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(Translation - Spanish)

# MINISTRY OF DEFENSE AND PUBLIC SECURITY Republic of El Salvador, S.A.

San Salvador, March 5, 1990

To Joe Moakley City

## Dear Congressman:

Receive a cordial and respectful greeting, with the bearer of this letter, I take the liberty of forwarding to you a written summary of the meeting held on February 12, 1990, in the auditorium of the Joint General Staff and the Group of Congressmen and aides that met with us together with Colonel René Emilio Ponce, Chief of the Joint General Staff of my country.

The purpose of this letter is to put myself at the disposal of you and your work group, in order to clarify concepts or doubts in the responses that we expressed the day of the meeting.

In the personal area, I would have liked to discuss or clarify some response that, because of time limitations, it was not possible to do on that occasion, but I consider it prudent and necessary to collaborate with you and your group on such a delicate mission; for example, I believe that it is necessary to clear up what is related to the chain of command; with respect to the operative combat missions, the main responsibility corresponds to the Chief of the Joint General Staff, who gives the orders directly or through the C-III or Chief of Operations to all the operative or maneuver units; I want to make it clear that when they are orders or steps that have political repercussions he always has to consult with the Minister of Justice, who is the one responsible for the military-political management of the nation, together with the General Commander of the Armed Forces or President of the Republic.

I want to tell you that in order to avoid mistakes in interpretation, precise instructions have been given to the officers, non-commissioned officers and troops, through procedures and instructions emanating from the Joint General Staff of the Armed Forces, to the effect that within the operative and nonoperative framework they are not obligated

by anyone to carry out illegal missions or orders that may stain the prestige or professionalism of the Armed Forces; in that respect, I refer to Article 9 of the Army Ordinance, (Law of the Republic) to the effect that whenever an order may cause damage to the one carrying it out, it should be given in writing and signed.

I have spoken with Colonel Ponce and he is equally willing to clear up concepts, above all related to the last questions that you asked of him referring to the moment when the news was received on the murder of the UCA professors, I believe that there was no time for answering that extensively; he states that immediately he informed the President of the Republic, suggesting to him at the same time that he assign the Executive Commission on Criminal Acts to begin the investigation, which was done with the direct support of the High Command in order to investigate, in the first instance, the Military Units that were part of the defensive deployment force of the zone where the events occurred; the task was not easy, since almost all the evidence, according to the Commission, was quite confused and contradictory, more than 1,000 troops of the Armed Forces were investigated in order to reach what is known as of today.

I repeat to you our friendship and collaboration, in order to work together in the construction of democracy and in the promotion of human rights in our country.

Sincerely,

Colonel Cav. Juan Orlando Zepeda Deputy Minister of Defense

CC: Gen. Adolfo O. Blandón, Miguel A Salaverría - Ambassador in Washington, Mr. David M. Dworkin, Mr. David Dryer

Taped Version of the Meeting of the Deputy Minister of Defense, the Chief of the Joint General Staff of the Armed Forces, with the Delegation of U.S. Congressmen headed by Mr. Moakley, February 12, 1990, 3:00 p.m.

#### Notes:

- 1. The responses are complete.
- 2. The questions are indicative.

#### /Translator's note:

Because the following is a translation of a transcript, it is often difficult to choose just one translation or to understand all sentences, mainly for the following reasons:

- 1. The entire text is in capital letters, making it impossible to distinguish, e.g. "if" and "yes," or "I" from "he," as there are no accents provided.
- 2. Some words have been misspelled or misunderstood by the transcriber.
- 3. Words are missing so that sentences may fail to make sense.

Keeping this in mind, you will note that therefore, some sentences, marked with /?/ are open to more than one interpretation. /sic/ indicates that the translation is accurate but something was missing in the Spanish transcript. -- Trans./

Press Conference with the Chief of the General Staff and Deputy Minister of Defense with U.S. Senators

#### Col. Ponce:

Mr. Ambassador, Congressmen, aides, good afternoon. The purpose of this meeting, I believe, is to talk with sincerity, with honesty and not hide anything, but rather talk with the truth. And that's what we're going to try to do with respect to this famous meeting of November 15, I can tell you that since November 9, that we had already raised a possibility of broad FMLN action, we began with meetings almost daily at night in order to evaluate the situation that was being experienced mainly in the metropolitan area of San Salvador, Zacatecoluca, San Miguel, Usulután; in order to continue determining the advances or setbacks that we had in the aggressive action of the FLMN against the Salvadoran people.

