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**September 14, 1990**

**To: Hon. Joe Moakley**

**From: Staff, Special Task Force on El Salvador**

**Re: Report on staff trip to El Salvador.**

From August 7th to August 12th, a delegation of staff from the Moakley Task Force was in El Salvador to review progress in the Jesuits' case and to discuss related issues. Participants from the Task Force were Mike O'Neil (Speaker's Office); Nancy Agris (Foreign Affairs Committee); Jim McGovern (Moakley); John Plashal (Murtha); and Bill Woodward (Studds). Also on the trip, but whose views are not reflected in this report, were Louis Dupart (minority, House Intelligence) and Randy Scheunemann (minority, Foreign Affairs).

The staff met in El Salvador with a number of prominent Salvadorans including Mr. Ernesto Altschul, Deputy Minister of the Presidency; Gen. Humberto Larios, then Minister of Defense; Attorney General Roberto Mendoza; Col. Emilio Ponce, then armed forces Chief of Staff (since named Minister of Defense); Lt. Col. Manuel Antonio Rivas, head of the Special Investigations Unit (SIU); Dr. Ricardo Zamora, the judge in the Jesuits' case; Col. Alfredo Benavides; Fr. Francisco Estrada, rector of the University of Central America (UCA); and Fr. Jose Maria Tojeira, the Jesuit Provincial.

The delegation also met with the members of the negotiating commission of the Salvadoran government regarding peace talks with the opposition FMLN, and with members of the Inter-parliamentary commission, a group from the various political parties working to develop proposals on electoral reform and other issues.

Finally, the delegation was briefed by members of the U.S. mission in El Salvador, including Ambassador William Walker. It remains our view that the Embassy is working hard to encourage the Salvadoran government to conduct a thorough investigation in the Jesuits' case, and to encourage the armed forces to cooperate in that investigation.

## 1. The Jesuits' case.

### A. Summary

Since the Task Force report was issued last April, slow but steady progress has been made in the case. This is due to the efforts of Judge Zamora to broaden the scope of his investigation and to call numerous military witnesses. The judge is confident that the case will go to trial. Obstacles to further progress include a lack of military cooperation; a defense motion for a change of venue; and various peculiarities of Salvadoran law.

We believe that a concerted effort has been made by the armed forces, including the High Command, to contain the investigation; to avoid implicating any individual except those charged; and, almost certainly, to prevent the conviction of Col. Benavides.

We also find increasing evidence that some members of the armed forces believe that the High Command is responsible for the murders, for obstructing the investigation into them, and--as a result--for endangering future U.S. military aid.

### A. Armed Forces

The Ministry of Defense and the armed forces have demonstrated a willingness to comply with specific requests from the judge for information and evidence in the case. Particularly high marks were given to then, now former, Minister of Defense, Gen. Larios. Unfortunately, there have also been examples (listed below) of destruction, falsification and withholding of evidence, and apparent perjury:

o 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.

o 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.

o 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.

o Many members of the armed forces, including Lt. Col. Hernandez, have stonewalled while testifying in the case, saying essentially that they do not recall seeing, hearing or knowing anything that happened on the night of the crimes.

o 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 claimed not to have seen anything.

o 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 Col. 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.

o 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.

o 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.

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

o 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.

o 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.

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

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

When asked about these problems, Col. Ponce, then chief of staff of the armed forces, replied that all members of the armed forces have been instructed to cooperate fully with the Court, but that the High Command has no control over a soldier when he testifies before the judge. Similarly, Defense Minister Larios said that, although irregularities had occurred all through the process, these were due to the actions of individuals and should not be considered to reflect badly on the armed forces as an institution. (Note: On September 1, Col. Ponce replaced Gen. Larios as Minister of Defense)

(Following our trip, and Chairman Moakley's statement expressing dissatisfaction with the military's cooperation in the case, President Cristiani convened a meeting between the Judge and the High Command. Judge Zamora was reportedly pleased with the meeting, during which President Cristiani pledged 'total personal collaboration' with the investigation and plans were discussed for facilitating the flow of information requested by the Judge from the military. President Cristiani has since taken the extraordinary step of testifying himself in the case. Cristiani testified that the Jesuits were not discussed during his meeting with the high command on the night of the murders.

