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EXCISE

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(172044Z OCT 85)
FROM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 3727

CONFIDENTIAL SECTION 01 OF 04 SANTIAGO 07495

IMDIS DECAPTIONED

O 12356: DECL: OADR
AGS: CASC (WEISFEILER, BORIS), CI

SUBJECT: WELFARE-WHEREABOUTS: CASE OF BORIS WEISFEILER

Chile Project (#S199900030)
U.S. Department of State
Release _____ Excise X Deny _____
Declassify: In Part X In Full _____
Exemption(s) B1

EFS: (A) SANTIAGO 1080, (B) SANTIAGO 0901,
(C) SANTIAGO 0768

C - ENTIRE TEXT.

SUMMARY. WEISFEILER CASE HAS TAKEN A MOST SERIOUS
TURN WITH STATEMENTS TO EMBASSY OFFICERS BY [REDACTED]
THAT HE SUSPECTS CHILEAN POLICE
KILLED WEISFEILER BELIEVING HE WAS A SUBVERSIVE OR
TERRORIST, REALIZED THEIR MISTAKE TOO LATE, AND THEN
COVERED UP BY FAKING AN APPARENT DROWNING. STATEMENTS
OF OTHER CHILEANS WHO SPOKE WITH POLICE ON DAY OF
DISAPPEARANCE PROVIDE CIRCUMSTANTIAL SUPPORT FOR THIS
THEORY, BUT NOT CONCLUSIVE EVIDENCE. ACTION REQUESTED:
EMBASSY RECOMMENDS THAT EITHER WE OR WEISFEILER'S
FRIENDS, WHO WE KNOW ARE CONTINUING THEIR INVESTIGATION,
FORMALLY REQUEST CHILEAN JUDICIARY TO REOPEN THE INQUEST.
END SUMMARY.

ON SEPTEMBER 2, CHARGE AND RSO PAID A COURTESY CALL
GENERAL JUAN ALEGRIA, THE SECOND IN COMMAND OF THE
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CARABINEROS. THEY LEFT AN AIDE MEMOIRE ON THE WEISFEILER
CASE AND REQUESTED THAT ALEGRIA LOOK INTO IT. ALEGRIA
ASSURED CHARGE THAT HE WOULD, BUT TO DATE NO DIRECT
RESPONSE FROM CARABINEROS HAS BEEN RECEIVED. SHORTLY
THEREAFTER, A CONOFF RECEIVED A PHONE CALL FROM FORMIN
OFFICIAL SUGGESTING THAT IT WOULD BE A WASTE OF TIME
TO EXCHANGE FURTHER DIPLOMATIC NOTES ON CASE SINCE

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NO NEW INFORMATION HAD BEEN DEVELOPED IN MONTHS. GOC OFFICIAL WAS TOLD THAT EMBASSY WAS NOT PREPARED TO DROP ITS INQUIRY.

ON SEPTEMBER 17, THE MINISTRY SENT US ITS DIPLOMATIC NOTE (21298) STATING THAT ON MAY 28 IT HAD REQUESTED THE CARABINEROS IN WRITING TO TAKE "MEASURES TENDING TO CLARIFY THE CIRCUMSTANCES OF THE DISAPPEARANCE OF PROFESSOR WEISFEILER. IN THE REPLY TO THAT REQUEST, RECEIVED WITH THE DATE OF JUNE 26, (THE CARABINEROS) REFERRED TO ALL THE ACTIONS TAKEN UNTIL THAT DATE WITH UNSUCCESSFUL RESULTS, GIVING COMPLETE DETAILS, AND CONCLUDING WITH A STATEMENT OF THEIR INTENTION TO REACTIVATE THE SEARCH FOR THE DISAPPEARED (PERSON)." THE MINISTRY SAID IT HAD RECEIVED NOTHING FURTHER FROM THE CARABINEROS SINCE JUNE, BUT PROMISED THAT IF IT DID THE INFORMATION WOULD BE PROMPTLY COMMUNICATED TO THE EMBASSY. THE NOTE ALSO POINTED OUT THAT A JUDICIAL INVESTIGATION BY THE SECOND CRIMINAL COURT OF SAN CARLOS HAD BEEN OPENED INTO THE WEISFEILER DISAPPEARANCE IN JANUARY, AND SUGGESTED THAT ANY NEW REQUESTS FOR INVESTIGATION "AND OTHER POSSIBLE JUDICIAL STEPS THAT MIGHT BE DEEMED APPROPRIATE" SHOULD BE CHanneled THROUGH THE COURT. DEPARTMENT WILL NOTE THAT THIS SUGGESTION GIVES US A CLEAR JUSTIFICATION FOR A DIRECT APPROACH TO THE COURTS.

