

Handwritten notes:
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USG WOULD TRY TO DISCREDIT A WITNESS WHO MIGHT PROVIDE INFORMATION TO FURTHER THIS INVESTIGATION.

- IN THE PARTICULAR INSTANCE, THE EMBASSY, SPECIFICALLY AMBASSADOR WALKER, COOPERATED WITH THE GROUP IN EL SALVADOR, TO BRING THIS WITNESS TO SANCTUARY IN THE UNITED STATES. THIS ASSISTANCE, WHICH INCLUDED EXIT FROM EL SALVADOR (IN COOPERATION WITH THE FRENCH AND SPANISH AUTHORITIES); EASE OF ENTRY INTO THE US (WHERE SHE REQUESTED SANCTUARY), AND SECURITY AND ACCOMADATION DURING HER FIRST TEN DAYS, WAS PUT TOGETHER ON EXTREMELY SHORT NOTICE.

- THE USG IS COMMITTED TO FINDING THE TRUTH, NOT TO ANY PREDETERMINED SINGLE LINE OF INQUIRY.

3. SUGGESTIONS FOR QUESTIONS AND ANSWERS.

Q: WHY WAS LUCIA BARRERA DE CERNA BROUGHT TO THE UNITED STATE?

A: MRS. CERNA HERSELF ASKED TO COME TO THE U.S IT WAS WHAT SHE WANTED.

Q: DID AN EMBASSY OFFICER ACCOMPANY HER ON THE FLIGHT TO FLORIDA?

A: YES. THE EMBASSY LEGAL OFFICER AND AN FBI AGENT, WITH THE PERMISSION OF THE FRENCH MINISTER WHOSE AIRCRAFT WAS USED, ACCOMPANIED HER.

Q: WHO CONDUCTED THE INTERVIEWS OF MRS. CERNA?

A: THEY WERE CONDUCTED BY THE FBI IN COOPERATION WITH A SALVADORAN INVESTIGATOR IN MIAMI.

Q: WHO WAS THE SALVADORAN OFFICIAL PRESENT?

A: THE HEAD OF THE SALVADORAN SPECIAL INVESTIGATIVE

UNIT, WHICH IS RESPONSIBLE FOR CONDUCTING THE OFFICIAL INVESTIGATION, WAS PRESENT. HE TRAVELED TO FLORIDA ON A COMMERCIAL FLIGHT.

Q: IS HE A MEMBER OF THE SALVADORAN ARMED FORCES?

A: YES, HE IS AN OFFICER, A LT. COL., IN THE ARMY. HE WAS NOT IN UNIFORM.

Q: WHY WAS HE PRESENT?

A: TO OBTAIN INFORMATION THAT COULD BE USED DURING FUTURE LEGAL PROCEEDINGS IN EL SALVADOR. THOSE RESPONSIBLE FOR THE MURDERS WILL BE BROUGHT TO TRAIL IN EL SALVADOR.

Q: DID MRS. CERNA HAVE A LAWYER PRESENT DURING THE QUESTIONING?

A: NO. MRS. CERNA IS NOT A SUSPECT. THE PURPOSE OF THE INTERVIEW WAS TO DETERMINE AS MUCH USEFUL INFORMATION AS POSSIBLE TO HELP WITH THE INVESTIGATION.

Q: WAS SHE POLYGRAPHED?

A: YES, OVER A PERIOD OF THREE DAYS, SHE TOOK AT LEAST SIX POLYGRAPH TESTS.

Q: WHY SIX TESTS?

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- FM AMEMBASSY SAN SALVADOR
- TO SECSTATE WASHDC NIACT IMMEDIATE 4241
- USIA WASHDC IMMEDIATE 3857
- INFO AMEMBASSY ROME IMMEDIATE
- AMEMBASSY GUATEMALA IMMEDIATE
- AMEMBASSY SAN JOSE IMMEDIATE
- AMEMBASSY MEXICO IMMEDIATE
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- AMEMBASSY MADRID IMMEDIATE
- AMEMBASSY PARIS IMMEDIATE
- DEPT OF JUSTICE WASHDC IMMEDIATE
- DIRFBI WASHDC IMMEDIATE

UNCLAS SAN SALVADOR 15925

ROME FOR VATICAN

MEXICO FOR LEGATT

STATE FOR ARA, PA

E.O. 12356: DECL:NA
TAGS: PREL, PHUM, PGOV, ES
SUBJECT: SUGGESTED PRESS GUIDANCE ON ALLEGATIONS MADE BY ARCHBISHOP OF SAN SALVADOR THAT USG COERCED WITNESS TO JESUIT KILLINGS

1. THE FOLLOWING STATEMENT WAS READ TO THE PRESS BY PAO ON BEHALF OF AMBASSADOR WALKER ON DECEMBER 10:

I AM SADDENED THAT THE ARCHBISHOP DOES NOT BELIEVE THAT THE UNITED STATES GOVERNMENT AND HE ARE IN THE SAME QUEST FOR THE TRUTH OF WHAT HAPPENED TO, AND WHO IS RESPONSIBLE FOR, THE MURDER OF FR. ELLACURIA, HIS COLLEAGUES, AND TWO OTHER CIVILIANS. FROM THE MOMENT THAT THIS OUTRAGE OCCURED, THERE HAVE BEEN A GREAT MANY MISINFORMED AND UNSUBSTANTIATED STATEMENTS OFFERED BY PERSONS IN POSITIONS OF AUTHORITY. THE VERSION OF EVENTS SURROUNDING THE TAKING OF TESTIMONY IN FLORIDA FROM A WITNESS, THAT WAS PROVIDED TO THE ARCHBISHOP, IS INCORRECT.

2. SUGGQNTED POINTS FOR GUIDANCE:

- THE USG HAS MADE ITS COMMITMENT TO FIND THE KILLERS OF FR. ELLACURIA ABSOLUTELY CLEAR.

- WE HAVE DONE EVERYTHING POSSIBLE TO ASSIST THOSE RESPONSIBLE FOR THE OFFICIAL CONDUCT OF THIS INVESTIGATION.

- THE USG UNDERSTANDS THE RAMIFICATIONS OF THIS CASE SHOULD IT NOT BE EXPEDITIOUSLY SOLVED, AND THOSE RESPONSILBE BROUGHT TO JUSTICE. THE USG HAS MADE THIS CLEAR TO PRESIDENT CRISTIANI AND HIS GOVERNMENT.

- GIVEN THIS COMMITMENT, IT MAKES NO SENSE THAT THE

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Q: BECAUSE SHE OFFERED THREE DISTINCT VERSIONS OF WHAT SHE HEARD AND OBSERVED THE EVENING THAT THE CRIME OCCURRED.

Q: DO YOU CONCLUDE SHE WAS LYING?

A: IT IS NOT A QUESTION OF LYING. THE WITNESS MAY HAVE BEEN NERVOUS BECAUSE OF THE ENTIRE PROCEDURE, AS WELL AS THE EFFECT OF TRAVELING TO A NEW COUNTRY, MEETING WITH OFFICIALS, ETC. ALL THAT ONE CAN CONCLUDE IS THAT IT IS NOT CLEAR WHICH VERSION OF EVENTS SHE OFFERED IS THE MORE ACCURATE.

Q: WAS SHE THREATENED OR INTIMIDATED TO CHANGE HER TESTIMONY?

A: ABSOLUTELY NOT. THE PURPOSE OF THE LEGAL OFFICER ACCOMPANYING HER ON THE AIRCRAFT, AND THE PROCEDURES THAT FOLLOWED, WAS TO MAKE HER AS COMFORTABLE AS POSSIBLE.

Q: ON WHAT BASIS DO YOU BELIEVE, OR NOT BELIEVE, HER TESTIMONY?

A: IT IS NOT A QUESTION OF BELIEVING OR NOT BELIEVING. EVEN THE MOST DETAILED OF THE VERSIONS SHE OFFERED PROVIDES FEW NEW LEADS. SHE IS NOT ON TRIAL. SHE IS A COOPERATING WITNESS. THE PURPOSE WAS TO OBTAIN AS MUCH INFORMATION AS SHE MIGHT HAVE, TO ALLOW THE INVESTIGATION TO PROCEED AS QUICKLY AS POSSIBLE.

Q: WHO TOOK CARE OF HER IN MIAMI?

A: THE USG PROVIDED HER WITH FULL SUPPORT AND PROTECTION DURING HER FIRST TEN DAYS IN MIAMI.

Q: WAS SHE THREATENED WITH DEPORTATION?

A: ABSOLUTELY NOT. SHE WAS PROVIDED HUMANITARIAN PAROLE INTO THE U.S. FOR ONE YEAR, THE NORMAL PERIOD. THEREFORE, SHE IS NOT SUBJECT TO DEPORTATION, AND THIS WAS MADE CLEAR TO HER.

Q: DID MEMBERS OF HER FAMILY ACCOMPANY HER?

A: YES. HER HUSBAND AND HER DAUGHTER.

Q: WHEN DID THE USG MAKE CONTACT WITH CHURCH AUTHORITIES IN MIAMI?

A: UPON HER ARRIVAL AT MIAMI INTERNATIONAL AIRPORT, SHE WAS MET BY CHURCH AUTHORITIES.

Q: DO YOU THINK THAT SHE WAS "COACHED?"

A: WE HAVE REASON TO BELIEVE THAT PARTS OF THE TESTIMONY SHE GAVE BEFORE A JUDGE IN SAN SALVADOR HAD BEEN REHEARSED. THIS DOES NOT MEAN THAT THE INFORMATION IS INCORRECT; MERELY THAT SOMEONE COACHED HER IN HER RESPONSES.

Q: BY WHO?

A: NO COMMENT.

WALKER

ACTION
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Department of State

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INCOMING
TELEGRAM

R.

AMEMBASSY MANAGUA
AMEMBASSY SAN JOSE
AMEMBASSY TEGUCIGALPA
USCINCSO QUARRY HTS PM

UNCLAS SAN SALVADOR 14827

E. O. 12356: N/A
TAGS: PHUM, PGOV, ES
SUBJECT: REPORTS THAT SIX JESUITS, INCLUDING UCA
RECTOR ELLACURIA, KILLED

1. MEDIA AND CHURCH SOURCES REPORTS INDICATE THAT FATHER ELLACURIA, RECTOR OF THE UNIVERSITY OF CENTRAL AMERICA (UCA), AND FIVE OTHER JESUIT FATHERS WERE KILLED IN THEIR UNIVERSITY RESIDENCE THE NIGHT OF NOVEMBER 15 BY UNKNOWN ASSAILANTS. ACCORDING TO THE GOVERNMENT HUMAN RIGHTS COMMISSION, WHICH CONFIRMED THE DEATHS, THE ATTACKERS ENTERED THROUGH A GATE NEAR THE RESIDENCE, AND STRAFED THE BUILDING WITH MACHINE GUN FIRE.

2. THOSE BELIEVED KILLED ARE:

- FATHER IGNACIO ELLACURIA
- FATHER SEGUNDO MONTES, HEAD OF UCA'S CENTER FOR HUMAN RIGHTS
- FATHER ARMANDO LOPEZ
- FATHER IGNACIO MARTIN BARO, VICE RECTOR OF THE UNIVERSITY
- FATHER JUAN RAMIRO ROMERO
- FATHER LOPEZ Y LOPEZ

ALSO KILLED WERE TWO FEMALES, DESCRIBED VARIOUSLY AS THE COOK AND HER DAUGHTER OR THE WIFE AND DAUGHTER OF THE GUARD.

3. COMMENT: ELLACURIA WAS AN IMPORTANT FIGURE IN THE ONGOING POLITICAL DEBATE, GREATLY RESPECTED FOR HIS INTELLECTUAL STRENGTHS WHILE VIEWED WITH SUSPICION BY SOME SECTORS FOR HIS CLEARLY LEFTIST VIEWS. UCA, THE MOST BALANCED AND RESPECTED OF THE CAPTIOI'S UNIVERSITIES, HOUSES SEVERAL INSTITUTES AND SPONSORS PUBLICATIONS THAT ARE AMONG THE MOST ACERBIC CRITICS OF THE GOVERNMENT. MISSION WILL CONTINUE TO FOLLOW THE CASE. EMBOFFS HAVE BEEN SENT TO THE SCENE AND THE SIU HAS ALREADY BEGUN LOOKING

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WALKER

REVIEWED by OJO DATE APR 10 1990

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END INFORMAL TRANSLATION

3. SPANISH TEXT OF APPLICABLE PORTION OF THE HOMILY:

BEGIN TEXT:

...DE FUENTES ECLESIASTICAS FIDEDIGNAS FUI INFORMADO EN MIAMI EL LUNES 4 DE DICIEMBRE DE QUE LA TESTIGO LUCIA BARRERA DE CERNA MUJER TRABAJADORA Y SENCILLA ENCARGADA DE LA LIMPIEZA DE LA RECTORIA DE LA UCA Y QUE CON ENTEREZA AND LIBREMENTE TESTIFICO DE LO QUE HABIA VISTO Y OIDO LA NOCHE DE LA NEFASTA MATANZA, EN VES DE SER PROTEGIDA COMO LO HABIAN PROMETIDO LOS PERSONEROS DE LA EMBAJADA DE LOS ESTADOS UNIDOS EN EL SALVADOR, FUE SOMETIDA EN AQUEL PAIS A UN AUTENTICO LAVADO DE CEREBRO Y AL CHANTAJE DE QUE SERIA DEPORTADA SI NO DECIA LA VERDAD, SEGUN EL ABOGADO DE LOS JESUITAS, SCOTT GREATHEAD EL INTERROGATORIO A QUE LA SRA. DE CERNA FUE SOMETIDA, FUE AGRESIVO Y VIOLENTO, DESPUES DE ESTE TORMENTO PSICOLOGICO LA SRA. DE CERNA VACILO Y RETRACTO LO DECLARADO EN EL SALVADOR, AFORTUNADAMENTE LIBRE YA DE LA PRESION DE SUS PROTECTORES ENTRE COMILLAS HA VUELTO POR LOS FUEROS DE LA VERDAD.

END APPLICABLE PORTION OF THE HOMILY.

