

Independent Co UK

<http://news.independent.co.uk/world/americas/story.jsp?story=558351>

05 September 2004

US court orders man behind death-squad killing of El Salvador's archbishop to pay \$10m in damages

By Andrew Buncombe

Almost 25 years after El Salvador's Archbishop Oscar Romero was shot with a single bullet in the heart as he said Mass, a court in the United States has found someone responsible for his murder.

A federal judge in California found that a retired Salvadoran air force captain, Alvaro Saravia, who has lived in the US for almost 20 years, was liable for the killing and ordered him to pay \$10m (£5.7m) in damages.

Mr Saravia, who has not been seen since the charges were filed against him last September, was not in court. "To be liable for the killing of a human being, you don't have to pull the trigger," Judge Oliver Wanger told about 100 spectators at the courtroom in Fresno, California, many of them Salvadoran. The visitors erupted in applause, and many in attendance began weeping.

The Catholic Church has taken the first step toward the canonisation of Archbishop Romero, who was an outspoken critic of US military and financial support for right-wing governments in Central America and of state-sponsored violence.

A quarter of a century after his death, he remains revered for his support of the poor and of those working for social change.

The hearing was brought on behalf of one of Archbishop Romero's relatives under a law that allows foreign nationals with US connections to be sued for crimes such as torture or genocide. The court heard how Mr Saravia had helped conspire to kill the priest along with his boss, Roberto D'Aubusson, an army major who died in 1992 and had led a network of death squads. The court heard how Mr Saravia had ordered his driver to take the gunman to the chapel in San Salvador, the capital of the small central American country, where he was saying Mass on the evening of 24 March 1980.

The judge said: "Here the evidence shows that there was a consistent and unabating regime that was in control of El Salvador, and that this regime essentially functioned as a militarily controlled government." The government perpetrated "systematic violations of human rights for the purpose of perpetuating the oligarchy and the military government".

Judge Wanger also concluded that what happened in El Salvador was the "antithesis of due process" and that there could not be a better example of extrajudicial killing than the murder of Archbishop Romero.

The case was brought by the San Francisco-based Centre for Justice and Accountability. The CJA's litigation director, Matt Eisenbrandt, said: "This decision ensures that the United States will no longer be a safe haven for those responsible for this heinous crime. This verdict provides sufficient grounds for the immigration service to place Saravia in deportation proceedings."