

**STATEMENT BY CONGRESSMAN JOE MOAKLEY (D-MASS.)  
ON STATUS OF SALVADORAN JESUIT CASE**

*Moakley*  
Based on the information currently available to the task force, I believe that the investigation into the killings of the Jesuits has made some progress in analyzing technical evidence but I the possibility of a coverup ~~remains~~ very likely. The nature and circumstances of the crime are such that the involvement of high level military officials, either in ordering the murders or in having prior knowledge of them, ~~is apparent~~. The members of our task force will not be satisfied with an investigation that is limited to the identification of those who actually did the killings. Those who ordered or otherwise consented to the crime must also be brought to justice.

To date, the Salvadoran Government has identified and charged 9 men that carried out the killings, and the senior officer who had operational responsibility for the unit that night.

I hope the investigation will proceed rapidly, but also thoroughly. A successful investigation and prosecution in this case would constitute a significant breakthrough in the history of El Salvador and remove a serious obstacle to the development of genuinely democratic rule in that country. On the other hand, a failed investigation, or one that concludes prematurely, would seriously endanger continued Congressional support for the Salvadoran government and renew doubts about the ability of civilian leaders in El Salvador to exercise control over the armed forces.

I remain concerned that the investigation currently is not following up on important leads that point to a cover-up by the military and point to the involvement of military higher-ups. There appears to be no indication that the Salvadoran Government has interrogated and fully investigated allegations that an order to kill the priests might have been given on Nov. 15 (the day before the murders) at a meeting of the military high command.

I am also very concerned that Col. Benavides, the man charged with ordering the murders, might walk free. Under the Salvadoran legal code, one individual charged in a crime cannot testify against another individual involved in the same crime. Currently, the only public evidence against Benavides is the testimony of those charged with the actual murders.

Members of the Speaker's Task Force on El Salvador will continue to monitor closely the progress on the investigation -- and we hope to have an interim report filed in two or three weeks.

It is important to recognize that the murder of the Jesuits was not some sudden, isolated outburst of human rights abuse in El Salvador. Over 40,000 civilians and non-combatants have been murdered for politically-related reasons since 1980, and the killings and violations of civil and human rights have continued even since the Jesuit slayings.

The documentation and quantification of human rights abuses has become much more difficult in El Salvador since the November offensive because the military now prohibits human rights monitors from visiting many sites of alleged abuse. In spite of these restrictions, the Catholic Church human rights office, Tutela Legal, reports that 9 non-combatants were murdered by Salvadoran security forces during the first two months of 1990. This report is assumed by both Tutela Legal and American human rights analysts to underestimate the true number of political killings given the current difficulties in fully monitoring the situation, but still confirms the suspicion that human rights abuses continue in El Salvador despite the grisly events of November 1989 and despite the investigation being conducted into the Jesuit murders.

In an effort to remind all in the El Salvador debate of the actual human costs involved in the human rights statistics and official reports, the Task Force feels it important to relay to Members the story of just one of the civilians killed since the Jesuit murders, as documented by Tutela Legal and published by Americas Watch.

"Julian Rosales Lopez, National Police, February 1990.

At about 9 a.m. one morning in early February, 1990, Rosales, 42, went to a parcel of land near canton San Jose Cortez, Ciudad Delgado, San Salvador. Soldiers of the Atlacatl Battalion stopped him, tied his thumbs behind him, and covered his face with his shirt. They took him to San Jose Cortez church, where another 30 persons were being held. When a relative of Rosales came for him, soldiers refused to turn him over. They said they would not torture him, and added that they would free him if he were not involved with any political organizations. At 11 p.m. two trucks with soldiers arrived; soldiers put Rosales in one of the trucks and left for an unknown destination.

Relatives looked in many different military and security force posts, but could not locate Rosales. On February 8, they were informed he was dead and his body was in the Isidro Mendenez Judicial Center in San Salvador. When they arrived there, officials told them Rosales had died in the National Police.