4. THE ARCHBISHOP'S STATEMENTS ARE AT BEST ILL-INFORMED. SEPTELS REPORT ON MS. DE CERNA'S TRIP TO THE U.S. WITH THE EMBASSY L/O, AND SUGGESTED PRESS GUIDANCE. WALKER

ONE IMMEDIATE

- AMEMBASSY GUATEMALA IMMEDIATE
- AMEMBASSY SAN JOSE IMMEDIATE
- AMEMBASSY MANAGUA IMMEDIATE
- AMEMBASSY TEGUCIGALPA IMMEDIATE
- AMEMBASSY MADRID IMMEDIATE
- AMEMBASSY PARIS IMMEDIATE
- AMEMBASSY MEXICO IMMEDIATE
- DEPT OF JUSTICE WASHDC IMMEDIATE
- DIRFBI WASHDC

UNCLAS SAN SALVADOR 15933

ROME FOR VATICAN

FOR A/S ARONSON

E.O. 12356: DECL: NA
TAGS: PREL, PHUM, PGOV, ES
SUBJECT: ARCHBISHOPS' HOMILY ALLEGES USG THREATENED AND BRAINWASHED CHURCH WITNESS TO JESUIT KILLINGS

1. IN HIS DECEMBER 18 HOMILY ARCHBISHOP RIVERA DAMAS WAS VERY CRITICAL OF THE USG'S HANDLING OF LUCIA BARRERA DE CERNA, THE CHURCH'S WITNESS IN THE CASE OF THE JESUIT KILLINGS. RIVERA DAMAS CHARGED THAT THE CHURCH'S WITNESS, WHO IN EL SALVADOR HAD SAID THAT "ARMED SOLDIERS" HAD COMMITTED THE KILLINGS, HAD BEEN INTIMIDATED INTO CHANGING HER TESTIMONY WHEN QUESTIONED BY USG OFFICIALS. RIVERA DAMAS ACCUSED THE USG OF "AGGRESSIVE AND VIOLENT INTERROGATION," "BRAINWASHING," AND "PSYCHOLOGICAL TORMENT" TO GET THE WITNESS TO RECAT. HE CONCLUDED SAYING THAT NOW THAT THE WITNESS WAS UNDER THE PROTECTION OF THE CHURCH IN THE U.S., SHE HAD RETURNED TO THE "TRUE" VERSION OF THE EVENTS.

2. FOLLOWING IS AN INFORMAL EMBASSY TRANSLATION OF THE APPLICABLE PORTIONS OF THE HOMILY AS WELL AS THE SPANISH TEXT OF THE SAME.
BEGIN INFORMAL EMBASSY TRANSLATION:

...ON DECEMBER 4TH, RELIABLE CHURCH SOURCES TOLD ME IN MIAMI THAT THE WITNESS (OF THE JESUIT KILLINGS), LUCIA BARRERA DE CERNA, A SIMPLE HARDWORKING CLEANING WOMAN IN THE UCA WHO FREELY TESTIFIED AS TO WHAT SHE SAW AND HEARD THE NIGHT OF THE NEFARIOUS MASSACRE, RATHER THAN BE PROTECTED AS PROMISED BY OFFICIALS OF THE U.S. EMBASSY IN SAN SALVADOR WAS SUBJECTED, IN THAT COUNTRY, TO AN ACTUAL BRAINWASHING AND TO THREATS OF DEPORTATION UNLESS SHE TOLD THE TRUTH. ACCORDING TO THE JESUIT'S LAWYER (IN MIAMI), SCOTT GREATHEAD HER INTERROGATION WAS AGRESIVO AND VIOLENTO. AFTER THIS PSYCHOLOGICAL TORMENT, MRS. CERNA WAVERED AND RETRACTED WHAT SHE HAD DECLARED IN EL SALVADOR. FORTUNELY, FREE OF THE PRESSURE OF HER QUOTE PROTECTORS UNQUOTE, SHE HAS NOW RETURNED TO THE TRUTH.

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5. COMMENT: TOJEIRA'S PUBLIC DEFENSE REVEALS THE EXTREME SENSITIVITY THAT MANY AT THE UCA FEEL OVER SUCH CHARGES AGAINST THE DEAD PRIESTS AND THE THREAT THAT MANY CONTINUE TO FEEL EXISTS AGAINST THEM. AT LEAST ONE UCA PROFESSOR TOLD POLOFF THAT THERE IS A CONCERTED EFFORT BY THE EXTREME RIGHT, INCLUDING ELEMENTS IN THE GOVERNMENT, TO INTIMIDATE AND SILENCE THE PEOPLE ASSOCIATED WITH THE UCA. APPARENTLY, THESE TWO PRENSA GRAFICA EDITORIALS HIT A VERY SENSITIVE NERVE.
DIETERICH

TO SEC.
INFO AMEMBASSY
AMEMBASSY TEGUCIGALPA
AMEMBASSY ROME
USCINCSO QUARRY HTS PM
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UNCLAS SAN SALVADOR 00036

ROME PASS TO THE VATICAN

E.O. 12356: DECL/OADR
TAGS: PHUM, ES
SUBJECT: JESUITS RESPOND TO OP-ED CHARGES

1. SUMMARY: ON DECEMBER 28 THE PRENSA GRAFICA NEWSPAPER PUBLISHED A LETTER FROM JESUIT PROVINCIAL JOSE MARIA TOJEIRA. IN THE LETTER HE RESPONDS TO TWO EDITORIAL PIECES IN THE DECEMBER 21 PRENSA GRAFICA EDITION WHICH ACCUSED THE PRIESTS OF BEING GUERRILLA SYMPATHIZERS AND OF A CRITICISM OF "PRIVATE" INVESTIGATIONS OF THEIR MURDERS. TOJEIRA'S LETTER VIGOROUSLY ANSWERED THE CHARGES THAT THE MURDERED PRIESTS WERE NEO-MARXISTS AND THAT THE ORDER DID NOT HAVE THE RIGHT TO INVESTIGATE THEIR MURDERS.
END SUMMARY

2. TOJEIRA COUNTERED PUBLISHED CHARGES IN THE DECEMBER 21 PRENSA GRAFICA EDITION THAT THE MURDERED PRIESTS WERE MARXIST GUERRILLA SYMPATHIZERS BY STATING THAT THEIR MISSION IN EL SALVADOR HAD BEEN ONE OF "SEEKING TO MEDIATE IN AN EFFORT TO FIND PEACE WITH JUSTICE." IN THAT ROLE, HE SAID, THE DEAD PRIESTS HAD TRIED TO TALK WITH DIFFERENT SECTORS IN THE CONFLICT. FINALLY HE DEBUNKS THE CHARGE THE FATHER ELLACURIA WAS A MARXIST BY POINTING OUT THAT ELLACURIA'S PHILOSOPHICAL BACKGROUND EMANATED FROM THE TEACHINGS OF THE SPANISH PHILOSOPHER ZUBIRI. THIS "ZUBIRIAN" INCLINATION WAS WELL-KNOWN INTERNATIONALLY AND TO ALLEGE THAT ELLACURIA WAS A MARXIST IS TO REVEAL IGNORANCE AND LACK OF UNDERSTANDING OF HIS INTELLECTUAL POSITIONS.

3. ACCORDING TO TOJEIRA'S LETTER, THE CENTRAL AMERICAN UNIVERSITY (UCA) IS NOT AN INTELLECTUAL CENTER FOR THE GUERRILLA CAUSE, BUT A UNIVERSITY THAT "COURAGEOUSLY FOLLOWS THE CHURCH'S SOCIAL DOCTRINE". TOJEIRA CONCLUDED BY STATING THAT SIMILAR STATEMENTS WHICH WERE PUBLISHED IN THE MEDIA BEFORE THE DEATHS OF THE JESUITS "PARTLY PROMOTED THEIR MURDER" AND "THEREFORE WE CONSIDER THEIR REPETITION TO BE A VERY SERIOUS MATTER."

4. TOJEIRA SAID THAT IN A CASE LIKE THIS ONE (THE JESUIT'S MURDERS) THE AGGRIEVED PARTY HAS RIGHT TO INVESTIGATE FULLY AND THAT "NO ONE HAS THE RIGHT TO

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DEPARTMENT OF STATE
ARA/NEA REARCS

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UNCLAS SAN SALVADOR 00127

E. O. 12356: DECL: OADR
TAGS: PHUM, PGOV, PINS, KJUS, ES
SUBJECT: JESUIT MURDERS - PROGRESS REPORT NO. 13

1. THIS IS THE THIRTEENTH PROGRESS REPORT ON THE INVESTIGATION INTO THE JESUIT KILLINGS. THIS REPORT COVERS THE DEVELOPMENTS OF JANUARY 3-JANUARY 4.

2. THE JUDGE AND PROSECUTORS REVIEWED THE REPORT SUBMITTED BY COL. RENE EMILIO PONCE, ARMED FORCES CHIEF OF STAFF, ON THE DISPOSITION OF FORCES ON THE NIGHT OF NOVEMBER 15/16. NEXT WEEK, THEY WILL CALL SOLDIERS FROM THE UNITS NAMED IN COL. PONCE'S REPORT TO GIVE THEIR OFFICIAL TESTIMONY. THE COURT HAS BEGUN TO RECEIVE THE TESTIMONY TAKEN BY THE SPECIAL INVESTIGATIVE UNIT (SIU) AND IS INCORPORATING SAME INTO THE OFFICIAL COURT RECORD.
WALKER

DEPARTMENT OF STATE A/CDC/MR

APR 10 1990

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6. PENDING APPOINTMENTS:

--ROBERTO D'AUBUISSON

--A COMBINED MEETING WITH ARCHBISHOP RIVERIA Y DAMAS,
MARIA JULIA HERNANDEZ, FATHER TOJIERA,
FATHER ESTRADA.

--PRESIDENT ALFREDO CRISTIANI.

--A MEETING WITH MS. JEMERA RONE, AMERICAS WATCH, IS NOT
POSSIBLE. SHE IS OUT OF THE COUNTRY AND WILL NOT RETURN
UNTIL AFTER STAFFDEL LEAVES.

7. SHOULD ANY OF THESE PENDING APPOINTMENTS COME THROUGH
AT THE LAST MINUTE, WE WILL FIT THEM INTO THE STAFFDEL'S
SCHEDULE.

8. AS PER REFTEL 4, STAFFDEL CAN GO TO ANY MEETINGS THEY
WANT WITHOUT ANY EMBASSY OFFICER PRESENT. EMBASSY SEES NO
PROBLEM WITH MEETING ANY OF THE REQUESTS MADE IN
REFTELS 2 AND 3.

9. PLEASE SEND FISCAL DATA SOONEST.

10. PLEASE SEND MILITARY AIR CLEARANCE MESSAGE ASAP.
PLEASE ADVISE SOONEST IF THERE ARE ADDITIONS/DELETIONS TO
THE PARTY OR CHANGES IN ARRIVAL/DEPARTURE TIMES.

11. PLEASE CALL RICHARD J. CHIDESTER, LEGAL OFFICE (OFFICE
TEL: 503/26-7100, EXT. 2302, DIRECT LINE: 503/266736,
HOME PHONE 503/23-5484) WITH ANY CHANGES OR FURTHER
INSTRUCTIONS. *(Protect)*
WALKER

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DEPT FOR H AND ARA/CEN/ES
NAVY FOR OLA GERALD MORE, MILITARY LIAISON

E.O. 12356: N/A
TAGS: OREP, ASEC, ES
SUBJECT: STAFFDEL O'NEIL - NOTIONAL SCHEDULE

REF: 1) STATE 410277, 2) TELCON MEJIA-MORE 01/04/89,
3) TELCON CHIDESTER-MORE 01/05/89,
4) TELCON MOAKLEY-AMBASSADOR 01/05/89

1. THIS IS AN ACTION MESSAGE. PLEASE SEE PARAS 9-11.

2. THE FOLLOWING IS A TENTATIVE SCHEDULE FOR STAFFDEL
O'NEIL BASED ON REFTELS 1, 2 AND 3.

3. MONDAY, JANUARY 8, 1990

- 1120 ARRIVE AT ILOPANGO AIR BASE. CONTROL OFFICER
- WILL MEET AND GREET.
- 1230 MEETING WITH AMBASSADOR AND DCM
- 1400 LUNCH WITH LEGAL OFFICER
- 1600 BRIEFING AT SPECIAL INVESTIGATIVE UNIT. CONTROL
- OFFICER WILL ATTEND.
- 1800 RETURN TO HOTEL TO PREPARE FOR DINNER
- 1930 DINNER AT RESIDENCE OF DEPUTY CHIEF OF MISSION

4. TUESDAY, JANUARY 9, 1990

- 0900 MEETING WITH MILITARY LEADERS AT ESTADO MAYOR
- 1100 MEETING WITH ATTORNEY GENERAL IN HIS OFFICE
- 1300 LUNCH WITH RICHARD CHIDESTER AT CAMINO REAL
- 1500 MEETING WITH EXECUTIVE SECRETARY OF GOVERNMENT
- HUMAN RIGHTS COMMISSION IN HIS OFFICE

5. WEDNESDAY, JANUARY 10, 1990

- 0800 MEETING WITH JUDGE ZAMORA IN HIS OFFICE
- 1000 MEETING WITH ECON/R
- 1200 LUNCH WITH DEFENSE ATTACHE'S OFFICE
- 1400 MEETING WITH PRESIDENT CRISTIANI

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JUDICIAL PROCESS WILL FORTIFY THE DEMOCRATIC PROCESS AND GIVE THE COUNTRY A MORE POSITIVE IMAGE IN THE INTERNATIONAL COMMUNITY. HE ADDED THAT THE RESULTS OF THE INVESTIGATION SHOULD SERVE TO ESTABLISH GREATER CONTROL OF THE ESAF.

4. OFFICIAL REACTION FROM THE JESUIT COMMUNITY WAS QUICK AS WELL. FATHER JOSEPH GERHARD, SPOKESMAN FOR THE JESUITS IN ROME, INDICATED THAT THE ENTIRE COMMUNITY, AND ESPECIALLY THEIR REPRESENTATIVES IN EL SALVADOR, WERE GLAD THAT PRESIDENT CRISTIANI HAD RECOGNIZED THAT MEMBERS OF THE ESAF HAD BEEN INVOLVED IN THE MURDERS. HE ADDED THAT THE PRESIDENT'S DISCLOSURE CONFIRMED SUCH EARLIER JESUIT SUSPICIONS.

5. ARMED FORCES CHIEF OF STAFF COL. RENE EMILIO PONCE ANNOUNCED, JANUARY 8, THAT 47 SOLDIERS AND TWO OFFICERS HAVE BEEN CONFINED TO QUARTERS TO AWAIT FURTHER QUESTIONING AFTER EVIDENCE WAS UNCOVERED LINKING THEM TO THE JESUIT MURDERS. PONCE SAID THAT IT WAS TOO EARLY TO PASS JUDGEMENT ON THE SOLDIERS AND THAT HE WANTED TO WAIT UNTIL ALL OF THEIR TESTIMONY HAD BEEN HEARD. PONCE ADDED THAT AS OF YET THE EVIDENCE DID NOT POINT TO ONE SINGLE PERSON. WALKER //

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TO SECSTATE WASHDC IMMEDIATE 4910
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AMEMBASSY MADRID
AMEMBASSY BONN
AMEMBASSY CARACAS
USCINCSO QUARRY HTS PM

UNCLAS SAN SALVADOR 00295

ROME ALSO FOR THE VATICAN
USCINCSO ALSO FOR POLAD

E.O. 12356: N/A
TAGS: PGOV, PREL, PHUM, ES
SUBJECT: PRESIDENT ANNOUNCES IDENTIFICATION OF
- MILITARY SUSPECTS IN JESUIT CASE; REACTION
- IS POSITIVE

REF: SAN SALVADOR 215

1. SUMMARY: IN A TELEVISED SPEECH JANUARY 7, PRESIDENT CRISTIANI ANNOUNCED THAT 47 SOLDIERS AND TWO OFFICERS WERE BEING HELD FOR QUESTIONING REGARDING THE JESUIT MURDERS. REACTION TO THE ANNOUNCEMENT WAS SWIFT AND POSITIVE. PDC SEGGEN FIDEL CHAVEZ MENA SUPPORTED THE PRESIDENT'S POSITION AND HOPED FOR STRONGER CONTROLS ON THE MILITARY. JESUIT LEADERS IN ROME WERE RELIEVED THAT PRESIDENT CRISTIANI RECOGNIZED THE ROLE OF THE ESAF IN THE CRIME. ARMED FORCES CHIEF OF STAFF COL. RENE EMILIO PONCE CONFIRMED THAT THE SOLDIERS AND OFFICERS WERE BEING HELD PENDING FURTHER QUESTIONING. END SUMMARY.