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ON SEPTEMBER 24 THE CHARGE INSTRUCTED THE CONGEN (A) TO FIND OUT FROM THE EMBASSY'S CHILEAN ATTORNEY WHETHER THE EMBASSY AND/OR FRIENDS OF WEISFEILER COULD MAKE REQUESTS OR SUBMISSIONS TO THE SAN CARLOS COURT, AND TO HAVE A CONSULAR OFFICER VISIT THE AREA OF THE DISAPPEARANCE AND REINTERVIEW OLD AND POTENTIAL NEW WITNESSES. (THE FORMER INQUIRY IS IN PROCESS) THE LATTER HAS BEEN DONE.

ON OCTOBER 7, THE MINISTRY SENT US ITS NOTE (22506) REPORTING THAT IT HAD RECEIVED A LETTER DATED OCTOBER 2 FROM CARABINEROS (POSSIBLY STIMULATED BY THE CHARGE'S LETTER ON GENERAL ALEGRIA). THE CARABINEROS STATED THAT BETWEEN JUNE 16 AND OCTOBER THEY HAD CARRIED OUT VARIOUS MOUNTED AND FOOT PATROLS IN THE AREA "WITHOUT POSITIVE RESULTS. MOREOVER, RESIDENTS, FISHERMEN, AND HUNTERS IN THE SECTOR HAVE BEEN CONSULTED, EQUALLY UNSUCCESSFULLY."

MEANWHILE, THE FOLLOWING INFORMATION WAS DEVELOPED

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conoff

① Oct. 2-4
② Oct. 9-11

DURING VISITS TO THE AREA BY TWO SEPARATE CONOFFS, THE FIRST OCTOBER 2-4 AND THE OTHER OCTOBER 9-11 WEISFEILER ARRIVED IN SANTIAGO ON DECEMBER 25, 1984. HE TRAVELED TO LOS ANGELES, ABOUT 360 MILES SOUTH OF SANTIAGO, WHERE HE SPENT THE NIGHT OF THE 25TH AT THE HOTEL MARISCAL ALCAZAR. CONOFF SPOKE WITH JOSE CASTILLO, AN EMPLOYEE OF THE HOTEL. WEISFEILER ASKED CASTILLO FOR DETAILED INFORMATION TO ASSIST IN HIS PLAN TO BACKPACK ALONG THE MOUNTAINS BETWEEN ARGENTINA AND

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12356: DECL: OADR
GS: CASC (WEISFEILER, BORIS), CI
SUBJECT: WELFARE-WHEREABOUTS: CASE OF BORIS WEISFEILER

CASTILLO. CASTILLO TOLD HIM HOW TO REACH LAKE LAJA WHICH IS WHERE WEISFEILER SAID HE WANTED TO START HIS JOURNEY IN THE MOUNTAINS. FROM THERE, HE WOULD TRAVEL NORTH UNTIL HE REACHED A POINT EAST OF CHILLAN AND THEN HEAD EAST OUT OF THE MOUNTAINS TO SAN CARLOS, A TOWN NORTH TO CHILLAN, AND FROM THERE BACK TO SANTIAGO.

