



Washington, D.C. 20505

DIRECTORATE OF INTELLIGENCE

22 November 1988

The FMLN in El Salvador:

Insurgent Negotiations Strategy and Human Rights Abuses

Summary

Recent efforts by the Salvadoran insurgency to bring international pressure on the Duarte administration to reopen peace negotiations are part of an effort to appear moderate and accommodating while portraying the government as inflexible. In our judgment, however, the insurgents would not negotiate in good faith, but would use talks instead to improve their strategic position and undermine confidence in the Duarte government. Meanwhile, we believe the insurgency's support among Salvadorans is waning in the wake of increased guerrilla intimidation, terrorism, and often indiscriminate attacks on civilians, especially in the capital. [REDACTED]

\* \* \*

This typescript was prepared by [REDACTED] Office of African and Latin American Analysis. It generally reflects the views of the Intelligence Community.

Approved for Release

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[REDACTED]

[REDACTED]

war--probably are involved. Increased political tensions related to the scheduled presidential election next year and the continuing insurgency will likely result in a relatively high rate of political violence in coming months. We believe the guerrillas, who are frustrated by their dim prospects for a political or military victory, probably will continue to account for the majority of political killings. [REDACTED]

\* \* \*

### Positive Trend Stalls

Political and suspicious killings of civilians in El Salvador--which had been declining sharply until last year--have increased slightly in the last 18 months. [REDACTED]

[REDACTED] 280  
civilians died in 1987 in incidents of political violence, a small increase over the previous year.<sup>1</sup> (See Fig. 1) Nevertheless, the overall level of deaths remains far below that of the early 1980s. Dwarfing the small increase in political killings last year was a doubling of "suspicious" murders, in which there are no clearly established political or criminal motives. (See Fig. 2). In the first seven months of 1988, the rate of killings with confirmed political motives was about the same as last year, while the number of suspicious killings has fluctuated wildly but generally remained higher than in 1987. [REDACTED]

As during the early 1980s, the increase in civilian killings has coincided with greater political and military activity by the Marxist insurgents. The guerrillas' political allies are preparing to participate in the March 1989 presidential elections, while rebel front groups continue trying to stage violent anti-government demonstrations in the capital. At the same time, guerrilla military actions--most notably economic sabotage and terrorist attacks--also have increased during the past year (see Fig. 3). Many Salvadorans--civilian and military--probably view these rebel activities as an attempt to exploit the country's more open political environment while simultaneously continuing the war. Although government

<sup>1</sup> Statistical data used in this typescript was obtained by [REDACTED]  
[REDACTED] while the figures probably are not precise, we believe they reflect trends in political violence. [REDACTED]

[REDACTED]

operations since 1987 have disrupted some guerrilla activity, they have failed to make deep, permanent reductions in the insurgency. (S NF)

### The Guerrillas' Record

[REDACTED] that the Marxist insurgents, no doubt frustrated by their inability to make dramatic military gains or attract significant popular support, are responsible for the majority of confirmed political killings. Guerrillas have killed civilians for--among other reasons--aiding the government, registering to vote, having relatives in the armed forces, or defying the rebels' frequent campaigns to blockade transportation. The rebels' indiscriminate use of landmines--a weapon adopted to compensate for tactical weakness--also has contributed to increased civilian casualties. Finally, the insurgents have kidnaped and murdered mayors, judges, local officials, political candidates, and civilians suspected of being government informers. For example, a guerrilla commander in Usulután Department recently killed two civilians suspected of collaborating with the Army and put their bodies on display to warn others in the area to avoid involvement with the military.

[REDACTED]

A major element of the insurgents' overall strategy is to foment unrest and violence in the cities. This includes using terrorist attacks to "bleed" government forces. Although we do not believe the guerrillas are deliberately and indiscriminately targeting civilians, their urban terrorist campaign has resulted in some civilian casualties.

[REDACTED]

### Right-wing Extremists

Circumstantial similarities to death squad murders committed during the early 1980s suggest that right-wing extremists are responsible for at least some of the recent suspicious killings, although no one has claimed credit for them.

