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TO SECSTATE WASHDC NIACT IMMEDIATE 2804
INFO AMEMBASSY MANAGUA
AMEMBASSY TEGUCIGALPA
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C O N F I D E N T I A L SECTION 01 OF 03 SAN SALVADOR 06607

E.O. 12356: DECL: OADR
TAGS: PGOV, PHUM, ES
SUBJECT: TESTIMONY RELATED TO COMPLAINTS ON EL SALVADOR

- REFS: A. STATE 148489
- B. SAN SALVADOR 2255
 - C. FBIS CHIVA CHIVA PM 060132Z MAR 86
 - D. SAN SALVADOR 4826
 - E. SAN SALVADOR 5752
 - F. SAN SALVADOR 4051

REVIEW AUTHORITY: Oscar Olson, Senior Reviewer

1. CONFIDENTIAL - ENTIRE TEXT

2. AMERICAS WATCH DOCUMENTS

AMERICAS WATCH LOCAL REPRESENTATIVE, JEMERA RONE,
CONTACTED EMBOFF ON APRIL 22 TO COMPLAIN THAT AMERICAS
WATCH IN THE UNITED STATES HAD SENT HER A BOX OF
DOCUMENTS AND THAT SALVADORAN CUSTOMS HAD REFUSED TO
TURN THE BOX OVER TO MS. RONE'S SECRETARY. EMBOFF
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CALLED CUSTOMS, AND WAS TOLD THAT THE DOCUMENTS WOULD
HAVE TO GO THROUGH NORMAL REVIEW AND EXAMINATION. THE
CUSTOMS OFFICIAL RECOMMENDED THAT, IN THE INTEREST OF
EXPEDITING THE PROCESS, MS. RONE SPEAK WITH HIS SUPERIOR.

3. MS. RONE CALLED AGAIN ON MAY 6 TO SAY THAT THE
DOCUMENTS HAD BEEN TRANSFERRED TO ESAF HEADQUARTERS. AT
CHARGE'S INSTRUCTION, MILGP MADE INQUIRIES, FOLLOWING
WHICH CHIEF OF STAFF GEN. BLANDON ORDERED THAT THE
DOCUMENTS SHOULD BE TURNED OVER TO MS. RONE. EMBOFF

CALLED THE AMERICAS WATCH SAN SALVADOR OFFICE ON MAY 12 TO ENSURE THAT THE DOCUMENTS HAD BEEN RETURNED, BUT WAS TOLD THAT MS. RONE WAS OUT OF THE COUNTRY UNTIL THE END OF THE MONTH AND HER SECRETARY WAS HOME SICK. EMBASSY CHECKED AGAIN WITH AW ON MAY 13 AND WAS TOLD THEY HAD NOT YET PICKED UP THE DOCUMENTS. WE ARE PRESSING TO GET AW'S LOCAL OFFICE TO BRING THIS EPISODE TO A CLOSE.

4. TENANCINGO

CENTRAL TO THE AMERICAS WATCH COMPLAINT ABOUT TENANCINGO IS THE CLAIM THAT THERE NEVER WAS ANY AGREEMENT BETWEEN THE FMLN AND THE ESAF NOT TO ENTER TENANCINGO, AND THAT THEREFORE, NO AGREEMENT WAS VIOLATED BY THE FMLN BY BEING IN TENANCINGO ON FEBRUARY 16. AW GOES ON TO SAY THAT ESAF AND FMLN TROOPS "TRANSIT THE TOWN REGULARLY." EMBASSY'S UNDERSTANDING OF THE TENANCINGO AGREEMENT WAS BASED ON CONVERSATIONS WITH FUNDASAL REPRESENTATIVES ON FEBRUARY 6, WHO SAID THAT THE ESAF AND THE FMLN HAD EACH GIVEN A SEPARATE UNDERTAKING TO ARCHBISHOP RIVERA DAMAS NOT TO ENTER THE TOWN WHILE ARMED. REPRESENTATIVES WERE CONFIDENTIAL

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QUESTIONED CLOSELY ON THIS (REF B). FUNDASAL MENTIONED THAT THEY HAD ALREADY BROUGHT THIS SUBJECT UP WITH THE LOCAL GUERRILLA PATROLS, WHO HAD INITIALLY BEEN ENTERING TENANCINGO CARRYING WEAPONS. ACCORDING TO BOTH FUNDASAL AND THE ESAF, THE ARMY HAS NOT ENTERED TENANCINGO SINCE THE FEBRUARY 16 INCIDENT, AND CERTAINLY DOES NOT "REGULARLY TRANSIT THE TOWN."

