

## **Dismissal of General Leigh Guzman from Junta - Developments in Letelier Case - Beagle Channel Dispute with Argentina**

General Gustavo Leigh Guzman, the Air Force Commander and a member of the military junta, was dismissed by President Pinochet on July 24 after he had, in an interview given to the Italian daily *Corriere della Sera* on July 18, called for a return to democracy within five years; General Pinochet stated in a communique that General Leigh had "repeatedly violated the principles and postulates which inspired the movement of Sept. 11, 1973" (when President Allende was overthrown—see 26139 A). Eight other air force generals were subsequently placed on the reserve, while a junior general, Fernando Matthei Aubel (who had been Minister of Health since March 1976—see 27644 A), was appointed to succeed General Leigh and was himself replaced as Minister of Health by Colonel Carlos Mário Jime'nez. After 10 more generals resigned on July 25 in solidarity with General Leigh, the only remaining serving air force general (apart from General Matthei) was General Javier Lope'tegui Torres, the Chilean air attaché in Washington, who was now appointed Chief of Staff of the Air Force.

In a speech at the swearing-in ceremony for General Matthei on July 24, President Pinochet said that General Leigh had been "gradually deviating" from the junta's principles, and that he had made statements to the foreign press which endangered national security. General Leigh, however, said after his dismissal: "I have not resigned. I carry my head high and history will pass judgment on me." He initially stated that he intended to take legal action against President Pinochet for "flagrant violation" of constitutional laws, but later announced that he had changed his mind.

General Leigh (58) had been appointed Commander of the Air Force on Aug. 18, 1973, prior to the overthrow of Dr Allende, in which he was subsequently implicated; after the coup he became part of the ruling military junta together with General Pinochet (Army), Admiral José' Toribio Merino Castro (Navy) and General César Mendoza Duran (police). General Leigh had first shown open opposition to President Pinochet after the December 1977 plebiscite in which the President sought support for his Government against a UN General Assembly resolution condemning violations of human rights in Chile [see 28847 A], when he had protested both at the holding of the plebiscite and at the President's apparent consolidation of his personal power in not consulting the other members of the junta on these and other matters. General Leigh had not appeared publicly with the other members of the junta since the beginning of 1978.

In his interview with the *Corriere della Sera*, General Leigh outlined a timetable for a return to "normality" within five years, involving (i) the promulgation of a law regulating political parties, (ii) the restoration of the electoral rolls, which he estimated would take three years, (iii) the promulgation of an electoral law and (iv) the approval by referendum of a draft constitution which would have been drawn up with the help of civilians. General Leigh said that "Chileans have an old tradition of freedom and democracy, and their freedom cannot be denied them indefinitely"; he understood that political ideas could not be abolished by decree, and he felt that "left-wing parties on Scandinavian

lines could be acceptable" and that the majority of Christian Democrats defended "the higher interests of Chile", but he would not allow Marxist parties because they had "done a lot of harm to the country".

With regard to the Letelier assassination [see below], General Leigh said that he could not imagine that Chile was involved, but "if it turned out that it was the Government's responsibility... I would consider very carefully my position" within the junta.

After the publication of the interview (which was reproduced in Chilean newspapers), the Council of State (a consultative body established in January 1976—see 27644 A; page 28273] sent a letter to General Leigh on July 20 in which it rejected his remarks, where-upon the General replied on July 21 that the Council of State had no legal basis and therefore could not tell him what to do.

In a speech on Sept. 11 marking the fifth anniversary of the military coup, President Pinochet repeated the main points of his political programme first announced in 1977 [see 28486 A; 28803 A], stating that the text of a new constitution would be submitted to a referendum in 1979; that when it had entered into force the period of transition from military to civilian-military government would commence; and that elections would be held in 1985 for some members of a legislative body. (Presidential elections, however, were not foreseen until 1991—see 28803 A; 28847 A.)

In response to Christian Democratic-led protests that the Government's constitutional text was the only choice, President Pinochet said that only the Government of the armed forces "has the right to offer the nation a constitutional formula which, in its opinion, will avoid a repetition of the tragedy which required the intervention of the armed forces". The idea of an elected constitutional assembly to draw up a constitution was "out of the question".

A US grand jury on Aug. 1 formally indicted three Chilean Army officers and four Cuban exiles on charges of the murder of or conspiracy to murder Sr Orlando Letelier, the former ambassador to the United States (and former cabinet minister in President Allende's Government), in Washington in September 1976[see 28273 A]. The three officers, all of them members of the dissolved secret police organization DINA, were General Juan Manuel Contreras Sepulveda, its former head and a close colleague of President Pinochet [see page 29030 A]; Colonel Pedro Espinoza Bravo, his second-in-command; and Captain Armando Fernández Larios. The indictments followed special investigations by the US Government into the murder, which had in April resulted in the questioning by a US investigator in Chile of two suspects, Captain Fernández Larios and Mr Michael Vernon Townley Welch, and to the expulsion by the Chilean Government to the USA of Mr Townley, who was held as a material witness in the murder of Sr Letelier and of Mrs Ronni Moffitt, who was killed at the same time [see page 29030]. The United States announced that it would apply for the extradition of the three officers under an extradition treaty of 1902, in accordance with which they were placed under house arrest by the Chilean Government when the indictments were announced. An extradition request was handed to the Chilean authorities on Sept. 20, and the Chilean Supreme Court began a review of the evidence in closed session, despite protests from Mr Alfredo Etcheverry, the lawyer representing the US Government, that the case should be dealt with in public.

