

THE FIRST 9/11 – KISSINGER, *OPERACIÓN CÓNDOR*, PINOCHET

by George Venturini *

The first 9/11 occurred in 1973 in Santiago, Chile and places nearby. President Richard Milhous Nixon and Dr. Henry Alfred Kissinger were the instigators, General Augusto Pinochet simply the executioner.

The United States has been interfering with Chile since the arrival of Joel Roberts Poinsett as ‘special agent’ in 1811. The story of the first 9/11 began, most likely, on 15 September 1970 when Nixon and his *consiglieri*: Richard Helms, Director of the Central Intelligence Agency and Kissinger, National Security Adviser were discussing a possible C.I.A. covert operation in Chile.

Media sources confirmed that Nixon had been nearly beside himself with rage at the thought that ‘Marxist’ Salvador Allende might win the 1970 presidential election in Chile. The very name of Allende was anathema to Nixon. He had been personally beholden to the president of Pepsi Cola from the moment he had received that corporation’s account while a young lawyer with John Mitchell’s firm in New York. In time Mitchell would share with Nixon the fate of Watergate and other crimes. But, after the ‘Watergate’ affair, only Mitchell ended up in gaol for conspiracy, obstruction of justice, and perjury.

Pepsi Cola, along with Chase Manhattan Bank, International Telephone & Telegraph and many other corporations, but above all Anaconda Copper Mining Co. and Kennecott Copper Co., had huge investments in Chile. It is estimated that in the early seventies those two major mining corporations alone controlled between seven and twenty per cent of Chile’s Gross Domestic Product.

In 1970 Allende, who had failed in the presidential elections of 1964, ran again. On 4 September 1970 he obtained 36.2 per cent of votes, followed by former President Alessandri with 34.9 per cent, with 27.8 per cent going to Tomic, the third candidate.

According to the Chilean Constitution then in force, if no presidential candidate obtained a majority of the popular vote, Congress would choose one of the two candidates with the highest number of votes as the winner. Negotiations were actively being conducted during the following month and only on 24 October was Allende confirmed by Congress. He assumed the presidency on 3 November 1970.

A series of eight cables, dated between 5 and 22 September 1970 declassified in the late 1990s and now available at the National Security Archive, located within the George Washington University in Washington, D.C., written by the U.S. Ambassador to Chile, Edward Korry, records the reaction and activities of the Embassy after the election of Allende's Popular Unity coalition. Known as 'Korrygrams,' the reports contain some of the most candid, and at times undiplomatic, opinions and observations ever offered by a U.S. Ambassador, until WikiLeaks arrived on the world's scene. With titles such as "No Hope for Chile," and "Some Hope for Chile," Korry provides extensive details about political efforts to block Allende's ratification by the Chilean Congress. The cables report on the activities of Chile's political institutions in response to Allende's election and provide Ambassador Korry's explicit assessments of the character of key Chilean leaders, particularly the outgoing President, Eduardo Frei.

On 5 November 1970, as it appears in another declassified cable, Richard Helms, the C.I.A. Director provided a briefing for the 6 November 1970 National Security Council on the situation in Chile, telling Nixon exactly what he wanted to hear: "Mr. President, Salvador Allende, the Chilean Marxist, has now taken office as President in that country with virtually no significant opposition to hold him in check, and with a cabinet dominated by the Communists and its own even more extreme Socialist Party." Apart from the obvious, not a word of that was true.

The briefing contains details on a failed *coup* attempt on 22 October - but does not acknowledge a C.I.A. role in the assassination of General René Schneider. Helms also assessed Allende's "tenacious" character and Soviet policy towards Chile. Despite the presence of Communists in cabinet, 'Intelligence' suggested that Chile's Socialists - as he informed Council members - "will exercise restraint in promoting closer ties with Russia."

Nixon had ordered the C.I.A. to prevent Allende's election at all cost. He had explicitly told Richard Helms "to get rid of him", referring to Allende.

At the time, the United States was still embroiled in Vietnam. The 'parallel government' of the C.I.A. was running a plan denominated *Phoenix* - a covert action programme which had been established in 1967 and would continue until 1971, at least. The C.I.A., the U.S. Army and the Saigon police, as well as various other 'intelligence' organisations were seeking to identify and destroy Viet Cong leadership cadres in the south of Vietnam. *Phoenix*' activities included 'intelligence' collection, paramilitary operations, and psychological warfare. *Phoenix* became infamous for the capture or killing of nearly 50,000 suspected Communists. The programme was run by William Colby, who would ultimately succeed Helms, but at the time had the cover role as Director of Civil Operations and Rural Development Support for the Agency for International Development.

Nixon's policy for the whole of Latin America was one early 'war on terror'. At the time 'war on terror' was just another pretext for the pillage of Latin America by the U.S. Government and its favoured multinational corporations with the assistance of the American Administration. The obsession then was "to prevent another Cuba." Nixon simply could not tolerate - as he said - "that bastard Allende." Such animosity was probably displayed for the benefit of clients-at-large. Chile had the largest copper reserves in the world and it was suspected that Allende was about to nationalise the industry.

When preventing Allende's election failed, the C.I.A. was instructed to destabilise the government.

A meeting of 15 September 1970, ten days after the narrow election of Allende, was to become crucial. Probably determinant to Nixon's order to Helms to mount a full-scale operation against Allende's prospective new government - including, as Helms's notes of the meeting reflect, "to make the economy scream [in Chile to] prevent Allende from coming to power or to unseat him." - was the advice given by Kissinger in his famous expression of contempt for the democratic play: "I do not see why we need to stand by and watch a country go Communist due to the irresponsibility of its own people. The issues are much too important for the Chilean voters to be left to decide for themselves."

That was no isolated expression of Kissinger's *Realpolitik*. The minutes of a secret 1975 meeting of the National Security Council attended by President Ford reveal Kissinger grumbling: "It is an act of insanity and national humiliation to have a law prohibiting the President from ordering assassination."

A total lack of any moral judgment remains the mark of such cynical *Realpolitik*. *The New York Times* reported on 16 December 2010 that, according to recently released tapes of Nixon at the White House, Kissinger was heard telling Nixon in 1973 that helping Soviet Jews emigrate and thus escape oppression by a totalitarian regime - a huge issue at the time - was "not an objective of American foreign policy." "And if they put Jews into gas chambers in the Soviet Union," he added, "it is not an American concern. Maybe a humanitarian concern." Genocide was "not an American concern," he said, but "maybe a humanitarian concern."

As National Security Adviser and/or Secretary of State, or Assistant to the President, or simply as *consigliere*, Kissinger's opinion would be sought by successive presidents: Carter, Reagan, Bush Senior, Clinton, Bush Junior and even Obama.

Of course, at that meeting of 15 September 1970, Kissinger knew full well that Chile had not 'gone Communist'. Probably so did Nixon; it certainly was within Helms' knowledge.

Allende was a cultivated man, by all definitions a 'bourgeois' even though he was known as the charismatic founder of the Socialist Party. Allende in fact was a moderate, who wanted to develop "a peaceful Chilean way towards socialism." He had been elected by workers, peasants and the marginalised, urban lower classes. Educated urban youth celebrated the "socialism of red wine and *empanadas*" - stuffed pastry.

But, in the debased language which had taken place with Nixon in the White House and in the ordinary jargon which would most assuredly reach a gangster such as Nixon, Kissinger did not hesitate to use such language. It was the advice of the *consigliere* to the *capo-mafia*. The advice was reflected in the handwritten notes taken by Helms and preserved in those declassified cables. Taken in the presence of Attorney General John Mitchell and Kissinger, the notes read: "1 in 10 chance perhaps, but save Chile!; worth spending; not concerned; no involvement of embassy; \$10,000,00 available, more if necessary; full-time job - best men we have; game plan; make the economy scream; 48 hours for plan of action."

Minutes of 16 September 1970 record the first meeting between Director Helms and several high agency officials on covert operations - codenamed 'Fubelt' - against Allende. A special task force under the supervision of C.I.A. Deputy Director of Plans, Thomas Karamessines, was established, headed by veteran agent David Atlee Phillips. The memorandum noted that the C.I.A. must prepare an action plan for National Security Advisor Henry Kissinger within 48 hours.

A 'memorandum of conversation' of a 15 October 1970 meeting, held at the White House between Kissinger, Karamessines and Alexander Haig, Deputy National Security Adviser and later President Reagan's Secretary of State, records a discussion on promoting a *coup* in

Chile known as 'Track 2' of covert operations to block Allende. The three conspirators discussed the possibility that the plot of one Chilean retired General, Roberto Viaux, might fail "with unfortunate repercussions for U.S. objectives." Kissinger ordered the C.I.A. "to continue keeping the pressure on every Allende weak spot in sight."

The day after such meeting, 16 October 1970, Karamessines passed Kissinger's order on to the C.I.A. station chief in Santiago, Henry Hecksher. The secret cable said, at the very opening: "It is firm and continuing policy that Allende be overthrown by a coup." The "operating guidance" makes it clear that these operations were to be conducted so as to hide the "American hand," and that the C.I.A. was to ignore any orders to the contrary from Ambassador Korry who had not been informed of 'Track 2' operations.

Dated 3 November 1970 is the notice of a meeting for which Kissinger had a comprehensive secret/sensitive options paper (NSSM 97) prepared. The paper was to be submitted to the offices of the Vice President, of the Secretaries of State and Defence, and of the Director of Emergency Preparedness. It was also sent in copy to the Attorney General, the Under Secretary of State, the Chairman, Joint Chief of Staff, and the Director of Central Intelligence. Precisely on the day of Allende's inauguration, it laid out U.S. objectives, interests and potential policy towards Chile. U.S. interests were defined as preventing Chile from falling under Communist control and preventing the rest of Latin America from following Chile "as a model." Option C - maintaining an "outwardly cool posture" while working behind the scenes to undermine the Allende Government through economic pressures and diplomatic isolation - had been chosen by Nixon. C.I.A. operations and options were not included in the document.

Three cables dated 18 October 1970 passed between the C.I.A. headquarters in Langley, VA., and the C.I.A. Station in Santiago. They dealt with the secret shipment of weapons and ammunition for use in a plot to kidnap the Commander-in-Chief of the Chilean Army, General René Schneider. "Neutralizing" Schneider was a key prerequisite for a military *coup*;

he opposed any intervention by the armed forces to block Allende's constitutional election. The C.I.A. supplied a group of Chilean officers led by General Camilo Valenzuela with 'sterile' - that is untraceable - weapons for the operation which was to be blamed on Allende supporters and thus prompt a military takeover.

Between the presidential elections and Congress confirmation of Allende, two events took place in Chile. One was the kidnapping and assassination on 22-25 October of General Schneider. Schneider was a defender of the 'constitutionalist' doctrine that the Army's role is exclusively professional, its mission being to protect the country's sovereignty and not to interfere in politics. He was shot resisting the violence by another group led by General Roberto Viaux, at the head of a crypto-Nazi gang of generals and admirals, who had been paid US \$ 50,000 each. Once hospitalised, Schneider died of his wounds on 25 October. Viaux's kidnapping plan had been supported by the C.I.A., although Kissinger later claimed to have ordered the plans postponed at the last moment.

Correctly Christopher Hitchens, in a book by the provocative title *The trial of Henry Kissinger*, written in incendiary - studiously defamatory - words, summed up the substance of the combined reading of those cables, and particularly of the 'memorandum of conversation' 15 October 1970: "Here one must pause for a recapitulation. An unelected official in the United States is meeting with others, without the knowledge or authorization of Congress, to plan the kidnapping of a constitution-minded senior officer in a democratic country with which the United States is not at war, and with which it maintains cordial diplomatic relations. The minutes of the meetings may have an official look to them (though they were hidden from the light of day for long enough) but what we are reviewing is a "hit" - a bit of state-supported terrorism."

The other event was the appointment by the outgoing President Frei of General Carlos Prats as Commander-in-Chief of the Army to replace General Schneider.

Instead of a *coup*, the military and the country rallied behind Allende's ratification by Chile's Congress on 24 October.

U.S. determination to destroy opposition to its domination in Latin America became part of a much broader plan which took the name of *Operación Cóndor* - Operation Condor.

The murder of General Schneider was just one of the crimes of Operation Condor; by then the Plan was well on its way.

In 1975 Bush Senior - formerly Nixon's Ambassador to the United Nations, and Ford's Chief Liaison Officer to China - was about to become C.I.A. Director. In that capacity he further developed Operation Condor. This was a coordinate operation against opposition movements throughout Latin America. By 1975 Bush Senior was head of the C.I.A. and working together with Kissinger and Vernon Walters, later a key adviser to Reagan, to develop Plan Condor.

