

Ex-Salvadoran Colonel Is Ordered to Pay for Crimes Against Humanity

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By **JULIA PRESTON**

A federal jury in Memphis yesterday found a former military colonel from El Salvador responsible for crimes against humanity during that country's civil war in the 1980's and ordered him to pay \$6 million in damages.

The nine-member jury found that the colonel, Nicolás Carranza, had "command responsibility" for the torture of a Salvadoran who was forced to confess falsely to killing an American military adviser, Lt. Cmdr. Albert Schaufelberger, in 1983.

Colonel Carranza was the vice minister of defense, El Salvador's second-highest military commander, from 1979 to 1981, and in 1983 he was head of the Treasury Police, the most notoriously violent of the country's security forces.

Mr. Carranza, who moved to Memphis in 1985 and is now an American citizen, testified that he was a paid informant for the Central Intelligence Agency for two decades, including the years that were the focus of the trial. His tie to the agency was corroborated at the trial by the American ambassador to El Salvador at the time, Robert White.

The verdict was a victory for human rights groups that have been seeking to prosecute foreign military commanders linked to rights violations, especially from the wars in Central America, who have settled in the United States.

"It makes it very clear that in a U.S. court a military commander can be held responsible for the abuses of subordinates," said Carolyn Patty Blum, a lawyer for the plaintiffs.

Ms. Blum, the senior legal adviser to the Center for Justice and Accountability, which brought the suit against Mr. Carranza, said the verdict was also the first legal finding of crimes against humanity by the Salvadoran security forces during the civil war between the conservative government and leftist rebels. Those security forces were strongly supported by the Reagan administration, which also aided rebels fighting the Marxist government of nearby Nicaragua.

The civil trial began Oct. 31 in Federal District Court in Memphis, in suits brought by five people from El Salvador who said they were tortured or had relatives killed by the security forces. In the verdicts yesterday, the jury ordered Mr. Carranza to pay compensatory damages of \$500,000 and punitive damages of \$1 million to each of four plaintiffs.

The jury could not reach a verdict in the case of the fifth plaintiff, and a mistrial was declared in it.

One plaintiff, Daniel Alvarado, testified that he was abducted and tortured by troops under Mr. Carranza's command shortly after Commander Schaufelberger was shot in San Salvador. He was suspended blindfolded from the ceiling, he said, and shocked with electrical wires. "I felt like my arms were being torn off," Mr. Alvarado testified.

He said Mr. Carranza's troops later presented him at a news conference where he was forced to say he had killed the American officer.

Another witness, Erlinda Franco, described the November 1980 killing by a military hit squad of her husband, Manuel, one of six political leaders killed as they were trying to negotiate with top military officials. Declassified State Department cables presented in court showed that Mr. Carranza told Ambassador White that he and his officers felt "satisfaction" about those killings.

The jurors found that the Alvarado and Franco cases were crimes against humanity because they were part of a "widespread and systematic" campaign of violence against civilians by the military.

Mr. Carranza, 72, testified that he served under the minister of defense and had no independent authority to order torture or killings. He said he made many efforts to train and discipline the forces under his control. "I tried to do my best," he said.

He attributed the bloodshed in El Salvador to clashes between extremists on the left and the right.

Mr. Carranza, who retired in 2001 after working as a security guard in a Memphis museum, said he believed that the only "stain" on his military career was his collaboration with the C.I.A.