



IN THE UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF COLUMBIA

IN RE LETTERS ROGATORY )  
FROM THE FOURTH CRIMINAL )  
COURT JUDGE OF SAN SALVADOR, )  
EL SALVADOR )

Washington ) SS  
District of Columbia )

AFFIDAVIT

I, Eric Buckland, being duly sworn, do depose and say that:

1. I am a citizen of the United States of America.

2. On August 7, 1991, I testified under oath in response to a request dated June 6, 1991, from the Fourth Criminal Court Judge of San Salvador, Republic of El Salvador. A complete and accurate transcript of my testimony is attached to this affidavit.

3. I attest that the attached testimony is true and correct to the best of my knowledge and belief.

Eric W. Buckland

Sworn to and subscribed before me  
this 8<sup>th</sup> day of August, 1991

Deborah A. Robinson  
Judge, United States District Court  
for the District of Columbia

Deborah A. Robinson  
U.S. Magistrate Judge

**ORIGINAL**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN RE LETTERS ROGATORY )  
FROM THE FOURTH CRIMINAL )  
COURT JUDGE OF SAN SALVADOR, ) SS  
EL SALVADOR )  
WASHINGTON )  
DISTRICT OF COLUMBIA )

Washington, D.C.

Wednesday, August 7, 1991

Deposition of:

MAJ ERIC WARREN BUCKLAND

a witness of lawful age, taken on behalf of the Department of Justice in the above-entitled action, before Harlyne S. Blum, a Notary Public in and for the District of Columbia, at the Office of International Affairs, 1400 New York Avenue, N.W., Fifth Floor, Washington, D.C. 20530, commencing at 11:15 a.m.

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## APPEARANCES:

On Behalf of the Department of Justice:

JOHN E. HARRIS, ESQ.  
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Office of International Affairs  
Criminal Division  
U.S. Department of Justice  
1400 New York Avenue, N.W., Suite 5400  
Washington, D.C. 20530

On Behalf of the State Department:

JULIE OETTINGER, ESQ.  
Attorney Adviser  
Office of the Legal Adviser  
U.S. Department of State  
Washington, D.C. 20520

On Behalf of the Department of the Army and the  
Department of Defense:

BETH A. WILKINSON, ESQ.  
Assistant to the General Counsel  
Office of the General Counsel  
Department of the Army  
The Pentagon, Room 2E725  
Washington, D.C. 20310-0104

\* \* \* \* \*

## C O N T E N T S

EXAMINATION BY:	Page
Counsel for the Department of Justice	4

\* \* \* \* \*

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## P R O C E E D I N G S

1  
2 MR. HARRIS: It is 11:15, August 7, 1991, and we're  
3 in the conference room of the Office of International Affairs  
4 in Washington, D.C. I'm John Harris, Deputy Director of the  
5 Office of International Affairs in the Criminal Division of  
6 the United States Department of Justice.

7 Present with me today is the witness, MAJ Eric  
8 Buckland; also present is Ms. Julie Oettinger, Attorney  
9 Adviser in the Office of the Legal Adviser, Department of  
10 State; and Ms. Beth Wilkinson, Assistant General Counsel,  
11 Department of the Army.

12 We're here to record testimony requested in a  
13 Comision Rogatoria issued by the judge of the Fourth Criminal  
14 Court of San Salvador in the Republic of El Salvador for use  
15 in the criminal prosecution pending in that court of a  
16 Guillermo Alfredo Benavides Moreno and others for the crime of  
17 murder.

18 I'll now ask the court reporter to swear in the  
19 witness.

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1 Whereupon,

2

MAJ ERIC WARREN BUCKLAND

3 was called as a witness and, having been first duly sworn, was  
4 examined and testified as follows:

5

EXAMINATION BY COUNSEL FOR THE DEPARTMENT OF JUSTICE

6

BY MR. HARRIS:

7

Q MAJ Buckland, please state your occupation.

8

A I'm an officer in the United States Army.

9

Q MAJ Buckland, you're here today to voluntarily  
10 provide truthful answers, under oath, to the questions posed  
11 by the Fourth Criminal Court of San Salvador, is that correct?

12

A Yes, sir.

13

Q I hand you now a copy of the Comision Rogatoria from  
14 El Salvador, and I ask that you read it carefully.

15

(Witness examined the document.)

16

THE WITNESS: Okay.

17

BY MR. HARRIS:

18

Q Have you now read the questions contained in the  
19 request from San Salvador?

20

A Yes, sir.

21

Q Are you prepared to voluntarily answer these  
22 questions?

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1 A Yes, sir.

2 Q Very well.

3 MS. WILKINSON: Could we go off the record, please?

4 MR. HARRIS: Certainly.

5 (A discussion was held off the record.)

6 (A brief recess was taken.)

7 BY MR. HARRIS:

8 Q MAJ Buckland, how many times did you make a statement  
9 to FBI agents and where?

10 A I made four statements to the FBI, one in San  
11 Salvador, El Salvador, two in Washington, D.C., and one at  
12 Fort Bragg, North Carolina.