# 1. Do you believe that at the November 15 meeting there could have been some confusion on the part of Col. Benavides?

In fact, on my agenda I have noted on November 15, a meeting that began at approximately 7:30 p.m., at which we of the High Command were gathered, beginning with the Minister of Defense, the two Deputy Ministers, the Chief of the Joint General Staff of the Armed Forces, the Commanders of the units involved in the operations in the metropolitan areas, the Joint Chiefs of Staff and the three directors of the public security groups; the Chief of the Press Committee of the Armed Forces was even at that meeting.

What we did at that meeting, specifically, according to my agenda of notes: the first thing was to evaluate the situation, establish some positions that the Armed Forces had lost, mainly in the area north of the capital, and these are the Cerros El Carmen, El Colón and the municipality of Cuscatancingo. We had problems of control in the Colonias Metropolis, Col. Dolores, the municipality of Soyapango, Mejicanos, Ciudad Delgado and other colonias east of San Salvador. We had begun to gather together several units of the interior of the Republic. We felt the situation was quite difficult, and in view of that evaluation we felt that once, through different means of deterrence, it had been possible to get most of the civilian population of this zone to leave their homes, it was decided to use heavy means in order to dislodge the terrorists from that zone. That was the decision that was taken on the 15th. I don't believe that there can be confusion in settling the assertion that is being made by the President.

## Colonel Zepeda:

These meetings are frequent in the situation of conflict that we are experiencing. It was at a high level: the zone commanders. Our concern had always been the civilian population until that moment and it had prevented us from using all of the means in our reach. I am clarifying this because it is claimed /?/ from that meeting came an order of a similar

nature and it could not have been. Our great concern, our policy as the High Command, has always been the protection of human rights, the protection of the civilian population. We know that any error brings us tremendous negative consequences for the Armed Forces. That has been the greatest concern of the High Command, not just ours but also of the previous High Commands, to promote or respect the civilian population. I, therefore, want to say that an act of such a nature and that has awakened such repudiation could not ever come from a meeting of that type.

I want to repeat to you that the philosophy of our work is that one, no action, none, of the Armed Forces is successful if it does not come to contribute to or help the Salvadoran people. We knew that at this critical moment the campaign orchestrated and structured by the FMLN in its propaganda, in its political war, well, it had to seek a motive for accusing the Armed Forces, and we were aware of that. Therefore, we had to avoid all that type of action. That's why we are still interested in the investigation continuing in the hands of justice and that justice be served and the guilty one be punished.

#### Colonel Ponce:

#### Was there some conversation?

Precisely we would have meetings almost daily in order to prevent there being a different action in each zone; what we sought is the unity of command and preventing any abuse on the part of our units. Each commander had a sector where he would have to operate. The imminent problem that we had was the terrorists that were combatting in that sector. The terrorists that were armed and were the ones that we had to expel; they were the primordial objectives of the meetings that we had daily and here it is important to emphasize to you that in one way the Armed Forces has continued advancing. The awareness that we must have, in this type of conflict we can come out victorious only with popular support.

## 3. When you mentioned terrorist or sympathizer actions are you including the UCA priests?

The first question I asked mentioned what the meeting was about. In short I mentioned it. Nobody could presume similar action in the current...today it would be the case of the Jesuits, but at times one can say something and it can be misinterpreted and I have here Major Chávez Cáceres, who is the head of the Press Committee and I'd like him to answer according to what we dealt with at the meeting where he was, if in some way what we are dealing with now could be interpreted. /sic/

#### Major Chávez Cáceres:

Perhaps at the meeting the moment when there could have been a misinterpretation, because I was in the back, I came in the middle of the meeting; but in the part that dealt with that, I was there. It was when the High Command of the Armed Forces said that it was necessary to locate the guerrilla command posts, since at that time there were quite

house were commanders with radios or giving orders; I remember that at the end of the meeting a prayer was given to God; everyone stood up, hands linked, and asked for Divine enlightenment; I believe that this last point is difficult, to believe that God was going to be invoked in view of a murder of this nature.

## 4. Was UCA mentioned in any form?

No, UCA was not mentioned in any form. I would remember it perfectly because I am a former student at that university and also a friend of the priests that they murdered. No absolutely nothing was said, it would be a detail that I couldn't forget.

