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## Salvadoran National Assembly Approves Controversial Amnesty Legislation

by Deborah Tyroler

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Late on Oct. 27, the Salvadoran National Assembly passed a controversial amnesty law that will free hundreds of guerrillas and prevent prosecution of death squad members. The legislation was approved by a vote of 33 to 27: Christian Democrat deputies voted for the bill, while opposition party deputies cast votes against. The amnesty will prohibit the investigation or prosecution of any member of the military suspected of taking part in massacres of civilians. Cases against several officers who are being investigated in connection with such massacres will apparently be dropped. The law, opposed by human rights groups, the leftist rebels, and the ultra-right was introduced by President Jose Napoleon Duarte as a concrete step toward complying with the regional peace accord. The final amnesty bill, which was approved after hours of bitter debate, pardons "any crime committed by anyone for the motive, occasion or as a consequence of the armed conflict." It was altered at the last minute at the insistence of the Roman Catholic Church to exempt the killers of Archbishop Oscar Arnulfo Romero, a critic of the armed forces who was killed on March 24, 1980, by sniper fire while he said Mass. The amnesty will not cover crimes committed after last Thursday, apparently in an attempt to reduce the tension that followed the killing on Monday of Herbert Anaya, president of the non-governmental Human Rights Commission (CDHES). It also excludes participants in kidnappings and drug traffickers. The amnesty does cover an estimated 750 rebels held on a variety of charges. Among them are four guerrillas convicted of gunning down 13 people, including four off-duty US Marines, in June 1985. The amnesty for rebels provoked bitter opposition among the powerful armed forces, whose strained relationship with Duarte has come under new tension because of the peace talks and a proposed cease-fire. Senior officers successfully lobbied the president to introduce an amnesty that would include all political crimes. Among those who could be freed are five National Guardsmen convicted in the murders of four US church women in 1980 and two other guardsmen serving prison terms in the killings of two US land reform advisers and the head of the Salvadoran land redistribution commission in 1981. "It's a confession by the Christian Democrats that they're powerless to stand up to the military," said a human rights worker. "It wipes out all hope for prosecution and squashes the nascent growth of an independent judicial system, what there was of one." The amnesty was passed as the Farabundo Marti National Liberation Front (FMLN) mounted several attacks. In the assaults, insurgents briefly took over a radio station in San Salvador and others attacked the main road to Santa Ana near El Congo, 25 miles northwest of San Salvador. In the capital, demonstrations and protests against Anaya's murder continued for the third day. Western diplomats said the evidence indicated he was killed by a rightist death squad in an attempt to deflect increasingly active leftist groups and sabotage the regional peace accord. The largest demonstration, organized by students and labor unions, attracted about 3,500 marchers, many of whom wore masks and carried sticks studded with nails and topped with pompons. The march was led by a red jeep bearing Anaya's coffin, which was draped in an orange and white flag, the colors of the Mothers of the Disappeared. The group has pressed the government to prosecute rightists who are suspected of carrying out abductions. The protestors who damaged several government cars and set ablaze a garbage truck on their march, had planned

to go to the military's High Command. But before they could reach the fortified installation, they were stopped by riot police and soldiers carrying automatic rifles. The two groups then engaged in a battle of slogans, using loudspeakers as artillery. "Assassins, assassins," the demonstrators chanted. "You jeopardize the tranquility of the working people," the military announcer shouted, drowning out the protesters. "We all want peace. Don't allow yourself to be manipulated by the Marxist-Leninist insurgents." The sloganeering ended after about 90 minutes, when the police put on gas masks. The demonstrators retreated and hurled rocks. Spokesmen for the unions that organized the protest said it was impossible to "forgive and forget" atrocities, as demanded by President Duarte and the amnesty. (Basic data from PRENSA LATINA, NEW YORK TIMES, 10/28/87)

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