEFTIST PARTICIPANTS TO BE KILLED WITH
IMPUNITY. I ARGUED IT WAS THE TASK OF THE GOVERNMENT
TO GUARANTEE AS FAR AS HUMANLY POSSIBLE THE SAFETY OF
THE POLITICAL OPPOSITION, OR ELSE WHAT POSSIBLE CHANCE
WAS THERE TO ACHIEVE THE JRG'S STATED GOALS OF PLURALISM
AND DEMOCRACY?

8. VICE MINISTER OF DEFENSE CRONANZA SPOKE NEXT AND
AT GREAT LENGTH. I HAVE TO SAY THAT HIS PRESENTATION
MADE A GREAT DEAL OF SENSE. HE AGREED THAT AN INVESTIGA-
TION OF THE EVENTS OF THURSDAY WAS REQUIRED; HE SAID
THAT THE MINISTRY OF DEFENSE WAS NOT ATTEMPTING TO
DENY ITS RESPONSIBILITY TO PROTECT THE CIVILIAN POPULANCE
BUT THAT THE JUDICIAL SYSTEM HAD COLLAPSED AND THERE
WAS A WAVE OF FRIE CARRIED ON BY THE POLITICAL EXTREMES
ON THE LEFT AND ALSO OF THE RIGHT. HE WENT ON TO
ANALYZE IN DETAIL THE DANGERS OF COMMUNISM, THE INTEREST
THAT THE UNITED STATES HAD TO HAVE IN PREVENTING ANOTHER
COUNCIL CENTRAL AMERICA, AND THE NEED TO FIND A MUTUALLY
SATISFACTORY SOLUTION FOR BOTH THE U.S. AND EL SALVADOR.

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HE STATED CATEGORICALLY THAT HE DID NOT REJECT DIALOGUE WITH ANY POLITICAL GROUP BUT STRESSED THE DIFFERENCE BETWEEN THOSE WHO HELD POLITICAL OPINIONS AND THOSE WHO KILLED OTHERS FOR HOLDING CONTRARY POLITICAL OPINIONS. NEVERTHELESS, COLONEL CARNANZA SAID HE VIEWED MY PRESENTATION OF THE UNITED STATES POSITION AS AN ATTEMPT BY A GREAT POWER TO IMPOSE ITS SOLUTION ON EL SALVADOR.

9. THE MINISTER OF DEFENSE, COLONEL GARCIA, LAUNCHED INTO A 30-MINUTE SPEECH WHICH ALTERNATELY BURED AND OFFENDED HIS COLLEAGUES. HIS BASIC POINT WAS THAT THE UNITED STATES FACED A CHOICE: EITHER SUPPORT THE PRESENT GOVERNMENT OF EL SALVADOR TOTALLY OR SEE THE COUNTRY FALL TO COMMUNISM.

10. I RESPONDED TO COLONEL GARCIA'S REMARKS IN SOME DETAIL. I STRESSED THAT THE UNITED STATES HAD BACKED THIS GOVERNMENT FROM THE ONSET AND WITH MORE ASSISTANCE THAN IT HAD GIVEN TO ANY OTHER REGIME IN THE WESTERN HEMISPHERE BECAUSE WE BELIEVED THAT THE PRINCIPLES IT EMBODIED IN THE 15TH OF OCTOBER PROCLAMATION AND THE SUBSEQUENT REFORMS DESERVED THE ALL-OUT SUPPORT OF OTHER DEMOCRATIC STATES. I SAID THAT IT WAS UNDERSTANDABLE IN THE CONTEXT OF THE CONSTANT VIOLENCE CARRIED ON BY THE LEFT THAT SOME OF THE IDEALS AND PURPOSES OF THE ORIGINAL REVOLUTION MIGHT HAVE BEEN DEFERRED BUT THAT IT WAS IMPORTANT TO RENEW THE JRG'S COMMITMENT TO ITS ORIGINAL PURPOSES. I TOLD GARCIA THAT FOR DECADES EVERY DICTATORSHIP IN LATIN AMERICA HAD INSISTED THAT THE UNITED STATES FACE UP TO THE SAME DILEMMA: SUPPORT US WITH ALL OUR FAULTS OR LET THE COMMUNISTS WIN. I ADDED THAT FOR THE MILITARY TO IDENTIFY ITSELF WITH RIGHT-WING REPRESSION WOULD ENSURE THE FAILURE OF

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THE SALVADORAN EXPERIMENT. I EMPHASIZED TO ALL PRESENT THAT UNPRINCIPLED VIOLENCE WAS RESPONSIBLE FOR THE PLUMMETING INTERNATIONAL REPUTATION OF EL SALVADOR. AND UNFORTUNATELY, THE WIDELY HELD OPINION THAT SOME MEMBERS OF THE SECURITY FORCES WERE INVOLVED WAS TOO OFTEN SUBSTANTIATED BY CONVINCING EVIDENCE REPORTED HERE AND ABROAD. I TOLD THE GROUP THAT I REGRETTED HAVING TO STATE THESE HARD TRUTHS BUT THAT IT WAS ESSENTIAL THAT THEY CONTROL THE SECURITY FORCES AND NOT ALLOW SUBORDINATES TO TAKE THE WAR INTO THEIR OWN HANDS. THESE LAWLESS ELEMENTS WERE A CANCER THAT HAD TO BE CUT OUT OR IT WOULD EVENTUALLY DESTROY THE MILITARY. I

CLOSED BY REMINDING GARCIA AND THE REST THAT WHILE I SHARED HIS EVALUATION OF THE CUBAN THREAT, I HAD TO REJECT HIS ASSERTION THAT WE HAD NOT CONCERNED OURSELVES ABOUT VIOLATIONS OF HUMAN RIGHTS IN COMMUNIST COUNTRIES. I POINTED OUT TO HIM THAT WHILE WE BOTH AGREED FULLY THAT THE VIOLENT LEFT IN EL SALVADOR WAS THE ULTIMATE ENEMY, THE UNITED STATES HAD ALWAYS ENCOURAGED THE SALVADORAN

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MILITARY TO CONFRONT THE ARMED GUERRILLAS WITH FORCE
BUT TO ELIMINATE THE DISAPPEARANCES, TORTURE, AND
ASSASSINATION CARRIED OUT BY DEATH SQUADS FINANCED
AND RUN BY THE FAR RIGHT. MILITARY OFFENSIVES AGAINST
GUERRILLAS WERE PROPER AND LEGITIMATE BUT, AS THE UNITED
STATES HAS INTIMATELY INVOLVED IN SUPPORTING THE JNG,
IT SEEMED TO US THAT WE HAD THE RIGHT AND THE OBLIGATION TO
EXPECT A STANDARD OF CONDUCT FROM THE SALVADOREAN ARMED FORCES
THAT MET MINIMUM INTERNATIONAL OBLIGATIONS TO WHICH EL
SALVADOR HAD PLEDGED ITSELF ON MANY OCCASIONS.

11. JUNTA MEMBER JOSE ANTONIO POPALES ENRIQU then
THANKED ME BOTH FOR MY PRESENTATION AND THE LATE
CLARIFICATION AND SAID THAT HE THOUGHT THE EXCHANGE HAD
BEEN MOST USEFUL AND PRODUCTIVE. HE NOTED THAT ALL OF
THOSE PRESENT WERE ACUTELY AWARE THAT THE JNG FACED A
MOST SERIOUS CRISIS WHICH HAD TO BE SOLVED WITH MODERATION,
GUND SENSE AND POLITICAL SKILL.

12. AT THIS SESSION, COLONEL CASTILLO, THE ARMED FORCES
CHIEF OF STAFF, MADE NO STATEMENT.

13. COMMENTS: ALL IN ALL, IF FELT THAT THE SESSION WENT
VERY WELL. WE DID NOT WASTE TIME OVER THE PROOF THAT
FACTS OF THE COMPLICITY OF CERTAIN ELEMENTS OF THE

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SECURITY FORCES IN THE ASSASSINATION OF THE FOL LEADERS. CLEARLY THIS WAS SOMETHING THE MILITARY DID NOT CONSIDER WORTHY TO INTRODUCE INTO THE CONVERSATION AND THEY MADE NO EFFORT TO DEBUT MY STATED ASSUMPTION OF SECURITY FORCES' COMPLICITY. I EVALUATE THEIR PERFORMANCE THROUGHOUT THE LONG SESSION AS A SEARCHING PROBE TO TEST THE FLEXIBILITY, IF ANY, IN THE UNITED STATES' POSITION. WHEN DR. AVALOS DESCRIBED OUR STAND AS BLACK-MAIL, I REJECTED HIS CHARGE CATEGORICALLY. WHAT WE WERE ARGUING, I SAID, WAS THAT THE GOVERNMENT OF EL SALVADOR HAD TO LIVE WITH THIS INCIDENT IN SUCH A WAY AS TO CONVINCE WORLD OPINION THAT IT HAD NO SYMPATHY OR TOLERANCE FOR SUCH BARBARIC ACTS.

14. AT OUR MORNING MEETING, FOR MY CHANCE I HINTED STRONGLY THAT SINCE THE MILITARY HAD TESTED THE UNITED STATES' POSITION, THEY WOULD OPEN UP TIGHT NEGOTIATIONS WITH THE CHRISTIAN DEMOCRATS OVER THE TERMS OF A NEW MILITARY/PMC CONTRACT. MY SURETY IS, HOWEVER, THAT BEFORE THESE NEGOTIATIONS BEGIN, THE MILITARY LEADERSHIP IS GOING TO HAVE TO COME TO TERMS WITH ITS OWN PROPER STRUCTURE, LONG SINCE THE TERMS OF A NEW AGREEMENT WITH THE SUPPOSEDLY SUBORDINATE COMMANDERS OF ALL MAJOR UNITS. THIS IS WHERE THE BASIC PROBLEM LIES BECAUSE IT IS HERE THE REAL POWER IN THIS COUNTRY LIES. A SUBSTANTIAL NUMBER OF MILITARY OFFICERS STRONGLY APPROVE THE ASSASSINATION OF THE FOL LEADERS AND BELIEVE THAT IT IS A MAJOR STEP TOWARD WINNING THE COUNTRY OF THE LEFTIST VENGE. THEY SEEK CAPTE BLANCHE TO STEP IN THE ALIENATION AGAINST THE LEFT, BROADLY DEFINED AS THEY DEFINE THE THREAT. TOTAL DISASTER LIES IN THIS SITUATION. WE BELIEVE THE DISCRIMINATE KILLINGS, AS IN GUATEMALA, WILL DRIVE THE PEOPLE AGAINST THE REGIME. IT CAN BE CASED OFF

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STILL NOT TIME IS RUNNING OUT. WE SHOULD RECOGNIZE HOW HARD
IT WILL BE TO KEEP THE MILITARY TOGETHER AND IN MARCH WITH
THE CHRISTIAN DEMOCRATS GIVEN THE INFLAMED FEELINGS ON BOTH
SIDES. BUT IT IS THE ONLY WAY TO AVOID A LEVEL AND THE NIGHT
WILL ULTIMATELY LOSE.
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PARTIAL TRANSCRIPTION OF # 00685s, 12/3/80

13. ~~Comment: All in all, we felt that the session went very well. We did not waste time over the proof that exists of the complicity of certain elements of the Security Forces in the assassination of the FDR leaders. Clearly this was something the military did not consider useful to introduce into the conversation and they made no effort to rebut my stated assumption of Security Forces' complicity. I evaluate their performance throughout the long session as a searching probe to test the flexibility, if any, in the United States' position. When [Dr.] Avalos described our stand as blackmail, I rejected his charge categorically. What we were arguing, I said, was that the Government of El Salvador had to [cope] with this incident in such a way as to convince world opinion that it had no sympathy or tolerance for such barbaric acts.~~

14. At our ^{meeting} [^] meeting, For[eign] Min[ister] Chavez Mena hinted strongly that once the military had ~~tested~~ the United States' position, they would open up [] negotiations with the Christian Democrats over the terms of a new military/PDC compact. My guess is, however, that before these negotiations begin, the military leadership is going to have to come to terms with its own power structure, i.e., [change the terms of their] arrangement with the supposedly subordinate commanders of all major units. This is where the basic problem [will] lie because it is where the real power in this country lies. A substantial number of military officers strongly approve the assassination of the FDR leaders and believe that it is a major step toward ridding the country of the leftist menace. They seek carte blanche to step up the bloodbath against the left, broadly defined as they define the threat. Total disaster lies in this direction. We believe the indiscriminate killings, as in Nicaragua, will unite the people against the regime. It can be headed off still but time is running out. We should recognize how hard it will be to [keep] the military [together within harness] with the Christian Democrats given the [inflamed] feelings on both sides, but it is the only way to avoid a civil war the right will ultimately lose.

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ACTION MODS-00

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S E C R E T SAN SALVADOR 0775

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E. O. 12065: MODS-4 1/31/82 (MINION, DEANE R.) OR-M
TAGS: PINS, MILI, PINT, ES
SUBJECT: (S) SAVING EL SALVADOR

1. S - ENTIRE TEXT.

2. WHEN UNDER SECRETARY BUCKLEY WAS HERE HE WARNED ALL
CONCERNED THAT THE HORROR STORIES WERE TO BE AVOIDED IF WE
WERE TO HAVE CHANCE OF PUSHING THROUGH SUPPLEMENTARY HELP FOR
EL SALVADORAN ECONOMY AND MILITARY.

3. THE RAZAN MASSACRE HAD ALREADY OCCURRED BUT FULL PUBLIC IMPACT
WAS NOT YET KNOWN BY FOR PHUN TO HIT COINCIDENTAL WITH PRESIDENTIAL
ELECTION CAMPAIGN HEARINGUS THEREON AND BUILD UP TO CDR PROPOSALS
NOW COMES MILITARY POLLY IN MASSACRE IN SAN SALVADOR OF 17 PER
CENTS WHAT BUCKLEY FEARED WAS CURRENT PASS AS WE HAVE SITU BEFORE
WE ARE HOSTAGE TO HALLUCINANT FORCES SEEINGLY BEYOND OUR CONTROL
WHICH GARDIAN TALKS GOOD GAME, I NO LONGER TRUST HIM OR BELIEVE HIM.

4. WE CAN HUNKER DOWN AND TAKE IT ON CHIN OR WE CAN TRY HARDER
TO GET MATTERS UNDER CONTROL.

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7. ALTERNATIVELY, GARCIA SHOULD BE READ RIOT ACT WHILE IN WASHINGTON. IF YOU PREFER THIS SOFT OPTION, TELLING HIM OF HIS COMMITMENT TO HEALTH THAT I COULD ADDRESS COMMANDERS MEETING. I'M READY TO LAY IT ON THE LINE--AND NOT TOO DIPLOMATICALLY. ALTHOUGH I THINK I COULD PASHION A MOST ACCEPTABLE PRESENTATION.

8. WE SHOULD ALSO INSIST ON WRITTEN RULES OF ENGAGEMENT AND
THEIR WIDESPREAD DIFFUSION. EARLIER NOBIS EXCHANGE ON THIS DIED
WITH NO ACTION ON MY REQUEST FOR DRAFT.

9. SEPARATELY WE WILL BE COMING IN WITH MESSAGES COMMENTING ON PROPOSED CBI SUPPLEMENTAL. IN ESSENCE NEITHER RESOURCES CONTEMPLATED AT PRESENT NOR PROPOSED ATTRIBUTION--HEAVY ON PRIVATE SECTOR--WILL DO JOB, HERE. BALANCE OF PAYMENTS REMAINS CRITICAL PROBLEMS, BUT THIS YEAR BUDGET DEFICIT SHULLEN BY MILITARY INCREASE EVEN WITH DELETION OF SOME 100 MILLION COLONES FOR AGRARIAN REFORM COMPENSATION IS ALSO CRITICAL. IT IS FAR BEYOND ABILITY OF CENTRAL BANK TO FINANCE, GIVEN IMF CEILINGS, OR

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OUR ABILITY TO GENERATE COUNTERPART EVEN WITH EXTRA \$100 MILLION
ESF. HOWEVER, IMF ACCORD, IF NEGOTIABLE, WILL ALSO RESTRAIN
CREDIT CREATION FOR PRIVATE SECTOR AT LEVEL BELOW REAL NEED.
OUR COUNTERPART, INADEQUATE FOR BUDGET DEFICIT, CANNOT ALSO
BE APPLIED TO PRIVATE SECTOR CREDIT CREATION. ONLY ANSWER
IS TO BITE BULLET OF MOVING TO BUDGET SUPPORT PROGRAM. MY STAFF
(I'M STILL WITHOUT MACRO-ECONOMIST WE'VE BEEN AFTER FOR TEN
MONTHS AND WITHOUT REPLACEMENT FOR CURRENT ECONOMIC COUNSELOR
AND CURRENT AID DIRECTOR) IS STRUGGLING WITH NUMBERS, BUT MY
GUESS IS THAT SUPPLEMENTAL ESF OF AT LEAST \$200 MILLION IS REQUIRED

10. IF DEPARTMENT CAN PROMISE REAL TRY WITH CONGRESS FOR KIND
OF RESOURCES WE NEED, I PROMISE REAL TRY AT STRAIGHTENING OUT
MILITARY, PER PARA 2 ABOVE. IF YOU WANT, I'LL TRY WITHOUT
DEPARTMENT'S COMMITMENT, BUT IT SURE WOULD HELP. NEITHER TASK
WOULD BE EASY, BUT IF ANYONE UP THERE STILL THINKS WE CAN PULL
THIS ONE OFF ON THE CHEAP, AND WITHOUT DRASTIC CHANGES IN
SALVADORAN MILITARY, THEY SHOULD THINK AGAIN.
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REMAN, WHO WAS IN CHARGE OF THE GUARDIA NACIONAL DETAIL
OUTSIDE THE INTERNATIONAL AIRPORT ON THE NIGHT OF DECEMBER
2. CHARGE POINTED OUT THAT WHILE THIS MAN'S NAME HAD
APPEARED ON EARLIER LISTS OF SECURITY FORCE PERSONNEL IN
THE AREA, HIS FINGERPRINTS HAD NOT BEEN INCLUDED AMONG
THOSE SUBMITTED TO THE FBI FOR COMPARISON WITH THOSE FOUND
IN THE MURDER VEHICLE. A FURTHER ANOMALY IS THAT COLINDRES
REMAN'S DECLARATION TO THE INVESTIGATING COMMISSION AND
THOSE OF OTHER GUARDIA MEMBERS IN HIS DETAIL STATE THAT THEY
WERE ON DUTY JUST OUTSIDE THE MAIN TERMINAL FROM 7:00 P.M.
ON DECEMBER 2 UNTIL 1:00 A.M. ON DECEMBER 3 BUT OUR INQUIRIES
INDICATE THAT THE LAST FLIGHT TO ARRIVE AT THE INTERNATIONAL
AIRPORT ON THE NIGHT OF DECEMBER 2 CAME IN AT 4:30 P.M. ALL
PASSENGERS FROM BOTH THESE FLIGHTS CLEARED CUSTOMS AND LEFT
ABOUT 8:00 P.M. IF THIS DETAIL WERE INSPECTING AUTOMOBILES
AND FORMING UP CONVOYS TO SAN SALVADOR UNTIL 1:00 A.M., THEY
WOULD HAVE HAD NOTHING TO DO FROM 4:30 P.M. ON, YET THEIR
DECLARATIONS STATE THAT THEY WERE MANNING THE CHECKPOINT
THROUGHOUT THIS PERIOD. CHARGE THEN TOLD PRESIDENT CHIARTE
THAT LAB TESTS IN THE UNITED STATES INDICATED THAT THE
TOYOTA VAN HAD BEEN FUELED WITH AVIATION GASOLINE.

