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CONFIDENTIAL SECTION 01 OF 07 SAN SALVADOR 02189

OPCENTER ALERT ARA

E.O. 12356: DECL:OADR  
TAGS: PGOV, PREL, US  
SUBJECT: CRISTIANI MEETING WITH CODEL MOAKLEY

1. C - ENTIRE TEXT.

2. SUMMARY: IN A TWO HOUR LONG MEETING FEBRUARY 13  
WITH CODEL MOAKLEY, PRESIDENT CRISTIANI REITERATED  
HIS GOVERNMENT'S COMMITMENT TO HUMAN RIGHTS AND AN  
INTERNAL PEACE PROCESS WHICH WOULD REINCORPORATE THE  
FMLN INTO THE DEMOCRATIC PROCESS. HE CONFIRMED THAT  
THE MILITARY RECOGNIZED AND RESPECTED CIVILIAN  
CONTROL, AND DEPLOYED THE ACTS OF ISOLATED MILITARY  
MEMBERS WHICH HARMED THE REPUTATION OF THE MILITARY  
AS A WHOLE. MEMBERS OF CODEL MOAKLEY STRESSED TO  
PRESIDENT CRISTIANI THE DAMAGING IMPACT THE JESUIT  
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MURDERS HAD HAD ON HIS AND HIS GOVERNMENT'S  
REPUTATION IN THE UNITED STATES. WHILE CURRENT  
PROGRESS ON THE INVESTIGATION WAS IMPRESSIVE, THEY  
WARNED THAT THE JUDICIAL PROCESS MUST CONTINUE AND  
THAT OVERALL HUMAN RIGHTS MUST IMPROVE. THE MEMBERS  
ALSO STRESSED THE IMPORTANCE OF HIS GOVERNMENT'S  
COMMITMENT TO END THE MILITARY CONFLICT WITH THE  
FMLN, AND LAUDED THE PARTICIPATION OF THE UN  
SECRETARY GENERAL IN THE PROCESS. WITHOUT EXCEPTION  
CODEL MEMBERS EXPRESSED THEIR SUPPORT FOR CRISTIANI**REVIEW AUTHORITY: Janina Slattery, Senior Reviewer**~~CONFIDENTIAL~~

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PERSONALLY, BUT STRESSED THAT STRONG DOMESTIC PRESSURE AGAINST THE GOES WAS BUILDING IN THE US. END SUMMARY.

3. AFTER PRESIDENT CRISTIANI WELCOMED THE FIFTEEN MEMBERS OF CONGRESS, TASK FORCE CHAIRMAN JOE MOAKLEY (D-MA) BEGAN DISCUSSIONS BY THANKING THE PRESIDENT FOR RECEIVING THE DELGATION. HE NOTED THAT PRESIDENT CRISTIANI'S VISIT TO WASHINGTON DC IN EARLY FEBRUARY HAD BEEN GREATLY APPRECIATED BY MEMBERS OF CONGRESS WHO HAD BENEFITTED FROM HIS FIRST HAND REPORT ON DEVELOPMENTS IN EL SALVADOR.

4. CONGRESSMAN BUD SHUSTER (R-PA) THEN COMMENDED PRESIDENT CRISTIANI FOR HIS GOVERNMENT'S DISPATCH IN INVESTIGATING THE NOVEMBER 16 KILLINGS OF SIX JESUIT FATHERS AND TWO OF THEIR HOUSEHOLD STAFF AT THE UCA. SUCH EXPEDIENCY, MR. SHUSTER CONTINUED, DEMONSTRATED THAT PRESIDENT CRISTIANI UNDERSTOOD THE ENORMOUS CONCERN THIS TERRIBLE CRIME HAD RAISED IN THE UNITED STATES. THUS FAR, HE STATED, THE INVESTIGATION APPEARED TO BE VERY PROFESSIONAL. THE ONLY QUESTION HE HAD REGARDED THE TESTIMONY OF A US MAJOR WHO

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BELATEDLY REPORTED A CONVERSATION WITH SALVADORAN COL. AVILES. DURING THE CONVERSATION AVILES REPORTEDLY REVEALED THAT COLONELS RIVAS AND LOPEZ Y LOPEZ, BOTH INVOLVED IN THE INVESTIGATION, MAY HAVE WITHHELD RELEVANT INFORMATION. IT STRUCK HIM AS UNUSUAL THAT COL. AVILES HAD BEEN POLYGRAPHED, WHILE THE TWO OFFICERS MENTIONED IN THE ALLEGED DISCUSSION HAD NOT BEEN. SUCH AN ACT WOULD HELP PREEMPT THOSE IN THE UNITED STATES AND ELSEWHERE WHO WERE PROMOTING "COVER UP" THEORIES ALLEGING THAT MILITARY HIGHER-UPS WITH KNOWLEDGE OF THE CRIME WERE BEING PROTECTED.

