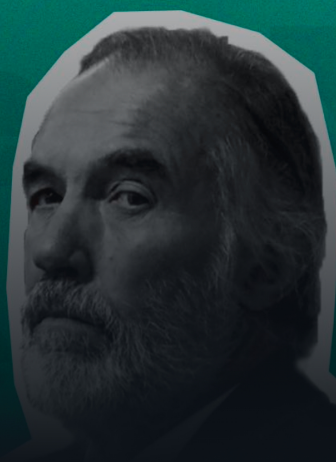




CASO CORPESCA EXPLICADO



Newsletter

The Corpesca case explained: how the Angelini Group's fishing company bribed a senator and a deputy

By paying \$200 million, the fishing company succeeded in getting then-senator Jaime Orpis and deputy Marta Isasi to defend its interests in Congress. Orpis was sentenced to prison for bribery, along with six other charges of tax fraud.



[Yerko Roa](#)

April 17, 2021

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The Corpesca case trial began more than two years ago. It lasted 279 sessions, making it the longest in Chilean history. Finally, on Friday, the sentence was read, with which the Third Criminal Court of Santiago sentenced former UDI senator Jaime Orpis to 600 days in prison for bribery and 5 years and 1 day for tax fraud.

He thus became the first Chilean politician to be sentenced to prison for corruption.

Along with him, former deputy Marta Isasi also received a 50-day sentence for bribery, a sentence that was considered served due to the time she spent under house arrest.

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Corpesca, one of the country's largest fishing companies, paid Orpis and Isasi more than 200 million euros to defend its interests, including handling the Fisheries Law in 2012.

Here we explain the details of how the fishing company bribed both parliamentarians.

Jaime Orpis and the beginning of the Corpesca Case

Despite not being one of the most popular parliamentarians of the UDI, like Pablo Longueira and Joaquín Lavín, Jaime Orpis was an important figure within the party when the Corpesca scandal broke out.

After having been appointed mayor of San Joaquín between 1987 and 1989, he arrived at the Chamber of Deputies with the return to democracy and in 2001 he managed to win the senatorial election for the Tarapacá region.

In parallel to his parliamentary work, Orpis founded the Corporación La Esperanza in 1995, to support people with drug addictions. Despite political differences, his work in this NGO earned Orpis a reputation as a good person among his colleagues.

On the night of November 13, 2009, Orpis had probably his most important electoral victory. With 33% of the votes, he was again elected senator, and this time with the first majority, ahead of Fulvio Rossi, of the Socialist Party, and Salvador Urrutia, who had received the support of the former mayor of Iquique, Jorge Soria.

But the victory had not come cheap. Orpis was the parliamentarian with the largest amount of reserved contributions that year, \$213 million. These were legal contributions, of course. The figure for illegal contributions, which would be revealed later, was of the same caliber.

El 10 de mayo de 2013 Ciper sacudió al Congreso con un reportaje que sería el puntapié inicial del Caso Corpesca. El medio publicó el testimonio de Giorgio Carrillo, un exasesor de la diputada deputy año ex-UDI member Marta Isasi.

Carrillo revealed that he had issued invoices for fees to the company for \$25 million. According to him, he prepared reports to justify these invoices and then sent the money to Isasi.

The case passed through various units of the Public Prosecutor's Office. Following various rumors about who else could be involved, in May 2015 it was revealed that the Eastern Prosecutor's Office had found a bribe that made the Marta Isasi case look like child's play: Corpesca had delivered more than \$200 million pesos to Jaime Orpis through ideologically false invoices.

The scheme to bribe politicians

With 77% of its ownership held by the Angelini Group, Corpesca SA is one of the main fishing companies in the country.

According to the Third Oral Criminal Court of Santiago, between 2009 and 2013 the company bribed both Jaime Orpis and Marta Isasi with payments of \$209 million and \$11 million, respectively.



Jaime Orpis and Marta Isasi. LIBRARY OF THE NATIONAL CONGRESS

In his public defense and in the judicial process, the former senator claimed that the money had been used to finance his reelection campaign in 2009 and to pay off his debts resulting from it.

To raise the funds, its employees issued more than 60 invoices that were paid by the company, even though the services were never provided. In this way, Corpesca reduced the taxable base of the income tax by passing off these transfers as expenses.

The payments to both parliamentarians served to promote Corpesca's interests in Congress and in other actions related to their office. In the case of Orpis, it was a two-party agreement.

In June 2009, Orpis submitted a document prepared by Corpesca to the Comptroller's Office, requesting a statement on how the Fisheries Undersecretariat should assign horse mackerel catch quotas.

The Comptroller's Office issued a ruling in favor of Corpesca's interests. "Jaime, the result is excellent. Now we will work with the SSP to determine the shortest and safest way to obtain an additional quota of horse mackerel," wrote the company's general manager, Francisco Mujica, in an email to Orpis.

Orpis subsequently defended Corpesca's interests during the passage of the Fisheries Law in 2012 – also known as the Longueira Law. With the approval of the project, the industrialists' quotas were extended for twenty years.

The legislator received a series of files from the company, telling him how they thought he should vote and using arguments that he later used in his speeches.

In the case of Isasi, the Third Oral Criminal Court of Santiago held that he also defended the interests of Corpesca during the processing of the Fisheries Law, without disqualifying himself according to the Law of the National Congress.

Like Orpis, Isasi communicated with Corpesca's manager, Francisco Mujica, during the processing of the Fishing Law, and used documents sent by the company as his own to argue his position.

