Paraguay's Archive of Terror: International Cooperation and Operation Condor

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PARAGUAY'S ARCHIVE OF TERROR: INTERNATIONAL COOPERATION AND OPERATION CONDOR

KATIE ZOGLIN

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1. Katie Zoglin (J.D., Harvard Law School) spent over four months reviewing documents in Paraguay's Archive of Terror through a Fulbright grant provided by the Council of International Exchange of Scholars.
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I. INTRODUCTION

Paraguay's Archive of Terror not only records General Alfredo Stroessner's fear of political opponents, but it also confirms accounts that Southern Cone countries such as Argentina, Chile, Brazil, Uruguay, and Paraguay engaged in the clandestine exchange of intelligence and prisoners from the mid-1970s through the early 1980s. This secret scheme was known as "Operation Condor." Certainly, the exchange of intelligence is not per se inappropriate or illegal. However, Operation Condor must be viewed in the larger context in which these military governments ignored the due process rights of individuals and targeted those who voiced opposition to them.

Evidence of Operation Condor has gradually come to light. In 1999, Operation Condor received attention in the United States when the Clinton Administration's Chile Declassification Project released documents revealing that as early as 1976 the United States government was aware of and expressed concerns regarding at least one aspect of Operation Condor. The work of Spanish Judge Baltasar Garzón in the cases against Chile's General Augusto Pinochet has also increased knowledge of this scheme.

While previous accounts of evidence contained in the Archive of Terror regarding Operation Condor have not always portrayed documents accurately, cited specific records, or relied on a

systematic review of the Archive, this article provides a comprehensive review of the records in Paraguay's Archive of Terror that demonstrate the secret exchange of intelligence and prisoners. In doing so, this article provides additional evidence to the developing picture of Operation Condor.

II. POLITICAL CONTEXT

From 1954 through 1989, General Alfredo Stroessner ("Stroessner") ruled Paraguay with an iron fist. Cold War politics played a significant role during his authoritarian regime. In the 1950s and 1960s, the United States gave considerable financial aid to Paraguay. Paraguay was seen as a U.S. ally, particularly in its opposition to communism. Stroessner used the national security doctrine and the threat of communism as a unifying theme. He freely labeled unsanctioned political activity as communist. Stroessner relied upon the alleged communist menace as a pretext for imposing many of his government's repressive measures.

Throughout his tenure, Stroessner imposed a state of siege almost continuously without legal justification. Hundreds of so-called "subversives" were arrested pursuant to laws entitled "In Defense of Democracy" and "In Defense of Public Peace and Liberty of Persons."


8. See id.


10. See generally Miranda, supra note 7, at 7-9.
Real and perceived opponents of the Stroessner government were detained without warrant, imprisoned without formal charges lodged against them, never brought before a magistrate, held without trial, tortured, "disappeared," and killed extra-judicially. Many of those tortured were forced to sign statements about their purported involvement in subversive activities. Still others were compelled to leave the country or placed in internal exile. Many opposition parties were banned. The judiciary lacked independence; judges were appointed and could be dismissed by the executive branch. Political, student, union, and religious groups were closely monitored and repressed. The government shut down a newspaper and a radio station. Elections were held but in name only. Corruption was widespread.

Paraguay was not the only Latin American country that justified the suppression of political opponents based on the purported "Marxist" or "communist" threat. During the 1970s, military regimes in many Latin American countries, including in Argentina, Brazil, Chile, and Uruguay, responded to the perceived communist menace by detaining, torturing, and "disappearing" political opponents. These countries created Operation Condor to combat what they viewed as a pervasive and imminent threat to their national interests.

12. See BOUVIER, supra note 3, at 23.
15. See BOUVIER, supra note 3, at 23; 1978 OAS REPORT, supra note 11, at 87.
16. See 1987 OAS REPORT, supra note 9, at 113.
17. See BOUVIER, supra note 3, at 15-16.
III. OVERVIEW OF PARAGUAY'S ARCHIVE OF TERROR

A. Discovery Of The Archive Of Terror

In 1989, Stroessner was overthrown in a military coup engineered by his brother-in-law, General Andrés Rodríguez. While this change in government and the introduction of democratic rule represent significant developments in Paraguay, Stroessner's Colorado Party continues to retain power. Indeed, Paraguay's transition toward democratic rule has been an unsteady one.

Unlike neighboring Chile or Argentina, Paraguay has not set up a truth commission or other fact-finding task force to examine the human rights abuses committed during the decades of dictatorship. It has not prosecuted human rights abuses; rather, that role has been left to human rights groups and individual victims or their families. The government has made little attempt to redress the human rights abuses perpetrated under Stroessner. Nor was it the government that released records from the Stroessner regime to the public.

Instead, it was the efforts of some courageous individuals that brought Paraguay's Archive of Terror to light. In 1992, Paraguayan attorney and educator Martín Almada filed a petition for habeas data, pursuant to Article 135 of the 1992 Constitution, requesting information regarding his detention during Stroessner's rule. On December 22, 1992, Almada and Judge José Agustín Fernández proceeded to the police station in Lambaré (located just outside of Paraguay's capital in Asunción) to request the habeas data. Initially, the police denied the existence of such information. Ultimately, however, "the police

