

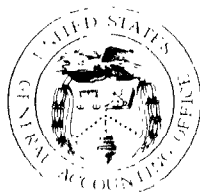
GAO

Report to the Honorable
Edward M. Kennedy, U.S. Senate

April 1991

EL SALVADOR

Military Assistance Has Helped Counter but Not Overcome the Insurgency



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United States
General Accounting Office
Washington, D.C. 20548

National Security and
International Affairs Division

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April 23, 1991

The Honorable Edward M. Kennedy
United States Senate

Dear Senator Kennedy:

In response to your request, this report describes what impact U.S. military assistance to El Salvador has had on that country's ability to counter insurgent forces, how the assistance has changed that country's military capabilities, and how the assistance has attempted to instill and support respect for democracy and human rights.

Unless you release its contents earlier, we plan no further distribution of this report until 30 days from its issue date. At that time, we will send copies of the report to appropriate congressional committees and the Secretaries of Defense and State.

Major contributors to this report are listed in appendix I. If you have any questions, please call me on (202) 275-4128.

Sincerely yours,

A handwritten signature in cursive script that reads 'Joseph E. Kelley'.

Joseph E. Kelley
Director, Security and International
Relations Issues

Executive Summary

Purpose

Since 1980, the United States has provided over \$1 billion in military aid to El Salvador to assist the government in its fight against an insurgency. Senator Edward M. Kennedy requested that GAO review the U.S. military assistance program to determine (1) what impact U.S. assistance has had on the Salvadoran military's ability to counter insurgent forces, (2) how U.S. assistance has changed Salvadoran military capabilities, and (3) how U.S. assistance has attempted to influence the Salvadoran military's support and respect for democracy and human rights.

Background

Since the early 1980s, El Salvador has been fighting a war against leftist insurgents from the Farabundo Marti National Liberation Front. The United States assists El Salvador to counter the insurgency through its military aid program, which provides the material and services to equip and sustain all Salvadoran military operations. It also supports the presence of U.S. military trainers who work with Salvadoran forces in an advisory capacity at Joint Staff headquarters and major field headquarters located throughout the country.

Over the past decade, the overall objectives for the military aid program have remained essentially the same: to assist the Salvadoran government's defense against the insurgency and promote respect for human rights and democracy. In the early 1980s, U.S. assistance allowed El Salvador to expand its forces and capabilities by purchasing items such as cargo trucks, patrol boats, radar equipment, and helicopters. Since about 1985, U.S. emphasis has been on sustaining the level of military capabilities and enhancing military skills and, most recently, on replacing and repairing obsolete and damaged equipment.

Results in Brief

Since 1980, U.S. equipment, supplies, training, and services have improved and sustained the military capabilities of the Salvadoran forces, enabling them to contain the insurgency. However, this aid has not enabled the government to end the conflict by military means. U.S. and Salvadoran officials agree that neither the government forces nor the insurgents are likely to win, and a negotiated settlement offers the best hope. However, the progress in the negotiations has been limited because the Salvadoran government and the insurgents disagree on several key issues.

The United States has attempted to influence the Salvadoran armed forces' respect for human rights and democracy through conditions

placed on aid, training, and the influence of U.S. military trainers. Salvadoran forces now receive human rights training, and the number of politically motivated killings of civilians has decreased substantially over the last 10 years. Also, the military has supported the past seven internationally observed elections held in El Salvador. However, civilian war casualties and political killings continue, which are attributed to both the left and right. Furthermore, the judicial system has yet to produce convictions in some human rights abuse cases.

Principal Findings

Impact of U.S. Aid on Containing Insurgent Threat

U.S. military assistance has helped improve El Salvador's military capabilities, enabling it to contain the military threat posed by the insurgency and prevent the overthrow of the elected civilian government. However, U.S. and Salvadoran officials agree that, even with current levels of aid, military victory by the government forces is unlikely.

Military victory eludes the government because the insurgents continue to have sufficient strength and logistical support to attack economic infrastructure and military targets. The insurgents are continuously resupplied by external sources, and the Salvadorans have had only limited success in interdicting the resupply.

Operations of the Salvadoran forces are constrained because two-thirds of the armed forces must guard military installations and economic targets such as bridges and power plants. Moreover, the government forces do not always aggressively fight because of inexperienced soldiers and problems that impede their military performance, including rules of engagement that prohibit their entry into some areas with high guerrilla concentrations.

Departments of Defense and State officials agree that attention is shifting from the battlefield to the negotiating table, and a settlement between the government and the insurgents offers the best hope for an end to the conflict. Since May 1990, the two parties have held eight meetings. Progress has been limited to establishing an agenda for talks and signing a human rights accord. Issues of contention, such as cease-fire terms and armed forces reform, plague the negotiations. In early April 1991, the Salvadoran government and the insurgents began another round of negotiations to resolve the deadlock.

Changes in Capability of Salvadoran Forces

Over the past 10 years, the Salvadoran military has become better equipped, better trained, and a more effective fighting force, largely due to U.S. military assistance. In addition to equipping and training Salvadoran military personnel, the Salvadorans have used U.S. assistance to build, staff, and equip national training centers; create immediate reaction battalions designed to quickly repel enemy operations; and provide medical training, supplies, and equipment, reducing the combat fatality rate of wounded soldiers from over 30 percent to about 10 percent.

Despite these improvements, U.S. military officials said that Salvadoran military capabilities are hindered by problems that U.S. aid cannot correct and the Salvadorans could address. For example, poor planning by the Salvadoran military command adversely affects operations, and lack of coordination between the services and military units results in poor interdiction efforts and gaps in coverage by ground units.

One problem that reduces operational readiness and cannot be remedied by the Salvadorans without U.S. assistance is replacing obsolete and damaged equipment, particularly helicopters.

Influence of U.S. Aid on Respect for Human Rights and Democracy

U.S. influence has helped promote respect and support for human rights and democracy in El Salvador, but has not stopped abuses. Military aid has been provided over the past decade contingent on the Salvadoran government's efforts in investigating and prosecuting human rights cases. U.S. aid has funded training for the Salvadoran military in human rights and democracy, and U.S. military personnel have emphasized these values while training Salvadoran personnel. Some positive changes have occurred. The armed forces established a human rights office in April 1990 to collect and report information on violations and to promote respect for human rights. Additionally, the Salvadoran military has included human rights training in its military curriculum, and the government forces have protected the electoral process during the past seven internationally observed elections.

The State Department and Americas Watch, a human rights monitoring organization, have reported a significant decrease in political violence against civilians during the past 10 years. However, both also reported that the violence in El Salvador continues, with serious violations of human rights committed by the Salvadoran armed forces and the insurgents.

In response to the lack of progress in the investigation of the November 1989 killings of six Jesuit priests, their housekeeper, and her daughter, the executive branch placed a temporary freeze from August to December 1990 on new orders of military items valued at \$19.6 million. The Congress conditioned fiscal year 1991 military aid by withholding 50 percent of the appropriation and providing for the release of the withheld aid or the suspension of all aid contingent on the actions of the government and military of El Salvador and the insurgents. In January 1991, the President of the United States authorized the release of the withheld funds because the insurgents were receiving lethal military assistance from outside El Salvador and attacking civilian targets. However, he suspended use of these funds until mid-March 1991, unless a compelling need for the military aid arose, to encourage the insurgents to agree to a United Nations supervised cease-fire. As of April 1, 1991, none of these funds had been made available.