Earlier, on June 23, the US ambassador to Chile, Mr George Landau, had been recalled from Santiago for consultations because of the Chilean Government's "lack of co-operation in the Letelier case", but

returned on July 2.

Mr Townley was charged on April 26 by a Washington court with conspiracy to murder Sr Letelier and was held without bail. On Aug. II he admitted to the court that he had been involved in the murders by making a bomb and placing it under Sr Letelier's car on orders from General Contreras and his two colleagues, and said that the four Cubans were also implicated. Although Mr Townley had pleaded guilty, sentence was not pronounced at the time, and he was expected to receive a reduced term of imprisonment under a system of "plea-bargaining" in return for giving evidence against the other accused.

Earlier the same day (Aug. II) three Cuban exiles had pleaded not guilty in the same court to charges connected with the murders. The three were named as Sr Guillermo Novo, Sr Ignacio Novo and Sr Alvin Ross Díaz.

The families of Sr Letelier and of Mrs Moffitt on Aug. 8 filed a suit for damages of \$10,000 against the Chilean Government in connexion with the two murders.

The United States in June suspended the shipment to Chile of 11 tonnes of bomb parts (which had been ordered in 1974), after the International Longshoremen's and Warehousemen's Union (ILWU), which had in 1975 called for a boycott of all cargo to and from Chile, had refused to load the bomb parts in San Francisco. The US Agriculture Department had earlier, on April 24, granted approval (which had been delayed for some time) for a credit of \$38,000,000 to Chilean farmers; the State Department explained on May 4 that the credits reflected US approval of "encouraging political developments" in the Chilean Government (an apparent reference to the April 19 amnesty for political prisoners and the decision on April 8 to expel Mr Townley to the United States—see 29029 A.)

Senator Edward Kennedy (Dem., Massachusetts) on May 4 described the credits as an example of "back door" economic and military support for the Chilean Government, and said that he would introduce legislation requiring banks to disclose all loans to countries where US aid had been suspended. (A recent study by the Washington-based Institute for Policy Studies had shown that US banks had lent a total of \$927,000,000 to Chile since 1973 and that private bank loans to Chile outstanding in 1977 had amounted to \$858,000,000, and had concluded that by the end of 1978 private credit would account for over 90 per cent of the Chilean Government's total borrowing. [For the limitation of US aid to Chile, and Chile's subsequent rejection of all US economic aid, see page 28275; 28486 A.]

During 1978 there was a general deterioration in relations with Argentina in connexion with the dispute over the jointly claimed Beagle Channel islands of Picton, Lennox and Nueva; a tribunal of the International Court of Justice had on May 2, 1977, awarded these islands to Chile [see 28419 A], but this ruling had been rejected by Argentina on Jan. 25, 1978 [see 28890 A]. A joint negotiating commission had subsequently been set up under the Act of Puerto Montt signed by President Videla and President Pinochet on Feb. 20 [see page 28891], and was given 180 days in which to carry out talks on solving the dispute. After four rounds of negotiations with little result, the Chilean delegation withdrew from the fifth round on Aug. 16 on the grounds that Argentina "continued to make demands which are irreconcilable with treaties and arbitration awards". Although General Pinochet had on several occasions stated that a war between the two countries would be "madness", he called on the

Chilean armed forces on Aug. 18 to "renew in your hearts the oath of loyalty to defend with our lives the territorial sovereignty of Chile' 'the general tenor of recent declarations on the dispute by the Argentinian Government was reflected by General (retd.) Osiris Villegas, (the head of the Argentinian negotiating team), who said in the Buenos Aires daily *Clarín* at the end of August that a war with Chile "may be the only alternative left".

In apparent preparation for the possibility of war, Chilean reservists were in April ordered to re-register with the authorities and a bill was approved in August making all men between 18 and 45 liable for military service and women for auxiliary service in hospitals, nurseries, etc. In southern Argentina, lengthy manoeuvres took place around Ushuaia in September with the participation of the civilians, similar practices being planned for other areas.

The Chilean daily *El Mercurio* claimed at the end of May that Argentina was discriminating against Chile by implementing a law of April 10 which restricted exports of products of "strategic and military use" (in Chile's case primarily vehicle parts and pharmaceuticals) for national security reasons. Argentina also imposed costly official escorts on Chilean lorries passing through Argentinian territory, and in September refused to authorize the transit through its territory of about 1,000 vehicles purchased by Chile from Brazil. (Argentina had in July 1977 for several weeks prohibited Brazil from using its main Andean tunnel to Chile—see page 28810.)

A sixth round of talks on the Beagle claim began in Santiago on Sept. 13, prior to which the Argentinian negotiators had reportedly proposed a 10-year moratorium on the dispute. On the same day the bishops of Chile and Argentina issued a joint communiqué warning that a "suicidal conflict" between the two countries must be avoided and calling for peace.—(Times-Guardian - Daily Telegraph - Le Monde - Latin America Political Report BBC Summary of World Broadcasts - New York Times - International Herald Tribune - Economist -Financial Times - Neue Zürcher Zeitung) (Prev. rep. 29029A; 28847 A; 1973 Coup. 26149 A; Beagle Channel, 28890 A; 28419 A; Leterller Case, 28273 A; 29030)