#### **B. The Investigators.**

o Since the Task Force report was issued in April, Judge Zamora has begun conducting a broader investigation into the case

and has solicited testimony from many senior military officers. As a result, he has identified the officer (Lt. Col. Camilo Hernandez) apparently responsible for destroying the logbooks that indicated the comings and goings of vehicles from the Military school (where the crime was planned) on the night of the murders. The Judge is emphatic in his belief that he now has sufficient evidence to bring Col. Benavides to trial. Consequently, he rejects the idea that it will be necessary to drop charges against one of the lieutenants who has been arrested in return for the lieutenant's testimony against Benavides. Instead, he argues that Benavides' position as commander of the unit that allegedly carried out the murders is sufficient, along with a limited amount of other evidence against him, to bring the case to trial.

o The new Attorney General, Roberto Mendoza, is publicly supporting an active investigation in the case although it remains to be seen how effective the efforts of his office will be. The Attorney General claims responsibility for suggesting that the U.S. Military Group Commander and an American Major who came forward with information in the case be asked to testify before the judge. (The US Embassy expects to be able to respond favorably to this request, but the request had not been formally received at the time of our visit).

o The SIU is in the final stages of reporting to Judge Zamora on his request for information concerning the radio communications setup at the Military School on the night of the murders. Dozens of cadets have been interviewed to determine whether they monitored any conversations relevant to the case. Lt. Col. Rivas, the head of the SIU, did not appear optimistic that this part of the investigation would bear fruit.

### C. New Developments/Issues

1. **Venue.** The defense lawyers have again made a motion to change venue in the case from San Salvador to Santa Tecla. The motion has been ruled out of order by Judge Zamora, but that ruling is

subject to appeal. If the Judge is forced by the Appeals Court to rule on the merits of the motion, he will certainly deny it, but that ruling would also be subject to immediate and automatic appeal. At that point, Judge Zamora would be required to turn over a copy of the entire file to the Appellate Court and would be prohibited from making any further investigations himself until the Appeals Court rules. It is possible, therefore, that the investigation could come to a halt for several months. President Cristiani's office has indicated, however, that if this happens, it will encourage the Appeals Court to rule as promptly as possible.

2. **The Colonels and the Law.** Under Salvadoran law, a Colonel may not be compelled to testify in person before a judge. Instead, Colonels are only required to answer written interrogatories. Thus, the opportunity for immediate followup to inconsistent or vague answers is lost. During their meeting with the High Command following our trip, the Judge and the head of the Supreme Court encouraged senior members of the armed forces to consider waiving this right.

3. **From 47 to 9.** It remains unclear exactly how Salvadoran authorities determined who to arrest in this case. On January 5, 47 soldiers were detained; eleven days later, 9 of those soldiers were arrested. How did the authorities separate the 9 alleged to be guilty from the rest?

Lt. Col. Rivas flat out denies that any soldier admitted guilt to the SIU prior to the extra-judicial confessions given to the National Police on January 14. He also denies that the SIU took any declarations of any kind from the soldiers after the Military Honor Board was established on January 5. In our judgment, there is no way either of these statements could be true.

o Col. Benavides and the others were detained on January 5 after ballistics and other evidence pointed to the involvement of the

Atlacatl commando unit in the killings. That same day, a Military Honor Board was established to review evidence gathered by the SIU in the case. An SIU briefing to the Honor Board was given that afternoon.

- o Col. Benavides says that he appeared before the SIU on Jan. 6 to testify about the letter received by Col. Ponce from the American major. That letter refers to an alleged conversation between Lt. Col. Rivas and Col. Benavides in which Benavides is said to have admitted his responsibility for the killings (this is the first we have heard of any testimony from Benavides or before the SIU on the subject of the American Major's letter).

- o Col. Benavides says that he was ordered on January 8th to remain at National Guard headquarters, because members of the Atlacatl unit had made extra-judicial statements implicating him in the murders. (presumably, these statements were made, despite Lt. Col. Rivas' denial, to the SIU).

- o On January 13, President Cristiani announces the findings of the Military Honor Board, and identifies the 9 soldiers, including Col. Benavides, who are to be charged with the crimes. The Honor Board report indicates that the role of the Honor Board was to exhort soldiers to tell the truth when questioned by the SIU, and that statements were made to the SIU during this period.

- o On January 13-14, formal extra-judicial statements were given by all the accused at the headquarters of the National Police.

- o On January 16, statements were given to the judge.

The truth appears to be that the SIU investigation continued throughout the period during which the Honor Board was in operation, that statements were taken, and confessions received. If Col. Benavides is correct, the questioning in his case included the subject of the American major's letter. We do not understand why Lt. Col. Rivas and the members of the Honor Board have chosen to be so vague about this process.