Progress has been slow in the investigation of the Jesuit case by U.S. standards, with 1 year passing before a trial was ordered. The lack of progress in the case raises concerns about the effectiveness of U.S. influence in promoting respect for human rights. However, the Salvadoran Minister of Defense recently requested that the justice ministry expand its investigation of other officers and volunteer to testify at the trial.

Recommendations

GAO makes no recommendations in this report.

Agency Comments

GAO did not obtain written agency comments. However, GAO discussed the report with responsible agency officials and has included their comments as appropriate.

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Abbreviations

FMLN	Farabundo Marti National Liberation Front
GAO	General Accounting Office

Introduction

Since 1980, civil war has plagued El Salvador, with an insurgency threatening the country's efforts to establish a democratic government. The insurgents are organized under the Farabundo Marti National Liberation Front (FMLN), an umbrella organization formed in 1980 of five separate Marxist-Leninist groups. In 1990, U.S. officials estimated the insurgent strength to be 6,000 to 7,000 full-time armed combatants. The FMLN has tried to undermine the Salvadoran government through urban terrorism and attacks on the economic infrastructure.

El Salvador's armed forces numbered 45,000 in 1990, with over 41,000 in the Army, over 2,500 in the Air Force, and almost 1,400 in the Navy.¹ The President of El Salvador is designated by the constitution as Commander in Chief of the military. The Joint General Staff commands the Army, Air Force, and Navy from its headquarters in San Salvador and is divided into six functional areas: personnel, intelligence, operations and training, logistics, civil/military affairs, and communications. Military forces are assigned to installations and facilities throughout the country, with about one-third dedicated to fighting the insurgency, and the remainder providing security and protecting military installations and the country's economic infrastructure.

The United States assists the government's efforts to counter the insurgency by providing military aid authorized by the Foreign Assistance Act of 1961 and the Arms Export Control Act. The aid is funded through two programs.

- The Foreign Military Financing program² enables El Salvador to acquire U.S. military equipment, spare parts, training, and services.
- The International Military Education and Training program provides professional military education and technical training in the United States for selected members of the Salvadoran armed forces.

The Defense Security Assistance Agency within the Department of Defense administers military aid programs worldwide. The U.S. Military Group in El Salvador is responsible for the day-to-day operations of the program in that country.

¹An additional 13,000 personnel were in the National Guard, National Police, and Treasury Police security forces, also under the command of the armed forces general staff.

²Between 1980 and 1989, El Salvador received military aid primarily through the Military Assistance Program, which was incorporated into the Foreign Military Financing program in 1990.

Between 1980 and 1990, the United States provided over \$1 billion in military assistance to El Salvador, with approximately \$996 million in Foreign Military Financing funds and \$24 million for the International Military Education and Training program.³ In fiscal year 1990, El Salvador ranked first among Latin American recipients of U.S. military aid and eighth in the world.

The Salvadoran military works with U.S. military personnel to determine the spending priorities. U.S. assistance provides Salvadoran forces with the material and services to equip and sustain military operations, excluding the salaries of military personnel. It also includes U.S. military trainers who work with the Salvadoran military at its headquarters in San Salvador and major field headquarters located throughout the country.

Congress has placed conditions on aid to El Salvador since 1981, linking it to progress in ending human rights abuses and successful prosecution of those responsible for the murder of U.S. citizens and Salvadoran civilians. Since 1985, \$5 million has been withheld annually and is not released unless the government of El Salvador has "pursued all legal avenues" in the investigation and prosecution of those responsible for specific murders.

For fiscal year 1991, Congress appropriated \$85 million in military aid to El Salvador with significant restrictions to express its concern over continuing human rights abuses and encourage a negotiated end to the conflict. Half of the aid was to be withheld unless the President of the United States reported that the FMLN is not participating in efforts to reach a peaceful settlement, conducting offensive military actions which threaten the survival of the government, continuing to acquire lethal military assistance from outside El Salvador, or committing acts of violence towards civilians and civilian targets. All aid was to be suspended if the President reported that the Salvadoran government is not actively seeking a peaceful and permanent settlement of the conflict or has failed to conduct a thorough investigation and prosecution of the November 1989 murders of six Jesuit priests, their housekeeper, and her daughter. In January 1991, President Bush authorized the release of the withheld funds, \$42.5 million of the fiscal year 1991 appropriation, citing heightened violence by the FMLN, including their targeting of civilian targets

³In addition to military assistance, since 1980, the United States has provided approximately \$3 billion in economic aid.

and their receipt of lethal assistance from Nicaragua. However, he suspended use of these funds until mid-March 1991, unless a compelling need for the military aid arose, to encourage the FMLN to agree to a United Nations supervised cease-fire. As of April 1, 1991, none of these funds had been made available.

U.S. Military Aid Objectives

Over the past 10 years, the executive branch's justifications for providing military assistance to El Salvador have emphasized two primary objectives: to help El Salvador defend itself against the insurgency and promote Salvadoran military respect for human rights and democracy. Between 1981 and 1983, the requested military assistance was to promote El Salvador's democratic reform and modernize its armed forces primarily through provision of trucks, aircraft, boats, radar, and communication equipment. The requests cited the fragility of the Salvadoran government, the threat posed by the insurgents, and the adverse effects of the FMLN's 1981 offensive on the poorly trained and equipped armed forces.

As Salvadoran military capabilities improved, the emphasis of U.S. aid shifted to sustaining the operational level and increasing military skills. In the mid-1980s, military assistance was needed to preserve U.S. interests in the country; protect and maintain the political, social, and economic reforms underway; and provide vital support to the armed forces in coping with guerrilla infiltration and terrorism. To develop a modern force capable of confronting the insurgents' tactics and increased urban and rural terrorism, the Salvadoran armed forces used the U.S. military assistance to purchase basic equipment for mobility, command, control, and interdiction purposes. U.S. assistance also provided essential military, technical, and managerial skills training.

In the late 1980s, the emphasis of the assistance was on the sustainment and self-sufficiency of the Salvadoran forces and on repairing and replacing obsolete and damaged equipment. For example, the executive branch stated in its fiscal year 1989 funding request that U.S. aid would promote greater self-sufficiency in developing military tactics, training, and maintenance. Due to heightened military actions during this period, the focus of the assistance was to purchase items needed to sustain the forces, such as rations, ammunition, fuel, spare parts, and logistical support. For fiscal years 1990 and 1991, the executive branch noted that the replacement and reconditioning of essential equipment, particularly helicopters, would be necessary to maintain the operational strength of Salvadoran forces.