20. See PARAGUAY: HUMAN RIGHTS, supra note 3, at 3.
21. See id. at 23-24, 52.
22. See R. Andrew Nickson, Paraguay's Archivo del Terror, LATIN AM. RES. REV. 125, 125-27.
23. "Everyone may have access to information and data available on himself or his assets in official or private registries of a public nature. . . . He may request a competent judge to order the updating, rectification, or destruction of these entries if they are wrong or if they are illegitimately affecting his rights." Para. Const. art. 135 (1992).
24. See Rosa Palau, De "Archivo del Horror" a Centro de Documentacion para Defensa de los Derechos Humanos, at 5-6 (Dec. 1993), (unpublished article, on file with author); See Nickson, supra note 22, at 125-27.
25. See PARAGUAY: HUMAN RIGHTS, supra note 3, at 10; Palau, supra note 24, at 6.
allowed Almada and Judge Fernández to enter the station where thousands of documents were stored. Some of the records were actually being buried. Most of these documents were from the political branch of the police department in the capital, known as the Investigations Department. Judge Fernández and his colleague Judge Luis María Benítez Riera understood the significance of this discovery, as well as the potential danger posed to the records. They ordered the documents to be transferred to the courthouse in Asunción. These two judges, reporters, and human rights activists formed a human chain to move the documents from the police station to the courthouse.

Additional confidential police records existed. Again, the government did not voluntarily release them. On December 24, 1992, Judge Benítez learned of documents from the Dirección Nacional de Asuntos Técnicos of the Ministry of the Interior ("La Técnica"). La Técnica was established during the second half of the 1950s to combat communism, and was responsible for political intelligence. The majority of the items recovered from La Técnica were so-called "subversive" books (approximately 700 volumes) confiscated from individuals, including Bibles and writings of Lenin and Marx. Documents from the police department's legal division, known as the Judicial Department, were also recovered on January 21, 1993. All of these documents were removed from police custody and are stored in the courthouse in Asunción. They are collectively known as the Archive of Terror or the Archive of Horror ("the Archive").

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27. See Palau, supra note 24, at 6.
29. See id.
30. See id.
31. See id.
32. See Palau, supra note 24, at 6.
33. See id. at 6-7.
34. See id. at 7.
35. See PARAGUAY: HUMAN RIGHTS, supra note 3, at 11.
36. In 1993, additional police documents were identified in the town of Coronel Oviedo, located in central Paraguay, as the result of a habeas data request. Approximately ten to twelve files regarding the Agrarian League (a "campesino" group which was subject to severe repression during the 1970s) consequently were released. However, thousands of additional documents were reportedly being held by local Colorado Party authorities.
B. Overview Of The Archive’s Contents

The Archive is comprised of more than half a million documents created, collected, and maintained by various divisions of the police and armed forces in Paraguay. The large number of records and their detail demonstrate the degree of control and oversight maintained by the Stroessner regime. The Archive provides a unique opportunity to help understand the methods of operation and mindset of the Stroessner regime. Because police and military files from other Southern Cone countries remain largely unavailable to the public, Paraguay’s Archive of Terror has become increasingly important.

For example, the Archive contains over 9,000 “fichas,” or cards, on which police recorded basic information about suspected government opponents, such as a photograph, name, address, date of birth, fingerprints, profession, supposed political affiliation, and dates of detention. The fichas are the general equivalent of police booking cards in the United States, but the fichas also include information concerning the detainee’s alleged political activities.

The Archive has provided documentation of “disappeared” individuals about whom the Stroessner government originally denied having detained, including Rodolfo and Benjamín Ramírez Villalba. These brothers were accused of having participated in a plot to kill Stroessner. They were held in the Investigations Department of the police. After Stroessner left power, Julio Ramírez Villalba filed a criminal complaint on behalf of his brothers. Officials initially denied knowledge of the detention, torture, and murder of the Ramírez brothers. However, documents in the Archive and testimony from fellow prisoners undermined their positions. Other prisoners testified that the Ramírez brothers were repeatedly tortured during a six-month period. Luis Alberto Wagner, a former political prisoner

38. See id. See also INT’L HUM. RTS. L. GROUP & COMITÉ DE IGLESIAS PARA AYUDAS DE EMERGENCIA, TORTURA EN EL PARAGUAY: PASADO Y PRESENTE at 81(1993) [hereinafter TORTURA].
39. See PARAGUAY: HUMAN RIGHTS, supra note 3, at 31; See TORTURA, supra note 38.
40. See PARAGUAY: HUMAN RIGHTS, supra note 3, at 31; See TORTURA, supra note 38, at 20.
41. See PARAGUAY: HUMAN RIGHTS, supra note 3, at 31.
42. See id. at 30.
who served as a National Deputy after Stroessner left power, testified that Stroessner himself told the Ramírez brothers that they would be killed if they refused to admit that they were plotting to assassinate Stroessner. Wagner also witnessed the brothers being removed from their cells at about midnight and never saw them again.

The Archive also includes approximately 500 bound notebooks compiled by the police. These volumes contain thousands of pages of surveillance reports on known or suspected communists and political opponents, reports from named and unnamed civilian spies, signed and unsigned declarations from detainees (many of which were reportedly obtained under torture), and lists of political detainees. Surveillance reports record the activities and whereabouts of suspected political opponents who lived in Paraguay, Argentina, and Brazil. ANTELCO, the state run telephone company, provided the police with time, duration, and recipient of telephone calls. The police saved communist and “subversive” literature, books, political pamphlets, and newsletters confiscated from Paraguayan citizens. The Archive also contains lists of political party leaders and their addresses.

IV. EVIDENCE OF OPERATION CONDOR IN THE ARCHIVE OF TERROR

Documents in the Archive demonstrate that by approximately 1974, Paraguay, Argentina, Chile, Brazil, and Uruguay had agreed to coordinate their efforts to exchange information with one another in response to the communist menace that they perceived had reached an international scale. “Operation Condor” was the code name for this clandestine scheme in which Southern Cone military governments exchanged intelligence and prisoners during the mid-1970s through the early 1980s.

