

# **The archbishop, the death squad and the 24-year wait for justice**

**It was the crime that broke El Salvador's heart. A good man was murdered in broad daylight, yet no attempt was made to bring his assassin to justice. Until today.**

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Andrew Buncombe reports:

It is a warm Monday evening in spring and in the Chapel of Divine Providence in El Salvador's capital city, San Salvador, a small, bespectacled priest is performing Mass. Having completed his sermon, the priest is standing close to the altar, blessing the wafer discs that represent the body of Christ.

From the rear of the church there is the sound of a single shot. The priest crumples to the floor of the chapel fatally wounded, blood seeping from a small hole in his chest and soaking his vestments. Outside the small chapel, a bearded man armed with a .223 high-velocity weapon, is seen in the back seat of a red, four-door Volkswagen which then drives away.

The priest was Oscar Arnulfo Romero, the Archbishop of El Salvador and an outspoken champion of the poor, and he was assassinated by right-wing paramilitaries, on 24 March 1980. Though the identity of the assassin remains unknown, many of the alleged conspirators have long been identified and live on untouched, a sore that has continued to fester within Salvadoran society.

Now, more than 24 years later, a court in California will today hear evidence against one of those accused of orchestrating the murder of Archbishop Romero. That man, Alvaro Rafael Saravia, the right-hand man to the leader of El Salvador's death squads of the 1980s, has lived in the US for the past 19 years but has not been seen in public since papers were filed against him last September. The hearing will be held in his absence.

The civil action is designed to establish Mr Saravia's alleged complicity in the killings and seek damages against him. Archbishop Romero often spoke critically of the US, which supported the right-wing government of El Salvador and those of other Latin American countries in their so-called "dirty wars", training and funding paramilitary forces.

Among those trained by the US was Mr Saravia's boss, the late Major Roberto D'Aubuisson who is said to have ordered the archbishop's assassination. He studied at the notorious School of the Americas, a US military college in Fort Benning, Georgia, which for decades taught counter-insurgency to more than 60,000 cadets from Latin American regimes, It was renamed in 2001 after a series of scandals, including the discovery there of stacks of torture manuals.

Esther Chavez worked with the archbishop in El Salvador and fled to New Jersey when she was threatened by death squads after his assassination. She said: "[This trial] is very important not only at a personal level, but for Salvadorans. Even though it took 24 years, justice is prevailing."

Ms Chavez is among witnesses who will give evidence to the hearing in Fresno, held after a lawsuit was brought by the San Francisco-based Centre for Justice and Accountability (CJA). The group says it will introduce new evidence including testimony from an as-yet-unidentified witness who will attest to Mr Saravia's involvement in the killing.

Matt Eisenbrant, the CJA's litigation director, who is serving as co-counsel, said: "The US should not be a safe haven for those responsible for this heinous crime. This is the first trial [in regard to] the assassination.

For a long time it was too dangerous to do anything in El Salvador, and since 1993 there has been an amnesty law which means you cannot do anything there. Then we found Saravia was living in California."

The death of Archbishop Romero, 63, was a seminal event, not only for El Salvador but for international followers of his liberation theology, a radical interpretation of the Gospels which tried to reconcile Marxist philosophy and Christian social thinking. At his funeral, more than 40 people were shot dead by government soldiers firing on the huge crowds of poor people paying homage to their champion outside the city's cathedral.

A quarter of a century on, even in death, Archbishop Romero remains a powerful and influential figure. Thousands of pilgrims travel to San Salvador to visit his tomb, and the small, three-room house in which he lived, next to the chapel on the grounds of a hospital. He has also been nominated for recognition by the Vatican as a saint.

The present Archbishop of El Salvador, Fernando Saenz Lacalle, a member of the right-wing Catholic sect Opus Dei and politically very different from Archbishop Romero, has said this trial could help justify the move. In a letter obtained by The Independent, he wrote: "I consider it a positive development that the murder of my illustrious predecessor is being investigated. More information about the author or authors of this sacrilegious murder and about the circumstances under which it was carried out will provide valuable information to the movement for his beatification."

An investigation by a UN Truth Commission in 1992 concluded that the murder had been ordered by Mr D'Aubuisson, who led a network of death squads. It also concluded that Mr Saravia and others were "actively involved in planning and carrying out the assassination". The UN investigators found Mr Saravia had ordered his driver, Amado Garay, to drive the gunman to the chapel.

