

# Extrajudicial executions in El Salvador

Report of an Amnesty International Mission  
to examine post-mortem and  
investigative procedures  
in political killings

*1-6 July 1983*



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#### EXTRAJUDICIAL EXECUTIONS IN EL SALVADOR

#### Report of an Amnesty International Mission to Examine Post-Mortem and Investigative Procedures in Political Killings

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EXTRAJUDICIAL EXECUTIONS IN EL SALVADOR  
REPORT OF AN AMNESTY INTERNATIONAL MISSION TO EXAMINE  
POST-MORTEM AND INVESTIGATIVE PROCEDURES IN POLITICAL KILLINGS

MISSION OBJECTIVES

For several years, Amnesty International has been gravely concerned at a high incidence of extrajudicial executions in El Salvador by the official security and military forces.(1) A network of "civil defence" squads which patrol under army supervision have also regularly been identified as responsible for extrajudicial executions, as have the so-called "death squads". Available evidence strongly suggests that the "death squads" are in fact made up of reservist and active service members of the regular security and military forces, acting under the orders of (or with the acquiescence of) high-ranking security and military officials.

The Amnesty International mission went to El Salvador in July 1983 to observe at first hand how data on individual deaths was recorded and medical and legal evidence pursued by the relevant official agencies. In light of repeated denials by Salvadorian officials that the government was responsible for extrajudicial executions attributed to it, Amnesty International believed that one important indicator which needed to be assessed was the degree of commitment exhibited by the government to investigate possible extrajudicial executions and to bring those responsible to justice.

The mission also sought to examine the methodology employed by the various human rights groups in the country which attempt to record and investigate violent deaths. Finally, it intended to investigate the difficulties faced by the various monitoring and reporting groups in their work. Members of these groups have been arrested and tortured. They have also "disappeared" and been subjected to extrajudicial executions apparently in order to prevent them collecting and disseminating information about human rights violations in the country.

The Amnesty International delegation was in El Salvador from 1 till 6 July 1983. It consisted of three persons:

Lic. Juan María Vidarte, former all-party Senator in the Spanish Parliament, elected in 1977; assisted in drafting the Spanish amnesty legislation following the death of General Francisco Franco in 1975. Present President of the Colegio de Abogados de Vizcaya (Bar Association of Vizcaya), Spain, member of the Consejo General de la Abogacía Española (Spanish National Law Board).

Dr Terence Allen forensic pathologist at the Los Angeles (California) Coroner's Office and member of the College of American Pathologists.

A member of the Americas Research Department in Amnesty International's International Secretariat in London.

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(1) In El Salvador, the security forces, the Police and the National Guard are to be distinguished from the military, including the Army, Navy and Air Force. Both the security and military forces are, however, directed by the Ministry of Defence and commanded by army officers.

ACKNOWLEDGEMENTS

Amnesty International would like to acknowledge help given to the mission by numerous individuals and institutions.

Lawyers and staff associated with the Mexico and El Salvador offices of a number of independent human rights monitoring groups were generous with their time and material. They explained how they collected and evaluated information and described difficulties they faced when trying to do their work. Such organizations consulted by the Amnesty International delegation included the Comisión de Derechos Humanos de El Salvador no-gubernamental (CDHES), non-governmental El Salvador Human Rights Commission; Socorro Jurídico Cristiano, Christian Legal Aid; Tutela Legal, Legal Protection; and staff of the Universidad Centroamericana José Simeón Cañas (UCA), Central American University José Simeón Cañas. Other independent groups and committees concerned with human rights reporting and monitoring in El Salvador also assisted the delegation.

Independent lawyers and doctors, church officials and technical medical staff discussed particular cases of interest to Amnesty International with the delegation and described general medical and legal procedures followed in El Salvador in cases of unexplained violent death.

Amnesty International would also like to thank the various Salvadorian government officials, including those from the Ministry of Foreign Affairs and the governmental Human Rights Commission, who met the delegation and discussed human rights matters, including the methods employed by the government commission to monitor and react to human rights issues.

Finally, the delegation had useful discussions with the staff of various international delegations and foreign embassies in El Salvador, including the United States Embassy, which regularly compiles its own statistics about human rights in the country.

SUMMARY OF THE MISSIONS FINDINGS

Over 40,000 Salvadorians are estimated to have been killed in political violence in El Salvador since the 1979 coup which overthrew the government of General Carlos Humberto Romero. On the basis of its collection and analysis of information concerning thousands of individual cases, Amnesty International believes that a large proportion of those killed were the victims of extrajudicial executions by government military and security forces.

However, the exact number of deaths due to violence is unknown, and the precise percentage of these which should be categorized as extrajudicial execution is difficult to specify as the many thousands of violent deaths since 1979 have never been satisfactorily investigated by the Salvadorian authorities, nor have their perpetrators been brought to justice.

The Amnesty International delegation went to El Salvador in July 1983 specifically to study official post-mortem investigative procedures. It found that:

1. Inadequate certification of death procedures are partially responsible for the lack of knowledge as to numbers of deaths or those responsible. Salvadorian medical, police and legal institutions are not fulfilling the tasks required from them to carry out each stage of the process. As a result, the existing system for certifying deaths seems at the very least to facilitate the murder of individuals on a large scale, and it is impossible to establish and make known within El Salvador or abroad the number killed or those responsible.
2. Such shortcomings are partly due to lack of resources. However, the lack of resources devoted to this itself reflects a greater underlying problem: lack of political will on the part of the authorities to investigate the many thousands of unresolved violent deaths, many of them apparently politically motivated, which have occurred in recent years. Until the relevant authorities assume a greater and genuinely independent role in investigating the deaths of the country's citizens and prosecuting those responsible, it will not be known just how many Salvadorians have died violently, nor will it be possible to attribute responsibility for their deaths, bring the killers to justice, or to end such abuses.
3. The inadequacy of the criminal justice system is most clearly illustrated in those cases of violent death apparently involving government security forces. In a number of such cases, most concerning foreigners, some semblance of an inquiry nonetheless became a political necessity. Amnesty International considers that the lack of progress in bringing charges and obtaining convictions in such cases most tellingly illustrates the authorities' lack of political will to genuinely investigate military and security force excesses. The obvious manipulation and suppression of technical, including medical, evidence, and the intimidation and repression of witnesses, lawyers and the judiciary involved in such

cases has also been soundly documented in these few instances. A number of such cases are reviewed in the case histories section of this memorandum.

4. The unresolved deaths by violence are occurring in a context of a civil war which complicates their attribution in a number of material ways. Even so, it has been the blatant failure of the authorities to investigate such deaths and bring their perpetrators to justice which has been one of the major circumstantial factors suggesting that in fact it is the authorities themselves who lie behind the wholesale extrajudicial execution of people from all sectors of Salvadorian society.
5. Staff of independent human rights monitoring and reporting groups that have tried to collect data concerning human rights violations (including the extrajudicial executions the government appears unwilling to investigate), are themselves victims of such abuses as "disappearance" and killing, as are others who would normally play a role in the certification and investigation of violent death, including medical professionals, lawyers and members of the judiciary, and witnesses.
6. The governmental Human Rights Commission which began functioning in 1983 clearly intends to confine itself to considering a limited range of human rights violations. It does not, for example, intend to try to establish the circumstances surrounding the many thousands of "disappearances" and extrajudicial executions which occurred before it started functioning. Nor does it intend to publish information regarding human rights violations reported to it, or to assume any responsibility for establishing the identity of those responsible. Amnesty International welcomes the establishment of the Commission, and is gratified by the apparently sincere efforts of some of its members to investigate certain reported human rights violations, including apparent extrajudicial executions. Nevertheless, it considers the Commission as presently constituted to be an inadequate response by the Salvadorian authorities to the continuing wholesale violations of human rights in El Salvador.

The recommendations made at the end of this report (see pp. 45-48) include a number of steps which Amnesty International considers the Salvadorian authorities should take to remedy the deficiencies the delegation identified in certification of death and post-mortem investigative procedures. Other recommendations deal with changes which the organization believes must be made in Salvadorian legal and political procedures in order to end extrajudicial executions by the Salvadorian security and military forces, the civil defence squads associated with them, and the "death squads", and help restore respect for human rights in the country.

Amnesty International calls on the Government of El Salvador to implement these recommendations. It would welcome additional information about official certification of death and inquest procedures as well as any indication of steps being taken by the appropriate authorities to remedy the deficiencies in official medical and legal investigations of apparent extrajudicial executions.

EXTRAJUDICIAL EXECUTIONS AND THE SCALE OF THEIR INCIDENCE IN EL SALVADOR

Amnesty International defines extrajudicial executions as the unlawful and deliberate killing of individuals because of their actual or imputed political beliefs or activities, religion, other conscientiously held beliefs, ethnic origin, sex, colour or language, carried out by order of a government or with its complicity.(2)

The precise number of victims of extrajudicial executions and the total number of deaths due to political violence in El Salvador is impossible to determine for various reasons. The high level of killings in the country, partially due to the civil conflict, means that it is often difficult to study individual deaths in detail. The civil conflict also makes it difficult to distinguish in some instances between deaths in combat, or those which have occurred accidentally but were incidental to the combat, and others, where Salvadorian military and security forces, the civil defence personnel working at their command, or the irregular "death squad" units have carried out extrajudicial executions of non-combatant civilians or captured members of armed opposition forces. The high level of "disappearances" after arrest in the country, the widespread use of murder and mutilation to terrorize for political purposes, and the disposal of corpses in "body dumps"(3) are other factors which make it difficult to correctly tabulate and classify instances of death by violence. Such factors are discussed in more detail later.

The Salvadorian Government's failure to implement procedures either to record or to investigate instances of violent deaths is another major factor making it difficult to ascertain how many non-combatant Salvadorians have been the victims of politically-motivated killings in recent years, and who has been responsible for their deaths. The grave shortcomings which the Amnesty International delegation found in the present procedures are discussed later in this report.

Adequate investigations into such deaths and tabulation of data concerning their scale have also been obstructed by the arrests, torture, "disappearances", extrajudicial executions and threats of violence directed against medical and legal professionals who would normally be involved in the effort to establish cause of deaths due to violence; witnesses who could be expected to testify regarding such deaths; civilian officials responsible for

(2) Amnesty International considers the human rights which fall within its terms of reference to be those of the individual in relation to governmental authority, as defined in international instruments for the protection of human rights, agreed by governments. The organization also, as a matter of principle, condemns the torture or execution of prisoners by anyone, including opposition groups. It makes this position known through its publications and the news media. With respect to El Salvador, Amnesty International has received reports of the execution-style killings of individuals by the armed opposition, and, in line with its normal policy, has noted such reports in its public material on El Salvador. The organization believes that the recommendations for improved investigative procedures as regards violent deaths made in this report could play an important role in attributing responsibility for all such deaths and in bringing those responsible to justice.

(3) Well-known places where disfigured corpses are regularly openly abandoned.

conducting inquiries in instances where security or military force personnel appear to have been responsible for extrajudicial executions; and staff of independent human rights monitoring groups who attempt to collect data on such issues. These factors are also discussed in more detail later in this report.

Despite difficulties in investigating individual cases and compiling statistics to quantify extrajudicial executions in El Salvador, a number of sources, including the independent human rights monitoring and reporting groups in the country, have published regular estimates since 1979 of the number of non-combatant civilians who have been killed.

Amnesty International is unable to confirm the precise figures issued by these sources, and is aware that the reporting classifications used by the various groups are not necessarily defined to include only those killings which the organization would consider to be extrajudicial executions. In many cases, for example, it is often not possible to establish definitely the perpetrator of a particular killing, although circumstantial evidence in individual instances and the pattern of similar killings by government forces, indicate official responsibility. In other cases, published figures on violent deaths combine cases of extrajudicial execution with other killings of non-combatant civilians incidental to armed conflict between government and opposition forces, or to the pursuit of military objectives by government forces. Political murders by opposition groups have also been recorded in the data published regularly by some human rights monitoring and reporting groups.

However, notwithstanding the varying criteria of human rights groups for recording killings of non-combatants, Amnesty International considers that the published estimates compiled by them provide a useful indicator of the scale on which such killings, including extrajudicial executions, have occurred in recent years. Some of the estimates published are as follows:

In July 1981 the Centre of Information and Documentation of the Central American University José Simeón Cañas in San Salvador estimated that some 6,000 civilians had been killed in the first half of the year.

In January 1982 Monsignor Arturo Rivera y Damas, now Archbishop of San Salvador, estimated that 11,793 non-combatant civilians had been killed in El Salvador during 1981.

In a speech to the American Chamber of Commerce on 29 October 1982 the then-US Ambassador to El Salvador, Deane Hinton, stated that since 1979 "perhaps as many as 30,000 Salvadorians have been killed illegally, that is, not in battle".