CHIARTE WAS GREATLY IMPRESSED WITH ALL THIS INFORMATION
HE ASKED PARTICULARLY THAT THE LABORATORY REPORT BE MADE
AVAILABLE TO THE JUDGE IN THE CASE SINCE IT REPRESENTED AN
IMPORTANT BREAKTHROUGH IN THE INVESTIGATION. CHIARTE SAID
THAT ON THE BASIS OF INFORMATION PREVIOUSLY PROVIDED HIS
SUSPICIONS HAD CENTERED ON THE HACIENDA POLICE POST AT SAN
JUAN TALPA AND THAT IN HIS REQUEST TO COLONEL MONTERROSA,
HEAD OF THE INVESTIGATING COMMISSION, HE HAD ASKED SPECIFIC-
ALLY THAT THE WEAPONS OF THE DETAIL ON DUTY AT SAN JUAN
TALPA THE NIGHT OF DECEMBER 2 BE COLLECTED AND BALLISTIC
DATA OBTAINED FROM THEM. DON NOTED THAT IN A CONVERSATION

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LAST WEEK WITH EMBASSY POLITICAL COUNSELOR, COLONEL MONTERROSA HAD SAID THAT THE DIRECTORS OF THE THREE SECURITY FORCES--NATIONAL POLICE, TREASURY POLICE AND THE NATIONAL GUARD--HAD DENIED THAT ANY OF THEIR TROOPS WERE MANNING ANY ROADBLOCK IN THE VICINITY OF SAN JUAN TALPA ON THE NIGHT OF DECEMBER 2 AND THAT
WLD NOT BE APPROPRIATE
TO COLLECT OR TEST THEIR WEAPONS.

5. AT THIS JUNCTURE, CONVERSATION SHIFTED TO THE SHERATON MURDER CASE (SEPTTEL). THEREAFTER, IN A PHILOSOPHICAL DISCUSSION OF THE IMPLICATIONS IN BOTH CASES FOR THE JRG AND USG, QUARTE SAID THAT IT WOULD BE ESSENTIAL FOR THE CHARGE TO MAKE THE SAME PRESENTATION TO THE TWO SENIOR MILITARY OFFICIALS OF THE GOVERNMENT, JUNTA VICE PRESIDENT COLONEL GUTIERREZ AND DEFENSE MINISTER COLONEL GARCIA. QUARTE SAID THAT AT OUR LAST JOINT MEETING WITH QUARTE AND GUTIERREZ, GUTIERREZ HAD REACTED VERY EMOTIONALLY TO THE DISCUSSION, EXPLODED IN RAGE AT QUARTE AFTER OUR DEPARTURE, THREATENED TO RESIGN FROM THE GOVERNMENT, AND THEREAFTER HAD GONE INTO SECLUSION FOR 72 HOURS. GUTIERREZ ACCUSED QUARTE OF USING THE U.S. EMBASSY TO PUT PRESSURE ON THE ARMED FORCES IN THE INTEREST OF THE CHRISTIAN DEMOCRATIC PARTY. THIS WAS SIMPLY NOT TRUE BUT IT NEARLY RESULTED IN THE COLLAPSE OF THE JRG. QUARTE ASKED THAT, IN DISCUSSING BOTH THESE MURDER CASES WITH SENIOR MILITARY OFFICERS, WE NOT REFER TO OUR PRIOR MEETING WITH QUARTE IN THE INTEREST OF NOT INFLAMING THEM AGAINST THE POC BUT RATHER ASSURING THAT THEY UNDERSTAND THESE ARE CRUCIAL QUESTIONS FOR THE USG VIS-A-VIS THE SALVADOREAN ARMED FORCES. ~~QUARTE SAID THAT~~
~~THROUGHOUT THE POC'S PARTNERSHIP WITH THE ARMED FORCES IT~~
~~HAD FOUND NEARLY IMPOSSIBLE ANY EFFORT TO PUNISH OR EVEN~~
~~TRANSFER ANY SOLDIER OF WHATEVER RANK BECAUSE THE MILITARY~~
~~INSTITUTION INSISTED ON DISCIPLINING ITS OWN PEOPLE AS AND~~
~~WHEN IT CHOSE.~~

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INFO AMEMBASSY PANAMA

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PANAMA FOR LEGATT

THE GOVERNMENT HAD ALMOST COLLAPSED IN LATE DECEMBER WHEN THE PDC DEMANDED THE REMOVAL OF COLONEL CARRANZA AS VICE MINISTER OF DEFENSE AND THE TRANSFER OF COLONEL MORAN AND A NUMBER OF OTHER RIGHTIST OFFICERS. ULTIMATELY THE ARMED FORCES HAD CONCEDED ON THE REASSIGNMENT OF COLONEL CARRANZA BUT HAD INSISTED ON DEFERRING THE OTHER TRANSFERS TO AVOID GIVING THE IMPRESSION TO THE OFFICER CORPS THAT THE HIGH COMMAND WAS RESPONDING TO PRESSURES FROM THE PDC AND USG. NOW, IN RESPONSE TO A DEVELOPING CRISIS OVER THE CASES OF THE NUNS AND THE FIELD OFFICIALS, THE ARMED FORCES HAVE TRANSFERRED A NUMBER OF MID-LEVEL OFFICERS WHO HAVE A LONG HISTORY OF RIGHTIST ACTIVITIES. BUT DESPITE THE SUYARANG INCIDENT IN WHICH COLONEL MORAN WAS WIDELY CONDEMNED FOR CULPABILITY, THE HIGH COMMAND REFUSES TO PART WITH HIM. IN THE CASE OF MILITARY PERSONNEL IMPLICATED IN THE MURDER OF THE AMERICAN CHURCHWOMEN AND POSSIBLY THE FIELD OFFICIALS, IT WILL BE ESSENTIAL FOR THE USG TO BRING (A) PRESSURE TO BEAR ON THE ARMED FORCES THEMSELVES TO TAKE ACTION. PRESIDENT DUARTE SAID THAT HE WAS GRATIFIED TO BE INFORMED OF PROGRESS ON THESE INVESTIGATIONS AND THAT HE COULD DO EVERYTHING HE COULD TO ENSURE THAT JUSTICE WAS DONE BUT THAT THE DECISION WOULD HAVE TO BE MADE BY THE

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MILITARY TO DISCIPLINE OR PUNISH THEIR OWN PEOPLE. WE AGREED THAT THE MILITARY HAD TO RECOGNIZE THAT THE TIME HAD COME TO RESOLVE THESE CASES IN THE INTEREST OF US-CUBA RELATIONS.

7. COMMENTS: WE FELT IT ESSENTIAL TO MOVE AGAINST THE GUARDIA NACIONAL SUB-SERGEANT DESPITE THE FACT THAT WE HAVE NOT BEEN ABLE TO OBTAIN THE NAMES OF THE OTHER TROOPS IN HIS SQUAD. THIS WILL BE SUBJECT OF SEPTEL. WE PROTECTED OUR TRUE SOURCE AND LEFT QUARTE WITH THE GENERAL IMPRESSION THAT THE GUARDIA NACIONAL HAD BEEN FINGERED BY THE RESULTS OF INVESTIGATIONS AND LAB TESTS IN WASHINGTON, IN PARTICULAR THE BALLISTICS TESTS AND THE CHEMICAL TESTS INDICATING AVIATION GASOLINE WAS USED IN THE BURNING OF THE VAN. WE RECOGNIZE THAT NEITHER OF THESE LABORATORY TESTS IS CONCLUSIVE AND THAT NO COMPARISONS CAN BE MADE BY THE BALLISTICS EXPERTS UNTIL THE WEAPONS OF THE SECURITY FORCE PERSONNEL ARE COLLECTED AND SAMPLES FURNISHED TO THE FBI.
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SCOPE PAPER

What Could Be Accomplished
By the Rogers/Bowdler Mission

DATE 12/24/80

1. DATE	12/24/80
2. REASON(S)	
3. CLASSIFICATION	UNCLASSIFIED
4. EXEMPTION	1A OR FOI EXEMPTIONS

The principal problem facing U.S. policy is to hold open "middle option." Although the prospect of the emergence of a leftist government has for the moment declined into insignificance, prospects of a government of the far right are greater than they have been since last May when ex-Major D'Aubuisson was arrested by the Majanistas.

The principal dangers for the "middle option" are the worsening economic situation; the surge of rightist violence; and the polarization of Salvadoran society. Economic desperation, prolonged and increasing lack of personal security plus waning hopes for the survival of a "moderate" government are all contributing to this frustration and the accompanying polarization. It reached the point that an overwhelming number of Salvadorans have had to make their choice: whether to stick with the JRG; adhere to some "establishment" government that might emerge from this one; or look to an unknown left, devoid of credible leaders and policies. In a choice between far left and far right, an unknown percentage of Salvadorans might opt for a "rightist" solution, whatever the brutalities, but the mass of people would become sullen and rebellious as the rightist course picked up steam.

Reversing immediate middle and upper class belief in the "middle course" will revolve around punishing and curtailing the activities of criminal elements of the army and security forces, while permitting the continued existence of those traditional elements -- such as "the Army" -- in which the large body of the Salvadoran public continues to believe.

If symbolic "heads roll" -- for example, the present directors of the Hacienda Police, the National Police or even the National Guard -- it would go a certain distance toward restoring public faith in the "middle course."

A more effective but more difficult reform would be the integration of the separate, virtually out-of-control "police forces" into the army. Assuming there are army officers who can be made to stand up for discipline and order, they could at least try to impose total integration on the security services with their large quotients of officers and non-coms who are thugs and mobsters.

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PLAINTIFF'S EXHIBIT	
CASE NO.	99-8364
EXHIBIT NO.	CTV-HURLI
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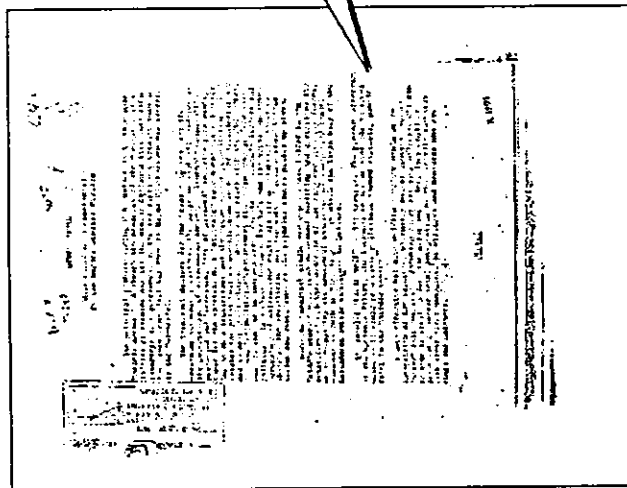
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~~The worst danger for the "middle course" is the fact of a military establishment answerable to no one? Even the vaunted military code of conduct announced on October 15 is enforceable only to the extent that the Ministry of Defense chooses to act. It has not acted and will not so long as the present leadership remains. Creation of a "Distinguished Investigations Commission" that would include ranking military officers as well as civilian politicians and church leaders might offer genuine redress to genuine grievances against military members' depredations. But who would dare sit on such a Commission?~~

We do not see that a mere analysis of the incident of the murder of the Catholic women would accomplish what should be the real objectives of the Rogers' mission. Something must be done to dismantle the whole structure of repression which struck these Catholic women as only four more victims among the thousands claimed this year by rightist death squads and security forces participants. Obviously, little can be done about left-wing violence, but right-wing and official violence must be contained or the "middle option" will disappear and El Salvador will fall into the hands of right- or left-wing extremists with whom the U.S. cannot cooperate.

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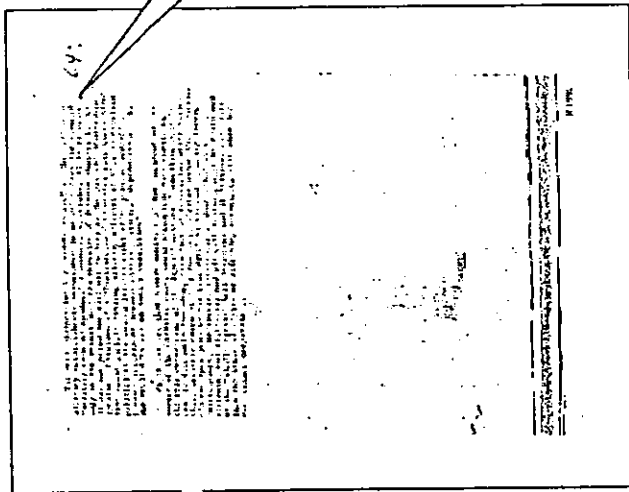
U.S. Department of State "Scope Paper"



Reviving immediate middle and upper class belief in the "middle course" will revolve around punishing and curtailing the activities of criminal elements of the army and security forces, while permitting the continued existence of those traditional elements — such as "the Army" — in which the large body of the Salvadoran public continues to believe.

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U.S. Department of State "Scope Paper"



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E. O. 12864: RNS-1 11/06/81 (MINTON, DEANE R.) OR-M
TAGSI-MASS MILY PINS PINT SHUM ES
SUBJECT: SOME TIGHT DISCUSSION WITH GARCIA

-REF: (a)

1. (S - ENTIRE TEXT.)

2. THERE IS A DISTURBING NEW ASPECT OF PERSISTENT PROBLEM OF VIOLENCE WHICH SENIOR U.S. OFFICIALS SHOULD PAYSE WITH DEFMINT COL. GARCIA DURING HIS WASHINGTON VISIT. INDEED, FOCUS SHOULD BE ON ARMY-AIR FORCE FIRE CONTROL PROCEDURES WHILE OF COURSE, CONTINUED EFFORTS TO ELIMINATE SECURITY FORCE EXCESSES AND TO SALVE MURDER CASES INVOLVING AMERICANS SHOULD BE URGED ON GARCIA.

3. IN PAST, REPORTS OF DIRECT ARMY PARTICIPATION IN EXCESSES HAVE BEEN FEW. RATHER, PROBLEM OF ABUSES OF AUTHORITY HAS BEEN SPEN LARGELY AS ONE OF BETTER CONTROL OF SPECIALIZED SECURITY FORCES.

4. THUS, IT IS PARTICULARLY DISTURBING TO HAVE DETAILED

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PLAINTIFF'S EXHIBIT

CASE 99-8364
NO. CIV-HURLEY

EXHIBIT NO. 534

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Department of State

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PAGE 02

SAN SA 08510 070123Z

REPORTS OF SALVADORAN ARMY MASSACRES OF WOMEN AND CHILDREN ALONG THE RIO LEMPA AND IN CHALATENANGO. INDEED, OUR OWN OFFICIALS WERE WITNESSES TO A MACHINE GUN ATTACK ON APPARENTLY UNARMED CIVILIANS BY HELICOPTER. APOSTOLIC ADMINIS- TRATOR RIVERA Y DAMAS HAS ALREADY CALLED ATTENTION TO THE RIO LEMPA INCIDENT IN A TALK WITH UPT, WHICH HAS SUBSEQUENTLY BEEN DISTORTED AND EXPLOITED BY RADIO HAVANA. ✓ CC

5. SUGGESTED TALKING POINTS:

--THE INTERNATIONAL COMMUNIST PROPAGANDA EFFORT AGAINST EL SALVADOR HAS ACCUSED THE ARMED FORCES SEVERAL TIMES RECENTLY OF GENOCIDE DURING ITS OPERATIONS. WE ARE ATTEMPTING TO COUNTER THAT PROPAGANDA.

--CREATION OF FREE FIRE ZONES IN EL SALVADOR OR ARMY-AIR FORCE BEHAVIOR AS IF SUCH ZONES EXIST COULD HAVE GRAVEST CONSEQUENCES FOR OUR CONTINUED COOPERATION AND OUR HOPES TO PROVIDE CONTINUED U.S. ASSISTANCE.

--U.S. PUBLIC OPINION AND CONGRESSIONAL SUPPORT FOR ADMINISTRATION COULD BE RAPIDLY ERODED UNLESS GARCIA AND COMPANY KEEP THEIR FORCES UNDER STRICT CONTROL.

6. IN MY VIEW, GARCIA WILL TAKE MESSAGE MORE SERIOUSLY IF IT COMES FROM RECDIF AS WELL AS FROM SECSTATE. IN ADDITION, PERHAPS BLUNT TALK BY SENIOR U.S. GENERAL, E.G. CHAIRMAN, JCS, WOULD BE EFFECTIVE.
HINTON ✓

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Page 1 of 1

17 Dec. 1980

EL SALVADOR: Military Attitude Toward Compromise

The recent compromise with the co-governing Christian Democrats promises little change in the military's autonomy or ultimate control of the government.

The military is more unified and its chain of command more consolidated than at any time since the coup in October 1979. The Defense Ministry retains complete control of all military affairs and has significant veto power over other government policy through junta Vice President Colonel Gutierrez, the official military spokesman in the civil-military alliance.

Moreover, the military's commitments to crack down on human rights abuses by security forces and to eliminate rightwing paramilitary terrorism--even if genuine--will at best only marginally affect the level of officially inspired or condoned violence. [redacted] suggest that the military will even drag its feet on transfers of officers associated with human rights abuses and rightist plotting. For example, the deputy defense minister, a key rightist officer targeted for removal by the Christian Democrats, [redacted] will remain in office at least temporarily.

The prospects remain poor for lasting civil-military cooperation. By themselves, the Christian Democrats cannot arrange a political solution with leftist groups.

The armed forces are set on eliminating the revolutionaries through indiscriminate warfare and probably would reject moves viewed as hampering that effort. Some military officers still consider replacement of the junta with a single military chief of state as the only viable alternative.

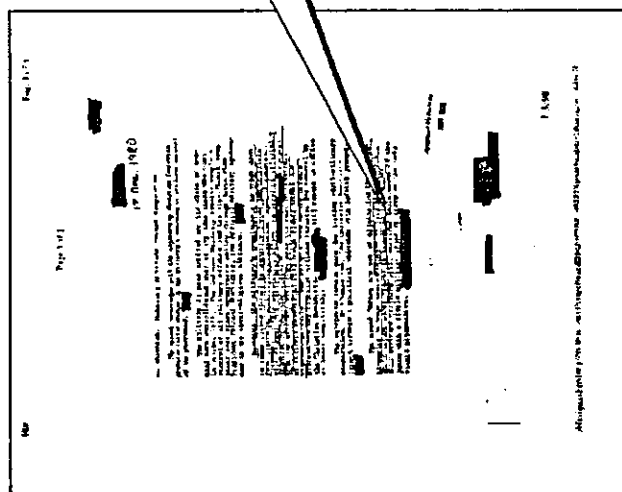
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PLAINTIFF'S EXHIBIT	
CASE 99-8364 NO. CIV-HURLEY	
EXHIBIT NO.	459

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CIA Cable - December 17, 1980



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1. E-TESTING TEST

2. THE MINISTER OF DEFENSE, COL. GUILLERMO GARCIA, MILITARY COMMANDER COL. CUMPIRES, AND I MET FOR AN HOUR AND A HALF THE MORNING OF MAY 28. MY PURPOSE AT THIS MEETING WAS TO RAISE TWO POINTS: FIRST, THE TORTURING AND KILLING OF UNARMED CIVILIANS BY THE SECURITY FORCES HAS BEEN MAY BEYOND ANY CONCEIVABLE JUSTIFICATION AND COULD AFFECT OUR SUPPORT FOR THIS GOVERNMENT; AND SECONDLY, THAT MILITARY ASSISTANCE IN THE FORM OF HELICOPTERS AND MILITARY TRAINING TEAMS COULD ONLY BE CONSIDERED IF WE WERE CONVINCED WE WERE ASSISTING A STABLE GOVERNMENT. I NOTED IN THE LATTER CONNECTION THAT IN THE LAST THREE MONTHS AT LEAST TWO NIGHTTIME COUP ATTEMPTS HAD BEEN LIES TO EX-MINISTER D'AMBUSSION. THE UNITED STATES COULD NOT UNDERSTAND HOW ATTEMPTS TO OVERTHROW THE GOVERNMENT COULD BE PERMITTED TO GO UNPUNISHED IF THE ARMED FORCES WERE SINCERE IN THEIR PROFFERED DESIRE TO SUPPORT THIS GOVERNMENT.