Mr Garay, who fled El Salvador shortly after the killing, saw the shooting. He said that three days later, he had driven Mr Saravia to a house, and his chief had told Mr D'Aubuisson there: "We've already done what we planned about killing Monsignor Arnulfo Romero." An investigation into the killing - based partly on a diary found on Mr Saravia that contained notes about the conspiracy to kill Archbishop Romero - was launched by Judge Ramirez Amaya until he too was forced to flee the country after death threats. He will also appear as a witness this week.

Records show Mr Saravia has been living in the US since 1985, first in Florida, then in Modesto, California. He was detained in 1987 by the US authorities after Salvadoran prosecutors sought his extradition. That extradition was later withdrawn by the Supreme Court of El Salvador in a decision that the truth commission said was "dubious and politically motivated". He was released from US custody in 1988.

Mr Saravia has never been charged over the murder of the archbishop. Mr D'Aubuisson, who went on to form the National Republican Alliance, considered to be the political arm of the death squads, was later accused of Archbishop Romero's killing but was not charged. He died in 1992, still denying guilt.

Lawyers are bringing the action under the 1991 Torture Victim Protection Act which allows suits to be brought against foreign nationals accused of summary killings and torture. They said they delivered legal papers to Mr Saravia's address but he had "gone to ground".

Mr Eisenbrant said he hoped the civil action could lead to either the US Justice or Immigration departments bringing charges. It is understood Mr Saravia entered the US on a six-month tourist visa. "This lawsuit has unquestionably disrupted Saravia's life," he said. "And it ensures he cannot live openly in the US for fear his victims could seize his assets and he could be arrested and prosecuted for alleged immigration violations." Nico van Aelstyn, a partner with the law firm Heller, Ehrman, White and McAuliffe, who is helping to bring the case, said: "The assassination of Archbishop Romero was one of the most outrageous single crimes of the last quarter of the 20th century. Given that one of the [suspects] has lived in the US for

[at least] 17 years, we Americans have an obligation to bring him to justice. We hope this lawsuit will encourage additional witnesses to come forward with evidence that will enable the courts to bring to justice all those responsible for the crime."

Archbishop Romero had been leading the struggle for human rights in El Salvador when the recently imposed junta, headed by Jose Napoleon Duarte Fuentes, of the Partido Demócrata Cristiano (Christian Democratic Party, PDC) was mounting a bloody counter-insurgency campaign, nominally against the revolutionary forces of the FMLN, but essentially against all political dissidents. From that time to 1992, more than 75,000 civilians were killed by the military and paramilitary death squads closely linked to the troops.

Archbishop Romero had been outspoken against such terror. A month before his death he wrote to then US President Jimmy Carter, asking him to suspend financial aid for the country. Mr Carter, who sent millions in aid and riot equipment to the Salvadoran military and dispatched US trainers to help them, suspended support months later, but only after paramilitaries murdered four nuns.

Robert White, the former US ambassador to El Salvador, had heard Archbishop Romero preach the day before his death. Then the priest appealed directly to the soldiers involved in the killings. "Brothers, you came from your own people," he told them. "You are killing your own brothers. The Church cannot remain silent before such an abomination. In the name of God, I implore you, I beg you, I command you, 'Stop the killing'."

Mr White said last week: "I really worried about him and his forthrightness. There were limits to how far you could go. I would have preferred that he would have been more prudent."

Archbishop Romero has two brothers, Tiberio, 77, and 74-year-old Santos. Both have recently travelled to California. "We try to give testimony to our brother's life and live our lives the best we can, with humility and honesty," Tiberio told *The Tidings*, the weekly paper of the archdiocese of Los Angeles.

Marie Dennis, one of the authors of *Oscar Romero: Reflections on His Life and Writings*, said she believed the hearing in California would remind people of his role as a champion of the poor. "I think he represented just the best there is," she said. "He actually started out conservative. It took a while to see the way in which the political powers and economic powers were creating a [situation] that was exploiting the people. As soon as he saw how that power was perpetuated he became very clear."

Archbishop Romero often talked of sacrifice. In his final sermon on that Monday evening, moments before the gunman's bullet struck, he had reminded the two dozen or so gathered to celebrate Mass, of Christ's parable of wheat.

"Those who surrender to the service of the poor through love of Christ, will live like the grains of wheat that dies," he said. "It only apparently dies. If it were not to die, it would remain a solitary grain. The harvest comes because of the grain that dies ... We know that every effort to improve society, above all, when society is so full of injustice and sin, is an effort that God blesses, that God wants, that God demands of us."

<http://news.independent.co.uk/world/americas/story.jsp?story=554530>