DTG 171918Z JUL 02
FROM FM USDAO BUENOS AIRES AR TO TO RUEKDIA/DIA WASHDC
CONTROLS CONFIDENTIAL SECTION 01 OF 03 BUENOS AIRES AR
CONFIDENTIAL
SERIAL: (U) IIR (b)(3):10 USC 424

/*********** THIS IS A COMBINED MESSAGE ***********/

BODY
COUNTRY: (U) ARGENTINA (AR), SPAIN (SP).
IPSP: (U) (b)(3):10 USC 424

SUBJ: IIR (b)(3):10 USC 424 ARREST OF RETIRED AND ACTIVE OFFICERS (U)
WARNING: (U) THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE. REPORT CLASSIFIED CONFIDENTIAL.

DEPARTMENT OF DEFENSE

DOI: (U) 20020715.
REQS: (U) (b)(3):10 USC 424

SOURCE: A. (U) DAILY NEWSPAPER, "LA NACION", BUENOS AIRES, ARGENTINA, 20020711 (U), SPANISH, INDEPENDENT-MODERATE PAPER WHICH APPEALS TO UPPER CLASS AND INTELLECTUALS. TENDS TO REPORT U.S. ISSUES OBJECTIVELY. INFLUENTIAL WITH POLICYMAKERS, GOVERNMENT OFFICIALS, POLITICIANS AND THE MILITARY.

Sec. 3.3(b) (1)

SUMMARY: (U) 36 RETIRED AND ACTIVE OFFICERS ARRESTED FOR ALLEGED INVOLVEMENT IN MURDERS OF 18 MONTONERO GUERRILLAS IN 1980. ARGENTINE GOVERNMENT REQUESTS EXTRADITION OF EX-INTEL OFFICIAL BEING HELD IN SPANISH
JAIL. ARMY OFFICERS ANXIOUS BUT CALM OVER ARRESTS.

TEXT: 1. (U) SOURCE A REPORTED THAT FEDERAL JUDGE
CLAUDIO ((BONADIO)) ORDERED THE ARREST OF THIRTY SIX
(36) ACTIVE AND RETIRED OFFICERS FOR ALLEGED
INVASION IN THE KIDNAPPING, DETENTION, TORTURE AND
MURDER OF EIGHTEEN MONTONERO GUERRILLAS IN 1980 AS WELL
OTHER HUMAN RIGHTS VIOLATIONS THAT OCCURRED DURING THAT
TIMEFRAME. WHILE A COMPLETE LIST OF THOSE ORDERED BY
JUDGE BONADIO TO BE DETAINED WAS NOT RELEASED, THE
FOLLOWING NAMES WERE PROVIDED -
-- LEOPOLDO FORTUNATO ((GALTIERI)). RETIRED TENIENTE
GENERAL (FOUR STAR U.S. EQUIVALENT) AND FORMER
PRESIDENT.
-- CRISTINO ((NICOLAIDES)). RETIRED TENIENTE GENERAL
AND FORMER ARMY COMMANDER.
-- CARLOS GUILLERMO ((SUAREZ MASON)). RETIRED GENERAL
DE DIVISION (THREE STAR U.S. EQUIVALENT) AND EX-
COMMANDER OF THE I ARMY CORPS.
-- JUAN RAMON ((MABRAGANA)). RETIRED GENERAL DE
DIVISION.
-- RAIMUNDO ROMERO ((OJEDA)). RETIRED EX-CHIEF OF THE
FEDERAL POLICE.
-- JORGE CARLOS ((OLVERA ROVERE)). RETIRED GENERAL
DE BRIGADA (TWO STAR U.S. EQUIVALENT).
-- ENRIQUE JOSE DEL ((PINO)). RETIRED LIEUTENANT
COLONEL. FORMERLY ASSIGNED TO TASK GROUP 2 AT CAMPO DE
MAYO.
-- SANTIAGO MANUEL ((HOYA)). RETIRED LIEUTENANT
COLONEL FORMERLY ASSIGNED TO 601 INTELLIGENCE
BATTALION.
-- ARIAS ((DUVAL)). RETIRED CIVILIAN EMPLOYEE OF THE
ARMY FORMERLY ASSIGNED TO THE 601 INTELLIGENCE
BATTALION.