5. CONGRESSMAN SHUSTER ADDED THAT HE WAS ALSO INTERESTED IN KNOWING THE EXTENT TO WHICH THE GOVERNMENT HAD PURSUED INVESTIGATIONS IN FMLN CRIMES - WAS THE SIU INVOLVED IN INVESTIGATING THESE AS WELL? CRISTIANI RESPONDED THAT IT WAS VERY DIFFICULT TO TRACK THE FMLN - IT WOULD TAKE AT LEAST AN ENTIRE MILITARY UNIT TO DO SO. OFTEN TIMES BREAKTHROUGHS CAME BY CHANCE. FOR EXAMPLE, THREE DIFFERENT CAPTURED GUERRILLAS HAD IMPLICATED THE FMLN IN THE OCTOBER 31, 1989 BOMBING OF THE PRO-FMLN LABOR UMBRELLA ORGANIZATION FENASTRAS. IN OTHER CASES A PROFESSIONAL INVESTIGATION WAS UNDERTAKEN, AS IN THE ZONA ROSA CASE INVOLVING THE DEATHS OF FOUR US MARINES. IN THAT INSTANCE, SUSPECTS HAD BEEN IDENTIFIED AND WERE CURRENTLY BEING TRIED.

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6. CONGRESSMAN SHUSTER CONTINUED BY NOTING THAT IN THE US INFORMATION ABOUT FMLN ATROCITIES WAS RELATIVELY SCARCE. ON THE OTHER HAND, PERSONS SUCH AS JENNIFER CASOLO BROADLY CRITICIZED THE SALVADORAN GOVERNMENT AND ITS POLICIES. SHUSTER STATED HE

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C O N F I D E N T I A L SECTION 02 OF 07 SAN SALVADOR 02189

OPCENTER ALERT ARA

E.O. 12356: DECL:OADR  
TAGS: PGOV, PREL, US  
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UNDERSTOOD THAT THE EVIDENCE AGAINST CASOLO WAS OVERWHELMING. HE COULD UNDERSTAND CRISTIANI'S INTEREST IN HAVING JUSTICE DONE, AND NOTED THAT SOME PRESSURE TO THE CONTRARY MAY HAVE COME FROM THE U.S. SENATE. NONETHELESS, SHUSTER FELT THAT CASOLO WAS

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NOW DAMAGING THE GOES IN THE US.

7. CRISTIANI SAID HE HAD RECEIVED PHONE CALLS FROM TWO MEMBERS OF THE SENATE, BUT NEITHER TRIED TO PRESSURE HIM TO RELEASE CASOLO. ON THE CONTRARY, BOTH STRESSED THAT THEIR ONLY CONCERN WAS THAT SHE BE FAIRLY TREATED. THE JUDGE IN CHARGE OF THE CASE FELT  
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THAT IT WAS DIFFICULT TO ESTABLISH THE DEGREE OF CASOLO'S AWARENESS OF WHAT WAS BURIED IN HER BACKYARD. THE GUERRILLA INFORMANT WHO LED THEM TO HER HOUSE NEVER MENTIONED HER NAME. THAT BEING THE CASE, THE JUDGE ORDERED HER RELEASE, BUT THE CASE REMAINED OPEN. SHOULD MORE INFORMATION COME TO LIGHT, IT WAS CONCEIVABLE THAT SHE COULD BE ASKED TO RETURN.

8. CONGRESSMAN MATTHEW MCHUGH (D-NY) SAID HE APPRECIATED THE DIFFICULT NATURE OF CRISTIANI'S JOB, BUT NOTED THAT THE PROBLEM OF HUMAN RIGHTS ABUSES NEEDED TO BE STRONGLY PURSUED BY THE GOES. AS A MEMBER OF THE APPROPRIATIONS COMMITTEE DEALING WITH THE ISSUE OF FOREIGN ASSISTANCE TO EL SALVADOR, HE NOTED HE WOULD HAVE A DIFFICULT TIME IF IT WERE PERCEIVED THE GOVERNMENT WAS NOT PURSUING THIS ISSUE VIGOROUSLY. TURNING TO THE TOPIC OF NEGOTIATIONS WITH THE FMLN, MCHUGH NOTED THAT SOME INTERLOCUTORS HAD BEEN MORE OPTIMISTIC THAN OTHERS ON THE TOPIC, AND SOLICITED CRISTIANI'S VIEWS.

9. THE PRESIDENT RESPONDED THAT HE, TOO, TENDED TO BE OPTIMISTIC. AN IDEAL COMBINATION OF EXTERNAL AND INTERNAL CONDITIONS MADE THE PROSPECTS VERY PROMISING. EXTERNAL FACTORS INCLUDE CHANGING CONDITIONS IN THE USSR WHICH COULD AFFECT CUBA AND THUS THE FMLN, AND A NEW CONSENSUS AMONG THE CENTRAL AMERICAN PRESIDENTS CONDEMNING THE VIOLENT TACTICS OF THE FMLN. INTERNALLY, HE FELT THE NOVEMBER 1989 FMLN OFFENSIVE HAD CLEARLY DEMONSTRATED THE LACK OF POPULAR SUPPORT FOR THE INSURGENT ORGANIZATION. GIVEN THIS SET OF CONDITIONS, THE UN SECRETARY  
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GENERAL COULD PLAY AN IMPORTANT ROLE IN BRINGING THE TWO PARTIES TOGETHER AND ENSURING THAT THE FMLN PARTICIPATED IN GOOD FAITH. LATER TODAY (FEBRUARY 13), HE NOTED, THE SECRETARY GENERAL'S ASSISTANT DE

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SOTO WOULD BE COMING TO EL SALVADOR FROM TALKS WITH THE FMLN IN MEXICO. FROM PUBLIC STATEMENTS MADE BY THE FMLN, HE CONTINUED, HE WAS OPTIMISTIC THAT THEY WERE READY TO RESUME TALKS.

