

This month the Court of Appeals will hear the allegations of the parties that seek to revert the sentence issued by Judge Jorge Zepeda that closed the investigation into the kidnapping and disappearance of my brother and absolved the eight men he indicted for the crime in 2012. My brother Boris Weisfeiler, a Russian-born United States citizen, was abducted near the German sect in southern Chile known as **Colonia Dignidad** in January 1985. Boris was not involved in politics; he was on vacation, hiking on the foothills of the Andes Mountains near the Argentine border.

I filed a criminal lawsuit in Chile in 2000 with my attorney Hernán Fernández. However, after 16 years of the judicial investigation – in which the case passed through four different judges – in March of last year judge Zepeda closed the case. After a decade in his hands, judge Zepeda ended up denying that Boris's abduction and disappearance was a human rights case, despite proving he was arrested by police and military agents, and applied a statute of limitations.

Zepeda's ruling stated that the brief, superficial investigation into Boris's disappearance in 1985 was "genuinely professional" and those who arrested him did so in "good faith", fulfilling their professional duties after receiving reports of a suspicious man near the border. After two months, the case was closed, concluding that Boris had drowned trying to cross a river. Judge Zepeda himself established this was false by indicting the officers who arrested him. Throughout the years, different unconfirmed versions about what happened to Boris have surfaced; one is that he was turned over to Colonia Dignidad, and another is that he was killed by army or police officers in the area. Boris has never been found. Nevertheless, judge Zepeda closed the case without establishing where Boris was taken after his arrest, what happened to him and why, and who are responsible for the crime.

This is my 17th trip to Chile in search of truth and justice.

The last time I saw my brother was in April 1984 in Budapest, Hungary, at our father's funeral. I, with my son, then 14, came to Budapest from Moscow, the Soviet Union, and Boris came from the United States. He had only a couple of days to stay in Budapest, as he supposed to return for a teaching at the University. I thought I would have time with my brother next year or next time we would see each other.

Sadly, there wasn't a next time; nor any other get-togethers or talks to discuss his life in the US, or mine back in Moscow, my children, work, relationships, or illness... nothing, silence, besides my desperate search to find my brother that consumed the rest of mine and my family lives.

Boris was 43 when he vanished. He has vanished without a trace, forcibly disappeared.

For us, his close relatives left behind, the pain of not knowing what has happened is unbearable. Pain is not getting easier with the passing time; it became part of our lives. What we endured during the past more than 30 years corresponds to continued mental torture.

I am often thinking of how much Boris would have achieved in life and science if he stayed alive. He was a brilliant mathematician and had worldwide recognition. The brightest future was ahead of him. Before his trip to Chile, Boris published a scientific paper with his most significant results so far. He was planning to publish his 70 pages long manuscript with those results after his return from Chile. He was deprived of the opportunity to publish it.

Had Boris lived he would have a very successful career. He would become a prominent figure in mathematics. He would have taught many students. He would probably have a family. He was deprived of all of that.

He would love to see my children growing up and be part of their lives; he was deprived of that as well. He loved children, cared about the elderly, and helped the needy one. Boris was a unique individual, truly an exceptional, generous person; as one of his friends said of Boris "a remarkable man and mathematician."

I have countless sleepless nights wondering what really happened to my beloved brother. I am still struggling to come to terms with such senseless loss. I am still struggling to understand “why?”

I am imagining Boris on a riverbank of Nuble River being frightened, yet hopeful that everything will end up just fine. I am petrified of his possible last thoughts while facing a certain death at the hands of his captors.

I still have many unanswered questions. Is Boris dead or alive? Did he survive the initial arrest and torture? Did he live in captivity for a couple of years or longer, as some of the US declassified documents suggested? If so, where? Was he hoping and waiting that someone would find and save him?

If he was murdered: Did he die instantly while being shot? Did it happen on the riverside of Nuble River or inside of Colonia Dignidad? Did he die while being tortured? Did he suffer? Where does my brother lie?

I am still waiting for the answers of why, where, and when Boris lost his life?

I am still waiting for the time I could bring my brother home and say a proper good bye to him.

I am still hoping that the perpetrators of Boris' abduction and disappearance will be punished, that impunity will be broken and the time of truth and justice will begin.

– Olga Weisfeiler

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