WEISFEILER WAS NEXT SEEN JANUARY 3 AT ABOUT 1500 IN VALLE HERMOSO, A SPOT 18 KILOMETERS SOUTH OF THE CONFLUENCE OF THE NUBLE AND LOS SAUCES RIVERS. THIS LOCALITY IS ON A LOGICAL ROUTE BETWEEN LOS ANGELES AND LAKE LAJA. THERE HE MET A LOCAL FARMER/SHEPHERD NAMED CHECO LOPEZ, WHO INVITED HIM TO SPEND THE NIGHT AT HIS CABIN. ACCORDING TO LOPEZ, WEISFEILER OPENED HIS BACKPACK AND DISPLAYED ITS CONTENTS. LOPEZ TOLD CONOFF HE SAW HIKING BOOTS, HIGHLY DETAILED MAPS OF THE AREA, WEISFEILER'S US PASSPORT, US DOLLAR BILLS AND HIS CLOTHING. (THE PASSPORT AND MONEY WERE MISSING WHEN THE BACKPACK WAS LATER FOUND.) CHECO ALSO NOTED, WHEN

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PACK, THAT A STRIPED SHIRT WAS MISSING...

THE NEXT MORNING (JANUARY 4) AT APPROXIMATELY 0900, CHECO HELPED WEISFEILER CROSS TO THE NORTH BANK OF THE NUBLE RIVER BY HORSEBACK. HE NOTICED THAT WEISFEILER WAS EXPERIENCED IN CROSSING STRONG CURRENT RIVERS. LOPEZ REMARKED TO BOTH VISITING CONOFFS THAT IT SEEMED STRANGE TO HIM THAT WEISFEILER WOULD LATER DECIDE TO CROSS THE LOS SAUCES RIVER WHERE ALLEGEDLY HE DID.

THAT SAME DAY (JANUARY 4), CHECO'S BROTHER, LUIS PEZ, WHO LIVES 18 KILOMETERS NORTH OF VALLE HERMOSO LOS MAYOS, ALSO SAW WEISFEILER BRIEFLY WHEN THEY CROSSED EACH OTHER AT ABOUT 1600 ON THE TRAIL NEAR LUIS' HOUSE. HE HAD SEVERAL DAYS GROWTH OF BEARD, WAS DRESSED IN MILITARY-LIKE OLIVE DRAB TROUSERS AND WAS CARRYING A GREEN BACKPACK. LUIS CONTINUED DOWN THE TRAIL HERDING OXEN AND UPON ARRIVAL AT EL ROBLE, THE CARABINERO STATION THAT LIES BETWEEN LOS MAYOS AND VALLE HERMOSO, REPORTED THAT HE HAD SEEN A STRANGE MAN WALKING NEAR HIS HOUSE EARLIER THAT AFTERNOON. HE SAID THAT THE CARABINEROS APPEARED TO BE ALARMED BY THE FACT THAT SOMEONE WAS IN THE AREA WITHOUT THEIR KNOWLEDGE (VISITORS TO REMOTE RURAL AREAS ARE SUPPOSED TO REPORT TO THE LOCAL CARABINERO STATION UPON ENTERING THE AREA). TWO, PERHAPS THREE, RODE OFF ON HORSEBACK IN SEARCH FOR THE STRANGER. (CONSULATE HAS THE NAMES OF THESE CARABINEROS.) WHEN CONOFF TALKED TO THE OFFICER WHO LED THE SEARCH PARTY FROM EL ROBLE, SHE WAS TOLD THAT THE CARABINEROS WERE EXTREMELY FRIGHTENED BY THE POSSIBILITY THAT A "POLITICAL EXTREMIST" MIGHT HAVE CROSSED THE ARGENTINE BORDER INTO CHILE AND CONTINUED UNDETECTED TO THE TOWNS OF SAN FABIAN AND SAN CARLOS.

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THE OFFICER WAS AFRAID OF GETTING INTO SERIOUS TROUBLE WITH HIS SUPERIORS SHOULD HE ALLOW SUCH A THING TO HAPPEN. (HE) AND HIS MEN ALLEGEDLY SEARCHED FOR THE UNKNOWN MAN FOR APPROXIMATELY TWO HOURS OR UNTIL NIGHTFALL, FINDING ONLY BOOT TRACKS LEADING TO A SPOT ON THE BANK OF THE LOS SAUCES ABOVE THE POINT WHERE IT MEETS THE NUBLE RIVER.