10. THE PROBLEM WAS TO ENSURE THE FMLN MADE A SERIOUS EFFORT TO NEGOTIATE, CRISTIANI STATED. DESPITE EFFORTS BY HIMSELF AND HIS PREDECESSOR, THE FMLN HAD NEVER TAKEN THE NEGOTIATIONS SERIOUSLY, USING THEM AS A TACTIC IN THEIR ONGOING MILITARY STRUGGLE. CRISTIANI REFERRED TO A LETTER RECENTLY SENT BY ARCHBISHOP RIVERA Y DAMAS TO THE SALVADORAN BISHOPS NOTING THAT THE FMLN POSITION ON NEGOTIATIONS MAY BE JUST A PROPAGANDA PLOY. IN HIS DISCUSSIONS WITH THE UN SECRETARY GENERAL, CRISTIANI ADDED, HE HAD SUGGESTED THAT A PRECONDITION FOR NEGOTIATIONS SHOULD BE A HALT TO ALL FMLN VIOLENCE DIRECTED AGAINST CIVILIANS - A POSITION ENDORSED BY THE OTHER CENTRAL AMERICAN PRESIDENTS IN THE SAN ISIDRO AGREEMENT SIGNED IN DECEMBER 1989. SUCH AN UNDERTAKING BY THE FMLN WOULD BE A POSITIVE SIGN OF SINCERE INTEREST IN NEGOTIATIONS. THE SECRETARY GENERAL, CRISTIANI STATED, HAD AGREED WITH CRISTIANI'S SUGGESTION AND SAID HE WOULD COMMUNICATE IT TO THE FMLN. CRISTIANI NOTED THAT A CESSATION OF HOSTILITIES WOULD MAKE IT MUCH EASIER TO REDUCE THE NUMBER OF HUMAN RIGHTS ABUSES.

11. CONGRESSMAN BILL MCCOLLUM (R-FL) NOTED THAT THIS

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C O N F I D E N T I A L SECTION 03 OF 07 SAN SALVADOR 02189

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WAS HIS SIXTH VISIT TO EL SALVADOR SINCE 1983, AND THAT HE CONTINUED TO BE IMPRESSED BY THE IMPROVEMENT IN HUMAN RIGHTS AND IN THE GOES EFFORT TO RESTRAIN THE FMLN. HE NOTED THAT THE MARCH 1989 ELECTIONS WERE A MARVELOUS EXAMPLE OF DEMOCRACY AT WORK. HE WAS IMPRESSED, HE STATED, WITH THE SIU INVESTIGATION. NOTING HE HAD MET WITH CRISTIANI DURING THE LATTER'S RECENT VISIT TO WASHINGTON, HE REITERATED HIS CONCERN OVER PROGRESS ON JUDICIAL REFORM. SUCH REFORMS WERE NEEDED, HE ARGUED, NOT JUST FOR THE JESUIT CASE, BUT FOR THE MANY OTHER CASES WHICH WERE TROUBLESOME BOTH TO THE GOES AND THE

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US. NOTHING SHORT OF CHANGING THE RULES OF EVIDENCE COULD ACHIEVE THE DESIRED RESULTS, HE OPINED, AND ASKED WHAT EFFORTS THE GOVERNMENT HAD MADE TO IMPROVE THE JUDICIAL PROCESS.

12. NOTING THAT HIS GOVERNMENT HAD APPOINTED A SPECIAL COMMITTEE TO INVESTIGATE PROBLEMS IN THE JUDICIAL SYSTEM, CRISTIANI STATED THAT HE HAD ASKED THE COMMITTEE FOR A 1990 WORKPLAN OF RECOMMENDED CHANGES. A RANGE OF REFORMS WERE BEING CONTEMPLATED, WHICH WOULD INVOLVE NOT ONLY LEGISLATIVE BUT STRUCTURAL CHANGES IN THE JUDICIAL SYSTEM. SOME REFORMS WERE ALREADY UNDERWAY -- JUDGES, WHO USED TO BE POLITICAL APPOINTEES, WERE NOW APPOINTED BY A COMMITTEE COMPOSED OF JUDICIAL AND LEGAL EXPERTS. THE GOAL WAS TO ESTABLISH A JUDICIAL "CAREER" DURING WHICH A JUDGE WOULD ACHIEVE TECHNICAL AND LEGAL EXPERTISE.

13. CONGRESSMAN MOAKLEY INTERVENED AT THIS POINT TO

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NOTE THAT THE CODEL HAD RECEIVED A BRIEFING FROM COL. MANUAL RIVAS OF THE SIU THE PREVIOUS DAY, DURING WHICH THEY WERE RATHER TOUGH ON THE UNIT LEADER. NONETHELESS, THE CODEL HAD THE GREATEST RESPECT FOR THE COLONEL'S PROFESSIONALISM, PARTICULARLY WITH HIS HANDLING OF THE TECHNICAL EVIDENCE. QUESTIONING DURING THE BRIEFING, HE STATED, GOT RATHER HEAVY, BUT WAS NOT INTENDED TO IMPUGN THE COLONEL'S PERFORMANCE.