2. IN A BRIEF JANUARY 7 TELEVISED MESSAGE, PRESIDENT CRISTIANI ANNOUNCED THAT EVIDENCE HAD BEEN UNCOVERED LINKING SOME ELEMENTS OF THE ARMED FORCES TO THE NOVEMBER 16 MURDERS OF SIX JESUIT PRIESTS, THEIR COOK, AND THE COOK'S YOUNG DAUGHTER. (THE BREAK IN THE CASE CAME THROUGH EXAMINATION OF EVIDENCE LEFT AT THE SCENE -- SEE REFTEL.) HE SAID THAT AS A RESULT OF THESE FINDINGS, A SPECIAL HONOR TRIBUNAL MADE UP OF DISTINGUISHED SALVADORAN JURISTS AND HIGH RANKING MILITARY OFFICIALS WOULD BE CONVOKED TO INSURE THE PURITY OF THE JUDICIAL PROCESS.

3. PUBLIC REACTION TO PRESIDENT CRISTIANI'S SPEECH HAS BEEN SWIFT AND POSITIVE. CHRISTIAN DEMOCRATIC PARTY (PDC) SEGGEN FIDEL CHAVEZ MENA ISSUED A STATEMENT, JANUARY 8, SUPPORTING THE PRESIDENT'S EFFORTS TO RESOLVE THE CASE. CHAVEZ MENA SAID THAT ACHIEVING A RESOLUTION TO THE CASE THROUGH THE

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TS authority to: _____, OADR
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 DOWNGRADE TS to () S or () C, OADR

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SECRET

ARA FOR A/S ARONSON; ARA/CEN

FBI HQ FOR MARTY HALE, OLIA

[REDACTED]
E. O. 12356: DECL: OADR
TAGS: PHUM, PGOV, PINS, KJUS, ES
SUBJECT: JESUIT MURDERS - PRESIDENT CRISTIANI TO
- ANNOUNCE UP TO TEN ARRESTS

1. **[REDACTED]** - ENTIRE TEXT.

2. THE SPECIAL INVESTIGATIVE UNIT (SIU) NOW HAS IDENTIFIED ALL MURDER WEAPONS AND THE PEOPLE WHO USED THEM TO MURDER THE SIX JESUIT PRIESTS, THEIR HOUSEKEEPER, AND HER 15-YEAR OLD DAUGHTER ON THE NIGHT OF NOVEMBER 15/16, 1989.

3. PRESIDENT CRISTIANI IS EXPECTED TO MAKE AN ANNOUNCEMENT THIS EVENING OF UP TO TEN ARRESTS IN THE CASE. EMBASSY BELIEVES THAT AMONG THOSE ARRESTED ARE FOUR TRIGGERMEN, TWO LIEUTENANTS, AND THE COLONEL WHO ALLEGEDLY GAVE THE ORDER THAT LED TO THE MURDERS. WALKER

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DEPARTMENT OF STATE

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E. O. 12356: DECL: OADR
TAGS: PREL. PINS. PGOV. ES
SUBJECT: JESUIT CASE: CRISTIANI PRESS CONFERENCE

1. PRESIDENT CRISTIANI ADDRESSED THE NATION TODAY AT 1500 HRS TO REVEAL DEVELOPMENTS IN THE INVESTIGATION INTO THE JESUIT MURDERS. HE CHARACTERIZED THE INVESTIGATION TO DATE AS ONE PHASE IN A PROCESS WHICH WILL INCLUDE CONSIGNING ACCUSED TO THE CIVILIAN COURTS FOR A DETERMINATION OF GUILT OR INNOCENCE. HE DESCRIBED THE FORMATION OF THE MILITARY SPECIAL HONOR BOARD AND ANNOUNCED IT HAD FINISHED ITS WORK AND NAMED NINE MILITARY OFFICERS AND ENLISTED MEN FOR CONSIGNMENT TO THE CIVILIAN COURTS. THE NINE ARE FROM THE ATACATL WITH THE EXCEPTION OF ONE SUB. LIEUTENANT WHO WAS ASSIGNED TO THE MILITARY SCHOOL; THE ACCUSED ARE:

- 1. COL. GUILLERMO ALFREDO BENEVIDES MORENO. COMMANDANT OF THE MILITARY SCHOOL
- 2. LT. SHJUY RENE MENDOZA VALLECIOS
- 3. LT. JOSE RICARDO ESPINOZA GUERRA
- 4. SUB. LT. GONZALO GUEVARRA CERRITOS
- 5. SUB. LT. ANTONIO RAMIRO AVALOS VARGAS
- 6. SUB. LT. TOMAS ZAPATE CASTILLO
- 7. CPL. ANGEL PEREZ VASQUEZ
- 8. PVT. OSCAR ARMANDO AMAYA GREMALDI
- 9. PVT. JORGE ALBERTO SIERRA ASENCIO

2. OF THE NINE, EIGHT ARE IN CUSTODY AND ONE, PRIVATE. JORGE ALBERTO SIERRA ASENCIO, IS REPORTED TO HAVE DESERTED AT THE END OF DECEMBER. THE PRESIDENT ALSO NAMED THE COMMISSION ON INVESTIGATIONS, CIHD, AS AN AUXILIARY ORGAN OF THE CIVILIAN COURT TO COLLECT AND PRESENT EVIDENCE IN SUPPORT OF THE PROSECUTION.

3. COMMENT: WE UNDERSTAND THAT THE CIVILIAN COURT HAS THREE DAYS NOW TO DECIDE WHETHER THE CASE HAS MERIT AND PROCEED WITH A PROSECUTION OR TO RELEASE THE PRISONERS.
WALKER

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"THE GROUP DOES NOT CARRY THE SIN OF THE INDIVIDUAL"

"IT WAS A MATTER OF NATIONAL SURVIVAL TO INVESTIGATE AND TRY (THOSE RESPONSIBLE FOR) THE KILLINGS OF THE SIX SPANISH JESUITS AND THEIR DOMESTIC HELP, AS IS THE CONTINUING PERSECUTION OF ORGANIZED CRIMINALITY AND THE CLARIFICATION, AS SOON AS POSSIBLE, OF WHO IS RESPONSIBLE FOR THE ASSASSINATIONS AND THE DESTRUCTION THAT HAS VICTIMIZED THE SALVADORAN PEOPLE OVER THE LAST 20 YEARS."

"THE FACT THAT THE NAMES OF THOSE ALLEGEDLY INVOLVED IN THE MASSACRE ARE NOW KNOWN IS AN ACHIEVEMENT OF UTMOST IMPORTANCE TO THE POLITICAL STABILITY OF THE NATION. PRESIDENT CRISTIANI DESERVES THE SUPPORT OF ALL CITIZENS FOR THE DILIGENCE HE HAS SHOWN IN THIS INVESTIGATION."

"THE TIME HAS COME TO GO BACK TO THE JURISDICTION OF LAW AND REBUILD PUBLIC MORALITY. THE TRIAL OF THOSE RESPONSIBLE FOR THE UCA (UNIVERSIDAD CENTROAMERICANA) MASSACRE SHOULD GO SIDE BY SIDE WITH THE ERADICATION OF THE TERRORIST MOVEMENTS. THAT DOES NOT EXCLUDE OFFERING, TO THOSE SEDITIOUS ELEMENTS NOT GUILTY OF BLOOD CRIMES, THEIR INCORPORATION INTO THE CIVILIAN SOCIETY ONCE THEY RENOUNCE VIOLENCE AS A MEANS TO OBTAIN POWER."

(...) "THE TRIAL IS AGAINST THE INDIVIDUALS RESPONSIBLE FOR A TERRIBLE CRIME, NOT AGAINST THE GOVERNMENT OR AGAINST THE ARMED FORCES. TO PRETEND THE CONTRARY AND ARGUE THAT WHEN A GROUP OF OFFICERS AND SOLDIERS FALL INTO CRIME, THE SALVADORAN PEOPLE AS A WHOLE BECOME HOSTAGE TO THEIR ACTS, CONSTITUTES A CONCEPTUAL AND HISTORIC PERVERSITY.... THE

HORRIBLE PERSECUTIONS AND MASSACRES PERPETRATED BY THE NAZIS OF HITLER OR THE COMMUNISTS DERIVED FROM JUST SUCH A TENDENCY TO MAKE GUILTY AN ENTIRE CLASS OR NATION OF THE REAL OR IMAGINED WRONGS OF CERTAIN INDIVIDUALS. THAT CONCEPTUAL ABERRATION LED TO THE MURDER AND ELIMINATION OF HUNDREDS OF JEWS, RUSSIANS, AND CHINESE..." JACOBS

FM AMEMBASSY SAN SALVADOR
TO USIA WASHDC PRIORITY 3947
INFO SECSTATE WASHDC 5143
AMEMBASSY GUATEMALA
AMEMBASSY MEXICO
AMEMBASSY SAN JOSE
AMEMBASSY TECUCIGALPA
USCINCSO QUARRY HTS PM

UNCLAS SAN SALVADOR 00758

USIA FOR P/G, P/PFL, P/M, UGA/BRL, AR
STATE FOR ARA/P, ARA/CEN, PA
AMEMBASSY FOR IO/PAO
SOUTHCOM FOR PAO

E.O. 12356: N/A
SUBJECT: MEDIA REACTION: JESUIT CASE

1. HEADLINES AND EXCERPTS FOLLOW FROM LOCAL NEWSPAPER EDITORIAL REACTION TO THE ARRAIGNMENT OF THE MILITARY PERSONNEL INVOLVED IN THE ASSASSINATION OF THE SIX JESUIT PRIESTS.

2. JAN 17 LEADING DAILY "LA PRENSA GRAFICA" (CONSERVATIVE, 105,000):

EDITOPIAL'S HEADLINE: "NAMES, AT LAST"

"AFTER A TENSE WAIT SINCE PRESIDENT CRISTIANI PUBLICLY STATED THAT THE INVESTIGATIONS SHOWED THAT MEMBERS OF THE ARMED FORCES WERE INVOLVED IN THE KILLINGS OF THE JESUITS... (CRISTIANI) READ A STATEMENT WHICH CONTAINED THE NAMES OF THOSE INVOLVED: A COLONEL, TWO LIEUTENANTS, A SECOND LIEUTENANT, TWO SERGEANTS, A CORPORAL AND TWO SOLDIERS."

(...) "THE PRESIDENT'S CONCRETE ANNOUNCEMENT TOOK PLACE AFTER MANY SPECULATIONS... AND ALSO AFTER THE VISIT TO THE COUNTRY OF SENATORS DODD AND WARNER, WHO... RECOGNIZED THE WILL SHOWN BY THE PRESIDENT IN SOLVING THE CRIME, AND PRAISED HIS COURAGE."

"THE ATTITUDE OF THE GOVERNMENT TOWARD THE JESUIT CASE IS A HIGHLY IMPORTANT STEP FORWARD. SOME WILL SAY THAT THAT ATTITUDE IS A PRODUCT OF EXTERNAL PRESSURE AND OF THE NEED TO MAINTAIN THE (FOREIGN) AID. OTHERS COULD SAY THAT THERE IS ANOTHER LAYER (OF FACTS IN THE CRIME) THAT HAS NOT BEEN REACHED... BUT THE FACT IS THAT THERE HAS BEEN AN INVESTIGATION, THAT THIS ANNOUNCEMENT, AS THE PRESIDENT SAID, IS ONLY 'A PHASE OF THE INVESTIGATION', AND THAT SOMETHING LIKE THIS HAS NEVER HAPPENED BEFORE IN THE COUNTRY. THAT HAS TO CREATE TRUST IN OUR INSTITUTIONS."

3. SECOND LEADING DAILY "EL DIARIO DE HOY" (ULTRA CONSERVATIVE, 27,000):

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TO SECSTATE WASHDC IMMEDIATE 5263
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UNCLAS SAN SALVADOR 00981

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN; ARA AS ARONSON

E.O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE; UPDATE TWENTY-FOUR

1. DEFENSE LAWYERS TODAY (JANUARY 22) FILED A HABEAS CORPUS PETITION DEMANDING THE RELEASE OF ALL EIGHT PRISONERS ON THE GROUND THAT THE ORDER OF PROVISIONAL DETENTION WAS NOT FILED WITHIN THE REQUIRED 72 HOURS. ALSO, THE RELEASE OF COLONEL GUILLERMO ALFREDO BENAVIDES MORENO, IN PARTICULAR, WAS DEMANDED ON THE ADDITIONAL GROUND THAT HE HAD BEEN IMPLICATED IN THE CRIME BY ACCOMPLICES AND UNDER SALVADORAN LAW ACCOMPLICES CANNOT TESTIFY AGAINST EACH OTHER.

2. ACCORDING TO THE DEFENSE LAWYERS, THE JUDGE MUST NOW INFORM THE PROSECUTORS AT THEIR NEXT MEETING (SCHEDULED FOR JANUARY 23) OF THE DEFENSE'S MOTION. THE JUDGE MUST THEN ASK THE PROSECUTORS FOR THEIR COUNTERARGUMENTS AND RULE ON THE DEFENSE'S MOTION WITHIN 72 HOURS (JANUARY 26).

3. BOTH THE DEFENSE AND THE PROSECUTION CAN APPEAL THE JUDGE'S DECISION TO THE APPEALS COURT (CHAMBER OF THE SECOND INSTANCE, CAMARA DE LA SEGUNDA INSTANCIA). THE APPEALS COURT THEN HAS ANOTHER 72 HOURS IN WHICH TO MAKE THEIR DECISION. SHOULD THE DEFENSE'S MOTION SUCCEED, THE PRISONERS WOULD BE FREED, BUT THE TRIAL WOULD GO FORWARD ANYWAY.

4. ACCORDING TO MEDIA REPORTS, COL. BENAVIDES IS BEING HELD BY THE NATIONAL GUARD WHILE THE OTHER SEVEN PRISONERS ARE BEING HELD BY THE NATIONAL POLICE AND OTHER SECURITY FORCES.

