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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Protection of human rights in Chile

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report prepared by the Ad Hoc Working Group on the Situation of Human Rights in Chile in accordance with paragraph 5 of Assembly resolution 31/124 of 16 December 1976.

ANNEX

Report of the Ad Hoc Working Group to inquire into the situation of human rights in Chile, submitted in accordance with General Assembly resolution 31/124

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INTRODUCTION

1. Taking into account the progress report to the General Assembly at its thirtieth session (A/10285), this is the fifth report of the Ad Hoc Working Group to inquire into the situation of human rights in Chile, originally established under Commission on Human Rights resolution 8 (XXXI) of 27 February 1975. In pursuance of that resolution, the Chairman of the thirty-first session of the Commission appointed the five members of the Group from among the members of the Commission, to serve in their personal capacity and to operate under his chairmanship. The mandate of the Ad Hoc Working Group, in its original composition, has twice been extended by the Commission on Human Rights, acting at the invitation of the General Assembly in its resolutions 3448 (XXX) of 9 December 1975 and 31/124 of 16 December 1976 (Commission resolutions 3 (XXXII) of 19 February 1976 and 9 (XXXIII) of 9 March 1977). The composition of the Group is as follows: Mr. G. A. Allana of Pakistan (Chairman-Rapporteur), Mr. Leopoldo Benites of Ecuador, Mr. A. Diéye of Senegal, Mr. F. Ermacora of Austria and Mrs. M. J. T. Kamara of Sierra Leone.

2. Under the terms of Commission resolution 8 (XXXI) the Group was mandated to inquire "into the present situation of human rights in Chile" on the basis of various resolutions previously adopted by organs of the United Nations, the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization, of a visit to Chile and of oral and written evidence to be gathered from all relevant sources.

3. As required by the Commission in that resolution, the Group submitted a progress report (A/10285) on its initial findings to the Secretary-General for inclusion in his report on the protection of human rights in Chile to the General Assembly at its thirtieth session, under Assembly resolution 3219 (XXXIX). The report described the conditions in which the Working Group had been established, its mandate, its method of work, and its initial findings. That first report also described in detail the circumstances in which, in spite of formal assurances given by the Chilean Government, the Group, on 4 July 1975, in Lima, Peru, as it was about to begin its visit to Chile, was suddenly and unexpectedly refused entry into Chile "until a more auspicious occasion" (A/10285, para. 57). 1/ The Working Group subsequently submitted a report (E/CN.4/1188) on the results of its inquiries to the Commission on Human Rights at its thirty-second session. 2/

4. In accordance with Commission resolution 3 (XXXII) the Group was requested to report to the General Assembly at its thirty-first session and to the Commission on Human Rights at its thirty-third session on the situation of human rights in

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1/ The Government of Chile submitted its observations on this report in documents A/10303, A/C.3/639 and A/C.3/642.

2/ The Government of Chile submitted its observations on this report in documents E/CN.4/1197, E/CN.4/1204 and E/CN.4/1207.

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Chile, in particular any developments, legislative and otherwise, which might have occurred to re-establish respect for human rights and fundamental freedoms in implementation of General Assembly resolution 3448 (XXX) and all other relevant resolutions and decisions of the United Nations.

5. The Economic and Social Council, by its decision 145 (LX) of 12 May 1976, approved the Commission's decision to extend the mandate of the Ad Hoc Working Group and by its resolution 1994 (LX), also of 12 May 1976, requested it, in fulfilling its mandate, to ascertain any effect which any measures taken by the Chilean authorities might have towards the re-establishment of respect for human rights and fundamental freedoms in Chile.

6. The third report of the Group on the situation of human rights in Chile (A/31/253) was submitted to the General Assembly at its thirty-first session in accordance with Assembly resolution 3448 (XXX) and was considered by the Third Committee at its 45th to 48th and 54th to 59th meetings. At the 45th meeting of the Committee, the Chairman-Rapporteur of the Ad Hoc Working Group introduced the report of the Group, which included a detailed description (paras. 34-72) of the contacts the Group had maintained with the Government of Chile during 1976, including the exchange of views, inter alia, on the methods of work of the Group and on the unresolved question of a visit by the Group to Chile. In its consideration of the question of human rights in Chile, the Third Committee also had before it the observations of the Government of Chile on the report of the Ad Hoc Working Group (A/C.3/31/6 and Add.1) and a number of letters dealing with the situation of human rights in Chile submitted by the Permanent Representative of Chile to the United Nations.

7. On the recommendation of the Third Committee, the General Assembly at its 102nd plenary meeting, on 16 December 1976, adopted by a recorded vote of 95 to 12, with 25 abstentions, resolution 31/124.

8. In that resolution the General Assembly, inter alia, expressed its profound indignation that constant and flagrant violations of human rights had taken place and continued to take place in Chile, and called once more upon the Chilean authorities to restore and safeguard, without delay, basic human rights and fundamental freedoms and fully to respect provisions of the international instruments to which Chile was a party and, to that end, to take certain specific measures enumerated in paragraph 2 of that resolution.

9. The General Assembly in the same resolution requested the President of the thirty-first session of the General Assembly and the Secretary-General to assist in any way they might consider appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile. (For the full text of the resolution, see annex I.)

10. In accordance with resolution 3 (XXXII) of the Commission on Human Rights, the Ad Hoc Working Group submitted its fourth report on the situation of human rights in Chile (E/CN.4/1221) to the Commission at its thirty-third session. The report dealt with developments regarding the situation of human rights in the light of events that had taken place in Chile since the adoption of the Group's

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third report, which had been transmitted to the General Assembly at its thirty-first session, and the action taken by the General Assembly in its resolution 31/124.

11. The Commission on Human Rights considered the report of the Group at its 1418th to 1423rd meetings of its thirty-third session. For the consideration of the question of human rights in Chile the Commission also had before it the observations of the Government of Chile on the report of the Group (E/CN.4/1247 and Add.1-3) as well as information received from international organizations regarding their activities relating to human rights in Chile submitted to the Commission under resolution 3 B (XXIX) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/1232 and Add.1-3 and Add.2/Corr.1).

12. Several members of the Commission, as well as observers from Member States not represented on the Commission and representatives of non-governmental organizations, took part in the Commission's discussions, which are reflected in the summary records (E/CN.4/SR.1418-1423) and in chapter IX of the report of the Commission to the Economic and Social Council on the thirty-third session. 3/ The observer representing the Government of Chile stated the position of his Government at the 1419th, 1420th and 1421st meetings of the Commission.

13. At its 1422nd meeting, on 9 March 1977, the Commission on Human Rights adopted a draft resolution proposed by Austria, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Cyprus, Italy, Rwanda, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yugoslavia, as resolution 9 (XXXIII) (see annex II), the vote on the draft resolution as a whole being 26 in favour, 1 against and 5 abstentions.

14. In emphasizing its responsibility to promote and encourage respect for human rights and fundamental freedoms for all, the Commission in that resolution referred to the Universal Declaration of Human Rights, the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the relevant General Assembly resolutions as well as its own resolutions relevant to the situation of human rights in Chile.

15. The Commission in its resolution 9 (XXXIII), inter alia, shared the profound indignation expressed by the General Assembly in its resolution 31/124 that constant and flagrant violations of human rights had taken place and continued to take place in Chile, in particular the institutionalized practice of torture, cruel, inhuman and degrading treatment and punishment, the disappearance of persons for political reasons, arbitrary arrests, detention, exile and cases of deprivation of Chilean nationality, and called upon the Chilean authorities to put an end to the inadmissible practice of secret arrests and subsequent disappearance of persons whose detention is systematically denied or never acknowledged.

3/ Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 6 (E/5927), paras. 149-170.

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16. In paragraph 4 of its resolution, the Commission called once more upon the Chilean authorities to restore and safeguard, without delay, basic human rights and fundamental freedoms and fully to respect the provisions of the international instruments to which Chile is a party, and to this end to implement paragraph 2 of General Assembly resolution 31/124.

17. In accordance with General Assembly resolution 31/124, the Commission also extended for one further year the mandate of the Ad Hoc Working Group and requested it to report to the General Assembly at its thirty-second session and to the Commission on Human Rights at its thirty-fourth session with such additional information as might be necessary. The Commission once again requested the Secretary-General to render to the Ad Hoc Working Group all the assistance which it might require in its work, and recommended to the Economic and Social Council to make arrangements for the provision of adequate financial resources and staff for the implementation of the Commission's resolution. Finally, the Commission decided to consider the question of the violation of human rights in Chile at its thirty-fourth session, as a matter of high priority.

18. By its decision 233 (LXII) of 13 May 1977, the Economic and Social Council approved the decision of the Commission on Human Rights in its resolution 9 (XXXIII), in response to General Assembly resolution 31/124, to extend the mandate of the Ad Hoc Working Group to inquire into the situation of human rights in Chile within the terms of the Commission resolution, and decided to request the General Assembly to make arrangements for the provision of adequate financial resources and staff for the implementation of that resolution.

19. As in the preparation of its previous reports submitted to the General Assembly and the Commission on Human Rights, the Ad Hoc Working Group in preparing this report examined in detail and made use of the voluminous written material submitted to it by a variety of reliable sources, including intergovernmental and non-governmental organizations. The Group also received and examined oral testimony and written information from a number of persons, mostly Chilean nationals who had left Chile shortly before they appeared before the Group. The Group has also made use of every opportunity to have contacts with the representatives of the Government of Chile, and in the preparation of its reports has examined and considered all the information, both oral and written, submitted by the Government of Chile directly to the Group, to the United Nations Secretariat, or to other United Nations organs.

20. This report, which the Ad Hoc Working Group now submits to the General Assembly, was prepared at meetings held in Geneva from 15 to 26 August 1977, during which the Group also examined and made use of the oral and written information gathered during a field mission to Caracas, Venezuela (11-15 July), and New York (18 to 22 July) and during hearings held in Geneva from 25 to 29 July 1977.

21. The Ad Hoc Working Group wishes to express its warm appreciation to Mr. Theo C. van Boven, Director of the Division of Human Rights, to Mr. Costas Papademas, representative of the Secretary-General, and to the members of the Division of Human Rights and other members of the Secretariat who have assisted it untiringly in a spirit of dedication in the performance of its functions.

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I. RELATIONS WITH THE GOVERNMENT OF CHILE

22. In its progress report, submitted for inclusion in the report of the Secretary-General (A/10285) to the General Assembly at its thirtieth session, the Ad Hoc Working Group described the sudden and unexpected refusal by the Chilean Government to permit the Group to enter Chile "until a more auspicious occasion" (A/10285, paras. 51-62). In its report submitted to the Commission on Human Rights at its thirty-second session (E/CN.4/1188), the Group observed that "it would be essential that the Chilean Government should re-establish co-operation and consultations with the Group that would go beyond the furnishing of official documents to the Secretariat" (E/CN.4/1188, para. 214).

23. The report submitted by the Ad Hoc Working Group to the General Assembly at its thirty-first session (A/31/253) described in detail (paras. 34-72) the relations and contacts which had been established between the Group and the Government of Chile, including a series of meetings with Chilean government representatives between 18 and 24 May 1976 at United Nations Headquarters, New York, and on 25, 27 and 30 August in Geneva. In the course of those meetings views were exchanged, inter alia, on the methods of work of the Group and on the question of a visit by the Group to Chile. 1/ A proposal made by the representatives of the Government of Chile concerning a visit to that country by two members of the Group, appointed by mutual agreement, and the Group's proposal that such a visit of two of its members, freely appointed by the Group, should be considered if it were in the nature of a mission to prepare for the arrival of the other three members of the Group, did not lead to a visit by the Group to Chile. In most instances, communications exchanged between the Group and the Government were reproduced as annexes to that report.

24. The Chairman-Rapporteur of the Ad Hoc Working Group, in a letter dated 7 December 1976 addressed to the Permanent Representative of Chile to the United Nations, expressed the wish of the Group to obtain all possible co-operation of the Government of Chile in performing its task and that the Group would appreciate receiving any relevant written or oral information which the Government of Chile might wish to present to the Group during its meetings in January 1977. 2/ In a letter dated 6 January 1977 addressed to the Chairman-Rapporteur of the Group, through the Permanent Mission in Geneva, the Minister for Foreign Affairs of Chile stated that his Government had instructed the Chilean Mission to the United Nations Office at Geneva to establish contacts with the Group and to provide it with any

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1/ For the text of the proposals made by the Government of Chile in this connexion, see A/31/253, annexes VIII and XVI.

2/ For the full text of the letter of the Chairman-Rapporteur see E/CN.4/1221, annex II.

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information which might be required. 3/ Two representatives of the Government of Chile met with the Group on 26 January 1977 and provided oral information in respect of measures taken regarding the situation of human rights in Chile.

25. Following the adoption of the Group's report (A/31/253) to the General Assembly, the Government of Chile submitted, in a number of communications transmitted to the Secretary-General, to the Division of Human Rights or to the Chairman of the Group, written information in connexion with developments relevant to the situation of human rights in that country. These communications are described in the report submitted by the Group to the Commission on Human Rights at its thirty-third session (E/CN.4/1221); a chronological list of those communications appeared as annex IV of the report. That report also described, inter alia, the method of work of the Group, and in this regard answered a number of questions and criticisms proffered by the Government of Chile in its observations submitted to the General Assembly (A/C.3/31/6 and Add.1) and on the comments made in the course of a statement by the representative of Chile to the General Assembly when the question of Chile was considered by the Third Committee (A/C.3/31/SR.46).

26. The observer for Chile at the thirty-third session of the Commission on Human Rights, in a statement following the adoption by the Commission of its resolution 9 (XXXIII), expressed the view that his Government would be willing to co-operate with the Ad Hoc Working Group provided it was given one month in which to reply to the contents of the Group's report. 4/

27. Since the beginning of March 1977, the Group has received written information from the Government of Chile transmitted by that Government to the Secretary-General, to the Division of Human Rights or to the Chairman of the Group. A chronological list of those communications, certain of which are reproduced as annexes to this report, appears as annex III.

28. In a letter dated 19 April 1977 addressed to the Permanent Representative of Chile to the United Nations Office at Geneva, the Director of the Division of Human Rights, on behalf of the Chairman-Rapporteur of the Group, informed the Government of Chile that the Group would resume its meetings at the Palais des Nations, Geneva, from 16 to 20 May 1977 and inquired, on behalf of the Chairman-Rapporteur, whether the Government of Chile would wish to have its representatives meet with the Group and provide it with any written or oral information (see annex IV).

29. The Permanent Representative of Chile, in his letter dated 11 May 1977 addressed to the Director of the Division of Human Rights, stated that

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3/ For the full text of the letter of the Minister for Foreign Affairs of Chile, see E/CN.4/1221, annex III.

4/ See the record of the 1421st meeting of the Commission (E/CN.4/SR.1421).

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representatives of the Government of Chile would wish to meet with the Group and discuss outstanding matters and provide it with information (see annex V).

30. The Permanent Representative of Chile to the United Nations Office at Geneva, Ambassador Manuel Trucco, and the Counsellor of the Mission, Mr. Louis Winter, met with the Group in the course of its May meetings (16-20 May 1977) on 18 and 20 May 1977. The government representatives provided the Group with oral and written information with regard to the situation of persons who had disappeared and stated their Government's desire to co-operate with the Working Group. The information furnished by the government representatives is fully reflected in this report.

31. The Chairman-Rapporteur of the Ad Hoc Working Group, in a letter dated 20 May 1977 addressed to the Permanent Representative of Chile to the United Nations Office at Geneva, expressed the desire of the Group to visit Chile in fulfilling the mandate entrusted to it under Commission resolution 8 (XXXI), and expressed the hope that the Government of Chile would "make a positive affirmation for such a visit of the Working Group". The Chairman-Rapporteur further, in his letter, expressed the hope that the response of the Government of Chile would be transmitted to the Group around the middle of June 1977 in order to enable the Group to fulfil its mandate and to draft this report for timely submission to the General Assembly and to the Chilean Government, taking into account that the Group had decided to carry out its programme of work for the summer (see annex VI).

32. The Permanent Mission of Chile to the United Nations Office at Geneva, in a note dated 17 June 1977 addressed to the Director of the Division of Human Rights, requested that the Chairman of the Ad Hoc Working Group should be informed that the reply of the Government to his letter of 20 May 1977 was delayed due to the fact that the Minister for Foreign Affairs of Chile and his advisers had been involved in the preparation of the General Assembly of the Organization of American States, which they were at the time attending in Grenada, and that it would be forthcoming in a few days (see annex VII).

33. In his letter dated 4 July 1977 addressed to the Chairman-Rapporteur of the Ad Hoc Working Group, the Permanent Representative of Chile to the United Nations Office at Geneva stated his Government's position with respect to the wish expressed by the Group to visit Chile, as contained in the letter of the Chairman-Rapporteur dated 20 May 1977. It stated inter alia that there were no political detainees held in Chile in connexion with the state of siege, that offences committed against the security of the State were being heard mainly by the regular courts, and that the Government of Chile had embarked on a far-reaching carefully thought-out process of institutionalizing its civic and political structures, and that the Organization of American States, at the seventh regular session of its General Assembly, had decided that Chile no longer deserved separate treatment in connexion with the protection of human rights and had consequently not requested the Inter-American Commission on Human Rights for another special report on Chile. In the light of these developments, the Permanent Representative of Chile further stated in his communication to the Chairman of the Group, the Government of Chile believed that a

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visit at this time by the entire Group would place that country in a position which would not be consistent with the decision taken by the Organization of American States, and that it would create a certain amount of conflict between the two lines of investigation. On the other hand, the letter stated, the Government of Chile, in conformity with the principles and the position which that Government constantly demonstrated, reiterated its offer previously made on 26 August 1976 (see para. 23 above) that two members of the Group, to be mutually agreed upon, could visit Chile at a time to be decided upon at meetings which the representatives of the Government of Chile wished to have with the Group during the latter's forthcoming series of meetings (see annex VIII).

34. From Caracas, where the Group was meeting on 14 July 1977, a message was conveyed by telephone to the Permanent Mission of Chile to the United Nations to the effect that the Group would be ready to meet with the representatives of the Chilean Government at United Nations Headquarters, New York, during the Group's meetings from 18 to 22 July 1977. The alternate Permanent Representative of Chile to the United Nations informed the Acting Chairman of the Ad Hoc Working Group, on the morning of 18 July 1977, that the Chilean government representatives would wish to meet with the Group on 26 July 1977 at the United Nations Office at Geneva. This arrangement was confirmed by a note dated 18 July 1977 addressed to the alternate Permanent Representative of Chile to the United Nations by the Acting Chairman of the Ad Hoc Working Group.

35. The Chilean government delegation, headed by Ambassador Sergio Diez, met with the Group on 26 July 1977. During that meeting the government representatives provided the Group with information on the general situation and developments concerning human rights in Chile, in particular, the Government's efforts to trace missing persons, the future institutional structure of the Government, the situation regarding economic and health questions, and the freedom of the press.

36. The head of the Chilean government delegation informed the Group that he was unable to deviate from the original proposal of his Government with regard to a visit to Chile by a delegation of two members of the Group, mutually agreed upon by the Chilean Government and the Group. He further stated that, in this connexion, contacts could be established between the Secretariat and the Permanent Mission of Chile in Geneva.

37. The position of the Group, as stated by its Acting Chairman, was that, though the Group maintained its desire for the broadest possible co-operation with the Chilean Government, it interpreted its mandate as not permitting it to establish by agreement with the Chilean Government a delegation to visit Chile. On the other hand, there was theoretically nothing to prevent the Group from carrying out many aspects of its work by delegation if it so decided, and that might, theoretically speaking, possibly include a visit to Chile, subject to this not being in conflict with its mandate, though the Group was not at that time offering to appoint such a delegation. The Group's position was that any delegation which the Group might decide to appoint would have to be chosen only by the Group itself from among its members.

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38. The head of the Chilean government delegation considered that the pronouncement of the Group that it could work through a delegation represented progress, and he promised to convey the Group's point of view to his Government; he expressed the hope that co-operation between his Government and the Group would continue in the future.

39. The information submitted orally and in writing by the Chilean government delegation during that meeting and in other documents is reflected in the relevant chapters of this report.

II. CONSTITUTIONAL AND LEGAL DEVELOPMENTS

40. In its report submitted to the General Assembly at its thirty-first session (A/31/253, chaps. II and III) the Ad Hoc Working Group described the Chilean constitutional and legislative developments relevant to its inquiry as well as the impact on human rights of the state of siege. The report dealt with the Commission on Constitutional Reform, which had been established after the Government Junta had assumed power for the purpose of elaborating a preliminary draft of a new Political Constitution; the establishment 1/ of the Council of State as a supreme consultative body to the President of the Republic in matters of government and civil administration; the establishment 2/ of four legislative committees to be responsible for the drafting of decree laws, and the Government's announced intention to promulgate constitutional acts to protect the political, economic and social structure of the country until the elaboration of a definitive constitution. In the observations of the Government of Chile on the report of the Ad Hoc Working Group (A/C.3/31/6, chap. III) the activities of the above-mentioned bodies were described and the texts of Constitutional Acts Nos. 1-4 were annexed. 3/ In the report (E/CN.4/1221, chap. II) subsequently submitted to the thirty-third session of the Commission on Human Rights in 1977 by the Working Group, the salient provisions of Constitutional Acts Nos. 2, 3 and 4 were analysed (see in particular E/CN.4/1221, paras. 86-88).

41. Since September 1976 the legal developments in Chile have been characterized by a well-publicized attempt, through the enactment of Constitutional Acts, to give the appearance of the restoration of the rule of law and respect for human rights. Behind this façade exists the reality of subsequently enacted legislation which effectively annuls the operation of the constitutional provisions. Of specific importance are decree-laws Nos. 1684, 1688, 1689 and 1697 and bando No. 107 whose effects clearly demonstrate that the rule of law and the protection of human rights are subordinated to the primacy of the military régime.

A. Constitutional developments

1. Essential bases of Chilean institutions

42. Constitutional Act No. 2, entitled "Essential bases of Chilean institutions", was promulgated on 11 September 1976 and entered into force on 18 September of the same year. In its preamble the essential values of the legal order of the Chilean nation are set forth. 4/ The operative part repeals certain articles of the Political Constitution of the Republic and provides bases for the powers and responsibilities of the State and its organs. 5/

1/ Constitutional Act No. 1 of 31 December 1975.

2/ Decree-law No. 1220 of 21 April 1976.

3/ A/C.3/31/6/Add.1, annexes 3, 5, 6 and 7.

4/ See E/CN.4/1221, para. 57.

5/ Ibid., paras. 58-61.

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43. Transitional article 2 provides:

> "Within a period of one year following the entry into force of this Act, the decree-laws modifying the Political Constitution of the Republic with regard to the powers of the State and their exercise shall be reproduced in the form of a Constitutional Act." 6/

The one-year period provided in the Act will expire on 18 September 1977.

2. Constitutional rights and duties

44. The preamble to Constitutional Act No. 3, 7/ entitled "Constitutional rights and duties", 8/ contains the principles which will govern the application and interpretation of the rights and duties promulgated by the Act. It is recognized that "the protection and guarantee of the basic rights of the human person are of necessity the essential basis of any State organization". 9/ The "need to strengthen and enhance the rights recognized in the Charter of 1925 and to incorporate new guarantees in accordance with contemporary constitutional doctrine and the international endorsement thereof" is expressed. 10/ "Freedom of opinion and information" is recognized as "being one of the most vital freedoms in the world of today", while the necessity "to establish essential norms to prevent the abusive exercise thereof" is observed. 11/ The "appropriate protection of the right to own property" is acknowledged. 12/ It is asserted that "however perfect a declaration of rights may be, those rights are illusory unless the necessary legal remedies are provided for their due protection". 13/ The Government's ideological approach to human rights is reflected in the following:

> "as a means of protecting the fundamental values on which Chilean society is based, it is necessary to declare unlawful and contrary to the institutional order of the Republic any act of individuals or groups aimed at disseminating doctrines which impair the family, advocate violence or a conception of society based on class struggle, or are contrary to the constituted régime". 14/

6/ Constitutional Act No. 2 of 11 September 1976.

7/ Promulgated on 11 September 1976.

8/ See A/C.3/31/6/Add.1, annex 6, for the full text of this Act; see also E/CN.4/1221, paras. 62-63 and 77-79.

9/ Constitutional Act No. 3, preambular para. 1.

10/ Ibid., preambular para. 3.

11/ Ibid., preambular para. 6.

12/ Ibid., preambular para. 8.

13/ Ibid., preambular para. 10.

14/ Ibid., preambular para. 12.

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45. In chapter I of Constitutional Act No. 3, 22 operative paragraphs establish specific human rights; it may be noted that at least 38 provisions contained therein are subject to further definition or implementation by means of laws or statutes to be subsequently enacted. Chapter I entered into effect on 18 September 1976, but no legislation defining or implementing its provisions has, to date, been enacted. The Working Group reaffirms its observations on certain aspects of the constitutional developments made in its report to the Commission on Human Rights (E/CN.4/1221, paras. 86-88).

46. In chapter II of the Act, entitled "Judicial remedies", article 2 establishes the remedy of protection, which ensures that "any person who, as a result of arbitrary or illegal acts or omissions, suffers any deprivation of, interference with or threat to the legitimate exercise of the guarantees provided in ... /various provisions of the Act/ may have recourse in person or through a designated agent to the appropriate Court of Appeals, which shall adopt the necessary measures to restore the rule of law and ensure due protection of the person concerned". The subparagraph of this article requires the Supreme Court to issue an auto acordado setting forth rules governing the handling of such appeals.

47. Article 3 revives the constitutional guarantee of the right of habeas corpus embodied in article 16 of the Political Constitution of 1925 - the recurso de amparo.

48. Article 7 maintains the suspension of article 9 of the Political Constitution, which "ensures to all citizens the free exercise of political rights", the freedom to organize and join political parties, and the expression of opinion by such entities.

49. Transitional article 3 of the Act, which provided that within a period of 180 days from the date on which the Act entered into force, the organic law on expropriations conforming to the constitutional provisions should be promulgated. On 9 March 1977, however, decree-law No. 1689 (see annex IX) was enacted extending that period to 18 September 1977.

50. The President of the Supreme Court made the following remarks in his speech inaugurating the judicial year:

> "In Constitutional Act No. 3 recognition is given to the basic human rights and to the fact that they constitute the essential foundation of all the State institutions; in order to protect them, special remedies are provided guaranteeing not only individual liberty but other rights as well. These remedies constitute a positive advance in our basic legislation for which an imperative need has been felt over the years.
>
> "The remedy of protection is all the more necessary as the intervention of the State in many different aspects of the life of groups and individuals increases. Citizens cannot remain helpless in the face of abuses or arbitrary acts committed by the administration, and the administration must be made subject to the jurisdiction of the courts, whether ordinary or special." 15/

15/ See El Mercurio, 2 March 1977.

3. Emergency régimes

51. Constitutional Act No. 4, entitled "Emergency régimes", 16/ enacted on 11 September 1976, sets forth in the preamble the considerations to be taken into account in conferring powers to overcome the threat or occurrence of "emergency situations". 17/ It is stated that "suspension or restriction" of fundamental rights "must be proportionate to the gravity of the emergency so that they are imposed only to the extent that they are strictly necessary for the maintenance of the sovereignty, territorial integrity, institutional structure and normality of national life". 18/ It was deemed appropriate "to assemble, reorganize and systemize" various provisions of the Political Constitution of the Republic and of existing laws "in order to have a coherent and harmonious body of law for the benefit of the national community". 19/ The operative portion of the Act provides that "the rights and guarantees which Constitutional Act No. 3 ensures for all persons may be affected only in cases of emergency envisaged in following articles"; 20/ the cases of emergency are described, 21/ and the States which may be consequently declared are enumerated. 22/ For a fuller exposition of the Working Group's observations on the provisions of Constitutional Act No. 4, see E/CN.4/1221, paras. 64-74.

52. The sole transitional article provides that, with the exception of articles 13 and 14, the Act would enter into force 180 days after its publication, i.e., on 11 March 1977, and that within the 180-day period, a law complementing the Act would be promulgated. Article 13, which entered into force at the date of publication of the Act, provides that while emergency regulations are in force the period of 48 hours provided in paragraph 6 (b) of article 1 of Constitutional Act No. 3, during which the authorities may hold an arrested or detained person before notifying the competent judge and placing the person concerned at his disposal, is extended to 10 days. Article 14 entered into force at the same time as Constitutional Act No. 3, i.e., on 11 September 1976.

53. Article 14 of Constitutional Act No. 4 states:

> "The remedies of protection and of amparo (habeas corpus) laid down in articles 2 and 3 of Constitutional Act No. 3 shall only be applicable to the extent that they are wholly compatible with the legal provisions governing the emergency situations referred to."

16/ See A/C.3/31/6/Add.1 for the full text of this Act; see also E/CN.4/1221, paras. 64-74.

17/ Constitutional Act No. 4, preambular para. 2.

18/ Constitutional Act No. 4, preambular para. 5.

19/ Ibid., preambular para. 7.

20/ Ibid., article 1.

21/ Ibid., article 2.

22/ Ibid., article 3.

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Limitations on the application of both the remedy of protection and the remedy of amparo embodied in Constitutional Act No. 3 (see para. 46 above) were thereby imposed coincident with their enactment.

54. On 28 January 1977, decree-law No. 1684 was issued; 23/ it provided in its sole operative paragraph that article 14 of Constitutional Act No. 4 be repealed and replaced by the following:

> "The remedy of protection provided for in article 2 of Constitutional Act No. 3 shall not be applicable in the emergency situations referred to in Constitutional Act No. 4 of 1976 or in other constitutional or legal provisions."

55. The consequence of this legislation is that the remedy of protection which Constitutional Act No. 4 had previously declared only applicable where "wholly compatible" with legal provisions governing emergency situations was now declared to "not be applicable" in such situations. It appears, however, that with the enactment of decree-law No. 1684 the limitation in article 14 of Constitutional Act No. 4 on the right of amparo embodied in article 2 of Constitutional Act No. 3 has been removed, and that such right should now be operative without limitation. The consequence of decree-law No. 1684 appears to be twofold: the further restriction of the remedy of protection, and the removal of any restriction on the remedy of amparo (habeas corpus).

56. The legislative amendment of Constitutional Act No. 4 as it affected the remedy of protection aroused criticism in various Chilean circles, with regard both to its content and to the manner in which it had been enacted. The Commission on Constitutional Reform, which is charged with the task of elaborating a draft of the new constitution, 24/ issued a document stating that "neither the Commission nor any of its members had participated in the drafting of the decree-law". 25/

57. It was also reported that three members of the Commission had resigned or had been removed from their posts. An analysis of the impact of these developments was made in an editorial in El Mercurio:

> "Who could doubt that His Excellency, the President of the Republic, had broad powers to remove any of the jurists who, with no remuneration, are studying and drawing up the new draft Political Constitution? It is a fact that the Head of State can make additions to and changes in the membership of the Commission drafting this document. This is the case of the lawyer and professor of law, Jorge Ovalle, who was requested by the Minister of Justice, Mónica Madariaga, to resign from the Commission on which he was working.

23/ For the text of this decree-law, which entered into force on 31 January 1977, see annex X.

24/ See A/31/253, paras. 102-105, and E/CN.4/1188, para. 51.

25/ El Mercurio, 20 March 1977.

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"None of the jurists who make up this Commission has executive or decision-making powers. They merely propose a draft or constitutional formula to the Government, which may accept it, amend it or reject it. The presence of such and such a man of the law in its drafting commission in no way limits the powers of the Government Junta to exercise its constituent power, nor the powers of the President of the Republic to exercise his high authority.

"The power to replace the jurists on the Constituent Commission is not, then, under debate. What does, however, give rise to questions is the fact that the Commission, which initially had seven members, is now composed of only four (the fifth, Sergio Diez, is the present Permanent Delegate of Chile to the United Nations) and that for various reasons, the lawyers Alejandro Silva Bascuñán, Enrique Evans de la Cuadra and Jorge Ovalle have ceased to belong to it; they contributed valuable ideas from their respective viewpoints and their work could only benefit the Government since it consisted of proposals or suggestions which in no way affected the freedom of the President and of the Junta.

"The above-mentioned circumstances are important, because this is a symptom of the restriction of the basis of support or civil collaboration with the Government. No other régime in history had more right, or indeed a greater obligation, than the present one to accept civic collaboration without restrictions. Its military origin makes it possible for the Government not to discriminate with regard to earlier political ideas and to bind itself exclusively to the patriotism, knowledge and the competence of those who are willing to supply some public service." 26/

On 9 June 1977 three new members were appointed to the Commission: Juan de Dios Carmona, Luz Bulnes Aldunate and Raul Bertelsen. 27/

58. On 28 January 1977, the same day on which decree-law No. 1684 was enacted declaring the remedy of protection inapplicable in emergency situations, the acting chief of the Zona de Emergencia of Santiago issued a military order 28/ suspending all broadcasting by Radio Presidente Balmaceda. The Christian Democratic Party had been granted a licence for that radio station on 2 May 1972 29/ and had operated the facilities since that time. The Party appealed against the order of suspension to the military court, but the recurso de reclamo was rejected. In view of the new limitation on the remedy of protection, the Court of Appeals rejected the appeal. The simultaneous enactment of decree-law No. 1684 and the order suspending operation of Radio Balmaceda may reasonably lead to the conclusion that such action was not a mere coincidence.

26/ El Mercurio, 22 May 1977.

27/ Solidaridad, No. 20, June 1977.

28/ Published on 29 January 1977 in "Boletin de Prensa No. 11 de la Comandancia en Jefe del Ejercito", as reported in El Mercurio, 30 January 1977.

29/ Concession granted by decree No. 625.

/...

59. The action taken against Radio Balmaceda was widely criticized; the following statement appeared in El Mercurio:

> "For the information media and for the organizations representing journalism, this measure is a violation of the freedom of information which is recognized by our country's Constitution." 30/

The Association of Broadcasting Stations of Chile issued the following statement:

> "By decree of the Chief of the Emergency Zone of Santiago, Radio Presidente Balmaceda has been closed down. The measure is based on the fact that the concessionaire of the radio station is the Christian Democratic Party, which is allegedly infringing the provisions concerning the recess of political parties.
>
> "Unfortunately, it is more than three years after the recess came into force that this fact is noticed, when it was a matter of public knowledge, as is admitted in the decree itself; it causes unemployment for numerous speakers, operators, journalists and administrative employees and deprives many thousands of listeners of their means of information and entertainment.
>
> "The Association of Broadcasting Stations of Chile, ARCHI, which has constantly struggled to maintain freedom of expression in our country, hopes that the courts of justice, whose right it is to interpret the law, will enable our associate, Radio Presidente Balmaceda, to reopen, in accordance with the law." 31/

60. The President of the Supreme Court, in his speech of 2 March 1977 inaugurating the judicial year, after stressing "the immense importance of Constitutional Acts Nos. 2, 3 and 4" and referring to the application of the remedy of protection, spoke of the wide powers conferred on the executive authority by Constitutional Act No. 4 in the following terms:

> "Constitutional Act No. 4 refers to emergency régimes. I consider it my duty in view of the office I hold, to make some remarks about the breadth of the powers conferred by this Act, to which I am of course referring solely in terms of constitutional theory. It must be borne in mind that the Act in question is destined to have permanent effect and there is thus a possibility that it might lend itself to abuses at some time in the future and enable Governments then in power to violate essential guarantees which are enshrined in Act.No. 3 and inseparable from any rule of law.
>
> "Under the declaration of a state of siege or other emergency situation, the powers vested in the head of State are now extended, not only with respect to the restriction of personal liberty but also with respect to freedom of opinion, information and association; he is, moreover, given the power to censor

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30/ 1 February 1977.

31/ El Mercurio, 1 February 1977.

correspondence and communications and to impose limitations on the right to property. There can be no doubt that these measures were inspired by the laudable intention of ensuring internal security and public order, which are so gravely threatened in our day by alien intervention; however, experience shows that legislation promulgated with the best of intentions and in perfect good faith can subsequently be distorted or evaded by the sort of interpretations of which we have seen such deplorable examples in the past. I also feel bound to express my concern at the fact that the remedies of protection enshrined in Constitutional Act No. 3 are now to be restricted, in some far-reaching but ill-defined manner, whenever the emergency situations defined in Act No. 4 obtain." 32/

61. The Working Group has also received a number of communications from authoritative sources expressing concern as regards decree-law No. 1684, which indefinitely postpones the possibility of exercising one of the judicial mechanisms for the protection of human rights.

62. Although decree-law No. 1684 does not explain in its preamble the reasons which led the Government to adopt such measures, they are stated in the President's speech of 18 March 1977 (see annex XI), as follows:

> "The abolition of the remedy of protection during any state of emergency was dictated by the difficulty of applying it until such time as the new law to supplement the measures governing states of emergency has been promulgated. Once this new legal instrument has been enacted, it will be possible to give full legal effect to the institutions established under the relevant Constitutional Acts ...".

Although the promise in the last sentence strikes an encouraging note, the Group cannot refrain from expressing its surprise at the fact that the remedies guaranteeing the exercise of human rights recognized by the Government's own Constitutional Acts should be rendered ineffective by the Government's failure to promulgate the legal instruments needed to bring them into operation. There is all the more reason for concern when one considers that the prevailing legislative trend is to institutionalize the states of emergency.

63. On 29 March 1977, the Supreme Court of Justice, in pursuance of the second paragraph of article 2 of Constitutional Act No. 3, issued an auto acordado setting forth rules governing the handling of appeals invoking the remedy of protection with respect to constitutional guarantees; it stated that the provisions in question were "applicable in such cases without prejudice to the provisions of decree-law No. 1684 of 1977. 33/ Subsequently, when allowing an appeal in a particular case, 34/ the Second Chamber of the Supreme Court unanimously asserted:

32/ See El Mercurio, 2 March 1977.

33/ See El Mercurio, 31 March 1977.

34/ "Case brought by Hexagon Limitada against the Internal Revenue Service alleging arbitrary acts and omissions ... directly affecting the right of property" (El Mercurio, 15 April 1977).

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"the availability of the remedy of protection in respect of arbitrary or illegal acts or omissions not covered by any of the emergency situations referred to in article 5 35/ of Constitutional Act No. 4 or in some other constitutional or legal instrument". 36/

This ruling, although it seemed to be positive and to point to the existence of a creative, more autonomous role for the judiciary in the application of the law, nevertheless gave rise to concern inasmuch as it established a dangerous divisibility in the operation of constitutional rights, extending judicial protection to some of them in certain circumstances (for example, the right of property in the case referred to) and leaving other fundamental rights defenceless and exposed to the arbitrary exercise of power whenever it is maintained that the executive authority is acting in virtue of the powers entrusted to it in emergency situations.

64. The existence of the remedy of protection in any form, however, was short-lived. On 30 May 1977 the Court of Appeals declared the remedy of protection wholly inapplicable whenever the country is in a state of siege. 37/ Dr. Hugo Rosende, Dean of the Faculty of Law, who was the government counsel in the appeal, welcomed the clarification of this situation and explained that

"the inadmissibility of the remedy was very clear, since, during states of emergency like the present situation in Chile, in the case of any recurso de protección presented before the law courts, whatever its cause, and without exception or distinction of any kind, the courts must abstain from hearing the matter and definitely rule that the recurso cannot be received and that it is not justifiable to attempt it; in other words, this is equivalent to saying that in states of emergency the remedy of protection does not exist". 38/

65. The Working Group notes with regret that the remedy of protection enunciated in Constitution Act No. 3 has ceased to exist as a legal remedy as a result of the enactment of decree-law No. 1684 as interpreted by the Chilean courts.

35/ The reference is to the powers of the President under the declaration of the state of siege.

36/ See El Mercurio, 21 April 1977.

37/ Case of Marianne Pascal Allende, reported in El Mercurio, 2 June 1977.

38/ El Cronista, 3 June 1977.

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B. Decree laws

1. Dissolution of political parties

66. Constitutional Act No. 3, transitional article 7 (see para. 48 above), maintained the suspension of article 9 of the Political Constitution of 1925, which had guaranteed political rights. Decree-law No. 1697 of 11 March 1977 (see annex XII), promulgated by the Military Junta in exercise of its constituent power, provides for the dissolution of the suspended political parties and other entities, groups, factions or movements of a political nature, and also maintains the suspension of article 9 of the Political Constitution of the State, which establishes and protects political rights. Other provisions of the decree deprive the organizations referred to of their legal personality (article 1, para. 2), prohibit their existence, organization, activities and propaganda (article 1, para. 3) as well as the carrying out or encouragement of any activities of a partisan political nature by any entity (article 1, para. 4) and determine the disposal of the assets of such entities (article 2). It is provided that the assets become the property of the National Treasury; the Group views this as confiscation of property on a nation-wide scale. Violations of the provisions of this decree which prohibit further political activity carry severe penalties, including exile (article 3).

67. The measure embraces the political parties not affected by decree-law No. 77 of 7 October 1973 but covered by decree-law No. 78, which declared them to be "in recess". 39/ The preamble of decree-law No. 1697 states that these political parties "have continued their activity, which has led to the development of the type of ideological and partisan confrontation which previously promulgated decrees were designed to prevent". In his speech of 18 March 1977 President Pinochet stated that the dissolution of the political parties should be understood as part of the move towards the "national objective" and that "under the new institutional system, the political parties, from being groups bent upon seizing power for their own benefit, will become vehicles of opinion whose influence will depend solely on the moral calibre of their members and the soundness of their theories and their practical aims".

68. President Pinochet also referred explicitly to the Christian Democratic Party 40/ in the following terms:

39/ See A/10285, paras. 86 and 213-217.

40/ On 12 March 1977 and for some days after that, the Chilean press devoted considerable space to the question of a document said to have been written by the leaders of the Christian Democratic Party, Andrés Zaldívar and Tomás Reyes, and made public by the Government, which regarded it as subversive (El Mercurio, 12 March 1977; Ultimas Noticias, 12 March 1977; La Tercera de la Hora, 12 March 1977; El Mercurio, 13 March 1977; El Cronista, 14 March 1977).

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"Only the stubbornness of the former Christian Democratic Party in persistently and repeatedly violating the recess imposed on the political parties made it necessary to proceed immediately with a measure which the Government has been announcing for some time as part of its institutional programme. This is the only reason why the dissolution was applied to all the parties in existence on 11 September 1973."

69. The newspaper El Mercurio has also recently expressed its partial disagreement with some of the Government's latest measures. In a weekly political commentary, bearing on this occasion the title "Surprising changes", the newspaper refers to the suspension of the political parties:

"As a result of the changes that have been announced, the right to disagree publicly appears to have been reduced and any activity of political parties becomes criminal; the latter provision could even apply to organizations that were not political parties on 11 September 1973. It would have been possible to define the crime of violation of the "recess" of political parties and penalize it severely, thereby discouraging the more obvious attempts to bring back the old type of party activity. The same legislation could have defined the activities that constitute a violation of the "recess" and those that constitute a legitimate exercise of the right to disagree. It could also have indicated what constitutes a lawful organization for citizens for public purposes.

"By virtue of a constitutional ruling, political activity appears to have been completely outlawed, and this affects or could affect even social organizations that support the Government, inasmuch as they might be regarded as 'entities, groups, factions, or movements of a political character'." 41/

70. Furthermore, from an "exclusively moral and pastoral viewpoint", the hierarchy of the Church has made public 42/ its opinion on the present situation in Chile in reply to the presidential message of 18 March 1977. With regard to the suspension of political parties, the statement refers to "the profoundly legal tradition and character of our nation", which is linked with "the existence of parties representing the major trends of civic thought". It was further observed that in accordance with the teaching of the Church, any new structure "can only arise as a result of a free and mature national consensus, legitimately expressed". 43/ (See also chap. VI.)

2. Bando No. 107: Restrictions affecting printed matter

71. On 13 March 1977 the Chief of the Zona de Emergencia of the Metropolitan Region issued bando No. 107, which provides in part:

41/ El Mercurio, 13 March 1977.

42/ Statement on "Our national coexistence" by the Permanent Committee of the Episcopal Conference of Chile, published in El Mercurio, 26 March 1977 (see annex XIII).

43/ Ibid.

/...

"1. As from today, the establishment, issue, publication, circulation, distribution and marketing in any form of new newspapers, journals, periodicals and printed matter in general shall require prior authorization by the Chief of the Emergency Zone.

"2. The import and marketing of all types of books, newspapers, journals and printed matter in general shall also, as from today, be subject to prior authorization by the Chief of the Emergency Zone."

72. The imposition of this direct prior censorship 44/ on all publications was severely criticized both inside and outside Chile (see chap. VI below). In an editorial entitled "Cultural shrinkage", El Mercurio wrote:

"This is not a political problem. It is a cultural matter. Nobody at all, however good their intentions and however elevated their wisdom, is able to decide fairly what can or cannot be read by adults. Furthermore, the mere fact that there are authorities to qualify reading material as licit or illicit constitutes a narrowing of culture, a shrinking of the possibilities for reflexion, research and criticism to which the Chileans have a right." 45/

73. The hierarchy of the Church has made public its opinion on "freedom of expression" in a statement by the Episcopate entitled "Our national coexistence":

"We also wish to give our opinion, based on the doctrine of the Church concerning measures - some of which are quite recent - which substantially restrict freedom of information and opinion without prior censorship. Such measures do not favour the formation of authentic public opinion, which is an indispensable condition for a national consensus. The unity of a nation rests on the possibility that through numerous and effective channels of expression all valid interlocutors can responsibly state their opinions, assenting or dissenting, at every decisive stage in the course of national affairs. As the Church teaches:

"'Where there is no manifestation of public opinion and above all where it is found not really to exist, whatever the reason given to explain its silence or absence, we should see the defect or sickness, a disease of social life ... To stifle the voice of the citizen and reduce it to forced silence is, in the eyes of every Christian, an attack against the natural act of man and a violation of the world order as established by God'. (Pius XII, at the First International Congress of the Catholic Press, 17 February 1950.)

"We consider it our legitimate duty to point out that the great majority of citizens, of trades unions and professional associations, and of the social communication media, have shown a maturity and a patriotic and realistic

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44/ Cf. decree-law No. 1281 and bando No. 98 (see A/31/253, chap. IX).

45/ El Mercurio, 10 April 1977.

/...

understanding, even when they disagreed with the views of the Government, which in our opinion make them deserve, not more restrictions, but wider opportunities of expressing themselves and thus taking part in the formation of a genuine consensus.

"The consequences of these measures could be serious, not only for the image which other countries have of the operation of civil rights in Chile, but also for the actual development of thought, research and culture in our country. Moreover, the Church could not conscientiously accept restrictions which would limit its legitimate right to receive information and to teach its doctrine." 46/

C. The state of siege

74. In the report submitted to the General Assembly at its thirty-first session (A/31/253, chap. II) the Working Group described the impact on human rights of the state of siege. As will be recalled, on 11 September 1975 the state of siege of the national territory was modified by decree-law No. 1181 from the level of "internal defence" to that of "internal security". 47/ Since that time, the state of siege at that level has been renewed every six months; most recently, decree-law No. 1688, promulgated on 9 March 1977, 48/ extended the state of siege until 10 September 1977. Considering the fact that the state of siege was first declared on 11 September 1973 and has been extended several times, by 10 September 1977 (the date of expiration of decree-law No. 1688) the republic will have been under the state of siege for a period of four years. In this connexion, see General Assembly resolution 31/124.

46/ Text published in El Mercurio, 10 April 1977.

47/ Decree-law No. 640 of 10 September 1974 had provided that a state of siege may be declared in any of the following degrees:

(a) State of siege because of a situation of "internal or external war";

(b) State of siege in the degree of "internal defence", which is applicable in the event of civil commotion caused by rebel or seditious forces organized, or about to be organized, openly or clandestinely;

(c) State of siege in the degree of "internal security", which is applicable when commotion is caused by rebel or seditious forces which are not organized; and

(d) State of siege in the degree of "civil commotion", which is applicable in the other cases provided for in the legislation in force.

48/ The sole article of the decree provides that "The entire national territory of the Republic is declared to be in a state of siege at the level of internal security for a period of six months from the date of publication of this legislative decree in the Diario Oficial". The decree was published on 11 March 1977.

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75. On 11 September 1976, Constitutional Act No. 4 (see paras. 51-65 above), entitled "Emergency régimes", was promulgated; pursuant to the terms of its sole transitional article the Act was intended to enter into force 180 days after publication, 49/ that is, on 11 March 1977, and a law complementing the Act was to be promulgated within that time. 50/ It was stated that such complementary legislation "may provide for different levels in the states of siege, defence against subversion and disaster, and shall determine which of the guarantees laid down in articles 5, 6 and 7 may be suspended or restricted in the case of each article". 51/ Considerable importance clearly attaches to this complementary law in view of the fact that Constitutional Act No. 4 only outlines the regulations to be applied in states of emergency, leaving the effectiveness of the rights and guarantees enunciated in Act No. 3 to be determined by the provisions of the complementary law. It was recognized in the preamble of Constitutional Act No. 4 that "suspension or restriction of ... /fundamental rights/ must be proportionate to the gravity of the emergency so that they are imposed only to the extent that they are strictly necessary for the maintenance of the sovereignty, territorial integrity, institutional structure and normality of national life". 52/ It was further stated that "it is appropriate to assemble, reorganize and systematize ... /exceptional measures/ in order to have a coherent and harmonious body of law for the benefit of the national community". 53/

76. On 11 March 1977, the date when Constitutional Act No. 4 was intended to enter into force, decree-law No. 1689 (see annex IX) was published in the Diario Oficial. Article 1 (b) of that decree amended the transitional article of Constitutional Act No. 4 to provide that the "Act shall enter into force on the date of publication in the Diario Oficial of the complementary law referred to in article 11". 54/ The effect of decree-law No. 1689 is to postpone indefinitely the promulgation of the complementary law and to make the entry into force of Constitutional Act No. 4 subject thereto. The reason given for the delay is that the legislation in question relates to "complex subjects which had to be sufficiently mature and required thorough analysis" and that "for these matters it is necessary to ascertain the views of various institutions and bodies which will be applying the said legislation". 55/

77. The Inter-American Commission on Human Rights, in its third report to the

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49/ With the exception of articles 13 and 14 which entered into force on 11 and 18 September 1976 respectively, see paras. 51-52 above.

50/ Constitutional Act No. 4, transitional article.

51/ Constitutional Act No. 4, article 11.

52/ Constitutional Act No. 4, preambular para. 5.

53/ Ibid., preambular para. 7.

54/ Exception is made with reference to articles 13 and 14 of Constitutional Act No. 4 which had previously entered into force (see paras. 52-55).

55/ Decree-law No. 1689, preambular para. 5.

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Organization of American States on the situation of human rights in Chile, 56/ commented on the anomalous situation created by the extension of the state of siege by decree 57/ in view of the enactment of Constitutional Act No. 4. This comment carries even greater validity in the light of the current situation:

> "An entire network of jurisdictional, procedural and administrative subtleties and differences separates each one of these systems from the other, leaving a common element which is the predominance of special legislation over permanent and regular institutions, or the primacy of the power of the Head of State over written law." 58/

The Group feels bound to express its concern about the unpredictable and arbitrary law-making procedures which subject the Chilean citizenry to the insecurity inherent in a situation where the source and validity of the law is unknown.

D. Future institutional developments

78. On 9 July 1977, on the occasion of the second anniversary celebration of the Frente Juvenil de Unidad Nacional (Front of National Unity for Youth), the President of Chile delivered a speech describing the basic lines of the institutional development of the country. 59/ He stated that "we can clearly see how we must shape a new democracy which will be authoritarian, secure, unifying, and instrumental in technological progress and genuine social participation ...". Three stages in the formulation of the "new democracy" were outlined: (1) recovery, (2) transition, and (3) normality or consolidation. "These stages are distinguished by the different roles played in them by the Armed Forces and the Forces of Order on the one hand, and by civilians on the other. They are also differentiated by the legal institutions which must be established or employed in each stage."

79. It was stated that the country was currently "in the midst" of the recovery stage, and the following statement was made concerning the present and future role of the military:

> "In the recovery stage, political power has had to be taken over entirely by the Armed Forces and the Forces of Order, with civilian collaboration, but later on the more provisional needs of the situation will be shared with the citizens, who will thus have to make the transition from collaboration to participation.

56/ OEA/Ser.P, AG/doc.795/77, 12 May 1977, submitted to the seventh regular session of the OAS.

57/ At that time decree-law No. 1550, which extended the state of siege to 10 March 1977.

58/ OEA/Ser.P, AG/doc.795/77, 12 May 1977.

59/ Text furnished by the Permanent Mission of Chile to the United Nations Office at Geneva by note verbale dated 20 July 1977 (see annex XIV).

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"Lastly, we shall enter the stage of normality and consolidation, when power will be exercised directly and fundamentally by the citizens, and the Armed Forces and the Forces of Order will retain under the constitution the role of helping to safeguard the fundamentals of our institutional system and maintaining national security in its wide-ranging and decisive modern forms."

80. Regarding future constitutional developments, the President stated:

"During the remainder of the recovery stage, it will be necessary to enact further Constitutional Instruments for the various matters of a constitutional nature which they still do not cover, as well as some vitally important legislation on security, labour, social welfare, education and other subjects which will be prepared at the same time. The 1925 Constitution will thus be finally abolished; in substance it is already dead, but legally speaking some small portions of it remain in force, and this is not advisable.

"Simultaneously, the Constitutional Instruments already promulgated will have to be revised in those respects in which practice has shown the need to supplement, amend or clarify them.

"The culmination of this entire process of preparation and promulgation of the Constitutional Instruments, which will continue its gradual progress from now on, must in any case, I think, be before 31 December 1980, since the beginning of the transitional stage should be no later than that and should coincide with the full validity of all the legal institutions for which the Instruments provide."

81. The President described the future evolution of the governmental structure: there was to be a bipartite system composed of the President of the Republic and a Chamber of Representatives. The establishment of the Chamber was envisaged to take place during 1980, the members to be appointed by the Government Junta, "since elections are not feasible". It was further stated that four or five years later, however, two thirds of the members - those representing regions - would be elected by direct popular vote. After that time, it would be up to the Chamber to appoint the President of the Republic, who would serve for a six-year period. "Simultaneously, and this implies an advance from the stage of transition to that of consolidation, the new Political Constitution of the State ... must be adopted and promulgated." 60/

82. The Group observes that the restoration of human rights does not appear to be provided for in the programme of future institutional development outlined by the President of Chile.

60/ The full text of President Pinochet's speech appeared in El Mercurio of 10 July 1977.

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III. LIBERTY AND SECURITY OF PERSON

A. Arrest and detention and the right to a fair trial

1. Arrest and detention

83. In its report to the Commission on Human Rights at its thirty-third session, the Group found that the evidence it had received indicated that arrests continued to take place in Chile without compliance with the required legal safeguards (E/CN.4/1221, paras. 91-98). People were arrested without proper warrants being presented, their relatives were not informed of the place of detention, and the maximum period of detention without reference to the competent judge or the Minister of the Interior was invariably exceeded. In addition, an increasing number of arrests took place in circumstances where the occurrence was not likely to be witnessed by third parties. In fact, the security services, faced with new legislation designed to protect the human rights of detainees (A/31/253, paras. 120-132), were reported to have devised new methods of arrest amounting to kidnapping: the detention takes place without witnesses, the detainee does not appear in an official place of detention and the detention is denied by the authorities.

84. The Group also reported to the Commission on the large-scale release of persons who had been held under the state of siege without specific charges being brought against them and the expressions of satisfaction both in Chile and throughout the world at these releases. After the release of Luis Corvalán (see E/CN.4/1221, paras. 104-121) and Jorge Montes, it was reported by the Government that no one was held under the state of siege provisions 1/ (see paras. 175-177). However, the Group has received information that recently several persons have been detained by virtue of the state of siege under decrees of the Ministry of the Interior (para. 89).

85. In prior reports of the Group reference was made to the international legal standards and the Chilean constitutional and legislative provisions governing arrest and detention. Chilean law provides, in cases of arrest both for illegal acts and under the state of siege, that prior written authority for arrest must be obtained (except in the case of arrest in flagrante delicto). Chilean law also provides that notification be given within 48 hours of arrest to a judge or to the detained person's family (state of siege), and that within a limited time - 48 hours for criminal acts, five days under the state of siege - the arrested person must be released or turned over to the competent judge or to the Ministry of the Interior. In addition, persons arrested either for criminal acts or under the state of siege may only be held in places specifically designated or intended for that purpose. Written authority must also be obtained to conduct searches and, under the state of siege provisions, a copy of the warrant must be left after the

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1/ Note verbale dated 20 June 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva addressed to the Secretary-General.

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search (A/31/253, paras. 120-132). In this connexion the Group notes, as it did in its report to the Commission on Human Rights (E/CN.4/1221, para. 88), that, in spite of the provisions governing arrest and detention in Constitutional Act No. 3, the rules in force prior to the promulgation of that act continue to be applied in accordance with the transitional articles of that act.

86. The evidence received by the Group concerning the current practices in Chile in matters of arrest and detention demonstrates that the techniques described in the Group's last report to the Commission continue to be employed. While some arrests are made in homes, the majority take place on the street in a manner designed to avoid leaving any trace of the incident. Rarely are arrest or search warrants displayed, and the detainee's family is not informed of his location as the law requires. Arrested persons, at least initially, are not detained in the legal places of detention and they are held for longer than the law allows without being turned over to the competent judge or to the Ministry of the Interior. The evidence before the Group indicates that in Chile arbitrary arrest and detention now form part of a new system of intimidation consisting, broadly, in (i) detention for a short period of time, a few hours or a few days; (ii) questioning and torture; (iii) threats to the life of the detained person and his family; 2/ (iv) close post-release surveillance of the person and his family; (v) rearrest in some cases, and (vi) intimidation and harassment of family members (see also paras. 138-141). 3/

87. Arrests and detentions in Chile since late 1976 appear to be focused on persons with trade union connexions or those having ties to the Christian Democratic Party, the Socialist Party and the Catholic Church - in particular the Vicaría de la Solidaridad. The Group reported to the last session of the Commission on Human Rights that for the last three months of 1976 between 15 and 20 arrests were reported in the Santiago area monthly (E/CN.4/1221, para. 98). Although the increased use of the technique of short-term detention, coupled with threats of reprisals if the detention is revealed, renders an exact count of arrests difficult, the information received by the Group indicates that such detentions continued to take place during the first six months of 1977 at an average rate of between 10 and 15 per month. Two recent series of arrests and detentions, certain aspects of which received considerable press coverage, are illustrative of the

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2/ The Group has received testimony and written statements relating to threats made to detainees and their families about what would happen to them if the detainee described his detention in public, and for this reason the Group has kept confidential the sources of certain information. One witness testified that as he was leaving Chile, his plane was stopped just before take-off and he was removed. He was taken to an office in the airport and told that his life and the lives of the members of his family would be in danger, even if they were outside the country, if he described publicly his treatment during detention in Chile.

3/ See the report on a visit to Chile during July 1977 by Maître Louis Edmond Pettiti, avocat à la Cour d'appel de Paris and Bâtonnier désigné de l'Ordre des Avocats à la Cour de Paris, and Maître Bernard Andreu, avocat à la Cour d'appel de Paris (annex XV).

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techniques that have been reported to the Group as having been used by Chilean authorities in several other instances. The first series revolves around the kidnapping of Carlos Arnaldo Veloso Reidenbach and the detention of persons subsequently accused of the kidnapping, and the second concerns arrests of members of the Socialist Party.

(a) The case of Carlos Arnaldo Veloso Reidenbach

88. In a sworn statement presented to the Supreme Court of Chile (annex XVI), Carlos Arnaldo Veloso Reidenbach, a 16-year-old student, describes his detention on 2 May 1977 by two persons dressed in civilian clothes who forced him into a car, blindfolded him and took him to an unknown location where he was questioned concerning his father's activities and tortured. He was released a few hours later. His detention was reported in the press as a kidnapping. He states that he was able subsequently to identify one of his kidnappers as a DINA agent. Both Carlos Veloso and his father report (annex XVI) that following the boy's release, DINA agents on several occasions blindfolded them and took them to unknown locations for questioning. The son reports that under threats to himself and to his father's life he agreed to repeat a false story implicating Osvaldo Figueroa, Eduardo de la Fuente and Robinson Zuleta in his kidnapping. These individuals, along with four others, were, on various occasions, reported by the press to be responsible for the kidnapping. 4/

89. The Group has received information on the arrest and detention of the persons who were accused of the kidnapping:

(a) Mr. Osvaldo Figueroa, whose arrest was reported by the Chilean newspaper El Mercurio of 12 May 1977 as a kidnapping, reported in a post-release interview that he was detained on 9 May 1977 by four masked men, blindfolded and driven to an unknown location, where he was questioned, tortured and forced to admit kidnapping Carlos Veloso. It is also reported that attempts were made both to force Mr. Figueroa to admit having sexually assaulted the young Veloso and to force the young man to admit having been assaulted. Mr. Figueroa remained detained at an unknown location for several days until his transfer to Cuatro Alamos, and his whereabouts were unknown for a long period. 5/

4/ El Cronista, 25 and 26 May 1977; La Segunda, 27 May 1977; Ercilla, 1 June 1977; Solidaridad, Nos. 19, 20, 21 and 22; El Cronista, 25 May 1977; Qué Pasa, week of 23 June 1977. Certain of these press reports attempted to connect the Vicaría de la Solidaridad with the kidnapping and the defence of the kidnappers. See also paras. 128-130.

5/ For further information see the reports of interviews with him after his release (annexes XV and XVII). It has also been reported that some time after his detention and in response to a writ of amparo the Ministry of the Interior informed the Court of Appeals that Mr. Figueroa was being held in Cuatro Alamos by virtue of the state of siege, under decree 2378 of 13 May 1977. Although the employer of Mr. Figueroa certified that at the time of the kidnapping of Veloso, Mr. Figueroa

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(b) Mr. Robinson William Zuleta Mora, another of the accused kidnappers, was reported to have been detained for the first time on 9 May 1977, blindfolded and taken to an unknown location, where he was tortured. He succeeded in escaping and returned home. In this connexion, it is reported that the Court of Appeals refused a request for a visit to the place where he had been detained. 6/ Two days later, he was taken away in an ambulance by three persons. A relative who had accompanied him was ejected from the ambulance some distance away. This second detention was reported in the press. 7/ Mr. Zuleta, after having been missing for some time, appeared in Cuatro Alamos.

(c) Mr. Eduardo de la Fuente Sandoval (see annex XVII), Mr. Humberto Drouillas and Mr. Luis Mardones, who were also implicated in the kidnapping, are reported to have been detained on the street, respectively on 10, 11 and 12 May 1977, and taken to an unknown location. Their whereabouts remained unknown for some time and subsequently it was reported that they were being held in Cuatro Alamos by virtue of the state of siege under decree of the Ministry of the Interior. 8/

(d) Finally, Jorge Andrés Troncoso, also implicated in the kidnapping, was reported by witnesses to have been detained on 11 May 1977 and he is reported to be still missing. Mr. Osvaldo Figueroa and Mr. Eduardo de la Fuente report having seen him in detention (annex XVII). 9/

90. In relation to these detentions, the publication Solidaridad, issue No. 19, stated: "Nor is there any evidence that these detentions were carried out in accordance with the procedures prescribed by the law in force". However, it has been reported to the Group that the military judge (Fiscal Militar) charged with investigating this case has decided to end his investigation. 10/

(continued)

was at his place of work, the news media continued to report that he was being held in connexion with the kidnapping. It is also reported that on 28 May 1977 it was announced that Mr. Figueroa, Mr. de la Fuente, Mr. Mardones, Mr. Drouillas and Mr. Zuleta had been placed at the disposal of the Fiscalia Militar en Tiempo de Guerra (war-time military courts) charged, inter alia, with kidnapping. On 23 June 1977, after the Velosos had made their statement to the Supreme Court, Mr. Figueroa was released. See Solidaridad, Nos. 21 and 22.

6/ Solidaridad, No. 19.

7/ Ercilla, 1 June 1977.

8/ Solidaridad, Nos. 19, 20, 21 and 22.

9/ Ibid.

10/ Radio Chilena broadcast, reported in Hoy, No. 404, 14 July 1977.

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(b) Detention of members of the Socialist Party of Chile

91. Several members of the Chilean Socialist Party were reported detained early in May 1977 and one of them is still missing. Mr. Guillermo Bello Doren testified before the Group that on 3 May 1977 he was detained on a street in the centre of Santiago by five individuals dressed in civilian clothes, who blindfolded him and took him to an unknown location, where he was tortured and questioned on his political activities (he reports having been connected with the Socialist Party) and on his relations with the Vicaría de la Solidaridad. He was detained for 15 days during which he heard several other persons being questioned and tortured, and before his release he was told that his life and the lives of the members of his family would be in jeopardy if he revealed what had happened to him (see annex XVIII). 11/ In testimony before the Group, Juan Carlos Villar Ehijo, a 23-year-old student, reported being detained on 13 May 1977 by persons in civilian clothes identifying themselves as coming from "Investigations" who searched his house and questioned him and his family concerning Gonzalo Ehijo Gutierrez, a member of the Central Committee of the Socialist Party. During his detention, which lasted 10 days, he was questioned and ill-treated. The Group has received information that Israel Vicente García Ramirez, a 20-year-old active member of the Chilean Socialist Party, was detained, together with his wife, on 30 April 1977 in San Fernando. 12/ Mr. Villar Ehijo testified to having heard Mr. Israel Vicente García being questioned and tortured at the place where he was detained in Santiago, and a sworn statement has been received from another person who was detained with him. Mr. Vicente García is reported to be still missing. Finally the Group has received reliable information that another member of the Socialist Party of Chile was detained on 2 May 1977 in the street by security agents, blindfolded and taken to an unknown location, where he was interrogated and tortured; after threats had been made to his family, he was released. The Group heard testimony from two witnesses who were detained with him.

92. The techniques described above are illustrated further in the additional reports of recent arrests and detentions and are to be found in annex XIX.

2. Detention of persons accused of crimes and the right to a fair trial

93. As has been indicated above in relation to the detention of those accused of the kidnapping of Carlos Veloso, Chilean authorities continue to deprive individuals of their liberty by virtue of the state of siege on the basis of decrees from the Ministry of the Interior. In addition, individuals are also deprived of their liberty and tried, convicted and sentenced by courts on the basis

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11/ El Mercurio, 21 and 24 June 1977.

12/ Solidaridad, No. 19.