#### 4. The Search of the UCA.

A number of questions have arisen with respect to the search of the UCA on November 13th.

The original story was that a unit from the Atlacatl was ordered to search the UCA in order to verify information that guerrillas were firing from inside the university grounds. The story was that the search had been specifically authorized by the High Command and by President Cristiani. Nothing was found during the search, which took place some time between 5:30 and 8:30 p.m. on the 13th. No mention was made of any involvement in the search by members of Salvadoran military intelligence (DNI).

Based on the information we now have, we can construct the following chronology:

- o afternoon of Nov. 13th, Fr. Ellacuria returns to the UCA following a visit to Spain. He is questioned by soldiers.
- o Also on the 13th, the High Command orders the reassignment of a commando unit from the Atlacatl brigade to the Military School, under the command of Col. Benavides (Benavides says the unit did not come under his command until after the search of the UCA--and that he did not even know the unit searched the UCA until after the murders had occurred).
- o Late afternoon of the 13th, the High Command orders Lt. Espinosa, the leader of the commando unit, to search the UCA. The order was apparently transmitted by Col. Cerna Flores, then-chief of operations for the High Command.
- o Col. Guzman Aguilar, chief of DNI, orders a DNI officer to accompany the Atlacatl unit on the search.
- o The search begins sometime after 5:30 and ends before 8:30.
- o Sometime after 8:30, the High Command seeks and receives verbal

authorization from President Cristiani to search the UCA and certain other religious and educational facilities.

## 5. Colonel Benavides

The staff delegation was granted permission by the Judge and the Defense Ministry to interview Col. Benavides.

Col. Benavides met with the delegation alone, without counsel and without any other Salvadoran military officials or guards present.

For what it may be worth, the Colonel's account of events is as follows:

- o a security command was established at the military school on the afternoon of the 13th;
- o the Atlacatl unit came under his command on the evening of the 13th, after the search of the UCA;
- o on Nov. 14th, a log book was opened to record the comings and goings of the units now under his command;
- o assignments were made to various units to protect potential targets in the sector; the Atlacatl was to be a reserve force.
- o no reports of a military operation involving the UCA were received on the night of the murders.
- o The Atlacatl unit was not authorized to leave the military school on the night of the crimes, and Col. Benavides believes that, in fact, it did not do so.
- o He learned of the murders on the morning of the 16th.
- o In early January, Col. Ponce informed Benavides that a letter

had been received from an American major assigned to the U.S. Military Group alleging that Benavides had admitted responsibility for the murders. The letter was based on a conversation that the American major had had with Salvadoran Col. Carlos Avilez. Col. Ponce left Col. Aviles alone with Col. Benavides to discuss the letter. Col. Aviles denied everything in the letter, and Col. Benavides says he told Aviles that he believed him.

o The chain of the command at the time of the killings was as follows:

- Major Miguel Castillo (operations command at the school);
- Lt. Col. Camilo Hernandez, head of general staff of the school;
- Col. Benavides;
- Col. Cerna Flores (chief of operations at the High Command);
- Col. Ponce (chief of staff).

Operations from the school could only be authorized by Col. Benavides or, in his absence, by Lt. Col. Hernandez. During the offensive, the two alternated shifts during the night. Col. Benavides does not recall, nor is there a record, of exactly who was on duty and when during the night of the murders.

o Benavides returned to the military school on the 15th following the meeting with the high command at about 10:00 p.m. He says he had no other high level meetings that day. He did not meet with any other senior officers at the military school. His primary contact with the DNI was with a security officer with whom he conferred about security at the DNI headquarters.

o The decision to re-assign the Atlacatl on the morning of the 16th was part of a prior agreement to return the unit to its main battalion. The Military school was to be reinforced by units from the countryside. A unit from the Belloso battalion was also reassigned that morning. In both cases, the order came from Col. Cerna Flores, the chief of operations.

## II. NEGOTIATIONS

During our visit, the government was preparing for the most recent round of negotiations, which took place between August 20 and 22nd in San Jose, Costa Rica. The perception at that time was that the issue of military reform holds the key to a successful peace settlement. Nothing happened in San Jose to alter that perception.

Attached to this memo are: 1) a 33 point proposal made by the government on military reform in July; and 2) an 18 point proposal submitted by the FMLN immediately prior to the August negotiation.

We will not attempt, in this memo, to analyze the negotiating position of the two parties. Other organizations have produced, and will be producing, regular updates on this subject. Instead, we will limit ourselves to a couple of basic impressions.

