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Salvadoran 'Jesuit-Massacre' Suspect Jailed in U.S. For Immigration Violations

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A Salvadoran man implicated in one of his country’s highest-profile human rights atrocities is headed to jail—albeit not in El Salvador, and not, technically speaking, because of numerous extrajudicial killings allegedly committed under his command.

In late August, a federal judge in the US state of Massachusetts ordered Inocente Orlando Montano, 71, to spend 21 months in prison for immigration violations. Montano, an Army colonel and later vice minister of public security during El Salvador’s dozen-year civil war (1980-1992), is expected to begin his sentence on Oct. 11.

The ruling came one year after Montano, in a plea deal, admitted he lied to US immigration authorities when applying, on repeated occasions (NotiCen, Oct. 11, 2012), for Temporary Protected Status (TPS). TPS is a special residency visa extended to foreign nationals who, because of extraordinary circumstances such as armed conflict or natural disasters in their countries of origin, are deemed unable to safely return home. Monroy, a resident of Everett, Massachusetts, lied about his entry date to the US. He also kept quiet about his military background, denying, among other things, that he had ever served in the armed forces or received weapons training.

Human rights advocates say perjury is the least of the former colonel’s misdeeds. Organizations like the San Francisco, California-based Center for Justice and Accountability (CJA) point in particular to the infamous 1989 Jesuit massacre, when a group of Salvadoran soldiers raided the Universidad Centroamericana (UCA) in San Salvador, killing six priests, their housekeeper, and her teenage daughter. Five of the murdered Jesuit priests were Spanish citizens (NotiCen, Nov. 17, 1989).

The CJA claims Montano was present during high-level meetings in which the operation was planned and ordered. The organization’s claim is corroborated by the Comisión de la Verdad Para El Salvador (CVES), a UN-sponsored truth commission. In 1993, the CVES named Montano as one of several high-ranking officers present on the eve of the massacre, when then Col. René Emilio Ponce ordered one of his underlings to kill Jesuit priest Ignacio Ellacuría (the UCA’s rector at the time) and leave no witnesses.

Rights groups hope Montano will eventually face trial for human rights violations, not just for administrative malfeasance. Nevertheless, his sentencing is still cause for celebration, they say, especially given the impunity that normally typifies El Salvador’s war-era human rights cases. "A case like Montano’s immigration prosecution provides a glimmer of hope that some truth and accountability will emerge from decades of lies, denial, and impunity," Esther Major, an El Salvador-based researcher with Amnesty International (AI), told the BBC last month.

Next stop, Spain?
In 1993, just days after the CVES released its final report, then President Alfredo Cristiani (1989-1994) pushed for immediate passage of a blanket Amnesty Law. Twenty years later, the law
continues to shut the door on all in-country investigations and would-be legal proceedings involving war-era human rights violations, forcing victims’ family members and rights advocates to seek recourse elsewhere.

Their efforts have produced a few symbolic victories. Last October, for example, the Costa Rica-based Inter-American Court of Human Rights (IACHR) slammed the Salvadoran state for its role in the infamous 1981 El Mozote massacre (NotiCen, Jan. 17, 2013). Such rulings have not, however, led to jail time for individual human rights violators. Montano’s sentencing at the hands of a US federal court is, in that sense, an exception.

At the behest of the CJA, a judge from the Audiencia Nacional, a Spanish high court in Madrid, has also poked his nose into El Salvador’s murky past. Two years ago, Judge Eloy Velasco issued indictments and international arrest warrants against 20 people—including Montano—thought to be involved in the Jesuit killings (NotiCen, July 28, 2011). Most of the men on Velasco’s list are in El Salvador, safe from prosecution at home but at risk of running into trouble should they venture beyond the tiny Central America country. Montano, again, is an exception.

Velasco is hoping US authorities will eventually extradite Montano to Spain. Although there is still no guarantee the US will oblige, the CJA believes the odds have improved as a result of Montano’s recent sentencing. "Now, the extradition process for the trial in Spain can begin, where Montano will be tried for his role as one of the decision-makers who ordered the 1989 killing of the Jesuits in El Salvador," the organization explained in an Aug. 27 press statement. "This is the moment of justice that the victims of the massacre deserve."

Contrasting witness reports

Even if the US denies Velasco’s extradition request and Montano, after serving his sentence, returns to El Salvador, the proceedings against him thus far still constitute an important victory, according to rights groups. For starters, his arrest, guilty plea, and eventual sentencing put El Salvador’s aging human rights cases back in the news. The case also gave prosecutors an opportunity to go on record with information not just about Montano’s alleged Jesuit-massacre ties, but about a host of other war-era crimes as well.

During the sentencing phase, which began in January and resumed in August, prosecutors submitted a scathing background report by Stanford University political science professor and El Salvador civil war expert Terry Karl. She was later called as a witness. Karl said the Jesuit massacre "was not an aberration." Units under Montano’s command, she claims, committed more than 1,100 human rights abuses.

"Throughout Col. Montano’s 30-year military career, he ordered, abetted and assisted, and/or commanded troops that participated in a strategy of state terror against civilians," Karl’s report, dated Dec. 31, 2012, reads. "This included: extrajudicial killings, torture, disappearance and arbitrary detention, rural massacres of civilian non-combatants, the forced disappeared of children, and the toleration of military-led death squads operating inside units under his command."

To counter Karl’s claims, Montano’s defense team called its own expert witness: former Gen. Mauricio Vargas, a signatory of the UN-brokered peace accords that brought El Salvador’s internal conflict to an official end. In a competing report, Gen. Vargas attacked Karl for making "baseless accusations." He defended Montano as "an honest, hard-working, and friendly man," and described his professional conduct as "unimpeachable."
"He was chosen to be Vice Minister of Public Security, which functions he fulfilled based on the Law and his values in the context of respect for human dignity and the desire of the Salvadoran people to consolidate peace in the country," Gen. Vargas wrote. "Today, the name of Inocente Orlando Montano is engraved in the 'Hall of Fame' of the Military School, as an example for future generations of Officers of the Armed Forces of El Salvador."

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