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10. WITHIN A WEEK AFTER MEETING WEISFEILER, CHECO LOPEZ
PASSED BY EL ROBLE ON HIS WAY TO VISIT HIS PARENTS AT
LOS MAYOS. WHEN HE STOPPED TO GREET THE CARABINEROS
AT THE STATION, THEY TOLD HIM THAT HE HAD LET A
POLITICAL EXTREMIST FROM ARGENTINA PASS. CHECO
INSISTED THAT THE MAN WAS AN AMERICAN AND NOT AN
EXTREMIST. THE CARABINERO BERATED HIM FOR HAVING
BEHAVED NEGLIGENTLY BY NOT INFORMING THEM IMMEDIATELY OF
THE PRESENCE OF A STRANGER IN THE AREA. ONLY WHEN
CHECO SHOWED THEM THE GIFTS WEISFEILER HAD GIVEN HIM
(CHOCOLATES, TEA, FISHING LURES) WERE THEY CONVINCED,
ACCORDING TO CHECO, THAT THE MAN MUST HAVE BEEN AN
AMERICAN.

11. THE CHIEF OF THE CARABINERO STATION AT SAN CARLOS
CONTACTED CHECO A FEW DAYS LATER AFTER CONVERSING
WITH HIS COUNTERPART AT EL ROBLE. HE TOOK HIM TO THE
SPOT WHERE ALLEGEDLY FOOTPRINTS HAD BEEN FOUND. CHECO
DID NOT SEE ANY.

12. AFTER INTERVIEWS WITH CHECO AND LUIS LOPEZ, CONOFF
CALLED ON THE SAN FABIAN CARABINEROS. THE COMMANDING
OFFICER, CAPITAN FERNANDEZ, SHOWED CONCERN THAT CONOFF

? O.W. Luis Lopez
was already dead

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GS: CASC (WEISFEILER, BORIS), CI
SUBJECT: WELFARE-WHEREABOUTS: CASE OF BORIS WEISFEILER

HAD MANAGED TO PASS THE SAN FABIAN CARABINERO STATION
WITHOUT BEING SIGHTED AND REPRIMANDED (HER) FOR NOT MAKING
KNOWN HER PRESENCE IN SAN FABIAN. HE REQUIRED (HER) TO SIGN
PAPER STATING THAT SHE HAD TRAVELED UP THE NUBLE RIVER

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BEYOND SAN FABIAN WITHOUT CARABINERO PERMISSION. WHEN SECOND CONOFF VISITED THIS TOWN ONE WEEK LATER, THE CARABINEROS LEARNED RAPIDLY OF HER PRESENCE, FOLLOWED HER TO CHECO LOPEZ' HOUSE AND WERE WAITING WHEN SHE DEPARTED. CONOFF VISITED THE STATION TO OBTAIN THE NAMES OF ALL CARABINEROS STATIONED AT EL ROBLE AT THE TIME OF WEISFEILER'S DISAPPEARANCE. THEY AGREED TO CONTACT LUIS LOPEZ BY RADIO FROM EL ROBLE AND ASK HIM TO MEET CONOFF LATER IN THE DAY. HE NEVER APPEARED.

13. THAT EVENING, UPON RETURNING TO SAN FABIAN, CONOFF HAS TOLD SHE COULD SPEAK WITH CAPITAN FERNANDEZ AND HIS ASSISTANT, MAJOR IBACACHE, THE NEXT MORNING IN SAN CARLOS. NEITHER OF THEM KEPT THE APPOINTMENT. MOREOVER, TWO UNKNOWN CARABINEROS APPEARED AT THE HOTEL IN CHILLAN WHERE CONOFF WAS STAYING TO ANNOUNCE THAT THEY HAD BEEN

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SENT TO PROTECT THE EMBASSY VEHICLE. THEY WERE CONCERNED BOTH THAT NIGHT AND THE FOLLOWING MORNING WITH CONOFF'S ITINERARY, HER LENGTH OF STAY IN THE AREA AND WHEN SHE PLANNED TO RETURN TO SANTIAGO. CONOFF HAD DISTINCT IMPRESSION THAT THE OFFICIALS WERE KEEPING CLOSE TRACK OF HER WHEREABOUTS FROM THE TIME SHE ARRIVED UNTIL THE TIME SHE DEPARTED. THEY STATED CONSIDERABLE CONCERN FOR HER SAFETY AND DISPLAYED ANXIETY OVER HER ACTIVITIES IN THE AREA.