Between January-June 1983, Socorro Jurídico Cristiano tabulated a total of 2,823 persons who had been the victims of what the organization termed "non-combat deaths". For the same period, Tutela Legal gave a figure of 2,527 civilians who had died and noted that 326 more

non-combatant civilians who had "disappeared" and not reappeared could also be assumed to have been likely victims of politically-motivated killings during that period. The CDHES (non-governmental) figure for killings of presumed civilians between 1 January and 15 June 1983 (which included unclarified deaths that had occurred during military operations and bombardments) gave a total of 2,019, with a further 168 people classified as having "disappeared".

On 16 October 1983 the Auxiliary Archbishop of San Salvador, Monsignor Gregorio Rosa Chávez, publicly deplored the fact that there had been 276 known violent deaths in El Salvador in the preceding week.

In a Christmas homily, given on 5 December 1983, Monsignor Chávez stated that 6,096 people had been the victims of violence in 1983, and that the majority of the killings had been carried out by government security forces against civilians.

ESTABLISHING RESPONSIBILITY FOR EXTRAJUDICIAL EXECUTIONS IN EL SALVADOR

Since the 1979 coup, human rights organizations in El Salvador and abroad, including Amnesty International, and numerous foreign delegations of inquiry that have visited the country since then, have collected and assessed evidence on tens of thousands of killings of civilians there.

Careful study of the available information, including eye witness testimony collected by Amnesty International missions to the area during the period in question, has led Amnesty International to the conclusion that a large proportion of the reported killings of non-combatant civilians in El Salvador since 1979 were extrajudicial executions carried out by the regular military and security forces (acting both in uniform and in plain clothes in the guise of the so-called "death squads"), and by civil defence personnel acting under military command. Amnesty International believes that these extrajudicial executions have occurred on an enormous scale, and that only their precise number remains open to question.

The evidence gathered by Amnesty International which supports these conclusions includes first-hand testimony of people who have witnessed arrests without warrant and extrajudicial executions. The July 1983 Amnesty International delegation heard testimony of people who described having witnessed the seizure of individuals who were never acknowledged to be in custody and were later found dead. It also recorded statements by others who said they had witnessed the summary execution of captive non-combatant civilians by government forces. Other witnesses testified that they had seen people in custody at military and security force establishments shortly before they were found dead - apparently the victims of extrajudicial execution. In yet other cases, the seizure of individuals later found murdered could be attributed to government forces, although carried out by gunmen in civilian clothes, or attributed by authorities to so-called "death squads", on the basis of circumstantial evidence - units of the regular uniformed police or military forces were in the area when the seizures occurred; plainclothes agents making arrests were accompanied by or observed passively by uniformed personnel; assailants travelled in police or military vehicles; they moved about freely on city streets during curfew hours, unmolested at police roadblocks; corpses were found with their thumbs bound with cord - the standard method used by the security services to restrain prisoners; bodies, bearing marks of torture, had been "dumped" in well-known disposal sites in areas heavily patrolled by the police and military; people found dead had been abducted by men in plain clothes, together with others who were later acknowledged to be in official detention. [In a number of instances known to Amnesty International, such acknowledgements came only after the persons in question had been seen in custody by chance by representatives of the International Committee of the Red Cross (ICRC).]

In a few cases, Amnesty International has recorded the testimony of survivors of attempted extrajudicial executions. They told the organization how they had been arrested by men in civilian clothes and interrogated under torture at security force headquarters while in unacknowledged detention. They had then been taken blindfolded out of San Salvador with other detainees, lined up and shot in the head at close range. One such survivor examined by an Amnesty International doctor displayed sequelae consistent with having survived such an assassination attempt.

Amnesty International is aware of a number of cases of uniformed security or military agents abducting people from the hospitals to which they had been brought for treatment after being shot in the head and left for dead. Evidently their abduction was intended to prevent them from giving information about the circumstances in which they had been wounded. In some instances the bodies of those abducted were later recovered; others remain "disappeared".

There was also evidence in some cases that those who had arrested people who were later found dead had acted on information which only the government could have had. In yet other cases, the killing or "disappearance" of certain individuals followed publication of the victims' names as "traitors to the country" in the official news media or in leaflets issued by the Comité de Prensa de las Fuerzas Armadas (COPREFA), Armed Forces Press Committee.

Statements by defectors and highly-placed politicians as well as military and security officials have also provided direct evidence for the conclusion that all branches of the Salvadorian security and military apparatus have been responsible for the large-scale extrajudicial execution of non-combatant civilians.

A former Salvadorian army doctor testified to the US Congress in April 1981 that he had treated Salvadorian security agents for injuries sustained in the course of attacking civilians whom they had been ordered to eliminate. These agents, he stated, were brought for treatment in the civilian clothes they had been wearing at the time when the execution-style killings were carried out.

More recently Major Roberto D'Aubuisson, a former top army intelligence officer (and until December 1983 President of the Constituent Assembly), stated publicly that soldiers carried out "death squad" killings on orders from their superiors, and that these killings were not the work of fringe elements beyond the control of regular military and security forces. Major D'Aubuisson's most recent such statements were made to representatives of a Special Commission sent to El Salvador in October 1983 by US President Ronald Reagan to investigate the current situation there and make recommendations about future US policy in the area. Shortly after Major D'Aubuisson's declarations, journalists quoted highly-placed Salvadorian sources and US Embassy officials who confirmed that top Salvadorian security officials and National Police and army officers directed "death squad" killings. According to the reported statements of these officials, names and personal details and sometimes photographs of Salvadorians selected for kidnapping and murder are passed on to non-commissioned army officers who assemble "death squad" teams from active and reserve members of the security forces and the army.

In August and September 1983 a defector from the Treasury Police told his Amnesty International interviewers in the United States about the secret killing missions undertaken by specially-trained police units. He stated that those assigned to kill specific individuals dressed in civilian clothes to carry out their missions. Often, he said, they dressed in a particular way in order to be able to approach their targets. Those assigned to carry out killings in the university, for example, would dress like students, carry notebooks and wear eyeglasses. Special books were used by these agents to hide the guns that they carried when on such assignments. Sometimes such agents wore bandanas, or carried literature intended to suggest that they were actually members of the opposition.

However, despite all of the accumulated evidence which indicates government responsibility for large-scale extrajudicial execution of non-combatant civilians, the Salvadorian Government has consistently maintained that the responsibility for civilian deaths and "disappearances" lies largely with "extremists", including members of far right groups operating outside government control which the government claimed it is unable to identify or apprehend. The left-wing opposition was also cited by the government as responsible for large numbers of non-combatant deaths and "disappearances".

Given the controversy as to who really is responsible for extrajudicial executions in El Salvador, the July 1983 Amnesty International mission wished to study at first hand the criminal, forensic and legal procedures followed by the Salvadorian Government in cases of killings of non-combatants - particularly in those cases where the initial evidence suggested the direct responsibility of government forces for extrajudicial executions. A premise of the inquiry and of this report was that the government's failure to implement thorough, consistent and verifiable procedures when investigating political murders in which the government security services were implicated added substantiation to other evidence of probable official involvement. Government obstruction in instances where independent inquiries were initiated into suspected extrajudicial execution offers further support to such a conclusion. Conversely, the government's allegation that political killings of non-combatants are perpetrated by non-government forces clearly cannot be substantiated inasmuch as procedures employed to investigate such killings are clearly unsatisfactory and as no investigation or even systematic registration of these killings takes place at all in most instances.

The Amnesty International delegation concluded that the Salvadorian Government's method of investigating cases of reported political murders were totally inadequate and reflected a lack of political will on the part of the military authorities to permit any investigation by the judiciary into the many thousands of political killings in recent years.

Authorities have also obstructed and concealed the results of any independent investigations into the extent of responsibility of the regular military and security forces for extrajudicial executions. The delegation found the evidence compelling that the government has systematically evaded accountability for large-scale extrajudicial executions by government forces.

This memorandum reports on the delegation's findings about official investigation procedures and obstacles to serious independent investigation of these killings and includes case studies which illustrate these difficulties. The final section sets out the organization's recommendations, including a series of measures that would improve government procedures for certification and investigation of killings.

1) Certification of Death and Forensic Procedures in El Salvador

Certification of death is the process by which the state recognizes an individual's death. The basic elements in this process are establishing the identity of the dead person, estimating the time and place of death, determining the cause of death, and finally ruling as to how death occurred - whether by accident, suicide, homicide or natural causes. Such preliminary measures are

indispensable if there are later to be efforts by the State or by private parties to prosecute individuals and/or institutions implicated in specific crimes.

Certification of death, like registration of births, is generally considered a fundamental responsibility of the government, through which demographic data is maintained, public health monitored and right to life protected.

In El Salvador, inquiries into accidental deaths or those which occurred in suspicious circumstances are nominally to be conducted by officials known as Justices of the Peace, Jueces de Paz. These officials are appointed by the central government and are part of the judiciary. Their duties include viewing bodies and certifying death. They are located throughout the country and can call upon doctors to assist in inquiries into violent deaths. Each year, the central government issues a list of doctors in each department of the country who can be called upon in this way. Such doctors may be, but are not necessarily, paid a fee for their services. In exceptional cases (such as those involving foreigners, where pressure from abroad may make a forensic examination a political necessity) the government may subpoena a medical expert to carry out a medical examination of a dead person.

Any doctor in El Salvador may practice forensic medicine,(4) and those whose names appear on the lists issued by the authorities are unlikely to be trained forensic pathologists;(5) there are few doctors trained in pathology

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(4) Forensic medicine (or legal medicine or medical jurisprudence). Forensic medicine is the application of medical knowledge to the elucidation of doubtful questions in legal proceedings. It deals with such matters as the cause of death or wounding, fingerprints and identification.

Forensic science, a related field, deals with such matters as weapons and ballistics.

(5) Pathology, pathologist. Pathology is the branch of medicine concerned with the essential nature of disease or abnormalities, especially structural and functional changes in tissues and organs which cause or are caused by disease. A pathologist is an expert in pathology who, inter alia, is qualified to conduct post-mortems.\*

\* Post-mortem examination (or autopsy). An examination of a corpse to determine the cause of death, and, if the death is not due to natural causes, to discover any information which may be relevant to either a civil claim or a criminal prosecution arising out of the death. Forensic post-mortems are accordingly called for by coroners\*\* or other officials whose duty is to determine whether any legal liability, civil or criminal, on anyone's part may arise. Post-mortem techniques are basically those of pathology but may involve chemical analysis and ballistic studies and require the assistance of other experts.

\*\* Coroner. It is the duty of a coroner (an office which exists in England and the US for example) to inquire into deaths, particularly by holding an inquest\*\*\* or instructing that a post-mortem examination be carried out. Such inquiries are necessary under many legal systems where the deceased dies violently, unnaturally or unexpectedly, in prison, or where the cause of death is unknown, or where an inquest is required by statute. Such a role should nominally be played in El Salvador by the Justices of the Peace.

(continued)

in the country, and almost no forensic pathologists. The Amnesty International delegation was informed by a Salvadorian pathologist that doctors do receive 30 hours of lectures on forensic medicine in the course of their medical studies, but this is likely to be the full sum of their training in this field.(6)

(5) cont.

\*\*\* Inquest. An inquiry held by a coroner or analogous public official as to the cause of death. Under the legal systems which use coroners various categories of death, such as those that occur on specified premises and in certain circumstances, are to be reported to the coroner, and any death may be reported. The coroner must decide whether to hold an inquest and must do so if there is reasonable cause to suspect that the deceased died a violent, or unnatural or sudden death, the cause of which is uncertain. Usually, such an inquest must be public unless, for example, interests of national security required that it be held in private.

(6) Expertise in this field is likely to decline still further in the future; the National University and its Medical School have been closed since June 1980 when government security forces entered the university and killed an estimated 40 people. During and after the attack university facilities were considerably damaged. University officials estimate that it would cost about US\$30 million to re-open the university, and some US\$60 million to re-equip it.

Since the closure of the university and its professional schools, including the School of Medicine, students and faculty have attempted to meet in temporary rented accommodation in San Salvador. However, the shortage of equipment and supplies has meant that most instruction is theoretical, even in clinical subjects.

A report published in 1983 by a US public health commission which visited El Salvador twice - in 1982 and again in 1983 - noted that medical training had been so impaired by repression in El Salvador, and so many physicians had fled abroad, that independent private medical schools had been established to try to fill the gap. The commission reported that once the Minister of Health had certified the adequacy of such a school, graduation from the school was considered sufficient evidence of an individual's competence; no certifying examination was required to practice in any field of medicine.

