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# AN AMERICAS WATCH REPORT

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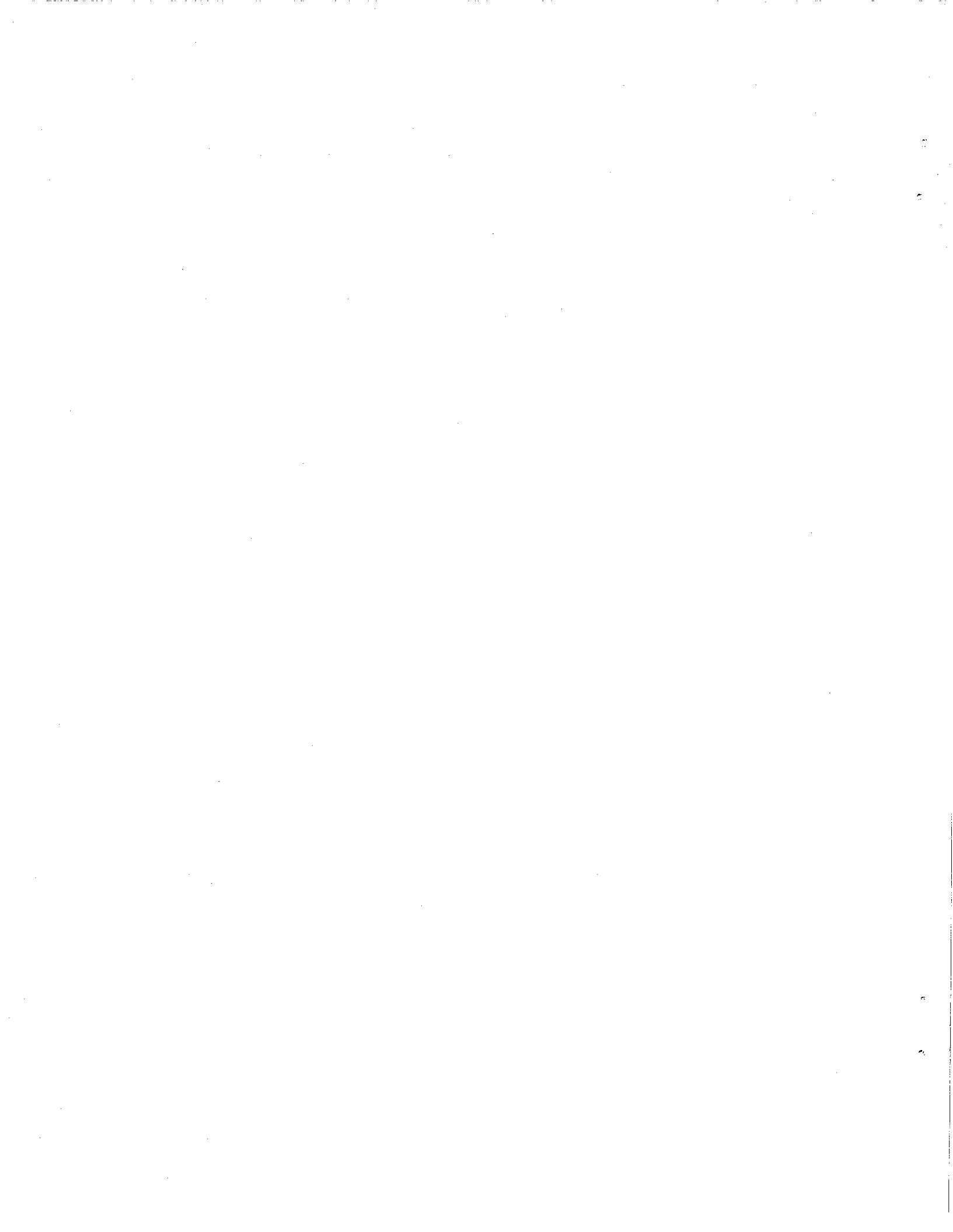
Human Rights in  
Central America:  
A Report on El Salvador  
Guatemala, Honduras  
and Nicaragua

April 27, 1983

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## PREFACE

This brief survey of the current human rights situation in four countries of Central America is published by the Americas Watch to provide background information with which to evaluate President Reagan's televised address to a joint session of Congress later today.

The Americas Watch takes no position on the geopolitical issues that the President is expected to address. We are exclusively concerned with human rights. We publish this statement at this time because of previous efforts by President Reagan and members of his Administration to convey the impression that there is a symmetry between the Administration's efforts to promote what it regards as American interests in the region and efforts to promote human rights. In the process, the Reagan Administration has attempted to create a distorted impression of the actual human rights situation in Central America.