Operación Cóndor was a campaign of political repression involving 'intelligence' operations and assassination officially implemented in 1975 by the **Right-wing** dictatorships of the Southern Cone of South America. The programme aimed to eradicate alleged Socialist and **Communist** influence and ideas and to control active or potential opposition movements against the participating governments. There being no dead bodies, the conspirators could deny everything. Due to its clandestine nature, the precise number of murders directly attributable to Operation Condor is highly disputed. It is estimated that a minimum of 60,000 murders can be attributed to Condor, possibly more. Condor's key members were the governments in Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay. The United States participated in a supervisory capacity - at least since the early 1960s, with Ecuador and Peru joining later in more peripheral roles.

In plain language, Condor was a high-level international criminal organisation in a campaign of political repression involving 'intelligence' operations and consequent assassination. In a

1999 book, titled *Los años del lobo: Operación Cóndor* - The wolf years: Operation Condor, Stella Calloni, an Argentine investigative journalist spoke of anticipated revelations which pointed to the implication of Condor's agents in the deaths of presidents Omar Torrijos of Panama and Jaime Roldós of Ecuador in 1981, who were "considered bothersome to the empire and dictatorships in secret documents that were investigated," and possibly in the death of Swedish Prime Minister Olof Palme in 1986.

The Grand Master, leader and adviser of such a syndicate was none other than Dr. Henry Alfred Kissinger.

On 25 November 1975 leaders of the 'military intelligence' services of Argentina, Bolivia, Chile, Paraguay and Uruguay met with Manuel Contreras, chief of the *Dirección de Inteligencia Nacional* - National Intelligence Directorate, D.I.N.A., which was Pinochet's secret police. They officially set up the Plan Condor. However, cooperation between various security services, in the aim of "eliminating Marxist subversion", previously existed informally before that meeting and certainly before the Pinochet's *coup d'état*. For example, during the Tenth Conference of American Armies held in Caracas on 3 September 1973, Brazilian General Breno Borges Fortes, head of the Brazilian Army, proposed to "extend the exchange of information" between various services in order to "struggle against subversion." Not long after the Pinochet *coup*, in March 1974, representatives of the police forces of Chile, Bolivia and Uruguay met with Alberto Villar, deputy chief of the [Argentine Federal Police](#) and co-founder of the *Alianza Anticomunista Argentina* - Argentine Anticommunist Alliance, commonly known as *Triple A*, which was in fact a death squad, to implement cooperation guidelines in order to destroy the 'subversive' threat represented by the presence of thousands of political exiles in Argentina. In August 1974 the corpses of the first victims of Condor, Bolivian refugees, were found in rubbish dumps in Buenos Aires. The D.I.N.A. entered into contact even with Croatian terrorists, Italian neo-Fascists and the Shah's *Savak* to locate and assassinate dissidents.

As far as the United States is concerned, and despite the fact that Operation Condor was promoted and formalised in 1975, there is no doubt as to the commitment of several American Administrations 'to stop Chile from going like Cuba'. The United States provided key organisational, financial and technical assistance to the Operation. The commitment was total and the purpose quite clear from the beginning: according to a 1976 F.B.I. cable sent from Buenos Aires, Condor's 'operatives' were "to travel anywhere in the world...to assassinate so-called [Leftists, Communists, subversives and Marxists]."

By sheer accident, in December 1992, a human-rights activist and a judge who were looking for files on a former prisoner at a police station in Asunción, Paraguay, would come upon archives describing the fates of thousands of Latin Americans who had been secretly kidnapped, tortured and killed by the security services of Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay - Operation Condor. The soon to be known as '*Archivos del terror* - terror archives' listed 50,000 people murdered, 30,000 people 'disappeared' and 400,000 people imprisoned. In the archives there were official requests to track suspects to and from the U.S. Embassy, the C.I.A., and the F.B.I. The C.I.A. provided lists of suspects and other intelligence information to the military states. The F.B.I. also searched for individuals wanted by D.I.N.A. in the United States in 1975.

During the 1950s and 1960s, the United States put forward a variety of programmes and strategies ranging from funding political campaigns to funding propaganda aimed at laying down the necessary conditions to prevent Allende's accession to the presidency. Throughout this time, the United States successfully impeded the Left-wing parties from gaining power. In 1958 Jorge Alessandri, a nominally independent with support from the Rightist Liberal and Conservative Parties, defeated Allende by nearly 33,500 votes to claim the presidency. His *laissez-faire* policies, highly endorsed by the United States, were regarded as the solution to the country's inflation problems. Under recommendations from the United States, Alessandri steadily reduced tariffs from 1959, a policy which caused the Chilean market to be overwhelmed by American products. The government's policies angered the working class who asked for higher wages, and the repercussions of this massive discontent were felt in the 1961 congressional elections. President Alessandri suffered terrible blows which sent the

message that *laissez-faire* policies were not the desired way. As the grand total of US\$ 130 million from the U.S. banking industry, the U.S. Treasury Department, the International Monetary Fund and other international organisations accepted by Alessandri illustrates, *laissez-faire* policies only made Chile more dependent on the United States.

When Allende appeared as a top contender in the 1964 election, the C.I.A. spent three million dollars campaigning against him, in an effort to influence the outcome of the election, mostly through radio and print advertising. The American Administration viewed electing the contender, Eduardo Frei, as a must since they feared that because of Alessandri's failures the electorate would turn to Allende as the solution. Allende had long been feared by the American Administration because of his warm relation with Cuba and his open criticism of the invasion of the Bay of Pigs. Furthermore, more clandestine aid to Frei was put forward through President Kennedy's *Alliance for Progress* programme which promised "20 billion in public and private assistance in the country for the next decade." In direct terms the United States contributed to the campaign with 20 million dollars but they also sent in about 100 people with assigned tasks to prevent Allende's victory. In order to influence public opinion the C.I.A. also made use of massive propaganda in the radio, television, posters, wall paintings, pamphlets with the goal of connecting 'Communist atrocities' with Allende. In the end the mobilisation of the American business sector in Chile, the aid of the C.I.A. and that of the American Government helped Frei's campaign win with a clear majority over Allende.

Condor was one of the fruits of this continuing effort. The targets were officially armed groups - such as the *Movimiento de Izquierda Revolucionaria* - Revolutionary Left Movement, M.I.R. a Chilean political party and former Left-wing guerrilla organisation founded on 12 October 1965, the *Movimiento Peronista Montonero* - *Montoneros*, an Argentine Peronist urban guerrilla group, active during the 1960s and 1970s, or the *Ejército Revolucionario del Pueblo* - People's Revolutionary Army, E.R.P. which operated across the borders in several of South American states, the *Movimiento de Liberación Nacional* - National Liberation Movement, also known as the *Tupamaros*, an urban guerrilla organisation in Uruguay in the 1960s and 1970s - but in fact included all kinds of political opponents, their families and others. The Argentine 'dirty war', for example, which resulted

in approximately 30,000 victims according to most estimates, targeted many trade-unionists, relatives of activists, and others.

Within the Operation Condor the Chilean-destabilisation strategy, presided over in detail by Kissinger, developed into a series of operations called 'Track 1' and 'Track 2'. They represented two approaches of the U.S. Administration to fighting Allende. 'Track 1' was a State Department initiative designed to thwart Allende by subverting Chilean elected officials within the bounds of the Chilean Constitution and excluded the C.I.A. 'Track 1' expanded to encompass a number of policies, the ultimate goal of which was to create the conditions which would encourage a *coup*. 'Track 2' was the C.I.A. operation overseen by Kissinger and C.I.A.'s Deputy Director of Plans, Thomas Karamessines. 'Track 2' excluded the State Department and Department of Defence. The goal of 'Track 2' was to find and support Chilean military officers who would support a *coup*.

Along the lines of 'Track 2', Kissinger prepared 'Memorandum 93', dated 9 November 1970, which summarises the presidential decisions regarding changes in U.S. policy towards Chile following Allende's election. Kissinger sent it to the Secretaries of State and Defence, and to the Director of the Office of Emergency Preparedness and the Director of Central Intelligence. The memorandum directs U.S. agencies to adopt a "cool" posture towards Allende's government, in order to prevent his consolidation of power and "limit [his] ability to implement policies contrary to U.S. and hemisphere interests." The memorandum states that existing U.S. assistance and investments in Chile should be reduced, and no new commitments undertaken. Furthermore - according to Kissinger's memorandum - "close relations" should be established and maintained with military leaders throughout Latin America to facilitate coordination of pressure and other opposition efforts.

By 18 November 1970 the C.I.A. was able to present a summary of its efforts between 15 September and 3 November 1970 to prevent Allende's ratification as president and to foment a *coup* in Chile - according to both 'Track 1' and 'Track 2'. The summary details the composition of the Task Force, headed by David Atlee Phillips, the team of covert operatives

“inserted individually into Chile,” and their contacts with Colonel Paul Winert, the U.S. Army Attaché detailed to the C.I.A. for the operation. It reviews the propaganda operations designed to press President Frei to support “a military coup which would prevent Allende from taking office on 3 November.”

After all manoeuvres failed, and Allende was confirmed, as a declassified memorandum dated 4 December 1970 revealed, in response to a 27 November directive from Kissinger, an inter-agency Ad Hoc Working Group on Chile prepared a set of strategy papers covering a range of possible sanctions and pressures against the new Allende Government. These included a possible diplomatic effort to force Chile to withdraw - and if necessary to be expelled - from the Organisation of American States as well as consultations with other Latin American countries “to promote their sharing of our concern over Chile.” The documents show that the Nixon Administration did engage in an invisible economic blockade against Allende, intervening at the World Bank, at the Inter-American Development Bank, and at the Export-Import Bank to curtail or terminate credits and loans to Chile before Allende had been in office for a month.

The evidence of such ‘policy’ and much criminal activity only came to light with the work and subsequent publication in 1975-1976 of the many-volume Report of the The Church Committee - the common term referring to the *United States Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities*, presided by Senator Frank Church. According to the Report, covert United States involvement in Chile in the decade between 1963 and 1973 was extensive and continuous. The C.I.A. spent eight million dollars in the three years between 1970 and the military *coup* in September 1973, with over three million in 1972 alone. Covert C.I.A.’s activity was present in almost every major election in Chile in the decade between 1963 and 1973, but its actual effect on electoral outcomes is not altogether clear. Chile, more than any of its South American neighbours, had an extensive democratic tradition dating back to the early 1930s, and even before. Because of this, it is difficult to gauge how successful C.I.A. tactics were in swaying voters.

Through Freedom of Information Act requests, and other avenues of declassification, the National Security Archive has been able to compile a collection of declassified records which shed light on events in Chile between 1970 and 1976. These documents include:

1) Cables written by U.S. Ambassador Korry after Allende's election, detailing conversations with President Frei on how to block the president-elect from being inaugurated. The cables contain detailed descriptions and opinions on the various political forces in Chile, including the Chilean military, the Christian Democrat Party, and the U.S. business community.

2) C.I.A. memoranda and reports on 'Project Fubelt' - the codename for covert operations to promote a military *coup* and undermine Allende's Government. The documents, including minutes of meetings between Kissinger and C.I.A. officials, C.I.A. cables to its Santiago station, and summaries of covert action in 1970, provide a clear paper trail to the decisions and operations against Allende's Government.

3) National Security Council strategy papers which record efforts 'to destabilise' Chile economically, and isolate Allende's Government diplomatically, between 1970 and 1973.

4) State Department and N.S.C. memoranda and cables after the *coup*, providing evidence of human rights atrocities under the military regime led by General Pinochet.

5) F.B.I. documents on Operation Condor - the state-sponsored terrorism of the Chilean secret police, D.I.N.A.. The documents, including summaries of prison letters written by D.I.N.A. agent Michael Townley, provide evidence on the car-bombing assassination of Orlando Letelier and Ronni Moffitt in Washington D.C., and on the murder of Chilean General Carlos Prats and his wife in Buenos Aires, among other operations.

These documents, and many thousands of other C.I.A., N.S.C., and Defence Department records which are still classified secret, remain relevant to ongoing human rights investigations in Chile, Spain and other countries, and unresolved acts of international terrorism conducted by the Chilean secret police. Eventually, international pressure, and concerted use of the U.S. laws on declassification may force more of the still-buried record into the public domain - providing evidence for future judicial, and historical accountability.

All the documents are, expectedly, heavily censored, including one which was prepared in August-September 1973 by the U.S. Defence Intelligence Agency with biographical data on Pinochet. The heavy deletions are likely to conceal Chilean sources providing information on Pinochet, his own contacts with U.S. officials, and commentary on his character, reputation, political orientation and actions during his career.