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of allegations that they have committed political offences, such as writing and distributing pamphlets 13/ or belonging to certain associations. 14/

94. Information received by the Group indicates that many of these cases continue to be tried by military courts and even in some cases by war-time military courts. 15/ The Group has already noted in prior reports 16/ the significant loss of basic guarantees entailed in the normal military court procedure; and in relation to the war-time military court procedure the Group found that "both in theory and especially in practice, the war-time military procedure fails to protect even the most elementary human rights of the accused" (E/CN.4/1188, para. 70). The Group has received a report that two persons previously accused of the Veloso kidnapping (Mr. Zuleta and Mr. Drouillas) are to be tried by a war-time military court on yet unspecified charges. In view of the secrecy involved in this procedure, and bearing in mind what took place in relation to the Veloso kidnapping, the Group cannot avoid concluding that this is a deliberate attempt to deny the accused a fair trial and to conceal the truth from the public. 17/

95. The Group has received information concerning persons who have been accused of crimes and held in custody for a long period of time without being brought to trial. For example, the Group has been informed that José Fernando Saavedra Romero has been detained since 24 April 1975 18/ and that Roberto Sapían R., detained on 11 September 1973, is still being held in the Valparaiso gaol, awaiting sentence. 19/

13/ It is reported that at the beginning of May, nine people were detained by the Carabineros Intelligence Service (SICAR). Some of their homes were broken into. After being interrogated for two or three days, they were transferred incommunicado to prison, accused of having written subversive pamphlets and of having collaborated with others in their distribution. All were still under the jurisdiction of the fiscalia militar (military court). Those held incommunicado are: Pedro Castro Aguirre (42 years old), Luis Marín Vega (38), José Palacios (28), Avelino Maturana Chávez (30), Rogelio Pizarro Pizarro (33) and Manuel Roldán Martinez (29). The majority are workers or labourers of the Plan del Empleo Mínimo (PEM). (Solidaridad, No. 20.)

14/ It is also reported that six persons were detained in Antofagasta and Calama at the end of 1976, accused of violations of decree-law No. 77 on illegal association. (Solidaridad, No. 20.)

15/ It was reported that those accused of kidnapping Carlos Veloso would be tried by a war-time military court. In addition, the Group has learnt that 13 persons detained in Valparaiso during the month of June 1977 will also be tried by a war-time military court (Case A-843 of the Naval Court of Valparaiso).

16/ A/10285, paras. 93-94 and 114; E/CN.4/1188, paras. 67-70.

17/ Solidaridad, No. 23.

18/ Report of a mission to Chile under the auspices of the World Council of Churches.

19/ Solidaridad, No. 22.

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96. The following information has been received by the Group indicating the number of persons indicted and awaiting trial for political offences (which include distribution of pamphlets and illegal association) in Chile as at 16 June 1977:

In the course of prosecution 20/

Detained	82
Provisional release	82
	164 (of whom 95 in the provinces)

This compares with 61 persons in prison awaiting trial reported in the Group's report to the Commission; however, in that report 263 indicted persons were reported to have been provisionally released (E/CN.4/1221, para. 122).

97. In relation to persons convicted for political offences, the Group has received the following statistics concerning the number of convicted persons actually deprived of their liberty or released as at 16 June 1977. 21/

Deprived of liberty:

Imprisoned	189
Compulsory transfer of residence by sentence	70

Released:

Release on parole	70
Suspension of sentence	98
Total convicted persons	427 (of whom 360 in the provinces)

In this connexion the Group was also informed that at least 1,000 persons had been subjected to compulsory transfer of residence by administrative order under the state of siege or by transfer in the course of prosecution. 22/ In its report to the Commission on Human Rights the Group indicated that at 10 December 1976,

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20/ Report of a mission to Chile under the auspices of the World Council of Churches.

21/ Report of a mission to Chile under the auspices of the World Council of Churches.

22/ Ibid.

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464 persons were imprisoned after conviction for political offences (E/CN.4/1221, para. 122); there has thus been a drop of more than half in the number of those imprisoned. This may be attributed in part to the operation of decree No. 504 (see paras. 173-174).

98. At the time of the release of Jorge Montes, it was reported that in Santiago 116 political prisoners were being held: 7 in the Reformatory (women's gaol); 45 in the Penitentiary; 45 in the Public Gaol; 4 in the San Bernando Gaol; 1 in the Buin Gaol; 15 in the Capuchinos Gaol annex (8 in transit for leaving the country) and 1 in the Psychiatric Hospital. 23/

99. The following list of convicted political prisoners sentenced to long term imprisonment who were still being held in prison in Chile during the first quarter of 1977 has been brought to the attention of the Group:

ERICK SCHNACKE	Senator, 47 years old, detained in the Capuchinos Gaol annex.
CARLOS LAZO	Vice-chairman, Official State Journal, 44 years old, detained and serving sentence in the Capuchinos Gaol annex.
ERNESTO GALAZ	Major in the Chilean Armed Forces, 48 years old, detained and serving sentence in the Capuchinos Gaol annex.
RAUL VERGARA	Captain in the Chilean Armed Forces, 32 year old, detained and serving sentence in the Santiago Penitentiary.
JUAN CARDENA	Seaman. Valparaiso Prison, sentenced to 13 years.
ERNAN PACHECO	Valparaiso Prison, sentenced to 11 years.
PEDRO BLASSET	Lance-corporal.)
JUAN ROLDAN	Lance-corporal.)
PEDRO LAGOS	Corporal.)
JAIME SALAZAR	Seaman 1st class.) Valparaiso Prison, sentenced to 8 years.
ALBERTO SALAZAR	Lance-corporal.)
SERVIO FUENTES	Seaman 1st class.)
ERNESTO ZUNIGA	Seaman 1st class.)

100. The Group has received testimony concerning the conditions under which political prisoners are held in Chile, which includes reports of attempts to mix political prisoners with common criminals and to deprive them of contact with outside authorities engaged in assisting political prisoners. It was reported that attempts by DINA agents to question political prisoners in the Public Gaol provoked demonstrations of protest by the prisoners. It was also reported to the

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23/ Solidaridad, No. 21, p. 6.

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Group that, in many cases, the families of political prisoners encounter severe economic and social obstacles in trying to make a living and that often they are repeatedly visited by agents of the security services. Upon release the former political prisoner finds it almost impossible to find work and for this reason, among others, many have been forced to leave the country. Annex XX contains a statement received by the Group from an ex-detainee who recently left Chile; that statement reflects information received from other sources.

B. Disappearance of detained persons

101. Information concerning the disappearance of detained persons in Chile has been reflected in each of the reports of the Ad Hoc Working Group to the General Assembly and to the Commission on Human Rights. In its report to the Commission at its thirty-third session the Group stated, after considering the information before it, in particular evidence from released detainees who reported having been detained with missing persons, that it could not escape the conclusion

> "that a system has been established in Chile whereby individuals believed to oppose the present régime, including persons active in the labour movement, are arrested by Chilean authorities and detained in various unknown locations while the responsible authorities deny their arrest or detention and that, after having been interrogated under torture, most of these individuals are never seen alive again" (E/CN.4/1221, para. 184). 24/

Thus, in view of the numerous cases of detained persons who had never been seen again and the discovery of mutilated bodies, and the fact that no serious investigation of missing persons had taken place, the Group called upon the Government of Chile to make a full investigation of those occurrences and make the results public (E/CN.4/1221, para. 185). The Commission on Human Rights, in its resolution 9 (XXXIII), adopted after the Group's report was considered, called upon the Chilean authorities to put an end to the inadmissible practice of secret arrests and subsequent disappearance of persons.

102. The Group has described above the information it has received concerning the detention and disappearance of persons in Chile in 1977 (paras. 83-92). In most of these cases, the detained individual has reappeared after a certain period, which varied in each case, but both Jorge Troncoso Aguirre and Israel Vicente García Ramirez remain missing (paras. 89, 91). In addition, the report of a recent mission to Chile effectuated under the auspices of the World Council of Churches contained the names of two other missing persons:

24/ In relation to the observations of the Government of Chile on the Group's report to the General Assembly at its thirty-first session, the Group, in its report to the Commission, noted instances in which the Government did not deal with the facts indicating violations of human rights presented in the report and other instances in which such facts were confirmed in much of their substance by the Government. In relation to still other cases, the Group reported it had received new testimony from persons directly concerned confirming the information contained in its report to the General Assembly at its thirty-first session (E/CN.4/1221, para. 183). The Group also notes statements by the Inter-American Commission on Human Rights (Third Report on the Situation of Human Rights in Chile, OEA/Ser.P. AG/doc.795/77) to the effect that the responses from the Government of Chile have not "in all instances been as complete and precise as would have been desired" (p. 3) and that the Government failed to answer fully the questions raised by the Commission (p. 43).

Mr. Ruyter Enrique Correa Arce, a 62-year-old former labour leader who reportedly disappeared on 27 May 1977, and Mr. Hernán Soto Galvez, a 55-year-old former Communist Party leader who reportedly disappeared on 7 June 1977. In the months of May and June 1977 the number of detentions and missing persons reported to the Group increased.

103. Prior reports of the Group contained information on the numerous detainees who subsequently disappeared in Chile and the efforts within Chile to determine their whereabouts and obtain their freedom. As indicated by the Group in its report to the Commission on Human Rights and as reported elsewhere, 25/ the number of detainees missing since September 1973 has been estimated at between 1,000 and 2,000. A report of a recent mission to Chile 26/ indicates that one reliable source has a total of 741 complete files relating to the following disappearances (see also paras. 124-127):

	Disappeared in
317 persons	1973
230 persons	1974
77 persons	1975
177 persons	1976

In the following paragraphs, the Group reports on the information relative to these cases which it has received since its last report.

(a) Detention of Carlos Humberto Contreras Maluje 27/

104. Carlos Humberto Contreras Maluje, a pharmacist born in 1948, was a city councilman of the Communist Party for the city of Concepción (see also E/CN.4/1221, para. 102 (a)). According to a declaration by Carabineros Captain Clemente N. Burgos (annex XXI), Carlos Contreras Maluje was detained on 3 November 1976 by individuals who identified themselves as DINA agents and who were driving a Fiat 125, licence plate EG 388. 28/ Although the Government

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25/ Le Monde, 7-8 August 1977.

26/ Report of a mission to Chile under the auspices of the World Council of Churches.

27/ For press reports of this case see El Mercurio, 12 and 13 February 1977, 13 and 14 April 1977; Solidaridad, No. 17.

28/ This testimony is corroborated by testimony in the files of the Group given by Captain Burgos before the Court of Appeals and by sworn statements in the files of the Group from the following persons: Luis Rojas Reyes, driver of the bus; Jaime Oswaldo Ubilla Ubilla, Carabineros Captain; Manuel Fernando Villeneuva Rios, Carabineros Second Lieutenant (Subteniente); Claudio Jimenez Cavieres, witness; and Robinson Ascencio Medina Galaz, Carabineros Major.

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of Chile has denied the detention (E/CN.4/1247/Add.1, p. 67), the Court of Appeals found that the facts permitted the fundamental inference that DINA agents detained Mr. Contreras Maluje, and the Court ordered his release. 29/ The Minister of the Interior responded that he was unable to comply because Mr. Contreras Maluje was not being detained. It was reported to have been determined subsequently that the automobile used in the detention of Mr. Contreras was registered to the Chilean Air Force and was being used by General Ruiz Bunger. General Ruiz Bunger, in a letter dated 28 June 1977, informed the Court of Appeals that he had used that automobile at 8.30 a.m. on 3 November 1973 to travel to the Ministry of Defence, that it was left parked in front of the Ministry and that at 1430 hours he used it again to travel to his office in the Directorate of Intelligence of the Chilean Air Force. 30/

29/ Excerpt from the judgement of 31 January 1977 of the Court of Appeals of Santiago:

"Whereas the record of these proceedings, and the records in case No. 103.372 of the Second Higher Criminal Court of this city and in case No. 2641-76 of the Second Military Court, which the Court has had before it, warrant the inference that on 3 November last, officials of the National Intelligence Directorate proceeded to detain Carlos Humberto Contreras Maluje, the subject of the amparo;

"Whereas, mindful of the fact that the detention referred to has been denied by the said organism, the Court must likewise accept that it was carried out without adequate orders from any authority, which is corroborated, moreover, by the various reports made during the hearing of case No. 2641-76 on the register of the Second Military Court of Santiago;

"Whereas the situation established by the foregoing facts implies a clear and manifest violation of the personal liberty recognized in the aforementioned Constitutional Act No. 5, a liberty which all persons, institutions or groups included thereunder must respect in conformity with the provisions of article 7 of that basic law, and of which this Court is called upon to be guardian under the provisions of article 3 of the aforementioned Constitutional Act No. 5;

"By virtue of these facts and in conformity also with the provisions of article 306 of the Code of Criminal Procedure, the recurso de amparo presented as the main cause on page 3 of the petition on behalf of Carlos Humberto Contreras Maluje has to be allowed and, as a consequence, the Court declares that in order to re-establish the rule of law and assure the due protection of the subject of the amparo, Carlos Humberto Contreras Maluje, the Minister of the Interior must arrange for him to be freed immediately."

30/ It is also reported that this letter stated that an error of identification could have been made, due either to a mistake by the witnesses or to the use of false number plates by a group that wished to attribute the acts to the security services (Solidaridad, No. 22).

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105. Mr. Contreras Maluje is still reported missing and the Group has not learnt of any attempts to substantiate the information in the letter of 28 June nor of any arrangements to have the witnesses to the arrest identify those security agents who had access to the automobile between 8.30 a.m. and 2.30 p.m. on 3 November 1976.

(b) Detention of Víctor Díaz

106. In relation to the detention of Víctor Manuel Díaz Lopez, Deputy Secretary-General of the Communist Party of Chile, 31/ the Group in its report to the Commission on Human Rights reproduced a sworn statement by an eyewitness to the detention of Víctor Díaz in which it was reported he was using the name José Santos Garrido Retamal. 32/ The Government of Chile informed the Group of the existence of an arrest warrant for Mr. Víctor Díaz, 33/ and according to a newspaper report, 34/ the Minister of the Interior stated to the Supreme Court "that there was no evidence that Víctor Díaz had been arrested" but that Garrido Retamal had been arrested on 12 May 1976 and released the next day. A statement by Mrs. Víctor Díaz giving information on contacts with her husband after his arrest is reproduced in annex XXII.

(c) Detention of Guillermo Roberto Beausire Alonso

107. In relation to the detention and disappearance in November 1974 of Guillermo Roberto Beausire Alonso, the Government of the United Kingdom, by a letter dated 1 February 1977 (annex XXIII) brought to the attention of the Group a memorandum summarizing evidence in the possession of the Government of the United Kingdom to the effect that, after leaving Chile in November 1974, Mr. William Beausire was returned to that country from Argentina and held secretly in detention at least until July 1975 (annex XXIV). The letter stated the "carefully considered view" of the British authorities that "when taken as a whole, the statements made to them by witnesses constitute a persuasive body of evidence which can leave little doubt that William Beausire was detained in Chile for several months after November 1974". This letter also stated that the memorandum had been submitted to the Chilean Foreign Minister but that the Chilean Government's reply 35/ was unhelpful in attitude and unsatisfactory in content and that they "were obliged to conclude that no real attempt had been made by the Chilean authorities to locate William Beausire or investigate the facts of his disappearance". On 17 May 1977 the Permanent Representative of the United Kingdom to the United Nations Office at Geneva appeared before the Group to express the gravity of the British Government's concern to the Group. Subsequently, copies of the statements referred to in the memoradnum were transmitted to the Group; they are in the Group's files.

31/ See A/31/253, paras. 259-261.

32/ See E/CN.4/1221, para. 171 and annex XV.

33/ A/C.3/31/6, sect. D.4 (b), and E/CN.4/1247/Add.1, chap. V. I.6.

34/ El Mercurio, 1 July 1977.

35/ An English translation of this reply was transmitted by the Government of the United Kingdom to the Group and is reproduced in annex XXV.

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(d) Detention of Carlos Lorca

108. In relation to the detention and disappearance of Carlos Lorca, Mr. Ramsey Clark, former Attorney-General of the United States, who has assisted Mr. Lorca's father in his attempts to find his son, appeared before the Group to transmit the following information: Carlos Lorca, Jr., a graduate of the School of Medicine, University of Chile, was seized on 25 June 1975 together with Mrs. Carolina Wiff, at or near 120 Maule Street in Santiago, Chile. On 18 July 1975 a petition for a writ of habeas corpus was filed in the Supreme Court of Chile and six affadavits were attached describing his seizure by DINA agents. On 17 July 1975 an Italian lawyer, Guido Calvi, telephoned and taped a conversation with a Colonel Espinoza in the office of the Minister of Defence during which Colonel Espinoza stated that he could not supply information because Lorca was under arrest and would be tried in court. Since Mr. Lorca's disappearance, several persons have given affidavits stating they have seen him in several detention places in Chile, including Cuatro Alamos and Villa Grimaldi, 36/ and recently contacts have taken place between the father of Carlos Lorca and a person representing himself to be an officer in the DINA, who met with Mr. Lorca specifically to arrange the release of his son.

(e) Other missing persons

109. The following are examples of the kind of information concerning the detention of missing persons recently received by the Group. In relation to the detention of Martín Elgueta Pinto (A/31/253, paras. 237-239), the Group has received a copy of a sworn statement by Maria Cristina Olivares Castro in which she states that she was detained together with Martin Elgueta Pinto, Juan Chacon Olivares and Maria Inés Alvarado Borgel at the DINA detention centre at Calle Londres 38. The Group has also received a statement by the mother of missing person Newton Morales Saavedra 37/ describing his arrest and his detention in Cuatro Alamos (annex XXVI) and she also states that, as at 1 February 1977, a court order requiring that the Chief of Cuatro Alamos appear before a court had not been respected. The Group also received eyewitness reports of the arrest of Rosa Elena Morales Morales 38/ (annex XXVII) and Maria Angelica Andreoli Bravo 39/ (annex XXVIII), both of whom remain missing.

36/ Mr. Clark reported that the Inter-American Commission on Human Rights of the Organization of American States notified the Government of Chile in November 1976 that, from evidence available to it, it believed Lorca was a prisoner in Chile.

37/ See A/10285, annex XVII, list A, No. 100.

38/ See E/CN.4/1221, annex VIII, p. 3.

39/ See A/10285, annex XVII, list A, No. 6.

(f) Missing persons seen in custody

110. The Group in its report to the Commission on Human Rights at its thirty-third session (E/CN.4/1221, para. 138) gave information concerning missing persons who had been seen in detention by persons released from the various detention centres in Chile during the last quarter of 1976. While preparing the present report, the Group heard testimony from numerous witnesses who testified to having been detained in Chile together with persons reported to be still missing; the list of these missing persons is reproduced in annex XXIX. (See also paras. 124-127). Information concerning this testimony was transmitted to the Government of Chile and the Government's response is reproduced in annex XXX.

(g) Cases of denial and subsequent admission of detention by Chilean authorities

111. One of the difficulties encountered in trying to locate missing persons is exemplified by the cases in which the Chilean authorities deny, usually in response to a writ of amparo, that they are holding a certain person - only to admit it subsequently. Instances have been given in prior reports of the Group, 40/ and the following information has been received recently.

112. In relation to the death of Gustavo Humberto Castro Hurtado, the Group has received a signed statement by his widow (annex XXXI) which describes her husband's detention, the rejection of amparo based on the Ministry of the Interior's denial of detention and the subsequent information that her husband had committed suicide while in custody. Another signed statement (see annex XXXII) has been received by the Group in which Mr. Genaro Bernardo Appelgren Donoso describes his detention, the death of two fellow detainees, the rejection of writs of amparo based on the Ministry of the Interior's denial of detention, and his release from Puchuncaví.

(h) Cases of admission of detention and subsequent denial by Chilean authorities

113. The Group has also reported cases of missing persons in which the Chilean authorities in the first instance admitted detention, only to deny it later. 41/ Numerous such cases have been presented to the Supreme Court of Chile; many were among the 383 cases presented in August 1976 (E/CN.4/1221, paras. 174-182). In relation to the following three missing persons, the Group has received copies of official documents admitting detention (annex XXXIII): Barbara Uribe Tamblay and

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40/ Case of Claudio Eugenio Blanco (A/31/ 253, para. 224) and observations of the Government of Chile (A/C.3/31/6, chap. IV.C.8); case of Manuel Guerrero (A/31/263, para. 225) and observations of the Government of Chile (A/C.3/31/6, chap. IV.C.8 and E/CN.4/1221, para. 183); detention of eight persons in Valparaiso (A/31/253, paras. 241-247) and observations of the Government of Chile (A/C.3/31/6/Add.1, annex 20, and E/CN.4/1221, paras. 168-169).

41/ Case of Martin Elgueta Pinto (A/31/253, para. 237).

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Edwin Van Yurick Altamirano (A/10285, annex XVII) and Bautista van Schouwen (E/CN.4/1188, para. 104).

C. Official investigations of cases of missing persons

114. In its most recent reports to the General Assembly and the Commission on Human Rights 42/ the Group dealt with official investigations into the large-scale disappearances of detained persons in Chile. Both reports contained information, in particular, on the rejection by the Supreme Court of Chile of petitions for investigation of cases of missing persons, including information showing that the reasons given for such rejections, when verified, did not correspond to the facts. 43/ The Group, in its report to the Commission, after having reviewed the information it had received concerning investigations into cases of missing persons, concluded that no serious investigations had taken place and called on Chilean authorities to undertake full investigations and make the results public (E/CN.4/1221, para. 185).

115. The situation of the families of missing persons was described in a report submitted to the Group by Maître Louis Edmond Pettiti and Maître Bernard Andreu in the following terms: "The families which include a 'desaparecido' are in a particularly tragic situation: to the shock of the arrest of their relative who is now being detained in some secret place, is added mental anguish, living expenses which have often become more difficult to meet, and the hostility of the authorities ... " 44/ The effect on the health of children of a missing parent is described in paragraph 272 of the present report.

42/ A/31/253, paras. 248-252 and 288, and E/CN.4/1221, paras. 172-185.

43/ Annex XXX contains information from the Government on the reasons for the rejection of the petition concerning 383 missing persons. However, these reasons have already been dealt with by the Group in its report to the Commission on Human Rights (E/CN.4/1221, paras. 181-182).

44/ This report continued in the following terms:

> "After exploring every avenue open to them under Chilean law to ascertain the fate of their relatives, these families receive from the governmental authorities replies which are inadmissible from the point of view both of reason and of the most elementary humanity: no evidence of detention, gone abroad voluntarily or recently ... all of which allegations are contradicted and denied by the testimony of many witnesses, particularly detainees who have been released. The official replies which deny the existence of secret detention are hardly convincing, even to those who gave them to us."

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1. Petition concerning 501 missing persons

116. On 8 March 1977 a petition was presented to the Supreme Court of Chile on behalf of 501 missing detainees by members of their families, together with 2,300 other persons, including four bishops, many deacons, priests, members of the clergy and of the Christian communities, professionals, employees, workers and representatives of numerous labour unions and social associations. 45/ Making use of their constitutional right of petition, the signatories of the petition asked the Supreme Court to request the Government Junta to "inform the public of the results of the investigations which were ordered so as to throw light on the whereabouts and fate of the persons who had been reported as missing" and asked the Supreme Court to let the Government have the evidence in its possession regarding these disappearances. 46/

117. The petitioners explained, according to the publication Solidaridad, that:

> "the problem is very well known to the Supreme Court; there are overwhelming testimonies and well-founded presumptions for concluding that these persons have disappeared since being arrested by members of DINA. 'In a high percentage of cases, the detentions follow the same procedure and show similarities pointing to the existence of a systematic and permanent system of repression, possessing a high degree of efficiency and co-ordination'. They comment on the failure of the judicial steps that have been taken and on the fact that nothing has enabled the whereabouts of the missing persons to be discovered. They wonder what the reason for this is and say that 'the investigations made at the summary stage by the examining magistrates lead nowhere: judicial summonses requiring the officials of DINA to testify regarding their alleged participation in the acts in question are either ignored or flatly rejected' and conclude that 'the truth is that these actions show that the attributions of the most honourable Supreme Court have been bypassed. The drama of the missing persons is contributing to a serious deterioration in the public image of the Judiciary'." 47/

However, this petition was finally rejected by the Supreme Court on the grounds that the Court lacked the competence to make the request asked for in the petition.

2. Investigations into disappearances occurring in November and December 1976

118. The detention and disappearance of 13 persons in November and December 1976

45/ For a list of some of the signers of the petition, see Solidaridad, No. 15, p. 3.

46/ Solidaridad, No. 15, p. 3.

47/ Ibid.

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were noted in the Group's report to the Commission on Human Rights at its thirty-third session. 48/ After various writs of amparo and criminal complaints for kidnapping had borne no fruit, the families of the missing persons asked the Supreme Court to order a special investigation (by a ministro en visita). The request was granted for 8 of the 13 persons concerned, and Judge Aldo Guastavino was appointed to carry out the investigation. He began his investigation on Wednesday, 2 January 1977, and closed it as exhausted on Monday, 7 January 1977, after he had received certificates stating that records existed to the effect that the eight persons had left Chile.

119. The families of the eight, judging that no real investigation had taken place and that Judge Guastavino's activities were notarial rather than investigative in nature, asked that the investigation be reopened. They requested, in particular, a full investigation into the following points: (a) the circumstances of the arrest of the missing persons, which would include taking the testimony of witnesses; (b) the whereabouts of the missing persons between their arrest and supposed exit from Chile; (c) the circumstances surrounding their leaving the country, including whether they complied with bando No. 85 49/ and whether the "Control of Entry or Exit" form had been filled out as required by law. 50/

120. The Supreme Court ordered the investigation reopened on 1 March 1977 and some time later expanded it to include the disappearance of Fernando Ortiz Letelier and Waldo Ulises Pizarro Molina. 51/ No further information has been received on the progress of the investigation.

3. Request for full investigation of cases of missing persons: the sit-in at the headquarters of the Economic Commission for Latin America

121. On 14 June 1977, in the headquarters building of the United Nations Economic Commission for Latin America in Santiago, a sit-in and hunger strike, subsequently widely reported in the world press, was initiated by 26 individuals, mostly women, who were relatives of missing persons. They addressed a message to the Secretary-General of the United Nations (annex XXXV) which stated, in part:

> "(1) We demand that all the cases of missing persons should be cleared up once and for all ... The reliable lists are those which appear in the

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48/ E/CN.4/1221, para. 103. Annex XXXIV contains information concerning the disappearance of these individuals as well as information supplied by the Governments of Chile and of Argentina.

49/ Bando No. 85 of 25 February 1975 of the Jefatura de la Zona en Estado de Emergencia de la Provincia de Santiago. This order provides in part that persons leaving Chile must furnish the Ministry of the Interior with certain information in writing 48 hours before leaving the country.

50/ El Mercurio, 20-26 February 1977.

51/ El Mercurio, 23 March 1977.

responsible submissions made by us or by the Church to the Courts, with the assistance of thousands of world figures, men of culture, lawyers, trade-union leaders, etc.

"(2) We demand the establishment of a commission of investigation consisting of eminent persons of irreproachable moral character from Chile and other countries ... If the Chilean authorities recognize the position and competence of an organization such as the United Nations, there is no reason why a commission with United Nations backing and with the status which it will derive from the eminent persons appointed to it cannot carry out an analysis of the evidence in this case ...

"(3) Lastly, we demand absolute respect of all individual guarantees for ourselves."

122. On 23 June 1977 the United Nations Office of Public Information issued a statement which read, in part:

"Last night the Secretary-General received from the Acting Permanent Representative of Chile the reply of the Chilean Government to several proposals which the Secretary-General had made in order to solve the problem of the sit-in of 26 Chileans in the ECLA offices in Santiago. The Government of Chile is prepared to give information on the whereabouts of relatives of the Group of 26. The Government has also declared that it will not apply sanctions against the members of the group."

The hunger strikers were informed of this statement and as a result they decided to end their hunger strike and addressed a message of thanks to the Secretary-General (annex XXXVI). On 23 June 1977, they left the ECLA headquarters in Santiago. Annex XXXVII contains information on the missing persons on whose behalf the sit-in was held.

123. The Group has received a report from a mission to Chile under the auspices of the World Council of Churches concerning events that have taken place since the end of the sit-in strike. The relevant parts of this report read as follows:

"It is a known fact that, on 7 July, the DINA began to visit the women who had taken part in the hunger strike. They made seven visits between 7 and 9 July. I personally questioned the women who had taken part in the strike and had been visited by the DINA. The latter wanted to know how the strike had been organized, who the leaders had been and whether the Church had been implicated. The replies had been recorded, and attempts had been made to force the participants to sign statements. In some of the cases, four officials in plain clothes arrived in a white Austin, licence plate NN 663, Providencia. In one instance the interrogator was a Captain Gomez. The pressure also took the form of threats to a 16-year-old youth and constant surveillance of certain

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women. One of them was told after an interview lasting two and a half hours: 'You will pay dearly for not collaborating with us'." 52/

The Group also received the following telegram dated 15 August 1977 from the President of the World Peace Council and transmitted it to the Government of Chile with a request for comments:

"Six women relatives disappeared prisoners were arrested Friday front Supreme Court in Santiago, Chile, demanding clarification situation relatives. Violations Junta's commitment to United Nations after hunger strike June. Behalf millions peace freedom fighters all world we call for urgent measures to protect these women to compel Junta fulfilment obligations. Respectfully yours, Romesh Chandra, President WPC". 53/

52/ For another report on this subject see annex XV. In relation to the visits to those having taken part in the sit-in strike the Group has in its files copies of statements of the persons visited and of a report on the matter made by them to the Supreme Court.

53/ The Government's comments on this matter, contained in a note verbale dated 26 August 1977 (see annex XXXVIII), were received on the final day of the Group's August series of meetings in Geneva.

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D. Lists of missing persons and government replies

124. During December 1976, the President of the International Committee of the Red Cross transmitted to the Government of Chile two lists of missing persons, totalling 893 individuals, whose cases had been referred to the Chilean authorities by the Red Cross. These two lists, along with the information relating to some of the names on the lists transmitted by the Chilean authorities to the Red Cross, were transmitted by the Government of Chile, with the consent of the Red Cross, to the Group. 54/ In relation to these two lists, the Minister for Foreign Affairs of Chile on three occasions (22 February 1977, 10 May 1977 and 10 June 1977) sent communications to the President of the International Committee of the Red Cross concerning some of the names on the Red Cross lists. One of these communications described the substantial obstacles in the way of achieving rapid and fully satisfactory results in the matter. 55/ The Government's communications to the Red Cross contained information on 63 of the 893 alleged missing persons; 46 had been visited in their homes and found to be leading a normal life; 11 were, according to statements by family members, outside Chile; 5 had left the country and one was recorded as dead by the Institute of Forensic Medicine. In addition, the Government requested from the Red Cross further

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54/ The Group in prior reports referred to the list of 383 missing persons of August 1976 presented to the Supreme Court and in this report it has referred to the list of 501 missing persons of March 1977, also presented to the Supreme Court. The Group knows of no direct official response to these two lists dealing with names included in the lists.

55/ The parts of this letter, dated 22 February 1977, relevant to the matter read as follows:

"(a) It has been established, from reports of irregularities in the electoral registers, that, under the previous Government, many persons possessed two or more identities, based on forged identity cards bearing the names of non-existent persons.

To give an example, Miguel Enríquez, the leader of the Movimiento de Izquierda Revolucionaria, had a total of 13 different identities in his possession when he was killed in a clash between terrorists and police and security forces.

"(b) There are also a large number of persons who have gone underground, either leaving Chile or remaining in the country and joining in the efforts to overthrow the Government of Chile by violent means. In many cases, such persons obviously use false identities, as a necessary means of carrying out their subversive activities.

"(c) There is also the fact that, since long before the advent of the present Government, the legislation in force in Chile had traditionally been very liberal and undemanding, as far as checking changes of domicile, residence, or place of work, are concerned. This considerable freedom

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particulars concerning 65 names, stating that the files of the Central Bureau of Identification showed more than one person with the name in question.

125. In relation to the information furnished by the Government of Chile to the Red Cross, the Group notes that, concerning the 63 persons the Government of Chile reported as having been located, one person was in fact not reported missing in either of the two Red Cross lists nor by the Vicaría de la Solidaridad in its two presentations to the Supreme Court of Chile. 56/ The Government also reported that another missing person had been recorded as dead by the Institute of Forensic Medicine at Santiago. However, the Group has received information from that person's parents that he was with them in Concepción after the time he was reported by the Institute to have died and the Group notes that the identity card number of the missing person is not the same as that of the person reported dead. 57/ Similarly, the Government reported that missing person Sergio Alejandro Riffo Ramos was living in Santiago, but the Group has received

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(continued)

of movement, residence and employment recognized in Chile sometimes delays determination of the present whereabouts of a person who may be living and working normally in the country without problems of any kind.

"(d) It cannot be ignored that during the period immediately following the military pronunciamiento of September 1973 there were various armed confrontations between the forces of order and extremist groups which put up a prolonged resistance to the new authorities; the tension prevailing at that time, plus the difficulties of accurately identifying the persons referred to above, have not made it possible in all cases to determine the names of the persons involved."

56/ In its reply to the Red Cross (Part C, No. 1, of the memorandum of 22 February 1977) the Government of Chile reported that a Mr. Roberto E. Jorquera Armijo had left the country on 12 January 1975. However, this person had not been reported as missing either by the Red Cross, the Vicaría or the Working Group. The Group notes that the Red Cross had reported as missing a person with a similar name, Mr. Roberto Fernando Jorquera Armijo, and that in the later memorandum of 10 May 1977, the Chilean authorities reported that he was living in Paris.

57/ The Government of Chile reported in the memorandum of 22 February 1977 that Mr. Rodríguez Cárcamo Héctor, identity card No. 2389515 (Santiago) was recorded by the Institute of Forensic Medicine of Santiago as having died at 10.25 a.m. on 19 September 1973. However, the Group has received a statement from Yolande Cárcamo Lopez in which she states that her son, Héctor Rodríguez Cárcamo (identity card No. 258835 of Concepción), was arrested in Concepción by carabineros in her presence and that of her husband and daughter at 1900 hours on 19 September 1973. The Group also notes that it was Mr. Héctor Rodríguez Cárcamo with identity card No. 258835 (Concepción) who was reported as missing to the Supreme Court.

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information indicating that the person reported living in Santiago does not have the same name or the same identity card number as the missing person. 58/ In regard to the remaining 60 individuals reported by the Government as having been located, the Group observes that none of them are to be found on the two presentations to the Supreme Court by the Vicaría de la Solidaridad that are reflected in the ICRC lists, nor on the lists contained in the Working Group's reports, and that despite an eight-month period in which to carry out the investigations, not one of the persons on the petitions of the Vicaría has been located.

126. In relation to the request by the Government of Chile to the Red Cross for further particulars concerning 65 names of missing persons which appear more than once in the Central Identification Bureau (Gabinete Central de Identificación), the Group notes that information concerning 13 of the 65 was available from the Supreme Court since they were included in the Vicaría petitions, and that one person was reported in the same memorandum as living in Santiago (Alberto Muñoz Muñoz).

127. Annex LV contains a composite list of information concerning missing persons from the two Red Cross lists and the two petitions of the Vicaría de la Solidaridad to the Supreme Court of Chile. The information supplied by the Government of Chile to the International Committee of the Red Cross is reflected in annex LVI.

E. Obstacles placed in the way of investigations of disappearances

128. The difficulties encountered in defending persons detained in connexion with the state of siege, including the reduction in the number of lawyers assuring their defence, the harassment, arbitrary arrest and expulsion of prominent lawyers defending detainees and the forced dissolution of the Comité de

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58/ With respect to Mr. Sergio Alejandro Riffo Ramos the Government of Chile reported "Riffo Ramos Sergio Alejandro. Resides in Santiago, at Calle Bío-Bío No. 1408. Has never been arrested or tried. He is an army sergeant, second-class, and is at present posted in the city of Valdivia, Población Perú, Calle Arequipa No. 831. He stated that he was working in the Army Arsenals in Valdivia." (Part A, No. 7, of memorandum attached to the letter of 10 May 1977). Mr. Sergio Alejandro Riffo Ramos, with identity card No. 325.515 of Concepción was reported as missing to the Supreme Court by the Vicaría de la Solidaridad. However, the Group has received information from a report of a mission to Chile under the auspices of the World Council of Churches that lawyers dealing with this case received from the Governmet of Chile an affidavit indicating that the person living at Calle Bío-Bío No. 1408 is Mr. Sergio Apolonio Riffo Ramos, identity card No. 314,589, and not the Sergio Alejandro Riffo Ramos reported missing.

Cooperación para la Paz were dealt with by the Group in its report to the General Assembly at the thirty-first session. 59/ Information received by the Group indicates that some of the obstacles described there and others are now being placed before those seeking to discover the truth concerning missing persons. Annex XXXIX contains excerpts dealing with these issues from a report of a mission to Chile under the auspices of the World Council of Churches.

129. In addition to the major obstacle of the refusal of the security agencies to co-operate with the courts in investigating disappearances (paras. 149-153), the Group had received reports concerning physical attacks on a lawyer connected with the search for missing persons, 60/ the prevention of a lawyer from attending a hearing on missing persons through a false arrest 61/ and an attempted reprisal on a judicial official for acting in connexion with missing persons. 62/

130. Reports of what appear to be attempts to mount a campaign against the Vicaría de la Solidaridad, which is today a principal source of help to those detained, to those who feel threatened with detention and to those seeking the whereabouts of missing family members, have been received by the Group with much concern. 63/ The Group has been informed that during the first months of 1977 a number of former detainees were brought by DINA agents before notaries public in order to sign prepared statements to the effect that the Vicaría de la Solidaridad had attempted to force them to sign false statements that while detained they had been tortured. Further, the Group has learnt of numerous false stories in the news media in which it was stated that the Vicaría had presented writs of amparo for

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59/ A/31/253, paras. 289-301; for the observations of the Government of Chile on these points see A/C.3/31/6, chap. IV.E.

60/ The Group has received a report (Solidaridad, No. 19) of a brutal attack on 26 May 1977 by unidentified persons on Guillermo Cáceres, a lawyer who for some time defended political prisoners and was involved in attempts to find the 13 persons reported missing in November and December 1976 (paras. 118-120) and in the request for amparo in favour of Bello Doren (para. 91).

61/ The father of Mr Contreras Maluje, Mr. Luis Egidio Contreras Aburto, a lawyer acting to free his son, reports that he was stopped by carabineros of Curico while driving to Concepción to attend the taking of testimony in relation to his son's detention, which was scheduled for 1500 hours on 21 April 1977. He was accused of shooting at a truck along the highway and detained until 1540 hours, when his accuser admitted he was mistaken and that a stone had broken the truck's windshield. Mr. Contreras Aburto was thus prevented from attending the hearing and he states that the carabineros told him that what had occurred was the responsibility of DINA and the SICAR. A copy of this report is in the files of the Group.

62/ A copy of a statement describing the reprisals is in the Group's files; in order to protect the individual concerned, no further information is given here.

63/ Report of a mission to Chile under the auspices of the World Council of Churches, see annex XL.

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missing persons who were, in fact, not missing. 64/ In fact, however, in the cases mentioned either no writ of amparo had been presented or one had been presented not by the Vicaría, but by members of the family of the person concerned. 65/

F. Attempts to show that missing persons have not actually disappeared

131. The Group has received reports from reliable sources of recent attempts by agents of the Chilean intelligence services to obtain from families of missing detainees statements indicating that the persons concerned are not in fact missing. The Group has received copies of two sworn statements made by Mrs. Yolanda Pinto Miranda, the mother of a missing person, Martín Elguerta Pinto (para. 109), which describe two occasions on which DINA agents tried to force her to sign statements that her son was in fact alive. Similarly, the wife of missing person Eduardo Enrique Hernandez Concha (A/31/253, annex XIX) reported that in February 1977 persons saying they were from the Ministry of the Interior visited her and asked insistently that in order to stop the Government from being bothered with what they called the pretended detention and disappearance of her husband, she sign a statement saying that her husband was free, had all his belongings and had not been tortured during detention. 66/

132. Information reaching the Group from reliable sources indicates that during the month of February 1977 nearly 50 families of missing detainees were visited by groups of two or three persons who tried to obtain declarations that the individuals were not missing, and who either did not identify themselves or stated that they came from the Vicaría de la Solidaridad, the International Red Cross, the Ministry of the Interior, DINA or other departments of the Government. In this regard, both the Vicaría de la Solidaridad and the International Committee of the Red Cross published in the press announcements putting the public on guard against unauthorized persons pretending to be from their organizations.

133. The Group has also received reports indicating the involvement of the Fiscal Militar of Osorno, the Governor of the Tenth Region and the Division of

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64/ El Cronista, 24 and 25 May 1977. La Segunda, 24 May 1977. In this connexion it has been reported to the Group that on 24 May 1977 the television station Teletrece broadcast information attributed by the station to Mr. Max Reindl, Director of Information of the Government, which stated that the Vicaría had presented writs of amparo on behalf of "persons who recently in declarations to the communication media manifested their surprise at appearing in the list of missing and detained persons published by the Vicaría". See Solidaridad, No. 19.

65/ Solidaridad, No. 19. See also annex XL.

66/ A copy of this statement is in the files of the Group.

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Information of the Chilean Government in Chilean newspaper stories 67/ falsely reporting that a Mr. José Erasmo Levia had been included among the 501 cases of missing persons presented to the Supreme Court (paras. 116-117) but that, in fact, he was in Osorno and had reported voluntarily to the Fiscalia to establish this fact. However, the Group has learnt through a sworn statement that Mr. Levia was on two occasions ordered to the Fiscalia of Osorno and that he was informed he was a missing person and reported as such, even though he and his lawyer told the Fiscal that it was his brother, José Erasmo Levia Aguayo, who was referred to and that his brother was still missing. 68/

134. The Group has reviewed, in the light of the observations of the Government of Chile, the information on liberty and security of person which it presented to the Commission on Human Rights at its thirty-third session. In this regard the Group notes that in many cases the Government made no observations on information that indicated violations of human rights. In other cases the Government responded with a simple denial or replied that no record of detention existed, that the person had been released, or that he had left the country. In still other cases the Government simply attacked the credibility of the Group's witnesses. Given the weight of the evidence presented in the Group's report and of the evidence presented in the various court cases, the Group finds the Government's information not to be responsive and to indicate a refusal in most cases to undertake the appropriate investigation.

67/ El Mercurio, 19 March 1977, El Cronista, 19 March 1977, La Segunda, 18 March 1977, Ultimas Noticias, 19 March 1977, La Tercera de la Hora, 19 March 1977.

68/ Annex XL; and Solidaridad, No. 15, p. 7.

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IV. TORTURE AND OTHER FORMS OF CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT; THE SPECIALIZED ORGANS OF STATE SECURITY

135. The Group, in its report to the Commission on Human Rights at its thirty-third session (E/CN.4/1221), stated that torture and inhuman or degrading treatment or punishment have continued to occur in Chile, and the Commission, after considering the Group's report, stated in its resolution 9 (XXXIII) that it shared the profound indignation expressed by the General Assembly in its resolution 31/124 that "constant and flagrant violations of human rights have taken place ... in Chile, in particular the institutionalized practice of torture, cruel, inhuman and degrading treatment and punishment".

136. In relation to this question the Government of Chile, in a document submitted to the thirty-third session of the Commission on Human Rights (E/CN.4/1247, part one, sect. A.IV), stated:

> "Even applying the most rigorous standards to judge Chile, no one can suggest the possible existence of deliberate or systematic maltreatment, for that would presuppose the complicity, tolerance or failure in their duties on the part of the authorities and institutions holding power or authority over the life of those establishments of which some have been singled out."

However, since the adoption of its report to the Commission, the Group has received evidence, including testimony from persons directly affected and reports from individuals who have recently visited Chile, which indicates that, although the victims may not be so numerous as in prior periods, torture and other cruel, inhuman or degrading treatment or punishment continue to be applied to persons in detention and has become an integral part of the new system of intimidation described in the present report (see paras. 86-87 and 138-141) and can therefore be termed an institutionalized form of torture.

A. Torture and other cruel, inhuman or degrading treatment or punishment

137. Although the Group was informed on 18 May 1977 by the representative of the Government of Chile that "no complaint of ill-treatment has been recorded", 1/ information received by the Group indicated that since the beginning of 1977, despite threats of reprisals, individuals have informed the Chilean courts of torture and similar treatment experienced during detention. 2/ Paragraphs 86 to 92

1/ Statement of Ambassador Manuel Trucco to the Ad Hoc Working Group of the Commission on Human Rights, Geneva, 18 May 1977.

2/ As examples, on 18 June 1977, Mr. Carlos Veloso Figueroa and Mr. Carlos Veloso Reidenbach ratified before the Supreme Court their sworn statement (see annex XVI) (Solidaridad, No. 21); on 7 July 1977, the sworn statement of Eduardo Bello Doren (see annex XVIII) was presented to the Tercer Juzgado del Crimen de Mayor Cuantía of Santiago (Solidaridad, No. 22).

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of the present report reflect the information received by the Group indicating that some forms of torture were practised in almost all of the cases of detention reported. According to this information, during interrogations the unfortunate victims were tortured, for the purpose of intimidation and in the hope of obtaining some information; they were beaten and electricity was applied to the most sensitive parts of their bodies. In addition, the attention of the Group has been drawn to the fact that drugs and psychological methods of torture continue to be used. The techniques of torture used, including on occasion a combination of physical and psychological torture, are illustrated in the statement of Carlos Veloso Reidenbach (annex XVI), the report of the interview with Mr. Figueroa and Mr. de la Fuente (annex XVII) and the reports presented in annex XIX. This information is also reflected in reports from persons detained in 1977 which are in the Group's files but, because of threats reportedly made to the authors of those statements and their families, must remain confidential.

B. New system of intimidation

138. Evidence before the Group from a variety of reliable sources indicates that Chilean security agencies began developing, at about the time of the large-scale releases of political prisoners in 1976, a new system of intimidation aimed at those individuals believed to be opponents of the present Government. This system of intimidation consists in (i) detention for a short period of time, a few hours or a few days; (ii) questioning and torture; (iii) threats to the life of the detained person and his family; (iv) close post-release surveillance of the person and his family and (v) rearrest in some cases. In addition, in many cases, one or more visits may be made to the home of the detained person to frighten his family. Examples of the new techniques of intimidation are to be found in paragraphs 86-92 and in annex XIX. Several other violent actions of different kinds are being used, such as physical attacks on persons and property, as a part of the new system of intimidation. The Group received testimony that small semi-autonomous groups carry out investigations for the security agencies and that in doing so they enjoy wide freedom of action. One witness who recently visited Chile reported an increase in the number of security agents and said this was evident from the large number of individuals who appeared to be engaged in surveillance, using small radios for communication.

139. The information received by the Group indicates that during the first part of 1977 the actions of intimidation were aimed principally at members of the Christian Democratic Party or of the Socialist Party of Chile and at individuals active in the trade union movement or in assisting political detainees or seeking to help discover the whereabouts of missing persons. The technique of intimidation is also reported to be used to obtain information about persons in the above categories.

140. In this connexion, the report of two French lawyers, Louis Pettiti, Bâtonnier désigné de l'Ordre des Avocats à la Cour de Paris, and Bernard Andreu, Avocat à la Cour d'Appel de Paris, who recently visited Chile (see annex XV) states:

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"Secret arrests and detentions are still the common practice of the security services. It is true that we were told that these methods were tending to change - that periods of secret detention would be shorter. Nevertheless, this change of form does not in any way signify an end to repression, which still continues and is taking on more subtle and equally redoubtable aspects, such as secret detention for several days, torture (this is not denied), all kinds of pressure to obtain silence or collaboration, threats, blackmail, shadowing, placing under observation, physical attacks ... This repression is being carried on against the working population, trade-unions, the services of the Vicariate and Defence ... It is characteristic of the desire to maintain an atmosphere of fear and intimidation. It should also be noted that the extent of the repression is difficult to ascertain; for many of the people who have been arrested, beaten or threatened and then released are afraid to talk or to engage defence counsel.

"... These are not merely mistakes due to the conduct of individuals, but the result of a concerted policy which is employing every means of intimidation against the living forces of the country."

141. This alarming state of affairs was commented upon by the newspaper El Mercurio as follows:

"Public opinion is concerned by various developments in which the leading part has been taken by unidentified persons, and which could be described as operations of intimidation. The latest of these affected a distinguished journalist, editor of a weekly review, who was the victim of a threat of assault, presumably on account of information appearing in that weekly.

"The Government has emphatically condemned this illegal act, and has directed the security services to find and apprehend those responsible. At the same time, it has expressed strong support for the journalistic profession, which was undoubtedly affected by these events.

"It would be useless to minimize the gravity of this affair, which is the symptom of a phenomenon that must be vigorously confronted right from the start. We refer to the action of 'spontaneous' elements, that is to say, groups or individuals who, believing they are carrying out a political, patriotic or other kind of mission, commit criminal acts against persons or property (breaking into the office of Mr. Zaldivar, setting on fire a theatre tent in Providencia, searching the luggage of two travellers who had already passed the Customs, and other such acts) for the purpose of investigating illegal acts or simply to intimidate certain persons.

"The operations of these spontaneous elements are dangerous, because of their anonymous and irresponsible nature. They may be attributed to left as well as right extremism, to enemies of the Government as well as to scatterbrained supporters of it. ...

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"Under an emergency régime and strict military control, these acts of intimidation are incomprehensible ...

"That is the reason why the authorities should be urged to realize that these spontaneous elements are a major danger to a serious Government and represent a constant flouting of its authority. ..." 3/

The magazine Solidaridad reported the following in a recent issue:

"Emilio Filippi, editor of the weekly Hoy, throws still more light on these events when he points out that 'whether spontaneous action is involved or not, it would appear to be a question of groups which, under the pretext of supporting the Government, seek to castigate criticism or institute intimidation'." 4/

C. Effects of torture and long-term imprisonment

142. In its report to the Commission on Human Rights at its thirty-third session the Group included information on techniques of torture practised in Chile and their effects on their victims. In that connexion the Group had received copies of two studies on the matter and annexed to its report excerpts from one of the studies (E/CN.4/1221, para. 192 and annex XVI). Since then the Group has received a copy of a study by a group of Danish medical doctors on the psychological and biological sequela of torture. 5/ Thirty-two individuals who allegedly had been tortured in Chile were interviewed and examined in order to determine the methods of torture used and the effects upon the individual and to establish the relationship, if any, between the two. Both psychological and physical effects on the victim were noted in the report and the results of this study are set out in five tables reproduced in annex XLI of the present report. The study reported some relationship between the ratio of solitary confinement and incidents of mental symptoms and it stated that to some extent the effects of torture can be related to the actual type of torture used. According to this study the worst effects of torture were psychological and neurological. Symptoms of anxiety, irritability and to a lesser extent depression were common; loss of memory, impaired powers of concentration, sleep disturbance and headaches were frequent and were nearly always experienced by those who had been subjected to direct cranial trauma. The study concluded on the utmost importance of effective treatment of torture victims to prevent pathological change from becoming permanent, and as far as possible, to reverse such change.

3/ El Mercurio, 2 July 1977.

4/ Solidaridad, No. 22.

5/ Dr. Ole Vedel Rasmussen, Dr. Agnete Mouritzen Dam and Dr. Inge Lunde Nielsen, "Torture: a study of Chilean and Greek victims", in Evidence of Torture: Studies by the Amnesty International Danish Medical Group (London, Amnesty International Publications, 1977), pp. 9-19.

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143. In addition to the above, the Group has received testimony from individuals who declared that they had been tortured and who gave information concerning the effects of this torture on them. An example of this is the testimony of Mr. Leopoldo Alfredo Luna Soto, who informed the Group concerning his arrest, detention and torture in Chile and the severe physical consequences of that torture. He had suffered severe injuries to his spinal column and cervical injuries which prevented him from writing or making any movement requiring effort with his hands. He informed the Group that he is obliged to seek continued medical assistance. A declaration by Mr. Luna Soto concerning the effects of the torture is found in annex XLII. Mr. Luna Soto has named a person who he said was directly or indirectly responsible for his torture. The Working Group is making a study of this case and hopes to give further information on it in its next report to the Commission on Human Rights.

144. The Group has also received a medical report by Dr. G. Laszlo, consulting physician at the Bristol Royal Infirmary. This report deals with the results of torture on Mr. Osvaldo Garrido and is reproduced in annex XLIII.

D. The specialized organs of State security

145. The Group's latest report to the Commission on Human Rights contained information on the activities of the DINA both inside and outside Chile, including arbitrary arrest, detention and torture (E/CN.4/1221, paras. 186-200). The Group also published the three secret articles of the decree-law setting up the DINA which gave it wide-ranging powers. In addition, information was provided on the immunity of the DINA from judicial control.

146. During its August series of meetings in Geneva the Group received a note verbale from the Permanent Mission of Chile to the United Nations Office at Geneva, dated 17 August 1977 (see annex XLIV), concerning decree-law No. 1876 of 12 August 1977, which repeals decree-law No. 521 of 1974 which created the DINA (see A/10285, annex XVI), and decree-law No. 1878 of 12 August 1977, which creates the Central Nacional de Informaciones (National Information Agency). The Group asked the representative of the Government of Chile to supply it with the text of decree-law No. 1877. 6/ Decree-laws Nos. 1876 and 1878 are reproduced in annex XLIV and described in paragraphs 161-165.

147. Since the adoption of that report, the Group has continued to receive information from a variety of reliable sources indicating that during the period covered by the present report the specialized agencies of State security, in particular the DINA, continued to arrest and detain arbitrarily, to torture and to

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6/ In response to the Group's request, the text of this decree-law was transmitted annexed to a note verbale dated 26 August 1977 - the final day of the Group's August series of meetings in Geneva (see annex XXXVIII). In the meantime, the Group had received a text that appeared in the press on 20 August 1977 (see para. 164 below).

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maintain and supervise both public and secret places of detention. The evidence received by the Group also indicated that the agencies of State security continued to enjoy immunity from judicial control.

148. A witness who testified before the Group after having completed a recent visit of information to Chile informed the Group of a reported increase in the number of people working for DINA on a non-permanent basis, recruited from among the unemployed. In addition, the Group has received oral and written information from several persons who were arrested and detained and as a condition of their release were asked to collaborate with DINA.

The State security organs and the judiciary

149. In its prior reports, the Group has provided information on the wide freedom of action enjoyed by the Chilean security agencies - they are accountable only to the President of the Republic - and on their immunity from judicial control of their actions.

150. The evidence which the Group received since the adoption of its last report to the Commission on Human Rights showed that the agencies of State security in Chile continued to enjoy wide freedom of action and to refuse to respond to court orders. In a petition presented to the Supreme Court at the beginning of 1977 it was stated: "In such proceedings it has been noted that officials of DINA refused to appear in the courts to give evidence. It is claimed that application for the information in question must be made directly to the Minister of the Interior." 7/ The Group has received information that in a case involving the death of a detainee during transfer from one detention centre to another the court requested the names of the security agents who had participated in the transfer, only to be told by the Minister of the Interior: "DINA cannot reveal the names of these agents, as this would expose them as intelligence agents, and freedom from such exposure is the basic principle for the work of investigation". 8/

151. In relation to the arrest and detention of Martin Elgueta Pinto (see para. 109) the Group has received photo-copies of declarations by three persons identifying the DINA agent Osvaldo Romo as the person who detained, among other missing persons, Martin Elgueta Pinto (on 15 July 1974), and the father of Martin Elgueta informed the Group that the Court of Appeals in relation to this case ordered that Mr. Osvaldo Romo appear before the judge, that he be extradited if outside Chile and, if the prior two orders were not fulfilled, that the Director of DINA be called to testify. 9/ The Group has also received a copy of a letter from the President of

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7/ Petition to the Supreme Court of Chile on behalf of 13 persons who disappeared in November and December 1976, point V.

8/ Petition to the Supreme Court of Chile on behalf of 13 persons who disappeared in November and December 1976. The case referred to here concerns the kidnapping of Jaime Ignacio Ossa Galdames and is case No. 10.262 of the Cuarto Juzgado del Crimen de San Miguel.

9/ Extracts from letter of Mr. Belarmino Elgueta Becker dated Mexico, 11 July 1977, to the Chairman of the Ad Hoc Working Group.

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the Supreme Court of Chile transmitting information from the Director of DINA to the effect that Mr. Osvaldo Romo worked for that agency until November 1975 and that he subsequently left Chile (annex XLV). The Group has received no further information concerning either the request for the extradition of Mr. Romo or the appearance of the Director of DINA before the Court.

152. The detention of Carlos Humberto Contreras Maluje, the Court finding that he was detained by DINA and the order of the Court for his release, have already been reported (paras. 104-105), as has the response of the Ministry of the Interior, which stated that the Ministry was obliged to give faith to information from other State organs, especially those directly under the President of the Republic, and that therefore it had to be taken as established that Contreras Maluje was not being detained. The Group has received no information on steps taken by the Ministry of the Interior to verify the exactitude of the information presented by the security agencies.

153. The Contreras Maluje case also provides a further example of the overriding and exclusive competence, in practice, of DINA in any affairs in which it intervened. Carabineros Captain Clemente Nicolás Burgos Valenzuela stated: "In accordance with the normal rules of procedure within the service, we withdraw from a case when personnel of the Intelligence Service take over". 10/ Similarly, when DINA intervened, the case ipso facto went immediately before a military judge rather than an ordinary civilian judge, as stated by Carabineros Captain Jaime Osvaldo Ubilla Ubilla: "For these same reasons of the intervention of DINA, and in accordance with the general instructions of our superiors in this respect, a photo-copy of sheet 35 was sent to the Second Military Court of Santiago and not to an ordinary criminal court, as would have been the procedure in the case of injury resulting from an accident." 11/ It should be noted that in this case both DINA and SIFA (Servicio de Inteligencia de la Fuerza Aerea) were involved, since the car used in the arrest was registered to the Director of the latter organization (see para. 104).

Places of detention used by the security organs

154. In its reports to the General Assembly at its thirty-first session (A/31/253, paras. 196-210 and 349-371) and to the Commission on Human Rights at its thirty-third session (E/CN.4/1221, paras. 91 and 189), the Group dealt with both the officially recognized places of detention controlled by the security agencies and the secret detention centres of those agencies. In relation to this information the Government of Chile stated in a document submitted to the last session of the Commission on Human Rights that "all detained persons are being held within the normal prison system" and that "in Chile there are no detainees under the terms of the state of siege, so there are no detainees held in places controlled by the Executive Power". 12/

10/ Solidaridad, No. 18.

11/ Ibid.

12/ E/CN.4/1247, part one, sect. A.IV. For reports concerning persons being held under the state of siege, see paras. 88-90.

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155. Mr. Jorge Montes testified before the Group that from his place of detention within Tres Alamos he was able to observe the activity taking place in Cuatro Alamos and that, up to the date he left Chile (18 June 1977), Cuatro Alamos continued to be a place of detention operated by DINA. This statement was supported by the testimony of persons who recently visited Chile, by Chilean news media reports, and by sworn statements by individuals released from Cuatro Alamos during the month of June 1977.

156. The information received in relation to the Veloso kidnapping (paras. 88-90) and the testimony of Mr. Bello Doren, Mr. Villar Ehijo and other witnesses, as well as written declarations from other persons show that at the time of their detention DINA continued to use secret detention centres in addition to official places of detention. As described by Mr. Bello Doren and others, at least one centre had a permanent character, with a staff of at least 10 guards; the centre was fully equipped for interrogations and had medical facilities; there was a regular flow of vehicles in and out of the building (annex XVIII).

157. Mr. William Zuleta Mora reports being held during his first detention at a place situated in "Los Plátanos con 'Iran'" but it is reported that the Court of Appeals refused a petition that it order a visit to the place. A witness who for fear of reprisals requested that his name be kept confidential testified that he was held in the Regimiento Buin, and the father of Carlos Contreras Maluje, in his attempts to have his son released, requested that investigations be carried out in the following places: (a) Calle Belgrano (no street number), the last three houses at the bottom of this street, which is a cul-de-sac; the houses are painted light yellow and their entrances are on Vicuña Mackenna; (b) 214, Calle Rafael Cañas, Municipality of Providencia; (c) the premises (no street number) between 1377 and 1357 Calle Jose Domingo Cañas, Municipality of Nuñoa; (d) the "Villa Grimaldi", Avenida Jose Arrieta at the level of No. 8200, Peñalolén sector; (e) the Santa Lucia Clinic, 162 Av. Santa Lucia, Municipality of Santiago; (f) corner of Juan Antonio Rios and the Alameda, Municipality of Santiago, formerly the offices of the Banco Panamericano.

158. The Group has not yet received information on the results of any investigations undertaken by the Chilean courts into these reported secret places of detention.

E. Prosecution and punishment of those responsible for torture

159. The General Assembly in its resolution 31/124 of 1976 called upon the Chilean authorities to prosecute and punish those responsible for torture and other forms of cruel, inhuman or degrading treatment or punishment. In previous reports the Group indicated the names of numerous individuals who had been identified before the Group as being involved in the torture of detainees. 13/ The Group has since the adoption of its report to the thirty-third session of the Commission on Human Rights (E/CN.4/1221) received testimony concerning persons engaged in torture not

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13/ A/10285, para. 194; E/CN.4/1188, paras. 138-140; A/31/253, paras. 357-362.

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previously reported, as well as individuals named in earlier reports. Some of the names in the latter category are Osvaldo Romo, reported by several witnesses as one of the main torturers in Chile, Army Lieutenant Colonel Marcelo Moren, and Army Captain Miguel Marchenko. In July 1977 Mr. Jorge Montes testified before the Group that Edgar Cevallos Jones had tortured him, his wife and his two daughters. Mr. Montes stated that at the time of his testimony, Edgar Cevallos Jones was the Deputy Chief of DINA.

160. In spite of the call by the General Assembly for the prosecution and punishment of individuals responsible for torture, the Group has received no information that the Chilean Government has taken any positive steps in that direction. In this connexion the Group notes that the Inter-American Commission on Human Rights has stated:

> "The Commission wishes to reiterate that to date, the Government of Chile has not implemented an effective policy against torture, which demands above all that those found responsible for these acts be brought to trial and punished. So long as such measures are not implemented, the Government of Chile will continue to expose itself to the accusation that torture has been tolerated." 14/

F. Dissolution of the Directorate of National Intelligence (DINA) and establishment of the National Information Agency, and the new provisions relating to the Law on the Security of the State

161. The Group has already reported (para. 146) on its receipt of decree-laws Nos. 1876 and 1878 (see annex XLIV), dissolving DINA and establishing the National Information Agency, respectively.

162. In view of the short time that has elapsed since the receipt of the decrees concerned, the Group is unable to assess the practical consequences of these changes in the law. It has, however, made a preliminary comparative analysis of decree-laws No. 521, establishing DINA (see A/10285, annex XVI, and E/CN.4/1221, para. 194) and No. 1878, establishing the National Information Agency, and has reached the conclusion that there is an obvious similarity between these two bodies, as reflected in various provisions. The chart which appears at the end of this chapter shows the resemblance in content and even in wording between numerous provisions of the two decree-laws. Article 11 of decree-law No. 1878 states explicitly that "The National Information Agency shall be the legal successor of the Directorate of National Intelligence for all settlement-of-estate purposes".

163. With respect to the provisions in which differences appear, the Group finds that, whereas article 1 of decree-law No. 521 laid down that the Directorate of

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14/ Inter-American Commission on Human Rights, "Third report on the situation of human rights in Chile" (Organization of American States, General Assembly, seventh regular session, document AG. 795/77), chap. IV, para. 6.

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National Intelligence would be "responsible directly to the Government Junta", article 1 of decree-law No. 1878 provides that "the National Information Agency shall be connected to the Supreme Government ... through the Ministry of the Interior". Decree-law No. 521 contained no explicit reference to appearance in response to a legal summons, whereas article 10 of decree-law No. 1878 provides that the National Director of Information is not obliged to appear personally in response to a legal summons. 15/ According to the note verbale from the Government of Chile dated 17 August 1977 (see annex XLIV), the rest of the staff of the new body remain "subject to all the obligations provided for in Chilean legislation". The Group considers that a significant change may lie in the absence of any explicit reference to powers of arrest and detention in the decree-law establishing the National Information Agency, in contrast to the powers of this nature that were granted to DINA by decree-law No. 521. However, the Group thinks it is worth pointing out that the provisions conferring such powers on DINA (article 10) were not publicly divulged, having been of "restricted circulation" (see E/CN.4/1221, para. 194).

164. The text of decree-law No. 1877 was published in the international edition of the Chilean daily El Mercurio for the week 14-20 August 1977. It reads as follows:

"No. 1877 - Santiago, 12 August 1977. Having regard to the provisions of decree-laws Nos. 1 and 128 of 1973 and Nos. 527 of 1974, and

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15/ Article 10 of decree-law No. 1878 states that the provisions of articles 191 and 192 of the Code of Penal Procedure shall apply to the National Director of Information. The relevant sections of these articles are quoted below:

"Article 191 (...) The following shall not be required to appear in response to the summons referred to in the foregoing articles:

"1. The President of the Republic and ex-Presidents; Ministers of State; senators and deputies; the Comptroller-General of the Republic; intendants and governors of departments, within the territory under their jurisdiction; members of the Supreme Court or any court of appeal; the State counsel of such courts; judges with legal qualifications; generals, the archbishop and bishops; vicars-general and vacars-capitular;

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"Article 192 (...) The officials referred to in paragraph 1 of the foregoing article shall make a written statement specifying that they do so under the oath required of witnesses by the law; however, members and State counsel of higher courts shall not make a statement without permission from the respective court, which shall not grant such permission if it considers that the only purpose is to establish grounds for a challenge to the member or State counsel of the court from whom a statement is requested.

"The said officials may also be questioned at their domicile or official residence, subject to prior notice and appointment of a day and time, provided that the judge trying the case deems it necessary for the purposes referred to in paragraph 2 of article 198 ...".

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"Considering:

"1. the appropriateness of adapting the regulations on the security of the State to the actual conditions currently existing in the country, without prejudice to the improvement of legal instruments designed to permit effective action in states of emergency,

"The Governing Junta of the Republic of Chile has decided, in exercise of the constituent power, to issue the following decree-law:

"Article 1. Under the declaration of the state of emergency regulated by the Law on the Security of the State, the President of the Republic shall be empowered to hold persons under arrest for a period not exceeding five days in their own homes or in places that are not prisons.

"Article 2. The references to the state of siege contained in decree-laws Nos. 81 and 198 of 1973 and No. 1009 (article 1) are hereby declared also to be applicable to the state of emergency regulated by Law No. 12927 of 1958."

This decree-law is a source of concern to the Group because it modifies Law No. 12927 of 6 August 1958 on the security of the State (see E/CN.4/1188, paras. 32-33) by conferring on the President of the Republic new exceptional powers of arrest for a period up to five days in addition to the powers already granted by virtue of the declaration of the state of siege. The Group also expresses its anxiety as to which body will put into effect these exceptional powers vested in the President of the Republic.

