

PAGE 01 SAN SA 08786 01 OF 13 072326Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0651
DEPT OF LABOR WASHDC

UNCLAS SECTION 01 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

REVIEW AUTHORITY: Oscar Olson, Senior
Reviewer

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TAGS: ELAB, PGOV PHUM, ES
SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN
- AMERICAS WATCH PETITION BEFORE USTR

REFS: 89 SAN SALVADOR 01232

- 89 SAN SALVADOR 02467
- 89 SAN SALVADOR 02119
- 88 SAN SALVADOR 12671
- 88 SAN SALVADOR 12303
- 88 SAN SALVADOR 08505
- 88 SAN SALVADOR 09243
- 88 SAN SALVADOR 06495

1. "UNION LEADERS TARGETED BY 'NEW' DEATH SQUAD"

UNDER THE HEADLINE "RECENT ABUSES AGAINST ORGANIZED
UNCLASSIFIED

PAGE 02 SAN SA 08786 01 OF 13 072326Z

WORKERS IN EL SALVADOR," THE AMERICAS WATCH PETITION
NOTES THAT THE SELF-PROCLAIMED REVOLUTIONARY
ANTI-COMMUNIST ACTION OF EXTERMINATION (ARDE), WHICH
AMERICAS WATCH DESCRIBED AS A "NEWLY-FORMED DEATH
SQUAD," ISSUED A STATEMENT DECEMBER 21, 1988,
THREATENING TO EXECUTE "COMMUNIST LEADERS" IN
RETALIATION FOR THE TERRORIST ACTIVITIES OF THE
FMLN. ARDE'S STATEMENT CONTAINED A LIST OF POTENTIAL
TARGETS WHICH INCLUDED "LEADERS OF 'COMMUNIST' UNIONS
LIKE THE NATIONAL UNITY OF SALVADORAN WORKERS
(UNTS)." AMERICAS WATCH RECALLED THAT THE RIGHT-WING
DEATH SQUADS OF THE EARLY 1980S WERE "CLOSELY
AFFILIATED" WITH THE SALVADORAN ARMED FORCES (ESAF),

A STATEMENT IMPLYING THAT A SIMILAR RELATIONSHIP
PROBABLY EXISTS BETWEEN ARDE AND THE ESAF.

2. ARDE CONTINUES TO BE A "PAPER" ORGANIZATION

EXCEPT FOR A FEW PHONE CALLS TO LOCAL RADIO AND
TELEVISION STATIONS, AND TWO COMMUNIQUES ISSUED ON
DECEMBER 23, 1988, AND FEBRUARY 7, 1989,
RESPECTIVELY, THERE IS NO OTHER EVIDENCE INDICATING
THAT ARDE ACTUALLY EXISTS AS A PARAMILITARY
ORGANIZATION (CITE 89 SAN SALVADOR 01232 AND
88 SAN SALVADOR 06495). ALTHOUGH THE GROUP
THREATENED TO TAKE "IMMEDIATE ACTION" AGAINST MEMBERS
OF THE FMLN GENERAL COMMAND, ITS POLITICAL ALLIES IN
BOTH THE DEMOCRATIC REVOLUTIONARY FRONT (FDR) AND THE
NATIONAL DEMOCRATIC UNION (UDN), AS WELL AS "LEADERS
OF 'COMMUNIST' UNIONS LIKE UNTS," NO SUCH ACTION HAS
OCCURRED.

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PAGE 03 SAN SA 08786 01 OF 13 072326Z

3. WHO IS REALLY BEHIND ARDE

ON THE BASIS OF AVAILABLE EVIDENCE, ARDE SEEMS TO BE
LITTLE MORE THAN A PROPAGANDA TOOL BUT FOR WHOSE
PURPOSES? THE INFAMOUS SALVADORAN DEATH SQUADS OF
THE EARLY 1980S WERE NOT GIVEN TO ISSUING IDLE
THREATS AND WOULD ALMOST INVARIABLY TAKE
RESPONSIBILITY FOR THEIR HEINOUS CRIMES. THE
NOTORIOUS BRIGADA MAXMILIANO HERNANDEZ (BMH),
PROBABLY THE MOST VICIOUS ORGANIZATION OF ITS TYPE
DURING THE HEIGHT OF DEATH SQUAD ACTIVITY, USUALLY
EXECUTED ITS VICTIMS WITHIN HOURS OF ISSUING A
THREAT. (BMH'S CALLING CARD WAS TO CARVE THE GROUP'S
INITIALS INTO THE CHEST OF ITS VICTIMS.) IT SEEMS
INCONSISTENT WITH THE OBJECTIVES OF "DEATH SQUADS,"
I.E. THE CREATION OF A CLIMATE OF MASS FEAR AND
POLITICAL ACQUIESCENCE, TO ISSUE THREATS AND THEN DO
NOTHING TO CARRY THEM OUT.

4. ARDE AND THE SANTA ANA URBAN COMMANDO CASE

ARDE HAS BEEN LINKED TO AN INCIDENT INVOLVING THE
DISMANTLING JANUARY 15-16 BY THE TREASURY POLICE (PH)
OF AN FMLN URBAN COMMANDO CELL IN SANTA ANA,
HOWEVER. SIX PERSONS WERE ARRESTED, INCLUDING TWO
STUDENTS OF THE NATIONAL UNIVERSITY (UES). ON
JANUARY 17, A PERSON ALLEGING TO BE AN ARDE SPOKESMAN
CALLED A SAN SALVADOR RADIO STATION AND PROCLAIMED
THAT THE TWO STUDENTS, VICTOR DE JESUS RAMOS URRUTIA
AND ASTRID PANATE, WERE PICKED UP BY ARDE FOR BEING

"FMLN AGITATORS AND CARRYING OUT FMLN PLANS" IN SANTA ANA. THE CALLER WARNED THAT THE TWO WOULD BE

UNCLASSIFIED

PAGE 01 SAN SA 08786 02 OF 13 072327Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0652
DEPT OF LABOR WASHDC

UNCLAS SECTION 02 OF 13 SAN SALVADOR 08786

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E.O. 12356: N/A
TAGS: ELAB, PGOV PHUM, ES
SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

"EXECUTED" IF THE FMLN RETALIATED BUT AT THE SAME TIME DENIED LINKS TO THE GOES OR THE "PUPPET ARMED FORCES" OF EL SALVADOR.

5. ARDE FORCES THE PH'S HAND

JUST HOURS LATER, PH DIRECTOR GENERAL COLONEL HECTOR HERNANDEZ HELD A PRESS CONFERENCE TO ANNOUNCE THE BREAK UP OF THE SANTA ANA URBAN COMMANDO CELL. ALSO DISPLAYED WERE A QUANTITY OF WEAPONS, EXPLOSIVES, MEDICINE AND FMLN PROPAGANDA CAPTURED DURING THE RAIDS ON THE CELL'S SAFEHOUSES. ALTHOUGH RAMOS URRUTIA AND PENATE WERE SUBSEQUENTLY RELEASED FOR UNCLASSIFIED

PAGE 02 SAN SA 08786 02 OF 13 072327Z

LACK OF EVIDENCE, THREE OF THE REMAINING FOUR WERE EVENTUALLY BOUND OVER FOR TRIAL ON CHARGES OF "SUBVERSIVE ASSOCIATION," POSSESSION AND CARRYING WEAPONS OF WAR, AND FOR USE OF FALSE IDENTITIES.

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6. ARDE A RED HERRING

THE TIMING OF ARDE'S COMMUNIQUE SEEMED DESIGNED TO FORCE THE PH INTO REVEALING THE CAPTURE OF THE SIX URBAN COMMANDO CELL MEMBERS PRIOR TO THE EXPIRATION OF THE 72-HOUR INVESTIGATIVE DETENTION PERIOD. THE USE OF THE TERM "PUPPET ARMED FORCES," WHICH COMES FROM THE FMLN'S PROPAGANDA LEXICON, POINTS TO A POSSIBLE LINK BETWEEN THE FMLN AND ARDE. THIS IS SPECULATIVE BUT CERTAINLY WITHIN THE REALM OF PROBABILITY. CONJURING UP THE SPECTRE OF RESURGENT DEATH SQUADS HAS LONG BEEN AN FMLN PROPAGANDA PLOY INTENDED TO PROVOKE A POLITICAL REACTION HERE BUT ESPECIALLY WITHIN THE HALLS OF THE U.S. CONGRESS. IT SHOULD BE NOTED THAT JUST THREE DAYS AFTER ARDE'S FIRST PUBLIC COMMUNIQUE, INTERNATIONAL ORGANIZATIONS OPPOSED TO USG POLICY IN EL SALVADOR MOUNTED A PRESSURE CAMPAIGN AIMED AT CONVINCING CONGRESS TO CUT, SUSPEND AND/OR STOP COMPLETELY ALL FORMS OF AID TO THE GOES. THESE GROUPS ALLEGE THAT ARDE IS IRREFUTABLE PROOF THAT DEATH SQUADS ARE ON THE MOVE ONCE AGAIN AND THAT RESPECT FOR HUMAN RIGHTS HAS DETERIORATED AS A CONSEQUENCE.