5. FATHER JOSE MARIA TOJIERA, THE PROVINCIAL JESUIT, REACTED TO THE JUDGE'S PLACING EIGHT SOLDIERS UNDER PROVISIONAL DETENTION BY SAYING: "WE BELIEVE THAT THE INVESTIGATION IS NOT OVER AND THERE SHOULD BE AN ADDITIONAL INVESTIGATION INTO HIGHER-LEVEL COMPLICITY IN THE PLANNING OF THE MURDERS. WE FIND IT STRANGE THAT ONLY ONE COLONEL COULD DECIDE TO COMMIT THIS KIND OF CRIME, ESPECIALLY A COLONEL WITH A REPUTATION FOR CAUTION." HE ADDED THAT THERE IS MORE THAN SUFFICIENT PROOF IN THE SOLDIERS' TESTIMONY AND BALLISTICS EVIDENCE TO PROVE HIGHER-LEVEL INVOLVEMENT. (COMMENT: FATHER TOJIERA HAS BEEN FULLY BRIEFED BY THE SIU ON THE INVESTIGATION; HE HAS NOT SHARED WITH US ANY ADDITIONAL INFORMATION WHICH WOULD SUBSTANTIATE HIS CLAIM THAT THERE IS

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TO SECSTATE WASHDC IMMEDIATE 5270
DIRFBI WASHDC PRIORITY

UNCLAS SAN SALVADOR 01006

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE TWENTY-FIVE

1. THROUGH ITS CLANDESTINE RADIO BROADCAST, THE FARABUNDO MARTI FRONT FOR NATIONAL LIBERATION (EL FRENTE FARABUNDO MARTI PARA LA LIBERACION NACIONAL, FMLN) REACTED TO JUDGE ZAMORA'S PLACING OF EIGHT SOLDIERS UNDER PROVISIONAL DETENTION.

2. THE REBEL RADIO ANNOUNCED THAT THE UNITED STATES WANTS TO BRING THE JESUIT CASE TO TRIAL, BUT ONLY TO ASSURE THE CONTINUANCE OF MILITARY AID AND NOT TO "UNCAP THE SEWER OF THE SALVADORAN ARMY'S COMPLICITY IN THE CRIME."
WALKER

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PAGE 02 OF 02 SAN SA 01039 00 OF 02 260530Z 031440 06053
(LIBERATION ARMED FORCES OF THE FMLN -- USIS)
CLAIMED RESPONSIBILITY FOR BOTH CRIMES, AND IT IS
ALSO OBLIGATED TO PUNISH THOSE IN ITS RANKS WHO HAVE
COMMITTED ANY OTHER CRIMES, EVENTHOUGH IT HAS NOT
PUBLICLY TAKEN RESPONSIBILITY FOR THEM."

7. (...) "VARIOUS LOCAL OPPOSITION LEADERS AND
FOREIGN POLITICAL FIGURES HAVE POINTED OUT THAT IF
PRESIDENT CRISTIANI CONDUCTS THE INVESTIGATIONS UNTIL
THE ULTIMATE RESPONSIBLE PARTIES ARE TRIED AND
PUNISHED, HE WOULD HAVE GRABBED FROM THE FMLN ONE OF
ITS PRINCIPAL BANNERS OF STRUGGLE. THIS IS A CLEAR
EXAMPLE OF WHY WE STATE THAT THE FMLN REPRESENTS THE
BIGGEST CHALLENGE FOR THE SO-CALLED SALVADORAN
DEMOCRACY. TO THE EXTENT THAT CRISTIANI'S GOVERNMENT
ALLOWS THE VIOLATION OF HUMAN RIGHTS AND THE
MILITARY'S EXCESSES UNDER THE PRETEXT OF
COUNTERINSURGENCY EFFICIENCY, THE FMLN'S STRUGGLE
WILL HAVE GREATER REASON OF BEING, GREATER POPULAR
SUPPORT AND, THEREFORE, GREATER HISTORICAL VALIDITY.
'A CONTRARIIS', NOTHING CAN BE AS LETHAL TO THE
INSURGENT PROJECT AS A GOVERNMENT THAT, ASIDE FROM
HAVING BEEN ELECTED LEGITIMATELY, MANIFESTS IN ITS
ACTIONS A SERIOUS COMMITMENT TO HUMAN RIGHTS AND
OTHER DEMANDS OF DEMOCRACY." JACOBS

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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 5384
DIRFBI WASHDC PRIORITY

~~CONFIDENTIAL~~ SAN SALVADOR 01226

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE TWENTY-EIGHT

1. ~~CONFIDENTIAL~~ - ENTIRE TEXT.

2. CONTRARY TO EXPECTATIONS, JUDGE RICARDO ZAMORA DID NOT RENDER A DECISION TODAY (JANUARY 26) ON THE DEFENSE'S MOTION TO REVOKE THE PROVISIONAL DETENTION AGAINST THE ACCUSED. HE IS NOW EXPECTED TO DO SO ON JANUARY 29. SUPREME COURT PRESIDENT MAURICIO GUTIERREZ CONFIRMED THAT HE HAS SPOKEN WITH ZAMORA AND BELIEVES THAT HE WILL DENY THE MOTION AND THE ACCUSED WILL REMAIN IN CUSTODY.
WALKER

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FBI FOR MARTY HALE OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, FJUS, ES
SUBJECT: JESUIT CASE: UPDATE TWENTY-NINE

1. (U) LATE AFTERNOON ON JANUARY 26, JUDGE RICARDO ZAMORA DENIED THE DEFENSE'S MOTION TO REVOKE THE PROVISIONAL DETENTION AGAINST THE EIGHT ACCUSED. THE JUDGE ALSO SUSTAINED HIS DETENTION ORDER AGAINST THE ACCUSED AND ORDERED THAT OTHER WITNESSES BE BROUGHT TO TESTIFY BEFORE HIS COURT. ACCORDING TO PRESS REPORTS, THE DEFENSE ATTORNEYS SAID THAT THEY WOULD NEXT ASK JUDGE ZAMORA TO DROP ALL CHARGES AGAINST THEIR CLIENTS.

2. (U) IN AN INTERVIEW WITH "LA PRENSA GRAFICA," EX-MAJOR ROBERTO D' AUBUISSON, HONORARY PRESIDENT OF THE NATIONAL CONSERVATIVE PARTY (ARENA), DECLARED THAT "THERE ARE NO MILITARY MEN OF HIGHER RANK INVOLVED IN THE MURDER OF THE JESUITS." HE ADDED THAT PRESIDENT CRISTIANI, THE HIGH COMMAND, AND THE SPECIAL INVESTIGATIVE UNIT (SIU) HAVE SHOWN A TRUE INTEREST IN CLARIFYING A CASE "THAT NEVER SHOULD HAVE OCCURRED."

3. (U) TOMORROW (JANUARY 30) THE DCM, THE LEGAL OFFICER, AND THE TDY INVESTIGATOR WILL MEET WITH JESUIT FATHER MIGUEL ESTRADA, RECTOR OF THE UNIVERSITY OF CENTRAL AMERICA.

4. (C) ON WEDNESDAY (JANUARY 31), THE LEGAL OFFICER WILL MEET WITH THE JUDGE RICARDO ZAMORA TO TALK ABOUT THE JESUIT CASE.
WALKER

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TO SECSTATE WASHDC IMMEDIATE 5576
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FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE THIRTY-ONE

JUDGE RICARDO ZAMORA AND THE PROSECUTORS CONTINUE TO
RE-INTERVIEW SUSPECTS AND WITNESSES AS PART OF THE
PROCESS OF INCORPORATING TESTIMONY TAKEN BY THE
SPECIAL INVESTIGATIVE UNIT (SIU) INTO THE OFFICIAL
JUDICIAL RECORD.
DIETERICH

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SAN SALVADOR 01634

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE THIRTY-THREE

1. (U) ACCORDING TO PRESS REPORTS, JUDGE RICARDO ZAMORA AND THE PROSECUTORS CONTINUE TO TAKE JUDICIAL DECLARATIONS FROM AT LEAST TWO PERSONS PER DAY FROM A LIST OF APPROXIMATELY 180 WITNESSES.

2. ~~POLOFF~~ POLOFF REPORTS THAT SOMETIME IN THE LAST WEEK, THE THREE LIEUTENANTS ACCUSED IN THE CASE WERE MOVED FROM NATIONAL POLICE TO TREASURY POLICE DETENTION. POLOFF PLACES NO SPECIAL SIGNIFICANCE ON THIS TRANSFER, BUT WE WILL CONTINUE TO PROBE. DIETERICH *

DEPARTMENT OF STATE A/CDC/MR

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- 1520 ARRIVE RESIDENCE
- 1530 PRIVATE MEETING WITH AMBASSADOR
- 1630 BRIEFING WITH EMBASSY OFFICERS
- 1800 BREAK
- 1830 DINNER HOSTED BY CODEL FOR COUNTRY TEAM
- 2030 DEPART FOR HOTEL

E 136

MONDAY, FEBRUARY 12

MORNING: MEETING AT UCA (AS PER REFTEL, EMBASSY UNDERSTANDS THAT MORNING PROGRAM IS BEING ARRANGED DIRECTLY BETWEEN THE CODEL AND LOCAL JESUIT OFFICIALS.)

- 1200 OPEN LUNCH
- 1300 MEETING WITH LTC. RIVAS OF SIU (SITE TO BE DETERMINED)

1430 - 1600 MEETING WITH COLS PONCE AND ZEPEDA (PROBABLY AT ESTADO MAYOR)

1630 - 1800 TIME AVAILABLE FOR OTHER MEETINGS IF DESIRED BY CODEL.

1900 RECEPTION WITH POLITICAL LEADERS

2100 RECEPTION ENDS; RETURN TO HOTEL

TUESDAY, FEBRUARY 13

0830 MEETING WITH PRESIDENT CRISTIANI

- 1000 MEETING WITH CRISTIANI ENDS. CODEL BREAKS INTO SMALL GROUPS AND PROCEEDS TO SEPARATE MEETINGS WITH:
 - JUDGE ZAMORA;
 - ATTORNEY GENERAL COLORADO;
 - COL. ELENA FUENTES; AND
 - (IF POSSIBLE) COL. BEHAVIDES' ATTORNEY.

1230 OPEN LUNCH

1400 MEETING WITH ARCHBISHOP RIVERA Y DAMAS

1530 CODEL BREAKS INTO SMALL GROUPS TO MEET WITH:

- MEMBERS OF THE NATIONAL DEBATE COMMISSION;
- FMLN DEFECTORS;
- VARIOUS CHURCH GROUPS.

EVENING: TIME SET ASIDE FOR PRIVATE MEETINGS THE CODEL MAY WISH TO HOLD.

WEDNESDAY, FEBRUARY 14

0900 PRE-DEPARTURE MEETING WITH AMBASSADOR

1030 FOLLOW-UP MEETING WITH JESUITS

1200 OPEN LUNCH

1400 PRESS CONFERENCE

1515 DEPART FOR AIRPORT

1600 WHEELS UP.

DEPT FOR H/ARA PEREZ

E.O. 12356: N/A
TAGS: OREP, APER, ES
SUBJECT: CODEL MOAKLEY VISIT

REF: A. STATE 33304, B. JACOBS-PEREZ TELCONS

1. EMBASSY WELCOMES VIST OF CODEL MOAKLEY FROM FEBRUARY 12 - 14. CONTROL OFFICERS ARE EXECUTIVE ASSISTANT SUSAN JACOBS 26-7100 EXT. 2303 (O), 26-6736 (O) AND 98-1349 (H) AND POLITICAL OFFICER PHIL CHICOLA 26-7100 EXT. 2305 AND 23-3610 (H). WHEN DIALING FROM THE UNITED STATES, ALL NUMBERS SHOULD BE PRECEDED BY 011-503.

(Protect)

2. RESERVATIONS HAVE BEEN MADE AT CAMINO REAL HOTEL, ABOUT FIVE MINUTES FROM THE EMBASSY. THE ROOM RATE IS USD 46 FOR A SINGLE. CODEL WILL BE HOUSED IN ONE FLOOR AND PART OF ANOTHER. EMBASSY WILL PROVIDED SECURITY TO THOSE FLOORS ON A 24 HOUR BASIS. IN VIEW OF THE TRAFFIC INVOLVED IN THE CONTROL ROOM, WE SUGGEST THAT CODEL RENT A SEPARATE ROOM IN WHICH TO HOLD PRIVATE MEETINGS. DUE TO SECURITY CONSIDERATIONS, THE CODEL WILL ALSO HAVE TO FUND A ROOM FOR SECURITY GUARDS.

3. EMBASSY WILL BE PLEASED TO HOST A RECEPTION IN CODEL'S HONOR FOR SALVADORAN POLITICIANS EVENING OF FEBRUARY 12. WE ASSUME THAT CODEL WILL HOST COUNTRY TEAM DINNER ON FEBRUARY 11 SINCE U.S. LAW PROHIBITS THE USE OF EMBASSY REPRESENTATIONAL FUNDS TO COVER DINNERS AT WHICH ALL GUESTS ARE AMERICANS.

4. SHOULD SIMULTANEOUS TRANSLATION SERVICES BE REQUIRED, EMBASSY HAS 15 HEADSETS. LOCAL EQUIPMENT IS NOT/NOT COMPATIBLE WITH EMBASSY EQUIPMENT SO IF MORE THAN 15 SETS ARE NEEDED, ALL EQUIPMENT WILL HAVE TO BE RENTED. THERE ARE A NUMBER OF TRANSLATORS AVAILABLE WHO DO EXCELLENT CONSECUTIVE TRANSLATION. IF THEIR SERVICES ARE NEEDED, WE WILL HAVE TO "BOOK" ASAP AS THEY ARE IN GREAT DEMAND.

5. EMBASSY NEEDS CODEL FUND CITE TO COVER TRANSPORTATION COSTS, MEALS, AND TRANSLATION SERVICES. PLEASE ADVISE IF CODEL WISHES EMBASSY TO PAY FOR THE HOTEL ROOMS DIRECTLY OUT OF THE CODEL'S FUND CITE.

6. TENTATIVE SCHEDULE FOLLOWS:
SUNDAY, FEBRUARY 11

1330 CODEL ARRIVES; MET BY AMBASSADOR AND OTHER EMBASSY OFFICERS

1415 ARRIVE CAMINO REAL HOTEL. CHECK-IN AND DOWN TIME. CODEL MEMBERS WILL BE PRE-REGISTERED.

1500 DEPART FOR AMBASSADOR'S RESIDENCE

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7. AS INDICATED IN REFTEL C, CODEL MEMBERS SHOULD BE ESCORTED AT ALL TIMES BY EMBASSY SECURITY PERSONNEL. EMBASSY WOULD APPRECIATE, ASAP, CODEL'S READ-OUT OF PROPOSED SCHEDULE AND INFORMATION ON ANY OTHER POSSIBLE MEETINGS CODEL WISHES TO HAVE. WE ALSO NEED TO KNOW WHETHER THE CODEL MEMBERS WILL HAVE DECIDED, BY THE TIME IT ARRIVES WHO WILL GO TO WHAT MEETING, IN THOSE INSTANCES WHEN THE CODEL WILL BREAK-UP INTO SMALL GROUPS. PLEASE ADVISE WHETHER CODEL WISHES EMBASSY TO MAKE APPOINTMENTS LISTED IN NOTIONAL SCHEDULE OR IF CODEL WILL MAKE APPOINTMENTS ON ITS OWN.
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21

FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 5728
DIRFBI WASHDC PRIORITY

~~REDACTED~~ SAN SALVADOR 01844

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE THIRTY-SIX

1. ~~REDACTED~~ - ENTIRE TEXT.