Within nine months of his confirmation Allende nationalised the copper industry, the banks and other large industries, at the same time beginning land distribution. 'Social spending' - for health, education, housing and family assistance almost doubled immediately. The Allende Government introduced 'administrative prices' and increased industrial wages. External boycotts and other adverse measures brought an increase in trade deficit. Exports fell and import grew to almost double. Wage increase and increased spending brought about a serious inflation, and called for protests of the usual malcontent among the people. Against an attempt to set up a national transportation industry, a group of truckers went on strike, and this in itself caused other strikes. The year after his election Allende was battling a large inflation and a growing black market. By this time the Nixon 'policy' was beginning to work. Soon, small-scale businessmen, some professional unions, and student groups joined the strike. Then strikes started to spread. Industrialists sabotaged production. No one could explain how Chilean credit was suddenly cut off in international markets. Loans were suspended. The C.I.A. financed strategic strikes - doctors, bank clerks, a very long truck drivers' strike. Conservative newspapers conducted a non-stop vicious disinformation campaign.

To appease the rich and the powerful, behind whom the C.I.A. was continuously working, Allende called into the cabinet a Right-wing military: General Carlos Prats, who had succeeded Schneider. Prats was a Right-winger but refused to join a military conspiracy against the President.

At the March 1973 parliamentary elections, Allende's Popular Unity coalition increased its vote to 43.2 per cent, but by then the informal alliance with the Christian Democrats - the centrists - had ended, and they joined the opposition with the Right-wing National Party. Parliamentary conflict between the legislative and the executive branches paralysed the functions of government. At this point the C.I.A. intervened more determinately with large financial support for the opposition parties, thus succeeding in generating pressures, exploiting weaknesses, and magnifying obstacles. There were *coup* rehearsals. A *coup* failed at the end of June 1973, and was followed by a general strike in July and an even more ominous one at the copper mines.

Much more seriously, on 26 May 1973 the Supreme Court had unanimously denounced the Allende Government disruption of the legality of the nation in its failure to uphold judicial decisions, and in August 1973 the Court publicly complained that the Government was unable to enforce the law of the land, and on 22 August the opposition in the Chamber of Deputies accused the Government of unconstitutional acts and called upon the military to enforce constitutional order.

On 24 August 1973 General Prats was involved in a puny but public incident whereupon he felt it necessary to hand in his resignation. Allende at first refused to accept it. Prats was forced by huge adverse publicity to insist, and Allende to accept. His resignation as Army Commander-in-Chief removed the last obstacle for the Chilean *coup* of 1973. General Augusto Pinochet replaced him as Army Commander-in-Chief the same day. In late August 1973, 100,000 Chilean women congregated at *Plaza de la Constitución* to vent their rage against the rising cost and increasing shortages of food, but they were dispersed with tear gas.

Early in the morning of 11 September 1973 the Chilean Navy occupied Valparaiso, seized the port and closed down the radio and television stations. The President went immediately to *La Moneda*, the presidential palace, but by 8.00 a.m. the Army had revolted and closed most radio and television stations in Santiago. The Air Force bombed the other stations.

The President had received incomplete information, and was convinced that only a sector of the Navy conspired against him and his government. President Allende and Defence Minister Orlando Letelier became unable to communicate with military leaders. The heads of the three Forces refused to return the calls from the President. When Letelier arrived at the Ministry of Defence he was arrested - the first prisoner of the *coup d'état*.

Despite evidence that all branches of the Chilean Armed Forces were involved in the *coup*, President Allende was so convinced of General Pinochet's loyalty that, only at 8:30 a.m., when the Armed Forces proclaimed their control of Chile, and that President Allende was deposed, did he appreciate the extent of the *coup*. Allende refused to resign. He also refused to surrender, even under the threat by the military that they would bomb *La Moneda* if he resisted.

By 9.00 a.m. the Armed Forces controlled Chile, except for the city centre of the capital, Santiago. Colleagues in the Socialist Party offered to Allende refuge in the San Joaquín industrial zone in southern Santiago, from which he could have led a counter-*coup*. But Allende refused. He refused to entertain advances from some of the military, and in one last potent farewell speech from a remaining free station explained to the nation why he would not resign but keep his oath of loyalty to the Constitution and Chile.

Pinochet ordered an assault on *La Moneda*, and the Air Force Commander called in a strike by planes. The President's personal guard met the assault with armed resistance, and four aircraft bombed *La Moneda* all but destroying it. Resistance lasted until mid-afternoon and Allende suicided.

About sixty persons lost their life in the initial battle. Thousands would die during the seventeen years of the Pinochet regime.

The worst of the military's violent purging from society of thousands of Chilean Leftists, both real and suspected - by killing or forced disappearance - occurred in the first months after the *coup*. The military imprisoned 40,000 of their political enemies in the National Stadium of Chile; among the tortured and killed *desaparecidos* were two U.S. citizens: Charles Horman, and Frank Teruggi.

Some 130,000 people were arrested in a three-year period; the dead and disappeared numbered thousands in the first months of the military *Junta*. They included persons from several countries - and many from Spain. Political prisoners were held in stadiums, navy ships, military bases, police stations and remote buildings. They all served as detention and many as torture centres - altogether more than 1,130. Now, some of these former secret detention and torture centres are being transformed into memorials and museums, so Chileans can remember the horrors of military dictatorship - of Nixon, and Kissinger, from 11 September 1973 to 11 March 1990. In that time up to 2,700 persons were 'disappeared'.

After Pinochet lost the 'election' in the 1988 plebiscite, the Rettig Commission - officially *The National Commission for Truth and Reconciliation*, named after a former Ambassador of President Allende - in February 1991 submitted its Report on human rights abuses. The Report ascertained that 2,279 persons were killed for political reasons. In 641 cases the Commission could not conclusively determine that the person was killed for political reasons. It found that 508 cases were beyond its mandate, and that in 449 cases no information beyond the name of a disappeared person could be determined.

Later the Valech Commission - officially *The National Commission on Political Imprisonment and Torture Commission* - submitted two Reports: one in November 2004

and another in June 2005. They confirmed the number as less than 3,000 killed and reduced the number of cases of forced disappearance; some 28,000 people were arrested, imprisoned, and tortured. Testimony gathered by the Commission from almost 36,000 people - some 27,000 relied upon - were to be kept secret for the next fifty years. Therefore, it cannot be used in trials concerning human rights violations, in contrast to the 'Archives of terror' found in Paraguay and those concerning Operation Condor.

A document written on 1 October 1973, shortly after the *coup*, by the U.S. Naval Attaché based in Valparaiso reports positively on events in Chile during the coup. He characterises "September 11" as "our D-Day" and states that "Chile's coup de etat [sic] was close to perfect." The report provides details on Chilean military operations during and after the *coup*, as well as glowing commentary on the character of the new regime.

U.S. Ambassador Davidow was a political adviser at the U.S. Embassy in Chile from 1971 to 1974. In Santiago he was an Embassy insider when the C.I.A. and the D.I.N.A. were organising the assassination gang which later murdered leading Chilean opposition figures, Carlos Prats in Buenos Aires and Orlando Letelier in Washington.

A memorandum dated 16 November 1973, sent by the Assistant Secretary of State for Inter-American Affairs to Secretary of State Kissinger, reports that summary executions in the nineteen days following the *coup* totalled 320 - more than three times the publicly acknowledged figure. The report also contained information on new economic assistance just authorised by the Nixon Administration. The memorandum also provided a 'fact sheet on human rights in Chile', with extensive details on the number of persons arrested between 11.09.1973 and 15.11.1973: 13,500, with the breakdown of persons originally arrested, detained in the National Stadium in Santiago, released, detained, killed while attempting to escape, provided with safe-conducts, departed from Chile and dead.

Two American citizens had been listed as “dead since the coup” by the previous report. They were Charles Horman and Frank Teruggi, and they had been executed by the military after the *coup*. The murders were the subject matter of a telegramme 11 February 1974, written by Ambassador to Chile David Popper in Santiago and directed to Secretary of State Kissinger. The telegramme reported on a meeting between the Assistant Secretary and the *Junta* Foreign Minister, General Huerta. The Assistant Secretary had raised the matter “in the context of the need to be careful to keep relatively small issues in our relationship from making our cooperation more difficult.”

A heavily excised 15 April 1975 Intelligence Report from the Defence Attaché in Santiago describes the growth of D.I.N.A., “the sole responsible agency for internal subversive matters.” It is possible to surmise that many of the excised portions provide details about the strained relations between D.I.N.A. and the Chilean Armed Forces because of D.I.N.A.’s exclusive power. The report states that the head of D.I.N.A., Colonel Manuel Contreras, “has reported exclusively to, and received orders only from, President Pinochet.”

The U.S. Government sponsored and collaborated with [D.I.N.A.](#) and with the other ‘intelligence’ organisations forming the nucleus of Condor, despite the fact that the military dictatorships were killing and torturing tens of thousands of people. C.I.A. documents show that the C.I.A. had close contact with members of D.I.N.A., and its chief Manuel Contreras. Contreras was retained as a paid C.I.A. contact until 1977, even as his involvement in the Letelier-Moffit assassination was being revealed.

A declassified letter dated 6 June 1975, over the signature of the Legal Affairs Attaché to the U.S. Embassy in Buenos Aires, and directed to General Baeza, Director General of Investigations in Santiago provides intelligence obtained through the interrogation of a captured Chilean leftist, Jorge Isaac Fuentes. The document records U.S. collaboration with Chile's security forces, including the promise of surveillance of subjects inside the United States. Fuentes was detained through Operation Condor. It has been established that the F.B.I. aided Pinochet in capturing Fuentes, who was detained and tortured in Paraguay, then turned

over to the Chilean secret police and 'disappeared.' Astonishingly, the surveillance of Latin American dissident refugees in the United States was promised to Condor figures by American 'intelligence'.

A 1 July 1975 memorandum is among the declassified documents. It was written by a senior member of the National Security Council to President Ford's National Security Advisor, General Brent Scowcroft, and conveys concern about wavering U.S. policy towards Chile in light of reports of human rights violations. The memorandum reveals a division within the U.S. Embassy over dealing with Chile, with a number of officials believing that all U.S. military and economic assistance should be terminated until the regime's human rights record improved. According to the sender, by reducing aid and sending "mixed signals" to the Chileans, the United States could risk precipitating a crisis situation in Chile. The sender concludes his memo by recommending that Scowcroft schedule a special meeting in which U.S. agencies can "clarify guidelines for future policy."

A subsequent memorandum 8 August 1975, by the same senior officer of the National Security Council, calls Scowcroft's attention to Pinochet's plans to visit the United States, and his requested meeting with President Ford. The memorandum states that the N.S.C. asked the U.S. Ambassador to Chile, David Popper, to discourage the meeting by telling the Chileans that President Ford's schedule is full. Fearing that such a visit would "stimulate criticism" and foster embarrassment, the writer suggests an "informal talk" with Chile's Ambassador Trucco.

Operation Condor was at its peak in 1976. Chilean exiles in Argentina were threatened again, and again had to go underground or into exile. Chilean General Carlos Prats had already been assassinated by the Chilean [D.I.N.A.](#) in Buenos Aires in 1974, with the help of former C.I.A. agent Michael Townley. President Gerald Ford publicly admitted in 1974 that the C.I.A. had covertly operated in Chile.

A declassified cable, dated 28 September 1976, and originating from the Legal Affairs Attaché in Buenos Aires, summarises intelligence information provided by a "confidential

source abroad” about Operation Condor. The cable reports that Chile is the centre of Operation Condor, and provides information about “special teams” which travel “anywhere in the world... to carry out sanctions up to assassination against terrorists or supporters of terrorist organizations.” Several sections relating to these special teams have been excised. The cable suggests that the assassination of the Chilean Ambassador to the United States, Orlando Letelier, may have been carried out as an action of Operation Condor.

A long document dated 21 January 1982 provides a summary of information concerning D.I.N.A., which in late 1977 had been renamed *Centro Nacional de Informaciones* - National Information Centre, C.N.I. This report includes information not directly provided to the F.B.I. by Michael Townley, the D.I.N.A. agent responsible for the assassination of Letelier, but drawn from analysis of his correspondence with his D.I.N.A. ‘handler’: details about meetings between Pinochet and neo-Fascist Italian terrorists and spies, codenames and activities of D.I.N.A. personnel, collaboration between D.I.N.A. and anti-Castro Cubans; the creation of a fake terrorist organisation to take the blame for a D.I.N.A. kidnapping in Argentina; D.I.N.A. involvement in relations between Great Britain and Northern Ireland; and Townley's fear that information about kidnappings and assassinations of prominent critics of Pinochet would somehow be traced back to him.