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7. ALLEGED ABUSE AND MILITARY INTERVENTION IN SITES
- STRIKE

UNCLASSIFIED

PAGE 03 SAN SA 08786 02 OF 13 072327Z

THE FACTS CITED BY AMERICAS WATCH IN THE CASE INVOLVING THE SALVADORAN TEXTILE WORKERS UNION (SITES) ILLUSTRATE THE LACK OF A THOROUGH INVESTIGATION INTO THE CIRCUMSTANCES OF THE INCIDENT. THE JANUARY 26, 1989, CONFRONTATION BETWEEN UNITS OF THE SALVADORAN ARMED FORCES (ESAF) AND MEMBERS OF SITES AND THE SALVADORAN CONSTRUCTION INDUSTRY WORKERS UNION (SOICES), DURING WHICH MAGARITA EUGENIA NAVARRO AND ALFREDO NAVARRO WERE ARRESTED, WAS NOT RELATED TO A TWO-YEAR OLD LABOR DISPUTE. ACCORDING TO AMERICAS WATCH, NAVARRO AND LEMUS HAD JOINED OTHER SITES AND SOICES MEMBERS IN A DEMONSTRATION AT AN UNIDENTIFIED LOCATION IN SOYAPANGO OSTENSIBLY TO PRESSURE THE MANAGEMENT OF THE IZALCO TEXTILE FIRM TO AGREE TO SITES' DEMANDS. AMERICAS WATCH STATES THAT AFTER ARRIVING AT THEIR DESTINATION, TROOPS OF THE AIR FORCE AND TREASURY POLICE (PH) "MILITARIZED" THE AREA AND SUBSEQUENTLY KICKED AND BEAT" NAVARRO AND LEMUS DURING THEIR APPREHENSION. LEMUS ALSO SUFFERED GUNSHOT WOUNDS TO HIS LEGS DURING HIS CAPTURE.

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8. IZALCO PLANTS WERE CLOSED IN MID-1988

NEITHER OF IZALCO'S TWO PLANTS ARE LOCATED IN THE IMMEDIATE AREA WHERE THE SITES/SOICES DEMONSTRATION

WAS HELD. THE MAIN PLANT AND ADMINISTRATIVE OFFICES ARE LOCATED IN THE LA TERRAZA SECTION OF SAN SALVADOR, APPROXIMATELY SIX MILES WEST OF COLONIA LAS FLORES, THE SITE WHERE NAVARRO AND LEMUS WERE CAPTURED. THE DEMONSTRATION IN FACT WAS HELD NEAR "FACTORY OLIVA," A PRODUCER OF CONSUMABLE VEGETABLE

UNCLASSIFIED

PAGE 01 SAN SA 08786 03 OF 13 072328Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
L-03 AMAD-01 TRSE-00 PM-10 PA-02 OMB-01 STR-18
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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0653
DEPT OF LABOR WASHDC

UNCLAS SECTION 03 OF 13 SAN SALVADOR 08786

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E.O. 12356: N/A
TAGS: ELAB, PGOV PHUM, ES
SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

OILS, WHICH WAS NOT EXPERIENCING LABOR PROBLEMS AT THE TIME. IT SHOULD ALSO BE NOTED THAT FINANCIAL TROUBLES FORCED IZALCO'S MANAGEMENT TO CLOSE BOTH OF THE COMPANY'S PLANTS IN MID-1988.

9. DEMONSTRATION WAS IN SUPPORT OF FMLN'S PEACE PLAN

COURT RECORDS INDICATE THAT NAVARRO AND LEMUS WERE ARRESTED FOR ATTEMPTED ACTS OF TERRORISM DURING A DEMONSTRATION TO SUPPORT THE FMLN'S PEACE PROPOSAL, WHICH HAD BEEN ANNOUNCED JANUARY 23. ACCORDING TO WITNESSES, SECURITY FORCES SURPRISED NAVARRO AND LEMUS AS THEY WERE ABOUT TO SET FIRE TO A BUS
UNCLASSIFIED

PAGE 02 SAN SA 08786 03 OF 13 072328Z

BELONGING TO THE "TICAS" TRANSPORTATION COMPANY. THE BUS, BEARING LICENSE PLATE NUMBER AB-727709, WAS BEING DRIVEN BY JAIME LEMUS MONTERROSA (NO RELATION TO ALFREDO LEMUS). THE TROOPS CONFISCATED A LARGE

PLASTIC CONTAINER WITH GASOLINE, AT LEAST ONE MOLOTOV COCKTAIL, AND 10 "MIGUELITOS," A METAL DEVICE WITH RAZOR-SHARP POINTS USED TO PUNCTURE TIRES. PLACARDS AND BANNERS WERE ALSO RECOVERED AT THE SCENE BEARING THE LEGEND "SOYAPANGO SUPPORTS THE FMLN'S POLITICAL POLICIES."

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10. LEMUS WOUNDED WHILE FLEEING FROM SECURITY FORCES

LEMUS WAS INDEED WOUNDED IN THE LEGS AS HE ATTEMPTED TO FLEE FROM THE AUTHORITIES. HE WAS TAKEN TO ROSALES GENERAL HOSPITAL AND WAS LISTED IN GOOD CONDITION FOLLOWING TREATMENT. HE WAS SUBSEQUENTLY TRANSFERRED TO THE MAIN HOSPITAL OF THE SALVADORAN SOCIAL SECURITY INSTITUTE (ISSS) FOR FOLLOW UP TREATMENT. ACCORDING TO THE GOVERNMENT HUMAN RIGHTS COMMISSION (CDH), THERE WAS NO EVIDENCE THAT HE SUSTAINED SERIOUS INJURIES RESULTING FROM ANY ALLEGED "BEATINGS." SIMILARLY, THERE WAS NO MEDICAL EVIDENCE SUGGESTING THAT NAVARRO WAS SUBJECTED TO PHYSICAL ABUSE DURING CONFINEMENT. A CRIMINAL COURT JUDGE ORDERED THEIR RELEASE ON FEBRUARY 10, 1989, FOR LACK OF EVIDENCE RELATED TO THE CHARGES OF TERRORISM.

11. SEPTEMBER 11, 1988 ARREST OF ANTA MEMBERS

ANTONIO PEREZ, 46, AND LEONARDO PENA SANCHEZ, 20,
UNCLASSIFIED

PAGE 03 SAN SA 08786 03 OF 13 072328Z

BOTH MEMBERS OF THE NATIONAL ASSOCIATION OF AGRICULTURAL WORKERS (ANTA), WERE DETAINED ON SEPTEMBER 11, 1988 NEAR BERLIN, USULUTAN BY A UNIT OF THE ATONAL INFANTRY BATTALION. THEY WERE QUESTIONED ABOUT THEIR TRAVEL TO AND ACTIVITIES IN AND AROUND THE HEAVILY-CONFLICTIVE ZONE NORTH OF BERLIN AND WEST OF ALEGRIA. THIS AREA IS KNOWN AS THE "CENTRAL CORDILLERA REGION," WHICH THE MILITARY REFERS TO AS A "ZONE OF FMLN PERSISTENCE." A "SAFE CONDUCT PASS" IS REQUIRED TO TRAVEL IN THIS AREA AND PEREZ AND PENA SANCHEZ HAD NOT REQUESTED ONE FROM THE MILITARY. ON SEPTEMBER 12, 1988, THEY WERE TAKEN TO THE HEADQUARTERS OF THE SIXTH INFANTRY BRIGADE FOR FURTHER QUESTIONING. BOTH WERE RELEASED INTO THE CUSTODY OF THE GOVERNMENT'S HUMAN RIGHTS COMMISSION (CDH) ON SEPTEMBER 13. THEIR RELEASE OCCURRED WELL BEFORE THE EXPIRATION OF THE CONSTITUTIONALLY-LIMITED 72-HOUR PERIOD FOR INVESTIGATIVE DETENTION. THE CDH STATED THAT THERE WAS NO EVIDENCE THAT EITHER HAD BEEN PHYSICALLY ABUSED WHILE IN CUSTODY.

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12. SEPTEMBER 16, 1988, DETENTION OF ANTA MEMBERS

THE INDIVIDUALS ARRESTED ON SEPTEMBER 16, 1988, WERE TAKEN INTO CUSTODY TO INVESTIGATE THEIR POSSIBLE INVOLVEMENT IN VIOLENT DEMONSTRATIONS SEPTEMBER 13, 1988, WHICH WERE ORGANIZED BY ANTA'S UMBRELLA ORGANIZATION, THE NATIONAL UNITY OF SALVADORAN WORKERS (UNTS). THE DEMONSTRATION IN SAN SALVADOR RESULTED IN THE GUNSHOT DEATH OF A NATIONAL POLICEMAN. (ALTHOUGH LEADERS OF THAT MARCH CLAIMED THAT THEIR INTENTIONS WERE PEACEFUL, POLICE RECOVERED FOUR PISTOLS, FIVE FRAGMENTARY GRENADES, NINE

UNCLASSIFIED

PAGE 01 SAN SA 08786 04 OF 13 072329Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
L-03 AMAD-01 TRSE-00 PM-10 PA-02 OMB-01 STR-18
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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0654
DEPT OF LABOR WASHDC

UNCLAS SECTION 04 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

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E.O. 12356: N/A
TAGS: ELAB, PGOV PHUM, ES
SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

HOMEMADE GRENADES AND THREE BLOCKS OF TNT AT THE SCENE OF THE VIOLENCE - CITE 88 SAN SALVADOR 12671.) ON THE SAME DAY, IN SANTA ANA, TWO SOLDIERS OF THE SECOND INFANTRY BRIGADE, A 16-YEAR OLD FEMALE AND A 32-YEAR OLD MALE WERE WOUNDED DURING ANOTHER DEMONSTRATION ORGANIZED BY UNTS. THERE WERE UNCONFIRMED REPORTS THAT THE GUNFIRE CAME FROM THE RANKS OF DEMONSTRATORS. ACCORDING TO ALL REPORTS, NO DEMONSTRATORS WERE KILLED OR SERIOUSLY INJURED DURING EITHER DEMONSTRATION. AS A RESULT OF THESE INCIDENTS, GOES SECURITY FORCES CONDUCTED SEARCHES FOR WEAPONS AND EXPLOSIVES ON THE PREMISES OF SOME UNTS-AFFILIATED ORGANIZATIONS. THERE IS NO AVAILABLE EVIDENCE SUGGESTING THAT SOLDIERS ROBBED ANTA OF THE
UNCLASSIFIED

PAGE 02 SAN SA 08786 04 OF 13 072329Z

ITEMS LISTED IN THE AMERICAS WATCH PETITION.

