

EL SALVADOR

Darkening Horizons: Human Rights on the Eve of the March 1994 Elections

I. Introduction

As El Salvador winds up the campaign for presidential, legislative, and municipal elections scheduled for March 20, 1994, no issue represents a greater threat to the peace process than the rise in political murders of leaders and grassroots activists belonging to the Farabundo Martí National Liberation Front (FMLN). These assassinations, which became more frequent, brazen, and selective in the fall of 1993, have continued into the new year. They have raised fears that notorious death squads which sowed terror in the 1980s have been reactivated if, in fact, they were ever disbanded. Several of these squads have publicly claimed credit for death threats, which have then been followed by abductions, attacks, or murders.

As in the past, government investigations into political crimes have been grossly inadequate. In one prominent case, the U.S.-funded Special Investigative Unit (SIU) has been involved in what appears to be a direct cover-up. Continued impunity for political murder represents a critical failure of the government of President Alfredo Cristiani and a threat to the consolidation of Salvadoran democracy.

The resurgence in death squad-style murders and death threats occurs against a backdrop of government noncompliance with important aspects of the peace accord. The Salvadoran government has refused to turn over to the United Nations Observer Mission for El Salvador (ONUSAL) the names of members of the Treasury Police, National Guard, and army rapid-reaction battalions, units that were disbanded because of their notorious human rights records. At the same time that declassified U.S. documents have identified some of these units as the locus of past death squad activity, there is no mechanism to ensure that personnel from them do not transfer into the new National Civilian Police (PNC). Past intelligence files and personnel are also unaccounted for.

Similarly, the government has transferred wholesale into the PNC — with no process of review or retraining — the Special Investigative Unit (SIU) and the Special Narcotics Unit (UEA), despite

INDEX	
I.	Introduction..... 1
II.	The Context of Continuing Abuses 2
III.	Recent Cases of Political Murder 5
IV.	Acts of Intimidation. Including Attacks and Death threats 10
V.	The Peace Accord: Unfulfilled Promises 12
VI.	Window on the Past: Declassified U.S. Documents 15
VII.	U.S. Policy 17
VIII.	Recommendations 19

their abusive records and in violation of a specific accord between the Salvadoran government and the FMLN. The government has postponed the full demobilization of the National Police, despite its preeminent role in ongoing human rights abuses.

The U.S. government, despite several high-profile condemnations of the rise in political violence, has gone out of its way to cast doubt on the accuracy and reliability of information contained in some 12,000 declassified documents from the Central Intelligence Agency, Defense Department, and State Department. Statements by Assistant Secretary of State for Inter-American Affairs Alexander Watson to the effect that CIA reports on the death squads are based on hearsay have given Salvadoran government officials the cover to dismiss or ignore revelations by U.S. agencies.

Human Rights Watch/Americas calls on the Salvadoran government to:

- ◆ immediately provide ONUSAL with the names of officers and enlisted men of disbanded security force, army, and intelligence units, so that they can be prevented from occupying new posts in the security apparatus, and;

- ◆ submit the SIU and UEA to the review and retraining agreed to in December 1992.

- ◆ We call on the U.S. government to comply with a congressional request for the release of additional documents from the Justice Department and Federal Bureau of Investigation on human rights abuses discussed by the United Nations Commission on the Truth for El Salvador, and to release further U.S. documents provided to the Congress on a classified basis.

II. The Context of Continuing Abuses

Following the rise in killings of senior FMLN officials in late 1993, President Cristiani agreed to the formation of a four-man *Grupo Conjunto*, or Working Group, to investigate death squad killings.¹ The group is composed of human rights ombudsman Carlos Molina Fonseca, head of the human rights division of ONUSAL Diego García-Sayán, and two lawyers appointed by the government, Juan Gerónimo Castillo and José Leandro Echeverría.² It has a mandate to

¹ In March 1993, the United Nations-sponsored Commission on the Truth for El Salvador recommended that a "thorough investigation of [the death squad] issue be undertaken immediately." Faced with the deterioration in the human rights situation, U.N. Under-Secretary General for Political Affairs Marrack Goulding visited El Salvador during the second week of November 1993 to seek Salvadoran government compliance with this recommendation and with a renewed request from U.N. Secretary General Boutros Boutros-Ghali to establish a mechanism to investigate the death squads. United Nations, Report of the Commission on the Truth for El Salvador, *From Madness to Hope: The Twelve-Year War in El Salvador* (hereafter cited as Truth Commission Report), S/25500, April 1, 1993 (Spanish original dated March 15, 1993), p. 180.

investigate political killings during the two-year period beginning January 1992 (when the peace accord was signed) until the present.³

The working group has been slow to get off the ground, however. Officially created on December 8, 1993, the group has six months to complete its investigation. It spent almost two months finding a locale, mounting infrastructure, and contracting human rights and police investigators. In early February, the group issued public calls in the Salvadoran press for those with information about death squads to come forward.

The March 20, 1994 elections were supposed to represent the culmination of a two-year transition period involving the disarmament of the FMLN, the abolition of three notorious security forces as well as army rapid-reaction battalions, the reduction of the army, the implementation of judicial reform, and the creation of an entirely new National Civilian Police (PNC).

Instead, the elections take place in the midst of these reforms, many of which have been marked by serious delays and half-measures. Serious irregularities in the composition of the PNC and the failure to demobilize the National Police according to schedule compromise the environment in which the elections are to take place.

Moreover, the spate of unresolved political assassinations has injected a level of fear, almost impossible to measure, into the campaign. Whether or not that fear has an impact on voters' choice in the election, the questions of political murder and full implementation of the peace accord must be confronted squarely by the new government. As in neighboring Nicaragua, there is nothing that could make the peace unravel faster than continued attacks on former combatants carried out with complete impunity.

The number of victims of political murder in 1992-1993 is relatively small, between fifteen and thirty-six members of the FMLN. Approximately five-six members of ARENA and fifty or sixty members of the armed forces have also been killed, but there are few indications of political motivation.⁴ If the numbers are not alarming the trend is: the human rights situation rapidly

² The composition of the working group was the subject of intense negotiations. An initial proposal — that it be composed of non-governmental figures — was rejected by the Cristiani administration, which insisted on the right to name two of the group's members.

³ Radio Cadena YSKL, "Cristiani Swears In Investigative Commission," in *Foreign Broadcast Information Service*, FBIS, December 9, 1993, p. 26; U.S. Department of State, "Joint Group Fact Sheet," undated, p. 1.

⁴ The larger number for FMLN killings is the FMLN's own count, while the lower figure is a rough estimate by ONUSAL. Senior ONUSAL officials told Human Rights Watch/Americas in late January 1994 that the majority of the victims claimed by the army involved common crime. The human rights division's April 5, 1993, report does, however, discuss the murders of three members of the armed forces involved in intelligence activities, one of whom had begun to share information with human rights groups. United Nations, ONUSAL, *Report of the Director of the Human Rights Division of the United Nations Observer Mission in El Salvador up to 31 January 1992*, A/47/912, S/25521, April 5, 1993, pp. 13-14; interview, FMLN human rights officer Rolando Orellana, January 29, 1994; Frente Farabundo Martí para la Liberación Nacional, Secretaría de Derechos Humanos, "Violaciones a los Derechos Humanos Cometidas Contra el FMLN del 1 de febrero/92 al 31 de diciembre/93," undated, pp. 1-17.

deteriorated in late 1993, involving a string of high-profile murders of senior FMLN commanders. The trend has continued into early 1994, albeit the targets are less prominent FMLN officials.