Objectives, Scope, and Methodology

On December 19, 1989, Senator Edward M. Kennedy requested that we review three issues regarding El Salvador: the pipeline of assistance,⁴ the U.S. military presence in the country,⁵ and the effectiveness of U.S. military assistance. This report provides information on the effectiveness of the military assistance program. Our objectives were to determine how U.S. assistance has (1) affected the Salvadoran military's ability to counter insurgent forces, (2) changed Salvadoran military capabilities, and (3) attempted to influence the Salvadoran armed forces support and respect for democracy and human rights.

We performed work in Washington, D.C., by interviewing officials and gathering documentation from the Defense Security Assistance Agency, the Office of the Secretary of Defense, the Defense Intelligence Agency, the Office of the Joint Chiefs of Staff, and the State Department. We obtained background information on the military assistance objectives and funding, as well as U.S. assessments of the impact of U.S. aid on the Salvadoran military's ability to contain the insurgency. These officials also provided information on the changes in the Salvadoran military capabilities and respect for democracy and human rights. We also met with representatives of Americas Watch, a human rights monitoring organization.

In El Salvador, we interviewed and obtained written reports and assessments of the Salvadoran military operations from U.S. Military Group and Defense Attache officials, as well as the Ambassador and members of his staff. We met with the Minister of Defense and the Deputy Chief of Staff of the Salvadoran military to discuss the impact U.S. aid has had on doctrine, strategy and operations, and support for human rights and democracy.

To obtain additional information on the human rights situation in El Salvador, we met with a consultant working with the government's human rights commission (Comision de Derechos Humanos), and representatives of the International Committee of the Red Cross, and the human rights office of the San Salvador Catholic Archdiocese (Tutela Legal). To observe military activities assisted by U.S. aid, we visited numerous Salvadoran military installations, including the military headquarters, training facilities for officer and enlisted personnel, specialized training centers such as the National Intelligence School, two Air Force bases,

⁴El Salvador: Pipeline of U.S. Military and Economic Aid (GAO/NSIAD-90-121FS, Feb. 23, 1990).

⁵El Salvador: Extent of U.S. Military Personnel in Country (GAO/NSIAD-90-227FS, July 9, 1990).

two Navy facilities, two military hospitals, and two brigades. We also visited the U.S. Southern Command in Panama to discuss the Command's role in developing and supporting U.S. military assistance strategies in El Salvador.

We conducted our review from June to December 1990 in accordance with generally accepted government auditing standards.

We did not obtain written agency comments, but we discussed a draft of this report with Defense and State Department officials and incorporated their comments as appropriate.

Insurgency Is Contained, but Military Victory Is Unlikely

With U.S. military assistance, the Salvadoran armed forces have been able to counter and contain the FMLN insurgency in the last decade but have not been able to eliminate it. U.S. and Salvadoran officials believe that the FMLN's military position has weakened, but it has enough strength and logistical support to continue attacks against economic targets and conduct sporadic military campaigns, especially with its recent acquisition of advanced anti-aircraft weapons. U.S. and Salvadoran officials agree that a military victory over the insurgents is unlikely and that a negotiated settlement between the government and the FMLN offers the best hope for an end to the conflict. However, the negotiations are moving slowly because the government and the FMLN disagree on a few key issues.

Salvadoran Forces Have Contained the Insurgency

In the early 1980s, the Salvadoran forces had limited ground, air, and sea capabilities and were considered by most military experts to be neither adequately equipped nor properly trained. According to U.S. officials, El Salvador's military was a static, defensive force, trained and equipped toward internal security functions but not for military operations. In 1981, the shortcomings of the Salvadoran forces were so pronounced that a FMLN victory appeared likely, according to U.S. military experts. The FMLN held the initiative and operated freely in many parts of the country, especially at night.

Over the past decade, U.S. assistance has transformed the Salvadoran military into a larger and more capable fighting force, enabling it to increase in size from 11,000 to 45,000; expand, modernize, and sustain weapon and equipment inventories; and improve the quality of the forces through training and better tactics (see ch. 3). By the mid-1980s, U.S. military and diplomatic officials indicated that the government forces had the upper hand in the conflict. The government forces expanded their operations into areas that had been guerrilla strongholds and maintained control in urban areas. As a result, the FMLN shifted its focus to smaller scale attacks on government, military, and economic targets. These tactics posed less of a threat of defeating government forces militarily.

For example, in 1986, according to a U.S. military official, the two main highways through the Usulután area were unsafe due to roadside ambushes and bridge explosions by the guerrillas, and the transportation of goods to that area was either stopped or rerouted. Since then, a Salvadoran Marine battalion reduced the FMLN presence in the area and traffic on the highways has grown and large trucks can deliver goods.

Insurgents Remain a Weakened, but Credible Threat

U.S. and Salvadoran officials agreed that the FMLN cannot defeat government forces, but has sufficient supplies and manpower to prolong the war. These officials maintain that, since the mid-1980s, insurgent troop strength has declined, widespread popular support for the insurgency has not been demonstrated, and most insurgent activity has been confined to remote rural areas. However, the FMLN retains the ability to attack economic and military targets, generally through small unit guerrilla tactics. Its continuing military threat was demonstrated during two major offensives in November of 1989 and 1990.

FMLN Military Capabilities

While the government forces have grown in the last decade, U.S. officials state that the troop strength of the FMLN has fallen by almost half, from about 13,000 in 1980 to less than 7,000 in 1990. In contrast to their tactics in the early 1980s, in 1990 the insurgents' actions were, for the most part, limited to outlying areas in northern and eastern El Salvador, although they conducted sporadic attacks on sections of the capital city of San Salvador.

The insurgents remain a credible threat by employing guerrilla tactics. Small combat units conduct hit-and-run attacks against military facilities and economic infrastructure targets, such as bridges, power plants, communications equipment, public water supplies, sugar and coffee mills, and other industries. The FMLN has also used landmines to slow the movement of Salvadoran troops and reduce their morale. Civilians, including children, have also been killed or injured as a result.

Additionally, the insurgents have used intimidation and harassment tactics to try to convince the Salvadoran people that the government is weak and cannot protect its citizens and that the FMLN offers a workable alternative to the elected government. These tactics include assassinating, kidnapping, and harassing military, government, and business officials. For example, in 1989, the FMLN threatened 214 of 262 town mayors with death if they did not resign their office. Twelve mayors were murdered, and more than 90 resigned.

A new development in the conflict is the FMLN's acquisition and use of advanced anti-aircraft weapons, such as the Soviet-made SA-14. This shoulder-fired surface-to-air missile was used by the FMLN to down a Salvadoran Air Force A-37 attack jet on November 23, 1990, which U.S. officials believe is the first successful insurgent use of the missile. Within a month, they also downed another airplane (an AC-47). The missiles are the insurgents' strongest countermeasure to the Salvadoran Air

Force, which has been one of the government's key military superiorities. U.S. and Salvadoran officials believe the missiles were smuggled to the insurgents from Sandinista sources in Nicaragua, and according to U.S. officials, the Soviet Foreign Ministry traced a missile casing to a missile shipped to Nicaragua by the Soviets in 1986. In December 1990, Nicaraguan army officers acknowledged providing such weapons to the FMLN but maintained that they stopped the practice. According to State and Defense officials, the FMLN claimed to have returned all of the missiles it had purchased, but three have been fired since this announcement in January 1991.

