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SERIAL: 00010 208-4A

SUBJ: EL SALVADOR: JESUIT PRIEST CASE. (C/N)

DOI: 27 JUL 90 (AS OF 1440 EDT)

TEXT: 1. (S/N) THE SEEMING COOPERATION OF SALVADORAN LEADERS IN THE JESUIT MURDER CASE MAY BE A MASK FOR SECRET PROTECTIVE MEASURES.

2. (C/N) PRESIDING JUDGE RICARDO ZAHORA HAS REPORTEDLY REQUESTED THE TESTIMONY OF A US MILITARY OFFICER REGARDING THE ALLEGATION THAT HIGH-RANKING SALVADORAN MILITARY OFFICERS KNEW SHORTLY AFTER THE CRIME WHICH TROOPS WERE RESPONSIBLE. A KEY WITNESS, COL CARLOS AVILES, HAS DENIED THIS CHARGE. ZAHORA BELIEVES THAT AVILES IS LYING AND REPORTEDLY INTENDS TO BRING CHARGES OF PERJURY AGAINST HIM BUT CLAIMS THAT HE CANNOT DO SO WITHOUT THE US OFFICER'S TESTIMONY.

3. (S/N) IN MID-JULY THE POWERFUL TANDONA, THE 1966 MILITARY GRADUATING CLASS, REPORTEDLY HELD A MEETING. THE MEMBERS ARE SAID TO HAVE AGREED THAT THE US CONGRESS WOULD NOT CUT OFF MILITARY SECURITY ASSISTANCE BECAUSE OF THE ONGOING GOVERNMENT-REBEL NEGOTIATIONS AND THAT US AID LEVELS WOULD HAVE TO BE DETERMINED BY OCTOBER. THUS, THEY CONCLUDED THAT AT LEAST UNTIL OCTOBER, THEY MUST MAINTAIN AN APPEARANCE OF EFFECTIVE JUDICIAL COLLABORATION, PRESUMABLY FOR THE BENEFIT OF US AND OTHER FOREIGN OBSERVERS. DURING THAT PERIOD NO NEW EVIDENCE WOULD BE PRESENTED THAT COULD SEVERELY PREJUDICE MILITARY INTERESTS. THE TANDONA MEMBERS ARE SAID TO HAVE ALSO NOTED THAT MOST SENIOR US EMBASSY OFFICIALS WOULD BE REASSIGNED WITHIN 12 MONTHS. THUS, THE EMBASSY WOULD LOSE ITS CORPORATE MEMORY AND US PERSEVERANCE IN THE CASE WOULD SLACKEN.

4. (C/N) COMMENT: THE SALVADORANS MAY EXPECT FULL COOPERATION FROM THE US BECAUSE WASHINGTON HAS PRESSED FOR A THOROUGH INVESTIGATION OF THE CASE. FAILURE OF THE US OFFICER TO TESTIFY MIGHT BE CONSIDERED JUSTIFICATION FOR THE SALVADORAN SUPREME COURT TO DROP THE CASE ENTIRELY AND TO ALLEGE THAT WASHINGTON HAD MADE CONTINUING THE PROSECUTION IMPOSSIBLE.

5. (S/N) ALTHOUGH THE REPORTED TANDONA STRATEGY IS UNCORROBORATED, JUDGE ZAHORA HAS APPARENTLY HAD DIFFICULTY OBTAINING MILITARY COOPERATION IN THE CASE AND HAS COMPLAINED OF LIMITED COMPLIANCE ON THE PART OF THE HIGH COMMAND. NO CONCRETE EVIDENCE SUPPORTS A MILITARY CONSPIRACY BEHIND THE ACTUAL ASSASSINATIONS. HOWEVER, EFFORTS TO PROTECT THE OFFICERS IMPLICATED AND TO COVER UP ANY SIGNIFICANT MILITARY INVOLVEMENT IN THE CRIME ARE PROBABLY UNDER WAY.

6. (S/N) LOYALTY TO COLLEAGUES HAS APPARENTLY BECOME THE CRITICAL FACTOR, AND THE HIGH COMMAND, WITH THE SUPPORT OF OTHERS IN THE TANDONA, SEEMS TO HAVE CLOSED RANKS AROUND THE CLASS MEMBERS. AT THE LEAST, DELAYING TACTICS BY THE MILITARY TO SLOW DOWN THE JUDICIAL PROCESS CAN BE EXPECTED TO CONTINUE.

[S/M] (C)

WIE

DECL: OADR BT

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ACTION JSI-6(1) JSI-6A(1) (D.A.G.7.F)

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