14. CONGRESSMAN STENY HOYER (D-MD) NOTED THAT THIS WAS HIS FIRST VISIT TO EL SALVADOR, BUT HIS EXPERIENCE IN EASTERN EUROPE HAD SHOWN HIM THAT ONE

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OF THE FUNDAMENTAL REFORMS TAKEN THERE WAS THE DISMANTLING OF THE REPRESSIVE AND INTIMIDATING SECRET POLICE SYSTEM. THE PERCEPTION OF MANY IN THE UNITED STATES WAS THAT THE JESUIT KILLINGS REPRESENTED THE DETERMINATION OF AN IDEOLOGICAL MILITARY FORCE TO DESTROY ITS OPPONENTS. THERE ARE ALLEGATIONS, HE CONTINUED, THAT THE MILITARY "TOOK OVER" IN THE FIRST DAYS OF THE FMLN OFFENSIVE IN NOVEMBER 1989. ONE OF THE FMLN'S NEGOTIATING CONDITIONS WAS THE SEPARATION OF POLICE AUTHORITIES FROM THE MILITARY IN AN EFFORT TO IMPROVE CIVILIAN CONTROL OVER THESE FORCES. WOULD CRISTIANI CARE TO COMMENT?

15. OFFERING A GENERAL COMMENT ON CIVILIAN CONTROL OF THE MILITARY DURING THE OFFENSIVE, CRISTIANI NOTED THAT HE, IN CONJUNCTION WITH THE MILITARY, ESTABLISHED CERTAIN RULES OF ENGAGEMENT DURING THE FIRST DAYS OF THE OFFENSIVE. AS THE ATTACKS CONTINUED, HOWEVER, THE MILITARY BEGAN TO REEVALUATE ITS STRATEGY AND ON NOVEMBER 15 ASKED HIM FOR PERMISSION TO USE CAVALRY AND ARTILLERY FORCES AGAINST THE INSURGENTS. CRISTIANI SAID HE FELT THE REQUEST DEMONSTRATED THE MILITARY'S RESPECT FOR CIVILIAN AUTHORITY. REGARDING SEPARATION OF SECURITY FORCES FROM THE MILITARY, HE NOTED THAT IF THE CONFLICT WERE ENDED SUCH A RESTRUCTURING WOULD BE PROBABLE. THE TREASURY POLICE WOULD REVERT TO THE AUTHORITY OF THE MINISTRY OF FINANCE, AND THE NATIONAL POLICE TO EITHER THE MINISTRY OF JUSTICE OR THE EXECUTIVE. CRISTIANI STATED HE HAD SPOKEN TO THE MILITARY ABOUT THESE PLANS JUST THE DAY BEFORE. RIGHT NOW, HOWEVER, THESE FORCES WERE AN INTEGRAL PART OF THE NATION'S DEFENSE AGAINST THE FMLN, AND

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C O N F I D E N T I A L SECTION 04 OF 07 SAN SALVADOR 02189

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SUCH CHANGES COULD NOT BE CONTEMPLATED UNTIL  
HOSTILITIES CEASED. RESPONDING TO A FOLLOW UP  
QUESTION ON HOW SUCH CHANGES WOULD BE IMPLEMENTED,  
CRISTIANI STATED THAT LEGISLATION AND EVEN  
CONSTITUTIONAL AMENDMENTS WOULD HAVE TO BE DRAFTED.

16. CONGRESSMAN ROBERT DORNAN (R-CA) NOTED THAT HE  
HAD BEEN EDUCATED BY JESUITS, AND DESCRIBED THE WIDE  
NETWORK OF CONTACTS THE JESUIT COMMUNITY HAD IN THE  
UNITED STATES. THIS ENTIRE COMMUNITY, HE CONTINUED,  
WAS MOBILIZED AGAINST THE GOES IN THE WAKE OF THE  
JESUIT KILLINGS. HE INQUIRED AS TO WHAT TYPE OF  
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RELATIONSHIP CRISTIANI HAD HAD WITH SLAIN UCA RECTOR IGNACIO ELLACURIA. CRISTIANI RESPONDED THAT HE HAD BEEN THE FIRST ARENA CANDIDATE TO SPEAK AT UCA DURING THE CAMPAIGN, AND THAT AFTER HIS ELECTION HE WAS THE FIRST SALVADORAN PRESIDENT TO VISIT THE UNIVERSITY CAMPUS. ELLACURIA HAD BEEN CALLED "CRISTIANISTA" BY SOME OF HIS CONTACTS AFTER PUBLISHING A REVIEW OF CRISTIANI'S FIRST HUNDRED DAYS WHICH WAS IN ITS ESSENCE FAVORABLE. CRISTIANI NOTED THAT HE HAD CONSIDERED THAT ELLACURIA WAS FOR A TIME THE ONLY "LOYAL" OPPOSITION BECAUSE HE WAS EVEN-HANDED IN HIS CRITICISM AND DID NOT POLITICIZE EVERY ISSUE. DORNAN SUGGESTED THAT CRISTIANI CONTINUE HIS CONTACTS WITH UCA, THE CHURCH AND THE SPANISH (TWO OF THE SLAIN PRIESTS WERE SPANISH CITIZENS) TO TRY TO REESTABLISH GOOD RELATIONS WITH THESE SECTORS.