Salvadoran and U.S. officials agreed that the FMLN's use of surface-to-air missiles does not give the FMLN a military advantage, but represents an intensification of the conflict. According to a State Department report, the use of the missiles allows the FMLN to operate in larger units and maintain contact with government forces for longer periods. The use of the missiles has also affected the Salvadoran forces' tactics. For example, the Salvadoran military has reduced medical air evacuation support, forcing troops to evacuate wounded soldiers by ground transportation. Salvadoran pilots can fly at low altitudes to avoid the missiles, but this practice would make their aircraft more vulnerable to small arms fire. The U.S. helicopter shot down by FMLN small arms fire in January 1991 was flying at a low altitude.

FMLN Can Resupply Its Forces

The FMLN's ability to resupply its forces, particularly weapons and ammunition, enables it to continue attacking economic and military targets. According to U.S. military officials, the FMLN is supplied with equipment and ammunition primarily from sources in Cuba and Nicaragua. U.S. military officials noted little decrease in resupply since the Sandinista party was defeated in the Nicaraguan general election in February 1990. They believe that Cuban and Nicaraguan sources may be able to resupply the FMLN with weapons, ammunition, and other material for many years. Despite its loss at the polls, the Sandinista party still controls large amounts of war material in Nicaragua.

According to U.S. officials, the FMLN obtains most supplies via land routes through Honduras. They explained that it is very difficult to intercept these supplies because they often come in small quantities by foot and mule over remote and rugged terrain. Supplies also come by sea to coastal areas. El Salvador's navy has had little success in interdicting shipments.

Major Offensives

On November 11, 1989, the FMLN launched a coordinated, countrywide offensive and attacked military positions in major cities, assaulted the official and personal residences of El Salvador's President, and occupied several poor neighborhoods in the capital city of San Salvador. The government forces regained control after 10 days of house-to-house fighting accompanied by strafing, rocketing, and some aerial bombing of neighborhoods held by the insurgents. In late November, the FMLN attacked wealthy San Salvador neighborhoods, raided and held a portion of the Sheraton Hotel, and renewed fighting in the eastern part of the country. By the end of the offensive, over 2,000 guerrillas, 500 Salvadoran military, and 70 civilians had been killed and thousands more wounded, according to Defense Department estimates.

Despite FMLN participation in the United Nations-sponsored talks, its forces launched another military campaign in November 1990 by attacking an air base near San Salvador and military positions in eastern, northern, and central El Salvador.

FMLN Lacks Widespread Popular Support

The FMLN has been generally unsuccessful in gaining widespread support of the Salvadoran people, according to U.S. military and diplomatic officials. For example, in the 1989 presidential election, the leftist party aligned with the FMLN received less than 4 percent of the vote.¹ Another indicator cited by military and diplomatic officials is the failure of the November 1989 offensive to incite a popular uprising. An Assistant Secretary of State told Congress that the offensive showed that the Salvadoran people overwhelmingly rejected the FMLN's call to join their ranks, just as they rejected the FMLN's 1981 offensive.

U.S. military officials cited a March 1990 Gallup opinion poll as further evidence that few Salvadorans support the FMLN.² The poll found that 70 percent of the respondents had an unfavorable opinion of the FMLN, and only 11 percent had a favorable opinion. Conversely, 72 percent of those polled had a favorable opinion of the government forces. Furthermore, 55 percent believed the FMLN had most abused the Salvadoran people and had less respect for human rights than the government forces. We did not attempt to verify the results of the poll.

¹The FMLN itself did not participate in the election, encouraged the Salvadorans to boycott the election, and threatened voters who violated the boycott.

²The poll was designed by the U.S. Information Agency, Office of Research and conducted by a Gallup affiliate located in Costa Rica. A nationally representative sample of 1,274 Salvadorans aged 18 and older who lived in 12 regional departments was interviewed in person.

The most recent elections, held March 10, 1991, show that support for the FMLN is significant but not widespread. The Salvadorans elected their national assembly, giving approximately 46 percent of the total vote to the conservative ARENA party. The coalition of parties considered to be aligned with the FMLN actively campaigned and participated in the elections and received about 12 percent of the total vote and about 20 percent in the capital city of San Salvador. As a result, they won 9 of 84 seats in the legislature. The leftist parties primarily took votes from the center left party of the late President Duarte. International observers have declared the elections free and fair.

The presidents of four other Central American nations—Guatemala, Honduras, Nicaragua, and Costa Rica—support the government of El Salvador and have condemned the FMLN's 1989 and 1990 offensives. In December 1989, the four presidents called for the FMLN to cease hostilities and return to the negotiating table. The presidents issued a statement in December 1990 condemning "the violent actions of the FMLN, which have inflicted death and grief upon the Salvadoran civilian population and serious damage upon the country's economic infrastructure." They also demanded that the FMLN halt the use of sophisticated weapons.

War at Stalemate

Although U.S. aid has helped improve El Salvador's military capabilities, U.S. military and diplomatic officials generally agree that a military victory by either side is unlikely and that the emphasis should shift from the battlefield to the negotiating table. In March 1990, the Secretary of State testified to Congress that a military solution was neither desirable nor possible and that only a negotiated settlement could end the violence. The Commander in Chief of the U.S. Southern Command also testified that Salvadoran forces could not militarily defeat the FMLN and would ultimately have to negotiate.

According to U.S. and Salvadoran military officials, Salvadoran forces cannot defeat the insurgents for several reasons.

- About two-thirds of the government forces protect economic and military targets from guerrilla attacks, reducing the manpower advantage, but enabling the Salvadoran economy to survive.
- The insurgents have sufficient strength, mobility, and logistical support to continue sporadic attacks against economic and military targets indefinitely.
- The majority of Salvadoran forces are generally young, inexperienced 2-year conscripts, which results in a small experience base and continued retraining of recruits. Due to budget constraints and because re-enlistees are paid higher salaries, only about 30 percent of the Salvadoran forces could re-enlist in 1990.
- A lack of coordination between military branches and units, poor planning, and shortages of spare parts adversely affect military capability (see ch. 3).

Negotiations Moving Slowly

Although U.S. and Salvadoran military officials agree that a negotiated settlement offers the best hope for an end to the conflict, the dialogue process is moving slowly. Thus far, progress has been limited to establishing an agenda for the talks and signing a human rights agreement. The government and the FMLN continue to disagree on major issues, including the timing of a cease-fire and the restructuring of the armed forces.

In his inaugural address in June 1989, El Salvador's President called for talks between his government and the FMLN. Talks were held in September and October 1989 and resumed again in May 1990. Their representatives met under the auspices of the United Nations and agreed to work toward a mid-September cease-fire. To achieve this goal, they agreed to discuss changes in the armed forces, human rights, the judicial system, the electoral system, constitutional reform, social and economic problems, and verification of agreements by the United Nations.