The selection of victims, and the style of the murders, are reminiscent of the death squads that claimed thousand of victims during the height of the war. Heavily armed men in civilian dress still execute political opponents, leaving behind the initials of notorious death squads operating in the past, issue death threats in the name of these squads, and engage in "social cleansing" killings. The lack of serious government investigations contributes to the sense that these activities are at least tolerated by state agents. While direct evidence of state involvement in current death squad-style activity is currently lacking,⁵ the purpose of death squad activity in the past was precisely to eliminate victims while concealing the involvement of the state.⁶

The strong presumption of the reactivation of death squads comes not only from the style of murder and intimidation but also from the fact that, throughout the 1980s, the Salvadoran government failed to prosecute and punish death squad operatives. Successive amnesties (including the one rammed through the National Assembly by ARENA within days of the release of the United Nations Truth Commission report) have meant that death squad leaders and participants remain at large in Salvadoran society. The question today is less whether there is death squad activity than how such operations might be organized and directed.

There are also clearly killings of political figures that are not politically motivated and which occur in the context of the astronomical rise in crime in post-war El Salvador. According to ONUSAL, common crime increased 300 percent between January and September 1993, and the rate of homicides doubled.⁷ The mere identity of the victim (the fact of membership in the FMLN or ARENA, for example) or even the extreme brutality of an attack are not necessarily proof of political motivation.

At the same time, there are also clear cases in which political murders have been carried out to look like common crimes, as a way of masking underlying political objectives (see below). In addition, the Salvadoran government has used the increase in common crime to justify several breaches of the peace accord, including the July 1993 deployment of the army for internal security functions, and the postponement in early January 1994 of the phasing-out of the National Police. All this has occurred while the army and National Police are themselves reliably reported to be involved in organized crime, as are criminal gangs and bands of former soldiers,

⁵ The su's participation in a coverup of the Oscar Grimaldi murder, discussed below, is highly suggestive.

⁶ The Truth Commission noted that the "members of such groups usually wore civilian clothing, were heavily armed, operated clandestinely and hid their affiliation and identity. They abducted members of the civilian population and of rebel groups. They tortured their hostages, were responsible for their disappearance and usually executed them." In its ninth report, ONUSAL defined death squads as "groups organized in a clandestine manner and concealing the identity of their members (which) carry out selective violence in order to obtain or preserve political or social control." Truth Commission Report, p. 132; United Nations, ONUSAL, *IX Informe del Director de la División de Derechos Humanos de la Misión Observadores de las Naciones Unidas en El Salvador (1 de agosto - 31 octubre 1993)*, p. 31.

⁷ ONUSAL, *IX Informe*, p. 21.

as well as former police and members of the FMLN.⁸

The overall worsening of human rights trends in 1993 was decried by the newly-created governmental *Procuraduría para la Defensa de los Derechos Humanos* and reflected in reports throughout the year by ONUSAL's human rights division. In its third report released in October 1993, the Procuraduría noted the "grave deterioration in citizen security," made worse by "organized violence in the political arena."⁹ The fourth report called the human rights situation "delicate and fragile," and highlighted the danger that "the strong and traditional dynamic of violence against human rights is reproduced and broadened and ends by affecting the advances in peace and stability."¹⁰

ONUSAL's human rights division likewise sounded a greater alarm as 1993 drew to a close. The division's seventh report, covering February to April 1993 pointed to improvements with respect to torture and disappearances, and used veiled language to describe "homicides which bear the signs of having been organized and involving methods and procedures similar to those which, in the past, were used by the death squads."¹¹

The eighth report, covering May through July 1993, also highlighted an "ambivalent" situation, but expressed heightened concern over the "growing activity of clandestine groups whose methodology corresponds to the death squads." The report noted that "politically motivated human rights violations have presented themselves in a more direct manner, constituting acts whose seriousness penetrates the electoral context."¹²

The ninth report, detailing the events of August, September, and October, decried the "serious regression" in the human rights situation, including the "increase in arbitrary executions and the presence of activities of illegal groups, among them the so-called death squads." The resurgence of violations, ONUSAL pointed out, "coincides, on the one hand, with the formal initiation of the electoral campaign and, on the other, with the final phase of implementation of the peace accords."¹³ Echoing the human rights division's concerns, U.N. Secretary General Boutros Boutros-Ghali in late November 1993 noted with dismay the 34 percent increase in complaints of arbitrary executions, as well as "numerous death threats with clearly political

⁸ Interviews, San Salvador, January 26 and 27, 1994.

⁹ Procuraduría Para la Defensa de los Derechos Humanos, *Tercer Informe*, October 1993, p. 1.

¹⁰ Procuraduría Para la Defensa de los Derechos Humanos, *Cuarto Informe*, February 16, 1994, p. 1.

¹¹ United Nations, ONUSAL, *Report of the Director of the Human Rights Division of the United Nations Observer Mission in El Salvador up to 30 April 1993*, A/47/968, S/26033, July 2, 1993, pp. 5-6.

¹² United Nations, ONUSAL, *Informe del Director de la División de Derechos Humanos de la Misión Observadora de las Naciones Unidas en El Salvador hasta el 31 de julio de 1993*, S/26/41/6, October 22, 1993, pp. 4 and 30.

¹³ ONUSAL, *IX Informe*, pp. 1, 4.

connotations" authored by "illegal groups."¹⁴

The following descriptions of individual cases are by no means exhaustive of those in which a political motive has been established or is strongly suspected. The cases have been selected because they are illustrative of the deterioration in the human rights situation in late 1993 and early 1994.

III. Recent Cases of Political Murder

Oscar Grimaldi, a former FMLN logistics officer, was shot seven times in the early morning hours of August 19, 1993, by two men who approached him in a café. In a rare public statement issued within days of the murder, ONUSAL described the case as one of a series of attacks aimed at persons because of their beliefs or political affiliations.¹⁵

The investigation of the Grimaldi case represents a blatant attempt at a cover-up by the Special Investigative Unit (SIU) and by Salvadoran judicial officials.

After a suspect in the case was located and identified, ONUSAL for three weeks tried unsuccessfully to get the SIU to arrest him. The SIU declined, claiming lack of a judicial order, but apparently made no effort to obtain one. After weeks of inaction, the head of ONUSAL's human rights division visited the SIU on October 25, 1993, to press the need to act swiftly and arrest the suspect before he was tipped off and moved to another location. The SIU said that they had finally obtained the judicial order, and would proceed with the arrest the next day.

