

## Navi Pillay, Jara Family to Speak at Annual Dinner

Join CJA on **May 7, 2015** for our Annual Dinner, *Celebrating Global Justice*, to be held at the Julia Morgan Ballroom in San Francisco. Tickets available online at [www.cja.org/annualdinner](http://www.cja.org/annualdinner).

*Celebrating Global Justice* will honor **Navi Pillay**, former U.N. High Commissioner for Human Rights (2008 - 2014), for her tireless efforts to protect and promote human rights around the world, including support of LGBT rights and gender equality, and opposition to torture, capital punishment and gender-based violence.

CJA will present the Judith Lee Stronach Award to **Suleiman Ismail Bolaleh**, the Chairman and a founding member of the Horn of Africa Human Rights Watch Committee (HORNWATCH), which has led the movement for human rights and accountability in Somaliland. Bolaleh's work has been crucial in building CJA's cases against former Somali General Mohamed Ali Samantar and former Colonel Yusuf Abdi Ali. *(Continued on page 7)*



UN Photo/David McCreery



On March 20, 2015, a few weeks after the Supreme Court decision, Somaliland's president presented CJA with the Presidential Commendation for achievements on behalf of victims of human rights violations

## Supreme Court Upholds Torture Decision Against Somali Warlord

After 11 years of pursuing justice, the U.S. Supreme Court let stand a ruling awarding CJA clients Bashe Yousuf, Aziz Deria, Buralle Mahamoud, and Ahmed Gulaid \$21 million in damages for torture, war crimes, crimes against humanity, and other human rights abuses committed by former Somali Prime Minister and Minister of Defense, Mohamed Ali Samantar.

"I truly rejoice to know that Samantar cannot escape the pronouncement of the court of law," said CJA client Aziz Deria. "My late father Mohamed Iid, my younger brother Mustafa, and my cousin Yusuf were pulled from our family's home and murdered under General Samantar's orders just because of their clan. The Supreme Court's decision today gives me hope that justice for all Somalis is possible." *(Continued on page 3)*

## Ex-Salvadoran Military Officials Face Extradition, Deportation

On April 8, 2015, the U.S. government filed a request seeking the extradition to Spain of Colonel Inocente Orlando Montano for his role in the 1989 Jesuit massacre in which six Jesuit priests, a housekeeper, and her daughter were murdered in El Salvador. Col. Montano's extradition will set the stage for the progression of CJA's *Jesuits Massacre Case* in Spain, allowing for a trial to begin.

"The extradition request for Col. Montano and the trial to follow will be the final effort to consolidate all that has been investigated and reported over the last 25 years - to unfold and reconstruct the story of the murders in a way that tells the complete truth and secures criminal accountability," said CJA International Attorney Almudena Bernabeu.

In another step towards ending impunity, General Eugenio Vides Casanova, the former Defense Minister of El Salvador who had been found liable for the torture of Salvadoran civilians, was deported to El Salvador after living as a legal resident in Florida for over 25 years. On April 8, 2015, he was met at the airport by families holding photos and stories of those who were tortured, killed, and disappeared under his command.

"The deportation of Vides Casanova is a historic moment for the victims and survivors of human rights abuses during El Salvador's civil war," said CJA Senior Legal Advisor Carolyn Patty Blum. "The removal from the United States of Vides Casanova, a general at the apex of power during years of horrendous repression, is unprecedented." *(Continued on page 4)*

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Dear Friends of CJA:

From Somalia to El Salvador, the Center for Justice and Accountability is paving the way for justice and accountability.

In this newsletter, you will read about CJA's important victory before the U.S. Supreme Court against former Somali Prime Minister and Minister of Defense, Mohamed Ali Samantar, who is living in Fairfax, Virginia (*see* page 1, 3). He has been denied immunity, letting stand a \$21 million judgment against him for torture, war crimes, crimes against humanity, and other human rights abuses.

CJA also secured an important victory before the Board of Immigration Appeals that found former El Salvador Defense Minister General Vides Casanova eligible for removal for his role in ordering the torture and extrajudicial killings of civilians in El Salvador. Vides Casanova was subsequently deported to El Salvador (*see* page 1, 4). Another Salvadoran military official, Colonel Inocente Orlando Montano, now faces an extradition hearing to determine if he will be extradited to Spain to face criminal charges for his role in the Jesuit massacre (*see* page 1, 4).

Thank you to our pro bono counsel at Akin Gump Strauss Hauer & Feld LLP for their support in the Samantar case, and thank you for your support which made these victories possible.