In the view of the Americas Watch, distorted reporting on human rights to promote geopolitical interests - whether or not those geopolitical interests are legitimate - does a great disservice to the cause of human rights. Though reasonable persons may differ about the weight that should be given to human rights considerations in shaping United States policy towards Central America, there should be no dispute about the principle that prompts us to publish this report at this time: that fair, timely, accurate, and politically

unbiased reporting on human rights is essential.

In the past year, the Americas Watch has sponsored two investigative missions to El Salvador to gather data on the human rights situation there; two missions to Guatemala and southern Mexico (where we interviewed Guatemalan refugees); one mission to Honduras; and two to Nicaragua. In each instance, we have published lengthy reports on our findings. The information in this survey is based on those reports and on the day-in-day-out efforts by the Americas Watch to monitor human rights developments in the four countries.

To permit comparisons between the countries discussed in this survey, we have used an identical format to present the situation in each country.

Aryeh Neier  
Vice Chairman  
Americas Watch

## EL SALVADOR

### Murders of Civilian Non-Combatants

Since October 1979, human rights organizations affiliated with the Roman Catholic Archdiocese of San Salvador (until May 1982, Socorro Juridico; since May 1982, Tutela Legal) have tabulated more than 35,000 murders of civilian non-combatants by government security forces. In the past year, political murders of civilian non-combatants tabulated by Tutela Legal have continued at the rate of about a hundred a week - an astonishing number any place and all the more horrifying given the tiny population of El Salvador and the fact that the security forces should be running out of politically suspect persons to murder.

In January, 1983, Tutela Legal tabulated 430 murders of civilian non-combatants by government security forces; in February, 1983, Tutela Legal tabulated 537 such murders; in March, 1983, 329 such murders. In the most recent week for which such figures are available, April 8-14, there were 76 such murders.

### Disappearances

In addition to those known to have been murdered by the security forces, since October 1979 some 2,000 Salvadorans have "disappeared" following abduction by government security forces. In the past year, such tabulated disappearances

following abductions have continued at the rate of about forty a month.

In January, 1983, Tutela Legal tabulated 56 disappearances; in February, 1983, 32 disappearances; in March, 1983, 33 disappearances.

#### Torture

Many of the bodies of civilian non-combatants murdered by government security forces in El Salvador indicate that they were severely tortured and mutilated before being killed. Virtually all prisoners at Mariona - where male political prisoners are held - say they were tortured, by electric shocks, beatings, simulated suffocations and hangings by the wrists, and many bear physical marks of torture. The practice is so widespread as to be routine.

#### Political Prisoners

In El Salvador, political prisoners are considered lucky - that is, they are alive. At present, there are more than 600 acknowledged political prisoners. None has had access to defense counsel since Decree 507 was promulgated in 1980 and, though more than half of the political prisoners have been confined for more than two years (some for as long as five years) not one has been brought to trial.

#### Freedom of the Press

One opposition newspaper, La Cronica, was closed in 1980

after its editor and a photographer were hacked to death. Another, El Independiente was closed in 1981 after several assassination attempts against its editor and after army tanks and trucks surrounded its building on January 15, 1981. Many journalists have been attacked in El Salvador and some have been killed, among them four Dutch journalists killed in March 1982 and an American journalist, John Sullivan, who disappeared and was murdered in 1980. Freedom of expression has been suspended in El Salvador and the surviving newspapers - which are extreme right-wing - are subject to censorship.

#### Freedom of Religion

Archbishop Romero was murdered in 1980 and subsequently, there have been frequent attacks on the church by government security forces, including the murders of four U.S. churchwomen in December 1980. One consequence is that the Archdiocese of San Salvador today has 35% fewer clergy than in 1977. In the past year, there have been several bombings and machine-gunnings of religious institutions and several pastoral workers have been murdered or have disappeared.

#### Repression Against Human Rights Monitors

The staff members of organizations monitoring human rights practices have been particular targets for repression.



Government security forces abducted and murdered two members of the staff of the El Salvador Human Rights Commission in 1980; another disappeared in December 1981 (along with two employees of the Archdiocese); the public relations director of the Commission disappeared in August 1982 along with three other persons after abduction by security forces; and the President of the Commission was killed in March 1983 in disputed circumstances. Patricia Cuellar, a United States citizen who worked for Socorro Juridico was abducted by security forces with her father in July 1982 and disappeared.