5. AW MISUNDERSTANDS AGREEMENT

AMERICAS WATCH DISTORTS AND MISINTERPRETS AMBASSADOR'S MARCH 21 LETTER TO CONGRESSMAN STUDDS WHEN AW SAYS IT FINDS AN AGREEMENT BY THE FMLN AND THE ARMY NOT TO ENTER THE TOWN TO BE "INCREDIBLE." OUR LETTER DID NOT RPT NOT SAY THE ESAF AGREEMENT TO REMAIN OUTSIDE OF TOWN WAS WITH THE FMLN. RATHER, THE ARMY GAVE AN UNDERTAKING TO ARCHBISHOP RIVERA DAMAS NOT TO ENTER THE TOWN PROVIDED THE GUERRILLAS DID NOT DO SO EITHER. THE FMLN, FUNDASAL REPORTED TO US, HAD GIVEN A SIMILAR UNDERTAKING SEPARATELY WITH THE ARCHBISHOP. THUS BOTH THE ARMY AND THE FMLN HAD SEPARATE AGREEMENTS WITH THE CHURCH; THE ARMY HAD NO AGREEMENT WITH THE FMLN.

6. NEW LANGUAGE ON AGREEMENT?

SINCE THE FEBRUARY 16 INCIDENT, FUNDASAL, ON APRIL 23, HAS WRITTEN THE EMBASSY WITH A NEW CHARACTERIZATION OF THE AGREEMENT, I.E. THAT THERE BE "NO PERMANENT BASES BY EITHER SIDE IN THE TOWN." AS FUNDASAL HAS MENTIONED SEVERAL TIMES TO EMBASSY OFFICERS THAT GUERRILLAS HAVE

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BEEN PRESENT IN TOWN, IT APPEARS THAT THE UNDERSTANDING WITH THE CHURCH HAS BEEN MODIFIED TO ALLOW THE FMLN TO LIVE WITHIN IT. IT DOES NOT REQUIRE TOO MUCH IMAGINATION TO SEE THAT THIS REPRESENTS A SUBSTANTIAL CHANGE TO THE SITUATION THE SALVADORAN GOVERNMENT AND ITS ARMED FORCES UNDERSTOOD THEY WERE UNDERTAKING BY THEIR COMMITMENT TO THE ARCHBISHOP TO "OBSERVE" THE NEUTRALITY OF TENANCINGO.

7. CHRONOLOGY OF EVENTS

-- JANUARY 27: TV NEWS CREWS ACCOMPANYING THE FIRST TRUCKLOADS OF SETTLERS TO TENANCINGO FILMED AND INTERVIEWED ARMED GUERRILLAS IN TENANCINGO.

-- JANUARY 31: ARCHBISHOP VISITED TENANCINGO AND CELEBRATED MASS. TV NEWS CREWS AGAIN INTERVIEWED ARMED GUERRILLAS IN TOWN AND SAID PRIVATELY THAT THE GUERRILLAS HAD STAGED A VIRTUAL PRESS CONFERENCE, WHICH THE PRESS CHOSE TO DOWNPLAY OUT OF DEFERENCE TO ARCHBISHOP RIVERA DAMAS.

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-- FEBRUARY 16: ESAF TROOPS ARE FIRED UPON FROM THE ENTRANCE TO TENANCINGO. AMERICAS WATCH CALLED "UNTRUE" THE EMBASSY STATEMENT THAT "ALL REPORTS AGREE THAT SOLDIERS ON THE OUTSKIRTS OF TOWN WERE FIRED UPON FROM WITHIN OR NEAR THE TOWN." (REF A). IN A REPORT RECEIVED MARCH 3, FUNDASAL SAYS THAT THERE WERE AT LEAST 3 TO 5 ARMED GUERRILLAS IN TOWN, THREE OF WHOM WERE "FOUND AT THE ENTRANCE TO THE TOWN, AND ON THE OUTSKIRTS." AMERICAS WATCH ITSELF SAYS "EYEWITNESSES...STATE THAT THE EXCHANGE OF FIRE TOOK PLACE AT THE LARGE CEIBA TREE, WHICH IS OUTSIDE OF AND AT THE ENTRANCE TO THE TOWN." CLEARLY, THE GUERRILLAS WERE "IN OR NEAR THE TOWN."