165. The following table shows the similarities between the decree-law which created DINA and that which created the National Information Agency:

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COMPARATIVE ANALYSIS OF SELECTED ARTICLES OF DECREE-LAW NO. 521, WHICH CREATED THE DIRECTORATE OF NATIONAL INTELLIGENCE (DINA), 16/ AND DECREE-LAW NO. 1878, WHICH CREATED THE NATIONAL INFORMATION AGENCY 17/

Decree-law No. 521 (creating DINA)	Decree-law No. 1878 (creating the National Information Agency)
A. Purposes	
"Considering the need for the Supreme Government to have the immediate and permanent assistance of a specialized body to provide it with the systematic and duly processed information it may need to do justice to its decisions in the field of national security and development, the Governing Junta has agreed to issue the following ..." /Preamble/	"Considering the need for the Supreme Government to have at its disposal the immediate and permanent assistance of a specialized body to collect at the national level all the information it may require for the purpose of adopting the most appropriate measures, particularly as regards the safeguarding of national security, the Governing Junta of the Republic of Chile has decided to issue the following ..." /Preamble/
"... whose mandate shall be to gather at the national level all information originating in the various fields of action for the purpose of producing the intelligence required for the formulation of policies, planning and adoption of measures designed to protect national security and the country's development." /Article 1/	"... which will have for mandate to gather and process, at the national level, all the information originating in the various fields of action required by the Supreme Government for the formulation of policies, plans and programmes, the adoption of measures necessary to safeguard national security, the normal development of national activities and the maintenance of the established institutional order." /Article 1/
B. Nature of the institution	
"There is created a Directorate of National Intelligence, a military organ of professional, technical character ..." /Article 1/	"There is hereby established the National Information Agency (CNI), a specialized military organ of a technical and professional character ..." /Article 1/
C. Direction	
"The Directorate of National Intelligence shall be directed by a general or a high-ranking officer of the National Defence Forces in active service appointed by Supreme Decree, who with the title of Director of National Intelligence shall be the principal technical administrative head of the service. In the exercise of his functions he may adopt the decisions and issue the internal instructions necessary for the functioning of the Division." /Article 2/	"The National Information Agency shall be directed by a general or a high-ranking officer in active service of the Armed Forces or of the Forces of Order, appointed by a Supreme Decree, who with the title of National Director of Information shall be the principal technical administrative head of the service. In the exercise of his functions he may adopt the decisions and issue the internal instructions necessary for the functioning of the Division." /Article 2/

16/ See A/10285, annex XVI.

17/ See annex XLIV.

D. Organization and internal structure

"The organization, internal institutional structure and duties of the Directorate of National Intelligence shall be established by a set of Organic Regulations decreed on the proposal of its Director ..."
/Article 3/

"The organization, internal institutional structure and duties of the National Information Agency shall be established by a set of Organic Regulations decreed on the proposal of its Director ..."
/Article 3/

E. Personnel

"The staff shall consist of personnel coming from the Institutions of National Defence. Whenever it is necessary to engage personnel not belonging to the Institutions of National Defence, such action must be approved by Supreme Decree, signed in addition by the Minister of Finance. The legal régime and the remunerative levels of such personnel shall be the same as those which apply to the civilian personnel of the Armed Forces."
/Article 3/

"The staff of the Agency shall consist of its own personnel and of personnel coming from the Institutions of National Defence. Whenever it is necessary to engage personnel not belonging to the Institutions of National Defence, such action must be approved by Supreme Decree, signed in addition by the Minister of Finance. The legal régime and the remunerative levels of such personnel shall be the same as those which apply to the civilian personnel of the Armed Forces ..."
/Article 3/

F. Powers in matters of information

"The Director of National Intelligence may request the reports or past documentation that it deems necessary for the efficient fulfilment of his duties from any service of the State, Municipality, corporate body created by law or Enterprise or Company in which the State or its enterprises have a financial interest, representation or participation. If this obligation is not complied with, he may so report to the General Controller of the Republic in order that the latter may apply to the violator directly any of the administrative sanctions envisaged in the Statute governing his employment. Rules providing for secrecy or confidentiality concerning certain matters shall not interfere with the communication to the Directorate of National Intelligence of the requested information or past documentation, without prejudice to imposition on the staff of the Directorate the same obligation of confidentiality or secrecy."
/Article 4/

"The Director of National Information may request the reports or past documentation that it deems necessary for the efficient fulfilment of his duties from any service of the State, Municipality, corporate body created by law or Enterprise or Company in which the State or its enterprises have a financial interest, representation or participation. If this obligation is not complied with, he may so report to the General Controller of the Republic in order that the latter may apply to the violator directly any of the administrative sanctions envisaged in the Statute governing his employment. Rules providing for secrecy or confidentiality concerning certain matters shall not interfere with the communication to the National Information Agency of the requested information or past documentation, without prejudice to imposition on the staff of the Agency the same obligation of confidentiality or secrecy."
/Article 4/

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G. Powers in application of law No. 17,798 on the control of arms

"The following new provision is added to clause (a) of article 19 of Law 17,798:

"The procedures to which the preceding clauses refer may also be carried out by the Directorate of National Intelligence in the manner and under the conditions indicated in those provisions."

/Article 8/

"In the last sub-paragraph of article 19, clause (a), of Act No. 17,798 on arms control, as supplemented by Decree Law No. 521 of 1974, the expression 'National Directorate of Intelligence' shall be replaced by 'National Information Agency'."

/Article 8/

H. Co-ordination with other intelligence agencies

"The Director of National Intelligence and the Chiefs of the Intelligence Services subordinate to the Institutions of National Defence may directly co-ordinate their activities for the purpose of executing their specific missions. Without prejudice to the foregoing, and when so required by the overriding need to defend the institutional régime of the State, the Government Junta may order all the aforesaid intelligence organs to participate or co-operate in functions which are the responsibility of the Directorate of Military Intelligence."

/Article 9, of restricted circulation, see E/CN.4/1221, para. 194/

"In the case of combined operations ordered by the Supreme Government, the National Information Agency shall, where duties involving its specific function have to be performed, co-ordinate the activities of the various intelligence services of the Institutions of National Defence."

/Article 9/

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V. EXILE

166. In its report submitted to the General Assembly at its thirty-first session (A/31/253, chap. VII) and in its report to the Commission on Human Rights at its thirty-third session (E/CN.4/1221, chap. IV), the Working Group presented statistics on refugees from Chile who had been resettled or who were awaiting resettlement under the auspices of the Office of the United Nations High Commissioner for Refugees (UNHCR) with the technical assistance of the Intergovernmental Committee for European Migration (ICEM) and the co-operation of the Governments of the receiving countries. In these reports, the Working Group also described the phenomenon of expulsion from Chile and deprivation of Chilean nationality; it took into account in the preparation of the report to the Commission on Human Rights the observations of the Government of Chile (see A/C.3/31/6, chap. VII), particularly with respect to the Government's efforts to eliminate the practice of endorsing passports as "Válido sólo para salir del país" (Valid only to leave the country). In its report to the Commission on Human Rights, the Working Group discussed, particularly in the light of the coming into force, on 23 March 1976, of the International Covenant on Civil and Political Rights, cases of persons who had been expelled from the country and the rejection by the Supreme Court of writs of amparo to rescind orders of expulsion (see E/CN.4/1221, chap. IV). Also noted were cases of certain prominent persons in exile having been deprived of their Chilean nationality including that of Mr. Orlando Letelier, and the circumstances surrounding the latter's subsequent assassination (ibid., paras. 229-234).

167. In preparing the present report, the Working Group examined the situation of persons deprived of their Chilean nationality; exile, including the operation of supreme decree No. 504 and the case of Jorge Montes; the expulsion of Chilean citizens and requests by some exiles to return to Chile; the situation of refugees; diplomatic asylum, and the issuance by the Chilean Government of passports endorsed "Valid only to leave the country".

A. Deprivation of nationality

168. The Political Constitution of Chile provides that Chilean nationality is lost (1) by naturalization in a foreign country; (2) by cancellation of the letters of naturalization; (3) by lending aid during war to the enemies of Chile or their allies. 1/ By decree No. 175 of 3 December 1973, the present Government established an additional basis for loss of nationality: (4) seriously damaging from abroad the essential interests of the State during the exceptional states established in article 72, paragraph 17, of the Political Constitution. 2/

1/ Constitution of the Republic of Chile, 1925, as amended by law 12,548 of 30 September 1957, article 6.

2/ Article 72, para. 17, provides for the declaration of a state of siege and includes the provision that "measures taken on account of the state of siege shall have no greater duration than the siege ...".

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Decree No. 175 provides that such deprivation is effectuated by a supreme decree signed by all the Ministers of State and, as augmented by decree-law No. 1301, establishes the framework for appeal against such an order (see A/31/253, paras. 433-435).

169. Constitutional Act No. 4, enacted on 11 September 1976, entitled "Emergency régimes", provides in article 5 that:

> "Under the declaration of the state of siege, the President of the Republic may deprive a Chilean of his nationality, in accordance with article 6, paragraph 4, of the Political Constitution of the Republic; ..."

Whereas the constitutional amendment enacted by decree No. 175 requires a supreme decree justified and signed by all Ministers of State in order to deprive a citizen of his nationality, Constitutional Act No. 4 delegates this power to the President of the Republic during the existence of a state of siege. The resulting legal situation was commented upon by the Inter-American Commission on Human Rights in this manner: "It is immediately obvious that the Constitutional Acts further confuse the matter, adding new factors of instability and uncertainty to the question of the inviolability of this right ..., which is rightly considered to be one of the most important rights of man". 3/

170. In its report to the Commission on Human Rights at its thirty-third session, the Working Group had noted three cases of deprivation of nationality (E/CN.4/1221, para. 229); in a note dated 12 January 1977 from the Ministry of Foreign Affairs of Chile, cited in the report to the OAS, there appeared two additional names of persons upon whom this sanction had been imposed; 4/ on 7 May 1977 the Working Group learnt that three additional persons, members of the defunct Single Trade Union of Workers in Education, had been deprived of their Chilean nationality. The relevant decree of the Ministry of the Interior states, in part, that the Government

> "had become aware that Ernesto Araneda Briones, Luis Meneses Aranda and Humberto Elgueta Guerín had promoted abroad an active publicity campaign aimed at isolating Chile from the other countries of the world, for which purpose they had resorted to calumnies against the maximum authorities of the Government and the armed forces. ... /T/his anti-patriotic conduct, carried out through the communications media and before international organizations, is morally sanctioned by the Political Constitution of the State with the loss of Chilean nationality. It ends by saying that since the above-mentioned facts have been proved, it may be concluded that there is no longer any link which unites

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3/ "Third Report on the Situation of Human Rights in Chile", OEA/Ser.P, AG/doc.795/77, submitted to the seventh regular session of the Organization of American States, 14 June 1977, Grenada, chap. IX, para. 10.

4/ Ibid., paras. 1-2. The five persons were: Anselmo Sule Candia, Hugo Vigorena Ramirez, Orlando Letelier del Solar, Volodia Teitelboin Volosky and Juan Súarez Bastidas.

/...

Ernesto Araneda Briones, Luis Meneses Aranda and Humberto Elgueta Guerín with their native land and with the Chilean State in particular". 5/

171. The Working Group notes with concern the continuing practice by the Chilean Government of the application of this expanded and severe sanction against its citizens. The Inter-American Commission stated in its third report on Chile:

> "the severity of this punishment is in no way attenuated, nor is any contribution whatever made to the solution of the various problems it inevitably produces abroad, by the fact that an appeal against it is allowed, for the very nature of the penalty, and the particular circumstances in which it is imposed (i.e., when the victim is outside his own country), make it impossible or completely futile to make use of such a recourse. The aside in the note from the Ministry of Foreign Affairs, to the effect that none of the five citizens affected by this measure to date /12 January 1977/ has made use of this defence measure, is sufficiently eloquent on this point." 6/

172. The Inter-American Commission on Human Rights, in summing up its disapproval of the practice of depriving citizens of their nationality pursuant to decree No. 175, stated:

> "the Commission believes that this penalty /is/ anachronistic, outlandish and legally unjustifiable in any part of the world ...". 7/

The Group, as it has stated in its previous reports, views with disapproval the practice of a State's depriving its citizens of their nationality arbitrarily in the above-mentioned manner.

B. Exile

1. Supreme decree No. 504

173. Supreme decree No. 504 of 10 May 1975 permits the submission of special applications for commutation to exile of sentences imposed by military courts. The aim of the decree, as stated by the Government of Chile, is to facilitate "the exercise by the President of the Republic of his constitutional right, personally and at his discretion, to commute a penalty of deprivation of liberty to one of exile". 8/ On 18 May 1977, in a statement which the Permanent Representative of Chile to the United Nations Office at Geneva made before the Ad Hoc Working Group, the following data was provided on the operation of supreme decree No. 504: as of

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5/ Quoted in La Tercera de la Hora, 8 May 1977. See also chap. VII.

6/ OEA/Ser.P, AG/doc.795/77, chap. IX, para. 12.

7/ Ibid., para. 11.

8/ A/32/125, p. 3.

/...

30 April 1977, the Special Commission established by the decree had reviewed 1,578 petitions; of these 1,353 had been approved and commutations had been signed by the President, a further 145 petitions were in various stages of processing. From these statistics, the Working Group may infer that 80 such applications had been denied. Moreover, a number of prisoners whose applications have been granted are still in custody, for want of a visa from a country willing to receive them; the Working Group has received no definitive information on how many prisoners are in that category. 9/ In May 1977 it was reported that 10 persons had recently left the country, bringing the total number of persons actually in exile pursuant to supreme decree No. 504 to 955. 10/

174. Inasmuch as the criteria applied by the Special Commission have not been made known to the Working Group, and since the Government of Chile has made it clear that the commutation of sentence in these circumstances is within the personal discretion of the President of the Republic, 11/ the Working Group is not in a position to evaluate the efficacy of the system. It has, however, received information from various sources with respect to a particular group of prisoners, members of the armed forces, who are serving lengthy prison sentences, who have been granted visas from various countries and whose applications for commutation of sentence to exile have been either rejected, "reserved" or remain pending. Several of these cases merit specific mention and appear in annex XLVI.

2. The exile and release of Jorge Montes

175. The Working Group, in its report to the Commission on Human Rights (E/CN.4/1221, paras. 108, 118, 119), dealt with the release of former Senator Luis Corvalán in 1976. On 17 June 1977, after more than three years of detention, former Chilean Senator Jorge Montes was taken from his prison in Santiago, flown to the Federal Republic of Germany and from there transported to the German Democratic Republic, where he was released. According to Mr. Montes' testimony before the Working Group, at no time during his incarceration was he told why he was being detained, nor were charges ever brought against him. He further stated that he had been subjected to physical torture and psychological intimidation.

176. Mr. Montes' detention had come to the attention of the international community; pleas for his release had come from various quarters and had been the subject of special concern to the Commission on Human Rights, on whose behalf the Chairman of the thirty-second session of the Commission had addressed a telegram to the Government of Chile, asking for the release of Mr. Montes and a number of other

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9/ A group of 159 prisoners were reported by the Intergovernmental Committee for European Migration to be in that category as at 30 June 1977. See ICEM document Hq 19216/77.

10/ El Mercurio, 29 May 1977, El Cronista, 24 May 1977.

11/ A/32/125, p. 3.

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prominent Chileans 12/ (see A/31/253, para. 216; E/CN.4/1188, para. 86; E/CN.4/1221, paras. 118-119).

177. According to a statement by the Government of Chile, it acceded "to a request by the Government of the Federal Republic of Germany which had officially informed it that the release of Montes would secure the release of 11 political prisoners in the German Democratic Republic". 13/ On 20 June 1977, after the release of Jorge Montes, the Government of Chile stated "that at this time there is no one detained under the Law of the State of Siege in Chile". 14/

C. Expulsion and return from exile

178. On 12 April 1977 the Government of Chile, in a note verbale addressed to the Secretary-General, stated that it had received, up to 9 February 1977, 68 applications for permission to return to the country from persons who had left seeking asylum or pursuant to orders of expulsion. Of these, the Government reported, 28 had been granted and a further 28 were under study. A list of the names of the persons concerned was attached, and included the 12 whose applications had been rejected (see annex XLVII).

179. In its report submitted to the General Assembly at its thirty-first session (A/31/253, chap. VII and annexes XXII-XXV) the Working Group related the circumstances surrounding the expulsion from Chile on 8 June 1976 of two eminent Chilean lawyers, Mr. Eugenio Velasco Letelier and Mr. Jaime Castillo Velasco (ibid., paras. 424-432). The observations of the Government of Chile on the Working Group's report (A/C.3/31/6, chap. IV, sect. C, and chap. VII; A/C.3/31/6/Add.1, annex 31) acknowledged these expulsions and appended the decisions of the Court of Appeals and the Supreme Court rejecting, on 17 August and 25 August 1976, respectively, the writs of amparo contesting the expulsions submitted on behalf of these two Chilean citizens. In its report submitted to the Commission on Human Rights at its thirty-third session (E/CN.4/1221, chap. IV) the Working Group examined the majority and dissenting opinions of the Court of Appeals (ibid., paras. 213-224). The majority opinion stated that it was not necessary for orders of expulsion to include the facts and considerations which justified the view that the applicants were a danger to national security. The dissenting opinion of Judge Ruben Galecio Gomez rejected this contention, however, and asserted that decree-law No. 81, on which expulsion orders are based, confers upon the courts "the right of evaluating the

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12/ For the text of the telegram sent on 20 February 1976, see E/CN.4/1213, decision 1 (XXXII). See also para. 4 (c) of Commission on Human Rights resolution 3 (XXXII) of 19 February 1976.

13/ Note verbale dated 20 June 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva addressed to the Secretary-General of the United Nations.

14/ Ibid. See also chap. III.

/...

motives on which the public authorities base their discretionary powers, in order to remove any doubt that they are arbitrarily or illegally exercised". 15/

180. The Court of Appeals referred in its judgement to the fact that it had been argued in that court that the "United Nations Covenant on Civil and Political Rights, which lays down that expulsion from a country cannot apply to nationals, constitutes a treaty inasmuch as it was ratified by our Government in February 1972 and has been in force since 23 March 1976, that its application must prevail over national legislation, and that it accordingly has had the effect of derogating from article 2 of decree-law 81". The Supreme Court in its decision stated, on that point, that "the International Covenant on Civil and Political Rights adopted by a resolution of the twenty-first session of the General Assembly of the United Nations on 16 December 1966 ... has not been promulgated as a law of the Republic and, for that reason, cannot serve as a legal precedent to justify the repeal of article 2 of decree-law No. 81 of 1973".

181. The fact that the Covenant, which was ratified by Chile on 10 February 1972 and which entered into force on 23 March 1976, 16/ has been denied any legal effect as regards the internal order of Chile poses serious questions concerning the international legal commitments of the Government of Chile. The declaration of the Government of Chile to the effect that Chile recognizes and respects the Covenant (A/C.3/31/SR.46, para. 19) and will continue to perform its obligations under the Covenant (A/C.3/31/6, chap. XII, sect. 5) appears to be in sharp contrast with the internal legal practice and the actual situation in that country.

182. The Group wonders how it is possible to give effect to the rights recognized in the Covenant if the courts deny it any legal effect in the internal order. Furthermore, the rights and duties contained in Constitutional Act No. 3 conflict sharply with the provisions of the Covenant. In order to fulfil its obligations under article 2, paragraph 2, of the International Covenant on Civil and Political Rights 17/ the Government of Chile has the obligation to take the necessary steps to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the Covenant. In any event, it is the firm opinion of the

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15/ This and the succeeding quotations from the decisions of the Court of Appeals and the Supreme Court in respect of this litigation are taken from the texts which appear in A/C.3/31/6/Add.1, annex 31.

16/ In a letter dated 18 August 1976 addressed to the Secretary-General of the United Nations by the Minister of Foreign Affairs, the Government of Chile states that as a consequence of the proclamation of the state of siege, the rights referred to in articles 9, 12, 13, 19 and 25 (b) of the Covenant on Civil and Political Rights, which Chile acknowledged it had ratified on 10 February 1972, have been restricted.

17/ Article 2, para. 2, reads: "Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant."

Group that now that the Covenant has entered into force it establishes the obligation for any State that has ratified it to respect and to guarantee to all individuals within its territory, and subject to its jurisdiction, the rights recognized in the Covenant (see article 2, para. 1, of the Covenant). No omission of the executive, no decision of the judiciary can diminish the extent of the international commitment of Chile to abide by the provisions of the Covenant. (See further E/CN.4/1221, paras. 213-224.)

183. In December 1976 Jaime Castillo Velasco presented to the Chilean Consulate in Caracas, Venezuela, a petition to return to Chile; in May 1977 the Government denied this petition; a writ of amparo contesting the denial was presented to the Court of Appeals on Mr. Castillo Velasco's behalf on 22 June 1977. 18/

184. In support of the petition it was urged that recently a series of new facts had come to light "in accordance with which it is no longer possible to justify the maintenance of an order of expulsion from national territory against the citizen who is not in any of the situations provided for and who is thus protected by national and international law". 19/ Among the "new facts" enumerated in the petition 20/ were the promulgation of the Constitutional Acts in September 1976 - an indication of legal normality; statements by the President of the Republic, the Ministers of Foreign Affairs and the Interior to the same effect, and releases of political prisoners. It was further contended that the International Covenant on Civil and Political Rights, the relevance of which had been rejected by the courts in Mr. Castillo Velasco's previous appeal, and which is incompatible with decree-law No. 81, is admittedly in full force in Chile. Various other arguments, turning on the non-renewal of the order of expulsion upon the declaration of a new state of siege, as well as the tacit repeal of decree-law No. 81, were pressed upon the Court.

185. In July 1977 the Court of Appeals again rejected the writ of amparo presented on behalf of Jaime Castillo Velasco, and that decision was affirmed unanimously by the Supreme Court.

D. The situation of refugees

186. In its last report to the General Assembly and in those submitted to the Commission on Human Rights, the Working Group observed that no precise information had been received as to the total number of refugees who have left Chile since the events of September 1973. In those reports, as in its current one, the Working Group has had to rely upon statistics furnished by the Office of the United Nations High Commissioner for Refugees (UNHCR) and by the Intergovernmental Committee for European Migration (ICEM). As in the past, the data received from these

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18/ La Tercera de la Hora, 23 June 1977.

19/ El Mercurio, 1 July 1977.

20/ El Mercurio, 1 July 1977.

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organizations reflect only those persons who have been resettled or whose cases are being processed under their auspices. According to ICEM, as at 30 June 1977 the total number of refugees so reported to have been resettled from Chile since 6 October 1973 was 22,748, 21/ 2,522 of whom had been resettled during the first six months of 1977. UNHCR activities in Santiago during the current period have focused on reuniting family members who had remained in Chile with the refugee head of family who had settled in another country. 22/

E. Diplomatic asylum

187. The Intergovernmental Committee for European Migration reported that as at 30 June 1977 four persons were in asylum in embassies in Chile. 23/ The case of a family of three - Rafael Gonzales, a former military man, his wife and seven-year-old son - was brought to the attention of the Working Group. On 3 September 1975 this family was given refuge in the Italian Embassy in Santiago. They have remained there for almost two years, during which time the Chilean Government has refused to grant them safe conduct to leave the country. Their living quarters in the offices of the Italian Chancery are unsuitable for a long confinement; the child, particularly, is reported to be suffering from lack of fresh air, schooling and normal social contacts. 24/

F. Passports "valid only to leave the country"

188. The Working Group, in several of its previous reports (A/10285, para. 181; E/CN.4/1188, para. 120; A/31/253, paras. 417-421, E/CN.4/1221, paras. 225-226) had drawn attention to the practice of the Government of Chile of endorsing the restriction "Válido sólo para salir del país" (Valid only to leave the country) on the passports of Chilean citizens who were exiled. Having become aware of the difficulties experienced by Chileans travelling with such documents, the Government stated that on 21 September 1976 the President of the Republic had instructed all Chilean consulates "to extend and renew the passports of all Chileans, omitting the statements which caused problems or trouble" (A/C.3/31/6, chap. VII, B).

189. During its recent mission of inquiry (11-29 July 1977) the Working Group heard testimony from six witnesses who appeared before it and reported that during 1977 they had been issued Chilean passports bearing the restrictive endorsement: "Valid only to leave the country". These passports were exhibited to the Group; a specimen copy of one of them is annexed to this report together with the names of the other Chilean exiles who testified to this effect, and copies of whose passports the Working Group has in its possession (see annex XLVIII).

21/ Provisional report on movements effected by the ICEM under the special programme for resettlement from Chile and other Latin American countries, Hq 19211/77.

22/ E/5987, para. 172.

23/ ICEM document Hq 19216/77.

24/ Inter-press Service, 8 March 1977.

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190. The question of the continuing practice of issuing restricted passports was raised at a meeting of the Working Group attended by a delegation of the Government of Chile on 26 July 1977 in Geneva. On that occasion the Chilean Government representative accounted for the issuance of such passports as a "very commonplace bureaucratic error; the consulates received the order of the Government, but it was not communicated to some local authorities who issued passports". The Chilean representative also stated that "anyone who has a passport with this sentence can go to the appropriate Chilean consulate to have his passport changed".

191. In this connexion, the Working Group has received testimony from Chilean refugees living in the United Kingdom to the effect that the British authorities dealing with refugees have advised against the renewal or exchange by Chilean refugees of their Chilean passports on the grounds that this might jeopardize their status as refugees.

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VI. INTELLECTUAL FREEDOM AND CULTURAL RIGHTS

192. The Working Group reported to the General Assembly at its thirty-first session on the situation of the media, religious organizations, political groups and educational institutions in Chile (A/31/253, paras. 449-476). In its observations on the Working Group's report, (A/C.3/31/6, chap. IX), the Government of Chile stated that there had been "a considerable increase in academic and cultural activity" (ibid., sect. A), furnished statistics on university enrolment (A/C.3/31/6/Add.1, annex 34) and denied the existence of "control or censorship of radio and television information media" (A/C.3/31/6, chap. IX, D).

193. In its report, submitted to the Commission on Human Rights at its thirty-third session (E/CN.4/1221, chap. VI), the Working Group recalled General Assembly resolution 31/124 of 16 December 1976, which again called upon the Chilean authorities to guarantee the right to intellectual freedom, and resolution 14.1, adopted on 29 November 1976 by the General Conference of UNESCO, which again urged the Chilean authorities to restore and safeguard the human rights set forth in the Universal Declaration, particularly as regards education, science and culture (ibid., para. 244). The Working Group in that report observed a deterioration of the quality of education, a reduction of educational facilities, limitations on areas of study, a drop in enrolment, and a cut-back in teaching staff (ibid., paras. 247-251). The imposition of sanctions against the news media was found by the Group to be only sporadic, since the practice of self-censorship by the media made it generally unnecessary for the local military authorities to impose the penalties provided by decree-law No. 1281 of 10 December 1975. The Government of Chile in its observations on the Working Group's report (E/CN.4/1247, part one, A, VI) contended that "the freedom of a country cannot be proved by statements from its rulers or the wording of its laws but only by what is in fact happening". The Government pointed out the appearance in the press of views and reports critical of government positions as illustrative of the existence of real freedom of expression.

194. During its current examination of this aspect of human rights in Chile, the Working Group has found that the current period has been marked by significant developments in this field: new legislative restrictions, as well as practical limitations on the exercise of intellectual freedom and freedom of expression, association and assembly.

A. The mass media of communication

195. As the Working Group has observed in its previous report, decree-law No. 1281 of 10 December 1975 gave the military authorities broad powers to exercise discretionary control over the activities of all communications media 1/

1/ The decree empowers military authorities to suspend for up to six days communications media which disseminate opinions or news which, among other things, tend to create "alarm or disgust" among the population.

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(E/CN.4/1221, para. 255). Self-censorship had generally maintained a balance with the potential interference of decree-law No. 1281. Reliable evidence received by the Working Group indicates that the recent restrictions on the freedom of the press and publications have been a reaction to the increasing public debate on the economic situation and the mounting expressions of concern both inside Chile and in international forums, about the fate of missing persons. 2/ It is reported that the result of the restrictions on the dissemination of information has been that the genuine problems of Chilean society and those of the rest of the world have been removed from public attention. The place of the controversial topics is now occupied by coverage of non-controversial events - celebrations, natural catastrophes, accidents and sports. 3/

196. At a meeting of the Working Group on 26 July 1977, attended by representatives of the Government of Chile, a number of recent Chilean periodicals, covering a number of subjects, were presented to the Working Group by the Government's representative as evidence, according to the Government, of "the free discussion of political problems" in Chile.

1. Radio

197. On 28 January 1977, by order of the Chief of the Emergency Zone of Santiago, Radio Presidente Balmaceda was closed down 4/ (see chap. II, paras. 58-59). The decree was based on the fact that the Christian Democratic Party, concessionaire of the radio station since 2 May 1972, had been declared to be in "recess" by decree-law No. 78 of 11 October 1973. It was observed by the acting president of the radio station that it was surprising that after more than three years of "recess", decree-law No. 78 should be used to silence Radio Presidente Balmaceda, when during those three years the Government had been well aware that its concessionaire was the Christian Democratic Party. 5/ It was also observed that decree-law No. 78 "expressly respects the ownership and administration by the political parties of their goods, and the concession of Radio Presidente Balmaceda is owned by the Christian Democratic Party and is administered through a corporation independent of the party, whose governing board and executives have had dealings with the government authorities on many occasions". 6/

198. The efforts of the owners to obtain legal redress against the military decree were fruitless; the "remedy of protection" which could have afforded them an

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2/ "Intellectual freedom and freedom of the press", Inter-press Service, 20 May 1977.

3/ "The fact and its context", Mensaje, 6 March 1977.

4/ See El Mercurio, 30 January 1977, for text of the decree.

5/ Ibid.

6/ Ibid.

/...

avenue of recourse was rendered inoperative by decree-law No. 1684, of 28 January 1977, promulgated on the same day as the military authorities closed down Radio Balmaceda (see chap. II, para. 58). It should be noted that this occurred some six weeks before the enactment, on 11 March 1977, of decree-law No. 1197, which dissolved the political parties.

199. Reactions to the closing of the station have been widespread and generally unfavourable. An editorial in El Mercurio stated: "For the information media and for the organizations representing journalism, this measure is a violation of the freedom of information which is recognized by our country's Constitution". 7/, 8/

200. In an oral statement made before the Working Group at a meeting in Geneva on 26 July 1977, in response to a question concerning the closing of the radio station, the representative of the Government of Chile stated:

> "now that the Christian Democratic Party is dissolved, it is not logical that a radio belonging to this party should continue broadcasting and carrying out political campaigns".

The Working Group notes, however, that, whereas the dissolution of the political parties did not take place until 11 March 1977, Radio Balmaceda had already been closed down on 28 January 1977 (see chap. II, paras. 66-70).

201. At that same meeting, the Chilean representative also remarked that:

> "it is noteworthy that under a military régime like that in Chile ... in the course of four years of military government, only one broadcasting station has been closed down, in a country which has rather more than a hundred stations".

In the report submitted by the Working Group to the thirty-first session of the General Assembly (A/31/253, para. 469) it was stated that there had been 180 radio stations operating in Chile before the coup and that 40 of them had since been closed down. The observations of the Government of Chile on that report (A/C.3/31/6, chap. IX, D) while generally criticizing the Working Group's assessment of the situation of Chilean radio and television, did not challenge those statistics.

7/ El Mercurio, 1 February 1977.

8/ Constitutional Act No. 3, article 12, provides in part:

> "Freedom to express opinions and to disseminate information without prior censorship, in any form and through any medium, without prejudice to the responsibility that may be incurred for offences and abuses committed in the exercise of these freedoms, in conformity with the law. However, the courts may prohibit the publication or dissemination of opinions or information affecting morality, public order, national security or the private life of individuals."

/...

202. It has also been brought to the attention of the Working Group that at the end of March 1977, the radio station La Voz de Osorno, owned by a foundation attached to the Bishopric of Osorno, was burned down. The local bishop, Monsignor Valdés, in a public statement, wondered whether this fire and a further six fires in the premises of church missions could be considered a coincidence. It has been observed by authoritative sources that, with the closure of Radio Balmaceda and the destruction of La Voz de Osorno, Radio Chilena, belonging to the Archbishopric of Santiago, is the only remaining radio station to maintain a critical and independent position vis-à-vis the present Government.

2. Printing and publishing

203. On 13 March 1977, the Chief of the Emergency Zone of Santiago issued bando No. 107, ordering that as from that date no newspaper, journal or printed matter might be issued or imported without his previous authorization. For an examination of the legal and constitutional aspects of this order see chapter II, paragraphs 71-73; the text of bando No. 107 appears in annex XLIX. Similar military orders were simultaneously issued in the other emergency zones. Public reaction to the enactment of bando No. 107 (see chap. II, paras. 72-73) has been highly critical. These orders have been generally regarded as further restricting the freedom of opinion and information by requiring prior military scrutiny and approval for the circulation of all Chilean and foreign publications.

204. The Director of Social Communications of the Government of Chile was reported to have expressed the Government's view to the Board of Directors of the National Press Association on 22 March 1977:

> "... the Government had not attempted to restrict the exercise of freedom of expression in the country, with the issue of bando No. 107 ... the bando was issued to fill a legal void in the exercise of freedom of expression. He also pointed out that it is not the Government's desire to ban the circulation of new publications based on moral and patriotic principles, containing information which contributes internally or externally to the country's unity and prestige." 9/

On 20 May 1977, the Director of the National Office for Social Communication responded to the expressed public concern with this statement:

> "/T/his bando was issued to give facilities to persons who want to write and do not know how to do so, and not, as is thought, to restrict the freedom of expression." 10/

9/ El Mercurio, 27 March 1977.

10/ "Intellectual freedom and freedom of the press", Inter-press Service, 20 May 1977.

/...

The Group finds that precisely such statements demonstrate that bando No. 107 was promulgated not to further freedom of expression, but rather to impose additional administrative control on freedom of expression.

205. The Group has been informed that a publishing house, Aconcagua, after less than a year of existence, was forced to close down in April 1977 for lack of a municipal permit to operate. The enterprise was launched by several well-known supporters of the Christian Democratic Party and financed by some 650 associates on a co-operative membership basis. Its first publications were anthologies of essays and The Mistral Collection, containing the works of new writers.

206. After duly filing its deed at the Registry of Commerce on 28 July 1976 - published in the Diario Oficial two days later - Aconcagua's manager presented a request for a commercial permit to the Mayor of Los Condes in the Barrio Alto sector of Santiago. Time passed, the permit was not granted, and a municipal inspector imposed a fine on the enterprise of 4,000 pesos (approximately $200) for operating without a permit. Subsequently, the Technical Commission of the municipality approved the request for a permit, but the permit was still not issued. On 19 November 1976, another fine was imposed, this time in the amount of 8,900 pesos. After appealing the imposition of this second fine and renewing its request for issuance of a permit, the publishing house was advised, on 2 March 1977, by the Mayor of the Commune, retired Army Colonel Osvaldo Alliende, that Aconcagua would have to close down since "it could not operate in a residential district". 11/ The determination was made, according to the Mayor, "to conserve the tranquility of the inhabitants" 12/ of the sector. It has been reported, however, that various other commercial establishments are located in the vicinity.

207. On 21 May 1977 authorization was given for circulation of the weekly review Hoy. Publication of the authorization - in accordance with bando No. 107 - appeared together with a statement from the Government Office of Information, which said in part:

> "The National Division for Social Communication will examine carefully the background, particularly the financial background, of the new publications in order to prevent any repetition of the lamentable practice of trying to manipulate the free will of the people with the aid of money from foreign political parties or movements interested in other aims that are not strictly in keeping with the union and the development being sought for all Chileans." 13/

11/ Inter-press Service, 8 April 1977.

12/ Ibid.

13/ "Government authorizes circulation of new review Hoy", Inter-press Service, 21 May 1977.

/...

B. Theatre and the arts

208. The Working Group has been informed by various authoritative sources that great public concern has been expressed about a series of incidents which affected a production of Hojas de Parra, an original play by the prize-winning poet, Nicanor Parra. The play was opened in a tent-theatre in the residential quarter of Providencia on 24 February 1977. It attained great public success, and after the newspaper La Segunda described it as "an insolent and incredible criticism of our political development", 14/ the interest increased.

209. On 4 March 1977 the Mayor of Providencia banned further performances of the play, the stated reason being that the theatre premises did not have adequate sanitary facilities. 15/ On 10 March, after renovation of the theatre, the authorization to reopen the premises was given; this was followed, however, several hours later, by a ban on the performance of the play. This new ban was reportedly based on the following grounds:

> "Authorization cannot be granted because the play has created a potentially dangerous climate of emotion ..." 16/

On 11 March 1977, at 2.30 a.m., the theatre was burned down; a newspaper article reported that plastic petrol containers had been found at the scene, and the fire was described as "intentional". 17/

210. It has been reported to the Working Group that on 13 January 1977, after curfew, unknown persons placed a bomb in an art gallery owned and directed by Pauline Waugh, which, in addition to an exhibition of paintings, housed a workshop where drama, music and sculpture classes were held, and an exhibition of compositions made of thread and scraps by women from the poblaciones. The gallery had reportedly become a place for expression of artistic reactions to the situation in the country, and had reportedly been the subject of repeated attacks in the Chilean press. It was also reported to the Working Group that Pauline Waugh was questioned by officials of the DINA, who had attempted to coerce her into stating that the bomb attempt had been the work of a leftist group. Her refusal to submit to these demands is reported to have led to such intimidation and harassment that she felt compelled to leave the country.

14/ The Guardian, 4 March 1977.

15/ Inter-press Service, 7 March 1977.

16/ Text provided by an official of the World Council of Churches.

17/ The Guardian, 15 March 1977.

/...

C. Education

1. Restrictions on intellectual freedom

211. In the course of its examination of the educational system in Chile, the Working Group has received reliable evidence showing a continuing pattern of close control by the Government over the administration of educational facilities as well as the intellectual content of the curriculum. Each university is directed by a rector-delegate who acts in the name of the Junta and who has unlimited authority over the institution. Any questioning of the system, or of any specific directive, by students or staff may result in dismissal and is, consequently, a rare occurrence. Teachers and students reportedly serve as informants for the authorities, who are thereby able to monitor closely the behaviour of students and faculty. According to testimony received by the Working Group, this climate of intimidation has created widespread demoralization, even among those who favour the present régime.

212. In its previous reports (A/31/253, paras. 456-457; E/CN.4/1221, para. 251) the Working Group noted with concern the widespread dismissals of members of the teaching staff of various institutions. During the current period, the practice is reported to be continuing, but the type of personnel subject to dismissal has changed. Whereas after the events of 1973, professors, researchers and students who belonged to, or were sympathetic to the parties that made up the Unidad Popular were expelled, in 1976 this type of action was directed against persons associated with the Christian Democratic Party. Recently, dismissals appear to have been based simply on the fact that the persons concerned do not actively support the present régime. The Group has heard testimony that it is not sufficient for a professor to conduct himself and his courses in accordance with the dictates of the administration; he is also expected to participate actively in extracurricular activities designed to propagandize the present régime. Failure to participate and to demonstrate active support has reportedly led to numerous dismissals. The result of these dismissals has been a reduction in the quality of the instruction at most institutions. Examples of this were reported with respect to the University of Chile: in the Department of Philosophy at Valparaiso only four of the former professors remain out of more than 25, the vacancies having been filled by persons who had just completed their studies, and the Department of Philosophy at Santiago has retained only two of the former professors out of a staff of 75. In other parts of the country, where the teaching staff was drastically reduced, departments were simply eliminated.

213. According to testimony received by the Group, course curriculum is rigidly controlled; teaching or discussion of certain subjects - ones which might engender ideas inconsistent with the present régime - are prohibited. A system of student policing is imposed and, judging by the consequences, is generally effective: should a professor deal with forbidden subjects in his course, and should the students continue to follow the classes, they are in danger of losing credit for completion of the course. Students who studied under professors who were later expelled have had their course credits annulled and have been compelled to repeat these courses. Similarly, this practice has been extended to the annulment of degrees previously conferred.

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214. The Group has received testimony to the effect that courses in national security have been introduced into the curriculum throughout the educational system. Reliable evidence before the Group indicates that suppression of ideological pluralism and academic freedom, in an atmosphere of fear and intimidation, has resulted in intellectual stagnation. In this atmosphere, communication among the students and between the students and the faculty has broken down. It was stated before the Group that in the University of Valparaiso an estimated 30 per cent of the student body is under psychiatric care - attributable in large part to the deterioration of the social environment.

2. Economic aspects of education

215. Constitutional Act No. 3, enacted on 11 September 1976, provides:

> "13. The right to education.
>
> "...
>
> "Basic education is mandatory. The State shall maintain the free schools necessary to that end and ensure access to middle-level education for those graduating from the basic level, the only criterion being the abilities of the candidates.
>
> "The State shall likewise promote the development of higher education in accordance with the needs and possibilities of the country, contribute to its financing and ensure that access to it is determined solely on the basis of the ability and suitability of the candidates." 18/

Although the State does not commit itself to finance education in its entirety beyond the basic level, it does ensure access to middle-level education for those graduating from the basic level, and it ensures that access to university education is "determined solely on the basis of the ability and suitability of the candidates". 19/

216. Recent developments in the field of education, however, appear to indicate that the economic policy of the Government is taking precedence over the rights and duties stated in the Constitutional Act. The access to education of children of middle and lower-income families is becoming increasingly restricted. Economic factors, and not the abilities of candidates, are determining who is able to obtain an education beyond the basic level. 20/

18/ The full text of Constitutional Act No. 3 appears in A/C.3/31/6/Add.1, annex 6.

19/ Constitutional Act No. 3, para. 13.

20/ Solidaridad, No. 21.

/...

217. An examination of the economics of education reveals that because of the diminution of the government support of education a greater financial burden has to be borne by the students. At the beginning of 1977 the Ministry of Education announced that the Chilean universities would impose a system of "differentiated matriculation" in accordance with the socio-economic situation of the students, as part of the Government's self-financing policy for social services. 21/ The system calls for four categories of payments for the first term of 1977:

Matriculation A	1,900 pesos (full tuition)
Matriculation B	1,300 pesos
Matriculation C	700 pesos
Matriculation D	0

(In addition, there is a compulsory fee of 600 pesos to be paid by all students at the beginning of the academic year.)

A system of government subsidy based upon ability to pay gave no cause for concern, but what did create widespread public reaction was the fact that the percentage of the student body in each fee group was fixed a priori. It was established that 55 per cent of the students would be in matriculation group A, paying the entire fee of 1,900 pesos, 13 per cent in group B, paying 1,300 pesos, 16 per cent in group C, paying 700 pesos, and 16 per cent in group D, paying no tuition fee. 22/ These pre-set percentages are reported to bear no relation to the economic levels within the student body.

218. It is reported that the increased cost of university education reached a crisis point at the end of May 1977, when the first term's tuition had to be paid. Of the 54,394 students who matriculated at the University of Chile, 40,385 requested some type of grant. The administration authorized the benefits of "differentiated matriculation" to only 21,926 students; thus, requests for financial assistance from 18,459 students were denied. The Group has no information concerning the standards applied in denying this financial aid.

219. A law student, in a letter to the rector-delegate of the University of Santiago, expressed the concern of many students:

> "Only those who have economic means can be sure of remaining in the University ... Are the possibilities of training professionals not vital to the future of the country, in the same way as the cadres of the armed forces receive free training, as indispensable elements to ensure the country's sovereignty? ... It is logical and fair to ensure the access of the medium and low-income levels to higher education, as is quite rightly the case in the institutes of the nation's armed forces". 23/

21/ Solidaridad, No. 20.

22/ Solidaridad, No. 21.

23/ Solidaridad, No. 20.

/...

220. The reduction in government support of education in general is clearly demonstrated by an examination of the comparative budgetary expenditures on education during the period 1970 to 1976: 24/

Current budgetary expenditures on education (in thousands of constant 1969 pesos)	
1970	2,676
1971	4,365
1972	4,116
1973	2,886
1974	3,229
1975	2,429
1976	1,920

Deflated by corrected consumer price index. In 1976 a rate of inflation of 115 per cent is assumed, to compensate for the divergence in data between the source for this table and those for previous tables.

Source: ODEPLAN, Chilean National Planning Office, 4 December 1975.

The diminution of the Government's financial contribution to university education has been 41 per cent in real purchasing power between 1974 and 1976, and there is reported to have been a proportionately greater reduction in government expenditure on the public University of Chile than in the subsidy to the private Catholic University. 25/

221. The Minister of Education has also announced that in 1978 secondary school pupils will also have to pay graduated fees; levels of payment from complete exemption to full tuition will apply to a basic monthly tuition of 310 pesos. The effect of this system on the constitutional right to secondary education for all who complete the basic level is yet to be assessed. An examination of secondary school matriculation statistics during recent years has shown a disappointing diminution. Whereas enrolment grew by 6.2 per cent per year between 1965 and 1973, it dropped by 0.1 per cent in 1974 and by 0.4 per cent in 1975, despite an increase of 2.5 per cent in the number of children of school age.

24/ "Chile's chronic economic crisis: 1976 and beyond", International Policy Report, vol. II, No. 2 (September 1976), p. 16.

25/ El Mercurio, 17 April 1977.

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VII. ECONOMIC AND SOCIAL RIGHTS

A. Economic rights

222. The Working Group, in its report to the General Assembly at its thirty-first session (A/31/253, chap. XI), noted an improvement in certain areas of the Chilean economy and the announcement by the Government of a series of economic measures. In its subsequent report to the Commission on Human Rights at its thirty-third session (E/CN.4/1221, chap. VII) the Working Group, remaining mindful of Chile's status as a developing country and of the unfavourable international economic situation that has prevailed in recent years, emphasized that its concern continued to be the economic and social policies pursued by the Government which, in the Group's opinion, have caused the burden of the economic and social difficulties to fall to an excessive extent on the poorest strata of the population.

223. In its observations on the above-mentioned reports of the Working Group (A/C.3/31/6, chap. XI, and E/CN.4/1247/Add.1, chap. VI) the Government of Chile furnished data on its expenditures on social development, housing and increased employment.

224. For the preparation of the present report, the Working Group has had at its disposal substantial documentary evidence concerning the current economic situation in Chile; it has examined information provided by the Government of Chile 1/ and the analyses of experts appearing in reputable publications, compared relevant statistics and heard testimony of witnesses. Inasmuch as Chile has received substantial foreign economic support, the situation of the economy has been the subject of far-reaching scrutiny and analysis in various quarters. The current state of the Chilean economy is one to occasion grave concern. The Working Group, it should be noted, has confined its observations on the economic situation to those areas in which, through government action, deterioration of a difficult situation or deprivation of economic rights of the lowest economic strata of the society has resulted.

1. Employment

225. The problem of unemployment, which has characterized the Chilean economy since 1973, persists. The unemployment index for Greater Santiago, recorded at 13.6 per cent by the Department of Economics of the University of Chile in December 1976, rose, according to the same source, to 13.9 per cent in

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1/ Note verbale dated 12 August 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva to the Secretary-General (see annex XXX).

March 1977. 2/ The National Institute of Statistics, which records such data on a quarterly basis, reported unemployment at slightly over 13 per cent for the last quarter of 1976 and at slightly under 16 per cent for the first quarter of 1977. 3/ It is believed, however, by some analysts outside the country, that the actual rate of unemployment is close to twice the official figure. 4/ To any unemployment figure must be added the large number of persons who have left Chile since the coup in search of work; an additional part of the labour force is in exile for political reasons. It is reported that the 1974-1976 rate of emigration was five times that of 1971-1973, and that approximately 10,000 persons monthly present themselves at embassies in search of emigration possibilities. 5/

226. The current status of the Government's Plan del Empleo Minimo (PEM) (Minimum Employment Programme) (see E/CN.4/1221, paras. 261 and 264, and E/CN.4/1247/Add.1, chap. VI (a)), which was initiated to provide employment for the unemployed, was described recently in a statement by the Minister of the Interior on the social action policy of the Government: in April 1976, 139,000 persons (125,000 men and 14,000 women) were working for PEM; by February 1977, the number of workers had risen to 217,000. The PEM project is supplemented by food programmes 6/ - some under the auspices of the United States Agency for International Development (AID) - training courses, publicity to stimulate public interest in submission of new projects, and various public works and community service projects. In addition, PEM has played its part in settlement and provision of facilities in marginal communities, rural development, assisting the Corporation for Child Nutrition, and other social and civic activities. 7/

2. Wages and inflation

227. The PEM programme has given some relief to those benefiting from it, but its participants cannot be excluded from any real computation of unemployment, nor can

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2/ El Mercurio, 23 May 1977.

3/ Solidaridad, No. 19, p. 10, citing Ercilla.

4/ Center for International Policy, "Chile's chronic economic crisis: 1976 and beyond", International Policy Report, vol. II, No. 2 (Washington, D.C., September 1976).

5/ National Union of Mineworkers, Report of the delegation to Chile and Bolivia, 21 April-7 May 1977 (London, 1977). This report was presented to the Working Group by a member of the delegation which had visited Chile, and he gave an eyewitness account of the matters covered by the report.

6/ It was reported in May 1977 that food parcels under the PEM programme had not been distributed in Santiago since January 1977. Chile Committee for Human Rights, Newsletter No. 15 (London, May 1977).

7/ For the full text of the statement, see annex L.

/...

their income level be considered as approaching that required for subsistence. Reference to the earnings chart which appears below (para. 279) reveals that the PEM group (177,000 persons at the time of tabulation), representing 5.36 per cent of the work force, earned only 505 pesos monthly - less than one half the cost of the "family basket" (see para. 280). In hiring workers under this plan, the Government itself suspends application of its own legislation regarding pension schemes, health schemes and, of course, the minimum wage scale. It has been reported that employers have been permitted to lay off their regular work force and then rehire the same employees under the PEM programme, thereby depriving the workers of their normal benefits. 8/

228. There appears to have been a drastic reduction in the workers' share of national income and in the purchasing power of wages as a result of the increasing imbalance between the rate of inflation and the adjustment of wages. In a study prepared by the National Federation of Miners, 9/ the minimum amount required simply to feed a family of five in April 1977 was 1,727.64 pesos ($US 88.82) per month. At that same time the minimum wage was 1,190.00 pesos, or 68.9 per cent of the cost of food at the subsistence level. The sum was calculated on the basis of 17 basic food-stuffs and made no allowance for the cost of rent, health services, clothing, education or any other essential needs. In the sector visited by the delegation from the National Union of Mineworkers, the average monthly wage was 1,025.00 pesos in April 1977; wages could not be supplemented by holiday work, and when unsold inventory exceeded 50 per cent of production, the miners were compelled to take "holidays". 10/

229. Every three months the Government announces automatic salary adjustments; in April a wage increase of 4 per cent was announced - which fell short of the loss of buying-power as a result of the rate of inflation since the previous wage increase. Within a few days of the wage increase, moreover, new price increases for basic food-stuffs were reported. Consequently, an average family (with an income of 1,025.00 pesos) would spend about 252 pesos a month on bread alone. It has been estimated by some sources that inflation may reach 80-100 per cent this year.

230. It was reported to the Working Group that at the same time as the April wage increase of 4 per cent for workers was announced, a salary increment of 40 per cent was given to high-ranking public officials and to certain other white-collar employees.

231. As seen by some analysts, the repercussions of the Government's economic policies are manifold. A serious recession has taken place, particularly in the industrial sector, as a result of the sharp drop in domestic demand caused by the

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8/ Quoted in National Union of Mineworkers, op. cit., p. 33.

9/ Ibid., p. 32.

10/ Ibid.

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rapid decrease of "real wages". Domestic industry has also suffered from tariff liberalization and the consequent entry of foreign goods. This phenomenon has prompted the Church to speak out in this manner:

> "We understand that the economic reconstruction of a country calls for great sacrifices from everyone; nevertheless, the peasants, workers and settlers appear to be bearing an excessive and disproportionate burden.
>
> "Others, on the other hand, are making money without working by speculation or usurious interest.
>
> "...
>
> "The Church has condemned usury and excessive gain which deprives the weak of their bread, and this condemnation is still valid." 11/

B. The human rights situation and its effect on the economy

232. It is to be expected that Chile will remain dependent on international financial aid at least through the 1980s. 12/ Even if such financial assistance were to remain at current levels, Chile's economy would remain paralysed by its high debt service burden, its inability to attract production capital and the continued pressure by foreign governments and international organizations to isolate the Government because of the reported violations of human rights. Recent developments, particularly in the United States Congress, suggest that external aid to Chile will be substantially reduced unless the issue of human rights in Chile can be resolved to the satisfaction of investigatory organs of international organizations.

233. The United States of America, which represents, by far, Chile's largest source of foreign financial support, has had strictures placed on foreign assistance programmes requiring congressional approval. The so-called "Harkin amendment", effective as from fiscal year 1976, provides:

> "(a) No assistance may be provided to the government of any country which engages in a consistent pattern of gross violations of internationally recognized human rights, including torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges, or other flagrant denial of the right to life, liberty and the security

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11/ Statement on "Our national coexistence" by the Permanent Committee of the Episcopal Conference of Chile, published in El Mercurio, 26 March 1977 (see annex XIII).

12/ Center for International Policy, op. cit., p. 1, relying on confidential reports from the World Bank and the International Monetary Fund and data from the OAS, the Inter-American Development Bank, the Chilean Government and the executive and legislative branches of the United States Government.

/...

of person, unless such assistance will directly benefit the needy people in such country."

Aside from congressional consideration of whether the Government of Chile does violate its citizens' human rights, 13/ a report of the Comptroller General of the United States casts serious doubt on whether assistance has been directly benefiting the needy people in Chile. 14/

234. With respect to one programme of the United States Agency for International Development (AID) which was examined, the report states:

"At one co-operative visited, we were not able to obtain information on how many small farm owners were benefiting from loan funds. At another, we learned that some poor farmers who had purchased land in the late 1960s were now co-operative owners. They were working the land and paying off the mortgage to the former land owner." 15/

As concerns a food donation programme:

"We visited three ... food program sites: two schools and a nursing school to see who was participating in the program. We observed that the schools were located in poorer areas of high unemployment, but we could not determine if the most needy children were actually receiving the donated food." 16/

235. With reference to a housing investment guarantee programme under which loans were to be used to construct homes for members of housing co-operatives, a minimum down-payment of 10 per cent is required - equivalent to $250-$500 in most cases. Where a minimum wage of $47.92 to $79.87 a month is earned by 50 per cent of the population - 21.86 per cent earning less (see chart, para. 279) "Chile's poorest people are not expected to participate because they could not afford to buy houses to be constructed in this programme". 17/

236. As concerns the over-all view of AID programmes in Chile, the following summary appears:

13/ Center for International Policy, op. cit., p. 3.

14/ "Impact of U.S. Development and Food Aid in Selected Developing Countries", Report of the Comptroller General of the United States, 22 April 1976 (ID-76-53).

15/ Ibid., p. 21.

16/ Ibid., p. 22.

17/ Ibid., p. 24.

/...

"AID mission officials acknowledged that some needy people were not participating in AID programs. This included certain identifiably poor groups such as: the minifundistas, land-owning marginal farmers, who were excluded from the fiscal year 1975 program because there was no viable Chilean agency capable of administering a program for their benefit; certain Indian groups which were not selected as target groups for programs because of the absence of potentially beneficial and workable project proposals; and the urban poor which were excluded because of the emphasis on the rural sector. The latter group was particularly noteworthy since about three fourths of Chile's population lived in the cities and AID data showed that there was an unemployment rate of about 15 per cent in Santiago and other metropolitan areas." 18/

237. It has been stated that the United States Congress had Chile uppermost in its mind when it enacted the legislation which includes the Harkin amendment 19/ (see para. 233 above), for the law also provides:

"(c) In determining whether or not a government falls within the provisions of subsection (a), consideration shall be given to the extent of co-operation of such government in permitting an unimpeded investigation of alleged violations of internationally recognized human rights by appropriate international organizations, including the International Committee of the Red Cross, or groups or persons acting under the authority of the United Nations or of the Organization of American States."

238. The Center for International Policy submitted a research study to the Working Group in which the following statements appear:

"Since 1974, Congressional critics of United States Chilean policy have legislated limitations on military and economic aid to Chile on the grounds of its human rights violations. Thus, Chile would appear to be a potential test case for determining the effectiveness of human rights legislation in actually leading to improved human rights conditions. Thus far, when all military aid and most forms of bilateral economic aid have been denied to Chile by the United States Congress and it has become increasingly evident that very little aid would be available, the Chilean Government has responded by renouncing any United States bilateral assistance. The complete rejection of this aid came in response to the State Department's decision to delay for 30 to 60 days $9.3 million of the $27.5 million economic assistance package for /fiscal year/ 1977 to express disapproval of human rights violations by the Chilean Government of President Augusto Pinochet (Washington Post, 1 July 1977). The Chilean junta issued a note which formally 'spurned the

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18/ Ibid., p. 9.

19/ Statement of Leonard C. Meeker and Herbert Semmel before the Sub-Committee on International Organizations of the House of Representatives Committee on International Relations, at the hearing on assistance to Chile, 29 April 1976.

/...

proposed $27.5 million economic aid package' angrily reacting against the Carter Administration's attempt to use human rights as a factor in considering foreign aid distribution. However, this dispute over aid has not occurred with respect to the multilateral lending institutions ..." 20/

239. It cannot be overlooked that the posture of the Chilean Government on human rights has profound repercussions on the economic situation in the country. Not only the United States of America, but other foreign Governments and international organizations are finding it increasingly difficult at this juncture to reconcile continued financial support to the Chilean Government with the latter's position on human rights. 21/ A recent statement by the Episcopate contains some suggestions to be considered by the Government to ameliorate the economic plight of the country.

"Economic development depends on decisions taken at the national level, and the right of participation defended by Catholic social doctrine is also applicable to the economy.

"In the economic sphere it is easy to create a technocratic élite which aspires to take all the decisions itself.

"...

"In the name of human rights and of the right of participation, the Church asks that the various economic options should be the subject of open discussion, and that access to decisions and the possibility of exerting influence should not be reserved to a single scientific school or to a few privileged economic groups. Without a great national debate, the reasons given by the specialists lack full credibility. There is usually more wisdom in the discussion of different opinions than in a single opinion which is affirmed dogmatically and without contradiction." 22/

C. Trade unions

240. In its report submitted to the General Assembly at its thirty-first session (A/31/253, chap. VIII) the Working Group noted the continuing curtailment by the Government of Chile of trade union rights, in particular, the exercise of such

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20/ "Chile: An analysis of human rights violations and United States security assistance and economic programmes", a research study prepared by the Center for International Policy, Washington, D.C., July 1977.

21/ Center for International Policy, "Chile's chronic economic crisis: 1976 and beyond", International Policy Report, vol. II, No. 2 (Washington, D.C., September 1976).

22/ El Mercurio, 26 March 1977.

/...

fundamental rights as those relating to the election of union officials, collective bargaining and the right to strike. In the observations of the Government of Chile on the report of the Working Group (A/C.3/31/6, chap. VIII) the Government asserted that "/c/ollective bargaining and trade union elections have had to be suspended temporarily because a new labour policy cannot be introduced before the evils which led to an acute social crisis in Chile have been removed" (ibid., chap. VIII, sect. C). The Government stated that "since 11 September 1973 hundreds of new trade unions and trade union federations have been set up". It reproduced in extenso the provisions of Constitutional Act No. 3 relevant to the right of association and the right to form or join trade unions (ibid., chap. VIII, sect. A). The Working Group has already observed in the present report (see chap. II, para. 45 above) that numerous specific rights established in article I of Constitutional Act No. 3, enacted on 11 September 1976, are subject to further definition or implementation by means of laws or statutes to be subsequently enacted. The provisions dealing specifically with the right of association and the right to form and join trade unions cited by the Government 23/ are in that category; to date the complementary legislation implementing these constitutional rights has not been enacted.

241. In its report to the Commission on Human Rights at its thirty-third session (E/CN.4/1221, chap. V) the Working Group noted no significant improvement in the exercise of trade union rights in Chile. It reported on processes that had the effect of bringing all the trade unions under the tight control of the Government (ibid., para. 238). It noted the requirement that unions must request advance

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23/ Constitutional Act No. 3:

"...

"(9) The right to form associations without prior authorization.

"Associations must be constituted in accordance with the law in order to enjoy legal personality.

"No one may be compelled to belong to an association, save as provided in paragraph 20, sixth subparagraph, of this article.

"Associations contrary to morality, public order and the security of the State are prohibited.

"...

"(22) The right to form trade unions in fields of activities involving production or services or in a particular industry or occupation, in the cases and in the manner prescribed by law.

"Trade union organizations shall have juridical personality simply by registering their statutes and constituent acts with an autonomous body, in the manner prescribed by law.

"The law shall provide for machinery ensuring the independence of trade union organizations and their financing."

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police authorization for meetings and that 40 per cent of such requests were denied (ibid., para. 239). The Working Group further observed that five specified unions and 17 others, unnamed, had been dissolved. In a note dated 18 May 1977 addressed to the Secretary-General (see annex LI) the Government of Chile presented details of the circumstances surrounding the dissolution of these unions. In its report to the Commission on Human Rights (ibid., para. 243) the Working Group also listed the names of 18 members of trade unions whose arrest and disappearance had been reported and whose whereabouts remained unknown.

1. Exercise of trade union rights

242. On 29 December 1973, decree-law No. 198, restricting trade union activity, was enacted. What was then described as a transitory measure continues in effect nearly four years later. 24/ The decree prohibits basic union activities such as the election of officers, substituting for it the designation of officials by the Government according to seniority. 25/ Concerning the application of this decree, the Working Group heard testimony from a member of the delegation of the National Union of Mineworkers that "even if a union exists, virtually all genuine activity is obstructed". It requires two days' advance notice to the police of the place and the agenda of union meetings. 26/ In practice, it is reported, mere notification is not sufficient; the union must obtain prior police authorization. 27/ The decree imposes a further limitation during the existence of a state of siege: it restricts union assemblies to those "of an informative nature, or with regard to the internal operation of the organization". 28/ In practice, union meetings continue to be the exception. 29/ Furthermore, the lack of recognition on the national level of any federation of labour organizations makes it virtually impossible for the workers to have any influence on national policy-making or in the formation of public opinion. 30/

24/ Solidaridad, No. 18, May 1977. Legislative decree No. 198 stated in preambular para. 3 that the new rules were being introduced because the "situation ... of crisis in which the Government took over the country makes it impossible to achieve in the immediate future complete normality in trade union activity ..."

25/ Decree No. 198, article 2. See also National Union of Mineworkers, op. cit., p. 25.

26/ Ibid., transitional article 4.

27/ Solidaridad, No. 18, May 1977. The national consultative meeting of the National Industrial Mining Federation, representing 105,000 workers throughout the country, was not held on 29 and 30 May in Santiago as scheduled, since government authorization was not granted. Inter-press Service, May 1977.

28/ Decree No. 198, transitional article 4.

29/ Solidaridad, No. 18, May 1977.

30/ Mensaje, No. 258.

243. The Fact-Finding and Conciliation Commission on Freedom of Association of the ILO had recommended that the Chilean Government "adopt without delay new trade union legislation which ... should recognize, in particular, certain principles concerning the right of workers, without distinction whatsoever, to establish organizations of their own choosing, without previous authorization; the right of organizations to hold meetings, to elect their representatives in full freedom, and to organize their administration without interference by the authorities". 31/ According to the report of the ILO Committee on Freedom of Association to the Governing Body at its May-June 1977 session, the Government is reported to have stated "that under the provisions of the state of siege elections of all kinds have been provisionally suspended throughout the country" but "denies that any infringement of the principles of freedom of association is involved". 32/ The ILO Committee reported "that after nearly four years of severe restrictions on the exercise of trade union rights in fundamental fields of trade union activity, it has become urgent for the Government to adopt legislation ensuring full respect for the principles of freedom of association", 33/ and recommended to the ILO Governing Body at its two hundred and third session that it urge the Government "to repeal Legislative Decree No. 198 in order to ensure the normal functioning of trade union activities". 34/

244. The drafting of the "Social statute of the enterprise", designed to regulate worker-entrepreneur relationships, was announced in March 1977 by the Minister of Labour. He emphasized that this Statute is directly related to the "tripartite commissions" (comprised of workers, entrepreneurs and government officials) which determine the working conditions and wages in each sector, and that the decisions of those commissions will be equivalent to the labour "collective" agreements, which are compulsory. 35/ One hundred and twenty-six trade union leaders, in an open letter to President Pinochet (see annex LII), 36/ asserted that the statute had been approved without their views having been taken into consideration and that the participation of the workers had been a mere formality. The statute, it was asserted, in failing to draw a distinction between trade union leaders and those who represent the workers on the Committee of the Enterprise, results in "union parallelism". Instead, it was urged, "participation should be legitimate and representative, i.e. chosen by the workers, who would be represented in free, secret and well-reported elections". 37/

31/ Report of the Fact-Finding and Conciliation Commission on Freedom of Association on the Trade Union Situation in Chile (ILO, 1975), para. 530.

32/ ILO document GB.203/12/26, para. 13.

33/ Ibid., para. 16.

34/ Ibid., para. 43 (b).

35/ Inter-press Service, 8 March 1977.

36/ "Analysis and aspirations of the workers of Chile", letter dated 29 April 1977, published in Solidaridad, No. 9.

37/ Ibid.

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245. The establishment of the tripartite commissions, which had been greeted initially with enthusiasm by various labour sectors, has not fulfilled their expectations: it has been reported that the workers' observations on the new Labour Code and on the Draft Project on Social Security have been given little attention. 38/ On the other hand, a statement made by General Pinochet at Copiapó in September 1976 was reported as follows: "General Pinochet said 'The right to strike will not be restored', because, as he explained, 'there exist tripartite commissions responsible for solving the problem'". 39/

246. In the report of the ILO Committee on Freedom of Association, the suspension of collective bargaining until March 1978 was noted, and the functioning of the tripartite commissions was examined together with the Government's stated plans for their improvement. 40/ The Committee recommended to the Governing Body "to note with interest the changes contemplated in the system of tripartite commissions, and to express the hope that they will constitute a step towards the full re-establishment of free collective bargaining". 41/

247. On 20 April 1977, 122 trade union organizations, representing more than one and a half million workers and a wide range of ideological and political persuasions were denied permission by the Intendente of Santiago to hold a public celebration of International Labour Day on 1 May. It was reported that the reason given for the refusal was that the Government was organizing a special official event which all trade unions were expected to attend instead 42/ (see also chap. VI). Deprived of their chosen forum, 126 organizations addressed an open letter, dated 29 April to General Pinochet entitled "Analysis and aspirations of the workers of Chile" (see annex LII) in which they presented their views.

248. On 1 May, at a mass celebrated in the Cathedral of Santiago, the Archbishop of Santiago said in his homily:

> "We are certain that in the construction of this new social order, the contribution of the workers is not only indispensable but quantitatively and qualitatively decisive. We would even say that this great asset which is national security can never be better guaranteed than when the working people see and feel that their rights have been recognized. The most severe measures to maintain order and security in the long run become inefficient, even

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38/ Inter-press Service, April 1977.

39/ Ibid.

40/ ILO document GB.203/12/26, paras. 20-23.

41/ Ibid., para. 43 (d).

