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REVIEW

February 6, 1990

TO : Honorable Joe Moakley
Attention: Jim McGovern

FROM : K. Larry Storrs
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Foreign Affairs and National Defense Division

SUBJECT : Information on November 1989 Events in El Salvador

I. Introduction

This responds to your request for information on November 1989 events in El Salvador, including events leading up to the November 16 murder of the six Jesuit priests, and the ability of the United Nations, the Organization of American States, and the International Committee of the Red Cross to operate in El Salvador. Appended to this brief memorandum are portions of two recent reports from Americas Watch which, while generally taking a critical perspective, provide considerable information in the areas of your concerns.¹

II. General Political Environment in El Salvador

El Salvador has been torn apart by internal conflict and human rights abuse for more than a decade. Politically motivated killing by the right and the left began in the mid-1970s in El Salvador, and the country has experienced a serious guerrilla insurgency since 1981 when the guerrilla groups of the Farabundo Marti National Liberation Front (FMLN) launched the so-called "final offensive." The existence of an on-going insurgency created a certain polarization in the country that often made it difficult for non-combatants to operate, especially if they sought to promote the rights of the poor, or to advocate a negotiated settlement of the conflict. Priests were threatened and killed in the late 1970s when they espoused "liberation theology," church and union groups were accused of being FMLN fronts when they provided humanitarian assistance for the poor or organized groups for

¹ Carnage Again: Preliminary Report on Violations of War by Both Sides in the November 1989 Offensive in El Salvador, November 1989; and Update on El Salvador: The Human Rights Crisis Continues in the Wake of the FMLN Offensive, December 16, 1989.

political purposes, and Catholic Archbishops and the Jesuit intellectuals at the Central American University (UCA) were accused of being pro-FMLN when they criticized the government for human rights abuse and espoused a negotiated settlement of the conflict.²

III. Immediate Events Surrounding the Killing of the Jesuit Priests

The insurgency waxed and waned in 1989, but there were several important pauses when the government and the guerrillas explored peace initiatives. The first pause was in January-March when the guerrillas offered to integrate into the political system if elections were postponed for six months and other guarantees were arranged, but no agreement was reached, and the guerrillas boycotted the March 1989 election which Alfredo Cristiani of the rightist ARENA party won convincingly. The second pause was in the fall when the Cristiani government and the guerrillas engaged in peace talks. At the first meeting in Mexico City (Sept. 13-15) the parties agreed on procedures for regularly scheduled peace talks. At the second meeting in San Jose, Costa Rica (Oct. 15-18), the parties presented divergent cease-fire proposals, and agreed to meet again on Nov. 20-21 in Caracas, Venezuela.

While regular peace talks seemed to advance during the year, human rights conditions in the country seemed to deteriorate. Human rights organizations found an increase in rightwing death squad and security force abuses, while FMLN guerrillas were accused of slaying 12 mayors, killing innocent victims with car bombs and land mines, and assassinating prominent persons, including guerrilla defector Miguel Castellanos in February, Attorney General Roberto Garcia Alvarado in April, Minister of the Presidency Jose Antonio Rodriguez Porth in June, and the daughter of a Salvadoran colonel in October.

Three major incidents in late October and early November 1989 are indicative of the deteriorating environment, and laid a basis for the subsequent offensive and counter-attacks. They also show the potential for misunderstanding that exists in many of these incidents.

The first incident was the FMLN's October 30 catapult bomb attack on the Army High Command (Estado Mayor) which killed one civilian and wounded 14 persons, but missed the intended target, a meeting of the Army's top commanders.³ Salvadoran security forces charge that the materials for the catapult bombs used in the attack were assembled on the grounds of the Anglican (Episcopal) Church and its social service agency CREDHO on October 29, before being moved to a shopping center where they were launched the next day. Father Luis Serrano Lorente and seven other

² For more detail see, Americas Watch, Carnage Again, pp. 19-28.