[REDACTED]

[REDACTED] some characteristics of death squad activity--the use of torture, execution-style murders, assassination by groups of armed assailants, and bodies being dumped some distance from the scene of the crime--increased last year. If rightists are indeed involved, we believe they have been acting primarily out of frustration with the slow rate of progress against the insurgents on the battlefield and out of fear that the insurgents are participating in the political process solely to expand their urban support networks for terrorism and subversion.

[REDACTED]

Despite its past association with death squad activity, we believe that the right-wing ARENA party currently does not sanction human rights abuses. Such actions would wreck the party's recent efforts to present a more moderate public image

[REDACTED]

and seriously jeopardize its prospects for winning the presidency next March. Indeed, we believe that, for the time being at least, even many ARENA extremists probably are cooperating with party moderates in an effort to strengthen their position and expand the party's popular appeal. Most ARENA leaders probably also are unwilling to risk the reduction or curtailment of US economic and military assistance that might result from unchecked violence. [REDACTED]

Nonetheless, some party hardliners may be involved in the crimes, although we lack definitive proof. [REDACTED]

[REDACTED] Roberto D'Aubuisson, ARENA's founder and honorary president, continues to maintain close ties with Dr. Hector Antonio Regalado, the former chief of a notorious death squad active in the early 1980s, though the two avoid appearing together in public. ARENA's recent electoral triumph and resulting control of the legislature may have inspired lower-ranking party members or independent rightists to act without the official knowledge or sanction of the party. [REDACTED]

#### The Armed Forces

[REDACTED] indicate that the number of politically-motivated killings committed by Salvadoran soldiers is on the rise. The armed forces have committed 12 of the 106 confirmed political killings so far this year--or 11.3 percent--compared to only about two percent in 1987. While we do not believe the killings are officially sanctioned, they may be the result of concern within the military about increased political activities by insurgent front groups. However, many of those soldiers and policemen most provoked by leftist activity probably are biding their time, calculating that an ARENA victory in the March 1989 presidential election could result in a sterner stance against the guerrillas and their supporters. [REDACTED]

Members of the Salvadoran armed forces, moreover, probably have carried out at least a few of the suspicious killings. [REDACTED] believes that frustration over the end of "state of exception" legislation in January 1987 has prompted some soldiers to kill suspected leftists. Without the special legislation--which suspended some civil liberties for suspected guerrillas--the Constitution permits the authorities to detain suspected guerrillas for only 72 hours before being turned over to the civilian courts. Most Salvadoran officers believe 72 hours is insufficient time to conduct a thorough intelligence interrogation and they are frustrated by the courts, which generally release suspected guerrillas for lack of evidence. [REDACTED]

[REDACTED]

Outlook

The Salvadoran government probably will respond to the increase in political killings by quietly pressing the military to be more vigilant in preventing and policing abuses. We expect the publicity-conscious Armed Forces High Command, in particular, will move to head off any sentiment or tendency among officers and troops to deal with the left through illegal means. Despite the frustrations arising from the many constitutional and judicial restraints imposed on the armed forces--at a time when they perceive the left as exploiting the hard-won democratic reforms guaranteed by the very government they seek to subvert--we believe most officers will want to avoid actions that would alienate the populace or place vital foreign assistance at risk.

[REDACTED]

Similarly, politically astute moderates within ARENA probably will exhort their extremist colleagues and constituencies to avoid any actions that threaten the party's political credibility and electoral prospects. Although the Christian Democrats may attempt to use the death squad issue to discredit ARENA during the months leading up to the March 1989 election, a similar effort by President Duarte prior to last March's legislative elections failed to have much impact at the polls. We believe a strategy of persuasion would be effective to some degree in reducing political killings as the impending presidential election invites greater international scrutiny.

[REDACTED]

Nonetheless, given El Salvador's long legacy of political violence, extremist attitudes on the left and the right, and frustrations on both sides over the slow rate of progress in the war, we believe political killings will continue. Tensions related to next year's presidential elections, particularly the increasing boldness of the left, may provoke further violence, in our view. The guerrillas--whose prospects for political or military victory are remote--probably will continue to commit most of the political killings.

