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El Salvador: Legislative Assembly Approves Amnesty

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On Jan. 24, the Legislative Assembly unanimously approved the National Reconciliation Law, based on recommendations for a limited amnesty proposed by the National Peace Commission (COPAZ). (See CAU 01/24/92 for previous coverage.) The amnesty allows for the legal integration of former Farabundo Marti National Liberation Front (FMLN) combatants into all levels of civilian society, the return of political exiles, and release of political prisoners. Excluded from the amnesty are persons involved in "serious acts of violence occurring after Jan. 1, 1980, that had a major impact on society." A three-member Truth Commission established as part of the peace accords will commence deliberations after the official cease-fire goes into effect Feb. 1. The Commission has six months to identify human rights violation cases to be excluded from amnesty. Recommendations on cases to be prosecuted will then be submitted to Salvadoran authorities. Although members of the armed forces convicted by military courts are covered by the amnesty, individuals who faced trial in the civilian court system are not. Included in the latter category are Col. Guillermo Alfredo Benavides and Lt. Yusshy Rene Mendoza, recently sentenced to prison terms for their respective roles in the Nov. 16, 1989, massacre of Jesuit priests. [See article in this issue of CAU (01/31/92).] Christian Democrat Party (PDC) leader Fidel Chavez Mena told reporters that the amnesty was a clear demonstration of what can be achieved through consensus. According to Chavez Mena, while absolute justice would constitute an obstacle to peace, "it is important that the acts which moved the general public be given exemplary treatment." Democratic Convergence Deputy Hector Silva said, "This move was the first real sign that [political] will exists to confront the national reconciliation process." He added that the amnesty was a "very controversial issue, and turned out to be the first test in the reconciliation process." Silva said the law contains "a good dose of forgiveness, a sufficient dose of justice, abides by the constitution, and strengthens the role of the Truth Commission." Roberto Angulo, Legislative Assembly president and member of the ruling National Republican Alliance (ARENA) party, said that while the law "is not perfect...it reflects all Salvadorans' spirit of reconciliation." (Basic data from Salpress, ACAN-EFE, Agence France-Presse, 01/24/92)

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