

# Vesco Paves the Way For a New Refuge In Peron's Argentina

## Financier Is Said to Win Right Of Residency and Immunity There From U.S. Prosecution

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NASSAU, Bahamas — Fugitive Robert L. Vesco has mapped an avenue of escape for use if the U.S. government seems about to win its laborious extradition case here.

The route leads straight to Argentina, with its newly acclaimed president, Juan D. Peron.

Well-placed sources outside the Vesco camp said last week that Mr. Vesco has obtained the status of permanent resident of Argentina, with the approval of President Peron. Furthermore, these sources say, Mr. Vesco was assured by the Argentine minister of the interior about Nov. 1 in Buenos Aires that any future U.S. request to extradite him from Argentina would be denied.

Yesterday Mr. Vesco's Bahamian trial lawyer, Eugene Dupuch, disclosed that on Oct. 22 Mr. Vesco obtained an order from an Argentine court granting him immunity from extradition from that country. Mr. Dupuch, who said he wasn't directly involved in the matter, said he understood the judge ruled that any charges against Mr. Vesco brought by the U.S. or certain other countries concerning International Controls Corp. or I.O.S. Ltd. "were deemed to be related to 'Watergate' and therefore brought for political purposes." This, he said, would preclude extradition. Mr. Vesco formerly controlled both concerns.

### No Appeal

In a telephone interview, Mr. Dupuch said he understood that the order was issued by a high court and isn't subject to appeal. The attorney said he didn't know what status Mr. Vesco had under Argentine law to bring such an action in that country. He said he wasn't aware of any grant of permanent residency.

All this occurred shortly before Mr. Vesco was arrested here by Bahamian police on Nov. 6. The U.S. ambassador had requested that arrest on Nov. 1 on the basis of a secret indictment that was unsealed in New York Oct. 31. Mr. Vesco's troubles stem in part from civil charges by the Securities and Exchange Commission that he looted four foreign, I.O.S.-managed mutual funds of \$224 million. He also faces criminal charges that he tried to protect his flanks with a secret \$200,000 cash gift to President Nixon's 1972 reelection campaign.

However, a magistrate's hearing that began here Tuesday concerns the claim by the U.S. attorney of New York City that Mr. Vesco should be returned there for trial only on a secondary charge that he defrauded International Controls of \$50,000. Other charges against him aren't covered by extradition treaties, and he could be tried only on an indictment that leads to extradition. The hearing, which will resume this afternoon, is moving slowly, as Mr. Vesco's Bahamian and British attorneys explore every possible obstacle to extradition.

Mr. Vesco is free on \$75,000 bail during the extradition proceedings. But his U.S. passport has been canceled, and the Bahamian police are holding the Costa Rican passport he got after obtaining official residency in Costa Rica last year. Mr. Vesco left the U.S. about nine months ago, after the SEC filed its massive civil suit. He has refused to go back to the U.S. to answer three subsequent criminal indictments.

### Crucial Flight

When Mr. Vesco made a crucial flight to Buenos Aires late last month, Jose Marti Figueres, the son of Costa Rica's president, was a traveling companion. Interviewed by telephone in San Jose Friday, the president's son confirmed that during the last week of October he flew with Mr. Vesco from the Costa Rican capital to Buenos Aires, where they remained about a week. Mr. Figueres insisted, though, that he "tagged along for the ride," that he separated from Mr. Vesco while they were in Argentina and that he knows nothing of Mr. Vesco's purposes or activities on the trip. Mr. Figueres said they traveled on the lavishly furnished, Boeing 707 jetliner that Mr. Vesco in the past used for his world jaunts.

Since leaving the U.S., Mr. Vesco, who will be 38 on Dec. 4, has divided his time between Costa Rica and the Bahamas. So far he has defeated U.S. efforts to extradite him from Costa Rica, where, as in the Bahamas, he has concentrated investments of mutual-fund money that the SEC contends benefited the personal aims of Mr. Vesco and his associates. Last year Mr. Vesco had \$2,150,000 invested in a Costa Rican company founded and controlled by the country's president, Jose Figueres. Mr. Figueres has hotly denounced any suggestion of impropriety in that relationship, including an SEC claim that the investment eased the Vesco group's search for a "haven."

The sources who first reported Mr. Vesco's arrangements for asylum in Argentina told this story last week: Around Nov. 1, Mr. Vesco, accompanied by Marti Figueres and "four bodyguards," visited Buenos Aires in the 707 jet.