#### The System of Government

National elections were held in March 1982 with a very large voter turnout. The left did not participate in the elections, at least in part because it reasonably feared to participate. Six leaders of the left political coalition, the FDR had been kidnapped from a press conference by security forces in November 1980, tortured, mutilated and murdered. The Christian Democrats took part in the election, but were handicapped because many of their leaders were murdered.

A right-wing coalition prevailed in the election but was prevented from naming a provisional president by the intervention of the United States and the armed forces.

Apparently, it was feared that the leader of the right-wing coalition, Roberto D'Aubuisson, would alienate support within the United States.

At this writing, it is planned that there will be a Presidential election in late 1983. Whether the left will participate is questionable. Between October 8 and October 21, 1982, some 17 leaders of labor unions and of the FDR were kidnapped by security forces in San Salvador and six remain disappeared. In addition the Christian Democrats have continued to be victimized by such violence, diminishing their ability to fairly contest an election. In May 1982, the Christian Democratic Party accused the security forces of killing nine party leaders, six party activists and 22 peasant supporters during that month alone. In September 1982, the Christian Democratic Party denounced the murder of 35 mayors from its party, 9 of them in 1982. One Christian Democratic mayor is known to have been killed in a guerrilla attack.

#### The System of Justice

To all intents and purposes, there is no system of justice in El Salvador. Prisoners are rarely taken; most are killed. Those who are taken prisoner are never tried. The judiciary and the country's lawyers occupy themselves with civil suits while the slaughter goes on around them.

### Punishment of Those Committing Human Rights Violations

No member of the security forces has been criminally punished for a human rights violation.

### Access By the International Committee of the Red Cross

The International Committee of the Red Cross is permitted to perform its humanitarian mission in El Salvador. The ICRC had been prepared to leave El Salvador on its own initiative in mid-1982 because of the failure of the government to take prisoners. It was persuaded to stay, in part through U.S. intervention.

### Political Violence By Opposition Forces

Guerrillas in El Salvador regularly commit crimes against property in an effort to disrupt the country's economy. Starting in May 1982, the human rights organization affiliated with the Archdiocese of San Salvador, Tutela Legal, began tabulating the killings of civilian non-combatants by the guerrillas. By the end of December 1982, Tutela Legal had tabulated 40 murders of civilian non-combatants by the guerrillas. During the period from May through December 1982, the security forces said that 661 of their troops were killed by the guerrillas.

In January, 1983, Tutela Legal tabulated 7 murders of civilian non-combatants by the guerrillas; in February, 1983 another 13 such murders; in March, 1983, another 6 such

such murders. In the most recent week for which such figures are available, April 8-14, Tutela Legal tabulated 5 murders by the guerrillas.

### Refugees

More than half a million Salvadorans - ten per cent of the population - have been driven from their homes. Those within the country in guerrilla held areas have often been attacked by the security forces as they are considered to be allied with the guerrillas. The security forces of El Salvador have also frequently crossed the border with Honduras to attack refugees in that country. Some of the refugees in government controlled areas are aided by the government. The International Committee of the Red Cross has organized relief efforts for tens of thousands of refugees in El Salvador.

### General Comment

El Salvador is a human rights disaster area. There is no prospect of significant improvement. Though the United States has made strenuous efforts to persuade the security forces to curtail human rights abuses, these efforts - even in such matters as the murder of U.S. citizens - have been unavailing. The Salvadoran security forces are confident that U.S. support will continue, no matter what. Accordingly, they are not moved by U.S. strictures about human rights abuses.

## GUATEMALA

### Murders of Civilian Non-Combatants

At least 12,000 civilian non-combatants have been killed by Guatemalan government forces since 1978, according to Amnesty International. In the first six months after General Efraim Rios Montt seized power in March 1982, Amnesty tabulated 2,600 civilians killed. It is difficult to say how many have been killed in the past six months or how many are being killed now since no human rights organization is able to operate within Guatemala monitoring abuses. Information gathered in southern Mexico last month by Americas Watch lawyers who interviewed refugees who had recently crossed the border indicates that the level of killings of Indians in the countryside is at least as high as it had been at any time previously. Indian villages that do not form civil patrols or that do not identify the whereabouts of guerrillas are targets for systematic massacres.

### Disappearances

Under the regime of President Lucas Garcia, disappearances in Guatemala City had been very frequent. These had been curtailed by the Rios Montt government during its first few months but, in late 1982, started to take place again. University students were among those particularly victimized. In the countryside, disappearances never stopped. It is impossible to provide figures, however, because of the

inability to engage in human rights monitoring within Guatemala.

