

February 2, 1983

STEADY PROGRESS IN EL SALVADOR

INTRODUCTION

On January 21, 1983, President Ronald Reagan certified for the third time that the government of El Salvador was complying with the terms of the International Security Development Cooperation Act of 1981--certification that would permit El Salvador to continue receiving U.S. military and economic assistance. Both the House and Senate now will review the President's assertion that El Salvador has made steady progress over the past six months in the areas of human rights, economic and political reforms, and free elections, and in the investigation of the murders of U.S. citizens in El Salvador.

As in past certification reviews, critics will place heavy emphasis on arguments that the U.S. should curtail all assistance to El Salvador. They will give little consideration to the effects of the U.S. sponsored reform program on the Salvadoran situation or to the perceptions of the Salvadorans themselves concerning the certification process. It is indeed ironic that the U.S. Congress requires progress in political and economic reforms, but at the same time persists in delaying unduly the economic assistance that would make those very reforms effective.

Some Members of Congress will focus only on the actions of the minorities involved in the conflict. These critics will claim that the guerrillas have the support of the majority of the populace; and they will condemn the Salvadoran government for allowing its security forces and paramilitary "death squads" to commit gross human rights violations. On the basis of such claims, these Members of Congress will conclude that the Administration should not have certified Salvadoran progress and that assistance should be cut off.

It is certainly true that political, economic, and human rights problems continue in El Salvador. At the same time, it is apparent to any disinterested observer that notable progress has been made in all areas. Those considering certification and U.S. aid to El Salvador should ask but one fundamental question--would the people of El Salvador be better off with or without the United States and its efforts to promote change and improvement? The answer is clear; only by continuing such U.S. involvement can the gains made thus far in El Salvador be preserved and advanced.

CERTIFICATION¹

The certification process has provided military and economic assistance on the basis specified in Section 728(d) of the International Security and Development Cooperation Act of 1981, P.L. 97-113. Assistance has continued under these limitations for the past year, during which the situation has become increasingly complex.

Emphasis in the certification process has been placed on progress in eliminating human rights violations. Unfortunately, progress in economic development has not received equal attention. Unemployment in El Salvador is over 40 percent, there has been little development of the private sector, and no provisions have been made to revitalize the industrial market. The potential for economic progress exists, however. El Salvador has a well-trained work force and capabilities in the areas of industrial and managerial administration. Continued U.S. assistance is needed for implementation of U.S. supported economic reforms.

There has been some progress in the area of human rights, but the certification process contains a built-in bias against the Salvadoran government. Although several factions are involved in the conflict in El Salvador, only the government is required to comply with the certification measures of curtailing human rights violations. Human rights groups therefore bring charges only against the government forces; they ignore extensive violations by the guerrillas.

Substantial progress in the development of the democratic system was brought about when the Pact of Apaneca was signed by the major political parties participating in the March 1982 elections. These parties comprise the present Government of Unity.

Investigations into the murders of Americans in El Salvador are continuing, but have been thwarted because of deficiencies in

¹ Much of the analysis in this study is based on firsthand observation and recent interviews by the author in El Salvador.

the Salvadoran judicial system. Complaints have been expressed to the Salvadoran government by both the U.S. Embassy and members of the victims' families, who have been provided at least with some knowledge of those charged with the murders, which is not true of Salvadorans who have sought such information. The judicial system must be reformed not only to bring justice for foreigners, but to establish a working, credible system of justice for Salvadorans.

Social and Economic Reforms

While human rights violations continue, they are decreasing; progress, though slow, is being achieved in this critical sector. There is, moreover, evidence of progress in social and agrarian reforms. Land reform efforts especially have provoked continued controversy. The most violent opponents of land reform have been the guerrillas, who object not to land reform itself, but to its implementation by the ruling junta. Redistribution of the land has been one of the guerrillas' basic promises, a promise they are prevented from realizing since it is already in progress. Much of the area in question has been redistributed through the land reform program. In retaliation, the guerrillas have burned over 21,000 tons of sugar cane and over half of this season's cotton crop.

The land reforms were divided into three phases. The most dramatic was Phase I, in which all property holdings of over 500 hectares (c. 1,235 acres) was to be assumed by the government. A serious problem under Phase I was the lack of money needed to reimburse former landowners and at the same time to finance credit and other necessary services for the new cooperatives on the confiscated land. Phase II was to follow with confiscation of property of 100 to 500 hectares, but has been indefinitely suspended in view of the financial problems with Phase I.