42/ Solidaridad, No. 17; Inter-press Service, April 1977; see also El Cronista, 18 April 1977.

/...

dangerous, unless they are accompanied by the progressive incorporation of the working class in the protagonist's role which it has the right and obligation to fulfil." 43/

249. One of the witnesses who appeared before the Working Group and who had participated in the May Day ceremony at the Cathedral gave the following description:

"When the mass ended and we again filed down through the centre of the Cathedral, the service turned into a mass protest meeting. It is an experience we won't easily forget. The Cathedral resounded with shouts of 'Freedom' as everyone joined in loud protest regardless of the armed police who stood at the main entrance. We felt that we were truly hearing the voice of the people of Chile, and there could be no doubt as to whom they recognized as their leaders."

2. Interference with trade union activities

250. Collateral to the legislative limitations on the exercise of fundamental trade union rights is the continuing practice of intimidation and harassment of trade union organizations and their leaders. The Working Group has heard testimony from persons who have visited Chile in recent months to the effect that the military régime has tried to suppress the whole of the labour movement. Even the officially nominated "trade unionists" have openly criticized the Government's labour policy. They too are being dismissed and replaced by even less representative officials. Neither unrecognized trade unionists nor nominated trade unionists are permitted to defend the interests of their members, let alone advance them.

251. The Working Group has received information that the Ranquil Confederation and the United Confederation of Workers and Peasants have had their premises closed down and their belongings confiscated; various organizations affiliated to them have been dissolved. They have received none of the moneys due them from the Department of Labour or the Education and Extension Fund. In its above-mentioned report to the Governing Body of the ILO (May-June 1977), the Committee on Freedom of Association noted that the Government had still not explained the situation and stated that "the Committee can only continue to deplore the lack of information from the Government on the situation of these organizations". 44/

252. Two unions, the National Federation of Textile and Clothing Workers (FENATEX) and the Industrial Federation of Building, Wood and Building Materials Workers (FIEMC), although in existence for many years (24 and 30 years respectively), in

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43/ Quoted in "Premier Mai au Chili" published by the Comité extérieur de la Centrale unique de Travailleurs du Chili, Saint-Denis, 16 May 1977.

44/ ILO document GB.203/12/26, paras. 24-27.

/...

1974 had applied for legal personality under the new regulations. The Working Group notes that to date their requests have not been granted 45/ despite the provisions of Constitutional Act No. 3, 46/ which provides for such personality to be granted upon the mere act of filing. However, the legislation that would implement this constitutional right has not been enacted to date. Despite repeated requests by the ILO Committee on Freedom of Association, the Government has failed to furnish information on this matter. 47/ Similarly, the Government has not responded to the assertion that "the National Association of Education Service Employees (ANESE) was being run by a Government-appointed supervisory committee and was unable to engage in any really effective trade union activity". 48/

253. On 11 February 1977 a complaint was transmitted to the ILO alleging that the premises of the Chilean Confederation of Employees in the Private Sector (CEPCH) had been raided by order of the Government and that the General Secretary of the union, Patricio González Verdugo, had been kidnapped by the security police. 49/ The response of the Chilean Government to the ILO concerning these allegations simply pointed out that the address stated in the complaint was not correct, provided the address of the premises at which the CEPCH "normally operates" and stated "that there has been no interference with these /latter/ premises by the authorities". According to the Government, the person named as General Secretary had resigned as such in 1973 and is at liberty. 50/

254. It had also been alleged that an armed gang had raided the premises of the National Association of Public Employees (ANEF), had brutally assaulted Milenko Mikovilovic, the Vice-President of ANEF, and had attempted to set the premises on fire. 51/ Despite the recommendation of the ILO Committee on Freedom of Association at its session in May-June 1977 that "the Government intensify the investigations into the case", 52/ a request for the appointment of a visiting judge was denied. 53/ The petition requesting the appointment of the judge alleged that "the authors of the attempt did not seem to be common delinquents but armed, organized groups, perfectly trained to carry out commando-type actions". 54/

45/ ILO document GB.201/11/24, paras. 30-35.

46/ Article 1, para. 22.

47/ ILO document GB.203/12/26, paras. 29 and 43 (e).

48/ Ibid., para. 30; see also para. 43 (f).

49/ Ibid., para. 68.

50/ Ibid., paras. 71 and 73.

51/ Ibid., para. 65; Solidaridad, No. 13 and No. 15.

52/ ILO document GB.203/12/26, para. 74, c (i).

53/ Solidaridad, No. 15.

54/ Quoted in Solidaridad, No. 13.

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255. According to a report presented to the Working Group concerning the problems of trade union leadership in Chile, the following situation exists:

> "Among trade union officials in Chile today, some were elected to their present positions prior to the military coup in 1973. Since the coup no elections have been permitted and all vacancies have been filled by nominations made directly or indirectly by the military authorities. In a few cases elected leaders have been confirmed in their original or more senior posts by military nomination. In general, we can distinguish two main groupings of trade union officials in Chile today: (1) the 'non-recognized' leaders, all of whom were elected prior to the coup, and (2) the 'official' or recognized leaders, most of whom owe their positions to the junta. Yet even the 'official' leaders have often been pushed by their members into adopting positions of opposition to the junta. Most of them are members of of the Christian Democrat Party, which was in opposition to the Government of President Allende. Like their party, a number of them welcomed the coup initially." 55/

256. According to information received by the Working Group from various sources, 56/ certain trade union leaders and members of the clergy linked with the labour sector have been molested or harassed in recent months. It was reported that within days after presentation of the document "Analysis and aspirations of the workers of Chile" (see para. 244 above and annex LII), government security forces organized intensive surveillance of various trade union leaders and began a campaign of harassment and intimidation (see chaps. III and IV). See annex LIII for some examples of repression of trade union leaders.

3. Exile, deprivation of nationality and other actions against trade unionists

257. The Committee on Freedom of Association of the ILO has expressed its concern

> "as regards the trade unionists who have been forced into exile. Such a measure, which is in violation of human rights, is of particular gravity since it deprives such persons of the possibility of working in their country and of contacts with their families. The Committee also considers that such a measure is in violation of freedom of association in that it undermines the trade union organizations which are thereby deprived of their leaders". 57/

55/ National Union of Mineworkers, op. cit., pp. 25-26.

56/ Including the World Federation of Trade Unions, a non-governmental organization in category I consultative status.

57/ ILO document GB.202/8/11, para. 62.

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258. The Working Group subsequently received information that three labour leaders in exile, Ernesto Araneda Briones, Luis Meneses Aranda and Humberto Elgueta Guerín, had been deprived of their Chilean nationality by a decree of the Ministry of the Interior published in the Diario Oficial of 7 May 1977. The decree stated, in part, that these persons, acting in the name of the Comité extérieur (with headquarters in Paris, France) of the Central Unica de Trabajadores de Chile, "a non-existent organization since its legal status was cancelled by decree-law No. 12 of 17 September 1973", had applied to the International Labour Organisation and reported "imaginary facts with the exclusive aim of dragging the name of the Fatherland and of our rulers through the mud; in conjunction with previous events, this constitutes a serious attack on the basic interests of the State". 58/ (See also chap. V, para. 170.)

259. Concern about the fate of trade unionists who were arrested and who subsequently disappeared has been expressed in various sectors. (For an examination of the phenomenon of missing persons, see chap. III, paras. 101-133.) At the direction of its Governing Body, the ILO submitted to the Chilean Government two lists (containing 66 names and 24 names respectively) of present or former trade unionists who had been arrested and whose whereabouts were unknown. As of January 1977, the Government had furnished information as to the whereabouts of only 57 of these 90 persons, and the Committee on Freedom of Association noted "with regret that the Government has not furnished any information concerning a large number of persons on the lists forwarded to it". 59/ Prior to the May-June 1977 session of the Governing Body, the Government supplied additional information on 14 persons; the Committee in turn had received a communication containing the name of an additional nine trade unionists who were stated to have disappeared. In its report, adopted by the Governing Body at its May-June 1977 session, the Committee listed 40 persons whose whereabouts still remained unexplained, 60/ and recommended the Governing Body to request the Government to supply information on the situation of these persons and to urge it to continue its investigations into the disappearance of the trade unionists in respect of whom it had stated it had no information. 61/

260. The Working Group has noted that the Governing Body of the ILO has asked the Chilean Government to continue to supply information on the evolution of the situation with respect to the recommendations of the Fact-Finding and Conciliation Commission and to submit a report on this subject by October 1977. 62/

58/ Quoted in La Tercera de la Hora, 8 May 1977.

59/ ILO document GB.202/8/11, para. 61.

60/ ILO document GB.203/12/26, annex.

61/ Ibid., para. 74, a (iii).

62/ Ibid., para. 43 (h).

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D. Health

261. In its report submitted to the General Assembly at its thirty-first session (A/31/253, chap. XI) the Working Group described the marked deterioration of the physical and mental health of certain sectors of the population. In the observations of the Government of Chile on the Working Group's report (A/C.3/31/6, chap. XI) the Government provided statistical data on expenditures for social development and the reduction of mortality rates, described medical care services and resources and defined the objective of investments in social development as "to direct State social welfare payments as effectively as possible to the sectors of greatest need" (ibid., chap. XI, sect. A.1). In its report submitted to the Commission on Human Rights at its thirty-third session (E/CN.4/1221, chap. VII), the Working Group, while taking note of the information furnished by the Government of Chile, was not able to discern an amelioration of conditions and expressed its continuing concern about the situation. It recognized as significant two policy pronouncements made by the President of the Republic on 11 September 1976: efective redistribution of State social assistance to the extreme poverty sectors, and the provision of the necessary resources for the full implementation of the Minimum Employment Programme. It was observed that these and similar policies, if effectively implemented, could result in an amelioration of certain problems affecting the Chilean population. The observations of the Government of Chile on the report of the Working Group (E/CN.4/1247/Add.1, chap. VI) provided additional statistical data on the health situation and on child nutrition, and described the efforts being made by the Government to eradicate such problems as child vagrancy. The Government expressed its criticism of the Working Group's reports, alleging that the judgements made were superficial, that statistics used were incomplete, and that insufficient attention was given to official government data. As in the preparation of its previous reports, the Working Group has had access to authoritative material and statistical data gleaned from governmental 63/ as well as other reliable sources. On the basis of this information, the Group is compelled, unfortunately, to note that the deterioration in health conditions which it had previously observed has become more marked.

1. Health services

262. In Chile, as in many other countries, health services had developed along various lines - religious, philanthropic and governmental. In 1952 the National Health Service (NHS) was created under the Ministry of Health to combine most of the existing programmes into a single entity which could render comprehensive health care; over the years a great deal of progress was made toward realizing the aims of the NHS. 64/ A high level of training and professional accomplishment of health

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63/ See in general annex XXX, which contains information furnished by the Government of Chile.

64/ "History of the health care system in Chile", American Journal of Public Health, vol. 67, No. 1 (January 1977), pp. 31-36.

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personnel was maintained over the decades, coupled with a remarkable degree of stability. "It had long been traditional in the Government of Chile that with each major change in government all of the top personnel in the Health Ministry would be changed but that the career personnel were maintained in office. After the 1973 military coup in Chile, however, this tradition did not apply. Health workers were discharged, imprisoned without charges, and many were summarily executed." 65/ It appears that the tradition of stability and continuity for health workers had been broken; health programmes antedating the Allende Government were dismantled or severely curtailed; technical competence was wasted and trained public health personnel were idle. 66/

263. Under the present Government, major modifications of the health care system have been based on a policy statement of the Junta that under existing economic conditions, medical care, always costly, could not be provided free of charge. 67/ The NHS was to be replaced by the National System of Health Services, which, it was envisaged, would gradually give way to private structures. In the implementation of this policy, in 1974 alone, 7,700 health service personnel were dismissed and 850 more were forced to retire. 68/ It was reported in May 1977 that 54 more doctors had been dismissed, 69/ most of whom were said to have been associated with the Christian Democratic Party.

264. According to reliable information received by the Group, the public health sector had previously cared for 90 per cent of the population, possessed 93.5 per cent of all hospital beds, cared for 95.9 per cent of the hospital patients and utilized 72 per cent of all doctors' time. Public expenditures for health, which was at $353 million in 1970, rose to $459 million in 1971. In 1976 the public expenditure on health dropped to barely $230 million at a time when the population was reported to have increased by a million persons. 70/

265. Dr. Ernesto Medina Lois, President of the Chilean Medical College, in an address to the General Council and Regional Boards of the College, made the following statement:

> "As everybody knows, the greater part played by the public sector in matters of health was not the whim of a Marxist government, rooted in an

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65/ "Report of the APHA Task Force on Chile", American Journal of Public Health, vol. 67, No. 1 (January 1977), p. 71.

66/ Ibid., p. 72.

67/ "History of the health care system in Chile", American Journal of Public Health, vol. 67, No. 1 (January 1977), p. 34, citing "Doctrina y estrategia para el desarrollo de la salud en Chile", Ministerio de Salud Publica, Chile, June 1974.

68/ Ibid., p. 35. See also Ercilla, December 1974.

69/ Chile Committee for Human Rights, Newsletter No. 15, May 1977, p. 5; no complete figures are available for 1975 or 1976.

70/ "News of Chile", a document prepared by Chilean physicians and other professional, technical and auxiliary health workers in exile, circulated in Geneva, May 1977.

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ideology, as was the case in the nationalization of industry or the expropriation of land. The organization of the sector in a mixed form through greater participation by the State has been the historical solution that the country has sought in order to resolve in the best possible way the problems of public health in Chile, as the majority of Chileans now, just as formerly, are unable to pay the real cost of a medical service increasingly complex and expensive. There is no doubt that the recent reduction in public expenditure has led to a slashing, unparalleled in its violence, of moneys available to the public health sector." 71/

266. A comparative analysis of health care expenditures reveals a drastic reduction in government support:

Financial resources invested in public health

Total (in millions of dollars)

1970	1971	1976	1977 (projected)
353	459	230	145

Per capita expenditure

1970	1971	1976	1977 (projected)
38 dollars	48 dollars	22 dollars	13 dollars

Percentage of the national product spent on public health

1970	1976	1977 (projected)
6 per cent	4 per cent	2.5 per cent

Note: To the reduction in expenditure on public health must be added the fact that the Chilean population grew, within the years quoted, by a million inhabitants.

Source: "News of Chile" (a document prepared by Chilean physicians and other professional technical and auxiliary health workers in exile, circulated in Geneva, May 1977), based on: 1970-1976 Annual Accounts of the President of the Chilean Medical College, Dr. Ernesto Medina; El Mercurio, 16 April 1977; El Mercurio, March 1977.

267. The reduction in *per capita* expenditure from $38 in 1970 to $22 in 1976 not only represents a statistical reduction of 42 per cent but constitutes an incalculably greater diminution of health care in view of the continuing inflation.

71/ Quoted in "News of Chile", p. 1.

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Dr. Medina, in his April 1977 address, commented on the diminishing percentage of the national product expended on health care:

> "Total expenditure on health amounted to a bare 4% of the national product. Considering that in the past the share of the health sector in the national product in Chile has always been 6% and that in most countries it is even higher, it cannot seriously be argued that current expenditures on health meets our requirements or that it cannot be increased." 72/

268. In another part of his address Dr. Medina commented on the administrative problems of the health services:

> "Unfortunately, the policies and guidelines advocated in several parts of the country by the administrative personnel which has recently been brought into the sector have led to serious controversy because of their tendency to put administrative and economic considerations before technical ones. Because of their lack of experience many new executives have failed to take into account the special nature of administration in the health sector. The fact is that the experts are not even being consulted about fundamental reforms in the services and methods of work."
>
> "... In so far as the administrative statutes and internal regulations of the SNS /National Health Service/ have not been repealed and are therefore still in force, some of the measures taken by the new executives are clearly irregular." 73/

269. The total number of doctors working in Chile in 1973 was reported to have been 6,600; by 1975 there were only 5,000. 74/ As a result of the cuts in spending, trained medical personnel are being dismissed and replaced by persons employed under the Minimum Employment Programme (see para. 226); these new employees may well be in need of employment, but they do not really replace - in numbers or in skills - the dismissed trained staff. 75/ Furthermore, a large number of doctors have left the country since September 1973. The Working Group has also received information concerning the deteriorating conditions in hospitals and medical stations - particularly the lack of equipment - as a consequence of the lack of funds. There can be no doubt that the reduction in human as well as material resources in this sector has deprived a major portion of the population of adequate health care.

72/ Quoted in "News of Chile", p. 2.

73/ Ibid.

74/ "News of Chile", citing El Mercurio, 2 February 1975, quoting figures published by ECLA.

75/ Chile Committee for Human Rights, Newsletter No. 15, May 1977, p. 5.

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270. To compensate for the diminution in available services under the national health scheme, increased services are being provided by the religious sector - a reversion to an earlier system of religious philanthropy which antedated the development of such services primarily as a governmental responsibility. A report of the Vicaría de la Solidaridad provides the following data: the health programme attended 117,957 persons in eight polyclinics in four areas of Santiago and rendered general and specialized medical care. Comparative statistics on specialist care are noteworthy: 76/

	1975	1976
Psychology	1,597	2,331
Psychiatry	565	1,411
Otorhinolaryngology	80	303
Opthalmology	289	449
Gynaecology	143	179
Chest and lung care	4	-
Dermatology	35	268
Traumatology	37	-

271. A major increase in psychological and psychiatric care during 1976 was noted; 75.8 per cent of all consultations of specialists fell into this area and the patients were mainly former political prisoners. 77/

272. The Working Group received the report of a mission that visited Chile in 1977 under the auspices of the World Council of Churches, in which it was stated that the mental and physical health of the families, especially the children, of persons who have disappeared has been severely affected. The information provided to the Group in this report concerning 145 specific cases of children revealed somatic disorders, psychological problems, and retardation of development (see annex LIV).

273. In the statement made by the Minister of the Interior on 11 March 1977, the text of which was forwarded to the Secretary-General by the Permanent Mission of Chile to the United Nations Office at Geneva by a note verbale of 5 May 1977 (annex L), detailed information is provided on various social programmes. With respect to health services, however, the Minister of the Interior provided only the following information:

76/ "Un año de labor", Solidaridad, No. 13, January 1977.

77/ Ibid.

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"The National Social Campaign, which was launched in 1975, has added some new programmes, and has also succeeded in making appreciable improvements in the administrative activities of a number of services in the course of the year. It has thus been possible to regulate the natural process of expansion in an efficient and appropriate manner, particularly in the sphere of action of the National Health Service ..."

2. Situation of health personnel

274. The decline of health services discussed in paragraphs 262-273 above is to some extent a consequence of the adverse conditions to which health personnel are subjected. According to reliable evidence, including testimony from a physician practising in Chile, the cut-back of health care expenditures resulting in low salaries for health professionals, has been partially responsible for the estimated 15 per cent emigration of physicians and nurses. 78/ The difficult working conditions created by a disproportionate doctor/patient ratio are a contributing factor, and as emigration of doctors, including specialists, increases, the ratio becomes still more unfavourable. It has been reported that in the average community one doctor serves 1,680 persons - a much lower ratio than in many other Latin American countries. 79/ In rural areas, access to a physician is more difficult where the situation is reported to be one doctor for every 3,333 persons. 80/

275. The Chilean College of Physicians was reported to have spoken out with increasing concern regarding the condition of health services in the country. The College of Physicians maintains that the harsh budgetary restrictions in the field of health "have caused a generalized lack of supply" 81/ in hospitals, first-aid centres and health assistance establishments. They also spoke of the "serious situation affecting the National Health Service because of the inadequacy of funds allocated which takes the form of lack of services to the community". 82/ The Minister of Health, Air Force General Fernando Matthei, was quoted as stating that "we are working with a smaller budget because we are cutting back public expenditure with a view to decreasing it from 40 to 23 per cent ...". 83/

78/ See Chilean Medical Association, 1976, Statistics of National Medical Records up to 30 November 1975, referred to in "News of Chile".

79/ Chile Committee for Human Rights, Newsletter No. 14, March 1977, p. 6. (The ratio given for Venezuela is 1:970.)

80/ Ibid.

81/ Inter-press Service, 6 May 1977, quoting from a petition presented to the Government by the Medical College.

82/ Ibid.

83/ Ibid.

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276. Recently doctors have been making public their concern as well about their income level - on average, $300 per month - which they contend is insufficient for subsistence.

277. The situation has been aggravated by the subsequent resignation, under compulsion, of 54 highly placed doctors who carried out administrative functions within the National Health Service. 84/

3. Nutrition

278. In the report it submitted to the General Assembly at its thirty-first session (A/31/253, chaps. X and XI) the Working Group related that it had received evidence of the increasing prevalence of malnutrition, particularly of children in the country. In its report to the Commission on Human Rights at its thirty-third session (E/CN.4/1221, chap. VII) the Working Group furnished illustrative statistics leading to the same conclusion. Since the adoption of the latter report, additional data on the subject received from the Government of Chile and other reliable sources does not seem to indicate that the situation has improved, particularly with respect to those sectors of the population whose income has not kept abreast of inflation.

279. In a statement of 11 March 1977 by the Minister of the Interior on the social action policy of the Government, 85/ nutritional programmes were described. Under the "Supplementary Food Programme" 32 million kilograms of milk or protein mixtures had been distributed 86/ to children under six years of age, mothers and pregnant women 87/ at the cost (prevailing at December 1976) of 1,120 million pesos. The "School Meals Programme", according to the statement of the Minister, showed an increase from 250,000 to 390,000 school lunches, and from 710,000 to 1,100,000 breakfasts. He accounted for the cut-back in other benefits by the need to channel

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84/ Ibid., citing a decree published in the Diario Oficial of 1 April 1977 which lists those persons relieved of their posts. Among them are: Juan Seperiza Zaninovich, Chief of Norms and Planning, Diego Maldonado Velasco, Chief Adviser of Budget and Finance, Bogoslav Juricic Turina, Chief Adviser for International Affairs, Dr. Carlos Gomez Roger, Chief of the Mothercare Unit, Augusto Schuster, Chief of the Childcare Unit, José Manuel Borgoño Domínguez, Chief of the Persons and Environment Protection Unit, Dario Verdugo Binimelis, Chief of the Planning Unit, Marianela Iglesia Barria, Chief of the Organizational Unit, Raúl Enríquez, Chief of Programming, Dr. José Onetto Rocagliolo, Executive Vice-President of SERMENA, and other doctors with important posts in the area of health.

85/ For the text of the statement, see annex L.

86/ "Under the Allende Government the quantity of milk distributed to the poor rose to some 39 million kilograms annually, excluding the milk provided on the school feeding programme", American Journal of Public Health, vol. 67, No. 1 (January 1977), p. 33.

87/ For percentages of members of each group benefited, see annex L.

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funds into the meals programme. In connexion with his account of the school meals programme the Minister made the following statement:

> "In 1977, the provision of assistance has had to be restricted by comparison with 1976, but the Secretary of State and the Ministry of Education will be considering short-term solutions." 88/

Compiled from data derived from a variety of sources the following is a tabulation of the earnings of the active population: 89/

	Percentage	Number of posts	Family group	Wage in Chilean pesos	Equivalent in US dollars
Minimum jobs (PEM)	5.36	177,000	885,000	505	40.34
Unemployed	16.50	544,500	1,905,750	-	
Minimum wage	50	1,650,000	5,775,000	600 to 1,000	47.92 to 79.87
Total	71.86	2,371,500	8,565,750		

280. From these earning figures the following conclusions have been drawn about the ability of the population to satisfy their nutritional needs:

> "71.86 per cent of the active population and 77.87 per cent of the total population live in conditions of extreme poverty since their earnings are insufficient to pay for what is known as the 'family basket'. 90/
>
> "21.86 per cent of the active population (minimum jobs and unemployed) have a purchasing power sufficient to buy bread, water and 40 per cent of the 'family basket'.
>
> "50 per cent of the active population has a purchasing power sufficient to pay for between 47.5 per cent and 79.2 per cent of the 'family basket'.

88/ Statement by the Minister of the Interior on the social action policy of the Government (see annex L). See also annex XXX, which contains information furnished by the Government of Chile on this subject.

89/ "News of Chile", p. 6, based on: El Mercurio, 5 August 1976; Mensaje, October and December 1976; Study No. 6 of the Labour Department of the Vicaría de la Solidaridad; reports by the Economics Faculty of the University of Chile, second half of 1975; National Statistical Institute.

90/ The "family basket", which has been described to the Working Group as "subsistence level", consists of only 16 items, excluding meat, milk and coffee.

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"According to the present authorities, it is intended to meet the monthly requirements of a married couple with three children. In the third week of July 1976, the value of the family basket was 1,262.57 pesos, or $99.16.

"A study carried out by the Vicaría de la Solidaridad on the composition of the family basket concluded that it lacked the necessary calories for subsistence." 91/

It should be noted that the cost of housing, transportation, medical care, clothing, electricity, water or other necessities for survival are not taken into account in the "family basket".

281. The Working Group is aware that the problem of malnutrition is not unique to Chile but must voice its concern about the deterioration of the situation. 92/ In spite of the Working Group's expression of hope in its report to the Commission on Human Rights (E/CN.4/1221, para. 264), it is constrained to observe the apparent absence of effective action on the part of the present Government to combat malnutrition. Inroads into this problem had previously been made: the incidence of malnutrition throughout the country was reported to have declined by about 17 per cent between December 1970 and October 1973, while in the northern area of Santiago a 20 per cent reduction in malnutrition had been observed during the same period. 93/ It was also noted that "no firm data are available since the coup but there are indications that the situation has worsened, one being that the definition of severe malnutrition has been narrowed considerably". 94/ The Group also notes that these deprivations are taking place within a political context that prevents the affected citizenry from articulating their grievances or claiming their rights.

91/ "News of Chile", p. 7.

92/ Of 28,600 children examined by the Vicaría in 1976 in connexion with its health programme, 15,999 (61.5 per cent) showed states of malnutrition in varying degrees (Solidaridad, No. 13).

93/ American Journal of Public Health, vol. 67, No. 1 (January 1977), p. 35.

94/ Ibid.

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VIII. CONCLUDING OBSERVATIONS

282. Taking into account the progress report submitted by the Group the General Assembly at its thirtieth session through the Secretary-General, this is the third time that the Ad Hoc Working Group, in fulfilling the mandate entrusted to it, reports to the General Assembly on the situation of human rights in Chile.

283. The functions of the Group as defined by the Commission on Human Rights and the General Assembly include the gathering and assessing of facts and information, on the basis of a visit to Chile, if that is possible, and from outside that country from all available reliable sources. Faithful to its functions and mandate, the Group has continued to critically and impartially scrutinize all written and oral evidence submitted to it and has endeavoured to present to the General Assembly a report that gives an impartial and honest picture of the situation of human rights in Chile.

284. In preparing this report the Group has considered several hundred pages of material submitted to it from a variety of reliable sources, including reports from groups and individuals who have very recently visited that country, and has heard the testimony of many witnesses who volunteered to appear before it and give their personal testimony.

285. The Group has sought and encouraged contacts with the Government of Chile. It has listened with attention to the statements made by Chilean Government representatives during its meetings with them, studied and carefully considered all the written documentation submitted by the Government of Chile, and endeavoured to faithfully include all this information in the present report.

286. In its report to the General Assembly last year, the Group stated in its concluding observations (para. 499): "It cannot be denied that the visit to Chile, as envisaged by the Commission on Human Rights and at first unconditionally accepted by the Chilean Government, would have furnished to the Group an incomparable means of initiating or completing its investigations". Similarly, in its report to the Commission on Human Rights at its thirty-third session the Group reaffirmed "its conviction that its investigations can only be complete and final if the Chilean Government is convinced that a visit to the country is the most appropriate means by which the Group can fully comprehend and verify all the facts of the situation inside the country".

287. The Group wishes once again to reiterate its firm conviction that a visit to Chile by the Group is of paramount importance and significance in enabling it to fulfil its mandate, and that such a visit would prove beneficial to all concerned, and above all to the cause of human rights and fundamental freedoms in Chile. The visit by the Group to Chile has become all the more important in order that the scope and consequences of the recently enacted decree-laws Nos. 1876, 1877 and 1878 may be evaluated carefully on the spot.

288. As stated in chapter I, which deals with the relations of the Group with the

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Government of Chile, the Group once again took the initiative in exploring with the Government the possibility of its allowing the Group to visit Chile. The Group observes that once again the Government of Chile has used delaying methods in answering the Group's request and remained unresponsive until the Group had completed its field mission as envisaged in its 1977 programme of work. In July 1975, while it was in Lima on its way to Santiago, the Group was stopped from entering Chile. In July 1976, after the Group had already visited Mexico, representatives of the Government of Chile met with the Group and discussed the possibility of its visiting Chile; since that date no clear and precise proposals have been made by the Government in the direction of such a visit. Similarly, it was after the Group had met in Venezuela and at United Nations Headquarters in New York that the Chilean representatives came ultimately to discuss, at the July 1977 session in Geneva, the modalities of the Group's possible visit to Chile - which was to be subject to the same conditions as those proposed on prior occasions by the Government. If the Group's mandate is extended, it is hoped that the representatives of the Government of Chile will agree, during the Group's meetings in May 1978, to the visit of the Group to Chile.

289. The Group warmly welcomes certain developments and is equally gratified to report to the General Assembly that on the basis of information it has received, a large number of political detainees have been released, the scale of arrests and detention has diminished, and the accounts of torture are not as shocking as those reflected in its previous reports. On the other hand, the Group is unable to conclude, on the basis of the information and reports it has received, that respect for human rights has been restored. On the contrary, the Group feels obliged to point to some critical areas where violations of human rights and fundamental freedoms, in some cases systematic and institutionalized, depict a disturbing situation in Chile.

290. The Group, after carefully considering the evidence before it, cannot escape the conclusion, which was reflected in its previous reports, that Chilean authorities systematically refuse to respect the right to liberty and security of person of those believed to be opposed to the present régime. Such persons may be arrested at the whim of the security organs, which rarely, if at all, respect the laws requiring arrest warrants. These persons are taken to illegal and unknown places of detention for questioning and torture, after which they may be released on the street, transferred to an official place of detention or, in many cases, never seen again. Their houses are also subject to searches by security agents without lawful authority, and the occupants are subjected to humiliating harassment and ill-treatment.

291. The Group is especially concerned by the evidence it has received of a new system of intimidation - replacing in a way the large-scale detention of political opponents - by which the authorities seek to control the "political" activities of Chileans through short-term detention and torture, followed by continuous harassment of the person concerned and his family. Another aspect of the current situation in Chile which causes the Group deep concern is the inability of the Chilean judicial system to effectively protect the liberty and security of the individual or to call to judgement or punish those responsible for the illegal

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detention, torture and disappearance of detainees. The remedy of amparo is useless and inoperative in State security cases. The courts are powerless to obtain the appearance before them of individuals who are implicated in crimes allegedly committed by members of the security organs. The judiciary appears to have abdicated before the executive.

292. In Chile, people continue to be subject to being held by virtue of the state of siege, under decrees issued by the Ministry of the Interior, in detention centres controlled by the security agencies. Furthermore, the right to a fair trial is not guaranteed for those detained by the security organs, since, even when charged with a common crime, such as kidnapping, they may be tried by war-time military courts, whose procedure fails to protect even the most basic rights of the accused. The Group also notes that some persons continue to be detained for excessive periods without trial. Others continue to serve long sentences that were imposed after political trials, which did not have even the semblance of fair judicial trials in which the accused could have exercised their inalienable right to unimpaired defence.

293. People continue to disappear in Chile after detention by security agencies and, although the number of disappearances is currently not as high as in the past, no effective measures have been taken to stop this practice or to punish those responsible for it. Moreover, the Group continues to receive extensive and detailed evidence proving the arrest and detention of persons who were reported in the past to be missing, and who remain missing. In this connexion, the Group is disturbed at the information it has received concerning the effects on children of the disappearance of a parent.

294. In spite of the Group's request in its report to the Commission on Human Rights at its thirty-third session that a full investigation be made into the numerous cases of missing persons, no such investigation has been initiated by the Government of Chile. The Group once again calls upon the Chilean authorities to undertake an investigation into the cases of missing persons, in particular the 383 and 501 cases presented to the Supreme Court, and to make the results of the investigation public. This situation constitutes a grave human tragedy and calls for strong action on the part of the United Nations. The Group believes the investigation should deal in particular with the testimony of witnesses and documentary evidence of arrest and detention of the missing persons. The Group does not believe investigations only into the supposed current whereabouts of missing persons is an adequate or fruitful method in cases where evidence of the arrest and detention of such persons has been produced. Further, the Group is of the view that a visit of the members of the Group to Chile could be a potent factor in resolving, by on-the-spot investigations, the question of missing persons and in bringing to light the true state of affairs.

295. Torture continues to be inflicted on detainees in Chile. If the number of victims is perhaps not as high as in some past periods, the combination of physical and psychological torture shows a consciously planned system designed to make torture more effective and telling. Torture has become an integral part of the newly implemented system of intimidation, aimed at persons believed to be opposed

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to the régime. The refusal of the Chilean authorities to prosecute and punish those responsible for torture, as requested by the General Assembly, reveals clearly that there is official support at the highest level for continuation of the practice of torture in Chile as a powerful weapon of political intimidation and persecution.

296. This official connivance in such activities of the various security organs is also shown by the immunity the organs and their agents enjoy from the jurisdiction of the Chilean courts.

297. The Group has repeatedly expressed in its previous reports its grave concern about the activities of DINA, its unlimited powers and its impunity. The resolutions of the General Assembly and those of the Commission on Human Rights concerning Chile have also voiced the same concern. The Group has critically analysed (paras. 161-165) the decree-laws relating to the dissolution of DINA and the establishment of the Central Nacional de Informaciones and it hopes that the dissolution of DINA may prove to be a step towards the restoration of human rights in Chile. It hopes that the newly created Central Nacional de Informaciones and the other organs of State security will not repeat the abhorrent practices of the DINA and that all of their activities will be subject to judicial scrutiny. At the same time, the Group deems it necessary to express its hope that the dissolution of DINA will be followed by the prosecution before competent courts of law of those DINA officials who have been responsible for violations of human rights and for torture of thousands of Chilean nationals. The dissolution of DINA should have for corollary the full restoration to the judiciary of its powers; this would constitute the only guarantee for the real protection of human rights.

298. The Constitutional Acts promulgated in September 1976 have proven to be a mere façade erected by a régime that wishes to appear as acting under constitutional authority and national and international legality.

299. The promulgation of Constitutional Acts Nos. 3 and 4 in September 1976 had been thought of as a step toward the evolution of the Chilear legal system and as fundamental instruments safeguarding the rights of the citizens. It has been observed, however, that Constitutional Act No. 3, which specifies rights and duties, contains at least 38 provisions which call for further definition or implementation by means of laws or statutes to be subsequently enacted, and that no legislation to this effect has, to date, been enacted. Constitutional Act No. 4, entitled "Emergency régimes", which was intended to formalize the powers of the Government in circumstances of emergency and establish limitations on their exercise, was, with the exception of two articles, to come into force on the date of publication of its complementary legislation. This legislation has not, to date, been enacted.

300. The only portions of Constitutional Act No. 4 which did come into effect on 11 September 1976, however, constituted a limitation on the exercise of the remedy of amparo (habeas corpus) and the remedy of protection. With the promulgation of later legislation (decree-law No. 1684 of 28 January 1977) the remedy of protection was virtually abolished during a state of siege. The Working Group is constrained to observe that the Constitutional Acts of 1976 have not fulfilled the expectations that they had raised. Basic human rights have not been clothed in constitutional

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safeguards, and the promulgation of these Acts and subsequent decrees has only served to lend further confusion and instability to a legal system already susceptible to abuse at the discretion of a military authority with unlimited and undefined absolute powers.

301. Severe limitations on freedom of expression have been imposed since the beginning of the year. Radio Presidente Balmaceda, one of the last relatively independent media of mass communication, was closed down on 28 January 1977 by the Government. Appeal from the military order which silenced the voice of Radio Balmaceda was foreclosed by the simultaneous enactment of a decree-law that rendered the constitutional remedy of protection inoperative during a state of siege.

302. Another major development limiting freedom of expression was the enactment on 13 March 1977 of bando (military order) No. 107, which requires prior authorization by the Chief of the Emergency Zone for publication or importation of all newspapers, journals or other printed matter. This imposition of direct censorship on all publications to be circulated in Chile has been met with severe criticism in Chile and internationally, and can only be deplored as a further limitation and a serious inroad on freedom of expression in that country.

303. The educational system continues to be subjected to severe control by the military authorities: course curricula have been modified so as to suppress the discussion of subjects that might be inconsistent with the ideology of the present régime; new subjects have been introduced to foster the concept of national security as an overriding concern. The cost of education, traditionally borne substantially by the State, has now been largely shifted to the student. This change, particularly in a period of economic crisis, has resulted in depriving those who have only limited financial means of an education and belies the guarantee of the right to education set forth in the relevant constitutional texts. The suppression of ideological pluralism and limitations on the access to education result not only in present deprivation of intellectual freedom, but may be expected to have far-reaching effects on the future of a nation whose able young people are being denied the intellectual training for future development through the creation of an atmosphere where thinking is regimented.

304. During a world-wide economic crisis the Government of Chile has pursued programmes which permit the greatest burden of economic and social deprivation to fall excessively on the poorest strata of its population. The restrictions on the exercise of trade union rights and the regressive control of wages in a situation of expanding inflation is resulting in widespread poverty.

305. The limitations on the exercise of trade union rights has deprived the labour sector of the ability to participate actively in national life. Labour union officials appointed by the Government replace the freely chosen representatives and do not reflect the community interests that they are supposed to represent. Persons prominent in the trade union movement have been subjected to harassment, intimidation and arrest.

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306. The cut-back in government spending on health care services and the restructuring of the public health programmes has resulted in a diminution of medical care to broad sectors of the population. Dismissals of health care personnel, and the emigration of medical, nursing and technical staff have aggravated the situation. Coupled with the economic inability of the poorest strata of the population to obtain adequate nutrition, this constitutes a long-term danger to the physical well-being of the people.

307. The Working Group deplores the continuing practice by the Government of depriving Chilean citizens abroad of their Chilean nationality because, in the opinion of the Government, they are damaging the essential interests of the State. The refusal of the Government to permit the return to Chile of certain persons who have been expelled and who have requested the right to return is in direct contravention of the International Covenant on Civil and Political Rights, to which Chile is a party. The declarations of the government representatives that Chile recognizes and respects the Covenant and performs its obligations thereunder, contrast sharply with the Government's actions.

308. Despite the assurances of the Chilean Government that Chilean passports would no longer be issued bearing the endorsement "Valid only to leave the country" - which endorsement restricts the holder's freedom of movement - the Government has continued to issue such passports. The government representatives have stated that the holders of such passports may exchange them for new ones without the endorsement. The Group has not learnt of any such exchanges of passports actually taking place.

309. The situation of refugees continues to be an area of concern to the Working Group. Through the efforts of the United Nations High Commissioner for Refugees (UNHCR), the Intergovernmental Committee for European Migration (ICEM) and the Governments of numerous countries which have offered a haven to persons who have fled the country and those who have been expelled, many refugees have now been resettled abroad. The difficult and costly task of reuniting families and assisting these persons in establishing themselves economically, socially and culturally in a new environment continues. This was one of the motivating factors behind the suggestion of the Group in prior reports concerning the possibility of establishing a trust fund for Chile, and the Group hopes its suggestion will continue to receive due consideration.

310. The Working Group has been encouraged by hearing from many witnesses that its reports and the decisions of the General Assembly and of the Commission on Human Rights, backed by international action, have helped a great deal to improve the situation of human rights in Chile. The Working Group is of the view that much has been accomplished by those combined efforts, but much yet remains to be accomplished, as the present report reveals. The situation in Chile must continue to remain a matter of international concern. In the light of these observations, it is for the General Assembly to decide about the extension of the mandate of the Working Group. If it decides to extend the mandate, the Working Group would willingly carry out the obligations that may be entrusted to it by the United Nations.

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IX. ADOPTION OF THE REPORT

311. At the meeting held on 26 August 1977 the present report was unanimously adopted and signed by the members of the Ad Hoc Working Group of Experts.

Ghulam Ali Allana (Pakistan)
Chairman/Rapporteur

Leopoldo Benites (Ecuador)

Abdoulaye Dieye (Senegal)

Felix Ermacora (Austria)

M. J. T. Kamara (Sierra Leone)

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ANNEX I

General Assembly resolution 31/124 of 16 December 1976

Protection of human rights in Chile

The General Assembly,

Reiterating its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all,

Recalling that, in accordance with the Universal Declaration of Human Rights, a/ everyone has the right to life, liberty and the security of person and the right not to be subjected to arbitrary arrest, detention or exile, or to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, unanimously adopted in its resolution 3452 (XXX) of 9 December 1975,

Considering that, in its resolution 3448 (XXX) of 9 December 1975, the General Assembly expressed its profound distress at the constant and flagrant violations of human rights which have taken place and continue to take place in Chile, including the institutionalized practice of torture, cruel, inhuman or degrading treatment or punishment, arbitrary arrest, detention and exile,

Reaffirming once more its condemnation of all forms of torture and of cruel, inhuman or degrading treatment or punishment,

Considering that its previous appeals to the Chilean authorities and, likewise, appeals by the Economic and Social Council, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the International Labour Organisation, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization for the restoration and safeguarding of basic human rights and fundamental freedoms in Chile have hitherto remained unheeded,

Bearing in mind resolutions 8 (XXXI) of 27 February 1975 b/ and 3 (XXXII) of 19 February 1976 c/ of the Commission on Human Rights,

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a/ Resolution 217 A (III).

b/ See Official Records of the Economic and Social Council, Fifty-eighth Session, Supplement No. 4 (E/5635), chap. XXIII, sect. A.

c/ Ibid., Sixtieth Session, Supplement No. 3 (E/5768), chap. XX, sect. A.

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Taking into account resolution 3 B (XXIX) of 31 August 1976 d/ of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Having considered the reports of the Ad Hoc Working Group on the Situation of Human Rights in Chile, e/ as well as the documents submitted by the Chilean authorities, f/

Taking note of the statement by the Chilean authorities of 16 November 1976, brought to the attention of the General Assembly by a letter from the Permanent Representative of Chile, g/

Commending the Chairman and the members of the Ad Hoc Working Group for the thorough and objective manner in which the report was prepared, despite the refusal of the Chilean authorities to permit the Group to visit the country in accordance with its mandate,

Concluding that constant and flagrant violations of basic human rights and fundamental freedoms continue to take place in Chile,

1. Expresses its profound indignation that constant and flagrant violations of human rights have taken place and continue to take place in Chile, in particular the institutionalized practice of torture, cruel, inhuman and degrading treatment or punishment, the disappearance of persons for political reasons, arbitrary arrest, detention, exile and cases of deprivation of Chilean nationality;

2. Calls once more upon the Chilean authorities to restore and safeguard, without delay, basic human rights and fundamental freedoms and fully to respect provisions of the international instruments to which Chile is a party and, to this end:

(a) To cease using the state of siege or emergency for the purpose of violating human rights and fundamental freedoms and, having regard to the observations by the Ad Hoc Working Group on the Situation of Human Rights in Chile, to re-examine the basis on which the state of siege or emergency is applied with a view to its termination;

(b) To put an end to the practice of torture and other forms of cruel, inhuman or degrading treatment or punishment by Chilean State agencies, particularly the Dirección de Inteligencia Nacional, and to prosecute and punish those who are responsible;

(c) To clarify forthwith the status of individuals whose disappearance is attributable to political reasons;

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d/ See E/CN.4/1218, chap. XVII, part A.

e/ A/10285, annex; A/31/253, annex.

f/ A/C.3/31/4-6 and A/C.3/31/6/Add.1.

g/ A/C.3/31/11.

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(d) To release immediately those who have been arbitrarily arrested or detained without charge and those who are in prison solely for political reasons;

(e) To release, furthermore, those who are detained or imprisoned on account of acts or omissions which did not constitute a criminal offence at the time they were committed;

(f) To guarantee fully the right of habeas corpus (amparo);

(g) To cease the arbitrary deprivation of Chilean nationality and to restore it to those who have been so deprived;

(h) To respect the right of everyone to freedom of association with others, including the right to form and join trade unions for the protection of his interests;

(i) To guarantee the right to intellectual freedom;

3. Deplores the fact that, despite previous assurances to the contrary, the Chilean authorities persistently refuse to allow the Ad Hoc Working Group to visit the country in accordance with its mandate;

4. Invites Member States, United Nations agencies and other international organizations to take steps which they may consider appropriate as a contribution to the restoration and safeguarding of human rights and fundamental freedoms in Chile, in accordance with the purposes and principles of the Charter of the United Nations, and welcomes the steps already taken to this end;

5. Invites the Commission on Human Rights:

(a) To extend the mandate of the Ad Hoc Working Group, as presently constituted, so as to enable it to report to the General Assembly at its thirty-second session, and to the Commission at its thirty-fourth session, with such additional information as may be necessary;

(b) To formulate recommendations on possible humanitarian, legal and financial aid to those arbitrarily arrested or imprisoned, to those forced to leave the country and to their relatives;

(c) To consider the consequences of the various forms of aid extended to the Chilean authorities;

6. Requests the President of the thirty-first session of the General Assembly and the Secretary-General to assist in any way they may consider appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile.

102nd plenary meeting
16 December 1976

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ANNEX II

Commission on Human Rights resolution 9 (XXXIII) of 9 March 1977

Study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment

The Commission on Human Rights,

Conscious of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all,

Recalling that the Universal Declaration of Human Rights solemnly declares that everyone has the right to life, liberty and security of person and the right not to be subjected to arbitrary arrest, detention or exile, or to torture or cruel, inhuman or degrading treatment or punishment,

Recalling the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, unanimously adopted by the General Assembly in its resolution 3452 (XXX),

Further recalling General Assembly resolutions 3219 (XXIX), 3448 (XXX) and 31/124 concerning the protection of human rights in Chile,

Considering its resolutions 8 (XXXI), in which an Ad Hoc Working Group to inquire into the situation of human rights in Chile was established, and 3 (XXXII), in which the mandate of the Ad Hoc Working Group, was extended,

Having considered the report of the Ad Hoc Working Group (E/CN.4/1221) as well as the documents submitted by the Chilean authorities (E/CN.4/1247 and Add.1-3).

1. Expresses its appreciation to the Chairman and the members of the Ad Hoc Working Group for the thorough and objective manner in which the report was prepared, despite the persistent refusal of the Chilean authorities to permit the Group to visit the country in accordance with its mandate;

2. Shares the profound indignation expressed by the General Assembly in its resolution 31/124 that constant and flagrant violations of human rights have taken place and continue to take place in Chile, in particular the institutionalized practice of torture, cruel, inhuman and degrading treatment and punishment, the disappearance of persons for political reasons, arbitrary arrests, detention, exile and cases of deprivation of Chilean nationality;

3. Calls upon the Chilean authorities to put an end to the inadmissible practice of secret arrests and subsequent disappearance of persons whose detention is systematically denied or never acknowledged;

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4. Calls once more upon the Chilean authorities to restore and safeguard, without delay, basic human rights and fundamental freedoms and fully to respect the provisions of the international instruments to which Chile is a party, and to this end to implement paragraph 2 of General Assembly resolution 31/124;

5. Requests the Secretary-General to invite Member States, United Nations agencies and international organizations to inform him of steps taken to implement paragraph 4 of General Assembly resolution 31/124, and to report to the General Assembly at its thirty-second session and to the Commission at its thirty-fourth session;

6. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirtieth session to undertake a study on the consequences of the various forms of aid extended to the Chilean authorities and to present a progress report thereon to the Commission on Human Rights at its thirty-fourth session;

7. Further requests the Sub-Commission to analyse feasible ways to give humanitarian, legal and financial aid to those arbitrarily arrested or imprisoned, to those forced to leave the country and to their relatives, and to present specific proposals to the Commission at its thirty-fourth session;

8. Extends for one year the mandate of the present Ad Hoc Working Group, made up of the following members, to work as experts in their personal capacity: Mr. Ghulam Ali Allana (Pakistan), Chairman-Rapporteur, Mr. Leopoldo Benites (Ecuador), Mr. Felix Ermacora (Austria), Mr. Abdoulaye Diéye (Senegal) and Mrs. M. J. T. Kamara (Sierra Leone), and requests it to report to the General Assembly at its thirty-second session and to the Commission on Human Rights at its thirty-fourth session with such additional information as may be necessary;

9. Requests the Secretary-General to render to the Ad Hoc Working Group all the assistance which it might require in its work;

10. Recommends to the Economic and Social Council to make arrangements for the provision of adequate financial resources and staff for the implementation of the present resolution;

11. Decides to consider at its thirty-fourth session as a matter of high priority the question of the violation of human rights in Chile.

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ANNEX III

Chronological list of relevant written communications received from the Government of Chile since the adoption of the Group's report to the Commission on Human Rights (E/CN.4/1221)

/Original: English/

Letter dated 10 March 1977 from the Permanent Representative of Chile to the United Nations at Geneva addressed to the Secretary-General, transmitting an official declaration of the Government issued on 8 March concerning the statement made in the Commission on Human Rights on 8 March by the representative of the United States of America.

Letter dated 14 March 1977 from the Permanent Representative of Chile to the United Nations at Geneva addressed to the Under-Secretary-General, Director-General of the United Nations Office at Geneva, requesting a copy of the transcription in English of the statement made in the Commission on Human Rights by Mrs. Isabel Morel, widow of Mr. Letelier, on 9 March 1977.

Letter dated 15 March 1977 from the Permanent Representative of Chile to the United Nations at Geneva addressed to the Secretary-General transmitting the medical report with regard to the autopsy reports on death of Mr. Soria Espinoza.

Note verbale dated 24 March 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, transmitting a photocopy of an article in the Chilean newspaper El Mercurio, of 19 March 1977, which reproduces the entire speech on 18 March 1977 by the President of Chile.

Note verbale dated 12 April 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, submitting information regarding 68 applications for permission to return to the country from persons who had left the country under an expulsion order (Decree 504).

Note verbale dated 18 April 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, transmitting an official statement of the Department of Justice of the United States of America, dated 14 April 1977, in regard to the official investigation of the death of Mr. Orlando Letelier.

Note verbale dated 5 May 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, transmitting a copy of the statement made by the Minister of the Interior of Chile on 11 March 1977 concerning the social action policy of the Government.

Note verbale dated 10 May 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, transmitting a copy of the public statement dated 2 May 1977 made by the Department of Public Opinion of the

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Archbishopric of Santiago, concerning statements attributed to Mr. Luis Corvalan Leppe in reference to the use of the money of the Lenin Peace Prize granted to him.

Letter dated 11 May 1977 from the Permanent Representative of Chile to the United Nations at Geneva addressed to the Director of the Division of Human Rights, transmitting the reply of the Government of Chile to the letter addressed to it by the Chairman of the Ad Hoc Working Group concerning the meeting of representatives of the Government with the Group during its session of 16-20 May 1977 at Geneva.

Note verbale dated 18 May 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, submitting information concerning the situation of the various trade-union organizations mentioned in the Group's report to the last session of the Commission on Human Rights.

Note verbale dated 20 May 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Chairman of the Ad Hoc Working Group, transmitting the documentation exchanged between the International Commission of the Red Cross and the Government of Chile concerning names of persons reported disappeared.

Note verbale dated 9 June 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, transmitting information about Decree No. 1805 granting pardon to women and minors in certain circumstances and enclosing a copy of the Diario Oficial with the text of Decree No. 1805.

Note verbale dated 9 June 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, transmitting a copy of an unofficial translation into English of the speech by the Permanent Representative of Chile to the United Nations at the sixty-second session of the Economic and Social Council.

Note verbale dated 17 June 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Director of the Division of Human Rights, transmitting to him a communication from the Chilean Government informing that the reply to the letter addressed to it by the Chairman of the Group, dated 20 May 1977, will be forthcoming in the following days.

Note verbale dated 20 June 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General describing the circumstances of the release of Mr. Jorge Montes.

Letter dated 4 July 1977 from the Permanent Representative of Chile to the United Nations at Geneva addressed to the Chairman of the Ad Hoc Working Group, in reply to his letter dated 20 May 1977 concerning the visit to Chile by the Group.

Note verbale dated 20 July 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, transmitting the text of the speech delivered by the President of the Republic of Chile on 9 July 1977.

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Note verbale dated 12 August 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Chairman of the Ad Hoc Working Group containing information regarding certain aspects of human rights in Chile and transmitting various relevant publications.

Note verbale dated 17 August 1977 from the Permanent Mission of Chile to the United Nations at Geneva addressed to the Secretary-General, transmitting the texts of Decree Law No. 1876 (Dissolution of DINA) and Legislative Decree No. 1878 (Establishing the National Information Agency).

Note verbale dated 26 August 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva, addressed to the Chairman of the Ad Hoc Working Group.

ANNEX IV

Letter dated 20 April 1977 from the Director of the Division of Human Rights addressed to the Permanent Representative of Chile to the United Nations Office at Geneva

/Original: Spanish/

I have the honour to refer to resolution 9 (XXXIII) adopted by the Commission on Human Rights on 9 March 1977 concerning a study of reported violations of human rights in Chile. In accordance with paragraph 8 of that resolution, the Commission extended for one year the mandate of the Ad Hoc Working Group on Chile and requested it to report to the General Assembly at its thirty-second session and to the Commission at its thirty-fourth session with such additional information as may be necessary. Copy of Commission resolution 9 (XXXIII) is attached hereto.

Mr. Ghulam A. Allana, the Chairman of the Ad Hoc Working Group, who is at this time in Karachi, requested me to inform Your Excellency's Government that the Ad Hoc Working Group will resume its meetings at the Palais des Nations in Geneva from 16 to 20 May 1977. In this connexion I am asked to inquire on his behalf whether Your Excellency's Government would wish to have its representatives meet with the Group at that time and provide it with any written or oral information.

(Signed) Marc SCHREIBER
Director
Division of Human Rights

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ANNEX V

Letter dated 11 May 1977 from the Permanent Representative of Chile to the United Nations Office at Geneva addressed to the Director of the Division of Human Rights

/Original: Spanish/

I should like to begin by offering you my most sincere congratulations as you take up the important function of Director of the United Nations Division of Human Rights.

Your recognized integrity, wide knowledge and experience are for me and for the Government which I represent a sure guarantee of effective and constructive action in a field as sensitive and important as that in which you will be carrying out your duties.

... I also take pleasure in replying to the communication of 20 April 1977 transmitting to me the question raised by Mr. Ghulam Ali Allana, Chairman of the Ad Hoc Working Group, namely whether the Government of Chile would like its representatives to meet with the Group during its session of 16-20 May at the Palais des Nations, Geneva.

In this connexion, I can inform you that it has always been the aim of my Government to co-operate closely with international bodies and that it reaffirms its desire to do so on this occasion, more particularly with regard to the Ad Hoc Working Group, in the hope that it will prove possible to reach an agreement for the settlement of outstanding matters in a way which safeguards our sovereign interests.

I would therefore be grateful if you would communicate the foregoing to the Chairman of the Ad Hoc Working Group. The undersigned, together with the Counsellor of the Permanent Delegation of Chile in Geneva, Professor Luis Winter, will comprise the delegation of the Government of Chile for this purpose.

(Signed) Manuel TRUCCO
Ambassador
Permanent Representative
of Chile

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ANNEX VI

Letter dated 20 May 1977 from the Chairman of the Ad Hoc Working Group addressed to the Permanent Representative of Chile to the United Nations Office at Geneva

/Original: English/

The members of the Ad Hoc Working Group on Chile requested me to convey to you our pleasure at having had the opportunity of meeting Your Excellency and Mr. Luis Winter during our meetings of 18-20 May 1977. I wish to assure you that the information you presented during those meetings to the Group, both orally and in writing, on steps taken by Your Excellency's Government to restore human rights in Chile and the discussions of this information will be fully reflected in the report of the Working Group to the General Assembly at its thirty-second session.

As we informed you during our discussions, the Working Group was in the process of making final decisions concerning its programme of work and its field mission during this summer. In this connexion the Group expressed its desire to visit your country, in fulfilling the mandate entrusted to the Group under Commission on Human Rights resolution 8 (XXXI) and requested you to convey this desire to your Government. The Group has asked me to reiterate this desire.

Taking into consideration the practical and logistical arrangements necessary for its programme of work for the summer, the Group would be most grateful if the response of Your Excellency's Government, which we hope will be positive, could be transmitted to the Group with the least possible delay around the middle of June 1977. The reason for this time-limiting factor is that the Group, in order to fulfil its mandate and to draft its report for timely submission to the General Assembly and Your Excellency's Government will begin its field mission of three to four weeks on 11 July 1977.

We are hopeful that the Government of Chile will make a positive affirmation for such a visit of the Working Group. However, should this not materialize, the Working Group will carry out its programme of work as it may deem appropriate.

I wish to reiterate to Your Excellency the point made during our meeting regarding the submission of the Group's report to the General Assembly and the Commission on Human Rights to Your Excellency's Government the soonest possible and, subject to the proviso, that the programme of work to be decided upon by the General Assembly and the Commission on Human Rights makes this possible, one month before the report is to be considered by the Third Committee of the General Assembly or the Commission on Human Rights, as the case may be. In this connexion, the Group notes that Your Excellency expressed consent.

(Signed) Ghulam Ali ALLANA
Chairman
of the Ad Hoc Working Group on Chile

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ANNEX VII

Note verbale dated 17 June 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva addressed to the Director of the Division of Human Rights

/Original: Spanish/

The Permanent Mission of Chile to the Office of the United Nations at Geneva and other international organizations having their headquarters at Geneva presents its compliments to the Director of the Division of Human Rights and has the honour to inform him that it has not yet been possible to send him the Chilean Government's reply to the letter dated 20 May from the Chairman of the Ad Hoc Working Group of the Commission on Human Rights, since both the Minister for Foreign Affairs and his advisers have been occupied, first of all, with preparing Chile's participation in the General Assembly of the OAS and are at present in Grenada attending that Conference.

The Chilean Government has nevertheless instructed this Mission to inform the Director that the reply will be sent within the next few days.

The Permanent Mission of Chile requests the Director of the Division of Human Rights to inform the Chairman of the Ad Hoc Working Group of the contents of this note and takes this opportunity to reiterate the assurances of its highest consideration.

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ANNEX VIII

Letter dated 4 July 1977 from the Permanent Representative of Chile to the United Nations Office at Geneva addressed to the Chairman of the Ad Hoc Working Group

/Original: Spanish/

In a letter dated 20 May you informed me of the decision of your Ad Hoc Working Group to include in the report it is to submit to the General Assembly at its thirty-second session, all the verbal and written information received from our Government in connexion with the restoration of normal conditions in Chile with regard to matters which the Commission on Human Rights had referred to it for investigation and examination; you also reaffirmed that Group's desire to visit Chile before the session referred to above and stated that, in this way, it would be able to comply fully with its terms of reference.

With regard to the first point made in your communication, my Government has taken due note of the proposal in question, but once again regrets that it has not yet been possible to introduce the minimum procedural rules we envisaged in order to ensure the necessary accuracy and reliability in the matters under consideration and, consequently, the objectivity that is essential from a legal standpoint.

With regard to the convenience and timing of the proposed visit, my Government considers that any decision in the matter must take into account the principal relevant circumstances and facts, namely:

(a) There are at present no political detainees being held in Chile in connexion with the State of Siege. The release of Mr. Jorge Montes, the last of these detainees, enabled 11 political prisoners of the German Democratic Republic to regain their freedom.

(b) Offences committed against the security of the State are being heard mainly by the regular courts, established in accordance with the law prior to the advent of the present Government and in accordance with the substantive and procedural legislation already in force at that time.

(c) Chile has embarked on a far-reaching and carefully thought-out process of institutionalizing its civic and political structures in order to overcome in a thoroughly democratic manner the serious crisis which was brought about by the marxist experiment and which called in question the very foundations of its national character and sovereignty.

The President of the Republic proclaimed this objective as being of top priority and as leading to a second stage.

(d) The Organization of American States, at the seventh regular session of its General Assembly held in Grenada in June, recognized and agreed, on the basis,

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inter alia, of what has been stated above, that Chile no longer deserves separate treatment in connexion with the protection of human rights, which is the responsibility of that international organization, but that it should be considered in the context of the protection of human rights in general; for this reason it did not request the Inter-American Commission on Human Rights for another special report on our country, although it called for specific reports on other countries of the Continent.

This attitude is particularly relevant in view of the fact that this Organization had scheduled, as future topics for consideration, any alleged "cases" of violations of human rights of which Chile might be accused, since it put to any idea of the existence of large-scale, systematic or institutionalized violations of that nature - epithets which have hitherto been used in a persistent and unwarranted manner to our detriment, in spite of the obviously normal conditions prevailing in the country.

(e) This statement by the Organization of American States, a regional body of unquestionable competence by virtue of its composition and knowledge of the area under consideration, cannot fail to be a factor of decisive importance in the examination and evaluation of the issues which have been submitted for consideration to the Group of which you are Chairman; it should also be pointed out that both the Inter-American Commission on Human Rights and the General Assembly of the Organization of American States took into account, in adopting the statement referred to, the reports of the Ad Hoc Working Group, as well as the relevant resolutions.

This is not to say that we are unaware of the competence of the United Nations in the matter of violations of human rights; this competence has always been recognized as evidenced by my country's co-operation. There is, nevertheless, a need to harmonize the activities of legally interrelated bodies in respect of their work and fields of competence, particularly when they take action simultaneously on the same issue.

For all these reasons, the Government of Chile believes that a visit at this time by the entire Ad Hoc Working Group as such would place my country in a position which would not be consistent with the decision taken by the Organization of American States in the light of the normal conditions prevailing in the country; it could also create a certain amount of conflict between the two lines of investigation being pursued by two international bodies of which Chile is a member and, finally, could make a negative and confusing impression on national and international public opinion.

In spite of what has been said above, and in conformity with the principles and position which Chile has consistently maintained and demonstrated in that connexion, my Government wishes to state that the offer made in the cable addressed to you on 26 August 1976 remains open subject to the conditions and on the assumptions indicated therein, which recapitulate those made in previous communications - all of which are contained in United Nations General Assembly document A/C.3/31/4 of 7 October 1976.

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In order to facilitate the Working Group's decision on what has been stated in the preceding paragraph and to provide it with any additional information it may require in the performance of its task, I would be grateful if you would ask the Group to consider allowing a representative of my Government to attend its next meeting; if it agrees I should be grateful if you would let me know the date and place of the meeting.

(Signed) Manuel TRUCCO
Ambassador
Permanent Representative
of Chile

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ANNEX IX

Decree-Law No. 1689

/Original: Spanish/

Government Junta of the Republic of Chile

Ministry of the Interior

Constitutional Acts Nos. 3 and 4 are amended as follows:

No. 1,689. Santiago, 9 March 1977. Considering:

1. The proposal made by the Constituent Commission in communication No. 602-a of 1977 that the periods specified in transitional article 3 of Constitutional Act No. 3 and in the transitional article of Constitutional Act No. 4, should be extended,

2. That the first paragraph of transitional article 3 of Constitutional Act No. 3 provides that, within a period of 180 days from the date on which that Constitutional Act enters into force, there shall be issued the organic law on expropriations which shall conform to the constitutional provisions which have been promulgated; and

That the third paragraph of the same article states that the expropriations which are granted or decreed during the period of six months referred to in the first paragraph shall be governed by pertinent laws to the extent that they are not contrary to the Constitutional Act and that, in such a case, the compensation determined in conformity with those laws shall be considered to be provisional.

3. That the first paragraph of the transitional article of Constitutional Act No. 4 on "emergency régimes" provides, in its first part, that the Constitutional Act shall enter into force 180 days after its publication in the Diario Oficial and that the second paragraph provides that, within the said period, a law to complement the Constitutional Act shall be promulgated.

4. That the period of 180 days referred to in paragraph 2 above will end on 17 March 1977 and that the period referred to in paragraph 3 above will end on 12 March 1977.

5. That, despite the progress made on the relevant studies entrusted to the Constituent Commission and to the Commission to draft the Code of National Security, it will not be possible to complete the legislation in question within the periods specified, not only because they relate to complex subjects which had to be sufficiently mature and required thorough analysis, since this is the first attempt, in the legislative history of Chile, to prepare a systematic coherent and

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harmonious set of laws on matters which, in the past, were dealt with in a great many, scattered legal provisions which were consequently cumbersome and difficult to apply, but also because for these matters it is necessary to ascertain the views of the various institutions and bodies which will be applying the said legislation.

6. That, for the above-mentioned reasons, it is necessary to extend the periods of 180 days referred to in paragraphs 2 and 3 of this decree-law; and

Bearing in mind:

The provisions of decree-laws Nos. 1 and 123 of 1973, Nos. 527 and 788 of 1974 and article 9 of Constitutional Act No. 2 of 1976,

The Government Junta, acting in exercise of the constituent power, issues the following

Decree-Law:

Article 1. Constitutional Acts Nos. 3 and 4 are hereby amended as follows:

(a) In the first paragraph of transitional article 3 of Act No. 3, replace the words "Within a period of 180 days from the date on which this Constitutional Act enters into force" by the words "By 18 September 1977".

In the third paragraph of the same article, replace the opening phrase "The expropriations which are granted or decreed during the period of six months referred to in the first paragraph" by the following "The expropriations which are granted or decreed after the entry into force of this Act and before the entry into force of the organic law on expropriations".

(b) Replace the transitional article of Constitutional Act No. 4 by the following:

"Transitional article. This Constitutional Act shall enter into force on the date of publication in the Diario Oficial of the complementary law referred to in article 11. Exceptionally, however, the provisions of article 13 of the Act shall enter into force on the date of publication of this Constitutional Act in the Diario Oficial and the provisions of article 14 shall enter into force on 31 January 1977."

Article 2. The text of article 14 of Constitutional Act No. 4, referred to in article 1 (b) above, relates to the provisions of decree-law No. 1634 of 31 January 1977.

To be registered in the Office of the Controller-General of the Republic, to be published in the Diario Oficial and to be inserted in the Official Digest of the said Office. - AUGUSTO PINOCHET UGARTE, General of the Army, President of the Republic. - Admiral JOSE T. MERINO CASTRO, Commander-in-Chief of the Navy. - General GUSTAVO LEIGH GUZMAN, Commander-in-Chief of the Chilean Air Force. - General CESAR MENDOZA DURAN, Director-General of the Carabineros. - General RAUL BENAVIDES ESCOBAR, Minister of the Interior. - MIGUEL SCHWEITZER SPELSKY, Minister of Justice.

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ANNEX X

Decree-Law No. 1684

/Original: Spanish/

Government Junta of the Republic of Chile

Ministry of the Interior

Replacement of article 14 of the Constitutional Act No. 4.