[REDACTED]

[REDACTED]

Appendix: The Armed Forces and Human Rights

The Salvadoran armed forces--once responsible for the greatest number of human rights abuses--have since the early 1980s significantly improved their conduct. US aid and influence have facilitated the professionalization of the Army, permitting it to wage a "cleaner" war. Today, all members of the security services receive human rights training from the International Red Cross, the Catholic Church, and the government's human rights commission. Soldiers and police who commit crimes are routinely brought to trial before civilian courts, [REDACTED] and many have been dismissed from the service for various offenses. In addition, [REDACTED] that concern about civilian casualties has driven the military to adopt stricter rules of engagement. Rigorous restrictions have been placed on the use of air and artillery support near populated areas, and infantry seldom employ "reconnaissance by fire"--firing blindly into an area to determine whether the enemy is present. Moreover, despite the likelihood that most prisoners will be released within 72 hours--under guidelines in effect since January 1987--government troops still capture more guerrillas than they kill, [REDACTED]

The prospect of US military assistance being curtailed, fear of negative publicity, and, in many cases, a growing realization that expanding popular support is critical to their counterinsurgency mission, have compelled officers to develop a keener appreciation for human rights. Colonel Rene Emilio Ponce, for example, an influential brigade commander who probably will become the next Chief of Staff, is working in his sector to promote greater public confidence in the Army, and he concedes that human rights abuses by government troops contribute to pro-guerrilla sentiment, [REDACTED] that Colonel Mauricio Staben--often linked to past abuses--last year requested additional human rights lectures for his troops and drafted a human rights manual. [REDACTED]

Despite the armed forces' improved performance and greater awareness of the importance of human rights, abuses still occur occasionally--albeit with far less frequency than during the early 1980s--and institutional factors tend to impede corrective action. Because the military has never created any formal mechanism for investigating human rights abuses, such probes are conducted on an ad hoc basis and the results usually are kept private, [REDACTED] Civilian institutions empowered to investigate the armed forces--such as the Attorney General or the US-funded Special Investigations Unit--often are reluctant to pry too deeply into the "internal affairs" of the military, El Salvador's most powerful and cohesive institution. Others, like the government's human rights commission, have no legal authority. In addition, the Salvadoran court system relies

[REDACTED]

more on confessions or eyewitness testimony than forensic evidence for convictions, and few witnesses are willing to testify in a human rights case--particularly one involving a military officer--out of fear of retribution. [REDACTED]

The insular, highly cohesive nature of the Salvadoran officer corps also hampers investigations of alleged abuses. Officers generally tolerate misconduct--whether human rights abuses, corruption, moral turpitude, or incompetence on the battlefield--on the part of their colleagues, and few have been subjected to strict disciplinary action. The officer corps tends to enact what [REDACTED] characterizes as a "code of silence" when one of their own is accused of wrongdoing. This collective protectiveness is, we believe, fueled by a desire to spare the military--and, by connection, themselves--any embarrassment.

[REDACTED]

[REDACTED]

## EL SALVADOR: HUMAN RIGHTS SITUATION

FIG. 1: CONFIRMED POLITICAL KILLINGS (MONTHLY AVERAGE)