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13. FEBRUARY 8, 1989, INCIDENT INVOLVING ANTA MEMBERS

ANTA MEMBERS ARTURO CORDOVA ZEPEDA, DOUGLAS FELICIANO GALICIA HERNANDEZ, LEONARDO PENA SANCHEZ FIDEL ANGEL QUINTANILLA CHAVEZ, AND JOSE DANILO ACOSTA MELGAR WERE DETAINED ON FEBRUARY 8, 1989, BY A UNIT OF THE NATIONAL POLICE (PN) IN SAN MARCOS, A SUBURB OF SAN SALVADOR. THEY WERE TRAVELING THROUGH SAN MARCOS TO SAN SALVADOR TO JOIN A MARCH COMMEMORATING UNTS' THIRD ANNIVERSARY AND TO SUPPORT THE FMLN'S JANUARY 23, 1988 PEACE PROPOSAL. A SEARCH OF THEIR VEHICLE UNCOVERED SEVERAL SHARPENED STAKES AND NAIL-STUDDED WOODEN CLUBS OF THE TYPE UNTS HAS PROVIDED TO PARTICIPANTS IN ITS DEMONSTRATIONS. POLICE ALSO CONFISCATED PAMPHLETS AND PLACARDS PROCLAIMING UNTS' AND ANTA'S SUPPORT FOR THE FMLN'S JANUARY 23 PEACE PROPOSAL. ALL WERE TAKEN TO PN HEADQUARTERS FOR INTERROGATION. ACCORDING TO PN RECORDS, CORDOVA ZEPEDA WAS RELEASED INTO THE CUSTODY OF HIS FAMILY ON FEBRUARY 11, 1989. BASED ON EVIDENCE PRESENTED BY GOVERNMENT PROSECUTORS, THE OTHERS WERE CHARGED WITH "SUBVERSIVE ASSOCIATION," REMANDED TO CUSTODY BY THE THIRD CRIMINAL COURT JUDGE AND INCARCERATED IN THE SAN VICENTE PENITENTIARY. THE SAME JUDGE REVOKED HIS DETENTION ORDER ON FEBRUARY 24 AND THE MEN WERE RELEASED. (THE JUDGE DID NOT PROVIDE AN EXPLANATION FOR HIS DECISION TO RESCIND HIS DETENTION ORDER BUT POLICE AND JUDICIAL OFFICIALS SPECULATED THAT THE JUDGE HAD BEEN THREATENED.)
UNCLASSIFIED

PAGE 03 SAN SA 08786 04 OF 13 072329Z

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14. UNTS AND THE FMLN PEACE PROPOSAL

THROUGHOUT THE PERIOD JANUARY 24, 1989, TO FEBRUARY 28, 1989, UNTS HELD SEVERAL MARCHES AND RALLIES TO SHOW SUPPORT FOR THE FMLN'S JANUARY 23 PEACE PROPOSAL. SUCH POLITICAL ACTIVITIES BY LABOR GROUPS ARE NOT ILLEGAL IN EL SALVADOR AND HAVE THE POTENTIAL TO CONTRIBUTE TO THE DEBATE ON THE MEANS TO RESOLVE THE SALVADORAN CONFLICT. AS NOTED IN PARA 9, HOWEVER, MOST OF THE UNTS-ORGANIZED EVENTS RESULTED IN VIOLENCE AND THE DESTRUCTION (OR ATTEMPTED DESTRUCTION) OF PUBLIC AND PRIVATE PROPERTY. THE VIOLENCE WAS NEITHER ISOLATED NOR SPONTANEOUS BUT PART OF A FMLN PLAN TO PROVOKE A HARSH GOVERNMENT RESPONSE AND THEREBY CREATE THE APPEARANCE THAT THE GOES WAS OPPOSED TO NEGOTIATIONS.

15. UNTS OCCUPIES CHURCHES; BURNS VEHICLES

FOR EXAMPLE, PARTICIPANTS IN UNTS' MARCH AND RALLY ON FEBRUARY 8 FORCIBLY OCCUPIED SAN SALVADOR'S METROPOLITAN CATHEDRAL AND TWO OTHER CHURCHES BESIDES. THEY CLAIMED THAT THEY WERE PROTESTING THE FEBRUARY 3 SHOOTING DEATH OF A NATIONAL UNIVERSITY STUDENT AND THE ARRESTS OF TWO OTHERS ON FEBRUARY 5. (ACCORDING TO WITNESSES, THE TWO STUDENTS, PAUL BERNARDO RAMIREZ AND HUGO ROGER MARTINEZ BONILLA, WERE ARRESTED BY POLICE AFTER THEY ATTEMPTED TO TAKE CONTROL OF A BUS AS IT DROVE ALONG EAST 29TH STREET NEAR DOWNTOWN SAN SALVADOR. THE BUS WAS TO BE USED AS A BARRICADE TO BLOCK TRAFFIC.) IT WAS NOT

UNCLASSIFIED

PAGE 01 SAN SA 08786 05 OF 13 072330Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0655
DEPT OF LABOR WASHDC

UNCLAS SECTION 05 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

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E.O. 12356: N/A
TAGS: ELAB, PGOV PHUM, ES
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COINCIDENTAL, HOWEVER, THAT DRAPED ACROSS THE FACADES OF ALL THREE CHURCHES WERE HUGE BANNERS PROCLAIMING SUPPORT FOR THE FMLN'S JANUARY 23 PEACE PROPOSAL. DURING THE EVENING OF FEBRUARY 7, MEMBERS OF THE GENERAL ASSOCIATION OF UNIVERSITY STUDENTS (AGEUS), AN UNTS AFFILIATE, WHO WERE MAKING PREPARATIONS FOR THE NEXT DAY'S MARCH, FIREBOMBED TWO GOVERNMENT VEHICLES NEAR COLONIA EL ROBLE. ON FEBRUARY 22, PERSONS WHO PARTICIPATED IN A MARCH ORGANIZED BY THE UNTS AFFILIATE FENASTRAS FIREBOMBED THREE BUSES, AT LEAST TWO PRIVATE VEHICLES, AND RANSACKED STORES AND VENDORS' STALLS NEAR THE CENTRAL MARKET.

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16. UNTS: "WELCOME DANIEL ORTEGA"
UNCLASSIFIED

PAGE 02 SAN SA 08786 05 OF 13 072330Z

UNTS' SUPPORT FOR THE FMLN'S POLITICAL OBJECTIVES WAS PERHAPS NEVER MORE EVIDENT THAN ON FEBRUARY 9, WHEN THE UNTS' EXECUTIVE COMMITTEE HELD A PRESS CONFERENCE TO ANNOUNCE THAT IT HAD SENT A LETTER TO THE PRESIDENTS OF COSTA RICA, GUATEMALA, HONDURAS AND NICARAGUA URGING THEM TO "SUPPORT AND GIVE BACKING TO" THE FMLN'S JANUARY 23 PEACE PROPOSAL. (LEADERS OF THOSE FOUR COUNTRIES HELD A SUMMIT MEETING WITH PRESIDENT DUARTE IN EL SALVADOR FEBRUARY 13-14.) UNTS EXPOSED ITS PREFERENCE FOR REVOLUTIONARY LEADERS WHEN, ON FEBRUARY 13, SAN SALVADOR NEWSPAPERS CARRIED FULL-PAGE ADVERTISEMENTS PAID FOR BY UNTS WHICH WELCOMED "DANIEL ORTEGA, LEADER OF THE VALIANT SANDINISTA REVOLUTION" TO SAN SALVADOR FOR THE SUMMIT. (THE NAMES OF THE OTHER FOUR PRESIDENTS WERE NOT MENTIONED IN UNTS' WELCOME.) THE ADVERTISEMENT ALSO READ, IN PART, "WE WISH TO STATE TO YOU, 'COMMANDANTE' DANIEL ORTEGA, THAT YOU, THE SANDINISTA REVOLUTION AND ALL OF THE PEOPLE OF NICARAGUA CAN COUNT ON THE SOLID SUPPORT OF THE POOR PEOPLE OF EL SALVADOR AND THIS SOLIDARITY IS UNERADICABLE BECAUSE THE CAUSE OF SANDINO IS THE CAUSE OF FARABUNDO MARTI." SUCH A STATEMENT CLEARLY SEEMS TO BE AN ENDORSEMENT OF THE FMLN'S VIOLENT REVOLUTIONARY TACTICS.

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17. CASE OF ARTURO CORDOVA

IN PRESENTING ITS FACTS CONCERNING THE FEBRUARY 8 ARREST OF ARTURO CORDOVA AND THE FOUR OTHER ANTA
UNCLASSIFIED

PAGE 03 SAN SA 08786 05 OF 13 072330Z

MEMBERS, AMERICAS WATCH ALLEGES THAT CORDOVA WAS "BEATEN, THREATENED, AND TORTURED" FOLLOWING A PREVIOUS ARREST ON NOVEMBER 1, 1988. THESE ALLEGATIONS PROBABLY CAME FROM CORDOVA HIMSELF BUT IT IS DOUBTFUL THAT HE CAN PRODUCE MEDICAL REPORTS SUBSTANTIATING SUCH CHARGES. WE NOTE THAT AMERICAS WATCH DOES NOT CLAIM THAT CORDOVA WAS DENIED HIS CONSTITUTIONAL RIGHT TO A HEARING IF HE WERE TO BE HELD PAST THE 72-HOUR INVESTIGATIVE DETENTION PERIOD. THE FACT THAT CORDOVA WAS HELD FROM NOVEMBER 1 UNTIL HIS RELEASE DECEMBER 8, 1988, INDICATES THAT PROSECUTORS PRODUCED SUFFICIENT EVIDENCE DURING A HEARING TO WARRANT HIS CONTINUED CONFINEMENT.