### Torture

The mutilation of Indians in the countryside by the Guatemala army before they are killed is routine. Similarly, women are systematically raped before being killed. In Guatemala City, there are indications that those tried by the special secret courts (see below) are first tortured.

### Political Prisoners

Under decrees promulgated by the Rios Montt government, there is no right to personal liberty and arbitrary and unlimited detentions are permissible. Figures on the number of political prisoners are not available. There do not seem to be many as the Guatemalan army takes few prisoners.

### Freedom of the Press

On June 28, 1982 the office of Prensa Libre was machine-gunned by unidentified men. The government has prohibited the publication of information on the war, rural conditions, or political activity without permission. In March 1983, the Guatemalan newspapers were ordered not to print any comments from the Pope or the Vatican criticizing the executions carried out after trials by secret courts.

### Freedom of Religion

Under the Lucas Garcia regime, many priests were killed and, in El Quiche, the diocese was closed by the Bishop who went into exile. President Rios Montt has announced that exiled priests may return to Guatemala on condition that they limit their work to spiritual matters. Few priests have accepted this offer.

### Repression Against Human Rights Monitors

No organization monitoring human rights operates above ground in Guatemala today. It is too dangerous. Lawyers who defended persons sentenced to death by the special secret courts have themselves been fined because they filed legal papers seeking to prevent the executions. As a consequence, no such legal efforts were made to stop the most recent executions which took place on March 21, 1983.

### The System of Government

President Rios Montt was installed in office on March 23, 1982 after a military coup. He governs by decree. He has pledged that elections will be held in 1984 but existing political parties have been prohibited from operating. President Rios Montt has said that new laws regulating elections and political parties will be promulgated. Until that happens, and until political parties are permitted to function and compete freely for public support, the promise of elections is meaningless.

## The System of Justice

President Rios Montt has established special secret courts in which even the identities of the judges are unknown. No semblance of due process exists within these courts. They have the power to sentence defendants to death and, between September 1982 and March 1983, fifteen persons were executed after "trials" by these courts in which defendants never saw either their defense attorneys (in those cases where they had attorneys) or the judges who tried and sentenced them. The special secret courts violate Guatemala's international legal obligations in a great many respects.

## Punishment of Those Committing Human Rights Violations

In May 1982, two months after coming to power, President Rios Montt issued an amnesty that provides the security forces with immunity from prosecution for committing such crimes as murder, torture and rape.

## Access By the International Committee of the Red Cross

The International Committee of the Red Cross is denied access to Guatemala and, accordingly, is unable to carry out its humanitarian mission.

## Political Violence By Opposition Forces

Several incidents have been documented in which guerrillas have committed murder and other serious violations



of human rights. The Government of Guatemala attempts to attribute most such human rights violations to guerrillas, claiming that the guerrillas attire themselves in army uniforms. Refugees say they have no difficulty in distinguishing the army from guerrillas, pointing to command structure, training, bearing, and weapons as among the ways that they can differentiate. In particular, refugees point out that army assaults on their villages often are coordinated with attacks by planes and helicopters and that guerrillas do not have these weapons.

Refugees interviewed by Americas Watch representatives in Chiapas, Mexico in March 1983 (where there are now close to 100,000 Guatemalan refugees, most of whom arrived in the last few months) were unanimous in insisting that they had been victimized by the Guatemalan army.

### Refugees

In addition to the 100,000 or so refugees who have fled across the border into Mexico, it is estimated by Catholic Church officials that close to a million Guatemalans have become refugees in their own homeland.

At the Mexican border, the Guatemalan army has created a free fire zone and many refugees have been killed. In addition, the Guatemalan army has conducted several raids against refugee camps across the border.

Within Guatemala, the army controls the food supply to

refugees to coerce them to provide it with support.

General Comment

The Guatemalan countryside has become a charnel house, a human abattoir. Those who survive are forced to form civil patrols and must do forced labor. Crops are systematically destroyed so that the only food that is available to many Indians is dispensed by the army to those who become its allies and, in particular, to those who do the dirty work of killing other Indians who are less cooperative. The cultures of the Indians of Guatemala are being destroyed and a significant portion of the Indian population is being exterminated.

## HONDURAS

### Murders of Civilian Non-Combatants

During April 1983 the bodies of four brothers named Bustamante were found in Olanohé. The family blames the police. Earlier in the month, a well-known economist, Salvador Diaz Valle, disappeared and his body was discovered several days later showing signs of torture.