No. 1,684. Santiago, 28 January 1977. Regard being had to the provisions of decree-laws Nos. 1 and 128 of 1973 and Nos. 627 and 788 of 1974, and article 9 of Constitutional Act No. 2 of 1976,

The Government Junta, acting in exercise of the constituent power, hereby issues the following decree-law:

Sole article: Article 14 of Constitutional Act No. 4 of 1976 is hereby repealed and replaced by the following: "The remedy of protection provided for in article 2 of Constitutional Act No. 3 shall not be applicable in the emergency situations referred to in Constitutional Act No. 4 of 1976 or in other constitutional or legal provisions."

This amendment shall enter into force on the date of its publication in the Diario Oficial.

To be registered in the Office of the Controller-General of the Republic, to be published in the Diario Oficial and to be inserted in the Official Digest of the said Office. - AUGUSTO PINOCHET UGARTE, General of the Army, President of the Republic. - General GUSTAVO LEIGH GUZMAN, Commander-in-Chief of the Air Force. - General CESAR MENDOZA DURAN, Director-General of the Carabineros. Vice-Admiral Patricio Carvajal Prado, Acting Commander-in-Chief of the Navy. General César Raúl Benavides Escobar, Minister of the Interior.

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ANNEX XI

Statement by the President of the Republic of Chile broadcast on 18 March 1977

/Original: Spanish/

Fellow countrymen:

As activities in the year 1977 are getting under way in all sectors of the life of the nation, I have thought it necessary to make a brief public statement to explain the Government's approach to this new stage in our life, in order to help us to arrive at a proper understanding of a number of recent developments.

The encouraging economic situation

Despite all the gloomy forecasts which certain groups and individuals have been at pains to make, the economic situation of the country today is definitely encouraging.

In accordance with the priorities which we announced exactly a year ago, the country has stabilized its balance of payments, it has continued to fight inflation with marked success and it has begun a process of revitalizing the economy whose effects can already be seen in most sectors of the nation.

Although the price of copper has been low, the expansion of non-traditional exports and the increased inflow of capital attracted by the tranquillity inside the country and the responsible conduct of our economic affairs have given us a balance-of-payments surplus and foreign currency reserves such as Chile has not had for many years. Consequently, we have not had to renegotiate the servicing of our foreign debt in 1976 and 1977, and we have grappled successfully with the heavy burden of debt left us by earlier Governments, which meant reimbursing some 1.8 billion dollars in the past two years.

At the same time the annual rate of inflation that prevailed when we came to office has been systematically reduced to about half the former figure, and we can now claim without hesitation that inflation is definitely on the decline.

These developments have helped to speed up the economic recovery, whose results can already be seen in the reduction of unemployment and the expansion of industrial and agricultural production, as reflected in the indicators issued recently by the competent technical bodies.

The economic measures adopted by the Government two weeks ago will strengthen the revival in terms of production and employment and will gradually lead to greater well-being for every Chilean in his daily life through a rise in the real value of wages.

In view of the sound progress of the economy, the efforts made by certain people to magnify a small and localized disturbance in our financial market, whose

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causes have already been corrected by the Government and which is of no significance in the over-all economic picture, are utterly absurd and out of all proportion to the facts.

The Government has approached the problem of the small saver with genuine social sympathy, and has gone much further than its legal obligations in committing itself to protect them. It is also firmly resolved to have the offenders punished by law. It condemns, however, in the strongest terms the irresponsibility of those who try to spread alarm by treating the problem in a sensationalist or defamatory way, and the perverse actions of those who cast doubts on the stability of the economic system in general.

The Chilean people must realize that perseverance in pursuing a consistent and realistic economic policy has been and still is the only way for us to make progress in our arduous task of rehabilitating the economy and restoring social prosperity, and that they must therefore turn a deaf ear to rumour-mongers and pessimists.

The adoption of a number of political and institutional measures by the Government has recently focused the attention and concern of the general public on this field.

Conscious of its historic mission and true to Chile's deeply-rooted national traditions of legality, the present Government has endeavoured from the beginning to grapple with the emergency by using whatever powers were necessary to maintain peace within the country while constantly striving to build a new and sound institutional framework.

In our Declaration of Principles we clearly stated our view that the existence of a legal order that respects human rights is a basic tenet of the present Government and that we regard the establishment of a new and modernized institutional framework as essential if the democratic system which Chile is creating is to be ensured real stability.

Nationalist and Christian humanism

The humanist, nationalist and Christian ideas embodied in our Declaration of Principles are the corner-stone of our conduct. They underlie our full and unswerving respect for the judiciary; the creation of the Constituent Commission; the promulgation of the Constitutional Acts prepared by the Commission; the establishment of a Council of State at the highest level of the Republic; the organization of the Legislative Commissions; the enactment of legal instruments to provide guarantees to detainees held under a state of emergency; the progressive release of all persons held under the state of siege and, lastly, Chile's constructive collaboration with the international organizations.

It is especially important to remember these facts today since they are milestones on our steady progress towards an institutional system based on clear objectives which we have firmly set for ourselves.

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Respect for the judiciary

In view of the malicious speculation that has been rife, it is incumbent upon me today to reaffirm that the Government over which I preside completely respects the independence of the judiciary and acknowledges the fully binding nature of its rulings as the keystone of the rule of law.

The new Constitutional Acts

With regard to the Constitutional Acts, I must emphasize once again the immense importance which the Government attaches to them, since it is on the basis of these instruments that the work being done by the Constituent Commission in drafting a new political constitution for the State, has begun to be legally formalized.

During the present year it will be necessary to proceed with the drafting of new constitutional acts on matters relating to the organs of the State, which will provide a more comprehensive picture of the new institutional structure we are building.

The amendments made to the original text of the Constitutional Acts promulgated last September have led to certain expressions of concern, on which I feel it is desirable to comment.

I must point out that the Government has always made it clear that the purpose of enacting these juridical instruments before the promulgation of a comprehensive Political Constitution is to meet the imperative need for an institutional system that will gradually be given a stronger legal content but will at the same time be more readily adaptable to the requirements of changing conditions in the country.

The Government will be vigilant, however, in ensuring that any future reform of the Constitutional Acts now in force responds to a general legal need and is in keeping with the concepts on which those Acts are based.

In this connexion, the abolition of the remedy of protection during any state of emergency was dictated by the difficulty of applying it until such time as the new law to supplement the measures governing states of emergency has been promulgated.

Once this new legal instrument has been enacted, it will be possible to give full legal effect to the institutions established under the relevant Constitutional Acts, whose raison d'être is to combine the broad powers the Government needs during a state of emergency with effective protection of the rights of the individual.

The Council of State - the basis of the Legislative Chamber

In relation to the Council of State, it is my wish that this eminent advisory

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body should take an increasingly important part in the work of the Government during the present year, and some important draft legislation has therefore been remitted to it this week for consideration. Whenever it is deemed advisable, as a means of associating the work of the Council more closely with the different groups within the community, the nation will be suitably informed of the results of the Council's studies and deliberations.

I wish specially to emphasize this point because, once the first phase of its work is completed, the Council will be transformed by the new institutional system into the basis of a really legislative chamber to which will be added representatives of the Chilean people elected in accordance with rules and procedures that will ensure the election of persons possessing true civic virtues.

The parties as a medium of opinion

As the country was progressing towards this new institutional phase, it became necessary to dissolve the traditional political parties in accordance with the ideas which I have expressed on so many occasions and in particular at the inauguration of the Council of State and in my Presidential Message of 11 September last year.

On that occasion, I explained that, in keeping with the dictates of our National Objective, under the new institutional system, the political parties, from being groups bent upon seizing power for their own benefit, will become vehicles of opinion whose influence will depend solely on the moral calibre of their members and the soundness of their theories and their practical aims.

I added that one of the most crucial problems for contemporary democracies is that the short-comings of their constitutional systems have allowed the political parties to become vehicles for power-seeking which are used by a small group of leaders with no qualifications or legal responsibility to distort and manipulate the participation of the people.

No place for the traditional parties

I concluded by pointing out that the new institutional system entailed the development of a body of law in which it should be made quite clear that the traditional political parties, then in recess, did not and could not have any place, because their structure, leadership, practices and mentality had been shaped by an institutional system that has disappeared forever.

In view of the clarity of this position, which was made publicly known more than six months ago, it is surprising that anyone should have been taken aback by the recent dissolution of all the traditional political parties, and only failure to present the facts properly or to understand the action taken can have led anyone to assume that it signified a definitive break with all forms of civic and political association.

What we are trying to do is to clear the way so that we can move forward from

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the old concept of political parties, which offered such a favourable climate for demagogy and the infiltration of Marxism, to the new notion of the political party as simply a medium for reflecting currents of opinion.

We must therefore relinquish the idea that parties are juridical persons in public law which, with the aid of electoral rules that give them a virtual monopoly of the votes and political participation of the people, have been transformed into gigantic power machines, often financed by foreign or international entities on which, as a rule, they finally become completely dependent.

What use is it for the people to elect a legislator if he has to obey the dictates of a minority which controls the party machine?

Only a system that eliminates the need for political parties as a compulsory link between the citizens and their authorities will make it possible for the new parties which will emerge in the future to confine themselves to being media of opinion that seek to influence the actions of the State within the framework of the institutional rules.

The gap between these concepts is not just a question of semantics but is reflected in the need for completely different laws for creation of the organs of the State and the development of the system, and the future levels of participation by the people in the nation's affairs.

The dissolution of the parties

Only the stubbornness of the former Christian Democrat Party in persistently and repeatedly violating the recess imposed on the political parties made it necessary to proceed immediately with a measure which the Government has been announcing for some time as part of its institutional programme. This is the only reason why the dissolution was applied to all the parties in existence on 11 September 1973 even though some of them had loyally and patriotically accepted the rules for the recess.

The Government has issued the full text of the documents prepared by the leadership of the former Christian Democrats in order to give the people an opportunity to see for themselves the nature of the alleged alternative which this partisan group that has now been disbanded claims to represent.

These documents show them up with all their empty verbiage and glib demagogic criticism, and they expose their complete inability to offer the country anything other than the same ambiguities which plunged it into discord and chaos in the late 1960s and culminated in the Marxist disaster of 1970. There is no better demonstration of the fact that, despite their claims to be self-critical, they have learned absolutely nothing from the terrible experiences the country went through in the period preceding 11 September 1973.

Their ambiguous attitude to communism, whose inclusion in the democratic

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system they aspire to is explicitly acknowledged, has made it clear to the Chilean people that the former Christian Democrat Party has no well-defined, contemporary and effective policy for the future of our country but remained tied to a past whose tragic outcome our people never wish to experience again.

In concluding, I call upon the Chilean people to reflect on the road we have travelled in the last three and a half years as the best way of appreciating the extraordinary progress our present situation represents, compared with the total chaos in which we found the country on taking office.

This is the most eloquent reply we can give to the critics and sceptics at this time.

Authority and justice

In order to maintain a tranquillity such as few countries enjoy in the present-day world, we have exercised authority with energy but always illuminated by standards of justice which derive from the firm moral and legal principles by which we are guided.

Spiritual beliefs of this kind are the best guarantee that this Government will never identify authoritarianism with arbitrariness and the persecution of the individual. We have never made use of any provision of the law to stifle freedom of thought or conscience but solely to prevent the irresponsible and subversive activities of those who, consciously or unconsciously, might cause us to return to chaos.

If the application of this criterion makes it necessary to amend existing legislation or to enforce some particular provision, the Government, faithful to the conduct it has pursued in such matters since it took office, will not hesitate to do so.

We who came to power on 11 September 1973 have never aspired to hold it for ever. We realize that we are here to carry out a specific and historic mission: to give Chile a new system of freedom, justice and stable progress. We therefore call once again upon all Chileans to unite in contributing to the daily increasing civilian/military integration, just as on 11 September we acted in concert against the opposition of a blind and hostile majority, because the final outcome of our actions will depend on all Chileans who love their country and who are prepared to defend human freedom against the totalitarian menace.

Fellow countrymen:

With the help of almighty God, with unswerving faith in the courage and patriotism of our people and with the boundless enthusiasm of the young people of Chile, the country will continue to advance towards its great objective of making Chile a great nation.

Goodnight.

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ANNEX XII

Decree-law No. 1697

/Original: Spanish/

Government Junta of the Republic of Chile

Ministry of the Interior

Dissolution of political parties, entities, groups, factions or movements of a political nature not covered by decree-law No. 77 of 1973

No. 1,697. Santiago, 11 March 1977.

Bearing in mind the provisions of decree-laws Nos. 1 and 128 of 1973, Nos. 527 and 788 of 1974 and No. 991 of 1976, and the provisions of Constitutional Acts Nos. 2 and 3 relating to the Essential Bases of Chilean Institutions and to Constitutional Rights and their Guarantees, respectively, and

Considering:

1. That one of the most important postulates of Constitutional Act No. 2, which establishes the essential bases of the new Chilean institutions, is that it is the duty of the State to encourage the harmonious integration of all the sectors of the Nation, thus making it possible, within an effective concept of unity, to achieve the great national objectives;

2. That, for the above-mentioned purpose, transitional article 7 of Constitutional Act No. 3 maintains the suspension of the validity of article 9 of the Political Constitution of the Republic so that all the political parties and entities, groups factions or movements of a partisan political nature not covered by Legislative Decree No. 77 of 1973 will continue to be suspended;

3. That experience has nevertheless shown that these suspended political parties or organizations have continued their activity, which has led to the development of the type of ideological and partisan confrontation which previously promulgated decrees were designed to prevent;

4. That, for all these reasons, it is essential to dissolve such parties or groups of a political nature in order to protect the lasting values of Chilenidad;

The Government Junta, acting in exercise of the constituent power, issues the following decree-law:

Article 1. Notwithstanding the provisions of decree-law No. 77 of 1973, all

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the political parties and entities, groups, factions or movements of a political nature not covered by that decree-law are hereby declared dissolved.

All the organizations referred to in the preceding paragraph are hereby deprived of their legal personality.

The existence, organization, activities and propaganda of whatsoever kind of all the political parties, entities and other organizations referred to in this decree-law shall be prohibited.

The carrying out or encouragement of any public or private activities of a partisan political nature by any natural or legal person, organization, entity or group of persons shall be prohibited.

Article 2. The assets of the entities referred to in this decree-law shall be used for the purposes laid down in their respective statutes. If the said statutes have not specified the use to which such assets are to be put in the case of the dissolution of the organizations of a political nature referred to, the assets shall become the property of the National Treasury in accordance with the provisions of article 561 of the Civil Code and the President of the Republic shall determine the use to be made of them for the common good, as he deems appropriate.

Article 3. Violation of any of the prohibitions laid down in article 1 shall be punishable by sentences, of the minimum or the maximum degree, of short-term imprisonment with compulsory work, forced residence or forced exile or by a fine of 100 to 1,500 monthly tax units.

Any repetition of such an offence shall be punishable by a fine of 500 to 2,000 monthly tax units.

When a fine is imposed, the offenders, as well as the legal person, organization or entity through which the offence was committed, shall be jointly responsible for paying it. In such cases, moreover, any profits gained from the offence and the instruments with which it was committed shall be seized, whether they belong to natural persons or to the above-mentioned legal persons, organizations or entities.

If the offender does not possess assets with which to pay the fine, the provisions of article 49 of the Penal Code shall apply.

Article 4. Cases arising from violations of the provisions of article 1 of this decree-law shall be tried in accordance with the provisions of Title VI of Law No. 12,927 on the Security of the State.

Article 5. Decree-law No. 78 of 1973 and the amendments thereto are hereby repealed.

Article 6. Replace transitional article 7 of Constitutional Act No. 3 by the following: "The validity of article 9 of the Political Constitution of the Republic is hereby suspended".

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To be registered in the Office of the Controller-General of the Republic, to be published in the Diario Oficial and to be inserted in the Official Digest of the said Office. - AUGUSTO PINOCHET UGARTE, General of the Army, President of the Republic. - Admiral JOSE T. MERINO CASTRO, Commander-in-Chief of the Navy. - General GUSTAVO LEIGH GUZMAN, Commander-in-Chief of the Air Force. - General CESAR MENDOZA DURAN, Director-General of the Carabineros.

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ANNEX XIII

Statement by the Permanent Committee of the Episcopal Conference of Chile issued on 25 March 1977

/Original: Spanish/

OUR NATIONAL COEXISTENCE

Pastoral Reflection and Guidance

1. A moral and pastoral view

Like many other countries, our homeland is in process of change. We are earnestly seeking a new way to organize our public life and re-establish our social structures. The challenge is to conserve the great values which were formerly the support of our nationhood and our coexistence, integrating them in a legal order which will eliminate the defects or vices which have hampered this coexistence in recent years.

At such a time, as at every great moment in the life of our country, the voice of the Church must reach her sons and all men of goodwill, seeking to give guidance and to throw light on the great problems and cross-roads of the time, through the doctrine of the Gospel.

In taking up this subject, which is of interest to all Chileans and from which must follow decisive consequences, good or evil, for our homeland, we are only maintaining a tradition which has always existed in Chile and exercising a right which the recent Council specified in these terms:

> "It is always and everywhere legitimate for /the Church/ to teach her social doctrine and ... to pass moral judgments even on matters touching the political order, whenever basic personal rights make such judgments necessary." (Gaudium et spes. 76)

We have followed this invariable rule under political régimes of the most diverse kinds. By virtue of it, we speak once again and always from our exclusively moral and pastoral viewpoint and authority.

Our intervention is all the more inevitable in that the new political forms taking shape are part of a scheme of thought and action which is declared to be humanist and christian. In these circumstances there can be no doubt that the Church has special authority to speak.

2. Christian humanism

We have heard with satisfaction His Excellency the President of the Republic

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reaffirm that the basic inspiration of his Government is christian humanism. Consequently, it is important to indicate what the Church considers to be some essential elements of this humanism.

The basis of the christian conception of man and society is our belief in the dignity of the human person.

"What is man, that thou art mindful of him? and the son of man that thou visitest him?

"For thou hast made him a little lower than the angels, and hast crowned him with glory and honour.

"Thou madest him to have dominion over the works of thy hands; thou hast put all things under his feet."

It was thus that the psalmist saw the destiny of man several centuries before the coming of our Lord (psalm 8).

The New Testament is even more explicit. Man, it tells us, is the child of God, the Son of God, the helper of God and the heir of God. We can affirm that human rights were promulgated by God earlier than by men themselves.

In keeping with this teaching, the Declaration of Principles of the present Government of Chile recognizes that man has natural rights which are anterior and superior to the State - rights which the State must recognize and whose exercise it must regulate, but which, since it did not confer them, it can never deny.

This same human dignity demands that man shall always "act according to a knowing and free choice", which is "personally motivated and prompted from within. It does not result from blind internal impulse or from mere external pressure" (Gaudium et spes. 17).

From this too derives the superiority of man in relation to the State, which is recognized by the Declaration of Principles, and the superiority of the order of persons over the order of things (Gaudium et spes. 26) "The social order", the Council tells us, "must be founded on truth, built on justice and animated by love; in freedom it should grow every day toward a more humane balance". (Ibid.)

A corollary of all this is that "Respect and love ought to be extended also to those who think or act differently than we do in social, political and even religious matters", and that "it is necessary to distinguish between error, which always merits repudiation, and the person in error, who never loses the dignity of being a person, even when he is flawed by false or inadequate religious notions" (Gaudium et spes. 28).

3. The judiciary and missing persons

On the basis of these same principles His Excellency reaffirmed the complete

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respect of his Government for the independence of the judiciary and the full authority of all its decisions, "as the keystone of the rule of law" (speech of 18 March 1977).

We support this solemn reaffirmation of a principle whose application we have constantly urged, in order that official authorities or private groups may never arrogate undue powers to themselves or dispose of the freedom, property, honour, or life of citizens, outside all legal order and protection.

We now take the opportunity of respectfully requesting the President of the Republic to arrange for the Government to give the Law Courts all the co-operation needed to clarify, once and for all, the fate of every one of the persons presumed missing since 11 September up to the present time; for unless this is done there will be no rest for their families, and no real peace in the country, and the external image of Chile will not remain unstained. If there have been abuses and arbitrary actions - which are sometimes inevitable - it is better to recognize them and take measures to prevent their repetition. And if all the cases denounced have a valid explanation, the Government, by giving it, will gain prestige with Chilean and foreign public opinion.

4. Political parties and trends of opinion

The Supreme Government has found it necessary to dissolve the traditional political parties, which it characterized as "groups bent upon seizing power for their own benefit" and "vehicles for power-seeking which are used by a small group of leaders with no qualifications or legal responsibility, to distort and manipulate the participation of the people" (speech of 18 March 1977).

The President has stated that "under the new institutional system the political parties will become vehicles of opinion whose influence will depend solely on the moral calibre of their members and the soundness of their theories and their practical aims" (ibid.).

If a discussion on the existence of political parties or trends of opinion is to be constructive and beneficial for our future civic coexistence, we think it fair to consider not only the evils and excesses of party strife, of which our country has been a victim in recent years, but also the substantial benefits it has derived from healthy party competition over 150 years of republican life. The profoundly legal tradition and character of our nation, to which the Government wishes to remain faithful, is closely linked with the existence of parties representing the major trends of civic thought.

It would be equally unfair to ignore the outstanding merit and great civic virtues of so many politicians who, since the time of O'Higgins until the present day, have been the honour and glory of our national history. It is clear that a country may, at some particular moment, opt for a new political model which seems more in keeping with its genius and the facts of its national life. But in accordance with the constant teaching of the Church, this new structure can only arise as the result of a free and mature national consensus, legitimately expressed.

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"Admittedly" says Pope Paul VI, "the choices proposed for a decision are more and more complex; the considerations that must be borne in mind are numerous and the foreseeing of the consequences involves risk ... However ... these obstacles must not slow down the giving of wider participation in working out decisions, making choices and putting them into practice. In order to counterbalance increasing technocracy, modern forms of democracy must be devised, not only making it possible for each man to be informed and to express himself, but also involving him in a shared responsibility." (Octogesimo Adveniens, No. 47).

5. The dignity of politics

The Church cannot condemn, as ambitious for power or guilty of subversion, citizens who exercise the right and perform the duty of examining the present, looking into the future and seeking legally organized channels for the destiny of their country in accordance with their legitimate beliefs. The Church has the highest conception of genuine political activity, which it describes as a "difficult, but most honourable art" and says that "It is in full accord with human nature that juridical-political structures should ... afford all their citizens the chance to participate freely and actively in establishing the constitutional bases of a political community, governing the State ... and choosing leaders."

The leaders of the Church constantly and clearly urge on all Christians the duty to participate conscientiously in the management of the community:

"The Church regards as worthy of praise and consideration the work of those who, as a service to others, dedicate themselves to the welfare of the State and undertake the burdens of this task."

Those who feel this vocation, the Church invites to fight prudently and honourably "against injustice and oppression, the arbitrary rule of one man or one party and lack of tolerance".

They are asked to devote themselves to the welfare of all "with charity and political courage". They are urged to "recognize that various legitimate though conflicting views can be held concerning the regulation of temporal affairs" and to "respect their fellow citizens when they promote such views honourably, even by group action". The Church does not identify political activity with ambition for power in a government post or as a private citizen; every Christian has an active responsibility of service and social charity. The Church therefore requests the authorities to "beware of hindering intermediate bodies and institutions" and not to "deprive them of their own lawful and effective activity", but rather "to promote them willingly and in an orderly fashion". (Gaudium et spes. 74 and 75)

These are some of the basic requirements for the existence of a Christian order in civil society.

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6. National unity

The dramatic experiences which have shattered the Chilean nation have brought to the forefront of the minds of governors and governed alike an understandable desire for social order and peace, and a sincere effort to promote national peace and unity. But the charity and effectiveness of the measures to achieve these objects are open to question.

There are some who see as a threat to national unity the existence of groups whose politico-social beliefs are different and to some extent antagonistic. They are, consequently, in favour of the more or less total and open eradication of those activities, channels of expression and groups which see the present and the future of the nation in a manner different from that advocated by authority.

It is appropriate to note the views of the Church concerning the legitimate pluralism which can and should exist in the sphere of politico-social ideas and groups, and concerning the need to secure national unity and the way to do so.

"Many different people go to make up the political community, and these can lawfully incline towards diverse ways of doing things. Now, if the political community is not to be torn to pieces as each man follows his own viewpoint, authority is needed. This authority must dispose the energies of the whole citizenry toward the common good, not mechanically or despotically, but primarily as a moral force which depends on freedom and the conscientious discharge of the burdens of any office which has been undertaken." (Gaudium et spes. 74).

As regards marxist thought and the political parties based on it, we refer the reader to what was said in "Gospel and Truth" in September 1975.

The paths of peace and unity do not pass through compulsion. Unity and truth, including religious truth, cannot be imposed: they are offered for personal acceptance and belief.

7. Freedom of expression

We also wish to give our opinion, based on the doctrine of the Church, concerning measures - some of which are quite recent - which substantially restrict freedom of information and opinion without prior censorship. Such measures do not favour the formation of authentic public opinion, which is an indispensable condition for a national consensus. The unity of a nation rests on the possibility that through numerous and effective channels of expression all valid interlocutors can responsibly state their opinions, assenting or dissenting, at every decisive stage in the course of national affairs. As the Church teaches:

"Where there is no manifestation of public opinion and above all where it is found not really to exist, whatever the reason given to explain its silence or absence, we should see the defect or sickness, a disease of social life ... To stifle the voice of the citizen and reduce it to forced silence is, in the eyes of every Christian, an attack against the natural act of man and a violation of

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the world order as established by God." (Pius XII, at the First International Congress of the Catholic Press, 17 February 1950.)

We consider it our legitimate duty to point out that the great majority of citizens, of trades unions and professional associations, and of the social communication media, have shown a maturity and a patriotic and realistic understanding, even when they disagreed with the views of the Government, which in our opinion make them deserve, not more restrictions, but wider opportunities of expressing themselves and thus taking part in the formation of a genuine consensus.

The consequences of these measures could be serious, not only for the image which other countries have of the operation of civil rights in Chile, but also for the actual development of thought, research and culture in our country. Moreover, the Church could not conscientiously accept restrictions which would limit its legitimate right to receive information and to teach its doctrine.

8. The Constitution and the law

The repeated accusations - and even condemnations - made by high international authorities which charge the Chilean Government with suppressing human rights, are a humiliation and a challenge to all Chileans.

We have no doubt that there is an international campaign against our Government, conducted mainly by marxist Governments and parties.

Some of those who accuse us are committing worse outrages than those with which we are reproached. We all tend to see the mote in our neighbour's eye rather than the beam in our own.

We note that our Government is endeavouring to establish a legal order which will give fuller guarantees to those now under detention or who may be detained in future.

We also take note of the words of the President of the Republic in a recent speech, when he said that his Government would "never identify authoritarianism with arbitrariness or the persecution of the individual" or "make use of any provision of the law to stifle freedom of thought or conscience".

Nevertheless, we believe that respect for human rights will not be fully guaranteed so long as the country does not have a Constitution, old or new, that is ratified by the vote of the people; so long as the laws are not enacted by legitimate representatives of the people; and so long as all the organs of the State, from the highest to the lowest, are not subject to the Constitution and the law. Such was the basis of the ideas of Portales which are the origin of the "profoundly legal tradition and character of our nation" recognized by the President of the Republic in the same speech.

In this connexion the amendments suddenly made to the Constitutional Acts already promulgated by the Government, apparently without prior consultation

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either with the Constituent Commission or with the Council of State, have caused some concern, on which His Excellency thought it "desirable to comment".

We fully agree with the view expressed by His Excellency the President of the Republic that "any further reform of the Constitutional Acts now in force" should respond to "a general legal need".

9. The economic situation

Finally, we wish to express our concern at the difficult situation of so many Chileans. It is true that the Church has no competence in economic affairs; but from the trend of the economy derive moral problems, and our national coexistence - which is the title and subject of this document - is also affected by the country's economic situation.

We have heard, from the President of the Republic and the Minister for Economic Affairs, words of hope and the announcement of an impending upturn. We must emphasize, however, that the problem is still distressing and urgent.

It is urgent because for many families, especially those who are unemployed or earning a minimum wage, the extremely precarious and difficult conditions in which they are living are becoming almost intolerable. We understand that the economic reconstruction of the country calls for great sacrifices from everyone; nevertheless, the peasants, workers and settlers appear to be bearing an excessive and disproportionate burden.

Others, on the other hand, are making money without working, by speculation or usurious interest. But the Bible says "in the sweat of thy face shalt thou eat bread" and this sentence is valid today and for ever.

The Church has condemned usury and excessive gain which deprives the weak of their bread, and this condemnation is still valid.

We must recall that it is contrary to the social doctrine of the Church to build a society in which profit is the prime mover of economic progress, competition is the supreme law of the economy and private ownership of the means of production is an absolute right. (CS. Bishops of Spain, February 1977.)

Economic development depends on decisions taken at the national level, and the right of participation defended by the Catholic social doctrine is also applicable to the economy.

In the economic sphere it is easy to create a technocratic elite which aspires to take all the decisions itself.

Some people even believe that economic decisions depend solely on scientific reasons, as if in the human sciences there were no variety of opinions and theories, which also permit of a variety of options.

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To maintain that economic problems have only one solution, without any alternative, is to establish the rule of science and the scientific élite over human responsibilities. It is also to assume that the decisions taken are based only on scientific reasons and that no part is played in them by reasons of dogma or group interest. But this is not the case: doctrinal positions and group interests often play a part in taking decisions, though sometimes unconsciously.

In the name of human rights and of the right of participation, the Church asks that the various economic options should be the subject of open discussion, and that access to decisions and the possibility of exerting influence should not be reserved to a single scientific school or to a few more privileged economic groups. Without a great national debate, the reasons given by the specialists lack full credibility. There is usually more wisdom in the discussion of different opinions than in a single opinion which is affirmed dogmatically and without contradiction.

10. A voice of hope

In the speech made by the President of the Republic on Friday, 18 March, we heard a voice of encouragement which awakened hope in many people, partly allaying the fears left by previous events.

To this voice of encouragement we wish to join our own, expressing our desire that the climate of emergency in which we have been living for more than three years should be ended; that a legal order accepted by the great majority of the nation should be established; and that all Chileans of goodwill should be invited to participate in a worthy and responsible manner in the economic and moral reconstruction of our common homeland.

THE PERMANENT COMMITTEE OF THE EPISCOPAL CONFERENCE OF CHILE

Juan Francisco Fresno, President of the Conference;
Raúl Cardenal Silva, Cardinal Archbishop of Santiago;
Carlos González, Bishop of Talca; Alejandro Jiménez, Surrogate of Mgr. José Manuel Santos;
Francisco José Cox, Bishop of Chillán;
Bernardino Piñera C., Bishop of Temuco, Secretary of the Episcopal Conference of Chile.

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ANNEX XIV

Statement made by the President of the Republic of Chile on 9 July 1977

/Original: Spanish/

With the celebration today of Youth Day, which we instituted two years ago on this very spot, I return here with renewed faith in the future of Chile.

I am here at the invitation given me by the Frente Juvenil de Unidad Nacional (National Unity Youth Front), which is also celebrating its second anniversary tonight as a responsible movement of Chile's youth, their own movement, whose wish has been to identify its commitment to the defence and historical projection of the events of 11 September, linking it with the imperishable example of patriotism represented by the sacrifice of the 77 young heroes of La Concepción.

My old soldier's heart relives with deep emotion the unsurpassable courage of Luis Cruz Martínez and the other 76 young Chileans, who together in the vast solitude of the Peruvian Sierra were able to show, by sacrificing their lives, that our fatherland and the lasting values of the spirit stand higher than any personal sacrifice which their defence may require.

As President of the Republic, I am filled with justifiable hope when I see how the youth of today has discovered the seal of eternity and high demand set on future generations by the blood which our martyrs shed with a view to the future greatness of Chile.

As you indicate so well in the motto which you chose, they died because they dreamed of a free, united, great and sovereign fatherland. To convert this ideal into the fullest possible reality is and will be your achievement. Daily to plough the furrow so that you can begin and continue this task is, in exchange, the difficult mission which God and history have placed on our shoulders and which you cannot renounce.

Only a short time ago, the Chileans, during three years of heroic struggle against the imminent threat of communist totalitarianism, renewed that noble war-cry of the Battle of La Concepción: "Chileans never surrender". And when we the Armed Forces and the Forces of Order, in answer to the anguished call of our citizens, decided to act on 11 September 1973, our soil was once again sprinkled by the blood of many of our men, who fell fighting for Chile's freedom.

It was thus evident that the temper of our race and the fibre of our nation in defence of the dignity or sovereignty of our fatherland were not dead and could never die, because they are moral values with their roots in the very fact of being Chilean.

Today we face afresh an unequal struggle against an alien movement of various

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origins and ingredients, which sometimes takes the form of enemy aggression and on other occasions comes in the guise of friendly pressure.

In this complex state of affairs, Chile will continue to act with the prudence and measure which have traditionally been features of its international policy even at very difficult times. Our collaboration with the international organizations and our frank and loyal dialogue with friendly countries and Governments will continue to employ our best efforts and our greatest goodwill. Yet we shall not for any reason permit this attitude to be confused with weakness or vacillation in the face of those who try to dictate from outside the road we should take, since our decisions spring exclusively from the prerogatives of our internal sovereignty.

For this reason, I recently decided that we should refrain from seeking a foreign loan which was to be conditional, publicly, on examination by a foreign Government of the situation in Chile with regard to human rights. I am sure that in this attitude the whole country is with me, because if there is anything that all true Chileans see very clearly, it is that the dignity of our fatherland is neither bartered nor mortgaged for anything or anyone.

OUTMODED EXCESSES OF IMPERIALISM

Those who try to bring us to our knees with foreign pressure or threat are totally mistaken, and will only see our internal unity grow and become ever greater in the face of adversity. And those who attempt from within to ally themselves with these manifestations of international excess, which seem to resurrect forms of imperialism which we believed had disappeared in the West, will only succeed in showing more openly their unrestrained ambitions and in meriting the just scorn of the Chilean people.

Even less acceptable are attempts at foreign interference when the cause invoked is the alleged defence of human rights.

Our history and temperament have been moulded in respect for the dignity of mankind. Only a recent bitter experience, which was on the point of leading us into a civil war, has made us understand that human rights cannot survive under a political and legal régime which opens the way to the ideological aggression of marxism-leninism, today at the service of Soviet imperialism, or to terrorist subversion, which turns social coexistence into utter anarchy.

It is incomprehensible that any restriction on specific rights of individuals should be indicted as an alleged violation of human rights when the weak or rhetorical attitudes to terrorism displayed by many Governments arouse no reproof, even when they can clearly be interpreted as condoning one of the most brutal forms of violation of human rights.

Our wider and deeper approach to this matter is possibly difficult to understand for those who have not lived through a drama like ours. Yet this is why the exceptional restrictions which for the time being we have had to impose on

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certain rights have had the support of the people and youth of our country, who see them as a hard but necessary corollary to the consolidation of our national freedom and thus to opening up broad horizons of peace and progress for the present and future of Chile. Our young people have been outstanding in their visionary understanding of the historical needs we must face if we are to give life to a new political and institutional régime.

I therefore feel it my duty, as the Frente Juvenil completes two years of existence, to say that the Government over which I preside fully respects the autonomy and independence of the Youth Front as a movement and duly appreciates the considerable progress it has been achieving in its mission of uniting the youth of Chile in active commitment to the nation, to its human, geographical and economic resources, to the events of 11 September and to the new institutional system which then began to emerge.

This is why I have chosen tonight, already identified with the youth of our country, to describe publicly the basic steps which we have outlined for national progress along the institutional path. Nothing can be more appropriate than to do so at a youth function, since it will be you, the youth of Chile, who will be responsible for giving continuity to the task in which we are engaged and who will most directly benefit from the effort which the whole country has put into it from the beginning.

With the already evident success of the economic plan, the progress in social measures and the order and tranquillity which today ensure our compatriots a peaceful life, public attention has now concentrated more on the future of our legal institutions. The health concern of the young and other sections of the nation to have an increasingly large say in affairs are part of this reality.

To see the problem in the proper light, it should be repeated once more that the events of 11 September meant not only the overthrow of an illegitimate government which had failed, but also the end of a decrepit political and institutional régime and the consequent need to construct a new one.

The task then is no mere restoration but a real act of creation, which, nevertheless, in order to bear fruit, must be rooted in the deep qualities of our truest and best national traditions.

NEW DEMOCRACY

This indicates our duty to walk in the path of legal order, always keeping flexibility of social development in tune with the certainty that comes from objective and impersonal laws which are binding on both rulers and ruled. In this view of things, we can clearly see how we must shape a new democracy which will be authoritarian, secure, unifying and instrumental in technological progress and genuine social participation; these characteristics are better understood by those who rid themselves of egotism, ambition and selfishness.

To be authoritarian, it must possess strong and vigorous authority and impose

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a legal order which safeguards the rights of individuals through adequate protection by independent courts of law having power to enforce their decisions.

To be secure, it must uphold the basic content of our Declaration of Principles as being the fundamental doctrine of the State of Chile and replace the classic liberal State, with its ingenuous defencelessness, by a new State committed to the freedom and dignity of mankind and the essential values of the nation. Consequently, any infringement of these principles, whose substance has gradually been spelt out in the Constitutional Instruments now in force, is stigmatized by the latter as an unlawful act prejudicial to the institutional order of the Republic.

Freedom and democracy cannot survive if they do not defend themselves against those who attempt to destroy them.

To be unifying, this democracy must strengthen the National Objective and the Permanent Objectives of the Nation, so that, over and above legitimate divergencies on more circumstantial aspects, successive Government will in the future have the necessary continuity they lacked in the past. This should cause the flowering of a powerful element of unity in the great Chilean family, in which for so long there have been systematic attempts to destroy by means of a class struggle which does not exist and has no reason to exist.

As an instrument of technological progress, the democracy must cater in its legal structures for the formidable pace of scientific and technological advance in the contemporary world, which means that it must embody the voices of those who understand what is involved in the necessary decisions. This alone will make it possible to situate discussion at the appropriate level, reduce the area of ideological debate to its just proportions, profit from the contribution of the most able, and give the system stability.

To ensure genuine social participation, our democracy must remember that society is only truly free when, on the basis of the principle of subsidiary existences, it upholds and respects real autonomy in the groups midway between the individual and the State, in order to pursue its own specific ends. This principle is the basis of a social body endowed with creative vitality and an economic liberty which, subject to the rules established by State authority to protect the common good, prevents the individual from being suffocated by the domination of an omnipresent State.

We are faced with a task which, because of its nature and scope, must be accomplished little by little. We shall thus move away from two extremes: stagnation, which sooner or later leads unfailingly to violent upheavals in the social process and precipitation, which would rapidly destroy all our efforts, return to power the previous régime with the same men and the same vices, and quickly generate the chaos we lived through under the marxist Government, or even worse.

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THE STAGES INVOLVED

The step-by-step process is composed of three stages: recovery, transition and normality or consolidation. These stages are distinguished by the different roles played in them by the Armed Forces and the Forces of Order on the one hand, and by civilians on the other. They are also differentiated by the legal institutions which must be established or employed in each stage.

In the recovery stage, political power has had to be taken over entirely by the Armed Forces and the Forces of Order, with civilian collaboration, but later on the more provisional needs of the situation will be shared with the citizens, who will thus have to make the transition from collaboration to participation.

Lastly, we shall enter the stage of normality and consolidation, when power will be exercised directly and fundamentally by the citizens, and the Armed Forces and the Forces of Order will retain under the constitution the role of helping to safeguard the fundamentals of our institutional system and maintaining national security in its wide-ranging and decisive modern forms.

Today we are in the midst of the recovery stage, but I think that the progress we are achieving in all respects is carrying us towards the stage of transition.

During the remainder of the recovery stage, it will be necessary to enact further Constitutional Instruments for the various matters of a constitutional nature which they still do not cover, as well as some vitally important legislation on security, labour, social welfare, education and other subjects which will be prepared at the same time. The 1925 Constitution will thus be finally abolished; in substance it is already dead, but legally speaking some small portions of it remain in force, and this is not advisable.

Simultaneously, the Constitutional Instruments already promulgated will have to be revised in those respects in which practice has shown the need to supplement, amend or clarify them.

The culmination of this entire process of preparation and promulgation of the Constitutional Instruments, which will continue its gradual progress from now on, must in any case, I think, be before 31 December 1980, since the beginning of the transitional stage should be no later than that and should coincide with the full validity of all the legal institutions for which the Instruments provide.

Pre-eminent among the instruments referred to is the one which will govern the exercise and evolution of the Constituent, Legislative and Executive Powers. In this respect, in order to assist the Preparatory Commission for the New Constitution, I as President will in the near future issue some basic guidelines which will enable the Commission to prepare the first draft, which will then be considered by the Council of State before a final decision is made by the Government Junta.

The main guidelines for the system which is to operate in the transitional stage are as follows:

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- the Constituent Power should continue to be exercised by the Government Junta but normally after consultation with the Council of State.

- The Executive Power should continue to be exercised by the President of the Government Junta, as President of the Republic, under the powers already invested in him.

- The Legislative Power, according to national tradition, should reside in two co-legislators: the President of the Republic and a Legislative Chamber or Chamber of Representatives, as it might be termed, notwithstanding the legislative powers which, during the present transitional stage, must remain exceptionally with the Government Junta.

These functions should include the right of each member of the system to table legislation through the Office of the President of the Republic and also the faculty to request that the text of any law be reviewed by the Government Junta before it is enacted. In the latter case, it shall not be enacted if the opinion prevails in the Junta that any one provision is a danger to national security. This is an absolute veto, intended to operate in the cases to which the Government Junta applies it, at the request of any member of the Junta, and is thus different from the ordinary veto of the President of the Republic vis-à-vis the Legislative Chamber.

To turn to the Legislative Chamber or Chamber of Representatives, as I said last 18 March, it should have a mixed membership: one-third of its members should be persons of distinction in the life of the nation, who will be members in their own right or by presidential appointment, and the remaining two-thirds should be representatives of Regions or groups of Regions in proportion to the number of their inhabitants.

With regard to ordinary legislation, procedures must be introduced for initiating it and for the presidential veto and other matters, procedures of a kind which avoids the demogogic excesses which latterly characterized our former Parliament.

Special importance should be given to the Legislative Chamber having Technical Commissions in which those most highly qualified in various respects in science, technology, business and the professions take part on a regular basis with the right to vote.

The establishment of this Legislative Chamber should take place in 1980 and its first term should be four or five years; since elections are not feasible, the regional representatives will have to be appointed by the Government Junta.

Later, however, these regional representatives will be elected by direct popular vote, according to electoral systems which will favour the selection of the most capable and avoid the political parties again becoming the monopolistic machinery of civilian participation.

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Once the Legislative Chamber has been constituted in this period, i.e. with two-thirds of its members elected by the people, it will be for the Chamber itself to appoint the citizen who will then take on the office of President of the Republic for a period of six years.

Simultaneously, and this implies an advance from the stage of transition to that of consolidation, the new Political Constitution of the State, a single and comprehensive text based on the experience derived from the application of the Constitutional Instruments, must be adopted and promulgated. The transitional stage will thus serve to bring to fruition the preparations for the final draft of the new Fundamental Charter.

In outlining this general plan to the country, the Government believes it is fulfilling its mission to clarify the basic lines on which it would wish to develop our institutions in the near future, during which time it will also be necessary to intensify the preparation and enactment of legislation for the new forms of social participation, both by trade unions and labour and by students, the professions, business, local society and other forms of social life in general.

Young people of Chile, the possibilities of making this entire plan a reality depends on the country continuing to show the encouraging signs which have allowed us to go forward up till now.

Indispensable to this is the patriotic participation of all citizens, and most especially the generous idealism of youth, which must illuminate with its mystic faith the road to the future.

I realize that many obstacles, ambitions and personal interests will appear in an attempt to halt our march in a thousand different ways and turn us back, to where only the shadows of slavery await us. But I am certain that the light shining at the end of our road will become ever stronger and brighter, and above all I have complete faith in God, in the people of Chile and in our Armed Forces and Forces of Order which today patriotically guide its destinies.

Dear young people, the future of Chile is in you, whose greatness we are forging.

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ANNEX XV

Report on a visit to Chile by Maître Louis Edmond Pettiti, Avocat à la Cour d'Appel de Paris and Bâtonnier Designé de l'Ordre des Avocats, and Maître Bernard Andreu, Avocat à la Cour d'Appel de Paris

/Original: French/

8 August 1977

Testimony for the Ad Hoc Working Group

United Nations Commission
on Human Rights
Geneva

From 25 to 30 July 1977, we stayed at Santiago de Chile, and we now give the Working Group our testimony concerning the most important data collected. In the first place, Mr. Pettiti applied for a writ of habeas corpus (Recurso de Amparo) to the Court of Appeal. He requested an official interview for this purpose with the President of the Supreme Court: (Annex 1). The whole problem of missing persons was discussed during this meeting. An examination of the explanations given by the Government shows how unconvincing the official versions are. The voluntary desertion of their homes by certain heads of families is denied by the members of those families. Their clandestine departure for Argentina has not been proved. The Argentinian police seem to have given some semblance of support for entry into their territory in only three cases in 1977.

It is more likely that most of the missing persons have been executed. In some cases, they are thought to be no longer "physically" presentable because of the tortures they have undergone.

The use of torture is not denied by the authorities. President Eyzaguirre states that there have been 46 convictions on charges of torture. But none of the lawyers consulted know anything about these cases!

The problem of missing persons was brought to the fore by the hunger strike at CELAM.

This hunger strike was a turning point:

A new awareness of the position by the relatives of missing persons, who, by the strike they carried out with extreme courage and resolve, have, in their own words, overcome fear;

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A revelation to part of the public which had still believed the Government's explanations about missing persons, but no longer doubted the facts reported by witnesses who would sacrifice their lives for their testimony.

In denying the evidence by claiming that it was a prefabricated plot, the Government shocked public opinion. If the Junta's claim about "voluntary departures" was logical, they should assist the women who had been abandoned, not persecute them!

Violation of agreements by the Government:

(1) The Government is not carrying out any honest and effective inquiries either in its administrative departments or outside them, but only visits to the homes of the hunger strikers;

(2) The Government is carrying out reprisals against the strikers: night searches, various kinds of intimidation and threats, frequent attempts to obtain signatures to records of hearings, with part of the text left blank before signature.

The strikers implore the United Nations to send an investigator before the expiry of three months; failing this, some even more significant act of solidarity must be expected. The undersigned collected the above information directly.

Tendency of the judicial authorities

The hunger strike, which is closely connected with the Contreiras and Veloso cases, may also lead to some change in the judgements of the Supreme Court. On two occasions, the intervention of a Minister Judge delegated by the Court has brought some progress in an investigation. If the Court so wishes, the Veloso case - or "the Chilean Watergate", as it is called in Santiago - could provide evidence of the machinations of the DINA. If the state of siege declared on 11 September were raised, the Supreme Court would recover its full authority and could no longer claim to be powerless. The Junta will not always be able to refuse the United Nations a confrontation between the Government and the secret police.

During this mission, we had occasion to meet several persons of consequence, including Mr. Eyzaguirre, President of the Supreme Court, Monsignor Cardinal Silvo and President Frei, as well as a few people who had better remain anonymous for reasons of security. At the interviews we had, we referred to the fate of those who had been secretly arrested and detained - Los Desaparecidos. Far from denying this problem or considering it a thing of the past, the persons we spoke with confirmed that it really exists. They put the number of cases at a minimum of 500. The President of the Supreme Court admitted that this figure, given by the Vicariate, was quite reasonable; he also acknowledged that it was a serious and disturbing problem.

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The families which include a "desaparecido" are in a particularly tragic situation: to the shock of the arrest of their relative who is now being detained in some secret place, is added mental anguish, living expenses which have often become more difficult to meet, and the hostility of the authorities. After exploring every avenue open to them under Chilean law to ascertain the fate of their relatives, these families receive from the governmental authorities replies which are inadmissible from the point of view both of reason and of the most elementary humanity: no evidence of detention, gone abroad voluntarily or recently ... all of which allegations are contradicted and denied by the testimony of many witnesses, particularly detainees who have been released. The official replies which deny the existence of secret detention are hardly convincing, even to those who gave them to us. For example, the President of the Supreme Court confined himself to telling us that he was stating the position of the President of the Republic, not his own personal opinion. He maintains that the Courts cannot carry their investigations any further, that they come "up against a wall". The Government's attitude is all the more intolerable for the families concerned, because their requests are based on the elementary right to know what has become of their relatives.

The hunger strike carried out from 14 to 24 June 1977 by 26 people who have a "desaparecido" in their family, has shown national and international public opinion the importance of the problem raised by these secret detentions.

The risks of all kinds taken by strikers in Chile today show the seriousness of the situation they wished to bring to the attention of the public and the merit of their claims against the Chilean Government.

On our departure, we were told that in the cases of Mr. Vicente Israel García Ramírez, Mr. Jorge Truncoso Aguire and Mr. Soto Galvez, who were arrested on 29 April, 12 May and 8 June 1977 respectively, it was still impossible to ascertain the place of detention.

Secret arrests and detentions are still the common practice of the security services. It is true that we were told that these methods were tending to change - that periods of secret detention would be shorter. Nevertheless, this change of form does not in any way signify an end to repression, which still continues and is taking on more subtle and equally redoubtable aspects, such as secret detention for several days, torture (this is not denied), all kinds of pressure to obtain silence or collaboration, threats, blackmail, shadowing, placing under observation, physical attacks ... This repression is being carried on against the working population, trade unions, the services of the Vicariate and Defence. It is characteristic of the desire to maintain an atmosphere of fear and intimidation. It should also be noted that the extent of the repression is difficult to ascertain; for many of the people who have been arrested, beaten or threatened and then released, are afraid to talk or to engage defence counsel.

This conduct of the security services was confirmed in the notorious Veloso case, which we shall describe in a subsequent communication. We were able to meet

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two persons who were involved in this case in May 1977: Mr. Figueroa and Mr. de la Fuente. They were accused of having taken part in the kidnapping and unlawful detention of the young Carlos Veloso, and of acts of violence against his person. They were arrested by security agents, the former at his home and the latter while going to work, and taken blindfolded to a secret place of detention. There they were "interrogated" for four days and underwent the worst possible treatment: threats to members of their families, including Mr. Figueroa's daughter, blows, hanging, electrical tortures. At the time they were entirely unaware of the reasons for their arrest. They did not know young Veloso. It was only from the mouths of their torturers that they learned of the acts they were supposed to have committed, and it was in this way that after four days of torture they signed their "confessions". For his part, young Veloso was compelled by violence by the same security agents to identify Mr. Figueroa and Mr. de la Fuente as two of his alleged attackers. The Working Group knows what happened in this case and how young Veloso's retraction before a magistrate reduced the charges brought against these two men to nothing and revealed the plot against them, the purpose of which was, first, to make the public believe that arbitrary arrests and secret detentions were not the work of the security services, but of political enemies of the régime, and secondly, to discredit the activities of the Vicariate. The prosecutions initiated by the military courts against Mr. Figueroa and Mr. de la Fuente for unlawful detention were therefore discontinued, and they were declared innocent. They are still in danger, however, their homes are watched and they are, in fact, living the lives of hunted men.

We wished to notify the Working Group of these facts before sending it a report, as we thought it necessary to inform it of the present situation with regard to violations of human rights, which are continuing in Chile. These are not merely mistakes due to the conduct of individuals, but the result of a concerted policy which is employing every means of intimidation against the living forces of the country. International protection is still needed and the appeal of the 26 women hunger strikers that a commission of inquiry be sent to Chile should be heard.

* * *

A careful examination of proceedings and prosecutions makes it possible to establish that there are many violations, even of the texts issued by the Junta under cover of the state of siege: authority of the courts not respected; applications for habeas corpus not acted on.

In some cases, lawyers who act on behalf of the families of missing persons are liable to disciplinary proceedings.

The courage shown by the hunger strikers constitutes a fervent appeal to international opinion and to the United Nations.

The lawyers who have prepared this testimony submit the present text to the Ad Hoc Working Group as a contribution to the universal work of the United Nations Commission on Human Rights.

8 August 1977

Bernard ANDREU Louis PETTITI

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ANNEX XVI

Statement made by Carlos Arnaldo Veloso Reidenbach and Carlos Hector Veloso Figueroa

/Original: Spanish/

We, CARLOS ARNALDO VELOSO REIDENBACH, student, domiciled in Santiago at 612 Río Magdalena Street, Block 52, Apt. 304, Villa México, district of Maipú, and CARLOS HECTOR VELOSO FIGUEROA, clerk, of the same address, both Chileans, the first being a minor of 16 years of age and the second, an adult and the legitimate father of the first, testifying under oath and solely in the interests of recording the truth, separately, state the following:

The first of the above-named: On 2 May, I went to the offices of the Cardijn Foundation on an errand for my father, and on leaving that building, situated in Erasmo Escala Street at the corner of Cienfuegos (No. 51 in that street), at a distance of about 30 or 40 metres from the Foundation, in Erasmo Escala Street, near the corner of Cienfuegos Street, I saw a black Chevrolet parked almost in the middle of the street; on crossing and passing in front of that vehicle I was suddenly overpowered by two persons dressed in civilian clothes who, without saying a word, placed me on the back seat, stretched me out face down on the floor, having already blindfolded me; three persons then sat down in the back seat and placed their feet on me, preventing any movement; before being blindfolded, I was able to notice that three other persons were sitting in the front seat; the car immediately set off and after some time, which I estimate at about half an hour, it stopped and, still blindfolded, I was made to get out and was taken into a house, which appeared to be old, since I went up two steps before going through the door. I was then led down a long corridor to a room that was in total darkness, where the blindfold was removed; one of the persons who had taken me there placed a lighted lamp on the floor and they sat me on a chair at a writing desk on which there were several spotlights that were shining in my face so that the light prevented me from distinguishing the features of my captors. Immediately after that, one of them, who for reasons which I will make clear later seemed to be called "Don Fernando", a tall man with a pale complexion and light-coloured eyes, suddenly slapped me twice in the face and began to interrogate me about the activities of my father and especially about what he had done before 1 May, and the sort of work that he did; it was a long interrogation during which my hands were kept tied to the arms of the chair; I then felt a needle being inserted in my left arm and a liquid was injected, and the interrogation continued for an indeterminate period of time. What I do remember is that after the injection I had the feeling of losing consciousness, although I could hear the questions which they asked me. I still remember some of them: what did I know about the explosion of some bombs, why had my father not gone to the Cathedral on 1 May, whether my father used to arrive home late after leaving work, whether he came with strangers and whether he was an informer for the military; for a moment when they suspended the interrogation, somebody placed his hand on mind and said: "Listen, Carlitos, I

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know your dad, I've been his friend for many years, don't tell them anything." After some minutes, during which no further questions were asked, I heard a shot in the adjoining room, and they immediately switched off the spotlights, untied me from the chair, and two persons took me by the arms and made me stand up; one of them lit the lamp which was on the floor and made me walk along the shaft of light towards the adjoining room, but only as far as the door; from there they lit up the room and I could see someone lying hunched up on the floor in a pool of blood; the light was then taken away and one of them warned me that same thing could happen to me if I did not co-operate; they took me back to the interrogation room where they again tied me to the chair, lit the spotlights and continued the interrogation, which was punctuated by blows to various parts of my body; at various times I felt lighted cigarettes being applied to my left hand and forearm; at one time they placed a red cable, bared at the end, against my teeth and I felt a burning sensation and a sharp pain extending to my jaws together with a violent trembling; they also took off my shoes and I felt a kind of burning in the toenails of both feet; after that they untied me and they made me undress down to my underpants. After a short time they threw my clothes to me and ordered me to get dressed, but I did not have enough strength to put on my socks and shoes, so one of the men put them on for me; once dressed, I was again tied to the chair and it seems that I fell asleep; I don't know how much time passed but I remember hearing voices and one of the persons said: "This kid is not going to talk, we'll have to find the wife of that Sergio Mella." Then I was untied, blindfolded again and led to a vehicle which may or may not have been the same as the one in which I had been brought. They threw me on the floor again as they had the first time; since I was still semi-unconscious I wasn't sure of how long I travelled in the vehicle, but I do remember that after a certain time they lifted me up from the floor and sat me next to the right rear door. Somebody untied the bandage over my eyes but kept it in place with his hand, the car slowed down, the right door was opened and, without the car stopping, I was thrown out; I lay on the ground, unconscious, for some time - I cannot say for how long - and, on regaining consciousness, I realized that I was in San Joaquín Street at the corner of General Velásquez Street, since I found myself near the Lo Valledor slaughterhouse. It was night-time; I started walking but I again lost consciousness and fell to the ground; I partly regained consciousness when I found somebody shaking me and speaking to me. He asked me what had happened and whether I was drunk, and I told him that I had been assaulted; I gave him the address of my grandmother and asked him if he could help me to get there; I don't remember how he took me, but I do know that he came with me as far as No. 1689 Toro Mazotto Street, in Población Nogales, which is my grandmother's house. I again lost consciousness completely, perhaps I slept, and woke up the next morning; I don't remember how many hours the events that I have described lasted, from the time when I was placed in the car in Erasmo Escala Street, at about 5.30 p.m., to the time when I was thrown out of the car on San Joaquín Street where it joins General Velásquez. I have made a shorter statement about these same events in the application for a writ of civil rights protection (amparo) submitted by my father to the Santiago Court of Appeals, and also in the statement which I made before the Primer Juzgado del Crimen de Menor Cuantía in the information laid concerning my injuries, and the present statement should be regarded as a supplement to those two; in addition, those legal actions are supplementary to this statement as regards everything not contained in it.

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This statement continues with the testimony, also under oath, of Mr. Carlos Veloso Figueroa:

On Saturday 30 April I moved with my wife and children to the home of my mother-in-law, Mrs. Zulema Ibañez, at No. 1689 Toro Mazotto Street in Población Nogales, in order to keep her company. She was living alone because my father-in-law, Mr. Silvestre Valdivia, had been in hospital for a long time. We intended to stay with her for an indefinite period. On 2 May, at about 3.30 p.m., I received a telephone call from my sister-in-law, who lives in apartment 104 at the same address as myself, telling me that two people who said they came from the Archdiocese had been asking for me, but had given no proof of their status as officials or employees of that institution. As I am a paid employee of the Cardijn Foundation and had also helped to type a trade union document, signed by numerous trade union leaders, which had been sent to the President of the Republic on 1 May, I was afraid that the people looking for me were not really from the Archdiocese as they maintained but were looking for me in connexion with my involvement with that document. For that reason, as a matter of precaution I telephoned my friend Luís Mardones Geza, who also works at the Cardijn Foundation and told him that I was going to send round my eldest son Carlos Arnaldo with a message for him. I did not tell him why. At about 4:30 p.m. I gave my son money for his fare and sent him to tell Mardones about the two people who had been asking for me, claiming to be from the Archdiocese, so that he could find out the truth about them. I also told my son to give Mardones the address of my mother-in-law's house where I was living, and to say that if he had any information to give me he should come to see me there. At about 8 p.m. I began to get worried because my son had not returned home; I waited until my wife returned from a meeting at my daughter's school. She returned at about 9 p.m. and we began trying to find my son. We called my sister-in-law to find out whether he had been to her home and then we went to the home of a couple who are friends of ours and who live near my mother-in-law's house, where we were living, in the hope that he had gone there. When we did not find him there we returned home, thinking that we would find him there when we got back; however, he still had not returned and we decided to wait until midnight before going out to inquire about his whereabouts at police stations and first-aid stations. While we were waiting, at approximately 11.30 p.m. a young man of more or less the same age as my son Carlos arrived, almost carrying him; he had one of Carlos' hands on his shoulder and was holding him by the waist. The young man told me that he had found my son lying in General Velásquez Street and thought that he had been attacked because he was badly injured. In our concern to attend to our son, we paid no attention to the young man who had brought him, not even to thank him. I took my son, who was completely unconscious, to the point that he fell to the floor. His nose was bleeding and he had bruises on his nose, cheeks and forehead; his shirt and trousers were soaked with blood and his trousers were covered in earth and bore clear traces of kicks. All my son could say was "I didn't tell them anything, Dad" and he kept repeating this. After I had given him first aid and cleaned his face, my son had become more conscious, although he still showed signs of hysteria or, more accurately, terror. He said he wanted to speak to me alone, so we went into the kitchen and when the two of us were alone he told me what had happened. The story which he told me that night corresponds in every essential point to the preceding statement.

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Fearing from my son's story that the people who had beaten him thus belonged to some intelligence service, I did not want to take him to a first-aid station and preferred to seek help from the parish priest of Holy Cross Church in Nogales, Father Santiago Marshall, who came immediately to see my son. It was more or less 1 a.m. and my son Carlos told Father Santiago what had happened to him, in substantially the same way as he had told me. After that, Father Santiago advised me to send for a nurse who was involved in parish activities and lived nearby, the nurse came immediately, examined my son and suggested that he should be given tranquillizers; she returned to her home to get the tranquillizers and came back soon afterwards to give him two tablets. The following day, around midday, Father Santiago took me to a friend of his who was a doctor and we brought him home to examine my son Carlos. The doctor recommended tranquillizers, vitamins and medicine to reduce the inflammation. On Wednesday 4 May, I went with my wife and my son Carlos to the Vicaría de la Solidaridad to give an account of what had happened and to seek legal aid. With this aid we submitted an application for a writ of civil rights protection (amparo) for my son and laid an information concerning his injuries in the Primer Juzgado del Crimen de Menor Cuantía. We made a statement before that Court on the same day (Wednesday 4 May). I submitted the application personally to the Court between 2.30 p.m. and 3 p.m., and the court proceedings ended at about 6 p.m. At 11 p.m. the same day, two men in civilian clothes came to my mother-in-law's house, where we were staying, saying that they were from the Military Intelligence Service and wished to talk to me. They began by saying: "We should like to talk to you, because we did not do this to your son." We sat down at the table and they asked my son to tell them everything that had happened; they had a tape recorder and recorded everything that was said. At one point, I asked them how they had found out about what had happened to my son and they replied that they had found out through the application for a writ of amparo which we had submitted to the Court. My son gave them a full account of what had happened on the Monday; the officials examined his injuries and said that the burn on his lip was "a common occurrence". They said they had orders from above to investigate everything that had happened and repeated on several occasions that the attack on my son had not been carried out by members of their Service and that they would make extensive investigations until they found the culprits. They asked us to co-operate by providing any background information which would help their investigation; they left after two hours, at approximately 1.30 a.m. on Thursday 5 May. At about 1 p.m. on the same day, we took my son to the Instituto Médico Legal with the order issued by the Judge; on leaving the Instituto Médico Legal, my wife returned to my mother-in-law's house with my son Carlos and I went to the Cardijn Foundation. I was still there when, between about 6.30 and 7 p.m., my son Carlos telephoned me to say that the same officials who had come the previous night had come to the house and wished to speak to me. I replied that I would leave for home immediately, and when I came out of the Foundation one of the officials was waiting for me in the street and offered me a lift home in his car; I accepted and got into the car, in which another official was sitting. We arrived home and there the officials asked me to bring my son down to the car so they could ask him some questions; they asked him to repeat the account he had given the previous day and, in particular, whether there were any details which he might have omitted; this second interview was also recorded, and when it was over

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the officials asked me and my son to try to retrace the route followed by the kidnappers on the Monday. We did this and, following my son's instructions, followed a route which took us more or less to the corner of Mapocho and Brasil, which the officials said did not show any trace of what had happened. After that they drove us back home.

On Friday, at approximately 10 p.m., the same two officials who had come on the previous occasions arrived once again at the home of my mother-in-law, asked me to accompany them and took me away in a car to the corner of Avenida Bustamante and Curicó. Another car arrived and an official identified as chief by the agents who had taken me away got out, entered the car in which I was sitting and told me that they needed a more extensive statement from me and asked whether I had any objections to accompanying them. I replied in the negative. They then told me that they had to blindfold me for security reasons; I was driven to an unknown place where I was questioned basically concerning my activities as a trade union leader and my political background; they asked me, in particular, whether I suspected that Marxist elements might have been responsible for the kidnapping of my son or whether I had been involved with any other persons or groups which might, for any reason, have a grudge against me which might have prompted them to take action against my son in reprisal. They brought me back to my home towards 2 a.m. on Saturday 7 May. I informed them of my intention of returning to my Villa México apartment on the next day and they offered me transportation, which I refused. They also told me that arrangements had been made for members of their service to provide protection for me and surveillance around my home, and that protection would also be provided along the route I would travel the following day from Población Nogales to Villa México. It was during this interview that the officials identified themselves for the first time as members of the National Intelligence Directorate (DINA).

On the following day, that is, in the afternoon of Saturday, 7 May, we travelled to my Villa México apartment, arriving at about 6 p.m. At approximately 8 p.m., the same officials who had conducted the previous interviews came to me once again and informed me that they had a number of leads and needed to ask me more questions and show photographs to me for identification. They asked me to accompany them and once again they brought me blindfolded to a place which I recognized as the same office in which the previous interrogation had taken place. An interrogation similar to that conducted on the previous day ensued relating to my activities as a trade union leader and my political activities; after approximately one and a half hours of questioning they told me that it was necessary to question my son, Carlos, in order to have him clarify a number of details from his previous statements and identify a number of photographs. I gave my consent and telephoned my wife to tell her to let the boy leave since an official would be coming to collect him. However, they did not return with the boy to the place where I was. The questioning continued for approximately two more hours and they told me that they wanted to provide me with protection and, that none of my children should leave the house; they asked me if I would let two officials accompany me on my return home. I told them that it would not be easy to keep my children - of whom there are six - permanently indoors without something to

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entertain them and I asked them if they could provide me with a television set to make the confinement which they were asking me to enforce on my children more bearable. They answered in the affirmative and immediately sent me home by car with a television set. I reached home at approximately 2.30 a.m. on Sunday, 8 May, and they told me that they would return to collect me at 10 a.m. that same day.

Here, in order to preserve the chronological sequence of events, the statement of Carlos Arnaldo Veloso Reidenbach resumes.