18. CORDOVA'S ALLEGEDLY FORCED PUBLIC CONFESSION

FOLLOWING CORDOVA'S ARREST FEBRUARY 8, 1989, AMERICAS WATCH ASSERTS THAT THE PN "INTERROGATED HIM ABOUT WEAPONS, ACCUSED ANTA OF BEING PART OF THE FMLN," AND SUBSEQUENTLY "FORCED" HIM INTO MAKING A VIDEOTAPE CONFESSION ON THE LINKS BETWEEN ANTA AND THE FMLN. AMERICA'S WATCH NOTES THAT FOLLOWING HIS RELEASE ON FEBRUARY 12, CORDOVA HELD A PRESS CONFERENCE TO RECAP HIS CONFESSION, CLAIMING THAT IT WAS MADE UNDER DURESS. CORDOVA CERTAINLY IS NOT THE FIRST CRIMINAL SUSPECT IN EL SALVADOR, OR ELSEWHERE IN THE WORLD FOR THAT MATTER, TO MAKE SUCH A CLAIM. THE FACT THAT HE WAS RELEASED DOES NOT MEAN THAT HE WAS NOT GUILTY OF THE CRIMES LODGED AGAINST HIM. FOR INSTANCE, UNDER SALVADORAN LAW, IF CORDOVA WAS ACCUSED OF PARTICIPATING IN ACTS OF SABOTAGE, TESTIMONY WOULD BE REQUIRED FROM WITNESSES OTHER THAN HIS "CO-CONSPIRATORS."

UNCLASSIFIED

PAGE 01 SAN SA 08786 06 OF 13 072331Z
ACTION ARA-00

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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0656
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UNCLAS SECTION 06 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

DEPT ALSO FOR USTR

E.O. 12356: N/A
TAGS: ELAB, PGOV PHUM, ES
SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

19. PUBLIC CONFESSIONS COMMON PRACTICE

WHILE AMERICAS WATCH DEPLORES THE PRACTICE OF "PUBLIC CONFESSIONS," CITING THE POSSIBILITY THAT "INNOCENT PERSONS" ARE PLACED AT RISK TO POSSIBLE REPRISALS

FROM "THE AUTHORITIES OR DEATH SQUADS," WE NOTE THAT PUBLIC CONFESSIONS ARE COMMON PRACTICE THROUGHOUT LATIN AMERICA. RECENTLY, THE SUSPECTS ARRESTED IN THE MATAMOROS, MEXICO CULT MURDERS OPENLY CONFESSED THEIR PARTICIPATION IN THE CRIMES UNDER QUESTIONING BY JOURNALISTS IN MEXICO CITY. SIMILARLY, WHEN A MASS MUDERER FROM CALIFORNIA WAS APPREHENDED BY THE UNCLASSIFIED

PAGE 02 SAN SA 08786 06 OF 13 072331Z

AUTHORITIES IN MEXICO, HE TOO CONFESSED TO HIS CRIMES WHILE BEING QUESTIONED ON LIVE TELEVISION. IN EL SALVADOR, CRIMINALS ARE ALSO REQUIRED TO REENACT THEIR CRIMES AT THE SCENE, OFTEN WITH THE PRESS ATTENDING.

20. DETENTION AND "DISAPPEARANCE" OF ANTA MEMBERS

UNTS AND ANTA WERE THE SOURCES OF THE ALLEGATION THAT MARIA CRISTINA MEJIA DE OSORIO, HERCULANO MENDEZ, ANTONIO MARTINEZ MENDEZ, RUFINA FIGUEROA DE MEJIA, AND ADAN MENDEZ SANTOS, ALL OF WHOM WERE SUPPOSEDLY ANTA MEMBERS, "DISAPPEARED" FOLLOWING THEIR DETENTION OCTOBER 29, 1988, BY SOLDIERS OF THE SECOND INFANTRY BRIGADE IN SAN ANTONIO LA JUNTA, METAPAN DEPARTMENT OF SANTA ANA. ACCORDING TO LA JUNTA RESIDENTS, CRISTINIA MEJIA DE OSORIO WAS THE SISTER-IN-LAW OF HERMINIO OSORIO, WHO WAS KNOWN TO PROVIDE INFORMATION ON THE FMLN TO THE ESAF. HERMINIO OSORIO WAS A MEMBER OF ANTA UNTIL MID-1987 WHEN HE LEFT THE ORGANIZATION FOLLOWING THE MURDER OF HIS SON JOSE MANUEL OSORIO AGUILAR. AREA RESIDENTS CONTENT THAT JOSE MANUEL OSORIO WAS PUBLICLY EXECUTED BY THE FMLN FOR "COLLABORATING" WITH THE ESAF. AFTERWARD, THE FMLN REPORTEDLY WARNED OTHERS OF THE OSORIO AND MEJIA FAMILIES THAT THEY TOO WOULD FACE THE SAME FATE IF THEY CONTINUED TO COOPERATE WITH THE MILITARY. BY MOST ACCOUNTS, THE OSORIOS AND MEJIAS DID NOT DISCONTINUE THEIR ASSOCIATION WITH THE MILITARY.

21. ALLEGED MILITARY INTERVENTION IN ANTMOP STRIKE

UNCLASSIFIED

PAGE 03 SAN SA 08786 06 OF 13 072331Z

WE HELD EXTENSIVE DISCUSSIONS ON AMERICAS WATCH'S ALLEGATIONS ABOUT THE OCTOBER 25, 1988, INCIDENT IN SONSONATE INVOLVING THE NATIONAL ASSOCIATION OF WORKERS OF THE PUBLIC WORKS MINISTRY (ANTMOP) WITH SALVADORAN WORKERS CENTRAL (CTS) SECGEN FELIX BLANCO. ANTMOP IS A CTS AFFILIATE. BLANCO TOOK EXCEPTION TO THE MANNER IN WHICH AMERICAS WATCH PRESENTED THE CIRCUMSTANCES OF THE INCIDENT, STATING

THAT AMERICAS WATCH HAD SIGNIFICANTLY EMBELLISHED ON THE FACTS. BLANCO SAID MATTER-OF-FACTLY THAT CTS/ANTMOP UNDERSTOOD THAT THE STRIKE AGAINST THE MINISTRY OF PUBLIC WORKS WAS ILLEGAL UNDER THE LABOR CODE. HE SAID THE STRIKE WAS MEANT TO PRESSURE THE GOVERNMENT INTO HONORING A TENTATIVE AGREEMENT ON HIKES IN WAGES AND BENEFITS WORKED OUT DURING NEGOTIATIONS IN JUNE AND JULY 1988. THE STRIKE DID IN FACT LEAD DIRECTLY TO THE REOPENING OF NEGOTIATIONS BETWEEN THE TWO SIDES (CITE 88 SAN SALVADOR 14542.)

22. ARRESTS WERE MADE WITHOUT SERIOUS INCIDENT

BLANCO SAID THAT THE SCENE AT MOP'S SONSONATE FACILITY ON OCTOBER 25, 1988, WAS TYPICAL OF WHAT HAPPENS ON MOST PICKET LINES WHEN THE AUTHORITIES ANNOUNCE THAT THE STRIKING WORKERS ARE INVOLVED IN AN "ILLEGAL ACTIVITY" AND ARE ORDERED TO STOP THEIR STRIKE. HE SAID THE SOLDIERS WERE HOOTED AT AND THAT STRIKE LEADERS REFUSED TO CALL OFF THE WORK STOPPAGE. THE MILITARY COMMANDER ON THE SCENE (WE HAVE NOT DETERMINEJ THAT COLONEL NATIVIDAD DE JESUS CACERES WAS ACTUALLY THERE) RESPONDED THAT STRIKE LEADERS WOULD BE ARRESTED BUT THIS ONLY PROVOKED MORE

UNCLASSIFIED

PAGE 01 SAN SA 08786 07 OF 13 072332Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
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TO SECSTATE WASHDC IMMEDIATE 0657
DEPT OF LABOR WASHDC

UNCLAS SECTION 07 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

DEPT ALSO FOR USTR

E.O. 12356: N/A
TAGS: ELAB, PGOV PHUM, ES
SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

JEERING AND TAUNTS BY THE STRIKERS. WHEN THE ORDER FOR THEIR ARREST WAS GIVEN, THIS TOUCHED OFF SCUFFLING BETWEEN THE SOLDIERS AND THE STRIKERS.

WHEN ASKED IF EXCESSIVE FORCE WAS USED DURING THE ARRESTS, BLANCO REPLIED: "THERE WERE A LOT OF HARD WORDS BUT NO HARD PUNCHES."

23. THE FACTS

IN OUR DISCUSSIONS WITH BLANCO, HE NEVER ONCE ACCUSED THE GOVERNMENT OR MILITARY OF VIOLATING THE RIGHTS OF ANTMOP'S MEMBERS. AS NOTED IN PARA 20, HE FREELY ACKNOWLEDGED THAT THE STRIKE ITSELF WAS ILLEGAL BUT UNCLASSIFIED

PAGE 02 SAN SA 08786 07 OF 13 072332Z

REMARKED THAT, IN EL SALVADOR, STRIKES OCCUR ALL THE TIME DESPITE THE CONSTRAINTS OF THE LABOR CODE. ANOTHER KEY POINT IS THAT THE THEN LABOR MINISTER LAZARO TADEO BERNAL LIZAMA INTERCEDED TO BRING THE TWO SIDES BACK TO THE BARGAINING TABLE. BERNAL LIZAMA THEREFORE ACTED IN A MANNER CONSISTENT WITH INTERNATIONAL LABOR ORGANIZATION (ILO) CONVENTIONS ON THE OBLIGATIONS OF GOVERNMENTS IN LABOR DISPUTES REQUIRING MEDIATION, ARBITRATION, AND/OR CONCILIATION. WE WOULD ALSO NOTE THAT ARRESTS ARE NOT UNUSUAL IN LEGAL STRIKES OCCURRING IN ECONOMICALLY AND POLITICALLY DEVELOPED COUNTRIES. LAST MAY, 250 STRIKING MINEWORKERS WERE ARRESTED AT THE PITTSFIELD, WEST VIRGINIA COAL MINE AFTER MANAGEMENT WAS GRANTED A COURT INJUNCTION BARRING THE STRIKERS FROM INTERFERING WITH THE CONTINUED OPERATION OF THE MINE.

