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Human rights abusers find haven here

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WASHINGTON -- For more than two years, U.S. authorities have had a more potent weapon to pursue alleged human rights abusers from other countries who have made the United States their home. The enhanced authority is starting to bear fruit.

The recent arrests in Florida, Maryland and Virginia of three former Latin American military officers -- charged in the United States with immigration violations but sought in their home countries in connection with torture and mass killings -- are symbolic of the new law's impact. Also, thanks to the increased arrest and prosecutorial powers contained in the law, Chuckie Taylor, the son of former Liberian President Charles Taylor, this fall will become the first person to be tried under a 13-year-old federal statute aimed at those who are believed to have committed torture.

Hundreds of suspected human rights violators from around the world live among us today. There are at least 800 from 26 different countries, according to the latest count by Immigration and Customs Enforcement (the successor to the Immigration and Naturalization Service). Many entered with a U.S. visa obtained illegally by lying about their past to U.S. consular authorities.

These cases "have become a priority for us," said Marcy Forman, director of the office of investigations at ICE who, among others, oversees the agency's Human Rights Violators and Public Safety Unit. Forman said the agency is using "all the tools in our toolbox" to go after the alleged violators who "feel they could be safe" here.

Until Congress gave ICE those extra tools in 2004 as part of a reform of the U.S. intelligence system, U.S. immigration law focused on only three types of abusers: Nazi persecutors from World War II, perpetrators of genocide and significant violators of religious freedom. The 2004 reform added those involved in torture and extrajudicial killings and also expanded the mission of the Justice Department's Office of Special Investigations from solely prosecuting Nazi criminals to going after more modern-day violators.

Subsequently, a new interagency working group was formed and, for the first time, the government welcomed information collected by human rights organizations in building its cases. Pamela Merchant, an eight-year veteran of the Justice Department, commended the approach and noted the agencies are being "more coordinated internally." Merchant is now executive director of The Center for Justice & Accountability, which files civil lawsuits against alleged perpetrators on behalf of victims living in this country.

The arrests of the three alleged abusers this spring are indicative of the change in what was long considered U.S. inaction against foreigners who commit crimes abroad. One of the three is Ernesto Guillermo Barreiro, accused of being the former chief interrogator at a clandestine detention center where more than 2,000 prisoners were believed tortured or killed during Argentina's "dirty war" against leftist revolutionaries in the 1970s and 1980s. The other two are Peruvians Telmo Ricardo Hurtado and Juan Manuel Rivera Rondon, each accused of having commanded military units that committed a 1985 massacre of 69 peasants during the Peruvian military campaign against leftist guerrillas.

It is not always clear why those who face rights-abuse charges attempt to enter the United States. Sometimes it may be family that draws them here or a previous connection to their adopted home. Sometimes, too, they come protected by the CIA, according to Robert White, former U.S. ambassador to El Salvador. In an interview, White recalled that former Salvadoran Col. Nicolas Carranza, who was connected to widespread human rights abuses during El Salvador's civil conflict, was "a chief asset of the CIA for many years" before he settled in Memphis in the mid-1980s.

In 2005, Carranza was found liable for overseeing extrajudicial killings and torture in a civil suit pursued by Merchant's organization, and ordered to pay \$6 million to four plaintiffs. Carranza continues to deny the allegations. His continued presence here, and the long time it has taken to bring him to some sort of justice, highlights some of the hurdles for ICE and the Department of Justice.

The same could be said of anti-Castro militant Luis Posada Carriles, accused by Cuba and Venezuela of blowing up a Cuban airliner in 1976, killing 73 people. Posada, who slipped into the United States illegally in 2005, appears to be protected by either former CIA connections or political and diplomatic considerations and could, thanks to a judge's ruling earlier this month in Texas, be released shortly on bond.

Merchant and other human rights experts have praised the recent developments, but the slow pursuit of justice in some cases will taint the good work to come. At stake is the newly supported commitment to not let this country continue to be a safe haven for these types of illegal immigrants.

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