3. COL. GARCIA ADMITTED THAT THE EXCESSES WERE GRAVE AND SAID THAT HE HAD A GOOD IDEA WHO WAS RESPONSIBLE. HE POINTED OUT THAT THE EXTREME LEFT WAS ATTACKING THE MILITARY BUILT IN ALL PARTS OF THE COUNTRY AND WAS EVEN ATTACKING THE FAMILIES OF SOLDIERS. HE ADMITTED THAT ORDOZ was NOT DEAD AND, WHILE HE HAD NO OFFICIAL CONFIRMATION, HE WAS SURE THAT THERE WERE INDIVIDUAL CASES OF SECURITY FORCES PARTICIPATION IN DEATH SQUADS.

4. I POINTED OUT THAT THE UNITED STATES HAD NEVER URGED LEFTISTS OTHER THAN CARRYING THE FIGHT TO THE ARMED GUERRILLAS. IT WAS THE DUTY OF THE ARMED FORCES TO PROTECT THE GOVERNMENT AND TO ELIMINATE LEFTIST TERRORISM BUT IT SHOULD BE ON THE BASIS OF A FAIR FIGHT. REPORTS OF ONLY TEN LEFTISTS KILLED WITH NO MENTION OF ANY LOSSES IN THE MILITARY WERE CAUSE FOR REAL CONCERN AND SEEMED TO BE PART OF A PATTERN. NOT ONLY WERE VIOLATIONS OF HUMAN RIGHTS WOUND IN THEMSELVES BUT AS A PRACTICAL MATTER THEY WOULD RADICALIZE THE COUNTRYSIDE AS SOMORA'S NATIONAL GUARD WAS DONE IN NICARAGUA.

5. GARCIA THEN WENT INTO A LONG REBUTTAL OF THE D'AMBUSSION CASE. IN THE COURSE OF HIS EXPLANATION, HE REJECTED HIS OWN ROLE AT GREAT LENGTH, CRITICIZED JUSTA MENDEZ COL. RAJADA FREQUENTLY, AND EMPHASIZED THAT D'AMBUSSION HAD CONSIDERABLE SUPPORT AMONG THE CAPTAINS, LIEUTENANTS, AND NON-COMMISSIONED OFFICERS OF THE SECURITY FORCES. HE INSISTED THAT HE HAD NO PRIOR KNOWLEDGE OF RAJADA MENDEZ' DECISION TO RELEASE D'AMBUSSION, STATING THAT THIS WAS THE INVESTIGATION OFFICER'S OWN DECISION ONLY IN CONSULTATION WITH THE LAWYERS FOR THE PROSECUTION. GARCIA SAID THAT THE TRIAL WAS CURRENTLY UNDER WAY AND THAT THERE WAS NO ARRESTED D'AMBUSSION. *The officers of the 1st Brigade, none*

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BEING QUESTIONED TODAY.

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6. I SAID THAT I HAD SEEN THE VIDEO TAPE MADE BY D'AMBUSSION AND SOME OF THE EVIDENCE TAKEN IN HIS ARREST AND THAT IT WAS INCONCEIVABLE TO ME THAT ANY RATIONAL PERSON COULD HOLD THAT THIS EVIDENCE WAS INSUFFICIENT TO CONVICT MAJOR D'AMBUSSION. GIVEN THE EVIDENCE, I COULD UNDERSTAND THAT A FULL-BLOWN TRIAL WITH PUBLICITY MIGHT NOT BE IN THE INTEREST OF THE MILITARY BUT SURELY THERE SHOULD BE SOME OTHER LEGAL MEASURE THAT COULD BE TAKEN TO SHOW THE SUPPORT OF THE MILITARY FOR THE GOVERNMENT AND TO DEMONSTRATE THAT NEITHER WOULD TOLERATE ANY MORE COUP PLOTTING. I EMPHASIZED THAT WHAT THE WORLD SEES AT THIS MOMENT IS THAT A REVENGING COUP WAS ATTEMPTED, THAT THE COUP PLOTTERS WERE ARRESTED BY COL RAJANO'S GROUP OF YOUNG ARMY OFFICERS, THAT COL RAJANO WAS PUNISHED BY REMOVING HIM FROM DIRECT COMMAND IN THE MILITARY, AND THAT MAJOR D'AMBUSSION WAS THEN FREED BY THE MILITARY. THIS IS AN UNEXPLICABLE FLOW OF EVENTS AND UNLESS IT IS FINISHED OFF BY D'AMBUSSION'S PUNISHMENT IT WOULD SEEM THAT IN THE SALVADOREAN MILITARY THOSE WHO STAND AGAINST COUPS ARE PUNISHED AND THOSE WHO LAUNCH THEM ARE REWARDED.

7. GARCIA TALKED AROUND THIS FOR A LONG TIME AND THEN CAME UP WITH THE SUGGESTION THAT PERHAPS THE BEST THING TO DO WOULD BE TO REINTEGRATE D'AMBUSSION INTO THE MILITARY RANKS AND SEND HIM TO TAIWAN AS ATTACHE. I REJECTED THIS "SOLUTION" FIRMLY, SAYING THAT THIS WOULD BE A REWARD FOR D'AMBUSSION AND WOULD BE SEEN AS JUST THAT AND WOULD HAVE GRAVE POLITICAL REPERCUSSIONS. I POINTED OUT THAT THERE WAS NOTHING TO PREVENT D'AMBUSSION'S BEING TRANSFERRED FROM TAIWAN BACK TO EL SALVADOR BY A SIMPLE ADMINISTRATIVE DECISION OF THE HIGH COMMAND.

8. COL GARCIA RESPONDED THAT THIS WAS JUST ONE OF 40 OR MORE POSSIBILITIES HE HAD IN MIND FOR DEALING WITH THE PROBLEM.

9. COMMENT: THIS IS THE MOST DISCOURAGING AND DISAPPOINTING CONVERSATION I HAVE HAD SINCE MY ARRIVAL IN EL SALVADOR. COL GARCIA MADE NO PROMISE, IMPLICIT OR EXPLICIT, OF PUT AN END TO THE OFFICIAL VIOLENCE. GARCIA'S READINESS TO COVER UP THE REALITY OF THE D'AMBUSSION CASE INDICATES TO ME THAT HE CONTINUES TO TRY TO BE ALL THINGS TO ALL MEN AND WILL DO NOTHING THAT COULD AFFECT HIS POPULARITY IN THE ARMED FORCES. IT WAS OBVIOUS THAT HE WOULD LIKE NOTHING BETTER THAN TO DRIVE COL RAJANO OUT OF THE JUNTA AND REHABILITATE D'AMBUSSION. THE REALITY IS THAT THE PRINCIPAL THREAT TO THE STABILITY OF THIS GOVERNMENT COMES FROM THE OFFICERS OF THE HIGH COMMAND WHO ARE SECRETLY IN THE RIGHT'S CORNER.

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Amnesty International
International Secretariat
10 Southampton Street
London WC2E 7HG
England

EL SALVADOR

September 1982

ASSIGNING RESPONSIBILITY FOR HUMAN RIGHTS ABUSES?
EL SALVADOR'S MILITARY AND SECURITY UNITS

In addition to her regular armed forces, thought after rapid recent increases to number about 19,000 men, El Salvador also relies on special security forces to protect national security (including the National Guard which combines both police and military functions responsible for enforcing order in the countryside, and has traditionally been linked to the interests of the large coffee-growers), the National Police and the Treasury Police.

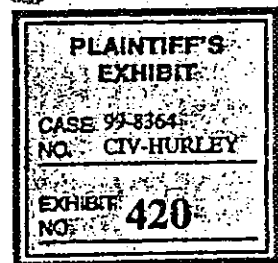
All of these units have been repeatedly named in reports of human rights violations received by Amnesty International. Though the authorities continue to maintain that any abuses committed by security or armed forces personnel were carried out at lower levels by personnel exceeding their authority, on several occasions the government has also stated that officers or troops implicated in abuses have been removed from duty, or rotated to non-combatant positions; although no names or details of those involved have ever been made public.

In other cases, the authorities have stated that criminal proceedings had been instituted against personnel who had committed human rights violations, but cases known to AI where alleged perpetrators were actually named and proceedings against the accused initiated are exceedingly rare. Charges were finally placed against five National Guardsmen more than one year after the killings of four American church women in December 1980 after a great deal of pressure from the United States including Congressional insistence on progress in the investigations as a pre-condition for additional military assistance. No date has as yet been set for their trial, which would be by a civilian court, though investigation in connection with the case remains in the hands of the military.

In March 1982, twelve members of a Brigada de Defensa Civil, civil defence patrol or committee (local civilian defence units, allegedly made up of former members of ORDEN, and formed under the direction of the Ministry of Defence), were arrested, as well as a Treasury Policeman, for a group murder of nineteen people including five children under age two. The murdered people included several relatives of a National Policeman, including his brother, and the policeman took it upon himself to arrest the alleged killers. According to the court documentation of the case, most of the thirteen pleaded not guilty, then explained their participation in the murder of the peasants, defending themselves on the grounds that they were only following orders.

In late May 1982, six members of one such civil defence committee were reportedly arrested in connection with the murders of two Christian Democrats, including two newly-elected mayors. Their arrests came after a

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strong statement from the Christian Democratic Party of El Salvador, accusing the regular military and security forces, as well as paramilitary groups such as the civil defence squads with responsibility for the killings of nine party leaders who had died in that month. Later reports suggested, however, that the court in San Salvador had revoked the order for the arrest of the men which had been lodged by a local Justice of the Peace.

Civil defence squads were also named as responsible for the slayings of six other party activists and 22 peasant supporters in the same month. In their statement, the Christian Democrats indicated that unless action were taken to stop such abuses, they would consider withdrawing from the government which they shared with three other parties to their right.

~~The security forces have allegedly also provided the United States Embassy with lists detailing charges against a further 292 persons dismissed from the four branches of the security services (National Guard, National Police, Treasury Police and the Army). However, very few of the crimes for which the men are allegedly charged can be construed as human rights violations, undertaken against victims for reasons of political repression, while none are charged with extrajudicial executions or torture, abuses with which the security services are frequently accused. Moreover, the charges against the men are criminal charges to be heard by a criminal court, implying that the acts were committed while off-duty and were committed under the personal responsibility of each man reportedly charged, rather than in the course of their security duties, or under the orders of superior officers, as it has been suggested may have been the case. United States Congressional delegations which visited El Salvador in February 1982 were shown lists of National Guardsmen said to have been dismissed to face charges, also before civilian courts, and again, only four of the cases dealt with violations of human rights of victims because of their actual or suspected political beliefs, and those were the guardsmen arrested in connection with the killings of the four American women already referred to above.~~

On a number of other occasions in the past when responding to accusations of security force involvement (rather than regular army) in human rights abuses, government spokesmen have acknowledged their involvement, but subsequently the Salvadorian authorities took no steps to punish those units or men cited as the authors of the particular abuses.

On 7 April 1981 more than 20 people, including several youths, were taken from their homes in canton San Nicolas, Soyapango municipality in the department of San Salvador, by a group of men, some of them in uniform, and were later found dead. Residents of the area insisted that some of those who died had been shot on the spot, while others were taken from their homes by the Treasury Police, and their bodies were found in their night clothes at some distance from the victims' homes, with their hands bound. The initial official explanation was that the deaths had occurred in a shoot-out with the police. Later, however, both Salvadorian and US officials (in the latter case, speaking on behalf of both the US Embassy in San Salvador and the Department of State) said that "individual units" of the Treasury Police had been involved, and that "the regular army of El Salvador played no role in the incident". On this occasion US spokesmen promised that Salvadorian and US officials were cooperating to investigate the killings.

Since then, the Treasury Police have repeatedly been implicated in human

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rights violations, frequently directed at young people, but there have in fact been no conclusive investigations of either the 7 April or any of the subsequent incidents, in which there was good reason to believe that the Treasury Police were responsible.

Occasionally, in attempting to deflect demands that the Salvadorian government must accept responsibility for the abuses carried out by its security services, such as the Treasury Police, or to justify continued military assistance to the regular military, the argument has been advanced that the government of the country can be considered responsible for the actions of the regular armed services but not the security forces. Proponents of this view insist that the regular military is well-disciplined and under control and that it is the security units which are occasionally regrettably renegade, notably the Treasury Police. It is argued that the regular military incorporated a prohibition into the military code in October 1980 which explicitly prohibits any actions by military personnel injurious to human rights. They receive continuing instruction in this field and, it is said, have a generally better record in this regard than do their colleagues in the National Police, National Guard and Treasury Police.

However, constitutionally, the president is commander-in-chief of the legally constituted military and security forces, all of which are responsible to him through the Minister of Defence. Furthermore, units of the regular military continue to be regularly cited as responsible for arbitrary detentions and abductions in the capital and in towns throughout the country, while in the Salvadorian countryside, regular army as well as the new US-trained rapid deployment forces, the Atlacatl, Ramon Belloso and Atonal Brigades, are frequently cited as responsible for massive killings of non-combatant civilians. Reports often state that actions involving the arbitrary arrest, torture, "disappearance" or extrajudicial executions of non-combatant civilians or of people suspected of opposition to the government, are carried out by various units acting together in "combined force" actions. Regular military and security units are also linked through overlapping personnel and through practical and personal contacts.

Leonel Gómez, who served as chief advisor to peasant leader José Rodolfo Viera, Security General of the only government-approved peasant union, the Unión Comunal Salvadoreña, and President of the Salvadorian Land Reform Association until his assassination in January 1981, stated to Amnesty International that the 500 military school trained officers who lead the Salvadorian military and security forces are constantly inter-changed between the two sectors. He stated that "through both the chain of command and informal ties each commander knows which forces are going to do what and which soldiers belong to formal and informal death squads". Gómez said that the "informal ties" operate through "tandas" or informal associations based on graduating class from the military school where all the officers trained. He suggested that these cohort power groupings and the alliances they form with each other are the real basis of power in El Salvador today, forming a "parallel government" which rules El Salvador's ostensible civilian-military government from behind the scenes. Gómez expressed the view that "the majority of army officers now in charge are involved in violence".

R 2914

Paramilitary Groups

In addition to the armed forces and the special security units, the Salvadorian countryside is also patrolled by members of ORDEN, Organización Democrática Nacionalista, a nominally civilian paramilitary unit established in 1967 and estimated to number anywhere from 30,000 to 80,000 people. ORDEN operates in conjunction with regular army and security units, and many of its members are thought to be off-duty or retired security service personnel. When challenged concerning the existence and activities of ORDEN, officials have claimed that its official disbandment in October 1979 brought an end to its activities, and that any atrocities carried out by paramilitary groups in the countryside are carried out by independent extremist groups or "death squads" and are out of its control.

However, ORDEN continues to operate under the name of Frente Democrático Nacionalista, and evidence collected by Amnesty International suggests that the so-called "death squads" (local groups are often now called "civil defence groups") are in fact made up of ORDEN personnel and of off-duty or plain-clothes security personnel acting in close conjunction with regular military and security squads, themselves involved in innumerable human rights abuses. Recently, reports have been received of the involvement of local civil defence patrols (Frigadas de Defensa Civil) formed by the Minister of Defence or canton patrols (patrullas contonales) in abuses. These groups are also reported to be partially made up of former members of ORDEN, and act on occasions under the direction of regular security and military personnel, at other times on their own, but with implicit government sanction.

Testimony to the US Congress in April 1981 by former Salvadorian military doctor Captain Ricardo Fiallos (attached) further supports this conclusion. In this testimony, Captain Fiallos stated, "It is a grievous error to believe that the forces of the extreme right, or the so-called 'Death Squads', operate independent of the security forces. The simple truth of the matter is that 'Los Escuadrones de la Muerte' are made up of members of the security forces, and acts of terrorism credited to these squads such as political assassinations, kidnappings and indiscriminate murder are, in fact, planned by high-ranking military officers and carried out by members of the security forces."

Colonel Adolfo Arnoldo Majano, who was a member of the original junta which overthrew President Romero in 1979 and was forced from the government in December 1980, has also publicly charged that high level members of government including Defence Minister General José Guillermo García, former Deputy Defence Minister Colonel Nicolás Carranza and Colonel Jaime Abdul Gutiérrez, former Vice-President and Commander-in-Chief of the Armed Forces, together with top commanders, are covering up the actions of such rightist groups.

Christian Democrats who initially supported the 1979 post-coup government but later withdrew their support (including relatives of murdered Christian Democrat Mario Zamora), have also publicly charged that the "death squads" provide a convenient fiction for the government, enabling it to apply selective violence while excusing itself before public opinion as not being directly responsible.

R 2915

TESTIMONY OF CAPTAIN RICARDO ALEJANDRO FIALLOS

Before the Foreign Operations Subcommittee of the
House Appropriations Committee — 29 April 1981

My name is Ricardo Alejandro Fiallos. I am 32 years old and am a Captain in the Salvadorian Army. In December 1980, when I fled my country and came to the United States seeking political asylum, I had been a member of the armed forces in El Salvador for 16 years. My military career began in January 1965 when I enrolled in the Military School of Captain General Gerardo Barrios. In July 1968, while still a cadet, I attended a 3-month military training course in the U.S. School of the Americas in Panama, and in December of the same year, I graduated first in my class from the military school in El Salvador with the rank of Second Lieutenant. In 1972, I was promoted to the rank of First Lieutenant with honours, and in 1974 I received a scholarship from the President of the Republic to study medicine in the National University of El Salvador. In 1975, I was promoted to Captain in the Army, a rank which I still hold. In May 1980, with one semester remaining to finish my medical education, the National University was closed due to civil unrest, and I was unable to continue my studies. Finally, in December of the same year, I was forced to leave my country after having received anonymous death threats for criticizing the high military command and the directors of the security forces for their lack of professionalism and for their role in perpetrating atrocities against the civilian population.

Gentlemen, I speak to you this morning as an officer in exile of the Salvadorian Army. Despite the risks which this type of public testimony holds for members of my family who still remain in El Salvador, I feel that it is critical that members of the Congress as well as the people of the United States understand the role played by the high military command as well as the directors of the security forces in El Salvador and the nature of their involvement in the violence which continues to afflict my country.