2. NEITHER THE JUDGE NOR THE PROSECUTORS WORKED ON THE CASE TODAY. ACCORDING TO THE PROSECUTORS, THEY AND THE JUDGE USUALLY WORK ON THE CASE THREE DAYS A WEEK.

3. LEGAL OFFICER WILL MEET WITH COL. BENAVIDES' DEFENSE LAWYER ON FRIDAY, FEBRUARY 9, 1980.

DEPARTMENT OF STATE A/CDC/MR

APR 10 1980

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- EXCISE DECLASSIFY in PART
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FOI, EO or PA exemptions _____

TS authority to:
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22

FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 5768
DIRFBI WASHDC PRIORITY

~~REDACTED~~ SAN SALVADOR 01911

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

Pat's file

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE THIRTY-SEVEN

1. ~~REDACTED~~ - ENTIRE TEXT.
2. LEGAL OFFICE ASSEMBLED A CHRONOLOGY OF EMBASSY ACTIONS IN REGARDS TO THE JESUIT CASE INVESTIGATION.
3. THERE WERE NO SIGNIFICANT DEVELOPMENTS IN THE CASE.
WALKER

DEPARTMENT OF STATE A/CDC/MR

REVIEWED by o jo DATE APR 10 1990

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TO SECSTATE WASHDC IMMEDIATE 5799
DIRFBI WASHDC PRIORITY

~~SECRET~~ SAN SALVADOR 01973

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE THIRTY-EIGHT

THERE WERE NO SIGNIFICANT DEVELOPMENTS IN THE CASE.
WALKER

DEPARTMENT OF STATE A/CDC/MR

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~~CONFIDENTIAL~~ SAN SALVADOR 02228
FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE THIRTY-NINE

1. ~~CONFIDENTIAL~~ - ENTIRE TEXT.

2. ON FEBRUARY 12, THE SPECIAL INVESTIGATIVE UNIT (SIU) BRIEFED CODEL MOAKLEY ON ITS INVESTIGATION INTO THE JESUIT CASE. QUESTIONING FOCUSED ON THE NOVEMBER 15 MEETING OF THE HIGH COMMAND AND THE NOVEMBER 16 MEETING OF THE DNI. THERE WAS ALSO STRONG QUESTIONING ABOUT THE BUCKLAND-AVILES INCIDENT AND THE POSSIBILITY OF A COVER-UP. CODEL MEMBERS POINTED OUT THAT COL. AVILES AND MAJOR BUCKLAND HAD TAKEN POLYGRAPH EXAMINATIONS. IN THE INTERESTS OF "CLEARING THE AIR" ON COVER-UP ALLEGATIONS, CODEL MEMBERS ASKED LT. COL. RIVAS TO TAKE A POLYGRAPH. LT. COL. RIVAS SAID HE WOULD TAKE A POLYGRAPH IF ORDERED TO BY THE MINISTRY OF DEFENSE.
WALKER

DEPARTMENT OF STATE A/CDC/MR

REVIEWED by DTJ DATE APR 10 1990

RELEASE DECLASSIFY
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FOI, EO or PA exemptions _____

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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 5948
DIRFBI WASHDC PRIORITY

UNCLAS SAN SALVADOR 02227

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE FORTY

THERE WERE NO SIGNIFICANT NEW DEVELOPMENTS IN THE
CASE TODAY (FEBRUARY 13).
WALKER

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- DENY () Non-responsive info.

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FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E.O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE FORTY-TWO

THERE WERE NO NEW SIGNIFICANT DEVELOPMENTS IN THE
CASE TODAY (FEBRUARY 16).
WALKER

DEPARTMENT OF STATE A/CDC/MR

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CONGRESSMAN JOHN JOSEPH
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DIRFBI WASHDC IMMEDIATE

UNCLAS SAN SALVADOR 02455

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE FORTY-THREE

THERE WERE NO NEW SIGNIFICANT DEVELOPMENTS IN THE
CASE TODAY (FEBRAURY 20).
WALKER

DEPARTMENT OF STATE A/GDC/ME

APR 10 1990

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UNCLAS SAN SALVADOR 02873

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FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

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- TS authority to:
- CLASSIFY as _____, OADR
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E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE FORTY-EIGHT

JUDGE RICARDO ZAMORA AND THE PROSECUTORS CONTINUE TO
TAKE JUDICIAL DECLARATIONS FROM THREE TO FOUR PERSONS
PER DAY FROM A LIST OF APPROXIMATELY 180 PEOPLE WHO
MIGHT HAVE INFORMATION RELEVANT TO THE CASE.
ACCORDING TO THE PROSECUTORS AND THE JUDGE, THEY
HAVING BEEN WORKING ON THE CASE EVERY DAY OVER THE
LAST FEW WEEKS.
WALKER

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ON THE JESUIT INVESTIGATION. SHARP QUESTIONING FOCUSED ON THE NOVEMBER 15 MEETING OF THE MILITARY HIGH COMMAND AND THE NOVEMBER 16 MEETING AT WHICH THE DEATH OF THE JESUITS WAS ANNOUNCED. THERE WAS ALSO A POINTED EXCHANGE ON THE BUCKLAND-AVILES INCIDENT AND THE POSSIBILITY OF A COVER-UP. CODEL MEMBERS POINTED OUT THAT COL. AVILES AND MAJOR BUCKLAND HAD TAKEN POLYGRAPH EXAMINATIONS. IN THE INTERESTS OF "CLEARING THE AIR" ON COVER-UP ALLEGATIONS, CODEL MEMBERS ASKED RIVAS IF HE WOULD TAKE A POLYGRAPH. RIVAS SAID HE WOULD DO SO IF ORDERED BY THE MINISTRY OF DEFENSE. (COMMENT: RIVAS WAS BOTH HURT AND OFFENDED BY THE TONE OF MUCH OF THIS MEETING. MANY MEMBERS AND THE CHAIRMAN FELT THAT SOME QUESTIONS HAD BEEN TOO HARSH. IN A PRIVATE MEETING WITH RIVAS LATER IN THE VISIT, THE CHAIRMAN REPAIRED A LOT OF THE DAMAGE. END COMMENT.)

6. AFTER MEETING WITH PRESIDENT CRISTIANI THE MORNING OF FEBRUARY 13 (SEE REFTEL B), THE CODEL SPLIT INTO THREE PARTS TO MEET WITH AS MANY PEOPLE AS POSSIBLE.

MEETING WITH ATTORNEY GENERAL COLORADO (SMALL GROUP)

7. THE CODEL ASKED THE ATTORNEY GENERAL ABOUT THE ROLE OF HIS OFFICE IN THE JESUIT CASE AND ITS RELATIONSHIP TO THE SPECIAL INVESTIGATIVE UNIT (SIU). THE AG EXPLAINED THAT ALTHOUGH THE MISSION OF HIS OFFICE IS TO ENSURE COMPLIANCE WITH THE LAW AND PROSECUTE CASES OF STATE INTEREST, HE LACKS SUFFICIENT RESOURCES INCLUDING PROSECUTORS, TO DO HIS JOB WELL. HE STATED THAT HE WOULD LIKE THE SIU TO REPORT TO THE ATTORNEY GENERAL. THE SIU, SAID COLORADO, HAD DONE A PROFESSIONAL INVESTIGATION AND HE FEELS ABLE TO PROSECUTE THOSE RESPONSIBLE NO MATTER WHO THEY ARE.

8. THE CODEL ASKED COLORADO ABOUT ALLEGATIONS OF A CONSPIRACY AMONG THE MILITARY HIGH COMMAND AND IF HIS OFFICE WAS INVESTIGATING SUCH ALLEGATIONS. COLORADO NOTED THAT CONSPIRACY ALLEGATIONS WERE BEING MADE WITHOUT ANY SPECIFIC EVIDENCE. WHILE HE WOULD CONSIDER ANY ADDITIONAL EVIDENCE, COLORADO SAID HE WOULD NOT INITIATE AN INVESTIGATION BASED ON RUMORS. COLORADO ALSO STATED THAT HE HAD NOT SPOKEN TO COL. BENAVIDES AND DID NOT KNOW IF BENAVIDES KEPT A DIARY. IN ADDITION, COLORADO SAID HE HAD NOT ASKED COL. RIVAS ABOUT A MEETING OF THE ESAF HIGH COMMAND IN WHICH THE JESUIT KILLINGS HAD BEEN DISCUSSED.

9. CONG. MILLER SAID THAT IF AFTER ALL THE MILLIONS OF DOLLARS THAT THE USG HAS POURED INTO EL SALVADOR, THE SALVADORAN JUSTICE SYSTEM CANNOT MAKE A CASE AGAINST THE ACCUSED IN THE JESUIT CASE, THEN ADDITIONAL AID IS IN TROUBLE IN CONGRESS. COLORADO REPLIED THAT ALL THE PROBLEMS OF THIS COUNTRY CANNOT BE SOLVED IN A DAY. HE ARGUED AGAINST CUTTING OR CONDITIONING AID SOLELY ON THE OUTCOME OF A SINGLE CASE.

10. COLORADO ALSO DISCUSSED HIS LETTER TO THE POPE ASKING FOR THE REMOVAL OF THE BISHOPS. HE SAID THAT IT WAS MEANT TO EXPRESS HIS CONCERN THAT ARCHBISHOP RIVERA Y DAMAS AND AUXILIARY BISHOP ROSA CHAVEZ MIGHT BE IN GRAVE DANGER, LIKE THE JESUITS. HE WAS SUGGESTING THAT THEY BE TEMPORARILY WITHDRAWN FOR THEIR OWN PROTECTION. THE AG INSISTED THAT HIS MOTIVES WERE NOT BASED ON HOSTILITY TOWARD THE CHURCH BUT OUT OF CONCERN FOR THEIR SAFETY. HE STATED THAT THE PRESS HAD MISINTERPRETED THE PURPOSE OF THE LETTER.

11. CONCERNING THE CASOLO CASE, COLORADO SAID THAT SHE WAS RELEASED BECAUSE OF PRESSURE FROM THE UNITED STATES CONGRESS AND NOT BECAUSE OF INSUFFICIENT EVIDENCE.

LIMITED OFFICIAL USE SAN SALVADOR

E.O. 12356: N/A
TAGS: PREL, OVIP, ES
SUBJECT: CODEL MOAKLEY WRAP-UP

REF: A) SAN SALVADOR 2043; B) SAN SALVADOR 2189;
C) SAN SALVADOR 2655

1. SUMMARY: CODEL MOAKLEY SPENT FEBRUARY 11-14 IN EL SALVADOR OBTAINING INFORMATION ABOUT THE JESUIT MURDERS AND THE SALVADORAN HUMAN RIGHTS SITUATION IN GENERAL. CODEL MEMBERS WERE ALSO INTERESTED IN THE JOYA MARTINEZ CASE AND IN JENNIFER CASOLO. DURING THEIR VISIT, THEY MET WITH THE AMBASSADOR, MEMBERS OF THE COUNTRY TEAM, PRESIDENT CRISTIANI, ESAF CHIEF OF STAFF COL. PONCE, VICE MINISTER OF DEFENSE COL. ZEPEDA, RELIGIOUS LEADERS, AND OTHERS INVOLVED IN THE JESUIT CASE. AT A PREDEPARTURE PRESS CONFERENCE, CONG. MOAKLEY SAID THAT CODEL MEMBERS WERE PLEASED WITH THE PROGRESS OF THE INVESTIGATION, EXPRESSED THEIR DESIRE THAT THE INVESTIGATION CONTINUE, CONDEMNED VIOLENCE COMMITTED BY THE FMLN AND THE ESAF, AND ENCOURAGED NEGOTIATIONS TO END THE CONFLICT. SOME MEMBERS ALSO VISITED AREAS OF SAN SALVADOR DAMAGED IN THE NOVEMBER OFFENSIVE; CASOLO'S HOUSE; AND THE VILLAGE WHERE CIVILIANS WERE KILLED BY AIR FORCE ROCKETS. END SUMMARY. FYI: THE INITIAL MEETING BETWEEN CODEL, AMBASSADOR AND MEMBERS OF EMBASSY STAFF WAS REPORTED IN RETEL A.

MEETING WITH COLONELS PONCE AND ZEPEDA (ENTIRE CODEL)

2. IN A MEETING ON FEBRUARY 12 WITH ARMY CHIEF OF STAFF COL. RENE EMILIO PONCE AND VICE MINISTER OF DEFENSE COL. JUAN ORLANDO ZEPEDA, THE CODEL ASKED QUESTIONS ON THE INVESTIGATION INTO THE JESUIT KILLING AND FOCUSED ON THE NOVEMBER 15 MEETING AT THE MILITARY HEADQUARTERS ATTENDED BY APPROXIMATELY 30 OFFICERS, INCLUDING COL. BENAVIDES.

3. COL. PONCE STATED THAT THE MEETING HAD BEEN MILITARY IN NATURE AND EMPHASIZED THAT THERE WAS NO DISCUSSION WHICH COULD HAVE BEEN INTERPRETED AS PERMISSION TO KILL THE PRIESTS. HE CALLED ON COPREFA (ARMED FORCES PRESS OFFICE) DIRECTOR MAJOR MAURICIO CHAVEZ CACERES TO GIVE HIS VERSION OF THAT EVENING'S EVENTS. MAJ. CHAVEZ ECHOED PONCE'S EXPLANATION.

4. A DISCUSSION ALSO INCLUDED QUESTIONS ABOUT THE ROLE OF THE TANDONA (1966 MILITARY SCHOOL GRADUATING CLASS). COL. ZEPEDA EXPLAINED THE TANDONA'S UNITY AND THAT IT IS THE SOURCE OF SENIOR COLONELS FOR KEY POSITIONS.

MEETING WITH SPECIAL INVESTIGATIVE UNIT DIRECTOR (ENTIRE CODEL)

5. THE DIRECTOR OF THE SPECIAL INVESTIGATIVE UNIT LT. COLONEL MANUEL ANTONIO RIVAS MEJIA BRIEFED CODEL MOAKLEY

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12. SOME MEMBERS OF THE CODEL MET WITH TWO CAPTURED FMLN FIGHTERS AT NATIONAL POLICE HEADQUARTERS. THEY ASKED SEVERAL QUESTIONS ABOUT FMLN STRATEGIC PLANS, PLANNING FOR THE OFFENSIVE, FLOW OF WEAPONS, AND REGIONAL SUPPORT FOR THE FMLN. THE DEFACTORS MADE THE FOLLOWING POINTS:

--THE FMLN HAS A STRATEGIC POLITICAL-MILITARY PLAN WHICH GIVES EMPHASIS TO POLITICAL-DIPLOMATIC AND/OR MILITARY OPERATIONS AT DIFFERENT TIMES DEPENDING ON CIRCUMSTANCES. THIS PLAN, FORMULATED IN 1987/1988 IS DESIGNED TO ALLOW THE FMLN TO ACHIEVE ITS GOAL OF TOTAL POWER. DIALOGUE IS USED AS A TOOL UNDER THIS PLAN.