On March 29, 1983, the President and three other members of an agricultural union were killed near Progreso, Department of Yoro. Survivors attributed the killings to the military; the military attributes the killings to company security guards. On January 1, 1983, a communist leader was assassinated. The family accuses FUSEP, a police agency.

Previously, in October, 1982, nine heavily armed men abducted and killed a leftist, Jose Luis Rivera. In June, 1982, eight persons were killed in similar fashion in Santa Barbara. Three student leaders and officers of the union of university employees were abducted in August 1982 and their bodies were found a few days later.

Though such killings are infrequent in Honduras by comparison with El Salvador and Guatemala, they are, nevertheless, very disturbing, especially because they rarely result in prosecutions.

### Disappearances

The leading Honduran human rights organization, the Comite para la Defensa de los Derechos Humanos (CODEH) reported 15 disappearances between January 1981 and January 1982 when a democratic civilian government took office. Subsequently, during 1982, 31 Hondurans disappeared after abduction by security forces; four subsequently reappeared alive; three corpses were found. In addition, 42 Salvadorans, 5 Costa Ricans, one Venezuela, one Ecuadorian and one Guatemalan disappeared after abductions in 1981 and 1982.

More recently, on March 13, 1983 a lawyer, Inez Consuela Murillo, disappeared after abduction, along with a Salvadoran resident of Honduras, Juan Gonzalo Flores. Consuela Murillo's family accuses the DNI, the Honduran secret police.

### Torture

Police brutality appears to be common. There have been two recent allegations of torture: on March 16, 1983, Raoul Zuniga accused the DNI and on March 17, 1983, Antonio Martinez accused FUSEP.

### Political Prisoners

There have been a number of cases of arbitrary arrest and detention but long term imprisonment for political offenses is not practiced.

### Freedom of Press

Freedom of press prevails in Honduras.

### Freedom of Religion

Freedom of religion prevails in Honduras.

### Repression Against Human Rights Monitors

CODEH operates without restriction. Some of the victims of killings and disappearances have been lawyers, union leaders and student leaders who have defended left-wingers.

### The System of Government

After 20 years of nearly continuous military government, Honduras elected a civilian government in November 1981 that took office in late of January. In spite of this welcome return to democratic rule, the armed forces remain the dominant power in the country. The civilian government has done little to investigate charges of corruption and human rights violations by the armed forces.

### The System of Justice

The judiciary is more or less independent but habeas corpus has not been an effective remedy for dealing with disappearances.

### Punishment of Those Committing Human Rights Violations

There is little or no investigation of human rights abuses and effective remedies against those responsible are

unavailable. An exception was the indictment of Honduran military officers who abducted and abused a U.S. nurse, Cynthia Morin, and a Guatemalan doctor, Oscar Giron, who were providing health care to Guatemalan refugees.

#### Access by the International Committee of the Red Cross

The ICRC has access and is able to carry out its humanitarian mission.

#### Political Violence by Opposition Forces

There have been several spectacular terrorist incidents in Honduras including kidnappings, an airplane hijacking, and the assassination of the son of a leading publisher.

#### Refugees

The treatment of Salvadoran refugees has been among the most serious human rights problems in Honduras. Many have been forcibly returned to El Salvador to face near certain death. Honduran armed forces have collaborated with Salvadoran armed forces in attacking refugee camps. Salvadoran refugees have been victims of many killings and disappearances.

Honduras also has thousands of Nicaraguan refugees and several hundred Guatemalan refugees. They have not been comparably mistreated. There are indications, however, that it has been Honduran policy to keep Miskito Indian refugees from

Nicaraguan together at the Mocomon refugee camp in order to foster their use in attacks against Nicaragua.

General Comment

The critical question in Honduras is whether the civilian democratic government will demonstrate the strength and the will to control its armed forces and to punish those responsible for human rights violations. Clear answers to that question are not yet in sight.

## NICARAGUA

### Murders of Civilian Non-Combatants

In December 1981, up to 50 Miskito mineworkers were allegedly murdered by soldiers at Leimus. The Nicaraguan government assured the Americas Watch a year ago that it would investigate this incident, but we have no report on an investigation and no evidence that it has been conducted. A similar incident on a smaller scale is alleged to have taken place at San Carlos at about the same time.

The more recent incidents that have come to the attention of the Americas Watch are the killings in April 1982 of three persons in detention under circumstances that are not clear, and a report that a number of prisoners were executed at La Polvora prison in Granada.