The government has formally approved the re-opening of the university and the Medical School, and a joint Government-University Advisory Commission has been created to carry out this task. However, its work has been retarded by the arrests on two occasions of one of the two university representatives, Lic. Ricardo Calderón, Secretary General of the university. He was first arrested in February 1981, together with some 20 other academics, including six deans of faculties and the interim Rector, when troops burst into a regular meeting of the Consejo Superior Universitario, Supreme University Council. The arrests apparently stemmed from the authorities' fears that the university was promoting opposition to the government. Amnesty International has identified a pattern of repression, including "disappearances" and extrajudicial executions of university staff and students, as well as other educators in El Salvador in recent years. To Amnesty International's knowledge, none of the Supreme University Council members arrested in February 1981 were ever formally charged; they were held for varying periods under the terms of Decree Law 507 of December 1980, which allows the authorities to detain people for up to 180 days without pressing charges. Ricardo Calderón was himself released on that occasion

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In any case, the delegation's interviews with medical professionals working in El Salvador, technicians working in major morgues in the capital, and others professionally familiar with certification of death procedures in the country made clear that Justices of the Peace do not normally call upon qualified medical personnel to assist them in certifying and attempting to establish cause of death. In most of the cases coming before Justices of the Peace of which Amnesty International is aware the former have simply verified that the individual concerned was dead, the legal prerequisite for burial, then permitted the bodies to be buried in unmarked graves as people unknown. These procedures have made the investigation of political murders and even registration of victims' identities difficult.

Even when the services of doctors have been called upon, forensic medical examinations seem rarely, if ever, to be made. A prominent Salvadorian pathologist interviewed by the delegation referred to such doctors as "long-distance doctors", as he maintained that they made their examinations from across the room, and confined themselves to the finding that the victim was indeed "dead", and had "died of wounds".

Many such "certifications" take place, apparently, in private funeral parlours, where bodies are cosmetically prepared for burial but no proper medical examinations made to establish cause of death. There is often not even a cursory visual examination by a doctor in such establishments.

Even on the relatively few occasions when autopsies are performed, the delegation found that procedures and facilities are unprofessional and inadequate. Autopsies may, for example, be performed in major city morgues by people with no medical training whatsoever. Discussions with morgue staff at the Isidro Menéndez Hospital (also known locally as the Centro Judicial - Judicial Centre), which deals with a large number of the unidentified bodies of murder victims found in the nation's capital, revealed that any examinations or autopsies that were performed there were carried out by an untrained hospital auxiliary worker, with 20 years experience in his job but no medical training and little knowledge of anatomy. The staff working with him were adept at extracting

(6) (cont.)

after 46 days in custody. Later, in June 1983, he was abducted from his home by armed men in civilian clothes and held incommunicado for 11 days at the National Police headquarters. During this period he was reportedly denied food and sleep and threatened with death if he did not confess to membership of the armed opposition. His detention was then acknowledged and he was transferred to La Esperanza Prison, Mariona, where he was held for four months in conditions said to have caused serious deterioration of his health. The government maintained that he had confessed to active involvement with an armed opposition group. On 13 November he was released and left the country following a visit to El Salvador by a delegation of US academics who expressed special interest in his case. A number of other organizations, including Amnesty International, had previously expressed concern about his health and physical integrity, and had called for him to be either formally charged or released.

After Calderón's release in November, the army raided the university yet again. During the raid a university staff member was killed. Also in November law professor Juan Francisco Aguirre was kidnapped as he was leaving his class. He remains "disappeared". He thus became the fourth National University lecturer to have been abducted since the end of August; four other university staff members were killed in the same period.

bullets but not qualified to identify further evidence as to cause and manner of death.

The forensic pathologist member of the delegation was disturbed to find that Judicial Centre morgue technicians who were removing bullets knew nothing about bullets or weapons and were not attempting to identify the bullets they removed. Furthermore, the incisions they were making to remove bullets were obscuring the bullet tracks and eliminating skin tissues around the wounds, thereby prejudicing any future attempts by a qualified forensic practitioner to make any definitive findings as to types of bullets, whether wounds were ante- or post-mortem, or bullet entry and exit directions.

The morgue itself at the Judicial Centre contained one modern autopsy table, large enough for examining children's bodies only. Examinations of adults' bodies were carried out on a stone slab, the only other table at the morgue. No proper cataloguing of wounds was being carried out. The only record kept of corpses dealt with in the morgue was a log which recorded the arrival of the unidentified bodies, with brief hand-written notations (such as "gun-shot wounds") as to cause of death.

It was clear therefore to the delegation that here at San Salvador's principal police morgue no serious effort was being made to verify cause of death or collect other relevant forensic evidence which could be used to identify the perpetrators of killings and bring proceedings against them in a court of law.

Staff working at the morgue and Salvadorian forensic medical practitioners whom the delegation interviewed said that bodies which were subjected to some cursory post-mortem examination were finger-printed and photographed, and this material then sent to police files. However, photographs of bodies dealt with at the Judicial Centre morgue, taken by government officials, by non-governmental groups, and by US Embassy personnel all revealed that the bodies were neither cleaned nor otherwise prepared by morgue technicians in accordance with normal forensic medicine standards. The photographs examined by the forensic pathologist member of the delegation were found to be of limited forensic value.

In photographs of decapitated corpses, for example, the fact that the bodies pictured had not been cleaned meant that the photographs provided little indication as to whether decapitation had been the cause of death, or was a subsequent mutilation. Furthermore, the photographs studied by the delegation appeared to have been taken by people unfamiliar with the type and quality of photographs that should be taken if they were to be of any use to a forensic pathologist. The distances and angles from which they were taken did not, for example, show up sufficient detail for them to aid in establishing cause of death.

In any case, the delegation learned from discussions with morgue staff that finger-printing and photographing of corpses was not standard procedure at the Judicial Centre morgue, and that practice as regards this varied between morgues in San Salvador and throughout the country. In fact, it appeared to be the independent human rights groups that made the greatest efforts to systematically finger-print and photograph corpses rather than official legal or medical staff.

Another deficiency in the Salvadorian process of death certification is the apparent absence of any central agency to collect data and supervise national certification of death procedures. In many countries this function is carried out by the Ministry of Public Health or equivalent body. In El Salvador, however, it appeared that no individual or agency was responsible for collecting, tabulating or reviewing the work carried out by the individual Justices of the Peace, morgues and private funeral parlours. Thus, it appears that no complete official death statistics for the country are compiled.

The use made by the authorities of the data that is collected, whether by morgue staff or the human rights groups, was unclear. Professional and technical staff interviewed by the delegation were unaware, for example, of any systematic use made by military and security forces or other government bodies of the finger-prints and photographs sent to them by morgues such as the one at the Judicial Centre. Those interviewed were similarly unable to tell the delegation what percentage of the population would normally have been finger-printed. (The size of the pool of finger-prints held by central agencies would have an obvious bearing on the likelihood of the authorities being able to identify the prints of any unidentified corpses sent to them by morgues or obtained from other sources.) Nor were those the delegation met aware of what, if anything, the authorities customarily did about notifying relatives, if and when bodies were identified.

A number of recommendations in the concluding sections of this memorandum deal with steps which Amnesty International feels should be taken to ensure that professional standards are maintained in El Salvador with respect to the identification, preparation for post-mortem examination, the examination itself, finger-printing and photographing of all bodies of victims of violent death.

2) Obstacles to Accurate Certification of Death and Serious Forensic Medical Examinations of Apparent Victims of Extrajudicial Execution in El Salvador

The situation in El Salvador is complicated by the current internal conflict which can make it difficult to determine which violent deaths occurred in combat, or were incidental to combat or accidental, and which could properly be considered extrajudicial executions.

The civil conflict also creates a context where allegations as to responsibility for violent deaths may also be expected to be manipulated by all sides for political ends. In some instances, such accusations have been based on alleged medical or forensic evidence which upon closer examination has proved to be of dubious authenticity, and was evidently formulated with intentional bias.(7)

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(7) See, for example, cases (C) and (E) in the case histories section of this memorandum.

Large-scale "disappearances" in the country also make it difficult to determine just how many violent deaths have occurred in the country, or to investigate them. Many "disappeared" people never reappear, and their possible death cannot therefore be established, let alone investigated. In other cases, bodies of people considered "disappeared" are recovered so far from the place where they were originally seized, stripped of their clothing, jewelry and documents, or so badly mutilated, that their identification is hampered. It also appears to be a frequent practice that death certificates are not filed for unidentified corpses. These bodies often, therefore, do not appear in homicide or political killings statistics in El Salvador. Such factors contribute to a situation where in a great many cases it can never be definitely established whether a particular "disappeared" person has died, is in custody, or has, as the government sometimes claims, "disappeared" of his or her own volition.

Here it should be noted that the widespread mutilation of corpses not only obscures the numbers, identities and cause of death of the victims, but also intimidates others. The routine dumping of slashed, burned, dismembered or decapitated bodies in dumps serves to terrorize those who view them or see pictures in the newspapers of the grotesque wounds displayed by corpses discovered in such dumps. The open dumping of bodies in heavily patrolled areas near police or military establishments further emphasizes official disinterest in investigating such killings as a step towards bringing them to a halt. The corpses could be more easily concealed if hidden in rural areas outside the capital or dumped in lakes, rivers or the sea where they would decompose more rapidly. However, these corpses are not meant to be concealed. By leaving the decapitated, mutilated, disfigured corpses open to public view, a clear signal is given to the community that the authorities lack the political will to stop the killings or punish those responsible.

Amnesty International considers that the government's total failure to make any effort to apprehend those who dispose of corpses in this way (even though foreign investigators have often seen uniformed troops operating near these notorious dumps) is a further clear indicator that it is in fact the government itself which is behind many of these murders.

The intimidation and repression of doctors, Justices of the Peace, lawyers and others whose evidence would be pertinent to inquiries into political killings is another major obstacle to genuine investigations of violent deaths in El Salvador.

The repression of medical practitioners, including their arbitrary arrest, torture, "disappearance" and extrajudicial execution, has been well-documented.

In 1980, a Comité Nacional de Defensa de los Pacientes y Trabajadores de Instituciones de Salud, Committee for the Defence of Patients and Health Institutions Personnel, was created and organized several protests about the situation, including a doctors' strike. A delegation co-sponsored by four US medical and scientific organizations which visited El Salvador in January 1983, was told that only three of the 11 members were still in the country. The rest were said either to have been killed, or "disappeared" or to have taken refuge abroad.

The International League for Human Rights concluded after a 27 June-7 July 1983 visit to El Salvador that medical practitioners continued to be subjected to grave human rights abuses in El Salvador, including murder, torture, "disappearance", arbitrary arrest and detention and harassment. Based on the evidence obtained during their visit, the League's observers concluded that elements of the government were responsible for 14 documented violations which occurred during the first half of 1983. They stated that there was clear evidence to suggest that health workers had been singled out for abuse because of their professional duties.

The above-mentioned January 1983 medical and scientific delegation from the US reported cases of people merely involved in health planning and collecting statistics on the incidence of natural diseases receiving death threats related to their work and being forced to flee abroad.

Such factors must be taken into account when considering the extent to which any forensic pathologist or other appropriately trained individual can be expected to be able or willing to carry out a genuine post-mortem examination and give unbiased expert opinion in controversial cases. Furthermore, in those few cases known to Amnesty International where forensic pathologists were called upon by the Salvadorian authorities to render such advice, allegations have been made that they had been directly intimidated or otherwise influenced into giving opinions favourable to the authorities. In several such cases the opinions of pathologists asked by the government to examine particular victims of violent death were later refuted by independent pathologists abroad, who found evidence to suggest the probable responsibility of the official military or security forces for the extrajudicial executions concerned.

### 3) The Breakdown of the Salvadorian System of Criminal Justice

The delegation observed that the Salvadorian criminal justice system appeared to have totally collapsed. As a consequence, it appeared that even if initial medical and legal evidence could be collected with a view toward initiating prosecutions against suspected perpetrators of extrajudicial executions, there would be little hope of actually pursuing such inquiries through the courts.

Many of the difficulties faced by the Salvadorian judiciary have been attributed to insufficient resources, including lack of adequately trained personnel. Corruption has also been identified as a major problem. The few members of the judiciary who have attempted to investigate human rights violations by members of government forces or prosecute government personnel have become themselves victims of violence, including "disappearance" and extrajudicial execution. Lawyers too have been repressed and intimidated; numerous cases of this have been well documented in recent years. As a result, families of victims of "disappearance" and extrajudicial execution have found it almost impossible to find lawyers willing to act for them, while witnesses, judges and prosecutors have frequently withdrawn from cases after receiving threats or have been seized, "disappeared" or killed outright if they ignored such threats.