## 5. Did you talk with Colonel Benavides?

I didn't talk with my Colonel Benavides. The meeting ended, the prayer that everyone gave ended, and they left, each going out to his diverse military units that had remained in the hands of the executives.

#### Colonel Ponce:

What happened is that this military complex takes in the General Staff, the Military School, the Ministry of Defense, the Intelligence School, it's the military head of the country; therefore it was a permanent objective for them, and in fact, during the poorly called offensive they launched four attacks against these installations. Therefore the General Staff decided to name a military security command for the installation and Colonel Benavides was named Commander of the units that had been brought from the interior of the Republic. He then had under his control the sector and units that were operating in that sector.

What happened, for example, on November 13, which was the first attack on this complex, it is that we had information that from inside the Catholic University they were firing with mortars and then with machine guns. On that occasion the "Atlacatl" Unit was commissioned to go to verify that situation and they asked authorization to enter UCA. Now being inside they verified that there was no terrorist in the zone but that there was some evidence that they had fired from inside UCA. And they asked for authorization in order to conduct a search of UCA, on the 13th, they were authorized to search the classrooms that were open; and being on the searches, the priests Ellacuría and Montes appeared and they accompanied this search unit, having opened some classrooms that were locked; then after the search Father Segundo Montes noted on the UCA computer that they had conducted the search but that the unit had done it in a professional manner.

## 6. When did you learn of the business of Benavides?

It was when Col. Menjivar came to inform me of that situation, that Col. Aviles had told according to what Col. Menjivar told me, some of his members of the military group, it was January 2, at 6:30 p.m.

## 7. Did Colonel Rivas talk occasionally?

Yes, more than anything he informed the President of the Republic; that's where the unit reports. He also made requests of me so that the Armed Forces would support the investigation, which we did immediately; about the investigation, yes several times he talked on the phone and later we sent the summons.

## 8. Did it report to him? /or/ Did he inform you?

Well, some times he did and reported.

## 9. When did the Executive Commission begin the involvement?

I believe that it was the next day that Col. Menjivar reported, I'm not sure. It was the 3rd or 4th. Yes, exactly, the investigative committee reported, i.e. Col. Rivas, Col. López y López; I'm not sure if one day later or two days later Col. Menjivar did it. We're talking of dates in the month of January.

I believe that you had a meeting with the executive unit where they initially conducted an investigation with all the units that were around or near the UCA installations, i.e. that they did not begin with the Atlacatl one.

The situation is that yes Col. Aviles and Col. López subjected themselves to the polygraph, let's say not true, many doubts in their answers. My impression is that someone is lying. That same night Col. López y López was called, i.e. January 2 and he also denied that he had any comments with Col. Aviles. Col. Rivas also doubts that he had talked with Col. López y López, then Col. López y López with Col. Rivas, they are the chiefs of that executive unit that has conducted the investigation.

#### Colonel Zepeda:

I must want to clear things up a little. Doubtless it's a very serous accusation that involves all the Armed Forces. I want to tell you how a person feels when he's been told that you're doubtful, the moral aspect, the psychological aspect declines a lot; it's too serious an accusation that is made of a person; we went to avoid making mistakes; we want to avoid that implication of a person that has nothing to do /with it/; I want to tell you that it hasn't been easy for us as an Armed Force, as members of the High Command, to have to investigate more than a thousand members, troops, officers, soldiers, because there is from the moment that someone is pointed out, there's a doubt of his honor and that declines a lot in a man. I want to tell you with total honesty we will give you all support to President Cristiani, our effort, and perhaps as High Command we are the most interested because it is put in doubt, when it's doubted and you ask if someone above Col. Benavides gave a higher order you mean High Command including President Cristiani, who is a member of the High Command.

#### **Colonel Ponce:**

## 10. Given the climate of doubt was the polygraph appropriate?

A good suggestion, the business of the polygraph. We're interested in showing the honesty of the investigation and for the case when Col. Hernández of the Treasury Police came out implicated, he was given the polygraph too, and Col. Hernández says that /.../ in his life is he taking the polygraph again although he knows that he's innocent of what's being said.

## Colonel Zepeda:

And this is the result of investigations. The Executive Unit had its own plan of investigation which was advised, supervised by the FBI, English investigators, Spanish investigators and then some Canadians came; all those units came to supervise the investigation and they said that the plan was good as the investigative unit was carrying it out, from the beginning here three hypotheses were dealt with:

- 1. That they were persons of the FMLN who committed the murder.
- 2. That they were persons of the extreme right.
- 3. That they were persons of the Army.