24. INCIDENT AT AUSTRALIAN CHILD CARE CENTER

AMERICAS WATCH FAILS TO PLACE THIS INCIDENT WITHIN THE BROADER CONTEXT OF THE EVENTS WHICH OCCURRED DURING THE DAY OF SEPTEMBER 13, 1988 (CITE 88 SAN SALVADOR 12671.) ON THAT DAY, FENASTRAS JOINED UNITS IN ORGANIZING VIOLENT DEMONSTRATIONS IN THREE MAJOR URBAN AREAS OF EL SALVADOR, INCLUDING SAN SALVADOR. AS NOTED IN PARA 12, A POLICEMAN SUSTAINED A FATAL GUNSHOT WOUND TO THE HEAD DURING UNITS' VIOLENT MARCH AND RALLY THROUGH SAN SALVADOR. VIDEOTAPED FOOTAGE OF THE INCIDENT APPEARS TO SHOW THAT THE VIOLENCE ERUPTED AFTER AN UNDETERMINED NUMBER OF DEVICES EXPLODED AMONG A GROUP OF POLICEMEN. REACTING TO REPORTS THAT ARMED PARTICIPANTS IN THE MARCH WERE UNCLASSIFIED

PAGE 03 SAN SA 08786 07 OF 13 072332Z

SEEN ENTERING THE BUILDING WHICH HOUSES WHAT IS KNOWN AS THE "AUSTRALIAN CHILD CARE CENTER," A UNIT OF THE TREASURY POLICE (PH) SEARCHED THE PREMISES. THE PH DETAINED ROBERTO ANTONIO CAMPOS, WILLY FREDY ONOTIEL

GUEVARA QUEZADA, AND GUEVARA'S COMMON-LAW-WIFE, LAURA JANETH MIRA SANCHEZ. THE PH CORRECTLY ALLOWED MS. SANCHEZ TO BRING ALONG HER 18-MONTH OLD CHILD. AFTER A BRIEF INTERROGATION, THEY WERE RELEASED.

25. BOMBING OF FENASTRAS HEADQUARTERS

THE ALLEGATION THAT EXPLOSIVES WERE "HURLED INTO THE DOWNTOWN OFFICES OF FENASTRAS" ON FEBRUARY 22, 1989, IS FALSE. AN EXPLOSIVE DEVICE DID INDEED DETONATE IN CLOSE PROXIMITY TO FENASTRAS HEADQUARTERS, RESULTING IN SERIOUS DAMAGE TO THE BUILDING. AT LEAST 20 OTHER STRUCTURES ON THE SAME STREET SUFFERED VARYING DEGREES OF DAMAGE. IT IS ALSO FALSE THAT THE GOVERNMENT FAILED TO "AGGRESSIVELY INVESTIGATE AND PROSECUTE THE PERPETRATORS." PRESIDENT DUARTE ORDERED THE SPECIAL INVESTIGATIVE UNIT'S (SIU) FORENSICS TEAM TO BEGIN AN IMMEDIATE INVESTIGATION OF THE INCIDENT. (THE SIU IS FUNDED BY USAID AND HAS RECEIVED TRAINING FROM FBI FORENSICS EXPERTS.) FENASTRAS SEC GEN FEBE ELIZABETH VELASQUEZ REFUSED TO ALLOW THE SIU ACCESS TO THE CRIME SCENE, ALLEGING THAT THIS WOULD HAVE ONLY LED TO A "COVER-UP." FENASTRAS, IN FACT, ORGANIZED CLEAN UP CREWS TO REMOVE THE DEBRIS AND RUBBLE AND ERECTED MAKE-SHIFT BARRICADES TO PREVENT THE POLICE FROM APPROACHING THE SITE. THE "CLEAN UP" DESTROYED VITAL EVIDENCE WHICH COULD HAVE BEEN USED TO DETERMINE THE TYPE OF EXPLOSIVE(S) USED, WHERE IT WAS MANUFACTURED, AND

UNCLASSIFIED

PAGE 01 SAN SA 08786 08 OF 13 072333Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0658
DEPT OF LABOR WASHDC

UNCLAS SECTION 08 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

DEPT ALSO FOR USTR

E.O. 12356: N/A
TAGS: ELAB, PGOV PHUM, ES

SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

WHETHER PLACEMENT OF THE CHARGE WAS INTENDED TO HAVE A "DEADLY EFFECT." (CITE 89 SAN SALVADOR 02467.)

26. INNOCENT PERSONS VICTIMS OF FENASTRAS' VIOLENCE

WE FIND AMERICAS WATCH'S STATEMENT THAT THE SUBSEQUENT VIOLENCE PERPETRATED BY FENASTRAS DURING THE AFTERNOON OF FEBRUARY 22 WAS "REGRETTABLE" TO BE INCONSISTENT WITH ITS RATHER POINTED CONDEMNATION OF ALLEGED GOVERNMENT VIOLATIONS OF HUMAN AND WORKERS RIGHTS. TO SAY THAT THE RIOTOUS ACTIONS, INCLUDING THE FIREBOMBING OF AT LEAST EIGHT VEHICLES, WAS MERELY "REGRETTABLE" HAS THE EFFECT OF TRIVIALIZING UNCLASSIFIED

PAGE 02 SAN SA 08786 08 OF 13 072333Z

THE THREAT TO HUMAN LIFE OF SUCH TERRORISTIC ACTIVITIES. NOT ONLY WERE THE LIVES OF INNOCENT MEN, WOMEN, AND CHILDREN PLACED AT RISK, BUT MANY WERE DEPRIVED OF THEIR SOLE MEANS OF LIVELIHOOD WHEN THEIR SMALL SHOPS OR SIDEWALK STALLS WERE RANSACKED AND THE GOODS DESTROYED. WHAT POSSIBLE JUSTIFICATION WAS THERE FOR THIS SORT OF RAPACIOUS VIOLENCE AGAINST INDIVIDUALS WHO WERE IN NO WAY CULPABLE IN THE BOMBING OF FENASTRAS' BUILDING? TWO EMBOFFS WHO WERE TRANSITING THROUGH THE AREA AT THE TIME REPORTED SEEING ONE OF THE RIOTERS BRANDISHING A REVOLVER; OTHERS WERE MENACING PASSERSBY WITH MACHETES AND LENGTHS OF STEEL REINFORCING BAR. WOULD THE AUTHORITIES OF ANY MUNICIPALITY IN THE UNITED STATES PERMIT TRADE UNIONISTS TO FIREBOMB PUBLIC AND PRIVATE VEHICLES, BRANDISH FIREARMS AND OTHER WEAPONS IN A THREATENING MANNER, OR DESTROY OTHER TYPES OF PROPERTY WITH IMPUNITY? NO, AND A SWIFT AND APPROPRIATE RESPONSE BY THE POLICE WOULD NOT BE CONSTRUED AS A VIOLATION OF A TRADE UNIONIST'S RIGHTS.

27. SEPTEMBER 13, 1988 INCIDENT AT UNTS HEADQUARTERS

AMERICAS WATCH'S VERSION OF THE SEPTEMBER 13, 1988 INCIDENT AT UNTS HEADQUARTERS FAILS TO PROVIDE BACKGROUND ON THE EVENTS WHICH RESULTED IN THE PRESENCE OF UNITS OF THE FIRST INFANTRY BRIGADE AND THE NATIONAL POLICE. AS NOTED IN PARA 24, UNTS WAS THE PRINCIPAL ORGANIZER OF A DEMONSTRATION IN SAN SALVADOR ON SEPTEMBER 13, 1988, WHICH TURNED VIOLENT AND LEFT ONE POLICE OFFICER DEAD AND THREE OTHERS WOUNDED. THE POLICEMEN WERE STRUCK BY ROUNDS FROM UNCLASSIFIED

PAGE 03 SAN SA 08786 08 OF 13 072333Z

SMALL CALIBRE WEAPONS; THE SOLDIERS AND POLICEMEN AT THE SCENE WERE EQUIPPED WITH LARGE CALIBRE/HIGH VELOCITY G-3 AND M-16 RIFLES.

28. ARMED DEMONSTRATORS SEEN ENTERING UNTS BUILDING

AFTER THE SHOOTING, A NUMBER OF DEMONSTRATORS, SOME OF WHOM WITNESSES REPORTED WERE ARMED, RETREATED TO UNTS HEADQUARTERS LOCATED APPROXIMATELY FIVE TO SIX BLOCKS DISTANCE FROM THE SITE OF THE VIOLENCE. AT LEAST EIGHT AMCITS WERE INCLUDED AMONG THIS GROUP. SQUADS OF NATIONAL POLICEMEN PURSUED THE DEMONSTRATORS AND ESTABLISHED A PERIMETER AROUND THE VICINITY OF THE BUILDING. THE POLICEMEN WERE LATER REINFORCED BY UNITS OF THE ARMY'S FIRST BRIGADE. AT 1305, ONE OF THE AMCITS IN THE UNTS BUILDING, MAUANNE THERESA COLBY, PHONED THE EMBASSY AND SAID THAT TROOPS HAD SURROUNDED THE BUILDING (CITE 88 SAN SALVADOR 12303 FOR A REPORT ON THIS INCIDENT.) AT 1415, THE EMBASSY'S LABATT, ACCOMPANIED BY A CONSULAR PROTECTION OFFICER AND AN ARSO, WERE SENT TO THE UNTS BUILDING TO SECURE THE SAFE PASSAGE OF THE AMCITS. AT APPROXIMATELY 1435, THE ARSO REPORTED TO THE EMBASSY THAT THE TROOPS WERE PULLING BACK AND DEPARTING FROM THE AREA.

