

12-9-2005

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Pinochet Indicted on Tax Evasion Charges

by LADB Staff

Category/Department: Chile

Published: 2005-12-09

Former Chilean dictator Gen. Augusto Pinochet (1973-1990) is facing increased scrutiny after courts approved his house arrest and found him competent to stand trial on charges of human rights violations and tax evasion. He spent his 90th birthday under house arrest, has been repeatedly interrogated by federal judges, has been forced to meet face-to-face with his former intelligence chief, and is coming closer to facing trial over forced disappearances, murders, and money laundering.

Courts examiners find Pinochet competent to stand trial

A mid-November medical report moved Pinochet closer to what would be his first trial in Chile for killings during his 17-year regime, a prosecutor said Nov. 16. Prosecutor Hernan Quezada said that court-appointed experts determined that Pinochet was fit to stand trial on human rights charges. Earlier attempts to prosecute him were blocked on health grounds.

Quezada said doctors believed Pinochet tried "to make the symptoms of his condition appear worse than they really are." He said the doctors agreed with a three-year-old diagnosis that Pinochet suffers from mild dementia but said it was not severe enough to make him unfit to stand trial. Pinochet also suffers from diabetes and arthritis and has a pacemaker. With the new medical report, Judge Victor Montiglio was freed to indict the former dictator for killing dissidents during his regime.

State television and other media, meanwhile, carried what they said were Pinochet's responses to questioning by Judge Montiglio about the deaths. "I lament those losses and suffer for them," Pinochet replied, according to the reports. "God does things, and he will forgive me if I committed some excesses, which I don't believe I did." "Everything I did, all the problems I had I dedicate to God," Pinochet reportedly told the judge. "I dedicate everything to Chile because what I did prevented Chile from becoming communist." His main answer to most questions by the prosecuting judge has been, "I don't remember."

Extracts of court documents, released to human rights lawyers on Nov. 14, showed Pinochet to be coherent and precise in his answers, said Pinochet opponents. When questioned about his decision to take power in the Sept. 11, 1973, coup against President Salvador Allende (1970-1973), Pinochet gave the statement about God and communism. Pinochet critics interpreted his statements as proof of his mental acuity.

Manuel Cabieses, editor of Punto Final, a Santiago weekly newspaper, said, "This shows what we all know, that he is an old fox and that he can find the exact words to justify what he did." Pinochet provided a convoluted and contradictory denial when Judge Montiglio asked about the military chain of command. "I don't remember, but it is not true," said Pinochet, when asked whether as

Chilean president he was the director of the bloody intelligence agency Direccion de Inteligencia Nacional (DINA).

Relatives of victims seek to have Pinochet charged in the disappearance and killing of 15 dissidents in the early years of his government. In all, 119 dissidents were killed in what is known as Operation Colombo, and their bodies were found in neighboring Argentina. Operation Colombo, also known as the Lists of 119, allegedly began in July 1975 with burned and bullet-ridden corpses turning up in Argentina. Identification documents said the corpses were certain individuals, but family members said the bodies did not correspond with their missing family members and there were errors in the identification documents.

The Rettig Report on atrocities during the dictatorship (see NotiSur, 1994-03-18 and 2001-01-12) said Operation Colombo was planned by the DINA to show that disappeared persons had died outside the country at the hands of guerrilla groups. Relatives for 30 other victims have also filed suit.

During Pinochet's rule, 3,197 people were killed for political reasons, according to the official report by the civilian government that succeeded him in 1990. More than 1,000 others remain unaccounted for and were presumably killed after being picked up by Pinochet's security forces. Pinochet has repeatedly been stripped of his immunity from prosecution on a number of charges (see NotiSur, 2004-06-18), and a court again stripped him of immunity on Dec. 6 in the Operation Colombo case. The former dictator was forced to meet face-to-face with Manuel Contreras, former head of the DINA, on Nov. 18, during a meeting with Judge Montiglio.

Contreras has called on Pinochet to take responsibility for his role in the killings and tortures of his era, but Pinochet claims Contreras was working without his knowledge. The two retired generals met with the judge for three hours at the military club Lo Curro. They had not talked since 1995. Montiglio conducted the interrogation to determine responsibility for various disappearance and murder schemes under their rule.

Contreras was recently sentenced to three more years in prison for the killing of a teacher opposed to the dictator's regime. Contreras, who is already serving a 12-year term for a political killing (see NotiSur, 2003-04-25 and 2005-06-03), was sentenced Nov. 14 for the 1976 killing of Julia Retamal. Retamal was arrested in August 1976 and was last seen at a detention and torture center used by Contreras' feared secret police force.