³ Chris Norton, Salvadorans Brace for Urban Violence Increase, Christian Science Monitor, November 6, 1989; and Douglas Farah, Cristiani Says His Government at Critical Juncture, Washington Post, November 5, 1989, p. A37.

members of the Anglican Church were arrested on November 20, 1989 for their involvement in the incident and their cases are still pending. According to the Americas Watch report, one church employee seems to have been involved in permitting the church grounds to be used, and pursuant to the pastoral privilege of confidentiality Father Serrano decided not to inform the authorities when he subsequently learned of the church member's involvement.⁴

The second incident was the placing of explosive devices in the anti-government National Federation of Salvadoran Workers (FENASTRAS) union headquarters and the COMADRES human rights office on October 31. In the bombing of the FENASTRAS headquarters, 30 people were wounded, and 10 people were killed, including Febe Elizabeth Velasquez, the Secretary General of the union. Convinced that the bombing was the work of rightwing death squads or Salvadoran military forces, FENASTRAS members refused to cooperate with government efforts to investigate the case, while the press reported the attacks as a retaliation for the catapult attack on the High Command the previous day. FENASTRAS and COMADRES denounced the Cristiani government which had characterized the organizations as FMLN fronts in the past. After the October 31 bombings, the FMLN suspended participation in the peace talks with the government scheduled for Nov. 20-21 in Caracas, Venezuela, and subsequently launched the guerrilla offensive on November 11, 1989 which they titled "Out With the Fascists! Febe Elizabeth Lives!" in honor of the FENASTRAS leader killed in the bombing.⁵

The third incident was the killing in Sonsonate of three members of Ruben Zamora's small Popular Social Christian Movement (MPSC) on November 6 or 7, 1989, after being picked up by heavily armed men in civilian dress as they left a MPSC meeting. Spokesmen for the party, citing statements by witnesses, charged that the kidnappers were soldiers from the 6th Military Detachment based in Sonsonate.⁶ Zamora and his party, long identified with the Democratic Revolutionary Front (FDR), the political umbrella group allied with the FMLN guerrillas in the struggle against the government, returned to El Salvador in 1987 to engage in political activities and openly campaigned for a negotiated settlement of conflict in the March 1989 presidential elections under the banner of the three-party leftist coalition called the Democratic Convergence (CD).

The FMLN launched a country-wide offensive on November 11, 1989, with intense activity in the poorer neighborhoods of San Salvador, and in Santa Ana, San Miguel, Zacatecoluca, Usulután, San Francisco Gotera, and

⁴ Americas Watch, Update on El Salvador, pp. 35-39.

⁵ See sources in footnote 3, and Americas Watch, Carnage Again, p. 1.

⁶ Douglas Farah, Three Salvadoran Politicians Found Dead, Washington Post, Nov. 9, 1989, p. A33.

Chalatenango.⁷ The FMLN held its ground in many of these areas until November 17 when it began to withdraw, but then launched another attack in the wealthy Escalon neighborhood on November 21, in the process trapping some U.S. military advisers in the Sheraton Hotel.

On the night of November 11, the first day of the offensive, FMLN guerrillas escaping Army pursuit bombed the back gate of the Pastoral Residence and fled through the campus of the Central American University (UCA), with the Army in pursuit about ten minutes later.⁸

The following day, on November 12, Army soldiers discovered dynamite that the guerrillas had left near the residence as they fled the night before.⁹ According to Americas Watch, the Jesuit scholars at UCA and other Catholic Church officials were explicitly threatened that same day:

Father Ellacuria, other Jesuits of the UCA, Archbishop Arturo Rivera Damas, and Auxiliary Archbishop Gregorio Rosa Chavez were denounced and explicitly threatened on a radio station under government control on November 12, days before the assassinations. These condemnations, reprinted in the [La Prensa Grafica] newspaper the next day, said "categorically that it is of great urgency that they throw the Jesuits out of the country, because they have been hiding arms in the UCA for about 10 years. They singled out as the main responsible party, the Spanish Jesuit priest, Ignacio Ellacuria.¹⁰

On November 14, 1989, the offices of the UCA pastoral center and the priests private rooms were meticulously searched in the presence of Father Ellacuria.¹¹ According to Church officials and neighborhood residents, the area had been under strict army control since November 11 when some FMLN soldiers had escaped through the campus, and "army troops and tanks were posted around the priests' residence starting Wednesday afternoon [November

⁷ See Americas Watch, *Carnage Again*, pp. 5-12 for a good, brief account of the offensive.

