

GOD ALONE WAS WITH US
The Santa Cruz Massacre



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Introduction

This report represents the first attempt to systematically document the massacre of Santa Cruz, which occurred in the context of a November 1981 scorched earth operation in Cabañas department in northern El Salvador. The massacre is the subject of an ongoing criminal investigation in El Salvador; survivors attribute command responsibility for the atrocity to Col. Sigifredo Ochoa Pérez (Ret.), currently a member of the Salvadoran Legislative Assembly, among other parties.

The research presented here draws on numerous sources. First, we have collaborated extensively with the Instituto de Derechos Humanos de la Universidad Centroamericana “José Simeón Cañas,” whose lawyers represent several victims seeking justice in this case and whose research team conducted related investigations in 2013. We also draw on conversations our research team has held with survivors in both El Salvador and the United States, some of whom have given public testimony about these events, and others with whom our researchers spoke to in confidence, due to ongoing concerns for their safety. We have conducted extensive research through declassified documents from various United States government agencies, using documents that were already public as a result of requests from past researchers, as well as documents we obtained through over one hundred Freedom of Information Requests filed since 2012. Lastly, we consulted news media from the period, reviewed the reports by human rights organizations, and perused scholarly publications for additional information pertaining to these events.

Taken together, these sources provide powerful evidence that crimes against humanity occurred in the area surrounding Santa Marta, in the municipality of Victoria, Cabañas, during the military operation of November 11-19, 1981.

While this report documents significant evidence of major atrocities, it is offered in full recognition of the fact that further investigation remains necessary to establish the details of everything that transpired. Indeed, such a task is urgent, both to preserve historical memory and to pursue legal accountability for these crimes. We hope that our efforts here might help spur those with the responsibility to conduct a thorough investigation, including forensic exhumations of the numerous reported gravesites, to do so.

A context of mounting repression

1 “Morning summary of significant reports,” Department of State telegram from Secretary of State, Washington DC, to Directorate of National Security Agency, March 1977

In the municipality of Victoria, Cabañas, the community of Santa Marta and others nearby experienced mounting repression throughout the 1970s. This corresponded to a pattern experienced elsewhere as well: as growing numbers of residents began to participate in peasant unions, Catholic base communities, and other activities associated with social and political awareness-raising, acts of selective repression accelerated, targeting those active in such groups for harassment, torture, and execution. As early as 1977, a confidential US State Department telegram noted that, “Security and police forces have apparently been given free rein to harass, intimidate, and otherwise neutralize all potential ‘enemies’ of the regime... There is no doubt that a selective purge is in progress and that the government is involved at a high level.”¹

In the rural communities of northern Cabañas, brutalized corpses were sometimes left in public, apparently to send a message of intimidation to others. Survivors attributed responsibility for this violence to members of the paramilitary group ORDEN, to the National Guard, and occasionally to troops from the Military Detachment Number Two (Destacamento Militar Número Dos, or DM-2) in Sensuntepeque. These forces would often reportedly arrive in communities with lists of suspected “subversives,” looking for specific individuals based on their real or imputed political activities or those of their family members.

For example, one survivor described her recollections of her family’s earliest encounters with troops from the DM-2 in Sensuntepeque, who arrived in her village following the overnight appearance of a political banner near her home. The troops asked questions about the banner, demanding to know what it said and who had put it there. She described multiple subsequent visits to her family home, including one by a convoy of three vehicles with approximately 25 uniformed troops on board. They were particularly interested in her father, who was a lay catechist, and repeatedly demanded of her mother that she tell them where he and her older children were. When she refused to hand over her older children, multiple soldiers raped her in front of the youngest ones; after this incident, the family fled the village for Santa Marta.

Similarly, María Isidora Leiva Avilés, a native of San Jerónimo near the Copinolapa River, reported that her family fled their home in 1976 as a result of politically motivated repression by the military and ORDEN, relocating to nearby Peñas Blancas.²

2 “Contando la Historia.. María Isidora Leiva Avilés,” Asociación de Lisiados de Guerra de El Salvador, October 9, 2007. <http://www.alges.org.sv/index.php/es/testimoniales.html>

Some interviewees described feeling shocked and surprised at the military's repression – as one said, “We didn't understand, *Why are the soldiers doing this to us?*” For many, the brutality of the regime encouraged support for the nascent guerrilla movement. Both the Fuerzas Populares de Liberación (FPL) and Fuerzas Armadas de Resistencia Nacional (FARN) were active in the area by the early 1980s.

In this climate of increasing tension, the first major military sweep of the area began on March 15, 1981, providing residents their first exposure to the Army's “scorched earth” tactics. Up until this point, the communities had experienced acts of vicious but selective repression, involving brief incursions into the villages by troops and/or members of the security or paramilitary forces. Scorched earth, however, was different: it involved the mobilization of thousands of troops for operations that lasted much longer, aiming to destroy the base of civilian support for guerrilla activity by forcing all residents of the region to flee or be eliminated. Such operations reportedly featured the indiscriminate killings of all those encountered by the military, with rare exceptions, and also the deliberate demolishing of homes, livestock, and crops that fleeing peasants left behind.

Forced from their homes by the initial attacks on March 15, residents sought refuge from the invading Army by hiding in the surrounding hillsides. On what Salvadorans call a “*guinda*” – a collective flight from military invasion – families spent days concealing themselves in caves or under trees, moving from location to location to elude capture. On March 17 and 18, when hundreds attempted to escape by crossing the Lempa River into Honduras, they were surprised by a combined assault by Salvadoran and Honduran troops who fired upon them from helicopters and planes as they swam across. An untold number perished trying to cross, some of gunshot or shrapnel wounds, and others by drowning in the strong current. The UN Truth Commission for El Salvador reported between 20 and 30 people killed, and 189 disappeared, in this incident.³

Following this massacre, some of the survivors who made it to Honduras remained there. But in light of the poor conditions for refugees, including ongoing repression against the refugees by the Salvadoran and Honduran armed forces alike, many eventually decided to return to El Salvador. They did not expect that only months later, they would find themselves facing a second military invasion.

3 UN Truth
Commission for El
Salvador, *From
Madness to Hope*,
1993, p. 23



MAP OF EL SALVADOR with the Department of Cabañas highlighted. The approximate location of the Santa Cruz massacre is indicated by the explosion. Other points indicated, from top left to bottom right: Mesa Grande refugee camp, Honduras; community of Santa Marta, municipality of Victoria, Cabañas; and Sensuntepeque, location of the DM-2 military base, commanded by Lt. Col. Sigifredo Ochoa Pérez.

The “cleansing” operation of November 1981

On October 15, 1981, FMLN guerrillas dynamited the famed “Puente de Oro,” a two-lane suspension bridge over the Lempa River that connected the eastern provinces with the rest of the country; constructed by the same firm that had built the Golden Gate and Brooklyn Bridges in the United States, its modern engineering had been a point of pride for El Salvador, and its destruction served as a powerful indicator of the government’s inability to control the national territory. According to military sources cited in the Salvadoran press, the November 1981 invasion of Cabañas was prompted by intelligence reports suggesting that guerrillas in the area were planning to attack the hydroelectric dam named “5 de noviembre,” and/or the Cerrón Grande dam, both located on the Lempa River, which separates Honduras from El Salvador.⁴ In response to these reports, and to the generalized perception that the area was a hotbed of guerrilla activity, the military launched a major operation targeting the communities of San Jerónimo, San Felipe, La Pinte, Peña Blanca, Santa Marta, Celaque y Jocotillo, all in the municipality of Victoria. A reported 1200 soldiers were mobilized, including troops based at the DM-2 in Sensuntepeque, then commanded by Lt. Col. Sigifredo Ochoa Pérez.⁵ Official sources described the operation as a “cleansing.”⁶

Survivors and official sources alike describe the attacks as beginning early in the morning on November 11. Versions from both media accounts and the various affected communities confirm the use of mortar fire, machine gunfire from helicopters, and aerial bombing. Amid the chaos and destruction, survivors report, the population fled their homes, taking shelter under trees, in caves, and in improvised bomb shelters known as *tatús*.