Whom do I refer to when I say "high military command"? First, and most important, is Colonel Jaime Abdul Gutiérrez who is Vice-President of the current junta and Commander of the Armed Forces. Under him is Colonel José Guillermo García who is Minister of Defence, as well as Colonel Adolfo Castillo, his vice-minister. Finally, there is Colonel Rafael Flores Lima who was the former press secretary for General Carlos Humberto Romero, and who is now serving as Chief of Staff of the Armed Forces. The directors of the security forces include the head of the National Police, Colonel Reynaldo Lopez Nuila; the head of the National Guard, Colonel Carlos Eugenio Vides Casanova; and the head of the Treasury Police, Colonel Francisco Moran.

It is important to understand that the base of power in El Salvador does not lie in the hands of the President of the Junta, José Napoleón Duarte; nor with the other civilian members of the Junta. Rather, it is the high command of the Armed Forces and, more specifically, Colonels José Guillermo García and Jaime Abdul Gutiérrez, along with the directors of the Security Forces, who wield the real power in El Salvador. An example of this is evidenced by the fact that despite two official requests from President Duarte to the Minister of Defence, Colonel García, to remove Colonel Francisco Moran as

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the head of the Treasury Police, due to the involvement of this branch of the security forces in the brutal assassination of various mayors, most of whom were Christian Democrats, Moran still retains his position.

It is a grievous error to believe that the forces of the extreme right, of the so-called "Death Squads", operate independent of the security forces. The simple truth of the matter is that "Los Escuadrones de la Muerte" are made up of members of the security forces, and acts of terrorism credited to these squads such as political assassinations, kidnappings, and indiscriminate murder are, in fact, planned by high-ranking military officers and carried out by members of the security forces. I do not make this statement lightly, but with full knowledge of the role which the high military command and the directors of the security forces have played in the murder of countless numbers of innocent people in my country.

During the period in which I worked as a doctor in the military hospital, I treated numerous members of the security forces. In inquiring as to the cause of their injuries, which is a normal medical procedure in the hospital, various individuals told me as well as other doctors that they had been injured in the act of "eliminating" civilians. For example, on one occasion, a member of the Treasury Police, in civilian dress, was brought to the hospital with a fractured tibia. I asked him how he had been injured and he told me that he and another member of his unit had received orders to "eliminate" a woman school teacher in the town of Aguascalientes whom he had been told was a subversive. In the act of pursuing the school teacher in her car, the motorcycle driven by this man and his associate struck the rear of the automobile and overturned, causing his injury. However, the other man was not hurt in the accident and murdered the school teacher before she could get out of her car. Afterwards, he brought his companion to the hospital for treatment.

Also, during the time which I worked in the military hospital, I personally treated various ex-members of the Nicaraguan National Guard who were working with the Salvadorian security forces. Furthermore, I viewed the medical records of at least 30 of these individuals who had been injured while collaborating with the security forces.

Let me make it clear that all of the Armed Forces in El Salvador are not implicated in the types of crimes which I have mentioned. The principal problem lies in the high military command and in the directors of the security forces, not in the ranks of the army, and it is these individuals who, without a doubt, constitute the gravest threat to the future of El Salvador. It is the security forces, under the direction of the high military command which, more than any other single element in the country, are responsible for the growing radicalization of the civilian population and widespread opposition to the government. In short, it is the security forces which, as a result of their brutality and intolerable repression of the civilian population, are primarily responsible for growing armed insurrection in the countryside. Their lives threatened for the smallest protest or sign of opposition to the current government, many young people in El Salvador are literally being forced to join the guerrilla movement. It is the only political alternative they have and that is a tragic situation. Until the officials of the high military command are replaced and the security forces completely restructured and brought under strict control, there will be no end to the violence which is destroying my country, and no possibility of establishing a democratic government.

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Finally, due to the fact that the centre of power in El Salvador lies in the high military command and the directors of the security forces, any military assistance or training which the United States provides to the current government is perceived by the people of El Salvador as support for the forces of repression which are destroying the country. This type of aid not only represents a symbolic reaffirmation of the role of the security forces, but also allows them to continue brutalizing the Salvadorian people. Moreover, it should be clearly understood that U.S. support for the current regime has produced enormous resentment towards the U.S. government by a great many Salvadorians. This kind of sentiment will be very difficult to reverse in the future due to the amount of suffering which has occurred. Yet one can be certain that, unless the United States government ceases its support for the current regime and attempts to encourage an end to the state of siege and a political settlement which, by definition, must include the opposition forces which clearly have the support of the majority of the Salvadorian people, there will be no peace in my country, the number of dead will continue to rise, and the United States will be etched permanently in the minds of my people as a symbol of cruelty and repression, rather than of democracy and freedom.

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[REDACTED]

COUNTRY: EL SALVADOR
SUBJECT: SATISFACTION OF MANY MILITARY OFFICERS
WITH ASSASSINATION OF LEADERS OF THE REVOLUTION
DEMOCRATIC FRONT (FDR); BELIEF THAT THE
SAME TACTICS SHOULD BE USED TO ELIMINATE OTHER
LEFTIST LEADERS [REDACTED]

[REDACTED]

2. MANY SENIOR AND MIDDLE-LEVEL MILITARY AND NATIONAL
GUARD (GN) OFFICERS BELIEVE THAT THE ASSASSINATION OF
THE SIX LEADERS OF THE REVOLUTIONARY DEMOCRATIC FRONT
(FDR) ON 27 NOVEMBER 1980 WAS A POSITIVE ACT. THE CURREN
MOOD OF THESE OFFICERS IS THAT THE DEATHS OF THESE
FDR LEADERS WILL SOON BE FORGOTTEN, ALTHOUGH SOME SHORT
TERM PROBLEMS CAN BE EXPECTED INTERNATIONALLY. WHILE
THE REVOLUTIONARY GOVERNING JUNTA (JRG) HAS PUBLICLY
PROMISED THAT AN INVESTIGATION INTO THESE KILLINGS WILL
BE CARRIED OUT, IT IS NOT EXPECTED THAT THIS INVESTI-
GATION WILL BE A SERIOUS ONE OR THAT ANYONE WILL BE
APPREHENDED.

3. MANY MILITARY OFFICERS HAVE STATED THAT THEY
PERSONALLY SUPPORT THE KILLINGS OF THE FDR LEADERS.
THEY BELIEVE THAT IF THESE LEADERS WERE NOT EXTREMIST
TERRORISTS, THEY WERE AT LEAST "USEFUL FOOLS" FOR THE
TERRORISTS AND SO DESERVED TO BE KILLED.

4. THESE MILITARY OFFICERS EXPECT THAT THE U.S.
GOVERNMENT WILL PROTEST THE DEATHS, BUT THEY BELIEVE
THAT THE JRG CAN EXIST WITHOUT U.S. GOVERNMENT SUPPORT,
AT LEAST IN THE SHORT TERM. THEY BELIEVE THAT THE
CHRISTIAN DEMOCRATIC PARTY (PDC) WILL NOT CAUSE THE JRG

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ANY SERIOUS PROBLEMS AS A RESULT OF THE DEATHS AND
WILL REMAIN IN THE GOVERNMENT.

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6. THE GENERAL MOOD AMONG MIDDLE-LEVEL MILITARY OFFICERS IS THAT THE FDR LEADERS WHO WERE KILLED GOT WHAT THEY DESERVED. THERE HAS BEEN GROWING FRUSTRATION WITHIN THE MILITARY THAT THEY HAVE BEEN WASTING THEIR TIME FIGHTING LOW-LEVEL LEFTIST TERRORISTS IN THE COUNTRYSIDE WHILE LEFTIST LEADERS OPERATED OPENLY IN THE CAPITAL CITY. THEY BELIEVE THAT THE TIME HAS COME TO CUT OFF THE HEAD OF THE LEFTIST MOVEMENT AS A MEANS TO END THE WAR WITH THE TERRORIST. IT IS MOST LIKELY THAT MEMBERS OF EITHER THE TREASURY POLICE, NATIONAL POLICE OR THE GN WERE RESPONSIBLE FOR THE DEATHS OF THE FDR LEADERS. SINCE IT IS MEMBERS OF THESE ORGANIZATIONS WHO ARE PRIMARILY INVOLVED IN COUNTERTERRORIST ACTIVITIES DIRECTED AGAINST THE LEFT.)

MOST MILITARY OFFICERS WERE HIGHLY PLEASED WITH THE ASSASSINATION OF THE SIX FDR LEADERS. THESE OFFICERS BELIEVE THAT OTHER LEADERS AND MEMBERS OF THE FDR SHOULD BE ELIMINATED IN A SIMILAR FASHION WHEREVER POSSIBLE. THESE FEELINGS WERE EXPRESSED BY SEVERAL MIDDLE-LEVEL ARMY OFFICERS ON 28 NOVEMBER 1980 IN THE PRESENCE OF COL. JOSE GARCIA MERINO, MINISTER OF DEFENSE, AND NICOLAS CARRANZA, SUB-MINISTER OF DEFENSE, AND BOTH GARCIA AND CARRANZA INDICATED THAT THEY SUPPORTED THIS LINE OF THINKING. FROM THE COMMENTS OF ALL THOSE PRESENT DURING THIS CONVERSATION, IT WAS CLEAR THAT GARCIA, CARRANZA AND THE OTHER OFFICERS PRESENT ACCEPTED AS A FACT THAT THE MILITARY SERVICES WERE RESPONSIBLE FOR THE ASSASSINATION OF THE SIX FDR LEADERS)

MANY MILITARY OFFICERS HAVE DECIDED THAT THE ELECTION OF RONALD REAGAN TO THE U.S. PRESIDENCY WILL MEAN THAT THE U.S. GOVERNMENT WILL NO LONGER TAKE A HARD LINE AGAINST REPRESSION AGAINST THE LEFT IN EL SALVADOR. THERE ARE ALSO MANY OFFICERS WHO ARE PREPARED TO FOREGO U.S. GOVERNMENT SUPPORT IF NECESSARY AND TO TURN TO ARGENTINA, CHILE, AND GUATEMALA INSTEAD. THEY BELIEVE THAT ANY REDUCTION IN U.S. FINANCIAL SUPPORT CAN BE MADE UP BY PRIVATE INVESTMENT FROM THE SALVADORAN OLIGARCHS CURRENTLY IN EXILE, WHO WILL BE WILLING TO REINVEST IN EL SALVADOR ONCE THEY SEE THAT THE MILITARY IS ACTING FORCEFULLY TO ELIMINATE THE LEFTIST TERRORISTS.)

9. COMMENT: I AM SURE THAT THIS REPRESENTS ACCURATELY THE FEELING OF MANY OFFICERS. THE CRUCIAL QUESTION IS WHAT POSITIONS DO THEY HOLD AND WHAT INFLUENCE DO THEY WIELD. THERE IS ANOTHER LARGE GROUPS OF OFFICERS WHO REJECT THIS TYPE OF BARBARISM AND WANT TO PARTICIPATE IN A PROFESSIONAL MILITARY.)

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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 044
INFO AMEMBASSY BOGOTA
AMEMBASSY CAPACAS
AMEMBASSY GUATEMALA
AMEMBASSY MANAGUA
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SUBJ: (3) AMBASSADOR AND COMUTILOR PRESENTATION OF THE HELICOPTER
PROPOSAL TO JRG AND HIGH COMMAND AUGUST 21

REFS 1) STATE 218613-8) SAN SALVADOR 4575 C) COMUSMILGP ES
282188Z MAY (STATE CITE 3723) 0) COMUSMILGP ES 881638Z JULY
IP (STATE CITE 4688)

1. (S - ENTIRE TEXT)

2. SUMMARY. IN A MEETING WITH THE JRG AND THE HIGH COMMAND
AUGUST 21 THE AMBASSADOR AND COMUSMILGP PRESENTED THE USG
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United States Department of State
Office of Policy, Privacy, & Classification Services
Review Authority: CROWLEY, JMM
Date: 05/16/94
Case ID: S940002H

U.S. DEPARTMENT OF STATE
OFFICE OF POLICY, PRIVACY, & CLASSIFICATION SERVICES
REVIEW AUTHORITY: CROWLEY, JMM
DATE: 05/16/94
CASE ID: S940002H

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PLAINTIFF'S
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NO. CIV. HURLEY
EXHIBIT
NO. 161

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OFFER TO LEASE SIX HELICOPTERS TO THE GOES. THE TERMS OF THE U.S. OFFER PROVOXED SOME MIXED REACTIONS. THE TWO MONTH PERIOD DURING WHICH PROGRESS IN HUMAN RIGHTS WOULD BE MEASURED MAY AN ESPECIALLY DIFFICULT PILL FOR THE GOES. THE GOALS OF THE U.S. PROPOSALS WERE LAUDED. THE APPEARANCE THAT THE GOES WOULD BE SUCYUMING TO USG DICTATES WAS DEPLORED. NEVERTHELESS, THE MEETING WAS GENERALLY POSITIVE AND WE EXPECT A POSITIVE RESPONSE TO OUR OFFER. END SUMMARY.

3. THE AMBASSADOR, COMUSMILGP, AND POLOFF MET AUGUST 21 WITH THE ENTIRE JRG AND THE MEMBERS OF THE HIGH COMMAND. THE PURPOSE OF THE MEETING WAS TO EXPLAIN TO THE GOES THE US PROPOSAL FOR THE LEASE OF SIX HELICOPTERS TO EL SALVADOR.

4. JRG MEMBER QUARTE OPENED THE MEETING, INDICATING SIMPLY THAT THE AMBASSADOR HAD REQUESTED IT IN ORDER TO DISCUSS A MILITARY RELATED SUBJECT. HE TURNED IT OVER TO THE U.S. REPRESENTATIVES FOR THEIR PRESENTATION.

5. IN HIS INITIAL REMARKS THE AMBASSADOR SUMMARIZED THE STATE OF US-GOES RELATIONS COMPLIMENTING THE JUNTA AND THE MILITARY FOR THEIR ROLE IN INSURING THAT THE GENERAL STRIKE FAILED AND STATING HIS CONVICTION THAT INTERNATIONAL OPINION WAS CHANGING IN A POSITIVE FASHION BOTH FOR THE GOVERNMENT AND FOR US POLICY. THE AMBASSADOR INDICATED CONTINUING U.S. SUPPORT FOR THE JRG AND ITS POLICIES OF CARRYING OUT REFORMS AND DEMOCRATIZATION. THE AMBASSADOR ALSO NOTED THE SERIOUS PROBLEMS CREATED IN THAT RELATIONSHIP BY THE CONTINUING VIOLENCE OF THE EXTREMIST RIGHT WHICH IS PERCEIVED INTERNATIONALLY TO BE -- AND OFTEN ACTUALLY IS -- CONDONED BY ELEMENTS WITHIN THE MILITARY. THE

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ILLURE OF THE GOES TO PUT AN END TO THAT VIOLENCE IS THE
INCIPAL OUSTACLE TO GREATER COOPERATION BETWEEN THE
TWO GOVERNMENTS,

1. COMUSMILGP FOLLOWED BY READING A STATEMENT WHICH
CONTAINED THE USG OFFER TO PROVIDE THE HELICOPTERS,
TRAINING AND SPARE PARTS. HIS STATEMENT ALSO CONTAINED
THE POINTS MADE IN REF A AND THE FIVE USG
CONDITIONS TO THE LEASE OF THE AIRCRAFT. HE CONTINUED
BY SUGGESTING A SERIES OF MEASURES WHICH THE GOES
COULD UNDERTAKE AND WHICH WOULD SERVE SIMULTANEOUSLY AS
THE MEANS TO LIMIT VIOLENCE AND THE MEANS TO MEASURE
THE SUCCESS OF THE GOES IN MEETING THE FIVE U.S.
CONDITIONS. COMUSMILGP CONCLUDED BY READING THE TIMETABLE
FOR IMPLEMENTATION OF THE LEASE (SEE REF A). A DOCUMENT
CONTAINING COMUSMILGP'S THREE STATEMENTS, HIS SUGGESTED CODE
OF CONDUCT AND HIS ASSESSMENT OF THE MOO AND PUBLIC SECURITY
(SEE REFS C AND D) WAS GIVEN TO EACH OFFICIAL PRESENT.

2. QUARTE RESPONDED TO THE U.S. PROPOSAL. HE INDICATED
THAT IN THE U.S. DOCUMENT THERE ARE SOME GOOD IDEAS ON
HUMAN RIGHTS. HE ALSO SAID THAT HE SAW NO PROBLEM WORKING
WITH THE U.S. TO SOLVE THE HUMAN RIGHTS PROBLEM. HOWEVER,
SOME OF THE PROPOSALS MADE WERE UNACCEPTABLE. THE "TRIAL
PERIOD" OF 60 DAYS DURING WHICH THE U.S. WOULD EVALUATE
PROGRESS MADE WAS PARTICULARLY GALLING. QUARTE CLAIMED
THAT THE U.S. WAS SAYING THAT ONLY "IF YOU ARE GOOD BOYS
WILL THE HELICOPTERS BE PROVIDED."

3. QUARTE CONTINUED BY SAYING THAT "ABUSES OF AUTHORITY"
EXISTED AND WERE DESTROYING SOME OF THE JRG'S WORK.
HE SAID THAT THE JRG AND THE HIGH COMMAND WERE
CURRENTLY WORKING ON IMPROVING THE HUMAN RIGHTS PICTURE
IN EL SALVADOR. U.S. SHOULD NOT DOUBT THAT THE GOES WOULD
COMPLY WITH ITS PART OF THE AGREEMENT. (COMMENT: IN
ESSENCE, QUARTE WAS COMPLAINING NOT SO MUCH ABOUT THE CON-

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DITIONS THEMSELVES AS THE USG INSISTENCY ON MEASURING
PERFORMANCE OVER A SIXTY DAY PERIOD. END COMMENT.)

9. THE AMBASSADOR THEN INDICATED THAT HE DID NOT THINK
THAT THE TWO POSITIONS WERE THAT FAR APART. HE REPEATED
THE FIVE CONDITIONS AND POINTED OUT THAT THOSE WERE THE
ONLY REQUIREMENTS THAT CAME FROM WASHINGTON. (QUARTE
HAD TAKEN ISSUE WITH ONE OF COMUSMILGP'S RECOMMENDATIONS
AS IF IT ALSO HAD BEEN A CONDITION.) THE AMBASSADOR
NOTED THE PRIVATE NATURE OF THE ACCORD BETWEEN THE TWO

GOVERNMENTS. HE EMPHASIZED THE NEED FOR PROGRESS IN THE
FIVE AREAS CITED AND SAID THAT IN HIS OPINION THE JRG
AND MOD WERE ALREADY COMMITTED TO ALL OF POINTS LISTED
BUT THAT IN SOME OF THE AREAS PROGRESS WAS IMPERCEPTIBLE.