Archive documents establish that in Paraguay, Operation Condor was coordinated through the Second Division of the Armed Forces (“ESMAGENFA”), which was headed by Benito Guanes Serrano (“Guanes”). Guanes exchanged the intelligence

43. See id. at 30-31.
44. See id. at 31.
he received with Pastor M. Coronel ("Coronel"), the Chief of the Investigations Department, as well as with Francisco Britz Borges ("Britz"), the Chief of Asunción's Police. After Stroessner left power, Guanes, Coronel, and Britz were convicted of having committed a range of human rights violations during this period. In addition, many intelligence reports were signed by or addressed to Alejandro Fretes Davalos, who commanded Paraguay's Armed Forces.

The following discussion is based on records contained in the Archive. This information comes from police and military intelligence sources. Thus, the Archive presents an interesting, albeit one-sided, view of the political climate.

A. International Intelligence Conferences And Meetings

It is clear from the Archive that the military governments in the Southern Cone coordinated their efforts in the so-called war against subversion and communism. Discussion of international coordination appears to have begun as early as 1973 or 1974 during intelligence conferences held among police and military officials. These intelligence conferences were directed at fighting subversion and reflect a pervasive fear of the perceived communist threat. The intelligence services concluded that because the communist threat had reached an international scale, the governments had to coordinate their activities and responses on a national, as well as an international level. The bulk of the Archive's documents involving international intelligence meetings span a ten-year period from approximately 1973 through 1982.

1. Multilateral Meetings

One of the earliest records in the Archive relating to international cooperation is a report authored by Antonio Campos Alum, the Director of Paraguay's La Técnica, and appears to summarize what occurred at an international conference in approximately 1973. According to this report by

45. See id. at 24-40.
46. Dirección Nacional de Asuntos Técnicos, Carpeta 73 (undated) [hereinafter DNAT]. The first page of the three-page document was missing. It referred to an
Campos, Paraguay accepted Brazil's offer to exchange information through bilateral meetings and other methods with members of the Latin American Anti-Communist Confederation ("CAL"). Paraguay and Brazil agreed to coordinate methods of security and protection. The Brazilian delegation privately offered to provide Paraguay with comprehensive collaboration, information, materials, and technical support. According to the document, Campos discussed the political situation in each country and methods to combat subversion. At the close of this conference, all the delegates affirmed that the time had come to take offensive action against communism. Campos reported that he had established valuable contacts for the direct exchange of information and methods with the other delegations.

In 1974, a number of international anti-communist conferences were convened, including the Congress of CAL in Rio de Janeiro and the Seventh Congress of the World Anti-Communist League ("WACL") in Washington, DC. The most significant of the conferences held that year was a meeting of the Coordinating Council of the Anti-Communist Confederation. The purpose of the meeting was to receive information and to exchange experiences concerning Communists and pro-Communists in order to adopt methods that could be applied throughout the continent. It was important because one of its main resolutions sought to establish a system to exchange confidential information among member nations. Thus, this meeting marked a more widespread exchange of information upcoming World Anti-Communist League conference scheduled to begin at the end of August 1973.

47. See id at 2.
48. See id.
49. See id. at 3.
50. See id.
51. See id.
52. See id.
53. See Memorandum from la Policia Federal de Argentina, DPA 8 1973-77 W, No. 00013F 0298-99 (July 22, 1977)[hereinafter DPA 8]; Memorandum, Bibliorata 221 (1976)[hereinafter Bib. 221].
54. Many of the documents in the Archive were found in bound, labeled volumes. After they were "discovered," many of the records were bates stamped. Here, the citations to records from the Archive include both cites, if they exist. In these notes, the first reference is to the volume and the second is to the bate stamp number. See DPA 8, supra note 53.
55. See id.; Bib. 221, supra note 53.
56. See id.
than had previously taken place. The Coordinating Council was comprised of representatives from Argentina, Bolivia, Brazil, Chile, Colombia, El Salvador, Guatemala, Mexico, Paraguay, Uruguay, and Cuban exiles.\textsuperscript{57}

In 1975, the number of high-level meetings among the intelligence services appears to have increased. One of the initial planning meetings of what apparently was to become Operation Condor was held from May 30 through June 4, 1975.\textsuperscript{58} Guanes traveled to Chile to help with the meeting of the chiefs of the national intelligence services and the chiefs of communication in the national intelligence services from Argentina, Bolivia, Brazil, Chile, Paraguay, and Uruguay.\textsuperscript{59}

From November 25 through December 1, 1975, a key meeting was convened in Santiago, Chile.\textsuperscript{60} During this meeting, many of the mechanisms through which Operation Condor might operate were discussed.\textsuperscript{61} A planning document for this First Working Meeting of National Intelligence explained that “subversion . . . recognizes no Borders or Countries, and the infiltration penetrates all levels of National life.”\textsuperscript{62} It discussed how subversion had developed in the continent during the preceding years and how subversion was contrary to the history, philosophy, and religion of the continent.\textsuperscript{63} It continued that:

It is to confront this Psycho-political War we have determined that we must count on the International realm not with a Command centralized in its internal action, but with efficient Coordination that permits an opportune exchange of information and experiences as well as a certain level of personal knowledge between the Chiefs responsible for Security.\textsuperscript{64}

As a result of this meeting, a proposal was made to
coordinate the exchange of information through an Office of Coordination and Security. Further, a data bank, a centralized archive with the backgrounds of individuals, organizations, and activities "connected directly or indirectly with subversion," would be located in one country. It would generally be like INTERPOL, but instead it would be dedicated to combating subversion. A modern information center would allow access to the data bank. Working groups would evaluate and address specific problems. Under this proposal, all non-Marxist countries would be allowed to join. Chile's National Intelligence Directorate ("DINA") offered to house the data bank.