⁸ Americas Watch, *Update on El Salvador*, p. 6.

⁹ *Ibid.*, p. 6, in footnote.

¹⁰ Americas Watch, *Carnage Again*, p. 16, with footnotes to a chronology of events prepared by the Central American Province of the Jesuit Order, and to *La Prensa Grafica*, Nov. 13, 1989, p. 2.

¹¹ *Ibid.*, pp. 15-16.

15, 1989] and into Thursday morning" [November 16, 1989] when the priests were killed.¹²

Recent press reports have focused on two meetings about the time of the priests' killings. In the first meeting, the Salvadoran army high command held a regularly scheduled strategy session on Wednesday evening, November 15, 1989, to consider measures to deal with the continuing guerrilla offensive. One account is found in the Washington Post:

As details of the first meeting have emerged, it has become clear the military high command felt deeply threatened by an intense guerrilla offensive, and may have created an atmosphere in which commanders thought certain actions, such as killing the Jesuits, would be tolerated even if not directly ordered. . . .

[Two officers at the meeting] said the commanders felt the army was losing its grip on the situation that night, the fourth of the offensive, and decided to increase the use of air power, artillery and armored personnel carriers to go after the rebels. . . .

After the meeting ended at about 10:30 p.m., according to civilian and military sources, President Alfredo Cristiani was awakened and asked to sign an order authorizing the use of air force and artillery, as he did. [Colonel] Benavides [charged in the case] then went back to his command center at the nearby military school. By 11:30 p.m., he had given the order to three lieutenants to kill the priests and leave no witnesses, and had moved out troops to carry out the job, according to the testimony of the three lieutenants implicated in the murders.¹³

Another account in the Miami Herald adds the following details:

Army officers present at the first meeting argue that nothing was said that should have given Benavides ideas about the Jesuits.

Benavides who [sic] was under heavy personal pressure, they said. His younger son was paralyzed with a virus two days after the guerrillas launched their offensive but, at the time, Benavides believed it was due to stress from the offensive.

Guerrilla attacks had also been launched from the campus of the University of Central America, which was run by the Jesuits. The house where they were killed is in the back of the campus.¹⁴

¹² Lee Hockstader, Army Role in Killings Suggested, Washington Post, Nov. 18, 1989.

¹³ Douglas Farah, U.S. Pressure in Jesuit Probe Said to Alienate Salvadoran Officers, Washington Post, Feb. 6, 1990, p. A18.

¹⁴ Ana Arana, Salvadoran Officers Met Before, After Jesuits Slain, Miami Herald, Feb. 4, 1990, p. 5A.

The second meeting mentioned in the press was a routine meeting of Salvadoran intelligence officers, held in the morning of November 16, 1989. The Miami Herald account is as follows:

Seven hours after the Jesuits' deaths, army officers meeting at the National Intelligence Directorate (where the [U.S.] CIA shares space) clapped when one participant announced that the Rev. Ignacio Ellacuria had been killed, according to civilian and military officials.¹⁵

The Washington Post account adds:

The murders [of the Jesuits] took place at about 1:30 p.m. Nov. 16. After the killings of the priests, along with their cook and her daughter, soldiers were ordered to fire a flare, as a signal the operation was over. That morning, before 8 a.m., the officer interrupted the intelligence meeting to announce that Ellacuria was dead. . . . [The intelligence] officers cheered when a junior officer interrupted the session with the news that the Rev. Ignacio Ellacuria . . . was dead, according to senior military officers and top civilian authorities.¹⁶

IV. Ability of International Agencies to Operate in El Salvador

A. International Committee of the Red Cross (ICRC)¹⁷

In recent months, the ICRC has been engaged in four principal activities: (1) protecting civilians wounded during the guerrilla offensive, (2) protecting wounded combatants, (3) visiting persons under government detention, and (4) facilitating the return of Salvadoran refugees from Honduras. A short summary of these activities is given in the ICRC Bulletin of December 1989.