10. QUARTE RESPONDED BY SAYING THAT HE SAW A POLITICAL
PROBLEM WITH THE FOURTH CONDITION, THAT ONE WHICH REQUIRES
THAT THE HIGH COMMAND DEAL TOUGHLY WITH EXTREME RIGHT WING
ELEMENTS INCLUDING THOSE IN THE MILITARY. HE SAID IT WAS
OBVIOUS WHO THIS REFERRED TO -- THE DIAUBISSON SORT. ✓
HE WENT ON TO SAY THAT NO ACT OF EXTREMIST VIOLENCE, ✓
WHETHER OF THE RIGHT OR THE LEFT, SHOULD BE TOLERATED. HE ✓
SEEMED, THEN, TO AGREE WITH THE BASIS OF THE FOURTH
POINT AND, APART FROM THE POLITICAL PROBLEM THAT HE SAW
WITH THAT ONE, HE VOICED NO OBJECTIONS. (COMMENT: THIS
WAS A DELIBERATE TACTIC ON QUARTE'S PART TO POINT UP THE
PROBLEM OF RIGHT WING EXTREMIST IN THE MILITARY. END COMMENT.

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11. JRD MEMBER MORALES ENRICH ASKED WHETHER THE FIVE CONDITIONS WOULD BE LABELLED AS CONDITIONS WHEN THE PROPOSAL REACHED CONGRESS. IN RESPONSE THE AMBASSADOR INDICATED THAT THE JRG'S SUCCESSES IN THE FIVE AREAS WOULD BE EMPHASIZED OVER THE CONDITIONAL ASPECT OF THE AGREEMENT. WHAT HE WANT, HE SAID, IS TO HAVE A FACTUAL RESPONSE TO CRITICISM WHEN HE AGREE TO PROVIDE THE HELICOPTERS.

12. COL. MAJANO SPOKE UP SAYING THAT HE SAN QUARTER'S PREOCCUPATION IS CENTERING AROUND THE POLITICAL REPERCUSSIONS OF THE AGREEMENT, THAT PROBLEM COULD BE OVIATED IF THIS WERE TO BE A PRIVATE, "GENTLEMEN'S AGREEMENT," LIKE MORALES ENRICH, HOWEVER, HE WAS CONCERNED THAT THE PRESENTATION BEFORE CONGRESS WOULD CITE THE CONDITIONS AND ACKNOWLEDGE THAT THE GOES HAD ACCEDED TO THEM, ON

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THE WHOLE, HOWEVER, MAJANO WAS FAVORABLE TOWARD THE PROPOSAL, SAYING, IN EFFECT, THAT HE WAS IN AGREEMENT WITH THE GOALS AND MEASURES LISTED IN THE DOCUMENT.

13. DEFENSE MINISTER GARCIA HAD A DIFFERENT REACTION; HE CLAIMED THAT WHILE THE HUMAN RIGHTS GOALS IN THE U.S. DOCUMENT WERE GOOD ONES, SALVADORAN "IDIOSYNCRASIES" WERE NOT BEING TAKEN INTO ACCOUNT. (BY "IDIOSYNCRASY" GARCIA MEANS THAT ALL ABUSES OF AUTHORITY BY THE MILITARY ARE HANDLED QUIETLY AND "IN HOUSE") HE AGREED THAT THERE HAVE BEEN ABUSES BUT DIDN'T THINK IT A GOOD IDEA TO PROCLAIM THE FACT. HE SEEMED TO THINK THAT THERE WAS NO POINT IN IT. THOSE THAT LOOKED UPON THE JRG AS REPRESSIVE AND THE LEFT AS PROGRESSIVE, WHO CITED AS "CASUALTIES" THE ARMY'S DEAD BUT SAW THE DEAD ON THE LEFT AS "ASSASSINATED" WERE ALREADY CONVINCED AND THE U.S. PROPOSED MEASURES WOULD DO LITTLE TO CHANGE THAT.

14. GARCIA PERSONALLY VOUCHES FOR THE EFFORTS THAT ARE BEING MADE BY THOSE PRESENT CITE THE JRG AND THE HIGH COMMAND ON BEHALF OF HUMAN RIGHTS. HE CLAIMED THAT THE U.S. RECOMMENDATIONS ARE BEING CARRIED OUT. HOWEVER, IT WAS ONE THING TO CARRY OUT THESE THINGS VOLUNTARILY AND ANOTHER TO HAVE THEM ENFORCED BY ANOTHER COUNTRY. THE COUNTRY'S DIGNITY WAS OFFENDED AND WHILE THEY -- THE JRG AND HIGH COMMAND -- MIGHT BE ABLE TO OVERLOOK THE OFFENSE THE REST OF THE COUNTRY MIGHT NOT.

15. AT THIS POINT THE AMBASSADOR POINTED OUT THAT SOME PROGRESS HAS BEEN MADE IN HUMAN RIGHTS IN EL SALVADOR. HOWEVER, THE REALITY IS THAT MUCH MORE NEEDS TO BE DONE, CONCENTRATING THEIR EFFORTS ON THE FIVE AREAS MENTIONED WOULD DEMONSTRATE TO THE U.S. THAT THE GOVERNMENT

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WAS SERIOUS ABOUT BRINGING VIOLATIONS UNDER CONTROL. HE POINTED OUT THAT WHILE THE MILITARY IS ENTITLED TO ITS SPECIAL TOTOCRACIES, PUTTING THE JRG INTO INTERNATIONAL DISREPUTE BY CONDONING ACTS OF VIOLENCE SEEMED EXTREME.

18. COL. GUTIERREZ CONTINUED THE CONVERSATION BY SAYING THAT THEY UNDERSTOOD THE MOTIVES FOR THE CONDITIONS. ALL OF THE PROPOSALS, HE SAID, "ARE THINGS WHICH WE SHOULD BE DOING". HE ESPECIALLY LIKED THE CONSUMIBLE'S CODE OF CONDUCT. BUT GUTIERREZ WENT ON TO SAY THAT HE WOULD LIKE TO CONSULT WITH HIS OFFICER CORPS. THE RISK OF MISINFORMATION AND MISINTERPRETATION IS GREAT, HE SAID, AND SO BEFORE AGREEING TO THE PROPOSAL HE WOULD LIKE TO INFORM THEM AND ASK FOR THEIR REACTIONS.

17. GUTIERREZ ENDED BY SAYING THAT THEY (THE GOES) WOULD HAVE MUCH PREFERRED A "MORE FRANK ASSISTANCE" AND "A VOTE OF CONFIDENCE IN THEM BY THE U.S."

18. COL. VIDES CASANOVA ASKED WHY THE U.S. WAS SO INSISTENT ON DEALING TOUGHLY WITH THE RIGHT EXTREMISTS AND NOT WITH THOSE OF THE LEFT. HE INDICATED THAT SOME PEOPLE OF THE RIGHT HAVE DONE MORE TO RESOLVE THE COUNTRY'S PROBLEMS SINCE THE OCTOBER COUP THAN THOSE ON THE LEFT.

19. THE AMBASSADOR TOLD COL. VIDES THAT THERE WAS A MISUNDERSTANDING. LIBERTY OF EXPRESSION IS NOT AT ISSUE. PEOPLE SHOULD HAVE THE RIGHT TO THINK IN ANY WAY THEY CHOOSE AND TO ACT WITHIN THE LAW. WHAT THEY DO NOT HAVE A RIGHT TO DO IS TO COMMIT ACTS OF TERRORIST VIOLENCE. FOR EXAMPLE, HE ASKED WHEN THE LAST TIME WAS THAT AN ORDEN MILITANT WAS PUNISHED. NO ONE CAME UP WITH AN ANSWER.

20. QUARTE THEN USED THE OCCASION TO DO SOME STRAIGHT TALKING TO THE MILITARY. HE SAID THAT WHAT WAS UNDER
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DISCUSSION WERE THOSE INDIVIDUALS WHO ARE PART OF THE
~~MILITARY AND WHO ARE COMMITTING TERRORIST ACTS. HE~~
THOUGHT THAT IT WAS UNDERSTOOD BY THE HIGH COMMAND
THAT THEY SHOULD PUT A STOP TO THESE UNJUST, VIOLENT ACTS.

21. QUARTE WENT ON TO MAKE FOUR POINTS. HE SAID COL.
GUTIERREZ' IDEA OF CONSULTING THE OFFICERS WAS A GOOD
ONE. THAT DISCUSSIONS WERE NECESSARY TO DEVELOP THE
MEANS TO MAKE THE "POINTS" -- THE U.S. CONDITIONS --
REALIZABLE. HE SUGGESTED A PUBLIC ACT IN EL SALVADOR WITH
A U.S. GENERAL PRESENT TO ANNOUNCE THE AGREEMENT. FINALLY,
HE SAID THAT HE STILL SAW A DANGER IN THE INTERPRETATION
OF THE AGREEMENT. HE SAID THAT THIS CONDITIONAL ASSISTANCE,
WITH ITS SUGGESTION OF U.S. INTERFERENCE IN THE INTERNAL AF-
FAIRS OF ANOTHER COUNTRY, COULD BE NEGATIVE FOR BOTH THE U.S.
AND EL SALVADOR.

2. QUARTE SUMMARIZED. TWO THINGS WERE NECESSARY:
MEASURES TO PUT THE PROPOSALS INTO PRACTICE AND MEASURES
TO DEAL WITH THE POLITICAL PROBLEMS FACED BY BOTH GOVERNMENTS.

3. COL. MAJANO POINTED OUT THAT IN OCTOBER 1979 THE
MILITARY HAD PUBLICLY STATED THAT THERE WERE FAULTS IN ITS
OWN INSTITUTION. MAJANO WAS IN EFFECT RESPONDING TO MOO
ARCTA AND TO THE NEED TO REFORM THE MILITARY AS STATED
IN THE OCTOBER 15 REVOLUTION. ANY MEMBER OF THE ARMED
FORCES WHO HAS UNAUTHORIZED DEALINGS WITH EXTREMIST
GROUPS OF EITHER THE RIGHT OR LEFT SHOULD BE DISCIPLINED.
AID MAJANO, THE PROBLEM IS ONE OF BALANCE ("EQUILIBRIO").

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INCOMING
TELEGRAM

Department of State

SAN SA 35814 03 OF 03 231957Z



NOTION 4003-00

INFO OCT-81 AOC-RR /RR1

-----036824 232047Z /62

O R 231748Z AUG 69
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 846
INFO AMEMBASSY BOGOTA
AMEMBASSY CARACAS
AMEMBASSY GUATEMALA
AMEMBASSY MANAGUA
AMEMBASSY MEXICO
AMEMBASSY PANAMA
AMEMBASSY SAN JOSE
AMEMBASSY TEGUCIGALPA
USCINCSO QUARRY HTS PH
SECDEF WASHDC

SECRET SECTION 3 OF 3 SAN SALVADOR 3618

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24. MAJANO MADE A SECOND POINT. EVERYTHING PRESENTED
HE VIEWED AS "CORRECT" BUT HE NOTED THAT THE PUBLIC
PRESENTATION COULD BE A PROBLEM. HE VIEWED THE CRUCIAL
QUESTION AS HOW TO SOLVE WASHINGTON'S PROBLEMS WHILE AT
THE SAME TIME NOT GIVING THE APPEARANCE THAT EL SALVADOR
SUCCEDED TO A POLITICAL SET OF CONDITIONS.

25. AIR FORCE COL. BUSTILLOS REFLECTED ON THE OFFER AND
COMPARED IT WITH A PREVIOUS U.S. OFFER OF 5.7 MILLION
DOLLARS OF MILITARY ASSISTANCE. THE INTERNATIONAL
REACTION, HE SAID, WAS VERY BAD. THE REACTION TO THE
HELICOPTER AGREEMENT WOULD BE AS BAD OR WORSE AND WOULD
PROVOKE INCREASED ASSISTANCE TO THE LEFT FROM CUBA OR THE
SOVIET UNION. IMPLICIT IN BUSTILLO STATEMENT WAS THE
VIEW THAT THE U.S. WAS GIVING LITTLE AND DEMANDING A LOT.

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INCOMING TELEGRAM

SAN SA 9581A 03 OF 03 231957Z



20. THE REAL DANGER HERE IS THAT AS THE MILITARY DISCUSS OUR PROPOSAL THE WHOLE MATTER WILL BECOME PUBLIC AND INTERPRETED IN SUCH A WAY THAT IT WILL APPEAR THAT THE UNITED STATES IS IMPOSING CONDITIONS AND AFFRONTING THE SOVEREIGNTY OF EL SALVADOR. ON THE OTHER HAND, AT THIS

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INCOMING
TELEGRAM

JAN 31 1958 03 OF 03 231957Z

POINT JUST ABOUT ANY MEETING ON ANY SUBJECT THAT INVOLVES
~~THE ENTIRE MILITARY WILL PROBABLY BENEFIT OUR OVERALL~~
POLICY. IT IS PAST TIME THAT PROGRESSIVE AND CONSERVATIVE
OFFICERS MET ON A SUBJECT THAT DOES NOT HAVE DIRECTLY
TO DO WITH CAUSES OF INTERNAL DISSENSION AND WILL PROVIDE
THE OPPORTUNITY FOR A FULL AIRING OF VIEWS. OUR HOPES,
OF COURSE, WOULD BE THAT THIS WOULD RESULT IN SOME RECON-
CILIATION BETWEEN THE VARIOUS FACTIONS.
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Department of State

TELEGRAM

RELEASE

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Excluded from Human Rights Sanctions Program (1993)

AN: CB20056-CL56

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PAGE 01
ACTION SS-25

SAN SA 00825 01 OF 02 02033+2

INFO COT-01 ACS-00 SSC-00 026
-----306353 020347Z 160

C 021338Z FEB 82
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 7701

SECTION 1 OF 2 SAN SA 00825

EXCIS

E. C. 120651 ACS-1 2/1/02 (HINTON, DEANE R.) GR-M
TAGS: PINS, PINS, MI, ES
SUBJ: (C) MORE ON ALLEGED MORAZAN MASSACRE: SAN ANTONIO ABAO
AND NUNES

1. (C-ENTIRE TEXT.)

2. SINCE DEFENSE ATTACHES HAVE BEEN TRYING FOR DAYS
WITHOUT SUCCESS TO IDENTIFY UNITS OF SALVADORAN ARMY IN
MORAZAN WHERE MASSACRE ALLEGEDLY OCCURRED, I QUERIED
MILGP COMMANDER TODAY IF IT WERE POSSIBLE HIGH COMMAND DID
NOT KNOW WHERE AND WHEN THEIR FIELD FORCES OPERATED.
NOT IT WAS NO, HE TOLD ME. ACCORDINGLY I ASKED HIM TO
GET ANSWER.

3. HE WENT TO CHIEF OF STAFF, WHO SAID DEFENSE MINISTERS
WANTED NO ONE OTHER THAN HIMSELF TO DEAL WITH THAT
QUESTION.

4. THIS AFTERNOON I CALLED ON GENERAL GARCIA.
HE JOINED A BIT AS IS OUR MONT. THEN GARCIA COMPLIMENTED
ME ON MY WASHINGTON POST INTERVIEW WHICH HE SAID PUT
THINGS EXACTLY RIGHT. I THANKED HIM BUT SAID HE HAD
BETTER KEEP THAT OPINION TO HIMSELF SINCE I UNDERSTOOD
COM ENDS HAD TODAY TOLD THE LONG COMMITTEE THAT HE

PAGE 02 SAN SA 00825 01 OF 02 02033+2

DID NOT SHARE MY VIEWS ABOUT MILITARY MATTERS.

PLAINTIFF'S EXHIBIT
CASE: 99-8364
NO: CIV. HURLEY
EXHIBIT NO: 333

R 1474

Department of State 18/PRC/ODR ET SALVADOR
Declassified under EO 12333 (X) in full ()
portions withheld: classified () ; privacy () ; deliberative ()
law enforcement () ; not relevant to ET Salvador ()

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El Salvador Human Rights
Annual Report (1996)

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5. WITH THE MENTION OF ENDERS, I EXPLAINED TO GARCIA THAT TCM HAD TODAY GONE TO CONGRESS TO DEFEND THE ADDITIONAL \$5 MILLION IN MILITARY ASSISTANCE TO EL SALVADOR AND THAT FOR A GOOD PART OF THE REST OF THIS WEEK HE WOULD BE BEFORE CONGRESSIONAL COMMITTEES EXPLAINING THE PRESIDENT'S CERTIFICATION WHICH PERMITTED CONTINUED AID TO EL SALVADOR. IN THIS CONNECTION, I SAID, REPORTS PUBLISHED IN THE WASHINGTON POST AND THE NEW YORK TIMES ABOUT ALLEGED MORAZAN MASSACRE AND THE INCIDENT OF NIGHT BEFORE LAST CAUSED GREAT CONCERN. I ADDED THERE WAS ONE GOOD SENTENCE IN THE SONNER PIECE AND READ TO HIM THE SENTENCE SAYING THERE WAS NO INDEPENDENT CONFIRMATION WHO DID THE KILLINGS AND HOW MANY HAD BEEN KILLED.

6. I SAID THE MORAZAN BUSINESS WAS A NOVELA, PURE MARXIST PROPAGANDA DEVOID OF FOUNDATION.

7. I SAID IT WAS CLEARLY PROPAGANDA THAT ITS TIMING HAD BEEN CAREFULLY CALCULATED BUT THERE WERE SO MANY DETAILS THAT IT WAS DIFFICULT TO DEAL WITH THE STORIES. I WAS PARTICULARLY CONCERNED OVER THE REFERENCES TO THE ATACATL BATTALION AND LTS. CACERES AND ORTEGA. COULD HE TELL ME IF THE ATACATL BATTALION HAD ACTUALLY BEEN ENGAGED AT EL MOZOTE? COULD HE TELL ME WHO LTS. CACERES AND ORTEGA WERE. HE SAID IMMEDIATELY THAT THERE WAS A MAJOR CACERES WHO WAS THE DEPUTY COMMANDER OF THE ATACATL BATTALION AND WHO WAS A STRAIGHTFORWARD, HONORABLE SOLDIER WHO WOULD NEVER HAVE KILLED WOMEN AND CHILDREN AS DESCRIBED IN THE STORY.

PAGE 03

SAX SA 00825 01 OF 02 020334Z

HE DID NOT KNOW WHO LT. ORTEGA MIGHT BE BUT HE WOULD INQUIRE. AFTER SOME FURTHER DISCUSSION, HE SAID THE ATACATL BATTALION HAD BEEN AT EL MOZOTE DURING THE DECEMBER SWEEP, BUT HE REITERATED THAT THE STORY WAS A PACK OF LIES. HE WOULD HOWEVER, TALK TO MAJOR CACERES AND GET HIS STORY SO THAT HE WOULD BE PREPARED WHEN HE GOT TO WASHINGTON AND HE WOULD ALSO EXAMINE THE DAILY ACTION REPORTS RECEIVED FROM UNITS IN THE OPERATION REPORTING ON FRIENDS, ENEMY, AND OTHER CASUALTIES.

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El Salvador Human Rights
Special Project (1993)

[REDACTED]

TO SEE WHAT THEY SHOWED. HE ASKED ME TO LEAVE
WITH HIM THE STORIES AND I DID SO ADDING AS A
SWEETNER THE WASHINGTON POST EDITORIAL OF JANUARY 29
SUPPORTING OUR COMMON POLICIES. AS FOR THE SAN
ANTONIO/ABAD INCIDENT. THAT TOO WAS BEING DISTORTED.