Following instructions and seriously supporting the President of the Republic in his effort to learn the truth in this case, the investigations were initiated with the Armed Forces; but those units involved in the security of the complex and that was what the technical unit did /sic/; thank God that we reached a completion of an investigation that is partial, of course, because here also there have remained a large number of murders where who the guilty ones are has not been investigated, in many other countries, including yours, there's also a large number of murders where those responsible are not known. I know that progress has been made; the trial is open in the criminal court; those who came out as suspects are subject to justice and what we have said publicly, that if someone has a testimony or concrete evidence to present, let him clear it up or take this investigation to the roots, do it before justice.

#### Colonel Ponce:

#### 11. What's the chain of command?

The Chief of Operations is the one that gives the order in my name, but directly in the chain of command, the commanders are under the Chief of the General Staff.

#### 12. Did you talk with Col. Benavides afterwards?

No. it was a verbal report that the Commander of the Special Unit of Atlacatl, came to give, and it was given directly to the Chief of Operations; first they did it by radio and on the morning of the 14th they came to inform the Chief of Operations. Well, since nothing new was found in UCA no more importance was given to the case, it's that the most

difficult situation we had was in Mejicanos, Zacamil, Soyapango, Ciudad Delgado, San Miguel, Usulután and Zacatecoluca. No, our suspicions were that the FMLN had its center of operations within the National University and then we came to prove it in the participation that they had in the offensive.

## 13. ??

At least with respect to my person, since no one stated anything.

## Colonel Zepeda:

## 14. What's your perception about these groups (referring to religious groups)?

There has never been any specific order against any nun or group of religions persons, that impression that you have that we have authorized persecution against religion, that's not true, since we have a pact first of all with the Catholic Church, an agreement of assistance and in each barracks, in each military unit, there's a chaplain who comes for worship, mass, in addition, there's also an agreement with several evangelical or protestant churches who come on Saturday or Sunday to give talks; that's why I always in a certain form answer for or reject the accusations that say that the Armed Forces is persecuting religious groups either for questions of faith or of ideologies. I reject that by faith and ideology; what happens is that the FMLN uses the churches to cover itself, that's what's going on here. From there come the denunciations on refugees in the churches.

Perhaps we would do badly if we don't heed those denunciations; if the security groups don't heed the denunciations of the people themselves, I tell you that it's very difficult because we're in a conflict and a conflict of a very special nature that I believe is a manipulation or use of the church by the FMLN.

But let it be quite clear because we have as an Armed Force, we have a religious, Catholic, Apostolic education; that's our culture and we can't be against the principles of God.

#### Colonel Ponce:

## 15. Why in those circumstances such as conspicuous man as (Col. Benavides)?

Any simple analysis of a fact of this nature comes to the conclusion of the political and more, external consequences. Specifically speaking, they would be negative for the Government and the Armed Forces. If he took that initiative, well, really, I can't manage to understand also what led him to that. There's a clear thing in this and when the facts are in or are seen clearer they show more than words. All of us members of the High Command with the exception of the Minister are colleagues of Benavides. However, this has been possible, here the institution and the country are more important than of any of you/ yours, and to be able to reach the initial results of this investigation it has been through the collaboration and opening that the institution has given for the investigation itself.

16. Today at UCA we were told that just one colonel in the history of El Salvador (has been brought to justice).

Well, I want to tell you that from the moment of that tragedy we made contact with military authorities more or less 10 days ago; then with Father Tojeira and Father Estrada, whom I told that we were interested in reaching an end of the investigation and that is what we have done.

#### 17. Was Aviles there?

Yes, it's true, because Col. Aviles was at the meeting and has the same impression that Major Chávez Cáceres just mentioned. According to what Major Duplan says, Col. Aviles made the comments to him on December 20. Col. Aviles denies everything.

## 18. Ellacuria in positive relationship with Cristiani?

All of us here knew it because it was public; there were speeches by Father Ellacuría where the Government of President Cristiani was emphasized publicly, on television he even made some examinations of the armed institution in his last television talks. It was all public, the situation, the relationship that he had with the Government.

#### **Colonel Ponce:**

# 19. U.S. investment in time, money, training of the elite battalions, has it been a waste of time and money? Human rights?

