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## **U.S. Threatens To Cut Aid In Response To Salvadoran Human Rights Abuse Prosecution Failures**

*by Deborah Tyroler*

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In December, the Salvadoran government's prosecution effort in the murder of Archbishop Oscar Arnulfo Romero collapsed. The archbishop, critic of military repression and death squads, was shot to death while saying mass at the San Salvador cathedral almost nine years ago. Chief witness in the case, Antonio Garay, testified that he had been ordered to drive the getaway car by Capt. Alvaro Rafael Saravia. He also identified Roberto d'Aubuisson as the mastermind of the killing. D'Aubuisson, founder of the ultra-right Republican Nationalist Alliance (ARENA) and current member of the National Assembly denies any involvement, and accuses Garay of lying. The Salvadoran government used Garay's testimony to obtain an extradition request for Saravia, a former air force officer and confidant of d'Aubuisson. Saravia was arrested in Miami in November on charges of violating his visa restrictions. In December, the Salvadoran Supreme Court ruled that Garay's testimony was not credible because it was too old and inconsistent. US officials who have studied the evidence said that Garay had passed several lie detector tests and that his testimony was "convincing." A statement released by the State Department in Washington said that it had requested the US Embassy in San Salvador to "indicate our strong dissatisfaction" with the Court's decision. In an interview with the New York Times, Roberto Giron Flores who was Attorney General until dismissed in December by the ARENA-controlled National Assembly, said: "I was fired because we were about to get the gunman...Justice has been mocked. This shows the judicial system is still dominated by the right wing. We're returning to the dark ages of the early 80's." In political speeches, the Christian Democrats are using the ruling as evidence of ARENA's continuing links to the death squads. Another case that has received US attention is the failure to make progress in prosecution for the Sept. 21 massacre of 10 civilians near the town of San Sebastian. Officials have acknowledged "convincing" evidence that soldiers from the Fifth Brigade were responsible. According to Giron, arrest warrants issued in October by a local judge for four soldiers suspected of participating in the massacre have not yet been served. Despite a \$9.2 million program financed by the US to improve El Salvador's court system, human rights monitors say the judiciary is almost powerless in cases with political overtones. No army officer has ever been convicted of a political killing. According to monitors, military involvement in continual human rights abuses has created a sense of immunity. The US has assisted in creating such belief in that it has rarely acted on subtle and not-so-subtle threats. Monitors also blame the November 1987 amnesty granting pardons to nearly all "political prisoners." The amnesty was implemented as part of the Central American peace plan. Human rights abuses attributed to the military have been on the rise since the amnesty decree. (Basic data from New York Times, 01/07/89)

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