--THE FMLN, OR AT LEAST SOME OF ITS GROUPS, USES ASSASSINATIONS TO FRIGHEN MEMBERS OF THE GOVERNMENT INVOLVED IN PROGRAMS WHICH BENEFIT THE PEOPLE.

--FMLN MEMBERS ARE TRAINED IN CUBA, NORTH KOREA, AND VIETNAM. NICARAGUA IS USED AS THE BRIDGE TO CHANNEL PEOPLE IN AND OUT OF CENTRAL AMERICA. WEAPONS, AMMUNITION, AND EXPLOSIVES ARE INTRODUCED INTO EL SALVADOR USUALLY BY LAND, FROM NICARAGUA THROUGH HONDURAS AND SOMETIMES GUATEMALA. MORE SOPHISTICATED ARMS ARE BROUGHT IN BY SMALL PLANE. CUBA PLAYS THE LEAD ROLE IN PROVIDING LOGISTICAL SUPPORT TO THE FMLN.

--MANY PEOPLE REPATRIATED FROM CAMPS IN HONDURAS ARE FAMILY MEMBERS OF FMLN COMBATANTS. FAMILY TIES, RATHER THAN IDEOLOGICAL COMMITMENT, FORM THE LINK BETWEEN REPATRIATED PERSONS AND THE FMLN.

MEETING WITH BENAVIDES' ATTORNEY (SMALL GROUP)

13. MEMBERS OF THE CODEL MET WITH CARLOS ALFREDO MENDEZ FLORES, COL. BENAVIDES' ATTORNEY. DESPITE THEIR BEST EFFORTS, MENDEZ FLORES GRACIOUSLY AND LOQUACIOUSLY REFUSED TO MAKE ANY COMMENTS ABOUT ANY ASPECTS OF HIS CLIENT'S CASE. THE MEETING WAS NOT A SUCCESS.

14. THE CODEL WAS ALSO IN THREE GROUPS DURING THE EARLY AFTERNOON OF FEBRUARY 13.

MEETING WITH RELIGIOUS WORKERS (SMALL GROUP)

15. THE CODEL MET WITH LEADERS FROM LUTHERAN, EPISCOPAL, CATHOLIC, MENNONITE AND BAPTIST CHURCHES. THE LUTHERANS AND CATHOLICS SPOKE OF PERSECUTION OF THEIR WORKERS BECAUSE THEY HELP THE POOR. THEY STATED THAT IT WAS DANGEROUS TO CARRY BIBLES OR TO CARRY CHRISTIAN SYMBOLS. LUTHERAN BISHOP GOMEZ FEARS FOR HIS LIFE AND REMAINS OUTSIDE THE COUNTRY. FATHER DANIEL SANCHEZ, A CATHOLIC PRIEST TOLD CODEL MEMBERS OF HIS HARRASSMENT BY THE ARMY AND NOTED THE CLIMATE OF FEAR AFFECTING THE CHURCHES AND REITERATED THAT HELPING THE POOR CAUSED PERSECUTION.

16. A DIFFERENT PICTURE WAS PRESENTED BY ONE OF THE BAPTISTS WHO SAID THAT HE HAS DISTRIBUTED BIBLES AND CHRISTIAN LITERATURE THROUGHOUT THE COUNTRY FOR 13 YEARS WITH NO PROBLEMS FROM THE AUTHORITIES. HE SAID THAT HE WORKS WITH THE POOREST OF THE POOR PROVIDING HEALTH CARE, SCHOOLING, ETC.

17. IN A TELLING RESPONSE TO WHY THERE SHOULD BE SUCH DIFFERENCES, FATHER SANCHEZ SUGGESTED THAT THERE IS A GREAT DIFFERENCE BETWEEN GIVING MEDICINE TO THE POOR AND "EMPOWERING THE POOR."

MEETING WITH JUDGE ZAMORA (SMALL GROUP)

18. JUDGE RICARDO ZAMORA OF THE FOURTH CRIMINAL COURT OF SAN SALVADOR TO WHOM THE JESUIT CASE HAS BEEN CONSIGNED, MET WITH CODEL MEMBERS TO DISCUSS THE JESUIT CASE. THE JUDGE POINTED OUT DIFFERENCES IN THE LEGAL PROCEEDINGS IN THE U.S. AND SALVADOR AND EXPLAINED THE JUDGE'S ROLE IN THE PROCESS. HE ALSO NOTED WHAT HE BELIEVES TO BE THE OUTSTANDING PROBLEMS IN THE JUSTICE SYSTEM INCLUDING THE INABILITY TO FORM JURIES. JUDGE ZAMORA NOTED THAT IN 1989, 55 - 75 PER CENT OF HIS JURY HEARINGS HAD TO BE DELAYED OR DID NOT TAKE PLACE AS SCHEDULED BECAUSE THERE WERE NOT ENOUGH JURORS PRESENT TO FORM A JURY.

19. ZAMORA SAID THAT EVEN THOUGH HE IS IN CHARGE OF THE INVESTIGATION, THE COURTS DO NOT HAVE THEIR OWN INVESTIGATIVE ARM AND THEREFORE MUST RELY ON THE POLICE OR THE SIU. THIS IS A PROBLEM BECAUSE OFTEN THE POLICE FAIL TO COOPERATE WITH THE JUDICIARY.

MEETING WITH MEMBERS OF THE NATIONAL DEBATE (SMALL GROUP)

20. THE MEETING OF CODEL MEMBERS WITH REPRESENTATIVES OF THE NATIONAL DEBATE COMMITTEE PROVIDED A FORUM FOR THE EXCHANGE OF IDEAS ON THE DIALOGUE ISSUE, THE NOVEMBER 11 OFFENSIVE, AND THE EFFECTS OF THE STATE OF EXCEPTION ON THE SALVADORAN POLITICAL PROCESS.

-- THE COMMITTEE CLAIMED, INCORRECTLY WE BELIEVE, TO BE AN UMBRELLA ORGANIZATION REPRESENTING THE MAJORITY OF THE PEOPLE EFFECTED BY THE INSURGENCY AND SAID THAT THEY SHOULD BE A PART OF THE PEACE PROCESS. THE COMMITTEE IS CONVINCED THAT THE PROCESS MUST INCLUDE BROADER REPRESENTATION THAN THE GOES AND THE FMLN, MEANING THE "SOCIAL SECTORS".

--ALL COMMITTEE MEMBERS AGREED THAT THAT THE STATE OF EXCEPTION IS STIFLING POLITICAL EXPRESSION. THEY BELIEVE THAT THE GOVERNMENT WANTS TO CONTINUE THE STATE OF EXCEPTION TO KEEP POLITICAL ORGANIZATIONS FROM PROTESTING AGAINST THE ADVERSE EFFECTS OF ITS ECONOMIC POLICIES.

--COMMITTEE MEMBERS ADMITTED THAT THE NOVEMBER 11 OFFENSIVE WAS A MISTAKE BY THE FMLN. ALTHOUGH OFFENSIVES AND COUNTER-OFFENSIVES HAVE BEEN GOING ON FOR ALMOST TEN YEARS, IT WAS STRESSED THAT THE NATIONAL DEBATE ABHORS ALL VIOLENCE AGAINST CIVILIANS.

MEETING WITH CHURCH LEADERS (ENTIRE GROUP)

21. THE ENTIRE CODEL THEN MET WITH ARCHBISHOP RIVERA Y DAMAS, AUXILIARY BISHOP ROSA CHAVEZ AND ARCHDIOCESE LEGAL OFFICE DIRECTOR MARIA JULIA HERNANDEZ. RIVERA Y DAMAS TOLD THE CODEL THAT THE JESUIT MURDERS MUST HAVE HAD MORE THAN ONE INTELLECTUAL AUTHOR. ROSA CHAVEZ CITED THE SOUND TRUCK ANNOUNCEMENTS ON THE MORNING OF THE MURDER WHICH SAID "ELLACURIA AND MONTES HAVE FALLEN...LET'S CONTINUE KILLING COMMUNISTS...WE ARE THE FIRST BRIGADE." THE ROLE OF THE NATIONAL RADIO NETWORK WAS DISCUSSED IN RELATION TO THE CLIMATE THAT LED TO THE JESUIT MURDER. ROSA CHAVEZ SPOKE ABOUT MODERATE AND "HARD" TENDENCIES IN THE GOVERNMENT AND ARMED FORCES, AND DESCRIBED CRISTIANI AS A MODERATE FORCE WHO SHOULD BE SUPPORTED. 22. HERNANDEZ NOTED THAT THE HUMAN RIGHTS SITUATION WAS AS BAD AS THE EARLY 1980S IN SPITE OF A MUCH LOWER NUMBER OF "DEATH SQUAD" MURDERS. IN RESPONSE TO A QUESTION, SHE STATED THAT ONE OF THE REASONS FOR THE REDUCTION IN VIOLENCE WAS THE ARMED FORCES FEAR OF LOSING AMERICAN

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SAN SA 02855 00 OF 05 021458Z 009006 601304

MILITARY ASSISTANCE. IN RESPONSE TO A REQUEST FOR PASTORAL ADVICE TO THE AMERICAN PEOPLE, THE ARCHBISHOP REPLIED WITH A CALL FOR "GEOPOLITICAL, REGIONAL, AND LOCAL" NEGOTIATIONS.

28. IN A MEETING WITH AMBASSADOR MORNING OF FEBRUARY 14 MOST MEMBERS OF THE CODEL STATED THAT THE TRIP HAD BEEN VERY PRODUCTIVE. WHILE IMPRESSED WITH THE SERIOUSNESS OF THE JESUIT INVESTIGATION, THEY BELIEVED THAT IT SHOULD CONTINUE BECAUSE OF PERSISTENT DOUBTS REGARDING HIGHER LEVEL INVOLVEMENT. QUESTIONS REMAIN ABOUT THE ROLES OF COL. AVILES AND MAJ. BUCKLAND, ESPECIALLY ABOUT WHY IT TOOK BUCKLAND SO LONG TO RELATE WHAT HE KNEW. CODEL MEMBERS WERE PUZZLED AS TO WHY THE LETTER FROM COL. MENJIVAR TO GENERAL LARIOS WITH THE BUCKLAND INFORMATION COULD NOT BE PASSED TO CODEL WHEN IT HAD BEEN SENT TO SALVADORAN MILITARY HIGH COMMAND. FYI: CODEL RECEIVED A COPY OF LETTER FROM COL. RIVAS (SIU).

23. DINNER WITH JESUITS (SMALL GROUP)

AT THE MEETING AT THE UNIVERSITY OF CENTRAL AMERICA (UCA) ON FEBRUARY 12 WHICH EMBASSY OFFICERS DID NOT ATTEND, CONG. DORNAN ARRANGED A DINNER WITH FATHER MIGUEL FRANCISCO ESTRADA, RECTOR OF UCA; FATHER JOSE MARIA TOJIERA, JESUIT PROVINCIAL FOR CENTRAL AMERICA AND PANAMA; AND FATHER FERMIN SAENZ. OTHER CODEL MEMBERS ALSO ATTENDED THE DINNER WHICH WAS HELD AT THE HOME OF CONSUL GENERAL RICCIUTI. DORNAN DESCRIBED HIS JESUIT EDUCATION WHICH INSTILLED STRONG ANTI-COMMUNIST BELIEFS. THE DISCUSSION THEN TURNED TO THE RELATIONSHIP OF THE JESUITS WITH THE EMBASSY WHICH WAS DESCRIBED AS STRAINED AT BEST. THE ALLEGED MISTREATMENT OF THE WITNESS IN THE JESUIT CASE WAS GIVEN AS AN EXAMPLE.

29. IN RESPONSE TO A QUESTION ABOUT THE JOYA MARTINEZ CASE, THE AMBASSADOR EXPLAINED THE PROBLEMS ENCOUNTERED IN EXTRADITION REQUESTS AND STATED THAT THE GOES HAD FILED A REQUEST FOR THE EXTRADITION OF JOYA MARTINEZ WHICH WAS BEING TRANSLATED.

24. THE REMAINDER OF THE CONVERSATION WAS SPENT EXPLORING LIBERATION THEOLOGY AND ITS RELATIONSHIP TO COMMUNISM. THE CONGRESSMEN OPINED THAT LIBERATION THEOLOGY AND COMMUNISM ARE CLOSELY RELATED IN THAT LIBERATION THEOLOGY ENCOURAGES THE POOR AND OPPRESSED TO TAKE UP ARMS AGAINST THEIR OPPRESSORS. THE JESUITS DISAGREED NOTING THEIR OPPOSITION TO COMMUNISM AND THEIR DISAPPROVAL BUT UNDERSTANDING OF MUCH OF THE VIOLENCE THEY SEE IN EL SALVADOR.

30. THE DISCUSSION THEN TURNED TO THE AIR FORCE ROCKETING OF A HOUSE IN THE VILLAGE OF CORRAL DE PIEDRA AND ITS DENIAL OF THIS ACTION. THE AMBASSADOR AGREED THAT INCIDENTS OF THIS SORT ARE A RECURRING PROBLEM. A NUMBER OF CODEL MEMBERS THEN MENTIONED THAT THE EMBASSY DOES NOT ALWAYS HAVE PERTINENT INFORMATION ABOUT HUMAN RIGHTS CASES AS QUICKLY AS THE CONGRESS WOULD LIKE. THE AMBASSADOR RESPONDED THAT WE FEEL AN OBLIGATION TO RESPOND AS ACCURATELY AS POSSIBLE, WHICH NECESSARILY MEANS CAUTIOUSLY AND, UNFORTUNATELY, NOT AS RAPIDLY AS THE MEDIA.

MEETING WITH COL. ELENA FUENTES (SMALL GROUP)

25. UPON ARRIVAL AT 1ST BRIGADE HEADQUARTERS FOR A MEETING WITH COL. ELENA FUENTES, CODEL MEMBERS WERE GREETED BY UNIFORMED AMPUTEE SOLDIERS SITTING NEAR HIS OFFICE. CONG. STUDDS NOTED THAT THE SIGNIFICANCE OF THIS WAS NOT LOST ON THE GROUP. STUDDS ASKED THE COLONEL TO EXPLAIN JOYA MARTINEZ' CHARGES AND TO CLARIFY DETAILS AND ADDRESS HIS ACCUSATIONS. ELENA FUENTES STATED THAT JOYA IS A MURDERER AND TRAITOR WHO EXCEEDED HIS AUTHORITY. HE EXPLAINED AWAY HIS REPORTING OF THE "FALLING OFF THE TRUCK" INCIDENT AS PASSING ON THE REPORT GIVEN BY JOYA MARTINEZ. THE COLONEL SAID THAT JOYA TOOK IT UPON HIMSELF TO TORTURE AND KILL THE TWO PRISONERS.

