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ORIGIN MODS-00

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INFO LOG-00 ADS-00 /000 R

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

**EXCISE**

0 220539Z NOV 89 ZFFG  
FM SECSTATE WASHDC  
TO AMEMBASSY SAN SALVADOR IMMEDIATE

SECRET STATE 373881

NODIS  
FOR AMBASSADOR WALKER FROM ASSISTANT

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

REF: (A) 89 STATE 14970

**NODIS REVIEW**  
Cat. A - Caption removed:  
transformed to MOD/FPC  
Cat. B - Transform to MOD/FPC  
SECRETARY WALKER  
controlled by:  
Cat. C - Caption and content  
retained by: CSB  
Reviewed by: \_\_\_\_\_  
Date: \_\_\_\_\_

1. SECRET/NOFORN - ENTIRE TEXT

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

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

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

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

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

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

Department of State IS/FPC/CDR El Salvador SP Date 9/20/93

SECRET

Declassified under EO 12388 ( ) in full; ( ) in part;  
Exemptions withheld: classified ( ) ; deliberative ( ) ;  
enforcement ( ) ; privacy ( ) ; statutory ( ) ;  
not releasable to El Salvador ( ) .

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

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

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

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

8. I CANNOT STRESS ENOUGH THE IMPORTANCE OF BUILDING AS

SOLID A CASE AS POSSIBLE AND THEN WORKING CLOSELY WITH CRISTIANI ON A STRATEGY. WE MAY BE ASKING CRISTIANI TO DO

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

9. PLEASE HOLD THIS INFORMATION VERY CLOSELY.  
BAKER

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