Many encountered ground troops as they fled. For example, in sworn testimony provided to the Fiscalía General de la República on March 20, 2013, Francisco Hernández Hernández reported that on November 11, 1981, he and others from El Junquillo were fleeing towards Peña Blanca, along the Copinolapa River, when they encountered the military. Soldiers fired on the group, killing an unknown number. Francisco never saw his mother or sister again.⁷ Similarly, María Isidora Leiva Aviles reported that on November 11, her cousin Fermina and her baby, as well as many others were killed by troops from the DM-2 as they tried to flee Peña Blanca.⁸

4-6 “Actividad Subversiva Repelan en Varios Sitios,” *Diario Latino*, November 17, 1981

“Limpieza total de la guerrilla en Cabañas,” *Diario Latino*, November 20, 1981, p 2

“Ejército empeñado en desalojo de subversion,” *Diario Latino*, November 13, 1981, p 2

7 Francisco Hernández Hernández, complaint presented March 20, 2013 before the Fiscalía General de la República

8 María Isidora Leiva Aviles, complaint presented March 20, 2013 before the Fiscalía General de la República

9 *María Julia Ayala, complaint presented March 20, 2013 before the Fiscalía General de la República*

10 *María Julia Ayala, interview with Angelina Godoy, November 11, 2014*

At the site of the Santa Cruz massacre, Maria Julia Ayala recounts her testimony as a group of survivors, community members, and human rights workers listen.
(Photo: Keny Sibrian)

In the community of Santa Cruz, María Julia Ayala reported that on the morning of November 12, she was at home when informed by neighbors that troops from the DM-2 and paramilitaries from ORDEN had surrounded the area, causing everyone who could to flee. She set off with her two children, the younger of which, a two-year-old boy named Roberto, was struck by a bullet and died while she ran with him in her arms.⁹

“I was with a twelve-year-old girl, and I carried a two year old boy in my arms. We had barely gotten up the hill when the judgment day began, the giant bombs of fire, I threw myself to the ground, with the baby at my chest. And when I was there with the baby on my chest, I said [to my girl], *take the baby*, and she said to me, *Mama, the baby is dead*. It doesn't matter, I said, *I'm going to stay here with him*, because I had also been hit here [in the arm], I suppose that the same bullet that hit him must have hit me too. I felt that the blood was dumping out of me. *I'm going to stay here with him*, I said. *You go on ahead, maybe you can make it*. And she said, Oh father and opened her arms wide, and she went, she left me there. And there I lay there with the baby in my arms, I said to myself, *The Lord says, help yourself and I will help you*. So I knelt there, and I left the baby. And I went on. That's how I got out.”¹⁰



Philippe Bourgois, a PhD student in Anthropology from the United States who had arrived in Peña Blanca only days earlier to conduct a feasibility study for possible dissertation research, fled alongside other residents of the area. Philippe reported numerous near-encounters with troops, planes, and Huey helicopters that flew so low that one could see the machine-gunner's face as he leaned out the open door to look for targets below.¹¹

All the survivors interviewed offer similar accounts of the days that followed. Thousands of peasants found themselves surrounded by a cordon of troops that blocked their exit from the area; to make matters worse, the Honduran army had taken position along the Lempa River and fired on anyone who approached, preventing their passage to the refugee camps. They sought refuge in caves, under bushes, or in *tatús* by day, where possible moving only under cover of night. They faced continual bombings, and were subjected to search-and-destroy missions executed by ground troops. Many survivors described terrifying near-encounters when they scarcely dared to breathe, concealed in bushes or caves while troops passed only feet away; many witnessed or survived incidents in which, at the slightest noise or sign of human presence, the troops opened fire immediately. All agree that the most difficult challenge during such moments was keeping babies quiet; not understanding the danger, many infants cried out in hunger or discomfort, leading the military to fire in the direction of their cries.

Philippe Bourgois, for example, explained,

“In one of the blasts of gunfire, I threw myself under a bush or a tree, and suddenly I found myself next to a woman who had a baby in her arms. And unfortunately, because of my arrival, the baby begins to cry. And the mother of the baby says to me, *Get out, get out of here!* At the moment I didn't understand, I thought, *How can it be that she's kicking me out of here, since they're firing out there, and there's space enough in here for three or four people?* But she knew that they were now going to fire on her and her baby. Then I realized, and in horror I ran out, and in precisely that moment, the bullets came and annihilated that mother with her baby girl. I don't even know who she might have been.”¹²

¹¹ Philippe Bourgois, interview with Alex Montalvo, November 12, 2014



In the Mesa Grande refugee camp in Honduras, Philippe Bourgois embraces a child with whom he had hidden in a cave while fleeing the Salvadoran army in 1981. (Photo courtesy Philippe Bourgois.)

¹² Philippe Bourgois, testimony before the 6th International Tribunal for Restorative Justice in El Salvador, March 27, 2014

As one survivor reported,

“The people went into a ravine, trying to get to a place known as the Guiscoyol... so all the people were there in the ravine, and they [the troops] passed right by the edge of the river, thinking that the people had already left. And one woman from Santa Marta, I don't remember her name, she was carrying two children, and everyone said to her, *Silence those kids, or they're going to kill them; silence those kids, the soldiers are right there*, and you could see the troops that passed by, they passed by about as far as from here to [a distance of about a block away], and we stayed there, praying and asking God with great faith, asking him to protect us, and then a large column of soldiers passed by, you could even hear what they were saying, us there amid the brush, and then some mothers, that was where they smothered their children, because the children began to cry of hunger, because we had gone days without eating, and so they covered their mouths with a rag...and they stopped breathing.”¹³

*13 Anonymous,
interview with
Angelina Godoy,
January 18, 2014*

Throughout the days of *guinda*, many survivors report having some contact with guerrilla fighters, many of whom were their family members. Combatants would contact civilians to inform them of enemy positions, attempting to guide them to possible exit routes. At times, and with apparently little success, guerrilla combatants reportedly attempted to draw the Army's fire to allow the civilians to escape.

Yet after days spent with nothing to eat and nowhere to go, surrounded by troops and subjected to unrelenting attacks, the peasants' situation became increasingly desperate. On the evening of November 14, a group of thousands concentrated in the area of Peña Blanca, and decided the only way out was to “*romper cerco*” (or “break the fence”) by approaching the troops' position in order to run directly through the line of fire, escaping the area through Santa Cruz. It was a risky strategy, to be sure – many would undoubtedly perish – but it offered the only hope of survival.

The night of November 14, the group approached a small school near the River Copinolapa at Santa Cruz, not knowing the military had set up a machine gun nest inside the school. The single-file column of men, women and children came upon the school, many holding young children, others carrying the injured in hammocks. Upon hearing babies' cries¹⁴, the troops opened fire; in the hail of bullets, those who could kept running, past and over the wounded as they fell in the area outside the school.

As María Orbelina Pérez recounted,

“One night in Peña Blanca, we gathered together all the population from different villages around Villa Victoria. It was a big group of people, children, old people, pregnant women, young people, I don’t even remember how many but it was a large number. And that night we got together to plan with the compañeros, to organize ourselves how we were going to escape towards Santa Cruz, because the whole area, there were [military] operations blocking all the ways out. We didn’t have any way out, only this one. The compañeros thought we could get out that way. But we didn’t know [the soldiers] would be waiting for us up ahead. That’s how it was that we left at night, hiking in the dark, without speaking, without any lights, walking, bumping into each other, falling down, the children crying, and many people who were sick.

Along the way we were carrying my sister in a hammock, we started to hear the gunshots and the people reacted in such a way that some went downriver, some went upriver, others turned back, and the majority kept going. It was a narrow and rocky path, God alone was with us. The compañeros, they did what they could to help the people run by, but children, women, men, fell with gunshot wounds, and the people kept running. I got about halfway there, near to the school, when I heard my father, I heard that the man who was helping him [carry my sister in the hammock] tell him to leave her behind. But since she was his daughter, he couldn’t leave her. What he did was, the other man dropped the hammock, and my father stayed there with my sister, there on the ground with the hammock. When I heard their screams [I knew that] they were firing on him and on my sister. At that moment, a mortar fell on a rock, and a piece of it hit me, here I have the scar. In that moment I could no longer go forward...”¹⁵

María Orbelina’s father and sister perished in the massacre. She was seven months pregnant at the time, and lost her pregnancy as a result of her injuries. Her mother was also killed, and her daughter disappeared, during this operation.¹⁶

Another survivor shared an account of her experience as the group approached the school. She had suffered a serious shrapnel injury to the abdomen and was unable to walk, but was carried in a hammock strung on a pole supported across the shoulders of two others.