This year marks the 70th anniversary of the liberation of Auschwitz and other concentration camps. From 1945 to 1946, the International Military Tribunal at Nuremberg tried Nazi Germany's major war criminals. Other trials followed in France, Germany, Israel, and the United States to prosecute or remove fugitive Nazi war criminals.

On the first day of trial at Nuremberg, Levi Shalitan, editor of the Yiddish newspaper *Undzer Veg* wrote: "This trial shall be the last warning. It must be proved that there is order and justice in our world. No one can again presume a world without justice and without judges."

CJA is continuing the legacy of Nuremberg as our lawyers fight to ensure that perpetrators of human rights abuses, wherever they are found, are held to account before the court of law, and that our clients, their communities, and the victims and survivors of torture, crimes against humanity and other serious human rights violations find truth, justice and redress. 

C. Dixon Osburn  
Executive Director



C. Dixon Osburn, Executive Director

## CJA in the News

“...the ruling published Wednesday by the Board of Immigration Appeals is ‘very significant, because for the first time it connects the concept of command responsibility to the ability to remove human rights abusers from the United States.’ – CJA’s Patty Blum, *The Washington Post*, March 13, 2015, commenting on a ruling finding General Vides Casanova removable from the United States

“Whether ultimately found inside United States borders, or captured abroad, the United States should have the requisite legal tools to bring those who commit crimes against humanity to justice. – CJA’s Dixon Osburn, *The Hill*, January 14, 2015

“It’s been over 12 years since Vides Casanova and José Guillermo García (a former general) were exposed as being responsible for ordering the torture of civilians in El Salvador... What we hope is that when he gets back to El Salvador, he faces criminal prosecution there. – CJA’s Almudena Bernabeu, *NBC News*, March 11, 2015

“There’s lots of new evidence in this Senate report, the justice department should take another look. They shouldn’t be swayed by the political pressure they no doubt feel. – CJA’s Kathy Roberts, *Al Jazeera*, December 11, 2014, commenting on the release of the Senate Torture Report.

## Supreme Court Upholds \$21 Million in Damages for CJA Clients (cont. from p. 1)

In 2012, Samantar accepted liability and responsibility for damages for crimes committed against the civilian population of Somalia during the brutal Siad Barré regime, the military dictatorship that ruled the country from 1969 to 1991.

After the collapse of the Siad Barré dictatorship, Samantar fled Somalia and ultimately settled in Fairfax, Virginia where he has lived for the past 18 years.

U.S. District Court Judge Leonie Brinkema ruled in favor of CJA's clients after attorneys from CJA and pro bono co-counsel Akin Gump Strauss Hauer & Feld LLP presented evidence demonstrating the grievous injuries Samantar wrought and the malicious intent with which he committed these crimes.

Despite his acceptance of liability, Samantar continued to assert immunity and for a third time petitioned the U.S. Supreme Court to hear his case, claiming immunity for acts he says were taken in his official capacity. The Supreme Court's ruling follows closely on the heels of an affirmation by the U.S. State Department that the Somali Federal Government does not seek immunity for Samantar.

"Thousands of Somalis suffered under the Siad Barré regime and in the years since its collapse," said CJA Legal Director Kathy Roberts, "The decision of the Somali Federal Government not to seek immunity for Samantar, and the U.S. Supreme Court's denial of Samantar's final appeal, together send a strong message that the perpetrators of such atrocities will not be cloaked with impunity."

CJA's case marks the first time that any Somali government official has been held accountable for the atrocities perpetrated under the Siad Barré regime, and the Supreme Court's most recent decision draws to an end an 11-year quest in U.S. courts for justice for those harmed by General Samantar and soldiers under his command.

A few weeks after the Supreme Court's decision, Somaliland's president, Ahmed Mohamed Mahamoud Silanyo, presented CJA with a commendation for its "extraordinary commitment to human rights." 🇸🇴



Reburial ceremony for victims of the Siad Barré regime, the brutal dictatorship that ruled Somalia for 22 years. General Samantar was the Prime Minister and Defense Minister during Siad Barré's regime.

## Client Profile



Cecilia Moran-Santos being interviewed after the Carranza trial in 2005.