The Archive contains formal invitations to this meeting sent by Colonel Manuel Contreras, the Director of DINA. Officials from Paraguay's police department and armed forces, including Coronel, Britez, and Guanes, were invited to attend.

2. Bilateral Conferences

The Archive reveals that Southern Cone countries frequently held bilateral conferences between military intelligence services in the 1970s through the early 1980s. Participants discussed the status and activities of "subversive groups" as well as methods to coordinate efforts against them.

For example, from 1974 through 1977, Paraguay and Argentina held annual bilateral conferences. At the 1975 Bilateral Intelligence Conference between Paraguay and Argentina, the Paraguayan Army presented its views of
subversion in South America.73 The Army concluded that for many years subversion in Paraguay and other Latin American countries had been considered merely an internal problem but that was no longer the case.74 Paraguay therefore recommended the direct exchange of information; the exchange of doctrine, organization, and instruction; and the possibility of broadening the bilateral nature of the Intelligence Conference to include other countries.75 It explained that the efficient coordination of intelligence activities among the Paraguayan and Argentine armed forces and national police was needed to deal with subversives.76 Paraguay noted that there were connections among subversive groups in Argentina, Bolivia, Brazil, Chile, Paraguay, Uruguay, and other countries.77 The Army was particularly interested in the Junta Coordinadora Revolucionaria (“JCR”), which was comprised of members of the National Liberation Movement (“MLN,” Tupamaros from Uruguay), Revolutionary Left Movement (“MIR,” from Chile), and the People’s Revolutionary Army (“ERP,” from Argentina).78 It understood that the purpose of the JCR was to make the American continent socialist.79

Beginning in the early 1970s through at least 1982, Paraguay and Brazil convened annual bilateral conferences.80 For the 1976 conference, Paraguay’s police intelligence division was asked to develop a presentation on internal subversive activities and their connection with the exterior for the previous year or so. In addition, the Paraguayan and Chilean armies held bilateral conferences beginning in approximately 1975.81 According to the program for the 1982 conference, topics included

73. See Bib. 1008, supra note 72, at 00046F 1376-77.
74. See id. at 00046F 1376.
75. See id. at 00046F 1377. At the September 1977 Argentine-Paraguayan Bilateral Intelligence Conference held in Paraguay, Coronel was asked to discuss subversive activities in Paraguay. See Bib. 246, supra note 72, at 00021F 1692. In 1980, Guanes participated in working meeting with the Argentine Army.
76. See Bib. 1008, supra note 72, at 00046F 1347.
77. See id.
78. See id. at 00046F 1347-55.
79. See id. at 00046F 1348.
80. See Bib. 246, supra note 72, at 00021F 1650; Bib. 245, supra note 35, at 00021F 1553; Document from el Departamento de Investigaciones de la Policía de la Capital (Asunción), Bibliorata 147, 1-13 (1975)[hereinafter Bib. 147].
81. See generally Program from the Conferencia Bilateral de Inteligencia entre los Ejércitos de Paraguay y Chile a Desarrollarse, DPA 6 D, No. 00019F 0855-0857 (July 25-31, 1982)[hereinafter DPA 6 D].
the evolution of the subversive situation in Latin America overall as well as in Paraguay and Chile.  

3. Advanced Intelligence Courses

From at least 1979 through 1982, Argentina's State Intelligence Agency ("SIDE") held annual advanced intelligence courses for high-level officials from "friendly countries." Although the names of these so-called "friendly countries" were not identified, Paraguay was certainly one of them given the numerous letters of invitation and course descriptions existing in the Archive. These training courses were designed to address issues of intelligence and counter-intelligence, subversion and terrorism, and methods of social communication.

These courses also discussed the underlying ideologies of subversives and sought to provide a comprehensive overview of the situation. They emphasized the importance of national intelligence given the current climate of international terrorism. They cited the extent of the insidious ideological penetration. Argentine authorities believed that it was indispensable for the security of the nations to develop this intelligence. They noted

82. See id.
83. See DPA 10 1979-80 E, 0001OF 0535.
85. See Bib. 595, supra note 84, at 00053F 0617; Bib. 173, supra note 84.
86. See generally DPA 10 1979-80 E, supra note 84, at 0001OF 0535.
87. See id. at 0001OF 0533.
88. See id.
89. See id. at 0001OF 0533, 0535; Bib. 173, supra note 84.
that it would be beneficial to exchange intelligence and to have some personnel with knowledge of the regional, continental, and worldwide situation. Paraguay's representatives to the advanced courses were ordered to report to the Second Division of the Armed Forces to receive instructions before attending. Scholarships were made available to some attendees.

**B. Operation Condor's Extra-Legal Exchange Of Political Prisoners**

The Archive reveals several examples of suspected subversives who were detained in one country and then secretly transferred to the custody of another government's military or police authority. These individuals were detained without warrant, based on their political affiliations and activities. They were transferred extra-judicially: without being brought before a court of law, without legal representation, and without attention to extradition treaties.

