

Two decades later, hope stirs for justice in Chile

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Reuters News Agency
Quebrada del Way, Chile

HUMAN RIGHTS

An unprecedented probe examines the role of the 1973-1990 Pinochet dictatorship in 3,000 killings and disappearances

As the car winds through a ravine flanked by bare red hills in northern Chile, Isabel de la Vega cannot help wondering where is the exact spot that her brother was allegedly gunned down by soldiers.

Soldiers drove her 46-year-old brother Marco and 13 other leftists to this isolated spot and shot them under the cover of darkness on Oct. 19, 1973, soon after General Augusto Pinochet's bloody coup, she said.

The bodies were then taken to the nearby city of Antofagasta and dumped at the morgue, where some of the corpses overflowed onto the street, said Gloria Collao, 47, a nurse who was on duty at the hospital that day.

"They had been tortured terribly. The penis of [one man] was cut off. Some did not have nails. Some had been burned. It looked like wire had been wrapped around their wrists," Ms. Collao said, adding that the red dirt ground into their skin and clothes revealed where they had been taken.

Chile's courts have ignored their deaths for a quarter of a century, along with about 3,000 other deaths or disappearances during Gen. Pinochet's 1973-1990 dictatorship. But not any more.

An unprecedented willingness by a Chilean judge to investigate human-rights abuses under the dictatorship has given families of victims hope that some of those responsible for the deaths of their loved ones may be put behind bars. But they fear the courts may settle for letting the truth come out without actually convicting all of the perpetrators.

The rusty wheel finally began turning in January, 1998, when the Communist Party filed a lawsuit against Gen. Pinochet and Judge Juan Guzman made the landmark decision to investigate.

The probe has gathered momentum since then, and Judge Guzman is examining 23 lawsuits. The Socialist Party added to the mounting total on July 5 when it filed a lawsuit against Gen. Pinochet and other military men.

The investigations are parallel to one in Spain. Britain arrested Gen.



Family members mourn the detention and disappearance of loved ones in Santiago's Metropolitan Cathedral in 1979. A Chilean judge has begun a landmark investigation into many of the 3,000 killings or disappearances that took place during the 1970s under General Augusto Pinochet's rule.

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Pinochet, 83, last Oct. 16 in London on a request from a Spanish judge who wants to try him for human-rights abuses. Extradition hearings are to start on Sept. 27.

Much of Judge Guzman's probe has been centred around the Death Caravan, a military squad that roamed Chile in a helicopter in October, 1973, in search of leftists, and left a trail of at least 72 corpses behind it, testimony says. The 14

deaths in Antofagasta are a result of one of its stopovers, it says.

Ms. Collao says her boyfriend, Hernan Moreno, a 27-year-old Socialist, was a victim on the caravan's next stop in the mining town of Calama later that Oct. 19. The bodies of Mr. Moreno and 25 others were buried somewhere in the desert, she says.

A symbolic bone to represent his body at a funeral was the only con-

solation she had.

Sergio Arellano Stark headed the helicopter's mission. On June 8, Judge Guzman charged him and four other retired military officers with kidnap and murder. They are under arrest as the investigation continues.

It has been smooth sailing for Judge Guzman so far, but sooner or later he will run into obstacles, say some family members of those who

were killed.

"The problem is that because the cases are between 1973 and 1978 they fall inside the amnesty law. But at least the truth might come out. That is something for us," said Doris Navarro, who says soldiers killed her brother Freddy on Oct. 4, 1973.

A law grants amnesty to those responsible for human-rights abuses caused by political violence be-

tween 1973 and 1978. In addition, courts will come under pressure, Ms. de la Vega says.

"It will be very hard to get justice. [Judges] are pressured. At least we have the consolation of seeing these [five] people arrested," she said.

The pressure is not always subtle. On July 15, nearly two dozen retired army generals, wearing sweater vests and wool overcoats, stood silently in a courtroom in Santiago and watched as judges decided whether to grant bail to a retired general charged with the homicide of a union leader during the dictatorship. They granted the bail.

The families say they suspect that the justice system's sudden change of heart is a political manoeuvre. Ever since President Eduardo Frei shuffled his cabinet in June, replacing his defence minister, the government's focus on human rights has increased dramatically, causing a split in the right wing.

"Something is really happening," Ms. Navarro said. But families do not expect to see a massive wave of jail sentences.

In order to save their own necks, military men will begin to tattle on their colleagues and the truth will come out, but in the end only Mr. Arellano and his crew and a few low-ranking scapegoats will be blamed, Ms. Collao predicts.

Although family members are hardened, lawyers are optimistic. Socialist Party attorney Juan Bustos says there is a hole in the amnesty law with respect to kidnapping. As long as bodies are not found, the crime extends outside the 1978 time limit.

Hugo Gutierrez, a lawyer who represents families of those killed by the caravan, cites a Geneva pact Chile signed after the Second World War that says the state should investigate and punish those responsible for abusing prisoners of war. Right after its coup, he notes, Chile's junta declared a state of war.

Ms. de la Vega, 73, can only hope the lawyers are right. She looks at the photo of her smiling brother on the wall. It is his birthday. He would have been 72. Does she really think those responsible for his death will be imprisoned before she dies? She sighs and says, "I doubt it."