

AN UPDATE ON THE JESUITS CASE

Chronology

** On November 13, a unit of the Atlacatl Battalion searched the Jesuit residence on the UCA campus. This search was authorized personally by Chief of Staff Ponce and President Cristiani.

** At 9 AM on November 15, the High Command meets, including Ponce and Colonel Benavides, and decides to go after the FMLN in a more aggressive fashion. The decision was made to use the Air Force and artillery against the offensive. Rebel "command centers" were targeted.

** Between 1 and 2 AM on Nov. 16, the Atlacatl unit returns to the UCA -- under the orders of Benavides -- and killed the 6 Jesuits, the cook and her daughter. According to the testimony of Lt. Espinoza, Benavides said: "OK, men, we're playing all or nothing. This is a situation in which it is us or them. We will start with the ringleaders. Within our sector we have the university and Ellacuria is there." A mock firefight was staged to make it look like the FMLN was responsible, and a flare shot up when the operation was finished. Press reports state that Benavides' log book showed a firefight occurring at 12:30 AM. The SIU (Special Investigative Unit) matched weapons w/ individuals. Nine have been charged, 1 has deserted and is not in custody.

** The next morning, at an intelligence meeting, an announcement that the Jesuits were dead received applause. Also on Nov. 16 a sound truck from the First Brigade passed by the Catholic Archdiocese building saying, "Ignacio Ellacuria and Martin Baro were killed; other Communists will be killed." Both Archbishop Rivera y Damas and Aux. Bishop Rosa Chavez heard the broadcast.

** By approximately December 22, a U.S. Major was told by Colonel Aviles that Benavides had admitted responsibility. Aviles said Benavides had told Col. Rivas, the head of the SIU, that he felt responsible.

** Buckland waited till January 2 to tell his superior. Embassy officer Menjivar met w/ Col. Ponce, the head of the Salvadoran military. Ponce called in Aviles who denied the conversation.

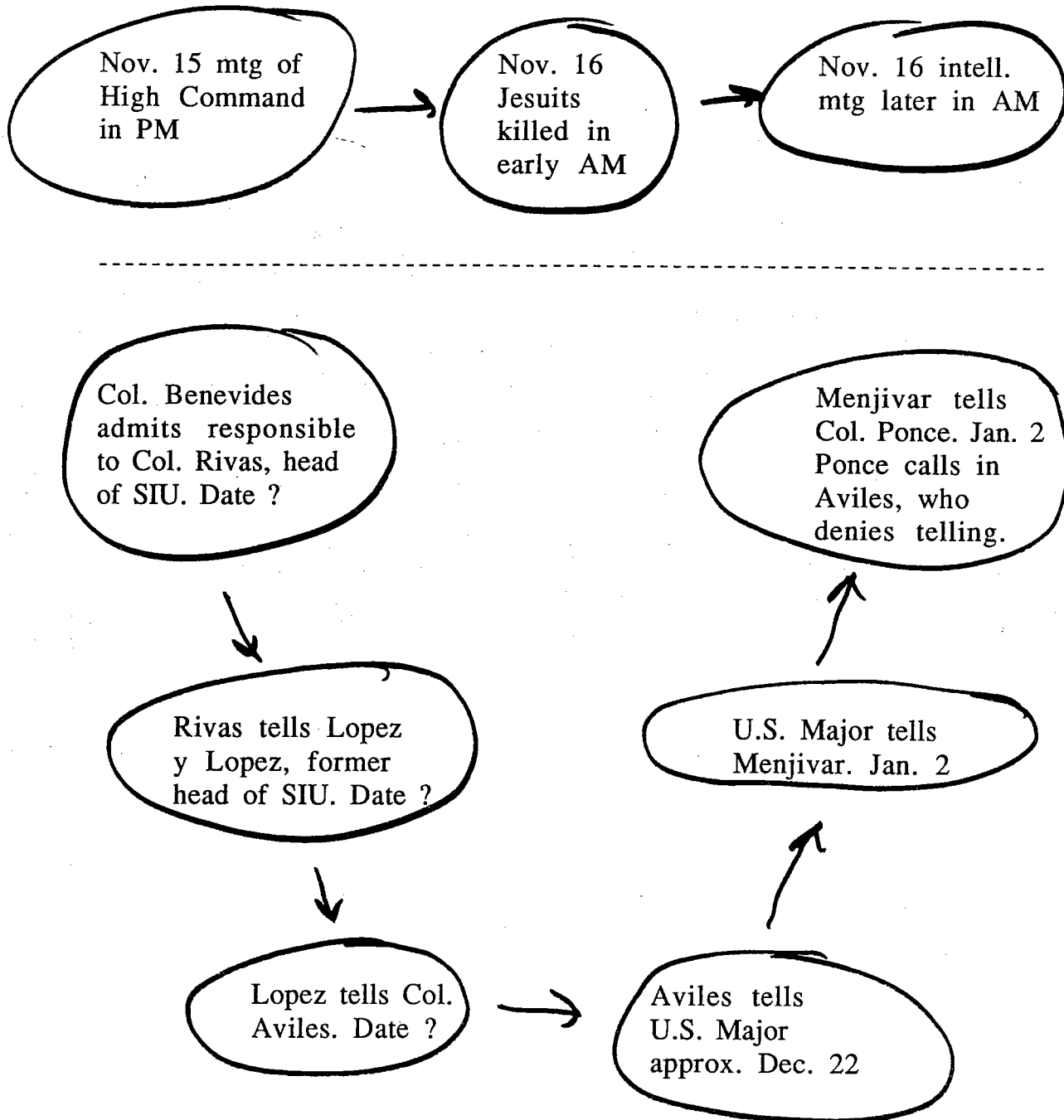
Ambassador Walker told Moakley that day in Washington that there was no evidence implicating the military.