A human rights agreement, which both parties signed in July 1990, is the only formal agreement the two had signed as of January 1991. They pledged to take immediate measures to prevent actions against the life and freedom of individuals, respect freedom of speech and the press, and guarantee full rights of association, including labor groups. They also agreed to the establishment of a United Nations mission to monitor and promote human rights in the country when a cease-fire is achieved.

Negotiators were unable to attain their goal of a mid-September 1990 cease-fire and met four times between September 1990 and February 1991. Progress toward a negotiated settlement has been stalled because of two key issues: whether certain terms must be met before a cease-fire is declared and how to restructure the armed forces.

The FMLN believes that the government must agree to reform the judiciary system, purge and professionalize the armed forces, prosecute individuals involved in death squads, and maintain land and banking reforms begun in 1980. The FMLN will not agree to a cease-fire until the government agrees to those terms. The government views a cease-fire as an act of good faith, after which negotiations can occur to determine how to incorporate the FMLN into El Salvador's political system.

The two also disagree over dissolving the Salvadoran military and security forces. The FMLN proposed, in August 1990, that the Salvadoran military dismiss all its generals and colonels. The government considered this proposal unreasonable and a hardening of the previous FMLN position, because the armed forces are necessary to protect national security interests. However, President Cristiani has removed several officers from positions of authority and offered to discuss further changes at future talks.

In early April 1991, the Salvadoran government and the FMLN began another round of negotiations to resolve the deadlock.

Military Capabilities Have Improved, but Problems Remain That Impede Operations

U.S. military aid over the past 10 years has helped El Salvador improve its military capabilities. The assistance has enabled the Salvadorans to more than triple the size of their military force structure; improve tactics; increase and modernize their weapons, facilities, and equipment; and improve various military functions. Although there have been improvements, problems remain that keep the Salvadoran military from making full use of their resources. Problems involving coordination, leadership, and planning could be remedied by the Salvadorans. El Salvador does not have the resources, however, to replace obsolete or damaged equipment, such as helicopters, a problem which could be remedied by U.S. military assistance.

Military Capabilities Have Improved

Salvadoran military capabilities have improved in virtually all areas as a result of the equipment, facilities, supplies, parts, ammunition, and training provided by the United States since 1980. U.S. aid has enabled the Salvadoran armed forces to significantly expand, modernize, and sustain their equipment and weapons; construct and equip various military facilities; provide training to the forces; and develop effective military medicine, communications, and intelligence systems.

El Salvador Has Expanded, Modernized, and Sustained Force Structure, Equipment, and Weapons

The Salvadorans have used U.S. aid to fund virtually every facet of military capabilities, except military salaries and related benefits. This has allowed the Salvadoran government to expand its forces from about 11,000 in 1981, to about 45,000 in 1990. All three branches of the armed forces have had improvements. For example:

- The Air Force has quadrupled its number of aircraft, adding mostly supply and attack helicopters. The supply helicopters are used to deploy troops and supplies rapidly in response to the insurgents' guerrilla tactics and to evacuate wounded soldiers. The attack helicopters, cited by U.S. officials as major contributors to the war effort, provide close air support for ground troops. (However, the FMLN's use of the shoulder-fired surface-to-air missiles has lessened the effectiveness of all aircraft.)
- The Army has quadrupled its size, with a structure that includes ground and airborne infantry, artillery battalions, combat support companies, and immediate reaction battalions, which are larger and have more training than normal infantry battalions, but have fewer static targets to guard. The aid has also provided the Army with more modern equipment, including trucks and armored vehicles, weapons, and ammunition.

- The naval fleet has grown from two ships in 1983 to 24 vessels in 1990 of various sizes and capabilities. As a result, the Navy has expanded its missions to performing interdiction and other offensive tactical operations, in addition to serving as a defensive coast guard. U.S. aid has funded construction of two naval bases and provided radar equipment to monitor coastal ship traffic.

Training Improves Salvadoran Forces

U.S. military trainers work with Salvadoran forces at headquarters and facilities throughout the country. They provide guidance and assist the Salvadorans in developing military strategy, doctrine, and support systems, such as personnel, communications, and logistics systems. The U.S. trainers teach basic military skills and assist their Salvadoran counterparts in improving their unit's combat capabilities. Over the past 10 years, U.S. trainers have also provided specialized instruction in logistics, maintenance and repair, intelligence, and civil defense.

Salvadoran personnel have also received training at U.S. military facilities. Since 1980, about 4,200 Salvadoran military personnel have received professional military training through the International Military Education and Training program, including all Salvadoran military pilots who receive their flight training in the United States.

Improved Strategies and Tactics

Since 1983, following the recommendations of U.S. trainers, the Salvadoran armed forces adopted strategies and tactics to better counter the FMLN and to gain popular support. The Salvadorans have increasingly used counterinsurgency tactics that proved to be more effective than their conventional tactics. For example, the Salvadorans adopted tactics that attempt to deny the insurgents sanctuary, movement, and supplies; deployed smaller, air-mobile units; and used small units to patrol more frequently at night, when most guerrilla activity occurs.

U.S. trainers have also encouraged the Salvadoran forces to conduct joint military and government civic action programs and other psychological operations to gain popular support and undercut support for the insurgency. For example, in 1986, the government initiated the Municipalities in Action program that provided funds to mayors of small towns for improvement projects, such as building schools, drilling wells, and upgrading local roads. The intent of the program was to discourage the FMLN from destroying community facilities and show that the government supported the people. Salvadoran forces provided security while the projects were being built in areas with known guerrilla activity.

Since 1988, joint military-civilian teams sponsored 1-day civic action programs, during which U.S.-donated food was provided to Salvadoran citizens, along with basic medical and dental care. As with the Municipalities in Action program, the Salvadoran Army provided security and vehicles to transport the food and medical supplies.

The Salvadoran armed forces have also produced and distributed posters containing anti-Communism and pro-democracy messages, as well as illustrating the tenets of the soldier's code of conduct.

Better Military Facilities

El Salvador has used U.S. aid to construct and upgrade various military facilities and installations throughout the country. These include:

- a basic training facility that provides training to 9,000 recruits a year;
- an expansion of the Salvadoran military headquarters that includes a fully equipped operations center linked to the Air Force and Navy headquarters and each Army brigade; and
- a military field hospital and the medical equipment to treat casualties quicker and more efficiently.

Improvements Made in Other Areas

U.S. military personnel noted that improvements had been made in other areas such as the personnel system, logistics management, medical delivery system, communications, and intelligence. For example:

- The Salvadorans have a computer system that enables them to better account for personnel and provides a real-time determination of the current force structure.
- The Salvadorans have implemented a computerized inventory control system to improve accountability over military equipment and supplies.
- In 1983, an estimated one in three wounded soldiers died because El Salvador did not have air evacuation capability, combat medics, or field clinics. By 1990, the mortality rate dropped to about 10 percent because the United States had trained 1,500 combat medics and helped establish an air evacuation system. Moreover, the Salvadorans can now manufacture enough artificial limbs to meet the needs of military amputees. Finally, as the Salvadorans have assumed more training responsibilities, the number of U.S. medical trainers has decreased from 27 in 1983 to 11 in 1990.
- In 1980, Salvadoran forces used incompatible radio equipment that they could neither repair nor maintain, and relied on the unsecure public telephone system for some communications. Since then, they have acquired,

with U.S. aid, almost 400 radios and 4 repeater sites with secure capability and a microwave transmission system, which provides better, more direct, and secure communication between Salvadoran military organizations.

