



THE GUERNICA CENTRE
FOR INTERNATIONAL JUSTICE

**SPANISH NATIONAL CRIMINAL COURT
CRIMINAL CHAMBER
SECOND SECTION**

Before: Magistrate José Antonio Mora Alarcon (President)
Magistrate Fernando Andreu Merelles
Magistrate María Fernanda García Pérez

CASE NO. 97/2010

THE JESUIT MASSACRE TRIAL

Public Prosecutor: Teresa Sandoval

Private Prosecutor: Manuel Ollé
Almudena Bernabéu
José Antonio Martín Pallín

Defence Counsel: Jorge Agüero Lafora for Inocente Orlando Montano
Jaime Hernández García for Yussy Rene Mendoza Vallecillos,

Hearing: First Session

Date: 8 June 2020



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Opening Trial Session

After more than thirty years of seeking justice and twelve years of active litigation, which involved the extradition of the defendant, Colonel Inocente Orlando Montano, from the United States of America to Spain to face trial, on 8 June 2020, the first session of the trial for the massacre of the six Jesuit priests and two women, committed on 16 November 1989 in El Salvador, finally commenced.

At 15.30 CET, the President of the Second Section of the Criminal Chamber of the Spanish National Court (*Audiencia Nacional*) opened the plenary session of what has been widely considered a historic trial process, which seeks to bring to justice those responsible for the murder of the six Jesuit priests, Ignacio Ellacuría Beascochea, Ignacio Martín Baró, Segundo Montes Mozo, Amando López Quintana, Juan Ramón Moreno Pardo and Joaquín López López; their employee, Julia Elba Ramos; and her daughter, Celina Mariceth Ramos.

The Plenary, is composed of the Magistrate José Antonio Mora Alarcon, who sits as the Presiding Magistrate, as well as Panel Members, Magistrate Fernando Andreu Merelles and Magistrate María Fernanda García Pérez.

The following parties participated in the opening session: the representative of the Public Prosecutor's Office, Teresa Sandoval; lawyers of the popular and private accusations Manuel Ollé, Almudena Bernabéu—who joined the session virtually from the United States, due to the travel restrictions imposed following the outbreak of the COVID-19 pandemic—and José Antonio Martín Pallín. Colonel Inocente Orlando Montano, is represented by Jorge Agüero Lafora and Lieutenant Yussy Rene Mendoza Vallecillos, by Jaime Hernández García.

The principal accused, Inocente Orlando Montano, the former Vice Minister of Public Security of El Salvador and a former colonel in the Armed Forces appeared in front of the Magistrates; while Yussy René Mendoza, a then Lieutenant in the Salvadoran army, appeared via video-link from the Spanish Consulate in the Republic of Chile.





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The Presiding Magistrate, Julio de Diego López, opened the session by requesting the parties to present their arguments in response to the defence application, brought by Mendoza's counsel, to declare the criminal proceedings against his client barred by the expiration of the proscribed statute of limitation. Briefly, Mendoza's counsel stated that the criminal responsibility of the former Lieutenant was statute barred, since the proceedings had not been brought against him with the proscribed 20 year period since the commission of the crime. The defence counsel for Mendoza further emphasised that he had fully cooperated with the Spanish authorities throughout the process — providing detailed clarifications about the truth of these horrific events thereby contributing as a witness for the prosecution of the massacre—, as well as the critically important fact that he had sought forgiveness from the victims.

The representative of the Public Prosecutor's Office and the Lawyers of the Popular and Private Accusations supported the request of Mr. Mendoza's defense, as the only objective they pursued throughout all these years has been to achieve justice for the victims through a transparent and credible judicial process that establishes a formal and historical account of the truth, with all due guarantees. This would be the only path to achieve the greater objective of fighting impunity and to contribute to the longing for justice of the Salvadoran people.

After a short deliberation, the Chamber granted the request, declaring the termination of the criminal proceedings against Mendoza. The main consequence of this ruling is that Mendoza would cease to be a defendant in these proceedings and becomes a crucial witness for the prosecution, thereby leaving Inocente Orlando Montano as the sole defendant in the proceedings.

The Second Session of the trial will resume on 10 June 2020 at 10:00 (CET) with the opening of the prosecution case, following by the statement of the defendant, Inocente Orlando Montano.

Yussy René Mendoza is expected to testify on 7 July 2020 at 10:00 (CET) in Madrid, if circumstances allow.

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