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IAW EO 13526, Section 3.5  
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INQUIRE=DOC2D  
ITEM NO=00507120

ENVELOPE

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HEADER

RTTUZYUW RUEKJCS3578 0992339-UUUU--RUEALGX.

ZNR UUUUU

R 092339Z APR 87

FM JCS WASHINGTON DC

INFO RUENAAA/CNO WASHINGTON DC

RUEAHQA/CSAF WASHINGTON DC

RUEAIIA/CIA WASHINGTON DC

RUEHC /SECSTATE WASHINGTON DC

RUEAMCC/CMC CC WASHINGTON DC

RUETIAH/DIRNSA FT GEORGE G MEADE MD

RUEACMC/CMC WASHINGTON DC

RUEAIJU/NPIC WASHINGTON DC//IEG//

RUETIAQ/MPC FT GEORGE G MEADE MD

RUEALGX/SAFE

AIG 11881

R 092136Z APR 87

FM (b)(3):10 USC 424

TO RUEKJCS/DIA WASHDC//OA-5//DB-4A/JSI-4/CAJIT//

RUEDEHA/USCINCSO QUARRY HEIGHTS PN//SCJ2-IAD//

INFO RUEADWD/DA WASHDC//DAMO-SSA//

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CONTROLS

UNCLAS SECTION 01 OF 02 BUENOS AIRES AR (b)(3):10 USC 424

(b)(3):10  
USC 424

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SERIAL: (U) IIR (b)(3):10 USC 424

BODY

PASS: (U) DIA PASS TO AIG 11881

COUNTRY: (U) ARGENTINA (AR)

SUBJECT: IIR (b)(3):10 USC 424 HUMAN RIGHTS TRIALS SAGA  
- CONTINUES (U)

WARNING: (U) THIS IS AN INFO REPORT, NOT FINALLY  
- EVALUATED INTEL

DOI: (U) 870409

REQS: (U) (b)(3):10 USC 424

SOURCE: (U) A. CLARIN, LEADING INDEPENDENT NEWSPAPER.  
- B. LA NACION, DAILY MODERATE NEWSPAPER,

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- CIRCULATION 210,000.

SUMMARY: (U) THE BUENOS AIRES FEDERAL APPEALS COURT BEGAN  
- HEARING TESTIMONY OF OFFICERS IMPLICATED IN THE  
- I ARMY CORPS CASE. THE SUPREME COURT RULES  
- THAT "CRIMES OF TORTURE" ARE "COMMON CRIMES"  
- AND SHOULD BE JUDGED BY CIVILIAN COURTS.

