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PRESS RELEASE

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**Human Rights Suit Filed Against Former Chilean Secret Police Agent
Residing in Miami, Accused of Summary Execution and Torture
During Pinochet Regime**

- US should not be a safe haven for torturers -

FOR IMMEDIATE RELEASE

San Francisco –

The Center for Justice and Accountability (CJA), with the support of Wilson, Sonsini, Goodrich & Rosati (Palo Alto), Concepcion & Sexton (Coral Gables) and private human rights attorneys, today announced the filing of a lawsuit in the U.S. District Court in Southern Florida seeking damages against Armando Fernandez Larios, who was allegedly responsible for summary execution and torture as a DINA (Chilean Secret Police) agent during the Pinochet regime. "Given the international attention to Chilean human rights violations in light of the arrest of former Chilean Dictator Augusto Pinochet Ugarte in London, the presence of a human rights violator from the Pinochet Regime - Armando Fernandez Larios- in the United States demands immediate action" said Shawn Roberts, Legal Director of CJA.

The plaintiffs in the suit are the siblings and mother of Winston Cabello, an economist appointed by Allende to head a regional planning office of the northern Chilean city of Copiapo who was summarily executed by a delegation of Chilean army officials authorized by Augusto Pinochet to eliminate perceived political opponents of the newly constituted regime. The Defendant, Fernandez Larios, has acknowledged that he was a member of the delegation, which is accused of having been responsible for the deaths of at least 72 detainees in the northern Chilean towns of Copiapo, Calama, La Serena, and Antofagasta.

The lawsuit is filed under the Alien Tort Claims Act and the Torture Victim Protection Act, which provide jurisdiction in U.S. courts over claims brought against human rights violators found within the borders of the United States. The Cabello lawsuit alleges that Armando Fernandez Larios committed acts constituting summary execution; torture; crimes against humanity; cruel, inhuman and degrading treatment; arbitrary detention without trial; wrongful death; the intentional infliction of emotional distress; and civil conspiracy following the 11 September 1973 coup d'etat staged by a military junta led by General Augusto Pinochet in Chile.

Prior to the coup d'etat on September 11, 1973, Winston Cabello worked as an economist appointed by the Allende government to the regional planning office in the Attacama-Copiapo area of northern Chile. On September 12, 1973, the day after the coup, Cabello attended a meeting of public service officials called by General Oscar Haag, the military officer in charge of the region, Copiapo. After the meeting, the General refused to allow Mr. Cabello to leave along with the other officials. Instead, Winston Cabello was detained and subsequently imprisoned at the military prison in Copiapo. Mr. Cabello is believed to have been the first political prisoner to be held in the region of Copiapo following the coup.

During the first month of Winston Cabello's detention, his family members were able to visit him in detention. On September 27, 1973, he was moved to the Copiapo military garrison because the jail had become overcrowded with political prisoners. In mid-October, he was told that his file had been reviewed and that his release was imminent.

Soon thereafter, Defendant Armando Fernández-Larios, General Sergio Arellano Stark and other members of the Chilean military arrived at Copiapo military garrison by helicopter, carrying a signed order from General Pinochet to facilitate the administration of justice. They went through detainee files and ordered thirteen political prisoners removed, including Winston Cabello. Thereafter, an announcement (a military "*bando*") was published in the local newspaper indicating that all thirteen prisoners had been shot and killed "while trying to escape" as they were transferred out of detention from Copiapo to La Serena prison. All of those killed were professionals or community leaders considered to be Allende supporters and potential opponents of the new military regime; government officials refused to turn their bodies over to their loved ones for burial.

In 1990 after Pinochet left power, families of many of those killed petitioned government officials to undertake an exhumation in Copiapo, in an area where the bodies were believed to have been entombed. Because of the composition of the soil and the dry desert air, the bodies were well-preserved; according to forensic reports, the victims were killed with corvo knives and bore signs of atrocious torture.

The complaint alleges that the Defendant participated in terrorist actions (human rights violations?) on American soil as well. Armando Fernández-Larios was involved in the 1976 DINA-sponsored car-bombing in Washington, DC, which killed the ex-Chilean Ambassador to the U.S., Orlando Letelier, and his assistant, Ronnie Karpen Moffitt. In 1987, he came to the U.S. and struck a plea bargain with U.S. government prosecutors, pleading guilty to being an "accessory after the fact" in the bombing, and providing information regarding the roles of General Augusto Pinochet, General Manuel Contreras (head of the DINA), and Lt. Col. Pedro Espinoza, in the Letelier-Moffitt case. He later received the protection of the U.S. government through the Federal Witness Protection Program.

The current lawsuit is an integral part of a larger project of The Center for Justice & Accountability aimed at supporting efforts to end the impunity of those responsible for human rights violations during the Pinochet Regime. Due to the large number of calls received by CJA from Chilean survivors of human rights violations following the arrest of Chilean dictator General Augusto Pinochet in London in mid-October of 1998, CJA is now coordinating efforts of Chilean exiles in the US, interested in providing testimony related to the charges against Pinochet in Spain or seek redress against his subordinates known to be in the U.S.

CJA was created in January of 1998 to pursue human rights violators and war criminals found in the United States by facilitating legal action authorized under U.S. law. CJA is committed to undertaking lawsuits that will prevent the United States from serving as a "safe haven" for these violators and to achieving a measure of justice for the victims of these violations.

Press Packets and copies of the complaint will be available at the press conference.

For other CJA cases pending, please see the Mehinovic et. al. v. Vuckovic case filed in Atlanta in August of 1998.

Press conference participants:

Gerald Gray CJA's founder and Executive Director and founder of Survivors International, a San Francisco torture treatment center.
Shawn Roberts CJA's Legal Director.
Jill Peasley Consulting Attorney for CJA.
Elizabeth Van Schaack Consulting Attorney for CJA.
Paul Hoffman Private human rights lawyer and Board Chair of Amnesty International/USA.
Zita Cabello Plaintiff and sister of Winston Cabello