17. CONGRESSMAN DORNAN CONTINUED BY NOTING THAT ANOTHER CONCERN RAISED WITH HIM FREQUENTLY WERE THE ALLEGATIONS OF INDISCRIMINATE AIR FORCE BOMBING. JUST THE NIGHT BEFORE, HE STATED, SEVERAL PEASANT FAMILIES FROM CHALATENANGO HAD MET WITH THE CODEL TO DESCRIBE THEIR EXPERIENCES OF 24 HOURS BEFORE, WHEN AIR FORCE BOMBS LANDED ON SEVERAL RESIDENCES, KILLING AT LEAST FOUR CHILDREN. THESE INCIDENTS DID A GREAT DEAL OF DAMAGE TO THE GOVERNMENT - IF THEY ARE ACCIDENTS, THE GOVERNMENT SHOULD ADMIT ITS FAULT AND ENSURE THEY ARE NOT REPEATED. CRISTIANI SHOULD BE SURE TO KEEP THE CONGRESS INFORMED OF INCIDENTS SUCH AS THESE, AND RESULTANT STEPS TAKEN, SO THAT MEMBERS OF CONGRESS COULD PUT THESE INCIDENTS IN THE PROPER PERSPECTIVE, HE CONCLUDED.

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18. CONGRESSWOMAN BARBARA KENNELLY (D-CT) ECHOED MR. DORNAN'S SENTIMENTS, EXPRESSING HER RESPECT FOR PRESIDENT CRISTIANI, BUT CAUTIONING THAT HER CONSTITUENTS HAD LOST PATIENCE WITH THE STATUS QUO IN EL SALVADOR. SHE NOTED A SENSE OF DEJA VU IN THAT HER FIRST VISIT TO THE COUNTRY HAD BEEN IN THE WAKE OF THE NUNS' KILLINGS -- AND TODAY HER THIRD VISIT TOOK PLACE YEARS LATER IN THE WAKE OF THE JESUIT DEATHS. MANY OF THE SALVADORAN HUMAN RIGHTS VIOLATIONS DID NOT, SHE OPINED, REFLECT "ACCIDENTS," BUT WERE MANIFESTATIONS OF PASSIONS AND IMPATIENCE STEMMING FROM THE CONFLICT. SHE URGED PRESIDENT CRISTIANI TO USE HIS GOOD OFFICES TO PREVENT SUCH ABUSES, AND TO CAUTION THAT SUCH ACTIONS HARM THE

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GOVERNMENT AS A WHOLE. BACK AT HOME, THE CONGRESSWOMAN CONTINUED, UNLESS IT WAS PERCEIVED THAT THE MILITARY WAS BEING RESTRAINED, FUTURE ASSISTANCE WAS IN JEOPARDY.

19. PRESIDENT CRISTIANI SAID HE APPRECIATED HER COMMENTS, STATING THAT THE GOVERNMENT WAS CONTINUOUSLY WORKING WITH THE ARMED FORCES TO CURTAIL ABUSES. HE BELIEVED THERE HAD BEEN SOME PROGRESS. IN EVERY SECTOR, HE ADDED, THERE WERE PEOPLE WHO REACTED STRONGLY FROM EMOTION, AND WHO HELD STRONG FEELINGS AGAINST ONE GROUP OR ANOTHER. THE GOES WOULD CONTINUE TO WORK TO RESTRAIN SUCH ACTIONS.

20. CONGRESSMAN ROBERT MCEWEN (R-OH) NOTED THAT HE HAD MET WITH PRESIDENT CRISTIANI FOUR TIMES IN THE LAST SEVEN MONTHS, AND WOULD ALLOW HIS COLLEAGUES TO TAKE ADVANTAGE OF THIS OPPORTUNITY. HE CONGRATULATED CRISTIANI ON HIS ACHIEVEMENTS, AND WISHED HIM

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CONTINUED SUCCESS.

21. CONGRESSMAN GERRY STUDDS (D-MA) RETURNED TO THE TOPIC RAISED BY CONGRESSWOMAN KENNELLY, NOTING THAT US POPULAR OPINION WAS ALERT TO HUMAN RIGHTS VIOLATIONS IN EL SALVADOR. LESS THAN 24 HOURS AFTER THE CHALATENANGO INCIDENT HE WAS RECEIVING FAXED MESSAGES IN HIS HOTEL ROOM FROM CONCERNED US CITIZENS. STUDDS SAID HE WAS MOST CONCERNED ABOUT ALLEGATIONS MADE BY JOYA MARTINEZ, A FORMER MEMBER OF THE ARMED FORCES, REGARDING INSTITUTIONALIZED DEATH SQUADS. WE ALL KNOW, STUDDS CONTINUED, THAT MURDERS

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HAVE BEEN COMMITTED BY ESAF MEMBERS, BUT THEY HAVE BEEN CHARACTERIZED AS ABERRATIONS. JOYA MARTINEZ' ALLEGATIONS, HOWEVER, SUGGEST THAT SUCH ACTIONS HAVE BEEN A MATTER OF POLICY, HE STATED. WHILE SO FAR IT HAS BEEN IMPOSSIBLE TO ESTABLISH THE VERACITY OF HIS CLAIMS, CONFIRMATION OF THEM WOULD DEAL A VERY SERIOUS BLOW TO THE GOES AND ITS CREDIBILITY IN THE US, HE WARNED.

22. PRESIDENT CRISTIANI OFFERED TWO COMMENTS, NOTING FIRST OF ALL THAT JOYA MARTINEZ IS A FUGITIVE FROM SALVADORAN JUSTICE. THE GOES HAD AN EXTRADITION REQUEST PENDING IN THE UNITED STATES, AND IT HOPED TO BRING JOYA MARTINEZ BACK TO FACE TRIAL FOR HIS ADMITTED CRIMES. SECONDLY, THE RED CROSS AND OTHER INTERNATIONAL AGENCIES, AS WELL AS US MILITARY OFFICERS, ARE CONSTANTLY MONITORING DETENTION AREAS AND MILITARY UNITS. THEY WOULD KNOW IF THERE WERE INSTITUTIONALIZED DEATH SQUADS OPERATING UNDER THE AUSPICES OF THE MILITARY.