¹⁴ On this point see “Statement of Philippe Bourgois, Doctoral Candidate, Department of Anthropology, Stanford University.” In *Presidential Certification on El Salvador. Hearings Before the Subcommittee on InterAmerican Affairs of the Committee on Foreign Affairs, House of Representatives, 97th Congress. Second Session Vol. I, Feb. 23, 1982. Pp. 176-200.* Available at: <http://babel.hathitrust.org/cgi/pt?num=176&u=1&seq=206&view=plaintext&size=100&id=pur1.32754077268971>

^{15 - 16} María Orbelina López, testimony before the 6th International Tribunal for Restorative Justice in El Salvador, March 27, 2014

17 Anonymous,
interview with
Angelina Godoy,
January 18, 2014

18 Philippe Bourgois,
testimony before the
6th International
Tribunal for
Restorative Justice in
El Salvador, March 27,
2014

19 Philippe Bourgois,
testimony before the
US Congress, *Op. cit.*
p. 177

20 Anonymous,
interview with
Angelina Godoy,
January 18, 2014

21 Ester Hernández,
testimony presented
November 8, 2013
before the *Fiscalía*
General de la
República

“The other civilians were carrying me in a hammock. We kept running because they continued the operation in Santa Marta, dragging people out of everywhere, with bombs, mortars, planes that fired machine guns, helicopters, bombs, they fired everything, so we fled and they were carrying me, and when we got to a place called Santa Cruz, that was where it hit hardest – and that was where they dropped me, those who were carrying me, they dropped me because they couldn’t run with me carried on their shoulders, so I stayed two days and two nights on a small hill, with no one to help me with my injuries, with no water, nothing... alone. So there, on that hill, I prayed so much, with such great strong faith, because I’d been injured by the shrapnel and it opened a big hole in my body here, so with great faith I prayed to God to get me out of that place.”¹⁷

Philippe Bourgois described what it was like running through the line of fire: “And that was the chaos that we all experienced: running, throwing ourselves to the ground when they were shooting, getting up, ducking, forgetting to duck, running, trying to grab on to people or help someone, not being able to, and keeping running.”¹⁸ He explained that “When about three-quarters of us had made it through the firing zone, the Salvadoran troops managed to seal off the path that we were running down, forcing between 200 and 300 people to flee back into the region we had been running out of. These people separated and they attempted to hide as best they could in foxholes and bushes, anywhere.”¹⁹

Some who made it past the military line of fire described witnessing what followed from hiding spots on the nearby hillsides. One survivor related:

“I stayed on a hillside there, it’s a recognizable spot, if I were there I could point it out, so [the soldiers] were killing the people, and people were crying out, *Ayyyyy* they were crying, and they were burning them, finishing them off because they were alive, and... where I was hiding, I could hear the lamentations, the desperate shrieks of the people, some children were yelling *Mamá! Mamá!*, those agonizing cries.”²⁰

Another survivor, Ester Hernández, reported that she, her husband, and their seven-month-old daughter were among those who made it past the military at Santa Cruz. Struggling to clear a way through rough underbrush on a nearby hillside the following day, they could see the soldiers below gathering up the bodies at the school. The soldiers threw the bodies into a large heap, doused it in gasoline and set it ablaze.²¹

That passage through Santa Cruz was such a painful passage, we saw hell on earth. The bullets passed us, the mortars passed us, and the planes overhead. God alone was with us. Those who managed to pass by that school, that was a miracle of God.

— María Orbelina López, testimony before the 6th International Tribunal for Restorative Justice in El Salvador, March 27, 2014



Dina Cabrera described how, five months pregnant, with wounds from bullets and shrapnel, she survived the passage at Santa Cruz that night and continued back to Peña Blanca:

“I made it back to Peña Blanca as the sun came up, because the whole night we were in [Santa Cruz]. What helped is that there was a moon. Many people, by the light of the moon, were able to find a refuge to hide in, or to advance downriver. ...I went up a hill above, I said, *I’m going to see what I can see from up here*, and I found a lost boy. So I took him with me. We hid in a cave for three days, the boy and me. In that cave, in a hole, we found water, tortillas, oranges. So we were there for three days, eating those hard tortillas, those oranges. On the third day I poked my head out and I saw [some people] passing by. When I saw them coming back [I recognized them and] I came out of the cave, but because I was very weak since I’d lost a lot of blood and was pregnant, I fell on a trunk and hit my face, I injured myself again, and my face full of blood I jumped out towards them and yelled *Teófilo! Compañera!* [he answered]. I told him, *I found a boy on the hillside and I have him with me*. And the boy was the brother of one of them, an older boy that was with them. The mother and father had been killed at Santa Cruz, they were dead, and only those two boys were left. *You found him?* Oh, how happy they were, you should’ve seen...

...And we could smell an odor, since we were there in front of San Jerónimo and Peña Blanca, that smell like when you arrive at a restaurant where there’s a lot of food, a lot of meat. That smell of cooking meat, that’s what we smelled. *Look*, I said, *they’re burning the compañeros that they killed*. Later we found another man and he told us, *You should have seen it, they piled up three big piles of bodies, and the soldiers are burning them*. That was what we smelled.”²²

Philippe Bourgois reported that he and others spent the following 6 days without access to food, eating roots and plants they came upon, unable to start a cooking fire for fear that the smoke would attract attention. As he explained,

“The same thing [happened] when we found sugarcane, we were afraid that the white color of the discarded cane stalks would be visible from the air. Because they fired at any sign of

22 Dina Cabrera,
Interview with Alex
Montalvo and
Angelina Godoy,
November 11, 2014

life, they wanted to annihilate anything that was alive. Not only human beings, they also killed all the animals in the area. When we went back through San Felipe, the first thing you noticed was the smell, the stench of the dead animals, rotting after five, six days of the invasion. There were [dead] horses, cows, pigs, whatever they'd found, and unfortunately, also human beings they'd found, who had tried to hide, or who hadn't been able to continue with us.”²³

Babies died of hunger during this period; others perished as a result of injuries. Survivors were unable to bury them, afraid that any signs of recently disturbed earth would be visible from the planes and helicopters that circled overhead.²⁴

Meanwhile, survivors continued to experience attack by roving columns of ground troops. Dina Cabrera described overhearing an encounter between soldiers and an elderly woman with two small children. One of the soldiers had stepped on a landmine placed by the guerrillas and was gravely injured.

*“These you-know-what's are going to pay for this. These guerrillas are going to die, they said. And there was a family above. Where's your husband? They asked the woman. I don't have one, she said. And the children were crying. We're going to make sausages of you right here. ...and then we heard the screams, the sounds like when someone uses a machete against a log. You could hear the voices of the children and a woman's voice, we didn't know if there were more people because we didn't go see. All we heard was, Give it to them, chop them up, they were saying. And Ay, don't kill the children, it's enough already, don't be ingrates, and then we heard the machete blows on her... I could hear that for days in my head, the screams of the children, the screams of the woman asking them not to kill the children. It's been hard to get that out of my head. The children are all I have, don't kill them, she said. They are my grandchildren.”*²⁵

Another survivor from Santa Marta, less than ten years old at the time, related his experiences and those of another boy, Osmin, who hid with him in a cave when both were separated from their parents. They were eventually discovered by a group of soldiers, and were initially relieved that the soldiers did not kill them:

23 - 24 Philippe Bourgois, testimony before the 6th International Tribunal for Restorative Justice in El Salvador, March 27, 2014

25 Dina Cabrera, interview with Alex Montalvo and Angelina Godoy, November 11, 2014

26 Asociación Pro-
búsqueda de Niños y
Niñas Desaparecidos.
*Historias para Tener
Presente. San
Salvador: UCA
Editores, 2009, pp
63-67*

A mural in the
offices of
Asociación Pro-
Búsqueda depicts
children lost during
the war.
(Photo: Alex Montalvo)

“They took us to a hill that was fairly high. This part I remember very well. We were walking in single file, in a line of soldiers, with Osmín and me in the middle. I can see it as if it were a flashback in a movie, where I’m following the line of soldiers. Along the path, they stopped about halfway up the hill. You could barely hear the echo of voices of people speaking down below in the ravine. The soldiers spoke quietly among themselves. The leader called three men over, who raised some tubes onto their shoulders and kneeled down on one knee. Then he told Osmín to call out to his mother. I don’t remember the words they used, but maybe he said something like, *Hey, kid, yell out ‘Mamá.’* Since we were terrorized and panicked, the poor kid did it. When he yelled out, from below some voices answered: *Here I am!* And then they launched the three [rockets]. There was a great disorder below in the ravine. As the echo of the bombs died down, we could hear the cries of the injured.”²⁶

The boys were then taken away in a helicopter, and eventually given to an orphanage in Santa Tecla. Like many Salvadoran children, they grew up without knowing the precise history of their origins, but were able to be reunited with surviving relatives after the war thanks to the efforts of the Salvadoran organization Asociación Pro-Búsqueda.