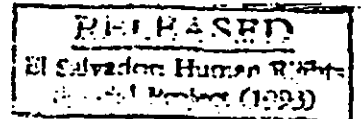
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PAGE 01
ACTION SS-25

SAN SA 00825 02 OF 02 020342Z

INFO OCT-01 ADS-00 SSO-00 /026 W
-----306427 020348Z /72-62
O 021338Z FEB 82
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 7702

SECTION 2 OF 2 SAN SALVADOR 0825

EXDIS

BY THE PRESS AS PART OF A CAMPAIGN. WHAT HAD HAPPENED WAS THAT NEIGHBORS HAD REPORTED THE EXISTENCE OF SUSPICIOUS MEETINGS

IN A HOUSE. WHEN TROOPS OF THE FIRST BRIGADE WENT TO INVESTIGATE, THEY HAD BEEN FIRED UPON. BRIGADE TROOPS RESPONDED AND THOSE KILLED HAD BEEN KILLED IN ACTION. MOREOVER, WEAPONS HAD BEEN SEIZED. PROOF THAT EVENTS HAD BEEN SUBSEQUENTLY COLORED BY LEFTIST PROPAGANDISTS WAS THAT THE INVESTIGATING JUDGE HAD BEEN TOLD NOTHING ABOUT ANY RAPES, WHICH OF COURSE HAD NOT TAKEN PLACE, NOR HAD MORE THAN TWO WOMEN BEEN KILLED, BOTH OF WHOM HAD BEEN GUERRILLAS. HE HAD DISCUSSED INCIDENT DIRECTLY WITH COL. PALACIOS, BRIGADE COMMANDER, AND HE WAS SURE OF HIS FACTS.

8. I AGREED WITH HIM THAT AGAIN PROPAGANDISTS WERE EXPLOITING ISSUE BUT I ALLOWED TO HAVING SOME PROBLEMS IN UNDERSTANDING ALLEGATIONS THAT SOME OF THE DEAD SHOWED SIGNS OF TORTURE AND MANY OF HAVING BEEN KILLED WITH BULLETS TO THE HEAD.

9. HE DID NOT TRY TO EXPLAIN INCONSISTENCY BUT AVERRED AGAIN THAT THESE STORIES WERE A PLOT TO DISCREDIT THE ARMED FORCES AT THIS CRITICAL JUNCTURE. I SAID TIMING WAS INDEED UNFORTUNATE

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SAN SA 00825 02 OF 02 020342Z

BUT IT SEEMED TO ME THAT THERE WAS SOME FACTUAL BASIS FOR THE EXAGGERATED STORIES AND I COULD ONLY URGE

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HIM ONCE AGAIN TO EXHORT HIS COMMANDER TO EXERCISE MORE RIGOROUS CONTROL OVER THEIR FORCES.

10. GARCIA THEN SAID IT WAS INTERESTING THE LEFT WAS NO LONGER SAYING ANYTHING ABOUT THE NUNS CASE AND WE AGREED THAT THIS WAS BECAUSE REAL PROGRESS HAS BEEN MADE AND THEY KNOW IT.

11. HE THEN SAID HE WANTED TO TELL ME OF GROWING RESENTMENT IN THE ARMY OVER PROPOSALS FROM POLITICIANS, THAT THE ANNOUNCEMENT OF THE TURNOVER OF THE ACCUSED FOR TRAIL MIGHT BE MADE BY POLITICANS AND NOT BY THE ARMED FORCES. FROM THIS I INFERRED THAT HE AND DUARTE ARE BICKERING OVER WHO WILL SAY WHAT. WHEN HE ASKED ME FOR MY VIEW.

12. I REPLIED THAT IN MY PERSON OPINION IT WAS NOT TOO IMPORTANT WHO MADE THE ANNOUNCEMENT BUT THAT IT WAS CRUCIAL THAT THE PRISONERS NOT BE TURNED OVER TO THE CIVILIAN AUTHORITIES UNTIL THE CIVILIAN AUTHORITIES HAD SORTED OUT HOW TO HANDLE THE PROSECUTION. I SAID I HAD JUST LEARNED THAT AS OF SATURDAY, FISCALIA (ATTORNEY GENERAL'S OFFICE) WAS FAR FROM HAVING DEVELOPED A PROSECUTION STRATEGY THAT WOULD WORK. NO ONE, IN MY VIEW, NEITHER THE ARMED FORCES NOR THE POLITICIANS, NOR MY GOVERNMENT COULD BENEFIT FROM A LACK OF CARE ON JUDICIAL QUESTIONS. THAT TO UNDO THE SPLENDID EFFORTS OF THE MILITARY INVESTIGATION, WHAT WE WANTED WAS FOR THE KILLERS TO BE BROUGHT EFFECTIVELY TO JUSTICE. ONCE THE CASE WAS READY FOR PRESENTATION DE A

PAGE 03 SAN SA 00825 02 OF 02 020342Z

THE ANNOUNCEMENT SHOULD OF COURSE BE MADE BY WHOM WAS NOT MY PRINCIPAL CONCERN AND, IN THE MEANTIME, GENERAL STATEMENTS SUCH AS HE HAD MADE LAST WEEK COULD BE USEFUL.

13. HE ASKED ME WHEN I THOUGHT THE CIVILIAN AUTHORITIES WOULD BE READY. I SAID I HOPED WITHIN A FEW DAYS. HE SAID HE HOPED SO, TOO, BECAUSE THE GUARD, IN ADDITION TO ITS OTHER PROBLEMS, WANTED TO BE FREED OF GUARDING THE PRISONERS.

14. I TOOK MY LEAVE. HE THANKED ME FOR ALERTING HIM

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TO THE NEED TO BE WELL PREPARED FOR HIS VISIT TO
WASHINGTON. AND I WISHED HIM A GOOD TRIP.

15. COMMENT: GARCIA'S ACCOUNT IN PARAGRAPH 7 OF SAN ANTONIO
ABAD INCIDENT IS INCONSISTENT BOTH WITH THE RELEASE
ISSUED BY THE HIGH COMMAND LISTING MULTIPLE
LOCATIONS THROUGHOUT THE NIGHT AND WITH J. REPORT BY SF
PALACIOS TO DATE THAT THERE WAS A FIRE WHICH CAUSED
CONFUSION AND LET TO PERHAPS INNOCENT PEOPLE
BEING KILLED.
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PAGE 01 SAM SA 00796 011703Z
ACTION 11-11

INFO OCT-01 401-00 110-00 /016 W
.....313365 011708Z /43

0 011612Z FEB 82
FM AMEMBASSY SAN SALVADOR
TO SECRETARY WASHDC IMMEDIATE 1483

SECRET SAM SALVADOR 0796

FA015

1. O. 13045: OOS 2/1/88 (MINION, DEANE, B.) OR-M
TAGS: PINS, PINT, MIL, ES
SUBJECT: CHAT WITH GENERAL GARCIA

1. (S-ENTIRE TEXT.)

2. DEFENSE MINISTER GARCIA IS ON HIS WAY TO STATES TO
ATTEND, AMONG OTHER THINGS, A CONGRESSIONAL PRAYER
BREAKFAST, IN TALK JANUARY 30 ON MARGIN OF OTHER
VE DISCUSSED: (A) MORAZAN MASSACRE ALLEGATIONS,
(B) ARMY ATTACK ON HOUSE WHERE AMERICAN LIVED,
(C) CESPODES ATTACK ON JESUITS, AND (D) LATEST THINKING
ON MANS MURDER CASE.

3. I WARNED GARCIA TO BE READY TO RESPOND TO MORAZAN
MASSACRE STORY - HE WAS HIS USUAL COCKY SELF - BUT
HE DID NOT PROVE - HE FABRICATED - I WISHED HIM WELL
AND WISHED HE WOULD HAVE TO EXPLAIN AWAY DETAILS
PROVIDED BY CORRESPONDENTS. IT MIGHT BE POSSIBLE - WE
WERE INVESTIGATING AND WERE GRATEFUL FOR HIS HELP - BUT
HE SHOULD BEAR IN MIND THAT SOMETHING HAD GONE WRONG.
WHO DID IT, WHEN, AND IN WHAT CIRCUMSTANCES WAS SOME
THING ELSE.

4. I TOLD GARCIA THAT "I DID NOT LIKE THE RATO
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PAGE 02 SAM SA 00796 011703Z

CONDUCTED THE NIGHT BEFORE ON A HOUSE WHERE AN
AMERICAN WAS LIVING." HE REPLIED, "WE ARE LOOKING
INTO IT."

5. FOR GOOD MEASURE, I SUGGESTED TO GARCIA THAT IT WAS
TIME HE GOT CESPODES UNDER CONTROL, SINCE ITS LATEST
ATTACK ON THE JESUITS WAS TOTALLY IRRESPONSIBLE.
(SAN SALVADOR 0704) I ADDED THAT THE POPE HAD
CHANGED THE ORDER'S COMMANDER, THAT THE JESUITS

PAGE M

R 4742

WERE CLEANING HOUSE, THAT THEY WERE UNDER NEW ORDERS AND
COMMANDERS, INCLUDING THE LOCAL BISHOP. THEY SHOULD
HAVE BENEFIT OF DOUBT. MOREOVER, IN WORST OF TIMES
THERE HAD BEEN INDIVIDUALS WHO HAD STAYED NOT ENTIRE
ORDER. ATTACKERS HAD TO DISCRIMINATE NOT CONQUER ALL.
FINALLY, I REMINDED HIM OF POSITIVE ROLE OF CHURCH IN
NICARAGUA AND POLAND, ASKING IF HE DID NOT WANT CHURCH
ON HIS SIDE. HE TOOK THIS IN, NOTED ATTACKS WERE
"DANGEROUS", AND CHANGED SUBJECT TO MANS.

6. HERE HE AGAIN ASSURED ME ALL MOVING WELL AND THAT
GOVERNMENT HOPED TO MAKE STATEMENT IN DAY OR TWO.
HE VOLUNTEERED GOOD NEWS THAT THOUGHT IS BEING GIVEN
TO TRYING CASE "AT PLenary LEVEL." THIS IS NEW IDEA
FOR ME BUT WERE IT FEASIBLE, IT MIGHT ASSUAGE SOMEWHAT
CONTINUING DOES CONCERNS ABOUT POSSIBLE INTIMIDATION
OF TRAIL JUDGE. IN ANY CASE, I WELCOME THESE REMARKS
A EVIDENCE THAT INTERNALLY MILITARY AND
CIVILIAN AUTHORITIES HAVE ENGAGED DIALOGUE TO CONSIDER
STEPS WHICH HAVE TO BE SURMOUNTED WHEN MILITARY TURN
ACCUSED OVER TO CIVIL COURTS.
MINION

NOTE BY DC/71 CAUTION - THIS MESSAGE APPEARS TO CONTAIN
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PAGE 03 SAM SA 00796 011703Z

SENSITIVE INTELLIGENCE INFORMATION

Declassified under EO 12353
Excluded from automatic
downgrading and
declassification
enforcement ()
not relevant to
PAGE NO.

PLAINTIFF'S
EXHIBIT

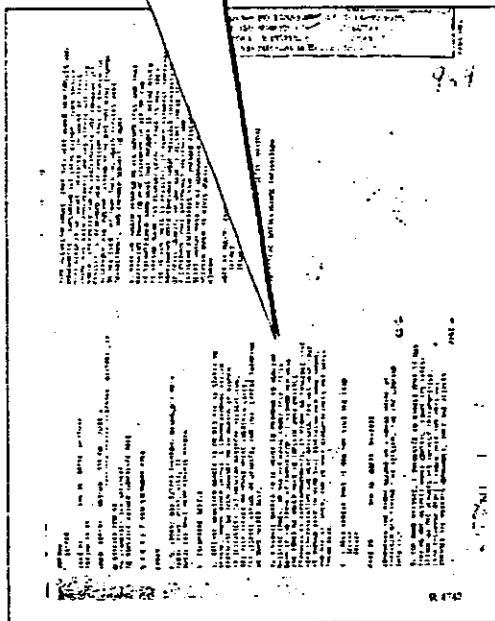
CASE 99-8364
NO. CIV-HURLEY

EXHIBIT
NO. 713

984

U.S. Government Cables Ambassador in Honduras to U.S.

Secretary of State February 2, 1982



I warned Garcia to be ready to respond to Morazan massacre story. He was his usual cocky self. "I'll deny it and prove it fabricated."

MM

PB1-3- 00094
5/19/83

PAGE 0001
TDR: 19233-2 MAY 83

TRAVEL TO EL SALVADOR BY CAPTAIN EDUARDO AVILA AVILA,
ALLEGED CONSPIRATOR IN THE 1980 ASSASSINATIONS OF TWO
U.S. CITIZENS IN THE SAN SALVADOR SHERATON HOTEL.

1. CAPTAIN EDUARDO ((AVILA)) AVILA, A SALVADORAN RIGHTIST
ARMED FORCES OFFICER ALLEGED TO HAVE BEEN A CONSPIRATOR IN THE

PLAINTIFF'S
EXHIBIT

CASE 99-8364
NO. CTV-HURLEY

EXHIBIT
NO. 200

R 1173

PAGE 0001
TOR: 192334Z MAY 83

TRAVEL TO EL SALVADOR BY CAPTAIN EDUARDO AVILA AVILA.
ALLEGED CONSPIRATOR IN THE 1980 ASSASSINATIONS OF TWO
U.S. CITIZENS IN THE SAN SALVADOR SHERATON HOTEL.

1. CAPTAIN EDUARDO ((AVILA)) AVILA, A SALVADORAN RIGHTIST
ARMED FORCES OFFICER ALLEGED TO HAVE BEEN A CONSPIRATOR IN THE

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PAGE 0002
102330Z MAY 87

FOR REASSASSINATIONS OF TWO LEFT-CITIZENS IN THE SAN SALVADOR
GENERAL. HE CURRENTLY SPENDS MOST OF HIS TIME LIVING IN
EL SALVADOR. IT IS ABLE TO VISIT EL SALVADOR FREQUENTLY. WHEN IN
EL SALVADOR, AVILA RESIDES AT A PRIVATE HOME IN SANTA TECLA, ADJACENT
TO THE NATIONAL GUARD HEADQUARTERS. THE PRIVATE HOME IS IN FACT A
NATIONAL GUARD SAFEHOUSE WHICH IS PROTECTED BY ARMED GUARDS
PROVIDED BY THE NATIONAL GUARD AND CIVIL DEFENSE. WHEN AVILA IS
PRESENT IN SANTA TECLA, THE NATIONAL GUARD PROVIDES HIM WITH A
SECURITY TEAM OF AT LEAST SIX MEN ARMED WITH AUTOMATIC WEAPONS.

2. AVILA, WHO IS OFFICIALLY SUBJECT TO ARREST IN EL SALVADOR
FOR DESERTION, HAS BEEN AIDED IN ENTERING AND DEPARTING EL SALVADOR
BY RIGHTIST SYMPATHIZERS IN THE IMMIGRATION SERVICE. WHILE IN
EL SALVADOR, AVILA HAS MET WITH THE FOLLOWING INDIVIDUALS IN THE
SANTA TECLA SAFEHOUSE: LIEUTENANT COLONEL ROBERTO ((STABEN)),
EXECUTIVE OFFICER OF THE CAVALRY REGIMENT; MAJOR ENZO GUILLEMO
((BUSO)), NATIONAL POLICE CHIEF IN SANTA ANA; LIEUTENANT COLONEL
ARISTEDES ((MARQUEZ)), CHIEF OF THE INVESTIGATIONS SECTION OF THE
NATIONAL POLICE; CAPTAIN RAFAEL ((LOPEZ)) DAVILA, CHIEF OF THE
POLITICAL SECTION OF THE NATIONAL POLICE; CAPTAIN FRANCISCO
((MORAN)) RECINOS, A TREASURY POLICE OFFICER; LIEUTENANT COLONEL
JOAQUIN ((ZACAPA)), EXECUTIVE OFFICER OF MILITARY DETACHMENT SIX;

AND LIEUTENANT COLONEL RENE EMILIO ((PONCE)), CHIEF OF THE MOTOR
VEHICLES DEPARTMENT OF THE NATIONAL POLICE AND FORMER SUB-DIRECTOR
OF THE TREASURY POLICE. ADDITIONALLY, AVILA HAS MET WITH LIEUTENANT
RODOLFO ISIFRO ((LOPEZ)) SIBRIAN, ANOTHER ALLEGED CONSPIRATOR
IN THE SHERATON KILLINGS; LIEUTENANT COLONEL MARIO DENIS ((MORAN)),
SALVADORAN MILITARY ATTACHE TO PANAMA; AND ROBERTO ((D'AUBUISSON)),
PRESIDENT OF THE NATIONALIST REPUBLICAN ALLIANCE (ARENA) AND
PRESIDENT OF THE CONSTITUENT ASSEMBLY.

3. COMMENT: THERE IS SUBSTANTIAL SUPPORT FOR
CAPTAIN AVILA WITHIN THE ARMED FORCES, ESPECIALLY AMONG RIGHTIST
OFFICERS. IT IS UNLIKELY THAT AVILA WILL EVER BE ARRESTED IN
EL SALVADOR AS LONG AS HE RETAINS THE SUPPORT OF D'AUBUISSON AND
THE RIGHTIST MILITARY OFFICERS.)

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TEXT OF TELEGRAM BOSAN 14003099

ADP827

PAGE 01 SAN SA 03099 080222Z
ACTION AREA-18INFO OCT-01 ADS-00 MA-08 APR-01 A10-07 DMB-01 TRST-00
CIAC-00 PM-08 M-01 INB-10 L-03 WJAE-00 MSC-03
PA-01 SP-02 SS-18 ICA-11 CDM-00 EB-06 LAB-04
STR-09 SEL-01 /109 W

-----029871 080229Z /18

R 031000Z MAY 80 VOL TO ALL
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC R013
INFO AMEMBASSY BOGOTA
AMEMBASSY CARACAS
AMEMBASSY GUATEMALA
AMEMBASSY LIMA
AMEMBASSY MANAGUA
AMEMBASSY PANAMA
AMEMBASSY QUITO
AMEMBASSY SAN JOSE
AMEMBASSY TEGUCIGALPA
DIA WASHDC
USCINCSO QUAREY HTS PH

SAN SALVADOR 3099

E.O. 12065: DCS 4/30/86
TAGS: PIMS PINT SHAM SAID RS
SUBJ (C) CONVERSATION WITH UCS LEADERS

2. SUMMARY. ON APRIL 30 SIX LEADERS OF THE SALVADORAN COMMUNAL UNION (UCS) COMMENTED ON THE LAND TO THE TILLER LAW, REPRESSION, AND CABINET CHANGES. END SUMMARY.

3. ON APRIL 30 LABOR ATTACHE TALKED WITH FIVE OF THE NINE MEMBERS OF THE UCS'S BOARD OF DIRECTORS. ABOUT A HALF HOUR INTO THE CONVERSATION, SEBASTIAN RODOLFO VIERA JOINED THE GROUP.

PAGE 02 SAN SA 03099 080222Z

4. NEW AGRARIAN REFORM LAW. THE ATTITUDE OF THE FIVE UCS DIRECTORS TOWARD THE LAND TO THE TILLER LAW (ISSUED APRIL 30) CAN BE SUMMARIZED AS "IT'S A FINE LAW, BUT, THE 'TRUTH' CONSISTED OF TWO SETS OF PREOCCUPATIONS: THAT THE LAW WILL LEAD TO MORE VIOLENCE DIRECTED AGAINST CAMPESINOS, AND THAT CREDIT WILL NOT BE MADE AVAILABLE QUICKLY ENOUGH. ON THE LATTER TOPIC, ONE OF THE DIRECTORS COMMENTED THAT THE RAINY SEASON WILL BEGIN IN ABOUT A WEEK, AND IT IS UNLIKELY THAT

PAGE NO.