The following morning, however, the suspect was found murdered, his body riddled with bullets and left in a stolen car.¹⁶ The SIU subsequently failed to detain the presumed killer of the murder suspect, even after he was identified through physical marks as well as through the stolen vehicle. To make matters worse, judicial officials initially told ONUSAL that they would not perform an autopsy on the murdered suspect, as he was said to have AIDS. Later, ONUSAL learned that the body had, in fact, been exhumed and an autopsy carried out, days before the date ONUSAL officials were informed it would take place.¹⁷

The conduct of the SIU and of judicial officials in this case is inexcusable and can only be explained as a deliberate attempt to cover the tracks of the killers of Oscar Grimaldi.

¹⁴ United Nations, *Further Report of the Secretary-General on the United Nations Observer Mission in El Salvador*, S/26790, November 23, 1993, paragraphs 43-44.

¹⁵ ONUSAL, "Declaración de la División de Derechos Humanos de ONUSAL Respecto al Homicidio del Ingeniero Oscar Grimaldi," August 23, 1993, pp. 1-2.

¹⁶ The body was found in the area outside San Salvador known as Los Planes de Renderos, a notorious death squad zone of operations in the 1980s.

¹⁷ ONUSAL, *IX Informe*, p. 9; interviews, San Salvador, January 28 and 30, 1994.

Francisco Velis, a member of the National Council of the FMLN and a candidate for alternate deputy in the Legislative Assembly, was murdered in the early morning of October 25, 1993, as he dropped his young daughter at a day care center in the capital. After shooting Velis three times in the head at close range using a silencer, the assailants were able to flee, even though a National Police patrol was reportedly in the vicinity. ONUSAL investigators ruled out robbery as a motive, noting that nothing was taken from the victim and that the attack was "clearly directed at taking his life."¹⁸ At the time, Velis was the most senior member of the FMLN to be murdered since the signing of the peace accord.

Because of the political repercussions of the killing, the government passed the case to a newly-formed governmental Interinstitutional Commission to investigate. The Commission is composed of the Minister of the Presidency, and representatives of the Attorney General's office, the PNC, the SIU, the newly-created State Intelligence Agency (OIE), and the Presidential Commissioner for Human Rights. The United States (through the FBI), Great Britain (through Scotland Yard), and Spain (through the Spanish police) offered assistance. ONUSAL has severely criticized the Interinstitutional Commission for its lack of independence and effectiveness, and the commission, in fact, has accomplished little.¹⁹ The investigation into the Velis murder has not advanced and little priority has been given to the probability that the murder was politically-motivated.²⁰

Within days of the Velis assassination, senior FMLN leader **Eleno Hernán Castro** was murdered along a main highway in San Vicente province on October 30, 1993, as he headed to a meeting of agrarian activists in nearby Usulután. Castro served on the FMLN's land commission and headed their program on land transfers; he was extremely influential among rural tenants and former FMLN combatants in the eastern region of the country.

ONUSAL insisted immediately that the investigation include "the possible participation of armed groups with political ends, in the style of the 'death squads'."²¹ The initial investigation, however, concluded that Castro was shot and killed as the result of an altercation stemming from a traffic accident: Castro's vehicle was struck from behind and a heated argument ensued when the drivers of both vehicles got out of their cars, and farmer Juan Arnoldo García shot

¹⁸ Amnesty International, Urgent Action, October 26, 1993; ONUSAL, *IX Informe*, pp. 2, 10-11.

¹⁹ The commission dealt with the Velis case and that of Eleno Castro, discussed below. ONUSAL, *IX Informe*, pp. 7-8; interview, senior ONUSAL official, January 26, 1994; interview, U.S. Embassy, January 27, 1994.

²⁰ Interview, ONUSAL, January 26, 1994.

²¹ ONUSAL, "ONUSAL Condena y Repudia Asesinato de Dirigente del FMLN," October 30, 1993.

On November 5, 1993, the U.N. Security Council expressed its concern that "the murders committed in recent months could indicate the resurgence of illegal armed groups whose activities had diminished after the signing of the peace accord in January 1992." The Security Council, referring also to the death of an ARENA member, called on the Salvadoran government to take "all necessary measures to submit those responsible to prompt justice, so as to avoid that these acts repeat themselves in the future." Consejo de Seguridad, "Nota del Presidente del Consejo de Seguridad," S/26695, November 5, 1993, p. 1.

Castro.²² This version was publicly accepted by the FMLN on December 20, 1993. FMLN leader Joaquín Villalobos said that "the investigation was handled well, but we are not satisfied because the criminal has not been captured."²³

Since late 1993, however, new information has surfaced suggesting that the traffic accident was staged in order to serve as a pretext for the murder, and that the assailants forced their way into a passing car which then struck Castro's vehicle.²⁴ Human Rights Watch/Americas urges Salvadoran authorities to continue the investigation and explore all new leads and the testimony of new witnesses which appear to indicate that the murder of Eleno Castro might, indeed, have been a political assassination organized under the guise of common crime.

On November 2, 1993, a group of heavily-armed individuals, two of them in uniform and one wearing the insignia of the Army Third Brigade, murdered **Sebastián Araniva Salamanca**, a member of the ruling ARENA party and alternate city councilman of Chinameca, San Miguel. Two other ARENA activists from Santa Ana, including ex-mayor of Candelaria de la Frontera **Celestino Antonio Cerna Linares**, were murdered on November 13.

ONUSAL did not call murders politically motivated, and suggested that they involved common crime. The IX report noted that the five heavily armed men who attacked Sebastián Araniva in his home searched the house and took electrical appliances and other goods of value. Likewise, the two individuals who attacked Cerna Linares stole his wallet and fled in the victim's car, which they later abandoned.²⁵

A fourth ARENA member, **Marvin García**, was killed on November 22, 1993, when attackers threw a grenade into his house in eastern Morazán. García was the brother of the ARENA mayor of nearby Villa El Rosario. Marco Tulio Lima, a leader of the Authentic Christian Movement (MAC) has been detained in connection with the case.

On November 8, 1993, the bodies of **Manuel de Jesús Acevedo** and **Remberto Antonio López** were found in a garbage dump in the Las Margaritas neighborhood of Soyapango, a working class suburb of San Salvador. Acevedo had been a former bodyguard to Roberto Roca, one of the five top commanders of the FMLN. He was married to FMLN electoral affairs secretary Doris Elena Hernández. Both men had been shot in the head and their hands tied behind their backs with barbed wire. The bodies showed clear signs of torture.²⁶

²² Radio Cuscatlán, News conference with President Alfredo Cristiani, November 22, 1993, *FBIS*, November 23, 1993, p. 35.

²³ Agence France Presse, "FMLN Accepts Police Conclusion in Murder," *FBIS*, December 21, 1993, p. 18.

²⁴ Driver Marina Isabel de Rivas declared in court in late November 1993 that two armed men got into her car, forcing her to pursue the vehicle of Eleno Castro. After the accident, she said, one of the men got out of the car and said, "your time is up, Carmelo." (Carmelo was Castro's *nom de guerra*) TV 6, November 26, 1993, quoted in Fundación Flor Izote/El Rescate, "Report from El Salvador," Vol. 4, No. 43, November 22-29, 1993.

²⁵ ONUSAL *IX Informe*, p. 12.