29. THERE WAS NO RAID ON THE PREMISES

THE EMBASSY PERSONNEL WHO WENT TO UNTS HEADQUARTERS SAW A FAIRLY LARGE CONTINGENT OF HEAVILY-ARMED SOLDIERS AND POLICEMEN, WHO COULD QUITE EASILY HAVE "RAIDED" UNTS HEADQUARTERS. THERE CERTAINLY WAS

UNCLASSIFIED

PAGE 01 SAN SA 08786 09 OF 13 072334Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
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TO SECSTATE WASHDC IMMEDIATE 0659
DEPT OF LABOR WASHDC

UNCLAS SECTION 09 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

DEPT ALSO FOR USTR

E.O. 12356: N/A

TAGS: ELAB, PGOV PHUM, ES

SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

PROBABLE CAUSE UNDER THE CIRCUMSTANCES. THE SECURITY FORCES WERE REACTING TO A VIOLENT INCIDENT DURING WHICH ONE POLICEMEN WAS KILLED AND THREE OTHERS WOUNDED AND ARMED DEMONSTRATORS WERE SEEN FLEEING FROM THE SITE OF THE CLASH AND LATER ENTERING THE UNTS BUILDING. NEVERTHELESS, NO MEMBER OF THE SECURITY FORCES OR THE ARMY ENTERED THE UNTS BUILDING.

30. SUSPICIOUS BOMBING OF UNTS HEADQUARTERS

WE NOTE THAT AMERICAS WATCH RELIES ON A FEBRUARY 16, 1989 REPORT CARRIED IN THE NEW YORK TIMES TO MAKE AN UNCLASSIFIED

PAGE 02 SAN SA 08786 09 OF 13 072334Z

IMPLIED CONNECTION BETWEEN THE SUSPICIOUS BOMBING OF UNTS HEADQUARTERS ON FEBRUARY 15 AND ALLEGED GOVERNMENT-SANCTIONED VIOLATIONS OF THE RIGHTS IN EL SALVADOR. WE DOUBT THAT THE TIMES ARTICLE, AS QUOTED IN AMERICAS WATCH'S PETITION, STATED MATTER-OF-FACTLY, "THE MAXIMILIANO HERNANDEZ' DEATH SQUAD' TOOK RESPONSIBILITY FOR THE BOMBING. IT LEFT BEHIND A STATEMENT SAYING THAT A NEW UNIT, THE PEOPLE'S COUNTERREVOLUTIONARY ARMY, CARRIED OUT THE ATTACK." EXCEPT FOR LEAFLETS LEFT AT THE SCENE, WHICH COULD HAVE BEEN PRODUCED BY ANYONE, THERE IS NO EVIDENCE THAT THE MAXIMILIANO HERNANDEZ DEATH SQUAD EXISTS OR THAT ANY DEATH SQUAD OR THE SALVADORAN ARMED FORCES (ESAF) WAS RESPONSIBLE FOR THE BOMBING AT THE UNTS BUILDING.

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31. CONJURING UP THE SPECTRE OF THE MOST NOTORIOUS
- "DEATH SQUAD"

AS WAS THE CASE IN THE FEBRUARY 22, 1989, BOMBING OF FENASTRAS HEADQUARTERS, A SO-CALLED "DEATH SQUAD" WAS HELD RESPONSIBLE FOR THE ATTACK ON UNTS HEADQUARTERS. BUT IN THE UNTS INCIDENT, IT WAS NOT JUST ANY "DEATH SQUAD," IT WAS THE NOTORIOUS "MAXIMILIANO HERNANDEZ BRIGADE (BMH)," THE MOST NOTORIOUS AND DEADLIEST GROUP OF ASSASSINS OF THE EARLY 1980S (CITE 89 SAN SALVADOR 02119.) THE POINT IS THAT THE BMH, WHOSE CALLING CARD WAS TO CARVE ITS INITIALS IN THE CHESTS OF ITS VICTIMS, DISAPPEARED IN 1984 AND HAS NOT BEEN HEARD FROM SINCE ITS PURPORTED ATTACK ON THE UNTS BUILDING. ANOTHER STRIKING

SIMILARITY BETWEEN THE FENASTRAS AND UNTS INCIDENTS
WAS THAT UNTS ALSO BLOCKED POLICE EFFORTS TO CONDUCT
UNCLASSIFIED

PAGE 03 SAN SA 08786 09 OF 13 072334Z

A FORENSICS EXAMINATION AT THE SCENE. THIS INCLUDED
HASTILY ORGANIZED CLEAN UP CREWS WHICH BURNED THE
DEBRIS FROM THE DAMAGED BUILDING.

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32. AN ATTEMPT TO EMBARRASS THE GOES?

LEADERS OF UNTS QUICKLY SEIZED UPON THE INCIDENT AS A
PRETEXT TO CONDEMN THE GOES AND TRIED TO DISCREDIT
THE DUARTE ADMINISTRATION'S INVOLVEMENT IN THE
REGIONAL PEACE PROCESS. UNTS LEADERS WERE QUOTED IN
THE PRESS AS SAYING: THIS IS PRESIDENT DUARTE'S
ACTION FOLLOWING THE DECLARATION OF COSTA DEL SOL."
THE LATTER STATEMENT REFERRED TO THE FINAL JOINT
COMMUNIQUE FROM THE CENTRAL AMERICAN PRESIDENTS
FOLLOWING THEIR FEBRUARY 13-14 SUMMIT IN EL
SALVADOR. AMONG OTHER THINGS, THE COSTA DEL SOL
DOCUMENT PLEDGED REGIONAL GOVERNMENTS TO PURSUE
"PEACE, NATIONAL RECONCILIATION, AND
DEMOCRATIZATION." DURING THE EVENING OF
FEBRUARY 14, 1989, THE FMLN ISSUED ITS OWN COMMUNIQUE
WHICH STATED THAT THE GOES WOULD NOT HONOR THE
COMMITMENTS OF COSTA DEL SOL AND WOULD CONTINUE TO
PURSUE ITS POLICIES OF "AGGRESSION AND REPRESSION"
AGAINST "POPULAR FORCES." LESS THAN A DAY LATER, THE
SUSPICIOUS BOMBING OF UNTS HEADQUARTERS OCCURRED.
THIS ONE INCIDENT PROVIDED OPPONENTS OF THE GOES WITH
AN OPPORTUNITY TO ACCUSE THE GOVERNMENT OF TREACHERY
ON THE ISSUES OF PEACE AND NATIONAL RECONCILIATION
AND WITH REGARD TO WORKERS/HUMAN RIGHTS.

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33. ALLEGED DEATH THREATS AGAINST ASTTEL LEADER

UNCLASSIFIED

PAGE 01 SAN SA 08786 10 OF 13 072335Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
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TO SECSTATE WASHDC IMMEDIATE 0660
DEPT OF LABOR WASHDC

UNCLAS SECTION 10 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

DEPT ALSO FOR USTR

E.O. 12356: N/A

TAGS: ELAB, PGOV PHUM, ES

SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

THERE IS NO EVIDENCE THAT THE GOES WAS BEHIND THE ALLEGED DEATH THREATS AGAINST NATIONAL TELECOMMUNICATIONS WORKERS ASSOCIATION (ASTTEL) LEADER JOSE MAZARIEGO. BY INCLUDING THE CASE IN ITS PETITION, AND THEN CITING THE PURPORTED CONTENTS OF A NOTE TACKED TO THE DOOR OF MAZARIEGO (SIC), WHICH WAS SIGNED BY THE "CENTRAL COMMANDER OF ANUTUXTEPEQUE, A DEATH SQUAD," AMERICAS WATCH AGAIN MAKES AN UNFOUNDED CLAIM LINKING THE GOVERNMENT TO ALLEGED DEATH SQUAD ACTIVITY.

34. DISAPPEARANCE OF ELISEO CORDOVA AQUILAR

UNCLASSIFIED

PAGE 02 SAN SA 08786 10 OF 13 072335Z

THE WHEREABOUTS OF ELISEO CORDOVA AQUILAR REMAIN UNKNOWN SINCE HIS DIAPPEARANCE JULY 13, 1988. CORDOVA, AN OFFICIAL OF THE SALVADORAN SOCIAL SECURITY INSTITUTE WORKERS UNION (STISSS), WAS ABDUCTED FROM A PARKING LOT NEAR HIS HOME IN THE EASTERN SAN SALVADOR SUBURB OF ILOPANGO ON THE NIGHT OF JULY 13. TAKEN WITH CORDOVA WERE HIS NEPHEW, ENEMIAS HERNANDEZ, AND ATTORNEY GENERAL'S OFFICE LAWYER CELESTINO HERNANDEZ. THE ABDUCTORS REPORTEDLY FORCED THE THREE MEN INTO A WAITING CAR WHICH THEN TRAVELED EASTWARD UNTIL THE VEHICLE REACHED A POINT WHERE ANOTHER CAR WAS WAITING. AFTER CHANGING CARS, THE KIDNAPPERS AND THEIR VICTIMS WERE DRIVEN WESTWARD OUT OF SAN SALVADOR. THE YOUNGER HERNANDEZ AND AG LAWYER CELESTINO HERNANDEZ WERE SUBSEQUENTLY RELEASED AT A POINT 20 MILES OUTSIDE OF THE CITY AFTER CELESTINO PROVIDED PROOF OF HIS ASSOCIATION WITH THE AG'S OFFICE.

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35. SECURITY FORCES DENY INVOLVEMENT

ALL SECURITY FORCES HAVE DENIED ANY INVOLVEMENT IN CORDOVA'S ABDUCTION. FORMER DEFENSE MINISTER CARLOS EUGENIO VIDES CASANOVA GAVE FORMER AMBASSADOR CORR HIS PERSONAL ASSURANCES DURING A MEETING IN LATE JULY THAT THE SALVADORAN ARMED FORCES HAD NOT PARTICIPATED

IN CORDOVA'S ABDUCTION. AMBASSADOR CORR FOLLOWED UP AT LEAST TWICE MORE ON THIS SUBJECT WITH VIDES CASANOVA AND THE GENERAL REITERATED THAT THE GOES SECURITY FORCES WERE NOT TO BLAME FOR CORDOVA'S DISAPPEARANCE.