23. REPRESENTATIVE FRANK MCCLOSKEY (D-IN) STATED THAT WHILE HE PERCEIVED BROAD SUPPORT FOR CRISTIANI PERSONALLY, HE ALSO PERCEIVED WIDESPREAD MISTRUST AND HOSTILITY TOWARDS THE ARMED FORCES. HE REPEATED ALLEGATIONS MADE BY NUNS AND PEASANTS FROM CHALATENANGO (WHO HAD MET WITH CODEL THE PREVIOUS NIGHT) THAT THE GOVERNMENT IMPEDED FOOD, TIN FOR ROOFS, AND MEDICINES FROM REACHING RESETTLEMENT CAMPS. HE ASKED THAT A GOVERNMENT REPRESENTATIVE

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MEET WITH THESE PEASANTS TO ADDRESS THEIR CONCERNS.  
HE ALSO ASKED THE PRESIDENT TO MEET WITH  
REPRESENTATIVES OF COMADRES (MEMBERS OF CODEL HELD A  
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MEETING WITH COMADRES REPRESENTATIVE CELIA BELTRAN ON  
FEBRUARY 12).

24. PRESIDENT CRISTIANI COMMENTED GENERALLY THAT IN  
EL SALVADOR THINGS WERE NOT BLACK AND WHITE. SEVERAL  
CAPTURED GUERRILLAS HAD ADMITTED THEY WERE REFUGEES  
WHO HAD BEEN REPATRIATED FROM THE MESA GRANDE CAMP.  
SOME FMLN FIGHTERS CAPTURED DURING THE OFFENSIVE HAD  
ALSO BEEN REPATRIATED REFUGEES. THE GOES AND THE  
UNHCR HAD WORKED TOGETHER TO DEVELOP A RESETTLEMENT  
PROGRAM WHICH WOULD HAVE TEMPORARILY PLACED REFUGEES  
ON AGRARIAN REFORM PROPERTIES OUT OF CONFLICTIVE  
AREAS. ONCE THE CONFLICT WAS OVER, THEY WOULD HAVE  
BEEN ABLE TO RETURN TO THEIR ORIGINAL HOMES. IF THE  
REFUGEES HAD ACCEPTED THAT OPTION, INCIDENTS LIKE THE  
ONE IN CHALATENANGO WOULD NOT HAVE HAPPENED, BECAUSE  
THE REFUGEES WOULD HAVE BEEN OUT OF THE WAR ZONE.  
CRISTIANI STRESSED HE WAS NOT TRYING TO EXCUSE WHAT  
MAY HAVE HAPPENED IN CHALATENANGO. HE AGREED TO SEND  
THE VICE MINISTER OF INTERIOR TO MEET WITH THE  
CHALATENANGO REPRESENTATIVES. REGARDING COMADRES, HE  
NOTED THAT HE CONSIDERED IT A FRONT ORGANIZATION, AN  
OPINION CONFIRMED BY ITS PARTICIPATION IN SUCH ACTS  
AS THE TAKING OVER THE COSTA RICAN EMBASSY IN LATE  
1989. HE WOULD AGREE TO A MEETING, BUT NOT WITH A  
MASSIVE DELEGATION, AND WITHOUT MEDIA PRESENCE.

25. CONGRESSMAN MCCLOSKEY THEN NOTED THAT THE 15 DAY  
DETENTION PERIOD WAS VERY HARD ON FAMILY MEMBERS, WHO  
WERE UNABLE TO RECEIVE ANY INFORMATION ABOUT THE  
WELFARE OF THEIR DETAINED RELATIVES UNTIL THE 15-DAY  
"INCOMMUNICADO" DETENTION PERIOD WAS OVER. HE ASKED  
CRISTIANI WHEN THE GOES PLANNED TO REMOVE THE STATE

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L-03 TRSE-00 PM-00 PA-01 OMB-01 INRE-00 USIE-00  
SP-00 SNP-00 C-01 PRS-01 P-02 T-01 /046 W  
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O 142127Z FEB 90  
FM AMEMBASSY SAN SALVADOR  
TO SECSTATE WASHDC IMMEDIATE 5926  
INFO AMEMBASSY GUATEMALA  
AMEMBASSY MANAGUA  
AMEMBASSY SAN JOSE  
AMEMBASSY TEGUCIGALPA  
USCINCSO QUARRY HTS PM  
USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 06 OF 07 SAN SALVADOR 02189

OPCENTER ALERT ARA

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SUBJECT: CRISTIANI MEETING WITH CODEL MOAKLEY

OF EXCEPTION WHICH EXTENDED THE DETENTION PERIOD FROM THREE TO 15 DAYS. CRISTIANI RESPONDED THAT THE GOVERNMENT HAD BEEN LIFTING VARIOUS MEASURES OF THE STATE OF EXCEPTION AS THE SITUATION PERMITTED, BUT THAT THE FMLN STILL POSED A VERY REAL THREAT TO NATIONAL SECURITY. HE DENIED THAT DETENTION WAS "INCOMMUNICADO," STATING THAT INTERNATIONAL HUMAN RIGHTS ORGANIZATIONS HAD ACCESS TO DETENTION AREAS.