14. BOTH CONOFFS SPOKE AT LENGTH WITH [

HE HYPOTHESIZED TO BOTH CONOFFS THAT THE CARABINEROS MIGHT HAVE OVERREACTIONED UPON HEARING OF THE PRESENCE OF A STRANGER IN THE AREA AS THE PINOCHET GOVERNMENT IS, HE SAID, "PARANOID ABOUT FOREIGN LEFTIST EXTREMISTS" OR LEFT-LEANING-CHILEAN FILES ENTERING CHILE VIA THE ISOLATED ARGENTINE BORDER. HE FELT THE CARABINEROS PROBABLY WENT IN HOT PURSUIT CONVINCED OF THEIR WORST FEAR, THE CLANDESTINE ENTRY OF A POLITICAL EXTREMIST. HE SUSPECTS THAT THEY MAY HAVE KILLED WEISFEILER ON THIS ASSUMPTION, REALIZED THEIR MISTAKE TOO LATE, AND THEN TRIED TO COVER UP THE FACT BY PLANTING HIS BACKPACK ON THE RIVER BANK DOWNSTREAM. HE SUSPECTS THAT WEISFEILER'S

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BODY WILL NOT BE FOUND IN THE RIVER, BUT RATHER HAS BEEN
DISPOSED OF SOMEWHERE IN THE ISOLATED MOUNTAIN REACHES OF
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THE CHILEAN/ARGENTINE BORDER.

15. [] ONE CONCRETE ACTION EMBASSY MIGHT
TAKE: ATTEMPT TO DETERMINE WHETHER WEISFEILER WAS
RECORDED AS CROSSING INTO ARGENTINA IN JANUARY OR
FEBRUARY BY EITHER CHILEAN OR ARGENTINE IMMIGRATION.

SUGGESTED THAT POLITICAL OPPONENTS OF THE REGIME ARE
SOMETIMES TAKEN INTO REMOTE AREAS OF ARGENTINA AND
DONE AWAY WITH THERE, IN THE PROCESS CREATING AN
APPARENT RECORD OF HAVING LEFT CHILEAN HANDS AND
JURISDICTION. EMBASSY WILL ASK CHILEAN IMMIGRATION TO
TAKE A RECORD CHECK. ACTION REQUESTED: DEPARTMENT TO
ASK EMBASSY BUENOS AIRES TO DO THE SAME.

16. ON OUR MOST RECENT TRIP TO THE AREA, CONOFF
LEARNED [] OF A LAWYER IN CONCEPCION, WHO IS
LOOKING INTO THE CASE. APPARENTLY, WEISFEILER'S
COLLEAGUES AND FRIENDS IN THE US ARE INITIATING YET
ANOTHER PRIVATE INQUIRY INTO HIS DISAPPEARANCE. A
CONVERSATION WITH THIS ATTORNEY PRODUCED NO NEW
SIGHTS BUT REVEALED THAT WEISFEILER'S FRIENDS ARE NOT
SATISFIED WITH THE DROWNING THEORY IN LIGHT OF THE
FACT THAT HIS BODY HAS NEVER BEEN RECOVERED.
DEPARTMENT MAY RECALL THAT A CHILEAN PRIVATE DETECTIVE
WAS HIRED BY THESE SAME PEOPLE SOME MONTHS AGO. HE
REPORTED HIS FINDINGS TO A MATHEMATICS PROFESSOR AT
HARVARD, WHO IN TURN CONTACTED SENATOR EDWARD KENNEDY'S
OFFICE RELATIVE TO THE MATTER.)