The first judge assigned to enquire into the still unresolved murder of Archbishop Oscar Arnulfo Romero, (8) was forced to flee the country after his family was threatened and he himself had been the target of an assassination attempt. The first prosecutor of individuals implicated in the murder of two US labour advisors, Michael Hammer and David Pearlman, who were shot dead in January 1981 along with the President of the Salvadorian Agrarian Reform Institute, Rodolfo Viera, (9) also resigned and left the country after receiving death threats. In June 1981, the International Commission of Jurists (ICJ) summarized the situation as follows:

"The judiciary has been made impotent by fear, while magistrates who have attempted to investigate crimes attributed to the security forces or right-wing groups have been immediately attacked, and several of them have been murdered "

Similarly, the January 1983 report of a mission to El Salvador carried out by the Bar Association of the City of New York drew attention to the high incidence of intimidation and physical violence, including murder, which had been directed in recent years against judges, jurors, prosecutors, lawyers and witnesses who had been involved in the investigation and attempted prosecution of members of the security forces.

The US Department of State's 1983 report on El Salvador also found that:

"Convictions in serious criminal cases, in particular those with political overtones of any kind, are virtually unobtainable because of intimidation . . . and corruption of judges, lawyers, witnesses and jurors."

4) Lack of Political Will to Investigate Alleged Military and Security Forces Abuses

The failure of the Salvadorian criminal justice system has been particularly apparent in those cases where there has been evidence that the security forces or military were responsible for human rights violations, including the extrajudicial execution of non-combatant civilians. While Amnesty International notes that a number of military personnel (the figure given is usually 200) have reportedly been arrested in connection with crimes against persons, they have been detained in almost all instances for crimes which would not be classified

(8) Robert White, US Ambassador to El Salvador at the time of Archbishop Romero's murder, has repeatedly stated both while testifying under oath to the US Congress and in written testimony that evidence exists, but has been suppressed or withheld, which proves that Roberto D'Aubuisson planned and ordered the Archbishop's assassination. Robert White has also publicly stated on a number of occasions that evidence has also been suppressed to the effect that several wealthy Salvadorian exiles in Florida organized, funded and directed "death squads". He stated that D'Aubuisson served as their "agent" in El Salvador.

(9) In this case too, there have still been no convictions, although there have been a number of short-term detentions in connection with it.

as political violence - for crimes against other military personnel, for instance, or for quite minor offences. In the extremely rare cases when security personnel have been detained for offences against civilians which would be considered human rights violations, there have been few, if any, convictions. The names of detained security personnel are known only in a few cases, all but one of which involved the murders of US citizens. (10) Even in the cases involving the Americans, there have been no convictions although some of the killings took place several years ago.

It is in those few cases where the foreign nationality or eminence of the victim made some semblance of an inquiry a political necessity that the apparent lack of political will of the relevant authorities to pursue genuine investigations into individual cases of extrajudicial executions has been most closely studied and can be best illustrated. Such cases also illustrate obvious manipulation and suppression of technical evidence, and the intimidation of witnesses and others whose evidence would be germane to resolution of the cases. Several such cases are described in the case studies section of this memorandum.

5) Human Rights Reporting and Repression Directed at Staff of Monitoring and Reporting Agencies

In the face of the authorities' failure to follow procedures that would enable them to identify corpses, determine cause and circumstances of death, or attempt to identify the perpetrators of apparent extrajudicial executions, a number of human rights monitoring and reporting groups in El Salvador have attempted to collect this data. The working methods of such groups, as well as governmental harassment of and violence (including extrajudicial executions) towards them in an effort to halt their work, is described below.

A number of other bodies, including the US Embassy in San Salvador and the governmental Human Rights Commission, also monitor human rights issues in El Salvador. Their methodology is also described later in this section.

- Comisión de Derechos Humanos de El Salvador, no gubernamental (CDHES), non-governmental El Salvador Human Rights Commission. The CDHES has been functioning since 1978 when it was formed by four people, all of whom have since been killed in circumstances suggesting official responsibility for their deaths, as is discussed elsewhere in this report. (11)

(10) In August 1983 it was reported that a colonel, described as a civil defence commander, in a small town east of San Salvador was sentenced to 30 years imprisonment for the murder of a male seminary student. It was the first such known sentencing of a civil defence squad member for a human rights violation since the civil conflict started in El Salvador in October 1979. Little is known, however, about the circumstances that prompted the man's arrest and conviction.

(11) See, for example, section on human rights abuses directed against CDHES workers (pp. 26-27) and case history D of this report (pp.41-43).

Since its formation, the CDHES has published regular statistics on human rights violations in El Salvador, including extrajudicial executions, torture and "disappearances". The statistics are tabulated according to such factors as agency known or believed to be responsible, profession of victim and area. Much of the information is based on eye-witnesses testimony. Although attacks on the Commission's staff resulting in the death of many of its members have increasingly forced it to confine its operations to the capital, witnesses from outlying districts sometimes travel to San Salvador to give the Commission testimony regarding abuses which have occurred in other parts of the country.

CDHES members regularly visit known "body dumps" in and near San Salvador to collect and photograph corpses found there, and record data such as the state of the corpse, visible wounds and situation and location of the body's retrieval. The CDHES delivers the bodies it recovers to the central morgue in San Salvador, and regularly visits other morgues and funeral parlours in the capital in order to view, photograph and record data concerning the bodies which have been picked up by morgue staff or brought there by others.

The Commission attempts to match the denunciations it receives concerning detentions and "disappearances" with the corpses it recovers. A photograph file of unidentified bodies is also maintained which relatives can consult to try and identify their missing relations. The Commission has difficulties, however, in getting the bodies it finds properly prepared for photographing or post-mortem medical examination, as qualified medical practitioners are often unwilling to endanger themselves by assisting the Commission.

- The Comité de Madres y Familiares de Presos, Desaparecidos y Asesinados Políticos de El Salvador "Monseñor Oscar Arnulfo Romero", the "Monsignor Oscar Arnulfo Romero" Committee of Mothers and Relatives of the Political Prisoners, "Disappeared" and Killed of El Salvador (usually known as the Comité de Madres) was formed in 1977 when a group of relatives of people who had been detained or had "disappeared" or been killed in circumstances suggesting official involvement asked the late Archbishop Romero for help in locating their relatives. He recommended that they create an assistance committee, which today bears his name.

The Comité compiles information concerning reported human rights violations and attempts to locate the "disappeared". It also provides financial and other support to victims of human rights abuses as well as to the families of people who have been arrested, "disappeared", or killed by El Salvador's official security forces.

- Comité de Presos Políticos de El Salvador (COPPEs), Committee for Political Prisoners of El Salvador, was created in September 1980 in Santa Tecla Prison, where male political prisoners were then held. Later other COPPEs groups were organized in the women's prison at Ilopango, and in La Esperanza prison in Mariona to which the male prisoners were moved at the beginning of 1982.

COPPEs formed committees within the prisons to organize food preparation and distribution, and sanitary, recreational and educational facilities for the prisoners. It issues data about political prisoners, including statistics on how many claim to have been tortured during interrogation. The group also publishes statements calling for the release of political prisoners, clarification of the circumstances of the "disappeared", improvement in prison conditions, and an end to the harassment and repression of the relatives of political prisoners and others who work to improve prison conditions.

In May 1983 a partial political amnesty was decreed in El Salvador and many of those who had been prominent COPPEs organizers were released and subsequently went into exile abroad.

- Oficina de Tutela Legal del Arzobispado, Legal Aid Office of the Archbishopric (usually known as Tutela Legal). This group was established to work on human rights questions in 1982, at the time when Monsignor Arturo Rivera y Damas, now Archbishop of San Salvador, reorganized the Archdiocese Justice and Peace Committee. It too tabulates statistics on such human rights abuses as "disappearances" and extrajudicial executions and issues reports on violations of basic rights. Its office staff take sworn testimony, and present writs of habeas corpus to the courts. Tutela Legal also records and publishes information about deaths in combat of both the Salvadorian military and the armed opposition, and other killings attributed to opposition forces.

- Socorro Jurídico Cristiano "Arzobispo Oscar Romero" de El Salvador, "Archbishop Oscar Romero" Christian Legal Aid of El Salvador. The Socorro Jurídico Cristiano was founded as an independent body in 1975 under the name Socorro Jurídico, Legal Aid, as a Christian-oriented legal assistance bureau. In 1977 the late Archbishop Romero invited it to formally link itself to the Archbishopric of San Salvador. In 1982, following the reorganization by Monsignor Romero's successor of the Archdiocese Justice and Peace Committee, Socorro Jurídico returned to its independent position of 1975, under the name of Socorro Jurídico Cristiano "Arzobispo Oscar Romero" de El Salvador. It continues to systematically collect testimonies and tabulate statistics on human rights violations, including extrajudicial executions.

- Universidad Centroamericana José Simeón Cañas (UCA), Central American University José Simeón Cañas, is the documentation and information centre of the San Salvador Roman Catholic University. It serves as a clearing house for human rights data collected by other organizations and institutions. It gathers, analyses, and publishes information from a wide range of sources, including the church, government, armed forces, human rights groups and opposition political and armed groups. It does not, however, receive or attempt to investigate denunciations, or seek remedies through the courts.

- Comisión de Derechos Humanos (gubernamental) (CDH), governmental Salvadorian Human Rights Commission. In August 1982 a political pact called the Plan de Apaneca, Apaneca Pact, was made by the political parties represented in the Constituent Assembly elected in March 1982. One feature in the pact was the agreement to establish an official human rights body responsible for

protecting, assuring and promoting respect for human rights in El Salvador. Government Decree Law 30 of December 1982 officially established such a commission and it began functioning in 1983. Members include a number of lawyers, politicians and business leaders, a peasant organizer, Monsignor Fredy Delgado (who had been Secretary of the Salvadorian Episcopal Conference for 10 years), and Colonel Reynaldo López Nuila, Director of the Policia Nacional, National Police.

The Amnesty International delegation appreciated the opportunity to meet members of the Commission, although (as appears to have been the case with a number of other investigative missions which have visited El Salvador recently) Colonel López Nuila was not present at the meeting.

In the course of its conversation with the Commission, the delegation was pleased to learn that it had taken some steps to determine the whereabouts of people reported to it as missing by relatives. The Commission told the delegation that it considered that some 91 of the 514 cases submitted to it by mid-June 1983 had been satisfactorily resolved - that is, the individual in question had either been located, had been consigned to the courts by the security forces, or freed. The delegation further welcomed assurances from the Commission that it informs family members whenever any person reported missing subsequently appeared on the lists of detainees which the Commission receives every eight days from the security forces.

The delegation was disturbed, however, that the Commission said it did not intend to investigate any of the many thousands of reported abuses which had occurred before it began operating. Commission members said that in their view a great many people reported "disappeared" had actually left home for personal reasons or to join the opposition, and that in any case the vast majority of people reported "missing" eventually reappeared. Such conclusions are not borne out by the thousands of individual case files compiled by Amnesty International which show that the vast majority of those reported missing to the organization since 1979 had been abducted in circumstances suggesting official security force or military responsibility. Furthermore, the bulk of such cases reported to Amnesty International since 1979 are still unresolved. In any case, as the Commission had not in fact investigated past "disappearance" cases, it was not clear to the delegation how it could have been able to determine reasons for past "disappearance" cases, or made any assessment as to how many reported "disappearance" cases had later been resolved with the reappearance of the person in question.

The delegation was disturbed that the Commission intended to investigate only those "disappearance" cases actually reported to it by relatives. As many Salvadorians are reluctant to bring denunciations to government bodies, Amnesty International believes that this reservation will significantly limit the number of "disappearance" cases acted on by the Commission, and considers that the Commission should also initiate inquiries into such cases reported in the local media, for example, or recorded in the reports regularly published by local human rights groups.

The delegation was also concerned because, apart from the limited number of "disappearance" reports which it received from families, the Commission appeared to gather most of its human rights information from the Salvadorian

press, which focuses on San Salvador and tends to rely on material supplied by official bodies including the security and military forces. Independent news media in El Salvador have ceased to function, often as a direct result of human rights violations suffered by their staff or directors. The newspaper La Crónica del Pueblo, People's Chronicle, for example, which had refused to practise self-censorship, finally closed down in the summer of 1980 after its managing editor and photographer were reportedly seized by members of the security services and their bodies subsequently found hacked to pieces. Even if the Salvadorian press, radio and television were operating freely, Amnesty International considers the Commission should not rely on the news media as its primary source of information about human rights violations in El Salvador, but should solicit relevant information from other bodies, such as the independent human rights monitoring and reporting groups and the security agencies' records. If in fact no government agency maintains a centralized record of violent deaths, as appeared to be the case, Amnesty International considers that the governmental Human Rights Commission should also solicit information from individual Justices of the Peace throughout the country.

Amnesty International also considers it a most serious shortcoming that the governmental Human Rights Commission does not intend to make public information about individual cases or overall statistics about the human rights abuses reported to it, try to establish responsibility for them, or press for the prosecution of those identified as responsible.

The delegation welcomed the Commission's stated intention to institute a human rights education program, intended to train Salvadorian military and security personnel in their obligations to respect human rights, including the right to life, when dealing with detainees or surrendered opposition forces. Amnesty International does not, however, think such a program will be effective unless coupled with a commitment by the Commission or other government body to try at the same time to establish responsibility for specific human rights violations and press for those implicated to be brought to justice.