## Cecilia Moran-Santos: Bringing Colonel Carranza to Justice

In 1980, the national police in El Salvador jailed and brutally tortured Cecilia Moran-Santos, then a 27-year-old government statistician. The government charged her with being a "subversive" and denied her access to an attorney. In 2005, CJA and pro bono co-counsel Bass, Berry & Sims filed suit against Colonel Nicolas Carranza on behalf of Moran and four other plaintiffs. Carranza, who was El Salvador's Vice Minister of Defense in 1980, was found liable for crimes against humanity, torture and extrajudicial killing and ordered to pay \$6 million in damages.

### Why was this case important for you?

The importance of the case is not only a personal thing. For me, this case goes far in my seeking for justice. I lost almost three years of my life in prison and my family suffered a lot as they were forced to flee to avoid repression. It is important to bring these people to the courts so they can understand that nobody is above the law. I cannot tolerate such a level of impunity. They need to feel at least the shame of the wrong things they did and hear about all the suffering they caused.

### What was it like to be a part of this case?

To be involved in the case was a very hard experience because seeing and hearing the stories of each of the plaintiffs was sad and painful. I had to live again the pain of the torture; I could hear the cry of the others I heard in the National Police Headquarters. Each picture, each testimony put me again in the streets of San Salvador, in the places the plaintiffs or the witnesses were describing and feeling the agony of those moments.

I invited some of my compañeras that were with me in Cárcel de Mujeres (the Women's Prison) to attend the trial, but everybody was so afraid. More than 20 years had already passed and some of them told me that the only thing they wanted was to forget. They already built a new life far away from El Salvador. And some others were still afraid for their family living in El Salvador.

I was also afraid of that. My mother, my father and two of my sisters were living in El Salvador. (Continued on page 4)

## Cecilia Moran-Santos Profile (cont. from p. 3)

I asked them if they want me not to testify but everybody said that we have the right to look for any justice — if they cannot do it in El Salvador, we have to do it here. My father asked me how it felt to

reopen my wounds. I said that I need to do it and turn the page of that part of my life.

I had the moral support of my family, my friends, and my compañeras; everyone said that I have to do it in the name of all the people who cannot do it anymore because they are dead.

**When you first heard the verdict against Carranza, what was your reaction?**

When I heard the result of the trial, I felt inmensamente feliz! It was the first night that I could sleep very well. No more nightmares! I could feel that my friends and compañeras were vindicated with that result. I said: ‘Now I can trust the justice system. Colonel Carranza and his family can feel now that they are not above justice.’ It took many years, but now he has faced the shame of his past.

**When I heard the result of the trial, I felt inmensamente feliz! It was the first night that I could sleep very well. No more nightmares! I could feel that my friends and compañeras were vindicated with that result.**

and sent a message to those that are still in power and violating human rights. And it gave us – the citizens of the world – the power to take these perpetrators to trial. 🔥

**How did this case impact you and others?**

It impacted me so much when the jury declared him guilty of the “delitos de lesa humanidad” (crimes against humanity)



*Cecilia Moran-Santos at CJA's Annual Dinner in 2008.*



*Families await Gen. Vides Casanova's arrival at the airport in El Salvador.*

## Col. Montano, General Vides Casanova Face Accountability for Human Rights Violations Committed During El Salvador's Civil War (cont. from p. 1)

The deportation of Vides Casanova followed an immigration appeals board decision, which upheld his removability from the United States for assisting and participating in the torture of civilians, including CJA clients Dr. Juan Romagoza Arce and Daniel Alvarado.

Bernabeu said, “The deportation of General Vides Casanova and the extradition request for Colonel Montano represent important steps toward justice for the many victims of the Salvadoran military. We at CJA are humbled by our work alongside these victims to bring about these results.” 🔥

## What CJA Does

The Center for Justice and Accountability is an international 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.

CJA uses two civil laws to hold perpetrators of international human rights abuses accountable in the United States: the Alien Tort Statute (ATS) and the Torture Victim Protection Act (TVPA). We also pursue criminal human rights cases before the Spanish National Court which has initiated investigations into abuses around the world. CJA leverages resources by partnering with pro-bono law firms and expert witnesses to help litigate our cases. For more information, visit [www.cja.org](http://www.cja.org).

## CJA Sends Delegation to El Salvador

In November 2014, CJA sent a human rights delegation to El Salvador to commemorate the 25th anniversary of the Jesuits Massacre. CJA has a criminal case in Spain against former members of the Salvadoran military's high command for their role in the Jesuits Massacre. 🔥



Delegates in front of a pixel portrait of Archbishop Óscar Romero on the wall outside the entrance to El Salvador's Foreign Ministry.