26. CONGRESSMAN DAN GLICKMAN (D-KS) RETURNED TO A MORE GENERAL THEME, CAUTIONING CRISTIANI THAT EVEN UNDER THE BEST OF CIRCUMSTANCES US AID TO EL SALVADOR  
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WOULD NOT CONTINUE INDEFINITELY, AND ADVISING THAT THE GOVERNMENT SHOULD LET THAT REALITY GUIDE IT AS IT CONTEMPLATED RENEWED NEGOTIATIONS WITH THE FMLN. WITH THE EXTERNAL AND INTERNAL DEVELOPMENTS PREVIOUSLY MENTIONED, GLICKMAN CONTINUED, THE TIME WAS RIPE FOR SERIOUS NEGOTIATIONS WITH THE FMLN. THE GOES HAD US SUPPORT NOW, BUT WOULDN'T HAVE IT FOREVER

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-- THE GOVERNMENT SHOULD TAKE ADVANTAGE OF THIS PERHAPS UNIQUE OPPORTUNITY TO END THE MILITARY CONFLICT.

27. CONGRESSMAN DAVID BONIOR (D-MI) ENDORSED HIS COLLEAGUE'S STATEMENTS, NOTING THAT IN THE LAST YEAR LEADERS AROUND THE WORLD HAD MADE COURAGEOUS, OFTEN RISKY DECISIONS WHICH HAD CHANGED THE COURSE OF HISTORY. HE URGED CRISTIANI TO GO THAT EXTRA MILE TO REACH A RESOLUTION. CONGRESSMAN BONIOR ALSO INQUIRED WHETHER COL. BENAVIDES, ONE OF THOSE ACCUSED IN THE JESUIT CASE, HAD KEPT A DIARY. THE PRESIDENT RESPONDED THAT HE WAS UNAWARE OF ANY DIARY.

28. CONGRESSMAN JIM MCDERMOTT (D-WA) OPENED HIS REMARKS BY NOTING HE ALWAYS FELT UNCOMFORTABLE WHEN A CONGRESSIONAL DELEGATION ARRIVED TO TELL THE PRESIDENT HOW TO DO HIS JOB. STILL, THE ONLY ALTERNATIVE HE COULD SEE WAS CEASEFIRE AND DIALOGUE. THE GOES SHOULD BE AWARE THAT CHURCHWORKERS AND OTHERS IN EL SALVADOR WERE IN CONSTANT CONTACT WITH US GROUPS -- THE INFORMATION CONTINUED TO FLOW AND CONTINUED TO DIRECTLY AFFECT CONGRESSMEN WHO HAD TO RESPOND TO THEIR CONSTITUENTS' CONCERNS ABOUT EL SALVADOR. MCDERMOTT URGED CRISTIANI TO TAKE HEED OF THE COFFEE BOYCOTT MOVEMENT FORMING IN CALIFORNIA, A

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MOVE WHICH COULD DO SERIOUS DAMAGE TO THE SALVADORAN ECONOMY. HE SALUTED THE PRESIDENT FOR DOING MORE THAN MANY HAD HOPED FOR - BUT URGED HIM TO DO EVEN MORE OR RISK LOSING US ASSISTANCE.

29. PRESIDENT CRISTIANI REAFFIRMED HIS GOVERNMENT'S COMMITMENT TO DIALOGUE AND CEASE FIRE, NOTING THAT BOTH WERE ON THE GOES AGENDA DURING LATE 1989 DISCUSSIONS WITH THE FMLN - ONLY THE FMLN WOULDN'T COOPERATE. THE PREVIOUS ADMINISTRATION HAD SHARED THE EXPERIENCE OF TRYING TO CREATE POLITICAL SPACE FOR THE FMLN TO PARTICIPATE DEMOCRATICALLY - BUT NEITHER HAD SUCCEEDED BECAUSE THE FMLN WAS UNWILLING TO COMPROMISE. NEGOTIATION TAKES TWO SIDES, CRISTIANI COMMENTED, AND NO ONE WAS PRESSURING THE FMLN.

30. CONTINUING THE THEME, CONGRESSMAN GEORGE MILLER (D-CA) NOTED THAT PROPOSED US LEGISLATION TO CONDITION ASSISTANCE BASED ON PROGRESS IN GOES-FMLN NEGOTIATIONS WAS A WAY TO TEST THE FMLN'S INTENTIONS. NO ONE, HE CONTINUED, WOULD ASK CRISTIANI TO DO ANYTHING HE DID NOT FEEL WAS IN HIS NATION'S BEST INTEREST. IN FACT, MILLER CONTINUED,

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HE FELT CRISTIANI WAS HIS COUNTRY'S BEST HOPE IN THE CURRENT SITUATION. IN THE PAST, MILLER SAID, HE FELT THE US GOVERNMENT AS WELL AS THE GOES HAD LIED ABOUT PROGRESS ON HUMAN RIGHTS CASES -- BUT THE JESUIT INVESTIGATION OFFERED HOPE FOR A DIFFERENT OUTCOME, IF THE GOVERNMENT CONTINUED AS IT HAD BEGUN. MILER SAID HE PERSONALLY FAVORED RESTRICTED US ASSISTANCE TO EL SALVADOR, AND FELT THAT IT HAD, IN THE PAST AT LEAST, GIVEN THE CIVILIAN AUTHORITIES LEVERAGE OVER

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C O N F I D E N T I A L SECTION 07 OF 07 SAN SALVADOR 02189

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THE MILITARY WHICH SOMETIMES WAS SLOW TO ACCEPT CONCERNS ABOUT HUMAN RIGHTS. THERE WAS SUPPORT IN

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CONGRESS FOR CRISTIANI, MILLER CONTINUED, BUT ADDED THAT HIS PERSONAL GOAL WAS AN END TO THE VIOLENCE IN EL SALVADOR.