²⁶ "Asesinan a ex-seguridad de Roberto Roca del PRTC-FMLN," *Diario Latino*, November 9, 1993; "En Soyapango Hallan Cadáver de

The murder of FMLN leader **Mario López** on December 9, 1993 raised concerns over political violence to new heights. López was a member of the team that negotiated the peace accords, a member of the FMLN's education secretariat, and a candidate for the Central American Parliament.²⁷ He was shot three times in the hip and leg as he arrived to visit his son, intervening to stop several armed men from robbing an elderly woman. López died shortly thereafter of his wounds.

Although the investigation is still ongoing, most indications are that López arrived in the wrong place at the wrong time, chancing into an armed robbery and shot as he attempted to defend the elderly victim and himself. The FMLN and Tutela Legal, however, both insist on a political motive, a suspicion that cannot be discarded until a thorough investigation is completed.²⁸

The rapid succession of murders occurring in late 1993 — made all the more disturbing by the prominence of several of the victims — focused national and international attention on the problem of political violence in El Salvador. What has continued, largely unnoticed and unreported, is a sequence of assassinations of FMLN grassroots leaders and agrarian activists. In two of the cases discussed below, the perpetrators staged robberies in addition to clearly targeting their victims, possibly in an attempt to make a political killing look like common crime.

Ex-FMLN combatant and Soyapango resident **Saúl Antonio Salas** was abducted and murdered on November 29, 1993 by three armed men who forced him into a car with polarized windows. He was driven to a farm in the cantón Santa Lucía de Panchimalco and executed shortly thereafter. Salas's fingers were tied behind his back with a shoelace and he had been blindfolded. He was shot three times in the head and twelve times in the back.

Salas was an FMLN combatant between 1982 and 1985. He was arrested in 1986, spent seven months in prison, and then joined the Treasury Police, where he remained until demobilized in 1992. Salas's status as an FMLN combatant who "turned" suggests that the FMLN might have had a motive for killing him. The *modus operandi*, however, is classic death squad style.

On December 10, 1993, armed gunmen arrived at the home of **José Andrés Bonilla Ventura**, the FMLN candidate for mayor of Guazapa. Bonilla had previously received death threats. He was on the porch of his house at 10:30 p.m. with his brother, **Guillermo Bonilla Ventura**, when the gunmen ordered them to put up their hands and not move. The gunmen immediately started shooting, killing Guillermo Bonilla.

On December 29, 1993, four heavily armed men came to the home in Santa Ana of **Rubén**

Miembro FMLN," *El Diario de Hoy*, November 10, 1993; Amnesty International, "Urgent Action," November 12, 1993.

²⁷ ONUSAL, "ONUSAL Condena Nuevo Asesinato de Miembro del FMLN," December 9, 1993, p. 1.

²⁸ Oficina de Tutela Legal del Arzobispado, "Investigación Sobre el Asesinato del Lic. José Mario López Alvarenga, Ex-Comandante Venancio Salvatierra del Frente Farabundo Martí Para la Liberación Nacional y del PRTC," December 15, 1993; Interviews, ONUSAL, Tutela Legal, U.S. Embassy, and FMLN human rights officers, San Salvador, January 26, 27, 28, and 29, 1994.

Eduardo Vanegas, a demobilized FMLN fighter and current FMLN leader in the *cantón* Ochupes. They demanded that Vanegas come out of the house and threatened to place a bomb if he didn't appear. Vanegas's eighty-eight-year-old grandmother and 107-year-old grandfather attempted to talk to the men and convince them to leave their grandson alone. Both were shot and killed. Vanegas came out and was immediately mowed down. After he was shot the attackers slit his throat and carved an "M" into his stomach.

José Simeón Cartagena, a member of the FMLN and a cooperativist with FECORACEN (Federation of Cooperatives of the Agrarian Reform, Central Region), was murdered on January 10, 1994, by two armed men who broke into his house in La Libertad in the early morning. He had previously received a death threat. The gunmen asked for Cartagena, grabbed him, and asked for money. When he said he had none, they shot him, his wife, and his thirteen-year-old step-daughter. Only his wife survived. The gunmen stole a television, an iron, and forty colones (less than \$5). They left in two waiting cars, one a white pickup with polarized windows. Cartagena had been counselling cooperatives on the dangers of parcelization of the land.

Juan Irene Beltrán Durán, fifty-one, was the director of a public high school in the Soyapango neighborhood of San Salvador. He was a known sympathizer of the FMLN and provided school classrooms to the FMLN for meetings. On January 21, 1994, armed assailants stole some money from the high school office, and then asked for the office of the director. When they found Beltrán they put a bullet in his head and slit his throat.

Close relatives of Beltrán appear to have discarded political motivations for the murder, noting that a former employee who went to jail for robbery had threatened him and tried to run him over with a vehicle.

Additional human rights violations, including murder, have been committed in the course of government operations purportedly to combat crime, operations which may serve as a cover for intelligence activity.

On December 11, 1993, for example, six young men in *cantón* Primavera, Santa Ana, were machinegunned to death by two soldiers of the army's Cavalry Regiment and one civilian as the youths headed to an Alcoholics Anonymous meeting. The young men had no known political affiliation.

Two soldiers arrested for the crime stated that they had been assigned to "carry out intelligence tasks" and were on a "secret mission" to search a house. The home of FMLN political leader Israel Morán was, in fact, searched on the night of the killings. Earlier in the day, an army rapid displacement unit along with the National Police had deployed a large number of troops in *cantón* Primavera, with the purported objective of controlling common crime.

On November 13, 1993, members of an army unit deployed along the highway for crime control shot and killed the passenger of a vehicle involved in a hit-and-run accident. Driver José Santos Vásquez struck a pedestrian outside La Unión and did not stop. Further down the highway, members of an army patrol raked Santos Vásquez's car with machinegun fire, killing his passenger. Santos Vásquez was then turned over to the PNC by soldiers who made no mention that the army had killed the passenger in his car.

In addition to representing a grossly disproportionate use of force, the case illustrates the

army's attempt to cover up its role in the murder of the passenger. Soldiers interviewed by an investigating judge insisted that they were patrolling near the place of the shooting, heard shots, and ran to where the vehicle was stopped, finding the dead passenger.

IV. Acts of Intimidation, Including Attacks and Death Threats

While murder with political motivation remains the most serious threat to the peace process, equally disturbing are the number of politically motivated abductions, death threats, and physical attacks, some of which have been explicitly claimed in the name of notorious death squads. What follows are some of the most important cases from 1993:

◆ On May 22, **Gregorio Mejía Espinoza**, secretary of the Popular Social Christian Movement (MPSC), was abducted, tortured, and interrogated about the activities of the opposition Democratic Convergence, which is running a joint presidential ticket with the FMLN. Mejía had previously received death threats from the Secret Anti-Communist Army (*Ejército Secreto Anticomunista*, or ESA), a clandestine group which claimed victims throughout the 1980s.²⁹ Mejía saved himself from execution when he jumped from a vehicle in which he was being transported into a ravine.

◆ On June 8, **Héctor Silva**, another leading member of the Democratic Convergence, was attacked by a gunman who fired at him and his daughter as they were jogging in a Santa Tecla neighborhood. In early September, First Criminal Court Judge **Francisco Pleitez Lemus**, who was responsible for investigating a prior attack on Silva's daughter, was murdered in front of his home. According to a family member, the judge had previously received death threats.