2. (U) SOURCE A REPORTED THAT THE INVESTIGATION BEGAN
WHEN FAMILY MEMBERS WANTED TO KNOW WHAT HAPPENED TO THE
EIGHTEEN MEMBERS OF THE SPECIAL INFANTRY TROOPS (TROPAS
ESPECIALES DE INFANTERIA - TEI) OF THE MONTONEROS WHOSE
LEADER AT THAT TIME, ROBERTO ((PERDIA)), WAS RESIDING
OUTSIDE THE COUNTRY. A NUMBER OF MONTONEROS, TO
INCLUDE PERDIA, WERE BETRAYED BY THEIR COMRADES TO THE
MILITARY, RESULTING IN THEIR ARREST AND DETENTION.
FOUR MONTONEROS WERE KIDNAPPED IN RIO DE JANEIRO,
BRAZIL ON 12 MARCH 1980 WHEN THEY TRIED TO RETURN TO ARGENTINA FROM EUROPE WITH THE INTENTION OF PARTICIPATING IN A NEW GUERRILLA COUNTER-OFFENSIVE. THE ACTUAL MONTONERO COUNTER-OFFENSIVE WAS LAUNCHED ON 07 NOVEMBER 1979 WITH THE ATTEMPTED MURDER OF JUAN (ALEMANN) AND CONTINUED SIX DAYS LATER WITH THE MURDER OF BUSINESSMAN FRANCISCO (SOLDATI) AND HIS DRIVER IN THE CENTER OF BUENOS AIRES.

3. (U) SOURCE A REPORTED THAT CLAUDIO (SCAGLIUZZI) WAS ARRESTED IN BARCELONA, SPAIN, ON 28 AUGUST 2001 FOR INVOLVEMENT IN THE ARREST AND SUBSEQUENT MURDER OF THE EIGHTEEN MONTONEROS. JUDGE BONADIO HAS REQUESTED HIS EXTRADITION FROM SPAIN TO ARGENTINA. SCAGLIUZZI WAS A CIVILIAN EMPLOYEE OF ARMY INTELLIGENCE AND THUS IS NOT COVERED BY AMNESTY LAWS PASSED AFTER THE RETURN TO CIVILIAN RULE. SOURCE A CONCLUDED BY STATING THAT JUDGE BONADIO RECENTLY DECLARED THE AMNESTY LAWS DECREE UNDER THE (ALFONSIN) ADMINISTRATION AS BEING UNCONSTITUTIONAL. THE SUPREME COURT HAS YET TO MAKE A FINAL RULING.

4. (C) ON SEPARATE OCCASIONS, SOURCES B AND C STATED THAT THE ONLY ACTIVE DUTY OFFICER DETAINED FOR QUESTIONING IS ARGENTINE ARMY COLONEL ALBERTO JORGE (CRINIGAN). CRINIGAN WAS ALLOWED TO TURN HIMSELF IN TO MILITARY AUTHORITIES ON 11 JULY 2002 AND IS BEING HELD AT THE PATRICIOS INFANTRY REGIMENT LOCATED IN CENTRAL BUENOS AIRES. SOURCE B STATED THAT CRINIGAN WAS QUESTIONED BY JUDGE BONADIO DURING THE MORNING OF 15 JULY 2002. SOURCE B STATED THAT THE RESULTS OF CRINIGAN'S APPEARANCE BEFORE BONADIO IS UNKNOWN AT THIS TIME. IN 1980, CRINIGAN WAS REPORTEDLY ASSIGNED TO THE 601 INTELLIGENCE BATTALION. COMMENT - CRINIGAN

A FORMER DEPUTY J-2, DIRECTOR OF THE DEFENSE INTELLIGENCE DIRECTORATE (DID) AND UNTIL HIS DETENTION, SERVED AS JOINT STAFF LIAISON TO THE STATE INTELLIGENCE SERVICE (SERVICIO DE INTELIGENCIA DEL ESTADO) SIDE AS CITED IN 09/310 USC 424 00/ARGENTINE ARMY COLONEL ALBERTO (CRINIGAN) IS JOINT STAFF DEPUTY CHIEF OF INTELLIGENCE - AN EXPERIENCED INTELLIGENCE OFFICER IN A POTENTIALLY INFLUENTIAL POSITION (U)/DTG 141310ZFEB00.