1. The Detention, Transfer, And Disappearance Of Nell, Insaurralde, Santana, Logoluso, And Landi

The Archive's most clearly documented example of Operation Condor's extra-judicial exchange of political prisoners is illustrated by the fate of five individuals from Argentina and Uruguay: José Nell ("Nell"), Jose Antonio Logoluso ("Logoluso"), Dora Marta Landi Gil ("Landi"), Nelson Rodolfo Santana Scotto ("Santana"), and Gustavo Edison Insaurralde (or Inzauralde) Meliar ("Insaurralde"). These individuals were detained by Paraguayan officials without warrant; interrogated by Paraguayan, Argentine, and Uruguayan military authorities; never presented with formal charges; and then disappeared by Argentine authorities.

Nell was a 69-year-old Argentine affiliated with the Montoneros. Both Insaurralde and Santana were Uruguayan officials without warrant; interrogated by Paraguayan, Argentine, and Uruguayan military authorities; never presented with formal charges; and then disappeared by Argentine authorities.

90. See Bib. 595, supra note 84, at 00053F 0617.
91. See DPA 10 1979-80 E, supra note 84, at 00010F 0532, 0534; Informes, supra note 58; PQ 53, supra note 84.
92. See Bib. 246, supra note 72, at 00021F 1658; Bib. 81, supra note 84.
93. Booking record No. 3845 from la Policia de la Capital (Asunci6n), No. 00017F 1308-11 (Mar. 29, 1977) [hereinafter 00017F].
who belonged to the Student Workers Resistance ("ROE").

Insaurralde purportedly was involved in other "subversive organizations" and presumably served as a leader for the Party for the Victory of the People ("PVP"). Logoluso, an Argentine, was described as an active member of the Peronist Youth ("Juventud Peronista"). Landi, also from Argentina, was affiliated with the Peronist Youth. All five arrived in Paraguay in early 1977 on various dates.

Records in the Archive indicate that Paraguayan authorities believed that Nell, Insaurralde, Santana, and Logoluso were involved in a plan to arrange for political dissidents from Argentina to obtain Paraguayan documents so that they could leave the country and seek political asylum in the United Nations' office in Brazil. The political dissidents would then travel on to Europe. On March 29, 1977, Nell, Insaurralde, Santana, Logoluso, and Landi were detained by Paraguayan authorities. All were held pursuant to what the documents in the Archive refer to as a "superior order." In a rare document addressed directly to President Stroessner, Coronel reported that these five individuals had been detained and described their "scheme."

The following week, from April 5-7, 1977, a working team comprised of military intelligence officers from Paraguay, Uruguay, and Argentina met in the Política and Afines division

94. See Document from el Departamento de Investigaciones de la Policía de la Capital (Asunción), DPA 63 MOPOCO P, No. 00008F 1371-74, at 1374 (undated)[hereinafter DPA 63].

95. Letter from Alberto B. Cantero, Director de Policía y Afines, to Pastor M. Coronel, Sr. Jefe del III Departamento de Investigaciones de la Policía de la Capital (Asunción), DPA 2 ENE MAY 1977 A (Apr. 9, 1977)[hereinafter DPA 2].

96. See Booking record No. 3851 from la Policía de la Capital (Asunción), 00017F, supra note 93, at 1320-22.

97. See Booking record No. 8850 from la Policía de la Capital (Asunción), 00017F, supra note 93, at 1317-19.

98. See id. at 1309-10, 1317-18, 1320; Documents from el Departamento de Investigaciones de la Policía de la Capital (Asunción), DPA 48 W, No. 00008F 1742-80, at 1744, 1746 (Mar. 29, 1977)[hereinafter DPA 48 W].

99. See DPA 48 W, supra note 98, at 00008F 1743-44; 00017F, supra note 93, at 1311.

100. See DPA 48 W, supra note 98, at 00008F 1743.

101. See 00017F, supra note 93, at 1309, 1318, 1321.

102. See id.

103. DPA 48 W, supra note 98, at 00008F 1742-45.
PARAGUAY'S TERROR

This division was responsible for overseeing internal security and investigating subversion within Paraguay. Alberto Cantero served as the director of the DPA. This working group was comprised of high ranking military officials, including Guanes and Galo Escobar, both of the Second Division of Paraguay's Armed Forces; Jose Montenegro and Alejandro Stada from SIDE; Carlos Calcagno of Uruguay's Army Intelligence Service; and others. Each of the five detainees was meticulously interrogated, but, according to Cantero, none provided any major new revelations.

On May 16, 1977, Nell, Insaurralde, Santana, Logoluso, and Landi were transferred to the custody of Argentine authorities, again pursuant to what the records identify only as a "superior order." Guanes and Captain Lazaro Sosa of Paraguay was present when these five individuals were delivered to the custody of two members of SIDE: José Montenegro and Juan Manuel Berret. At 4:34 in the afternoon, an Argentine Naval airplane piloted by Captain Jose Abdala left for Buenos Aires. Abdala was an official from the Naval Mechanics School ("ESMA"), an infamous clandestine torture center near Buenos Aires. Nell, Insaurralde, Santana, Logoluso, and Landi have not been heard of since, and are presumed "disappeared."