◆ In September, a law professor and member of the National Council on the Judiciary, **René Madecael Perla Jiménez**, received several telephone death threats, including one from individuals identifying themselves as the Maximiliano Hernández Martínez Brigade, another death squad which operated in the 1980s. Dr. Perla Jiménez is the brother of Mirna Perla de Anaya, widow of murdered human rights activist Herbert Anaya Sanabria.

◆ On September 25, the "Angels of Death Squadron" (*Escuadrón Angeles de la Muerte*) circulated flyers threatening ONUSAL not to interfere in its work. In April, the Angels of Death claimed credit for a machinegun attack in the poor San Salvador neighborhood of La Fosa in which two people were killed and two others wounded. A confidential source told ONUSAL investigators at the time that residents believed the National Police to be involved in the death squad.³⁰ The group reappeared in October 1993, distributing a communiqué in which it threatened to eliminate members of youth gangs in Chalchuapa in Santa Ana department. The squad claimed to be made up of former FMLN and Army members.³¹

²⁹ Procuraduría Para la Defensa de los Derechos Humanos, *Tercer Informe*, p. 3.

³⁰ ONUSAL, *IX Informe*, p. 3; and *Report of the Director of the Human Rights Division...up to 30 April 1993*, pp. 14-15.

³¹ Radio yskl, "'Angels of Death' Group Threatens to Kill Young Hoodlums;" ACAN, "More on 'Angels of Death,'" FBIS, October 4, 1993, pp. 14-15.

◆ In late October and November, Salvadoran attorney **José María Méndez** received two written threats from the Maximiliano Hernández Martínez Brigade, threatening Méndez's wife and son unless he convinced his friend, vice-presidential candidate **Francisco Lima**, to withdraw from the race. Lima is running for vice-president on the FMLN-Democratic Convergence ticket.³²

◆ On November 1, following the funeral for Mario López, demonstrators threw molotov cocktails at the offices of the conservative daily *El Diario de Hoy*.³³

◆ Three men dressed in black attempted to murder **Gabriel Quintanilla**, FMLN coordinator in San Jorge, San Miguel in the early morning hours of November 3. Quintanilla, who was seriously wounded, was shot four times in the chest and throat. The day before the attack, Quintanilla had coordinated an FMLN municipal convention.³⁴

◆ On November 11, 1993, FMLN candidate for the mayor of San Juan Nonualco **José Antonio Cornejo** received a written death threat from the Secret Anti-Communist Army (ESA). The note threatened his family if he continued with his candidacy and said that "if you have an accident the FPL terrorists will be happy to present to the people a martyr of the death squads."³⁵

◆ An explosive device was thrown at the house of Christian Democratic Party (PDC) candidate for deputy **Arturo Argumedo** on December 17, 1993. Several months before, unidentified men were seen photographing Argumedo's house.³⁶

◆ On December 29, 1993, assailants broke into the home of FMLN youth organizer **María Mirtala López**. Documents relating to the March 1994 electoral campaign were stolen. A note left behind bore the initials "E.M.," the abbreviation for *Escuadrón de la Muerte*.³⁷

◆ On February 24, 1994, assailants machine-gunned a car driven by **Cruz Elías Pineda**, driver for FMLN commander and candidate for deputy **Nidia Díaz**. The car was cut off moments after dropping off Díaz. An initial investigation by the PNC has pointed to a criminal band.

V. The Peace Accord: Unfulfilled Promises

³² "Church Denounces Rightist Death Squads," *Miami Herald*, October 25, 1993; Amnesty International, Urgent Action, December 2, 1993.

³³ ONUSAL, *IX Informe*, p. 3.

³⁴ *Ibid.*, pp. 13-14.

³⁵ *Ibid.*, pp. 14-15.

³⁶ Partido Demócrata Cristiano, "pdc Exige Investigación Seria de los Hechos," and "pdc Condena Nuevo Atentado Contra Dr. Arturo Argumedo," December 17, 1993.

³⁷ Amnesty International, Urgent Action, January 6, 1994, p. 1.

A. The Reorganization of the Security Forces and Intelligence Service

The resurgence of death squad-style murders and death threats occurs alongside a government failure to implement important aspects of the peace accord. One of the accord's principal provisions was for the abolition of security force and army units — including the Treasury Police, National Guard, and all rapid-reaction army battalions — notorious for human rights abuses. As of late November, 1993, however, the government still had not turned over to ONUSAL the names of individuals belonging to those units. The list was crucial in order that ONUSAL could verify that such individuals were not attempting to enter the new PNC.³⁸

In fact, in 1992, the Salvadoran government had transferred over 1,000 members of the Treasury Police and National Guard to the National Police, thereby making them potentially eligible for PNC membership. Former members of both the Treasury Police and the National Guard were accepted in the training program of the PNC in 1992, an explicit violation of the accord.³⁹

Moreover, while ONUSAL was able to verify the disbanding of the National Intelligence Directorate (DNI), the United Nations has not been able to determine what has happened to DNI files, or to verify where DNI personnel have gone.⁴⁰ According to the U.N., the files were supposed to be destroyed or transferred to the new State Intelligence Agency (OIE), under the supervision of President Cristiani. The idea was to remove the armed forces from any domestic intelligence operations. The U.N. said in November that "it is not fully clear" that that had been accomplished.⁴¹

If files have been stolen or transferred in violation of the peace accord and Salvadoran law, the situation would resemble that of October 1979. Following a reformist military coup, cashiered National Guard Major Roberto D'Aubuisson, third in command of the state intelligence network ANSESAL, "kept part of the agency's archives," according to the Truth Commission, and provided "a link between a very aggressive sector of Salvadorian society and the intelligence network and operations of the S-II sections of the security forces." In 1983, D'Aubuisson told the *Los Angeles Times* that he had been assigned by the army high command to help reorganize ANSESAL files out of the reach of civilians in the new junta. According to the

³⁸ United Nations, *Further Report of the Secretary-General*, S/26790, November 23, 1993, para. 25.

³⁹ *Human Rights Watch World Report 1993* (New York: Human Rights Watch, December 1992), pp. 109-10; United Nations, *Report of the Secretary-General on the United Nations Observer Mission in El Salvador*, S/23999, May 26, 1992, p. 8.

⁴⁰ At least one member of the DNI has entered the Special Anti-Narcotics Unit (UEA), which was transferred wholesale into the PNC in late 1993. Interview, ONUSAL chief of mission Augusto Ramirez Ocampo, January 28, 1994.

⁴¹ United Nations, *Further Report of the Secretary General*, para. 14.

Human Rights Watch/Americas notes with alarm reports from credible sources that former Vice-Minister of Defense Juan Orlando Zepeda, named by the Truth Commission as one of the masterminds of the 1989 murders of six Jesuit priests and two women, is working with the OIE.

Albuquerque Journal, "D'Aubuisson filched a duplicate set of the reorganized files, which became the basis of a central enemies list used to orient the death squads."⁴²

B. Disbanding the National Police and Creating the PNC

There have also been irregularities regarding the demobilization of the National Police and the incorporation of existing investigative units into the PNC.⁴³ While suspension of the National Police demobilization may only be temporary, the contamination of the new police force with existing police units notorious for abuse poses a serious, and potentially permanent problem.