From 1976 onwards, D.I.N.A. and its Argentine counterpart, S.I.D.E., were Condor’s front-line troops. The infamous ‘death flights’, theorised in Argentina by Luis María Mendía - which had already been used during the Algerian War of 1954–1962 by French forces - were widely employed, in order to make the corpses, and therefore evidence, disappear.

Three years after destroying democracy by instigating the military *coup* against Allende in Chile in 1973, Kissinger was in Santiago for a meeting of the Organisation of American States. There he met the Argentine military *Junta's* foreign minister. Kissinger’s main concern, as reported by the U.S. Ambassador in Buenos Aires, was “how long it would take ... to clean up the [terrorist] problem.” Kissinger wanted Argentina to finish its terrorist plan before year end. He gave the Argentines the green light.

The largest *cache* of information on Operation Condor thus far was found, as already noted, by sheer accident on 22 December 1992 in Paraguay: the ‘terror archives’.

Material declassified in 2004 showed that Secretary Kissinger was briefed on Condor and its ‘murder operations’ on 5 August 1976, in a 14-page report from Assistant Secretary of State for Inter-American Affairs Harry Shlaudeman. “Internationally, the Latin generals look like our guys.” Shlaudeman noted. And he warned: “We are especially identified with Chile. It cannot do us any good.” The connection was clear, and one of Shlaudeman's deputy later acknowledged that the State Department was ‘remiss’ in its handling of the case. “We knew fairly early on that the governments of the Southern Cone countries were planning, or at least talking about, some assassinations abroad in the summer of 1976. ... Whether if we had gone in, we might have prevented this, I do not know.” he stated in reference to the Letelier-Moffitt bombing. “But we did not.”

A C.I.A. document, called Condor “a counter-terrorism organization”, noted that the Condor countries had a specialised telecommunications system named ‘CondorTel.’ A 1978 cable from the U.S. Ambassador to Paraguay, Robert White, to Secretary of State Cyrus Vance, was published on 6 March 2001 by *The New York Times*. Ambassador White feared that the U.S. connection to Condor might be publicly revealed at a time when the assassination in the U.S.A. of Chilean former minister Orlando Letelier and his American assistant Ronni Moffitt was being investigated. White cabled that “it would seem advisable to review this arrangement to insure that its continuation is in US interest.”

Some of the exchange of information included up-date on torture techniques - waterboarding, for example, which was to be made infamous by the Bush Junior Administration, and playing recordings of victims who were being tortured to their families. The existence of such an exchange is another element of evidence suggesting that U.S. military and ‘intelligence’ officials supported and collaborated with Condor as a secret partner or sponsor.

The document which had so much worried Ambassador White was found among 16,000 on the Pinochet regime and its collaboration with the American Administration released on 13 November 2000 by the White House, the Department of State, the C.I.A., the Defence and Justice Departments. The release, which remained selective and still incomplete, was the fourth and final 'tranche' of records released under the Clinton Administration's special Chile Declassification Project.

An article in the Washington post of 23 March 2000, titled 'U.S. probe of Pinochet reopened', returned to the matter of the Letelier assassination.

In May of 1978 the C.I.A.'s National Foreign Assessment Center had issued what purported to be a comprehensive analysis of the Pinochet regime's responses to being identified as responsible for the most significant act of international terrorism ever committed in the United States - the 21 September 1976 car-bomb assassination of Orlando Letelier and Ronni Moffitt in Washington D.C. This eight-page assessment, classified secret/sensitive, addressed the impact inside the regime if "proof of Pinochet's complicity in the Letelier slaying" came to light. At the time, the F.B.I. had identified Pinochet's secret police, D.I.N.A, as responsible for the crime.

The C.I.A. assessment noted that Pinochet would have a difficult time disassociating himself from D.I.N.A., and its chieftain, Colonel Manuel Contreras. "The former secret police chief is known to have reported directly to the President [Pinochet], who had exclusive responsibility for the organization's activities." The report stated that Contreras' guilt "would be almost certain to implicate Pinochet....None of the government's critics and few of its supporters would be willing to swallow claims that Contreras acted without presidential concurrence."

Under U.S. pressure, in 1995 Contreras was tried and convicted in Chile. In an affidavit sent to the Chilean Supreme Court in December 1997, he stated that no major D.I.N.A. missions were undertaken without Pinochet's authorisation.

On 1 February 1999 President Clinton ordered the U.S. national security agencies to "retrieve and review for declassification documents that shed light on human rights abuses, terrorism, and other acts of political violence in Chile" from 1968-1990. Until then, some 7,500 documents, mostly from the State Department, had been released as part of the Administration's special 'Chile Declassification Project.'

In June 1999 the U.S. State Department released thousands of declassified documents showing for the first time that the C.I.A. and the State and Defence Departments were intimately aware of Condor. One Defence Department 'intelligence' report, dated 1 October 1976, noted that Latin American military officers boasted about it to their U.S. counterparts. The same report approvingly described Condor's "joint counterinsurgency operations" which aimed "to eliminate Marxist terrorist activities."

On 30 June 1999 the National Security Archive, the Center for National Security Studies and Human Rights Watch hailed the release of more than 20,000 pages of U.S. documents on Chile. The records, estimated to total more than 5,300 in number, were declassified pursuant to the 1 February 1999 White House directive.

The Administration's decision to undertake such a declassification review came in the aftermath of Pinochet's arrest on 16 October 1998 in London and was prompted by international pressure, requests from Congress, and calls by the families of some of Pinochet's most famous victims - including those of Charles Horman, Orlando Letelier and Ronni Moffitt.

The 30 June's release of documents was the first 'tranche' covering 1973 through 1978, the Pinochet regime's bloodiest years of repression. Thousands of other records were expected to be released before the end of 1999.

Representatives of the 'Center' and of the 'Watch', however, expressed serious concern that the C.I.A. had declassified only a fraction of its secret holdings on operations in Chile. The C.I.A., of course, had the most to offer but also the most to hide, commented the director of the Archive. He pointed to the dearth of documentation on the C.I.A.'s known 'intelligence' support for D.I.N.A. and on Operation Condor.

On 8 October 1999 the U.S. Government released additional 1,100 documents on Chile. Among them was a declassified State Department report on the case of Charles Horman, the American citizen who was killed by the Chilean military in the days following the *coup*. This document was released once before in 1980, pursuant to a lawsuit filed by the Horman family. At that time, significant portions were blacked-out. The version released on that day revealed what was censored: the State Department's conclusions that the C.I.A. may have had "an unfortunate part" in Horman's death.

On 30 June 2000 the U.S. Government released hundreds of formerly secret C.I.A., Defence, State, and Justice Departments, and National Security Council records relating to the deaths of Charles Horman and Frank Teruggi, both of whom were killed by the Chilean military in the days following the 1973 *coup*. The murders of Horman and Teruggi were later dramatised in the 1982 Costa-Gravas film *Missing*. Documents on another American, Boris Weisfeler, who disappeared in Chile in 1985, were also released.

The U.S. provided material support to the military regime after the *coup*, although criticising it in public. A document released by the C.I.A. on 19 September 2000, titled 'CIA activities

in Chile', revealed that the C.I.A. actively supported the military *Junta* after the overthrow of Allende and that it made many of Pinochet's officers into paid contacts of the C.I.A. or U.S. military, even though some were known to be involved in human rights abuses. D.I.N.A. Chief Manuel Contreras was a paid asset from 1975 to 1977. The C.I.A.'s official documents state that, at one time, some members of the 'intelligence' community recommended making Contreras into a paid contact because of his closeness to Pinochet; the plan was rejected on Contreras' poor human rights record, but the single payment was made due to 'mis-communication'. C.I.A. contacts continued with him long after he dispatched his agents to Washington D.C. to assassinate former Letelier and his 25-year old American assistant, Ronni Moffitt.

The National Security Archive called on the U.S. 'intelligence' organisations - N.S.A., C.I.A., D.I.A. and other Defence Department bureaus at the U.S. Southern Command - to divulge in full their files on communications assistance to the military regimes in the Southern Cone. The Archive is still waiting, but C.I.A. censors continue to dictate what Chileans and Americans alike should know about this shameful history.

Kissinger remains a very much sought after person: as will be seen further on, French Judge Roger Le Loire attempted to question him in May 2001 as a witness for alleged U.S. involvement in Operation Condor and for possible U.S. knowledge in connection to the 'disappearance' of five French citizens in Chile during the Pinochet regime. In July 2001 Chilean Judge Juan Guzmán obtained the right to question him in connection with the assassination of American journalist Charles Horman. The judge's questions were relayed to Kissinger through diplomatic routes but were not answered. The request prompted a heated reaction from the Bush Junior's Administration. An official condemned the Chilean Supreme Court decision to send questions to Kissinger, saying the move increased unease about the then proposed International Criminal Court in The Hague. The Administration source said: "It is unjust and ridiculous that a distinguished servant of this country should be harassed by foreign courts in this way. The danger of the ICC is that, one day, US citizens might face arrest abroad and prosecution as a result of such politically motivated antics." In August 2001 Argentine Judge Rodolfo Canicoba sent a rogatory letter to the U.S. State Department,

requesting a deposition by Kissinger to aid the judge's investigation of Operation Condor; in September 2001 the family of murdered General Schneider filed a civil suit in Washington, D.C. On 11 September 2001, on the anniversary of the Pinochet coup Chilean human rights filed a criminal case against Kissinger, Pinochet, the Argentine dictator Videla and the former Paraguayan dictator Stroessner; late in 2001 the Brazilian Government cancelled an invitation for Kissinger to speak in São Paulo because it could not guarantee his immunity from judicial action. In 2002 Judge Baltasar Garzón of the Spanish *Audiencia Nacional* sought to interview Kissinger over what the United States Government knew about Operation Condor. In February 2007 a request for the extradition of Kissinger was filed in the Supreme Court of Uruguay on behalf of Bernardo Arnone, a political activist who was kidnapped, tortured and 'disappeared' by the dictatorship as supported by Condor and Kissinger.

Hardly any request has been successful because of the protection afforded by all United States presidents and their administrations to Kissinger.

In addition to the work with his consulting firm, Kissinger Associates Inc., Kissinger acts as some kind of 'private National Security Adviser and Secretary of State' to some thirty transnational corporations around the world, such as American Express, ASEA Brown Boveri, Atlantic Richfield, *Banca Nazionale del Lavoro* - the Rome bank which made illegal loans to Saddam Hussein through the now defunct B.C.C.I.

The 'Bank of Crooks and Criminals International' - as it was nicknamed - because it was not squeamish in dealing with disreputable clients and funding to criminals and dictators, frequently handled money for U.S.-supported dictators such as Manuel Noriega and Samuel Doe. Other account holders included the Medellin drug Cartel and Abu Nidal. If 'legal' funds were hard to come by, the fraudulent B.C.C.I. was ready; illegal sources served, including so-called 'Arab' money siphoned through the courtesy of links between Bush Senior, the Saudi royal family and the Bin Laden family.

The C.I.A. held numerous accounts at B.C.C.I. These bank accounts were used for a variety of illegal covert operations, including transfers of money and weapons related to the Iran-Contra scandal. During the Reagan Administration the C.I.A. also worked with B.C.C.I. in arming and financing the Afghan *mujahideen* for the Afghan war against the Soviet Union in the days when Osama Bin Laden was a U.S. hero, using B.C.C.I. to launder proceeds from trafficking heroin grown in the Pakistan-Afghanistan borderlands, boosting the flow of narcotics to European and U.S. markets. At least two former C.I.A. directors, Richard Helms and William Casey were involved in B.C.C.I. before it folded following revelations that it laundered money for the Medellin drugs Cartel.

For the past thirty years other private benefactors of Kissinger have been Chase Manhattan Bank, Coca-Cola, Fiat, Fluor, Freeport-McMoRan Minerals, Heinz, Hunt Oil, Merck & Co., Shearson Lehman Hutton, Union Carbide, Volvo and Warburg.

In a 1 February 2011 interview Henry Kissinger Nobel Peace Prize 1973 was anxious to praise 2009 Nobel Peace Prize Barack Obama for his foreign policy. He had already said, long before the inauguration of President Obama in January 2009, that Obama's coming into office could give new impetus to U.S. foreign policy, partly because "the reception of him is so extraordinary around the world." Kissinger spoke like an oracle when he said that "[President Obama's] task will be to develop an overall strategy for America in this period when really a New World Order can be created. It's a great opportunity . . ." and "[the President] can help usher in the New World Order." But what kind of New World Order? Friendly Fascism? Or of the kind which organised Operation *Menu* - a Nixon-Kissinger innocuous name for the 'secret' bombing of Cambodia in early 1970, and the 'not so secret' invasion of Laos in 1969-1973?