On Saturday, 7 May, at approximately 10 p.m., after my father had called my mother to tell her that an official was coming to collect me and that she should allow me to leave, the official arrived and identified himself as "Omar"; he had a handwritten message from my father giving his consent. The official asked me to accompany him and I left with him; around the corner he had parked a Fiat 125 car in which he drove me to a deserted spot in the vicinity of Villa México; there he stopped the car, turned off the lights, put on the interior light, took a briefcase which was lying on the back seat and took a notebook from it. He tore off part of a sheet from the notebook and gave it to me with a lead pencil; at the same time he drew a pistol and ordered me to write in my own hand "I must speak with one of you alone without my father's knowledge". When the note was written, and all the while keeping me at gunpoint, he put away the paper on which I had written and took two sheets of white paper from the briefcase on which there was writing in red pencil and began to read to me from them. It was a statement in which I asserted that I had accompanied my parents to the Cardijn Foundation that week, that when both of them went to buy cigarettes I was alone in a room adjoining another room occupied by Luis Mardones and Hernán Mery, that I approached the door between the two offices and was able to hear Mardones ask Mery whether he knew that it had been they who had planted the bombs on the days preceding 1 May and Mery reply that he did know since he had spoken with Sergio Mella who had told him everything. The statement went on to say that when my parents returned we went with Hernán Mery to La Alameda and entered a soda fountain to have some refreshments and that there I heard my father speaking in a whisper with Mery saying that it was no good to continue any involvement with those "mad bombers", since to do so would create problems for his family; the statement then had me assert that I had heard that Manuel Bustos and Fernando Frías also belonged to the gang of "mad bombers". Despite all the pressure he brought to bear on me, I refused to sign the prepared statements, since the facts set out in it were false. Faced with my refusal, he continued pressuring me and told me that I had to sign it since by doing so I would help my father, who was co-operating with them, and that if I did not sign my father would not return home that night and something might happen to him, as he was at that moment with them. Despite this persistent pressure I flatly refused to sign and the official started the car; after driving around for some time he brought me back home. I returned home at approximately midnight. When my father returned home at 4 a.m., correction, it was around 2.30 a.m., and I saw him with a television set, I immediately thought of the assertion made by the official who demanded that I sign the statement, to the effect that my father was co-operating with DINA; accordingly, I did not want to tell him anything about what had just happened to me. I then slept until 10 a.m. on Sunday, 8 May, when once again the

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same officials came looking for my father and me. This time they took us blindfolded to a place which I could not identify, where they separated me from my father and took me by myself to an office on the second floor. There they removed the blindfold and again showed me the same statement which I had refused to sign the night before; this time they tried to convince me that it was I who had said everything that was recorded in that statement; when I refused, they resumed their pressure with threats against my father and my whole family, as well as several blows in my face, more with the intention of frightening me than hurting me. After approximately 40 minutes to one hour, they brought my father into the office and accused me in his presence of making contradictory statements, of having first made a statement about a terrorist band whose members I knew, which was a very sensitive matter, and of having subsequently denied those statements. My father, apparently believing the officials, scolded me sharply in their presence and this greatly demoralized me; then my father reproached me for having made those accusations against persons all of whom he knew and who were his friends. Afterwards they took me to a bathroom adjoining the room in which we had met my father, while my father remained in the office; in the bathroom, there was an individual pointing a submachine gun at my father in the office through a pane of glass which, on the office side, was a mirror or picture so that one could see from the bathroom into the office but not the other way round. Another official, apparently the leader, who was very hard and severe in manner, entered the bathroom and began to show me a large number of photographs which he was carrying in an envelope and asked me to identify the persons I knew; out of 50 or 60 photographs, I recognized three - Osvaldo Figueroa, Eduardo de la Fuente and Robinson Zuleta - but I must explain that I simply recognized them as neighbours whom I had seen at Villa México, and not as participants in any particular activity, since at no time was it explained to me what the purpose of this identification was. When he had finished showing me the photographs, the official who had interrogated me about them said to me "We are missing a fourth person", the driver, at which I expressed my surprise and asked what the purpose of identifying the photographs was. He replied that I was intelligent enough to realize that the identification had to do with my kidnapping. I replied that it would be very easy to find the driver involved in the kidnapping because he was the one who was in the next room with my father, the one whom I saw through the pane of glass and recognized as one of the individuals who had taken part in my kidnapping and interrogation the previous Monday. When I said that, he punched me so hard that I was thrown to the floor from the bench on which I had been sitting. He then told me that we had to agree on the version to be given to my father; that since we had not identified the driver I should say that I had not seen him, but that it was Figueroa, de la Fuente and Zuleta who had kidnapped me on Monday, who had put me in a green Volkswagen minibus outside the Cardijn Foundation and had taken me to the place where they had interrogated and tortured me, but that previously, before leaving in the minibus, they had seated me between de la Fuente and Figueroa, that de la Fuente had threatened me with a revolver in my back and had forced me to turn towards Figueroa, who had interrogated me about my father's activities and whether he had squealed to the military. With each question, Figueroa hit me in the body and in the face and extinguished a lighted cigarette on my hands and arms; then they blindfolded me and took me to a clearing; from the lights of the vehicle, which illuminated the ground, and in spite of the blindfold,

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I saw that it was like a football field; this was confirmed when they removed my blindfold to take me to the place where they interrogated and tortured me. They told me that in my statement I would have to say that at one point during the interrogation one of the kidnappers had pricked me in the arm with a pin; in the course of the interrogation, they told me that I would have to go to the Vicaría to report the kidnapping, but that I should say that the vehicle in which I had been kidnapped was a black Chevrolet; that was the version of the facts which the official who showed me the photographs told me I would have to repeat befor my father, saying that if I did not do so, my whole family would die. Frightened by these threats, especially since I saw an individual pointing a submachine gun at my father in the next room, I agreed to repeat the story as instructed, whereupon they brought me back to the room where my father was and, in his presence one of the officials who had previously made me swear to tell the truth made me repeat the entire version as previously instructed; afterwards one of the officials typed out copies of the statement and had me and my father sign them.

In order to provide a chronologically correct account of the events, Carlos Hector Veloso Figueroa states:

Hearing my son's statement, given under oath as described, I believed that statement; I was convinced that his kidnapping and torture were the work of Marxists, and, when the officials asked me to provide a statement in addition to that of my son, of my own free will I signed a statement which I myself drafted and typed and in which I denounced and condemned what had taken place, explaining why I thought those responsible had acted as they had and offering my co-operation in publicly denouncing what had happened, both at home and abroad. The events of Sunday, 8 May, as previously described by my son, took practically the whole day, but they were not continuous and there were long intervals during which my son and I were left alone, except for the presence of an official who listened to our conversations and prevented my son from saying anything which did not correspond to the confession which he had been forced to make; I estimate that the signing of the document referred to by my son in the previous statement took place at approximately 10 p.m., and at about 12 the official who appeared to be in charge and who was called Don Fernando told us that it would not be possible for us to return home that night and that we would be taken to a more comfortable place. My son and I were blindfolded once again and taken by car to another place which we cannot identify; after we were taken in, our blindfolds were removed and we were met by an official who offered us coffee and sandwiches and told us to lie down and have a rest, since we must be exhausted after the tiring day we had had; shortly afterwards, the same official told us that a doctor would have to examine my son since he was extremely overwrought; this examination lasted more than an hour and, when I expressed concern, the official reassured me by saying that the boy had fallen asleep.

The statement of Carlos Arnaldo Veloso R. resumes:

As described above by my father, I was taken to a room resembling a clinic where I was attended by a man of about 50 years of age, who appeared to be a doctor

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and wore a white gown, and by a young girl who was dressed normally; they made me lie on a couch and tried to hypnotize me; I pretended that the hypnosis had worked, the session was very long, and there is no need to go into details about it here except to say that, in order to see whether the hypnosis had worked, they held a lighted cigarette just above my hand, but I did not move; next, they held the cigarette just above my face, but I managed to remain still; I then saw that they were going to prick me in the heel with a pin but, since I was ready for it, I was able to pretend that I had felt nothing; after all these tests, they seemed to believe that I really was in a state of hypnosis, and they made me repeat the entire story of my kidnapping as I had been taught it and as I had repeated it in the presence of my father; I repeated it practically word for word, and I heard them say that the version they had taught me had in fact been engraved in my memory. I pretended to sleep through all this until I heard hands being clapped in front of my face, and then I pretended to wake up after a long sleep, telling them that I thought I had fallen asleep. After that, they made me get up and escorted me back to the room where my father was. There they left us alone with a guard who had fallen asleep; I made a noise to see if he would wake up and, when he didn't, I told my father briefly what had happened during the supposed hypnosis session; my father was indignant and objected to the fact that they had continued to question me after both of us had signed statements in which we had described everything that had happened; my father asked for a telephone in order to call my mother and, when she replied, he told her in my presence that we were in the hands of DINA and that, if we did not return the following morning, she should do all that had to be done; at that moment, the woman official who was present cut him off and snatched the telephone from him, telling him that he was endangering the safety of all the officials present and that she would have to inform headquarters; she left the room and a few moments later, an armed official came in and sat beside my father.

The statement of Carlos Veloso Figueroa resumes:

After that, they made me leave the room and speak by telephone with another person who said that I was guilty of a serious breach of trust and asked me what had happened; I told him he must understand that we were suffering from extreme nervous tension and all we wanted was to return home; he told me that he would call my wife again in order to reassure her, and he did so at once; shortly afterwards, our eyes were blindfolded, we were taken from the house, put into a vehicle and, accompanied by two armed officials, we were taken home; we arrived home at approximately 4.15 a.m. on the Monday, and the two officials who accompanied us remained in the house; from that moment we were subject to house arrest under the permanent supervision of two officials who were relieved every 24 hours; the officials explained that this measure was necessary for our own protection, and the house arrest lasted until 11 p.m. on Friday, 27 May; I was not allowed to contact anyone, either by telephone or personally, nor to tell what had happened, in order not to jeopardize the inquiries being carried out with a view to the identification and arrest of those guilty of kidnapping my son.

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The statement of Carlos Arnaldo Veloso R. resumes:

On Wednesday, 11 May, at approximately 6 p.m., my father and I were forced to leave home and were taken by car by officials of DINA to a place which we could not identify since, as on previous occasions, we were blindfolded. There, separating me from my father who remained in the car, they took me to a room where I saw Osvaldo Figueroa who was bound and blindfolded with adhesive tape; they asked me whether that was Figueroa and I replied in the affirmative; I was then taken to another room where they told me that Figueroa had confessed to having sexually assaulted a boy and that that boy had to be me; they took me back to the room where Figueroa was and said to him, "Here is the kid whom you assaulted, do you want to see him?"; when Figueroa replied in the negative, they violently pulled the blindfold from his eyes and forced him to look at me; on seeing me, Figueroa said, "That's not him", at which they repeatedly punched and kicked him in various parts of his body, telling him that I was the child whom he had assaulted. After the beating, Figueroa resignedly said, "All right, if you say so, it is him". I was then taken out to the courtyard and they told me that, since Figueroa had acknowledged that he had sexually assaulted a boy, I had to say that I was the boy whom Figueroa had assaulted and, in order to justify my not having said so in my previous statement, I had to say that I had been too embarrassed to do so; they added that in the report of the kidnapping, of which I had been already informed, I had to add that, during the kidnapping, after having been questioned and tortured at the football field, I had been taken to a room where I had been given an injection and Figueroa had assaulted me. I was then returned to the car where I joined my father.

The statement of Carlos Veloso Figueroa resumes:

While I remained in the car, separated from my son, an official told me that Figueroa had acknowledged that he had sexually assaulted my son and that my son had confirmed his statement. They asked me whether I wished to confront Figueroa, but suggested that it would be better if I did not because they understood that, as a father, I might react violently to him and go too far; I agreed to their suggestion and said that I did not wish to confront Figueroa, adding that I would prefer that he be held in custody pending judicial proceedings and that it would be better if my son did not know that I had been informed. Shortly afterwards, they brought my son to me; he had been crying and was suffering a nervous breakdown; they left us for a short while alone in the car, during which time I tried to calm my son, and then they took us back home. About Tuesday or Wednesday of the following week, I do not remember exactly, we were again taken from home, this time to the military hospital where my son had to undergo a medical examination to certify the sexual assault. We arrived at the military hospital - we were taken in the car right inside to a parking lot, where someone who was waiting in another car and who seemed to hold an important position since he was escorted by the military police made my son get out of the car in which we had come and took him into the hospital. I waited in the car for approximately 15 minutes, after which my son rejoined me and we returned home.

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The statement of Carlos Arnaldo Veloso R. resumes:

On being taken into the hospital, I was taken to a clinic where someone dressed in white took down information regarding my identity and domicile; he made me sit on a couch while he was writing, and then he washed his hands and told me that I could go; I was given no kind of examination; no one touched me or made me remove any of the clothing which I was wearing. I was then taken back to the car to join my father; all this lasted approximately 15 minutes. My father and I were then taken back home.

The statement of Carlos Veloso Figueroa resumes:

On Tuesday, 7 June, at approximately 9 p.m., one of the officials who had been involved in the previous episodes, and whom I had already identified as an official of DINA, arrived at my house and told me that all the records relating to the case had already been made available to the Military Court and that I should expect a summons, which I did indeed receive on Saturday, 11 June.

I learned the truth of all these events only on Thursday, 9 June, when my son suffered a serious nervous breakdown during which he told us the whole truth of what had taken place. Up to that time, I had been convinced that the statement he had made on Sunday, 8 May, in the presence of the DINA officials had been true or authentic. Now that my son has recovered from the breakdown which he suffered and is more relaxed, we have reflected on all these events and have felt that we both have a duty to make this statement in order to establish the truth and to prevent innocent persons from being unjustly accused and punished for acts which they did not commit.

We both make this statement freely and spontaneously, in Santiago, on 14 June 1977, in three copies, two of which we are depositing with Cardinal Don Raúl Silva Henríquez and the third we shall deposit with someone who, when he deems it appropriate, will transmit it to the President of the Supreme Court.

/Signatures illegible/

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ANNEX XVII

Report of an interview with Osvaldo Figueroa and Eduardo de la Fuente a/

/Original: Spanish/

Osvaldo Figueroa described his experience as follows (the narrative is supplemented by Eduardo de la Fuente where he was involved):

Osvaldo Figueroa: cutter and tailor, 55 years of age, married, has a daughter (18 years of age), lives in Villa Mexico.

On 9 May at 2.30 a.m. a "neighbour" asked for him on behalf of "Zapatero" and "El Gato" but his wife refused to open up at that time of night. At 7.30 a.m. several people burst into the apartment, locked the daughter in her room, stole several things from the apartment and took Osvaldo Figueroa, hooded, in a car, to a place about one hour's drive away, which could be the Villa Grimaldi. He was brought up to the second floor and confronted with a "doctor" who asked him if he had a heart condition. He replied that he had.

The interrogation concerning his movements on 2 May then began. He was struck on the face then taken down to the first floor, undressed and tied to a metal bed (parrilla). Something was introduced into his urethra and a metal plaque was placed on his head. He was then given electric shocks for three hours.

They tried to force him to say that he had only worked until midday on 2 May although he claimed to have worked until 7.30 p.m.

On 10 May, he overheard a conversation with Zuleta who was describing the kidnapping of the young boy Carlos Veloso.

His interrogation on the parrilla began again. Hoping to make things easier for himself, he agreed with the version of the kidnapping given by Zuleta but with a few variations (because he had not heard it clearly).

At the time his mouth was full of blood because he had cut his tongue badly (I saw the scar myself). The torture and interrogation started again, always on the same subject. El Gato, i.e. de la Fuente, was then tied to the parrilla at his side. He was tortured and began to tell the same story he had just heard from Osvaldo Figueroa. Osvaldo Figueroa was asked whether de la Fuente had epileptic attacks and he said he did in order to spare him further torture. De la Fuente was then knocked about, but was not given any more electric shocks.

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a/ From a report of a mission to Chile under the auspices of the World Council of Churches.

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Osvaldo Figueroa was then taken to another room where the torture and interrogation recommenced. The questions first related to the Cardjin Foundation and its staff; he said he knew nothing about them, which was true, and then the questions turned to his relationship with the Vicaria and the priests there. He did not reply to these. He was then told that proofs existed (text and photograph) of his relationship with the Cardinal, and also that there were arms hidden in the Vicaria. The interrogation lasted for four to five hours; all he did was to invent the names of two priests, one of whom he called Father Romo.

On 11 May, he was again put on the parrilla. The interrogation restarted and new details were introduced such as questions on the way in which he had burnt the boy's hand with cigarettes. Each time he denied this he was given an electric shock. The threat was then made that if he persisted in denying that he had violated the boy Carlos Veloso, his daughter would be brought there and undressed so that he could rape her.

They added that if he proved incapable of raping his daughter, it would be done in his presence. A woman who was taking part in the interrogation even said that she herself would open his daughter's legs.

He said that he then heard a woman's voice which he thought was that of his daughter crying out: "Father, please confess ...".

At that point he admitted that he knew Troncoso. He was taken to a room where Troncoso and de la Fuente were tied side by side on the parrilla and was asked if he recognized them. He noticed that Troncoso showed no signs of life and did not seem to be breathing.

He was taken back to the parrilla and told to reply to the following questions by yes or no:

Do you know Humberto Drouillas? No.

Were you one of the community leaders in Villa Mexico? No. He was shown photographs of people to identify but did not know them.

That same night he was taken back to the torture room, forced to recognize Drouillas, and made to insult and hit him. The interrogation continued into the night. He told us that he lost all sense of time.

The questions related to the names of people in Villa Mexico, their meeting-place and the identity of the organizers. He answered that it was difficult to know each of the 1,112 people in the community settlement. He was then told that he was going to be released and put into a car which was followed closely by taxi. The car slowed down and he was thrown from it while it was still moving. Two young men, who seemed to be anxious to assist him, got out of the taxi and helped him into it. They went past Calle Marathon, and he thought that they were genuinely trying to help him. He asked them to take him back to the house of a relative, but their answer was "Don't worry". His eyes were then covered and he was told to pretend to be reading the paper so as not to attract attention.

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He was taken to a house where he heard movements made by people carrying arms. He was interrogated once again and heard a familiar woman's voice and the voice of the man who was referred to as "the boss".

He was then led into another room where he heard the voices of people claiming to recognize him: "He's the torturer; he's responsible for the kidnapping". He heard a young boy say "yes" to a question identifying him. He was told to show his hand to the boy (two of his fingers are joined together), who recognized it. He was then shown the boy, whom he did not recognize, and told he was Veloso's son. He denied having done anything to him, and tried to distract attention by recounting something that had happened to him in his own childhood.

The boy's father was then ordered to hit him. A revolver was placed against his temple, one of his fingers was put on the trigger and the people around him pretended that they were going to press his finger. Someone then told them to stop that game because he was more interesting alive than dead. He was again given electric shocks to make him confess that he had organized everything. The electric shocks became more severe and were applied to his testicles. The same questions were repeated and his replies written down and recorded. He was finally compelled to sign a statement.

He was then put in a more comfortable room, the blindfold was taken from his eyes and he was again asked to identify Zuleta and Drouillas. He had to stay there until dawn, listening to the description of the abduction and rape again, and was told not to interrupt unless a mistake was made. As he tried to deny certain things once again, strong electric shocks were given to his left foot, on which I have seen large burns that are still clearly visible.

In the end, he signed the new statement. That same night he was questioned by a woman in another room about Troncoso. All he knew was that Troncoso used to live in Villa Mexico but had moved away. She threatened to push a stick into his rectum and again asked him questions about the Cardjin Foundation, the Vicaria, the priests and the Cardinal. He said that he was barely able to recognize a photograph of the Cardinal.

By then it was dawn on 13 May. He was hungry and asked for something to eat. He was given two plates of food, but his hands were left tied and his eyes covered. He was ordered to eat "like a dog" but was unable to do so. Someone came in and from under the covering on his eyes he saw a boot and the bottom of olive green military trousers. The soldier took the tray and threw the food away. When the "boss" came in, he asked if Figueroa had eaten the food and was told that he had. The woman again interrogated him about Troncoso, threatened to give him electric shocks on his testicles and tied his hands together with the fingers crossed.

He was taken away in a van with three or four other people. For the first time a "human" voice spoke to him, saying "You are being taken to a better place where you won't be treated like a dog". He did not know at the time that the place in question was Cuatro Alamos, where he was taken to a doctor who found him "in good condition". He was put into a cell and kept there in isolation until 16 May.

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On 16 May someone came to interrogate him about the events of 2 May. He claimed to have nothing to do with them. That same evening a man came who said that he was from the Supreme Court and pretended to tell him everything that had happened.

The following day the same man came again. His expression had changed, and he said he was giving Osvaldo Figueroa a last chance to obtain his freedom. Figueroa refused to reply.

That same day the four accused persons were confronted:

Zuleta was asked who had been involved in the affair. He replied that it had been Figueroa, Drouillas, de la Fuente and Troncoso.

The same questions were put to Drouillas who said he knew nothing.

De la Fuente had acknowledged that he had been involved in the abduction but, when asked where they had taken the child, he said he knew nothing about it.

Zuleta said that the child had been seized at the exit from the Cardjin Foundation.

Drouillas said he knew nothing at all.

De la Fuente confirmed what he had said the previous day, namely that Zuleta and Troncoso had raped the child.

A new question was then put: "Where did this take place?"

Figueroa knew nothing.

Zuleta said that it had happened in the house of a friend of Troncoso.

Drouillas said he knew nothing.

De la Fuente said "In a community settlement".

On 29 May, they were put into a room with television to play cards, and photographs were taken of them.

They were subsequently visited by the judge in charge of the investigation (Ministro en Visita) who told them that they were in Cuatro Alamos. Osvaldo Figueroa was questioned in the presence of a doctor and secretary.

To the question "Do we have the right to see a lawyer?", they were told that it would be difficult because they came within the jurisdiction of the military courts.

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Three days later Osvaldo Figueroa was visited by a woman representing the Military Justice who wanted a new statement. He was taken to the public gaol, where he was interrogated for three days. He asked for witnesses to be called such as his employer.

On 21 June he was allowed to receive outside visitors (libre platica).

On 23 June, he was confronted with the young boy Carlos Veloso who confirmed that he never had been abducted or raped.

Osvaldo Figueroa was also summoned to appear with de la Fuente about a question of anti-Government pamphlets (de la Fuente had distributed some, five months earlier).

On 23 June, at 9.30 p.m. he was allowed out on parole and left the prison after signing a document stating that he had never been tortured and that he was in good health.

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ANNEX XVIII

"Bello Doren breaks his silence"

Article appearing in Solidaridad No. 23

/Original: Spanish/

Gives details in a sworn statement concerning his abduction.

Serious threats made against him and his family if he told the story.

On 5 July Guillermo Bello Doren travelled to Sweden, after a disappearing act which shocked the public. On his return home a fortnight later, on 18 May last, he refused to give any details of what had happened to him during those two weeks. The General Council of the Bar Association which had been asked to take action for enforcement of rights (amparo) on his behalf, described his disappearance as "to all appearances voluntary" and as "a publicity stunt for consumption at home and abroad".

Finally, after a long silence, Guillermo Bello Doren decided to tell the true story. On 7 July last, he lodged with the second Superior Criminal Court a sworn statement in which he gives the details of his abduction.

His detention:

"On 3 May I left the Court (second Superior Criminal Court) around eight o'clock in the evening. While I was going in the direction of my office, I noticed some people who seemed to be shadowing me, so that I changed my direction, walking rapidly towards the Alameda and Calle San Martin intersection. When I reached the corner, I was confronted by a man of about 32 years of age, who in a peremptory tone asked me to show my identity card. Somewhat perplexed and concerned, I handed it to him and heard him say: 'This is the man, take him away.' There were four individuals behind me, one of whom took my arms and crossing my hands behind my back handcuffed me, warning me that if I made any attempt to raise the alarm I would be sorry for it, and that I should listen carefully to what he said; meanwhile they smuggled me into a car which was parked a few yards away. They made me kneel down on the floor of the car and put a bandage over my eyes and pulled it tight. They made several turns through different streets and I lost my sense of direction. I was driven for about thirty minutes to some destination I could not identify. The car stopped in front of an iron gate, the horn was sounded and the car entered a cobbled enclosure. I was removed from the vehicle and taken into a very brightly lit room, where I was asked my name and questioned as to my political affiliations, and alleged political activities. When I denied having any political affiliations I was punched brutally in the stomach, and a metal object was pushed into my mouth and I received a fairly strong charge of electric current".

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Bello Doren told his abductors that he had recently had an operation, and they decided to question him the following day.

"I was put in a cell approximately 1.70 m high, 60 cm wide and 1.20 m long. They dumped me on the floor, shackled my legs as well as my arms, closed the wooden door and locked it."

While he was in the cell, Bello Doren says he heard other detainees being interrogated and heard their screams as they were tortured. And he goes on:

"After these people had been interrogated, I was taken to a room with very bright lights. It was now my turn. They warned me that I had better collaborate and that if I refused they had ways of making me do so. They told me that they had all the time in the world on their side, since I could be detained there for a week, a month or a year, or indeed I might never be seen again. I asked what they meant by collaboration and they said they would explain in good time. To my surprise they took me back to my tiny cell, without torturing me."

"The following day, Thursday, 5 May, beginning early in the morning, two people talked with me. They told me that they had absolutely nothing against me, that I would soon be released, but only after a thorough personal check on me, which would take a few days. Meanwhile, they had to be sure that I would keep quiet once I was free, so that my collaboration was essential, in the form of an admission that I was a militant member of the Socialist Party, and a written statement about my alleged political activities. None of it, they assured me, would be used against me; it only constituted a guarantee they had to have that I would keep quiet. If I talked after I was released they would use the statement. As I had no alternative and was desperate at the thought of being deprived of my freedom indefinitely, with the distressing effect it would have on my family, I accepted the conditions laid down".

Attorney Bello Doren was then "briefed" for an interrogation, which he assumes was recorded.

"Later on, they asked me to make a written statement along the lines of the statement I had made in the rehearsed interrogation, handing me a typewritten outline and for the first time removing the blindfold".

"In the memorandum there was a question as to which left-wing priests I knew, what their names were and what they were now doing or working on."

The place of detention.

Despite the fact that he had remained blindfolded the whole time he was detained, Guillermo Bello was able to pinpoint some of the features of the place where he was held: "It is a dwelling, perhaps on the ground floor of an apartment building, some 25 or 30 minutes by car from the centre of the city. Judging from the route taken by the car in which I was driven to the intersection of the Alameda

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and Calle Amunátegui, where I was released, I calculate that it may well have been in the commune of Maipu or in some other place close to a motorway or a wide road without traffic lights, since the car travelled for a long time along a straight road, almost without stopping, until I was left in the place indicated".

When he was informed that he would be released, Guillermo Bello Doren was allowed to take a bath and wash his hair for the first time in a fortnight. "They removed the blindfold from my eyes and I was able to look out through a window in the bathroom: at the side of the outbuilding where I was there was a concrete four-storey building, typical of a poor urban-fringe community. During the day I heard the sound of children playing on a second floor or in a corridor adjoining the one where I was, from which I assume that the place where I was kept was camouflaged by a family-type exterior which made it pass unnoticed in the neighbourhood."

Threats:

"Before leaving that nightmarish place", the statement continues, "I was warned to say nothing about what had happened, under the threat that I would be sought out and killed if I did so, and that they could carry out the threat any time they wished, even years later. They extended the threat to my family also. I was told that I would have to collaborate with them by obtaining information in the professional circles in which I moved and that they would call me about it by telephone at my office, using the name of Fernando. I was instructed to give a plausible explanation of my disappearance to my family ... If the press and other persons and commissions inquiring into human rights were to question me I should deny that I had even been detained".

Why tell the truth?

The case had been widely publicized and distorted by some of the mass media. The newspaper La Segunda, for instance, interpreted the disappearance of Bello Doren as follows: "A new trick by the banned Communist party has been discovered and thwarted. To give a fill-up to the campaign against Chile and with an eye to the next meeting of OAS, some weeks ago it ordered one of its militant members, Guillermo Hernan Bello Doren, to go into hiding so as to give the impression, both at home and abroad, that he was yet another 'missing person'. (13 June 1977)."

In his sworn statement, Guillermo Bello Doren explains that his silence was due to the grave threats made against him, but that it had become impossible for him to live with self-respect. "The time has come to tell the truth", he asserts, "and to denounce the cowardly attitude of those who use their power and their anonymous status to act in bad faith against people, in disregard of their fundamental rights."

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ANNEX XIX

Reports of recent arrests and detentions in Chile

/Original: Spanish/

A. Américo Alfonso QUINONES ZULETA a/

On 27 April, Matilde Antonia Radaij Diaz requested action for enforcement of rights (amparo) by the Valparaiso Court of Appeal on behalf of her husband Américo Alfonso Quinones Zuleta, who was taken away on 21 April at 7 a.m., together with his son Francisco Quinones Radij. The application states that on 19 April five persons came to the applicant's domicile in a white car; they had a conversation with her husband and carried out a thorough search of the house without producing a search warrant. They then asked Zuleta for information in his possession and for the names of other persons. They punched him on the neck and in the stomach and released him an hour and a half later, telling him to be at the bus stop, No. 12 Camino Troncal, on 20 April. At 8 p.m. on that day, four persons arrived at his home and said that they were expecting him. He demanded their identification and warned them that he had sought protection.

On 21 April he was arrested, with one of his sons, who tried to prevent his father from being taken away. Another of his sons got in touch with the police, who stopped the car in which they were being taken away, but when the occupants produced their identification, let them go on. On the same day, one of Quinones' captors, accompanied by a van-load of police, brought his wife the detention order. Father and son were in Valparaiso Prison.

B. Juan Eduardo BERRIOS MORALES b/

Juan Eduardo Berrios Morales, National Director of the Chilean Confederation of White Collar Workers, entered an application for amparo on behalf of himself, his wife, daughters, father, mother and brother. An application for amparo was also entered on behalf of the same persons by the vicar of Solidaridad, the Rev. Cristián Precht. The application states that Berrios was arrested by persons (in plain clothes) at the intersection of Calle Portugal and Diez de Julio at 10 a.m. and released at midnight, after having been subjected to physical ill-treatment and interrogated about people connected with trade unions and former political organizations, about the Bishop's declaration, acts planned for Labour Day, and about the Solidaridad vicariate and persons working there. He was released on condition that he presented himself before his captors in the next few days to provide answers to specific questions given to him in writing. If the information was not provided, reprisals would be taken against his wife, his eleven and nine-year old sons, or other near relatives.

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a/ Solidaridad, No. 18, p. 6.

b/ Solidaridad, No. 18, p. 16.

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C. Victor Condori Valencia and Violeta Salazar Salazar

1. Information concerning an application for a writ of amparo (Habeas corpus). c/

Palmira del Carmen Ojeda Rivas, identity card Santiago No. 3.019.840-9, submitted an application for amparo, Roll No. 200-77, on behalf of Victor Condori Valencia, stating that four persons in civilian clothes identifying themselves as investigators arrested him at his home on 1 May. Both "were released on 3 May of this year. On the following day, 4 May, however, both were arrested at their home and released on the highway."

Two nephews of Condori were also detained for a day, according to the writ.

Palmira del Carmen Ojeda Rivas also entered an application for amparo, Roll No. 256-77, on her own behalf, in which she stated that three persons in civilian clothes had detained her for several hours and interrogated her concerning Victor Condori's whereabouts.

2. Information from statements received by the Group

(a) Victor Regino Condori Valencia was arrested on Sunday, 1 May 1977, at 5 p.m. while at the house of his friend Mrs. Palmira Ojeda, Calle 4699, Población Santiago.

Four civilians, armed with handguns, entered the house, pointed their guns at him and made him face the wall with a gun at his head. They did not produce any identification, or any search or arrest warrant. He was taken handcuffed to a car, adhesive tape was put over his eyes, and during the trip they punched him on the head and about the ears.

He was taken to an unknown place, which from previous information he thinks was in the Quinta Normal.

On arrival he was put into a kind of wooden cage, his arms and feet touching the sides. After he had been there for a short time he was removed and taken to another room where an interrogation began on his alleged party activities and on the whereabouts and names of persons.

During the interrogation he was punched about the face, head, abdomen and ears. He was interrogated in this way twice with an interval of several hours in between.

He remained in that place for three days, all the time handcuffed and blindfolded, without being able to speak to anyone, although from the noises, screaming and sobbing he was aware that there were other detainees. Overhead he could hear the sounds made by people living on the next floor.

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c/ Solidaridad, No. 19, p. 19.

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On the next day (Monday) they let him out very early in the morning, blindfolded, and took him home. They had duplicates of his keys; they made him go in and searched the house thoroughly. His wife, Violeta Salazar, was alone and asleep. The captors told him they would come back and have a talk with her.

They returned to the place of detention, and this time there were no more interrogations. On Tuesday, around 10 p.m. they let him out again and without any explanation told him that he was free. When he was put in a car he found his wife there too; they had arrested her on the Monday and she had been on the same premises since then.

They were turned out of the car a long way from home. They spent the night at the house of their nephews Pedro Rojas Condori and Agustin Manterola, who were arrested on 8 May and released on 9 May, after being interrogated on the whereabouts of the couple.

They reached home around 9.50 a.m. on Wednesday, 4 May, and were changing their clothes when the four people who came the first time entered and arrested them, taking them to the same place of detention.

Here they were sat down side by side, but they did not speak to each other because they felt that they were being watched.

He was taken to a room where they interrogated him on the same topics as the first time, punching him on the body; finally they applied electricity to his temples, arms and legs; he still has burns and weals from the shackles on his legs.

During the second detention he was kept at the place from 10 a.m. until 6 p.m. On being released together with his wife he was threatened that if he talked he would be arrested again and this time he would not come back.

During the two periods of detention he was unable to speak to or see anyone although from the sound he could tell that there were other detainees there.

From the place where he was taken and from the way his captors spoke, he believes that they were Air Force personnel.

(b) Violeta Salazar Salazar was arrested on 2 May 1977 at her home by five armed men in civilian clothes who had taken away her husband Victor Condori on the previous day.

The captors produced no search warrant but proceeded to make a thorough search of the apartment, taking away letters and personal documents. She was told not to move and that they would come back and talk to her. They left, taking Mr. Condori. She went out into the street and saw that one of the captors was watching the building; she ran and managed to jump on a bus, but it had only gone a few yards when a car following it cut in front, and a person boarded the bus, made her get off and put her into the car.

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She was blindfolded, and taken to an unknown destination. They bound her hand and foot, sat her down and interrogated her concerning names of persons and their alleged political activities.

As she denied knowing them, they applied electricity to her handcuffs and to the base of her skull. They then told her that her son Nicolas and her daughter-in-law had been arrested. Screams of tortured persons could be heard and she thought it was her son. She begged her captors to let him go. She went into hysterics and they gave her a tranquillizer.

She was interrogated several times during the day; she had some idea of the time because of a radio which was going full blast. She could tell from noises and screaming that there were other detainees.

She was released on the Tuesday night and saw her husband. They spent the night in the house of their nephews Pedro Rojas Condori and Agustin Manterola who were detained on 8 May for several hours.

She reached home accompanied by her husband on Wednesday, 4 May, and was again arrested by the same group of captors. They were both taken to the same place.

She was again interrogated, without ill-treatment.

Around 6 p.m. she was told that she would be released but warned not to report the arrest or they would beat her up.

Following her arrest, persons identifying themselves as DINA agents went to the house of her son Nicolas and asked him to withdraw the writ of amparo since his parents had been released; they also said that they had not been responsible for the arrest and that all they now wanted to do was to help them and protect them.

D. Aldo Edgardo Alcota Delgado d/

Aldo Edgardo Alcota Delgado was arrested on 1 May 1977 by four civilians who identified themselves as "Investigation officers", and put him into a black car, in fact like those used by that service. It was about 12.30 p.m. He was in Calle Carlos Prieto between the 19 and 20 bus-stops, Gran Avenida, Santiago.

Slumped down in the car, he was covered with a poncho and handcuffed. After a journey of between 20 and 25 minutes they reached a house, where they interrogated him on his political activities. They gave him the names of persons, etc. To begin with they beat him up.

He was made to sign a document, with the number of his identity card and personal information, in which he pledged himself to work for the Office of

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d/ Information from a statement received by the Group. The Group has been informed that this case was brought to the attention of the Chilean Courts in an application for a writ of amparo (Solidaridad, No. 19, p. 19).

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National Intelligence (DINA). He also signed a document confessing that he was a drug pedlar and a homosexual. All this took place as follows: after an interrogation lasting about half an hour, they put him in an adjoining room where they left him alone, with his arms tied to a beam. An hour later they changed the handcuffs which were attached to the beam and put them on his feet, still attached to the beam. With his hands now free he was able for a moment to lift the blindfold covering his eyes and to see what kind of room he was in. It was a basement room of 10 x 4 metres, completely white, with no pictures on the walls, a tiny metal grating to let in the light, half a dozen beams holding up the roof, and a cement floor. The only noise which reached the room was the sound of footsteps on the floor above. He remained there until it began to grow dark. Then two men arrived; this time they took the shackles off his feet and put them on his hands, tightened the blindfold and took him to the floor above. There they took him into a room, and sat him down at a desk, and one of the persons in front of him - apparently the chief of the unit - chatted very amiably with him, and made him a number of proposals. At the beginning of the conversation with this person he was told that "in the USSR the KGB" liquidates prisoners immediately, but we would like to give you a chance. This consists in not liquidating you or making you disappear - subject to two conditions "which will ensure that you are not going to let us down". At this point he said they were greatly interested in his collaborating with them, basically by passing on information he could obtain at the university. The conditions are those already described.

The documents were a series of sheets of grey official paper, with the heading "Republic of Chile", and the words: I ... undertake to ..., etc., in other words they were papers previously prepared with blank spaces.

Once these documents had been signed he was taken to another part of the same premises. The room was in complete darkness; they took off his blindfold, he was no longer handcuffed, and in the darkness they took three flashlight photographs of him, two in profile and one front view.

Then a voice he recognized as that of the person who seemed to be the chief and had induced him to accept the offer told him to undress. In the darkness he had the impression all the time that there were other persons in the room, and he was able to confirm this when the camera flash went off. Once undressed, they led him towards a bed in the room, and he realized that there was another naked man. They made him stand up against this man, with him looking at the camera and the other one with his back to it.

Once this operation was finished, they made him get dressed, blindfolded him again and took him out to the street. They put him in a car with five persons in it. He could hear that they were also putting a bicycle into the boot. They set off; he was slumped down on the back seat. They then took off the blindfold but made him keep his head down. The vehicle stopped on two occasions, since apparently the bicycle had become loose in the boot. During the journey, one of the men reminded him that he was to keep a rendezvous the following Friday, 6 May 1977, at the No. 9 bus stop, Gran Avenida, at 7 p.m. He was to come wearing jeans and a grey sweater, with a book in his hand. A person - a man or a woman - would come up to him and say "follow me" and he must do so in order to receive the appropriate

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instructions. He did not keep this rendezvous. He adds another detail, that when they arrested him and were taking him to the interrogation centre, he noticed that on the floor of the vehicle there were various submachine guns. He was also able to hear his captors talking by radio in code. On the way back they left him in Calle Freire, No. 19 bus-stop in the Gran Avenida, at 9.30 p.m.

On the strength of these various particulars he applied for amparo to the Court of Appeal of Santiago, and a charge was made to the competent Criminal Court for kidnapping, etc.

On 26 May 1977, his mother was "visited" by agents of the Office of National Intelligence (DINA), who said they would like to speak to Aldo Alcota, in order to give him "protection" against alleged criminals, whom they would also like to arrest, since all their activities were being blamed on DINA. The agents said they would return on 19 May 1977, but on 17 May two officials from the Office of National Intelligence again went to the house, repeating their previous offer and saying they wanted to talk to her son. That day the priest Fernando Vives, a family friend, happened to come by the home of Aldo Alcota's mother.

On 19 May 1977, DINA agents again came to hear the reply to the offer made to the family. This time the interview took place in the presence of the priest Fernando Vives and a friend of the family. The family told them that they accepted the offer by DINA but it must be made before the competent criminal judge, who was empowered to investigate and solve cases, and to impose penalties; so that all the proofs which DINA said they possessed (they had a briefcase in which they allegedly had photographs of possible offenders), must be handed over to the competent judge. A DINA official identified himself, calling himself Valenzuela Cluz. Of their own accord, the family then gave them a copy of the charge which had been presented, sponsored by a lawyer. They seemed somewhat put out, but were still friendly. Finally they tried to induce the family to sign a document stating they waived the protection offered by the Office of National Intelligence. On Thursday, 27 May 1977, an official identifying himself as Francisco Valenzueca Cruz arrived alone, and insisted on seeing her son, again saying that he wanted to talk to him, and show him photographs so that he could identify the persons concerned. He said that he brought good news, namely that they had identified the people who had perpetrated the assault on her son. He insisted that the family collaborate, in spite of the document they had signed. This conversation was brief, lasting only 10 minutes. He told her to take care of herself because the people who had committed the outrage against her son might well take reprisals on her. He said this in a threatening tone. This time, unlike previous visits he did not say he was coming back.

E. Raul Moises Ciaz Mora

Ernestina Navarro Camilo, identity card No. Santiago 2.893-186-7, entered an application for amparo, No. 249-77, on behalf of her husband Raul Moises Diaz Mora, stating that he had been arrested by three young men in civilian clothes "driving a beige 'Chevy' car, with 1977 number-plates KTM-69". Neighbours witnessed the incident. e/

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e/ Solidaridad, No. 19, p. 19.

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ANNEX XX

Sworn declaration by a former detainee a/

/Original: Spanish/

I was arrested on 12 September 1973 by the political police in Concepcion, later transferred to the Isle of Quiriquina, and from there sent to Fort Borgoño where I was interrogated under harsh torture for 25 days. After two months in the Concepcion Regional Stadium and nine months in Chacabuco concentration camp in the North, I was conditionally released without ever being brought to trial, and consequently without there being any concrete charge or sentence brought against me. My conditional release took effect on ... September 1974.

From this date onwards the political police did not leave me in peace, and my conditional release turned into a constant persecution of myself and my family, not only in my private life but also in my work and in the area where I lived. More concretely:

1. With great difficulty I succeeded in finding work in a ... establishment in December 1975. Members of the DINA paid repeated visits to my place of work in order to force my ex-employer to fire me. The DINA insisted that I was a bad element and did not deserve to have employment. This situation being an open violation of the right to work, I visited the Concepcion office of the Work Inspectorate in March 1976, with the intention of registering a complaint and having my rights recognized. The office not only refused to receive my complaint but also warned me to keep quiet, threatening me that any further action on my part might make my situation worse.

Fortunately my employer, who was also subjected to pressures from the DINA, refused to comply with their underhand manoeuvres, thanks to which I was able to retain my job.

2. On my release from the Chacabuco prison camp I was continually subjected to arbitrary detention, both at home and in the street, by the police (carabineros) and by persons in civilian dress, who escorted me to a police station (Quinta Comisaria de Carabineros) in Concepcion for interrogation by members of the DINA. During interrogation I would be questioned about my alleged political or trade union activities, my participation in meetings, whether I were distributing propaganda against the Military Junta, whether I possessed arms, etc., without the police having any concrete evidence or real accusation to bring against me. During interrogation I would be maltreated, beaten on the hands and feet, insulted and have my future liberty, my physical integrity and my family threatened.

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a/ Because of the reported threats to the declarant's family, certain members of which continue to reside in Chile, the declarant's name and identifying details have been eliminated.

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Such periods of detention would last for several hours, a whole day, a night or several days. No record was ever entered into the detention entry book.

The most alarming action against me took place on ... May 1977 when a group of "carabineros" armed with machine-guns arrived in force at my home during the night, forced me to get out of bed, maltreated me physically and insulted me, all in the presence of my wife and ... children. They then took me to the police station mentioned above, where the maltreatment, insults and threats were resumed and where they interrogated me to find out whether I knew the organizers of worker group activities which had taken place on the 1st May, International Labour Day.

3. The DINA prohibited social organisms, such as mothers' centres, neighbourhood groups, youth centres, from accepting us as members or taking part in their activities. I was also subjected to detention as a result of suspicions that we might be violating this prohibition, to the extent that I was accused of using a sports club located in the same place as I was living as a cover to hold meetings.

4. In addition, should some completely fortuitous situation arise, such as a breakdown in the supply of drinking water, it would serve as sufficient pretext for me to be arrested, interrogated and accused of being the person responsible.

All this, and principally the fact that many of those having been given conditional release - as was my case - had been arrested or arrested and reported missing - as was the case of Abrahan Rivas, leader of the Concepcion Union of Neighbourhood Groups, and that of Jaime Perez, former leader of the National Federation of Health Workers - indicated that the DINA's threats that I was to be eliminated might very well be carried out, bringing about a tragic psychological climate and a feeling of real terror within myself and my family. Whenever I was late in returning home, for any reason at all, it would be sufficient reason for my wife and children to become anxious and panic-stricken and suffer intolerable crises of tension and outbreaks of nerves. The terror, persecution and unjustified threats to my person led me to seek the means to escape from the situation, leave the country and request political asylum in ... .

(Signed)

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ANNEX XXI

Statement made by Carabineros Captain Clemente N. Burgos

/Original: Spanish/

"In Santiago, on 20 April 1977, CLEMENTE NICOLAS BURGOS VALENZUELA, born at San Javier de Loncomilla, 36 years of age, married, carabineros captain, living at 1491 San Francisco in this city, appears in court and, having taken the oath, declares:

In reply to your questions, I have to say that it was indeed fitting for me to be present during the proceedings in connexion with the case of CARLOS HUMBERTO CONTRERAS MALUJE. In the month of November, I do not remember which date, I was travelling in a jeep towards Police Station No. 12, San Miguel; on reaching Copiapó, I noticed that a traffic accident had occurred. I stopped and saw that there was a bus, and on the ground, at approximately five or six metres from the bus, an individual was lying on his back; according to the people who had collected there, he had hurled himself at the bus, which had knocked him down. His head was bleeding badly.

Because of the crowd, I left the jeep about 40 metres away from the scene of the accident and when I approached to look at it I heard him say, perfectly clearly, that "he was a communist ex-Councillor of Concepción" and that his family Maluje, who had a chemist's shop in Concepción, should be informed. After this, I went towards the jeep in order to call the ambulance and inform the radio exchange about what was going on, since the sector was not in my area. At the very moment when I was reporting to my superiors, a Fiat 125 arrived - I do not for the moment remember its registration number - from which four men in plain clothes got out; they showed me a DINA pass and at the same time told me that they were DINA officials and that they were in pursuit of this individual, i.e. Contreras Maluje. Moreover, when I went close to the injured Contreras, he was shouting that he was getting away from DINA personnel.

It is a general rule of procedure in the service that when Intelligence Service staff take up a case, we withdraw. Nevertheless, in the course of routine police procedure, I reported the occurrence to the Sixth Commissariat of Carabineros, the unit responsible for the sector and I gave a full account of the incident. Here, I remember, I supplied the exact registration number of the Fiat 125 a/ ..."

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a/ The Group has received a copy of the accident report made by Captain Burgos shortly after the accident in which he stated the automobile had licence plates EG 388.

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ANNEX XXII

Statement made by Selenisa Caro Rios de Díaz, wife of Víctor Díaz

SWORN STATEMENT

/Original: Spanish/

The following sworn statement was made in Santiago de Chile on 22 October 1976, before the authorizing Notary Public by SELENISA CARO RIOS DE DÍAZ, housewife residing at Miguel Campos 3004, Town of San Joaquín, San Miguel, identity card No. 2,181,128-9 of the Santiago Office:

FIRST: On 14 May of this year, I was informed by a person of the female sex, whom I do not know and whom I cannot identify, that my husband VÍCTOR MANUEL DÍAZ LOPEZ, identity card No. 1,001,421 of Santiago, had been arrested by agents of the Directorate of National Intelligence. This news, although unconfirmed, caused this deponent more sorrow than surprise, since it only appeared to be the culmination of the search for him by the Security Services, which had begun on the very day /the junta took power/, 11 September 1973, on which date my husband was holding the public office of General Under-Secretary of the Communist Party, for which reason he was obliged to leave his home from that time on, thus losing contact with his loved ones.

From the day of the military pronunciamento, agents of the Security Services came to our home on no less than five occasions for the purpose of arresting my husband. The first of these visits was made by investigating officers on 5 October 1973, on which occasion I was handed a notice which I still have in my possession and a photocopy of which I attached to my application for a writ of habeus corpus (recurso de amparo) on behalf of my husband, dated 19 August of this year, before the Santiago Court of Appeals. The last two visits referred to were made by agents from the Directorate of National Intelligence (DINA).

SECOND: In the month of June this year, it was possible to ascertain precisely the circumstances of the arrest of Víctor Díaz López, which are briefly as follows: on the morning of 12 May 1976, the curfew still being in force, a large-scale operation was carried out by security agents in Bello Horizonte Street in the town of Las Condes, Colón Oriente/Hernando de Magallanes district. Anonymous informants, who were witnesses of the facts I am describing and who are unwilling to reveal their identity because they claim that their personal safety might be jeopardized were they to do so, have confirmed that, after searching several houses in the above-mentioned district, the DINA agents came upon my husband, who was immediately arrested and transferred to some unknown place, which it has since proved impossible to identify. The exact address at which the arrest of Víctor Díaz took place is 979 Bello Horizonte Street.

THIRD: It was subsequently ascertained that there was an eye-witness of my

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husband's arrest, namely Mr. JORGE CANTO, an engineer at the State Technical University, who was the owner of the house at 979 Bello Horizonte. Mr. Canto was at home on the morning of 12 May this year and witnessed the arrest; he is now living abroad.

FOURTH: A letter from Prague dated 29 July 1976, addressed to this citizen, by the Secretary of the World Federation of Trade Unions, Mr. José Vigó, states the following: The fact that the Chilean Under-Secretary of Justice has said, in a telephone conversation with the Mayor of Bologna, that Víctor Díaz and his friends are in a detention centre in Chile ... This only repeated what was said in a cable from the AFP agency, sent from Rome on 22 July of this year and published by the newspaper El Mercurio of this capital on the following day: "For the first time ... a member of the Chilean Military Governmental Junta has acknowledged by implication the detention of four former members of the Central Committee of the Communist Party, who up to now had been officially listed as missing". "These leaders, Víctor Díaz, José Weibel, Mario Zamorano and Jorge Muñoz, had been regarded by the Chilean authorities as 'missing'." "The person who spoke with the Mayor of Bologna was the military attaché of the Chilean Under-Secretary of Justice, Mario Duvachelle. That official, Captain Amstrong, who was apparently acquainted with the circumstances, answered instead of Duvachelle ...".

FIFTH: On 14 May of this year I applied for a writ of habeas corpus (recurso de amparo) to the Santiago Court of Appeals (file No. 405-76), on the basis of the preliminary information obtained by me, his wife. This application was rejected by the Court, because the official authorities, especially the Ministry of Internal Affairs, stated that they did not know anything about my husband's detention. Subsequently, on the basis of the quantity and quality of the new and very important facts I had obtained, I again applied for a writ of habeas corpus to the same Court, on the nineteenth of August last. Unfortunately, that new application was also refused, merely on the strength of a statement by the Government authorities - who again claimed to know nothing about the arrest - and without the Court having taken any of the steps requested by the appellant concerning the facts in question. At the present time, a complaint concerning the kidnapping of Víctor Díaz is being brought before the Sixth Superior Criminal Court of Santiago.

SIXTH: I have recently been informed by various unidentified persons who had been imprisoned and subsequently released that they had seen my husband in the DINA detention centre called the Villa Grimaldi, located in Peñalolén. Regrettably, those persons have been unable to reveal their identity for reasons of personal safety.

SEVENTH: At approximately 11.30 a.m. on 6 October 1976, two officials of the Directorate of National Intelligence appeared at my home, but did not identify themselves. When I opened the door, they handed me an envelope, requesting that I open it and read the letter which it contained; they informed me that when I had read the letter, they would like to talk to me. I took the envelope, on which I recognized the handwriting of my husband, Víctor Díaz López. I closed the door and opened the envelope, in which I found a letter addressed to me from Víctor, which read as follows: "6 October 1976. Dear Sele (that is the nickname by which he

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always called me), Your husband is writing these lines of greeting to you and to our daughters and son; I want to know how you are, I mean about your health, I myself am all right. I ask you to answer me through the bearer. I also wish to ask you not to go on with any steps which you may be taking on my behalf. Moreover, I want you to confirm whether you still have the same telephone number 511472. If not, I ask you to give a number, day and hour when I can call you. Your loving husband and father. For you, dear Selita, for Toyi, Viviena and Totín, many kisses from (signature: Díaz L.)."

After reading the letter and recognizing what was, for me, the unmistakable handwriting of my husband, which I then compared with other earlier specimens, I admitted the DINA agents to my house and they told me the following: that my husband was, in fact, being detained in Santiago; that they could not tell me his place of detention "owing to circumstances beyond their control"; that he was in good health and well taken care of; that I should pay attention to what my husband told me, in other words, that I should cease submitting applications of any kind, even to the courts, because I would not get anywhere and it would be better for my personal safety and for that of my husband; that Radio Moscow was making a lot of trouble about Víctor Díaz and that that had to be put a stop to. Subsequently, they told me that I would shortly receive a number of telephone calls from my husband and that I would be able to see him later on and that they might even bring him home. Finally, before leaving, they made me write out a receipt for his letter on a paper addressed to my husband.

EIGHTH: On the following day, 7 October, at approximately 6.00 p.m., the telephone in my home rang and was answered by my daughter Victoria, since nobody else was at home. Right away, she heared the voice of a man who said: "Hold on, there is a call for you", and immediately afterwards she heard what was for her the unmistakable voice of her father. The conversation was as follows: "(Víctor): "Is your Mama there?" (Victoria): "Oh! Papa ... she's out dealing with the application." (Víctor): "But how is that, since I told her not to go on with it ... The letter should not be shown to anybody. It is only for you." Then he asked about the health of his family, whether his daughters had married, whether they were working and said that he would telephone again some day after 6.00 p.m. And he ended by saying: "Tell your mother that she should understand why she ought not to go on with it."

NINTH: At 11.00 a.m. on 19 October of this year, a DINA agent appeared at my home asking for "Mrs. Díaz with a message from Mr. Díaz". He was met by my daughter, Victoria, who was the only person at home. My daughter refused his request to hand over a parcel of clothing for my husband since she did not have my authorization to do so. The agent went away, saying that he would get into trouble for not having done what he was supposed to.

TENTH: At approximately 8.50 p.m. on 20 October, the telephone in my house rang and was answered by my daughter Viviana, who immediately recognized the voice of her father and handed the receiver to me. The conversation between Víctor Díaz and myself, his wife, was as follows: (Víctor): "Sele, how are you all?" (Myself): "I am not going to answer this call; I do not want any calls, I want to see you here

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in my house", (Víctor): "Please listen to me, don't get nervous." (Myself): "The men who came the other day said they were going to bring you here, I will not say anything more until they bring you home." (Víctor): "Did they promise you that?" (Myself): "Yes, don't go on talking." (Víctor): "But are you all right?" (Myself): "Yes." (Víctor): "Then I will not call again." I then immediately replaced the receiver.

ELEVENTH: I have established that my house is being watched; moreover, "wrong number" calls are constantly being received in it from unidentified persons.

TWELFTH: I solemnly declare that, in view of the facts set forth above, I am seriously afraid for the life of my husband and for the safety of my daughters and myself.

The above was signed in my presence by Mrs. Selenisa Caro Rios de Díaz, identity card No. 2,181,128-9 of Santiago.

Santiago, 22 October 1976
: Dimetrio Gutiérrez
Legal Notary
Santiago, Chile

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ANNEX XXIII

Letter dated 1 February 1977 from the permanent representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office at Geneva addressed to the Director of the Division of Human Rights

/Original: English/

Her Majesty's Government believe that it will be helpful to the Ad Hoc Working Group on the Situation of Human Rights in Chile in fulfilling its mandate for it to have brought to its attention certain information in their possession relating to the case of the missing Anglo-Chilean, William Beausire (Guillermo Roberto Beausire Alonso, Chilean Identity Card No 5.208.306-2). The Working Group are already familiar with the general details of the case.

Since William Beausire's disappearance in November 1974, the British authorities have taken a close interest in the case and have for humanitarian reasons made several approaches to the Chilean authorities in the light of the evidence they have received. The Chilean Government, for their part, have consistently denied responsibility for William Beausire's disappearance and knowledge of his whereabouts. In June 1976, Her Majesty's Government drew up a summary of all the evidence in their possession, in the form of the attached Memorandum, and gave it to the Chilean Foreign Minister, Vice Admiral Patricio Carvajal, under cover of a personal message from the Secretary of State for Foreign and Commonwealth Affairs, the Rt. Hon. Anthony Crosland MP, appealing for its careful consideration and a full enquiry. Her Majesty's Government considered the reply, delivered on 10 November 1976 to the Foreign and Commonwealth Office, to be unhelpful in attitude and unsatisfactory in content, and were obliged to conclude that no real attempt had been made by the Chilean authorities to locate William Beausire or investigate the facts of his disappearance.

The Memorandum summarizes evidence about William Beausire in the possession of Her Majesty's Government to the effect that, after leaving Chile in November 1974, he was returned to that country from Argentina and held secretly in detention at least until July 1975. It does not reveal the identity of most of the witnesses who have provided testimony, and in this form it is suitable for publication. The original, signed copies of the witnesses' statements are held by the British authorities in London. If the Working Group so desired, the British authorities would have no objection to making copies of these statements available to them on a confidential basis, subject to the permission of those concerned.

The British authorities cannot, of course, vouch for the accuracy of all the testimony which they have been given. But it is their carefully considered view that, when taken as a whole, the statements made to them by witnesses constitute a persuasive body of evidence which can leave little doubt that William Beausire was detained in Chile for several months after November 1974.

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In view of the facts set out above, Her Majesty's Government believe that the only remaining appropriate course is for them to bring the matter to the attention of the Working Group. In submitting this evidence, the British authorities are acting with the full agreement of William Beausire's mother (Sra. Inés Alonso de Beausire), now resident in the United Kingdom, and of other members of the family.

(Signed) James Bottomley
Ambassador
Permanent Representative

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ANNEX XXIV

Memorandum of the Government of the United Kingdom of Great Britain and Northern Ireland Relating to Mr. William Beausire

/Original: English/

WILLIAM BEAUSIRE

(GUILLERMO ROBERTO BEAUSIRE ALONSO)

1. Her Majesty's Government have received oral and written evidence from a number of separate and independent sources that William Beausire was under detention in Chile between the months of November 1974 and July 1975. This evidence is summarised below.

2. HMG regret that they are unable to reveal the identity of most of the witnesses who have provided this evidence. They do however offer their firm assurance that these items of evidence were received separately and individually as explained in each case, and were recorded in good faith; and that the details of them given in this document faithfully represent their contents. HMG have given the matter the most careful consideration. Whatever doubts may be entertained as to the authenticity or the veracity of any individual testimony or point of detail, when taken as a whole the various statements constitute a formidable body of evidence which, in the view of HMG, can leave virtually no doubt that William Beausire was indeed detained in Chile between the dates given above.

The Beausire family

3. It is not in dispute that William Beausire left Chile on 2 November 1974, on a LAN Chile flight to Buenos Aires, from where he intended to travel on to Europe. He was seen off at Pudahuel Airport by his mother, Inés Alonso de Beausire. Shortly afterwards both Sra. de Beausire and her daughter, Diana, William's sister, were detained by the Chilean authorities along with other relations and friends of the family. They were interrogated about the whereabouts of another daughter of Sra. Beausire, Mary Ann, who had been living for some time with Andrés Pascal Allende, the leader of the clandestine Movimiento de Izquierda Revolucionaria (MIR) since October 1974. Inés and Diana Beausire both say that they heard and caught a brief sight of William while they were under detention; that they were told he had been seen by a number of other prisoners; and that they heard his name called out by guards. In addition, William's third sister, Juana Francisca Beausire, has stated that while at the Italian Embassy in Santiago, where she had sought asylum at the end of October 1974, with the baby daughter of Mary Ann and Pascal, she received three telephone calls in mid-December 1974, from a person who said he was and whom she believed to be her brother. According to Sra. Beausire, William told her that he was in hiding in Chile after returning there from Europe, and that he needed urgently to contact Mary Ann and Pascal.

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Sta.Beausire believed that these calls were made from prison under duress in order to persuade her to divulge information about her sister and Pascal. She asked her brother if he had visited a common friend in Europe with whom he had intended to stay. She was told he had, but when she checked with the friend, he said that Beausire had failed to arrive.

Sra.Maria Stella Debancens

4. This witness, who knew William Beausire previously by sight, has testified that she met and spoke with him around the beginning of 1975 at the Villa Grimaldi detention centre where they were both being held at the time.

Witness A

5. This witness has testified before the British Consul in Düsseldorf, West Germany, that in November 1974, while being held in Chile at a place of detention which he could not identify he met and was able to speak with a "William Beausire" who told him that he had been arrested in Buenos Aires and returned secretly to Chile where he had been interrogated to make him reveal the whereabouts of his sister Mary Ann.

Witness B

6. Another Chilean national has described in full detail to an official of the British Embassy in Caracas, Venezuela, his experiences during a period of detention he spent in the Villa Grimaldi between 31 December 1974 and 3 January 1975, in the company of other prisoners including a "William Boissiere Alonso" with whom he was able to converse at length when they were placed together for a time blindfolded and handcuffed in a small cell. "Boissiere" told the witness that after leaving Chile some time previously he had been arrested at Ezeiza Airport near Buenos Aires. After being held there for a few days he was taken back to Chile in a military aircraft and interrogated and maltreated in various detention centres to make him divulge what he knew about his sister. Though the witness was removed to another part of the detention centre on 3 January, he continued to see "Boissiere" daily for a further seven days.

Witness C (evidence provided by the Beausire family)

7. A Chilean now resident in London has testified that while he was detained in the Villa Grimaldi in mid-January 1975, he learned the names of several fellow prisoners, one of them being "Bill Beausiere", who was said to have spent about two months there already. On 12 January, the witness met and spoke to "Beausiere" when they were both among a group of detainees taken outside for exercise and though blindfolded allowed to converse by the guards. The witness spent the next night in a cell separated from "Beausiere's" only by a thin partition, and the two men were again able to converse briefly. "Beausiere" told the witness that he had been taken prisoner in Argentina on his way to Europe, and that he was extremely worried about his family. Shortly afterwards the witness was removed from Villa Grimaldi to Cuatro Alamos.

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Witness D

8. This witness has testified separately and independently to the British Embassy in Caracas that she met and spoke with William Beausire in early May 1975, at an interrogation centre in Santiago known as the "Discoteque". She positively identified William as the person she had seen there from a photograph of him supplied by his mother. The story of Beausire's arrest in Buenos Aires and his subsequent treatment which was related to her by William himself corresponds in detail to the version given independently by other witnesses.

Witness E

9. An interview with this witness was conducted by a member of the staff of the British Embassy in Santiago. The witness stated that she shared a cell with Beausire from mid-May 1975 to the beginning of July at a detention centre which she could not definitely identify but which she believes may have been situated at Calle Iran 3037 in Santiago. Beausire seemed to be in reasonable spirits and was no longer being maltreated. This witness also related the familiar details of Beausire's arrest in Buenos Aires.

Other evidence

10. Additional evidence has been made available to HMG from a witness to William Beausire's arrival at Buenos Aires International Airport on 2 November 1974. The witness, who knew Beausire, has described how he heard him summoned over the loudspeaker and saw him being conducted into an office at the Airport. When he made enquiries he was told by an official that there was some problem over Beausire's immigration and that he should not wait for him. He also enquired later at the Chilean Embassy in Buenos Aires, who told him that they could not help. Her Majesty's Government are aware that this latter evidence concerns an event which occurred outside Chile, but regard it as providing significant corroboration of a part of the testimony offered by other witnesses.

Foreign and Commonwealth Office
June 1976

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ANNEX XXV

Comments by the Chilean Secretary of Justice on the United Kingdom Government's memorandum relating to Mr. William Beausire

(Transmitted to the Group by the British Government)

(AUTHENTIC TRANSLATION FROM THE SPANISH LANGUAGE)

/Original: English/

Comments by the Chilean Secretary of Justice on the British Government's memorandum of June 1976, as delivered to the Foreign and Commonwealth Office in London on 10 November 1976.

"1. I have the pleasure to inform Your Lordship of the result of the investigation effected by this Department in relation with the presumed detention of the citizen William Beausire (Guillermo Roberto Beausire Alonso), continued between the months of November, 1974 and 1975 according to the statement of a Note, sent to Your Excellency's Ministry by the Government of the United Kingdom of Great Britain and Northern Ireland.

2. It is a non-retortable fact and furthermore indisputable, - as explicitly recognized by the United Kingdom's Note - that on November 2, 1974 the Chilean citizen Guillermo Beausire Alonso travelled to Buenos Aires, Republic of Argentina, from Pudahuel via LAN, flight number 126.

This appears on the enclosed Travel Certificate number E-4032, issued by the Directorate General for Investigations, dated August 26, 1975, according to written evidence registered in its Division for Foreigners and International Police. In the same document is established that Guillermo Beausire Alonso, of Chilean nationality, carries the passport number 26478, his re-entering (entrance) to the country is not recorded and, among other things mentioned, there appears that of his identity card number 5.208.306-2.

3. In spite of that, according to a denominated "Complementary Evidence" of the Note referred to in Point 1. of this report, a witness of Beausire's arrival to the Buenos Aires International Airport on November 2, 1974, whom he knew, described "how, through the loudspeakers, he heard him called and saw how he was conducted toward an office of the Airport. When he made some investigations, he was informed by an officer that there was some immigration problem with Beausire and that he was not to wait for him"; the fact is that such a circumstance could not have occurred since, from the document enclosed, issued by the Commander General (Retired) Juan Carlos Genovese, National Assistant Director for Immigrations of the Republic

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of Argentine and addressed to Mr. the Consul General of Chile in Buenos Aires, Mr. Alvaro Droguett del Fierro, it is evident that the Chilean citizen Guillermo Beausire Alonso - duly individualized - "Entered into our country on the day of November 2, 1974, qualified as a tourist, transported by LAN-Chile."

4. The British Government's Note contains the testimony of Mrs. Maria Stella Dabancens, "who previously knew William Beausire by sight", according to which "at the beginning of 1975" she had met and spoken to William Beausire in the detention center 'Villa Grimaldi', where both had been detained at that time".

It is pertinent to point out, in the first place, that there exists no detention center "Villa Grimaldi". In this place, unseasonably and separately visited by Mr. the President of the Most Excellent Supreme Court as well as by the undersigned Secretary of Justice, there is a quarters of the Directorate of National Intelligence, which absolutely lacks the possibility to hold persons under arrest. At most and in a circumstantial manner, during the lapse of some hours time, at this place there could eventually be performed some preliminary cross-examination of some prisoner before being conducted to the detention centers authorized by Decree 146 of the Department of the Interior, or to be set free, in conformity with law.

On the other hand, I consider it important to point out that even if Mrs. Maria Stella Dabancens was detained by virtue of the faculties conferred upon His Excellency Mr. the President of the Republic by the Political Constitution of the State during the state of siege, that occurred on November 25 -, 1974, by Decree number 600 of the Department of the Interior and at the detention center called Cuatro Alamos.

Subsequently, by Decree number 2187 dated December 31, 1974, of the Department of the Interior, the expulsion from the country of Mrs. Dabancens was ordered, who travelled on January 8, 1975, via Avianca, with destination to Colombia.

The previously exposed facts are sufficiently objective as to subtract every merit from this so-called evidence, due to the proved fallacy.