There have been no exhumations at Santa Cruz, nor is it possible to estimate with any precision the number who died. Some survivors suggest as many as several hundred died near the school. Two survivors who reported seeing the bodies after the killing subsided attested that the majority were women, children and elderly people, an estimate that makes sense given that those who fell were more likely to be those who were less skilled runners, whether because of age or because they were carrying children or the injured. But these were not the only victims of this military operation. Unfortunately, it would be impossible to estimate with any accuracy how many may have perished during the guinda as a direct result of injuries sustained in encounters with the military at Santa Cruz or other points throughout the siege of Santa Marta.



Mercedes Méndez and a child smile in the Mesa Grande refugee camp in Honduras in 1982, following her recovery.
(Photo courtesy Philippe Bourgois.)

Yet even from amid the horror, there also emerge inspiring stories of solidarity and hope. Mercedes Méndez, a woman from the hamlet of San Felipe who, while fleeing with her four children, recounts her own story: gravely injured by shrapnel which destroyed her entire mouth and jaw, she would never have survived but for the loving attention of her son and others who risked their own survival to keep her alive by day after day squeezing oranges and sugar cane over the gaping hole in her face. Both Philippe Bourgois and Mercedes Méndez recount memories of the day when the group prepared her grave, so weak had she become that they were certain she would not survive.²⁷ Miraculously, she eventually made it across the Lempa River – indeed, her arrival into the refugee camp was documented on film by US journalist Jon Alpert.²⁸

²⁷ Mercedes Méndez, testimony before the 6th International Tribunal for Restorative Justice in El Salvador, March 27 2014

²⁸ Jon Alpert and Robert Hohler, "El Salvador: Nowhere to Run," DCTV, 1981

29 This would appear to be a reference to Mercedes Méndez, although it is possible that another woman sustained similar injuries and crossed the river at a similar time. Statement of Ramsey Clark, in *Salvadoran refugees in Honduras: hearing before the Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs, House of Representatives, Ninety-seventh Congress, first session, December 17, 1981*, p 13 <http://hdl.handle.net/2027/purl.327540770/71292?urlappend=%3Bseq=17>

30 *Op. cit.*, Statement of Philippe Bourgois

Mercedes' unlikely survival is also recounted in testimony delivered on December 17, 1981 before the Committee on Foreign Affairs of the US House of Representatives, former US Attorney General Ramsey Clark, who noted his witnessing of the arrival of a group of 23 refugees into the camps on the Honduran side of the border, including "a woman who had been shot across the face in such a way that from her nose to the tip of her chin everything was blown away," and who had survived for days "like a hunted animal."²⁹

What's more, new life emerged, even from the darkest moments; as Philippe Bourgois reported, at least one baby was born on the guinda, and although her mother died, she was cared for by relatives and survived. Acts of great solidarity were also performed by aid workers in the refugee camps, who took on considerable personal risks in their effort to protect the refugees, and occasionally by international visitors as well. For example, Philippe attributes his eventual ability to cross the Lempa River on November to the presence of a US Congressional delegation and Bianca Jagger, wife of the Rolling Stones' Mick Jagger. Not only did this delegation personally interrupt an abduction of dozens of Salvadoran refugees from the camps on November 16, 1981, likely sparing their lives, but Bianca's celebrity status helped attract media attention to the situation at the camps for a time, leading the troops to back away from the border during a short period – just long enough for thousands of Salvadorans, and Philippe himself, to cross to safety on November 20.³⁰

FACING PAGE, TOP: Dina Cabrera holds a photo of herself with her son taken in 1982 in the Mesa Grande refugee camp by Philippe Bourgois. Dina was five months pregnant during the November 1981 invasion.

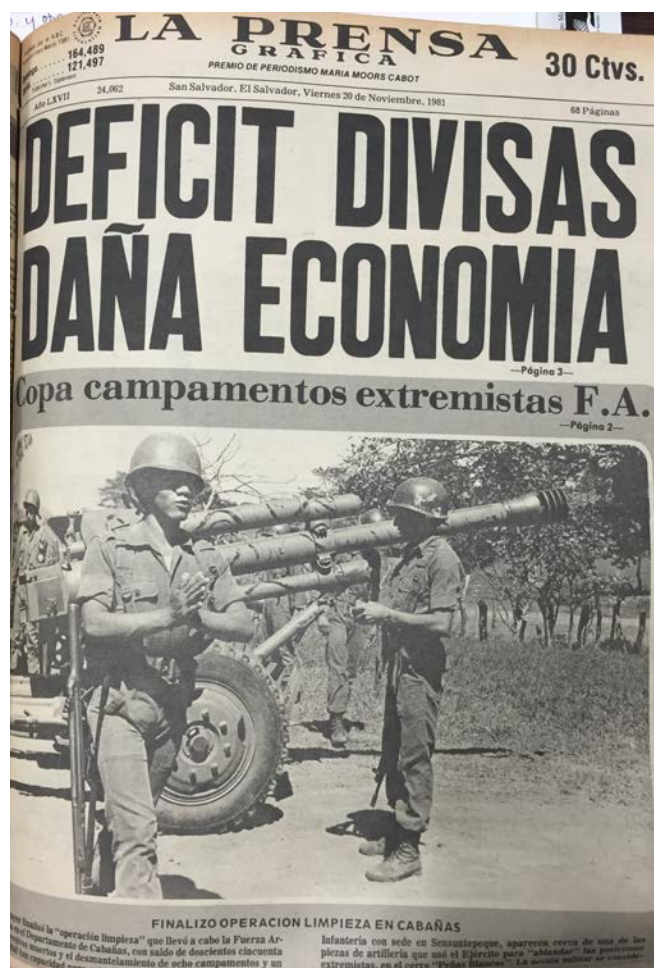
FACING PAGE, BOTTOM: Dora Leiva holds a photo of herself, center, her sister, left, and an unidentified youth, taken by Philippe Bourgois while the group was in hiding during the November 1981 invasion. Dora's sister holds a baby born during the guinda; the child's mother did not survive.



Reports of the killings

This massive operation in Cabañas did not go unnoticed. The Salvadoran press offered ample coverage of the operation as it unfolded.³¹ Indeed, the operation was front page news in La Prensa Gráfica and Diario Latino (see images below and on following pages).

The Salvadoran print media, however, was at this time entirely controlled by the government, as is evident from the tenor and content of coverage provided. All published accounts limit themselves to military sources, describing the area as if no civilians were present, and repeating official versions of what transpired with no independent corroboration.



ABOVE LEFT: La Prensa Gráfica, November 13, 1981. Headline reads, "Army widens sweeps in Cabañas".

ABOVE RIGHT: La Prensa Gráfica, November 20, 1981. Headline reads, "Armed forces capture extremist camps". Photo title reads, "Cleansing operation completed in Cabañas".

FACING PAGE: Diario Latino, November 20, 1981. Headline reads, "In Cabañas: Anti-subversive operation completed".

Written by participants in a tour provided by Lt. Col. Ochoa to 18 Salvadoran and foreign journalists after the operation's conclusion, an article from *Diario Latino*, dated November 20, 1981, provides a good example of this one-sided reporting. Citing Ochoa, the article confirms that the operation lasted from November 11 to 19, and left in its wake a vast swath of silent territory and smoldering homes. The account continues, "When the guerrillas fled, they burned all the homes where previously peasants had lived, but which recently had been used by rebels as their own homes, where they held classes in Marxism and combat training. The villages still smoldering, it was possible to see crops of corn, beans, and many livestock in the entire zone surrounding where they had lived; the latter, as we were able to see, had been killed when the guerrillas retreated, 'They kill [the livestock] so as not to leave food for us,' said one officer, referring to approximately seven decomposing cows and oxen."³²



31 See, for example:
 "Teniente y soldado mueren en emboscada," *La Prensa Gráfica*, November 13, 1981, p 2

"Sufren Bajas de 150 Extremistas," *La Prensa Gráfica*, November 17, 1981

"Grandes Enfrentamientos en Sector de Victoria," *Diario Latino*, November 17, 1981

"Actividad Subversiva Repelan en Varios Sitios," *Diario Latino*, November 17, 1981

"Guerrilleros Están Siendo Aniquilados (AP)," *Diario Latino*, November 18, 1981

"Limpieza total de la guerrilla en Cabañas," *Diario Latino*, November 20, 1981, p 2

"Copa campos en Cabañas la F.A." *La Prensa Gráfica*, San Salvador, November 20, 1981, p 2

32 "Limpieza total de la guerrilla en Cabañas," *Diario Latino*, November 20, 1981, p 2

Diario Latino,
November 20, 1981.
The headline reads,
"Total cleansing of
guerrilla in Cabañas".
The photo caption
begins, "GUERRILLAS
FLEE CABAÑAS. One
can see the
complete absence
of terrorists in the
border zone of
Peñas Blancas in
Cabañas..."