Delegates participate in a candlelight vigil on November 15, 2014



Delegates meet with El Salvador's vice president

## Remembering Ambassador Robert E. White (1927-2015)



by Carolyn Patty Blum, CJA Senior Legal Advisor

On March 19, 1980, then-U.S. ambassador to El Salvador Robert White sent a 30-page telegram to the Secretary of State Warren Christopher. He had been in El Salvador for less than two weeks but he quickly assessed the situation: El Salvador was a country where the disparity between rich and poor was one of the worst examples of income inequality in the world; where a grassroots movement to address this disparity and the need for land reform, labor rights, victims' rights, and the restoration of democracy was capturing the imagination of its people; and where the military

violently repressed those aspirations. White urged that human rights must be the key underpinning of U.S. foreign policy. This was quintessential Robert White.

Not five days after White's telegram, Archbishop of El Salvador Óscar Romero was assassinated by a right-wing death squad. By the end of the year, the Salvadoran military had murdered over 10,000 civilians, scores disappeared and thousands were tortured in secret military cells.

White spent his time as ambassador holding meeting after meeting with El Salvador's top military commanders to confront them with these atrocities and insist that they halt this course. Near the end of 1980, White was one of the first at the crude roadside grave of four American churchwomen slaughtered by Salvadoran security forces. When White refused to fabricate progress in the Salvadoran investigation of that vicious crime, he was forced out of the Foreign Service, where he had enjoyed a distinguished career of more than 25 years.

From his "civilian" perch, White continued to write and talk about El Salvador and all of Central America, to advocate for change in U.S. foreign policy and for social change in the region. We at CJA came to know him well. From our earliest days as

an organization, as we crafted a litigation strategy to insist on justice for the victims of the crimes of the Salvadoran military, we turned to Ambassador White.

White agreed to testify in all three of CJA's civil cases for accountability against El Salvador's top military commanders and architects of some of its most heinous abuses. He also testified for the Department

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**He was a unique witness: he had the gravitas of a diplomat, the learnedness of a scholar, the keen eye of a witness to a terrible history.**

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of Homeland Security in their removal cases against the Salvadoran Ministers of Defense during the 1980s, the defendants in one of these cases.

He was a unique witness: he had the gravitas of a diplomat, the learnedness of a scholar, the keen eye of a witness to a terrible history. He touched jurors and judges in a special way - never did they listen more intently than when Bob White was on the stand.

Ambassador Bob lived a rich, full, and noble life. He will be deeply missed. 🔥

## Pro Bono Partner Profile



Christina Hioureas with CJA client Abukar Hassan Ahmed

### Christina Hioureas, Chadbourne & Parke LLP

Christina Hioureas is a Senior Associate with Chadbourne & Parke's International Arbitration and Public International Law practice. Hioureas, together with her colleagues from Chadbourne, serves as CJA's pro bono partner in *Ahmed v. Magan* and *Jara v. Barrientos*.

Christina Hioureas always had a strong interest in the rule of law and human rights, instilled in her by her father, who left Greece during its military dictatorship. She found the perfect intersection for pursuing her passions through her work in international arbitration and public international law at Chadbourne, her work as a delegate to the United Nations Sixth Committee to the General Assembly (Legal Affairs), and her pro bono involvement with CJA.

"CJA's cases and policy work empower individuals to seek truth and accountability for war crimes to which they were subjected, while at the same time send the message that the United States will not be a safe haven for those who violate international human rights," Hioureas said.

Hioureas had first-hand experience with the impact of CJA's cases while serving as pro bono co-counsel in CJA's case *Ahmed v. Magan*. In November 2012, a federal court found Colonel Abdi Aden Magan, the former investigations chief of the Somali National Security Service (NSS), liable for the torture, cruel treatment, and arbitrary detention of CJA client Abukar Hassan Ahmed, and awarded \$15 million in damages in August 2013.

Hioureas was greatly inspired by the story of CJA client Ahmed, a former constitutional law professor and human rights advocate in Somalia. "He is a bold individual who, despite the oppressive political environment and direct threats to his safety, stood up for his political beliefs and advocated for the rights of others," Hioureas said, highlighting Ahmed's tenacity and commitment to human rights. "Despite being repeatedly targeted and brutalized for his political beliefs and clan affiliation, Ahmed refused to give up teaching constitutional law and, once he had obtained political asylum in the U.K., sought justice against the person who had committed these atrocities."