The delegation was pleased to learn that in one incident involving the killing of non-combatant civilians the Commission had in fact undertaken an investigation and submitted its findings to the Salvadorian President. The incident in question occurred on 22 February 1983; at least 18 unarmed Indian peasants, including a child, were shot dead following a Salvadorian army raid on two small farming cooperatives in the west of the country. Amnesty International regards the shootings, by uniformed troops, as extrajudicial executions.

According to Adrián Esquino, the President of the Asociación Nacional de Indígenas Salvadoreños (ANIS), the National Association of Salvadorian Indians, the killings stemmed from a dispute over land bought by the association and farmed as a cooperative. Others who wanted the land for themselves are said to have denounced the cooperative members to the army as subversives.

The day after the killings, General José Guillermo García, then Minister of Defence, publicly promised that a full investigation would be conducted and

justice done. The site of the killings was then visited by the director and labour representative of the government Human Rights Commission, both of whom were interviewed by the Amnesty International delegation. They stated that they had submitted their findings regarding army responsibility for the incident to then Salvadorian President Alvaro Magaña on 7 March 1983 but were powerless to move further on the case unless given the assistance of the government or Ministry of Defence. Their findings were not, however, made public, and Amnesty International is unaware of any disciplinary action having taken place since then against either the troops or officer identified as responsible for the raid. Instead, in June, Fermín García Guardado, the father of one of the victims who was himself nearly killed in the raid, was arrested by the National Police. He was charged with the attempted homicide of one of the civil defence patrol members who had reportedly pointed out the victims of the February killings to the army as "alleged subversives". Amnesty International is concerned that García's arrest may in fact stem from the eye-witness testimony he had given to the governmental Human Rights Commission, in which he named the army as responsible for the killings. García Guardado had also testified to the members of the US Congress in Washington in April 1983, urging them to press the Salvadorian Government to punish the soldiers whom he charged had murdered as many as 74 Indian peasants from his area. After he returned to El Salvador, he brought a suit jointly with Adrián Esquino against those they said had falsely accused the massacre victims of "subversion". During a May meeting the local commander of the garrison based in the area where the raid had been carried out, and another highly-placed military official, are reported to have accused García Guardado and Adrián Esquino of trying to sue the Salvadorian people, and to have charged that they had sullied El Salvador during the Washington meetings. García Guardado and Adrián Esquino were apparently warned that "harm" would come to them unless they withdrew the suit. García Guardado's arrest followed shortly afterwards.

Amnesty International has asked the Salvadorian authorities to make public García Guardado's present whereabouts and legal position. The organization believes he is a prisoner of conscience, detained solely for having testified about human rights abuses by the army, and that he should be immediately released. It also considers it imperative that the Commission continue its inquiries into the circumstances of the 22 February killings, and that those responsible be brought to justice. This would be an indication that the Commission genuinely intends to carry out its responsibilities to protect, promote and assure respect for human rights in El Salvador, as it was charged to do by the Plan de Apaneca of August 1982, and Decree Law 30 of December 1982.

- Human rights data-gathering and reporting by the United States Embassy in El Salvador. The United States Embassy in San Salvador also collects data on "political violence" in El Salvador - a term it defines broadly to cover a range of acts, including, for example, not only killings of non-combatant civilians but also economic sabotage by opposition groups against public utilities, bombings and land-mine explosions, deaths of soldiers in combat, etc.

With respect to the data collected by the United States Embassy which covers killings of non-combatant civilians, Amnesty International considers it a serious deficiency in the Embassy's reporting methodology that, like the official governmental Human Rights Commission, the Embassy relies to a great

extent upon items in the Salvadorian press when preparing its statistics.

The delegation also observed that on a number of occasions the Embassy evidently relied on questionable data when attributing responsibility for particular violent deaths. A case in point was an incident involving a number of bodies of Salvadorian soldiers, found in May 1983; Embassy officials supplied the delegation with inconclusive forensic information as evidence that the soldiers had been summarily executed after surrendering to a guerilla unit. The incident itself and the nature of the medical evidence cited by the Embassy are described in the case histories section of this memorandum.

- Repression Directed at Staff of Human Rights Monitoring and Reporting Groups

Those who attempt to collect and publicise data concerning human rights violations, including extrajudicial executions, are frequently themselves victims of arbitrary arrest, "disappearance" or extrajudicial execution. Roger Errera, the French delegate to the UN Human Rights Committee (established pursuant to the United Nations International Covenant on Civil and Political Rights of 1966), emphasized the importance of the role played by such persons during a 27 October 1983 discussion on human rights in El Salvador, held in the course of the Committee's 20th Session. He stated: "The efforts of such people are directed towards ensuring that the public authorities respect the rights enjoyed by the citizens under [relevant human rights instruments] including the International Covenant on Civil and Political Rights. To that end, they collected and disseminated information on violations of human rights, a vital contribution which served as the basis for subsequent action by national and international organizations in providing material and moral assistance to victims of persecution and their families and endeavouring to safeguard human dignity under all circumstances, and to emphasize the value of law and the human spirit."

The human rights violations which have reportedly been directed at such persons in El Salvador because of their human rights reporting activities are clearly of most serious and special concern to Amnesty International. Some of these cases are described below. There is insufficient evidence in certain of the representative instances described to establish definitely whether the official security or military services were responsible for the particular "disappearances" and apparent extrajudicial executions or to be absolutely certain that the victim suffered the abuse in question solely because of his or her human rights work. However, Amnesty International considers that the pattern of abuses suffered by such workers suggests that they have been made a special target of such treatment by the official military and security forces. The organization shares the opinion formed by French delegate Errera with respect to human rights workers in El Salvador. In the course of the October 1983 Human Rights Committee discussion on human rights in El Salvador, already referred to above, he declared that: "It is impossible to consider them as an unfortunate series of accidents, isolated incidents or events attributable to local circumstances. It might well be wondered, therefore, if they were not the result of an official policy which had been deliberately conceived and knowingly carried out at all levels."

- Comisión de Derechos Humanos, no-gubernamental (CDHES)

The CDHES has been the victim of harassment and repression by the authorities throughout the five years of its existence. The organization's headquarters has been bombed and raided by the security forces on several occasions. Members of the Commission have periodically been arrested and held in incommunicado detention before their arrests were finally acknowledged. Others have been seized and have "disappeared" or been killed in circumstances indicating official responsibility.

On 4 October 1980, for example, María Magdalena Enríquez, CDHES Press Secretary, was found dead in a shallow grave some 20 miles from San Salvador. She had been seized a few days before in the city. She had been shot in the face four times and in the chest twice and reportedly raped. Witnesses stated that two of the eight heavily armed men who abducted her were uniformed members of the National Police. At the time of her death, she had been actively submitting habeas corpus writs to the courts on behalf of people who had "disappeared" after detention without warrant. She had received a series of threats, one of them only a few days before she was seized, warning her to leave the country immediately or else she would be killed.

Ramón Valladares Pérez, CDHES Administrative Secretary, was machine-gunned to death in San Salvador on 26 October 1980 by "unidentified gunmen" as he drove through the city in a CDHES vehicle. He was killed only 50 metres from the central police morgue at the Isidro Menéndez hospital, where soldiers are on constant guard, yet no effort was made to apprehend his assailants. The man he was travelling with was abducted and has "disappeared". In its communiqué denouncing the killing, the CDHES stated that it constituted a "new crime against human rights" and was part of a campaign to silence all those trying to defend human rights in El Salvador by physically eliminating them.

On the day of his death Valladares had told others on the Commission that government military officials had demanded that he give them a complete list of all the names and addresses of CDHES board members. The Commission had responded that this information was already readily available to the government, as it [the Commission] had always worked publicly and had never attempted to conceal the names of its members or its objectives.

On 25 January 1981, Victor Medrano, CDHES Information and Administration Secretary, "disappeared" after being abducted from his home by heavily armed men in civilian clothes. A few days earlier, Napoleón Duarte, then President of El Salvador, had accused the Commission of bias in its human rights reporting, and of being anti-government. A few days before his "disappearance" Victor Medrano had been filmed discussing the human rights situation in El Salvador by a US documentary team. He was eventually seen in custody at National Police headquarters by representatives of the ICRC, and was released on 11 February 1981. He immediately asked a foreign embassy to help him and his family go into exile.

In December 1981, an eye-witness reported that Carlos Eduardo Vides, who compiled statistics for the CDHES was stopped at a roadblock at El Llano, on the Panamerican highway east of San Salvador. He was detained by a group of

men, some in plain clothes, others wearing various security agency uniforms. Among them were soldiers from the fifth infantry regiment based in San Vicente. Detained with him were two employees of the Archdiocese who had been travelling with him, Francisco Antonio Barraza and Norberto Huevo Martínez. Both had also worked with the CDHES. Two of the three men were later reportedly seen in custody at the fifth regiment cavalry barracks in Sonsonate, Santa Ana, but to Amnesty International's knowledge, their detention was never officially acknowledged, and all three remain "disappeared".

América Fernanda Perdomo, 25-year-old CDHES Public Relations Officer, was arrested in San Salvador in August 1982 together with Saúl Valentín Villalta, 34-year-old lawyer and executive committee member of the opposition coalition, the Frente Democrático Revolucionario (FDR), Democratic Revolutionary Front, María Elena de Recinos of the Comité de Madres, her daughter and maid (see their case, p. 29 below). Perdomo and Valentín were reportedly meeting to reach an all-party agreement for the exchange of prisoners between the government and the armed opposition who were holding a number of military personnel captured after battle. A friend who witnessed the arrests apparently followed the cars in which the victims were driven off to Treasury Police headquarters. Saúl Villalta was reportedly seen in custody there but the unit has denied that it had detained any of the missing people and they remain "disappeared".

José Roberto Rivera Martelli, a 38-year-old gynaecologist, was reportedly detained on 10 February 1983 by three armed men in civilian clothes on the main street of Soyapango, near San Salvador, as he was leaving the clinic where he worked. His present whereabouts are unknown and his detention has not been acknowledged by the security forces. He had worked for several years with CDHES. Shortly before his abduction, another doctor who had been about to begin work as his assistant was abducted and questioned about Dr. Rivera's activities. Some days before, Dr. Rivera had helped a US delegation which was in the country to investigate reports of human rights violations directed at doctors and health workers in El Salvador.

The doctor who had been detained and questioned about Dr. Rivera was released, but he himself remains "disappeared".

The repression suffered by the Commission's President, Marianella García Villas, and her eventual death in March 1983 in disputed circumstances is described in the case histories section of this memorandum (see case history D pp. 41 to 43). She was the last survivor of the Commission's four founder members; the others had already been the victims of what Amnesty International considers to have been extrajudicial executions, as already described.

On 4 October 1983 Dr. José Guillermo Orellana Osorio, Secretary of the Law Faculty at the National University, was kidnapped from his work place by men in civilian clothes driving a light blue Toyota van. On 23 October his body was found on a roadside 54 kilometres from San Salvador. He appeared to have been tortured and strangled. He had served as legal advisor to the CDHES.

- Comife de Madres

The Comité has told Amnesty International that a number of its members have been killed since the group was formed in 1977 in circumstances suggesting official culpability. They include Guadalupe Ordoñez, eighteen-year-old Comité secretary, murdered in 1980 two months after the group's offices were bombed. Shortly before the bombing, the Salvadorian newspapers Prensa Gráfica (Graphic Press) and El Diario de Hoy (Today) published attacks on the Comité which were attributed to Roberto D'Aubuisson, then a top army intelligence officer. He was quoted as threatening to "cut off the head" of this "phantom group".

The Comité has also stated that many of its members' homes have been raided by the official military and security forces and their relatives subjected to human rights violations including extrajudicial execution. As a result, many of the group's members have had to live semi-clandestinely in El Salvador or else seek asylum abroad. Amnesty International also has on file testimonies from Committee members who survived attempted extrajudicial executions or who were arbitrarily arrested, tortured and raped by members of the official security and military forces because of their Committee activities, including attempts to locate missing relatives, investigate the circumstances in which relatives had been murdered or visit members of their family who were held as political prisoners in acknowledged detention in either the men's prison at Mariona, or the women's detention facility at Ilopango.

Yet other Comité members have "disappeared". They include, for example, María Jesús Echeverría and Juana Lara who "disappeared" in April 1982, along with several children. They had been helping to distribute food to children orphaned during El Salvador's current civil conflict. Amnesty International has received no further information as to their whereabouts.