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United States Department of State
Office of Policy, Privacy, & Classification Review
Review Authority: LANCY/LUR WILLIAM E.
Date: 05/22/94
Case ID: SP40002

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TEXT OF TELEGRAM BOLAN 5400099

SMALL LANDOWNERS WILL OBTAIN CREDIT IN TIME TO PLANT.

8. ANOTHER DIRECTOR SAID THIS PHASE OF AGRARIAN REFORM IS LIKELY TO BE MORE VIOLENT THAN THE FIRST. THE LACK OF VIOLENCE IN THE FIRST PHASE, HE REASONED, WAS DUE TO THE FACT THAT FEW LARGE LANDOWNERS ACTUALLY LIVED ON THEIR ESTATES. HOWEVER, THE OWNERS OF THE SMALL HOLDINGS TAKEN BY THE LATEST DECREE GENERALLY RESIDE NEAR THEIR LAND, AND HAVE MORE OPPORTUNITY TO TAKE VENGEANCE ON THE BENEFICIARIES.

9. REPRESSION, ACCORDING TO ONE DIRECTOR, THE UCS'S BIG PROBLEM WITH THE GOVS MOV IS THE AMOUNT OF VIOLENCE IN THE COUNTRYSIDE. ALL CONCERNED THE SECURITY FORCES FOR ACTS OF REPRESSION. THEY HAD MUCH MORE RESPECT FOR THE MILITARY THAN THE SECURITY FORCES, BUT SOME STATED THAT THE ARMY HAS ALSO BEEN INVOLVED IN SEARCH OPERATIONS WHICH RESULTED IN THE KILLING OF PRISONERS.

7. LABOR ATTACHE COMMENTED THAT THE KILLING IN THE COUNTRYSIDE SEEMED TO BE COMING FROM ALL DIRECTIONS AND THAT HE HAD HEARD THAT LOCAL NATIONAL GUARD COMMANDERS BOKE MUCH OF THE RESPONSIBILITY FOR THE REPRESSION. THE DIRECTOR AGREED. HE OBTAINED THREE OFFICIALS WHO THE SAID, COULD STOP THE REPRESSION IF THEY VISITED MINISTER OF DEFENSE GARCIA.

PAGE 03 SAN SA 00099 0902222

SUBSECRETARY OF DEFENSE CARRANZA, AND DIRECTOR OF THE NATIONAL GUARD VIDES CASANOVA. THESE THREE, THEY ADDED, ARE NOT IN FAVOR OF THE GOVS REFORMS AND ARE ALLOWING LOWER-RANKING OFFICERS TO OUST THEM. THE UCS HAS HAD CONTACTS WITH SOME "PROGRESSIVE" OFFICERS. THEY SINGLED OUT FOR APPROVAL CAPTAIN MENA SANDOVAL, AND SAID HE WOULD MAKE A GOOD SUBSECRETARY OF DEFENSE. (COMMENT: ACCORDING TO THE APPOINTMENT OF THIS INDIVIDUAL WOULD NOT BE ACCEPTABLE TO THE MILITARY AS A WHOLE. END COMMENT.)

8. CABINET CHANGES. AT THIS POINT VIERA JOINED THE GROUP AND ANNOUNCED HE HAD HEARD ON THE RADIO THAT THE MINISTERS OF AGRICULTURE AND PLANNING HAD RESIGNED. (COMMENT: HE HAD HEARD FROM OTHER SOURCES THAT THE TWO WERE TO BE RELIEVED, BUT THIS REPORT WAS PREMATURE. END COMMENT.) THE REACTION AROUND THE TABLE COULD ONLY BE DESCRIBED AS ONE OF GENERAL REGICING. VIERA, WHO AS HEAD OF ISTA KNOWS THE CABINET MEMBERS, CHARACTERIZED BOTH MEN AS INCOMPETENT. ACCORDING TO VIERA, THE MINISTER OF AGRICULTURE CANNOT OR WILL NOT MAKE DECISIONS, AND THE MINISTER OF PLANNING HAS DONE NOTHING TO SUPPORT AGRARIAN REFORM.

9. THE FUTURE. WHEN ASKED FOR A PREDICTION ABOUT THE STABILITY OF THE PRESENT GOVERNMENT, VIERA REPLIED THAT THE TWO CABINET CHANGES MENTIONED ABOVE WOULD GREATLY IMPROVE THE GOVS CHANCES. ONE OF THE DIRECTORS ADDED THAT THE THREE

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TEXT OF TELEGRAM BOSAN 240030Z

OFFICERS NAMED IN PARA 7 SHOULD ALSO BE REPLACED. VIETRA COMMENTED THAT THE TIME HAD COME FOR THE GOES TO ANNOUNCE THAT NO MORE REFORMS WOULD BE MADE IN THE IMMEDIATE FUTURE, AND TO CONSOLIDATE ITS GAINS.

10. COMMENT. THE IDEA OF ANNOUNCING AN END TO REFORMS FOR THE TIME BEING IN ORDER TO RESTORE CONFIDENCE AND STABILIZE THE ECONOMY HAS BEEN MENTIONED TO US RECENTLY BY TWO POC OFFICIALS. VIETRA'S COMMENT MAY INDICATE THAT SUCH AN ANNOUNCEMENT IS UNDER CONSIDERATION BY THE JRG.

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NOTE BY OC/Y: TELEGRAM DELAYED IN TRANSMISSION.

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95TH CONGRESS }
1st Session

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CENTRAL AMERICA: TREADING DANGEROUS
WATERS

A STAFF REPORT
TO THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE



NOVEMBER 1983

Printed for the use of the Committee on Foreign Relations

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EXHIBIT

CASE 99-8364
NO. CIV-HURLEY

EXHIBIT
NO. 379

R 2054

LETTER OF TRANSMITTAL

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C., October 14, 1983.

Hon. CHARLES H. PERCY, Chairman,
Hon. CLAUDETTE PELL, Ranking Member,
Senate Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN AND SENATOR PELL: The increasingly complex and dangerous situation in Central America, with the added element of U.S. troops in Honduras and United States naval forces off the coasts of Nicaragua, has raised more issues for United States policy in the region. These latest developments, together with those in El Salvador, Nicaragua, and Honduras, as well as events surrounding the Contadora peace process, provided the setting for a staff trip to assess the situation.

This report is based on a study mission to El Salvador, Costa Rica, Nicaragua, and Honduras from August 10-21. During the visit to El Salvador, Costa Rica, and Nicaragua, I accompanied a delegation sponsored by the Unitarian Universalist Service Committee led by Senator Paul Tsongas (D-Mass.), who joined the delegation in Costa Rica, and Congressman James Shannon (D-Mass.). My visit to Honduras was taken apart from the delegation's Central American visit. The findings of the delegation are being detailed in a separate report by the Service Committee.

Transmitted herewith is the report of my trip.

RAMMY SKLAR,
Professional Staff Member.

(iii)

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(ii)

R 2055

PREFACE

The announcement in July of joint U.S.-Honduran maneuvers involving 5,000 U.S. troops, along with U.S. naval task forces patrolling both coasts of Nicaragua, added yet another dimension to the increasingly dangerous situation in Central America. In mid-summer, United States-Nicaraguan relations continued in a state of decline, tensions between Honduras and Nicaragua were on the rise, and Nicaragua was experiencing the effects of a serious guerrilla movement. Simultaneous to these events, the Contadora peace process was offering a glimmer of hope that an enlarged Central American conflict could be avoided and that peace could be achieved. The situation in El Salvador remained fluid as political and military developments presented a mixed picture of improvement in some areas and no positive change in others. This trip was undertaken to explore these latest developments in relation to U.S. policy and to assess their impact on the individual nations as well as the region as a whole.

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SUMMARY

Increased U.S. military activity in Central America is having a profound impact on nations of the region in terms of their own domestic situations as well as the extremely sensitive regional climate. This activity, moving parallel with the Contadora peace process and the Stone mission, is shaping events which will determine matters of peace or further turmoil in the area in the coming months.

The past few months of relative calm, during which important military and political changes have taken place, have prompted a degree of optimism among United States and Salvadoran officials in San Salvador. While this is seen by many as a turning point, the coming months, with an expected offensive by the quiescent guerrilla forces, should serve to indicate if the optimism is justified. (Activity did pick up in September.) Internal and regional political developments will be additional determining factors.

Politically, the government is slowly moving toward elections. Human rights violations continue with the military leadership admitting no responsibility for the killing and abuses. There has been virtually no progress in the cases of the murdered Americans and prime military suspects still remain free. Some progress has been indicated in the search for a political solution as the government and the FDR/FMLN begin to meet directly.

The situation between Nicaragua and Honduras is becoming increasingly tense with the United States-Honduran joint military maneuvers and U.S. naval operations off the coasts of Nicaragua. The Hondurans generally feel a sense of security with the increasing U.S. military presence in their country. In the short term at least, the very evident presence of U.S. military personnel in Tegucigalpa and other parts of the country is seen by the Hondurans as positive, especially in terms of an influx of much needed dollars into the lagging economy. Honduran reaction to the U.S. presence by the end of the 6-month period of the military operations, and especially if the U.S. military remains after that period, could be much different, however. Most important is the generally negative reaction among the Hondurans to the Regional Military Training Center established at Puerto Castilla, where 125 U.S. advisers are training troops from El Salvador. Honduras' traditional enemy.

The Nicaraguan leadership perceives a threat with the U.S. military presence in Honduras, not as much as from fear of a direct planned attack from U.S. forces but because U.S. troops, relatively close to the border for an extended period of time, could become drawn into actual combat if the ever-present border tensions lead to conflict. The U.S. military presence is serving to exacerbate the troubled state of relations between Nicaragua and Honduras.

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Despite concerns by both sides on the potential for war between Nicaragua and Honduras, neither ranks an actual attack by one on the other as the principal threat. The tense situation, along with military preparations in both countries, however, does not permit the discounting of open warfare between the two neighbors. In Nicaragua, the "contras" (counterrevolutionaries), are believed to be supported by the CIA and the Honduran military, and are considered the major problem because intensive fighting is taking place now in various parts of the country. In Honduras, the head of the Armed Forces, General Gustavo Alvarez, has begun to focus public attention on a guerrilla threat which he charges is being aided by Nicaragua and Cuba.

The internal situation in Nicaragua continues to polarize and harden. The Sandinista government and the opposition, comprised of the church, the private sector, the anti-Sandinista press, and organized political parties are as far from reconciliation as ever. The resulting difficult economic and political situation, exacerbated by the increasing international pressures, have contributed to injudicious measures affecting freedom of the press, political freedom, and policies toward the Indian population. Popular support for the Sandinistas is seen as becoming stronger in the face of the threat from the contras and external pressures, principally exercised by the United States.

The regional climate also has affected the internal political situation in Honduras. The military, traditionally powerful within the Honduran political structure, is being strengthened politically by the increasingly close military relationship with the United States. General Alvarez in particular, is becoming ever more important in the political and economic life of the nation, especially in these days of the virtual incapacitation due to illness of elected President Roberto Somoza Cordoba. Political leaders point to disturbing instances of repressive acts by the military, which if not curbed now could result in a growing and more serious human rights problem. Most in Honduras' civilian political leadership, however, believe that the nation's slinky democratic system will prevail and that General Alvarez' political ambitions will be channeled through the constitutional process.

With the situation in Central America moving steadily and dangerously toward an enlarged regional war, the Contadora process appears to be the best hope for peace in the region. Nicaragua's change in policy toward accepting a regional approach to its problems with Honduras provides an impetus needed to keep the process on track. Strong United States support for Contadora, however, is essential.

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EL SALVADOR

SUMMARY

The dominant themes in El Salvador continue to be the civil war, the performance of the military, especially in the area of human rights, the political situation, and the progress toward a political settlement of the conflict. Based on conversations with United States and Salvadoran officials, including President Magana, this section will focus on some of the more recent developments in these areas including the new attitude and strategy adopted by the military, the nature of the political system as the nation haltingly moves toward elections, and the current status of the discussions between the government and the FDR/FMLN on a political settlement.

MILITARY SITUATION

The change in Defense Minister from Colonel Guillermo Garcia to Colonel Carlos Eugenio Vides Casanova, plus strong wrings by U.S. military personnel, seem to have resulted in a revitalized fighting force. The troops are more involved in longer operations, staying out of their barracks for days at a time in a change from the previous 9 to 5 system which had been the subject of much criticism. The military leadership also is quick to point out by visiting U.S. delegations that the new military attitude includes instruction in human rights and human relations. The military is optimistic about the new strategy and tactics and already sees a payoff in the military situation of recent months. The Salvadoran military's degree of success in this period has to be tempered by the fact that the guerrillas have been relatively inactive. Some observers attribute this to the opposition's concentration on reestablishing internal unity. Others attribute the fall-off in guerrilla activity to a deliberate evaluation of the new developments within the military, including the new reconstruction program which is underway.

The positive expressions of improvement in military capability were being made at the same time that Minister of Defense Vides Casanova was announcing, in a report to the Constituent Assembly, that in the 12 months ending June 30, 1983, 2,292 Salvadoran troops were killed in action, 4,195 were wounded, and 328 were missing. This casualty count represents one-fifth of El Salvador's military and is double the casualty rate of the previous 12-month period.

A day and a half in the provincial capital of San Vicente and the surrounding area provided an opportunity to talk to United States and Salvadoran military and civilian officials involved in the reconstruction project as well as villagers living under the new system.

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The Salvadoran Government, with the support of the U.S. Agency for International Development (AID), has embarked on an ambitious reconstruction program in the provinces of San Vicente and Usulután, where large concentrations of guerrillas have been active. Colonel Rinaldo Golcher, Commander of the Fifth Brigade in San Vicente, explained that the National Plan of Reconstruction (CORNERA) was initiated on June 10 to bring peace to the region. It was designed to protect the population with increased military activity while the government agencies, with AID support, restore services such as electricity, water, and education to the towns and villages. Involved are the ministries of Health and Welfare, Education, Interior, Agriculture, Public Works, and Defense. The program obviously is designed to win "the hearts and minds" of the people from support of the guerrillas. Colonel Golcher emphasized the humanitarian aspects of the project as he discussed the human rights training of the soldiers, the rebuilding of the roads, and the reopening of the schools. Golcher believed that the objective of bringing peace to the region had practically been accomplished in the 2 months since its inception. The military objectives of projecting a higher profile and a more active role in the two provinces is well underway. Military convoys and personnel were seen busily moving about as one traveled the roads of San Vicente.

The U.S. military advisers in San Vicente were very positive about the new Salvadoran army of recent months. They felt that the young soldiers were responsive to the U.S. training and that the officers were adopting a better fighting strategy. Some advisers believed that the number of U.S. advisers in El Salvador was adequate to accomplish their objectives. The advisers in San Vicente are duly concerned with their security but freely walk in a two-block square area from the barracks. They do not venture far beyond the Gran Pavo (Big Turkey) restaurant, a favorite gathering place.

U.S. officials involved in the reconstruction project are sensitive to the parallels that have been made in the United States between the Salvadoran program and the pacification program (CORDS) in Vietnam. The principal distinction, based on discussions with United States and Salvadoran officials, seems to be that in contrast to the CORDS "pacification" program, the Salvadoran "reconstruction" project was initiated, conceived and administered by the Salvadorans. The Vietnam program, they explain, was totally a U.S. operation. Ambassador Hinton, according to U.S. sources, was instrumental in joining AID to the Salvadoran reconstruction program. In another point of contrast, the personnel involved are not living in the towns but are making periodic visits from their offices in San Salvador.

Visits to the model project towns of San Esteban Catarina and San Lorenzo illustrated the program's potential as well as its problems. The involvement of the various government agencies in a coordinated fashion in restoring electricity, water supply, reopening schools, and providing other services, is a definite benefit to the people who have never been the object of such concern by the government. To provide security, a unit of the army or one of the security forces is quartered in each town where the project is underway. Eventually a volunteer civil defense force, made up of local citizens will take over the security function. People are moving back into their former towns and villages and

generally feel comfortable with the new situation. Both San Esteban Catarina and San Lorenzo had experienced guerrilla attacks and the townspeople expressed relief that the area had been quiet in the past months. The mayor of San Lorenzo recounted a 2-day occupation of the town by guerrillas during which they held meetings to tell the people of their successes and purchased food from the local stores.

Although the Salvadoran Government and United States officials are enlisting the program in an important and significant success, there are obvious problems and pitfalls. A serious effort at reconstruction and bringing the benefits to the people of both provinces will take an enormous amount of the government's scarce resources. Maintaining the gains that have been made through reconstruction will also prove to be difficult, especially if the guerrillas choose to conduct an offensive in these provinces. On the political side, there could be problems with the presence of the army and security forces in the towns as well as with the civil defense forces which will be taking over the defense responsibilities. The Treasury Police, for example, is providing security in the town of San Esteban Catarina, not a very comforting fact to those villagers who are aware of the Treasury Police reputation for human rights abuses. Another problem could be the composition and quality of the civil guard. There is much speculation that members of the outlawed, extremist paramilitary force, Oriflen, will become active in the civil guard and transform it into a force of authoritarianism and repression. Even if the civil guard becomes the additional defense force, as intended, there is the real question of its ability to fight against the well-trained and experienced guerrilla forces when the expected offensive begins.

INTERNAL POLITICAL SITUATION

The political picture of recent months is a mixed one as the government attempts to open the system to reform, cites improvements in the human rights area, and supports a notion of dialogue with the FDR/FMLN opposition. At the same time, however, human rights abuses continue, arbitrary and harsh measures are taken under the state of siege authority, and military personnel guilty of abuses, for the most part remain unpunished. The human rights situation remains one of the most difficult and serious problems, especially because the security forces continue to be the principal violators. At a meeting with the chiefs of the military and other security forces, Armed Forces Chief of Staff Colonel Reyes Mena boldly stated that he had no knowledge of paramilitary death squads and attributed the publicity surrounding them to "Marxist-Leninist propaganda." He also denied any knowledge of torture as well as any increase in human rights abuses. He was supported on these contentions by heads of the National Police and the Treasury Police. In contrast, during a visit to the Mariona prison, the approximately 200 political prisoners indicated that they had been tortured by military and security force personnel before being taken to the prison. Many of them have been in the prison for long periods of time without trial. When asked about military personnel going unpunished for human rights abuses, Colonel Reyes said that the officer in charge of the troops involved in the

Las Hojas massacre in February, where a large number of Indians were killed in Sonsonate Province, was under arrest through an administrative procedure. Reports had been circulating that the officer in charge was not being held in custody. On this question of the military disciplining their own, the officers expressed the opinion that military personnel should be considered before civilian courts when committing civil crimes. This, of course, presents a problem because the civilian judges, especially in Salvador's very ineffective judicial system, are subject to threats and intimidation as well as other pressures.

President Magana, during a meeting with the delegation, spoke more positively about the political situation. He confirmed that the officer in charge of the Las Hojas massacre is under arrest and additionally he said that the records of the International Committee of the Red Cross would show that "only" one-third of the men at Mariona had been tortured.