UNCLASSIFIED

PAGE 03 SAN SA 08786 10 OF 13 072335Z

36. CORDOVA RELEASED UNDER NOVEMBER 1987 AMNESTY

THERE ARE CIRCUMSTANCES RELATED TO CORDOVA'S DISAPPEARANCE, HOWEVER, WHICH SUGGEST THE POSSIBILITY THAT HE WAS ABDUCTED BY PERSONS WHO WERE AWARE OF HIS CONNECTIONS TO THE FMLN. WHILE UNTS AND CORDOVA'S COLLEAGUES CONTEND THAT HE WAS A "LONG TIME MEMBER AND ACTIVIST IN STISSS," CORDOVA WAS TRIED AND CONVICTED IN 1985 ON CHARGES OF BELONGING TO THE FACTION OF THE FMLN. HE WAS CONFINED IN MARIONA PRISON UNTIL NOVEMBER 10, 1987, WHEN HE WAS RELEASED UNDER AMNESTY DECREE 805. THE AMNESTY DECREE WAS IMPLEMENTED UNDER THE TERMS OF THE AUGUST 1987 REGIONAL PEACE PLAN, ESQUIPULAS II, WHICH, AMONG OTHER THINGS, CALLED FOR THE RELEASE OF ALL POLITICAL PRISONERS.

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37. THE ANTMAG CASE

THE NATIONAL ASSOCIATION OF WORKERS OF THE MINISTRY OF AGRICULTURE AND LIVESTOCK (ANTMAG) IS AN AFFILIATE OF THE SALVADORAN WORKERS CENTRAL (CTS). CTS REPRESENTS PUBLIC EMPLOYEES IN SEVERAL GOVERNMENT MINISTRIES, INCLUDING MAG, PUBLIC WORKERS AND HEALTH. CTS AFFILIATES INITIATED JOB SLOW DOWNS AND STRIKES THROUGHOUT THE SUMMER UNTIL LATE FALL 1988 TO PRESSURE THE GOES INTO LIVING UP TO THE TERMS OF A TENTATIVE AGREEMENT INCREASING WAGES AND BENEFITS WHICH WAS NEGOTIATED IN JUNE AND JULY 1988. FOLLOWING A SERIES OF ARBITRATION/CONCILIATION MEETINGS BETWEEN CTS AND GOVERNMENT REPRESENTATIVES, WHICH WERE CHAIRED BY LABOR MINISTER LAZARO TADEO

UNCLASSIFIED

PAGE 01 SAN SA 08786 11 OF 13 072336Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
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FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0661
DEPT OF LABOR WASHDC

UNCLAS SECTION 11 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

DEPT ALSO FOR USTR

E.O. 12356: N/A
TAGS: ELAB, PGOV PHUM, ES
SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

BERNAL LIZAMA, CTS AGREED TO A CALL OFF ITS JOB
ACTIONS TO PERMIT FURTHER NEGOTIATIONS.

38. MILITANTS IN ANTMAG DISDAIN AGREEMENT

AS NOTED IN AMERICAS WATCH'S PETITION, THE GOVERNMENT
MADE THE AGREED UPON PAYMENTS TO AFFECTED WORKERS ON
DECEMBER 23, 1988. CTS SECGEN FELIX BLANCO HAD
STATED DAYS BEFORE, IN FACT, THAT HIS AFFILIATES
WOULD ABIDE BY THE CONDITIONS OF THE THUS
RESTRUCTURED AGREEMENT. THIS WAS THE CASE WITH THE
VAST MAJORITY OF CTS MEMBERS EXCEPT FOR A MILITANT
GROUP LEAD BY VILMA VASQUEZ, RAUL CHAVEZ AND VICENTE
UNCLASSIFIED

PAGE 02 SAN SA 08786 11 OF 13 072336Z

HERNANDEZ. THEY REJECTED THE AGREEMENT AND CALLED
FOR THE CONTINUATION OF THE STRIKE AT ONE MAG
FACILITY. FEWER THAN 300 OF ANTMAG'S 3500 MEMBERS
FOLLOWED THE LEAD OF THE ANTMAG MILITANTS. BLANCO
SUBSEQUENTLY DECLARED THAT THE STRIKING ANTMAG
MEMBERS WERE VIOLATING CTS' CONSTITUTION AND BY-LAWS
AND CALLED FOR AN END TO THE WILDCAT ACTIONS.
VASQUEZ AND HER COLLEAGUES REFUSED. DURING THIS
PERIOD, THERE WERE ACTS OF SABOTAGE AND DESTRUCTION
OF SOME EQUIPMENT BY THE WORKERS. THE CTS EXECUTIVE
COMMITTEE DISAVOWED THEIR ACTIONS.

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39. VASQUEZ ARRESTED IN CONNECTION WITH VIOLENCE

WHILE IT IS TRUE THAT VASQUEZ AND JAIME ESTEVEZ WERE
ARRESTED BY THE NATIONAL GUARD (GN) OVERNIGHT
DECEMBER 24, 1988, OUR INFORMATION IS THAT THE
ARRESTS WERE MADE IN CONNECTION WITH THEIR HAVING
ADVOCATED AND PARTICIPATED IN ACTS OF VIOLENCE. WE
HAVE NO INFORMATION OR PROOF THAT VASQUEZ WAS
SUBJECTED TO THREATS, TORTURE AND AN ATTEMPTED RAPE

DURING CONFINEMENT.

40. VASQUEZ AND HER COLLEAGUES VOTED OUT OF ANTMAG

THE SITUATION INVOLVING THE ACTIVITIES OF VASQUEZ, CHAVEZ AND HERNANDEZ OUTSIDE OF THE DISCIPLINE OF CTS CAME TO A HEAD IN MARCH 1989 WHEN DELEGATES TO CTS' ANNUAL CONVENTION STRIPPED THEM OF THEIR POSITIONS IN ANTMAG AND VOTED THEM OUT OF CTS. THEY THEN LED A FORCIBLE TAKEOVER OF THE ANTMAG OFFICES IN SAN UNCLASSIFIED

PAGE 03 SAN SA 08786 11 OF 13 072336Z

ANDRES, CIUDAD ARCE. ON MARCH 14, 1989, SAN SALVADOR'S MAJOR DAILIES PUBLISHED FULL-PAGE ADS IN WHICH THE CTS EXECUTIVE COMMITTEE PUBLICLY RECOGNIZED THE NEW LEADERS OF ANTMAG AND ITS LOCALS AND STATED THAT THE FORMER LEADERS HAD "LOST THE FRATERNAL SUPPORT OF CTS" BECAUSE THEIR ACTIONS WERE "ABHORRENT TO OUR CLEARLY DEFINED PRINCIPLES," INCLUDING THAT CTS' STRUGGLE IS "TOTALLY WORKER-RELATED AND NOT POLITICAL."

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41. THE FREDY TORRES CASE

SALVADORAN SOCIAL SECURITY INSTITUTE WORKERS UNION SECRETARY OF CULTURE FREDY TORRES WAS NOT KIDNAPPED ON APRIL 21, 1988. THE TREASURY POLICE (PH) ARRESTED TORRES ON APRIL 21 ON SUSPICION THAT HE PARTICIPATED IN THE BURNING OF A PASSENGER BUS IN THE MIRAMONTE SECTION OF SAN SALVADOR ON APRIL 8, 1988. ALTHOUGH HE WAS PLACED UNDER PROVISIONAL CUSTODY ON APRIL 23, A SAN SALVADOR CRIMINAL COURT JUDGE ORDERED TORRES' RELEASE ON APRIL 27 BECAUSE PROSECUTORS COULD NOT CORROBORATE PRELIMINARY EVIDENCE WHICH WAS INTRODUCED DURING HIS INITIAL HEARING.

42. TORRES PARTICIPATED IN VIOLENT DEMONSTRATION
- SEPTEMBER 13, 1988

WE NOTE YET AGAIN THAT AMERICAS WATCH REFRAINED FROM PROVIDING DETAILS ON THE CVVZCZCADP781

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UNCLAS CHANNEL CHECK FROM THE ATSERP ABC

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PAGE 01 SAN SA 08786 12 OF 13 072336Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
L-03 TRSE-00 PM-10 PA-02 OMB-01 STR-18 SIL-01
INRE-00 OPM-01 USIE-00 SP-02 SNP-01 PRS-01 DS-01
SCT-02 P-02 T-01 /063 W
-----012372 080009Z /60

O 072256Z JUL 89
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0662
DEPT OF LABOR WASHDC

UNCLAS SECTION 12 OF 13 SAN SALVADOR 08786

DEPT ALSO FOR ARA/CEN/ES; HA

DEPT ALSO FOR USTR

E.O. 12356: N/A
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SUBJECT: EMBASSY REPORT ON CASES CONTAINED IN

THE SHOOTING DEATH OF ONE NATIONAL POLICEMAN AND THE WOUNDING OF FOUR OTHERS. ACCORDING TO POLICE OFFICIALS, TORRES, AS WELL AS HUNDREDS OF OTHERS, WAS ORDERED TO LEAVE THE AREA OF THE DEMONSTRATION AFTER THE VIOLENCE FLARED. AMERICAS WATCH REFERS TO THIS AS AN "ATTACK" AND ALLEGES THAT "HEAVILY ARMED MEN TRIED TO KILL HIM." DESPITE TORRES' PROWESS AS A JUDO CHAMPION, WE ARE INCREDULOUS THAT HE WOULD HAVE BEEN ABLE TO FEND OFF SEVERAL "HEAVILY ARMED" ATTACKERS WHO WERE DETERMINED TO KILL HIM AS AMERICAS WATCH ASSERTS. THE AUTHORITIES WERE WITHIN THEIR RIGHT TO CLEAR AN AREA WHERE VIOLENT PROTESTORS PROBABLY WERE RESPONSIBLE FOR THE DEATH OF ONE POLICEMAN AND INJURIES TO OTHERS.
UNCLASSIFIED

PAGE 02 SAN SA 08786 12 OF 13 072336Z

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43. THE SOYAPANGO/SAN JUAN TALPA KILLINGS

AS OF JUNE 1989, THE GOVERNMENT HUMAN RIGHTS COMMISSION COULD ONLY PROVIDE US WITH THE BAREST DETAILS RELATED TO THIS CASE. ARNOLDO CERRITOS, VICENTE CERRITOS AND ARTURO NAVARRO GARCIA WERE INDEED TAKEN FROM THEIR RESIDENCES AT APPROXIMATELY 1930 ON APRIL 14, 1988 BY SEVERAL ARMED MEN. (THERE ARE NO SWORN STATEMENTS FROM FAMILY MEMBERS IDENTIFYING THE ABDUCTORS AS MEMBERS OF ANY MILITARY OR POLICE UNIT.) THE BODIES OF THE THREE MEN WERE SUBSEQUENTLY EXHUMED IN THE JURISDICTION OF SAN JUAN

TALPA, DEPARTMENT OF LA PAZ, ON APRIL 18, 1988. EACH VICTIM HAD BEEN SHOT AND A FORENSICS EXAM DETERMINED THAT THE WEAPON USED WAS A .45 CALIBRE HANDGUN. FAMILY MEMBERS DENIED THAT THE MEN WERE INVOLVED IN UNION ACTIVITIES.