The following month a number of other Committee members "disappeared" at a time when two of its members were touring Europe to publicise and raise funds for the group. Shortly before their "disappearance" the Committee had been threatened by the Maximiliano Hernández "death squad". Those who "disappeared" included Carmen Sorto de Ruano aged 53, and her daughter, Elizabeth Victoria Ruano Sorto aged 23 - mother and sister of a political prisoner then held in Mariona. The two women were beaten and forcibly removed from their home in Ciudad Delgado, Department of San Salvador, at 5.00 am on 9 June 1982 by heavily armed men in plain clothes, then taken away in a white van. Carmen Sorto de Ruano's husband and two other sons have been missing since they were abducted in April 1981. The two women, however, were eventually discovered in custody in a basement cell at the National Police headquarters by representatives of the ICRC, and were then transferred to acknowledged detention at Ilopango. Their cases were officially consigned to the courts on 23 June 1982 and they have since been released.

The day after their arrest, eight other Comité members including Haydee Rosales Cárcamo and Blanca Alvarenga, a housewife aged 50, were arrested by heavily armed men in plain clothes outside the men's prison at Mariona, where they were waiting to visit imprisoned relatives. Their abductors had been

waiting in cars outside the prison for hours, but the prison security guards made no move to question their presence there or to prevent the kidnapping. Another Comité member told foreign journalists that she had recognised the assailants as members of the security services. Cárcamo was eventually seen in custody at National Police headquarters by ICRC representatives and was released on 29 June 1982. Alvarenga was also reportedly seen in custody, but to Amnesty International's knowledge there has been no official acknowledgement of her detention and she remains "disappeared". Another of the eight women reported detained has apparently been freed, the detention of another was reportedly acknowledged; the rest remain "disappeared".

In August 1982, Committee member María Elena de Recinos, aged 30, (wife of a trade union leader who has been held without trial since August 1980), her 13-year-old daughter (whose name has been variously reported as Mirna, Carla or Ana Yanira) and a maid were taken by the Treasury Police from their home in Colonia Montebello, together with América Fernanda Perdomo of the CDHES and Saúl Valentín Villalta (see their cases, p. 27 above). Their arrest has never been officially acknowledged and they remain "disappeared".

- Socorro Jurídico Cristiano

In early April 1981, the Salvadorian army published a list of 138 people, including priests, human rights activists (including Socorro Jurídico Cristiano's founder and president, Roberto Cuéllar), university rectors and members of the government, who were described by the army as "traitors to the country". Leaders of the Roman Catholic Church in El Salvador and local human rights workers stated that publication of the list had in effect marked those named for assassination. In a press release issued at the time, Amnesty International stated that it considered that publication of the list by the military suggested that those who wanted to eliminate opponents of the authorities and people who denounced the security forces' violations of human rights were receiving official sanction to do so. Since the list's publication, several of those named on it have been killed, have "disappeared", or have been apprehended and detained without trial. Others, including Roberto Cuéllar, have been forced to go into exile. In July 1982 Cuéllar's cousin, Patricia Cuéllar, "disappeared" from her flat in a San Salvador neighborhood which is under constant surveillance by the military. She had worked with Socorro Jurídico and, in the year before she "disappeared", security force personnel had tried to locate her on several occasions. The authorities denied that she had been detained, but relatives presented a writ of habeas corpus on her behalf, which stated that eye-witnesses had seen security force members standing by at the time of her abduction. Later that night other witnesses said that men in olive-green uniforms returned with the key to her flat and removed all of the furniture there. They went in and out of her flat three times yet were never questioned by the security guards on duty at the block of flats. Patricia Cuéllar's father and his maid were detained that evening by men also wearing olive-green uniforms. All three are still missing.

On 9 December 1982 Pedro Posada, a law student, with a wife and five children, was detained in San Salvador by men in plain clothes believed to be members of the security forces. Prior to his "disappearance", he had worked with Socorro Jurídico Cristiano.

- Universidad Centroamericana José Simeón Cañas (UCA)

UCA, the Central American University has also suffered a number of attacks which UCA staff told the delegation were intended in part to hamper its work in collecting human rights data; UCA staff said that the university campus had been bombed 10 times in recent years and that staff members who collected human rights data had received anonymous threats on a number of occasions.

CASE STUDIES ILLUSTRATING THE DIFFICULTIES INVOLVED IN THE FORENSIC MEDICAL AND LEGAL INVESTIGATION OF EXTRAJUDICIAL EXECUTIONS (12)

A number of cases are considered below as illustrative examples of the failure by the Salvadorian authorities to investigate seriously cases of apparent extrajudicial executions, and of the way they obstruct independent investigations. In each of these cases, it would appear that relevant legal and medical evidence has not been collected, or has been suppressed or obscured, apparently in order to hinder inquiries into the circumstances of specific deaths in which government forces appear to have been involved. The special vulnerability of professionals involved in post-mortem examinations and other inquiries into human rights violations is also illustrated in these cases.

(A) Jean Donovan, Dorothy Kazel, Ita Ford and Maura Clarke

The case of the three nuns and a religious lay worker from the United States, Jean Donovan, Dorothy Kazel, Ita Ford and Maura Clarke, murdered in December 1980, has been subject to a high level of scrutiny, particularly in the United States. Public concern at the killings led the US Congress to pass legislation requiring that the US President certify to the US Congress that progress was being made in the investigation of the women's deaths as a pre-condition for continuing US military aid to El Salvador. (13)

Some semblance of an inquiry therefore became a political necessity in El Salvador. The families of the dead women were dissatisfied with its progress and tried to engage a Salvadorian lawyer to act on their

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- (12) It will be noted that three of the case studies in this section deal with investigations into the deaths of foreigners killed in El Salvador. This reflects the fact that it has largely only been in such cases that political pressure from abroad led to the initiation of even the most cursory official inquiry into circumstances of violent death. It is also true that families of foreign victims can more safely engage legal counsel (again foreigners), petition investigative organizations to act on their behalf and press for investigations into suspected extrajudicial executions without exposing themselves or the investigators to the risks that would be run by Salvadorian relatives. As it is therefore largely in cases of murdered foreigners that any real investigations have taken place, these cases also offer the most detail as to how the victim actually appeared to have died, as well as the way in which efforts to conduct genuine medical and criminal investigations into cases of violent deaths in El Salvador are obstructed. In contrast, the murders of many thousands of Salvadorian citizens by government forces have been the object of no official investigations of any kind.
- (13) Certification by the President was asked by the US congress at six-monthly intervals thereafter, until November 1983, when legislation which would have required continuation of this procedure was not signed into law by US President Reagan within the requisite period, and was thus subject to what is known as a "pocket veto".

behalf. However, the lawyers they approached feared for their own lives if they became involved in the case; the families therefore retained the New York Lawyers Committee for International Human Rights, an independent human rights monitoring group, to try to determine the circumstances of the women's deaths. This Committee has sent a number of investigative teams to the country and has uncovered and made public information as to how the women were killed, and on irregularities in the medical and criminal investigation of the killings. They found, for example, that the partially-clothed bodies of the women were initially buried as "unidentified" in a hastily-dug grave in a remote part of El Salvador, some distance from where they were originally detained at a National Guard road block.

The burial took place in the presence of security force personnel and local civil officials. The Justice of the Peace who authorized the burial, as required by Salvadorian law, later stated that it was common practice for him to be asked several times a week by military or security service personnel to bury unidentified corpses under the direction of the armed forces. Salvadorian officials maintained afterwards that neither the local officials, nor the security agents who were present, informed any superiors that the bodies were those of caucasian, apparently foreign, women. However, by the time the bodies were buried, the women were already known to be missing and the Salvadorian military had been so informed. Amnesty International believes that the local security officers who witnessed the women's burial were fully aware of their identities, and had confiscated their passports and other identity papers.

Irregularities continued as investigations into the circumstances of the women's deaths began. For example, an investigative team sent to El Salvador by the United States government shortly after the killings was not allowed to interview potential murder witnesses or the local Justice of the Peace. The local official who signed the women's death certificate and presumably could have supplied pertinent information concerning the state of the corpses when buried and the procedures followed in their burial was himself murdered a few days after the women's bodies were exhumed. His own body was then dumped near the spot where they had been interred. No ballistics tests were initially made on the corpses. A team of Federal Bureau Investigation (FBI) experts showed Salvadorian personnel how to comb the area where the bodies were found in order to find shell casings and spent bullets. The Salvadorians said the casings and shells had "escaped detection" by their own experts. The FBI later carried out laboratory analyses in the United States on the spent bullets from G-3 rifles (a weapon used by the Salvadorian security forces) which they had recovered, as well as on finger-prints collected both from the women's vehicle, and from National Guardsmen on duty in the murder area on the night of the killings. The Salvadorian authorities ruled that the FBI had no legal authority to conduct inquiries into the case, and that evidence from tests performed abroad was not admissible in a Salvadorian court. At the same time, however, Salvadorian officials said it was unlikely that adequate studies of the evidentiary material could be made in El Salvador.

Nor were autopsies performed on the murdered women in El Salvador. The explanation offered for this omission by the military doctors con-

cerned was that they did not have proper surgical masks. Other sources have maintained that in fact police and army personnel had received orders about participating in the investigation, and that others concerned were afraid to become involved in any way in a case which was politically embarrassing to the Salvadorian Government.

Autopsies were eventually performed on the two corpses which were returned to the United States for reburial. However, the delay in carrying out the examinations seriously reduced the amount of information that could be obtained and in any case the Salvadorian court dealing with the case would not formally admit information secured through tests done abroad.

In addition to the failure by the Salvadorian authorities to pursue such technical evidentiary aspects of the case, other shortcomings in the investigation were also apparent. The special high-level civilian and military commission that was initially established by the Salvadorian authorities to investigate the case was empowered to investigate the role of military personnel only, and apparently could not compel civilians to testify. The fact that it included three army officers who were close associates of the then Minister of Defence, General García and another member who was the cousin of National Police chief Colonel López Nuila raised doubts as to its impartiality and independence. Later the Salvadorian authorities transferred responsibility for the investigation to the Attorney General's office which, unlike the special commission, had the power of indictment and subpoena. This office was hampered in its investigations by the requirement that when a case dealt with commission of a criminal act against a civilian by a member of the armed forces, the military or security forces themselves had to bring the case to the civilian authorities for prosecution.

Only after strong political pressure from the United States were some lower ranking guardsmen arrested and returned to civilian status so that they could theoretically be dealt with by the courts. However, higher ranking officers under whose orders the accused allegedly acted have not been affected by the proceedings, and at the time of writing, some three years after the killings, even the former guardsmen have not been convicted.

Many and varied means appear to have been used to prevent the case progressing. The Amnesty International delegation was told, for example, that according to a recent new ruling, the case could not proceed further until the original receipts were found for a number of items, including a car jack, which had allegedly been removed from the women's vehicle by the guardsmen held in connection with their murder.

In their September 1981 report on the investigation up to that point, the New York Lawyers Committee for International Human Rights stated that: "There is substantial reason to believe that the Salvadorian judicial system is no longer functioning in any case where government security forces may have been involved." In October 1983, the father of one of

the victims said of the investigation supposedly being conducted: "It goes beyond non-cooperation. Evidence has been mislaid, testimony lost, ballistic reports have disappeared, leads aren't being followed."

(B) John Sullivan

US journalist John Sullivan "disappeared" from his hotel room in San Salvador in December 1980, shortly after arrival in the country. His whereabouts were unknown until the trunk of his decapitated corpse was identified by a forensic pathologist in the United States in February 1983. The sequence of events in the Sullivan family's quest for information about the fate of their "disappeared" son illustrates how the absence of a central, public record on violent deaths can hinder efforts to locate the missing and identify the dead. The case also indicates ways in which forensic evidence can be manipulated or concealed by the Salvadorian authorities, when related to extrajudicial executions by government forces. The sequence of events in the Sullivan case, according to Amnesty International information was as follows:

John Sullivan was last seen at the Hotel Sheraton in San Salvador on 28 December 1980. His "disappearance" followed in close succession upon the arrest and extrajudicial execution in November of six prominent Salvadorian opposition leaders, and the murder in December of three US nuns and religious layworker, as described in Case (A) above. Some days after Sullivan's "disappearance", two US labour advisors and the President of the Salvadorian Agrarian Reform Institute were killed in the coffee shop of his hotel by members of government security forces.

Items published in the Salvadorian press around the time of these events indicated disapproval in high-level government circles of foreign church and assistance agency personnel, particularly those associated with efforts to introduce agrarian reform or to seek conciliation with the armed opposition rather than military victory. Articles in the government-controlled press also attacked foreign journalists for allegedly advocating the guerrilla cause abroad.

US journalists who have studied the Sullivan case closely on behalf of his family have suggested that he may have been abducted by mistake for a Belgian priest associated with the "popular" wing of the Roman Catholic church whom he superficially resembled. The priest had co-officiated at the funeral of the six prominent opposition leaders referred to above, who were detained and murdered the month before John Sullivan's "disappearance". The priest had later received death threats and went into hiding three days before Sullivan "disappeared". Alternatively, it has been suggested that Sullivan's attempts to contact Salvadorian guerrilla groups in order to interview them may have prompted his abduction.