2. Detention And Clandestine Transfer Of Three Paraguayans

The case of three Paraguayans – Nercio Anastacio Stumps ("Stumps"), Sotelo Franco Benegas ("Franco"), and Lidia Ester Cabrera ("Cabrera") – illustrates the clandestine detention and transfer of political prisoners from Argentina to Paraguay. According to a report by Francisco Ortiz Tellez ("Ortiz"), the

104. See DPA 2, supra note 95.
105. See id.
106. See id. See also DPA 63, supra note 94, at 00008F 1371-73.
108. See DPA 1.
109. See id.
110. See NUNCA MÁS, supra note 19, at 130-31.
111. See generally, GLADYS MEILINGER DE SANNE MANN, PARAGUAY EN EL OPERATIVO CONDOR, at 22.
Paraguayan Consul stationed in Posadas, Argentina, to Sabino Montanaro (Paraguay's Minister of the Interior), Stumps was detained in Iguazú, Argentina, by Argentine authorities. During the night of January 18, 1977, Stumps, Franco, and Cabrera were detained in a joint operation by the Argentine National Gendarmerie and Argentine police in Misiones. At the same time, the Argentine officials confiscated Paraguayan Communist Party ("PCP") propaganda from the detainees' homes. Ortiz reported that he spoke with the Assistant Chief of Police of the Province, who indicated that the Headquarters of the Military Area in Posadas (Argentina) would presumably arrange for the "subversives" to be held pursuant to Argentina's Executive Power.

The next day, Ortiz again reported to Montanaro. He confirmed that Stumps, Franco, and Cabrera had been detained in Iguazú. They were held in the Military Unit in Posadas, Argentina. Ortiz asked the Chief of the Military Intelligence Service if an official from the Paraguayan Armed or Security Forces could participate in the interrogations of these detainees. On May 5, 1978, Alberto Cantero wrote that Stumps, Franco, and Cabrera were in custody and were sent from the Political Division of Paraguay's Police to Emboscada. Emboscada was a detention center for political prisoners located outside of Asunción. These individuals were never brought before a judge and charges were never filed against them.

112. See Three letters from Francisco Ortiz Teller, Consul del Paraguay en Posadas, Argentina, to el Ministro del Consulado del Paraguay en Posadas, Argentina, Bibliorata 600, No. 00053F 1527-29 (Jan. 20-21, 1977)[hereinafter Bib. 600].
113. See id.
114. See id.
115. Id. The Organization of American States (and others) concluded that Argentina violated the rights of many by indiscriminately detaining individuals pursuant to the National Executive Power. See INTER-AM. C.H.R., EL INFORME PROHIBIDO: INFORME SOBRE LA SITUACIÓN DE LOS DERECHOS HUMANOS EN ARGENTINA (1984) at 289-90.
116. See Bib. 600, supra note 112, at 0053F 1528.
117. See id.
118. See id.
C. Potential Involvement Of INTERPOL In Operation Condor

Records in the Archive further indicate that Operation Condor may have subverted the purpose of the International Criminal Police Commission, more commonly known as INTERPOL.\(^{120}\) Notwithstanding the prohibition in INTERPOL's Constitution against involvement in political crimes, INTERPOL seems to have participated in the trading of intelligence regarding political opponents of some governments on at least a few occasions. A handful of INTERPOL documents in the Archive seek and respond to requests for information regarding the background of various individuals perceived to be political opponents.

This exchange of information regarding the political affiliation and backgrounds of certain individuals through INTERPOL appears to have violated INTERPOL's Constitution. According to the INTERPOL Constitution, its purpose is "(a) To ensure and promote the widest possible mutual assistance between the criminal police authorities within the limits of the laws existing in different countries and in the spirit of the Universal Declaration of Human Rights; [and] (b) To establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes."\(^{121}\) In addition, Article 3 of the INTERPOL Constitution specifies: "It is strictly forbidden for the organization to undertake any intervention or activities of a political, military, religious or racial character."\(^{122}\)

Moreover, the exchange of information regarding political opponents of military regimes certainly was not "in the spirit of the Universal Declaration of Human Rights." Freedom of expression and association are clearly protected under the Universal Declaration.\(^{123}\) More specifically, Article 19 of the

\(^{120}\) INTERPOL is an international police force created in 1923 by police chiefs from twenty different countries.

\(^{121}\) INTERPOL Constitution, Article 2.

\(^{122}\) In 1984, INTERPOL adopted a resolution allowing it to address issues of terrorism. However, all incidents discussed in this article took place when INTERPOL's Constitution prohibited involvement in politically motivated crimes, before that resolution was adopted.

Universal Declaration of Human Rights provides that everyone has the right to freedom of opinion and expression, including the right to hold these opinions without interference and to impart information without regard to frontiers.\textsuperscript{124} Under Article 2, individuals are entitled to rights without regard to political opinion.\textsuperscript{125} Article 20 of the Universal Declaration of Human Rights states that freedom of association shall be respected.\textsuperscript{126} Nevertheless, a few INTERPOL radiograms in the Archive relate not to "ordinary law crimes" committed by individuals, as was the proper domain of INTERPOL, but rather to the political activities, views, and affiliations of certain individuals.

For example, in February 1979, Asunción's police chief indicated in a confidential report that INTERPOL Buenos Aires had been asked to provide background information regarding José Tomas Salinas Pintos ("Salinas"), who had returned to Paraguay to complete his military service.\textsuperscript{127} Salinas purportedly wanted to join the Cavalry's Presidential Escort Regiment for better access to national dignitaries.\textsuperscript{128} Paraguayan authorities expressed concern that Salinas may belong to unidentified "subversive" Argentine groups.\textsuperscript{129} There is no indication that Salinas was suspected of being involved in any "common crime."