In our view, the government proposal reflects some movement in the direction of those who have argued for greater civilian control over the military, although clearly not enough to form a basis for an agreement. The FMLN position, however, reflects virtually no movement toward the government's position and seems, in fact, a step backward from earlier guerrilla proposals. In addition, it appears that the government has been more willing than the FMLN to encourage United Nations mediator Alvaro de Soto to develop a compromise proposal of his own. All of this raises a very real question in our minds about whether the FMLN is seriously interested in negotiating for peace.

During our trip, we discussed the issue of negotiations with officials from our Embassy, with members of the civilian political opposition, and with those representing the government in the negotiations. We believe that the government is approaching the negotiation in a serious and coordinated manner and without any apparent division between the civilian leadership and the leadership of the armed forces. The government's task has

been made far easier by the divisions apparent within the FMLN, and by that organization's failure--at least during the most recent round--to put forward a serious proposal on military reform.

The civilian political opposition has an opportunity, through the inter-party commission, to put forward its own ideas in the areas of military, judicial and electoral reform. Although its work has been hampered by a lack of cooperation from the governing ARENA party, the commission could play an important role--along with the UN mediator--in bridging the differences between the two sides.

The next round of negotiations is currently underway in San Jose. Failure to make substantial progress during this round will complicate gravely the prospects for peaceful and meaningful municipal elections scheduled for next March.

PROPOSAL OF THE GOVERNMENT OF EL SALVADOR ON AGREEMENTS RELATED TO THE ARMED FORCES IN ORDER TO ARRANGE A HALT TO THE ARMED CONFRONTATION AND ANY ACT THAT INFRINGES UPON THE RIGHTS OF THE CIVILIAN POPULATION.

A. Role of the armed forces in the democratic system.

- 1.- To establish the function of the Armed Forces within the democratic society, as well as to analyze their mission within the balanced development of society.
- 2.- To develop a plan for the education of and awareness within the Armed Forces of its role as an institution within a democratic society.
- 3.- To promote seminars on a permanent basis in various official and private sectors to improve the understanding of the new concept of a civic-military relationship in order to strengthen democracy.
- 4.- To jointly ratify the full validity of Esquipulas and subsequent agreements, making a formal commitment to comply with them in order to consolidate the progress already achieved.
- 5.- To jointly support and adhere to negotiations on matters related to security, unification and arms control and limits for the Central American region.

B. IMPUNITY.

- 6.- To support the following judicial processes now pending in order to carry out exemplary trials in the cases of:
  - a.- Monsignor Romero.
  - b.- The Jesuit priests.
  - c.- FENASTRAS
  - d.- Dr. Oqueli Colindres.
  - e.- Assassinated mayors.
  - f.- Dr. Rodriguez Porth.
  - g.- Dr. Peccorini.
  - h.- Zona Rosa.

This issue, according to the Government's position, is of a general nature and should not be included in the item of the Armed Forces, but in the one related to Administration of Justice. It is included in the present document solely to respond to what the FMLN characterizes as "exemplary trials".

- 7.- To submit to the Honor Tribunal those members of the Armed Forces who commit actions that, without constituting a crime, obstruct the effectiveness and impartiality of the administration of justice.

- 8.- To promote the enactment of a law for the control and regulation of groups providing security services for individuals, autonomous institutions, private businesses etc.
- 9.- To collect by legal means those arms designated for the exclusive use of the Armed Forces.
- 10.- To enact an Executive Decree suspending permits allowing individuals to carry arms designated for the exclusive use of the Armed Forces.
11. To eradicate all forms of "private justice"
- 12.- To draft a general amnesty law and promote its enactment, excluding the aforementioned cases named in numeral 6.
- 13.- To sanction the violators of the agreements reached in this negotiation.

#### C. CLEANSING.

14. To pursue legal reforms that punishes illicit monetary gain, so that the law has jurisdiction over the Commanders of High-level Military Units and over those who have administrative functions at those same levels.
15. To promote the development of effective mechanisms for the use by the Committee on Defense and Public Security in overseeing the activities of the Armed Forces in the areas designated for its supervision, and within the powers contemplated in the Constitution of the Republic and the Internal Regulations of the National Assembly.
- 16.- To promote the enactment of an Armed Forces Procurement Law, in accordance with the National Budget general regulations.
- 17.- To establish rules of operation for the Armed Forces to be used by its Inspector General.
18. To create a Permanent Honor Tribunal within the Armed Forces.
19. To create a Commission for the Review of Armed Forces Legislation. (CORELEFA)
- 20.- To create the Directorate of Armed Forces Doctrine and Education. (The academic curriculum for the education of the military will include humanistic subjects.)
- 21.- To establish the Military University of El Salvador.

