



SECRET

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OUTGOING

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ORIGIN NODS-00

002/11 005861 MOD620

INFO LOG-00 ADS-00 /000 R

EXCISE

DRAFTED BY: ARA/FO:
APPROVED BY: ARA/FO: B W ARONSON
S/S: S/S-O: SMANN

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O 220539Z NOV 89 ZFFG
FM SECSTATE WASHDC
TO AMEMBASSY SAN SALVADOR IMMEDIATE

S E C R E T STATE 373881

NODIS
FOR AMBASSADOR WALKER FROM ASSISTANT

E.O. 12356: DECL: OADR
TAGS: PREL, PHUM, PCOV, ES
SUBJECT: ELLAGURIA ASSASSINATION

REF: 1A1 89 STATE 14970

NODIS REVIEW	
Cat. A - Caption removed:	transformed to IS/PC/FPC
Cat. B - Transformations:	SECRETARY WALKER - controlled by:
Cat. C - Caption and content:	retained by: S/S
Reviewed by:	_____
Date:	_____

1. SECRET/NOFORN - ENTIRE TEXT

2. I HAVE HAD A CHANCE TO CAREFULLY READ OVER YOUR THOUGHTS ON HOW WE MUST PROCEED ON THIS INVESTIGATION. THERE IS NO ALTERNATIVE TO VIGOROUSLY INVESTIGATING THIS HEINOUS CRIME WHEREVER IT MAY LEAD AND PUNISHING THE PERPETRATORS TO THE FULLEST EXTENT POSSIBLE. THIS IS A CRUCIAL TEST FOR THE CRISTIANI GOVERNMENT AND FOR DEMOCRACY IN EL SALVADOR. IF THE EXTREME RIGHT WERE

INVOLVED, AS IT APPEARS AT THIS JUNCTURE, I SEE NO ALTERNATIVE BUT TO TAKE THEM HEAD ON IF THE COUNTRY IS TO FREE ITSELF FROM THIS KIND OF ABOMINATION. OUR PRINCIPAL OBJECTIVE SHOULD BE TO STRENGTHEN CRISTIANI'S HAND SO THAT

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Declassified under EO 12386 ()
Exemptions withheld: classified (i/);
enforcement (); privacy ()
not relevant to FBI



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WHEN THE TIME COMES TO MOVE AGAINST THOSE RESPONSIBLE, IT IS WELL-COORDINATED AND EFFECTIVE, WHILE AT THE SAME TIME MINIMIZING THREATS TO HIS GOVERNMENT'S STABILITY.

3. I WOULD URGE THAT YOU FIND OUT MORE ABOUT THE JESUIT KILLINGS AND ANY OTHER VIOLENCE THAT APPEARS TO YOU THAT COULD HAVE HAD THE STAMP OF THE VIOLENT RIGHT WING. MY SENSE OF THINGS IS THAT WE MAY BE IN FOR THE LONG-HAUL ON THIS AND THE ONLY EFFECTIVE MEANS OF COMBATING THE THREAT WILL BE IF WE AND THE GOES ARE ARMED WITH AS MANY FACTS AS CAN BE UNCOVERED AND HAVE HELPED CRISTIANI PLAN HIS COURSE OF ACTION CAREFULLY. WHAT WE DON'T NEED ARE PREMATURE LEAKS THAT WOULD ENABLE THE PERPETRATORS TO PLAY ON NATIONALISTIC SYMPATHIES THAT THE US IS OUT TO GET THEM (LA MORIEGA). THIS WOULD ALSO MAKE IT EXCEEDINGLY MORE DIFFICULT FOR PRESIDENT CRISTIANI AND THE ESAF LEADERSHIP TO RESPOND EFFECTIVELY WHEN THE TIME COMES.