13 Q Were you pressured as to what to say in your  
14 statements?

15 A Yes, in one -- in one meeting -- or in one of the  
16 statements in Washington about the 11th of January, 1990, I  
17 felt that an awful lot of pressure was brought to bear on me,  
18 and the fact that I was continually accused of lying, that I  
19 was failing the polygraph, and that I obviously knew more  
20 -- or there was more to the story that I had given.

21 It mostly centered around having more knowledge of  
22 the killings and, in fact, prior knowledge, which I had none

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1 of. I learned about the killings or who allegedly ordered  
2 them about six weeks later.

3 But, again, I felt there was a lot of pressure, and I  
4 ended up saying a lot of things at that time that I -- that  
5 were not true.

6 Q MAJ Buckland, do you know whether any investigation  
7 is being conducted by the FBI to uncover the truth regarding  
8 the events at UCA?

9 A As I understood it, the FBI was assisting the Special  
10 Investigative Unit in El Salvador. I was not aware, and am  
11 not aware, that the FBI was conducting their own  
12 investigation.

13 Q So your answer then is no?

14 A I do not know whether they are conducting an  
15 investigation.

16 Q What was the purpose of the interrogations you  
17 underwent?

18 A I don't know.

19 Q Do you acknowledge the signatures appearing on the  
20 statements made to the FBI and introduced in these proceedings  
21 as being your own signature?

22 A I have not been provided any documents or anything



1 with my statements, so I cannot answer that question.

2 I'd like to go off the record for a moment, if I  
3 could.

4 (A discussion was held off the record.)

5 THE WITNESS: I'd like to clarify that question.

6 I have seen some of my statements, but as far as the  
7 statements referred to here that have been introduced into the  
8 court, I don't know which ones those are, I don't know what  
9 the judge has available. I can't answer that question.

10 BY MR. HARRIS:

11 Q Do you remember having stated what is contained in  
12 these documents?

13 A Again, I do not know which statements they're  
14 referring to. I can't answer that question.

15 Q MAJ Buckland, when and by what means did you learn  
16 that COL Benavides was planning the murders of the Jesuits?

17 A I never learned that COL Benavides was planning the  
18 murders. The information that I had was after the fact -- or  
19 that I was given was after the fact, the 20th or 21st of  
20 December, when COL Aviles told me that COL Benavides had  
21 allegedly ordered the killings.

22 Q Did you accompany COL Aviles to the Military Academy

1 before the murders?

2 A Yes.

3 Q How many times did you accompany COL Aviles to the  
4 Military Academy in 1989?

5 A I accompanied COL Aviles to the Military Academy five  
6 to ten times in 1989.

7 Q Why did you go there?

8 A All, except for one visit, were to visit an advanced  
9 psychological operations course that was being conducted by  
10 personnel from Fort Bragg with Salvadoran military and  
11 civilians at the Military Academy. It was conducted there  
12 because there was classroom space available.

13 COL Aviles was the C5 in charge of psychological  
14 operations, I was his advisor, so we visited the training on  
15 several occasions.

16 The one other time that I went to the school with COL  
17 Aviles was, to the best of my recollection, sometime in  
18 October of '89, when he had asked me to go over with him to  
19 the school. En route or as soon as we got there he told me  
20 that COL Ponce had asked him to go over and talk to COL  
21 Benavides about something, and he then he asked me, when we  
22 arrived at the school, to wait outside, he would just be a few

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1 minutes during this meeting, which I did. He came out about  
2 five or ten minutes later. I don't know the purpose of his  
3 visit.

4 Q Did you learn that the Chief of the Joint General  
5 Staff at the time had sent COL Carlos Armando Salvador Aviles  
6 to the Military Academy to convince COL Benavides not to carry  
7 out the plan to murder the Jesuits?

8 A No, I did not learn that. Again, the only  
9 information I ever had was given to me late December of '89,  
10 when COL Aviles told me that allegedly COL Benavides had  
11 ordered the killings.

12 Q MAJ Buckland, when your counterpart, COL Aviles, was  
13 out of the country, whom did you deal with regarding the  
14 affairs of Section 5?

15 A There were several military and civilian personnel in  
16 the C5. I worked -- I made it a point, actually, to work with  
17 as many of them as I could. So when COL Aviles was not there,  
18 again, I did my daily functions and worked with many of the  
19 different people in the C5, and CPT Puentes, who also worked  
20 with me from the States.

21 Q On what matters did you advise Section 5?

22 A I advised the C5 on psychological operations,

1 military civic action, civil defense, humanitarian assistance,  
2 did some coordination with the United States Agency for  
3 International Development, and also assisted some in security  
4 assistance as far as equipment that was needed by the C5.