President Magana responded to concerns expressed about the long delay in bringing to justice the national guardsmen being held for the murders of the American churchwomen in December 1980. He said the government was about ready to announce a trial date when new evidence was introduced by lawyers for the relatives of the churchwomen, necessitating further investigation. While most Salvadorans involved in the case focus on the activity of the families' lawyers as reason for the latest delay, the Department of State had also informed the Salvadoran Government that there were additional steps to be taken before the case could properly be raised to the final trial stage.

The government's amnesty program is cited by Salvadoran Government officials as one of the more positive recent developments. Under the program in effect since May 16, and extended until August 15, 549 of the 730 political prisoners incarcerated at the inception of the program have participated as have 485 people associated with the guerrilla movement. Discussion with a number of participants in the amnesty program at its makeshift housing facility at the international fairgrounds focused on their anxieties and frustrations over the way the system has worked. Many of the men expressed fear for their lives when the amnesty program would come to its scheduled end in that next week. They told stories of people being harassed by both the government's military and security forces as well as by the guerrillas when they left the safety of the amnesty center. They believe that they still are regarded by the government forces as enemies and by the guerrillas as traitors. The majority of those in the program seem to have been under the impression that amnesty would lead to a new life in peace outside of El Salvador. Canada and Australia have accepted a number of political prisoners but not former guerrilla fighters. At least 200 political prisoners and their families remain. At the time of the delegation's visit, the United States had not accepted any of the amnesty participants. (It was announced, however, on September 21, that the United States would admit 200 Salvadorans as political refugees—50 of them former political prisoners and the rest family members.)

Although Salvadoran Government and U.S. officials spoke of positive developments on the political side, others pointed to problems

which still exist or may have become worse. The question of the date of the presidential election is still unresolved. According to some political observers, the old ruling party which formed an alliance between the military and conservative business and political interests, the Party of National Conciliation (PNC), is gaining strength and is sure to be a strong factor in the next election. Some speculate that the next government will be more conservative than the present one and that advances like land reform could be threatened. Also offered was the view that Roberto D'Aubuisson is losing power within the ARENA party and that key military figures believe that he has been discredited.

NEGOTIATIONS WITH THE GUERRILLA OPPOSITION

The form of participation by the FDR/FMLN is the principal point around which the subject of a political settlement with the left is discussed. President Magana said that his government supported the concept of negotiations with the opposition left but only on the point of participation in the coming election. He was not optimistic about success of negotiations because he believed the guerrillas were divided and the government did not know with whom it should be talking. Leaders of the FDR/FMLN, during a meeting with the delegation in San Jose, Costa Rica, stated that they want negotiations with the government with no preconditions. They find it impossible to agree to participate in elections while the present conflict continues but believe that elections should be one of the issues discussed. Ruben Zamora, a member of the Political-Diplomatic Commission of the FDR/FMLN, argued that elections should be only one part of the negotiation process. He and the other representatives of the Salvadoran guerrilla movement believed that in order to have free elections a dialogue has to be held to find solutions to other fundamental problems such as the military and security forces and the death squads. The FDR/FMLN wants a dialogue to lead to participation in a provisional government which would then pave the way for free and democratic elections. On the surface there seems to be very little room for substantive dialogue, but meetings between the FDR/FMLN and the Salvadoran Government's Peace Commission as well as the Stone mission offer some hope of settlement if even ever so slight.

Current political developments aside, the basic fact of life in El Salvador is that the military remains all powerful and continues to abuse its authority by acting above the law. Meaningful change will take place in El Salvador only when civilians, democratically elected, gain the authority to mandate that the military itself undertakes basic changes within the institution.

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The government's relationship with the church under Archbishop Ovando y Bravo, like that with the private sector, is as strained as ever. The Archbishop was especially critical of the Sandinista's treatment of the Pope during his visit in March. He accused the Sandinistas of promoting teachings in the schools against the Pope and also charged that Sandinista officials moved through the throngs in Masaya to encourage the chanting of pro-Sandinista slogans during the Pope's recitation of the mass. Persons not associated with the government later told members of the delegation that the chanting from the crowd was an urging for the Pope to say a prayer for Sandinista soldiers recently killed in action against the contras. The Archbishop also charged that the Sandinistas were repressing the church because they do not permit the televising of his sermons. The Sandinistas responded by saying that they are willing to allow all of the bishops to televise their sermons on an equal and rotating basis, but that the Archbishop has turned this down because he wants to be the only one on television. The Nicaraguan Government's differences with the church, the private sector, and the opposition parties seem to be irreconcilable. Internal peace and progress in Nicaragua will not occur until accommodation can be found. This is not likely to occur until regional tensions, to which both opposition and government constantly respond, subside.

Relations between the government and the Miskito Indians are difficult because of the virtual total lack of trust on either side. Out of fear, thousands of Miskitos have fled into Honduras and many have joined the contra guerrillas. Forty-two of the one hundred fifty-six Indian religious congregations have relocated in Honduras. For this reason, many Sandinistas see the Indian population as actual or potential counterrevolutionaries. Over 300 Miskitos are in prison. 11 of them ministers of the Moravian Church. Many of the problems stem from early attempts by the Sandinistas to incorporate the Indians into the new revolutionary system, but contra activity spurred on by dissident Indian leaders in the Atlantic coast region, caused the Sandinistas to institute a relocation program away from the Rio Coco border area, disrupting the lives of thousands. The evacuation of the lands through forced removal in many instances, resulted in the resettlement of 8,000-9,000 Indians. Reconciliation attempts are being made on both sides. Indian leaders such as Norman Bent and Perundo Colmar who are also ministers of the Moravian Church expressed support for the Sandinistas. They said that they want to be part of the revolution but that they want more participation of the Atlantic coast population. On the government side, Minister of Interior Jorge maintains a monthly dialogue with Indian leaders.

PERCEPTION OF THREAT: THE CONTRAS, HONDURAS, AND THE UNITED STATES

Nicaragua's perception of threat by and from the neighboring states is based by the tense regional situation. The Sandinista government's military problems with Honduras, and the new situation posed by the presence of U.S. troops there are bringing the countries to the edge of war. The principal threat to Nicaraguan security, however, as seen by the Sandinistas, is from the counterrevolutionaries--the contras. Daniel Ortega articulated this in a meeting with Senator Tsongas and

NICARAGUA

SUMMARY

Heightened tensions with neighboring Honduras, the growing presence of the U.S. military in that country, the U.S. naval activity off both coasts, and the escalation of counterrevolutionary (contra) activity have increased the pressure on the Government of Nicaragua. The sharpened perception of threat has further complicated the task of the Nicaraguan Government, already challenged to deal with a difficult political and economic situation. While the government commands the support of a significant segment of the population, its policies and methods continue to alienate others, especially the church, the private sector, and the opposition political parties.

INTERNAL POLITICAL SITUATION

Although the government is attempting to make concessions designed to create a political opening, the problems are very evident. Officials spoke of the preparations for elections to be held in 1985, and spoke of the law governing political parties which was about to be approved by the Council of State. The opposition parties, however, do not believe the Sandinistas really want a participatory democracy but that they will continue to take measures to restrict assembly and other party activity, which will continue to guarantee the supremacy of the ruling Sandinista party.

The status of press freedom remains poor as censorship continues to be exercised, exemplified by the closing of *La Prensa* for brief periods because of violations. The late-at closing resulted from the publication of an article about the stoning of the home of former junta member Violeta Chamorro, the wife of the late anti-Somoza publisher and the mother of the current publisher. The closing occurred only a few days prior to the delegation's visit and provoked reactions from many, especially from the delegation members associated with the media. Although Sandinista officials defended their policy toward *La Prensa* on grounds of the state of war which they strongly perceive, all of the officials, including junta leader Daniel Ortega and Foreign Minister Miguel D'Escoto called the recent closing an error.

Relations between the government and the private sector are having a serious negative impact on the economy. The private sector is not re-investing in the economy, maintaining only minimal participation. Agriculture is especially affected because the private sector is reluctant to increase acreage for production. The depressed agricultural situation is exacerbated by the loss of tobacco and coffee production due to activities of the contras. This and other factors have resulted in shortages of goods available to the people, especially cooking oil.

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9. THE PERPETRATORS MAY HAVE BEEN ACTING ON ORDERS FROM ABOVE OR MAY BE OTHERWISE PROTECTED, POSSIBLY BY HAVING INCRIMINATING EVIDENCE AGAINST SUPERIORS OR BY HAVING COMMANDERS WHO FEEL THEY MUST PROTECT THEIR SUBORDINATES WHEN THEY COMMIT ABUSES -- IF THOSE ABUSES APPEAR TO HAVE BEEN COMMITTED IN THE NAME OF DEFEATING THE SUBVERSIVES EVEN WITHOUT ORDERS TO DO SO. WHATEVER THE REASON, THE COMMANDERS INVOLVED
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HAVE REFUSED TO ASSIST IN CIVILIAN INVESTIGATIONS INTO THE CPINES. EVEN THE USAID-FUNDED SPECIAL

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INVESTIGATIVE UNIT (SIU) COMMANDED BY A LIEUTENANT COLONEL MILITARY ACADEMY GRADUATE AND STAFFED ENTIRELY BY ACTIVE DUTY POLICEMEN. HAS NOT BEEN GRANTED ACCESS TO WITNESSES, FIREARMS, OR UNIT PERSONNEL LISTS TO TRY TO SOLVE SOME OF THE CRIMES. (NOTE: THE SIU WAS ONE OF THE GRIEVANCES LISTED BY MILITARY COMMANDERS IN THE FALL OF 1987. SINCE THEN POLICE FORCE COOPERATION WITH THE SIU EVEN ON CASES NOT INVOLVING THE MILITARY HAS DECREASED.) IT IS EVIDENT THAT THE COMMANDERS OF THE UNITS ARE RESPONSIBLE FOR THE OBSTRUCTION OF JUSTICE, AND THEY APPARENTLY CAN COUNT ON AT LEAST SILENCE FROM ANYONE OF EQUIVALENT OR HIGHER RANK.

10. THE CODE OF SILENCE

THE SOLIDARITY OF THE OFFICER CORPS IN COVERING UP HUMAN RIGHTS VIOLATIONS DOES NOT IMPLY THAT ALL OFFICERS COMMIT VIOLATIONS OR CONDONE THEM. THE OFFICER CORPS TOLERANCE OF OFFICERS WHO ORDER HUMAN RIGHTS VIOLATIONS IS ONLY PART OF A SYNDROME OF TOLERANCE OF INCOMPETENCE AND WILLFUL MISCONDUCT BY OTHER OFFICERS. NOT ONLY HAS NO HIGH-RANKING OFFICER EVER BEEN CONVICTED OF A HUMAN RIGHTS VIOLATION, NONE HAS BEEN DISMISSED FOR INEPTITUDE IN COMBAT OR GROSS MISUSE OF GOVERNMENT FUNDS OR OTHER CORRUPT PRACTICES. IN ESSENCE, AN OFFICER WHO GRADUATES FROM THE MILITARY ACADEMY IS PRACTICALLY GUARANTEED TO MAKE COLONEL NO MATTER WHAT HE DOES, SHORT OF RESIGNING OR DYING.

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11. THE SOLIDARITY OF THE OFFICER CORPS IS IN PART A CONSPIRACY TO KEEP CLOSET SKELETONS FROM AWAKENING. IN THE EARLY 1980S WHEN THE MILITARY WAS FIGHTING A DIRTY WAR WITH LITTLE AID FROM THE OUTSIDE, IT IS LIKELY THAT SOME WHO ARE NOW COLONELS ORDERED ACTS OF VIOLENCE THAT THEY WOULD NOT LIKE RESURFACED, EVEN THOUGH THEY WOULD PROBABLY BE GRANTED AMNESTY FROM PROSECUTION NOW. THE DRASTIC CHANGE IN HUMAN RIGHTS OBSERVANCE IN RECENT YEARS DID NOT OCCUR BECAUSE ALL THE OFFENDERS WERE DISMISSED.

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FROM THE SERVICE OR SENT TO FOREIGN LANDS AS ATTACHES. IT CAME ABOUT BECAUSE OFFICERS STILL ON ACTIVE DUTY CHANGED THEIR METHODS AS BETTER TOOLS FOR FIGHTING THE WAR WERE MADE AVAILABLE TO THEM. HAVING MADE THE NECESSARY ADJUSTMENT TO THE NEW REALITY OF THE SOCIETY, THEY WOULD NOT NOW WANT TO HAVE THEIR FORMER ACTIVITIES AIRED IN PUBLIC. OTHER OFFICERS WITH NOTHING TO HIDE ARE NEVERTHELESS UNWILLING TO ACCUSE FELLOW OFFICERS BECAUSE OF A SENSE OF CORPORATE HONOR IN WHICH A STAIN ON ANY OFFICER IS A STAIN ON THE ARMED FORCES. EVEN COL LOPEZ NUILA, WHO IS RESPONSIBLE FOR MANY OF THE HUMAN RIGHTS IMPROVEMENTS IN THE POLICE FORCES, NEVER PRESENTED EVIDENCE OF MISDEEDS OF FELLOW OFFICERS TO THE COURTS FOR PROSECUTION. AND ANY OFFICER WHO WOULD BREAK THE CODE OF SILENCE WOULD LIKELY BE COMMITTING CAREER AND POSSIBLY PHYSICAL SUICIDE. THE EMBASSY HAS MET MANY GOOD OFFICERS, BUT HAS YET TO MEET THE ONE WHO WILL CAST THE FIRST STONE.

12. NO INVESTIGATIVE MECHANISM
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DEPOSITION
EXHIBIT
36
CORR

[REDACTED]

COUNTRY: EL SALVADOR

SUBJ: RELUCTANCE OF THE SALVADORAN MINISTER OF DEFENSE TO
PROSECUTE MILITARY OFFICERS FOR ALLEGED HUMAN RIGHTS
VIOLATIONS

[REDACTED]

R 4093

[REDACTED]

TEXT: 1. [REDACTED] MINISTER OF DEFENSE GENERAL CARLOS EUGENIO ((VIDES)) CASANOVA CONFIDED TO OFFICERS OF THE SALVADORAN GENERAL STAFF THAT HE WAS TROUBLED BY GROWING INTEREST BY THE INTERNATIONAL PRESS AND HUMAN RIGHTS GROUPS OVER AN ATROCITY ALLEGEDLY COMMITTED BY MEMBERS OF MILITARY DETACHMENT SIX IN SONSONATE DEPARTMENT. ((COMMENT: THE ATROCITY SPECIFICALLY THE MURDER OF 18 PEASANT MEMBERS OF A COOPERATIVE FARM TOOK PLACE ON 27 FEBRUARY AND EYEWITNESSES SAID THAT THE MURDERS WERE COMMITTED BY UNIFORMED TROOPS OF THE SIXTH DETACHMENT UNDER THE COMMANDER OF CAPTAIN SALVADOR ((FIGUEROA)) MORALES.)) VIDES CONFIDED THAT WHILE HE DID NOT DOUBT THAT FIGUEROA WAS GUILTY OF SUPERVISING THE MASSACRE OR THAT DETACHMENT SIX TROOPS WERE INVOLVED, HE PREFERRED THAT THE INCIDENT BE FORGOTTEN SINCE ANY PUBLIC MENTION OF THE CASE COULD ONLY ADVERSELY AFFECT THE IMAGE OF THE ARMED FORCES.

2. VIDES INSTRUCTED LIEUTENANT COLONEL RICARDO ARISTIDES ((CIENFUEGOS)), CHIEF OF THE ARMED FORCES PRESS COMMISSION

((COPREFA)), TO PLAY DOWN THE INCIDENT AS MUCH AS POSSIBLE. VIDES SAID THAT HE HAD TRANSFERRED CAPTAIN FIGUEROA FROM SONSONATE TO MORAZAN AND STATED THAT HE HOPED THE MOVE WOULD SUFFICE AS AN ALTERNATIVE TO PROSECUTING HIM. VIDES ADDED THAT HE HAD NO INTENTION OF ALLOWING THE PROSECUTION OF COLONEL ELMER ((GONZALEZ)) ARAUJO, SONSONATE DEPARTMENTAL COMMANDER, ALTHOUGH VIDES OPINED THAT GONZALEZ MAY HAVE ORDERED THE MASSACRE OF THE PEASANTS. VIDES STRESSED HIS VIEW THAT PROSECUTION OF MILITARY OFFICERS WOULD DAMAGE THE MORALE OF THE ARMED FORCES AS A WHOLE AND THE OFFICER CORPS IN PARTICULAR AND WOULD BE USED AS A PROPAGANDA ISSUE BY LEFTIST INSURGENTS.

3. ((COMMENT: IT HAS BECOME INCREASINGLY EVIDENT THAT GENERAL VIDES HAS NO INTENTION OF PURSUING THE ISSUE TO HUMAN RIGHTS ABUSES BY THE ARMED FORCES AS WAS DEMONSTRATED BY HIS APPOINTMENT OF LIEUTENANT COLONEL DENIS ((MORAN)) A WELL-KNOWN RIGHTIST IMPLICATED IN THE 1981 MURDERS OF TWO U.S. CITIZENS IN THE SHERATON HOTEL, TO HEAD THE ENGINEER INSTRUCTION CENTER ((CIEIA)).

[REDACTED]

[REDACTED]

[REDACTED]

R 4094

RR



United States Department of State
Washington, D.C. 20520

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RELEASED
El Salvador: Human Rights
Speck' Project (1993)

June 29, 1987

RECORDED

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DEPOSITION
EXHIBIT
34
CORE

TO: ARA - Elliott Abrams
THROUGH: ARA - William G. Walker
FROM: ARA/CEN: Richard E. Helton
SUBJECT: Your Meeting With Salvadoran Chief of Staff, Gen. Adolfo Blanton, Tuesday, June 30 at 2:30 p.m.

General Blanton is here on a mission to persuade U.S. officials on the status of the war and U.S. aid. He undoubtedly is eager to counter the perception, following the El Paraiso disaster, that the ESAR is on the defensive and U.S. military assistance may have been squandered.

The ESAR has acquitted itself well in a number of defensive actions against guerrilla attacks subsequent to El Paraiso and has blunted the FMLN's attempt to regain the initiative. Its current nationwide campaign - Operation Lt. Col. Monterrosa - however, appears to have been undertaken much more for appearances than for potential military gain. It is clear from DIA reporting and from the high command's own contact reports that some units are operating aggressively, while others are holding back. Even the aggressive operations are not motivated by solid intelligence but appear to be simply sweeps. The guerrillas have been taking advantage of this situation by making very heavy and effective use of land mines and harassing tactics. The numbers of guerrillas killed, captured or wounded and the lack of a clear objective do not appear to justify the high expenditure of both human and material resources in this operation. For instance, the Fifth Brigade reported 1,692 patrols and 632 ambushes conducted as of June 23, but only 10 guerrilla casualties. This is in contrast with last year's Operation Fenix which, though costly, succeeded in clearing the guerrillas from a major, highly visible stronghold.

Among some quarters of the ESAR officer corps, and perhaps it is the majority, there appears to be a business as usual attitude. Although the GOES has 56,000 men under arms - including the public security forces, and the guerrillas have 5 - 7,000 combatants, there has been little progress in the past year. There are reliable reports that the FMLN is

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