Nevertheless, Phase III, also known as the land-to-the-tiller program, has been implemented. It allows renters and sharecroppers to purchase up to seven hectares (c. 17 1/3 acres). It has been modestly successful. The government set a goal of distributing 22,000 provisional titles under the Phase III stage of the agrarian reform during the past certification period. The recent surge in applications for these titles brings this goal within reach.

In another area of progress concerning land reform, the government has earmarked \$20 million for compensation to former landowners whose land and agricultural equipment were confiscated under the Phase I stage. This is only a small percentage of the government's debt to former landowners, but it will ease some of the tension between the landowners and those benefiting from the land reform program.

The pressures of the certification process--such economic reforms implemented by the government as nationalizing the banks and the marketing of cotton, coffee, and sugar--have limited the

development of the private sector. For example, cooperatives and their beneficiaries were to have preference in obtaining loans from the government controlled banks, but this has not happened.

Political Reforms

Following the elections of March 28, 1982, a predictable power struggle over control of the Constituent Assembly erupted. This led to the formation of a coalition of the conservative parties holding a majority of assembly seats and the election of Roberto D'Aubuisson, leader of the rightist Republican Alliance party (ARENA), as president of the Constituent Assembly. The selection and formation of a Government of Unity followed with the participation of the three parties that had received the largest number of votes in the elections. Today, the Government of Unity is headed by President Alvaro Magana and three vice-presidents representing the three political parties, ARENA, the Christian Democrats, and the Party of National Conciliation (PCN).

On August 3, 1982, leaders of the three parties signed a document called the Pact of Apaneca, which outlined a unified stand within the ruling coalition. The pact includes a call for consolidation and improvement of the agrarian reform program, a concerted effort for the reduction of human rights abuses, and a commitment to defeating the leftist rebels, as well as a guideline for presidential elections. The pact called for a "program of immediate action" to be effected by the establishment of a peace, a human rights, and a political commission (see Appendix I).

Priority was placed on the formation of the Political Commission, and a September 30th deadline was set for consideration of the following agenda:

- a) appointment of a new Central Electoral Council;
- b) drafting of rules and regulations for the electoral process;
- c) municipal elections;
- d) presidential elections;
- e) the transfer of executive power by the present interim regime.

The Political Commission met the deadline and announced the formation of the Central Electoral Council and the scheduling of presidential elections for March 1984. With the Political Commission in place, the Peace and Human Rights Commissions were initiated.

Human Rights Violations

Human rights is a major concern of all observers of the El Salvador situation. The certification for continued U.S. aid

requires that El Salvador make "a concerted and significant effort to comply with internationally recognized human rights."²

But human rights violations continue in El Salvador. Of this there is no question. What is unknown, however, is who or what forces are guilty of the violations. A small number can be identified, especially when there are survivors. Blaming the government security forces for the majority of human rights violations destroys the credibility of such reports. It is very likely, but impossible to verify, that most violations are committed by the guerrillas.

Government figures on violent deaths in El Salvador before 1975 indicate that an average of 3,000 civilians died annually in the country due to nonpolitical violence. But two civil liberties groups³ now blame political violence for more deaths than ever, citing 5,339 civilian deaths in 1982. Since these same groups claimed 12,000 in 1981, "more violence" can hardly be the case.

To view human rights violations merely in numbers is to miss the point of the question of human rights. Rebel Radio Venceremos repeatedly gives details of confrontations and battle achievements against government forces; however, it never mentions the civilians killed by the rebels. Not until recently, when they were so obvious they could no longer be ignored, did reports begin to implicate the guerrillas. A local, Spanish-English, Salvadoran publication described what has become known as the guerrilla's major mistake of the year, the mass kidnapping in San Sebastian late last year.

In a scene reminiscent of Nazi stormtrooper tactics, 100 heavily armed guerrillas surrounded the dusty soccer field of the village of San Sebastian...and rounded up the men, women, children and both teams and marched them into the hills. The National Guard was alerted but the contingent was too small to hold back the attackers, who descended from trucks and by foot from the surrounding hills.⁴

Within a week, most of the captured peasants either escaped or were released unless they refused to join the guerrillas. Three people were killed trying to get away in this incident at San Sebastian. In other villages, not such lucky peasants who have not managed to escape are currently at large in the hills with the guerrillas. They are used as human shields by the

² International Security and Development Act of 1981, Section 728(d), P.L. 97-113.

