

File # FIC

STATEMENT OF  
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BEFORE  
THE HOUSE SUBCOMMITTEE ON  
INTER-AMERICAN AFFAIRS  
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Mr. Chairman, I welcome this opportunity to address the Central American crisis, with specific reference to El Salvador and to the certification required under law.

The Administration is committed to the goals set out in the Foreign Assistance Act with regard to El Salvador. As we understand it, the Act says, yes, there is a challenge to our national security, so military and economic assistance are required. But yes, we must also use our assistance to help El Salvador control violence, make land reform work, develop a democratic process, bring murderers to justice.

1.

The certification the President made last week shows that there has indeed been substantial progress toward each of the goals laid out in law.

Human Rights The law requires us to certify that El Salvador is "making a concerted and significant effort to comply with internationally recognized human rights," and "is achieving substantial control over all elements of its armed forces." It does not say that human rights problems must be eliminated. But it does demand progress.

There is no question that the human rights situation is troubled, as is detailed in our annual report just submitted to the Congress. The explosion of violence and counterviolence following the extreme left's receipt of outside support for guerrilla warfare has accentuated already high historic levels of violence, strained the system of justice to the breaking point, and eroded normal social constraints against violence. Countless violations of human rights have arisen from partisan animosities of both left and right, personal vendettas, retaliations, provocations, intimidation and sheer brutality. The breakdown has been profound; the society will take years to heal.

Accurate information is hard to establish. Responsibility for the overwhelming number of deaths is never legally determined nor usually ever accounted for by clear or coherent evidence. Seventy per cent of the political murders known to our embassy were committed by unknown assailants. And there is much special pleading. For example, the Legal Aid office of the Archbishopric, often cited by the international media and human rights organizations, lists no victims of guerrilla and terrorist violence from the left. In January, Apostolic Delegate Rivera y Damas deprived the Legal Aid Office of any right to speak on behalf of the Archbishopric. The prejudice of the other main organization that collects statistics -- the Central American University -- is virtually explicit in its inclusion of a category on "ajusticiados" -- referring to persons killed by the guerrillas as having been "justly executed." The organization that calls itself the Human Rights Commission -- which occasionally issues statistics from outside the country -- has become an insurgent propaganda vehicle and has no credibility.

Most difficult to assess of all are the repeated allegations of massacres. The ambiguity lies in the fact that there are incidents in which non-combatants have suffered terribly -- at the hands of guerrillas, rightist vigilantes, government forces or some or all of them -- and that the insurgents have also repeatedly fabricated or inflated alleged mass murders as a means of propaganda. Last year, in a widely-publicized case, the massacre of a thousand people in a cave was related by Radio Venceremos (and picked up in our media) in convincing detail, until it was determined that there are no large caves in the region where the atrocity supposedly occurred. More recently, our press published a detailed account of how American green berets had witnessed Salvadoran soldiers torturing prisoners. A careful investigation showed this report to be an FDR/FMLN fabrication. On the other hand, I do not accept that 19 people died in a firefight in San Salvador two nights ago: whether or not there were weapons found, or the people were members of the insurgent groups, I deeply deplore the excessive violence of the Salvadoran forces in this incident.

We sent two Embassy officers to investigate last week's reports of a massacre in the Morazan villege of El Mozote. While it is clear that an armed confrontation between guerrillas occupying El Mozote and attacking government forces occurred last December, no evidence could be found to confirm that government forces systematically massacred civilians in the operation zone, nor that the number of civilians killed even remotely approached

the 733 or 926 victims variously cited in press reports. In fact, the total population of El Mozote canton last December is estimated locally at only 300, and there are manifestly a great many people still there.

So we must be careful. We try to investigate every report we receive. And we use every opportunity to impress on the El Salvador government and army that we are serious about practicing human rights -- and so must they be.

Results are coming slowly, but they are coming. Since October 1979, the Salvadoran authorities have done much more than repeatedly emphasize to officers and men the need to protect human rights. They have:

- broken traditional links between large landowners and the security forces by outlawing the paramilitary organization "ORDEN".
- promulgated a military code of conduct that highlights the need to protect human rights;
- transferred, retired, cashiered or punished over a thousand soldiers for various abuses of authority or for their cooperation with the violent right; and
- gradually reasserted control over scattered local security force personnel, by strengthening the authority of the High Command, and repeated command discipline efforts.

NB In consequence, the level of non-combat violence -- to judge by our best estimates and the trends even in opposition groups' figures -- appears to have declined by more than half over the last year -- and this despite the fact that the guerrilla FMLN boasted on Radio Venceremos that it inflicted more than 2,000 casualties in the last seven months of 1981.

But let me make this clear. Control of violence is at the center of our relationship with the Salvadoran government. We mean to see it reduced to the minimum levels consistent with the existing civil strife.

Reforms. The law asks us to certify that El Salvador "is making continued progress in implementing essential economic and political reforms, including the land reform program." Progress in land reform has been substantial. Estates larger than 1,235 acres have been distributed

to farmers who work on them. Compensation to former owners is being made. A second part of the program transfers ownership of small farms to tenants and sharecroppers. The titling process has accelerated since mid-year and provisional titles are now being issued at the rate of 4,000 per month. In response to the government's request, the largest campesino organization, the Union Comunal Salvadorena (UCS), representing over 100,000 peasants, submitted a report in December detailing the many problems with the program which remain to be addressed in the months ahead. When this report was used by others to criticize land reform implementation, the UCS went out of its way to emphasize that the government was responsive to its concerns and that the union expected to participate "massively" in the election. In its letter of January 25, 1981, the UCS said:

"As for the Agrarian Document that was presented in an updated form to President Duarte by UCS in December 1981, dealing with the implementation of Decree 207, we note that many of the suggestions bearing therein have been taken into account by the Government . . . This document was presented without any intention of giving ammunition to the enemies of the Land Reform Process . . .