Two radiograms to INTERPOL Asunción responded to its prior requests for information.\textsuperscript{130} In the first, dated March 10, 1980, INTERPOL Buenos Aires replied to a communication from INTERPOL Asunción.\textsuperscript{131} INTERPOL Asunción had forwarded fingerprints and identification cards of several individuals to INTERPOL Buenos Aires.\textsuperscript{132} In its response, INTERPOL Buenos Aires provided INTERPOL Asunción with the political affiliation

\begin{footnotesize}
\begin{enumerate}
\item[124.] See id.
\item[125.] See id.
\item[126.] See id.
\item[127.] See Letter from el Jefe de Policía de la Capital (Asunción), DPA 47 W, No. 248 (Feb. 19, 1979) [hereinafter DPA 47 W].
\item[128.] See id.
\item[129.] See id.
\item[131.] See id.
\item[132.] See id.
\end{enumerate}
\end{footnotesize}
of two individuals. It explained that according to the police, Jorge Omar Lewinger was a member of the subversive Bolivian National Liberation Army (ELN) and presumably had received training in Cuba. INTERPOL Buenos Aires also reported that Jorge Alberto Ruiz was a member of the “subversive” ERP.

Next, in a radiogram dated July 13, 1981, INTERPOL Montevideo responded to another inquiry from INTERPOL Asunción. INTERPOL Montevideo stated that Julio Cesar Suarez Formolli was identified as a member of the MLN (an Uruguayan guerilla group) and had been detained by the Military Justice on July 22, 1972 for his “subversive activities.”

D. Sharing Information Regarding International Subversive Activities

The exchange of information among the Southern Cone countries regarding alleged subversives is further substantiated by numerous reports to and from Paraguay’s Second Division of the Armed Forces, particularly during the period of 1974 through 1980. In many of the reports, instead of naming a particular country, the distribution lists or sources of intelligence often refer only to a “friendly country,” “intelligence service of a friendly country,” or “security agency of a friendly country.”

The Archive also contains a confidential distribution list that identified some of the codes used in these confidential intelligence reports, although this key does not directly clarify which states were the “friendly countries.” That these codes and veiled references were used rather than the actual names of the countries involved invites speculation. Perhaps these codes were used because the authorities sought to avoid public scrutiny or accountability for their activities.

133. See id.
134. See id.
135. See id.
136. See DPA 14, supra note 130.
137. Id.
139. For example, this “key” shows that a “G” on a distribution list refers to specific foreign military, aeronautic, and naval attachés. Bib. 595, supra note 84, at 00053F 0719.
Paraguayan authorities requested and received information from Argentine, Bolivian, Brazilian, Chilean, and Uruguayan authorities regarding suspected subversives groups and individuals who had been detained; they also sought to verify intelligence they already possessed. Officials offered to support and cooperate with other countries. They also exchanged documents they seized. Military attachés of these countries, especially Argentina, are frequently identified (by their designated codes) as sources of information and on the distribution lists for these confidential reports.

As an example, on November 22, 1974, Guanes circulated a report to the junta of other governments discussing two guerilla training camps located in Argentina and requested additional intelligence regarding them. In a report dated March 14, 1975, distributed to the military attachés of Argentina, Bolivia, Chile, the United States, Uruguay, and Venezuela, Guanes noted that "extremist" Latin Americans were meeting in Argentina. He sought further details about the meeting. Later that month, Guanes circulated a confidential report to Argentine military authorities explaining that Paraguayan authorities had been unable to verify whether Paraguayan dissidents, including Epifanio Méndez Fleitas and Waldino Lovera, had met in Clorinda, Argentina.
The Archive contains a series of reports written in October 1975, approximately one month before the meeting of the First Working Meeting of National Intelligence held in Santiago that is described above. A secret report dated October 20, 1975, based on information from Brazilian and Argentine military sources discussed the operations, organization, and plans of dissident political groups. Guanes concluded that these organizations represented a threat. He emphasized the importance of coordinating all the national intelligence resources through meetings and the exchange of intelligence. Guanes recommended that a commission evaluate intelligence for the Commander-in-Chief. He advocated devoting economic resources for trips abroad to verify the intelligence held by agencies of other countries. In another memo, sources from Bolivia and the United States informed Paraguayan officials about a "subversive" coordination center in Santa Cruz, Bolivia. This information was analyzed with Colonel Padilla of the Bolivian Army during the 1975 Bilateral Intelligence meeting held in Asunción.

A report dated July 6, 1976, from Guanes is significant in that its distribution list cites "Condor 1," the apparent code name for Chile. Paraguayan authorities, Argentine authorities, and Argentina's Army Intelligence Service ("SIE") are also identified on the circulation list. Guanes asked for confirmation that a military motorized patrol was searching for a guerrilla camp and indicated that he wanted to coordinate efforts with the chief of the military unit responsible for investigating the guerrilla camp.

Moreover, the Archive establishes that military officials visited one another. On February 26, 1979, two officials from the Argentine Intelligence Service, who oversaw the investigation of

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146. See id. Informe No. 64 at 00021F 1578-81 (Oct. 20, 1975).
147. See id. 00021F 1580-81
148. See id. at 00021F 1581.
149. See id.
150. See id.
152. See id. at 00021F 1558.
154. See Bib. 245, supra note 58, at 00021F 1522.
155. See id.
Montonero activities, visited the Political Division of Paraguay’s Police Department. On July 10, 1980, Fretes and Guanes reported on intelligence obtained during a visit from several Argentine officials, including Orlando Ruiz of the Intelligence Unit of the Naval Mechanics School, and two other intelligence officers from Argentina’s Chaco and Formosa provinces. Fretes indicated that he had previously exchanged information with the Argentine Intelligence Unit. Fretes requested authorization to coordinate efforts with Argentina to identify and to follow two Montoneros detained by Argentine officials.