- By 1990, the Salvadorans' intelligence functions had improved significantly. Regional intelligence centers, considered the crux of intelligence collection, processing, and analysis, were established at each brigade and military detachment. A military intelligence battalion, comprised of nearly 1,800 officers and enlisted personnel, conduct intelligence activities for these regional centers. According to the chief of the U.S. intelligence training team, information developed by El Salvador has become more accurate, timely, and helpful. For example, the Salvadorans received good intelligence on the November 1989 offensive, with advance warning that a large scale action by the FMLN was imminent.

Problems Remain That Impede Military Performance

Despite improvements in El Salvador's military capabilities, problems exist that impede military performance. Problems such as lack of coordination, poor planning, and poor leadership have kept the Salvadoran forces from being more effective. Some of these problems can only be remedied by the Salvadorans and do not require additional U.S. aid. One problem—the modernization and replacement of equipment—can only be remedied by external military assistance.

Lack of Coordination, Poor Planning, and Leadership Problems Reduce Effectiveness

A lack of coordination between different branches of the Salvadoran military has been a continuing problem. For example, U.S. officials told us that Salvadoran Navy efforts to interdict shipments of weapons have had limited success, in part because the Air Force rarely provides air support to slow or stop the ships until the Navy can reach, board, and search the vessel. Better coordination could improve interdiction and they cite one case when a joint Navy and Air Force interdiction effort was successful. A U.S. military official also noted that the lack of certain surveillance equipment and the difficulty securing borders due to rugged terrain have also contributed to the Salvadoran military's limited interdiction capabilities.

Army units often do not coordinate their operations, such as patrols, effectively. Army units do not patrol near military zone boundaries to avoid contact with adjacent friendly forces. The FMLN has used the unpatrolled areas for sanctuary and unimpeded movement, U.S. military trainers said. Based on U.S. recommendations, the Salvadoran army shifted zone boundaries slightly, and as a result, contact with the enemy

increased. However, the Army does not use this tactic frequently, according to a U.S. trainer.

Poor planning also adversely affects all areas of the Salvadoran military to some degree, despite U.S. training in planning military operations. U.S. trainers said improvements have occurred, but they agreed that the lack of comprehensive and effective planning remains a problem. For example, a U.S. official told us that persistent manpower shortages exist because the field commanders do not adequately plan and forecast the number of new soldiers needed from month to month. This manpower shortage results in fewer patrols, thereby allowing the insurgents to operate in and control more territory.

Another problem cited was poor leadership. A 1987 study of the Salvadoran military reported leadership problems throughout the three branches of the military as well as in various functional areas. A U.S. military official in El Salvador said that many Salvadoran commanders exhibit poor leadership by their lack of initiative and willingness to get involved with their troops or accompany them into battle. According to a U.S. trainer, leadership is what separates a good military unit from an average unit, and although Salvadoran officers know the principles of basic leadership, most fail to put these into practice. U.S. military officials noted, however, that some improvements have occurred and they expect the quality of Salvadoran leadership to continue to improve as the junior officers who have been exposed to U.S. military doctrine move into command positions.

Replacing and Repairing Damaged and Obsolete Equipment

Since 1986, U.S. assessments of Salvadoran military capabilities have reported the Salvadorans' difficulty maintaining all levels of equipment, from firearms to aircraft. Part of the problem stems from having nearly obsolete equipment. In February 1989, the Commander in Chief of the U.S. Southern Command testified that the needs of El Salvador's military would increase significantly because of the aging and heavy use of its equipment. According to the Commander, annual U.S. funding below \$90 million would sustain operations but would not replace combat losses and attrition of helicopters, small arms, and communications gear.

An emerging problem that adversely affects force readiness is the difficulty maintaining the Salvadoran attack helicopter fleet. Since 1985, its Air Force has operated 10 to 17 UH-1M attack helicopters, considered the backbone of the Salvadoran war effort. Obtaining spare parts for these helicopters has been difficult because the U.S. military is phasing

them out, and the spare parts inventory is dwindling. As of January 1991, about one-fourth of the helicopter parts had been exhausted and cannot be replaced. For example, no replacements for the left skid were left in U.S. military parts supply inventories. U.S. Army supplies of rotor blades have also been exhausted, and the Salvadoran Air Force is using blades designed for another version of the helicopter from U.S. Navy supply sources. However, the Navy's inventory of the blades is limited and will not be replenished once it is exhausted.

El Salvador and U.S. officials have recognized the need to replace these helicopters for several years because of the supply problems and have considered options to address the problem, at least on a short-term basis. For example, rotor blades could be custom made for the helicopters, but would cost almost three times as much as the stock blades, making this option cost prohibitive. In March 1990, 13 helicopters were operating, but by January 1991, only 11 were operating and one U.S. military official estimated that none would be operating within 6 months.

To respond to the armed forces' critical need for operational helicopters, in January 1991, the executive branch notified Congress that six additional UH-1M helicopters from U.S. National Guard inventory would be delivered to El Salvador. A U.S. military official said that the Salvadoran armed forces may be able to maintain their helicopters until January 1992, when they will again be facing reduced air capability.

To ensure that the Salvadorans maintain their capability, the executive branch has discussed proposals to seek congressional approval to provide El Salvador with a modified version of the AH-1S Cobra helicopter. These helicopters are approximately 20-years-old and are in U.S. military excess inventory; the services have enough spare parts to support the helicopters for at least another 5 years. According to a U.S. military official, the request for the modified Cobras could be justified on the basis that they are more accurate and survivable helicopters than the UH-1M helicopter and will not represent an escalation in Salvadoran air power. A U.S. military official said that if the war continues after the summer of 1991, providing the additional helicopters to El Salvador will be critical to ensure it maintains its combat advantage over the FMLN.

Progress Is Slow in Promoting Respect for Human Rights and Democracy

Over the past decade, the United States has attempted to promote support and respect for human rights and democracy in El Salvador, but its ability to influence the government and military on these issues has been limited. To achieve its policy objectives, the United States has linked its assistance to the Salvadorans demonstrating good faith efforts in investigating and prosecuting human rights abuse cases. More directly, the military assistance program provides training of Salvadoran military personnel in internationally recognized human rights standards and democratic principles. Finally, U.S. military trainers take an active role in promoting such values while training Salvadoran military personnel.

In some respects, the human rights and democracy situation in El Salvador has improved since 1980. The military has taken actions to promote a greater awareness of human rights issues and democracy within its ranks, and statistics compiled by the Department of State and human rights monitoring organizations indicate a significant decrease in political violence against civilians. On the other hand, the State Department and human rights monitoring groups remain concerned that political killings attributed to both government and FMLN forces continue to occur and the Salvadoran judicial system has yet to produce convictions in some human rights cases.