Among the thousands upon thousands who fell victims of Condor and of the Pinochet regime were not only Chileans - prominent among them Victor Olea Alegria, a Socialist 'disappeared' by Manuel Contreras; William Beausire, a Chilean/British businessman

abducted at the Buenos Aires Airport and brought to ‘Villa Grimaldi’ a notorious torture centre in Santiago and then ‘disappeared’; the already mentioned Orlando Letelier murdered in Washington with his assistant Ronnie Moffitt; and General Carlos Prats - but also citizens of other South American countries.

Martín Almada’s a Paraguayan educator was imprisoned in 1974, nearly tortured to death, and kept in prison for about three and a half years. His wife was killed; Sheila Cassidy a British born but Australian educated physician was tortured but survived to tell the story; two Cuban diplomats in Argentina, [Crecencio Galañega Hernández](#) and [Jesús Cejas Arias](#) transited through ‘Orletti’ detention and torture centre in Buenos Aires, were questioned by D.I.N.A. and S.I.D.E., with the knowledge of the C.I.A. and the F.B.I. and subsequently ‘disappeared’; Zelmar Michelini and Héctor Gutiérrez Ruiz, former Uruguayan deputies, were assassinated in Buenos Aires; Juan José Torres, former Bolivian president was assassinated in Buenos Aires; Jorge Zaffaroni and Maria Emilia Islas de Zaffaroni ‘disappeared’ in Buenos Aires.

Attempts were made on the life of Andrés Pascal Allende, nephew of Salvador Allende, in Costa Rica; of Carlos Altamirano a Chilean Socialist leader, and of Volodia Teitelboim, a Chilean Communist, in Mexico; and on the life of [Emilio Aragonés](#), the Cuban Ambassador in Buenos Aires.

Former U.S. Congressman [Edward Koch](#) became aware in 2001 of relations between 1970s threats on his life and Operation Condor. Christian-Democrat and former President of Chile from 1964 to 1970 Eduardo Frei might have been poisoned in the early 1980s.

Ingrid Dagmar Hagelin, an Argentine/Swedish, was only 17 when she was abducted by a military command former naval officer and then ‘disappeared’. The event generated

international outrage which almost led to the breaking of diplomatic relations between Sweden and Argentina.

Four French citizens fell victim of Pinochet. They were:

- Alfonso Chanfreeau, a member of the *Movimiento Izquierda Revolucionaria* - Revolutionary Left-wing Movement, M.I.R. On 30 July 1974 he was arrested by the D.I.N.A. His wife Erika was also arrested the next morning “so that her husband would talk.” Imprisoned for 15 days at a torture centre in the middle of Santiago, the couple were brutally tortured. Erika was transferred to other detention centres and then expelled to France with their daughter Natalia. Alfonso Chanfreeau was transferred on 13 August 1974 to the ‘Villa Grimaldi’ where his legs were crushed with a vehicle, before being taken back to the previous torture centre. He ‘disappeared’ afterwards.

- Jean-Yves Claudet was a member of M.I.R. in charge of international relations. Arrested on two occasions in 1973, he remained in detention for one year. On his release he was taken to the French Embassy and put on a flight to France. From France, Claudet helped to set up a M.I.R. cell in Argentina. He went to Buenos Aires on 30 October 1975. He was arrested on 1 November 1975 by agents of the Argentine secret police S.I.D.E., in the framework of Operation Condor. A D.I.N.A. representative in Buenos Aires, in a memorandum addressed to his superiors, subsequently informed them that Jean-Yves Claudet “*Ya no existe*” - no longer exists.

- George Klein was an advisor to President Allende. He was by the side of Allende when *La Moneda* was bombed. On 13 September he was taken away with 20 other persons in a dumper lorry and ‘disappeared’. Evidence collected during the investigation of the case relates that he might have been taken to the Peldehue grounds, where he was killed by machine gun fire.

- Étienne Pesle was in charge of land reform at the Institute for the Development of Agriculture and Fishing in Temuco. He was arrested there on 12 September, released and rearrested on 19 September 1973. He 'disappeared' from that day; it was reported that he had been killed and then dumped into the sea.

Argentine poet Juan Gelman was tortured but his son and daughter were 'disappeared'. Gelman survived to seek redress from Spanish justice.

Bernardo Leighton, a Chilean Christian Democrat was targeted by Operation Condor. According to C.I.A. documents released by the National Security Archive, in 1975 in Madrid, Italian terrorist connected with 'Gladio' Stefano Delle Chiaie met with D.I.N.A. agent Michael Townley and Cuban Virgilio Paz Romero to prepare, with the help of Franco's secret police, the murder of Leighton. He and his wife were later severely injured by gunshots while in exile in Rome.

Carmelo Soria, a Spanish born Chilean diplomat and a member of the United Nations Economic Commission for Latin America and the Caribbean in the 1970s, was assassinated by D.I.N.A. agents as a part of Operation Condor. Pinochet will be personally indicted in this case.

The international prosecutions of human rights crimes of the military governments of the Southern Cone began in 1976, with cases brought in Spain, Argentina, Italy, and Chile against the leaders of Operation Condor. The foremost example is the Spanish case against Pinochet starting in 1996. Spain charged that the leaders of Chile and Argentina had committed human rights crimes as part of a criminal syndicate which financed their terrorist activities with the national budget, and whose victims included many Spaniards and also tens of thousands of citizens of other countries, who were assassinated, kidnapped, detained and 'disappeared' in actions committed in many states of America and Europe. In Argentina the

National Commission on the Disappearance of Persons, formed in 1983, began investigating Condor-related human rights abuses.

A pioneer and advocate of universal jurisdiction, Judge Baltasar Garzón of the *Audiencia Nacional* would gain worldwide recognition by securing the arrest of Pinochet in London in 1998 for crimes committed in Chile in the 1970s. This ushered in the heyday of international justice.

The Pinochet case inspired victims of abuse throughout Latin America to challenge transitions from dictatorship which allowed the perpetrators of atrocities to go unpunished. These temporary accommodations with the *anciens régimes* did not extinguish the thirst of victims and relatives to find out the truth and to bring their tormentors to justice. International and national courts ruled that amnesties could not stand in the way of a state's duty to investigate the worst international crimes.

On 10 October 1998 Judge Garzón issued an international arrest warrant when he learned that Pinochet was in London for a medical check-up. Pinochet was arrested on 16 October. At the heart of the indictment were the deaths and 'disappearances' of Argentines, Chileans, Spaniards and others during Pinochet's dictatorship.

The charges included 94 counts of torture of Spanish citizens, the 1975 assassination of Spanish diplomat Carmelo Soria, and one count of conspiracy to commit torture - allegations of abuses had been made numerous times before Pinochet's arrest, including since the beginning of his rule, but never acted upon. Still struggling with the conditions set by the difficult transition to democracy, the Chilean government of the *Concertación*, then headed by President Eduardo Frei, opposed his arrest, extradition to Spain, and trial.

Initially, Judge Garzón sought the indictments because of the murder of Spanish citizens, but later he broadened his jurisdiction on the basis of crimes against humanity regardless of the nationality of the victims. This was no rash decision; it was the logical result of at least two years of painstaking investigation in Spain into both the Argentine and Chilean dictatorships. Had he not investigated the crimes committed in Argentina, Judge Garzón - quite likely - might not have reached Pinochet. Another judge before him had been exposed and had yielded to pressure from political, military and business circles, and placed the case aside. The Chilean case fell on Judge Garzón lap because of that surrender of judicial independence.

Investigation of the Argentine case led Judge Garzón to Operation Condor. Since 1996 Judge Garzón had gathered mountains of incriminating evidence on Condor, including documents from the C.I.A., D.I.N.A. and the F.B.I. Based in Santiago, Operation Condor had worked closely with the D.I.N.A., and reported directly to Pinochet.

Judge Garzón's original extradition warrant called for Pinochet to stand trial for genocide, terrorism and torture: Art. 23.4 of the 1985 *Ley Orgánica del Poder Judicial* - Organic Law of the Judicial Power, specifically confers on Spanish courts jurisdiction for these crimes. Garzón further charged Pinochet with 'crimes against humanity,' as defined by the 1946 Nuremberg Principles. These 'universal crimes against basic humane standards' - which include systematic torture, killings, 'disappearance', *et cetera* - are not subject to the statute of limitations and can be tried at any time in any nation under the principle of universal jurisdiction. Judge Garzón also cited the major international human-rights treaties and conventions to which Chile, Spain and the United Kingdom are signatories.

Judge Garzón was quite familiar with the work of *The [Chilean] National Commission for Truth and Reconciliation*, the Rettig Commission and with the Retting Report, issued in February 1991. The Rettig Commission had strengthened the basis for the warrant, marking an unprecedented use of universal jurisdiction to attempt to try a former dictator for an international crime.

Pinochet would be held under house arrest for seventeen months in London, pending a decision on his extradition to Spain, until March 2000, when the Home Secretary of the Blair Government decided to release him on the ground that the dictator was deemed unfit to stand trial.

The British Establishment, still under the spell of Margaret Thatcher who had long been a visceral admirer of Pinochet's 'radical free market economic policies' and who wrote immediately a letter to *The Times* demanding the release of her friend, found itself in a political storm at home and in a diplomatic difficulty with Chile.

For seventeen months a battle would be hard-fought through the English legal system. Immediately upon his arrest Pinochet protested that Chile's sovereignty was being violated and claimed immunity from prosecution as a former head of state under the State Immunity Act 1978. On 28 October 1998 the Divisional Court of the Queen's Bench Division decided in his favour. Meanwhile the Chilean Government protested at the arrest.

On appeal, on 25 November 1998 the House of Lords reversed the lower court's decision and held, by a three to two decision, that a former head of state is not entitled to immunity for such acts as illegal detention, torture and crimes against humanity committed while he was in his post.

On 10 December 1998 the Home Secretary issued an 'Authority to proceed' in order to allow the continuation of extradition proceedings. In so ordering he said to have had regard to such relevant considerations as the health of Pinochet, the passage of time since the commission of the acts and the political stability of Chile. While denying 'Authority to proceed' on the charge of genocide, the Home Secretary stated that all the other charges in the Spanish request of extradition amounted to extradition crimes and were not of a political character.

But things did not proceed that smoothly. There was a glitch. Lord Hoffman who had voted with the majority was known as a strong supporter of Amnesty International, and this was considered as a possible stain on the judgment.

Dramatically, on 17 December 1998 the Appeals Committee of the House of Lords reconsidered the decision and decided that, in the interest of transparency in justice, it was proper to set aside its prior judgment and to grant a re-hearing of the case. A new hearing before a panel of seven Law Lords was scheduled for 24 March 1999.

Immediately, the *Fédération Internationale des Ligues des Droits de l'Homme* - International Federation for Human Rights, F.I.D.H., which gathers 164 human rights organisations throughout the world, expressed its disappointment about the 17 December 1998 decision by the Appeals Committee, which invalidated the previous decision taken by the members of the same Court on 25 November 1998, a decision which legitimately refused Pinochet the status of immunity. At the same time, however, the F.I.D.H. noted that the decision was exclusively motivated by a legal irregularity consisting in a suspicion of partiality weighing on Lord Hoffmann - which was a debatable point seeing that Amnesty International was not a litigant in the Pinochet case, but rather auditioned as a third party during the trial. The F.I.D.H. therefore called upon the judges of the House of Lords who were to be asked to examine the substance of the case, to uphold the previous decision and thus to confirm that it was not possible to invoke immunity status for an ex-head of state suspected of massive human rights violations - that he had even attempted to justify - and which could not, in any case, be considered as part of his functions.

In F.I.D.H.'s view British justice should play its duty to join in the struggle against a finally unsteadied impunity, which had recently - with the adoption of the International Criminal Court and the Pinochet case - witnessed an exceptional international movement mobilised to enable the prosecution of those responsible for the worst human rights violations.

The F.I.D.H. finally recalled that legal procedures against Pinochet had not only been undertaken by Spain, but also by other European countries, which had consequently prepared formal extradition requests. Furthermore, certain complaints, including those lodged in France, did not even raise the issue of immunity of jurisdiction since they concerned facts which occurred either before Pinochet was proclaimed as head of state, or crimes of ‘forced disappearance’ which were to be regarded as crimes of a continuous nature.

In the meantime the Chilean Government requested the release of the former dictator on the basis of various legal arguments, and stated the wish to have him returned to Chile for trial before the Chilean courts following complaints lodged against him there.

