

2-20-2004

Argentine Human Rights Abuser Violates House Arrest

LADB Staff

Follow this and additional works at: <https://digitalrepository.unm.edu/notisur>

Recommended Citation

LADB Staff. "Argentine Human Rights Abuser Violates House Arrest." (2004). <https://digitalrepository.unm.edu/notisur/13232>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiSur by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.

Argentine Human Rights Abuser Violates House Arrest

by LADB Staff

Category/Department: Argentina

Published: 2004-02-20

Human rights abusers sentenced to house arrest in Argentina have been violating the terms of their sentences, leading in one case to a diplomatic incident between Argentina and Ecuador. When the Foreign Affairs Ministry in Buenos Aires revealed that Ecuadoran Ambassador Germanico Molina had driven ex-Gen.

Carlos Guillermo Suarez Mason to his 80th birthday celebration, helping Suarez Mason violate his house arrest, President Lucio Gutierrez called for the ambassador's immediate resignation and return to Quito. With reports of other violations emerging and lenient sentences for abusers, the incident highlights problems in the punishment of convicted repressors from Argentina's 1976-1983 dictatorship.

Suspended ambassador offers apology

Ambassador Molina put a quick end to his diplomatic career in Buenos Aires on Jan. 30 when he took Suarez Mason from his home where he was serving a sentence of house arrest to a restaurant in which a group of the former general's friends were feting his 80th birthday.

Molina, a former police captain and ambassador of eight months, returned to Ecuador to give a public apology for his actions, asking for pardon from the Argentine government and admitting his "error." He also asked for forgiveness from President Gutierrez and admitted his act had harmed Ecuador's international image. Ecuadoran media sources described Molina's actions as "humiliating" and showing "stupidity."

Quito daily newspaper Hoy ran a front-page headline Feb. 4 reading, "Stupidity of ambassador provokes scandal in Buenos Aires," while El Comercio went with the title "Shameful diplomat" and recalled initial objections the Argentine government presented when Molina was named, seeing as he was a low-ranking police officer with little diplomatic experience.

President Gutierrez managed to resolve those objections in a phone call to then President of Argentina Eduardo Duhalde (2002-2003). El Comercio added that the insistence to place Molina in that position owed to "his close relations with the president's family, especially with Gutierrez's sister Susana, who fulfills the role of consul in the Argentine capital."

Ecuadoran Foreign Minister Patricio Zuquilanda also condemned Molina's action, saying, "It really is shameful, it's a very grave error of personal responsibility of this ambassador."

President Gutierrez echoed these sentiments in a Feb. 10 message to the nation, saying, "The situation created in the embassy in Argentina is an unfortunate fact, alien to the foreign policy of

the country and its diplomatic traditions, coming from the neglectful conduct of a bad functionary who was immediately terminated." Gutierrez noted that Molina was immediately replaced by career Ambassador Jose Rafael Serrano, who had "broad professional experience," and "who immediately received the approval of Argentina."

A Buenos Aires judge ordered an investigation of whether Molina committed a felony, even though the government was treating the incident in the past tense.

Argentine Foreign Relations Minister Rafael Bielsa sounded a conciliatory tone after Molina was recalled, saying, "He wasn't the most adequate person to represent Ecuador." In testimony before federal Judge Jorge Urso, Bielsa assured the court that the case "has not affected the excellent relations" with the Ecuadoran government. He praised Zuquilanda's decision to immediately bring the diplomat home as demonstrating "the good understanding" between the two countries.

Nonetheless, Judge Urso ordered the prosecutor's office to investigate whether Molina committed a crime by helping the former general leave his home in a car with diplomatic plates belonging to Ecuador. Bielsa received an anonymous message that Suarez Mason had left his apartment on Jan. 23, accompanied by three men in an Audi with diplomatic numbering, and returned at 1:30 a.m. on Jan. 24, the day of the general's birthday.

Argentine newspaper Clarin reported that Molina, when contacted by Bielsa, admitted having taken Suarez Mason from his home and said he did so at the request of Ruben Chiriboga, an octogenarian friend of the former repressor from times when Suarez Mason was a military attache in Ecuador. Chiriboga said he wanted to give Suarez Mason a birthday present.

Gen. Suarez Mason sentenced to prison

Suarez Mason is one of the symbols of the dictatorship that ruled Argentina for seven years in the 1970s and 1980s. He was the only former member of the dictatorship's ruling junta to flee the country before the generals were tried in 1985, but he was found in the US and extradited in 1988.

Shortly after his return, then President Carlos Saul Menem (1989-1999) issued him a pardon before he was even sentenced, another unique event for former commanders. But in 1998 courts took on cases against those military personnel accused of involvement in the theft of babies born to women detained during the "dirty war," in the course of which as many 30,000 opponents of the regime were disappeared (see NotiSur, 2001-07-13, 2002-07-19).

The "systematic" theft of babies, as human rights groups called it, usually resulted in the children being given to military or police families for adoption. The theft of babies born to political prisoners in torture centers was not covered by the pardon, allowing Suarez Mason and other human rights abusers to be arrested again.

Two other lawsuits were filed against him as well as international arrest warrants from courts in Germany, Spain, and Italy for abuses committed against foreign nationals by the de facto regime.

Prisoners over 70 or AIDS patients may request house arrest in Argentina, and Suarez Mason took advantage of this provision. But federal Judge Jorge Ballestero, in charge of the case of the 1980 kidnapping and assassination of twenty members of the guerrilla organization Montoneros for which Mason Suarez is accused, revoked Suarez Mason's house arrest.

On Feb. 3, Ballestero ordered him transferred to a cell in the Palacio de los Tribunales before deciding which prison he would ultimately be sent to. Multiple violations by convicted abusers reported Eighty-two members of the military have been convicted and sentenced in the past few years for gross human rights violations committed during the 1976-1983 dictatorship. Yet Inter Press Service reports that some of the 11 former officers under house arrest often in posh suburban estates regularly violate their detention orders.

According to Argentine law, guards do not need to be posted to ensure that people under house arrest do not leave their homes. The oldest reported case of such violations was that of former Adm. Emilio Massera, spotted in downtown Buenos Aires in 1986 when he was supposed to be in a military jail. After a pardon by Menem and a subsequent arrest for the theft of babies born to political prisoners, he requested house arrest. But in 1999 he was photographed by a reporter as he walked outside the grounds of his country house, which has a swimming pool and tennis courts.

Another case involved former dictator Jorge Rafael Videla, under arrest for similar crimes. Four years ago local residents saw him attending mass at a church in Torquinst, in the province of Buenos Aires, where one of his daughters lives.

Former commander Reynaldo Bignone, also serving house arrest for the theft of babies, told a French journalist that he went out "every day" for different reasons like swimming at the Military Club or taking part in meetings attended by his disabled son. And Carlos Tepedino, an army commander during the regime under house arrest on similar charges, was photographed a year ago outside his Buenos Aires apartment. Area shopkeepers and residents said he frequently went out to run small errands.

-- End --