



Confronting the Past

6 Honduran Plaintiffs Suing Over 1980's Human Rights Abuses

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Oscar Reyes, now editor of El Pregonero, says "I think it's important for the world to know exactly what happened" in Honduras. (Dayna Smith - The Washington Post)

The last time Oscar Reyes met Col. Juan Evangelista Lopez Grijalba, they were attending a State Department reception for visiting dignitaries from their homeland, Honduras. Reyes was representing a Spanish-language newspaper in the District, and Grijalba was the new military attaché at the Honduran Embassy.

Recovering from their surprise, they mumbled greetings and hastily parted, preferring not to revisit the past they had shared. Reyes had just come face to face with a man he held responsible for the arrest and torture of him and his wife in 1982, the confiscation of their property and their banishment into exile.

In the decade since that chance social encounter, Reyes, now 66 and still editor of El Pregonero, a 30,000-circulation newspaper published by the Roman Catholic Archdiocese of Washington, has become a fixture in the community. He and his wife, Gloria, settled in Vienna with their two children and became U.S. citizens in the mid-1990s, determined to forget their old life and make a new one.

Now Reyes can't wait to see Grijalba again -- this time in court.

A lawsuit filed last week on behalf of the Reyeses and four other plaintiffs blames Grijalba for torture, disappearances and killings in the early 1980s, when he was Honduran military intelligence chief and allegedly controlled a notorious CIA-trained unit, Battalion 316, that functioned as a death squad. An official Honduran human rights commission in 1993 documented 184 disappearances of suspected leftists who reportedly had been kidnapped and killed by the battalion.

Grijalba, 63, moved permanently to the United States in 1998 and was living in Florida when he was arrested in April by the Immigration and Naturalization Service under a program aimed at rooting out alleged human rights violators. He is being held in Miami awaiting deportation proceedings. His attorney, Griselda Ybarra, did not return phone calls seeking comment.

The suit, filed in federal court in Miami, is the latest attempt by torture victims and relatives of those who disappeared to bring the alleged persecutors to justice in the United States. In a separate case in Florida, three Salvadorans -- including Juan Romagoza, director of the Clinica del Pueblo, a free D.C. clinic -- won a \$54.6 million verdict Tuesday against two former Salvadoran generals for brutal torture 20 years ago.

Although Romagoza and the two other plaintiffs may never collect any significant damages, Reyes said he welcomed the verdict.

"At least there's a recognition of a jury that they were responsible for the torture of those people," he said. "I hope it will be the same in the case of Mr. Lopez Grijalba. I think it's important for the world to know exactly what happened in that black period in our country and hold responsible the people who were in charge."

"We're trying to make sure the United States doesn't become a retirement home for perpetrators of human rights abuses," said Matthew J. Eisenbrandt, an attorney for the San Francisco-based Center for Justice and Accountability, which helped prepare the lawsuits against Grijalba and the Salvadoran generals.

To some extent, that already has happened, human rights advocates say. The same immigration system that has allowed at least 500,000 torture victims from around the world to seek refuge in the United States also has admitted some people thought to be responsible for such offenses.

A report issued in April by Amnesty International says as many as 1,000 suspected torturers may be living in the United States. Titled "USA: a Safe Haven for Torturers," the 174-page report notes that nobody has been prosecuted under a 1994 law that criminalized acts of torture committed outside the country.

"All too often, individuals who have committed torture or other human rights abuses in other countries have been allowed to enter and reside in the United States with impunity, in some cases even settling in the same communities as their victims," the report says.

For the victims, the only legal recourse is usually a civil suit under the 1992 Torture Victims Protection Act or a 1789 law, the Alien Tort Claims Act, that was originally intended to punish pirates.

When Reyes saw Grijalba at the reception, Grijalba had diplomatic immunity and could not be sued. Besides, Reyes said, "we decided when we came to the States to forget about everything."

He changed his mind in 1996 when a former Battalion 316 officer published a book that sought to justify the group's actions, including the July 8, 1982, raid on Reyes's home by men in black masks.

Reyes was then a university professor and a former supporter of the leftist Sandinista revolutionaries in neighboring Nicaragua. He said he broke with the Sandinistas when they became openly Marxist after their 1979 takeover. But he was suspected of trying to foment revolution in Honduras and of "masterminding" a group of suspected Salvadoran leftists who had moved in next door to him, he said.

Bound and blindfolded, Oscar and Gloria Reyes were taken to a secret detention center, where they say they were tortured for several days. Oscar Reyes said he was given electric shocks, suspended by his handcuffs and "beaten like a pinata." His wife, he said, was struck with rifle butts and tortured with electric shocks that damaged her ovaries, which eventually had to be removed.

When they were released five months later, they were ordered to leave Honduras immediately.

The suit charges that Grijalba "planned, ordered, authorized, encouraged or permitted subordinates in the Honduran military and paramilitary forces to commit acts of torture, disappearance and extrajudicial killing," then helped cover up the abuses. The plaintiffs, who are seeking unspecified damages, include four other Hondurans who are suing on behalf of two men allegedly killed by Battalion 316.

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