** On January 7, Christiani announced the Armed Forces were responsible, and by January 13 named the soldiers and officers. On January 14, Judge Zamora ruled that there was sufficient evidence to try, and started a 90-120 day clock to examine evidence.

** On March 24, Cristiani announced that he doubted that Benavides would ever be convicted, since Salvadoran law does not permit codefendants to testify against each other.

Chain of Events

Crucial to determining culpability or a cover up in this case is finding out who told what to whom, and when. The chain of events and information flow is as follows:



How do you feel about the treatment of Lucia Cerna, the only witness to come forward in the Jesuit case?

** The Embassy completely bungled handling the only witness to come forward. They were completely insensitive to her needs.

** She had witnessed a horrible ordeal involving people she worked w/ every day. She had never been outside her native country, didn't speak English, and was not highly educated.

** Yet U.S. Embassy and State Dept. officials interrogated her, polygraphed her, and never allowed her to be around anyone she trusted. I'm not saying it was intentional or malicious, just insensitive.

** Obviously she was terrified. Not only did they place in question her testimony. They probably also discouraged any other witnesses from coming forward as a result.

When U.S. Embassy officials confronted the head of the Salvadoran military, they said that Colonel Aviles had attributed to Colonel Benavides responsibility for the murders. How do you feel about the Embassy's handling of Colonel Aviles?

** The Embassy handled the information they received very poorly from the beginning. The U.S. officer who first was told Benavides was responsible, held onto that information for 10 days before telling anyone else. When the Embassy did learn of it, they immediately went to the Salvadoran military and blurted out the name of the one guy who had helped.

** The Embassy should never have mentioned Aviles name. Obviously that put in jeopardy the life of the only person in the Salvadoran military to come forward w/ any evidence. The Ambassador himself has admitted it was a mistake. He was in Washington at the time. Maybe this all would have been handled differently if he'd been in El Salvador.

