

U.S. Judge Rules Ex-Guatemalan Official

By Christopher B. Daly
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BOSTON, April 12—A federal judge today found a former Guatemalan defense minister responsible for a campaign of murder and torture in that country, and ordered him to pay \$47.5 million to his victims.

Gen. Hector Gramajo was found in default in a pair of lawsuits filed in 1991 by an American nun and 11 Guatemalans, charging Gramajo with ordering, tolerating or covering up extensive human rights abuses during the 1980s.

In an 87-page opinion, U.S. District Judge Douglas P. Woodlock found Gramajo liable under several U.S. laws, including

the 1991 Torture Victim Protection Act. He ordered millions in compensatory and punitive damages for each plaintiff.

Woodlock found that Sister Diana Ortiz, a U.S. citizen who was working in Guatemala, was abducted, raped and tortured in 1989 by soldiers under Gramajo's command. "Our quest is not one of revenge," said Ortiz, a member of the Uruline order. "All we want is justice—not just for ourselves but for the people of Guatemala."

Attorneys said it would be nearly impossible to collect the money from Gramajo, who lives in Guatemala and did not defend himself in the suit. But they hailed the ruling and called the damages an important symbolic victory.

"I think it is really a very powerful indictment of General Gramajo and the Guatemalan military generally," said Beth Stephens, an attorney with the Center for Constitutional Rights in New York who represented the plaintiffs.

President Clinton has ordered an investigation into possible U.S. involvement in human rights abuses in Guatemala, including the Ortiz case. The investigations follow recent congressional disclosure of allegations that a Guatemalan army colonel who was a paid CIA informant was involved in the 1990 murder of an American innkeeper there and the 1992 slaying of a Guatemalan guerrilla leader married to an American lawyer.

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Condoned Acts of Torture

Among the precedents cited by Woodlock was a 1946 case involving atrocities by Japanese soldiers against U.S. servicemen during World War II. "In this case, plaintiffs have convincingly demonstrated that, at a minimum, Gramajo was aware of and supported widespread acts of brutality committed by personnel under his command resulting in thousands of civilian deaths."

Reached in Guatemala, Gramajo denied the charges, saying he was a victim of a "political vendetta."

In the past, Gramajo, who served as defense minister from 1987 to 1990, has been a frequent visitor to the United States.

He studied at Harvard's Kennedy School of Government in Cambridge and earned a master's degree in public administration in June 1991. It was at his graduation ceremony that Gramajo was served with the legal papers in the case decided today.

In his ruling on Ortiz, Woodlock said that "when word of her treatment became public, Gramajo defamed her by falsely asserting her injuries were inflicted by an angry lover."

In the eight additional cases in which he awarded damages, Woodlock cited the involvement of soldiers under Gramajo's command in instances of torture, beatings and executions of unarmed civilians.