I believe that talking sincerely here, the Armed Forces, as an institution has been advancing from zero to more. In 1980 to 1983 to talk of human rights or of the Red Cross Committee itself in a military body or public security body, was a very harsh subject; however, the same training that we've had by the American Army has let us continue advancing in this policy of respect for human rights and now we can even publish human rights documents. This is a document prepared by the General Staff and signed by the Minister of Defense on February 6, 1989, these documents contain norms to be followed by each military unit when there are arrests of civilian and military personnel; norms to follow with common crimes that have been committed with military personnel; procedure to follow in view of actions as a result of which there can be an occurrence of human rights violations. I believe the most important thing is that the High Command has tried to follow a policy of respect, promotion and protection of human rights in this country. As something that's going to strengthen the democratic process, but we can't say that we're perfect; we're in a period of improving ourselves each day and that's where the assistance part comes in. I believe that through some actions such as the one before us now, it doesn't mean that the whole institution is involved in /the/ problem. And as the journalist Rayan said, the truth is that if this case hadn't happened, the military and political defeat of the FMLN would be convincing.

#### 20. Atlacatl?

The Atlacatl action to offset the FMLN action during the November 11 offensive was very effective in the northwest zone of the capital; the important thing is that we go on correcting the bad that we do.

### Colonel Zepeda:

## 21. How long did it take to prepare the offensive?

Well, I'm going to say how much time it took the FMLN to prepare this offensive, I believe that this offensive is being prepared with complete conception because here in this there's a combination of two theses: what they call the prolonged popular war and what is a popular insurrection. A popular insurrection, preparing the objective and subjective environment so that an insurrection will come about isn't easy; it took it five years.

Since 1985 this insurrection has been being planned which had to be aborted and carried out today at the end of 1989, the logistics answering the second question, was to be prepared for the final stage for the counteroffensive as they called the final stage; we believe that it took them no less than two years. All the shipments, arms, ammunition and explosives we believe that they were coming to them from Nicaragua, through different means, air routes, maritime ones, land, no less than a year, with great intensity.

I don't know if I answered your question but the base and logistics of the FMLN continues being Nicaragua, it probably comes from Cuba, it passes through Nicaragua and then is brought into our territory, no less than 5,000 tons, 5,000 tons have been brought in for this final offensive.

-I'm very confused. The ballistic evidence in the two rifles was made on January 2 or 3.

## 22. Why the 6 or 7 weeks to learn?

## Colonel Zepeda:

Yes I believe that they were the results of two rifles and I'm not sure if it was January 3 or 4. That unit is directly under the President of the Republic. They I believe that they reported the date to you that they gave the official report to the President or High Command on the ballistic evidence.

I mean to say that the Commission does not have the formal obligation to inform us of what is done but rather has to give it to the body of which it is a part: the President and the Minister of Justice. As is logical, the inside of the Armed Forces was being investigated, it had to be through the President, through the spokesman of the Coordinator, who is Colonel Rivas; he had to request authorization in order to guide the investigation in a specific way, because he already had more scientific elements of judgment; that's why he had to meet with the High Command but that was, I think, after he had informed the

President.

#### Colonel Ponce:

#### 23 ??

The report was presented at 9:45 a.m. on January 5. Present was the President of the Republic and all the members of the High Command.

#### Colonel Ponce:

## 14. When was it completed? Why 6 or 7 weeks?

Well, I believe that it's a question that it's not my job to answer, nor his either, because we aren't members of the Commission on Criminal Acts. The only thing we're collaborating in is so that the Commission had all the opening and support in order to conduct the investigation inside the institution. There's a lot of personnel that they had to investigate, I believe that there are more than a thousand persons.

## 25. How do you imagine Colonel Benavides with 20 years of service (in a case like this one)?

We ask the same questions, we aren't psychiatrists, and however, when one begins to see the gravity, the repercussions, you don't know where the idea originated, who gave the idea, of course when the one that conceives, the one that authorizes, that is the result, it's the work for investigators, I'd like to know it.

#### 26. The American people?

We understand the concern of the American people and it's also a concern of ours; that's why we have to be fair in that investigation. If he's guilty, he has to be tried, he has to be sentenced.

Therefore the investigation continues, and that's a job for justice to find out the truth or find who generated such a macabre idea of the murder. Like you, we're concerned, we know that it's an act that can even condemn the country; if the aid to the country is suspended we don't know what's going to happen here. That's why it's important and I want to tell you one thing, the important thing is that you, the world, the people have a place of resort, for claiming, pleading for justice so that it will be investigated, and that's why we have been here more than an hour and a half, and we're trying to answer with all sincerity the doubts that you have; but here there have been 30,000, 40,000 deaths, acts also disavowable, where the FMLN is even claiming responsibility for these murders.