### Disappearances

Ten persons who disappeared in 1981 remain disappeared. Fifteen additional persons disappeared in the first two months of 1982, but they all turned up alive. Additional temporary disappearances continue to take place and it is never certain whether the disappeared person will turn up. Particularly in rural areas, authorities frequently fail to inform families when they have made arrests.

### Torture

There have been a few documented instances of torture,



but it is not a routine practice. The most serious abuses of prisoners involve male Miskito Indians incarcerated in Puerto Cabezas. Credible accounts indicate that, for a period in 1982, they were subjected to systematic physical abuse by security personnel, including beatings.

#### Political Prisoners

Under the State of Emergency that has been in effect since March 1982, prisoners may be detained without charges for security-related reasons. Several hundred such detentions have taken place during the past year. Some of those detained have since been released. To date, the practice has been to prosecute about 25% of those detained in this way on various charges.

In late 1981, three officials of a business organization and four leaders of a Communist trade union were imprisoned for publishing statements about the country's economic situation. They were released in early 1982.

#### Freedom of the Press

An opposition newspaper, La Prensa, operates but it is harassed and, since March 1982, has been subjected to prior censorship. In addition, two radio stations that broadcast comments adverse to the Government were denied license renewals.

### Freedom of Religion

There has been considerable tension between the Archbishop of Managua and the government, and difficulties between some other religious groups and the government. The most severe interferences with religious freedom involve restrictions on the right of ministers to travel to East Coast regions where the Miskito Indian population is concentrated.

### Repression Against Human Rights Monitors

A private human rights organization, the Comision Permanente de Derechos Humanos, operates and effectively documents human rights abuses. In 1981, its former director, Jose Esteban Gonzalez, had a number of confrontations with the government, including an incident in which a mob that was allegedly organized by the Sandinista party attacked him at the airport when he returned to Nicaragua from a trip out of the country. Since then, the most serious interference with CPDH was the arrest of a CPDH employee in July 1982. He spent two months in prison, apparently for distributing CPDH literature.

### The System of Government

Since the overthrow of the Somoza dictatorship in 1979, Nicaragua has been governed by a directorate and a junta. Elections have been promised for 1985 but they are unlikely

to be meaningful because opposition political parties have operated under severe restrictions and the most prominent political opponents of the Sandinistas have gone into exile.

#### The System of Justice

Nicaragua's judicial system has preserved a measure of independence. Capital punishment has been abolished. Appellate review of trial court decisions is sometimes meaningful.

The most severe abuses in the last two years involve about 130 Miskito defendants convicted between December 1981 and February 1982 in Puerto Cabezas in circumstances involving procedural shortcomings (on appeal, sentences were reversed or reduced); and the denial of habeas corpus in most judicial districts to prisoners detained for security reasons without charges. In addition a disturbing new development is the reestablishment of special courts - apparently similar to those that operated in 1979 and 1980 - to try prisoners captured in current fighting against "contras" trying to overthrow or destabilize the government. It is not yet known how these special courts will operate in practice.

#### Punishment of Those Committing Human Rights Violations

There have been a number of instances in which those responsible for human rights abuses have been criminally prosecuted and punished but, so far as is known, no action

with respect to those who may have been responsible for the most serious recent alleged abuse: those who may have executed up to 50 Miskito mineworkers at Leimus in December 1981 (see above).

#### Access By the International Committee of the Red Cross

The International Committee of the Red Cross has access and is able to carry out its humanitarian mission.

#### Political Violence By Opposition Forces

There are many documented instances of violence against civilian non-combatants, including medical personnel, by opposition forces fighting the Nicaraguan government. In addition, hundreds of Nicaraguan government soldiers have been killed by opposition forces.

#### Refugees

The Nicaraguan government has systematically relocated Miskito Indians and other Indians from border regions. These relocations were carried out suddenly, without advance consultation with those affected. Their villages and property were destroyed. Thousands of Miskitos fled Nicaragua and took refuge in Honduras.

The Nicaraguan government has established resettlement camps in the interior for some 8,500 Miskitos it evacuated from the border with Honduras. The most significant abuse at these camps was that those resettled there were effectively

required to stay there. Reports indicate that some restrictions on movement have recently been eased. In addition, Miskitos relocated have not been compensated for their losses.

General Comment

The most serious abuses in Nicaragua involve the Miskito Indians. They have lost their villages and their homes; many of them have been detained without charges; they have received the worst treatment by the courts and in the prisons; some of them may have been massacred at Leimus; and they have been restricted in their movements.