17. COMMENT. IN ADDITION TO THESE EXTRAORDINARY
STATEMENTS [] THERE ARE ENOUGH

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O 12356: DECL: OADR
AGS: CASC (WEISFEILER, BORIS), CI
SUBJECT: WELFARE-WHEREABOUTS: CASE OF BORIS WEISFEILER

INCONSISTENCIES IN TESTIMONY GATHERED
IN JANUARY AND FEBRUARY AND LATER BY TWO CONOFFS TO
WARRANT FURTHER INVESTIGATION. IT IS UNCLEAR WHO
FOUND THE BACKPACK (CARABINEROS OR A LOCAL FARMER/
TRAPPER NAMED ALADINO CONTRERAS); WHERE WAS IT FOUND
(IN THE RIVER OR ON THE BANK); THE CONDITION OF THE
BACKPACK (WET OR DRY); AND WHETHER THERE WERE IN FACT
FOOTPRINTS AT THE SITE WHERE WEISFEILER ALLEGEDLY
ATTEMPTED THE RIVER CROSSING (CARABINEROS AND MARCIAL
SANDOVAL, A LOCAL FARMER WHO OPERATES THE CABLE CAR
BRIDGE OVER THE LOS SAUCES RIVER, CLAIM TO HAVE SEEN
THEM ON JANUARY 4 BUT CHECO LOPEZ REPORTED THAT HE
DIDN'T). IT IS ALSO NOTEWORTHY THAT FOUR OF THE FIVE
CARABINEROS STATIONED AT EL ROBLE WERE TRANSFERRED TO
OTHER POSTS IN THE REGION (IN APRIL). THE FOURTH WAS
TRANSFERRED IN JUNE AND RETIRED IN AUGUST. (THE
CONSULATE HAS THE NAMES AND PRESENT LOCATION OF ALL
FIVE.) MOREOVER, WEISFEILER'S HEAVY HIKING BOOTS, HIS
OTHER SHOES, AND HIS TWO PAIRS OF PANTS WERE ALL
DISCOVERED. THE BOOTS WERE ADMIRER BY CHECO LOPEZ AND
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WOULD BE PRIZED BY LOCAL FARMERS WHO WORK IN EXTREMELY
DIFFICULT TERRAIN. IN CONTRAST, WEISFEILER'S STRIPED
SHIRT, HIS PASSPORT AND A SMALL AMOUNT OF US MONEY
WERE THE ONLY MISSING ITEMS, ALL USELESS TO THE LOCAL
POPULACE.

EMBASSY SEES THE FOLLOWING OPTIONS FOR FURTHER
ACTION:

EMBASSY COULD ASK THE FOREIGN MINISTRY AND/OR
CARABINEROS TO RENEW THEIR INVESTIGATION. HOWEVER,
UNLESS WE SHARED WITH THEM STATEMENTS,
WHICH WOULD BREAK A CONFIDENCE AND POSSIBLY PLACE HIS
LIFE IN DANGER, THERE IS LITTLE WE COULD SAY WHICH
WOULD IMPEL THEM TO REOPEN THE CASE.

DEPARTMENT COULD INFORM WEISFEILER'S FRIENDS OF
WHAT WE HAVE LEARNED, IN ORDER TO FACILITATE THEIR

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APPARENTLY CONTINUING INVESTIGATION AND SUGGEST THEY
MIGHT WISH TO FILE A FORMAL REQUEST [

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] FOR A SPECIAL INVESTIGATION.

-- ASSUMING OUR ATTORNEY TELLS US IT IS FEASIBLE AND
THE DEPARTMENT CONCURS, EMBASSY ITSELF COULD MAKE A
FORMAL REQUEST [

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] REOPEN THE INVESTIGATION. THE
APPOINTMENT OF A SPECIAL INVESTIGATING JUDGE (MINISTRO
EN VISITA) IS ONE POSSIBILITY THAT WE WILL LOOK INTO.

19. ACTION REQUESTED: DEPARTMENT'S INSTRUCTIONS.
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