8. FUNDASAL REPORTS THAT FOLLOWING THE GUNFIRE AT THE EAST SIDE OF TOWN NEAR THE CEIBA TREE, WITNESSES REPORTED THAT A GROUP OF 10 GUERRILLAS, TWO OF THEM ARMED, WERE SEEN DEPARTING TOWN HURRIEDLY FROM THE WESTERN SIDE. THIS SIGHTING WOULD SEEM TO SUGGEST THAT THE GUERRILLAS, AFTER THE INITIAL EXCHANGE OF FIRE AT THE CEIBA TREE, RETREATED THROUGH THE TOWN, THUS PLACING THEMSELVES "WITHIN THE TOWN," AND IT IS NOT UNLIKELY THAT THEY WOULD BE ATTEMPTING TO DEFEND THEMSELVES AS THEY FLED AN ACTIVE SHOOTING INCIDENT. (NOTE: THE ESAF CLAIMS TO HAVE CAPTURED SEVERAL WEAPONS AT THE SITE OF THE INITIAL ENGAGEMENT, WHICH FITS WITH THE DESCRIPTION OF ONLY TWO "ARMED GUERRILLAS" DEPARTING TOWN, THE OTHERS HAVING LOST THEIR WEAPONS DURING THE ENGAGEMENT).

9. FOLLOWING THE FEBRUARY 16 INCIDENT, ARCHBISHOP RIVERA DAMAS MET WITH GENERAL BLANDON. GENERAL BLANDON AGREED TO ORDER ALL TROOPS TO STAY OUT OF TENANCINGO, EVEN WHEN FIRED UPON BY GUERRILLAS OR IN HOT PURSUIT.

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TO ENSURE THAT NO FURTHER INCIDENTS OCCURRED, THE ATACATL BATTALION WENT EVEN FURTHER IN MID-MARCH AND ORDERED UNITS NEAR TENANCINGO TO WITHDRAW FROM THE IMMEDIATE AREA SURROUNDING TENANCINGO. THE AMERICAS

WATCH LETTER IS MISLEADING AND PEJORATIVE WHEN IT SAYS THAT GENERAL BLANDON "INSTRUCTED ALL CHIEFS, OFFICERS AND TROOPS NOT TO TAKE MILITARY ACTION AGAINST CIVILIAN POPULATION IN TENANCINGO." THE STATEMENT IMPLIES THAT MILITARY ACTIONS AGAINST CIVILIANS ARE A NORMAL PART OF ESAF POLICY. ALSO MISLEADING IS THE STATEMENT THAT BLANDON AGREED THAT "BOMBING IN THE AREA WILL BE LIMITED TO THE PERIMETERS OF THE PROJECT," WHICH IMPLIES THAT BOMBING HAS OCCURRED IN THE TOWN OF TENANCINGO SINCE THE RESETTLEMENT. FUNDASAL ITSELF SAYS THAT NO BOMBING HAS OCCURRED IN POPULATED AREAS.

-- MARCH 4: RADIO VENCEREMOS REPORTED THE FMLN POSITION ON TENANCINGO (REF C). RADIO VENCEREMOS SAID THAT "TENANCINGO IS LOCATED IN ZONES UNDER FMLN CONTROL" AND THAT DURING FEBRUARY "OUR FORCES CARRIED OUT TWO ROUTINE CONTROL MISSIONS" IN TENANCINGO. (ONE OF THESE "CONTROL MISSIONS" WAS THE USE OF ARCHBISHOP RIVERA DAMAS' MASS AS A PLATFORM FOR AN FMLN PRESS CONFERENCE.)

-- MARCH 15: THE ESAF REPORTS THAT ONE SOLDIER WAS KILLED IN COMBAT, AND SEVERAL WERE WOUNDED NEAR THE TOWN OF TENANCINGO, AT "EL PEPETO," ABOUT 1,000 METERS NORTH OF TENANCINGO (REF D). AMERICAS WATCH QUESTIONS THE VERACITY OF THE STATEMENT, CLAIMING THE INCIDENT

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OCCURRED IN JUNUCA (JINUICO), "A CANTON ABOUT THREE KILOMETERS AWAY". JUNUCA IS ABOUT 2000 METERS SOUTH OF TENANCINGO.

-- MARCH 19: FUNDASAL HELD A MEETING IN TENANCINGO FOR THE TOWNSPEOPLE, WHICH INSURGENTS ALSO ATTENDED, ACCORDING TO REPORTS BY ESAF SOURCES (REF D).

-- MARCH 25: INSURGENTS KIDNAPPED TWO TOWNSPEOPLE, ACCUSING THEM OF BEING INFORMANTS. FUNDASAL SAYS THEY CONVINCED THE GUERRILLAS TO RELEASE THEM SIX HOURS LATER IN A LETTER DATED APRIL 23. (INCIDENT ALSO REPORTED REF D).

-- EARLY APRIL: A CIVILIAN SALVADORAN VISITOR REPORTED THAT GUERRILLAS WERE PRESENT IN TOWN, STATIONED AT THE ENTRANCE AND THROUGHOUT THE TOWN. THE VISITOR NOTED THAT THEY CHECKED IDENTIFICATION DOCUMENTS (REF F).

