



Directorate of  
Intelligence

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# Terrorism Review [REDACTED]

23 August 1998

Approved for Release

NOV 1993

[REDACTED]

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Several have been assassinated by the FMLN; in late July, for example, a Justice of the Peace whose son is a military officer was killed by guerrillas. Others have resigned rather than confront the military. Moreover, the shortage of attorneys, difficulties in getting citizens to serve as jurors, and the reluctance of witnesses to testify hinder the expeditious processing of cases.

Efforts to reform the judicial system have made no discernible progress. In the San Sebastian case, for example, the judge disallowed evidence gathered by the Special Investigative Unit, a US-funded criminal investigative unit created in 1985. Furthermore, in selecting the judge who ultimately decided the kidnapping case, the Supreme Court bypassed the newly created, supposedly nonpartisan council it is required by law to consult when transferring or appointing judges.

#### Role in Peace Negotiations

Armed forces impunity has proved to be a major sticking point in negotiations between San Salvador and the guerrillas. In July, the FMLN rejected a government reform proposal that called for trials in eight cases, including four allegedly committed by rebels, a general amnesty for officers accused of human rights violations, the rebels, and political prisoners, and establishing a military tribunal to punish actions that obstruct the administration of justice. Instead, the guerrillas

demanded that San Salvador prosecute four key cases, including the 1980 assassination of Archbishop Romero and the 1989 Jesuit murders, and purge the armed forces of officers involved in human rights violations. The negotiations in July ended with a broad human rights agreement that still did not address the overarching issues of military impunity.

At the most recent round of talks, started on 18 August, military reform issues continued to cause problems. The rebels, calling impunity the root of judicial ineffectiveness, presented a new, more hardline proposal, demanding the investigation of all murders and disappearances since 1979 and the purging of all corrupt officers as a preliminary step toward the dissolution of the Army. The government has rejected the demands as unreasonable.

#### Outlook

the issue of military impunity will continue to diminish the chances of an agreement on armed forces' reform—a prerequisite for a cease-fire—in the near term. Although government and military officials give lip service to the need for judicial reform and the end of impunity, the absence of military accountability is likely to persist indefinitely.