cc

4. I SHARE YOUR ANALYSIS THAT CRISTIANI IS A DECENT HUMAN BEING WHO WILL KNOW WHAT HE HAS TO DO WHEN THE TIME COMES. I BELIEVE, HOWEVER, THAT YOU SHOULD SHARE OUR PRELIMINARY INFORMATION WITH HIM ONE-ON-ONE ONLY AFTER YOU HAVE DEVELOPED MORE INFORMATION AND WE HAVE HAD A CHANCE TO DISCUSS. YOUR FIRST MEETING SHOULD EXPLAIN THAT OUR INFORMATION IS FAR FROM DEFINITIVE AT THIS STAGE, BUT THAT YOU AND HE WILL STAY IN CLOSE TOUCH AS WE BOTH DEVELOP MORE INFORMATION. I THINK THAT IT WILL BE PREMATURE TO SUGGEST TO HIM THAT HE INFORM MOD LARIOS OR CHIEF OF STAFF PONCE UNTIL WE HAVE HAD A CHANCE TO COORDINATE FROM HERE. WE MUST FIRST TRY TO DEVELOP A VERY COMPELLING CASE BEFORE HE MOVES FORWARD WITH EXPANDING THE CIRCLE OF THOSE IN THE ESAF AND ELSEWHERE WHICH WILL ULTIMATELY BE PART OF THE

SOLUTION. IN SUM, I WOULD KEEP IT BETWEEN YOU AND HIM FOR NOW.

El Salvador SP Date 9/20/93
) in full; () in part;
) deliberative ();
) statutory ();
) Salvador ().

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5. AS YOU POINT OUT, WE SHOULD NOT BE RECOMMENDING IMMEDIATE ACTION. HOWEVER, THE FUSE ON THIS IS SHORT. DRAWING THE INVESTIGATION OUT WILL GIVE THOSE INVOLVED IN THESE KILLINGS A CHANCE TO ABORT OUR EFFORTS AS THEY DID IN THE ASSASSINATION OF ARCHBISHOP ROMERO.

6. IT IS EQUALLY IMPORTANT THAT YOU AND CRISTIANI THINK THROUGH THE SECONDSTAGE OF SUCH AN EFFORT: PROSECUTION

THROUGH THE SALVADORAN JUDICIAL SYSTEM. AS YOU KNOW, THE MAJORITY OF THE SUPREME COURT ARE D'AUBUISSON ALLIES OR APPOINTEES. WE ALREADY WENT THROUGH ONE INCIDENT IN WHICH CRISTIANI AND THE ARMY HAD TO INTERVENE TO PREVENT THE RELEASE OF THE SUSPECTS IN THE KIDNAPPING CASE. IF IT COMES TO IT, IT WON'T BE ENOUGH TO ARREST THE SUSPECTS IN THIS CASE; EVERY EFFORT MUST BE COMMITTED TO A SUCCESSFUL AND SERIOUS PROSECUTION. THAT WILL BE A DAUNTING CHALLENGE.

7. I DOUBT THAT THE JUDICIAL SYSTEM IS YET UP TO THE STRAIN THAT THIS WILL CAUSE. YOU WILL HAVE TO BEGIN WORK ON REACTIVATING THE JUDICIAL PROTECTION UNIT (JPU). CRISTIANI ALSO HAS ADDITIONAL EXECUTIVE POWER TO ACT AS A RESULT OF THE STATE OF SIEGE WHICH HE WILL NOT ENJOY ONCE IT HAS BEEN RESCINDED. YOU NEED TO ANALYZE THE PROVISIONS OF THE CURRENT EMERGENCY DECREES TO SEE WHAT ADDITIONAL POWERS THERE MAY BE FOR THE EXECUTIVE TO ACT IN THIS CASE. IT MAY BECOME NECESSARY ALSO TO CONSIDER RECOMMENDING ADDITIONAL DECREES TO DEAL WITH THE ANTICIPATED PROBLEMS THAT MAY ARISE IN SEEKING A SUCCESSFUL PROSECUTION IN THIS CASE.

8. I CANNOT STRESS ENOUGH THE IMPORTANCE OF BUILDING AS SOLID A CASE AS POSSIBLE AND THEN WORKING CLOSELY WITH CRISTIANI ON A STRATEGY. WE MAY BE ASKING CRISTIANI TO DO



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WHAT HAS NEVER BEEN DONE, ACTIONS WHICH MAY INVOLVE MOVING
AGAINST ELEMENTS OF HIS OWN PARTY AND PERHAPS EVEN DIVIDE
THE ARMY.

9. PLEASE HOLD THIS INFORMATION VERY CLOSELY.
BAKER

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