The F.I.D.H., along with its affiliated organisation in Chile, the *Corporación de Defensa y Promoción de los Derechos del Pueblo* - [Commission for the Promotion of Peoples’ Rights, C.O.D.E.P.U.](#) sent an International Mission of Enquiry to study the present state of complaints against Pinochet and against Chilean Army officers in general. This Mission worked in Santiago from 3 to 10 March 1999. It was composed of Messrs. Claude Katz, a barrister in Paris and Secretary General of the F.I.D.H., Antonio Donate, a Spanish judge and member of the ‘Judges for Democracy Association’, and Juan Carlos, barrister in Buenos Aires and member of the ‘Legal Action Committee’. The Mission found various obstacles to bringing a legal case against Pinochet : 1) Decree Law of 19 April 1978 granting amnesty for acts occurring from 11 September 1973 to 10 March 1978, the period in which the most serious crimes were committed by the Chilean dictatorship, 2) a full interpretation of constitutional and legal texts giving jurisdiction to military courts over civil courts, 3) the immunity enjoyed by Pinochet as Senator for life, appointed under Art.45 of the 1980 Constitution.

There was no evidence which would allow the Mission to anticipate the removal of these obstacles to allow prosecution of Pinochet. More generally, the Mission noted that out of 3,197 cases brought before *Truth and Reconciliation Commission* only 19 had resulted in convictions since 1990, the year of Chile’s transition to democracy. These were mainly convictions of low-level officers.

Certainly these obstacles could be formally removed, but the Constitution then in force, drawn up in 1980 by Pinochet himself, conferred a primary role on the Senate, in view of its power to nominate Supreme Court judges and to lift the immunity of Pinochet. The Mission acknowledged the important investigations accomplished by Judge Juan Guzmán Tapia, who would gain international recognition for being the first judge to prosecute Pinochet on human rights charges after Pinochet's return to Chile from London. As at 16 March 1999 Judge Guzmán was in charge of 18 cases covering several thousand victims, following substantial evidence of crimes committed by Pinochet and other military officers. Judge Guzmán held that the crime of illegal detention followed by 'disappearance' is a crime not affected by any amnesty law.

On 24 March 1999 the House of Lords rendered its final decision on the case. By a vote of six to one it was held that Pinochet was not entitled to absolute immunity, but only as from 8 December 1988 and only with respect to some charge as brought by Spain. The judgment held that before that date Pinochet had immunity from legal proceedings in English courts. A narrow view of an international treaty signed and ratified by several countries, including Britain, Chile and Spain, was the ground for the decision. This invalidated most, but not all, of the charges against Pinochet; but the outcome was that extradition could proceed.

These judgments are historic and constituted a new step forward in the evolution of international criminal law and the exercise of universal jurisdiction.

The F.I.D.H. welcomed the new ruling by the House of Lords, partially confirming the preceding decision of the same jurisdiction, dated 25 November 1998, which had been invalidated the following 17 December.

The decision confirmed the advance of International Law in the fight against impunity and responded to the requirement of justice for victims.

Nevertheless, the F.I.D.H. had some reservations about the ruling of the House of Lords in which it had restricted the extradition of Pinochet to Spain to the sole acts of torture that he committed after 1988. The F.I.D.H. considered that these acts of torture were part of a larger category of crimes against humanity, and could not be subject to any statute of limitations or amnesty. The F.I.D.H. recalled that, in any case, this restriction had no impact on the other grounds invoked by Judge Garzón, and employed to justify the extradition request with international warrants against Pinochet, in particular the crime of terrorism and the crime of 'disappearance', the latter being considered a continuous crime. The F.I.D.H. asked the British authorities to proceed rapidly in extraditing Pinochet to Spain, so that he could be judged following the complaints lodged against him.

The F.I.D.H. underlined, on the other hand, that several procedures had been started in other European countries in regard to Pinochet with extradition requests made, and reiterated its request to the British authorities to follow up on these demands.

In April 1999 former Prime Minister Margaret Thatcher and former President George H. W. Bush called upon the British Government to release Pinochet. They urged that Pinochet be allowed to return to his homeland rather than be forced to go to Spain. On the other hand, [United Nations High Commissioner of Human Rights](#), Mary Robinson, hailed the Lords' ruling, declaring that it was a clear endorsement that torture is an international crime subject to universal jurisdiction. Furthermore, Amnesty International and the Medical Foundation for the Care of Victims of Torture demanded Pinochet extradition to Spain. Finally, in protest against Spain's action, Chile withdrew for a time its ambassador from Madrid.

Strangely, the House of Lords' reasoning had become quite different. Previously, they had argued that Pinochet did not have state immunity because crimes against humanity could not be regarded as the actions of a head of state; only actions of the state brought immunity with them. Since this was an argument based on the scope of immunity as such, this judgment said

in effect that any former head of state lost their immunity once they engaged in crimes against humanity. Now, however, the restriction of immunity was argued for in a more clearly legally grounded way, by explicit reference to an international treaty signed, ratified and - in theory - made effective by, among others, Britain, Chile and Spain.

It followed that immunity was not recognised from crimes covered by the United Nations Convention Against Torture when the convention came into effect in Britain on 8 December 1988. Pinochet had immunity before that date but no immunity after. Therefore, most of the charges brought by Spain could not be of consequence in British courts for the extradition of Pinochet. Only two of the charges could be considered: one of torture and another of conspiracy to torture.

The case was returned to the Home Secretary, Jack Straw, so that he might reconsider his position *vis-à-vis* the 'Authority to proceed' to extradition. The ruling on the basis of which Straw had issued his first Authority had now been overruled, and therefore he would have to consider the case afresh.

Judge Garzón wasted no time in submitting further allegations to the Crown Prosecution Service which would meet the requirements laid down by the Law Lords. He proffered 43 additional charges of torture and conspiracy to torture which had taken place after 8 December 1988. He further argued that all cases of 'disappearance' should be considered under the 1992 United Nations Declaration on the Protection of Disappeared Persons as cases of torture.

Pinochet's lawyers applied for a judicial review of the Home Secretary's earlier 'Authority to proceed'; and, further, they requested a writ of *habeas corpus* for the release of Pinochet from house arrest. The Law Lords adjourned the hearings to 15 April on both requests to give time to the Home Secretary to reconsider his position. On that date the Home Secretary

anew issued an 'Authority to proceed', on the ground that what charges remained were sufficient for the extradition of Pinochet. There were no apparent reasons to stop extradition proceedings, either on humanitarian grounds of Pinochet alleged ill-health or on political grounds: consideration for a budding democracy in Chile and the *pass-partout* 'national interest'. Pinochet's lawyers application for a judicial review was turned down on 27 May 1999. They could have made another, similar application, but on 7 June the defence team decided against this. Extradition proceedings would finally commence.

On 8 October 1999 Ronald Bartle, Deputy Chief Metropolitan Magistrate ruled that under the 1989 Extradition Act it was clear that Pinochet could indeed be extradited to Spain, subject to the Home Secretary's final decision. The Deputy Magistrate allowed the additional charges proffered by Judge Garzón and, importantly, decided that charges of conspiracy and of 'disappearance' before 8 December 1988 could be included, on the ground that conspiracy is a continuous offence and "the effect on the families of those who disappeared can amount to mental torture."

It was clear that Pinochet's legal defences were quickly running out. So his lawyers, citing frail and deteriorating health, asked that Pinochet be released. As evidence, they provided a report from a medical examination - done without the presence of physicians called by the prosecution and without the appropriate neurological, gerontological, and psychiatric specialists.

On 5 November 1999 the Home Secretary requested that Pinochet submit himself to independent medical tests to ascertain whether in fact he was as ill as he claimed to be. No specific details had been provided at this point, nor was the prosecution provided with a copy of any report.

After some medical tests, the Home Secretary ruled in January 2000 that Pinochet should not be extradited. This triggered protests from human rights non-government organisations, and led the Belgian Government, along with six human rights groups - including Amnesty International - immediately to file a complaint against Straw's decision before the International Court of Justice. Belgium, as well as France and Switzerland, had filed extradition requests in the wake of Spain's request. For the first time several European judges had applied the principle of universal jurisdiction, declaring themselves competent to judge crimes committed by former heads of state, despite local amnesty laws.

On 12 January 2000 the F.I.D.H. sent an open letter to the Home Secretary. In it, it indicated that it was “extremely preoccupied by your latest decision to free the former Chilean dictator, Augusto Pinochet, for ‘medical reasons’. The F.I.D.H. finds this decision shocking as it supposes that Pinochet’s failing health condition would absolve him of any responsibility with regards to crimes committed during his dictatorship.” Furthermore, although this decision is said to be based on medical expert reports which conclude that “Pinochet would be unfit to stand trial, and that no change to that position can be expected,” the F.I.D.H. was concerned by the fact that the medical reports had been evaluated in secret by the Home Secretary, rather than by a court, and without any possibility for the prosecution to challenge the medical examinations.

“Your office - wrote the F.I.D.H. - has repeatedly maintained that the Pinochet case was a judicial matter for the courts, yet, it appears that the medical examinations and reports relating to Augusto Pinochet’s health have not been subject to judicial supervision. The F.I.D.H. thus requests that a counter medical examination be undertaken and that the prosecution be entitled to see and challenge the medical reports. Furthermore, it should be up to the courts and not a political official to decide whether Augusto Pinochet is fit to undergo trial on torture and crimes against humanity. ”

Despite all that, the Home Secretary decided to release Pinochet on the ground that, according to the examination, the defendant had suffered two small strokes and would be

unable adequately to manage his defence. The prosecution made a predictably vigorous appeal, asking that it also be allowed to examine the defendant. In an extraordinary action, the president of the Ethics Committee of the British Medical Association also lodged a protest, arguing that 'medical confidentiality' was being mis-used. As a defendant, Pinochet's medical condition was of 'forensic importance,' with the public issues far outweighing concerns for personal privacy. Adding to the controversy was public disagreement among the examining physicians as to Pinochet's condition and prognosis.

The secrecy surrounding the examination itself, and the ambiguity of the findings, tainted the proceedings, which appeared simply to collapse under political pressure.

On 3 March 2000 Pinochet flew back to Chile. While in London, he was always photographed sitting weakly in his wheelchair; on the tarmac in Santiago, he spontaneously rose to his feet, and walked to his supporters, without even using his cane. He was first greeted by his successor as head of the [Chilean Armed Forces](#), General Ricardo Izurieta !

That very month the Chilean Congress approved a constitutional amendment introducing the status of 'ex-president,' which granted Pinochet immunity from prosecution and guaranteed him a financial allowance. In exchange, it required him to resign from his seat of senator-for-life. Of the legislators, 111 voted for, and 29 - mostly, if not all, from the Left - against.

On 7 August 2000 the Chilean Supreme Court lifted Pinochet's parliamentary immunity with regards to the events of the *Caravana de la muerte* - the *Caravan of death* case. The Caravan of death was a Chilean Army death squad which, following the *coup*, flew by helicopter from south to north of Chile between 30 September and 22 October 1973.

On 1 December 2000 Judge Juan Guzmán Tapia's was able to charge Pinochet for the

kidnapping of 75 opponents in the *Caravan of death* case. Judge Guzmán advanced the charge of kidnapping as the 75 were officially ‘disappeared’: even though they were all most likely dead, the absence of their corpses made any charge of homicide quite difficult. But ten days later the procedure was suspended by the Court of Appeal of Santiago for medical reasons. Beside the Caravan of death, 177 other complaints had been filed against Pinochet.

In January 2001 court-appointed examining physicians stated that Pinochet was suffering from a ‘light dementia’, which did not impede him from facing Chilean justice. Therefore, on 29 January 2001 Judge Guzmán indicted Pinochet for his responsibility as indirect perpetrator of crimes of kidnapping and murdering of 57 people and as a direct perpetrator of 18 more murders, and ordered his arrest. However, the judicial procedure was again suspended on 9 July 2001 because of alleged ill-health reasons.

In July 2002 the Supreme Court dismissed Pinochet's indictment in the various human rights abuse cases, on the ground that he suffered with ‘vascular dementia’. The debate on Pinochet's mental faculties continued, his legal team claiming that he was senile and could not remember, while others specialists claimed that he was only physically affected but retained all control of his faculties.

Pinochet would spend the last four years of his life in the indignity of pleading, maybe simulating, dementia and the sadness of suffering from it.

Shrewdly, he resigned from his senatorial seat shortly after the Supreme Court's July 2002 ruling, thus benefiting from the 2000 constitutional amendment granting him some immunity from prosecution. Thereafter, he tried to live quietly - or so he hoped, rarely made public appearances and was notably absent from the events marking the 30th commemorations of the *coup* on 11 September 2003. But on 28 May 2004 the Court of Appeals overturned its precedent decision, and ruled that he was capable of standing trial. In arguing their case, the

prosecution submitted a recent televised interview that Pinochet had given for a Miami-based television network, which raised doubts about his alleged mental incapacity. The judges agreed and, on 27 August 2004 - in a 9 to 8 vote, the Supreme Court confirmed the decision that Pinochet should lose his senatorial immunity from prosecution, this time with regards to the forced disappearances during the *Operación Cóndor*.