31. PRESIDENT CRISTIANI RESPONDED THAT HIS GOVERNMENT APPRECIATED SUPPORT FOR AN END TO THE MILITARY CONFLICT, BUT REITERATED THAT PRESSURE ON THE GOES DID NOTHING TO ENSURE THE FMLN'S GOOD INTENTIONS. HE UNDERSTOOD THE INTENT OF LEGISLATION TRYING TO PROMOTE PEACE IN EL SALVADOR BY CONDITIONING

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AID, BUT FELT THAT CURRENT PROPOSALS FELL VERY SHORT OF PRESSURING THE FMLN. THE FMLN ALWAYS TRIED TO PLACE THE GOES IN A POSITION WHERE IT WOULD HAVE TO SAY NO, CRISTIANI CONTINUED. IN SAN JOSE THE FMLN PROVIDED TWO AND A HALF POUNDS OF DOCUMENTS FULL OF PROPOSALS, AND DEMANDED A "YES OR NO" ANSWER FROM THE GOVERNMENT IN FIVE MINUTES. THAT WAS NOT A SERIOUS WAY TO NEGOTIATE, CRISTIANI STATED. THE FIVE CENTRAL AMERICAN PRESIDENTS HAD AGREED THAT THE FMLN WAS NOT IN A POSITION TO MAKE DEMANDS -- IT SHOULD BE DEMOBILIZED, GIVEN POLITICAL SPACE, AND REINCORPORATED INTO THE DEMOCRATIC PROCESS. RESTRICTIONS ON US ASSISTANCE SHOULD BE CAREFULLY CONSTRUCTED TO ENSURE THAT THEY DO IN FACT CONTRIBUTE TO AN END OF THE WAR, RATHER THAN EXACERBATE THE MILITARY CONFLICT.

32. CONGRESSMAN MCHUGH COMMENTED THAT A REPORTER HAD RECENTLY TOLD HIM THAT WHILE THERE WERE STILL INTERNAL FMLN DIVISIONS, THE MAJORITY FAVORED NEGOTIATIONS, INCLUDING JOAQUIN VILLALOBOS. CRISTIANI RESPONDED THAT, IF TRUE, IT WAS HEARTENING NEWS AND FURTHERED HIS OPTIMISM OVER PROSPECTS FOR NEGOTIATIONS.

33. REPRESENTATIVE DAVID DREIER (R-CA) NOTED HE HAD VISITED EL SALVADOR SIX TIMES IN THE LAST YEAR AND HAD DEVELOPED A REAL AFFECTION FOR THE COUNTRY. THE TASK FORCE HAD BEEN FORMED TO GET TO THE BOTTOM OF THE JESUIT KILLINGS, HE STATED, AND HE PERSONALLY WAS CONVINCED THAT THE GOVERNMENT HAD DONE EVERYTHING POSSIBLE IN THAT RESPECT. DREIER STATED THAT HE HAD BEEN IN EL SALVADOR DURING THE MARCH 1989 ELECTIONS

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WHICH CRISTIANI CARRIED WITH 54 PERCENT OF THE VOTE -

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WHILE THE OTHER EXTREME RECEIVED ONLY 3.8 PERCENT. THE GOES, HE SAID, HAD BENT OVER BACKWARDS TO ACCOMMODATE NEGOTIATIONS. HE CONSIDERED THE USDOL 4 BILLION SPENT IN EL SALVADOR OVER THE LAST TEN YEARS TO HAVE BEEN AN EXCELLENT INVESTMENT WHICH HAD HELPED THE GOES STAND UP TO THE FMLN OFFENSIVE. CHANGING TOPICS, DREIER NOTED THAT CRISTIANI HAD ALSO ASSUMED A LEADERSHIP ROLE IN THE REGION, AND ASKED FOR HIS VIEWS ON WHERE THE PEACE PROCESS WAS GOING, AND HOW IT MIGHT BE AFFECTED BY THE FEBRUARY 1990 ELECTIONS IN NICARAGUA.

34. DESPITE CHANGES IN THE PRESIDENCIES OF THREE OF THE FIVE CENTRAL AMERICAN COUNTRIES (INCLUDING HIMSELF), CRISTIANI SAID HE FELT THE PEACE PROCESS WOULD CONTINUE, AND PERHAPS IMPROVE. HIS NEWLY ELECTED COLLEAGUES SHARED HIS COMMITMENT TO PEACE, AND APPRECIATED HIS POSITION THAT EL SALVADOR'S SITUATION BE CONTEMPLATED BY THE PROCESS, WHICH HAD ORIGINALLY FOCUSED ON NICARAGUA. REGARDING THE NICARAGUAN ELECTIONS, CRISTIANI SAID HE HAD RECEIVED REPORTS FROM VARIOUS COSTA RICAN OBSERVERS THAT THE REGISTRATION PROCESS HAD BEEN FLAWED, AND HE WAS GENERALLY CONCERNED ABOUT THE SITUATION. TASK FORCE CHAIR MOAKLEY THEN THANKED THE PRESIDENT, AND THE SESSION ADJOURNED.

WALKER

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