44. INCIDENT INVOLVING CTS MEMBERS

CTS SECGEN FELIX BLANCO TOLD US THAT THE FIVE CTS MEMBERS DETAINED BY POLICE ON MAY 1, 1988, WERE INDEED ARRESTED FOR PARTICIPATING IN A VIOLENCE-MARRED DEMONSTRATION ORGANIZED BY THE NATIONAL UNITY OF SALVADORAN WORKERS (UNTS) TO MARK INTERNATIONAL LABOR DAY (MAY 1). GASOLINE PUMPS IN AT LEAST EIGHT GAS STATIONS, AND AN EQUAL NUMBER OF TELEPHONE EXCHANGE BOXES, WERE PARTIALLY OR COMPLETELY DESTROYED AFTER BEING FIREBOMBED BY UNTS MARCHERS. OTHER UNTS PROTESTORS CRIS-CROSSED A UNCLASSIFIED

PAGE 03 SAN SA 08786 12 OF 13 072336Z

DOWNTOWN SAN SALVADOR STREET, SMASHING PLATEGLASS WINDOWS AND DESTROYING THE CONTENTS OF SHOWCASES. OTHERS USED NAIL-STUDED CLUBS TO PUNCTURE THE TIRES OF PUBLIC AND PRIVATE VEHICLES (CITE 88 SAN SALVADOR 5907.)

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45. INTERROGATED ABOUT THEIR PARTICIPATION IN
- THE VIOLENCE

BLANCO SAID THAT, AS FAR AS HE KNEW, THE MEN WERE INTERROGATED ABOUT THEIR PARTICIPATION IN THE VIOLENCE AND THAT "ROUTINE QUESTIONS" WERE ASKED ABOUT THE NATURE OF THEIR EMPLOYMENT AND THEIR PLACES OF RESIDENCE. BLANCO ALSO SAID THAT THE TOURISM INSTITUTE WORKERS ASSOCIATION (ASTTUR) HAS NOT BEEN SUBJECTED TO ANY THREATS OR HARRASMENT BY GOES SECURITY FORCES NOR HAS THE ASSOCIATION'S RIGHT TO ORGANIZE BEEN VIOLATED.

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46. ELECTRICAL WORKERS STRIKE

THE EMBASSY WAS IN CONTACT WITH PERSONS CLOSE TO THE LEADERS OF THE ASSOCIATION OF WORKERS OF THE EXECUTIVE HYDROELECTRIC COMMISSION OF THE LEMPA RIVER (ATCEL) DURING ATCEL'S JUNE 15 - JULY 4 STRIKE AGAINST THE GOVERNMENT-OWNED UTILITY. THE FOLLWING POINTS SHOULD BE MADE:

--ATCEL LEADERS ACKNOWLEDGED THAT, IN ACCORDANCE WITH THE LABOR CODE, A STRIKE OF EMPLOYEES WORKING FOR A SEMI-AUTONOMOUS GOVERNMENT AGENCY WAS ILLEGAL;

UNCLASSIFIED

PAGE 01 SAN SA 08786 13 OF 13 072337Z
ACTION ARA-00

INFO LOG-00 ADS-00 AID-00 INR-07 SS-00 CIAE-00 EB-00
DODE-00 H-01 NSCE-00 NSAE-00 COME-00 SSO-00 HA-09
L-03 TRSE-00 PM-10 PA-02 OMB-01 STR-18 SIL-01
INRE-00 OPM-01 USIE-00 SP-02 SNP-01 PRS-01 DS-01
SCT-02 P-02 T-01 /063 W

-----012406 080010Z /60

O 072256Z JUL 89
FM AMEMBASSY SAN SALVADOR
TO SECSTATE WASHDC IMMEDIATE 0663
DEPT OF LABOR WASHDC

UNCLAS SECTION 13 OF 13 SAN SALVADOR 08786

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--THE STRIKE DID NOT INVOLVE THE MAJORITY OF CEL'S
3500 EMPLOYEES BUT ENCOMPASSED A WALKOUT OF 600
MAINTENANCE AND TECHNICAL PERSONNEL
(CITE 88 SAN SALVADOR 8505);

--SENIOR GOES OFFICIALS, LED BY THEN VICE PRESIDENT
CASTILLO CLARAMOUNT, NEGOTIATED THE BARGAIN WHICH
ENDED THE WALKOUT (CITE 88 SAN SALVADOR 9243); AND

--CEL'S PRESIDENT ACTED UNILATERALLY IN DISMISSING
ATCEL'S LEADERS AND SUSPENDING 21 OTHERS (CITE 88 SAN
SALVADOR 9467.)

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47. AMERICAS WATCH'S SELECTIVE USE OF INFORMATION
UNCLASSIFIED

PAGE 02 SAN SA 08786 13 OF 13 072337Z

AMERICAS WATCH CLAIMS THAT THE VIOLENT INCIDENT OF
JULY 12, 1988, INVOLVED SECURITY FORCE ACTION AGAINST
A "PEACEFUL CROWD" OF "STRIKE SUPPORTERS." THE TRUTH
IS THAT THE MARCH THROUGH THE LOS ALPES SECTION OF
SOYAPANGO WAS NOT ORGANIZED BY "SEVERAL UNIONS." IT
WAS, IN FACT, A PROTEST ORGANIZED BY THE NATIONAL
UNITY OF SALVADORAN WORKERS (UNTS) AND THE PURPOSE
WAS TO AGITATE A RESUMPTION OF ATCEL'S STRIKE AGAINST

THE GOVERNMENT-OWNED POWER COMPANY. THE PROTESTORS WERE ENROUTE TO CEL'S AGUA CALIENTE SUB STATION, WHERE SOME 60 ATCEL MEMBERS WERE DEFYING THE AGREEMENT WHICH ENDED THE STRIKE.

48. GOES OBLIGATED TO PROTECT PUBLIC HEALTH AND
- SAFETY

THE FMLN HAD CARRIED OUT ACTS OF SABOTAGE DURING ATCEL'S STRIKE AND, BY JULY 1, 1988, POWER OUTAGES WERE REPORTED IN 11 OF EL SALVADOR'S 14 DEPARTMENTS. POWER-RATIONING WAS IMPLEMENTED AND MOST METROPOLITAN AREAS EXPERIENCED BLACKOUTS OF UP TO EIGHT HOURS DAILY. ECONOMIC ACTIVITY WAS SERIOUSLY DISRUPTED, JOBS WERE THREATENED, PUBLIC HEALTH CONDITIONS WORSENER, AND MAINTAINING PEACE AND ORDER DURING THE HOURS OF DARKNESS WAS A MAJOR PROBLEM. THE INTERVENTION OF SENIOR GOES OFFICIALS TO END THE STRIKE WAS DEEMED ESSENTIAL TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE. (THE INTERNATIONAL LABOR ORGANIZATION -ILO- RECOGNIZES THE RIGHT OF GOVERNMENTS TO "PREVENT OR CURTAIL" STRIKES WHICH UNCLASSIFIED

PAGE 03 SAN SA 08786 13 OF 13 072337Z

THREATEN THE SAFETY OF THE "WHOLE OR A PART OF THE POPULACE."

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49. STEPS TAKEN TO REPAIR RELATIONSHIP BETWEEN
- CEL AND ATCEL

FOLLOWING HIS INAUGURATION ON JUNE 1, 1988, PRESIDENT DUARTE REMOVED GENERAL JAIME ABDUL GUTIERREZ AS CEL'S PRESIDENT; HE WAS REPLACED BY SIGIFREDO OCHOA PEREZ, WHO HAD PUBLICLY EXCORIATED GUTIERREZ OVER HIS INTRANSIGENCE IN DEALING WITH ATCEL THE PREVIOUS YEAR. BETWEEN JUNE 8 AND JUNE 15, 1989, CEL'S NEW MANAGEMENT HELD DISCUSSIONS WITH ATCEL TO FIND SOLUTIONS TO THE STILL FESTERING PROBLEMS. THESE TALKS RESULTED IN AN AGREEMENT WHICH SAW THE REINSTALLATION OF ATCEL'S LEADERS; THE FORMATION OF A JOINT MANAGEMENT/WORKER COMMISSION AUTHORIZED TO DRAW UP AN AGREEMENT COVERING ATCEL EMPLOYEES; AND REMOVED THE RESTRICTIONS AGAINST VISITS BY ATCEL LEADERS TO SIX OF CEL'S KEY POWER-GENERATING PLANTS. IN OTHER WORDS, THE GOES HAS SETTLED THE DISPUTE BETWEEN CEL AND ACTEL.

50. RENE ANDRADE PONCE CASE

EMBASSY IS UNABLE TO PROVIDE ANY INFORMATION BEYOND THAT CONTAINED IN OUR RESPONSE TO AMERICAS WATCH'S

1988 PETITION BEFORE THE SPECIAL U.S. TRADE
REPRESENTATIVE.

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