Pinochet was charged with several crimes on 2 December of that year - including the 1974 assassination of General Prats, and the Operation *Colombo* case which cost 119 lives - and was again placed under house arrest. Questioned by his judges in order to know if, as President, he was the direct head of D.I.N.A., he answered: "I do not remember, but it is not true. And if it were true, I do not remember."

On 13 December 2004 [Judge Guzmán](#) indicted Pinochet over the 'disappearance' of nine opposition activists and the killing of one of them during the regime. In January 2005 the Chilean Army accepted institutional responsibility for past human rights abuses. The Supreme Court reversed the Court of Appeals ruling in the *Prats* case on 24 March 2005, and thereby affirmed Pinochet's immunity.

In the Operation *Colombo* case, involving the killing of 119 dissidents, the Supreme Court decided on 14 September 2005 to strip Pinochet of his immunity. The following day he was acquitted of the human rights case due to his ill-health. Late in November he was again deemed fit to stand trial by the Supreme Court and was indicted on human rights, for the 'disappearance' of six dissidents arrested by Chile's security services in late 1974, and again placed under house arrest, on the eve of his 90th birthday.

On 9 September 2006 Pinochet was stripped of his immunity by the Supreme Court and indicted by Judge Alejandro Madrid - Judge Guzmán's successor in the case - for kidnappings and torture at the 'Villa Grimaldi' detention centre and on other grounds.

On 26 September 2006 the Inter-American Court, in the case of Almonacid Arellano confirmed the incompatibility between the amnesty decree and the American Convention of Human Rights and therefore decided that the amnesty had no legal effect.

On 18 October 2006 Judge Alejandro Solis interrogated Pinochet, who was then under house arrest for his role in the torture of 23 survivors and the ‘disappearance’ of 36 others in the ‘Villa Grimaldi’ torture centre. Furthermore, Pinochet was indicted in October 2006 for the assassination of D.I.N.A. biochemist [Eugenio Berrios](#) in 1995. On 30 October Pinochet was charged with 36 counts of kidnapping, 23 counts of torture, and one of murder for the torture and ‘disappearance’ of opponents of his regime at ‘Villa Grimaldi’.

On 27 November 2006 Pinochet was again ordered to house arrest for the kidnapping and murder of two bodyguards of Salvador Allende who were arrested on 9/11 and executed by a firing squad of the Caravan of death. The day after Judge Víctor Montiglio charged Pinochet in the *Caravan of death* case, and ordered him to house arrest.

Still charged of a number of crimes, Pinochet died on 10 December 2006 - ironically on Human Rights Declaration Day, possibly demented, possibly unable to distinguish the time when he was pray of dementia from that when he found it convenient to simulate it, possibly unconscious, hence un-haunted by his crimes, and anyway without having been convicted in any case, at least in life.

At the end of 2010 Pinochet will be tried *in absentia* with 14 other Chilean officers before a French court.

In the days which followed Pinochet arrest on 16 October 1998 in London, the families of nine French citizens who had been ‘disappeared’ or were executed in Chile or in Argentina - but for acts which could be attributed to the Chilean military *Junta* - between 11 September 1973 and 9 February 1977, filed complaints in France to obtain the truth and justice that they had not obtained in Chile. Isabelle Ropert filed the first complaint on behalf of her brother, Enrique Ropert, who was arrested on 11 September 1973 in front of *La Moneda* and then found dead on 20 October 1973 at the Santiago morgue.

The complaints filed by the families of Alfonso Chanfreau, Jean-Yves Claudet, Georges Klein and Étienne Pesle were the only ones to be recognised as admissible by the French courts. The courts have in fact affirmed the continuing nature of the crime of enforced disappearance, since the victims’ bodies have never been found. In French law this crime of ‘disappearance’ is categorised as arrest and illegal detention, aggravated by torture and barbarous acts.

The question emerged immediately as to the extra-territorial jurisdiction of French courts.

Based on the work of the *National Commission for Truth and Reconciliation* - the Rettig Commission, the *National Reparation and Reconciliation Corporation* - set up in 1990 and 1992 respectively and relating only to violations of the right to life, and the *National Commission on Political Prison and Torture* - set up in 2003 and known as the Valech Commission, the Chilean State officially recognised 3,197 victims of ‘disappearances’ or executions and 28,461 victims of torture. The limited mandate of those organisations and the impossibility for many victims to appeal to them due to their feeling of insecurity, especially at the beginning of the 1990s, and their restrictive mandates, have consequently left hundreds of victims unidentified.

In February 2010 the so-called Rettig and Valech Commissions were reinstated for a very brief period to enable new victims to make themselves known during a six month period and thus benefit from certain reparation measures. The intention of these Truth Commissions was not to establish individual responsibility, nor to render justice.

The trial in France also permitted proceedings to be brought again in Chile. By the end of the dictatorship in 1990 it had been possible to file only a few complaints and these had been discontinued through almost automatic application of the amnesty law. And by the time of Pinochet's return to Santiago in 2000 the dictatorship's victims had filed 60 complaints against Pinochet. Two months later there were nearly 100 and, when he died on 10 December 2006, never having been tried, there were more than 400, especially for enforced disappearance, torture, sequestration of children and aggravated homicide. In 2001 special first instance judges were appointed to investigate these complaints, which have continuously increased since 1998. Some of these judges have done considerable work which has permitted the truth about the crimes committed to be revealed that some of them have qualified as crimes against humanity on the basis of international treaty and customary law.

To date in Chile not even 200 persons have been sentenced for crimes against humanity committed during the dictatorship, and no more than 53 have been gaoled or are under house arrest. Slightly over 330 proceedings are under way and of the less than 800 persons who are the subject of proceedings, no more than 56 are civilians. The Chilean Supreme Court no longer applies the amnesty law, even though it is still on the statute book. The low sentences, in recent years applying the rule of 'partial statute of limitations', are absolutely disproportionate to the seriousness of the crimes.

Taking into consideration the length of time since the events and the current behaviour of the perpetrators of the crimes being tried, in very many cases this rule results in those found guilty walking away free as soon as the verdict is rendered. In addition justice is very slow: 65 per cent of the ongoing proceedings - often after the proceedings have lasted more than ten years - are still at the preliminary stage. Very few of the civilian leaders under the dictatorship are concerned about justice. The Chilean legal system is confronted with echoes of the structure of impunity created by Pinochet and his followers in preparation for the transition.

None of the proceedings in Chile concerned those accused of acts committed against the four Franco-Chilean victims. The trial about to take place in Paris was without precedent.

The F.I.D.H. and its affiliates in Chile and in France, *Corporación de Promoción y Defensa de los Derechos del Pueblo*, C.O.D.E.P.U., the *Ligue des droits de l'Homme*, League of the Rights of Man and the Citizen, L.D.H., as well as the Association of former Chilean political prisoners in France and the Association France Latin America had joined the lawsuit as civil parties as early as July 1999, and in that capacity were appearing alongside the families of the four Frenchmen. By intervening as a civil party in a criminal trial, a party who was not directly the victim of the crime lodges a claim for damages. Such party may take part in the trial, adducing witnesses, submitting evidence, statements and expert opinions.

As previously noted, the investigation of the case had been opened by Judge Roger Le Loire on 30 October 1998. He was the judge who had attempted to question Kissinger in May 2001 as a witness for alleged U.S. involvement in Operation Condor and for possible U.S. knowledge in connection to the 'disappearance' of five French citizens in Chile during the Pinochet regime.

The investigation was closed by Judge Sophie Clément, who issued an order for indictment before the *Cour d'Assises* - the highest French criminal court on 21 February 2007.

France issued international arrest warrants against 19 persons, including Pinochet. He was being prosecuted for his direct personal criminal responsibility in the torture and 'disappearance' of the four victims, as Commander-in-Chief of the Chilean Land Army and head of the military *Junta*, and fourteen former senior leaders of the dictatorship were charged of the kidnapping, torture and 'disappearance' of four French and/or French/Chilean citizens: Alfonso Chanfreau, Jean-Yves Claudet, Georges Klein and Étienne Pesle.

Initially, according to a 12 February 2008 announcement by the F.I.D.H., C.O.D.E.P.U., and the L.D.H., the trial was to have taken place between 19 and 23 May 2008. It was postponed.

The proceedings were finally scheduled to take place before the Paris *Cour d'Assises* from 8 to 17 December 2010.

Pinochet had died just a few weeks before Judge Sophie Clément issued an order for his indictment. The other accused were:

- 1) Javier Secundo Emilio Palacios Ruhmann, formerly a General of the Chilean Land Army, responsible for leading the attack on La Moneda Presidential Palace,
- 2) Osvaldo Romo Mena, formerly a Land Army Commander assigned to D.I.N.A.,
- 3) Andres Rigoberto Pacheco Cardenas, formerly an Air Force Colonel and Commander of the base at Maquehue,
- 4) Paul Schaeffer Schneider, formerly the head of 'Colonia Dignidad' and a former Nazi war criminal,
- 5) Juan Manuel Contreras Sepúlveda, formerly the head of D.I.N.A. and a former General of the Chilean Land Army,
- 6) Hermán Julio Brady Roche, formerly Commander-in-Chief of the Santiago garrison,
- 7) Pedro Octavio Espinoza Bravo, formerly a Colonel of the Land Army, Director of Operations and Chief of the D.I.N.A. Metropolitan Intervention Brigade,
- 8) José Osvaldo Riveiro, formerly a Lieutenant-Colonel of the Land Army,
- 9) Marcelo Luís Moren Brito, formerly a Commander of the Land Army, assigned to D.I.N.A.,
- 10) Miguel Krasnoff Martchenko, formerly a Captain of the Land Army, assigned to D.I.N.A.,
- 11) Rafael Francisco Ahumada Valderrama, formerly an Officer of the Tacna Regiment,
- 12) Gerardo Ernesto Godoy García, formerly a Sub-Lieutenant of the Land Army, assigned to D.I.N.A.,
- 13) Basclay Humberto Zapata Reyes, formerly a non-commissioned officer of the Land Army, assigned to D.I.N.A.,
- 14) Enrique Lautaro Arrancibia Clavel, formerly D.I.N.A. representative in Argentina,
- 15) Raúl Eduardo Iturriaga Neumann, formerly D.I.N.A. foreign affairs official,
- 16) Luís Joachim Ramírez Pineda, formerly Commander of the Tacna camp,
- 17) José Octavio Zara Holger, formerly a Land Army officer posted to D.I.N.A., and

18) Emilio Sandoval Poo, formerly an Air Force military reservist, at the time of trial a company director in Temuco.

Four of the listed defendants had died before the trial could begin. All the others were aged between 59 and 89. In the absence of an extradition treaty between Paris and Santiago, France was not in a position to force the presence of the defendants. None was present at the trial, although they were summoned by the Court. They were entitled to be represented by a lawyer in application of the *in absentia* procedure, but all refused.

All 14 of the living defendants were tried *in absentia*, making the case highly symbolic.

The French and Franco-Chilean victims at the heart of the trial were:

1) Alfonso Chanfreau, a French citizen, born in Santiago in 1950. He had married Erika Hennings with whom he had a daughter, Natalia. A member of the *Movimiento Izquierda Revolucionaria* - Revolutionary Left-wing Movement, M.I.R., he became a Santiago city official following the coup on 11 September 1973. On 30 July 1974 Chanfreau was arrested at his home by D.I.N.A. operatives. Gerardo Godoy García and Osvaldo Romo Mena took part in this operation. His wife Erika was arrested the next morning “so that her husband would talk.” Imprisoned for 15 days at the ‘London 38’ torture centre in Santiago, the couple were brutally tortured, by Osvaldo Romo, Miguel Krasnoff Martchencko and Marcelo Moren Brito in particular. Erika was transferred to other detention centres and then expelled to France with their daughter Natalia. Alfonso was transferred on 13 August 1974 to the ‘Villa Grimaldi’ where his legs were crushed under a vehicle, before being taken back to the ‘London 38’ centre. He ‘disappeared’ afterwards and some witnesses indicated that he was taken to the ‘Colonia Dignidad’, a place set up by Paul Schaeffer, a former Nazi war criminal, where prisoners were tortured and the agents of D.I.N.A. were trained.