31. CONG. MILLER NOTED THAT EMBASSY OFFICERS APPEAR TO HAVE A BIAS AGAINST RELIGIOUS WORKERS. THIS CHARGE WAS STRONGLY DENIED BY THE AMBASSADOR. HOWEVER, THE AMBASSADOR NOTED, THE FMLN KNOWS HOW TO USE VARIOUS GROUPS TO ITS ADVANTAGE AND IS ABLE TO PURSUE A NUMBER OF AGENDAS AT THE SAME TIME. THE AMBASSADOR STRESSED THAT IF WE THINK THE FMLN IS USING "FRONTS" WE SAY SO AND THAT TO HIS KNOWLEDGE, NO ONE ON THE EMBASSY STAFF HAS LIED OR SHAVED INFORMATION TO THE CODEL. CONG. MILLER RESPONDED THAT HE HAS BEEN COMING TO SALVADOR FOR 10 YEARS AND THAT HE HAS BEEN LIED TO BY THE USG REPEATEDLY.

26. MANY QUESTIONS CONCERNED THE TIMING (WHEN DID YOU KNOW; HOW DID YOU FIND OUT; ETC) OF THE ACCUSATIONS. ELENA FUENTES ADDRESSED THE QUESTIONS CALMLY AND DIRECTLY AND OFFERED TO PROVIDE COPIES OF THE BRIGADE'S REPORTS ON THE INCIDENT. FYI: WE HAVE REQUESTED THESE REPORTS AND WILL FORWARD THEM ASAP.

32. CONG. MCHUGH SUGGESTED THAT IN LIGHT OF THE NUMBER AND SERIOUSNESS OF THE HUMAN RIGHTS CASES/INQUIRIES TO WHICH THE EMBASSY MUST RESPOND THAT IT WOULD BE USEFUL TO HAVE ADDITIONAL OFFICERS ASSIGNED TO THE HUMAN RIGHTS PORTFOLIO. THE AMBASSADOR STATED THAT PRESSURES FROM WASHINGTON ARE TO REDUCE STAFF LEVELS, AND ASKED THAT MCHUGH MAKE THAT SUGGESTION TO THE DEPARTMENT.

PRESS CONFERENCE

27. PRIOR TO ITS DEPARTURE ON FEBRUARY 14, THE CODEL HELD A PRESS CONFERENCE AT THE CAMINO REAL HOTEL FOR SALVADORAN AND INTERNATIONAL PRESS. READING FROM A PREPARED STATEMENT, CONG. MOAKLEY SAID THE CODEL WAS PLEASED WITH THE RESULTS OF THE INVESTIGATION TO DATE AND HOPED THAT PROGRESS WOULD CONTINUE TO BE MADE. THE STATEMENT CONDEMNED VIOLENCE FROM THE FMLN AND THE GOES AND CALLED FOR A RESUMPTION OF NEGOTIATIONS AS QUICKLY AS POSSIBLE.

33. COMMENT: THE CODEL'S MEETINGS IMPRESSED THEM WITH THE SERIOUSNESS WITH WHICH THE JESUIT CASE IS TAKEN BY THE GOES. HOWEVER, QUESTIONS REMAIN UNANSWERED, ESPECIALLY CONCERNING THE ROLE OF OFFICERS HIGHER IN THE CHAIN OF COMMAND THAN COL. BENAVIDES; THE REASONS WHY BUCKLAND WAITED SO LONG TO BRING SO IMPORTANT A MATTER TO THE ATTENTION OF HIS COMMANDING OFFICERS; AND THE DISCUSSIONS AT MEETINGS OF THE HIGH COMMAND ON NOVEMBER 15 AND 16. END COMMENT.

WALKER

PRE-DEPARTURE BRIEFING WITH AMBASSADOR (ENTIRE CODEL)

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SOLORZANO, RICARDO ZELAYA LARREYNAGA, JORGE FIGEAC,
JULIO CESAR MURICIA, AND SOTERO CONSUETT DIAZ. THE
DEFENSE ATTORNEYS ARE DR. JOSE OSCAR CABALLERO
PENATE, DR. JOSE ADALFREDO SALGADO, DR. EULIGIO
RODRIGUEZ BARAHONA, DR. JOSE RAUL MENDEZ CASTRO.

VR

7. (U) ACCORDING TO THE JUDGE, THE ONLY ACCUSED NOT
IN CUSTODY IS PRIVATE JORGE ALBERTO SIERRA ASCENCIO,
A SOLDIER IN THE ATACATL BATTALION. HE APPARENTLY
DESERTED FROM THE ARMY IN DECEMBER AND IS BEING
SOUGHT BY THE SECURITY FORCES.
WALKER

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O 200039Z JAN 90 ZFF4
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC NIACT IMMEDIATE 5183
DIRFBI WASHDC NIACT IMMEDIATE

~~CONFIDENTIAL~~ SAN SALVADOR 00839

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E.O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE TWENTY-THREE

1. (U) ON JANUARY 19, 1990, JUDGE RICARDO ZAMORA
ANNOUNCED THAT THERE WAS SUFFICIENT EVIDENCE TO HOLD
ALL EIGHT PRISONERS, INCLUDING COLONEL GUILLERMO
ALFREDO BENAVIDES MORENO, UNDER PROVISIONAL DETENTION.

2. ~~X~~ THIS MORNING (JANUARY 19), GENERAL LARIOS AND
COLONEL PONCE BRIEFED A LARGE GROUP OF OFFICERS OF
VARYING RANKS FROM ALL OVER THE COUNTRY ON LATEST
DEVELOPMENTS IN THE JESUIT CASE.

3. (U) WITH TODAY'S ANNOUNCEMENT BY JUDGE ZAMORA,
THE INQUIRY PERIOD (TERMINO DE INQUERIR) OR PRETRIAL
INVESTIGATION, THE FIRST PHASE OF JUDICIAL
PROCEEDINGS, HAS COME TO AN END.

4. (U) THE CASE AGAINST THE DEFENDANTS IS NOW IN THE
INSTRUCTION STAGE (FASE DE INSTRUCCION), THE SECOND
PHASE OF JUDICIAL PROCEEDINGS. ACCORDING TO
SALVADORAN LAW, MOVING INTO THIS PHASE MEANS THAT THE
JUDGE HAS VERIFIED THAT A CRIME HAS BEEN COMMITTED
AND DETERMINED THAT THERE IS SUFFICIENT EVIDENCE TO
ESTABLISH A PRIMA FACIE CASE AGAINST THE ACCUSED.

5. (U) AS A RESULT OF THE JUDGE'S FINDINGS, THE
DEFENDANTS ARE PLACED UNDER PROVISIONAL DETENTION,
BUT MAY REQUEST BAIL. DURING THIS PERIOD, THE JUDGE
MAY REQUEST FURTHER INVESTIGATION TO ACCUMULATE
SUFFICIENT EVIDENCE TO WARRANT RAISING THE CASE TO
THE TRIAL (PLENARIO) STAGE. THIS WOULD BE THE ROUGH
EQUIVALENT OF RETURNING THE INDICTMENT AGAINST THE
ACCUSED AND BINDING THEM OVER FOR TRIAL.

6. (U) THE CRIMINAL PROCEDURE CODE SETS A 120-DAY
DEADLINE (IN THIS CASE, UNTIL MAY 19, 1990) ON THE
INSTRUCTION STAGE PROCESS (ARTICLE 123). IN
PRACTICE, HOWEVER, THE 120-DAY DEADLINE IS OFTEN
EXCEEDED. FURTHERMORE, BOTH THE PROSECUTION AND THE
DEFENSE MAY APPEAL THE JUDGE'S DECISION TO TAKE THE
CASE TO TRIAL.

6. (U) ACCORDING TO MEDIA REPORTS, THE SPECIAL
PROSECUTORS IN THE CASE ARE SAUL ZELAYA CASTILLO,
EDUARDO PINEDA VALENZUELA, ALVARO HENRY CAMPOS

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DEPARTMENT OF STATE

STATE FOR ARA; ARA/CEN/ES; AND PA
USIA FOR AR

E. O. 12356: DECL: OADR
TAGS: PREL, PHUM, PGOV, ES
SUBJECT: BENAVIDES AT THE BEACH

1. - ENTIRE TEXT

2. SUMMARY: A WOMAN IDENTIFYING HERSELF AS MRS. BENAVIDES, WIFE OF COL. GUILLERMO ALFREDO BENAVIDES MORENO, UNDER DETENTION FOR SUSPECTED COMPLICITY IN THE JESUIT MURDERS, TELEPHONED EMBASSY ON 3/2 TO COMPLAIN ABOUT STORIES IMPLYING THAT HER HUSBAND HAD SPENT TIME AT THE BEACH. END SUMMARY.

3. ON SATURDAY, MARCH 3, USIS' SENIOR FSN PRESS ASSISTANT WAS IN THE EMBASSY WHEN HE RECEIVED A TELEPHONE CALL FROM AN UNIDENTIFIED WOMAN. THE CALLER QUESTIONED THE AUTHENTICITY OF REPORTS THAT COL. BENAVIDES, WHO IS DETAINED FOR POSSIBLE COMPLICITY IN THE MURDER OF THE JESUITS, HAD BEEN SIGHTED AT A BEACH RESORT THAT IS OPERATED BY THE MILITARY PENSION FUND.

4. THE WOMAN THEN IDENTIFIED HERSELF AS MRS. BENAVIDES AND SAID THAT HER HUSBAND HAD NOT BEEN ALLOWED TO LEAVE HIS DETENTION QUARTERS SINCE PLACED UNDER ARREST. SHE ADDED THAT THE NEWS DIRECTOR OF A LOCAL COMMERCIAL TELEVISION NETWORK HAD TOLD HER THAT THE REPORTS OF HER HUSBAND'S PURPORTED VISITS TO THE BEACH HAD COME FROM THE AMERICAN EMBASSY.

5. THE FSN EXPLAINED TO HER THAT THE ALLEGATIONS HAD BEEN REPORTED IN A DOUGLAS FARAH STORY IN THE WASHINGTON POST, AND HAD NOT COME FROM THE EMBASSY. ALTHOUGH WE HAVE NO REASON TO DOUBT THAT THE CALLER WAS INDEED MRS. BENAVIDES, WE HAVE NOT MADE AN EFFORT TO CONFIRM THIS.

COMMENT

6. WE NOTE THAT EVEN THE AMERICAN JOURNALISTS WHO BROUGHT TO OUR ATTENTION THE STORY OF COL. BENAVIDES TRIP TO BEACH OFFERED IT AS SECOND-HAND INFORMATION, AND WE HAVE NEVER HAD ANY INDEPENDENT CONFIRMATION OF ITS ACCURACY.

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R 302348Z MAR 90
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC 7152
INFO AMEMBASSY GUATEMALA
AMEMBASSY TEGUCIGALPA
AMEMBASSY SAN JOSE
USCINCSO QUARRY HTS PM

UNCLAS SAN SALVADOR 04517

USCINCSO ALSO FOR POLAD

E. O. 12356: N/A
TAGS: PGOV, PHUM, ES
SUBJECT: MARCH 29 LEGISLATIVE ASSEMBLY SESSION: NO
- MOVEMENT ON AMNESTY

REF: SAN SALVADOR 3786

THE LEGISLATIVE ASSEMBLY DID NOT TAKE UP THE AMNESTY BILL FOR 2000 SALVADORAN SOLDIERS (REFTEL). THE BILL REMAINS IN COMMITTEE WHERE, WE HAVE BEEN TOLD, IT IS EXPECTED TO SIT UNTIL SOMEONE CAN FIGURE OUT WHAT TO DO WITH IT. FOR HIS PART, PRESIDENT CRISTIANI TOLD REPORTERS MARCH 27 THAT THE GOES DOES NOT SUPPORT THE CONTROVERSIAL MEASURE. HE ADDED THAT THE BILL DID NOT ORIGINATE IN THE EXECUTIVE BRANCH AND THAT IT WOULD NOT BE PRUDENT TO SPEAK OF THIS TYPE OF AMNESTY AT THIS TIME, AND IN NO CASE FOR THOSE ACCUSED OF THE JESUIT MURDERS.

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O 052353Z MAR 90
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 6445
DIRFBI WASHDC IMMEDIATE

UNCLAS SAN SALVADOR 03095

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE FIFTY-ONE

JUDGE RICARDO ZAMORA AND THE PROSECUTORS CONTINUE TO
TAKE JUDICIAL DECLARATIONS FROM THREE TO FOUR PERSONS
PER DAY FROM A LIST OF APPROXIMATELY 180 PEOPLE WHO
MIGHT HAVE INFORMATION RELEVANT TO THE CASE.
ACCORDING TO THE PROSECUTORS AND THE JUDGE, THEY
HAVING BEEN WORKING ON THE CASE EVERY DAY OVER THE
LAST FEW WEEKS.
WALKER

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TO SECSTATE WASHDC IMMEDIATE 6477
DIRFBI WASHDC IMMEDIATE

UNCLAS SAN SALVADOR 03154

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E.O. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE FIFTY-TWO

JUDGE RICARDO ZAMORA AND THE PROSECUTORS CONTINUE TO
TAKE JUDICIAL DECLARATIONS FROM THREE TO FOUR PERSONS
PER DAY FROM A LIST OF APPROXIMATELY 180 PEOPLE WHO
MIGHT HAVE INFORMATION RELEVANT TO THE CASE.
ACCORDING TO THE PROSECUTORS AND THE JUDGE, THEY
HAVING BEEN WORKING ON THE CASE EVERY DAY OVER THE
LAST FEW WEEKS.
WALKER

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CONGRESSMAN JOHN JOSEPH
MOAKLEY PAPERS
MS 100

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ARA/NEA REARCS

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O 082146Z MAR 90
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 6544
DIRFBI WASHDC IMMEDIATE

UNCLAS SAN SALVADOR 03287

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. O. 12356: DECL: OADR
TAGS: PREL, -PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE FIFTY-THREE

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JUDGE RICARDO ZAMORA AND THE PROSECUTORS CONTINUE TO
TAKE JUDICIAL DECLARATIONS FROM THREE TO FOUR PERSONS
PER DAY FROM A LIST OF APPROXIMATELY 180 PEOPLE WHO
MIGHT HAVE INFORMATION RELEVANT TO THE CASE.
ACCORDING TO THE PROSECUTORS AND THE JUDGE, THEY HAVE
BEEN WORKING ON THE CASE EVERY DAY OVER THE LAST FEW
WEEKS.
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TO SECSTATE
DIRFBI WASHDC

~~CONFIDENTIAL~~ SAN SALVADOR 03300

FBI FOR MARTY HALE/OLIA
DEPT FOR ARA/CEN, ARA AS ARONSON

E. C. 12356: DECL: OADR
TAGS: PREL, PINS, PGOV, KJUS, ES
SUBJECT: JESUIT CASE: UPDATE FIFTY-FOUR

1. ~~CONFIDENTIAL~~ - ENTIRE TEXT.
2. ACCORDING TO A RUMOR WHICH HAS BEEN FLOATING AROUND THE INTERNATIONAL PRESS IN SAN SALVADOR, AN ASSASSINATION ATTEMPT WAS MADE YESTERDAY (MARCH 7) AGAINST JUDGE RICARDO ZAMORA RUIZ, THE JUDGE IN CHARGE OF THE JESUIT CASE.
3. AFTER BEING APPRISED OF THIS RUMOR BY THE EMBASSY, MAURICIO EDUARDO COLORADO, THE ATTORNEY GENERAL, AND ARNOLDO ALVAREZ, THE ASSISTANT ATTORNEY GENERAL FOR HUMAN RIGHTS, CALLED ON ZAMORA TODAY. ALVAREZ REPORTS THAT ZAMORA CATEGORICALLY DENIED THAT AN ATTEMPT AGAINST HIS LIFE HAD BEEN MADE.
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CHICHESTER LOIS
89 SAN SALVADOR 14955

03/27/97 155919 PRINTER: KC

TO SECSTATE WASHDC FROM IMMEDIATE
INFO AMEMBASSY ROMF IMMEDIATE
AMEMBASSY GUATEMALA
AMEMBASSY SAN JOSE
AMEMBASSY MANAGUA
AMEMBASSY TEGUCIGALPA
AMEMBASSY MEXICO
AMEMBASSY CARACAS
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██████████ SAN SALVADOR 14956
ROMF FOR THE VATICAN; USCINCSO ALSO FOR POLAI
E.O. 12356: EACL: OADR

PAGS: PGOV, PTER, PHUM, TS
SUBJECT: JESUIT RECTOR OF UCA SHOT DEAD;
SEVEN OTHERS KILLED

1. (U) IGNACIO FLLACURIA, JESUIT RECTOR OF THE
CENTRAL AMERICAN UNIVERSITY (UCA), THREE OTHER
UNIVERSITY JESUITS, TWO OTHER PRIESTS, AND TWO OTHERS
WERE SHOT TO DEATH AT THEIR UCA RESIDENCE AT
APPROXIMATELY 2230 LOCAL SOMETIME DURING THE EVENING
OR NIGHT OF NOVEMBER 16 BY UNIDENTIFIED GUNMEN.

