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Salvadoran general can be deported from U.S. for aiding torture

[Pamela Constable](#), Washington, March 13th 2015



Retired Salvadoran Gens. Jose Guillermo Garcia, left, and Carlos Eugenio Vides Casanova leave the federal court in West Palm Beach, Fla., after the first day of their civil trial in 2002. (Marianne Armshaw/Reuters)

WASHINGTON — An immigration appeals court has upheld the deportation of a former Defence minister of El Salvador during the 1980s, when US-backed security forces there committed numerous human rights abuses, including the kidnapping and murders of four US churchwomen.

The unprecedented ruling against retired General Carlos Eugenio Vides Casanova, 77, a one-time US ally who retired to Florida in 1989, is expected to open legal doors for the deportation of

a second Salvadoran general and other former foreign officials who condoned or failed to prevent — but did not directly participate in — human rights abuses in their countries.

The case against Vides Casanova and General José Guillermo García was originally brought by three Salvadoran refugees, including two longtime residents of Washington, who were detained and tortured by security forces in their homeland in the 1980s. One, Juan Romagoza, is a doctor who until 2008 ran the Clínica del Pueblo, a nonprofit health centre in Northwest Washington. The other, Carlos Mauricio, is a teacher and psychologist, who heads an anti-torture group.

“I was lucky to survive, but many others didn’t, and this ruling represents some relief for them, too,” Romagoza, 65, said in a telephone interview Friday from El Salvador. “It is a very important step for justice, because it says that not only those who carried out these crimes but also those who knew or ordered them and then washed their hands are responsible.”

A civil suit filed in 1999 by Romagoza, Mauricio and Neris González, a former church worker, led to a trial in Florida, in which a jury ordered a US\$54.6 million verdict against the generals. In 2006, a federal appeals court upheld the verdict, although in a separate trial, a jury cleared both generals of responsibility for the murders of the four US churchwomen, who were kidnaped by Salvadoran security forces in 1980.

Both former officials were allowed to remain in the United States, but in 2009, US Immigration and Customs Enforcement brought charges of immigration fraud against them for assisting in the torture of Romagoza and a second detainee, Daniel Alvarado. In 2012, an immigration judge in Florida ruled that Vides Casanova, a legal US resident, could be deported. That decision was upheld Wednesday, but he still has the right to appeal in federal court. The case against García is still pending.

According to Patty Blum, one of a team of lawyers at the Centre for Justice and Accountability in San Francisco that supported the prosecution, the ruling published Wednesday by the Board of Immigration Appeals in Florida 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.”

Blum said the original civil case brought by Romagoza, Mauricio and González was “a real stimulant” to the immigration prosecution against them, and that many of the same witnesses testified at the civil and immigration hearings. The immigration case was developed by the Human Rights Violators and War Crimes Unit at ICE, which pursues suspects from numerous countries who live in the United States.

In its ruling, the appeals board described in detail the torture endured by Romagoza, a doctor who was working at a church clinic in 1980 when it was attacked by soldiers and police. He was detained and kept in national guard custody for three weeks. The decision said he was beaten, shot, given electric shocks, sexually assaulted and hung from a ceiling. It described similar

treatment of Alvarado, a student activist who was falsely accused but later cleared of killing a US military adviser.

The appeals board stated that these acts were not “isolated or random” abuses at the hands of “rogue subordinates,” but that Vides Casanova, who headed the national guard and then served as Defence minister from 1983 to 1989, “knowingly shielded subordinates” from punishment and “promoted a culture of tolerance for human rights abuses” in the security forces.

In the early 1980s, the United States supported the government of El Salvador as the country was spiralling into civil war against leftist guerrillas. But the regime was later found to have committed mass abuses against civilians, including massacres and torture, and human rights groups have spent years denouncing and investigating these cases.

In the case of the four churchwomen, who were kidnaped, killed and buried by members of the national guard, the Florida immigration board found that Vides Casanova knew the guardsmen then under his command had confessed to the crimes but that he failed to investigate them and obstructed US government efforts to investigate.

http://www.washingtonpost.com/local/salvadoran-general-can-be-deported-for-torture-immigration-board-finds/2015/03/13/ade3ec2c-c98c-11e4-a199-6cb5e63819d2_story.html