33-34 "Copa campos
en Cabañas la F.A." *La
Prensa Gráfica*,
November 20, 1981, p 2



The reporters' failure to question this rendering of responsibilities is telling: survivors' accounts of this invasion and others describe the destruction of homes and killing of livestock as tactics practiced systematically by the military itself, rather than by guerrillas. Furthermore, there is no evidence to support the military's assertion that all peasants had previously fled the region, leaving only guerrillas in their homes.

On November 20, *La Prensa Gráfica* also quoted Lt. Col. Ochoa in describing the recently-concluded "cleansing" operation near Peñas Blancas as having lasted eight days. He reports that it uncovered a clandestine hospital and approximately eight encampments from which guerrillas were plotting attacks on the "5 de noviembre" ³³ dam. The same article goes on to cite Lt. Col. Ochoa as describing "how organizations like Doctors Without Borders, whose members come from France and the United States, and Caritas, provided constant help, such as food and medical attention, to the extremists from the FPL and FARN." ³⁴ Here again, Ochoa assumes that anyone present in the area is, by definition, a guerrilla extremist.

The FMLN's clandestine radio station, Radio Venceremos, reported a quite different view of on the attacks in Cabañas:

“Fouga magister planes are being used in air attacks. They have dropped 500-point and 200-pound bombs. In addition, artillery helicopters have been using their machineguns against the people of the region. [Words indistinct] the army is trying to establish a siege, to annihilate not only the guerrilla forces but the civilian population, which sympathizes with the insurgents. For this purpose, Honduran Army troops are laying siege along the border, in a move coordinated with the Salvadoran Army. In this new cleanup operation, the military-Christian democratic junta is using all of its military resources: helicopters, planes, artillery, grenade launchers, special troops, regular troops, and direct US advice. In the siege of Peña Blanca, in northern Cabañas, the enemy has maintained artillery fire for more than 72 hours. They have made approximately 200 attacks with 120-mm and 81-mm mortars and have destroyed the peasants' crops.”³⁵

Although many recorded original Radio Venceremos broadcasts have been preserved and are available through the University of Texas' online archive,³⁶ unfortunately none remain from November 1981.

Some foreign journalists also reported accounts of the killings told to them by refugees who flooded the camps on the Honduran side of the border. Kim Rogal, for example, wrote in Newsweek, “Meanwhile the refugee tide swells: a military operation in Cabañas last week pushed an additional 800 people across the tumbling Rio Lempa, and the army announced that 100 subversives in that group had been shot before they could cross. At least one of the dead was no guerrilla. A Honduran fisherman who works that river found in his nets a small boy's body with a bullet in the head, another innocent lost in a war with no fronts and no frontiers.”³⁷

The New York Times' Raymond Bonner, too, referred to the November killings in his book *Weakness and Deceit*, writing, “In the province of Cabañas, along the border with Honduras, soldiers killed scores of civilians, mostly old people, women, and children who could not flee. Again the American-trained Atlacatl Battalion was involved, along with troops under the command of Lieutenant Colonel Ochoa.”³⁸

The killings were also brought to the attention of the US Congress. As noted above, on December 17, 1981 former US Attorney General

35 This English translation of a transcribed radio broadcast is available through the Foreign Broadcast Information Service. Radio Venceremos (Clandestine), “1981--11-17 FMLN REPORTS SIEGE BY HONDURAN, SALVADORAN TROOPS”, November 17, 1981. As published in: Foreign Broadcast Information Service, “DAILY REPORT. Latin America, FBIS-LAM81222 on 1981-11-18”, November 18, 1981, p 6

36 See University of Texas Libraries: http://av.lib.utexas.edu/index.php?title=Category:Radio_Venceremos

37 Kim Rogal, “El Salvador: The War Crosses the Border”, Newsweek, November 30, 1981

38 Raymond Bonner, Weakness and Deceit: US Policy and El Salvador, 1984: Times Books, p 335

39 *Americas Watch and the American Civil Liberties Union*, July 20, 1982 Supplement to the Report on Human Rights in El Salvador, *Washington, D.C.: ACLU Center for National Security Studies*, 1982, p 262

40 *Americas Watch*, *El Salvador's Decade of Terror: Human Rights Since the Assassination of Archbishop Romero*, 1991, pp 47-8

41 *UN Truth Commission for El Salvador*, *Op. cit.* p 23

42 Robert Parry, "Ex-Salvadoran Officer Describes Death Squad Killings," *Associated Press* February 12, 1986; see also Allan Nairn, "Confessions of a Death Squad Officer," *The Progressive*, March 1986

Ramsey Clark testified before the Committee on Foreign Affairs of the US House of Representatives, reporting that the violence in Cabañas in November had pushed unprecedented waves of refugees across the border. Philippe Bourgois also testified about his experiences before a subcommittee of the US House of Representatives on February 23, 1982.

Human rights organizations also noted the Cabañas invasion and its devastating human toll. *Americas Watch* noted the Santa Cruz massacre in its 1982 report, which attributes the killings to an operation of some 1200 troops "reportedly spearheaded by the Atlacatl battalion",³⁹ and in its 1991 book *El Salvador's Decade of Terror: Human Rights Since the Assassination of Archbishop Romero*, describing as one of the more ferocious of many mass killings of civilians in the early 1980s.⁴⁰

The UN Truth Commission for El Salvador cited *Americas Watch's* account in its final report, noting, "In November, in Cabañas Department, a counter-insurgency operation surrounded and kept under attack for 13 days a group of 1,000 people who were trying to escape to Honduras. This time, between 50 and 100 people were reported killed."⁴¹

Lastly, in 1986, a West Point graduate and former Salvadoran Army officer, Lt. Ricardo Ernesto Castro, went public with accounts of his participation in a military campaign in November 1981, which involved mass killings of civilians near the Lempa River. As journalist Robert Parry of the *Associated Press* wrote,

"Castro said he witnessed the slaughter of unarmed civilians during the U.S.-trained Atlacatl battalion's march to the Rio Lempa on the Honduran border in November 1981.

'The first day ... we encountered an awful lot of resistance, but after the first day you practically got nothing. ... What really made me (and) a lot of soldiers sick ... occurred then,' when the army cornered civilians near the river.

'Twenty-two or 24 were killed ... in front of my troops. I didn't like it one bit, little girls yelling, "Mama, mama," someone being killed in cold blood.'"⁴²

Without further investigation it is impossible to establish with certainty whether Lt. Castro is referring to the November 1981 invasion of Cabañas discussed here, though this would certainly appear possible. Further research is required.

The most terrible thing was that we were a group of civilians, without weapons, and that they were bombing us and machine-gunning; hunting us down like animals. What really got me at the time, and gets me even now when I recall the experience, is what a madness it is to want to kill every human being in a place. There was a grandmother with us who was blind. Why would they want to kill a blind grandmother? Why would they want to kill children who can't even talk yet?

— Philippe Bourgois, quoted in *Forced to Move* by Renato Camarda, Solidarity Publications, 1985, p. 15



Philippe Bourgois and community member Luis Rivas converse in Santa Marta.
(Photo by Alex Montalvo.)

Towards accountability

The massacre at Santa Cruz occurred in the midst of a counter-insurgency campaign. The acknowledged presence of armed combatants in Cabañas at the time of this operation makes this a challenging context in which to assess with precision the human rights obligations of state and non-state actors alike. It does not, however, suspend our duty to do so.

