10-10-1989

Argentine President Announces Sweeping Pardon Decrees

John Neagle

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

Recommended Citation

Argentina President Announces Sweeping Pardon Decrees

by John Neagle
Category/Department: General
Published: Tuesday, October 10, 1989

On Oct. 7 in La Rioja, Argentine President Carlos Menem announced that he had signed decrees pardoning military officers facing trial for human rights abuses committed during the 1976-83 military dictatorship; military officers convicted of misconduct during the 1982 war with Britain; officers and civilians facing trial for participation in three military uprisings against the government of President Raul Alfonsin; and, a list of persons charged with abductions, terrorism and other subversive acts. Menem said, "I have signed the pardon decrees for the military men and civilians in accord with what I have been saying on the subject lately, to the effect that we must reconcile and bring peace to Argentina." Next, the president said he was willing "to pay the political cost of national reconciliation." According to Notimex, beneficiaries under the four decrees total 280. The first decree pardons military officers facing trial for human rights violations from the March 1976 military coup to the resumption of civilian government under President Alfonsin in December 1983. The pardon did not include military officers already convicted of human rights violations. According to a commission established by Alfonsin, at least 8,961 persons were arrested and presumably executed during the "dirty war." Independent human rights organizations have said 10,000 to 30,000 people were killed or disappeared during the military regimes' campaign to rid Argentina of "subversives." Beneficiaries include 16 generals and two admirals. A sampling of officers pardoned under this decree follows: * Former army commander Gen. Cristino Nicolaides, charged with ordering the execution of 13 political opponents of the military regime. The incident occurred in December 1976 in the northeastern city of Rosario. * Vice admirals Antonio Vanek and Julio Torti, accused of human rights violations at one of the worst torture centers, the Naval Mechanics School on the outskirts of Buenos Aires. * Gen. Santiago Omar Riveros, accused in connection with 14 killings and 20 cases of torture at army institutes under his command. * Gen. Luciano Benjamin Menendez, former head of the 3rd Army Corps, accused of murder and torture. * Gen. Albano Harguindeguy, interior minister in the 1976 military junta who ordered the arrest and imprisonment of Carlos Menem, then governor of La Rioja province. Among the most well-known officers previously convicted, and thus, excluded from the pardon are: * Former army commander and president Gen. Jorge Videla, convicted in December 1985 with four other people of torture and other human rights abuses. He was sentenced to life in prison. * Former Gen. Ramon Camps, sentenced to 30 years in prison in connection with deaths and torture in Buenos Aires province while he was provincial police chief. * Former army commander Gen. Roberto Viola, who was sentenced to 17 years, convicted of human rights abuses. * Former navy chief Adm. Emilio Massera, sentenced to life in prison, convicted of human rights abuses. * Former navy commander Armando Lambruschini, sentenced to eight years in prison, convicted of human rights abuses. [Also excluded was former Gen. Carlos Guillermo Suarez Mason, charged in connection with the deaths of 39 people during his command of the 1st Army Corps in 1976-79. According to Notimex, Suarez Mason was extradited to the US, an option he reportedly preferred over prosecution in Argentina.] The second decree pardons about 50 persons accused of bombings, assassinations, kidnappings and other subversive activities, most of which occurred in the early 1970s. Among the beneficiaries are former Montonero guerrilla leaders Fernando Vaca Narvaja and Roberto Perdía; former Buenos Aires provincial governor Oscar Bidegain; actor Norman Briski; and, journalist Miguel Bonasso,
who currently resides in Mexico. Mario Firmenich, one of the founders of the Montoneros, who is serving a 30-year sentence for murder and kidnapping, was not included in the pardon. Also excluded was Enrique Borriaran Merlo, former leader of the People's Guerrilla Army (Ejercito Guerrillero del Pueblo), and accused of leading the recent attack on the Tablada military barracks. The third decree benefits military personnel and civilians who were accused of participating in the uprisings of April 1987 and January and December 1988. The revolts were triggered by a second round of human rights trials. The trials were postponed, and never held. Named in the pardon decree are revolt leaders Lt.Col. Aldo Rico and Col. Mohammed Ali Seineldin. The fourth decree benefits military officers accused and convicted of misconduct in the 1982 war with Britain over the Malvinas-Falklands islands. The war cost 900 Argentine and British lives. Lt.Gen. Leopoldo Galtieri, president at the time of the war; Brig.Gen. Basilio Lami Dozo; and, Adm. Jorge Isaac Anaya, were sentenced to 12-year prison terms in May 1986. The three will be released from prison. Reactions to Menem's pardon decrees were mixed. Negative responses from human rights groups and some Radical party politicians were immediate. The Mothers of Plaza de Mayo, a human rights group representing parents of people ab ducted during the "dirty war," said in a communique: "Most Argentines are shocked by the sham of justice. This is a real moral aberration which sets free those who violated human dignity and those who rose against constitutional order. Now everything is threatened, including democracy." For the independent Permanent Assembly for Human Rights, the pardons were "morally illegitimate and contrary to...the most basic criterion of justice." According to Facundo Suarez Lastra of the Radical party, "Menem has betrayed the people and his own mandate. The president has confused his constitutional right to grant pardons with the legitimacy the people bestow with their vote." Leopoldo Moreau, a Radical party congressperson said: "We are against the pardons because one of the things this democracy must strengthen is the judicial system. And we believe that we should not sanction impunity. To grant pardons is to alter the system of prizes and punishment." Novelist Ernesto Sabato, who in 1984 headed the Alfonsin administration's committee to investigate the dirty war, said he doubted the pardons had any chance of bringing peace to Argentina. "I don't think that peace can be achieved by granting pardons to those who may have kidnapped, tortured or committed murders. Only justice can guarantee true peace," he said.

(Basic data from several reports by AP, DPA, AFP, Notimex, 10/07/89; New York Times, 10/09/89)