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They went to a prominent law firm, which prepared Mr. Vesco's petition for permanent residency and presented it to the minister of the interior. After consulting with President Peron, the minister said that residency status had been granted and assured Mr. Vesco that any U.S. request for his extradition would be denied.

It isn't yet clear how the legal implications and the timing of the reported grant of permanent residency relate to the court order of immunity from extradition that Mr. Vesco is said to have won a week earlier. It also isn't apparent why 78-year-old President Peron, who returned to power in September, would risk troubling his relations with the U.S. in a possible confrontation over Mr. Vesco. Ironically, in September 1972 a new extradition treaty replaced a pact of 1896 between the two countries and broadened the list of extraditable offenses. So far, no one has been extradited from either country under the new agreement.

Always laconic in public, Mr. Vesco, a tall, dark man wearing tinted, gold-rimmed glasses and a thin mustache, has avoided reporters here in the Bahamas. As he briskly left the courtroom Friday, brushing by with his bodyguards, he answered a hurried question about his Argentinian residency with, "No comment."

In a telephone interview Friday, Argentina's interior minister, Benito Llambi, said he hadn't any personal knowledge of Mr. Vesco's application for residency. As for the report that he met with Mr. Vesco about two weeks ago, the minister replied, "I would have to check it."

Later Friday, Marti Figueres confirmed that Mr. Vesco had picked him up in San Jose and taken him to Buenos Aires. Mr. Figueres didn't remember the dates, but the Plaza Hotel, where Mr. Figueres said he stayed, reported that he checked in on Oct. 29 and out on Nov. 2. As Mr. Figueres said, Mr. Vesco didn't register at the hotel then. (However, the Plaza's records do show that he spent the night of April 25 there.)

Mr. Figueres said he went to Buenos Aires to try (unsuccessfully, as it turned out) to find customers for rope made by his family's company. He said he didn't attend any meeting with Mr. Vesco; that he saw him only once or twice, for dinner, during their stay; and that he didn't learn anything about Mr. Vesco's reasons for going there. Two or three men accompanied Mr. Vesco both ways, but Mr. Figueres said he didn't know them.

The seven-hour trip back to San Jose was made late at night, and the passengers slept, Mr. Figueres said. After dropping him off in Costa Rica, he continued, Mr. Vesco presumably returned to Nassau.

The use of the 707 apparently violated an order issued by a federal judge in New York on behalf of International Controls, whose court-appointed directors are suing Mr. Vesco for allegedly wasting the company's assets. Yesterday, David M. Butowsky, an attorney for the company, said he would be "very surprised" if such a flight had occurred "because I believe that it would have been in violation of a court order prohibiting such flights and also because we have been assured by persons in contact with the owner of the plane that such flights didn't occur." The owner is a company that Mr. Vesco spun off from International Controls.

Some sources speculate that Mr. Vesco may be prepared to forfeit his bail, give up his Costa Rican passport, and flee to Argentina from the Bahamas if it looks as though the U.S. will win extradition. Asked for comment on the newly discovered development, U.S. Attorney Paul J. Curran, who has been overseeing the extradition effort here, declined, saying, "In my judgment, it wouldn't be appropriate for me to comment at this time."

The story of Mr. Vesco's approach to the highest officials in Argentina is in keeping with his preference for going straight to the top. Last May, a federal grand jury in New York, in the first indictment of Mr. Vesco, charged that he conspired with former Cabinet officers John N. Mitchell and Maurice H. Stans to obstruct the SEC investigation of his affairs, in exchange for the secret \$200,000 contribution to the Nixon campaign. Former Attorney General Mitchell and former Commerce Secretary Stans, who headed the Nixon campaign and finance committees, respectively, are scheduled for trial Jan. 7 on obstruction, conspiracy and perjury charges.

The finance committee returned a total of \$250,000 in 1972 contributions to Mr. Vesco at the end of January, two months after the SEC filed the civil suit, which has resulted in a preliminary injunction forbidding Mr. Vesco to violate securities laws.

Here in the Bahamas, Premier Lynden O. Pindling has acknowledged receiving campaign donations from Mr. Vesco in undisclosed amounts, and Bahamas Commonwealth Bank, which is at the center of Mr. Vesco's controversial activities, has made loans to Mr. Pindling's family and reportedly to politicians in both leading parties.

See entries in Chronology, 6, 13, 19 Nov 73.

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