Military sources describe the operation in Cabañas as if no civilians had been present; indeed, they firmly insist that all civilians had previously abandoned the zone. This is evident both in the official accounts reproduced in the newspapers cited above, and in the soldiers' conduct as described by survivors: anyone they encountered was assumed to be a guerrilla and immediately killed.

While it would be naïve to presume that none of those killed at Santa Cruz were combatants, it would also be woefully unjust to presume, as the Salvadoran military did at the time, that all were – particularly given the obvious and detectable presence of babies and elderly or injured people. Survivors' accounts that dozens of unarmed peasants, babies, elderly and wounded people perished at Santa Cruz and throughout the November invasion could be easily corroborated with an exhumation of the numerous known gravesites.

In 1982, Americas Watch argued that, “in a country as densely populated as El Salvador, where opposition forces and noncombatants mingle and the line between a farm and a rebel camp may be less than a mile wide, a military strategy that relies on aerial bombardment is a military strategy designed to kill the innocent.”⁴³ The same could be said of a strategy that involves firing in the dark at the sound of crying babies.

Far from aberrant actions of a few, these behaviors correspond to patterns of behavior that have been well documented in other cases in the Salvadoran conflict.

Americas Watch, for example, wrote, “During the first several years of the civil war, the Salvadoran armed forces made little attempt to distinguish between the guerrillas and civilians residing in areas where the FMLN was thought to enjoy popular support and where its forces were active. The scale of the killing was enormous.”⁴⁴

43 Americas Watch and the American Civil Liberties Union, 1982, Op. cit. p 221

44 Americas Watch, 1991, Op. cit. p 47

Similarly, the UN Truth Commission for El Salvador explained,

“This violence originated in a political mind-set that viewed political opponents as subversives and enemies. Anyone who expressed views that differed from the Government line ran the risk of being eliminated as if they were armed enemies on the field of battle...Any organization in a position to promote opposing ideas that questioned official policy was automatically labeled as working for the guerrillas. To belong to such an organization meant being branded a subversive. Counter-insurgency policy found its most extreme expression in a general practice of ‘draining the water from the fish.’ The inhabitants of areas where the guerrillas were active were automatically suspected of belonging to the guerrilla movement or collaborating with it and thus ran the risk of being eliminated.”⁴⁵

45 UN Truth Commission for El Salvador, Op. cit., Section IV, p 42

The Inter-American Court of Human Rights 2012 decision in the case of El Mozote is instructive here. Citing the Truth Commission’s original report, the Court writes,

“The year 1980 marked the beginning of ‘several indiscriminate attacks against the noncombatant civilian population and collective summary executions [by security forces] that particularly affect[ed] the rural population.’ The violence in the rural areas, in the early years of the 1980s, ‘was extremely indiscriminate.’⁴⁶

46 Inter-American Court of Human Rights, Case of the Massacres of El Mozote and Nearby Places v. El Salvador, Judgment of October 25, 2012, paragraph 62. Available at http://corteidh.or.cr/docs/casos/articulos/seriec_252_ingl.pdf

[...]

“The Truth Commission received direct testimony of numerous mass executions that occurred during 1980, 1981 and 1982, in which, during counterinsurgency operations, members of the Armed Forces ‘executed peasants, men, women and children, who had offered no resistance, merely because they were considered collaborators with the guerrilla.’

“The Truth Commission ruled out ‘any possibility that these were isolated incidents or excesses by the soldiers or their immediate superiors. Everything confirms that these deaths fell within a pattern of conduct, a deliberate strategy to eliminate or terrorize the peasant population of areas where the guerrilla was active, in order to deprive the latter of this

source of supplies and information, as well as the possibility of hiding or blending in among the population.’ According to the Truth Commission, it cannot be claimed that this pattern of conduct can be attributed solely to the local commanders, and that the senior commanders were unaware of it, because the massacres of peasant populations were denounced repeatedly, with no evidence of any effort to investigate them.

“Similarly, the Office of the El Salvador Ombudsman established that the “massacres occurred within the framework of military operations, one of the objectives of which was the mass extermination of civilians, including women, children and the elderly, as part of an aberrant military strategy known as “scorched earth” executed by the State of El Salvador’ mainly from 1980 to 1982. The scorched earth strategy consisted of ‘the indiscriminate annihilation of one or several villages during a single operation,’ followed by destroying or setting fire to the crops, homes and possessions of the victims who had previously been executed or who had fled the area, and ‘its evident objectives were to massacre civilians, cause mass enforced displacements and destroy the people’s means of subsistence, because it sought the “dismantling” of essential social relations in those communities that could provide logistic support to the guerrilla’; in other words, they sought ‘to take the water away from the fish.’ Thus, it can be said that ‘the phenomenon of the massacres occurred deliberately as part of a strategy systematically planned by the Armed Forces of El Salvador; [thus] it cannot be argued that the innumerable mass executions of the civilian population were isolated acts of violence of which the senior authorities of the Armed Forces and the Government in power were unaware; to the contrary, they were inserted in and were a central part of a specific counterinsurgency policy of the State.’ Consequently, “the massacres [...] were not the result of eventual abuse by certain units of the Salvadoran army or of mid-level officers who committed excesses.”⁴⁷

⁴⁷ *Ibid.*, para. 68-70

The repeated insistence on blurring the line between civilians and combatants in El Salvador during the 1980s – a position taken by Salvadoran and American officials alike⁴⁸ – represents a clear abrogation of international humanitarian law. Specifically, the provisions of the Geneva Conventions applicable to this conflict establish the need to distinguish between armed combatants and civilians – even those civilians who may support them, whether ideologically or materially.⁴⁹ Furthermore, there is an obligation to distinguish between those combatants who are hors de combat and those who pose an active threat. No attempt was made to draw such distinctions, neither at Santa Cruz nor throughout the operation of November 1981.

48 There are numerous examples of US officials' apparent eagerness to label all Salvadorans targeted by the military as guerrillas. For example, many declassified US government documents feature discussions among American officials equating human rights organizations to guerrilla 'front groups' who try dishonestly to pass off the combat deaths of guerrillas as civilian victims. Based on research conducted in the Honduran refugee camps, U.S. Congressman Ron Dellums writes that, "Shortly before the August 1981 visit, several American Green Beret 'Advisors' were in the area of the refugee camp at La Virtud. A number of persons who were interviewed had talked with the U.S. officer in charge. They quoted the American officer as saying, 'The refugees are the guerrillas' and that they 'have no human rights.'" (Cited in Renato Camarda, Forced to Move, Solidarity Publications, 1985, p 3)

49 This is established in Article 3, common to the four the Geneva Conventions of 1949, and Additional Protocol II, all of which the state of El Salvador ratified prior to 1980. While according to the definitions provided in the Conventions, the conflict in El Salvador was not of an international character, the provisions of common article 3 and the Additional Protocol II apply to conflicts of a non-international nature. As the UN Truth Commission wrote about the Salvadoran case, "The provisions of common article 3 and of Additional Protocol II are legally binding on both the Government and the insurgent forces."

Individuals responsible

Sigifredo Ochoa Pérez

There is overwhelming evidence that the massacre of Santa Cruz occurred in the context of a military invasion of Cabañas headed by troops of the DM-2 at Sensuntepeque, under the command of Lt. Col. Sigifredo Ochoa Pérez.

Aside from being clearly established in media reports from the period, Ochoa's role as the commander at Sensuntepeque at this time can be corroborated using declassified US government documents. For example, a Department of State document from January 1983 detailing Ochoa's appointment as a Foreign Diplomatic Officer provides his full professional biography to date, identifying him as having served as commander of the Department of Cabañas from August 31, 1981 to January 6, 1983.⁵⁰ Similarly, a Defense Intelligence Agency's 1986 biographic sketch of Ochoa includes a list of his various career posts, noting among them that he served as Commanding Officer of Military Detachment #2 in Sensuntepeque from August 1981 to March 9, 1983.⁵¹ The discrepancy in end dates of this appointment in Cabañas is the result of Ochoa's high-profile January 1983 standoff with Defense Minister José Guillermo García, which led to Ochoa's eventual assignment, on March 9, 1983, to a military attaché position in Washington DC.⁵²

Ochoa was known to be a favorite of the United States. "One of the things we tried to do, we kind of jokingly say we'd like to do, is clone Ochoa because he was so effective," Col. John Waghlestein, head of the MILGROUP, said in a 1987 interview, noting that Ochoa's units spent time in the field rather than confined to the barracks.⁵³ Williams and Walter write that, "Ochoa and other young commanders were praised by MILGROUP officials for their willingness to adopt U.S. counterinsurgency tactics."⁵⁴ In Cabañas, Ochoa reportedly led a 1,100 man "Cobra battalion" which was US-equipped, and which was trained by US advisors to fight in small units, to be followed by civic action.

