

Generals Knew of Salvadorans' Torture, Suit Says

By Marianne Armshaw

WEST PALM BEACH, Fla. (Reuters) - Two Salvadoran generals knowingly allowed subordinates to beat, rape and torture unarmed civilians during their nation's civil war, lawyers for three alleged victims said in a civil damages trial on Monday.

The three Salvadoran-born plaintiffs sued the retired generals under U.S. and international laws allowing torture victims to seek redress in U.S. courts from those who bear "command responsibility" for the criminal acts of subordinates.

The generals moved to Florida in 1989.

The plaintiffs, longtime U.S. residents, sought unspecified compensatory and punitive damages, alleging they were tortured at the hands of Salvadoran military forces during a 12-year civil war that ended in 1992.

At issue is whether the defendants, Gen. Jose Garcia and Gen. Eugenio Vides-Casanova, bear ultimate responsibility for those actions.

"They knew that their troops were torturing civilians, unarmed civilians," plaintiffs' attorney James Green told the jury in opening statements on Monday. "They knew and they failed to take measures to stop it. They led a reign of terror -- systematic, state-sponsored terror."

Garcia served as defense minister from 1979 until 1983. Vides-Casanova, who served under him, led the National Guard, a paramilitary police force with broad internal powers, until 1983 when he succeeded Garcia as defense minister in the U.S.-backed government.

Jurors listened intently as Green described tortures endured by their accusers -- Dr. Juan Romagoza, Neris Gonzalez and Carlos Mauricio -- between 1979 and 1983.

GRAPHIC DESCRIPTIONS

They stopped scribbling in their court-provided note pads for long periods as Green described anal rape, beatings, electric shocks to the genitals and anus, burnings with cigarettes and near-suffocation.

Green said that Gonzalez, then eight months pregnant, was systematically beaten, cut, submerged neck-deep for hours in ice water, and forced to watch the torture of others.

One female juror flinched as Green described how two guards put a bed frame over Gonzalez' swollen abdomen, then used her as a "human seesaw." Her son, born immediately after her release, died of wounds received during her ordeal.

Later in the day, Romagoza, a surgeon at the time of his confinement and torture, told jurors he believed Vides-Casanova saw him at least twice during his detention, once in his cell and once as he was being released.

Asked by Green if he recognized the defendant, Romagoza pointed at Vides-Casanova: "That man," he said in Spanish. "The one in the middle."

Romagoza's voice cracked and he blinked rapidly as he recalled how his captors pulled maggots from a wound on his foot and threw them at him, taunting him by saying he had the "stench of death" about him and belonged in a cemetery.

Romagoza and Gonzalez were granted political asylum in the United States based on their status as torture victims. Mauricio did not apply for that status but would have qualified, rights activists said.

In a similar civil lawsuit tried in 2000, a U.S. federal jury found Garcia and Vides-Casanova were not responsible for the 1980 torture, rape and murders of four American missionaries. That decision was upheld on appeal.

During that trial, the generals denied responsibility, pointing to the chaotic internal situation in their country and saying they had no knowledge that officers under their command engaged in extrajudicial killings and other crimes.

The lawsuit now on trial did not specify how much money the plaintiffs sought.