



Family of slain Chilean singer Victor Jara seeks justice in U.S.

By Mariano Castillo, CNN updated 4:50 PM EDT, Thu September 5, 2013



Chilean singer Victor Jara, who was tortured and died during the military dictatorship of General Augusto Pinochet, is seen in this undated file picture.

(CNN) -- The family of Victor Jara, the famous Chilean folk singer who was among the first victims of the country's military coup in 1973, has filed a lawsuit in Florida against the former army officer it alleges killed him.

The killing happened 40 years ago, and it wasn't until last year that a Chilean judge charged [eight former army officers](#) with the singer-songwriter's death.

One of those indicted, Pedro Barrientos, has lived in Florida since the early 1990s. That is where Jara's family filed the lawsuit Wednesday in Jacksonville.

The lawsuit alleges that Barrientos executed Jara during a game of Russian roulette and ordered other soldiers to fire dozens of rounds into his corpse, in violation of U.S. and international law.

The civil suit seeks compensatory and punitive damages for the killing.

Barrientos has not been arrested since being charged in Chile, and the status of his legal proceedings there is unclear. CNN was not immediately able to reach Barrientos for comment, although he has denied the accusations previously.

Jara, a member of the Communist Party and cultural ambassador for socialist President Salvador Allende, was detained immediately after the September 11, 1973, military coup. His body, with signs of torture and 44 bullet wounds, was found days later in an abandoned field.

His is considered one of the most emblematic deaths of the political repression that followed the coup.

Government investigations conducted after the end of the dictatorship say nearly 2,300 people disappeared between 1973 and 1990, and nearly 40,000 were tortured. Seeking justice decades after the oppression and in this case, when the defendant lives in another country, is a legal challenge.

In the case of Jara's family, lawyers from the Center for Justice and Accountability and law firm Chadbourne & Parke cited the Torture Victim Protection Act and Alien Tort Statute. These U.S. laws allow for such lawsuits to be brought for wrongful deaths and cases of torture that occurred in other countries.

"Victor's pursuit of democracy and human rights remains an inspiration to people around the world and his memory is ever present as we mark the 40th anniversary of the military coup and of Victor's murder," his widow, Joan Jara, said in a statement. "We want to shine a light on the severe human rights abuses from this era and bring those responsible to justice, so that victims who continue to silently suffer their losses may find some sense of peace."

According to the lawsuit, Barrientos was a lieutenant and section commander for the Tejas Verdes regiment, which oversaw detainees at Chile Stadium, where prisoners were taken.

Hundreds of perceived enemies of the new military regime were detained and transported to the stadium. During the few days he was captive before being killed, Jara wrote a poem that survived, lamenting "How hard it is to sing when I must sing of horror," according to the lawsuit. "Horror which I am living, horror which I am dying."

While detained, Jara was blindfolded, chained and beaten by soldiers under Barrientos' command, the lawsuit alleges.

Finally, Barrientos put a pistol to the back of Jara's head and "loaded one bullet in the chamber of the pistol, spun the chamber and pulled the trigger, knowing that each shot could be lethal," the lawsuit states.

Playing this game of Russian roulette, Barrientos shot the singer in the back of the head and ordered five other soldiers to shoot his corpse, the plaintiffs allege.

"Actually, that is not true," Barrientos, 64, told Chilevision TV last year. "I was never in Chile Stadium, I don't know the singer Jara or know who he was back then."

In addition to Joan Jara, the lawsuit was filed on behalf of her daughters Amanda Jara Turner and Manuela Bunster.

<http://www.cnn.com/2013/09/05/us/slain-chilean-singer-lawsuit/>