

## **Colonia Dignidad – justice long overdue for victims in this German scandal**

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This week sees the cinema release of *Colonia*, a film about the German sect in Chile known as Colonia Dignidad. The group was involved in the systematic rape of German and Chilean children over a period of decades, and during the Pinochet dictatorship the enclave was used to torture and “disappear” opponents of the regime.

The film has already accomplished something: it has put a spotlight on one of the biggest scandals in West German history. The details of the story have still not been fully uncovered, but its effects continue to be felt to this day.

Since the fall of the wall in 1989, at the latest, the history of the West German state has been portrayed as one of uninterrupted and successful development into a functioning democracy. Missing from this narrative, at least in the broader public sphere, are thorny issues such as the central role played by former Nazis in the establishment of the state or the West German justice system’s failure to address Nazi crimes. The same is true for the numerous crimes committed by Western states and their allies during the colonial liberation struggles and in various conflicts – whether armed clashes or societal battles – in Latin America, Africa and Asia. The Cold War was underway, and defeating communism was the end used to justify practically any means.

The present case also fits this rubric: it features the collaboration of exiled Germans in Chile with the criminal Pinochet regime, alongside the silent acquiescence – and in some cases active involvement of – German diplomacy, secret services and political parties like the CSU and the CSU-affiliated Hanns-Seidel foundation.

And yet when a journalist friend asked me recently if I could explain the impunity that the sect has enjoyed for decades in Germany and in Chile, I was stumped; indeed it’s a question I’ve been asking myself for a long time.

In 1961, when the founder of the sect, Paul Schäfer, emigrated from Germany to Chile, he was already under investigation by German prosecutors in connection with the rape of minors. Safely hidden on the expansive and clandestine grounds of the Colonia Dignidad in southern Chile, Schäfer and his followers were for decades able to abuse and rape generations of children from the colony as well as Chilean boys from the neighboring areas – largely unchecked by Chilean and German authorities.

### **A history of impunity for the crimes of the Colonia**

There is no convincing explanation for the failure to investigate these and other similar crimes. For decades the leaders of the Colonia, including Hartmut Hopp, the sect’s doctor and Schäfer’s right-hand man, were able to travel freely in and out of Germany as representatives of the Colonia. No international arrest warrants were issued, nor were there any further attempts to get a hold of him.

This didn’t start to change until the 2000s, when the Chilean judiciary – prompted by a societal shift towards openness as well as the arrest of Pinochet in London in 1998 – began to comprehensively address crimes committed during the dictatorship. Schäfer was arrested and

convicted but died shortly afterwards. Other perpetrators were convicted and served or are serving their sentences in Chilean prisons. Hartmut Hopp fled to Germany and has lived in Krefeld, close to Düsseldorf, since 2011. No investigations were undertaken until our organization, the European Center for Constitutional and Human Rights, submitted a criminal complaint (for aiding and abetting the serious sexual abuse of children and aiding and abetting the murder of three opponents of the regime). That was already more than had been done by the prosecutors in Bonn throughout the 70s, 80s and 90s. But the current proceedings against Hopp are dragging on; to date no charges have been brought and no arrest warrant issued.

### **Current criminal proceedings against Hopp – potential for progress**

Pressure from the legal authorities in Chile has now made it more likely that Hopp will have to serve a sentence. After the extradition of Hopp was deemed incompatible with German constitutional law, Chilean authorities are now asking that a sentence handed down to Hopp by a Chilean court for child abuse court be enforced in Germany. Even if the Krefeld authorities approve this request, it will of course not go far enough to address the scandal and its broader effects. It would, however, be a long overdue step in the right direction.