³ The American Civil Liberties Union and Americas Watch Report on Human Rights Violations in El Salvador, January 1983.

⁴ "Mass Kidnapping in San Sebastian, Guerrillas Abduct 200," El Salvador News Gazette, December 13-19, 1982, front page.

guerrillas during shootouts with the government forces, and the innocent civilians are added to the increasing number of casualties.

The Human Rights Commission, established by the government on December 2, 1982, is composed of civilians, union leaders, and a Roman Catholic Church representative. It has been reviewing human rights cases ever since, and in its second report, released the following observations:⁵

- In December, ten of 68 cases were resolved.
- A number of members of the Farabundo Marti National Liberation Front (FMLN) turned themselves in to the government.
- Former guerrillas have claimed that foreign mercenaries are treated better than Salvadorans.
- Guerrilla forces were suffering internal disagreements.
- Bishop Aparicio of San Vicente had condemned the guerrilla attacks on San Sebastian and Santa Clara.
- Bishop Aparicio claimed that one of his former parish priests is actively participating with the guerrillas in San Vicente.

The Commission expressed concern about the difficulty of defending the right to life and personal safety, as well as creating a national consciousness at all social levels for the respect of human rights.

Director of the Human Rights Commission, Monsignor Freddy Delgado, has stated that his only regret at the time was that the commission could not immediately consider all the cases pending prior to its December 2nd report. One of the commission's tasks in 1983 is the "investigation into the assassination of Archbishop Romero, as well as the pending international cases of those killed in El Salvador, Americans, Europeans and Japanese."⁶

These commissions are functioning under the Government of National Unity in spite of economic and political turmoil caused by the violence. This is evidence of genuine progress in El Salvador.

Elliott Abrams, Assistant Secretary of State for Human Rights and Humanitarian Affairs, has expressed concern that current congressional requirements concerning the human rights situation may be shortsighted. He pointed out that Congress does not consider human rights violations by the guerrillas. He added that Congress "does not ask whether a cutoff of American military

⁵ Human Rights Commission Report on January 8, 1983, in San Salvador, El Salvador.

⁶ Personal interview with the author.

aid would curb human rights violations or whether it would hurt our influence with the military...."⁷

The Question of Dialogue

The certification act specifically states that the government of El Salvador "is committed to the holding of free elections at an early date and to that end has demonstrated its good faith effort to begin discussions with all major political factions in El Salvador which have declared their willingness to find and implement an equitable political solution to the conflict...."⁸

For its part, the Peace Commission is studying ways to find a peaceful solution to the conflict. It is reviewing the present amnesty plan, which was instituted prior to the 1982 election campaign. It is also considering the question of "dialogue" with the opposing forces willing to participate in the March 1984 elections.

Questions remain. Do Salvadorans want "dialogue" with the guerrillas? What guarantees can the representatives for the Farabundo Marti National Liberation Front (FMLN) and the Democratic Revolutionary Front (FDR) give for safeguarding the lives of innocent civilians who oppose the revolutionary Marxist movement? Can the government give adequate protection to the guerrillas who decide to join the political process?

BENEFITS OF U.S. MILITARY AID

The political situation in El Salvador has improved to the extent that there is real hope for a peaceful solution and for elections next year as well. The government's armed forces have made substantial progress in improving their relationship with the civilian population. The military now helps civilians with medical care, road building, school construction, and other services. The military also helps supply food and shelter to those in need. This progress has been largely due to U.S. military aid.

U.S. military aid has gone far beyond what critics call "boots and bullets." During FY 1982, U.S. security assistance to El Salvador included \$25 million in Foreign Military Sales (FMS) and grant aid, \$1 million in International Military Educational Training, and \$55 million for provisions under 506(A) drawdown authority. This money has helped train Salvadorans in military tactics. It has also been used to fund educational programs for the troops.

⁷ Elliott Abrams, "El Salvador: Are We Asking The Right Questions?", The New York Times, July 29, 1982.

⁸ International Security and Development Act of 1981, Section 728(d), P.L. 97-113.

The average age in the Salvadoran Army is between 16 and 18 years. Many soldiers have little more than a third grade education, while others cannot read or write. Training this young military force has brought a better understanding to the military leadership of what it means to be a safeguard of national security. According to some of the U.S. advisers' comments on the Army's performance, the Salvadorans have proved to be a capable force with real aptitude for education. They have been taught to be courteous, and not to force military strength upon civilians during interrogations. This more humane treatment by the soldiers has improved the Army's image among the general population. Continued training will preclude the necessity of using American forces in El Salvador, which will enhance U.S. national security.