- 22.- To create a Human Rights Office within the Armed Forces, with specialized civilian personnel.
- 23.- To put the State Intelligence System (presently the DNI), under direct control of the President of the Republic.
- 24.- To put the five (5) Immediate Reaction Infantry Battalions under control of the Brigade Commands on a permanent basis, for their command, control and administrative and operational supervision.
- 25.- Following to the study and analysis of the Constitution, secondary legislation and rules and regulations regarding the matter, to transfer:
- a.- the National Police to the Ministry of the Interior.
  - b.- the National Guard to the Ministry of Defense.
- 26.- To transfer the Treasury Police to the Ministry of the Treasury.
- 27.- To transfer the Infantry Battalions that presently operate out of the Security Forces (Pantera, Libertadores, 15 de Septiembre, CEAT) to the Army's command.
- 28.- To ask for the advice of countries with experience in the administration of civilian police forces (Venezuela, Spain, USA, UN). Any function not relevant to the mission which should be accomplished by this administrative structure within its organic context should be eliminated.

#### D. PARAMILITARY FORCES OR CIVIL DEFENSE.

- 29.- To establish procedures for collecting the arms of the Civil Defense forces upon reaching the phase of the end of the armed confrontation signed by the FMLN.
- 30.- To dismantle the Civil Defense following the demobilization and disarmament of the FMLN.

#### E. RECRUITMENT.

- 31.- To present a Bill on Military Service and Reserves which regulates the mechanisms for implementing recruitment.
- 32.- To redefine the objective of the military service, complementing it with civic duties and craftsmanship skills.
- 33.- Once the end to the armed confrontation is signed by the FMLN, the GOES will suspend the recruitment until the enactment of the aforementioned law.





## **Frente Farabundo Martí para la Liberación Nacional El Salvador, Centro América**

### **POSITION OF THE FARABUNDO MARTI NATIONAL LIBERATION FRONT (FMLN) ON ENDING MILITARISM, REACHING A CEASE-FIRE AND ADVANCING TO AN UNARMED DEMOCRACY.**

On April 30, the FMLN brought to Caracas, Venezuela, a comprehensive proposal for negotiation which contains three fundamental areas: Demilitarization, Democratization and the Socio-economic Pact.

In this proposal, the FMLN establishes the need for demilitarization on the basis of: the end of the impunity with which the military commits crimes, the cleansing of the Armed Forces, the dissolution of the Security Forces, reducing the size of the Armed Forces, their subordination to civilian authority, the professionalization and change of mentality of the Armed Forces, the dismantling of the Paramilitary Forces, and total demilitarization through phasing the two armies out of existence.

Eighteen points on the subject of the Armed Forces that must precede a cease-fire:

1. Commitment to the total demilitarization of society through a process of phasing the two armies out of existence.
2. Suspension of any obligatory or forced recruitment. Recruitment by both armies must be on a voluntary basis.
3. Disarmament and total dissolution of the civil defense forces and the paramilitary patrols of the Territorial Service.
4. Dismissal of all generals and colonels currently on active duty and of the commanders and officers involved in violations of Human Rights or corruption.
5. Dissolution of the Atlacatl Battalion and dismissal of all officers and troops that have formed part of this battalion from the time it was founded to the present.
6. Closure and public destruction of the clandestine prisons and all instruments of torture belonging to the Armed Forces.
7. Dissolution of the death squads, based on the dismantling of personal security services and security services that operate in private enterprises, autonomous institutions or state-run entities, especially those which are under the responsibility of Major Roberto D'Aubuisson and Mr. Orlando de Sola.
8. Dissolution of the death squads on the basis of dismantling the National Intelligence Department (DNI) and all organisms and units that function under it, as well as the intelligence units of the Military Detachments and Brigades of the Armed Forces.
9. Dissolution of the infantry battalions belonging to the security forces, and dismissal of all their members.
10. Total dissolution of the National Guard and the Treasury Police, and dismissal of all who have been members of these security corps between 1979 and today.
11. Establishment of a joint commission of the Armed Forces and FMLN to agree upon and implement the terms and composition of a new civilian police force.
12. In the transition period during the formation of the new police force, the current National Police would continue to function as a provisional force under the following conditions:

- Dissolution of its secret structures and special services.
  - Dismissal of officers and troops involved in Human Rights violations and corruption.
  - Establishment of Human Rights verification offices in all of its stations.
13. Before a cease-fire is agreed upon, bring to trial and punish, in an exemplary manner, the intellectual and material authors of the following crimes and massacres:
- The assassination of Monsignor Romero, Archbishop of San Salvador.
  - The massacre of the FENASTRAS union members.
  - The assassination of Hector Oquell Colindres and Gilda Flores (committed in Guatemala).
  - The massacre of the six Jesuit priests and their two employees.
  - The massacre of 900 peasants in the villages of Mozote, Guacamaya, Los Toriles and others in the Department of Morazán in the eastern part of the country.
  - The massacre of 600 peasants on the banks of the Sumpul River in the Department of Chalatenango, in the central area of the country.
  - In addition to these six cases, any murders, massacres and bombings of civilians which take place in the course of the negotiations.
14. Open a process of investigation and bring to trial the intellectual and material authors of all crimes, massacres and forced disappearances committed since 1979. Include those acts committed by prominent members of the private sector and the paramilitary groups linked to them. A list of some of these cases follows.
- Seven thousand disappearances and all the thousands of murders committed by the death squads since 1979.
  - The murders of priests Rutilio Grande, Alfonso Navarro Oviedo, Alirio Napoleón Macías and Octavio Ortiz.
  - The murder of the four North American churchwomen.
  - The murder of Enrique Alvarez Córdova, President of the Democratic Revolutionary Front (FDR), and the rest of the FDR leadership with him.
  - The murder of the 2 North American civilian advisers from the AFL-CIO and of Rodolfo Viera, of the Salvadoran Institute for Agrarian Reform.
  - The murder of opposition leaders Mario Zamora Rivas and Melvin Orellana.
  - The murder of the REUTERS reporter and the sound operator for Channel 12 TV by soldiers of the Arce Battalion and the Air Force. (Rescind previous acquittals.)
  - The murder of four Dutch journalists.
  - The murder of Marianella García Villas and Herbert Anaya Sarabria, president and coordinator, respectively, of the Non-Governmental Human Rights Commission.
  - The murder of the European Parliament official Jurgen Weiss, of Swiss nationality, in Nanastepeque, Department of Cuscatlán.
  - The murder of doctors of Salvadoran and other nationalities, of paramedical personnel and war wounded in attacks on hospitals of the FMLN.
  - The murder of Félix Ulloa, Rector of the National University of El Salvador, and of all the University professors and students killed since 1975.
  - The murder of more than 300 school teachers.
  - The murder of Colonel Benjamín Mejía and Captain Amilcar Molina Panameño.
  - The massacre of 200 peasants in Copapayo, Department of Cuscatlán.
  - The murder of 300 peasants in Calabozo, Department of San Vicente.

- The massacre of 10 peasants in San Francisco, San Sebastián, Department of San Vicente. (Rescind previous acquittals.)
  - The massacre of 40 peasants in Las Hojas, Department of Sonsonate.
  - All massacres carried out during military operations in the countryside and during the repression of demonstrations, strikes, and peaceful take-overs of factories, land or workplaces from 1979 to the present.
  - All the deaths and wounded caused by aerial bombing and artillery attacks against the civilian population since 1979, including the cases that occurred during the offensive of November 1989 in San Salvador, San Miguel and other cities.
15. Formation of a special tribunal for trial and punishment of all cases which have gone unpunished and war crimes committed by the Armed Forces and paramilitary groups. Said tribunal, in order to overcome the inability and the absence of moral standing of the current judicial system and legal order, must have exceptional powers to establish proceedings and penalties. Its composition would be decided upon by consensus among the political forces, the Government and the FMLN.
16. Abolition of the current Vice Ministry of Public Security.
17. Selection of a civilian Minister and Vice Minister of Defense, to be accepted by consensus among all the political forces, the Government and the FMLN.
18. The adoption of a special socioeconomic plan which serves as a guarantee for all those affected by the process of demilitarization and phasing out of the two armies.

The above cases are part of the genocide that has claimed more than 50,000 victims, killed individually or *en masse*, in ways that range from the most simple to the most abominable and abhorrent, which include citizens in general, men and women of all ages, newborns and the elderly, peasants, workers, teachers, students, doctors, war-wounded, foreign citizens of diverse occupations including several North Americans, members of human rights organizations, journalists, priests, nuns, army officers, prominent businessmen and even an Archbishop. Without investigation and trial of those responsible for all these cases, the negotiations cannot be considered conclusive.

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