Isasi also sent instructions sent to her by Mujica to the then Minister of Economy, Pablo Longueira, and kept two Corpesca employees as advisors during the processing of the law, who reported to the company.

Despite evidence of their coordination with the company, both Isasi and Orpis attempted to argue that they sometimes voted against the interests of Corpesca, although in the vast majority of cases they were aligned.

The Prosecutor's Office even had an Excel document sent by Corpesca to Isasi in which the company told him how to vote on each article of the Fisheries Law, when it was being discussed in the Chamber of Deputies. Isasi complied article by article.

The conviction for bribery

Considering both parties to the agreement with Corpesca, Orpis was convicted of two bribery offences.

In the case of Marta Isasi, the Prosecutor's Office had accused her of receiving \$40 million from Corpesca, also delivered through the issuance of false invoices by two of her chiefs of staff – Giorgio Carrillo and Esteban Zavala.

However, the verdict dismissed the charge due to "more than reasonable doubts," considering that it was not proven that it was actually Isasi who requested the money and that it was also not possible to prove that the former deputy received it.

But the court did find Isasi guilty of one count of bribery, as in an email he agreed to payments from Corpesca for \$40 million, supposedly for activities.

Of these, the Prosecutor's Office was able to prove that at least \$11 million were delivered, credited through an invoice to hire a production company and buy candy for an awards ceremony that never took place.



Hearing of the sentence. PJUD

Both former parliamentarians, however, were acquitted of the repeated tax crime of providing false invoices, as the court considered that they did not have the malicious intention of using these invoices by Corpesca to reduce the taxable base of income tax, so the facts did not match the

"The decision was divided, there is one vote that supports me

income tax, so the facts did not match the classification of the alleged crime.

In the case of Isasi, it was also argued that the Internal Revenue Service (SII) had not supported the accusation, so she could not be convicted.

and that raises a reasonable doubt."

— Former Senator Jaime Orpis, convicted of bribery and tax fraud.

Por su parte, se estableció la responsabilidad de Corpesca S.A. en los sobornos y delitos tributarios, al no controlar adecuadamente las actividades de su ex gerente general Francisco Mujica, quien había sido condenado por soborno y delitos tributarios en un juicio abreviado durante 2018 a una pena remitida de tres años, más una multa de \$60 millones.

La arista de fraude al Fisco

Mientras investigaba a Jaime Orpis, Fiscalía descubrió que el parlamentario había suscrito directamente o a través del Senado contratos sobrevalorados y otros simulados con personas de confianza.

Los contratos se justificaban como asesorías o trabajos remunerados de secretaría, pero en realidad out. These resources, which were paid by the Senate, amounted to more than \$240 million, according to the Public Prosecutor's Office.

The former senator acknowledged the embezzlement of money in some cases, although he said it had been used to finance his campaign and regional activities.

Finally, the verdict of the Third Oral Criminal Court of Santiago found Orpis guilty of six charges of tax fraud, for a total of \$120 million paid to six professionals.

Raúl Fernando Lobos Torres, one of those who signed the contracts, was also found guilty in this regard.

Although he entered into two contracts for \$27 million, the verdict only found him guilty of the first contract, for \$8 million, since there were no reports regarding the rest.

Effective prison sentence for Orpis

Finally, the sentence against Orpis was announced on Friday. For the crimes of tax fraud, Orpis received a sentence of 5 years and 1 day in prison – a minimum prison sentence – and for bribery, 600 days – a medium-term prison sentence.

Since he was granted 1,301 days' pay, which he spent in pretrial detention or under full or partial house arrest, he would have three years left in prison.

However, the court ruled that the former senator should remain under house arrest for now, since the sentence is not final, meaning that there are still legal remedies that could reverse it.

In addition to being suspended from public office for the duration of the sentence, Orpis was sentenced to perpetual absolute disqualification from political rights, which means that he will never again be able to vote or run for elected office, among other limitations.

He will also have to pay 5% of the amount defrauded, which is equivalent to almost \$6 million, and half of what he accepted from Corpesca, approximately \$104 million.

As for Isasi, he received a sentence of 50 days in prison at the maximum level, but it was considered as served since he spent 53 days under house arrest, counting the days with nighttime house arrest.

She was also sentenced to one year and five months of suspension from public office and must pay half of the amount accepted, equivalent to 20 million pesos.

Raúl Lobos Torres was sentenced to 541 days of minor imprisonment in the medium degree, although this sentence was replaced by conditional remission, meaning he will serve his sentence in freedom. He will also have to pay 5% of the amount defrauded, or 405 thousand pesos.

Corpesca SA will finally have to pay 10 thousand UTM, which corresponds to \$516 million.

Orpis Declaration and the future of the cause

"No one has ever bought my conscience, my vote, or my freedom," Jaime Orpis said after hearing the verdict.

The former senator referred to the dissenting vote of Judge Doris Ocampo on the bribery charges. Three judges are involved in the Oral Criminal Trial Courts. In this case, two judges were in favor of convicting Orpis of bribery, while Ocampo was in favor of acquitting him of that crime.

"The decision was divided, there is one vote that supports me and that raises a reasonable doubt," said Orpis.

The parliamentarian's defense announced that they will file an appeal against the resolution.

"On a human level, it is obviously painful. (...) We have no choice but to send him strength and respect the judicial decisions," said the president of the UDI, Javier Macaya, regarding the sentence.

Meanwhile, Ximena Chong, chief prosecutor of the Metropolitan Center North Prosecutor's Office and

the Angelini Group's fishing company bribed a senator and a deputy who ended up leading the case, praised the ruling, although she said that they would review it in detail to see if it contained flaws.

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