U.S. Influence in Promoting Respect for Human Rights and Democracy

The United States has indirect and limited influence in promoting respect for human rights and democracy in El Salvador. To exert pressure on the Salvadoran government, the United States has placed restrictions and conditions on its aid, linking the continued provision of assistance with progress and actions in specific human rights cases. In addition, U.S. military trainers and the military training funded by U.S. aid have exposed the Salvadoran military personnel to internationally recognized human rights standards and democratic principles.

Aid Used as Incentive for Change

Throughout the 1980s, the United States linked the provision of U.S. military assistance to El Salvador with improvements in human rights and the judicial system. Since 1980, the United States has frequently threatened or actually reduced the amount of aid as a demonstration of concern over human rights abuses and failure to convict those responsible.

In December 1980, the murder of four American churchwomen prompted the United States to temporarily suspend all aid to El Salvador. Economic aid was resumed within 12 days, and because the FMLN launched its first "final offensive" against government targets, military aid resumed in January 1981. In November 1983, with no verdict yet in the case, President Reagan signed legislation that withheld 30 percent of the military aid to El Salvador until a verdict was reached. In May 1984, five National Guardsmen were convicted for participating in the murders and sentenced to the maximum sentence of 30 years in prison.

In December 1983, Vice President Bush visited El Salvador's top military commanders and threatened to cut military aid unless right-wing death squad activity was reduced. According to human rights monitoring groups, death squad killings decreased after the Vice President's visit.

Since 1985, Congress has annually withheld \$5 million in military aid pending a legal resolution in the case of the January 1981 murders of two U.S. land reform consultants. Two National Guard officers were indicted for planning the killings, but the charges were dismissed for lack of evidence. In 1986, their bodyguards, also National Guard members, were convicted for carrying out the assassinations but were later released as part of the 1987 general amnesty for crimes related to the conflict.¹

During a February 1989 visit to El Salvador, Vice President Quayle stressed the United States' concern about the September 1988 massacre of 10 civilians near San Sebastian and said that U.S. aid would be jeopardized if the case was not resolved. In February and March, 12 members of the Salvadoran military were arrested, but the court subsequently dismissed the charges against all of the defendants except a major, who was still awaiting trial in January 1991. The military assistance appropriations for fiscal years 1990 and 1991 included the resolution of this case as an additional condition for the release of the \$5 million withheld each year since 1985.

The November 1989 murder of six Jesuit priests, their housekeeper, and her daughter caused some in Congress to introduce legislation to reduce

¹In August 1987, five Central American presidents signed a peace accord which included an amnesty decree for Central American countries with civil conflicts. The Salvadoran Legislative Assembly subsequently passed legislation in October 1987 which granted amnesty to those who committed crimes related to the conflict. Amnesty was not granted to those who may be found responsible for the 1980 assassination of Archbishop Oscar Romero.

the amount of aid provided to the country. In January 1990, a special investigation unit and a military honor board found sufficient evidence for the government to arrest nine members of the Salvadoran armed forces, including a colonel. Eight were arrested and the ninth had deserted in December 1989 and could not be located. In August 1990, the State Department indicated its concern over the slow progress in the investigation of the case by refusing to approve spending of \$19.6 million remaining in fiscal year 1990 funds for new orders of military equipment and supplies. The fiscal year 1991 appropriations bill withheld 50 percent of the \$85 million in military aid for El Salvador and contained provisions to release the withheld funds or suspend all aid contingent on actions of the government and military and the FMLN.

In December 1990, the presiding judge in the case ordered the defendants to stand trial. In January 1991, two principal prosecutors in the case resigned, accusing the Salvadoran military and Attorney General of interference in their investigation. The State Department and Americas Watch, a human rights monitoring organization, have expressed concern regarding the Salvadoran military's lack of cooperation in the case. In January 1991, the State Department said the Salvadoran armed forces' cooperation in the investigation had not been satisfactory, citing sketchy and contradictory testimony and the absence of full cooperation by all military officers. Americas Watch also raised concerns about the investigation because of the destruction and fabrication of evidence and false testimony by Salvadoran military personnel. On February 22, 1991, the Salvadoran high command petitioned the Ministry of Justice to renew the investigation of the military's involvement in the case.

In early December 1990, the State Department released the fiscal year 1990 funds due to concern over increased FMLN violence beginning in late November 1990. In January 1991, the President authorized the release of the withheld fiscal year 1991 funds because the insurgents were receiving lethal assistance from outside El Salvador and engaging in acts of violence against civilians. He suspended the use of the funds until mid-March, unless a compelling need for the funds arose, in order to encourage the FMLN to agree to a United Nations-supervised cease-fire. As of April 1, 1991, these funds had not been made available.

U.S. Human Rights Training

The United States has promoted the principle of respect for human rights and democracy through its U.S. military trainers in El Salvador and training programs for Salvadoran military personnel in the United

States. This training exposes Salvadoran military personnel to internationally recognized human rights standards and democratic principles.

Since July 1990, the U.S. Army 7th Special Forces Group, which supplies the majority of U.S. personnel to El Salvador for training missions, has required all U.S. military personnel who provide training to Salvadorans to receive training in human rights prior to their assignment in El Salvador. This training is intended to ensure that U.S. military trainers can demonstrate, articulate, and cultivate respect for human rights. Although U.S. military personnel do not instruct classes in human rights, they have been encouraged to incorporate elements of human rights issues into all training materials presented to the Salvadoran military.

Salvadoran military personnel have also been exposed to U.S. and international policies regarding human rights through the International Military Education and Training program. This program provides professional military education and technical training to selected foreign military personnel at military schools within the United States. A key objective of the program is to increase the awareness of students to internationally recognized human rights issues. Training includes topics such as the treatment of civilians and captured combatants as prescribed by the Geneva Convention, the law of land warfare, and the relationship between the military and the civilian government. In 1989 and 1990, about 400 members of the Salvadoran armed forces participated in this program. According to a U.S. military official in El Salvador, a high ranking official of the United Nation's human rights commission, responsible for setting-up the conditions to support the human rights accords of the peace talks, was told by the FMLN that U.S. military training had markedly improved Salvadoran armed forces' human rights performance.

Some Progress on Human Rights and Democracy Issues

Although the circumstances surrounding the murder of the Jesuit priests allow debate over whether Salvadoran military respect and support for human rights and democracy have improved, some positive changes have occurred in the past decade. The Salvadoran military has promoted a greater awareness and observance of international human rights standards, by providing human rights training to Salvadoran military personnel, and establishing a human rights office. In addition, statistics compiled by the State Department and a human rights organization indicate a decrease in political violence committed against

civilians. Finally, the Salvadoran military has provided security for elections since 1982, which international observers have described as "free and fair."

Salvadoran Military Human Rights Training

Before 1982, the Salvadoran military did not include human rights issues in its military training. In 1982, Salvadoran officers who were sent to the U.S. School of the Americas received instruction in human rights concepts such as the proper treatment of civilians and enemy combatants according to the Geneva Convention. During the mid- to late-1980s, El Salvador's military expanded the human rights training to all officers and most enlisted personnel. Course content generally included proper treatment of civilians and wounded or captured combatants and respect for international human rights laws and the laws and constitution of El Salvador.

