

# Spanish court sentences Argentine officer to 640 years in prison for war atrocities

By MAR ROMAN  
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MADRID, Spain — A Spanish court convicted a former Argentine naval officer of crimes against humanity Tuesday and sentenced him to 640 years in prison for throwing 30 naked, drugged prisoners from planes during his country's "dirty war" more than two decades ago.

Argentines who lost loved ones in the campaign against dissent — some wore clothes bearing stickers with photos of victims — hugged each other and cried with relief after the landmark ruling was read out against 58-year-old Adolfo Scilingo.

The verdict closes Spain's first trial under a law that says crimes against humanity can be tried in the country even if they are alleged to have been committed elsewhere — part of a growing body of international legislation that also has been applied for Rwanda and the former Yugoslavia.

"With Scilingo's conviction we've sent a worldwide message to all dictatorships and people who have committed genocide telling them that they are not safe wherever they are," said Juan Diego Botto, whose father was killed in an Argentine "death flight."

The three-judge panel said in its 200-page ruling that Scilingo was guilty of taking active part in the Argentine junta's drive to crush

leftist dissent during the 1976-83 military dictatorship, noting that he was on two of the execution flights.

Scilingo did not react to the verdict, but took notes as the sentence was read. His lawyer said he would appeal.

Scilingo came to Spain voluntarily in 1997 to testify before a judge probing atrocities allegedly committed by military regimes in Argentina and Chile. He admitted to participating in two "death flights" in which 30 people were thrown to their deaths into the Atlantic. He said he knew of other atrocities when he was based at the Buenos Aires Navy School of Mechanics, one of the regime's most notorious torture centers.

National Court Judge Baltasar Garzon, who was investigating the alleged crimes, subsequently jailed and indicted Scilingo.

During the trial, which included testimony from torture survivors, Scilingo insisted he fabricated the taped testimony to trigger an inquiry into the dirty war. His court-appointed lawyer, Fernando Martinez Morata, said Scilingo was a scapegoat for broader crimes in Argentina.

Scilingo had been accused of genocide, torture and terrorism. But on Tuesday, the verdict said his offenses were better described as "crimes against humanity," and sentenced him to 21 years in prison for each of the 30 people

thrown from planes. He also received five years for torture and five for illegal detention.

Under Spanish law, the maximum a person can serve in prison is 30 years for most crimes, or 40 years for terrorism. Spain has no death penalty or life imprisonment, and sentences of hundreds or even thousands of years are not uncommon. Prosecutors had sought a jail term of 9,138 years for Scilingo.

Enrique Borcel, 60, an Argentine who said he was kidnapped and tortured during the military regime, said the number of years in the sentence did not matter. "What is important is that Scilingo was tried and convicted," said Borcel, who now lives in Spain. "The evidence against him was enough. His allegations and lies were not."

The judges said they believed Scilingo's earlier confessions were sincere and that he was tormented by guilt. They noted that in his confession, Scilingo said he slipped and almost fell out of the plane during one flight. "This incident would mark him deeply in the future," they said in the ruling.

"That episode tormented him because he suddenly felt like the victims," Argentine journalist Horacio Verbitzky, who interviewed Scilingo in 1994 and has written books about the dirty war era, testified during the trial.

The judges described those held

at the naval school, noting "their pitiful state, the hoods, the shackles, the handcuffs, the tremendous, sickening smell that filled the area." Among them were pregnant women and mothers whose newborns were taken from them and given to military officers.

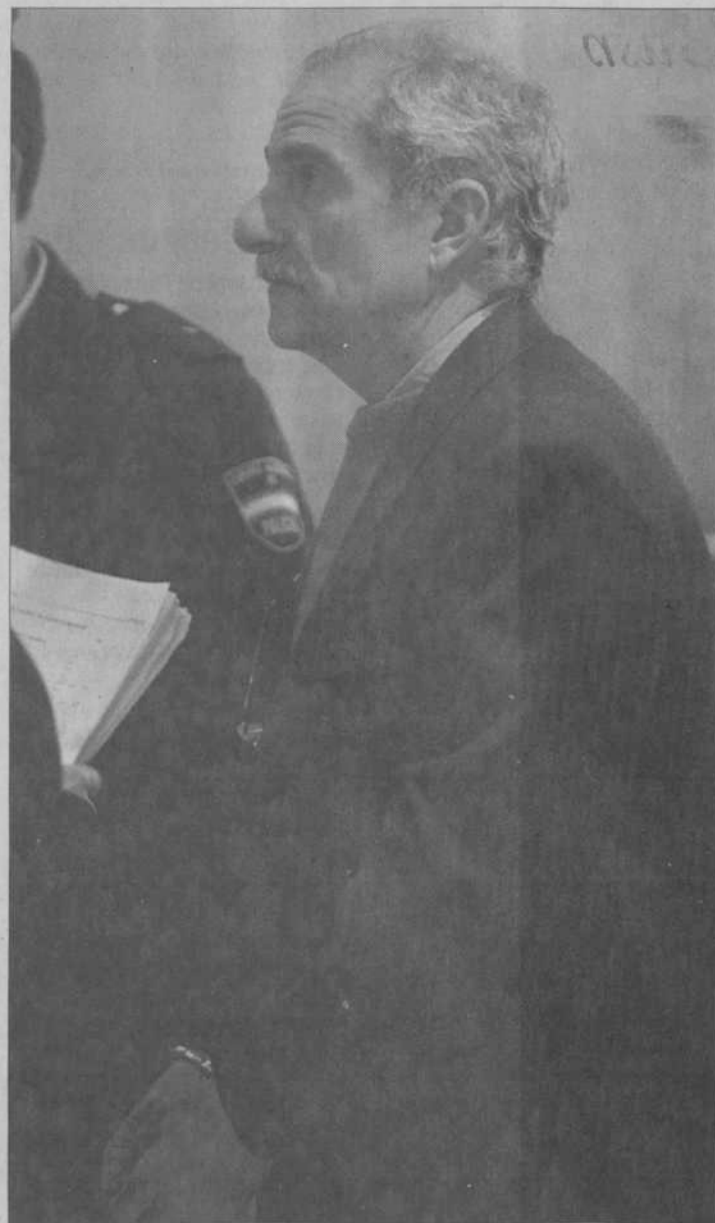
"It's a historic ruling," said Carlos Slepoy, a human rights lawyer representing victim's relatives. "It paves the way for other criminals of the 'dirty war' to be judged and convicted. It is also going to be stimulus for the Argentine justice to try people there."

Nine Argentine junta leaders were tried in their country in 1985 on charges of abduction, torture and execution. They were imprisoned but pardoned in 1990 by then-President Carlos Menem. Subsequent trials were held for other lower-ranking officers, who also were pardoned.

Argentina's Congress last year repealed the pardon but the final word rests with the Supreme Court.

Another Argentine accused of dirty war atrocities, Ricardo Miguel Cavallo, was extradited from Mexico to Spain in 2003 at Garzon's request and is fighting efforts to put him on trial.

Some 13,000 people were listed officially as dead or missing from the military junta years. Some rights groups put the total number as high as 30,000.



SERGIO BARRENECHEA/THE ASSOCIATED PRESS

Former Argentine naval officer Adolfo Scilingo leaves the courtroom after his trial in Madrid on Tuesday. The Spanish national court found Scilingo guilty of atrocities during his country's "dirty war" and sentenced him to 640 years in jail. The trial of Adolfo Scilingo, 58, was Spain's first of a suspect accused of committing human rights abuses in another country.

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