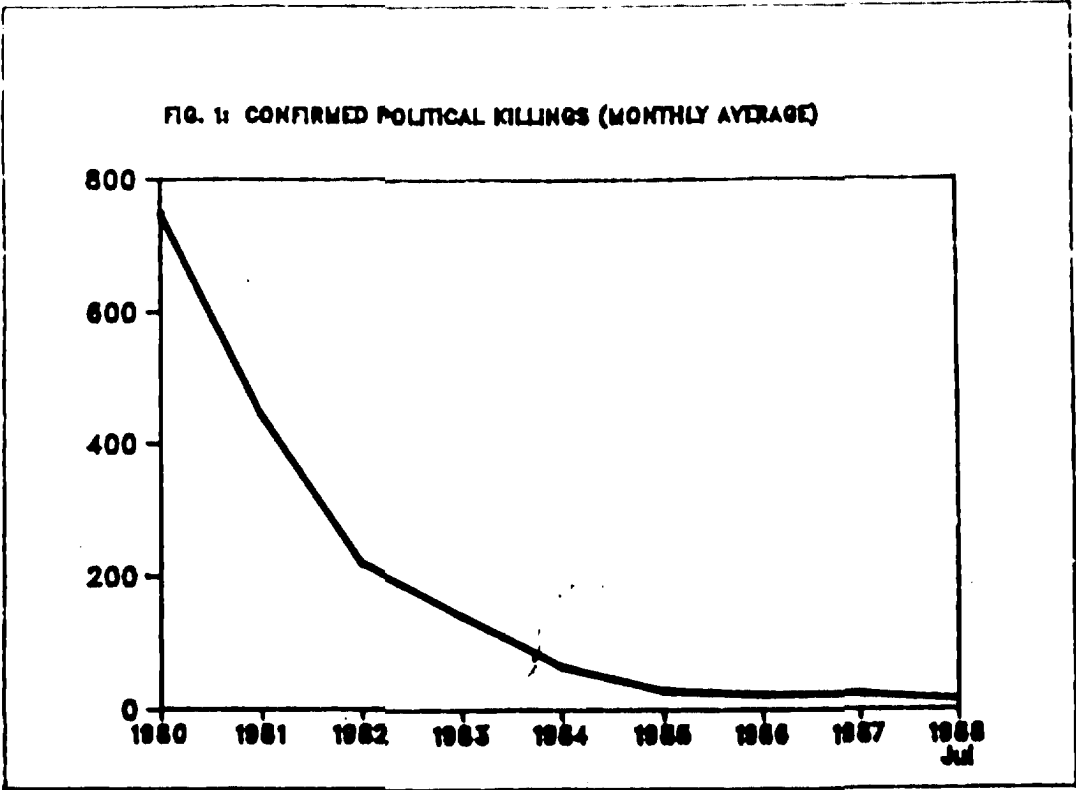
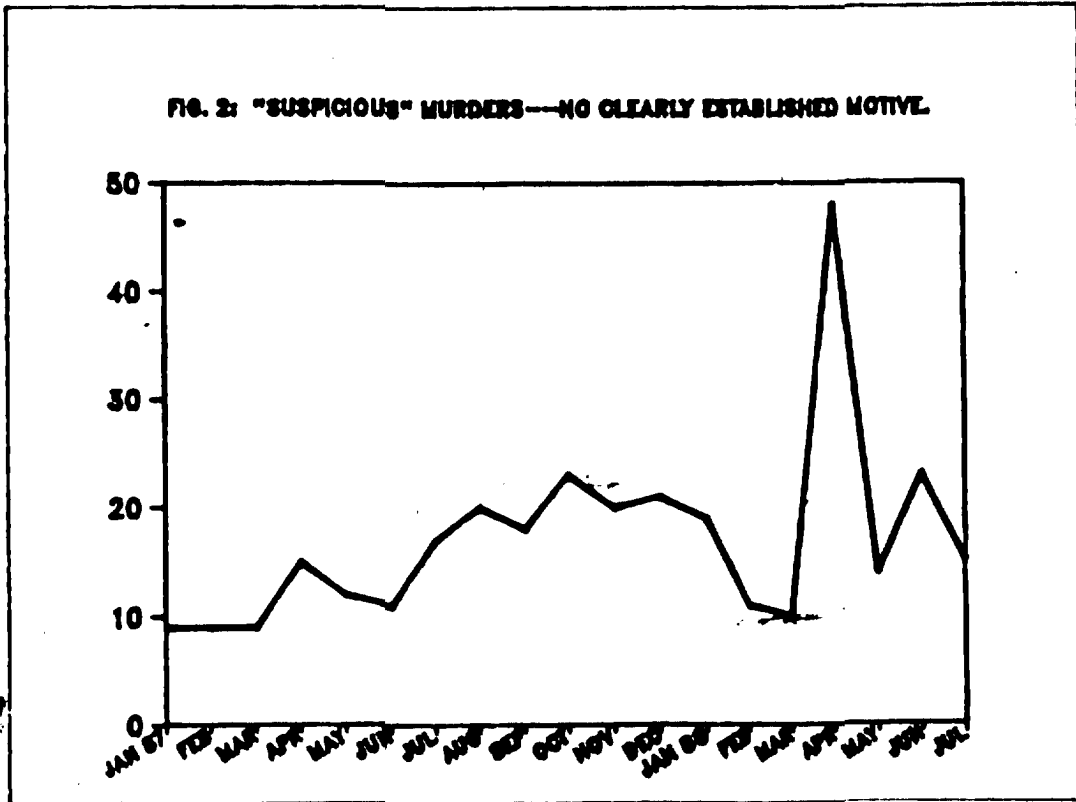