2) Jean-Yves Claudet, a French citizen, born in 1939 in Maipú, a suburb of Greater Santiago, who was married to Arhel Danus, with whom he had two sons, Étienne and Roger. Jean-Yves Claudet worked as an engineer and was a member of the *Movimiento Izquierda*

Revolucionaria - Revolutionary Left-wing Movement, M.I.R. Arrested on two occasions in 1973, he remained in detention for one year. On his release he was immediately taken to the French Embassy and put on a flight to France. From France, Claudet helped to set up a M.I.R. cell in Argentina. He went to Buenos Aires on 30 October 1975, with microfilms in his possession. He was arrested on 1 November 1975 by agents of S.I.D.E., the Argentine secret police, in the framework of Operation Condor. A D.I.N.A. representative in Buenos Aires, in a memorandum addressed to his superiors, subsequently informed them that Claudet “*Ya no existe*” - no longer exists.

3) Georges Klein, a French citizen, born in 1945, a psychiatrist and personal physician and adviser to President Allende. He was married to Alice Vera Fausto; they had one daughter, Vanessa. He had been active in the Socialist Party, and then in the Communist Party. Georges Klein was by the side of President Allende when *La Moneda* Palace was bombed. Like other defenders of the Palace, he was taken prisoner on the same day and driven by bus, with around forty other persons, to the Tacna Regiment - a land army artillery regiment. The regiment was commanded by Lieutenant Colonel Luís Ramírez Pineda who, together with General Javier Palacios, reported to General Hermán Brady Roche, Commander-in-Chief of the Santiago garrison. When they arrived, the 40 prisoners were taken to the stables and ordered to lie on their stomachs with their legs spread and their hands behind their neck until the following day. According to several witnesses, the prisoners were subjected to ill treatment during their transfer and at the Tacna regiment: beaten violently, forced to remain immobile in the cold, deprived of food and water, threatened with death. On 13 September Georges Klein was taken away from the Tacna Regiment with 20 other persons in a dumper lorry and ‘disappeared’. Evidence collected during the investigation relates that he might have been taken to the Peldehue grounds, where he was killed by machine gun fire on the orders of Major Rafael Ahumada Valderrama.

4) Étienne Pesle was born in France in 1927, went to Chile in 1953 to work with the destitute, married Aydée Mendez Caceres, with whom he had two children, Roberto and Anne-Marie. Pesle was in charge of land reform at the Institute for the Development of Agriculture and Fishing in Temuco. The Institute, the goals of which were in line with the policy defined by President Allende, was to redistribute lands to the poor peasants and especially to the

Mapuche peasants in the Temuco region. He was first arrested on 12 September 1973, then release, and then re-arrested on 19 September at his workplace by soldiers wearing the Chilean Air Force uniform, including Emilio Sandoval Poo, a reserve officer. The group was commanded by Miguel Manriquez, a civilian pilot and landowner against whom Pesle had led expropriation operations which benefited the Mapuche Indians. Pesle 'disappeared' from that day and his fate remains unknown. There is consistent evidence that he was taken to Maquehue, the air force base south of Temuco, where torture was systematically used and also applied by civilians. Some persons reported that he was killed and that his body was thrown into the sea from the private airplane of Miguel Manriquez.

“Amongst other things, these hearings will provide an opportunity to listen to historical testimony. Pinochet is dead, but this trial of the dictator, albeit posthumous, is the only trial of the whole system of repression that he established.” wrote *Maitres* William Bourdon, Claude Katz and Benjamin Sarfati and Sophie Thonon, lawyers for the victims and the civil parties.

“The detention of Augusto Pinochet in London in 1998 helped revive the procedures initiated by the victims of the Chilean dictatorship both in Chile and abroad. The current trial, because of the nature of the crimes, not eligible for statute of limitation, transcends borders and contributes to the fight against impunity worldwide. It is now expected that the truth which will come out of this trial will be heard in Chile and will facilitate recognition of the realities of these crimes which are still far too little known.” said Hiram Villagra and Federico Aguirre, C.O.D.E.P.U. lawyers in Chile.

The trial opened as planned on 8 December 2010. It was based on complaints filed in 1998 by the [victims' families](#), who maintain that the Chilean justice system failed fully to investigate the four disappearances. The trial was of historic value in several respects. Beyond recognition of the individual responsibility of the accused, the trial would be the opportunity to establish and punish the system of repression set up and operated by the Pinochet dictatorship which reigned in Chile from 1973 to 1990. Furthermore, proceedings were

connected to significant events at the start of the dictatorship which would throw light on the way it functioned and make its *modus operandi* perfectly clear:

- the bombing of *La Moneda* and the arrest of the advisers of Salvador Allende;
- the systematic repression of opponents - amongst whom were activists of the Revolutionary Left-wing movement, M.I.R. and persons linked to the former government - such as those involved with the great land reform embarked on by Allende;
- the extremely hierarchical operation of D.I.N.A., the *Junta*'s political police force under the direct orders of Augusto Pinochet and Manuel Contreras;
- *Operación Cóndor*, which aimed at eliminating opponents of the region's dictatorial regimes;
- the crimes systematically committed under Pinochet in torture centres such as 'London 38', 'Villa Grimaldi', or 'Colonia Dignidad'.

This trial saw a number of witnesses who travelled from Chile to appear beside the plaintiff families. There will be not only witnesses to the events, such as the arrest, abduction, detention and torture of the four victims, but also experts who will give evidence of the context of those events and the internal condition in Chile, such as the Chilean lawyer and former United Nations Rapporteur, Roberto Garretón; Martín Almada, who discovered the Operation Condor archives; the American journalist John Dinges, a specialist on Operation Condor, the French magistrate Louis Joinet, and personalities from the world of human rights.

Through the trial France did render to the victims' families that justice which had not been rendered in Chile.

Hoping for justice, the wives, children and brothers and sisters of the four men who vanished between 1973 and 1975 attended the trial from its beginning on 8 December. Thus, for instance, Erika and Natalia Chanfreau were there, and so were Roberto and Anne-Marie Pesle.

In an unusual move, the top State Prosecutor had intervened to tell the Court that the trial had been “indispensable and necessary” even though the accused were not present. The trial, he said, is not meant to “move the cursor of history towards justice” but to judge men who “let their basest instincts guide them.” using torture for “power by fear.”

On 17 December 2010 the President of the Paris *Cour d' Assises* announced a landmark decision on relation the ‘disappearance’ of Alfonso Chanfeau, Jean-Yves Claudet, Georges Klein and Étienne Pesle.

The Court sentenced to life in gaol Juan Manuel Contreras Sepúlveda, who at the time headed [Pinochet's](#) political police, and Pedro Octavio Espinoza Bravo, No. 2 in the political police unit. Three others, Hermán Julio Brady Roche, Marcelo Luís Moren Brito, Miguel Kraznoff Martchenko were given 30-year prison sentences. Six were sentenced to 25 years: Gerardo Godoy Ernesto García, Basclay Humberto Zapata Reyes, Enrique Lautaro Arranciaba Clavel, Raúl Iturriaga Neumann, Luís Joachim Ramírez Pineda, José Osvaldo Riveiro. One received a 20-year sentence: Rafael Francisco Ahumada Valderama, and one 15 years: Emilio Sandoval Poo. One defendant, 77-year-old Gen. José Octavio Zara Holger, was acquitted.

The Court’s decision went beyond the request of State Prosecutor who had sought 20-year prison terms for three of the defendants and 15 years for the remaining 11.

For the first time in the history of Chile, the legal system of another country has come to identify and punish acts committed by these perpetrators.

Families of the victims nevertheless took heart in the convictions more than 30 years after the four disappeared.

Applause broke out in the court room among families of the victims after the reading of the verdicts. “Five members of the military came to get my father. They were in air force uniform.” Roberto Pesle told *France-Infos* radio. “They took him in front of all of his work colleagues. That is how he disappeared.” What happened next was speculation, Pesle said. “What they often did at that time was to get rid of the bodies by tossing them into a volcano or into the ocean.” His father's body was never found.

Natalia Chanfreau, the daughter of one of the ‘disappeared’, said that the fact that the accused were unlikely to be arrested unless they tried to leave Chile did not detract from the trial's significance. “What is important is the symbolic value of getting international condemnation of what happened.” she said. “It is important, too, that the guilty know that impunity is not eternal and it is not universal. ... I was one year old when my father disappeared. I am now 37, so it is an entire life without the right to justice.” said Natalia Chanfreau. ... “There are still many things to do. I would like to know where [my father] is, and of course I would also like [the guilty] to be in prison ... but for the moment, I am really happy.”

William Bourdon, the lawyer representing the families of three of the victims, underlined the significance of the trial as the only major trial in contemporary times which gave an overall picture of the Pinochet regime and which was “marked by something Pinochet invented, which was to erase opponents by making them disappear.” ... “The French judges understood very well that they were not only judges for the French victims but also judges for all of mankind.” he said. Noting the defendants’ absences, he said countries should be obliged to extradite even their own citizens when charged with international crimes.

“We hope this decision will lead the Chilean courts to act quickly, with total transparency and independence in relation to serious human rights violations committed during the dictatorship.” said Claude Katz, attorney for the F.I.D.H. and L.D.H.

On 23 December 2010, as the International Convention for the Protection of all Persons from Enforced Disappearances entered into force, the F.I.D.H. hailed it as a decisive step in the protection of the rights of victims of this atrocious crime. “The phenomenon of enforced

disappearances is universal, affecting all continents. These horrific crimes not only target the 'disappeared' persons themselves, but also their families and whole societies." said Souhayr Belhassen, F.I.D.H. president.

More than 30 years after the adoption by the U.N. General Assembly of Resolution 33/173, December 1978, which for the first time referred to the issue of 'Disappeared persons', the International Convention finally came to constitute a binding instrument containing important provisions for the protection of the rights of victims.

The legal significance of the Convention is remarkable, since it not only provides a legal definition of the crime of enforced disappearance, but also establishes a set of obligations of States to prevent and prosecute this crime through concrete measures at the national level. The Convention recognises in particular the right to information, the right to know the truth, the right to justice and the right to reparation.

"The right to know is a fundamental right, as the phenomenon of enforced disappearance breaks the daily life of families." underlined the former U.N. Special Rapporteur, Louis Joinet, during his testimony at the Pinochet trial before the Paris *Cour d'Assises*.

As at 23 December 2010 the Convention had been signed by 87 countries and ratified by 21 - Brazil being the last country to ratify the Convention on 29 November.

The Convention places an obligation on State parties to take measures to prosecute the perpetrators of this crime when they are present on their territories, under the principle of universal jurisdiction, irrespective of the nationality of the victims and the alleged

perpetrators, as well the country where the crime was committed. Finally, the Convention sets up a Committee which will monitor implementation by State parties.

“We now urge states that have not yet ratified the Convention to do so and encourage those that are already party to the Convention to implement its provisions, including by incorporating the crime of enforced disappearance into their national legislation.” concluded Souhayr Belhassen.

For the past two hundred years the United States has ‘maintained its presence’ in Chile and other parts of Latin America for the same ‘reasons’ as the Spanish, Portuguese, British, Dutch and French colonial ‘powers’ before them. The ‘reasons’ have remained unchanged: natural resources and cheap labour, compounded these days by neo-colonial extraction of forcibly contrived ‘debt’.

The modern methods of gaining and retaining that ‘presence’ are the myth of the free market, globalisation, privatisation, dismantling of domestic agricultural economies, and opening of markets imposed by the International Monetary Fund, the World Bank and other ‘international’ institutions through local clients - essentially to favour transnational corporations.

Leaders of those corporations, their advisers, ‘captains’, banksters, *compradores* are forever busy telling ‘the natives’ what to do. But, for once, they should listen to the voice of peoples from Latin America, and that voice should, for once, come loud and clear to the people who live where those corporations reside - by and large in the United States. They could hear the voice of Latin America through the words of the French philosopher Simone Weil, who once wrote that people in Europe were shocked by the Nazis because the Nazis applied to Europe the same methods European powers practiced in their colonies.

Dr. Venturino Giorgio Venturini, formerly an *avvocato* at the Court of Appeal of Bologna, taught, administered, and advised on, law in four continents, ‘retiring’ in 1993 from Monash University. Author of eight books and about 100 articles and essays for learned periodicals and conferences, his latest work is *THE LAST GREAT CAUSE – Volunteers from Australia and Emilia-Romagna in defence of the Spanish Republic, 1936-1939* (Search Foundation, Sydney 2010). Since his ‘retirement’ Dr. Venturini has been Senior Associate in the School of Political and Social Inquiry at Monash; he is also an Adjunct Professor at the Institute for Social Research at Swinburne University, Melbourne. george.venturini@arts.monash.edu.au.