CJA continues to motivate and inspire Hioureas, as she continues her work with us in *Jara v. Barrientos* (see page 7 for more details). Hioureas said, "The case is incredibly important to obtaining justice for the Jara family and to shed light on the human rights violations that were committed under the Pinochet regime." 🔥

## CJA Welcomes Spring Legal Interns

Mariel Bird is a 3L at the University of California, Berkeley, School of Law (Boalt Hall). She has a special interest in the fields of international criminal law and transitional justice, which was first piqued during a year-long Fulbright fellowship in South Africa. Since beginning law school, Bird has worked at the U.N.



International Criminal Tribunal for the former Yugoslavia and the U.S. Department of State's U.S. Mission to the United Nations. Following her graduation, Bird will clerk for the Honorable John T. Noonan for the Ninth Circuit, Court of Appeals, and the Honorable Haywood S. Gilliam, Jr. for the Northern District of California.



Gabriela Mendez is a 2L at the University of San Francisco School of Law. She recently traveled to Lesotho, Africa where she drafted a report comparing the legal system in Lesotho to the one in the U.S. and included recommendations on how to improve both systems. Over the past ten years she has worked on advocating against genocide and for the rights of refugees. She has

also advocated for the rights of low-income high school students and English language learners in the United States, as well as immigrant and migrant workers. 🔥

#### CJA STAFF

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 Amy Belsher, Berkeley Law Public Interest Fellow  
 Almudena Bernabeu, International Attorney/ Transitional Justice Program Director  
 Carolyn Patty Blum, Senior Legal Advisor  
 Scott Gilmore, Staff Attorney  
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## CJA Annual Dinner on May 7 (cont. from p. 1)

We will also hear from special guests **Joan Jara, Amanda Jara, and Manuela Bunster**, CJA's clients in our case *Jara v. Barrientos*. Joan Jara is the widow of Víctor Jara, a Chilean folksinger and poet who was killed at Chile Stadium by members of the Chilean Armed Forces in the days following the infamous coup d'état of General Augusto Pinochet in September 1973.

CJA will present the Partner in Justice Award to **Chadbourne & Parke LLP**, which has provided outstanding pro bono support to CJA in our *Jara v. Barrientos* case. 🔥



Former Guatemalan Attorney General Claudia Paz y Paz receiving the Judith Lee Stronach Award at CJA's 15th Anniversary Dinner in 2013.

## Family of Víctor Jara Continues to Seek Justice Against Accused Killer

On February 17, 2015, CJA and co-counsel Chadbourne & Parke LLP filed a brief in our case against former Pinochet Lieutenant Pedro Pablo Barrientos Nuñez, accused of torturing and killing Chilean folksinger and activist Víctor Jara. The brief stated that our clients, the Jara family, do not oppose Barrientos's request to lift the default judgment in the case, opening the door to a full trial against the Pinochet henchman.

CJA filed a civil suit against Barrientos in September 2013. A U.S. federal court issued a default judgment against the Florida resident after he failed to appear before the court, finding Barrientos liable for torture, extrajudicial killing and crimes against humanity committed during the mass detention of thousands of intellectuals, political leaders and perceived supporters of the Allende government at Chile Stadium immediately after General Augusto Pinochet's coup in 1973.

**“With this case, we hope to shed light on what happened at Chile Stadium in the first days of Pinochet's coup, as these events have remained shrouded in mystery for over 40 years.”**

Barrientos asked the court to lift the default judgment claiming that he did not understand the consequences of the legal proceedings against him. The family of Mr. Jara welcomed the removal of the default judgment in order to have the case proceed to a full trial and better bring to light

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the events that transpired surrounding their loved one's death. Mr. Jara was detained, tortured, and killed at the infamous Chile Stadium during General Augusto Pinochet's coup.

“With this case, we hope to shed light on what happened at Chile Stadium in the first days of Pinochet's coup, as these events have remained shrouded in mystery for over 40 years,” said CJA Legal Director Kathy Roberts. “CJA's case, along with the work of Chilean prosecutors who have indicted Barrientos, will finally provide judicial acknowledgement to the victims of Chile Stadium.” 🔥



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*CJA travelled to Somaliland and received the Special Presidential Commendation after achieving a significant victory before the U.S. Supreme Court for victims of the Siad Barré regime, the brutal dictatorship that ruled Somalia for 22 years. (From L to R: CJA client Aziz Deria; Staff Attorney Nushin Sarkarati; CJA partner and HORNWATCH Director Suleiman Bolaleh; Legal Director Kathy Roberts; Fathiya Jahuur, Lead Commissioner on the Somaliland National Human Rights Commission; and Najib Hassan).*