



Honduran Death-Squad Victims Seek Justice in U.S. Courts

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A Honduran woman whose husband was killed in the 1980s by government security forces -- death squads that were backed by the Reagan administration -- is seeking justice from an unlikely source: the U.S. courts.

TEGUCIGALPA, Honduras--It was past 1 a.m. and Berta Oliva was sleeping when a loud knock on the door jarred her awake. Before she could answer, Honduran government security forces broke down the door, and dragged her husband, Tomás Nativí, out of bed. Berta, three months pregnant, clutched him, but security forces struck her to the ground and knocked her unconscious. She never saw her husband again.

Twenty-two years later, Oliva holds new hope for finding justice from an unlikely source: the U.S. courts. The Honduran commander of an infamous death squad set up by the CIA now lives in retirement in Florida, and he's scheduled for the docket, accused of torture and other violations of international law. Oliva's husband disappeared at the time the death squad was active.

Maybe history is coming full circle. The Reagan administration chose Honduras as the staging ground for carrying out its policies in Central America in the 1980s. It became a frontline state for Washington's war against the Sandinista government in next-door Nicaragua, the place where U.S.-funded "contras" lived and trained. Its air fields were used for stationing U.S. troops and launching flights into El Salvador, another neighbor, where Washington was funding a counterinsurgency war. This once-peaceful country became dubbed "U.S.S. Honduras" as the United States militarized the land, set up death squads and covered up the ensuing disappearances and killings.

The man who secretly carried out the Reagan administration's plan in Honduras is a prominent member of the team that now carries out the Bush administration's plan against Iraq. John Negroponte, then U.S. ambassador to Honduras, today is Washington's ambassador to the United Nations. In Honduras, while Negroponte publicly espoused democracy, he oversaw the process that undermined it. Far from promoting democratic development, the militarization orchestrated by Washington here in the 1980s undermined local security and led to all the things that Honduras had long struggled to avoid --violence, instability and repression.

It is a history that underlies Oliva's excitement, and interest in legal circles and among Central Americans in the United States and at home. The San Francisco-based Center for Justice and Accountability, which specializes in human rights law, has filed a civil lawsuit against the former head of the Honduran military intelligence, Lt. Col. Juan López Grijalba, a current resident of Florida, charging him with violations of international law, including torture, disappearances and extra judicial killings. Grijalba controlled Battalion 3-16, a well-documented, secret death squad unit created by the CIA in the early 1980s.

In a 1988 judgment, the Costa Rican based Inter-American Court on Human Rights determined Honduras had violated the American Convention of Human Rights by carrying out a "systematic" practice of disappearing individuals between the years of 1981-1984. The decision made waves -- the court is part of the Organization of American States. The Honduran government complied with its ruling by paying restitution to some families whose loved ones had disappeared. However, not one Honduran army official was brought to trial in a Honduran court.

All charges filed against them were eventually dropped. Some witnesses were killed. Others were intimidated and changed their stories. In some cases, paperwork was mysteriously lost and the cases finally dismissed. Some military officials took refuge on army bases and others simply cannot be found. Some others are purported to be living in the United States.

Berta Oliva and other family members of the some two hundred disappeared now hope to find something of the justice that has eluded them in Honduras by bringing suit in the United States. They have an inspiring precedent: The Center and human rights defenders won a stunning victory in July, 2002 when a Florida jury found two retired Salvadoran generals liable for torture and other human rights abuses that occurred under their command in El Salvador. The jury ordered them to pay \$54 million in damages to three Salvadoran plaintiffs who suffered abuse at the hands of the Salvadoran armed forces during the 1980s.

In recent years the 1991 U.S. law called the Torture Victim Protection Act allows for cases charging torture and extra judicial killings when the alleged perpetrators are living or traveling in the United States.

Oliva is not a plaintiff in the Florida case. Seated in the ramshackle offices of Committee of the Families of the Disappeared, the organization she heads in this Honduran capital, Oliva is now well into middle age. But as she speaks of the trial set for later this year she uses the words, "enormous hope." She will be watching from here.

"It's the beginning of the end of impunity for human rights violators in Honduras," she says. "As a Honduran I'm ashamed to say that these military officials have not been brought to justice," says Oliva. "In fact, they've made a joke of it."

In the 1980s embassy officials insisted there were no political prisoners in Honduras, and the 1983 State Department human rights report on Honduras stated so in print. As disappearances accelerated, U.S. officials attacked those who reported the kidnappings. They denounced the Committee for the Defense of Human Rights in Honduras, the group that did the most to expose the death squads; the State Department called it "anti-democratic" and a front group for terrorists.

In spite of this history, Oliva, for her part, shows faith in the U.S. justice system and the impending court case. "There's a clear message in this case to our Honduran government and to the military officials -- you can play with Honduran laws but not with international laws."

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