THE GUERRILLAS

The guerrillas must also be receiving millions of dollars to finance their fighting, since they also must train, clothe, and feed their soldiers. The peasants give a certain amount of assistance to the guerrillas in areas where operations are in smaller numbers and crops are more accessible. But the majority of food, weapons, and medicine still comes from neighboring Nicaragua.

During a recent visit to El Salvador, Representative Philip Crane (R.-Ill.) claims to have spotted a helicopter traveling from Nicaragua into El Salvador. He was visiting a naval base in the Gulf of Fonseca, which borders Nicaragua, Honduras, and El Salvador. The area of the sighting was a popular route for small aircraft to make drops in the northeastern sections of El Salvador. The congressman alleges that the helicopter was of Soviet make-- and one that was not registered in El Salvador.⁹

El Salvador does not have a radar system, which means violations of air space over the country are very difficult to detect. U.S. observers believe that the flow of arms into El Salvador has been limited to air traffic, as sea and land routes are better controlled by Salvadoran and Honduran governments.

The area controlled by the guerrillas is limited to the eastern section of the country, and their strongholds have not been kept for more than a few weeks as they are continuously on the run (see Appendix II Map). The guerrillas have not been able to claim many military victories. They have been successful at staging terrorist attacks on transportation and communication facilities and valuable farm land, which now is used by the peasants under the land reform program.

⁹ Ted Thomas, "Crane Says He Saw Rebel Air Supply," The Washington Times.

CONCLUSION

Considering the positive effects of U.S. involvement in El Salvador--promoting the development of democracy in the region U.S. national security as well--to decertify at this time would be to abandon the changes that have been so wrenchingly obtained. Instead the U.S. should support the progress in El Salvador by continued assistance. The following actions would demonstrate that support.

1. Economic Assistance.
Support must be given to help revive the private sector. This could be achieved with short-term investment loans from private institutions in efforts to revitalize industry and provide employment to the thousands in urban areas.
2. Support for the Caribbean Basin Initiative.
The trade and tax incentive portion of this program would create a market for goods manufactured in El Salvador, making it less economically dependent.
3. Judicial System and Human Rights.
The development of an efficient judicial system should be encouraged to expedite confidence in the government and bring speedy and just solutions to the many cases of human rights violations. The Salvadoran government, as well as the people, must learn the importance of a functional judicial system.
4. Democratic Institutions.
Support for the democratic Plan of Apaneca as well as the 1984 elections is essential. In developing a democratic society, the people must learn the meaning of democracy. The U.S. Congress has been too quick to judge limited performance in democracy. It was, after all, the Salvadorans who displayed their interest in democracy in the March 1982 elections.
5. Agrarian and Economic Reforms.
Decree 207, which allows issuance of provisional titles under Phase III, should be extended one more year to allow all its beneficiaries to file claims. Former landowners who lost land under the Phase I program should be compensated with funds earmarked for that. Phase II of the reform should not be considered, since El Salvador's major crops do not command a high price in the world market.
6. Military Assistance.
The U.S. should continue to assist the training of the Salvadoran military forces and to provide technical and advisory support. Eventually the Salvadoran Army will become more skilled and less dependent on the U.S.

7. Certification.

The certification process should be rewritten in order to evaluate all areas of this complex situation. The timing should be changed to a period of one year to allow a better measure of progress in El Salvador and to enable the democratic system to develop.

The democratic process is clearly in place in El Salvador. As the most visible champion of democracy, the United States must recognize the steady progress of this Latin American neighbor by certifying the assistance desired by the majority of Salvadorans. This will provide real support for the electoral process, the means by which all Salvadorans can be allowed to choose their destiny. Only thus can members of the left register their opposition in a more peaceful political arena.

Richard Araujo
Policy Analyst

BASIC PLATFORM OF GOVERNMENT

We, the President of the Republic and the representatives of the Political Parties in the Constituent Assembly, assembled under the initiative of the President,

OVERWHELMED by the popular will expressed on March 28 to constitute a Government to guide the country toward the goals of peace, social and economic progress, and the fulfillment of all democratic values,

CONCERNED by the evidence of divisions in Salvadoran society,

MOTIVATED by the imperative need to achieve a national reunification,

CONVINCED of the need to rationalize the functions of government,

HAVE AGREED

TO ADOPT a Basic Platform of Government founded in those principles, achievements and aspirations--expressed as objectives of a Government of National Unity--on the following basis, shared jointly by all political parties that we represented during the electoral campaign:

PEACE

To achieve peace and tranquility, in a social context that will allow all Salvadorans to live, to work and to progress as human beings, as a result of national social reunification, without regard to narrow self-interest, and through the expression of political interests in an orderly institutional manner.