5. (C) SOURCE B STATED THAT ASIDE FROM THOSE INDIVIDUALS ON HOUSE ARREST, ALL RETIRED GENERALS AND
SOME COLONELS ARE BEING HELD AT THE GRANADEROS CAVALRY REGIMENT AND THE OTHER OFFICERS ARE IN CUSTODY AT THE PATRICIOS REGIMENT. SOURCE B EXPLAINED THAT UNDER ARGENTINE LAW, INDIVIDUALS OVER THE AGE OF SEVENTY YEARS OF AGE CAN PLACED ON HOUSE ARREST INSTEAD OF GOING TO JAIL.

6. (C) ON SEPARATE OCCASIONS, BOTH SOURCES B AND C DESCRIBED THE MONTONERO TEI UNIT AS A SPECIAL OPERATIONS UNIT TRAINED TO CONDUCT URBAN TERRORIST OPERATIONS. SOURCE B CHARACTERIZED THE JUDGE’S ARREST ORDER AS A PROVOCATION AND QUESTIONED THE MOTIVES AND TIMING OF THE ARREST ORDERS -- LIKENING THEM TO PINCHING THE ARMY TO TRY AND GET A REACTION. SOURCE B OPINED THAT WHILE MOST OF THOSE ARRESTED WERE QUOTE BAD PEOPLE UNQUOTE AND DESERVED TO BE PUT IN JAIL, SOME OTHERS WERE ARRESTED FOR SIMPLY HAVING BEEN ASSIGNED TO THE 601 INTELLIGENCE BATTALION AT THE TIME OF THE ARREST OF THE MEMBERS OF THE MONTONERO SPECIAL OPERATIONS UNIT.

7. (C) SOURCE B STATED THAT WITH THE CURRENT CRISIS IN THE COUNTRY AND TENSION EXISTENT THROUGHOUT SOCIETY AT THIS TIME, NOW IS NOT THE TIME TO QUOTE OPEN THIS PANDORA’S BOX UNQUOTE. ON SEPARATE OCCASIONS, BOTH SOURCES B AND C OPINED THAT THE ONLY PERSON WHO COULD BENEFIT FROM THIS IS EX-PRESIDENT AND CURRENT PRESIDENTIAL CANDIDATE CARLOS ((MENEM)). SOURCE B EXPLAINED THAT MENEM IS THE ONLY SERIOUS CANDIDATE THAT BENEFITS FROM INSTABILITY AND CAUSING UNCERTAINTY AMONG THE CIVILIAN POPULACE ABOUT WHAT THE ARMY MAY OR MAY NOT DO WILL CAUSE THE MIDDLE CLASS TO LOOK TO MENEM AS THE ONLY CANDIDATE STRONG ENOUGH TO MAINTAIN ORDER. SOURCE B STATED THAT WHILE SOME PEOPLE IN THE ARMY ARE ANXIOUS ABOUT WHAT THIS ACTION MAY MEAN FOR THEM, NOBODY IS TALKING ABOUT DOING ANYTHING OTHER THAN COMPLYING WITH THE LAW.