Contreras, 79, served an eight-year prison term ending in 2003 for the 1976 bombing death in Washington DC of Orlando Letelier, a prominent opponent of Pinochet, and Ronni Karpen Moffitt, Letelier's US aide.

Birthday spent under house arrest

After the report on Pinochet's mental health freed authorities to have him detained, the once all-powerful general marked his 90th birthday on Dec. 2 under house arrest, without the fanfare and pomp that were customary in the past. Unlike previous years, Pinochet did not appear before the

scores of reporters and well-wishers stationed in front of his mansion in the upscale La Dehesa Santiago suburb. The family canceled a planned luncheon for nearly 100 guests. Seven young men arrived at the house and left after singing the traditional Happy Birthday in German.

A mariachi band saluted Pinochet, singing *El Rey The King* a Mexican song that was his favorite in celebrations during his days in power. Although popular celebrations had greatly diminished in recent years, former aides, right-wing politicians and retired officers still appeared at his house on the date to pay their respects. Only a handful came this time, including Army commander Gen. Juan Emilio Cheyre.

"I've come only to visit a 90-year-old man who is facing a difficult situation," Cheyre said. "Please, there should be no other interpretations. It's now up to the courts of justice to decide." Former Navy commander Adm. Jorge Martinez also visited Pinochet briefly, bringing him some bottles of wine. As he left, he called the legal action against him "pure persecution."

Indictment on tax evasion

Pinochet was indicted Nov. 30 on tax evasion and corruption charges. He made bail the next day, but was almost simultaneously hit by another indictment on human rights charges and put under house arrest, without bail. As he was told of the new legal action, Pinochet "went into his room without wanting to talk to anyone," said retired Gen. Luis Cortez, a former aide. The court decisions bothered his followers especially because they spoiled his birthday celebrations.

"This is difficult to understand. They could have easily delayed the decisions for a few days," said Deputy Maria Angelica Cristi, one of the right-wing politicians who visited Pinochet on previous birthdays but stayed away this Dec. 2. For years, many Chileans were loyal to Pinochet despite allegations of widespread human rights atrocities during his dictatorship. But that support began to crumble as corruption accusations surfaced, coupled with evidence of his massive fortune.

Key figures who had been close to him started to keep their distance. Pinochet's spokesman, retired Gen. Guillermo Garin, with a clear tone of irony, had an explanation for the absence of politicians on his birthday. "They are busy in their political activities and have to be careful not to displease voters," he said, referring to the campaign for the Dec. 11 general elections.

The new charges against Pinochet include tax evasion, use of a false passport to open a bank account, and use of a false government document, all stemming from the multimillion-dollar bank accounts he holds abroad. The overseas accounts were first reported in a US Senate investigation of Riggs Bank in Washington, where Pinochet kept US\$8 million (see NotiSur, 2005-01-07, 2004-07-23, 2005-09-02). Other accounts have since been discovered in Britain and other countries.

Pinochet's lawyers say the money consists of legitimate donations, savings and investments proceeds. The human rights charges relate to the disappearance of the six dissidents who were among 119 people who disappeared in Operation Colombo. A Chilean appeals court turned down a Dec. 2 request by his lawyers to release him from house arrest or drop human rights charges against

him, adding to the chain of defeats for the former dictator. A panel of the Santiago Court of Appeals voted 3-0 to reject the requests on behalf of the former ruler, Court President Juan Escobar said.

Pinochet's chief lawyer, Pablo Rodriguez, had refused to argue his case before the panel, saying a last-minute replacement of one of its members was "a manipulation" intended to harm Pinochet. Rodriguez said he would take the case before the Corte Suprema de Justicia (CSJ) next. Whether Pinochet will stand trial on the charges is unclear, since courts have blocked trials against him four times on health grounds.

Questioned in 1992 killing of officer

Federal Judge Claudio Pavez said he met with Pinochet Dec. 6 at the mansion where he is under house arrest, but provided no details. The judge questioned him about the killing of an army colonel linked to an illegal arms sale. Pavez is investigating the death of Col. Gerardo Hube, who was involved in a 1992 arms sale to Croatia, according to the official investigation. Hube, who worked for the Army's arms factory, disappeared in early 1992; his body was found in a river near Santiago a month later. Pavez determined that he was killed and has questioned many army officers in the case. Nobody has been charged. As Pavez left Pinochet's residence, one of the former ruler's granddaughters told reporters that Pinochet's legal problems are affecting his health.

"I think anybody at age 90 would be harmed by these situations," Veronica Pinochet said. "Grandpa doesn't remember these things. He gets confused with the judges questioning him. He thinks they are just people coming to visit him." Family members have claimed that the prosecutorial scrutiny may be killing the former dictator.

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