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## Twenty Years after the Salvadoran Truth Commission: Justice for Human rights Abuses in El Salvador and Beyond

Remarks by Congressman Jim McGovern (D – MA)

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I want to thank the Washington Office on Latin America, the University of Washington Center for Human Rights, the Due Process of Law Foundation, the Center for Justice and International Law, and the Latin American Studies Program at George Mason University for bringing us all together this morning for this important and timely forum. I especially want to thank my good friend Geoff Thale at WOLA, who I constantly rely upon for advice and good counsel on all things connected with El Salvador. And I'm very pleased to see my old friend Ruben Zamora in the audience. Ruben will soon officially be the new Salvadoran ambassador in Washington.

The spring is always a season when I think about El Salvador, starting with the March 24<sup>th</sup> anniversary of the assassination of Archbishop Romero. His murder was the call to action for thousands of people across America to become engaged on El Salvador, which led to millions of people—so many of them from faith communities—working to end the war in El Salvador. A little more than twelve years after his untimely and tragic death, the historic Peace Accords were signed. Everyone hoped that the violence, at last, was over.

And at the beginning, there was real reason to hope. The FMLN disarmed. The Armed Forces were purged of many of its most egregious human rights violators and a smaller military retired to its barracks. A new Civilian National Police force was created, along with its new academy. Reconciliation, the open formation and organizing of new political parties—all of this was underway.

Under the terms of the Peace Accords, the United Nations was given the task of creating a Truth Commission and investigating the human rights crimes, especially key emblematic cases, which had taken place during the war. Americans Tom Burgenthal and his aide Ted Piccone were members of that Commission who interviewed literally hundreds of Salvadorans, read scores of human rights reports, and carefully investigated El Salvador's dark and painful history. Scarcely a year after the Peace Accords were signed, they issued their report on March 15, 1993. They concluded that the killing in El Salvador was like a madness—the “locura,” they called it. And they named the report, *From Madness to Hope: The 12-Year War in El Salvador*.

An advance copy of the Truth Commission's report had been sent to the Salvadoran government, under the leadership of ARENA President Alfredo Cristiani. Five days after its public release, conservative legislators joined with a few FMLN legislators and swiftly approved an amnesty law that slammed the door shut on El Salvador's ability to pursue justice on any of these cases. This one act – the amnesty – has helped create a post-war legacy marked not only by unfinished justice, but roadblocks to genuine reconciliation, an entrenched culture of impunity and continued and escalating violence.

I get angry and frustrated when I hear people say that the amnesty was part of the Peace Accords. It was deliberately NOT included in the peace agreement. Justice and reconciliation were supposed to follow the

release of the Truth Commission's report. But it didn't happen. It didn't get the chance to happen. And I strongly urge countries in peace negotiations, like Colombia, not to make the mistake of thinking amnesty is part of a Peace Accord. Truth, justice, repentance, restitution and reconciliation – these are the components of a lasting and meaningful peace accord.

I applaud the actions taken by President Funes to remember the past and for the State to take responsibility for its war crimes. His public apologies on behalf of the Salvadoran State to the families and victims of the murdered Jesuits, the assassination of Archbishop Romero and the El Mozote massacre are genuine and moving acts of accountability and reconciliation.

But they don't break the culture of impunity, a culture that continues to shield State and private individuals—past and present—from facing justice for their crimes against the people of El Salvador.

But just as it is in so many other parts of Latin America, justice can't be ignored—it has a way of coming back and biting you in the behind, if you lack the courage and political will to face it head on. Look at our friends in the Southern Cone—those generals and military officers and their collaborators probably thought they'd never face justice, but they were wrong.

I remember Father Tojeira, when he was serving as the Jesuit Provincial for Central America, once telling me that justice doesn't necessarily mean punishment—but that there could be no pardon without confession that a crime or "sin" had been committed and the recognition that deep and lasting harm had been done to others. Only with an act of repentance, facing and taking responsibility for the terrible consequences of an act of violence, the taking of a life, could genuine mercy, forgiveness and reconciliation take place.

I believe that. I believe it for El Salvador. I believe it for Guatemala. I believe it for Colombia and for Mexico. I believe it for the United States.

I recently spent three days with U.S. civil rights leaders in Selma, Alabama. I literally walked in their footsteps, alongside my good friend and civil rights hero Congressman John Lewis, across the Edmund Pettus Bridge in Selma, Alabama. We were marching in remembrance of another human rights anniversary in March—March 7<sup>th</sup>, 1965, Bloody Sunday—when armed Alabama troopers attacked peaceful civil rights demonstrators attempting to cross the bridge from Selma to Montgomery. The young John Lewis was beaten unconscious by Alabama police on that day 48 years ago.

It was important to me that my son and daughter were with me as we listened to the stories and memories of those who lived through those difficult days of struggle in the 1960s. We were reminded about how far our nation has come and how far we still have to go. Respect for human rights is something we must renew every day; it is something we have to commit ourselves to every day. Rights and freedoms are not something any of us can take for granted, no matter where we're born and raised.

One of the most moving moments happened when the current police chief of Montgomery, Alabama, Kevin Murphy, apologized to Congressman John Lewis for Alabama's officers having failed to protect the Freedom Riders during a trip to Montgomery in 1961. He offered John Lewis his badge in a gesture of reconciliation, telling the congressman that the Montgomery police had enforced unjust laws and failed to protect the Freedom Riders more than five decades ago. Lewis said it was the first time a police chief had apologized to him—and he broke into tears when it happened.

Chief Murphy told reporters that he did what he did because it should have been done a long time ago—and that it needed to be done. It needed to be spoken because we in America have to live with the truth. Freedom and the right to live in peace are cornerstones of our society, he said, and that was something that Martin Luther King, Rosa Parks and Congressman Lewis were trying to achieve.

I mention this because it illustrates that all nations and all people need to face their past, need to face the truth, and need to find justice and reconciliation. It is not something that will disappear; it will always haunt us until we confront its ghosts. And it's better to do it sooner, at the beginning, than later—allowing pain and impunity to corrupt and corrode any hope for lasting peace.

The Rev. Martin Luther King, Jr. once said, "The arc of the moral universe is long, but it bends towards justice." This morning, we are privileged to have two stellar panels talking about how the arc of the moral universe is bending towards justice in El Salvador and elsewhere—20 years after the U.N. Commission's Truth Report. As we listen, let us all remember that we can always walk over that bridge that connects the past to the present. We just have to put one foot in front of the other and have the will to get to the other side.

Thank you.