An autopsy determined that Rosales had been bruised in the left temple and lower lip, the right chest, the left part of the rib cage, both wrists, both thumbs, the left lower arm, the left leg, and the intestines and head. His death had been caused by torture. Tutela Legal held the National Police responsible."

El Salvador has many orphans, many poor, and many war injured. Some of these people receive their only assistance from religious workers from foreign countries, including citizens from the United States. During the November offensive and its aftermath, many Salvadoran and foreign church groups and members were the focus of arrests, property damage, and threats of violence. According to Church World Service/Lutheran World Relief, over 50 foreign and Salvadoran religious workers were arrested by the Salvadoran military between November 13 and December 15, 1989.

Prior to November 1989, there were approximately 88 foreign religious workers in El Salvador. Eleven religious workers were expelled by the government after the offensive, several left the country after arrested and released, and others voluntarily left in the climate of violence and uncertainty. Now, only 44 foreign religious workers remain in El Salvador. This loss will no doubt affect the care given to the poor in El Salvador, and it will also reduce the number of foreigners in El Salvador that can report to the world on the human rights abuses committed by the security forces, death squads, and FMLN.

The reason given by the Salvadoran security forces for the arrests and interrogations of church workers is that the religious personnel are suspected of being agents for the FMLN. However, of the many searches and arrests of foreign religious workers after the November offensive, only in the case of one foreigner did the Salvadoran government even attempt to present any evidence of collusion with the FMLN. And, the case against the one foreigner, Jennifer Casolo, is alleged by many to have been a set-up. In fact, in several Salvadoran cities, troops circulated flyers denouncing religious workers as communists. Of great concern is the fact that branding someone a communist in El Salvador is often a prelude to future violent action from the military or a death squad, as was seen in the cases of Archbishop Romero, the Jesuits, and many others.

## ATLACATL

The troop charged with the Jesuit murders were a part of the Atlacatl Battalion. The Atlacatl has a special relationship with the United States in that it was the first Salvadoran battalion to be created basically from scratch by United States military trainers. The purpose of the U.S. military training of the Atlacatl, which began with the Battalion's formation in 1981, was to create an approximately 2,000 man infantry unit that would respond rapidly to points of conflict and pursue guerrillas through the countryside. The Atlacatl Battalion members also received human rights training from U.S. advisors. The total training package was promoted as the way to create a new, "professional" Salvadoran army that would fight FMLN combatants aggressively while also respecting international rules of war, such as refraining from torture and from the murder of civilians and non-combatants.

Unfortunately, the Atlacatl Battalion has compiled an extensive record of human rights violations from its conception in 1981 up to the present. In December 1981, soldiers of the Atlacatl took part in a search-and-destroy operation in Morazan department known as the El Mozote massacre which resulted in the murder of over 700 civilians, according to the Catholic Church legal office in El Salvador. Americas Watch reports that in November 1983, dozens of civilians were killed by Atlacatl soldiers in the towns of Copapayo, La Escopeta, and San Nicolas, ~~including twenty women and children who were taken inside one house and shot.~~ Then-U.S. ambassador to El Salvador Thomas Pickering even said that he was prepared to believe that "troops of the Atlacatl had actually been involved in a massacre." Just last year, in addition to the Jesuit murders, Atlacatl soldiers were implicated in two other episodes of civilian killings including the torture of seven detainees near Tres Ceibas which resulted in the death of two of the tortured men.

There are also additional, documented instances of human rights atrocities committed by the Atlacatl Battalion. In total, Americas Watch and the Catholic Church legal office have determined that the Atlacatl Battalion has been responsible for the murder of over 925 civilians and non-combatants in El Salvador since the Battalion's formation in 1981.

*in w/ AW + ACLU in 1984, Jan.*

*Update "35-39"*

*re: religious workers  
getting the boot*

*"actions of expelling seems  
to bear no relation to catzpollt."*

*... 1983 ...*

ATLACATL BATTALION

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cf 257

- 1) can we think <sup>some</sup> to Tutela?
- 2) were dozens killed in Copapayo.

*was formed and trained by US advisors in 1981.*  
(stat)