Yet the fact that Ochoa's tactics raised human rights concerns was no secret. Sam Dillon wrote in the Miami Herald that, "Within six months after taking over in Cabañas, where guerrillas had moved freely, Ochoa declared the province 'clean' of insurgent forces. To the delight of U.S. military observers, Ochoa based his success on the tactical doctrines of small-group mobility and night interdiction that U.S. advisers were pressing on other Salvadoran officers. Ochoa followed

⁵⁰ US Department of State, "Notification of Appointment of Foreign Diplomatic Officer", Sigifredo Ochoa Pérez, March 3, 1983, Declassified

⁵¹ Defense Intelligence Agency, "Biographical Sketch: EL SALVADOR, Colonel Sigifredo Ochoa Pérez", April 1986, Declassified

⁵² US Air Force, "Accreditation/Farewell Ceremony", March 8, 1983, Declassified

⁵³ Max G. Manwaring and Court Prisk. *El Salvador at War: An Oral History from the 1979 Insurrection to the Present*. Washington, D.C.: National Defense Univ. Press, 1988, p 339

⁵⁴ Williams, Philip J. and Knut Walter, 1997, *Militarization and Demilitarization in El Salvador's Transition to Democracy*, Univ. of Pittsburgh Press, 1997, pp 130-131

DEPARTMENT OF STATE
WASHINGTON
NOTIFICATION OF APPOINTMENT OF FOREIGN DIPLOMATIC OFFICER

TO: The Secretary of State, Attention: Office of Protocol

1. FULL NAME (First, Middle, Last) (Please Capitalize Last Name) Sigifredo OCHOA-PEREZ
2. RESIDENCE ADDRESS IN U.S.

3. NAME OF GOVERNMENT REPRESENTED EL SALVADOR
4. TYPE OF PASSPORT AND VISA H-1 3/24/83
5. DATE AND PLACE OF ARRIVAL IN U.S.

6. DIPLOMATIC TITLE OR RANK, PLUS FUNCTIONAL DESIGNATION, IF ANY. Lieutenant Colonel, Assistant Armed Forces Attaché
7. EFFECTIVE DATE January 27, 1983

8. NATIONALITY Salvadorean
9. DATE OF BIRTH
10. PLACE OF BIRTH

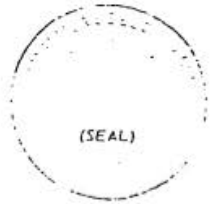
11. BIOGRAPHIC DATA
February 5, 1964 Graduated as 2nd Lieutenant from the Military Academy "Capitán General Gerardo Barrios)
December 31, 1967 Promoted to 1st. Lieutenant
December 31, 1971 Promoted to Captain
December 31, 1976 Promoted to Major
December 31, 1980 Promoted to Lieutenant Colonel
Service: Army
Branch of Service: Chivalry
COURSES: Command and General Staff
POSTS:
August 1, 1981 to Jan. 6, 1983 Commander Department of Cabañas (Military detachment 2)
Military Professor/Tactics and Operations.

OCHOA-PEREZ, Lt. Col. Sigifredo

12. FULL NAME OF SPOUSE
13. DATE, PLACE OF BIRTH AND NATIONALITY OF SPOUSE

14. NAME AND DATE AND PLACE OF BIRTH OF CHILDREN RESIDING IN U.S. (Note: Permanent departure of a child from the U.S. prior to termination of parent's diplomatic assignment, as well as subsequent arrival of a dependant child from abroad, is to be reported to Protocol by diplomatic note.)

Signature of Official
Signature of Chief of Mission
Date
Enclosure: Two passport size photographs of both the diplomatic officer and spouse (taken within last 12 months)



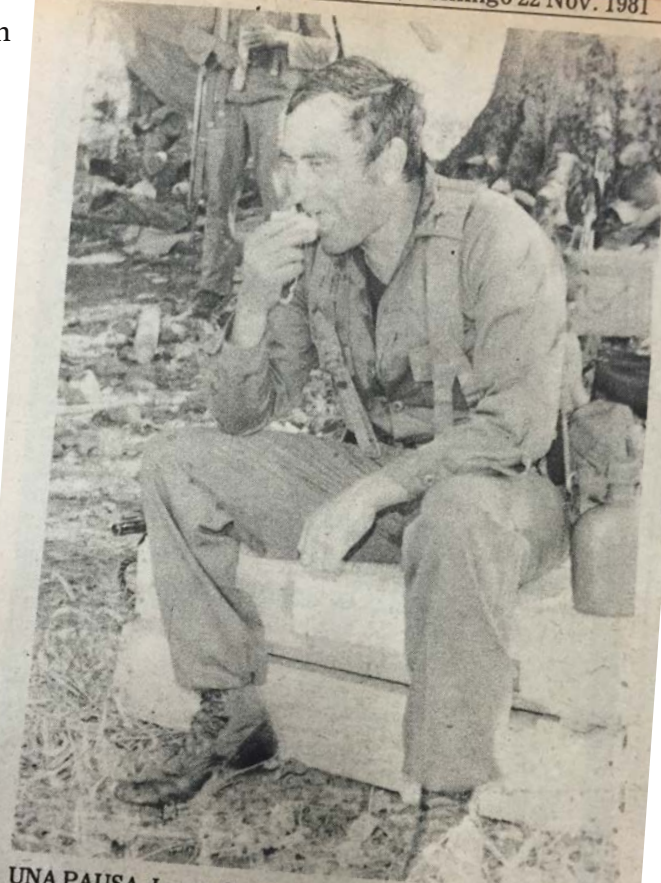
EL SALVADOR

"NOTIFICATION OF APPOINTMENT OF FOREIGN DIPLOMATIC OFFICER": This declassified U.S. Department of State document, dated March 3, 1983, provides a short summary of Sigifredo Ochoa Pérez's military career. He was posted as Commander of Military Detachment #2 in the Department of Cabañas from August 1, 1981 to January 6, 1983 (HIGHLIGHTED). On March 9, 1983, Ochoa Pérez began a military attaché assignment in Washington DC, following an act of insubordination against Defense Minister José Guillermo García.

"A BREAK. After an exhausting trek through camps destroyed by the armed forces in the department of Cabañas, showing them to national and international journalists, Coronel Sigifredo Ochoa Pérez takes a break to savor an orange."

La Prensa Gráfica, Nov. 22, 1981

10 LA PRENSA GRAFICA, Domingo 22 Nov. 1981



UNA PAUSA. Luego de un agotador recorrido por los campamentos que la F. A. destruyó en el departamento de Cabañas, mostrándolos a los periodistas nacionales y extranjeros, el Cnel. Sigifredo Ochoa Pérez hace una pausa para saborear una naranja.

battlefield success with a tight occupation of the province, basing his control on a system of armed civil defense guards and informers. Ochoa's tactics have brought intense criticism from human rights activists, who have claimed that his seemingly scientific techniques have amounted to an extermination campaign against peasants sympathetic to the guerrillas."⁵⁵

Later in the war, Ochoa served as commander in Chalateno province, where he announced the establishment of a series of "free fire zones." At one point, Ochoa allegedly told a reporter working for Reuters, "I truly believe that the population cannot be neutral. No one can be neutral."⁵⁶

⁵⁵ Sam Dillon, "Salvadoran Officer Mutinies, Holds Province. Ochoa, a Defiant, Ambitious Warlord", *Miami Herald*, January 8, 1983

⁵⁶ Baillie, Mark. "Col Ochoa Declares Populated Areas Free Fire Zones", en *Foreign Broadcast Information Service, "Daily Report. LATIN AMERICA, FBIS-LAM-85-016 on 1985-01-24"*, January 24, 1985

When asked about the 1981 campaign in Cabañas and the International Tribunal for Restorative Justice, which took place in Santa Marta, Cabañas at the time of the interview in March 2014, in which he was named as responsible for the Santa Cruz massacre, Ochoa responded,