TEXT: 1. (U) ACCORDING TO SOURCE A, ON 8 APR 87, THE  
BUENOS AIRES FEDERAL APPEALS COURT BEGAN HEARING THE  
TESTIMONY OF VARIOUS ARMY, AIR FORCE AND CIVILIAN  
PERSONNEL ACCUSED OF HUMAN RIGHTS VIOLATIONS COMMITTED  
IN 1976-78 UNDER THE JURISDICTION OF THE I ARMY CORPS  
DURING THE FIGHT AGAINST SUBVERSION. SCHEDULED TO  
TESTIFY WERE BG (R) JORGE CARLOS ((ROVERE)), MG (R)  
JOSE ((MONTES)), BG (R) CESAR ANIBAL ((FERRERO)), AND  
COL (R) ROBERTO ((ROUALDES)). GENERAL (R) OTTO  
((PALADINO)), COL (R) CARLOS ((FERRO)) AND ACTIVE-DUTY  
LTC GUILLERMO ((MINICUCCI)) WERE LATER SCHEDULED TO  
TESTIFY ON THE SAME DAY. A TOTAL OF 40 PERSONS HAVE  
BEEN CITED IN THIS CASE. ADDITIONALLY, ALLEGED RIGHTWING  
TERRORIST ANIBAL ((GORDON)) AND FORMER INTELLIGENCE  
AGENT ANTONIO ((DEL CERRO)) WERE ALSO SCHEDULED TO  
TESTIFY. THE ABOVE SEVEN MILITARY OFFICERS, ACCORDING  
TO SOURCE A, WERE DETAINED AFTER TESTIFYING. HOWEVER,  
ACCORDING TO SOURCE B, WITH THE EXCEPTION OF GENERAL  
ROVERE, THE OTHERS REFUSED TO TESTIFY. PRESS REPORTS  
AGREE THAT ALL ARE FURTHER DETAINED UNTIL THE COURT  
CAN FURTHER STUDY THEIR TESTIMONY. INCIDENTALLY,  
RETIRED GENERAL PALADINO REPORTEDLY MADE A DECLARATION  
ENTITLED "REFLECTIONS OF A SOLDIER" IN WHICH HE STATED,  
"IT'S NOW CLEAR THAT THE ONLY EXISTING SUSPICION  
AGAINST ME IS MY ACTIONS IN THE FIGHT AGAINST SUBVERSION.  
THIS SITUATION OBLIGATES ME TO BREAK THE SECRECY IMPOSED  
BY BEING CITED BY THE FEDERAL APPEALS COURT, WHICH  
ELIMINATED THE CONSTITUTIONAL GUARANTEE OF THE ONLY  
NATURAL JUDGE, WHICH IN MY CASE IS THE ARMED FORCES  
SUPREME COUNCIL." ACCORDING TO SOURCE A, THE FOLLOWING  
OFFICERS ARE SCHEDULED TO TESTIFY ON 9 APR: BRIGADIER  
GENERALS (R) ADOLFO ((SIGWALD)), JUAN BAUTISTA ((SASAIA)),  
HECTOR HUMBERTO ((GAMEN)), RETIRED COLONELS ROQUE CARLOS  
((PRESTI)), ERNESTO JORGE ((ALVAREZ)), JORGE RAUL  
((CRESPI)), PEDRO ALBERTO ((SAENZ)), AND LTC FRANCO  
((LUQUE)). SCHEDULED TO TESTIFY NEXT WEEK ARE  
BG (R) ALFREDO OSCAR ((SAINT JEAN)), LTC (R) LUIS  
ENRIQUE ((BARALDINI)), COLS (R) ALBERTO ((BARDA)) AND  
JULIO RICARDO ((ESTEVEZ)). RETIRED AIR FORCE OFFICERS  
COL JUAN ((GARCIA)) AND MGS CESAR MIGUEL ((COMES))  
AND HIPOLITO ((MARIANI)) HAVE ALSO BEEN CITED.  
2. (U) IN RELATED NEWS, THE SUPREME COURT ORDERED THE  
NEUQUEN FEDERAL APPEALS COURT TO TRY 2LT DINO ((CODERMATZ))

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AND SEVERAL OFFICERS UNDER HIS COMMAND FOR HAVING TORTURED MILITARY TRAINEES WITH THE CATTLE PROD. THE SUPREME COURT'S RULING WAS MADE AFTER THE ARMED FORCES SUPREME COUNCIL GAVE HIM A 15-DAY ARREST AS A DISCIPLINARY MEASURE. REPORTEDLY, CODERMATZ ADMITTED THAT CONSCRIPTS WHO FAILED TO OVERCOME DIFFICULT CHALLENGES DURING TRAINING SESSIONS BECAME "PRISONERS OF WAR" AND WERE SUBMITTED TO TORTURE WITH ELECTRIC CHARGES. THE ARMED FORCES SUPREME COUNCIL'S SENTENCE APPARENTLY DID NOT MEET WITH THE SUPREME COURT'S SATISFACTION. THE SUPREME COURT RULED THAT THE CRIMES COMMITTED BY CODERMATZ WERE "COMMON CRIMES" AND ONES THAT SHOULD BE JUDGED BY A CIVILIAN COURT.

COMMENTS: (U) THERE'S A VERY WIDE GAP BETWEEN WHAT THE MILITARY AND CIVILIANS BELIEVE CONSTITUTES A "CRIME."  
IT'S PERFECTLY ILLUSTRATED IN THE CODERMATZ CASE AND

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UNCLAS SECTION 02 OF 02 BUENOS AIRES AR

(b)(3):10 USC 424

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SERIAL: (U) IIR (b)(3):10 USC 424

BODY

PASS: (U) DIA PASS TO AIG 11881

COUNTRY: (U) ARGENTINA (AR)

SUBJECT: IIR (b)(3):10 USC 424 HUMAN RIGHTS TRIALS SAGA

THE WHOLE PUNTO FINAL ISSUE.

//IPSP: (b)(3):10 USC 424

//COMSOBJ

//PROJ: NONE//

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INSTR: (U) US NO

PREP: (U) (b)(3):10 USC 424

APPR: (U)

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