DEMOCRATIZATION

To obtain effective participation of all social sectors in the operation of government by the people through their legitimate representatives--thus assuring confidence in and the effectiveness of the process of political participation and expression.

HUMAN RIGHTS

To achieve the fullest exercise of all inalienable human rights, the Government is to be the effective guarantor, not only of the physical security of individuals, but also of the individual's pursuit of accomplishments.

ECONOMIC RECOVERY

To establish the proper climate to create confidence for the development of a socially responsible market economy, creating the stimulus for different factors of productivity that will encourage economic development sufficient to fulfill adequate social and political objectives, emphasizing employment and social well being.

The economic recovery shall begin through a dynamic reactivation of all manufacturing industry, construction, tourism, handicrafts and general services.

The agricultural sector shall be provided with the necessary financial resources and technical assistance and the legal protection of private property rights shall be guaranteed. The unique problems characterizing the development of small enterprises shall be given special attention.

With the private sector, working in a spirit of cooperation and unity, efforts will be mounted to obtain financial assistance, from both bilateral and multilateral sources, to create and strengthen a climate for private investment.

**SOCIAL AND
ECONOMIC REFORMS**

To consolidate and guarantee the reform process in such a way as to obtain a greater level of economic and political participation of all social sectors, attempting to increase productivity for the general well being, as one basis to decrease social tensions to achieve an harmonious coexistence.

We shall seek to improve and to increase effectiveness in the areas of Agrarian, Banking and Foreign Trade Reforms.

In the Agrarian Reform process, this affirmation includes financial and technical assistance, protection of the legal status of cooperatives, unions, organizations of the campesinos, as relates to property and possession of land, and the preservation of the rights of former landowners to just compensation.

CONFIDENCE AND SECURITY

To achieve a climate of confidence in the judicial system in order to create the needed social confidence to render possible the realization of the other major goals of the Government.

The Government of National Unity shall try to restore the values of our society, with the special purpose of eradicating corruption in all government activities; will adopt measures of austerity in public expenditures; and will seek to maintain the independence of the powers of the State with respect to the public and its institutions. Special emphasis will be placed on the administration of justice through strengthening the Judicial System.

STRENGTHENING OF INTERNATIONAL SUPPORT

To improve our capacity in the international sphere, so as to obtain higher levels of international cooperation, political support and respect for our international rights, emphasizing our independence, our equality among nations, and our national sovereignty, to guarantee to all Salvadorans the right to self-determination and to oppose the interference of other States in our internal problems.

CONSEQUENTLY, WE HAVE AGREED

To respect and to obtain respect of those principles, achievements and aspirations, while maintaining our identities as separate political parties, to achieve the aforementioned general objectives, to do so in full exercise of all our rights, and in compliance with our responsibilities, to adopt the following:

A PROGRAM FOR IMMEDIATE ACTION

For the establishment of the following commissions:

PEACE COMMISSION: There will be created by an executive decree a Peace Commission which shall be composed of institutions, groups and persons devoted to study the problem and which shall propose the necessary solutions to obtain an everlasting and strong harmony and social stability.

HUMAN RIGHTS COMMISSION: To protect and promote human rights, in the fullest sense, a Human Rights Commission will be created by executive decree. This Commission will submit recommendations and undertake appropriate measures for the effective guarantee and achievement of all Human Rights, recognized by our Constitution and in International Agreements.

POLITICAL COMMISSION: Coordinated by the President of the Republic, with the participation of the Vice-Presidents and the Ministers of Foreign Affairs, Defense, and representatives of the political parties, a Political Commission shall be created by executive decree, to coordinate compliance and execution of this Basic Platform of Government, based on the need and the will of the present Government to strengthen the democratic process. Among other things, the Commission must reach agreement before September 30, 1982, on a schedule specifying the dates for the following political events:

- a) Appointment of new Central Electoral Council
- b) Drafting of rules and regulations for the electoral process.
- c) Municipal elections.
- d) Presidential elections.
- e) The transfer of Executive Power by the present interim regime.