It was later learned that the residents of Nuevo Cuscatlán, a small town south of the capital, heard explosions on the night of Sullivan's "disappearance", and that next morning they found the mutilated corpse of what appeared to be a foreign caucasian male. The body was buried under the direction of security personnel in the presence of local civilian officials. Local people who assisted were paid in US coins from the pockets of the deceased. The Justice of the Peace and a local clerk

prepared a burial report which stated that the corpse's hands had been amputated and the body dismembered, apparently by dynamite. Had the finding of the body been reported immediately to a centralised agency in El Salvador and the burial report inspected, it would have provided early indication, such as the size of the man's shoes, and the US labels in the clothing, that the body might have been that of John Sullivan. A hand found nearby that appeared to be from the same body could have been analysed for finger-prints at this stage and a positive identification probably made almost immediately. But evidently the hands were severed and the body mutilated in order to prevent identification. The failure of local security personnel and civil officials to take steps to either identify the body, or to make information on the findings of the body public, may also have been deliberate. It seems the local Justice of the Peace either did not inform civilian or military superiors that the body of an apparent foreigner had been buried in the area, or else tried to do so but the matter was not pursued.

The burial report itself was not uncovered by United States Embassy officials until after Sullivan's body had been identified in the United States more than two years later. The report had not been sent to any public records office in the nation's capital but was in a local government office in Santa Tecla, where it had not even been filed with other official documents but had simply been placed in a corner among a pile of miscellaneous papers.

On 30 December, two days after his "disappearance", the maid at Sullivan's hotel in San Salvador realised that he was not using his room and notified the hotel manager of this each morning for the next five days. However, it was not until the morning of 4 January 1981, when the two American labour advisors were killed together with the President of the Salvadorian Agrarian Reform Institute in the coffee shop of Sullivan's hotel, that the hotel manager took action and notified a US military advisor, also resident in the hotel, of Sullivan's "disappearance".

Shortly after the US military advisor learned that Sullivan was missing, the Department of State was notified and the journalist's family learned the news. It was at this point, Salvadorian officials later maintained, that they issued a directive to all frontier posts and security services to conduct an "urgent and exhaustive" search for John Sullivan. Whether or not the bulletin was ever actually issued, certainly no relevant information was released by the authorities in the ensuing months.

Sullivan's family first received specific information regarding his possible death when a major US newspaper received a letter from Nuevo Cuscatlán in October 1981. The writer claimed to be a Treasury Police agent with direct knowledge of Sullivan's arrest, torture and manner of death. The letter advised the family that the corpse of a caucasian male foreigner which might be John Sullivan had been found at a spot

near Nuevo Cuscatlán, which was often used by government security forces for dumping the victims of extrajudicial executions. The letter stated that the local authorities knew that a caucasian male had been buried there. It appeared to have been written in response to a series of advertisements which the Sullivan family had placed in Salvadorian newspapers asking for information as to the journalist's whereabouts.

A second letter delivered to the US Embassy in Honduras some months later claimed to be from the same writer and gave additional information regarding the alleged burial site. The writer suggested a way to confirm the letter's contents. The Embassy did not inform the Sullivan family of this second letter for some time. Later, Embassy officials claimed that this was because the letter appeared to be from an entirely different person than the first one, and that its writer appeared to be primarily interested in obtaining a financial reward. However, the Sullivan family did eventually see the second letter and reportedly concluded that it appeared to be from the same person who had written the first letter and that its writer in fact sought assistance in getting asylum in the United States in return for the information he was divulging, rather than any financial payment.

The Sullivans also learned that neither the Salvadorian authorities or US Embassy staff had taken finger-prints from either of the letters, followed-up on the information contained in them, or questioned a man who presented himself at the US Embassy in Honduras claiming he could act as intermediary between the Embassy or the family and the letter-writer. US officials said they lacked the authority to take such steps.

In the following months, the Sullivans received other letters concerning the case. Their writers repeatedly stated that the Treasury Police had been responsible for the "disappearance" and death of a man believed to be John Sullivan. The family was unable to investigate these reports without assistance from the Salvadorian authorities.

In June 1982, yet another letter arrived, referring to unidentified bodies buried at Nuevo Cuscatlán, including one which might be John Sullivan. A map was enclosed showing the alleged burial site. The US Embassy in San Salvador sent an investigation team to the area. Local officials named in the letter as having been present at the burial of the as yet unidentified corpse first denied any knowledge of the matter, but then admitted that they were often asked to arrange and witness the burial of unidentified corpses in the area. It was only at this point that much of the information above regarding the discovery and burial of a white caucasian male on 29 December 1980 was obtained.

On 11 July 1982, after continued pressure by the Sullivan family and members of the US Congress who had become involved in the case, a body was exhumed at the point indicated on the map and the Salvadorian Government appointed a forensic pathologist to examine the corpse. He concluded that the remains were those of a man in his 40s (Sullivan was

in his 20s) and of shorter stature than Sullivan.

By the time this examination took place, the mutilation the corpse had sustained, including the effects of the explosion which may have been the cause of death, as well as natural decomposition of the remains, made it impossible to use certain techniques, such as examination of the teeth or cranium in order to identify definitely the remains. US consular officials stated that the Salvadorian laboratory conditions under which the examination had been carried out would be considered sub-standard and unscientific in the United States. Sources in El Salvador suggested to Sullivan's family that the Salvadorian pathologist who had examined the remains at government request would have been in danger had he found the corpse to be that of Sullivan.

Given all of these reasons for doubt, the Sullivan family sent X-rays of the exhumed corpse to eight forensic specialists in the United States. All concluded that the X-rays were of a male in his mid- to late 20s. A radiologist at the Smithsonian Institute in Washington, DC, stated that X-rays from Sullivan's records showed more similarity with the body in El Salvador than the Salvadorian report allowed. The Sullivans then began pressing to have the remains sent to the United States for further tests. The Salvadorian authorities refused to permit this, maintaining that according to Salvadorian law an unidentified body could not leave the country until it had been proved it was that of a foreigner - one of the issues in dispute.

A visit to El Salvador by a congressman from Sullivan's home state eventually provided the political impetus to move the Salvadorian authorities to release the body. The congressman managed to reach an ad hoc understanding with the President of the Salvadorian Supreme Court that the body could leave the country if the local magistrate in Cuscatlán signed the necessary release paper. Eventually, an official from another town signed the paper. Once the remains had been returned to the United States, a leading US professor of forensic pathology examined them, compared them with X-ray pictures in John Sullivan's medical records, and concluded in February 1983 that the corpse was that of John Sullivan, "beyond all reasonable doubt".

The US pathologist's post-mortem examination indicated that the body had been blown up, possibly by a stick of dynamite in the mouth. Because of the extensive damage which the corpse had sustained (the upper part of the body was destroyed, ribs were shattered, shoulder blades and the sternum missing) he was unable to determine whether the explosion had occurred before or after death.

The Sullivan case thus illustrates both technical and political obstacles faced in the attempt to conduct medical and legal inquiries in cases of "disappearances" and murder in El Salvador. Although John Sullivan's body was eventually found, identified and returned to his family for burial, many questions remain unanswered about deficiencies in the investigation into his death, in particular why the Salvadorian

authorities have not even now questioned local officials who authorized and witnessed Sullivan's anonymous burial, or investigated allegations of the involvement of the Treasury Police and other named individuals in the killing.

(C) Michael Kline

The case of another American, 21-year-old student Michael Kline, shot by government troops on 13 October 1982, provides another example of the potential utility of forensic pathology in establishing circumstances of death in disputed killings. Once again, however, the extent to which political considerations can obstruct genuine investigations of violent deaths is also illustrated.

In the Kline case, the Salvadorian military does not deny that the young man was shot and killed by Salvadorian soldiers; what is in question are the circumstances under which the shooting took place. The soldiers involved in the incident stated afterwards that Kline was taken into detention during a routine search of a public bus because he did not have adequate identification and was of a suspicious appearance. The soldiers maintain that they were driving the prisoner off in an army truck towards local military headquarters when he tried to disarm a soldier and escape. As Kline ran off, the soldiers state they shot him three times, once in the neck and twice in the back from a distance of 30 feet.

In an apparent effort to justify the killing, the first announcement of the incident was made by the military, who described the dead man as a "gringo (14) mercenary". The authorities claimed that the Alka Seltzer and oil for cleaning hiking boots which Kline had with him at the time of his death were evidence that he had been carrying medical supplies for the opposition and oil for lubricating weapons. These allegations have been denied by the Kline family who, to back their case, have publicized the fact that Kline was merely a tourist in the area who had made arrangements to continue his further education in the United States following his trip.

An initial medical examination of the body was carried out the following day in nearby San Francisco Gotera. The doctor who signed the death report examination form gave a description of the wounds found on the body and the apparent direction of the shots, but did not address the question of the range at which Kline had been shot. The report did state, however, that one of the wounds did not reveal any gun powder. (Powder burns indicate wounds inflicted at close range.) The US Embassy in El Salvador advised the sub-director of the hospital where the body had been taken that there were discrepancies between the 14 October doctor's report and the soldiers' account as to how Kline had died. The Embassy asked for a further examination of the body to determine the number of bullet holes present, the direction of entry, the calibre of

(14) Gringo: A nickname given to one who speaks a foreign language, a foreigner. In Central America, applied especially to US citizens. (vulgar, contemptuous)

the bullets and the distance from which they were fired. The Embassy made it clear, however, that it was not requesting a complete autopsy. A civilian doctor, head of the pathology laboratory at the hospital where the body was held, accompanied an Embassy official to the hospital morgue and in his presence re-examined the body. He found that Kline had been shot once in the head from the front, with the bullet exiting from the back of the head, and that this had probably been a fatal wound. A second bullet entered the back, and exited the chest, also causing a probably fatal wound. The doctor found that there was probably a third bullet wound in the back.

At the request of the United States Embassy, the body was examined a third time, on this occasion by a forensic pathologist. The examination was carried out some weeks after the young man's death. The Embassy asked this examiner merely to determine the cause of death; he was not asked to try and determine whether the victim appeared likely to have been tortured, nor the likely position of the body when it was fired upon. The examiner found that the victim had been struck by four bullets, two of which produced head wounds, one these being from the rear, the other possibly from the front. The other two wounds, in the third examiner's opinion, had resulted from bullets which had entered Kline's back, were very likely to have been fired after those which struck his head, and appeared to have been responsible for the fatal injuries. Powder burns suggested that these wounds had been inflicted at a distance of less than two feet.

The three after-death examinations carried out in El Salvador thus contradicted each other in a number of ways, differing even as to the number of wounds sustained. Pathologists consulted by the Kline family in the United States found that none of the reports satisfied professional forensic pathology standards. Kline's family pointed out that physical marks evident in the after-death photographs were not analysed in the reports.

Eventually, the Kline family succeeded in having the remains sent back to the United States where a full forensic pathology examination was carried out. This examination did not occur until some four months after death which greatly reduced the certainty with which the examining pathologist could state his findings. Furthermore, the various incisions made in the course of the previous examinations also meant that some bullet tracks and other potentially significant information had been removed or interfered with by the time this examination was undertaken. Nonetheless, the pathologist was able to make certain findings from the body itself and was also able to draw other inferences from comparison of the corpse with photographs taken soon after death. He found that there were a number of areas that superficially looked like ante-mortem injuries, suggestive of bruises and abrasions, comparable to lesions shown on the photographs of the corpse taken after death. He also found that the wound found in the lower right back had been inflicted at close distance. He stated in his report, "I am of the opinion that Michael Kline suffered injuries to his body from blunt force, resulting in abrasions and bruises about the chest, face and extremities, and that these occurred before his death from gunshot wounds." Given the time-

lapse that had occurred between the death and his examination, the pathologist felt himself unable to say if these wounds might have been the result of torture.

The pathologist also found circular markings on the corpse's neck, back and thumbs. Such marks would be consistent with the hypothesis that Kline may have been bound by the thumbs, the wire or rope used then being passed around the neck and over the back in the manner customarily used by the Salvadorian security forces. Marks on the thumbs visible in the after-death photographs were also consistent with this hypothesis.

A US lawyer retained by the Kline family prepared a report based on the various autopsy findings. He concluded that Kline had been shot four times by the sort of rifles customarily used by the Salvadorian security forces. Two of the shots had been fired into the head, while the fatal shots had been fired into Kline's back at a distance of no more than two feet. The lawyer considered that these shots had most probably been fired by soldiers who stood above Kline as he lay face down on the ground.