On November 6, 1978, Camilo Almada Sapriza and Lucilo Benítez, from Paraguay’s Investigations Department, reported on their mission to Buenos Aires. They stated that they were well received by Argentine authorities, especially the commanders of the military attachment division and members of SIDE. Almada and Benítez were allowed to interrogate members of the Political Military Organization (OPM, a Paraguayan political opposition group) who had been detained in Buenos Aires. It should be noted that after Stroessner was deposed, Almada and Benítez were convicted of having committed a range of human rights abuses.

Brazil and Uruguay participated in the exchange of information with Paraguay as well. The Archive contains a 1977 report discussing the background of certain Brazilian citizens. The information contained in this report originated from Brazil’s National Information Service, (“SNI”). A confidential map with the stamp from the military attaché of the Brazilian Embassy in Paraguay shows the locations of various Brazilian, Paraguayan,

157. See DPA 6 D, supra note 81, at 00019F 0876.
158. See id.
159. See id.
160. See Letter from Almada and Benítez to Coronel, DPA 5 1978-81 B (Nov. 6, 1978).
161. See id.
162. See id.
163. See PARAGUAY: HUMAN RIGHTS, supra note 3, at 24-40. In 1992, these two individuals were sentenced to 25 years in prison for the murder of Mario Schaefer Prono. See id. at 25. In 1994, Benítez was sentenced for his involvement in the detention and torture of Amílcar María Oviedo. See id. at 35. In 1995, Lucilo Benítez was convicted of having tortured Alberto Alegre Portillo. See id. at 26.
165. See id.
and Argentine dissidents living in Paraguay.\textsuperscript{166} As demonstrated by several reports from 1981, Uruguay's intelligence service provided Paraguayan authorities information regarding the political affiliations of Uruguayans detained in Paraguay.\textsuperscript{167} A lengthy report from Uruguay's National Army (Dept. II) discusses the history and operations of political opposition groups in Uruguay.\textsuperscript{168}

The Archive contains numerous lists of "subversives" from Argentina, Uruguay, and Brazil, including organizational charts of these groups. Some of these lists are extensive. For example, the Archive holds lists of: Brazilian subversives living in Argentina;\textsuperscript{169} Argentine terrorists, including one with more than one thousand names;\textsuperscript{170} Chileans, Brazilians, and Bolivians exiled in missions;\textsuperscript{171} the Peronist Montonero Movement from Argentina's SIDE;\textsuperscript{172} Paraguayans detained and disappeared in Argentina (including Augustín Goiburú and Federico Tatter, who are believed to be victims of Operation Condor);\textsuperscript{173} terrorist Argentine criminals;\textsuperscript{174} and Uruguayan "subversives" and political opponents of the Uruguayan government, including more than six hundred alleged Tupamaros wanted by the Montevideo police.\textsuperscript{175}

\textbf{V. CONCLUDING REMARKS}

More research is required to completely understand the true extent and nature of Operation Condor in the Southern Cone

\begin{itemize}
\item \textsuperscript{166} See Map of Paraguay, 1051 Caso Goiburú, No. 00050F 2474.
\item \textsuperscript{167} See DPA 10 1974-83 WV, 00048F 1706 (Jan. 2, 1981); Informe No. 004/85, DPA 6 D, supra note 81, at 0019F 0994 (Jan. 9, 1981); Bib. 595, supra note 84; Letter from Cantero and Coronel, DPA 29 (Jan. 12, 1981); Informe (E.M.G.), DPA 11 1981-3 E (Aug. 10, 1981); Nota No. B/247, Bib. 246, supra note 72, at 00021F 1672.
\item \textsuperscript{168} See DPA 48 W, supra note 98, at 00008F 1761. These groups included the Anarchist Federation of Uruguay (FAU), the Student Worker Resistance (ROE), and Popular Revolutionary Organization 33 (OPR 33, which allegedly had connections with the Montoneros). See id.
\item \textsuperscript{169} See Nota No. B/650, Bib. 246, supra note 72, at 00021F 1653 (Aug. 6, 1976).
\item \textsuperscript{170} See Nomina de Terroristas Argentinos, DPA 1 1962-83 EW, No. 00051F 0382-83 (undated)[hereinafter DPA 1 1962-83 EW]; DPA 36.
\item \textsuperscript{171} See Documents from la Embajada del Uruguay en Paraguay—Agregatura Militar, Bibliorata 7 INTERPOL, No. 00046F 0341-49 [hereinafter Bib. 7 INTERPOL].
\item \textsuperscript{172} See DPA 6 D, supra note 81, at 00019F 1015.
\item \textsuperscript{173} See DNAT, supra note 46, at Carpeta 30.
\item \textsuperscript{174} See id. at Carpeta 3.
\item \textsuperscript{175} See Bib. 7 INTERPOL, supra note 171, at 00046F 0341.
\end{itemize}
countries, as well as the level of awareness and involvement of the United States. Additional investigation of INTERPOL's role in Operation Condor may also provide insight as to whether INTERPOL routinely exceeded its mandate by exchanging information regarding political crimes. In any case, it is evident from Paraguay's Archive of Terror that the Southern Cone military governments coordinated their efforts against the perceived communist threat. The Archive provides concrete evidence of the clandestine exchange of intelligence and prisoners among the Southern Cone countries. Unfortunately, compromising documents were likely removed from the Archive of Terror before they were "discovered." The Archive of Terror adds to the small but growing number of publicly available records confirming the existence of Operation Condor.