In early January 1994, the Salvadoran government announced that it was suspending the demobilization of the National Police, given the rise in common crime.⁴⁴ While this increase is real, the suspension called into question the motives of the Cristiani government, given previous attempts to delay or avoid implementation of key provisions of the peace accord.⁴⁵

For two years after the peace accord was signed, for example, the government continued to expand the National Police, graduating approximately one hundred agents per month from the police training school CETIPOL.⁴⁶ At the same time, the government channeled "blatantly insufficient" logistical and technical support to the PNC, according to the United Nations.⁴⁷ The human rights record of the National Police makes the suspension of its demobilization all the

⁴² Truth Commission report, pp. 134-35; Laurie Becklund, "Death Squads: Deadly 'Other War,'" *Los Angeles Times*, December 18, 1983; Craig Pyes, "Right Built Itself In Mirror Image of Left for Civil War," *Albuquerque Journal*, reprinted by the *Journal as Salvadoran Rightists: The Deadly Patriots* (New Mexico: 1984), p. 7.

⁴³ For further information on the deployment of the PNC and police reform in general see Washington Office on Latin America, "El Salvador Peace Plan Update #3, Recent Setbacks in the Police Transition," Washington, D.C., February 4, 1993; Hemisphere Initiatives and Washington Office on Latin America, "Risking Failure: The Problems and Promise of the New Civilian Police in El Salvador," Washington, D.C., September 1993; and Hemisphere Initiatives, "Police Issues," draft, January 1994.

⁴⁴ Criticism of the announcement was muted somewhat by the government's announcement that it would also deploy PNC units to the San Salvador suburbs of Soyapango and Ilopango. The FMLN had asked for faster PNC deployment in San Salvador following the murder of Mario López. TV 2, January 4, 1994, in Fundación Flor Izote/El Rescate, "Report from El Salvador," Vol. 5, No. 1, December 20, 1993 - January 10, 1994, p. 1; Interview, Augusto Ramírez Ocampo, January 28, 1994.

⁴⁵ Perhaps the most egregious example involved the government's refusal to implement fully the purge of the armed forces, based on the recommendations of the Ad Hoc Commission. Fifteen officers retained their posts or were transferred as military attachés abroad following the December 1992 deadline. See Americas Watch, "Accountability and Human Rights: The Report of the United Nations Commission on the Truth for El Salvador," Vol. V, No. 7, August 10, 1993, pp. 7-10.

⁴⁶ United Nations, *Report of the Secretary-General on the United Nations Observer Mission in El Salvador*, S/25812, May 21, 1993, p. 10.

⁴⁷ United Nations, *Further Report of the Secretary General*, paras. 36-38.

The Secretary General gave as an example the sixty-seven vehicles, thirty-one motorcycles, and 134 radios available to all 1,740 members of the PNC as of early November 1993.

more troubling. ONUSAL's human rights division accused the National Police in 1993 of "systematic" human rights abuses, including executions, torture, excessive use of force, and arbitrary detention. Between January and October 1993, the National Police was said to be responsible for fully 35 percent of human rights violations denounced to ONUSAL, a larger share than any other force.⁴⁸

While the National Police may ultimately be fully demobilized in 1994, the government has maneuvered to preserve intact two units with notoriously abusive backgrounds: the Special Investigative Unit (SIU), and the Special Anti-Narcotics Unit (UEA).⁴⁹

An agreement between the Salvadoran government and the FMLN in December 1992 stipulated that personnel and equipment from those units could be transferred into the corresponding investigative and anti-narcotics divisions of the PNC *after* an evaluation by the PNC, with ONUSAL verification, of the particular individuals, and *after* those individuals had taken a special training course on PNC doctrine in the new police academy. Following the December 1992 agreement, and in violation of its spirit, the UEA incorporated approximately one hundred new agents into its ranks.⁵⁰

In mid-to late 1993, however, the SIU and UEA were transferred virtually wholesale into the PNC, and the transfers were presented to ONUSAL as a *fait accompli*. The review of personnel was undertaken in a cursory manner, if at all, and ONUSAL was denied information pertaining to the evaluation. Personnel took a one-week course at the PNC, far short of the re-training necessary to ensure that they conformed with new police doctrine.⁵¹

Even worse, UEA personnel have taken up other positions within the PNC, in violation of the agreement that they be limited to anti-narcotics functions. According to the United Nations, the chief of the PNC detachment in San Miguel, the second largest in El Salvador, was a former UEA officer. This individual was removed following pressure from ONUSAL.⁵² The attempt to infiltrate

⁴⁸ ONUSAL, *IX Informe*, pp. 28-30 and Table 6.

⁴⁹ The Truth Commission reported that the siu had participated in the cover-up of the Jesuit murders, and that siu chief Col. Manuel Antonio Rivas "recommended that the barrels of the weapons which had been used be destroyed and replaced with others in order to prevent them from being identified with ballistics tests." Truth Commission Report, pp. 51-53.

The UEA, meanwhile, has a reputation for flagrant disregard for civil liberties and for using trumped-up drug charges against political opponents. One such case was brought to Human Rights Watch's attention in June 1992, involving the capture by UEA agents of a Supreme Court employee who had begun to disclose evidence of corruption in the Court.

⁵⁰ United Nations, *Report of the Secretary General*, May 21, 1993, pp. 8-9; interview, Augusto Ramirez Ocampo, January 28, 1994.

⁵¹ Interviews, Dale Wegcamp, ICITAP, January 25, 1994; U.S. Ambassador Alan Flanigan, January 27, 1994; Augusto Ramirez Ocampo, January 28, 1994.

⁵² United Nations, *Report of the Secretary General*, November 23, 1993, para. 32; Washington Office on Latin America, "El Salvador Peace Plan Update #3, p. 2.

UEA personnel throughout the PNC is no doubt the work of former UEA head Oscar Peña Durán, appointed as PNC Deputy Director in mid-1993. Peña Durán is also viewed as responsible for a chill in relations between ONUSAL human rights personnel and the PNC.⁵³

VI. Window on the Past: Declassified U.S. Documents

The Salvadoran government's failure to share with ONUSAL the names of former agents of the Treasury Police and National Guard, the doubts about the whereabouts of intelligence files, the suspension of the demobilization of the National Police, and the incorporation of former security force personnel into the new PNC are especially problematic given the role of the security and intelligence agencies in past death squad operations. The resurgence of death squad-style murders makes full compliance with the peace accord an urgent task, especially those provisions dealing with security and intelligence operations.

In November 1983, the Clinton administration declassified approximately 12,000 U.S. documents relevant to human rights cases reported by the Truth Commission. This action followed a request by seventeen members of Congress to President Clinton in March 1993. Following the release of the Truth Commission report, many liberal members of Congress expressed outrage that previous U.S. administrations had lied about or covered up the human rights record of the Salvadoran government.⁵⁴

The Department of Defense released publicly, in whole or in part, 916 documents, almost half of which (409) had not been classified to begin with. The Defense Department withheld from public view another 1,020 documents relevant to the congressional request. Classified documents and the redacted portions of released documents were made available to members of Congress or their staffs with appropriate security clearance. Similarly, the Central Intelligence Agency publicly released, in whole or in part, 939 documents. Another 668 were made available to members of Congress but remained classified, and 256 documents were withheld altogether because "release would jeopardize highly perishable sources or methods used by the Agency to conduct intelligence activities overseas."⁵⁵ The remaining 10,400 documents were released by the State Department.