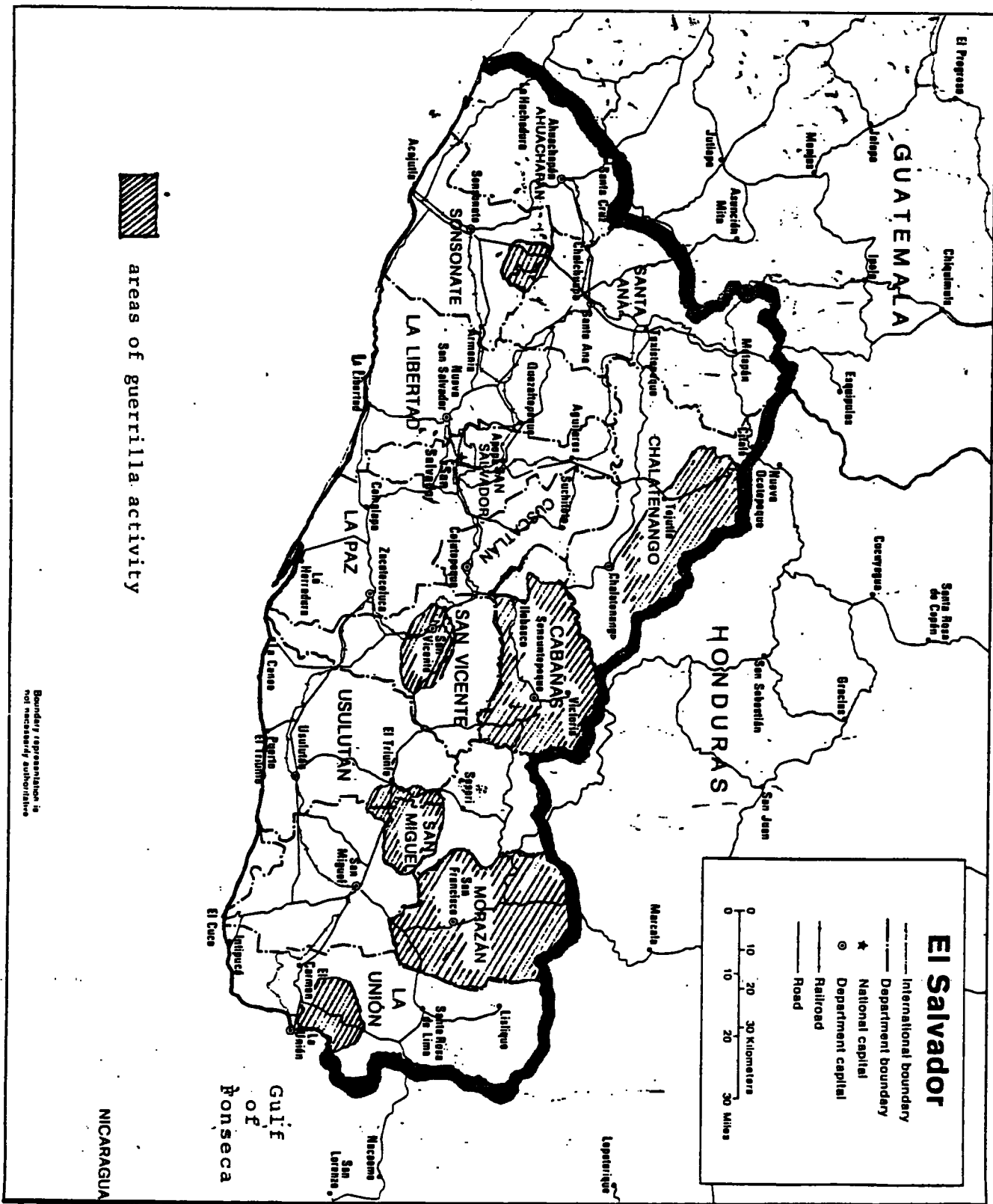
All the undersigned parties, in our representative capacities, agree to urge the members of the Constituent Assembly to enact a Political Constitution as soon as possible.

Signed in the city of Apaneca, Department of Ahuachapan, Republic of El Salvador, the twelve hours of the third day of August, nineteen eighty-two.

Signed by:

Alvaro Magaña
President of the Republic

PARTIDO DEMOCRATA CRISTIANO
ALIANZA REPUBLICANA
PARTIDO DE CONCILIACION NACIONAL
PARTIDO POPULAR SALVADOREÑO



NICARAGUA

Gulf of Fonseca