During the offensive, Salvadoran Red Cross workers managed to evacuate over 450 wounded civilians and combatants under extremely dangerous conditions, with ambulances and medical equipment provided by ICRC. In subsequent periods, the ICRC monitored the transfer of wounded combatants to prisons, and the return to their homes of people who fled the conflict. On several occasions during the conflict, the ICRC appealed for truces to permit the evacuation of wounded. According to officials of the ICRC, which prefers to work in a non-confrontational way on the basis of explicit agreement with all parties, neither side accepted the appeal, with the FMLN demanding unworkable conditions, and the Salvadoran government refusing on grounds that it would primarily benefit the guerrillas. The ICRC also demanded that all parties respect the rules of international humanitarian law, and respect the

¹⁵ Arana, *op. cit.*

¹⁶ Farah, *op. cit.*

¹⁷ This section is based on press reports, Americas Watch reports, ICRC publications, and interviews with Francisco Musy of ICRC in San Salvador (Jan. 19, 1990), and a telephone interview with Fred Icelor of ICRC in New York (Feb. 5, 1990).

Red Cross emblem. Other observers, including Americas Watch, found that both parties violated the specified rules in a variety of ways.

With regard to the crippled FMLN combatants who have been demonstrating in the Calvary Church in San Salvador on grounds that the government is obliged to send them abroad for medical treatment, ICRC officials point out that the ICRC organized an operation in which 29 wounded and disabled FMLN members were flown to a country of asylum on May 4-5, 1987 on the basis of the Panama Agreement of January 1987 between the previous Duarte government and the guerrillas.¹⁸ The Cristiani government has indicated some willingness to conclude an agreement for the transfer of the disabled combatants, if the combatants accept the government amnesty, but the FMLN insists on a right to be transferred on the basis of the Panama agreement. ICRC officials indicate that there is right to medical treatment for wounded combatants under international humanitarian law, but not a right to be transferred abroad, and they suggest that they would play a role only on the basis of explicit agreements between the government and the combatants.

B. Organization of American States (OAS)

The only reference to the OAS found in research was the fact that the Secretary-General of the OAS Joao Baena Soares and members of his mission were staying in the Sheraton Hotel when the FMLN guerrillas took refuge in the VIP building of the hotel on November 21, 1989, trapping U.S. military personnel on another floor. According to press reports, neither he nor other members of his mission were ever in any danger:

Baena Soares was neither taken hostage nor harmed, and was evacuated along with 10 other American military trainers and about 70 other hotel guests at midday after government troops took control of the main hotel building.¹⁹

C. United Nations (UN) Staff²⁰

According to Americas Watch, the UN ordered its entire international staff, including all foreign personnel of UNHCR, UNDP, UNICEF, and the World Food Program, to evacuate to Guatemala on December 1, 1989, when UN offices in the Escalon neighborhood were entered and files were ransacked and scattered, UN personnel's homes were searched, and their activities were

¹⁸ ICRC, 1988 Annual Report, p. 45.

¹⁹ Douglas Farah and Lee Hockstader, Salvadoran Rebels Take Hotel; U.S. Soldiers Barricaded Inside, Washington Post, Nov. 22, 1989, p. A1.

²⁰ This section is based on Americas Watch, limited press reports, and interviews during a trip to Honduras and El Salvador, January 15-21, 1990.

restricted by the offensive.²¹ According to the account of another knowledgeable source associated with the UN office, Salvadoran soldiers first entered the UN headquarters to treat a wounded soldier in the midst of fighting with the guerrillas, and remained there for some time when they discovered the second floor to be a valuable location. This source pointed out that the UN office decided to evacuate to Guatemala only after the United States made the decision to evacuate some dependents from the country for accelerated Christmas holidays. Accounts that Salvadoran soldiers had ransacked the offices and left derogatory graffiti could not be verified.

Americas Watch notes that President Cristiani sent the Salvadoran Foreign Minister, the Minister of Defense, and other officials to Guatemala on December 3, 1989, to ask the UN to reopen its offices and to offer assurances and guarantees of safety for UN personnel. The exact date when UN personnel returned to El Salvador is not known, but the Honduran office of the United Nations High Commissioner for Refugees (UNHCR) mentioned that UNHCR personnel had returned to El Salvador several days before a repatriation of Salvadoran refugees to Honduras that took place on January 14, 1990.

²¹ Americas Watch, Update on El Salvador, pp. 31-32.