"If we open these matters, the war will erupt again. And those of us who lived through it don't want that to happen. [...] I had a mission, and that mission was to cleanse the department of the guerrillas. And that is what I did. [...] That was the war, unfortunately, and stirring up this subject doesn't seem to me to lead anywhere. If the [FMLN] wants to have a truly harmonious government, they should stop their organizations. These are parallel organizations of the [FMLN] that don't lead to anything good. We must live in peace. [...] There was no massacre there, they were military operations, and a military operation—that is war. It is shooting. There are deaths, some are wounded, and others surrender. That is war. But violations,

beyond what is normal in war, no. In fact if people put their hands up, they were treated as prisoners of war, and that was the end of the war.”⁵⁷

The killings at Santa Cruz are not the only atrocities attributed to Ochoa that are currently under investigation. In 1982, he commanded the operation known as “Mario Azenón Palma” which took place from August 17-30 in the northern part of San Vicente province⁵⁸; a major massacre known as “El Calabozo” took place during this operation. According to the UN Truth Commission, men, women and children from various villages were fleeing the combined assault of between 3000 and 6000 troops when they encountered the soldiers on the morning of August 22, 1982, at El Calabozo. Some 200 men, women, and children were slaughtered by machine gun fire; according to the few who managed to escape, the bodies of those killed were later doused with acid, and dozens were set afire by the military.⁵⁹ Official sources cited in journalist reports from the period attribute this operation to troops from Ochoa’s military detachment No. 2 alongside the Atlacatl Battalion led by Lt. Col. Domingo Monterrosa, the 5th Infantry Brigade commanded by Col. Napoleón Alvarado, and the Salvadoran Air Force under the command of Col. Juan Rafael Bustillo.⁶⁰

In July 1992, a criminal complaint was presented by survivor Armando Ernesto Carrillo Rosales, naming Col. Ochoa Perez as well as Generals José Guillermo García, Rafael Flores Lima and Juan Rafael Bustillo as responsible for the massacre of El Calabozo. In December of the same year, a judge ordered the case closed due to lack of evidence. However, in 2006, the Salvadoran Center for Human Rights Promotion “Madeleine Lagadec” requested that the case be reopened. The judge of the Juzgado de Primera Instancia in San Esteban Catarina, San Vicente, denied this request on the grounds that the statute of limitations had passed. However, the Lagadec Center appealed this decision; the appeal was rejected by Cámara Tercera de lo Penal de San Vicente. In 2010 an amparo was presented to the Constitutional chamber of the Supreme Court in this case.⁶¹ The latest decision of the Court, dated August 27, 2013, transferred the case to the Supreme Court’s fiscal for his opinion on the victims’ request; as far as we are aware no response has yet been issued. On September 16, 2013 the victims’ representative requested that the Constitutional chamber admit further documentation of the case and declare the amparo valid; this process has not yet been resolved.

57 Vilma Láinez, “Ochoa Perez resta importancia a tribunal de justicia restaurativa”, Radio YSUCA, March 27, 2014. Available at <http://www.ysuca.org.sv/detallenoticia.php?noticia=2637>

58 “Aviones destruyen polvorín terrorista”, *Diario Latino*. August 19, 1982, pp 1, 3, 14

59 UN Truth Commission for El Salvador, *Op. cit.*, p 130

60 “En San Vicente Fuerza Aérea destruye un polvorín terrorista”, *El Diario de Hoy*, August 20, 1982, p 22; “Ejército continúa rastreo en San Vicente”, *El Diario de Hoy*, August 21, 1982

61 Fernando De Dios, “En busca de justicia y verdad”, *ContraPunto*, November 8 2011; See also Magdalena Flores, “Sobrevivientes de masacre El Calabozo Acuden a PDDH por Justicia”, *ContraPunto*, September 22, 2010

62 "F.A. Amplía Operación al Depto de Cabañas", *La Prensa Gráfica*, November 13, 1981, p 48

63 Raymond Bonner, *Op. cit.*, p 335

64 *America's Watch* 1991, *Op. cit.*, p 47-8

65 *United Press International*, "Salvadoran Defense Chief May Quit as Part of Deal, Military Sources Say", *Philadelphia Inquirer*, April 11, 1983

66 Anonymous, interview with Angelina Godoy

67 *Inter-American Court of Human Rights*, Caso Rochac Hernández y otros vs. El Salvador, Sentencia de 14 de octubre de 2014. http://www.corteidh.or.cr/docs/casos/articulos/seriec_285_esp.pdf

68 *Inter-American Court of Human Rights*, Case of the massacres of El Mozote, *Op. cit.*

Other responsible individuals

Access to Salvadoran military records – or the more complete declassification of US documents containing the same information – is necessary to accurately dilucidate the responsibility of other parties. This is important for two reasons. First of all, it is necessary to establish which other units provided support to troops from the DM-2 in this operation. For example, one Salvadoran media account mentioned units from San Vicente and San Miguel providing reinforcements,⁶² but this single mention is insufficient to establish whether they participated or not. Similarly, both Raymond Bonner⁶³ and Americas Watch's⁶⁴ accounts note the "reported" participation of the notorious Atlacatl Battalion, but no other sources corroborate this; further investigation is required before responsibility can be attributed.

Second, without access to military personnel files we lack conclusive evidence about which soldiers served under Lt. Col. Ochoa at the DM-2. A single journalistic report notes that Ochoa's chief of staff, in April 1983, was Maj. Mario Rodríguez Sosa,⁶⁵ but it is unclear whether he would have served in that capacity in November 1981. Similarly, some survivors recount specific experiences with a Lieutenant Gallegos,⁶⁶ but it is impossible, without access to personnel records, to establish his dates of service or specific responsibilities.

These challenges notwithstanding, given the well-documented participation of the Air Force in the killings, it is possible to conclude that General Juan Rafael Bustillo, Commander of the Air Force in November 1981, bears command responsibility for these incidents. Similarly, General José Guillermo García, bears ultimate command responsibility as Minister of Defense at the time of this incident.

To date, the Salvadoran state has been intransigent about providing access to military records, despite its responsibility to do so under international law, including recent judgments by the Inter-American Court of Human Rights against the state of El Salvador in the Rochac⁶⁷ and El Mozote⁶⁸ cases.

Conclusion

The events documented here represent crimes against humanity. This designation reflects the notion that certain offenses so radically offend the conscience that the responsibility to address them transcends a single state, becoming the obligation of all humankind.

Such an obligation is especially important in the Salvadoran case, given the involvement of international forces – most notably the US government – in the abuses that transpired in the events examined here and throughout the war. Salvadoran forces, including the elite rapid response battalions but also the troops under Ochoa’s command at the DM-2, were US-trained and US-equipped; Salvadoran commanders, including Ochoa himself, enjoyed the support and favor of the US government, even as reports of these atrocities circulated openly. The Salvadoran government has a particular and inescapable obligation to investigate these crimes, in keeping with its international obligations, and where possible to bring those responsible to justice. But it is also essential that other parties, including those in the US, examine this ignominious chapter in Salvadoran history, not only to assess the extent of US responsibility for these events but also to discern lessons that might prevent the repetition of these grave errors in contemporary counterinsurgency efforts.

Ultimately, the failure to investigate and analyze these wartime events permits the persistence of impunity, a cancer which continues to erode confidence in the Salvadoran justice system even as it struggles under the weight of substantial contemporary challenges. Suggestions, such as those made by Ochoa, that the continuing clamor for justice constitutes a threat to democracy reveals a grave failure to understand core concepts about the rule of law. To be sure, neither the massacre of Santa Cruz nor the broader siege of Santa Marta in which it occurred are the only crimes of the past that must be examined; dozens of mass killings occurred in the context of El Salvador’s twelve year war, and parties on both sides of the conflict bear responsibility for grave crimes. Until such incidents are thoroughly examined, in accordance with international human rights principles, suggestions that victims ought to “forgive” the unnamed forces responsible is premature, even preposterous. For as one survivor of the Santa Cruz massacre, María Orbelina López, explained, “Yes, we can forgive, but we also need punishment... they have killed our families, our loved ones, our *compañeros* who were struggling for peace in El Salvador.”⁶⁹

69 María Orbelina López, testimony before the 6th International Tribunal for Restorative Justice in El Salvador, March 27, 2014



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PHOTO: From left to right, Dora Leiva, Philippe Bourgois, Angelina Snodgrass Godoy, Alex Montalvo, and Peter Nataren following a visit to the Santa Cruz massacre site. *(Photo: Keny Sibrian)*