FIG. 2: "SUSPICIOUS" MURDERS—NO CLEARLY ESTABLISHED MOTIVE.



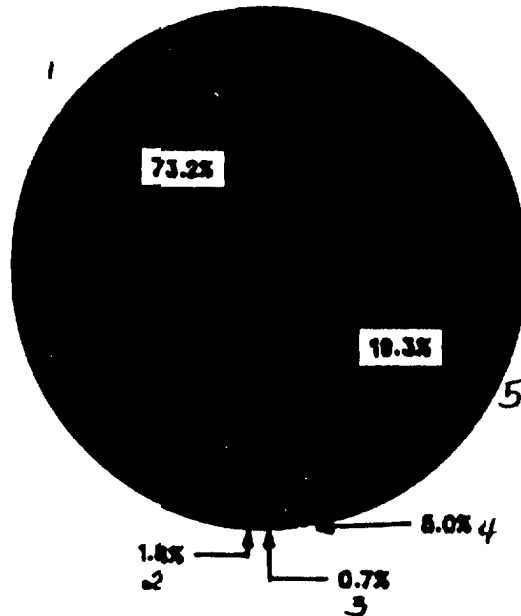


[REDACTED]

## El Salvador: Confirmed Political Killings

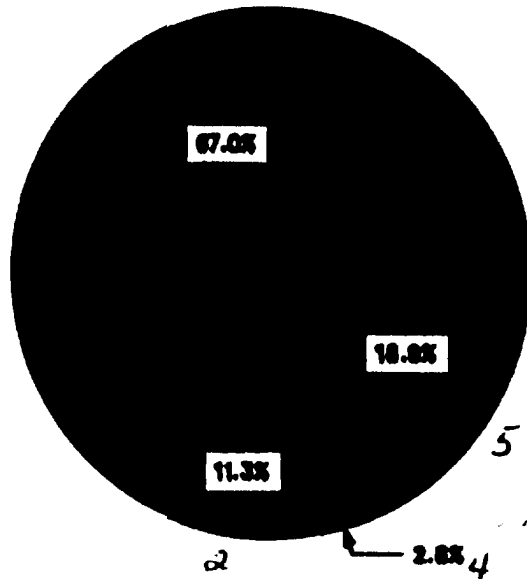
FIG. 3

1987--280



Does not include 36 civilian deaths from guerrilla landmines.

JAN-JUL 1988--106



### Legend

- 1 ■ By Guerrillas
- 2 ■ By Armed Forces
- 3 ■ By Right
- 4 ■ By Unknown Assaults
- 5 ■ Civilians KIA\*