Salvadoran forces also receive human rights training from its military officers, the government's human rights commission, or the International Committee of the Red Cross. For example, because of U.S. military trainer initiatives, since 1989 Salvadoran armed forces instructors have provided human rights instruction to military academy cadets. Prior to that, human rights training was incorporated into instruction on officer professionalism and political science. The government's human rights commission provided human rights training to military personnel. The International Committee of the Red Cross began providing human rights instruction to the armed forces in 1984. In 1989, it provided training to 318 officers and 7,600 soldiers and recruits of the armed and security forces.

Human Rights Office Was Established

In April 1990, the Salvadoran military command established an office of human rights. Located within the civil/military affairs office of the Salvadoran military command, the staff of the human rights office collects and reports information on human rights abuses, coordinates armed forces human rights training programs, and promotes recognition of human rights concepts. In response to the July 26, 1990, human rights accord signed by the armed forces and the FMLN, this office published a booklet describing proper code of conduct for the armed forces and security forces and proper arrest procedures and treatment of civilians, combatants, and prisoners.

Other Positive Changes

Certain aspects of its military performance and response to changes in El Salvador's political environment indicate an increased awareness of human rights and democracy by the Salvadoran armed forces. During the past seven elections in El Salvador, the military has protected the election process. A previous commander of the U.S. Military Group in El Salvador cited the professional and non-partisan conduct of the military at the March 1988 national elections as an example of the improved cooperation between the government and armed forces. A State Department official testified in February 1990 that the military took extra efforts to avoid injuring civilians during the November 1989 offensive. President Cristiani, serving as the military's Commander in Chief, gave explicit orders that the Air Force not conduct aerial bombing from fixed wing aircraft without his approval. Americas Watch reported that aerial attacks conducted during the offensive were aimed principally at suspected guerrilla emplacements.

The State Department and Americas Watch have reported a significant decrease in the political violence against civilians during the decade. According to the State Department, civilian deaths attributable to political violence decreased from about 750 per month in 1980 to about 17 deaths per month in 1989 and about 8 deaths per month during the first 6 months of 1990. Americas Watch also reported that the number of political murders had undeniably declined, and the number in recent years did not approach the carnage of the early 1980s. We did not attempt to verify the validity of the State Department or Americas Watch reports, but in May 1987 we reported that limitations on the data on human rights violations in El Salvador developed by all sources weakened its validity.² Furthermore, in its reports on human rights practices in El Salvador in 1989 and 1990, the State Department acknowledged that collecting and analyzing information on politically motivated killings is inexact and discerning a trend in the level of violence is difficult, especially during periods of increased military action. However, one State Department official said that the decrease in politically motivated killings would be more evident if military actions stopped.

²Illegal Aliens: Extent of Problems Experienced by Returned Salvadorans Not Determinable (GAO/NSIAD-87-158BR, May 12, 1987).

Violence Continues and the Judicial System Remains Ineffective

Although some positive changes in the Salvadoran military's approach to the human rights situation have occurred since 1980, the State Department and Americas Watch consider the current level of violence against civilians unacceptable. Both reported that the Salvadoran armed forces and the FMLN have committed serious human rights violations during and since the November 1989 offensive, such as killing noncombatants. For example, Americas Watch reported that in November 1989 the armed forces allegedly killed a 14-year-old boy selling bread and six young men who had remained in their neighborhood to protect their homes from looting. The State Department also reported violations by the armed forces, including the murder of a civilian after breaking into his home and stealing electronic equipment, and the murder of a FMLN medical worker. The State Department and Americas Watch found that the FMLN carried out targeted killings of civilians. For example, in the November 1989 offensive, the FMLN is believed to have captured and executed five Salvadoran government journalists, according to Americas Watch. Americas Watch also reported the killing of two children in October 1990 from a homemade explosive device launched by the FMLN which hit their home instead of the intended target, the Salvadoran military headquarters. The State Department reported targeted killings of civilians, including a machine gun killing of the Salvadoran air force commander's son-in-law. Both the State Department and Americas Watch denounced the FMLN's assassinations of prominent civilian government officials. Americas Watch also denounced a reported increased use of torture by the armed forces. The United Nations Special Rapporteur and the State Department said that although charges that the Salvadoran armed forces were involved with death squad activity were credible, they were difficult to verify.

Americas Watch does not consider the overall decrease in political violence evidence of steady improvement or greater respect for human rights by the armed forces and reported a resurgence in rightwing death squad activity. Using statistics compiled by Tutela Legal, the human rights office of the San Salvador Catholic Archdiocese, Americas Watch reported that the number of killings by right-wing death squads increased in 1990 over the number of killings in 1989. According to the State Department, various human rights organizations have charged that right-wing death squads were operating in El Salvador in 1990. However, in its 1990 biannual reports on the situation in El Salvador, the State Department said many of the deaths attributed to death squads are likely the result of individual acts of right-wing vigilantism rather than of organized paramilitary death squads as existed in the early 1980s. The State Department said its statistics did not support the

contention of a resurgence of death squad activity in El Salvador, but in its February 1991 report on human rights practices in El Salvador during 1990, the possibility of the resurgence of death squads was noted.

The failure of the judicial system to prosecute and convict some Salvadoran military personnel charged with human rights violations has impeded progress in bettering human rights. Although U.S. military aid funds are not targeted for judicial reform, the Agency for International Development and State Department have provided assistance to strengthen El Salvador's judicial system through a judicial reform project authorized in 1984. In May 1990,³ we reported that although administrative functions of the court and technical capabilities of judicial personnel to investigate crimes had improved, the judicial system continues to lack the ability to routinely deliver fair and impartial justice.

Raising concerns about the continuing violence in El Salvador, the State Department contends in its 1990 biannual reports on the country that members of the military will continue to commit human rights abuses and other abuses of authority with impunity. According to the State Department, this raises serious questions about the degree to which elements of the military understand and accept the importance of respect for human rights and obedience to civilian authority. Americas Watch said the types of abuses that continue to occur in El Salvador seriously undermine the freedom of the people to enjoy basic human rights. For example, the killings of the six Jesuits, who were also prominent educators, can send a powerful message that even persons of influence are not safe if they voice opposition to government policies. Americas Watch also raised concerns about the judicial system and the lack of convictions against officers, stating that all indications point to a continuation of total impunity which allows gross abuses to occur.

³Foreign Aid: Efforts to Improve the Judicial System in El Salvador (GAO/NSIAD-90-81, May 29, 1990).

Major Contributors to This Report

**National Security and
International Affairs
Division,
Washington, D.C.**

**John Brummet, Assistant Director
Audrey E. Solis, Evaluator
Raymond H. Murphy, II, Evaluator**

**Atlanta Regional
Office**

**Roderic Worth, Regional Management Representative
Nancy T. Toolan, Evaluator-in-Charge**

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