5 Q Did you write a letter to your sister, Carol  
6 Buckland, concerning what you knew about the murders?

7 A Yes, I did.

8 Q Were you at any time afraid that something bad would  
9 happen to you because of what you knew about the murders?

10 A Yes, I was.

11 Q Did you receive threats from anyone in particular?

12 A No, sir.

13 Q Why did you not state everything you knew about the  
14 events all at once, without having to testify on several  
15 occasions?

16 A On every single occasion that I gave a statement, I  
17 told everything I knew. However, on the 11 January -- it was  
18 actually three days, the 10th, the 11th and 12th of January, I  
19 said many things that I had not said before, and I did not say  
20 -- and I never said again, essentially.

21 There were several reasons for this. As best I can  
22 explain them, I was under a lot of emotional stress, I was

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1 physically exhausted. I was told repeatedly that I was not  
2 passing the polygraph, that I was failing, that I was  
3 obviously lying.

4 That was terribly disturbing to me because I was  
5 telling the truth, and I believed the polygraph worked. I  
6 thought -- I did not understand why I wasn't passing -- or why  
7 I was being told that I wasn't passing.

8 As the interrogation continued, the agent who was  
9 interrogating me began to stress that I had obviously  
10 suppressed something, and that was the problem. And about the  
11 same time the interrogation went from, "When did you find  
12 out?" to actually him accusing me of being a murderer or  
13 participating in the murders.

14 It was about that point I asked to stop, said I  
15 wanted to talk to JAG, or to military lawyers, because prior  
16 to going over to the FBI, I had been told by JAG personnel  
17 from either Bragg or the Pentagon that if there were any  
18 problems, to call them. So I said, "I don't want to continue  
19 with this. I don't like the way this interrogation is going."

20 He asked me to wait for a moment, stepped out of the  
21 room we were in, came back and told me I did not have the  
22 right to a lawyer, that I was a witness and not a suspect.

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1 But I was free to go, certainly, if I wanted to talk to a  
2 lawyer, but everyone would think I was a murderer if I did  
3 that.

4 I decided to stay and continue.

5 As he continued to drill the suppression part of it  
6 and then continued to tell me that I was lying, obviously I  
7 knew more, I remembered at some point going to the military  
8 school, as I've referred to earlier, the last trip, which was  
9 really a nonevent, but at that point it had great significance  
10 to me because I had forgotten about it, and I thought,  
11 basically, "Oh, my God, I must have known."

12 And from there many of the things that differ from  
13 every other statement I've ever made began to come out.

14 That's the best I can do to explain that.

15 Q MAJ Buckland, who were the United States advisors  
16 detailed to the various sections of the General Staff and to  
17 the Direccion Nacional de Inteligencia?

18 A There were several advisors who worked with the  
19 General Staff. To clarify right up front, within the DNI, or  
20 the National Intelligence Directorate, I did not know of  
21 anyone who was assigned there. But the people on the General  
22 Staff that I knew or were aware of were, in the C2, COL Porter

1 and MAJ Lewis; the C3, MAJ Pedroza; the C4, LTC Giandoni and  
2 MAJ Palmer; the C5, CPT Puentes and myself. Those are the  
3 only advisors I can recollect.

4 Q MAJ Buckland, do you have anything that you want to  
5 add or any statements you'd like to clarify?

6 A I'd like to go off the record now, if we could.

7 (A discussion was held off the record.)

8 (A brief recess was taken.)

9 THE WITNESS: Sir, I'd like to go back on the record  
10 and clarify a little bit question k.

11 After I had stated several things that were not  
12 correct or untrue about -- specifically about the prior  
13 knowledge and being told that the murders were going to  
14 happen, as soon as I left the interrogation, I talked to the  
15 FBI and told them that I had some problems with what I had  
16 stated.

17 I called them a day or two later and said I had  
18 serious problems and really wanted to talk to them, and I  
19 wanted to recant the statements about prior knowledge. And I  
20 did formally recant those statements as soon as I was given an  
21 opportunity to do so, which was the following week.

22 And that's all I wanted to say on that.

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12

MR. HARRIS: Thank you, MAJ Buckland.

THE WITNESS: You're welcome.

(Whereupon, at 11:30 a.m., the deposition of  
ERIC WARREN BUCKLAND was concluded.)

I have read the foregoing, which reflects a correct  
transcript of the answers given by me to the questions herein  
recorded.

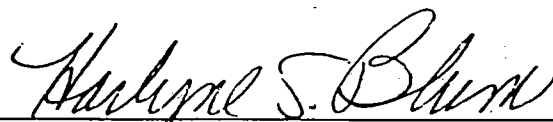
Deponent Eric W Buckland  
Date 7 Aug 91



## C E R T I F I C A T E

THE UNITED STATES OF AMERICA )  
 )  
 IN THE DISTRICT OF COLUMBIA )

I, Harlyne S. Blum, Notary Public, before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the preceding pages was duly sworn by me; that the testimony of said witness was taken by me by stenotype and thereafter reduced to typewritten form; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative of or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of this action.




---

Harlyne S. Blum  
 Notary Public in and for the  
 District of Columbia

My commission expires:

November 15, 1995

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