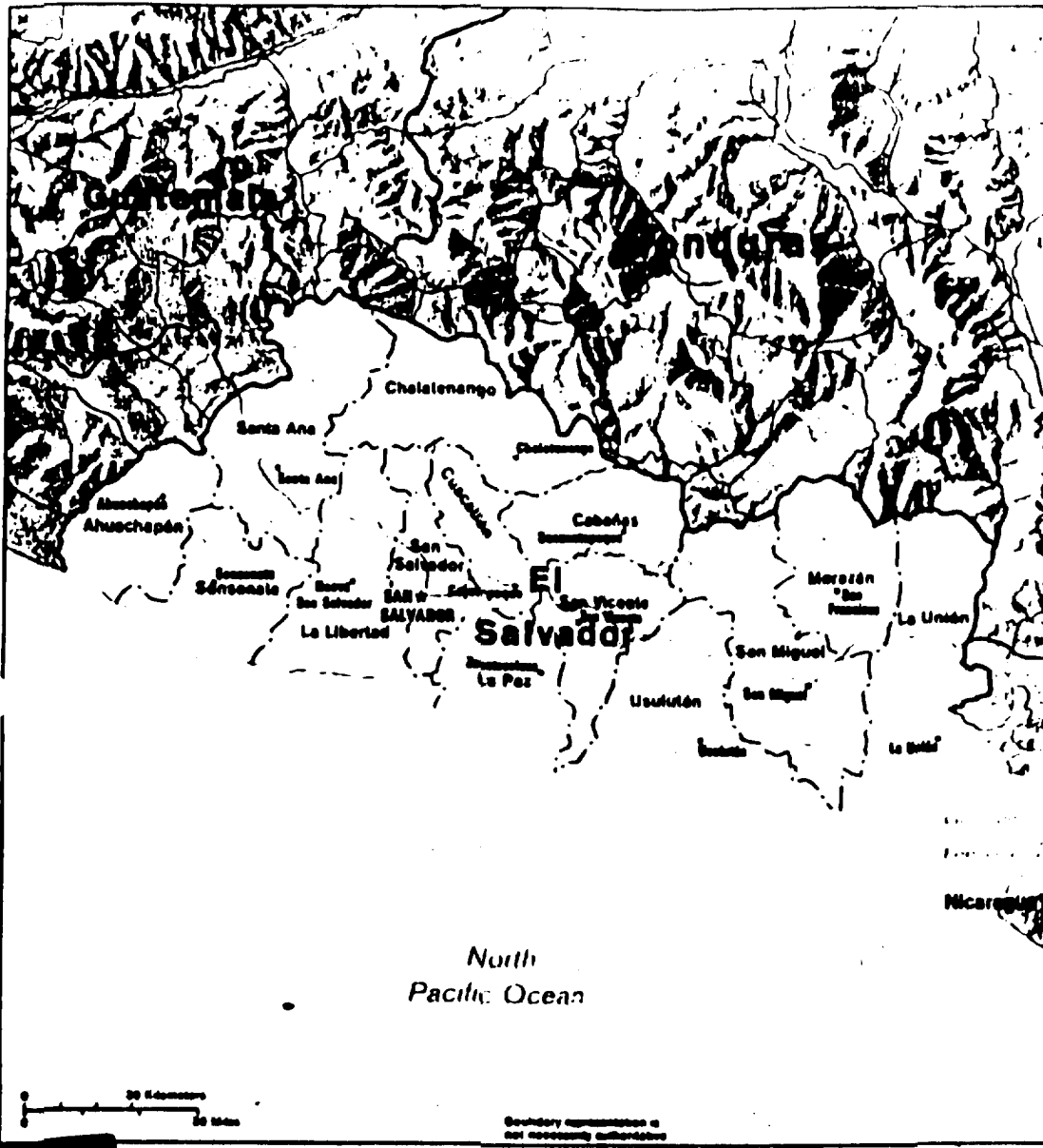
Does not include 37 civilian deaths from guerrilla landmines.

\* Killed in combat by both sides.

[REDACTED]

**Contents**

	<i>Page</i>
<b>Key Judgments</b>	iii
<b>Introduction</b>	1
<b>Civil-Military Relations Under Duarte</b>	1
<b>Civilian Perceptions of Military</b>	3
<b>Residual Military Unhappiness</b>	3
<b>Assessing Key Issues</b>	5
<b>Military Funding</b>	5
<b>Human Rights</b>	5
<b>Economic Conditions and Public Disorder</b>	6
<b>Maneuvering for the Transition</b>	6
<b>Presidential Politics</b>	8
<b>Preserving Equities Within the Military</b>	9
<b>Outlook</b>	9
<b>Implications for the United States</b>	11



North  
Pacific Ocean

50 Kilometers  
50 Miles

Boundary representation is  
not necessarily authoritative

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