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For Immediate Release
Wednesday, August 15, 1990
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**Statement by Congressman Joe Moakley on the Jesuits' Case
and the Salvadoran Negotiations**

WASHINGTON, D.C. -- U.S. Congressman Joe Moakley (D-Mass.), chairman of the House Rules Committee and chairman of the Speaker's Special Task Force on El Salvador, issued the following statement today based on the findings of a recent task force staff trip to El Salvador and other information gleaned from the task force's continuing investigation into the Jesuit murders:

"I believe that the High Command of the Salvadoran armed forces is engaged in a conspiracy to obstruct justice in the Jesuits' case. Salvadoran military officers have withheld evidence, destroyed evidence, falsified evidence and repeatedly perjured themselves in testimony before the judge. I do not believe this could be done without at least the tacit consent of the High Command.

Even more important, I believe that the High Command's goal, from the beginning, has been to control the investigation and to limit the number and rank of the officers who will be held responsible for the crimes. As a result, some individuals who may have direct knowledge of the murders have been shielded from serious investigation.

Because of this, progress in the case remains slow. This is true despite the courage and initiative of the man in charge of the investigation, Judge Ricardo Zamora, and despite the urgings of Salvadoran President, Alfredo Cristiani, and U.S. Ambassador to El Salvador, William Walker.

I am encouraged, however, that many members of the armed forces who were not involved in the crimes are angered at the possibility that U.S. military aid will be reduced because of the actions of the High Command. As a result, the armed forces are increasingly divided, and pressure is growing for an end to the conspiracy of silence and lies that -- from day one -- has characterized the military's attitude towards this case.

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The issues raised by the Jesuits' case are extremely important, but they should not detract from the need to make continuing progress in the Salvadoran peace negotiations scheduled to resume next week in San Jose, Costa Rica. Last month, the government presented its proposal on the key issue, which is military reform. In San Jose, the burden will be on the opposition FMLN to respond constructively to that proposal and to work with United Nations mediator Alvaro de Soto to narrow the differences between the two sides. Both the government and the FMLN have an obligation to negotiate seriously and, in my judgement, to refrain from additional acts or threats of increased violence as long as those negotiations continue."

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see attached addendum....

ADDENDUM

THE ARMED FORCES AND THE JESUITS' CASE

1. Cooperation

* The Minister of Defense and Members of the High Command of the Armed Forces have made numerous statements expressing support for a full investigation of the Jesuits' case.

* The Minister of Defense has responded, often promptly, to direct requests by the Judge and other investigators for information, documents and other evidence in the case.

* Nine members of the armed forces, including a Colonel, have been charged with the crime.

* Judge Zamora credits Minister of Defense Humberto Larios with a high degree of cooperation in the case.

2. Problems

* Not a single member of the armed forces has come forward openly and voluntarily with information in the case. This is true despite the fact that literally hundreds of military personnel were deployed in the area around the University of Central America on the night of the crime.

* Logbooks showing, among other things, the comings and goings of vehicles from the Military school on the night of the murders were burned, apparently on the orders of a senior military officer.

* The officer who allegedly destroyed the logbooks, Lt. Col. Camilo Hernandez, was not among those originally detained for questioning in the case. This was true despite his position as second in command at the Military School, from which the murder operation was allegedly launched.

* Many members of the armed forces, including Lt. Col. Hernandez, have adopted a Watergate-style approach to testifying in the case, saying essentially that they do not recall seeing, hearing or knowing anything that happened on the night of the crimes.

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* When the judge requested the presence of four cadets on duty at the Military School on the night of the crimes, the wrong four cadets were produced. When the right cadets were produced, they claim not to have seen anything.

* Last January, extra-judicial confessions were made by seven soldiers whose ranks were lieutenant or below. According to the Salvadoran High Command, these statements resulted from an exhortation by senior officers that they tell the truth. It is curious, therefore, that no confession or detailed statement of any kind was made at the time by Colonel Benavides. Since the arrests, all of those detained have proclaimed their innocence, but the lack of an extra-judicial confession from Col. Benavides makes the case against him far weaker than that against the junior officers.

* The Military Honor Board, which recommended the individuals to be arrested, initially -- and falsely -- denied it had written even the skimpy report it did prepare on the case, and has provided no other information about how confessions were obtained. This lack of an official record makes it impossible to discern whether discrepancies in the statements of various soldiers were adequately explored, whether potential leads were dismissed, and whether all the persons implicated in the crimes were charged.

* Two days before the murders, a search of the University was made by the military unit that allegedly carried out the murders. Several months into the investigation, it was learned that an officer from the Salvadoran military intelligence service accompanied the soldiers on that search. Initially, the officer said that he simply stumbled upon the soldiers and decided, on his own, to join them. Later, he said that he had been ordered to participate in the search by Captain Herrera Carranza. This past week, Captain Herrera testified that the order had originated with none other than the then-director of military intelligence, Col. Guzman Aguilar -- who has since been transferred to the post of military attache in Costa Rica.

* It appears that President Cristiani's permission to conduct the search of the University on November 13th was sought and obtained after, not before, the search took place.

* On the morning after the murders, Captain Herrera Carranza informed a meeting of fellow intelligence officers that the Jesuits had been killed. When asked by investigators how he knew of the murders, he replied that he had heard a report of the killings on commercial radio. This is not true, because Captain Herrera's announcement occurred before any commercial radio station had begun broadcasting the news.

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* Col. Carlos Aviles, who reportedly told an American official last December that Col. Benavides had admitted his guilt in the case, recently testified that he barely knows the American. In fact, he worked side by side with that American for months and specifically requested his assignment to El Salvador.

* A duty logbook from the Military School that was recently turned over by the armed forces to the judge is a suspected forgery.

* Nelson Arnolo Lazo, employee of the Military School who was in charge of checking weapons in and out on the night of November 15, has twice ignored a subpoena from Judge Zamora to testify in the Jesuits' case.