2. (U) THE VICTIMS ARE:
- IGNACIO FLLACURIA, RECTOR OF THE CENTRAL AMERICAN
██████████
██████████

PAGE 02 SAN SA 14955 162149Z
UNIVERSITY IN SAN SALVADOR.

- SEGUNDO MONTES, DIRECTOR OF UCA'S INSTITUTE OF
HUMAN RIGHTS.
- IGNACIO MARTIN-PARO, UCA'S VICE RECTOR AND DIRECTOR
OF UCA'S INSTITUTE OF INVESTIGATIONS.
- AMATO LOPEZ, THEOLOGY PROFESSOR AT UCA AND FORMER
RECTOR OF THE CENTRAL AMERICAN UNIVERSITY IN MANAGUA.

- JOAQUIN LOPEZ Y LOPEZ, DIRECTOR OF THE
ARCHBISHOPRIC'S "FE Y ALEGRIA" (FAITH AND HAPPINESS)
CENTER.
- ANOTHER THEOLOGIAN ASSOCIATED WITH THE
ARCHBISHOPRIC IDENTIFIED SOLELY AS "MORENO."
- A FEMALE COOK AND HER DAUGHTER (UNIDENTIFIED) WERE
ALSO KILLED.

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CHICHESTER LOIS
#9 SAN SALVADOR 14855

03/27/92 185819 PRINTER: KC

[REDACTED]

3. ~~(S)~~ CONCEFF AND POLITICAL ASSISTANT WENT TO UCA JESUIT RESIDENCE MORNING OF NOVEMBER 16. THEY SAW THE BODIES IDENTIFIED AS ELLACURIA, MONTES, MARTIN-FARO, AND LOPEZ, IN THE RESIDENCE GARDEN. ONE REPORTER AND ONE AMCIT JESUIT TOLD EMBOFFS THAT THE TREASURY POLICE HAD BEEN SURROUNDING UCA SINCE NOVEMBER 11. THEY SAID THE TREASURY POLICE HAD SEARCHED THE JESUIT RESIDENCE NIGHT OF NOVEMBER 14/15. AT APPROXIMATELY 0230-0300 LOCAL NOVEMBER 16, THEY AIDED, THIRTY UNIFORMED ARMED MEN USED AN EXPLOSIVE DEVICE TO BLOW OPEN AN ENTRANCE TO THE JESUIT RESIDENCE. ONE UCA PROFESSOR TOLD POL

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ASSISTANT THAT HE UNDERSTOOD THAT SEVEN ARMED MEN HAD ENTERED THE RESIDENCE BETWEEN 2200 AND 2300. AMCIT JESUIT BROUGHT THE NEWS OF THE KILLINGS TO THE ARCHBISHOPRIC AFTER CURFEW WAS LIFTED (0600) LOCAL NOVEMBER 16.

4. ~~(S)~~ EMBASSY HAS NO INFORMATION ON EYEWITNESSES TO THE KILLINGS. IT IS PLAUSIBLE THAT EXTREMISTS ON EITHER THE RIGHT OR LEFT MAY BE RESPONSIBLE FOR THE MURDERS. ELLACURIA, A LEADING LEFTIST INTELLECTUAL WHO OFTEN SYMPATHIZED WITH FMLN POSITIONS (SEVERAL FMLN LEADERS HAD STUDIED UNDER ELLACURIA AT UCA), WOULD BE A TARGET FOR RIGHT-WING EXTREMISTS. WE CANNOT DISCOUNT, HOWEVER, THAT FMLN EXTREMISTS MAY

HAVE MURDERED ELLACURIA ET AL IN ORDER TO SALVAGE THEIR HOPED-FOR POPULAR UPRISING. ALSO, ELLACURIA AT RECENTLY PUBLICALLY DISAPPROVED OF FMLN POSITIONS AND EVEN GRUDGINGLY APPROVED OF SOME OF CRISTIANI'S POLICIES.

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ELLACURIA, JESUIT RECTOR OF THE CENTRAL AMERICAN UNIVERSITY, FIVE OTHER JESUITS, AND TWO OTHERS. THE COMMUNIQUE DESCRIBED THE ASSASSINATION AS SAVAGE AND A FLAGRANT VIOLATION OF HUMAN RIGHTS. THE GOES ANNOUNCED IT HAD LAUNCHED AN IMMEDIATE INVESTIGATION INTO THE CASE. (NOTE: THE USG-FUNDED NATIONAL POLICE'S SPECIAL INVESTIGATIVE UNIT (SIU) PERFORMED AN AUTOPOSTY ON THE VICTIMS NOVEMBER 16. THE GOES REASONED THAT THE ASSASSINATIONS WERE CARRIED OUT TO DESTABILIZE THE DEMOCRATIC PROCESS AND FURTHER INCREASE THE ATMOSPHERE OF ANGUISH CREATED BY THE FMLN OFFENSIVE.

4. (U) LOCAL PRESS REPORTED A ESAF COMMUNIQUE WHICH BLAMED THE KILLINGS ON THE FMLN. ACCORDING TO THE REPORT, THE ESAF EMPHATICALLY CONDEMNED THE KILLINGS, REJECTED ANY CLAIMS THAT THE MILITARY WAS INVOLVED IN THE CRIME, AND APPEALED TO THE INTERNATIONAL COMMUNITY NOT TO BE TAKEN IN BY THE FMLN'S UNFOUNDED ACCUSATIONS.

5. (U) RADIO VENCEREMOS CLAIMED THAT REPORTS FROM SAN SALVADOR CONFIRMED THAT SPECIAL FORCES FROM THE ARMED FORCES JOINT GENERAL STAFF KILLED THE GROUP. THE BROADCAST CALLED UPON THE AMERICAN PEOPLE WHO WERE MAINTAINING THE "MILITARY DICTATORSHIP" IN EL SALVADOR TO MOBILIZE IMMEDIATELY TO DEMAND THAT THE USG STOP SUPPORTING THE DEATH SQUADS. THE REPORT ALSO INVITED THE AMERICAN PEOPLE TO VIEW TELEVISION SCENES OF U.S.-MADE A-37 AIRPLANES DROPPING BOMBS ON DEFENSELESS WOMEN AND CHILDREN. THE FMLN'S NATIONAL REVOLUTIONARY RADIO CLAIMED THAT THE ESAF MURDERED THE EIGHT IN AN ACT OF DESPERATION AND HELD ESAF CHIEF OF STAFF ENILIO PONCE PERSONALLY RESPONSIBLE. THE FMLN CALLED UPON THE ENTIRE SALVADORAN NATION TO JOIN THE COMBAT AGAINST THE GOES AND CALLED FOR THE FORMATION OF PEOPLE'S COMMITTEES TO ORGANIZE REBELLION IN EVERY CITY, TOWN, AND VILLAGE IN EL SALVADOR.

6. (C) THREE AMCIT SPECIALISTS, ONE PATHOLOGIST AND ONE RADIOLOGIST FROM THE COOK COUNTY MEDICAL EXAMINER'S OFFICE, AND ONE FORENSIC ANTHROPOLOGIST, WHO HAD BEEN ATTENDING A MEDICAL/HUMAN RIGHTS CONFERENCE IN SAN JOSE, COSTA RICA, ARRIVED IN SAN SALVADOR NOVEMBER 17. THEY PERFORMED A PRELIMINARY EXAMINATION OF THE VICTIMS' BODIES AND ARE EXAMINING THE AUTOPOSTY REPORT. EMBASSY WILL REPORT THEIR FINDINGS. WE HAVE UNCONFIRMED REPORTS OF EYEWITNESSES TO THE KILLINGS; NONE HAS YET COME FORTH.

7. (C) COMMENT: WITH ACCUSATIONS FLYING BACK AND FORTH, WE ONCE AGAIN HAVE A CASE OF THE RIGHT BLAMING THE LEFT AND THE LEFT BLAMING THE RIGHT. EMBASSY IS DETERMINED TO EXHAUST ALL RESOURCES IN PUSHING FOR A THOROUGH AND PROFESSIONAL INVESTIGATION.

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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 3599
INFO AMEMBASSY GUATEMALA
AMEMBASSY MANAGUA
AMEMBASSY SAN JOSE
AMEMBASSY TEGUCIGALPA
AMEMBASSY MADRID
AMEMBASSY ROME
AMEMBASSY MEXICO
AMEMBASSY CARACAS
USCINCSO GUARRY HTS PH

SAN SALVADOR 14980

ROME FOR THE VATICAN; USCINCSO ALSO FOR POLAD

E.O. 12356: DECL: OADR
TAGS: PGOV, PHUM, PREL, ES
SUBJECT: REACTION TO ELLACURIA ASSASSINATION

REF: SAN SALVADOR 14855 (NOTAL)

1. SUMMARY: PRESIDENT CRISTIANI CONDEMNED THE KILLING OF ELLACURIA AND SEVEN OTHERS AND ORDERED AN IMMEDIATE INVESTIGATION. THE GOES ISSUED A COMMUNIQUE CONDEMNING THE ASSASSINATION. THE ESAF REPORTEDLY ISSUED A COMMUNIQUE BLAMING THE FMLN FOR THE CRIME. THE FMLN CHARGED THAT SPECIAL FORCES CARRIED OUT THE KILLINGS. THERE ARE REPORTS OF EYEWITNESSES TO THE CRIME BUT NONE HAS YET COME FORTH. A TEAM OF THREE AMCIT SPECIALISTS ARE EXAMINING THE VICTIMS' BODIES. END SUMMARY.

2. (U) PRESIDENT CRISTIANI DENOUNCED THE KILLINGS AT A NOVEMBER 16 PRESS CONFERENCE AND SAID THAT HE HAD ORDERED AN IMMEDIATE INVESTIGATION. HE CALLED THE PERPETRATORS, REGARDLESS OF WHICH EXTREME THEY REPRESENT, "TERRORISTS." CRISTIANI REPORTEDLY SAID THAT THERE MAY BE AN EYEWITNESS TO THE CRIME, BUT THAT THE EYEWITNESS HAD NOT YET BEEN LOCATED. CRISTIANI ALSO SAID THAT HE HAD SPOKEN WITH THE JESUIT PROVINCIAL, JOSE MARIA TOJEIRA, AND SAID THAT THE GOES WAS DETERMINED TO INVESTIGATE THE CASE THOROUGHLY. HE SAID THAT THE PROVINCIAL AGREED TO COOPERATE IN THE INVESTIGATION. THE PRESIDENT AGREED WITH EARLIER REMARKS BY SAN SALVADOR ARCHBISHOP RIVERA DARGAS THAT NO ONE SHOULD POLITICIZE THE CASE BY ACCUSING VARIOUS PARTIES, ORGANIZATIONS, OR INDIVIDUALS BEFORE THE FACTS ARE KNOWN. (NOTE: FATHER TOJEIRA REPORTEDLY STATED THAT HE SHARED RIVERA DARGAS' OPINION THAT THOSE RESPONSIBLE FOR THE ELLACURIA SHOOTING WERE THE SAME MEN WHO ASSASSINATED ARCHBISHOP OSCAR ROMERO IN 1980.)

3. (U) THE GOES ISSUED A COMMUNIQUE NOVEMBER 16 CONDEMNING THE NOVEMBER 16 ASSASSINATION OF IGNACIO

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TO SECSTATE WASHDC IMMEDIATE 4904

~~SECRET~~ SAN SALVADOR 00287

E. O. 12356: DECL: OADR
TAGS: PHUM, PINS, ES
SUBJECT: THREE ARRESTED IN JESUIT MURDER CASE

1. ~~SECRET~~ - ENTIRE TEXT

2. THREE MEMBERS OF THE SALVADORAN ARMED FORCES HAVE BEEN ARRESTED UNDER SUSPICION OF INVOLVEMENT IN THE NOVEMBER 16 JESUIT MURDERS. TWO, 2ND LT GONZALO GUEVARA CERRITOS AND 1LT JOSE RICARDO ESPINOZA GUERRA, ARE OFFICERS IN COMMAND OF THE SPECIAL FORCES GROUP OF THE ATACATL IMMEDIATE REACTION BATTALION. THE THIRD, 1LT YUSHSY RENE MENDOZA VALLECILLOS, IS A SECTION COMMANDER AT THE MILITARY ACADEMY. ALL ARE BEING HELD AT THE NATIONAL POLICE. ACCORDING TO ARMED FORCES CHIEF COL RENE EMILIO PONCE, BALLISTICS AND HANDWRITING EVIDENCE DEVELOPED DURING THE INVESTIGATION IMPLICATE THE THREE IN THE CRIME. THE ATACATL OFFICERS ARE THOSE WHO CONDUCTED THE SEARCH OF THE UCA ON NOVEMBER 13.

3. THE INVESTIGATION CONTINUES AND IT IS PROBABLE THAT MORE ARRESTS WILL FOLLOW SOON. WHILE TROUBLED BY THE EVENTS, THE ARMED FORCES LEADERSHIP CONTINUES TO GIVE ITS FULL SUPPORT TO A FULL AND EXPEDITIOUS INVESTIGATION.

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REVIEWED by BJB DATE APR 10 1990

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