The lawyer also travelled to El Salvador where he interviewed the forensic pathologist who had carried out the third examination of the body in El Salvador. The latter reportedly then agreed that the fatal shots had probably been fired by someone standing above and near Kline as he lay face down on the ground. He also stated that marks observed on the after-death photographs of Kline's body were consistent with the dead man having been bound by the thumbs, apparently with wire which was then passed across his neck and along his back, and that he had observed multiple abrasive aspects on the photographs. The forensic report he prepared, however, had mentioned only these abrasions and none of the other markings.(15)

At the time of the Kline family lawyer's visit to El Salvador, there had been no official questioning of the soldiers who had signed the affidavits regarding Kline's death. He himself questioned them about the discrepancies between their statements regarding the distance at which Kline had been shot and the medical examiners' findings, which suggested that at least one shot had probably been fired at close range. The soldiers explained this discrepancy by suggesting that the examining doctors may have had some "motives for lying". They also gave differing responses as to whether the pick-up truck from which they had shot Kline was moving or stationary, whether they had fired from the truck or from the ground, whether anyone else had been removed from the bus at the time Kline was taken into custody, and whether or not he had been placed under restraints while in custody.

The Klimes' lawyer also found that no attempt had been made to obtain a statement from the driver of the bus from which Kline had been removed, or from the doctor who carried out the initial examination of the body

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(15) The Amnesty International delegation found it significant when talking to the third pathologist that he repeatedly referred to the dead man as a "mercenary". (Staff at the US Embassy did the same when discussing the case.)

when it was brought to military headquarters in San Francisco Gotera after the shooting.

After a great deal of pressure from abroad, several junior soldiers were eventually arrested in connection with this case. They are reportedly still in custody, but to Amnesty International's knowledge proceedings have not gone beyond the initial investigation phase and there have been no convictions.

(D) Marianella Garcia Villas

The death of Marianella Garcia Villas, lawyer, journalist, former Christian Democratic member of Parliament, and CDHES President, was announced by the armed forces' press agency on 15 March 1983. She had left the country in 1981 after her name had appeared on a list of "traitors to the country" issued by COPREFA. Prior to that, she had been arrested on two occasions; on the second occasion she was badly beaten while in custody. She died while on a visit to El Salvador from her place of exile in Mexico to collect information on human rights to present to the February/March 1983 session of the United Nations Human Rights Commission.

While in El Salvador Ms. Garcia had met church, university, trade union and political figures. She had also applied for meetings with government officials. According to the CDHES, she travelled on 12 March to Bermuda, Suchitoto, to investigate reports of indiscriminate bombings of civilians and the use of chemical warfare. On 15 March, COPREFA issued the first of a series of confused and contradictory statements concerning her death. Initially it was announced that "A man and a woman, who are assumed to be foreign journalists (16), were found among the dead when a military patrol was attacked in the area of Bermuda, Suchitoto, by a group of terrorists..." A military patrol carrying out a "search and destroy operation in the zone referred to...upon encountering the extremists, caused 20 casualties.... The two foreigners could not be identified because they were not carrying any documents."

In a later version of events COPREFA explained that the two "foreigners" had not been killed by troops of the Atlacatl Brigade (one of the country's special "search and destroy units", trained in the United States) but that "the two, presumed to be journalists, were caught between the soldiers and the subversives at the time of the clash."

On 16 March, after one of the "journalists" had been identified as Marianella Garcia, COPREFA named her as "one of the terrorists who died in the Bermuda area" and stated that at the time of her death she had been "acting in the Suchitoto area as guerrilla Comandante Lucia, sowing terror amongst the peasant population."

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(16) The body of the second dead "journalist" has never been produced nor has his actual identity ever been established.

Although COPREFA had said on 15 March that no documents were found on the bodies of the two "journalists", it now declared that "It had been learned that the subversive criminal was carrying communications from abroad for the terrorist camps inside the country." The statement added that "the terrorist García Villas entered El Salvador clandestinely and, according to the correspondence she was carrying, intended to leave the country by the same route as that used by international criminals."

On 18 March COPREFA issued a press statement to the effect that "The Commander of the terrorist column in which the internationalist Marianella García was travelling was Comandante Nelson, on whom was found a great quantity of documents concerning terrorist actions and a report on the provisioning of future activities of terrorism."

On 20 March COPREFA provided still another version of events, according to which Marianella García had "died when an Armed Forces military patrol was protecting some workers from the Compañía de Electricidad Nacional (CEL), National Electric Company, who were ambushed by the guerrillas" but that the finding of photographic equipment had initially led the military patrol to believe that the dead were foreign journalists.

According to the Fifth Justice of the Peace of San Salvador, "the body of Marianella García Villas was identified in the morgue of the Isidro Menéndez Judicial Centre, displaying multiple gunshot wounds in the chest with partial dismemberment of the right arm caused by the same wounds. There were also multiple bullet wounds in the thighs....." The judge stated that in his opinion "the multiple gunshot wounds had been the evident and direct cause of her death".

On 16 March, a team of doctors from Socorro Jurídico Cristiano examined García's body and issued a report describing the visual evidence as to wounds incurred. The team noted, however, that it had been unable to determine whether certain of the wounds exhibited by the body had been caused before or after death, or precisely what had caused them. Similarly, the Socorro Jurídico stated that it had been unable to establish whether powder burns were present on the body or not.

The Amnesty International delegation conducted extensive inquiries while in El Salvador and elsewhere regarding the circumstances of the death of Marianella García and talked to various individuals and members of agencies, including government officials, who had seen her corpse. The forensic pathologist member of the delegation also was able to study several sets of photographs taken of the body. He found that the available evidence was not sufficient to make a definitive finding as to likely cause of death, although he considered it likely that the visible wounds to the body (shoulder and legs), apparently caused by high-powered rifles, would probably have been fatal. He judged that a number of visible bruises displayed by the body were probably secondary effects of these same wounds, or had been sustained when the body struck the earth with great impact after being hit by high-velocity rifle bullets. He found that the existing medical evidence did not constitute proof that Ms. García

had been tortured before death, but pointed out that the possibility could not be discarded that evidence of torture may have been concealed through photographic techniques, embalming procedures or the application of cosmetics, and that the bindings to García's wounds, which he considered had been applied after death, could also have been intended to conceal such evidence.

Amnesty International considers that the Salvadorian government bears responsibility for such matters as the manner in which Ms. García's death was announced and the fact that no adequate post-mortem examination was carried out and no adequate investigation undertaken into the circumstances of her death - all of which have contributed to a situation where no definitive conclusions can be drawn as to the manner in which she died. Amnesty International also notes that the available forensic and other evidence in no way supports the government's claim that Marianella García Villas died while participating in or leading any guerrilla action.

(E) Quebrada Seca

This incident involved the reported death of some 30 soldiers on 25 May 1983 at Quebrada Seca, in the department of San Vicente. Previous case studies dealt with inadequacy in official investigations and apparent attempts to suppress medical and legal evidence which might have indicated official security or military force responsibility for the killing of non-combatant civilians. Quebrada Seca represents an instance where medical evidence was cited by the Salvadorian authorities and others as indication that murder had been committed by the opposition.

According to staff at the US Embassy in San Salvador who discussed the case with the Amnesty International delegation, the bodies of the soldiers had been found in a row, suggesting that they had been executed after surrender. The corpses were brought back to an army base in San Vicente, where a US military advisor judged that the high proportion of head wounds also suggested that the soldiers had not died in combat. He therefore laid the bodies back out in a row, and photographed them. The photographs were shown to the Amnesty International delegation, and apparent machete wounds and powder burns were pointed out as indicative of close quarter, possibly execution-style killings. The arrangement of the few items of clothing left on the corpses was cited as evidence that the captured soldiers had been made to remove their clothing and were then shot.

After viewing the photographs, the forensic pathologist member of the delegation observed that, as in the case of other post-mortem photographs inspected by the delegation during its visit, the bodies had not been cleaned in a manner which would have enabled photographs to yield sound forensic evidence. Furthermore, he found that the photographs exhibited to the delegation (there may have been others which the delegation did not see) had not been taken at close enough range or with sufficient definition to show up any powder burns. Nor could he find evidence in the photograph suggestive of close-range machete wounds. Wounds pointed out to him as such were identified by him as identical to the sort of wounds that would

2. Military and security personnel implicated in human rights violations, including the extrajudicial execution of non-combatant civilians, must be brought to justice. The appointment of a central military prosecutor responsible for investigating and prosecuting all crimes committed by the security forces should be considered.
3. The activities of the "death squads" should be fully investigated. Anyone found to belong to such squads should be brought to justice, and the government should clearly publicly state that it will tolerate no further operations by such squads.
4. Given the alleged involvement of local civil defence forces in extrajudicial executions, the activities of these units too should be investigated, and consideration given to disbanding these groups.

B. Judicial Reform

The possibility of designating a military prosecutor has already been suggested in Section A. In addition, the government should institute major judicial reforms that could help restore respect for the rule of law. The Association of the Bar of the City of New York made a number of useful suggestions in its report which it presented to the Salvadorian Government in January 1983. Amnesty International considers they merit careful study. They include:

1. A restructuring of the Salvadorian Ministry of Justice to give it greater control over the security forces;
2. The establishment of a criminal law training institute to increase judicial expertise;
3. The promotion of the establishment of an independent national Bar Association, charged with ensuring that the integrity of the judicial system is respected.

C. Maintenance of Adequate Standards in the Collection of Data and the Forensic Examination of Bodies in Cases of Death due to Violence

1. The government should thoroughly review the present method of reporting and certifying violent deaths, including those resulting from actions taken by any person in an official capacity. The aim of such an inquiry should be to create procedures which will guarantee that such deaths are reported to the appropriate authorities, as for example, the Justices of the Peace, whose task it would then be to conduct genuine investigations into the deaths.

2. Clear directives should be issued to all appropriate security agencies and civilian officials that burying unidentified bodies without first examining them and/or informing the central authorities will no longer be tolerated.
3. The government should assume responsibility for patrolling the areas commonly known to be "body dumps", not only to recover and attempt to identify the bodies found there, but also to discourage the abandonment of unidentified bodies, and in order to apprehend and investigate anyone found disposing of bodies in this way.
4. A central agency should be established to collect and tabulate data on violent deaths on a national level. Its records should be available to agencies and individuals attempting to locate missing people or establish cause of death in cases of identified corpses.
5. The authorities should take all possible steps to identify recovered corpses, such as finger-printing them and checking these finger-prints against other records. The authorities should also notify relatives when corpses have been identified.
6. All unidentified corpses should be properly prepared and examined by adequately trained forensic specialists. Professional standard post-mortem photographs should be taken so that they may serve as evidence in eventual legal proceedings. If cause of death is established, this should be stated in writing and the findings made available to the public.
7. In cases of identified bodies, these same forensic procedures should be followed providing the victim's family agree.
8. Provision should be made for the adequate training of Salvadorian medical and forensic medical experts. Reopening the National University and its Medical School should be considered and steps taken to ensure that staff and students there and at other Salvadorian medical educational institutions are protected from any "disappearances" and extrajudicial executions such as those suffered by such people in the past. The number of forensic pathologists should be increased by expanding teaching facilities in the country and increasing the numbers of Salvadorians trained abroad. The appropriate national and international funding agencies might consider ways of helping develop such programs.
9. Steps should also be taken to ensure that medical and legal practitioners involved in the process of certification of death are safe from interference, intimidation or abuses, including extrajudicial executions, intended to interfere with the performance of their professional duties.

10. Communication and interchanges between national and international medical and forensic pathology associations and their Salvadorian counterparts should be encouraged in order that any threats or abuses directed against Salvadorians working in this field can be quickly known and exposed, and their ability to carry out their professional duties without interference thus strengthened.

D. Independent Human Rights Monitoring and Reporting Groups

1. The government should ensure that members of such groups receive the full protection of the law, including respect for the right to life, so that they can carry out their vital work.
2. The data collected by these groups, including testimonies regarding official security and military force involvement in human rights violations, should be fully investigated by the authorities.
3. All instances of human rights violations directed against staff of such organizations, a number of which have been described in this memorandum, must be fully investigated and the perpetrators brought to justice.

E. The Government Human Rights Commission

1. Amnesty International urges that the government instruct the governmental Human Rights Commission to expand the scope of its investigations to include inquiry into the many thousands of human rights violations, including massive instances of disappearance and extrajudicial execution which occurred before the Commission began functioning at the beginning of 1983.
2. The Commission should also take steps to widen its methods of data collection, so that it no longer depends solely on the Salvadorian press for information or upon requests from relatives to investigate "disappearances". It should, for example, be given the power to subpoena the records of the military and security forces, as well as the medical and legal records maintained by local Justices of the Peace or other local or central civilian authorities with respect to instances of violent death. It should also attempt to investigate human rights abuses reported by local human rights groups.
3. The Commission should attempt to identify those responsible for the human rights violations brought to its attention. It should present all the relevant information which it collects in this regard to the relevant authorities, and press them to prosecute where appropriate.

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