8. (C) WHILE ARMY OFFICERS ARE WORKED UP OVER THIS JUDICIAL ORDER, DURING A VISIT TO ARMY HEADQUARTERS ON 12 JULY [Sec 3(3)(b)(1)] DETECTED RESIGNATION AMONG MOST OFFICERS THAT MORE ARREST ORDERS ARE SURE TO FOLLOW FOR OTHER INCIDENTS CARRIED OUT DURING THE SO-CALL DIRTY WAR. A SHORT VISIT WITH ONE GENERAL OFFICER THAT
MORNING REFLECTED SOME OF THE ANGST THAT THE SENIOR LEADERSHIP IS EXPERIENCING. DESCRIBING THE JUDGE'S ARREST ORDER AS A PROVOCATION AND UNEQUIVOCALLY THAT THE ARMY WILL COMPLY WITH ARGENTINE LAW AND OBEY THE JUDGE'S ORDERS. COMMENTS: 1. OFFICERS ARE CONCERNED BECAUSE UNLESS THE SUPREME COURT UPHOLDS THE AMNESTY LAWS, ALMOST EVERY OFFICER COMMISSIONED BEFORE 1982 COULD EVENTUALLY BE HAULED BEFORE A JUDGE FOR INVOLVEMENT OF SOME KIND IN HUMAN RIGHTS VIOLATIONS. ANOTHER FLASHPOINT IS THE POSSIBLE INCLUSION OF OTHER SERVING OFFICERS IN FUTURE ARREST ORDERS FOR ACTIONS UNDERTAKEN DURING THE 1976-1982 MILITARY REGIME. INDEED, THERE ARE RUMORS IN THE PRESS OF OTHER LISTS THAT WILL BE ISSUED BY BONADIO FOR THE ARREST OF PERHAPS HUNDREDS MORE RETIRED AND ACTIVE MILITARY AND POLICE OFFICIALS. IT IS IMPORTANT TO NOTE THAT ONE DID NOT HAVE TO ACTUALLY ENGAGE IN ANY ILLEGAL ACTIVITY TO HAVE LEGAL PROBLEMS. RATHER, JUST HAVING KNOWLEDGE AFTER A CRIMINAL ACT CAN BRING A CHARGE OF ACCESSORY AFTER THE FACT. REGARDLESS OF WHETHER AN OFFICER ACTUALLY COMMITTED A CRIME OR NOT DURING THOSE YEARS, MOST, IF NOT ALL OF THEM CERTAINLY HAD SOME KNOWLEDGE OF THE COMMITTAL OF A CRIMINAL ACT THAT THEY DID NOT REPORT TO PROPER AUTHORITIES AND THIS IS THE

[SEC: 3.3(b)(1)]
NET, IF SPREAD WIDE ENOUGH, THAT WILL GET THEM.

3. **COMMENT.** ALTHOUGH DISAPPOINTING, THE DETENTION OF **(CRINIGAN)** IS NOT OVERLY SURPRISING. HE HAD BEEN MOVED FROM HIS POSITION AS DIRECTOR OF **DID,** TO THE POSITION OF SIDE LIAISON. THIS LIAISON DUTY HAS BEEN DESCRIBED AS A DEAD END. IF ONE WERE TO SPECULATE THAT THE ARMY HAD BEEN AT LEAST CONSULTED ABOUT THIS MOVE, CRINIGAN'S DETENTION COULD BE SEEN AS A WAY TO SATISFY THE DESIRE TO ARREST AN ACTIVE DUTY OFFICER.

4. **(G)**

5. **(U)**

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ADMIN

**COLL: (U)**

**INSTR: (U)**

**PREP: (U)**

**ACQ: (U)** ARGENTINA, BUENOS AIRES (20020711-20020715).

**DISSEM: (U)** FIELD: EMBASSY AT BUENOS AIRES.

**WARNING: (U)** REPORT CLASSIFIED CONFIDENTIAL.

**DRVD FM: (U)** DO HUMINT SCG, MARCH 2002

**DECLN: XT**

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FROM FM USDAO BUENOS AIRES AR
TO TO RUEK/DIA WASHDC
CONTROLS CONFIDENTIAL SECTION 01 OF 03 BUENOS AIRES AR 002497
CONFIDENTIAL SERIAL: (U) IIR 6 804 0230 02.

/********** THIS IS A COMBINED MESSAGE **********/

BODY
COUNTRY: (U) ARGENTINA (AR); SPAIN (SP).
IPSP: (U) IFC1120; IFC1515; IFC2300; IFC1589; IFC2618; IFC2612.
SUBJ: IIR (b)(3) 10 U.S.C./ARREST OF RETIRED AND ACTIVE OFFICERS (U)
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DEPARTMENT OF DEFENSE

DOI: (U) 20020715.
REQS: (U) DHC054050A; D-IAC-1515-051-01; D-IAC-2610-039-01.

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B. (b)(3) 10 U.S. SENIOR OFFICER WITH ACCESS TO THE INFORMATION DUE TO POSITION. CONSIDERED RELIABLE.
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