5. As far as the testimony of the Witness B. is concerned, who reports his experiences during the detention period at Villa Grimaldi between December 31, 1974 and January 3, 1975, I submit to explanation in the second paragraph of the preceding point and am able to add the following two remarks: a) The witness asserts that even if he was conveyed to another place of detention - which he does not individualize - on January 3, "he continued seeing 'Boisiere' daily during at least seven days", without indicating where, how nor when; b) the unlikeliness of the narrative ascribed to 'Boisiere' flows unmistakably when he says he was arrested at the Ezeiza Airport (preceding point 3); arrested during <u>some days</u> and returned to Chile in a military airplane. There is no antecedent anywhere recording the arrival of any Argentine military airplane which could have transported Beausire during that period (the first fortnight of November, 1974) nor, much less, of his re-entering to the country.

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6. The witness C. reports having learned the names of various prison-companions, while he was detained in Villa Grimaldi about the middle of January 1975; one of them was "Bill" Beausire; and that on January 12, 1975 he was with and spoke to Beausire "when they were outside for exercises and although with their eyes bandaged".

Prescinding from the reference of detention at the place he calls "Villa Grimaldi" (point 4, second paragraph) the fact turns out ostensively indicative that the witnesses' testification is equivalent to having heard (by hearsay) since he could not see the person to whom he says he spoke nor can he have the certainty as to who it was and whether it really responded or not to the citizen Beausire; wherefor this sort of a testimony is obviously perishable in opposition to the antecedents previously exposed in the preceding points.

7. The witness D. reports to have met and spoken to Beausire in the beginning of May, 1975, at the cross-examination center which he calls "Discoteque", adding that he identified William as the person to whom he spoke, by a photograph provided by his mother.

This witness provides no antecedent regarding the circumstances which permitted the encounter and conversation at the referred cross-examination center, nor those which permitted the contact with Beausire's mother and the latter's identification by the photograph which the first one provided.

It seems obvious that this so uncomplete and unprecise relation has no other objective than that of reinforcing the version of the presumably detained in Buenos Aires and his subsequent secret and surreptitious transfer to Chile, in no way confirmed and, on the other hand, contradicted by the document any antecedents precedingly invoked.

8. The witness E., even if she determines having shared a cell with Beausire from about the middle of May until the beginning of July, 1975, that is at least one and a half month, her statement is obviously fallacious because it has never been permitted in Chile and less has it been ordered, that persons of different sexes be maintained under arrest in one same cell, very much less during such an extended period of time. This witness refers that she could not identify the detention center, even if she believed it could be at Irán street 3037.

Now then, the pertinent investigation effected by this Secretary of State's Office, I can assure Your Excellency that there exists no center of detention at the place indicated.

9. Finally, as far as the version supplied by the Beausire family integrants is concerned - his mother and his sisters Diana and Juana Francisca - when two first assert having been detained and questioned in order to establish Mary Ann Beausire's halting place (living together with Andrés Pascal Allende, Head of the MIR (Revolutionary Left Movement) with whom she took refuge in an Embassy and afterwards they left the country together), such a version obviously appears

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caused by the referred circumstance. This is what clearly comes out of Juana Francisca Beausire's statement, in the sense that when she was sheltered at the Italian Embassy, since October, 1974, about the middle of December of the same year she received three telephone-calls from a person who did not say who he was, "of whom she thought it was her brother". And she adds further on: "Mrs. Beausire thought that those calls were made from the prison under pressure, in order to persuade her to divulge information regarding her sister and Pascal". Under these circumstances, it is possible to understand that the reference to "having heard and having a brief vision of William, while they were under detention" is tinged with a marked and evident subjectivism which does not permit to concede them any probatory merit.

10. CONCLUSION: In opposition to what the British Government's Note asserts which gives a reason for the present report in the sense that "even if there are doubts which could be controvertible due to the authenticity or truthfulness of any individual testimony or due to a point of detail, taken as a sole entirety of several statements, they erect an immense mass of evidence, which, at the judgement of Her Majesty's Government, can virtually leave no doubt as to that William Beausire was effectively placed under arrest between the previously stated dates (November, 1974 and July, 1975)", - the subscribing Secretary of Justice concludes that neither separately considered nor jointly, the cited evidences analized in the preceding numbers, lessen the unobjectionable merit of the documentary antecedents enclosed, emanating from official Chilean and Argentine authorities, in the sense that the Chilean citizen Guillermo Beausire Alonso not only travelled to the Argentine Republic from Pudahuel via LAN-CHILE, flight number 126 on the date of November 2, 1974 and entered into that country as a tourist, without there existing a valid proof - not even of a presumptive nature - which would permit to assert that he left Argentine and re-entered Chile on the dates expressed by the British Government."

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ANNEX XXVI

Statement on the detention of Newton Morales Saavedra

/Original: Spanish/

Santiago, 1 February 1977.

"My name is Regina del Carmen Saavedra del Campo, housewife, Chilean, widowed, identity card 3,035,469, of Santiago, residing at ...

"On 13 August 1974, at 12.30 p.m., two civilians, accompanied by a woman who appeared to be a detainee, came to the house where I was living at the time, Villa Frei, Nuñoa, Santiago. They asked for my son, NEWTON MORALES SAAVEDRA, 40 years old at that time, single, identity card 2,920,768-2, of Santiago. My son had retired from the Chilean Navy and up to the date of the military coup of 11 September 1973 he worked as an electrician in the polyester plant of the "Sumar" Textile Factory. After that he worked as foreman on a construction job. Since he was not in, they arranged to return later, saying they were friends of his.

"At 9.45 p.m., three civilians returned, including the two who had been there earlier. Two of them were about 40 years old and the third about 27. They again asked for my son, still saying they were friends of his. When my son appeared, they arrested him, without showing any warrant or identification. I myself was a witness of what happened. My son was put into a red van, the licence number of which I could not see because it was dark.

"On the advice of lawyers from the Pro Paz Committee, I applied for action for enforcement of rights (amparo) for my son, dated 16 August, which was processed under No. 932 and finally rejected by the Court of Appeal and the Supreme Court, the Minister of Internal Affairs denying that my son had been detained - in spite of my testimony as an eye-witness of the facts, and without the courts having exercised the options granted them by law for such cases, the principal one being to order that the detainee be brought before them - 'habeas corpus' - which has existed in the legislations of civilized countries since the 13th century. The dossier was referred to the criminal court, and the Eighth Superior Criminal Court began an investigation into the disappearance of my son and any crimes committed against him, (file No. 11,225).

"In April 1975, I went to the Social Security Office of the Department of National Defence, where my son had been receiving a Navy retirement pension, which I was authorized to draw. The authorization had expired, and I requested that they continue paying the pension, inasmuch as my son had been arrested and I did not know his whereabouts. The person in charge at the Social Security Office gave me a letter addressed to the Head of the 'Tres Alamos' Detention Camp, requesting that my son sign a power of attorney authorizing me to continue to draw his pension. The text of the letter stated that my son was probably in the 'Cuatro Alamos' Camp for persons held incommunicado.

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"On the same day, heartened by this first news I had received concerning the whereabouts of Newton Morales, I went to the 'Tres Alamos' Camp, where I was received by the head of the camp. He agreed, in principle, that my son should sign a power of attorney. He went into an adjoining room where he began to dictate a letter to somebody at a typewriter. I clearly heard the beginning of the letter: 'I, Newton Morales Saavedra, authorize my mother, Doña Regina del Carmen Saavedra del Campo, to draw my pension on my behalf ...'. At that point, the dictation was interrupted. There was a heated discussion in the next room, which other persons had just entered. Then, the head of the camp returned to where I was and told me that he could not do what he had promised me. But he did say I could bring my son any toilet articles he might need any time. When I left his office, I could actually see my son at the end of the corridor, wearing dark glasses and looking rather lethargic. He did not give any sign of recognizing me and I was unable to go near him since he was a long way off. He seemed to have a bandage under his glasses.

"At various times after that interview, I went to the camp entrance to bring parcels with toilet articles for my son. They were accepted by the guards, but later returned to me after being opened and logged. I was repeatedly told that 'there was no such person' as my son. Nevertheless, when they accepted my parcels, they asked me to wait 'in case the detainee had to be given something else'.

"In view of all these facts, it seems obvious that my son was being detained on that date either at 'Tres Alamos' or 'Cuatro Alamos'. This was admitted by the person in charge at the Social Security Office of the Ministry of National Defence, by the head of the camp, and by the camp guards. Moreover, I SAW HIM MYSELF. Nevertheless, they have continued to deny that he is being detained, and to this day I do not know the whereabouts of Newton Morales and what fate has befallen him.

"I told all this to the Judge of the Eighth Court, who with the support of the Court of Appeal itself ordered that Lieutenant José Manso Durán, at that time head of the 'Cuatro Alamos' camp, which was under the Directorate of National Intelligence (DINA), should be summoned to make a statement. To date, he has not appeared in spite of the numerous citations issued by the Court ..."

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ANNEX XXVII

Statement on the detention of Rosa Elena Morales Morales

/Original: Spanish/

I, Berta Elena Laporte del Solar, Chilean Passport No. 001457, Series 83375, issued in Santiago de Chile, declare as follows:

When these events took place, I was living with my invalid husband and my elderly mother in Calle Warren Smith 8, Department 1, Santiago de Chile. Towards the end of July 1976, a friend brought her friend Rosa Elena Morales Morales to our home and asked us to let her stay until some problems in the house where she was renting a room had been settled, so that she could look more peacefully for a permanent home. We agreed to this request and on 15 August Miss Morales asked me to go with her to her former dwelling to pick up some personal effects, as she had already arranged by telephone the previous day. At 7 p.m. we went to a house, No. 1,035, Calle Lord Cochrane, where we were received by Mrs. María Galaz, as Miss Morales called her. I remained seated in the entrance hall and they went into a room where they had a long conversation. During this time, a man who came out of the room made two short telephone calls. Finally at the request of Miss Morales, I went out to look for a taxi and when it came we loaded it with the things. Soon after leaving, when we had hardly turned the first street corner, we were stopped by a red car. Three individuals got out and forced us into their car. Then we were handcuffed and blindfolded while they transferred the things from the taxi to their own car. The one who seemed to be in charge of the group ordered another "to explain things to the taxi driver" and then asked him if he had changed the plate, to which the other replied in the affirmative. In these conditions we set off at a fast pace, harrassed with every kind of mockery and threat, while two of them rummaged in our handbags. After a journey of about 15 minutes, we came to what was to be our place of detention. It seemed to me that an iron gate was opened and we were taken along a gravel path. I could hear the barking of dogs, and in the distance there was a noise of motor traffic, so we thought we must be not far from a main road. Someone asked our captors if they had found anything of importance, to which one of them replied with an obscenity: "Sheer ... " I remained seated in a corridor and my companion was taken inside. At first I could hear her screams, but gradually these ceased and I know nothing of what has happened to her since then. I was admonished to tell the truth, with the threat that if I did not I would be sent to "Puchuncaví". There was not much that I could tell. They then asked about our affairs and my husband's identity. For a moment, the bandage over my eyes dropped slightly and I caught a glimpse of what seemed to be a red wall and part of a white window frame, but this was noticed later and they tightened the bandage. After what seemed to me about four hours of imprisonment, I was told that I must take the kidnappers to my home so that they could take away all the personal belongings of Miss Morales. My handbag was handed back to me with all my papers but not the money, as I found later. We went back to the car and after a little way they took the bandage from my eyes. I took them into my flat. My mother was

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sleeping and I told my husband that Miss Morales had decided to move and that these men had come for her things. They set to work very quickly and in my presence. They were looking eagerly for a pocket book and said that the whole house would have to be thoroughly searched if it did not turn up. It was found. Then they decided to look through the books and the rough way they handled them brought my husband on the scene; he was present during the final stages of the proceedings and thought it was a housebreaking. One of them looked at the cover of a book, which was entitled something like "Reminiscences of a Cuban Woman", and said that such books ought not to be found in any Chilean house, to which the other replied that "They can't make us change our ideas." The book in question expressed the views of a woman who was opposed to the Cuban régime. They decided to keep for themselves a book by Florencia Varas on the Chilean General Roberto Viaux from Miss Morales' own bookshelves. Finally, when they had loaded the car with Miss Morales' clothes, jewellery and other personal effects, they said they would be coming back when "higher authority" had been able to consider our position. Before leaving, one of them returned to tell me that if anyone asked for Miss Morales, I was to tell them that she had gone and that we did not know her whereabouts. There would be unpleasant consequences if we did not follow those instructions. They did not come back. The next day a man who said he was a friend of her brother came to ask about her; we told him what had happened. Some days later, Miss Morales' sister arrived, and she, as a member of the family, started proceedings for amparo.

So far as I was concerned, the threats and stress affected my nervous system so that I was not in any condition to testify personally as to the acts complained of. Later, my husband decided on his own account on 28 February 1977 to make a sworn statement at the Vicaría de la Solidaridad in Santiago, setting out the above facts in support of the application for amparo referred to.

I have now, in Italy, made this direct statement of the facts with a view to finding out where the missing woman is and identifying the persons responsible for these acts of kidnapping and theft.

(Signed) Berta Laporte

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ANNEX XXVIII

Excerpts from eyewitness reports of the detention of Maria Angélica Andreoli Bravo

/Original: Spanish/

A. "I am the mother of a young daughter, a Chilean citizen, whose photograph and other documents are attached, and who has been imprisoned since 6 August 1974 and is still regarded as a missing person, her imprisonment never having been admitted.

"The acts referred to took place on the day indicated, when a group consisting of three men and a woman arrived at my house and immediately arrested my daughter, some ten minutes after she had opened the door to them. While she was speaking to them, a nurse arrived to attend to my husband, who had earlier suffered a heart attack. I did not notice what was happening at the time, and never imagined that those persons were from DINA, or that they were arresting her. She had to go as she was and I have never seen her again.

"I have learnt that she was subsequently taken to the house of her cousin, Maria Isabel Eyzaguirre Andreoli, whom they were looking for and did not find. They remained at her cousin's house for three days, awaiting her, and then decided to arrest her uncle, Enrique Eyzaguirre Salas, and Rina Ximena Eyzaguirre Andreoli ..."

B. "I, the undersigned, Erika Cecilia HENNINGS CEPEDA, aged 24 years, married, with one daughter, of Franco-Chilean nationality; identity card 6.495.142 SANTIAGO and 18.716 FRANCE, declare upon oath the following:

"1. That on 31 July 1974, I was arrested and taken for interrogation to the premises situated at No. 38 Calle de Londres, SANTIAGO DE CHILE. I remained there until 16 August 1974, on which date I was transferred to the secret prisoners block at the '3 Alamos' camp.

"2. That while detained at 38 Calle de Londres in SANTIAGO, I witnessed the arrival there, as a prisoner, of Maria Angélica ANDREOLI, on 6 August 1974. From that day on, I remained close to her and was able to converse with her and to sleep near her, Murie DOCKENDORFF and other female prisoners.

"Maria Angélica was called 'Pinina' by the personnel of DINA since she was small ..."

C. "Deposition of Don ENRIQUE EYZAGUIRRE SALAS, married, domiciled at Montenegro 1490 de Ñuñoa, C.I. 1428183 de Santiago;

"On 7 August 1974, at 3 a.m., there arrived at my home, Montenegro 1490, a group of civilians who identified themselves verbally as members of the Military Intelligence Service and entered my house, having with them my niece,

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MARIA ANGELICA ANDREOLI BRAVO, single, aged 27 years, a secretary; they asked for my daughter MARIA ISABEL EYZAGUIRRE ANDREOLI, 27 years, single, domiciled at the same address as myself; as she was not there at that time, my house was left under the surveillance of a group of plain clothes officers until Friday, August.

"On that occasion she was frightened; the officials of the Intelligence Service told me that she was under arrest, for being linked with extremist activities. ..."

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ANNEX XXIX

Missing persons seen in detention in Chile

The following reflects some of the testimony received by the Group during July 1977 concerning missing persons seen in detention in Chile.

A. Testimony of Christian Van Yurick

/Original: English/Spanish/

	LAST TIME SEEN	PLACE
*Arturo Stalin Penaloza Aguilera	August 1974	4 Alamos
María Inés Alvarado Borgel	July 1974	Londres
Jorge Elías Adronico Antequeras	September 1974	4 Alamos (P. 13)
Juan Carlos Adronico Antequeras	September 1974	4 Alamos (P. 13)
*Arturo Barria Araneda	September 1974	4 Alamos (P. 13)
Jaqueline Binfa Contreras	September 1974	José Dgo. Cañas
*Sonia Bustos Reyes	July 1974	Londres
Jaime Buzio Lorca	July 1974	Londres and Grimaldi
Abundio A. Contreras Gonzalez	July 1974	Londres
Alfonso R. Chanfreau Oyarce	July and August 1974	Londres and Grimaldi
Muriel Dockendorf	July and August 1974 and September to 15 October 1974	Londres and 4 Alamos
Jaqueline Droully	November 1974	4 Alamos
Martín Elgueta	July and August 1974	Londres
Carlos Gajardo Wold	September to 15 October 1974	4 Alamos
Nestor Alfonso Gallardo	September to 15 October 1974	4 Alamos
Maximo Guedda	July 1974	Londres
*Hernán Galo	September 1974	4 Alamos
Artemio Segundo Gutierrez	July 1974	Londres
Joel Huilquinir	17 September 1974	4 Alamos
*Violeta Lopez	July 1974	Londres
Ariel Martin Salinas	September to 15 October 1974	4 Alamos
Newton Morales	August 1974	Londres
*German Moreno	August 1974	4 Alamos
Vicente Palominos	September-October 1974	José Dgo., Cañas and 4 Alamos
Marcelo Salinas	November 1974	4 Alamos

* Persons whose names were heard when they were called for interrogation or transfer to another place.

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	LAST TIME SEEN	PLACE
David Silberman	September 1974	4 Alamos
Teobaldo Tello	August and September 1974, died in	José Dgo. Cañas
*Sergio Tormen	July 1974	Londres
Barbara Uribe	July 1974 and September 1974	Londres and José Dgo. Cañas
Alvaro Modesto Vallejos	July 1974	Londres
Edwin Van Yurik	July 1974 and September 1974	Londres and José Dgo. Cañas
Hector Calletano	September 1974 and October 1974	José Dgo. Cañas and 4 Alamos
Luis Guajardo	August 1974	Londres
Antonio Guido Amengual (Spanish priest)	September 1974 and 1 to 15 October	4 Alamos
Santiago Abrham Ferru	December 1975	Villa Grimaldi
Alejandro Avalos Davison	December 1975	Villa Grimaldi
Jorge Fuentes Alarcon	December 1975	Villa Grimaldi

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B. Testimony received from other witnesses a/

NAME OF MISSING PERSON	PLACE SEEN IN DETENTION
1. Jaime Enrique VASQUEZ SAENZ	Villa Grimaldi
2. Manuel CORTEZ JOO	Villa Grimaldi
3. Eugenio Iván MONTTI CORDERO	Villa Grimaldi
4. Horacio Neftalí CARAVANTES OLIVARES	Villa Grimaldi
5. Jorge Isaac FUENTES ALARCON*	Villa Grimaldi (October-November 1975)
6. Juan MOLINA MOGOLLONES	Villa Grimaldi
7. Juan Carlos PERELMAN	Villa Grimaldi
8. Muriel DOCKENDORF NAVARRETE*	Cuatro Alamos
9. María Elena GONZALEZ INOSTROZA	Cuatro Alamos
10. Hernán Galo GONZALEZ INOSTROZA	Cuatro Alamos
11. Jacqueline BINFA CONTRERAS*	Cuatro Alamos and José Domingo Cañas
12. Amelia BRUHN FERNANDEZ	José Domingo Cañas
13. Alvaro VALLEJOS VILLAGRAN	Londres 38
14. Abundio Alejandro CONTRERAS GONZALEZ	Londres 38
15. Freddy PEREZ VARGAS	José Domingo Cañas
16. Mario CALDERON TAPIA	José Domingo Cañas
17. Jorge Elías ANDRONICO ANTEQUERA*	Cuatro Alamos (October 1974)
18. Juan Carlos ANDRONICO ANTEQUERA*	Cuatro Alamos (October 1974)
19. David SILBERMAN*	Cuatro Alamos (October 1974)
20. José Hipólito JARA CASTRO	Londres 38
21. Martín ELGUETA PINTO	
22. María Inés ALVARADO BORGEL	
23. Ariel Munten SALINAS ARGOMEDO	Cuatro Alamos
24. Alfredo GARCIA VEGA	Villa Grimaldi (22-25 January 1975)
25. Fabián IBARRA	Villa Grimaldi (22-25 January 1975)
26. Alan BRUCE	Villa Grimaldi (22-25 January 1975)
27. Ariel MANCILLA	Villa Grimaldi (7-15 March 1975)
28. Alfredo ROJAS CASTAÑEDA	Villa Grimaldi (7-15 March 1975)

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* Testimony received from more than one witness.

a/ For the observations of the Government of Chile see annex XXX.

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ANNEX XXX

Note verbale dated 12 August 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva, addressed to the Secretary-General

/Original: Spanish/

The Permanent Mission of Chile to the United Nations Office and other international organizations with headquarters at Geneva presents its compliments to the Chairman of the Ad Hoc Working Group of the United Nations Commission on Human Rights and has the honour to transmit, through this note, its answer to various questions put to representatives of the Government of Chile during the meetings held with the Group on 26 July at Geneva.

During the above-mentioned meetings, the representatives of the Government of Chile invited the Working Group to put questions to them on general or specific situations that the Group might wish to clarify as a result of oral or written testimony recently submitted to it in Caracas, New York and Geneva. The Working Group having agreed to this proposal, the representatives of Chile were asked to provide information and clarification concerning the following questions:

1. The health situation in Chile, inasmuch as the Group had been informed that the vast majority of the Chilean population was experiencing problems in this field owing to the reduction in the Government's budgetary allocation for health.

2. The infant nutrition situation in Chile, inasmuch as various witnesses had drawn the Group's attention to a growing problem of infant malnutrition in recent years as a result of the difficult economic situation through which the Chilean population was passing.

3. The situation of old people in Chile, inasmuch as the Group had been told that, as a result of the country's economic situation, old people found themselves in difficult circumstances.

4. The situation with respect to the issue of passports in Chile, inasmuch as the Group stated that passports had been issued recently bearing the stamp "Válido sólo para salir del país".

5. Reasons for which the Supreme Court of Justice had rejected a request by the Vicaria de la Solidaridad for the appointment of a special visiting judge to inquire into the situation of 317 persons who had allegedly disappeared.

6. Situation of the press and communication media in Chile since, according to testimony submitted to the Group, the Government of Chile had recently intensified its activities in this field, as shown by the closing down of "Radio Balmaceda".

7. Information relating to certain individuals who had allegedly disappeared and

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who had been seen, according to witnesses testifying before the Group, in places of detention.

Although the representative of the Government of Chile replied during the meetings to the questions asked, we wish, through this note, to corroborate and amplify the information given so that it may be on record in the report which the Group is to submit to the General Assembly at its thirty-second session.

I. Health situation

On innumerable occasions the Chilean Government has drawn attention in various forums of the cost to Chile of the experience of the 1970-1973 administration, estimated at some $11 billion, and to the consequent impoverishment of all Chileans, estimated at some 25 per cent.

The result of this has been a decline in the fiscal contributions to the national budget for every sector, including health. We refer specifically to fiscal contributions because the budget for each sector is established on the basis not only of the fiscal contributions but also of private and other kinds of contributions. This is what is happening in the health field in which, while there has been a smaller fiscal contribution for the reasons stated, the contribution from the social security fund and other special resources available to the Ministry of Health has increased.

At the same time, however, the Government became aware, following a serious and thorough study, of a considerable number of short-comings in this field which were resulting in an injudicious use of the existing resources, both physical and human.

As a result, a new health policy has been drawn up and is now being implemented, involving the decentralization of the existing systems and a more rational use of resources all of which is bringing about a distinct improvement in health services for the entire Chilean population.

In order to provide fuller information on this subject, the following are attached:

1. Article on the decentralization of the health services, published in the newspaper El Mercurio of 19 June 1977.

2. Editorial in El Mercurio of 19 June 1977 entitled "Freedom in health".

3. Article published in El Mercurio of 8 July 1977 entitled "Senior health service officials meet in Santiago".

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4. Article published in El Mercurio of 7 June 1977 entitled "Health authorities discuss health policy with university staff".

5. Statement by the Minister of Health on the Government's health policy contained in an article which appeared in El Mercurio of 18 June 1977 entitled "Tariffs in curative medicine".

6. Copy of the statement made by the Deputy Minister of Health of Chile at the thirtieth World Health Assembly, Geneva, 1977.

7. Summary of the statement made by the representative of Chile in the Third Committee at the thirty-first session of the United Nations General Assembly, New York, October 1977.

II. Infant nutrition

If infant mortality is taken as an indicator of malnutrition, the efforts that are being made and the successes that are being achieved by our current policy in this field will be clear from the following statistics.

A comparison of infant mortality rates between 1971 and 1976 gives the following results:

1971	77.3	infant mortality per 1,000 births
1972	78.0	" " " " "
1973	71.5	" " " " "
1974	69.4	" " " " "
1975	60.8	" " " " "
1976	55.4	" " " " "

As various publications and studies have shown, Chile is in the forefront of research on infant nutrition and has achieved an increase both in the protein value of milk and in the quantity of milk distributed to infants aged up to 5 years, which has risen during the past year from 8 million to 14 million kilograms.

Research is undertaken by the Institute of Nutrition and Food Technology of the University of Chile (one of the world's four leading centres in this field, in which it has been designated as the seat of the United Nations University), while institutional policy is implemented through the National Corporation (CONPAN) and the Corporation for Child Nutrition (CONIN).

Lastly, it should be noted that between 1977 and 1980, CONIN will be allocated additional funds amounting to $5,818,000 to enable it to help in solving the nutrition problem through a national network of 29 centres.

By way of further information on Chilean nutrition policy, we append the following documents.

1. Article published in El Mercurio of 1 July 1977 entitled "Chile at the forefront of nutrition policy".

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2. Article published in El Mercurio of 24 May 1977 entitled "Centre to be set up for the rehabilitation of undernourished children".

3. Article published in El Mercurio of 2 June 1977 entitled "Extra $5,818,000 to combat malnutrition".

4. Article published in El Mercurio of 10 July 1977 entitled "Food and population problems".

5. Article published in El Mercurio of 19 July 1977 entitled "Private citizens organize campaign against malnutrition".

6. Article published in El Mercurio entitled "$25 million food agreement with United States".

7. Statement by the representative of Chile in the Third Committee of the General Assembly of the United Nations, New York, November 1977.

8. Study prepared by the National Council for Food and Nutrition of the Ministry of Health of Chile, entitled "Background and actions for a national food and nutrition policy".

9. Book entitled "Checkmate to underdevelopment" written by Dr. Fernando Moncheberg, Director, Institute of Nutrition and Food Technology of the University of Chile, distributed in the Third Committee at the thirty-first session of the General Assembly of the United Nations, New York, 1976.

10. Article published in El Mercurio of 16 June 1977 entitled "Chilean university institute designated seat of United Nations University".

11. Statistics, by regions, of infant mortality rates in Chile between 1970 and 1975.

III. Situation of the elderly

During the current year, the National Institute of Statistics has carried out a study on the demographic composition of the Chilean population, from which it emerges that, out of a total estimated population of 10,655,757 in 1977, approximately 5.5 per cent are aged 65 years or over. The composition of the population aged 65 or over is as follows:

221,554	persons	are	aged	between	65 and 69 years
154,642	"	"	"	"	70 and 74 years
100,541	"	"	"	"	75 and 79 years
77,873	"	"	"	80 years or over.	

The above figures indicate that the proportion of elderly people in Chile is relatively low: approximately 5.5 per cent if a person aged 65 or over is considered elderly; approximately 3 per cent if a person aged 70 or over is

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considered elderly; and approximately 1.7 per cent if a person aged 75 or over is considered elderly. This means that, if there were any problem relating to the elderly in Chile - which is not the case - it would not be alarming in its extent, given the low percentage of elderly persons within the total population of Chile.

No such a problem in fact exists, as is apparent from a study undertaken by the same Institute entitled "Demographic and socio-economic characteristics of the elderly", which shows that, among elderly males, approximately 80.4 per cent give up their economic activity as a result of retirement (covered by social security) and 7.3 per cent because of sickness (also covered by social security arrangements).

It should also be pointed out that, in order to solve any problems that might arise for this sector of the population, there is in Chile an organization known as the "National Commission for the Protection of the Elderly" and that a number of rest homes have recently been established.

We append the following documents on this subject.

1. Statistical tables on the Chilean population by sex and age up to 1977.

2. Article published in El Mercurio of 20 June 1977 entitled "Demographic statistics on the elderly".

3. Article published in El Mercurio of 8 June 1977 entitled "Discussion on the elderly and their problems".

IV. Issue of passports "Válidos sólo para salir del país" (Valid only for departure from the country)

As the Working Group was duly informed, in September 1976 the Government of Chile instructed its consular representatives to issue a new passport to all Chilean applicants holding a passport stamped with the words "Valid only for departure from the country".

This instruction was repeated by the Government in January 1977, as the Working Group was informed in document E/CN.4/1247/Add.1.

Subsequently, at a meeting of the Working Group held on 18 May 1977, which was attended by representatives of the Government of Chile, Ambassador Manuel Trucco stated that the issue and delivery of passports which did not bear the words "Valid only for departure from the country" had continued without problems or exceptions. Luis Corvalán, for example, had received his passport immediately on applying for it at the Chilean consulate in Rome on 3 March 1977.

The Government of Chile wishes to inform the Group once again that, if any person holds a passport bearing the words "Valid only for departure from the country", he has only to apply at any Chilean consulate in order to obtain a new passport which does not bear these words.

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V. Reasons why the Supreme Court of Justice rejected the request for the appointment of a visiting judge

The Plenum of the Supreme Court of Justice, by a decision handed down on Friday, 14 October 1976, rejected the petition submitted by the Vicaría de la Solidaridad in which it asked the Supreme Court of Chile to appoint a special visiting judge to investigate the alleged disappearance of 317 persons.

It should be noted that the institution of "special investigations" (visitas extraordinarias) is provided for in articles 559 et seq. of the Organic Code of Courts; such investigations are in order, inter alia, when it is necessary to investigate matters bearing on the conduct of judges or when there is a significant delay in dealing with matters submitted for their attention.

In its decision, the Supreme Court stated that the proceedings relating to disappearances instituted in various criminal courts bore witness to the diligence and conscientiousness of the judges, who, moreover, are under the direct supervision of the regular visiting judges of the Appeals Court of Santiago.

The Court added that 38 of the persons alleged to be missing had been found to be living freely in their respective homes; 11 had been arrested under the state of siege; while 3 had been dealt with by military courts and 3 by ordinary courts as being common criminals. Later in its decision, the Court stated that in many cases, which it cited, names were repeated, with the result that the number of alleged "missing persons" had been swollen.

Lastly, in order to appreciate the significance of the decision, careful attention must be given to the Supreme Court's reasons in refusing to appoint a special visiting judge.

In the words of the decision, the Supreme Court considered that the "investigations were being carried out satisfactorily" by the competent courts and that it was therefore not necessary to appoint a special visiting judge. Thus, the Court did not refuse to carry out investigations, but considered that investigations were being carried out satisfactorily and that it is therefore not necessary to accede to the request.

We append to this note a copy of the decision by the Supreme Court of Justice.

VI. Situation of the communications media

Within the context of the state of emergency which exists in Chile, the communications media enjoy wide freedom, as is apparent from a simple perusal of the various periodicals and newspapers or from listening to the radio and television programmes.

This is conclusively borne out by the public discussions in magazines and newspapers and on the radio and television concerning various aspects of the

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situation of Chile, in which Chileans of the most diverse democratic leanings participate.

The closing-down of Radio Balmaceda was ordered on the basis of Legislative Decree No. 1697 of 12 March 1977, which dissolved the political parties, annulled their juridical personality and ordered their property to be dealt with in the manner provided for in their statutes (Radio Balmaceda was owned by the Christian Democrat Party).

We append a copy of the Supreme Court's decision.

VII. Situation of some missing persons who "according to some witnesses" have been seen in certain places of detention

The Ad Hoc Working Group, through one of its members, requested further information on the situation of the following persons: Jorge Fuentes Alarcón, Ariel Martín Salinas Argomedo, David Silberman, Jorge Elías Andrónico Antequera, Juan Carlos Andrónico Antequera, Alfredo García Vega, Fabián Ibarra, Allan Bruce, Ariel Mancilla and Alfredo Rojas Castañeda. This additional information was requested because, as the representatives of the Government of Chile were informed, various witnesses had stated that to their knowledge the persons in question had been detained in Chile.

The Government of Chile is able to give the following information on the above-mentioned persons.

Jorge Fuentes Alarcón

As the Division of Human Rights has repeatedly been informed in a number of notes, this person has not been detained in Chile.

Moreover, as the Commission on Human Rights was informed in document E/CN.4/1247/Add.1, page 61, an order forbidding him to leave the country was issued by the public prosecutor of Antofagasta because of his participation in criminal acts investigated under case No. 403/73.

According to press reports, he secretly left the country, with a Costa Rican passport in the name of Nordarse Ledesma Duriel, and has been detained in Paraguay. The latter report appears to have been confirmed by Gladys Díaz, who testified before the Group, in a press interview published in the periodical L'Express of 20-26 December 1976.

The Government of Chile is at present taking steps to obtain further information on the matter. As soon as this information is received, the Government will communicate it to the Division of Human Rights and the Ad Hoc Working Group.

In any case, the facts reported conclusively refute the allegation that Jorge Isaac Fuentes Alarcón has been seen in a place of detention in Chile.

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David Silberman

The second military district of Santiago carried out a judicial investigation of his disappearance. On 2 September 1976, it ordered proceedings to be discontinued on the grounds that it was not conclusively proved that an offence had been committed in connexion with the events which had caused the proceedings to be instituted. The judicial investigation was carried out under case No. 1053-74.

Alfredo Rojas Castañeda

This person was arrested on 14 March 1975 and released on 26 March of the same year under Decree (Decreto Exento) No. 933 of the same date.

It is therefore probable that between the above-mentioned dates he was seen by persons who were detained with him.

Fabián Enrique Ibarra Cordova

This person was detained in Valparaíso in 1975 and subsequently released.

Allan Roberto Bruce Catalán

This person used to work in the Municipal Employees' Social Security Fund in Santiago. His present whereabouts are unknown.

It should be placed on record that Mr. Bruce has not been detained in Chile.

Rodolfo Ariel Mancilla Ramírez

This person has not been arrested and no order relating to him has been issued by judicial or security authorities.

Ariel Martin Salinas Argomedo, Jorge Elías Andrónico Antequera, Alfredo García Vega and Juan Carlos Andrónico Antequera

The Government of Chile has no information in addition to that already supplied, and once again reiterates that the above-mentioned persons have not been detained by Chilean judicial or security authorities.

We are endeavouring to obtain further information on all the cases mentioned, especially those in which proceedings on the grounds of disappearance have been instituted in the competent Criminal Courts. As soon as we obtain any further information, we shall transmit it to the Division of Human Rights and the Ad Hoc Working Group.

In addition, as the Group will be aware from the various reports which it has received from the Government of Chile, all the cases mentioned in its notes of 27 July and 5 August are included in the list handed over by the International Committee of the Red Cross to the President of Chile. A full investigation is being

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carried out concerning the names on this list and the preliminary results have already been communicated both to the International Committee of the Red Cross and to the Working Group.

The Government of Chile wishes to draw the attention of the Working Group to a number of questions which have been raised and which relate to technical problems, such as the economic, nutrition and health situation in Chile - problems which are perhaps not strictly relevant to an analysis of the so-called "present situation of human rights in Chile".

In this connexion, it should be noted that interested persons or bodies frequently adduce arguments that could not be used in specialized technical bodies, which are perfectly well informed of the matters within their sphere of competence. Without prejudice to the information that may be supplied by the Government of Chile, there are international organizations, such as the International Monetary Fund, UNICEF (which has its regional headquarters in Santiago) and WHO, which possess all the data and statistics necessary in order to be able to compare and evaluate the results of different policies adopted at different times and to reject superficial judgements whose sole purpose is to attract attention by means of a misleading approach and inaccurate data.

The Permanent Mission of Chile reiterates to the Chairman of the Ad Hoc Working Group its willingness to supply such information as he may require for the more efficient fulfilment of the Group's mandate, and trusts that the information contained in this note and the annexes thereto will be duly reflected in the report which the Group is to submit to the General Assembly of the United Nations at its thirty-second session.

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ANNEX XXXI

Statement concerning the detention and death of Gustavo Humberto Castro Hurtado

/Original: Spanish/

I am the widow of GUSTAVO HUMBERTO CASTRO HURTADO, 54 years of age, identity card No. 1583213 issued in Santiago, a cooper by occupation, who would appear to have been assassinated on 14 September 1975 by the Military Government in Chile simply because he was in sympathy with the Constitutional Government of Salvador Allende.

On 3 September 1975, my house was broken into around 2.30 in the morning by a group of 15 men in plain clothes armed with submachine guns and wearing ponchos, some hooded and others with their faces daubed with soot. We were to all intents and purposes raided, and my husband was taken away to an unknown destination. The persons who detained him stated that they were making investigations; however, they did not produce any search warrant or order for the arrest of my husband. The same day at eight in the morning the house was again broken into and I was told that he would be imprisoned at the "El Bosque" Air Force base, and that I would be informed of the actual place where he was. As I got no answer, I lodged an application for amparo on 4 September 1975 with the High Court. This was rejected within a month on the grounds that the matter was in the hands of the then Minister of the Interior, who asserted that he was not holding my husband under arrest and had no knowledge of him. As I obtained no information of any kind from SENDE (National Prisoners Service) either, on 10 October I had recourse to the Supreme Court (Roll 19,596). In this appeal I stated that I personally, together with my two sons, had been an eyewitness of my husband's arrest. In appealing, I repeated that the individuals who made the arrest belonged to the Air Force, and I therefore asked that the Air Force public prosecutor's office be informed officially, so that information could be obtained about his detention. I can testify that he was imprisoned at the Air Force with two persons who were with him and who today are at liberty in Sweden, and whose personal particulars are as follows: Mario Eduardo Pizarro Torres, identity card No. 4471191 issued in Santiago and Genera Appelgren Donoso, identity card No. 4004375 issued in Santiago.

On 12 November 1975 I was informed in the Court of his death, through a statement by the Intelligence Directorate of the Air Force, which on 7 November had informed the court that my husband had been arrested by that Directorate and had in the meantime committed suicide, facts which would be investigated in proceedings conducted by the Air Force public prosecutor's office. The proceedings - case No. 123-75 - were to all intents and purposes a farce, since the counsel for the prosecution did not consider the commission of any crime proved, and therefore ruled that the case should be stopped temporarily, a judgement which was approved by decision of 6 January 1976 by the officer in charge of the combat commando. I say this because the certificate issued by the Institute of Forensic Medicine gives the causes of his death as cervical asphyxia, thoracic traumatism and traumatism of the lower extremities. The autopsy was carried out on 8 October 1975 by Doctor Tobar Pinochet, and a copy of it is in the possession of the International Red Cross ...".

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ANNEX XXXII

Statement made by Mr. Genaro Bernardo Appelgren Donoso

/Original: Spanish/

"I was arrested on two occasions by the Air Force Intelligence Service and my house was searched.

On the first occasion I was arrested at my home on 29 September 1973 and taken to El Bosque Air Base. Three days later I was transferred to the prison camp at the National Stadium. I was released, with no charges against me, on 12 October 1973.

On the second occasion I was arrested again at my home, on 1 September 1975. I was again taken to El Bosque Air Base, where I was kept blindfolded for 16 days. Subsequently I was transferred to the Cuatro Alamos prison camp, where I was held in solitary confinement for 28 days. On 14 October, I was released from solitary confinement and taken to the Tres Alamos prison camp, where I was able to communicate with members of my family for the first time. On 27 November 1975, I was transferred to the Melinca prison camp at Puchuncaví, and on 11 June 1976 I was released with no charges against me.

Both times while I was at El Bosque Air Base I was constantly questioned and brutally tortured by the usual methods. I was kept standing for six days and given no food at all. I was hung up by my hands and feet constantly, and while I was in that position electric current was continually applied to my body. I was beaten with various kinds of blunt instruments until I lost consciousness. I still have the marks on my body from these tortures. In my case, the type of torture used most often was the one called 'La lora' in which the prisoner's hands and feet are tied together, an iron bar is passed between the feet and he is slung up totally naked. Then the blows began and electric current was applied to the most sensitive parts of my body.

During my detention at El Bosque Air Base in September 1975, I was with Arsenio Leal Pereira and Gustavo Humberto Castro, whom I knew personally. The former had stood for election as councillor and the latter had been my neighbour. They were both killed at the Air Base during the time I was detained there.

During my detention my family made three applications for action for enforcement of rights (amparo), which were rejected by the Supreme Court, while the Ministry of the Interior denied that I was being detained, which was contrary to the rules relating to the detention of individuals laid down by the Military Government Junta itself. Photocopies of these documents and of my certificate of release from the National Stadium are enclosed."

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ANNEX XXXIII

Official Chilean documents admitting the detention of missing persons Barbara Uribe Tamblay, Edwin Van Yurick and Bautista Van Schouwen

/Original: Spanish/

Republic of Chile
Ministry of Foreign Affairs

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United Kingdom and has the honour to refer to Note No. 18/2, dated 7 August 1974, relating to Christian Van Yurick, Edwin Van Yurick and his wife, Barbara Uribe, in which their relatives and your Embassy request information concerning their whereabouts and their state of health.

The Ministry is able to inform you that the competent Chilean authorities consulted in this connexion state that the above-mentioned persons have been remanded in custody pending due investigation and that they are in normal health. Their whereabouts have not yet been made known.

The Ministry of Foreign Affairs takes this opportunity to reiterate to the Embassy of the United Kingdom the assurances of its highest consideration.

SANTIAGO, 18 August 1974

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REPUBLIC OF CHILE
GOVERNMENT JUNTA
MINISTRY OF THE INTERIOR
OFFICE OF THE LEGAL COUNSEL

OF. Conf. No. 294/21-F-21
Ant. OF. Conf. No. 1677 15 July 1974
Court of Appeals

Subject: Report on the person in question

Santiago, 8 August 1974

FROM THE MINISTRY OF THE INTERIOR
TO THE PRESIDENT OF THE I COURT OF APPEALS

Referring to your communication No. 1677 of 15 July 1974 relating to the application for action for enforcement of rights (amparo) made in document No. 731-74, I have the honour to inform you that Bautista Van Schouwen Vasey is being held at the disposal of the Office of the Military Prosecutor, First District, Santiago.

The person in question has thus not been detained by order of this Ministry.

Accept, Sir, ...

(Stamped and signed)

RAUL BENAVIDES ESCOBAR
Major General
Ministry of the Interior

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ANNEX XXXIV

Information concerning investigations into the detention and disappearance of 13 persons in November and December 1976

/Original: English/

Name and information concerning detention	Information supplied by the Government of Chile a/	Information from Government of Argentina b/
1. Santiago Edmundo Araya Cabrera Single, travel agent. Detained on public street on 29 November 1976.	(Eduardo Araya Cabrera) I.D. No. 5880754 Chile. Left Chile on 22 December 1976 by foot.	
2. Carlos Patricio Durán Gonzáles 27 years, married, two children, civil builder. Detained on street at 9 a.m. on 18 December 1976.		
3. Héctor Veliz Ramirez 44 years, married, former municipal worker. Former leader of CUT. Active Communist. Detained on street on 15 December 1976.		(Héctor Veliz) Entered Argentina (together with three others) on 6 January via Las Cuevas Pass in automobile with Chilean licence plate No. HG-19.
4. Fernando Ortiz Letelier 54 years, married, three children, Professor and historian, former member of the Superior Council of the University of Chile. Active Communist. Detained on Avda. Larrain, at 7.30 p.m. on 15 December 1976. Witnesses to detention afraid to testify.		

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Name and information concerning detention	Information supplied by the Government of Chile a/	Information from Government of Argentina b/
5. Edras Pinto Arroyo 49 years, married, 8 children, store-owner, secretary-driver for Parliament members of Chilean Communist Party. Detained in mother's house in Quinta Normal Sector at 10.30 a.m. on 20 December 1976. Witnesses in addition to mother afraid to testify.	(Edras Pinto Arroyo) I.D. No. 19.195, left Chile on 6 January 1977. Appears to have left in auto license No. M(Mendoza) No. 124961, for Mendoza.	(Edras Pinto Arroyo) Entered Argentina (together with 3 others) on 6 January via Las Cuevas Pass in automobile with Chilean license plate No. HG-19.
6. Lincoyán Valú Berrios Cataldo 48 years, married, three children, retired municipal worker, Labour leader and active communist. Detained on Rodrigo de Araya con La Plaza on 15 December 1976 at 2.45 a.m.	(Lincoyán Berrios Cataldo) I.D. No. 2759542 (Santiago), left Chile 21 December 1976 by foot (hitch-hiking).	(Lincoyán Berrios Cataldo) Entered Argentina 21 December 1976 via Las Cuevas Pass by foot.
7. Lizandro Tucapel Cruz Díaz 54 years, married, Polpaico labour union leader (1968-1973). Militant communist. He was detained in the Renca Sector, on 18 December 1976 at 8.45 a.m.	(Lisandro Cruz Diaz) I.D. No. 1752825 (Santiago) left country 11 January 1977.	
8. Horacio Cepeda Merinkovic 54 years, married, four children, civil builder - former Director Chile-German Institute (GDR). Active communist. Detained in the Irarrázabal sector at 8.45 a.m. 15 December 1976.	(Horacio Zepeda Marincovic) I.D. No. 1246834 (Santiago) left Chile 6 January 1977,	(Horacio Zepeda Merinkovick) Entered Argentina 6 January 1977 (together with three others) via Las Cuevas Pass in automobile with Chilean license HG-19.

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Name and information concerning detention	Information supplied by the Government of Chile a/	Information from Government of Argentina b/
9. Fernando Alfredo Navarro Allende 49 years, married, three children, railroad employee, labour leader (1960-1973) and active communist. Detained in the Ramón Cruz sector at Avenida Grecia, at 1.30 p.m. on 13 December 1976. Witness to detention afraid to testify.		
10. Waldo Ulises Pizarro Molina 42 years, married, three children, mine technician. Candidate of Communist Party for municipal councilman (1965). Detained on Avenida Larrain at 19.30 p.m. on 15 December 1976. Witness to detention afraid to testify.		
11. Reinalda del Carmen Pereira Plaza 29 years, married, five months pregnant, medical technician, Secretary of the Federation of Professional and Technical Health Workers. Detained near to Plaza and Irrarrazabal, 7.30 p.m. on 15 December 1976.	(Reinalda Perrira Plaza) I.D. No. 5319316 (Santiago). Left Chile by foot (hitch-hiking) on 21 December 1976.	(Reinaldo Pereira Plaza) Entered Argentina by foot on 21 December 1977 via the Las Cuevas Pass.

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Name and information concerning detention	Information supplied by the Government of Chile a/	Information from Government of Argentina b/
12. Armando Portillo Portillo 50 years, married, three children, machine operator, labour leader (1963-1968), active communist. Detained on the street on 9 December 1976.	(Armando Portilla Portilla) I.D. No. 2758775 (Santiago). Left Chile for Mendoza on 11 January 1977. Indicated possibly travelled in automobile No. 60024.	
13. Luis Segundo Lazo Santander Former labour union leader (CUT), active communist. Detained in the Quinta Normal Sector on 15 December 1976. Witnesses to detention afraid to testify.	(Luis Lazo Santander) I.D. No. 1253774 (Santiago). Left Chile on 6 January 1977.	(Luis Laza Santander) Entered Argentina (together with three others) via Las Cueva Pass on 6 January 1977 in automobile with Chilean license plates HG-19.

a/ E/CN/4/1247/Add.1.

b/ As reported by the Government of Chile E/CN.4/1247/Add.1.

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ANNEX XXXV

Message to the Secretary-General from the persons participating in the sit-in strike at the headquarters of the Economic Commission for Latin America, Santiago

/Original: Spanish/

We are declaring this hunger strike because we cannot go on waiting. Members of our family have been detained and have disappeared at different times and in different parts of the country. In all cases, the "security services" of the Government, in particular the national intelligence agency, DINA, have had a part in the detentions.

In all cases, the authorities have denied that the detentions have taken place or have given conflicting explanations, despite the existence of many and varied witnesses and in some cases legal documents - in short, overwhelming evidence of the detentions.

In all cases, the aforementioned intelligence services have placed obstacles in the way of the investigations into the disappearances, where such investigations have been conducted, and in many cases they have put direct pressure on the relatives who are looking for the missing persons to make us give up our search.

In all cases, such investigations as have been carried out by the judicial authorities have failed to yield any positive results.

In all cases in which persons have disappeared - with the sole exception of Carlos Contreras Maluje, who has still not been released - defence funds have been withheld "for lack of information", according to the courts.

In all cases in which we have lodged responsible protests the members of our families disappeared months or years ago and we do not know whether they are alive or dead, and this means tragedy and uncertainty for each home. What enormous efforts we have made to find them. We have sent written communications and made detailed submissions to dozens of organizations and persons who are in some way connected with our tragedy and who might be able to help us. We have approached, and obtained interviews with, a vast number of persons, officials and others, civilians and military, judges, ministers with various portfolios. We have spent countless hours waiting in antechambers and elsewhere; sometimes we have been received with deference and at other times we have been harassed and humiliated by junior officials.

How much has been done by the church and the clergy in solidarity, from personal assistance, expressions of solidarity and hope, legal support and assistance in the preparation of comprehensive, responsible and soundly-based submissions and their communication to the legal and executive authorities, knowledge of which has sometimes reached the public. And all these efforts, for

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which we are deeply grateful, have been made with a view to locating these missing persons, a humanitarian goal which is consonant with law and truth.

And how many calumnies, lies, attacks and acts of aggression we, our lawyers, the church and the clergy have had to endure simply because we have repeatedly and truthfully raised the problem of the missing persons, in the past few weeks alone, in addition to an orchestrated campaign against the clergy acting in solidarity with us, cowardly physical attacks have been made on the aged mother of one of the missing persons, on one of our lawyers, on an adolescent girl ... And with all these calumnies, lies, silence, attacks and threats, the problem still remains unresolved.

We cannot go on waiting: we cannot lose hope. That is why we think that the time has come to say, "Enough." And in order to put an end to our tragedy and as a means of ensuring the cessation of these "inexplicable" cases which heap shame on Chile in the eyes of national and international public opinion, we are declaring this hunger strike.

This is what we are asking:

(1) We demand that all the cases of missing persons should be cleared up once and for all. The acts that we have denounced represent "illegal arrests", "kidnappings", offences and crimes, which violate the precepts of law and morality and represent an attack on the dignity, freedom and life of the persons concerned, namely, many honest and hard-working Chileans who are loved by us, appreciated by their colleagues at work and in many cases elected representatives or leaders of their communities, trade unions, universities. There is no offence, no error, no ground for accusation against them.

The reliable lists are those which appear in the responsible submissions made by us or by the church to the courts, with the assistance of thousands of world figures, men of culture, lawyers, trade union leaders, etc. We challenge those responsible to produce the missing persons listed in those submissions. We demand the truth.

(2) We demand the establishment of a commission of investigation, consisting of eminent persons of irreproachable moral character from Chile and other countries. We cannot continue to hear irresponsible explanations, promises for the future, commitments to undertake formal investigations, which never come to anything. Even less can we continue to tolerate the wave of lies and distortions on the problem put out by some communications media.

If the Chilean authorities recognize the position and competence of an organization such as the United Nations, there is no reason why a commission with United Nations backing and with the status which it will derive from the eminent persons appointed to it cannot carry out an analysis of the evidence in this case. Such a commission, which should be guaranteed the greatest latitude in its investigation, will be able to receive all the information which we have and to hear any witnesses who wish to make statements, as well as any evidence there may be on the other side, so that it can eventually give an independent judgement.

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(3) Lastly, we demand absolute respect of all individual guarantees for ourselves, the relatives of the missing persons who have done and are doing nothing more than anyone in a similar situation would do, namely making every sacrifice in order to find our loved ones.

We cannot, in short, continue in a situation which has rightly been described as "worse than death", the uncertaintly about our missing relatives, about their lives, the well-founded presumption of the sufferings to which they are being subjected.

We cannot permit these facts to be passed over in silence, or those who have disappeared to be forgotten, or hope to be lost, nor can we, through our passivity or our silence, allow this to occur. Past or future disappearances are the most inhuman action which can be committed against a human being, against a family. Such disappearances make a lie of the law and a monstrous falsehood of the guarantees to life and human rights. Their continuation can make us all collectively culpable, turn us into a people who will have learned this truth too late when the lives in jeopardy can no longer be saved.

For all these reasons, we declare this hunger strike. For the love of our relatives, out of respect for life, liberty and human dignity, we shall find them.

(signed) RELATIVES OF THE MISSING DETAINEES

Santiago, 14 June 1977

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ANNEX XXXVI

Message of thanks to the Secretary-General from the participants in the sit-in strike at the headquarters of the Economic Commission for Latin America, Santiago

/Original: Spanish/

Message to Mr. Kurt Waldheim, Secretary-General

1. On 23 June, after 10 days' hunger strike, we, the relatives of 36 arrested and missing persons, in accordance with the request made by Mr. Kurt Waldheim, Secretary-General of the United Nations, have agreed to halt the hunger strike and to leave the headquarters of the United Nations in Chile peacefully.

2. We express our deepest thanks to the United Nations and particularly to Mr. Kurt Waldheim and Mr. Enrique Iglesias for their unfailingly calm and humanitarian attitude, for their good offices in the search for solutions, for their constant concern and for the support which we hope to continue receiving from the Secretary-General in the future.

3. We earnestly welcome the undertaking entered into by the authorities vis-à-vis the United Nations and its Secretary-General with regard to the provision within a reasonable period of time of the information in their possession concerning the fate of each of our missing relatives.

4. We reiterate that we shall remain in the country, confident that the guarantees given by the Government to the United Nations with regard to our personal security and that of our relatives will be respected.

5. We express our hope that progress will be made in taking appropriate measures to elucidate the fate of any other person concerning whom the United Nations is in possession of information.

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ANNEX XXXVII

Information concerning missing persons whose relatives participated in the sit-in strike at the headquarters of the Economic Commission for Latin America, Santiago

/Original: Spanish/

1. Bernardo ARAYA ZULETA

Arrested on 2 April 1976 at his home in the town of Quinteros with his wife María Olga Flores Barraza, who has also disappeared, his grandchildren Vladimir Henríquez Araya (aged 15), Ninoska Henríquez Araya (aged 9) and Eduardo Araya Rojas (aged 9), and his brother-in-law Juan Flores Barraza (aged 59); the arrest was carried out by DINA agents, who took the whole group to Santiago blindfolded on the floors of the vehicles they were using; the next day, the youngsters and Juan Flores Barraza were released and abandoned in a Santiago street. All these events are on file, in the case now before the Eleventh Criminal Court of Santiago.

2. Victor Modesto CARDENAS VALDERRAMA

Profession: electrician

Alleged circumstances of arrest: said to have been arrested on the public highway at about 8.30 p.m. on 26 August 1976 by persons in civilian clothing who did not identify themselves.

3. Carlos Alberto CARRASCO MATUS

At the time of his arrest, he was working for DINA in his capacity as Lance-Corporal in the Chilean Army; he was arrested at his home in the presence of his family by two DINA officials, who said that he was needed at the Tres Alamos camp; on 15 March 1975, a DINA official visited the house to take back Carrasco's service weapon, leaving a certificate in which he was described as the bearer of identity card No. 8869; this official telephoned Carrasco's father on 16 March 1975 and informed him that Carrasco was at the Tres Alamos camp; finally on 28 March 1975, the same official visited the house and informed the family that Carrasco had fled. On 6 June 1975, in a letter cleared by DINA, General Rolando Garay, Commander of the Santiago garrison, stated that "Carrasco Matus committed the crime of desertion on 1 April 1975 and was discharged by DINA; his file was submitted to the Office of the Second Military Prosecutor, proceedings are being instituted against him under case No. 268-75 and he is currently in prison"; a friend of his, Alejandro Fuentes, was arrested on the same day - 14 March 1975 - and stated that he had been imprisoned with Carrasco at the Villa Grimaldi. Carrasco was arrested on 14 March 1975.

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4. Horacio CEPEDA MARINKOVIC a/

Profession: building foreman

Date of arrest: 15 December 1976

5. Marcelo Renán CONCHA BASCUÑAN

Profession: private employee

Alleged circumstances of arrest: said to have been arrested on the public highway on 10 May 1976.

6. Carlos Humberto CONTRERAS MALUJE a/

Profession: pharmaceutical chemist

Alleged circumstances of arrest: said to have been arrested on the public highway following an accident and to have been taken away in a sky-blue car, on 3 November 1976.

7. José Enrique CORVALAN VALENCIA

Profession:

Alleged circumstances of arrest: said to have been arrested at about 12 noon on 9 August 1976 at a building at 8523 Ayacara.

8. Lisandro Tucapel CRUZ DIAZ a/

Date of arrest: 18 December 1976

Profession: trade-union leader at Polpaico

9. Elisa del Carmen ESCOBAR CEPEDA

Arrested on the public highway on 9 May 1976; relatives of Lenin Díaz Silva saw her arrive the same day at the latter's home accompanied by an unknown person dressed in civilian clothes who emerged with both of them and left for an unknown destination, as recorded in case No. 16,455 of the Ninth Criminal Court; Díaz Silva has also disappeared.

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a/ See chap. III of this report for further information.

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10. Eliana Marina ESPINOZA FERNANDEZ

Date of arrest: 12 May 1976

Profession: small-scale tradesman

11. Maria Olga FLORES BARRAZA

Arrested on 2 April 1976 at her home in the town of Quinteros with her husband Bernardo Araya Zuleta, who has also disappeared, her grandchildren Vladimir Henríquez Araya (aged 15), Ninoska Henríquez Araya (aged 9) and Eduardo Araya Rojas (aged 9), and her brother Juan Flores Barraza (aged 59); the arrest was carried out by DINA agents, who took the whole group to Santiago blindfolded on the floors of the vehicles they were using; the next day, the youngsters and Juan Flores Barraza were released and abandoned in a Santiago street. All these events are on file in the case before the Eleventh Criminal Court of Santiago.

12. Humberto FUENTES RODRIQUEZ

Date of arrest: 4 November 1975

Profession: former member of the Renca Town Council

13. Juan Antonio GIANELLI COMPANY

Profession: secondary-school teacher

Alleged circumstances of arrest: said to have been arrested at about 1.30 p.m. on 26 July 1976 at Girls' School No. 24, Independencia.

Former national leader of SUTE, FEDECH and National Board of Assistant Teachers.

14. Alicia HERRERA BENITEZ

Profession: housewife

Alleged circumstances of arrest: said to have been arrested at her home on 4 August 1976.

15. Iván Sergio INSUNZA BASCUÑAN

Profession: doctor

Alleged circumstances of arrest: said to have been arrested on the public highway at about 11.30 p.m. on 4 August 1976.

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16. Mario Jesús JUICA VEGA

Profession: driver

Alleged circumstances of arrest: said to have been arrested on the public highway at about 12 noon on 9 August 1976.

17. Luis Emilio MATURANA GONZALEZ

Profession: primary-school teacher

Alleged circumstances of arrest: said to have been arrested on the public highway on 8 June 1976.

18. Nalvia Rosa MENA ALVARADO

Arrested on 29 April 1976, together with her husband, Luis Emilio Recabarren González, her brother-in-law Manuel Guillermo Recabarren González and her small son, only two and a half years old, who was found abandoned in the street. They were arrested in the presence of several neighbours in the immediate vicinity of their home, right on the street, by several policemen carrying sub-machine guns, and were put into a Citroen 2CV. The following day her father-in-law, Manuel Segundo Recabarren Rojas, was arrested. All the above-named persons have been missing since the date of their arrest. Nalvia Rosa was five months pregnant at the time of her arrest.

19. Fernando NAVARRO ALLENDE a/

Date of arrest: 13 December 1976

Profession: railway engine driver

20. Miguel NAZAL QUIROZ

Profession: tradesman

Alleged circumstances of arrest: said to have been arrested on the public highway on 11 August 1976.

Former leader of CUT

/...

21. Juan Fernando ORTIZ LETELIER a/

Date of arrest: 15 December 1976

Profession: historian

22. Reinalda del Carmen PEREIRA PLAZA a/

Date of arrest: 15 December 1976

Profession: medical technologist

23. Waldo Ulises PIZARRO MOLINA a/

Date of arrest: 15 December 1976

Profession: mining technician

24. Armando PORTILLA PORTILLA a/

Date of arrest: 9 December 1976

25. Oscar Orlando RAMOS GARRIDO

Profession: linotypist

Alleged circumstances of arrest: said to have been arrested at his home, together with his son, Mr. Oscar RAMOS VIVANCO, at about 1 p.m. on 5 August 1976 by persons dressed in civilian clothes who did not identify themselves and who were using a Peugeot.

26. Oscar Arturo RAMOS VIVANCO

Profession: student consultant

Alleged circumstances of arrest: said to have been arrested at his home, together with his father, Mr. Oscar RAMOS GARRIDO, at about 1 p.m. on 5 August 1976 by persons dressed in civilian clothes who did not identify themselves and who were using a Peugeot.

27. Luis Emilio RECABARREN GONZALEZ

Arrested on 29 April 1976 in the immediate vicinity of his home with his wife Nalvia Mena Alvarado, his small son aged two and a half and his brother Manuel Guillermo. His son was later found abandoned in the street; the rest are

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still missing after being arrested by policemen carrying sub-machine guns and being put into a Citroen 2CV. The following day his father, Manuel Segundo Recabarren Rojas, was arrested and is also missing.

28. Manuel Guillermo RECABARREN GONZALEZ

Profession: trainee

Alleged circumstances of arrest: said to have been arrested on the public highway after 9.30 p.m. on 29 April 1976, together with his brother and sister-in-law, by persons dressed in civilian clothes who did not identify themselves.

29. Manuel Segundo RECABARREN ROJAS

Profession: pensioner of the Private Employees' Fund

Alleged circumstances of arrest: said to have been arrested on the public highway at 7.30 a.m.

Date of arrest: 30 April 1976

30. Nicomedes Segundo TORO BRAVO

Profession: labourer

Alleged circumstances of arrest: said to have been arrested on the public highway at about 8 a.m. on 28 July 1976.

31. Julio Roberto VEGA VEGA

Profession: carpenter

Alleged circumstances of arrest: said to have been arrested on the public highway at about 11.30 a.m. on 16 August 1976.

32. Hugo Ernesto VIVANCO VEGA

Profession: private employee

Alleged circumstances of arrest: said to have been arrested on the public highway at about 1 p.m. on 4 August 1976.

33. Mario ZAMORANO DONOSO

Arrested on 4 May 1976 by DINA agents at a house at 1537 Calle Conferencia. Many other persons who visited this house between 29 April and 8 May 1976 were also arrested.

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ANNEX XXXVIII

Note verbale dated 26 August 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva addressed to the Chairman of the Ad Hoc Working Group

/Original: Spanish/

The Permanent Delegation of Chile to the Office of the United Nations and other International Organizations at Geneva presents its compliments to the Chairman of the Ad Hoc Working Group of the Commission on Human Rights and has the honour to refer to various queries raised in a letter dated 16 August and in the course of the recent meetings.

In a letter dated 16 August 1977, information was requested from the Government of Chile on the arrest of six women who had organized a demonstration in front of the Supreme Court of Chile, in Santiago.

In this connexion, the Permanent Delegation of Chile is able to inform the Working Group that, on 12 August 1977, when Mr. Terence Todman, the United States Assistant Secretary of State for Inter-American Affairs, was on his way to the Supreme Court of Justice to see the President of the Court, a group of women carrying placards referring to alleged missing persons caused a disturbance in the street. Policemen from the Santiago Third Police District who were at the scene proceeded to arrest seven women and two men, who were released after making statements at the police station.

Approximately an hour elapsed between their arrest and their release and this was widely reported in the local press.

The persons who made statements were the following:

María Paz Ortíz Rojas, 27 years of age, unmarried, Chilean, school-teacher, Identity Card 5715837 Santiago, living at Llewellyn Bavor No. 1212

Carmen Rosa Vicanco Vera, 61 years of age, married, Chilean, housewife, Identity Card 2233508 Santiago, living at Apoquindo No. 7801

Humilde Ramírez Caballero, 30 years of age, married, housewife, Identity Card 5206451 Santiago, living at Gaspar de Orance 993

Pablo Maximiliano Santelices Tello, 30 years of age, married, Chilean, university teacher, Identity Card 5392492-1 Santiago, living at Juan de Barrios 4041, Quinta Normal

Raquel Ardiles Todillo, 48 years of age, married, Chilean, housewife, Identity Card 45998 Calera, living at C. Hípico 154, San Miguel

/...

Carmen Arriagada Jerez, 42 years of age, married, Chilean, housewife, Identity Card 3709547 Santiago, living at Pasaje Belirio 1225, La Palmilla, Conchalí

Hortensia de Lourdes Orellana Muñoz, 22 years of age, married, Chilean, housewife, Identity Card 5959343 Santiago, living at Puerto de Palacios 5020

Violeta Zuñiga Peralta, 43 years of age, married, housewife, Identity Card 3942161-3 Santiago, living at Villa Grandy, Av. Sur 639, Maipú

Ernesto Escudero Arancibia, 67 years of age, journalist, Identity Card 1022182 Santiago, living at Villa Macul, calle Augusto Winder 4158.

This incident, which is purely a police matter, together with the prompt release of the persons who caused the disturbance, was widely reported in Chile.

Enclosed is a cutting from the newspaper "La Tercera", dated 12 August 1977.

At meetings held in the course of this week, the Group also requested information on Decree-Law 1877 and the speech made by the President of Chile in the town of Los Angeles on 19 August. Accordingly, a photocopy is also enclosed of the Official Gazette of 13 August 1977, containing Decree-Law 1877, which supplements the terms of Law No. 12.927, concerning State Security, and of the full text of the speech made at Los Angeles by the President of Chile, in which he reiterates his firm decision to abide by the plan for a return to normal institution in Chile, which was announced on 9 July last.

The Permanent Delegation of Chile takes this opportunity to reiterate to the Chairman of the Ad Hoc Working Group the assurances of its highest consideration.

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ANNEX XXXIX

Excerpts from the report of a mission to Chile under the auspices of the World Council of Churches relating to threats to signatories of a petition to the Supreme Court

/Original: French/

THREATS TO PERSONS

Between 10 and 12 March the DINA visited the homes of the following persons who signed the list of 501 missing persons submitted to the Supreme Court:

- Isidora MACHIEZ GONZALES
- Gladys MORALES MOLINA
- Elisa MIRAMBUENA VERDUGO
- Saul REYES PINA
- Margarita MAGNA CASTILLO
- Pedro ZAMORANO DONOSO
- Gabriela BRAVO JARA
- Olga DONATO AVENDANO
- Maria ARAES BARRAZA
- José CARRASCO TAPIA
- Onofre MUNOZ CONTRERAS

Threats

With regard to the submission of file 501, the Government's Directorate of Information states that:

- It is a continuation of the Communist Campaign conducted since 11 September 1973.