-- APRIL 8: ESAF REPORTED A CONTACT WITH TWO GUERRILLAS AT THE ENTRANCE TO TENANCINGO. THE GUERRILLAS DEPARTED IMMEDIATELY FOLLOWING A BRIEF EXCHANGE OF FIRE (REF D).
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-- MAY 6: LOCAL PAPERS REPORTED THAT GENERAL BLANDON VISITED TENANCINGO TO SPEAK TO THE VILLAGERS AS PART OF THE CIVIC ACTION PROGRAM. VARIOUS FUNDASAL REPRESENTATIVES WERE PRESENT.

10. FUNDASAL HAS, IN ALL ITS CONTACTS WITH THE EMBASSY, GONE OUT OF ITS WAY TO BE EVENHANDED AND LOW KEYED IN ORDER TO AVOID THE POLITICIZATION OF THE TENANCINGO PROJECT. AMERICAS WATC, ON THE OTHER HAND, APPEARS VERY CLEARLY FROM THEIR REPORTS TO HAVE TRIED TO THE EXPLOIT THE FEBRUARY 16 INCIDENT AT TENANCINGO FOR POLITICAL PURPOSES. AW'S LACK OF OBJECTIVITY IS HIGHLIGHTED BY THE MISLEADING AND INFLAMMATORY STATEMENTS IMPLYING THAT ESAF TROOPS REGULARLY ATTACK CIVILIAN POPULATIONS AND THAT BOMBING OF POPULATED AREAS OCCURS AS A MATTER OF COURSE. THIS HAS CLEARLY AND DEMONSTRABLY NOT BEEN RECENT ESAF PRACTICE, SINCE PRESIDENT DUARTE'S RULES OF ENGAGEMENT ANNOUNCED AUGUST 26, 1984. IT IS UNFORTUNATE THAT FUNDASAL'S DESIRE TO

CONTINUE RE-BUILDING TENANCINGO IN PEACE HAS BEEN SUBSUMED TO THE POLITICAL AGENDA OF ORGANIZATIONS WHO HAVE MADE CLEAR THEIR CONTINUING FUNDAMENTAL OPPOSITION TO THE ELECTED GOVERNMENT OF EL SALVADOR, THE ACTIVITIES OF THE SALVADORAN ARMED FORCES IN SUPPORTING THE ELECTED GOVERNMENT OF THIS COUNTRY, AND U.S. POLICY TOWARD CENTRAL AMERICA GENERALLY.

11. ARCATAO

THREE JOURNALISTS -- CATHERINE MATHESON OF THE BBC, AND CONFIDENTIAL

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TOD ROBERTSON AND JUANA ANDERSON OF REUTERS -- OBTAINED THE ARMED FORCES' PERMISSION TO TRAVEL IN NORTHERN CHALATENANGO DEPARTMENT, IN AN AREA WHERE NO MILITARY OPERATIONS WERE UNDERWAY. AFTER ARRIVING IN THE AREA THEY HAD AUTHORIZATION TO TRAVEL TO, THEY APPARENTLY LEFT THAT AREA AND WERE SUBSEQUENTLY PICKED UP IN THE COMPANY OF ARMED GUERRILLAS IN ARCATAO, CHALATENANGO, ON APRIL 8, 1986, AT THE START OF A ONE-DAY MILITARY OPERATION IN AND AROUND THE TOWN. THE GUERRILLAS FLED THE AREA UNDER FIRE, AND THE ARMY THEN REMOVED THE REPORTERS BY HELICOPTER FOR THEIR OWN SAFETY TO CHALATENANGO CITY. THE ARMED FORCES DETAINED THE THREE AS A RESULT OF HAVING FOUND THEM IN THE COMPANY OF ARMED GUERRILLAS IN A LOCATION OTHER THAN THAT WHICH THEY HAD SAID THEY WERE GOING. THEIR NOTES WERE PHOTOCOPIED AND HANDED BACK TO THEM; THE CASSETTE TAPES WERE TRANSCRIBED AND THE TAPES RETURNED. THE FILM WAS RETAINED AND MS. ANDERSON RECEIVED REPLACEMENT FILM. ESAF CHIEF OF STAFF GEN. BLANDON ORDERED THE RETURN OF MS. ANDERSON'S FILM TO HER ON MAY 12. THE JOURNALISTS WERE WELL AWARE OF, AND KNOWINGLY VIOLATED, THE ESTABLISHED RULES GOVERNING THEIR WORK IN CONFLICTIVE AREAS.

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