The American people, you as Representatives, can't go to them to file petitions or claims, you aren't going to suspend aid to them, either; that's the important thing that you know that yes, there is a place to go and we have the will so that the truth will be uncovered;

I tell you the other deaths, let God judge them; God is the Lord that has to investigate the other deaths that have remained. So we submit ourselves to justice and the justice of man and also Divine justice, let it condemn or free those that are accused.

#### Colonel Ponce:

## 27. The problem is that Colonel Ponce says that that type of action ...?

We're talking of military conduct, or we say the command unit, perhaps it would be appropriate for a team of technical people to be able to make the evaluation at the moment in which it was being experienced in the capital in order to be able to understand perhaps the reactions that there may have been in all the group that at this moment is pointed out as suspect, because how many comrades have come that are outside the country as military attaches, to tell me the military management has been wrong in this, they would have done this, well, the problem now past perfect solutions are drawn but living the problem is more difficult, of some actions that are taken; I in no way the aptitude that this group had members of this institution to carry out this murder, but the circumstances that evolved, the moment perhaps will be able to give an answer to the concerns that you are expressing at this moment.

But I'm interested in clearing up the perception that has only what I said of the Command Unit when I speak of a coherence of a unit of action or the command it's to prevent one from firing or each person wanting to do the things as he believes appropriate, but rather to face the problem in a unified manner; but as my friend states it, it gives me the impression that he believes that because of the cohesion and the unity in command that Colonel Benavides wanted to exercise for himself, he could have received that instruction.

#### Colonel Zepeda:

I want to talk of the Tandona, perhaps there's some ignorance. Actually the prestige of Tandona, the fame that has been given by the FMLN, perhaps the Tandona as such as granitic unit that one has the impression, I believe that it didn't exist. Perhaps it was when the FMLN decided to attack and ask for all the resignation of Tandona that there was a unity through an identification and we came out to the world as famous. It's true that we knew each other as a graduating class of the school, and the fact that we're at a level of strategic command is something of the moment in which it was our job to reach colonels. We in the personal, I have six or seven months of being in the position that I have; we finish our daily life within the Armed Forces, within some three more years, and the problem of the Tandona is over. Possibly before, if it's possible before, it all depends on the attrition or the errors that each one may make.

It's claimed that we were the cause or the origin of this conflict, that Tandona is the one guilty of everything happening in El Salvador. I agree that we are reaching the most difficult stage in this sad history of El Salvador, facing how one should be how every military professional must deal with it. The homeland for that has made us soldiers. That's why we understand that we're objectives of the FMLN and they point to us and want to

make use of a murder, such a lamentable event, in order to involve Tandona; and I think that here's where we have to consider that sentiment of repudiation that there is and also weigh the danger, the threat of losing a country. The American people and you have to separate those two sentiments, those two threats, those problems, I like you admire, I also regret the murder that a member of the Tandona has come out involved, we understand the great responsibility that we have.

As a member of the High Command we have authorized the Commission of Honor the inside of the Armed Forces and we were the ones interested, that that Commission of Honor be formed and there are member of Tandona and there are a lot who are outside.

#### 28. ??

Well, I don't know if I made an impression that's good or bad, I don't know I you see it good or you see it bad, to have a unit, a friendship for example such as I with Colonel Ponce, all that I believe is better for attaining an identification in the management of the military problems of the country.

## **Colonel Ponce:**

## 29. Did Colonel Benavides report any news?

He did not report any news.

#### 30. Was he asked anything?

Yes, he was asked since he was the one in charge of the zone and he answered that he didn't know anything.

## 32. Is the investigation substantially closed?

Well, Colonel Benavides judicially and extrajudicially is denying that he's participated in the work; but that's why this cleansing process of the trial and it's in the Fourth Criminal Court where the end of that investigation should be reached.

We take seriously the recommendation that you/they made and we're going to make the corresponding proposal. They are those directly responsible for conducting all investigations in the case, it's a question that we can't order i.e. it will have to be the Commission on Criminal Acts or the judge that decides if he will or will not be given the polygraph; personally I'd like to know if they are telling the truth, if they have carried out a good investigation or they haven't done it.

San Salvador, February 12, 1990

Translated by Deanna Hammond, March 9, 1990