Several of the documents provide important details on past death squad operations:

◆ As early as November 1980, and following the abduction and murder that month of six leaders of the Revolutionary Democratic Front (FDR), the U.S. Embassy reported that "it is commonly accepted throughout the country that the Brigada Anticomunista Maximiliano

⁵³ Interview, ONUSAL representative, San Salvador, January 26, 1994.

⁵⁴ The congressional letter asked for declassification of materials relevant to the thirty-two cases investigated by the Truth Commission, but did not specifically request information on death squads. For background on the congressional request, see Americas Watch, "Accountability and Human Rights," pp. 30-33.

⁵⁵ R. James Woolsey, Director of Central Intelligence, letter to Honorable Lee H. Hamilton, October 31, 1993, p. 2; (Secretary of Defense) Les Aspin, letter to Congress, November 2, 1993.

Hernández Martínez which has claimed responsibility for the assassinations is only a pseudonym for elements of the security forces."⁵⁶

◆ According to a March 1983 CIA cable on death squads within the National Police, "a rightist death squad has existed [deleted] since December 1979 and has engaged in numerous political assassinations." According to the CIA, "the death squad has drawn most of its members from three sections of the National Police: the Criminal Investigation Section (SIC), the Special Political Investigation Section (SIE), and the Narcotics Control Section." The death squad maintained a clandestine prison in the city of La Libertad.⁵⁷

◆ The CIA began to develop more systematic information on death squad structure in 1983, which culminated in a December 1983 visit by Vice President George Bush to denounce death squad violence. In October of that year, it reported that "there appear to be two categories of death squads, differentiated by the public or clandestine nature of their work." One type was "publicity seeking," calling themselves such names as the Maximiliano Hernández Martínez Brigade or Secret Anti-Communist Army. The publicity-seeking groups "make a public example of their victims, who are often tortured to death or executed, and dumped in public places." An example of a publicity-seeking death squad was the "paramilitary organization of the National First Republic Alliance [sic] Party (ARENA)." The squad, led by Constituent Assembly security chief Héctor Regalado, "engages in assassination, kidnapping, torture, and political intimidation" and called itself the Secret Anti-Communist Army (ESA).

The other kind of death squad "uses no title and, apart from the evidence of torture, leaves no indication of its responsibility." The CIA reported that most victims of death squads were killed by this second type.

The October 1983 report noted that the death squad run out of the National Police was the kind "which tends to avoid high profile operations." The National Police death squad maintained "informal liaison" with the ARENA paramilitary group and "cooperates with Regalado's group in the joint operation of a clandestine prison in the Escalon section of San Salvador." The CIA named former Salvadoran Defense Minister René Emilio Ponce as "a member of the National Police paramilitary squad."

The same report noted that "a National Guard death squad has operated since at least 1981." "Fragmentary reporting" indicated that a death squad operated within the Treasury Police "and others undeniably exist in the civilian sector."⁵⁸

◆ A February 1985 CIA assessment revealed that "behind ARENA's legitimate exterior lies a

⁵⁶ "Assassinations of FDR leaders: Consequences and Recommendations," cable signed by U.S. Ambassador to El Salvador Robert White, U.S. Embassy, San Salvador, November 29, 1980.

⁵⁷ Central Intelligence Agency, "Existence of Rightist Death Squad Within the Salvadoran National Police; Location of a Clandestine Prison Used by Death Squad," March 19, 1983.

⁵⁸ Central Intelligence Agency, "Briefing Paper on Right-Wing Terrorism in El Salvador," October 27, 1983.

terrorist network led by D'Aubuisson henchmen and funded by wealthy Salvadoran expatriates residing in Guatemala and the United States." The assessment described the Secret Anti-Communist Army (ESA) as a "rightwing terrorist group that [deleted] indicates has been ARENA's primary instrument for clandestine operations over the past three years." The CIA reported that "rightist terrorist cells also use both active-duty and retired military personnel in their campaigns....death squads in the armed forces operate out of both urban military headquarters and rural outposts."⁵⁹

◆ An October 1990 cable from U.S. Ambassador William Walker in El Salvador reported that "Col. Elena Fuentes, commander of the First Brigade, is permitting the use of his brigade's civil defense training program as cover for the recruitment, training and possible dispatch of paramilitary civilian death squads." Training and weapons were "provided to some 50-60 ARENA-affiliated professionals" and members of the U.S. Military Group (MilGroup) based at the Embassy had participated in the training. Elena Fuentes was described as "providing phantom slots and other support to D'Aubuisson and his death squad contingency planning."⁶⁰

VII. U.S. Policy

In late 1993 and early 1994, the State Department made several high profile gestures of concern about the upsurge in political violence. The State Department called the October 25, 1993 murder of FMLN leader Francisco Velis a "despicable act" and "an affront" to the peace process, and the U.S. offered FBI assistance in clarifying the crime.⁶¹ Assistant Secretary of State for Inter-American Affairs Alexander Watson traveled to El Salvador in mid-November, a trip designed to send a message about U.S. concern for human rights.⁶² Watson characterized the violence as "acts of cowardice carried out by a few disgusted elements" and called for actions to find and punish those responsible.⁶³ The Clinton administration also substantially complied with a congressional request by releasing massive quantities of material relevant to human rights cases and U.S. policy in the 1980s, long before such information would otherwise have been declassified.

Unfortunately, statements by Assistant Secretary Watson regarding the content of the declassified U.S. documents served to undercut his message about human rights. Watson's trip coincided with the first press stories based on the documents, stories which highlighted the participation of ARENA party figures, including presidential candidate Armando Calderón Sol, in

⁵⁹ Central Intelligence Agency, Directorate of Intelligence, "El Salvador: Controlling Rightwing Terrorism," February 1985, pp. iv, 6.

⁶⁰ "US MilGr Involvement with Questionable Civil Defense Training at First Brigade," cable to the State Department signed by U.S. Ambassador William Walker, October 29, 1990.

⁶¹ Department of State, "Statement by Christine Shelly, Deputy Spokesman," October 25, 1993.

⁶² Interview, Clinton administration official, November 22, 1993.