From December 1, 1981, the system of liaison between the Armed Forces and the UCS began to function and now we can rely on a high ranking responsible person who has a direct connection with the Ministry of Defense. . . . the political consciousness of the Salvadoran campesinos has changed substantially, influenced by the agrarian changes that have taken place lately. . . . we understand that the vote is the weapon of democracy and at this time the elections will mean for us the definitive bond cementing our land tenure.

Elections. The law asks that we certify that the government is "committed to the holding of free elections at an early date." This is incontestably the case. Preparations for Constituent Assembly elections on March 28, 1982 are well-advanced. The new electoral law promulgated in December was drawn up after thorough discussion among the participating political parties. Eight parties, ranging from the non-violent left to the far right, are now participating in the election. Momentum is growing. The independent labor group of campesinos and trade unions (UPD) and the businessmen's association (ANEP) have appealed for the public to vote. Just a week ago, the Council of Bishops of El Salvador's Catholic Church stated:

"We see in the elections ... a possible beginning of a solution to the current crisis . . . . Through this Constituent Assembly election, we will pass from a de facto government to a constitutional government, which is of fundamental importance for the development of the country's life... It would be ideal for all citizens to participate in the elections. That is why we regret that some of our brothers are rejecting them."

In December, the Organization of American States General Assembly gave an overwhelming 22-3-4 endorsement of the Salvadoran election process. The new Central American Democratic Community represents a similar endorsement of democratic principles and institutions by El Salvador and its near neighbors.

The law also asks us to certify that

"to this end (that is, to the end of early free elections), (the government) has demonstrated its good faith efforts to begin discussions with all major political factions in El Salvador which have declared their willingness to find and implement an equitable solution to the conflict, with such solution to involve commitment to (A) a renouncement of further military or paramilitary activity; and (B) the electoral process with internationally recognized observers."

The FDR/FMLN is certainly not committed to the current electoral process. The guerrillas have burned town halls, threatened to kill anyone found with voting ink on his finger, and assassinated and intimidated local officials and candidates.

Nor is the FDR/FMLN committed to elections in the future. An apparently authoritative December statement says only that there should be a "plebiscite" to ratify the government after the guerrillas have gained a share of power. This plebiscite which would take place only after six months had passed, would not offer voters a choice between competing slates. In other words, with some cosmetics, the Nicaraguan model.

President Duarte, in contrast, has invited all political parties and groups to renounce violence and participate in the elections after an advance dialogue on the ground rules. The Communist and Social Democratic parties were both formally recognized and invited to

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participate. Nonetheless, the FDR/FMLN refused even to discuss electoral ground rules.

Apostolic Administrator Rivera y Damas in his January 10 homily said that:

"not to believe in elections or not to see in them a solution gives no right to resort to blackmail and fraud on one hand, or sabotage on the other. I believe that voters have the right to express what they feel".

2.

But the Foreign Assistance Act expresses the need to defend our national security interests, as well as to further our humanitarian and political values.

The Caribbean Basin is at our southern border. Everything from migration to geopolitics, and from common sense to narcotics, dictates that we not ignore it. The Administration, the Congress, the American people must confront the problems of the area together.

There is no mistaking that the decisive battle for Central America is underway in El Salvador.

Cuba is systematically expanding its capacity to project military power beyond its own shores. The arrival this year of a second squadron of MiG-23/Floggers and the 63,000 tons of war supplies imported from the Soviet Union in 1981 have added substantially to an air, land and sea arsenal that was already the area's most powerful.

Nicaragua is being exploited as a base for the export of subversion and armed intervention throughout Central America.

If, after Nicaragua, El Salvador is captured by a violent minority, who in Central America would not live in fear? How long would it be before major strategic U.S. interests -- the canal, sea lanes, oil supplies -- were at risk?

For most of its life as a nation, our country has faced no threat from its neighbors. But, unless we act decisively now, the future could well bring more Cubas: totalitarian regimes so linked to the Soviet Union that they become factors in the military balance, and so

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incompetent economically that their citizens' only hope becomes that of one day migrating to the United States.:

3.

There is something else. If we do not sustain the struggle now, we shall fall back into that terrible vicious circle, in which in Central America the only alternative to right-wing dictatorship is left-wing dictatorship.

General Romero's traditionalist military government was overturned two years ago by a military-civilian coalition committed to reform -- land reform and the transformation of El Salvador into a democracy. We supported the reforms then, we support them now. And real progress has been made -- for all the civil strife, even though there is a long way to go, above all in bringing violence under control.

Some are proposing that we now cut off aid to El Salvador. I do not see how that would advance the goals embodied in the Foreign Assistance Act, whether they be security, democracy, or human rights. Clearly, the hope for democracy would be extinguished. The Soviet Union and Cuba would have a new opening to expand their access to the American mainland. And I wonder how it would promote human rights to make El Salvador into another Nicaragua.

Our intention is to keep up the pressure in order to promote the full scope of our interests in the region, interests we believe are widely shared in this country:

- Defense of our national security interests against the Soviet/Cuban challenge;
- Promotion of more democratic and humane societies in our immediate neighborhood.