

# Lawyers Committee for Human Rights

330 SEVENTH AVENUE, 10TH FLOOR N  
NEW YORK, NEW YORK 10001  
(212) 629-6170  
TELEX: 5106005783  
(LCHRNYC)  
FAX: (212) 967-0916

Michael H. Posner, Executive Director  
William G. O'Neill, Deputy Director  
Arthur C. Helton, Director, Refugee Project

To the Times:

In "Threats and Party Backlash for El Salvador Chief" (news article, Sept. 16) The Times offered a flavor of the personalities and ideologies of those members of the ruling ARENA party to the right of President Alfredo Cristiani. Only in El Salvador's polarized climate, however, could Freddy Cristiani be considered a centrist, as The Times suggests. Ultimately, history will judge whether Cristiani is a willing partner in a party dominated by Col. Sigifredo Ochoa Perez and Major Roberto D'Aubuisson, or an embattled captive of these far right former officers of the Salvadoran Armed Forces, as The Times portrays.

President Cristiani's record on the Jesuit case does not coincide with The Times' assertion that his government has "pressed forward" in investigating the murders of six Jesuit priests and two women on November 16, 1989. Consider the following:

1. In the face of overwhelming circumstantial evidence implicating the Salvadoran Armed Forces, prominent members of Cristiani's government continued to assert that the insurgent FMLN guerrilla movement was responsible for the murders right up until Cristiani's January 7 announcement that "elements of the Armed Forces" were involved. At no point did the President publicly contradict their assertions.

2. On December 9, 1989 President Cristiani announced at a news conference that Lucia Barrera de Cerna--the Jesuit housekeeper who gave crucial testimony placing soldiers on the scene at the time of the killings--was lying and that she had admitted to never having left her bed on the night of the massacre.

3. President Cristiani waited five months before providing the court with a written report of a special military Honor Commission that recommended that charges be brought against nine men. Despite much public speculation about the Commission's deliberations,

#### BOARD OF DIRECTORS

Marvin E. Frankel, Chairman  
Floyd Abrams  
M. Bernard Adinolfi  
Robert L. Bernstein  
Tom A. Bernstein  
Charles Breyer  
Michael I. Davis  
Drew S. Days, III  
Adrian W. DeWind  
Norman Dorsen  
Fr. Robert F. Drinan

Kenneth R. Feinberg  
R. Scott Greathead  
Deborah M. Greenberg  
Lani Guinier  
Harold R. Handler  
Louis Henkin  
Robert D. Joffe  
Robert E. Juceam  
Lewis B. Kaden  
Rhoda Karparkin  
Nancy Kuhn

Jo Backer Laird  
R. Todd Lang  
Charles Lister  
Stanley Malman  
Charles McC. Mathias  
Bernard Nusbaum  
Barrington D. Parker, Jr.  
Bruce Rabb  
Barbara A. Schatz  
Steven R. Shapiro  
Jerome J. Shestack

James R. Silkenat  
Rose Styron  
Telford Taylor  
Jay Topkis  
Sigourney Weaver  
Ruth Wedgwood  
Lois Whitman  
William D. Zabel  
Selig Zies

#### COUNSEL

Susan Berkwitz-Malefakis

President Cristiani did not volunteer that he had a written report until a witness told the judge that such a report had been submitted to the President.

4. On July 12, President Cristiani admitted publicly for the first time that he personally authorized the search of the Jesuit residence two days before the priests were killed. In the eight months since the murders, speculation was rampant about who had signed the order.

5. At the same July 12 news conference, President Cristiani told reporters that guerrilla weapons were found at the Jesuit university on that November 13 search. The military has never asserted that arms were found, and President Cristiani did not respond when the Jesuit Provincial sought an explanation for this misinformation.

6. On September 7, testifying in person before the court, President Cristiani said that he was at High Command headquarters from 11:00 p.m. until 2:00 a.m. on November 15-16, precisely as the Jesuit murder operation was in progress. Further, he said that at 12:30 a.m. he received a military briefing in the headquarters' Center of Tactical Operations, where two or three U.S. military advisers were present.

On numerous occasions, President Cristiani has publicly urged anyone with relevant information to present it to the judge. He has also repeatedly discouraged public speculation on the case. Most recently, ranking ARENA officials have expressed their desire to bring the case to trial as fast as possible, thereby putting the Jesuit saga behind the ARENA government once and for all. While the judicial investigation has revealed little about the issue of higher orders, it has proved fruitful in revealing the extent of the military coverup of the crime. By withholding key information, President Cristiani appears to be as much a part of the problem as a part of the solution to the million dollar question: Who gave the order to kill the Jesuits and when?

Michael Posner  
Executive Director  
Lawyers Committee for Human Rights  
New York, NY Sept. 17, 1990