⁶³ INSISTEM, "El Secretario Adjunto de Asuntos Interamericanos Da Declaraciones de Su Visita," November 10, 1993.

death squad operations.⁶⁴ Apparently caught off-guard and anxious to assuage any fears by ARENA officials that the United States was trying to influence the outcome of the Salvadoran elections, Watson went out of his way to cast aspersions on the credibility of information in the documents. "There's no sustainable proof that Calderón Sol was part of [a kidnapping] plot," Watson said. He characterized the information as the "opinion of one person" and said that it was "dangerous to arrive at conclusions without knowing the content of all the documents."⁶⁵

Aside from the fact that a number of the documents point to a quite significant ARENA role in death squad activity, Watson's comments had the unfortunate effect of providing Salvadoran leaders with the cover to dismiss any information found in the cables. Citing Watson by name, President Cristiani discounted another *New York Times* report based on the documents which named army First Brigade Colonel Francisco Elena Fuentes as allowing death squads to operate under the cover of brigade civil defense units.⁶⁶ Similarly, Vice President Merino claimed that "the information lacks any value, is imprecise, inexact, just as Secretary Watson emphasized here in the country."⁶⁷

The Clinton administration has also failed to move on a request by Rep. Joe Moakley (D-MA), former chair of a House task force dealing with the Jesuit case, to declassify Justice Department documents relating to subjects explored by the Truth Commission. Specifically, Moakley requested the "fullest possible declassification" of a May 15, 1984 FBI report on U.S.-based support for Salvadoran death squads, as well as a Justice Department Foreign Agents Registration Act investigation of ARENA fundraising in the United States.⁶⁸ The administration may be avoiding acting on the request so as not to embarrass ARENA officials prior to the elections.

⁶⁴ A November 9, 1993 story in the *New York Times* quoted a 1990 State Department cable naming Calderón Sol as having offered his home in the early 1980s for the planning of a kidnapping. Another CIA document quoted by the *Times* named current Salvadoran Vice President Francisco Merino as having paid for the salaries and expenses of death squad operatives. Clifford Krauss, "U.S. Aware of Killings, Kept Ties to Salvadoran Rightists, Papers Suggest," *New York Times*, November 9, 1993.

Similar allegations of the involvement of Calderón Sol and others in death squads have been made by National Guard Lt. Isidro López Sibrían, serving time in a Santa Ana prison for his role in the 1981 murders of the head of the Salvadoran land reform agency and two U.S. labor advisers. See "Revelaciones del Tte. Isidro López Sibrían, oficial de la Fuerza Armada vinculado a secuestros y otros delitos," *Diario Latino*, September 29, 30, and October 4, 6, 1993.

⁶⁵ "Peligroso llegar a conclusiones sin conocerlos todos," *La Prensa Gráfica*, November 11, 1993; "Desclasificación de documentos no está relacionada con proceso electoral salvadoreño," *Diario Latino*, November 11, 1993.

⁶⁶ Radio Farabundo Martí, "Cristiani: *New York Times* Report 'Not Necessarily True,'" *FBS*, December 17, 1993, p. 15. Cristiani stated, "Alexander Watson, U.S. assistant secretary of State for Inter-American affairs, personally pointed out in El Salvador that the newspaper itself says it cannot guarantee that such a report is true because of the way the information was collected."

⁶⁷ *TV 6*, December 15, 1993, cited in Fundación Flor Izote/El Rescate, "Report From El Salvador," Vol. 4, No. 46, December 13-20, 1993.

⁶⁸ John Joseph Moakley, letter to the Honorable Janet Reno, November 3, 1993, p. 2.

Moakley called for "an updated investigation of Miami-based funding of Salvadoran death squads" and an investigation of press reports that Miami-based funding was being channeled to the Northern Front 3-80, a group of re-armed contra rebels in Nicaragua.

The administration has, by contrast, provided \$300,000 to support the work of the Grupo Conjunto in El Salvador, and in January the U.S. Embassy publicly provided two boxes of the declassified documents to the working group.⁶⁹ In mid-February, U.S. Agency for International Development Administrator J. Brian Atwood also visited El Salvador as an emissary of Secretary of State Warren Christopher to sound the alarm about renewed violence. He emphasized that "incidents of violence revive every negative image associated with El Salvador's past — of death squads and assassinations of innocent victims — obscuring all that has been achieved."⁷⁰

U.S. demonstrations of concern about renewed political killing would be made more forceful by concrete actions, such as the release of further documents shedding light on past human rights abuses, including death squad killings.

XIII. Recommendations

- 1) That the Salvadoran government immediately make available to ONUSAL the names of all members of the former Treasury Police, National Guard, and army rapid-reaction battalions, so as to ensure that they do not enter the National Civilian Police or the State Intelligence Agency;
- 2) That the Salvadoran government provide ONUSAL with a detailed accounting of the whereabouts of past files and personnel of the National Intelligence Directorate (DNI), to ensure that information gathered during the war in the name of internal security does not continue to be used to violate the rights of Salvadoran citizens;
- 3) That all members of the Special Investigative Unit and the Special Anti-Narcotics Unit undergo the rigorous screening and re-training in PNC doctrine foreseen in the December 1992 agreement regarding these two forces, and that the United States government, to the extent that it helps fund the PNC, exert leverage to ensure that the review takes place;
- 4) That the U.S. government make publicly available documents provided to Congress but not yet declassified, as well as Justice Department and FBI documents relevant to death squads and cases investigated by the Truth Commission;
- 5) That the new Assembly consider passing legislation revoking the amnesty of March 1993, opening the way for prosecution of those known to have been involved in political murder.



This report was written by Cynthia Arnson, Associate Director of Human Rights

⁶⁹ Interview, Ambassador Alan Flanigan, January 27, 1994. It is not clear whether these were only State Department documents or those from the Defense Department and CIA as well.

The United States has pledged a total of \$500,000 for the working group, to be managed by the United Nations.

⁷⁰ J. Brian Atwood, Administrator, U.S. Agency for International Development, "Remarks before the Legislative Assembly of El Salvador," February 16, 1994, p. 3.

Watch/Americas. It was edited by Cynthia Brown, Human Rights Watch Program Director. Associates Vanessa Jiménez and Stephen Crandall provided additional assistance. The author is grateful to the many members of ONUSAL, and particularly of its human rights division, who generously shared their time and perspectives.

The report is available through the Publications Department, Human Rights Watch, 485 Fifth Avenue, New York, NY 10017 for \$3.00 U.S.



Human Rights Watch/Americas (formerly Americas Watch)

Human Rights Watch/Americas is a nongovernmental organization established in 1981 to promote and monitor the observance of internationally recognized human rights in Latin America and the Caribbean. Juan Méndez is the director; Cynthia Arnson and Anne Manuel are associate directors; Ellen Lutz is the California director; Sebastian Brett, Robin Kirk, Ben Penglase and Gretta Tovar Siebentritt are research associates; Steven Crandall and Vanessa Jiménez are associates. Peter D. Bell is the chair of the advisory committee and Stephen L. Kass and Marina Pinto Kaufman are vice chairs.

Human Rights Watch is composed of five regional divisions — Human Rights Watch/Africa, Human Rights Watch/Americas, Human Rights Watch/Asia, Human Rights Watch/Helsinki and Human Rights Watch/Middle East — and the Human Rights Watch/Free Expression Project, Human Rights Watch Prison Project, Human Rights Watch Womens Rights Project, and Human Rights Watch Arms Project. Its Chair is Robert L. Bernstein; Vice Chair, Adrian W. DeWind; Executive Director, Kenneth Roth; Associate Director, Gara LaMarche; Program Director, Cynthia Brown; Advocacy Director, Holly Burkhalter; California Director, Ellen Lutz; Communications Director, Susan Osnos; General Counsel, Juan E. Méndez.