** Having said all that, it's clear that if the Salvadoran military had not been confronted w/ the evidence, we might never have learned of their involvement.

** Aviles had been a frequent critic of the military's past abuses, and was not part of the inner loop. If he knew who had killed the Jesuits, surely everyone in the High Command must have known.

What do you think of the evidence against Benavides and what is the likelihood that he will be convicted?

** The evidence against Benavides seems very strong. The officers who carried out the killing of the Jesuits have said that he ordered them directly to do it. He himself is reported to have admitted responsibility.

** Under Salvadoran law codefendants cannot testify against each other. As a result, President Cristiani has indicated he may be acquitted.

** If Benavides is not convicted, it will have grave consequences for continued U.S. support. He is the highest ranking officer ever charged w/ human rights abuses. The evidence against his is very strong. Yet he gets away?

** Not only that but he is reported to be living in luxury during this whole process. He is staying in a luxury apartment, not a prison cell. He is regularly visited by his fellow officers. He has not been stripped of his rank, and continues to draw full pay.

** How can someone who committed such a horrible crime be treated this way? What does that say about the Salvador judicial system?

What evidence is there that higher ups were involved?

** The Salvadoran Army has a strict command structure. Benavides is not known as a radical, and was not known to have been involved in human rights abuses. It's hard to believe Benavides would have acted on his own.

** As the former chief of intelligence and a high-ranking officer, Benavides would know the implications of killing the Jesuits and the backlash that would occur. This is not a decision that could have been taken lightly. Benavides could only have acted if he felt invulnerable and if he had full support from his fellow officers.

** At the meeting of the High Command the night before, the decision was made to get tough w/ the FMLN. Almost immediately afterwards, Benavides gave the order to kill the Jesuits. The timing is too coincidental not to assume a connection. The Jesuits were perceived as intellectual leaders of the rebels by the Armed Forces.

** Salvadoran officers keep a journal or log book. What did Benavides write about the meeting of the High Command?

** The Atlacatl Battalion would have had to pass road blocks on its way to the campus. The operation lasted at least an hour. There was gunfire, both to kill the Jesuits and to stage a mock firefight to make it look like the FMLN was involved. A flare was shot up when the operation was completed. About 50 soldiers in all participated. How could all this have happened w/o the entire military in the area knowing?

** At a meeting the next morning of the intelligence officers, an announcement was made that the Jesuits were dead. Everyone applauded. Soon after the event, the High Command must have known exactly what happened. That would indicate a cover up long before January 6 when the news became public.

** While the Special Investigative Unit (SIU) has conducted a good technical investigation, there is no evidence that any serious attempt has been made to pursue higher ups. Rivas, after all, is a Lt. Col. It would be extremely difficult for him to question or accuse his superiors.

** According to the U.S. major, Benavides originally told Rivas he was responsible for killing the Jesuits. If this is true, the head of the entire investigation knew very early on who did it.

Other Major Points

** The Salvador judicial system is practically non-existent. Judges are horribly paid, they don't have basics like typewriters or filing cabinets, the job carries no prestige, they are half-time workers. 3 judges have been assassinated for getting too close to the truth.

** The Salvadoran military is corrupt. The officers charge the recruits for their uniforms, they live in luxury, they drive fancy foreign cars -- while the regular folks live in poverty. The Salvadoran military pension has \$100 million in it. The military has purchased hotel beach resorts.

** Death squads have been operating out of the military for years, and have killed tens of thousands of civilians. The military has been implicated in the killing of Archbishop Romero, 4 churchworkers, and now the Jesuits. Yet no military officer has ever been convicted of a crime. How can the U.S. continue supporting such a regime?

** Over the last 10 years, we've spent \$5 billion in the tiny country of El Salvador. Yet the war continues w/ neither side winning. It's time to pull the plug on U.S. taxdollars. They're being wasted, and could be used here at home.

** If Benavides walks, it will have grave consequences for continued U.S. military aid.

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