

COUNTRY: EL SALVADOR
 SUBJ: JESUIT CASE DEFENSE LAWYER CRITICIZES U.S. CONGRESSMAN

REF: PA1911153891 MEXICO CITY NOTIMEX SPANISH 191417--
 GOVERNMENT REACTS TO U.S. CONGRESS COMMISSION REPORT

SOURCE: SAN SALVADOR CANAL DOCE TELEVISION IN SPANISH.
 0300 GMT 19 NOV 91

TEXT:

// ((REPORT BY ALFREDO VILLARREAL))

((TEXT)) ON 18 NOVEMBER, THE DEFENSE LAWYER IN THE JESUIT CASE SAID THAT U.S. CONGRESSMAN JOSEPH MOAKLEY HAD TRIED TO BLACKMAIL THE OFFICERS INVOLVED IN THIS CASE AND WAS NOW MAKING SPECULATIVE CHARGES BY ATTEMPTING TO INVOLVE OTHER ARMY OFFICERS IN THE CASE. LAWYER CARLOS MENDEZ FLORES BELIEVES CONGRESSMAN JOSEPH MOAKLEY IS TRYING TO HIDE HIS FAILURE IN THE INVESTIGATION OF THE JESUIT CASE BY MAKING THESE CHARGES. HE SAID MOAKLEY HAS BEEN UNABLE TO LEGALLY SUBSTANTIATE HIS CHARGES AND IS NOW ATTEMPTING TO SAVE FACE AT ANY COST BY MAKING ASSUMPTIONS AND DAMAGING THE HIGH COMMAND OF THE SALVADORAN ARMED FORCES AS MUCH AS POSSIBLE. MENDEZ ADDED THAT, WITHOUT ANY RESTRAINT, THE CONGRESSMAN HAD ASKED THE ARRESTED OFFICERS INVOLVED IN THIS CASE TO CONFESS, IN EXCHANGE FOR SOME KIND OF PARDON, WHO HAD ORDERED THE MURDER OF THE JESUITS. THE DEFENSE LAWYER CLAIMED THAT THIS WAS A CASE OF BLACKMAIL.

((BEGIN MENDEZ RECORDING)) MR. MOAKLEY HAS EVEN TRIED TO BLACKMAIL SEVERAL PEOPLE INVOLVED IN THE CASE. HE TOLD THEM THEY WOULD BE HELPED IF THEY POINTED OUT THE PEOPLE (WHO HAD ORDERED THE MURDER OF THE JESUITS). THESE PEOPLE CLEARLY TOLD HIM THAT NOBODY ELSE WAS INVOLVED AND THAT THEY KNEW NOTHING MORE. THUS, THESE ARE ALL MERE ASSUMPTIONS. WHAT IS INTERESTING IS THAT THE JURY ITSELF WAS TOLD THAT THERE WERE PEOPLE WHO COULD LOSE THEIR JOBS.

CONGRESSMAN MOAKLEY WAS ONE OF THE PEOPLE IN CHARGE OF EXPLAINING-- AND PERHAPS, HE TRULY BELIEVED-- THAT THEY COULD COME HERE AND TAKE ACTION ON ALL OUR JUDICIAL PROCESSES. THAT IS WHY WE HAVE CALLED THIS THE SOVEREIGNTY TRIAL. WE THINK THEY ((NOT FURTHER IDENTIFIED)) CONTINUE TO BE INTERVENTIONIST. A TRIAL WAS HELD AND IF THEY HAD SOMETHING TO CONTRIBUTE THEY ONLY HAD TO FOLLOW THE LAW. THAT IS WHAT INSTITUTIONS ARE FOR. THEY CAN PRESENT EVIDENCE IF THEY HAVE IT. THEY SHOULD NOT COME HERE WITH SPECULATIONS BECAUSE THAT WILL ONLY CAUSE ((WORD INDISTINCT)). WE BELIEVE THE ONLY THING THEY WANT IS TO JUSTIFY THEIR FAILURE BY TRYING TO INTERVENE. FORTUNATELY, OUR NATION AND SOVEREIGNTY CONTINUE TO BE RESPECTED. ((END RECORDING))

LAWYER MENDEZ ADDED THAT THE DEFENSE HAD PROVEN THAT A COMMANDERS' MEETING WAS HELD BUT THAT ONLY MILITARY MATTERS, CONCERNING THE GUERRILLA PRESENCE IN SAN SALVADOR, HAD BEEN DISCUSSED. HE ADDED THAT PRESIDENT ALFREDO CRISTIANI HAD ALSO BEEN PRESENT AT THE ARMED FORCES JOINT COMMAND STAFF MEETING ON 15 NOVEMBER. HE SAID:

((BEGIN MENDEZ RECORDING)) IF I AM NOT MISTAKEN, HE ((NOT FURTHER IDENTIFIED)) WAS PRESENT AT THE 15 NOVEMBER COMMANDERS MEETING. SO WAS GENERAL BUSTILLO AND, IF MY MEMORY DOES NOT FAIL ME, EVEN THE ARMED FORCES GENERAL COMMANDER AND THE PRESIDENT OF THE REPUBLIC WERE AT THE MEETING. HOWEVER, AT NO TIME DID THEY TALK ABOUT ANY SITUATION ((WORD INDISTINCT)) OR MISSION. THEY ONLY TALKED ABOUT MILITARY MATTERS. ((END RECORDING))

THE LAWYER, WHO HAD OBTAINED THE FREEDOM OF MORE THAN HALF OF THE SOLDIERS CHARGED WITH THIS CRIME, STATED THAT THE U.S. CONGRESSMAN'S NEW CHARGES DO NOT MERIT ANY INVESTIGATION. HE ADDED THAT WHAT MUST BE ASCERTAINED IS THE SELF-DETERMINATION OF SALVADORAN LAW.