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Salvadoran Minister of Defense Indicted on Immigration Fraud Charges

Rights Group and Torture Victims Laud Obama for Quick Action

Miami February 23, 2009 – Today, the U.S. Department of Justice charged General Jose Guillermo García, the former Minister of Defense of El Salvador, with two counts of immigration fraud. If convicted, García faces up to ten years in prison for using a passport procured illegally and up to five years for making a materially false statement to a federal officer. According to the indictment, the defendant used a falsely obtained Salvadoran passport at Miami International Airport in an attempt to enter the United States, and later lied to federal officials regarding the passport.

“This indictment must be viewed in the context of the struggle to hold General García accountable as a war criminal,” said CJA Executive Director Pamela Merchant. *“To our knowledge, General García is the highest ranking foreign human rights abuser that the U.S. government has thus far pursued on its soil. We applaud the Obama administration for such a great start on its human rights enforcement efforts.”*

General García was a defendant in CJA’s U.S. civil human rights case *Romagoza v. Garcia*. After a four week trial in July 2002, General García, along with another Salvadoran commander, General Vides Casanova, was found responsible for the torture of three Salvadoran plaintiffs: Dr. Juan Romagoza Arce, Neris Gonzalez and Carlos Mauricio. The generals were ordered to pay \$54.6 million in damages. The verdict was upheld by the Eleventh Circuit Court of Appeals in January 2006.

In November 2007, Dr. Romagoza Arce and CJA Executive Director Pamela Merchant testified before the U.S. Senate Judiciary Subcommittee on Human Rights & the Law about García’s continued presence in the U.S. despite being found liable as a human rights abuser. In response to the testimony, Senators Richard Durbin (D-IL) and Tom Coburn (R-OK) sent a request to then Attorney General Mukasey and Department of Homeland Security Secretary Michael Chertoff and asked them to review prosecution and/or deportation of Generals García and Vides Casanova.

“While the charges do not match the severity of the atrocities García presided over in El Salvador, the indictment is a concrete step forward toward accountability,” said Neris Gonzalez, a Salvadoran torture survivor and plaintiff in CJA’s successful case against General García. *“Tens of thousands of civilians were murdered, tortured and disappeared under García’s watch - he should not be allowed to continue to live with impunity in the United States.”*

General García was Minister of Defense of El Salvador from 1979-1983. In 1980 alone over 10,000 civilians were killed by government and paramilitary forces in El Salvador. In the twelve year civil war that followed it has been estimated that 65,000 more civilians were killed.

CJA is a San Francisco-based human rights organization dedicated to deterring torture and other severe human rights abuses around the world and advancing the rights of survivors to seek truth, justice and redress. CJA uses litigation to hold perpetrators individually accountable for human rights abuses, develop human rights law, and advance the rule of law in countries transitioning from periods of abuse.

More information on CJA's case against García can be viewed on the CJA website at www.cja.org.