- It proves that "the country is not yet ready for a return to the juridical and political normality sought by some. On the contrary, it indicates that the state of emergency in force in the country is justified by the gravity of the acts referred to and the disturbance of public order which they have caused".

The Government states that such acts coincide with the attacks made by the Ad Hoc Working Group, and even suggests that there is a connexion between them and

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the death of General Carlos Prats, and the assassination of Leighton and Orlando Letelier. This is an attempt to justify the maintenance of the state of emergency.

It refers to the National Security Law, adding that "the Government will not hesitate to use, strictly and inflexibly, all means necessary to defend the nation against the grave dangers that threaten it as a result of the activities of those who attack it".

During our stay in Chile, we learnt that two ex-detainees who were employed in a workshop in Valparaiso were wanted by the DINA and had been forced to go into hiding. These two ex-detainees are witnesses concerning the 13 missing persons from Valparaiso.

Five leaders of RANQUIL have also been sought in the provinces for several weeks.

A great many other cases have been reported which cannot, in prudence, be mentioned. There are certainly others which have not come to notice, particularly in the provinces.

ANNEX XL

Excerpts from the report of a mission to Chile under the auspices of the World Council of Churches relating to the Vicaria de la Solidaridad

/Original: French/

A. ACTION AGAINST THE VICARIA

Its aims are fourfold:

1. To confuse public opinion by showing that the accusations made are politically motivated and associated with the parties that have been dissolved;

2. To attack the staff of the Vicaria as a deterrent;

3. To prevent or discourage the victims from going to the Church for assistance;

4. To sow distrust within the Church itself.

1. In the first few months of 1977, statements were published by people who accused the Vicaria of submitting applications for amparo on their behalf. Visits are paid (even by former prisoners) to the families of persons who are imprisoned or have disappeared to persuade them to sign statements denouncing the Vicaria.

The Government, in its reply to the document concerning the 501 cases, condemns communications of that kind as part of the international Marxist campaign.

Cases in point are those of José Erasmo Leiva Aguayo from Osorno and of Carlos Veloso (annexed).

2. Direct action is taken against persons who collaborate with the Church and they are warned to give up the work of solidarity.

Pressure is brought to bear against Sergio Chifflelle Besnier, Procurador del Número and collaborator with the Vicaria, who is threatened with dismissal from his post.

Serious pressure is brought to bear on the persons we questioned.

First case: Threats are made against the children of the victim, and by people in cars who watch all the family's comings and goings and insult their colleagues or neighbours. In this particular case, the pressure began a week after friends of the family who were foreigners had visited them. Although the daily threats have stopped, they have left their mark, as the members of the family are now afraid to go out alone and are upset whenever one of them is late in returning home.

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Second case: The telephone is used to exert pressure by scores of phone calls, which are made every day for months and have an obsessive and sometimes hallucinatory effect. These terrify the victim, who feels hunted and becomes mentally unbalanced, finally giving up all his activities. Action of this kind is intended to intimidate and eventually destroy the person concerned.

Other people who have been threatened or wounded (e.g. August Michaud) have had to leave the country.

3. Many of the families of persons who are missing or in prison have been visited by the DINA to make them sign statements contradicting the charges brought by the Vicaria. Before detainees are released from prison, they have to sign a statement undertaking not to make any denunciations to the Vicaria. In April and May all persons held by the security services were intimidated in this way.

4. Attempts have been made to sow doubt within the Church itself. Statements have been sent to a bishop accusing the Vicaria of forcing people to make false statements.

In addition, a constant watch is kept on the premises of the Church where the work of solidarity goes on. Efforts are made to identify the people employed by the Vicaria, some of them are followed on leaving their work and DINA agents come to "request" the help of the Vicaria in order to gain access to the premises. This sort of action is not confined to Santiago. The fact that the threats and pressure have ceased in some cases after certain interventions were made is one more proof of the authorities' concealed powers of intimidation.

B. FALSE ACCUSATIONS MADE AGAINST THE VICARIA

1. Jorge Enrique SALAZAR HOJMAN

On 10 May his mother reported to the Vicaria that he had disappeared on 8 May. On 12 May an application for amparo was drafted which the mother signed. After that she never returned to the Vicaria.

On 24 May an interview with Jorge Salazar was printed in El Cronista in which he claimed that he had never had the slightest problem with the law and accused "Radio Moscow and the Vicaria of having invented his arrest".

However, his mother had reported her son's disappearance in an interview recorded by the Chilean broadcasting services.

2. Marcelo Ivan SANTANA PROSSER

On 9 May his wife came to the Vicaria to report that her husband had been arrested by the DINA on 8 May and she signed an application for amparo on his behalf. On 13 May she returned to the Vicaria. In the Third Criminal Court, where she was convened on 16 May, she herself made a complaint regarding the

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disappearance of her husband. She was not assisted in this by the Vicaria, to which she had not again returned.

Marcelo Santana Prosser appeared on television, stating that he had been abducted and interrogated concerning Patria y Libertad, thus hinting at the political affiliations of the kidnappers.

3. Carlos del SOLAR RAMIREZ

He disappeared on 8 May on leaving his home. His family searched everywhere for him and went to the Vicaria but did not submit the application for amparo prepared with the help of the Vicaria. In the newspapers of 24 May, a statement by Carlos del Solar was printed to the effect that "He supported the Junta and had been a leader of the Patria y Libertad Youth Movement".

4. The case of José Erasmo LEIVA AGUAYO

On 18 and 19 March 1977, large headlines in the newspapers announced that incontrovertible evidence had come to light that all the activities of the Vicaria on behalf of missing persons were simply a "show" to provide fuel for "the international Marxist campaign about missing persons which is being conducted with great fanfare abroad and particularly in the United Nations Commission on Human Rights" - a person, José Erasmo Leiva Aguayo, purported to be "missing", had been discovered in Osorno where he had been living peacefully with his family for the past year.

According to the press, José Erasmo Leiva had gone voluntarily to a military court "to clarify his situation, because he had found out that his name appeared on a list of missing persons who are the subject of a case before the Supreme Court and of a number of comments in the international press".

The Vicaria de la Solidaridad reacted immediately by sending to the Supreme Court a letter pointing out that the name of José Erasmo Leiva did not appear and had never appeared on any list of missing persons and that the information in question was false like other reports of the same kind that quoted the names of people who were said to be missing and had subsequently been found in good health but who, in actual fact, had never been listed as missing.

In a sworn affidavit, José Erasmo Leiva Aguayo stated that on 8 March 1977 he had been summoned by the "Investigation Service" of Osorno to enquire into his alleged disappearance. He had stated in the presence of his lawyer and of the Military Prosecutor that he had never been missing but that his brother, Micael Erardo Leiva Aguayo, on the other hand, had disappeared in March 1975. The Prosecutor had refused to listen to José Leiva and his lawyer, and had handed him over to the journalists who had been invited to attend the court hearings on that occasion.

In his statement, José Erasmo Leiva Aguayo explained that the press had distorted the facts, putting words in his mouth that he had never said, and that he wished to state publicly that he himself had never been listed as missing but that his brother had disappeared.

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ANNEX XLI

Torture: Report on psychological and physical effects a/

/Original: English/

Table I. Methods of torture

	Chileans n = 32
Beating	30
Direct cranial trauma	18
Electrical torture	27
Sleep deprivation > 2 days	4
Solitary confinement > 2 weeks	10
Starvation and dehydration > 2 days	5
Sexual exploitation	2
Direct genital trauma	17
Threatening of family and friends	11
Enforced witnessing or overhearing torture of others	13
Threats of execution	13
Pharmacological torture	3
Tooth torture	3
Suspension by feet or hands	9
Water torture	5
Bright light torture	3
Other forms of torture	18

a/ Extracted from "Torture: A Study of Chilean and Greek victims" by Dr. Ole Vedel Rasmussen, Dr. Agnette Mouritzen Dam and Dr. Inge Lunde Nielsen (The Amnesty International Danish Medical Group), in "Evidence of Torture": Studies by the Amnesty International Danish Medical Group.

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Table II. Symptoms after torture

	Chileans n = 32
Mental disturbance	17
Memory and concentration loss	17
Headaches	12
Sleep disturbance (difficulty in falling asleep, too much sleep, nightmares)	14
Alcohol intolerance	4
Sexual disturbances	4
Impaired hearing	6
Joint pain	6
Impaired gait	1
Visual disturbances	2
Cardiopulmonary symptoms	5
Abdominal pain	4
Chronic diarrhoea	0
Other symptoms	12

Table III. Mental disturbance

Nature	Chileans n = 17
Psychosis	1
Neurosis (depression, anxiety, phobia, hysteria)	10
Character change (affect lability, irritability, introversion)	10
Psychosomatic change (lethargy, fatigue)	3

Table IV. An alternative evaluation of mental symptoms

	Chileans n = 17
Anxiety	5
Phobia	0
Depression	5
Irritability, aggression, lability	11
Communication difficulty	1

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Table V. Objective findings

Manifest sequelae of torture	Chileans n = 21
Neurological	4
Mental	2
Impaired hearing	3
Fractures	5
Skin lesions	9
Poor dental condition (post-traumatic)	3
Gait disturbance/arthrosis	0
Diverse	10

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ANNEX XLII

Statement made by Leopoldo Luna Soto

/Original: Spanish/

"In March 1974, while I was in prison in Valparaiso, I began to feel pains and was unable to determine the cause, except that they had started after I was tortured. In fact, the ill-treatment and tortures to which I was subjected more particularly when I was thrown downstairs from the fourth floor to the second floor of the Valparaiso Naval Warfare Academy, blindfolded and with my hands tied behind my back had caused serious injuries to my vertebral column. Below I shall endeavour to give some medical details concerning the injuries that were caused.

(...)

"1. Injuries to the vertebral column:

(a) Lumbosacral injury: The injury in vertebrae L5 and S1 (lumbar 5 and sacral 1) took the form of torn intervertebral cartilage as a result of repeated blows from blunt instruments, of rolling down the stairs and having my spine twisted by the torture known as 'the corkscrew'.

This injury gave me a slipped disc for which I was operated on in November 1976 at the Van Buren Hospital in Valparaiso. It caused strangulation of the sciatic nerve in my right leg and in time (because the injury began to develop in March 1974 and I was only operated on in November 1976) caused it to pinch, which prevented me from walking on that leg.

(b) Cervical injury: The injury in this area affected vertebrae C3 and C4 in particular, and for more than a year has resulted in the strangulation of the trapezius in my right shoulder, which means I am physically incapable of writing, of lifting any weight or doing any exercise that places a strain on the muscles in this part. Otherwise, I have to endure acute pain.

This injury is also the result of the torn intervertebral cartilage, which at the same time gave me a slipped disc.

"2. Biopsy: This examination, carried out when I had the operation in 1976, diagnosed acute degeneration of the tissues in my back, as a result of the repeated blows I had received in this area.

"3. Tearing of the nasal septum: The tortures, and in more especially rolling down the stairs, tore my septum, thus preventing me from breathing normally, with all the effects caused by upsetting the rhythm of breathing. (...)

"This information that I am giving you in concise form can be confirmed through the International Red Cross and a number of medical certificates, clinical records and X-rays, which show what my physical condition was in three years and eight months of imprisonment, during which the authorities systematically hindered my recovery."

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ANNEX XLIII

Medical report regarding Osvaldo Garrido

/Original: English/

This report has been prepared at the request of the patient on behalf of the Chile Committee for Human Rights. He was admitted under my care at the Bristol General Hospital as an emergency on 21 April 1977. He had arrived from London Airport after being released from a Chilean prison camp where he had spent three years and seven months. All the history was obtained from an interpreter as he could speak no English.

His health had suffered as a result of several beatings, electric shock treatments and urethral torture. After being beaten he had suffered haemoptysis and haematuria on several occasions. On admission his main symptoms were referable to the urinary tract and the musculo-skeletal system.

1. He complained of urethral discharge with severe burning pain at the end of the stream and some terminal dysuria. This was accompanied by lower abdominal pain. He had had fever and rigors up to two months previously.

2. He complained of severe pains in his hands and feet and in relation to the long-bones of the limbs as a result of beating and forcible hyperextension of his joints.

When examined on admission he was found to have right loin tenderness, a number of cigarette burns on his hands and some tenderness in the hepatic area. The blood pressure was normal and grossly there were no other abnormalities on examination.

Following diagnoses were established after suitable bacteriological investigation:

1. Gonococcal urethritis and epididymo-orchitis.

2. Intestinal infestation with ascaris lumbricoides (round worm), giardia lamblia (an intestinal protozone parasite responsible for diarrhoea) and entamoeba histolytica (amoebic dysentery organism).

Certain other tests were fortunately normal including chest X-ray, X-rays of both hands and feet, lumbar spine X-rays, excretion urography of both kidneys, blood urea, liver function tests, serum calcium.

We did not find evidence of serum hepatitis or of infection with leptospira (the organism of Wieil's disease). He was treated with test, nutrition and rehabilitation. He required courses of Penicillin for the urethritis, Metranidazole and Pripsen for the worm and protozoan infestations. His general condition improved.

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As an out-patient the urethritis relapsed and required a further course of chemotherapy.

This patient insists that he has not had voluntary sexual intercourse since 1973. Under these circumstances, it may be assumed that the organism of gonorrhoea was introduced during episodes of interference with his urethra. No evidence of syphilis was found.

(Signed) G. LASZLO, M.D., MRCP,
Consultant Physician.

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ANNEX XLIV

Note verbale dated 17 August 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva addressed to the Secretary-General

/Original: Spanish/

The Permanent Mission of Chile to the Office of the United Nations and other international organizations at Geneva presents its compliments to the Secretary-General of the United Nations (Division of Human Rights) and has the honour to inform him that, on 12 August 1977, decree-law No. 1876 was issued. It contains a single article providing that "Decree Law No. 521, of 1974, establishing the National Directorate of Intelligence, is hereby repealed".

The Permanent Mission of Chile also wishes to inform the Secretary-General that, on the same date, decree-law No. 1878 was issued. It establishes a new organization entitled the "National Information Agency" with the task, as defined in article 1 of the decree, of "assembling and processing, at the national level, all the information from various sources required by the Government for the formulation of policies, plans and programmes, the adoption of measures necessary to safeguard national security, the normal development of national activities and the maintenance of the established institutional order".

The new body, which is to be connected to the Government through the Ministry of the Interior (article 1) and whose sole purpose, as has been explained, is to assemble and process information, will be staffed by members of the armed forces, and by civilians whose appointment will be subject to a Supreme Decree signed by the Minister of Finance (article 3).

Articles 5, 6 and 7 refer to the resources of the new organizations, its composition, administration and certain specific exemptions enabling it to import the goods necessary for the more effective fulfilment of its duties.

Article 8, which replaces, in the last subparagraph of article 19, paragraph (a), of Act No. 17,798 (Arms Control) the words "National Directorate of Intelligence" by the words "National Information Agency", gives the Agency the power of "search" when a Court, "in serious and urgent cases", so orders and there is reason to suspect that fire-arms, munitions, explosives or inflammable or or asphyxiating chemical substances, or installations designed for their manufacture, storage or deposit, are concealed on the premises.

Consequently, according to the above-mentioned legal provisions of article 8, the sole power granted to this body from the judicial point of view is that of "search" in serious and urgent cases where a Court has so ordered and it is suspected that the substances mentioned are to be found on the premises.

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Article 9 provides that, in combined operations, the National Information Agency will co-ordinate the National Defence Intelligence Services in work involving its specific function.

Article 10, by making applicable to the Director of the new body the provisions of articles 191 and 192 of the Code of Penal Procedure, exempts him from appearing in the courts to make a personal statement when summoned, but requires him to submit his statement in the form of a written report and under the oath that the law imposes on witnesses.

This provision, as has been said, applies only to the Director, all the rest of the staff being subject to all the obligations of the Chilean legal system.

Lastly, article 11 states that, for settlement-of-estate purposes only, the National Information Agency shall be regarded as the successor of the National Directorate of Intelligence. This provision, of strictly legal significance, will enable the National Information Agency to collect any monies that may be owed to the National Directorate of Intelligence, while making it possible, on the other hand, for the National Information Agency to be sued for any debts contracted by the National Directorate of Intelligence.

As will readily be perceived, the National Information Agency is a new entity quite distinct from the National Directorate of Intelligence; it lacks the powers of arrest possessed by the latter, and it is connected with the Government through the Ministry of the Interior.

For further information, this note is accompanied by the texts of decree-law No. 1876 abolishing the National Directorate of Intelligence and decree-law No. 1878 establishing the National Information Agency.

In the conviction that the present information will be of use to and will receive proper attention from the Commission on Human Rights and the Ad Hoc Working Group, the Permanent Mission of Chile takes this opportunity of once again assuring the Secretary-General of the United Nations (Division of Human Rights) of its highest consideration.

Geneva, 17 August 1977

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DECREE NO. 1876 (Dissolution of DINA)

No. 1876 - Santiago, 12 August 1977

RECALLING: the provisions of Legislative Decrees Nos. 1 and 128 of 1973; 527 of 1974; and 991 of 1976; and

BEARING IN MIND: the advisability of restructuring in accordance with the present circumstances of the Nation the powers of an Organization established in a situation of domestic conflict now past, the Governing Junta of the Republic of Chile has decided to issue the following Legislative Decree:

SINGLE ARTICLE: Legislative Decree No. 521, of 1974, establishing the National Directorate of Intelligence is hereby repealed.

For registration at the Office of the Comptroller-General of the Republic, publication in the Official Gazette and insertion in the official digest of the said Office of the Comptroller.

Augusto Pinochet Ugarte,
General of the Army, President of the Republic

José T. Merino Castro,
Admiral, Commander-in-Chief of the Navy

Gustavo Leigh Guzmán,
General of the Air Force, Commander-in-Chief of the Air Forces of Chile

César Mendoza Durán,
Director-General of Carabineros

César R. Benavides Escobar,
Major-General, Minister of the Interior

DECREE LAW NO. 1878

(establishing the National Information Agency)

/Original: Spanish/

No. 1878 - Santiago, 12 August 1977

RECALLING: the provisions of Decree Laws Nos. 1 and 128 of 1973; 527 of 1974; and 991 of 1976; and

CONSIDERING: the need for the Supreme Government to have at its disposal the immediate and permanent assistance of a specialized body to collect at the national

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level all the information it may require for the purpose of adopting the most appropriate measures particularly as regards the safeguarding of national security, the Governing Junta of the Republic of Chile has decided to issue the following Decree Law:

ARTICLE 1: There is hereby established the National Information Agency (CNI), a specialized military organ of a technical and professional character which will have for mandate to gather and process at the national level, all the information originating in the various fields of action required by the Supreme Government for the formulation of policies, plans and programmes, the adoption of measures necessary to safeguard national security, the normal development of national activities and the maintenance of the established institutional order.

ARTICLE 2: The National Information Agency shall be directed by a general or a high-ranking officer in active service of the Armed Forces or of the Forces of Order, appointed by a Supreme Decree, who with the title of National Director of Information shall be the principal technical administrative head of the service. In the exercise of his functions he may adopt the decisions and issue the internal instructions necessary for the functioning of the Division.

ARTICLE 3: The organization, internal institutional structure and duties of the National Information Agency shall be established by a set of Organic Regulations decreed on the proposal of its Director.

The staff of the Agency shall consist of its own personnel and of personnel coming from the Institutions of National Defence.

Whenever it is necessary to engage personnel not belonging to the Institutions of National Defence, such action must be approved by Supreme Decree, signed in addition by the Minister of Finance. The legal régime and the remunerative levels of such personnel shall be the same as those which apply to the civilian personnel of the Armed Forces and shall be considered as such for all jurisdictional and disciplinary purposes.

ARTICLE 4: The Director of National Information may request the reports or past documentation that it deems necessary for the efficient fulfilment of his duties from any service of the State, Municipality, corporate body created by law or Enterprise or Company in which the State or its enterprises have a financial interest, representation or participation.

If this obligation is not complied with, he may so report to the General Controller of the Republic in order that the latter may apply to the violator directly any of the administrative sanctions envisaged in the Statute governing his employment.

Rules providing for secrecy or confidentiality concerning certain matters shall not interfere with the communication to the National Information Agency of the

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requested information or past documentation, without prejudice to imposition on the staff of the Agency the same obligation of confidentiality or secrecy.

ARTICLE 5: The National Information Agency shall be endowed with public funds from the following sources:

1. Funds allocated to it annually under the national budget, as specified in the section relating to the Ministry of the Interior;

2. Funds assigned to it by special Acts;

3. Other goods and resources that it acquires or collects, under any title, for its own purposes.

Confidential regulations governing the provisions of this article shall be issued within a period of 180 days.

ARTICLE 6: In the administration, handling and disposition of the public property and funds at its disposal, the National Information Agency shall be represented extrajudicially by its Director, who may perform any legal act likely to further the Agency's purposes.

With the public funds at its disposal, the Agency may hire or purchase chattels and real estate, products or services, and use them as it sees fit.

ARTICLE 7: All imports of full sets of equipment, accessories and other constituents carried out by the National Information Agency shall be free from specific and ad valorem Customs duties and other taxes, dues and levies and, in general, from every duty collected through the intermediary of the Customs as well as from the sales tax, established by article 190 of Act No. 16,464 and the amendments thereto and from the 10 per cent levy provided for in article 44 of Act No. 17,564.

ARTICLE 8: In the last subparagraph of article 19, paragraph (a), of Act No. 17,798, on arms control, as supplemented by Legislative Decree No. 521 of 1974, the expression "National Directorate of Intelligence" shall be replaced by "National Information Agency".

ARTICLE 9: In the case of combined operations ordered by the Supreme Government, the National Information Agency shall, where duties involving its specific function have to be performed, co-ordinate the activities of the various intelligence services of the Institutions of National Defence.

ARTICLE 10: The provisions of Articles 191 and 192 of the Code of Penal Procedure shall apply to the National Director of Information.

ARTICLE 11: The National Information Agency shall be the legal successor of the National Intelligence Directorate for all of the settlement of estate purposes.

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TRANSITIONAL ARTICLE: The Statutes, of a confidential nature, referred to in article 3 of this Decree-Law shall be issued within a period of 150 days.

For registration at the Office of the Comptroller-General of the Republic, publication in the Official Gazette and insertion in the Official Bulletins of the Army, Navy, Air Force and Carabineros and in the official digest of the said Office of the Comptroller.

Augusto Pinochet Ugarte,
General of the Army, President of the Republic

José T. Merino Castro,
Admiral, Commander-in-Chief of the Navy

Gustavo Leigh Guzmán,
General of the Air Force, Commander-in-Chief of the Air Forces of Chile

César Mendoza Durán,
Director-General of Carabineros

César R. Benavides Escobar,
Major-General, Minister of the Interior

ANNEX XLV

Letter dated 5 July 1976 from Mr. José María Eyzaguirre, President of the Supreme Court of Chile, addressed to Mrs. Yolanda Pinto de Elgueta

/Original: Spanish/

With reference to your letter of 23 June, I am able to inform you that, in conversation with Colonel Manuel Contreras, Head of the Directorate of National Intelligence, he told me that Mr. Osvaldo Romo worked for his organization until November 1975 and then left the country.

(Signed) José María Eyzaguirre
President of the Supreme Court of Justice

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ANNEX XLVI

List of some persons who have been granted visas to leave Chile but whose applications under Decree No. 504 have been rejected or "reserved" or remain pending

/Original: Spanish/

Name	Length of sentence	Status of application
Raúl Vergara Meneses	30 years and 1 day	"reserved"
Belarmino Constanzo Merino	30 years and 1 day	rejected for the 2nd time
Ernesto Galaz Guzmán	30 years and 1 day	"reserved"
Mario Cornejo Barahora	15 years	1st application rejected; 2nd approved, awaiting signature of the President
Luis Torres Valería	life	rejected
Eduardo Becerra Schwartz	life	1st application rejected; reconsideration approved
Arturo Ñuñez Quintanilla	unknown	rejected
Juan Cárdenas Villablanca	13 years	Special Commission has requested consultation with the Fiscatia Naval
Pedro Blaset Castro	8 years	"
Juan Roldán Bernal	8 years	"
Pedro Lagos Corrasco	8 years	"
Jaime Ricardo Salazar Jeldres	8 years	"

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ANNEX XLVII

Note verbale dated 12 April 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva addressed to the Secretary-General

/Original: Spanish/

The Permanent Delegation of Chile to the United Nations Office and other International Organizations at Geneva presents its compliments to the Secretary-General of the United Nations (Division of Human Rights) and has the honour to inform him that, up to 9 February 1977, the Government of Chile had received 68 applications for permission to return to the country from persons who had left by seeking asylum or under an expulsion order.

Of the 68 requests for readmission, 28 have so far been granted and a further 28 are under study. A list of the persons concerned is enclosed.

The Permanent Delegation of Chile, trusting that this information will be useful and receive appropriate attention from the Commission on Human Rights and the Ad Hoc Working Group, takes this opportunity to renew to the Secretary-General of the United Nations (Division of Human Rights) the assurances of its highest consideration.

1. Requests being studied:

ARANDA DIAZ, RENE JUAN

BOBILLIER CAMUS, SERGIO ENRIQUE GUSTAVO

BRAVO IBARRA, DAVID HUMBERTO

CASTILLO VELASCO, JAIME

CASTRO CANALES, MANUEL ALFONSO

CASTRO OLIVA, MARILUS

CARDENAS AGUIRRE, JAIME RAMON

CHAILLAT GOMEZ, ROSA ESTER

DABED SUMAR, JORGE

DOMB SCOTT, WASHINGTON

GROVE MIRANDA, RODRIGO AMARO

GROVE MIRANDA, GUILLERMO MARMADUQUE

GUTIERREZ GUTIERREZ, NIVIO HECTOR

JAÑA GIRON, EFRAIN MIGUEL

LOPEZ MIRANDA, MARIA VERONICA

/...

ORESTES OLIVARES, RAUL
PALACIOS ARAYA, LUISSIS DEL CARMEN
PARRAU TEJOS, SERGIO EDGARDO
PEÑALOZA ROJAS, JUANA DEL CARMEN
PEREIRA NAVARRO, ELSA
RAMIREZ LINZMAYER, GLORIA SYLVIA
REPETUR CASTRO, MARILU EMILIA
REPETUR CASTRO, ERNESTO ANDRES
REPETUR CASTRO, CAROLA DEL PILAR
ROUBILLARD GONZALEZ, SERGIO
ROMO DE ORESTES, ILSE
SILVA MORENO, MARIA TERESA
TRUJILLO CUITIÑO, ANTONIO SEGUNDO

2. Requests approved:

LEBEGUE CURE, ROBERT EDOUARD
TOBAR FERNANDEZ, LUCIA DEL CARMEN
CATEPILLAN CLARES, MARIA EUGENIA y su hija TANIA ALEJANDRA
PUGA VASQUEZ, MARIA REBECA
BARRIONUEVO LEMAIRE, NANCY EDELMIRA
YOVANOVIC PRIETO, JAIME
VALDES BARRIENTOS, ALEJANDRA NEMESIA
BARRIENTOS VERA, BETTY
BARRIENTOS VERA, ALEJANDRO
BARRIENTOS VERA, ANA MARIA
OYARZUN AGUILA, HERVI ERNESTO
ELGUETA BAHAMONDES, WALDEMAR HERNAN
JIMENEZ ARRIAGADA, MERCEDES GLORIA
ALVAREZ GONZALEZ, FRANCISCO
VALENZUELA ESPINOSA, MAGDA LILIANA
VARGAS VARGAS, CLAUDIO
CABRERA RAMIREZ, CRISTINA PILAR
VIDAL HEUISSLER, JAIME PATRICIO y su cónyuge VIAN NEUT BOCAZ

/...

ROMERO ANGUITA, LEONOR MARIA ANGELICA
MALUK DE COSTA, VIRGINIA
SOLAR DORDOVA, GUILLERMO
HERRERA SALINAS, PABLO JAVIER
CHACON DIEZ, MONICA SANDRA
FRIAS OJEDA, RENE
AHUMADA SANCHEZ, ALFREDO AUGUSTO
ROCHA VIDAL, ORIETA DEL PILAR
ORELLANA CASTILLO, GUACOLDA ISAURA, e hijos JORGE Y VERONICA OBSEN ORELLANA
ARANCIBIA BRACCESI, CECILIA DEL CARMEN

3. Requests denied:

LETELIER BUZETA, OSCAR HUMBERTO
GOMEZ KRARUP, MARIA EUGENIA
GUINART MORAL, JESUS FRANCISCO
LEYTON SANCHEZ, ENRIQUE
DE LA PAZ DE LA PAZ, PEDRO RENE
ALEGRIA HERRERA, HERNAN LUIS
GOMEZ GOMEZ, CARLOS RUBEN
PHILLIPS ARAYA, RUSSELA
ESCRIBAR LAGOS, ELSA
VASQUEZ MESA, LUIS ALBERTO
PAVEZ PHILLIPS, GUILLERMO FELIPE
MUÑOZ DE LA PAZ, ARISMANDO BERNARDO

/...

ANNEX XLVIII

Passports "valid only to leave the country"

Specimen: Passport of Mr. Anselmo Bode

/Original: Spanish/

VALIDO SOLO PARA SALIR DEL PAIS

FILIACION
PERSONAL DESCRIPTION

Cédula de Identidad / Identification Card: 5.613.658

Nacionalidad / Nacionality: Chilena

Nacido el / Date of birth: 29 Junio 1947.

Estado civil / Marital status: Soltero

Profesión / Profession: Estudiante

Domicilio / Address: Palmas de Mallorca 425

Viaja a / Traveling to:

Observaciones / Notes: Cumple pena de extrañamiento
Sólo podrá ingresar al país previa autorización de las autoridades de gobierno.

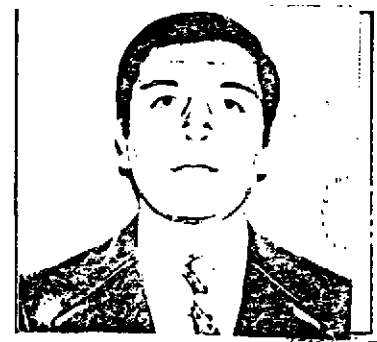
VALIDO SOLO PARA SALIR DEL PAIS 3

Serie № 89722 1976

FILIACION
PERSONAL DESCRIPTION

NOMBRE DEL TITULAR
NAME OF BEARER

Juan Carlos Anselmo
Cortez.
Bode.



DIGITO PULGAR
THUMB PRINT

FIRMA DEL TITULAR
SIGNATURE OF BEARER

Note: Several other witnesses produced their passports similarly endorsed; the following authorized the use of their names: Carlos Alberto Iniguez Fernandez, Luis Valentin Valencia Ferguson, Otto Eduardo Becerra Schwartz.

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ANNEX XLIX

Bando No. 107

/Original: Spanish/

The Chief of the Santiago Emergency Zone yesterday issued bando (military order) No. 107, announcing that as from that date no newspaper, journal or printed matter may be issued or imported without his previous authorization.

Instructions are also given on the procedure for applying to the Chief of the Emergency Zone for permission to issue publications.

The text of the bando is as follows:

"By virtue of the powers conferred on me by Act 12,927, article 34, paragraphs (LL) and (M), I decree that:

1. As from today, the establishment, issue, publication, circulation, distribution and marketing in any form of new newspapers, journals, periodicals and printed matter in general shall require prior authorization by the Chief of the Emergency Zone.

2. The import and marketing of all types of books, newspapers, journals and printed matter in general shall also, as from today, be subject to prior authorization by the Chief of the Emergency Zone.

3. This bando shall be implemented by the National Division of Social Communication of the General Government Secretariat, to which the respective applications shall be submitted. They shall contain the following information:

(a) Name of the publication.

(b) Editor, director or author (as appropriate) responsible for the publication and legal residence.

(c) Owner of the publication, with the respective deeds, should this be a body corporate.

(d) Frequency of publication.

(e) Any other particulars specified by the National Division of Social Communication."

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ANNEX L

Note verbale dated 5 May 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva addressed to the Secretary-General

/Original: Spanish/

The Permanent Delegation of Chile to the United Nations Office and other International Organizations at Geneva presents its compliments to the Secretary-General of the United Nations (Division of Human Rights), and has the honour to enclose herewith copy of the statement made by the Minister of the Interior of Chile on 11 March concerning the social action policy of the Government.

The statement by the Minister of the Interior reveals the efforts which the Government of Chile is making to put an end to extreme poverty and to help the most needy sectors of the population, with special emphasis on children, women and workers.

Trusting that the enclosed information will be useful and will be given due attention by the Commission on Human Rights and the Ad Hoc Working Group, the Permanent Delegation of Chile takes this opportunity to renew to the Secretary-General of the United Nations (Division of Human Rights) the assurances of its highest consideration.

STATEMENT BY THE MINISTER OF THE INTERIOR ON THE SOCIAL ACTION POLICY OF THE GOVERNMENT

/Original: Spanish/

Your Excellency, President of the Republic
Members of the Honourable Government Junta
Ministers of State
Generals and Admirals
Under-Secretaries

I have been specially requested by His Excellency the President of the Republic to give you some information on the more important aspects of the social action policy which the Government is carrying out through the various departments of the public administration.

In the course of the administrative year from April 1976 to March of this year, a major step forward has been taken in strengthening the policies of co-ordination designed to determine and define matters relating to social development, which is taken as encompassing the goals and objectives set for every social sector and ministry, and the field of social action in the sense of the specific programmes of action dealing with those aspects that most influence the well-being of the people and of the lower-income groups in particular.

/...

The Social Council of Ministers has regularized its activities, and its normative decisions have been beneficial, especially for the study of such important matters as budget programming and the planning of short- and medium-term activities in a co-ordinated and responsible fashion.

The National Social Campaign, which was launched in 1975, has added some new programmes, and has also succeeded in making appreciable improvements in the administrative activities of a number of services in the course of the year. It has thus been possible to regulate the natural process of expansion in an efficient and appropriate manner, particularly in the sphere of action of the National Health Service, School Grants and Scholarships Board, the Kindergarten Board, the Advisory Council for Social Development, the Social Welfare Department and the municipalities.

The most important programmes, which have continued to improve on their plans of work, are as follows:

A. NUTRITION PROGRAMMES

1. Supplementary Food Programme

This has been organized to provide the necessary calories and proteins to children under 6 years of age and to mothers belonging to social groups which are liable to suffer from nutritional deficiencies. The programme has benefited the following groups in the proportions indicated:

- unweaned babies 95 per cent
- pre-school infants 85 per cent
- mothers and pregnant women 80 per cent

This has entailed the distribution of 32 million kg of milk or protein mixtures during the year. At the prices prevailing at December 1976, this item alone cost 1,120,000,000 pesos.

2. School Meals Programme

This is carried out by the School Grants and Scholarships Board.

The initial coverage of the programme, as dictated by the funds available, was 250,000 school lunches and 710,000 breakfasts.

Through changes in the system of purchasing, supply and distribution, and constant administrative control, particularly by the Secretary-General of the Board, the Office of the Controller-General of the Republic and the Regional Intendancies, the initial coverage was extended to 390,000 lunches and 1.1 million breakfasts; this represents an increase of 140,000 lunches and 350,000 breakfasts.

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The Board has had to suspend the programme of school holidays and reduce the number of scholarship-holders for the time being in order to concentrate on the meals programme.

In 1977, the provision of assistance has had to be restricted by comparison with 1976, but the Secretariat of State and Ministry of Education will be considering possible short-term solutions.

The school meals programme recently launched a pilot project in Zone VIII involving the experimental distribution of pre-prepared rations with a view to obtaining nutritional data on acceptability, utilization, variability of food habits and the cost of this kind of meal.

This revolutionary experiment which is being carried out in our country is the first of its kind in the world and important lessons can be drawn from it for its application on a wider scale in future.

3. Child-care Programme

The Community and Social Development Division and the Advisory Council for Social Development carried out a national survey of kindergartens during the year, and found that there were 450,000 infants in need of care by the State, of whom 150,000 required immediate attention. In view of this situation, it has been necessary to revise and restructure the administrative policies of the Kindergarten Board, in order to redirect the assistance it offers to the lower-income groups. The number of children cared for has risen from 25,000 in 1975 to 33,253, who are looked after in 365 kindergartens.

Coverage will shortly increase to 41,000, and it is hoped that 105 kindergartens will be enlarged in the course of the year.

B. LOW-COST HOUSING PROGRAMME

In 1976, Communal Housing Committees were set up for the first time, under legislative Decree No. 1088 of 1975.

The targets of the general programme were as follows:

(a)	with CHC funds	2,359 dwellings 7,615 urban estates
(b)	with contributions from MINVU	10,765 dwellings 1,495 urban estates

The targets achieved were as follows:

With CHC funds	2,599 dwellings 2,775 urban estates
With contributions from MINVU	6,564 dwellings 6,262 urban estates

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The 5 per cent tax on commerce and industry for housing purposes yielded 264 million pesos, and allocation from MINVU amounted to 503 million pesos.

The average national cost of a low-cost housing unit was approximately 52,000 pesos.

The largest expenditure of funds derived from the 5 per cent housing tax was in Zone I (97 per cent) and smallest was in Zone XI (10.3 per cent).

C. COMMUNITY EQUIPMENT PROGRAMME

1. Supplies

As a result of action by the Department of Industry and Trade and with assistance from the Private Corporation for Social Development, 49 Aucos (mobile shops) have now been placed in service (37 in the Metropolitan Zone and 12 in the outlying Zones). This is equivalent to 100 per cent attainment of the target set. Provision of this service has helped the lower-income groups considerably by reducing prices and providing the basic necessities at higher standards of hygiene and quality; it is also an effective method of combating black market activities.

2. Open Centres (Centros Abiertos)

The Committee for Community Aid, with the co-operation of the Ministry of the Interior (through the regions, provinces and communes), established and inaugurated in the course of the year 37 Open Centres, that provide food for pre-school children who do not receive this kind of assistance from other institutions. The average number of children cared for by each Centre is 350. The First Lady of the Nation, Mrs. Lucía Hiriart de Pinochet, and the wives of Ministers, Intendants, Governors and Mayors have made an outstanding contribution to this programme, as have groups of women volunteers and public and private charitable organizations. Approximately 10,000 children are now being assisted through the Open Centres.

D. MINIMUM EMPLOYMENT PROGRAMME (PEM)

1. In April 1976, there were 139,000 persons working for PEM (125,000 men and 14,000 women, at a subsidy of 363 pesos, which represented a monthly investment of 58 million pesos, including 15 per cent inputs). By February 1977, the number of workers had risen to 217,000, and the subsidy was 660 pesos, or a total monthly investment of 164.7 million pesos (including 15 per cent inputs). The subsidy will be readjusted to 700 pesos this month (an increase of 6.6 per cent).

2. This programme is backed up by a food programme for four Zones (I, IV, VIII and the Metropolitan Zone), through which 200,000 rations were distributed in April 1976 and 312,000 rations in December of that year.

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Also in December a new agreement was signed with the Agency for International Development (AID) to extend the food programme to cover nine Zones (I, II, III, IV, V, VI, VIII, IX and the Metropolitan Zone), beginning with a basic issue of 250,000 rations in April of this year (4.77 kg of food at a per capita cost of $US 1 per kg).

3. In the Metropolitan Zone and in Zones V, VII, IX and X, training schemes for PEM workers have been carried out in basic educational subjects, crafts, small-scale farming activities, etc. These have been very well received by the trainees who have benefited greatly from them. During the first months of this year, meetings were held with mayors and technical bodies with the aim of extending the coverage of the scheme to 50,000 workers in 1977.

4. In the months preceding September 1976, a national competition was held for the Minimum Employment Programme. Its purpose was to interest the general public, the public services and private institutions in submitting projects that will benefit the lower-income groups.

A total of 380 projects were submitted, of which 36 were financed by communes throughout the country. These projects are now in their final stages and have been of genuine benefit, particularly in the area of public health and in providing electric power, sewer systems, drinking water and other essential facilities for small communities.

5. During the administrative year to which this report refers, PEM activities in the communes received constant injections of funds for special programmes with an important social content such as the establishment of Open Centres to provide meals, repairs to policlinics, the provision of sanitary facilities, aid to centres for the care of persons suffering from malnutrition, etc. Altogether these have represented a contribution of 165 million pesos to the budgets of the communes.

To these must be added the activities which PEM is carrying out in support of a number of bodies such as the Kindergarten Board, the School Grants and Scholarships Board, the National Health Service and the communes.

Investment in PEM, including inputs and subsidies, amounted to 1,332,000,000 pesos between April 1975 and March of this year.

According to a report issued by the Office of the Controller-General of the Republic, this amounts to approximately 51 per cent of the budgets of the communes. The programme has entailed careful planning, programming and control by the Ministry of the Interior and also by the Regional Intendants, Provincial Governors and Mayors.

6. Special mention should be made of the Plan for Access Roads for mainland Chiloé and Aysén, which is sponsored by His Excellency the President of the Republic and will have an immensely important effect on the development of Zones X and XI helping to bring these vast parts of our territory into the mainstream of national progress.

/...

There are now 3,000 "Mobilized Workers" working in this area and preprarations are being made to add another 7,000 through the Military Work Force. The necessary planning and programming is being carried out by the Army Engineering Corps, with which the Ministry of the Interior has an agreement for the administration and supervision of these activities.

From December 1976 to March of this year, 23 million pesos have been spent on improving the installation and equipment of camps for the workers.

7. Other special PEM programmes

PEM is currently playing an important part in the following special projects:

(a) Settlement of marginal communities

Preparations are being made in Santiago for the transfer of 500 families from the Zanjón de la Aguada district and their settlement in the Commune of San Bernardo. They will be provided with sites, housing, electric light, drinking water and sewerage at a cost, so far, of 15 million pesos. The total cost will be about 35 million pesos, and the project will be completed in September 1977.

(b) Rural development

Rural development in Zone IV with provision of assistance to 3,500 families and the application of different systems of support for this type of programme in Zones VI, VII, VIII and IX.

(c) Social and civic activities

Social and civic support activities for the benefit of lower-income communities and groups have been undertaken through the Regional Intendancies with the participation of the public services, the Armed Forces, the communes, the Private Corporation for Social Development and the PEM Workers.

(d) Provision of minimum facilities in marginal settlements

Help has been given to 40 marginal communities to acquire the minimum facilities and services (drinking water, electric light and sewerage) at an average total cost of 30 million pesos.

(e) Assistance to the Corporation for Child Nutrition

Assistance has been given by the communes and the Corporation itself for the establishment of 15 Child Nutrition Centres.

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(f) Open Canteens

The construction and equipment of Open Canteens in marginal settlements. Continuation of this programme will result in the establishment of 15 additional canteens.

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* *

This is a condensed account of activities undertaken through the PEM between 1976 and the present date.

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Your Excellency, President of the Republic
Members of the Honourable Government Junta
Ministers of State
Generals and Admirals
Under-Secretaries

You have just heard a very brief report on the main social welfare activities undertaken by the Government as part of the struggle to eliminate extreme poverty. As you will have realized, the programmes have been technically planned to benefit certain sectors of the population in accordance with their needs and requirements.

However, apart from the specific plans for social action, which are mainly aimed at children and young people to whom the Government now has to furnish the essential means of subsistence, we are aware that the plans and programmes do not yet constitute the whole of the Basic Scheme for Integrated National Social Development which we are tirelessly seeking to establish for the benefit of the people in general, by whom it is eagerly awaited.

Social development cannot be dissociated from economic conditions in the country or from our philosophy and doctrine. Our view of social development is closely linked with the great Policy of the State which is our guide and mentor in our efforts to achieve our goals and objectives. We realize that, in the country's present situation, social measures are the heart and essence of political action. It may be for this very reason that those who refuse to accept the changes which the Nation requires in order to survive are striving to prevent the people, and especially the most underprivileged groups, from receiving this assistance.

We are clear in our own minds that it is not enough to implement sectoral social policies in isolation, and that no programme, however sound it may be, can be divorced from the social conditions prevailing and the objectives we have set ourselves.

We are also aware that it is not sufficient to advocate the achievement of certain goals if these are not sufficiently well understood and accepted by the majority of the people. We must realize therefore that our first task is to try and bring about a change in the mental outlook of the individual and of society as a whole. In endeavouring to construct an Integrated and Participating Society, in which all members will have the same opportunities and duties, we must obviously direct the bulk of our resources, means and efforts towards helping workers, women and children. This is why the activities that you have been informed about are essentially designed to assist those whose true destiny is to serve the Fatherland.

Santiago, 11 March 1977

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ANNEX LI

Note verbale dated 18 May 1977 from the Permanent Mission of Chile to the United Nations Office at Geneva addressed to the Secretary-General

/Original: Spanish/

The Permanent Mission of Chile to the United Nations Office and other international organizations with headquarters at Geneva presents its compliments to the Secretary-General of the United Nations (Division of Human Rights) and has the honour to refer to the situation of various trade union organizations mentioned in the report submitted at the last session of the Commission of Human Rights by the Ad Hoc Working Group established to inquire into the present situation of human rights in Chile.

The report of the Working Group (E/CN.4/1221) devotes chapter V to the freedom of association, and states that "The withdrawal of recognition of the legal personality of trade unions has been increasingly denounced and criticized in recent months in Chile. The Working Group has been informed that the following trade unions have been affected by these measures:

(a) Sindicato Profesional de Empleados de Estaciones de Servicios Agritec. Ltda.;

(b) Sindicato Profesional de Empleados Particulares y Obreros de Bodegas Weir Scott S.A.C.;

(c) Sindicato Profesional de Obreros de las Fábricas de Subproductos de Matadero de Santiago;

(d) Sindicato Profesional de Empleados Linotipistas y Técnicos de los Diarios El Austral y Gong de Temuco de la Sociedad Periodistica del Sur; and

(e) Sindicato Profesional de Obreros Electricistas de la Provincia de Linares.

The Government of Chile deeply regrets that the Ad Hoc Working Group did not consult it much earlier, since, had it done so, it would have had a full answer to the malicious reports it is receiving.

The situation of the above-mentioned organizations is as follows:

(a) Sindicato Profesional de Empleados de Estaciones de Servicios Agritec, Ltda., Quinta Normal.

On terminating its activities on 30 June 1972, Agritec. Ltda. requested the Ministry of Labour on 23 April 1974 to dissolve the corresponding trade union organization.

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In this connexion, and in accordance with the provisions of article 402 of the Labour Code, the above-mentioned trade union organization was dissolved on 14 May 1974. The liquidator appointed was replaced on 1 September 1976. It should be mentioned that the staff were re-employed by Gildemeister S.A.C.

(b) Sindicato Profesional de Empleados Particulares y Obreros de Bodegas Weir Scott S.A.C.

During 1970, Weir Scott S.A.C. went bankrupt. For this reason and under the provisions of article 402 of the Labour Code, a request to dissolve the trade union organization was made to the Ministry of Labour on 31 June 1976. It was dissolved on 15 September 1976.

(c) Sindicato Profesional de Obreros de las Fábricas de Subproductos de Matadero de Santiago, Santiago.

During 1973, steps were taken to close the Santiago slaughterhouse, as a result of which the trade union was left without members and its activities were suspended. As neither its reactivation nor the incorporation of new members was possible for the above reason (the closing of the slaughterhouse) a request to dissolve it was made on 3 September 1976. Under the provisions of article 415, paragraphs 2 and 5, of the Labour Code, the trade union was dissolved on 15 September 1976.

(d) Sindicato Profesional de Empleados Linotipistas y Técnicos de los Diarios El Austral y Gong de Temuco de la Sociedad Periodística del Sur, Temuco.

The activities of this trade union had been suspended since 1969, after which date it had only 10 members. For this reason and under the provisions of article 415, paragraphs 2 and 3 of the Labour Code a request for dissolution of the union was made on 26 August 1976. The trade union was dissolved on 3 September 1976.

(e) Sindicato Profesional de Obreros Electricistas de la Provincia de Linares, Linares.

For reasons of convenience, the members of this trade union joined the Sindicato Profesional de Empleados Particulares y Obreros de la Compañía Nacional de Fuerza Eléctrica de la Provincia de Linares. For this reason the trade union's activities were suspended from 1967 onwards. Since it was impossible to reactivate the union and under the provisions of article 415, paragraphs 2 and 3, of the Labour Code, a request to dissolve it was made to the Ministry of Labour on 26 August 1976. The trade union was dissolved on 3 September 1976.

The Working Group goes on to state: "Moreover, it has been reported to the Group that on 8 November 1976, 17 trade unions were dissolved in various parts of the country."

In this case, too, the Government of Chile regrets that the Group did not

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consult it about this in time, since, had it done so it would have obtained a full answer with regard to the situation of these organizations.

The name and situation of these organizations is as follows:

(a) Sindicato Industrial de la Distribuidora DELANO, Sociedad Anónima, Distribución de Artefactos para el Hogar y Materiales para la Construcción, Comuna de Santiago.

The promotion of several of the company's workers to the category of salaried employees left the trade union with only 10 members. For this reason and under the provisions of article 402 of the Labour Code (at least 25 members are required) a request for its dissolution was made on 14 September 1976. The trade union was dissolved on 27 September 1976.

(b) Sindicato Profesional de Dueños de Establecimientos Comerciales del Mercado de San Fernando, San Fernando.

The activities of this trade union have been suspended since 1968. Since there was no interest on the part of its members to reactivate it, and under the provisions of article 415, No. 3 of the Labour Code, a request to dissolve it was made on 10 September 1976. The trade union was dissolved on 28 September 1976.

(c) Decree No. 433, of 27 September 1976 which is included in the list published in the Diario Oficial of 5 November 1976 modifies Decree No. 304, of 15 June 1976, issued by the Under-Secretariat for Labour, which provided for the dissolution of the Sindicato Profesional de Empleados y Obreros de las Radioemisoras Particulares de la Provincia de Atacama y Coquimbo, only in the fact that it appoints labour inspector Miss María Soledad Fernández Saavedra as liquidator to replace labour inspector Mr. Alejandro Labarco González. A request to dissolve the above-mentioned trade union was made to the Ministry of Labour and Social Security by official letter 2481, of 1 June 1976. The Ministry of Labour was requested to dissolve this trade union because its activities had been suspended since 1971 and it did not have the number of members required under the provisions of article 415, paragraphs 2 and 3, of the Labour Code.

(d) Sindicato Profesional de Areneros del Río Longaví, Comuna de Longaví.

A request for dissolution of this trade union was made to the Ministry of Labour and Social Security on 10 September 1976. Its activities had been suspended for more than two years, since it had only 18 members, i.e., fewer than the number required by the law, and there was no interest among its members to reactivate it. Because of this and under the provisions of article 415, paragraphs 2 and 3, of the Labour Code, it was dissolved on 27 September 1976.

(e) Sindicato Industrial de la Compañiá Minera Santa Fé, del Departamento de Ovalle, Comuna de Ovalle.

A request for the dissolution of this trade union was made to the Ministry

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of Labour and Social Security on 27 September 1976, the union having been inactive and without members since 1966 when the parent company ceased work. For this reason and under the provisions of article 202 of the Labour Code the union was dissolved on 1 October 1976.

(f) Sindicato Profesional de Empleados Particulares y Obreros de Componentes Electrónicos Sociedad Anónima, Comuna de Santiago.

During 1971, Componentes Electrónicos Sociedad Anónima moved to Arica, leaving only a small office in Santiago with eight persons who were not trade union members. For this reason, the activities of the trade union were suspended. Under article 415, paragraph 3, of the Labour Code, dissolution of the union was requested on 23 September 1976. This was approved on 1 October 1976.

(h) Sindicato Profesional de Choféres y Dueños de Taxis 114 de la Provincia de Linares, Comuna de Linares.

The members of this trade union became affiliated to the Sindicato de Dueños de Taxis de Linares, and the activities of their organization were therefore suspended as from January 1973. For this reason and under the provisions of article 415, paragraphs 2 and 3, of the Labour Code, a request for dissolution of the union was made to the Ministry of Labour on 28 September 1973. The union was dissolved on 4 October 1976.

(i) Sindicato Profesional de Empleados Particulares de la Corporación de Radio y Prensa CPA, Comuna de Santiago.

The dissolution of this trade union organization was requested on 28 September 1976 since its activities had been suspended since 1970 and its members had become affiliated to the Sindicato Profesional de la Sociedad Periodística "La Prensa". Under the provisions of article 415, paragraphs 2 and 3, of the Labour Code, this trade union was dissolved on 4 October 1976.

(j) Sindicato Profesional de Agricultores del Departamento de San Fernando, San Fernando.

The activities of this trade union have been suspended since 1966, and no budget has been submitted nor any meeting held. Its members had not paid their dues since 1967. They have become affiliated to the Sindicato de Empleadores Agrícolas Manuel Rodríquez, in San Fernando, constituted under the provisions of Law 16.625. For this reason, a request for dissolution was made to the Ministry of Labour on 28 September 1976; it was granted on 4 October 1976.

(k) Sindicato Industrial Molinera Nancagua y Maipo Limitada, Comuna de Nancagua.

The activities of the Molino Nancagua which was leased by the Sociedad Molinera Nancagua y Maipo Limitada, came to an end in September 1967, when the premises were destroyed by fire. Since the company had disappeared, a request to

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dissolve the trade union was made to the Ministry of Labour and its dissolution was decreed under article 402 of the Labour Code on 4 October 1976.

(l) Sindicato Profesional de Empleados Particulares de la Industria y el Comercio de Santiago, Comuna de Santiago.

The activities of this organization have been suspended since 1967. For this reason a request for its dissolution was made to the Ministry of Labour. Under the provisions of article 415, paragraph 3, of the Labour Code, the trade union was dissolved on 4 October 1976.

(m) Sindicato Industrial Sociedad Constructora de Viviendas Económicas Tablestaca Limitada, Comuna de Viña del Mar.

The dissolution of this union was requested on 28 September 1976, the Sociedad Constructora Tablestaca which served as its base having been declared bankrupt in 1970. The trade union was dissolved on 4 October 1976 under the provisions of article 402 of the Labour Code.

(n) Sindicato Profesional de Empleados Particulares de Turismo Ferroviario SA, Comuna de Santiago.

During 1974 a number of members of this trade union resigned from their jobs. In the same year the company changed its name to "Turismo del Cobre SA". At that time it employed only seven persons. Since the company did not have the number of employees required by law for the constitution of a trade union (25 persons), and under the provisions of article 415, paragraphs 2 and 3, of the Labour Code, a request for dissolution of the union was made on 28 September 1976. The trade union was dissolved on 4 October 1976.

(ñ) Sindicato Profesional de Industriales en Cerdos del Matadero de Santiago, Comuna de Santiago.

Dissolution of this trade union was requested on 28 September 1976, its activities having been suspended since December 1971. Under the provisions of article 415, paragraph 3, of the Labour Code, the trade union was dissolved on 4 October 1976.

(o) Sindicato Profesional de Empleados y Obreros del Hospital de Niños Jean y Marie Thierry de Valparaíso, Comuna de Valparaíso.

Dissolution of this trade union was requested on 29 September 1976, both the hospital which served as its base and its staff having been taken over by the National Health Service on 1 April 1973. The trade union was dissolved under the provisions of article 402 of the Labour Code on 4 October 1976.

(p) Sindicato Profesional de Matarifes, Talcahuano.

This trade union's activities have been suspended and it has been without

/...

members since 30 June 1974 when the Municipal Slaughterhouse of Talcahuano was closed. For this reason, a request for its dissolution was made to the Ministry of Labour on 29 September 1976. The trade union was dissolved on 8 October 1976.

The Permanent Mission of Chile requests the Secretary-General (Division of Human Rights) to communicate the present Note to the President and members of the Ad Hoc Working Group of the Commission of Human Rights established to inquire into the present situation of human rights in Chile, and to the members of the Commission, and renews to the Secretary-General the assurance of its highest consideration.

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ANNEX LII

Letter dated 29 April 1977 from trade union leaders to the President of the Republic of Chile and attached document

"Analysis and aspirations of the workers of Chile"

/Original: Spanish/

Santiago, 29 April 1977

We, the undersigned trade union leaders, representing the trade union organizations which supported the request that a ceremony be held to commemorate Labour Day - a request which was refused by the authorities for reasons which we understand - respectfully submit to you a document prepared by a specially appointed commission representing the above-mentioned organizations.

With the frankness which characterizes the language of the workers, and with absolute loyalty to the offices which we hold, we request that you consider, comprehend and adopt the necessary measures to solve the problems affecting us, and that these measures will guarantee the fairness and justice traditional in your high position.

We are open to dialogue with the supreme authority of the nation; we await with faith and hope your decision on the matters which we have ventured to bring to your attention, for the good of the country, the workers and all Chileans.

Ricardo Lecaros Gonzalez
President, Fed. Nac. de
Sind. Metalúrgicos FENSIMET

Juan Sepulveda Maleran
Vice-President Fed. Nac. de Sind. Metalúrgicos FENSIMET
Presidente Sind. Profesional FENSA-MADEMSA

Fernando Bobadilla Pisani
President, Federación Nac. Textil FENATEX

Manuel Bustos Huerta
Vice-President, Federación Nac. Textil FENATEX y
President Sindicato Indust. SUMAR

Teresa Carvajal Muñoz
President Asoc. Nac. de Pensionados Ley 10.383

Carlos Morales Morales
President Confederación Nac. Unidad Obrero
Campesina U.O.C.

Hernán Mery Toro
President Nac. Asoc. de OO de Obras Sanitarias
"ANODOS"

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ANALYSIS AND ASPIRATIONS OF THE WORKERS OF CHILE AFTER 44 MONTHS OF MILITARY GOVERNMENT

INTRODUCTION

/Original: Spanish/

We should have liked to state publicly - in a ceremony which was not authorized, for reasons which we respect - the reason for the celebrations on 1 May is not that man works. Man has been working since the beginning of history.

What that day commemorates is the reality of that far-off day in Chicago in 1886 when, fighting for their legitimate rights during a general strike, the workers, represented by the trade union organizations, held a demonstration. Then as now, their rights were denied by clearly defined groups and interests. Four fallen workers symbolize that event: Parsons, Spies, Fisher and Engel.

They and many others are present with us.

Every year on 1 May, we feel the brotherhood of all those who make the world what it is through their work. This is the day when, as in every other country in the world, the Chilean worker thinks of himself, his living conditions, his hopes. This is the day when we set ourselves great tasks in order to give better service to all Chileans. This is the day when we voluntarily accept new sacrifices so as to hand down a more human and more worthy country to those who will succeed us, when we rest our arms, or when we can no longer blaze new trails or produce food in abundance.

For this reason, on this 1 May, we would like to speak about being Chilean, we would like to speak about nationality.

Which people constitute the nation?

So many people speak in its name! So many write about it! So many have tried to invent it more than once, generally with the backing of foreign ideas and money! So many have interpreted it in the light of the latest trendy philosopher or technocrat, who is not acquainted with or interested in, our fate!

What do those who were here before the first Spaniard arrived say about our nation? What do those who have always gathered the fruit of the earth with their hands say? What do the Chilean people say - this entity which always lived in this land, will never leave and will always be there, those who are not alarmed because there is no "foreign investment", because they have always been allowed - through their work - to feed and clothe all Chileans, those who have never seen themselves in terms of strange theories and technocracies because they do not know themselves from one generation to another: the long-suffering, the workers, simple and loyal.

These are the Chilean people, and the people define themselves through their productive and constant work!

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No bank, no financial institution, no monetary trend can make a single stalk of wheat germinate, build a bridge or move a ship, without the intelligent power of human labour! But, if necessary, labour can do without money!

For this reason, any theory, strategy and/or policy based on money as the protagonist in and purpose of the creative activity of the people, is anti-human, because it restricts the creativity of the nation solely to those activities which produce a cancerous and insatiable growth of money for its own sake. Moreover, it humiliates man, because it humiliates the worker and thus humiliates and mutilates Chile as a creative entity.

At heart, therefore, the nation is the expression of the people, through the many different forms of work.

The nation is not the landscape which we constantly transform with our hands.

The nation is the memory of what we have done with our hands and our minds, that is, the fruits of our labour in peace and in war. This memory is of collective work, and from it arises the hope of what we can still be and what we can do; we are sure that we shall do it if we trust in our native land, that is to say, in the people, in ourselves and in our work.

To be more accurate, we should say that if a country is moulded by the historical activity of a people, and this activity is labour - constant, simple and silent, the destiny of the nation is directly linked to the destiny of organized labour. The nation defines its identity in terms of how and to what extent the workers are organized, what their aspirations are, what they propose and what they offer.

Thus, the greatness or wretchedness of our country's destiny is very closely linked to the importance, freedom and possibilities of participation in organized labour - a basic agent of nationality, which is present and in the future.

There is no other basic criterion for ascertaining whether our country is progressing or declining, whether it is becoming more noble or more hateful, whether it is becoming more authentic or is fading away.

The trade union movement is the most authentic voice of the nation's worker and is thus the most authentic voice of the nation.

What we are going to say, however, is different. We should have liked to say on this occasion that the families of the workers are happy, that we all have jobs, that our wages are sufficient to feed us without problems of malnutrition, that our children can receive an education in complete peace of mind, that their health is well looked after, that we all have possibilities of finding somewhere to live, one dwelling for the parents, another for the sons and another for the daughters.

We should have liked to say that the trade union movement has not lost any of its rights, that its members can meet freely, that it can present petitions without

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problems, that conflicts exist between entrepreneurs and workers but are discussed with understanding and mutual respect, and that the government authorities are listening to and support the workers.

We should also have liked to say other things.

But ... we cannot say this, because it would be a lie!

It would be a lie to the workers of Chile, to the whole people of Chile, to their Chief of State, a lie to all those who within and outside our country believe in the workers of Chile.

All these are the minimum conditions for a man to live in dignity. These are not only words but the social doctrine of the Church, on which the Government fundamentally bases its activity. They are also the words of the Universal Declaration of Human Rights, which our country signed in 1948.

Many will answer that these conditions have never been fulfilled and that poverty has always existed. This is true!

It is also true that we workers have engendered children who are suffering from malnutrition, have not attended school and have lacked medical attention, and that we have been living in shanty towns. It is also true that we have achieved much. But ... at what a cost!

How much national history is embodied in each conquest that we have achieved with our hands and our conscience, in each new school, in each polyclinic, in each trade union that has been organized, in each grain that has been produced!

What we are going to say is disagreeable. However, we must be frank! It is the best service that we can render to the government authorities, the owners of enterprises, the workers, all Chileans and, most important, our own consciences. We must be frank with ourselves and demonstrate the condition and feelings of the nation, which expresses itself through many different forms of work.

OUR VIEW OF REALITY

It is a difficult task to express our feelings about the complex reality of the problems which affect us, those which are most common among us, and those which are peculiar to each sector of the nation.

We shall refer to the problems which affect us in the legal and institutional, social and economic and labour areas. These problems arise at a time when we are powerless to ensure respect for the rights acquired with the help of the present legislation, and when we are exercising constant vigilance in the face of the threat of redundancy and unemployment.

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LEGAL AND INSTITUTIONAL ASPECTS

We should like to say that the rights of Chilean workers have been respected and and that there is greater social justice in our country. We should like to say that we have more dignity and are able to take a genuinely active part in the management and achievements of the enterprises in which we work. Today, however, we cannot say this to the workers of Chile; on the contrary, in the period which has elapsed since the events of 11 September 1973, there have been many developments which have shown us that the promises to respect the rights of the workers and to establish greater social justice have not been fulfilled by the Government.

1. SOCIAL STATUTE OF THE ENTERPRISE

A first basic fact which demonstrates the truth of our assertion is the approval of the Social Statute of the Enterprise.

This statute was approved without consideration for our statements. The most important of these concerned the lack of participation in the administrative machinery of the enterprise. The participation provided for in the Social Statute is merely for the purposes of information and consultation, without any real participation in the decisions of the enterprise; our participation is thus merely of a formal nature and does not change the unfair and oppressive structure of the capitalist enterprise. The statute also lays down areas in which information is restricted and the executives of the enterprise can give whatever versions they wish to the workers, who cannot demand accurate and timely information in comprehensible language, since there is no provision for the punishment of executives who do not give such information. The Social Statute does not specify what are to be the differences between the trade union leaders and the workers' representatives in the Enterprise Committee; what is most likely is that both groups will have similar functions, and this will result in union parallelism.

What is still more serious is that the Social Statute not only fails to grant to the workers participation in the administration of the enterprise, but it forbids us to negotiate improvements in the structure of participation. Any improvement will thus depend on the charity of the entrepreneurs, and this is unacceptable to the Chilean workers.

As far as profit sharing is concerned, the statute rules out any possibility of such a course; it should be noted in this connexion that the preliminary text submitted by SOFOFA to the CORFO Commission was much more generous to the workers.

We certainly regret that our desire and right to participate in decision-making and responsibilities have not been fulfilled, despite the Government's promises, stated ever since the day it came to power, to approve the "three-areas project".

The participation which we have been allowed is of a soulless kind since it lacks our free support; this means that criticism is impossible.

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Without genuine participation in decision-making, there is no experience of democracy and its non-existence enables its enemies to work towards its destruction.

We, the workers, are not a mere factor of production; we are human beings and fulfil ourselves as human beings in and through our work. Our activity cannot be reduced to the mechanical performance of certain functional tasks. As persons we have a basic need to understand the meaning of our actions and our work, and to help to determine them so as to be treated with dignity, not as objects but as subjects, as human beings. This is why we claim and struggle for the right to take an active, genuine and decisive part in the management of the enterprise. The mere right to be informed or consulted without participation in the decisions which interest everyone and without any control over the directions taken by the enterprise prevents the responsible performance of the function allotted to every member of the community of mankind.

In saying this, we base ourselves on the concept of Christian humanity which the Government claims, in its declaration of principles, to defend and promote. The social doctrine of the church has invariably maintained that without the true and effective exercise of responsibility, expressed through participation, the human person does not exist. We take the liberty of recalling here the words of Pope John XXIII in Mater et Magistra when he said that if the structures, operation and climate of an economic system were such that they jeopardized the human dignity of all those engaging in their own activities within that system, or if they systematically blunted the sense of responsibility or constituted an impediment to the expression of personal initiative in any form, that economic system was unjust, even if, theoretically, the riches produced within it were plentiful and were distributed on the basis of justice and equity.

It must also be said that we workers have the right to take an active part in the economic and social organs responsible for promoting economic and social development. This participation should be legitimate and representative, in other words, chosen by the workers who would be represented by means of free, secret and informed elections.

To encourage participation means giving people a chance to know and experience objectives and values which justify their work and participation in the performance of collective tasks.

2. THE DRAFT REFORM OF THE LABOUR CODE

A positive aspect of the draft reform of the Labour Code is the elimination of the difference between workers and employees, and the incorporation of ethical and legal standards, such as mutual respect and training, in the labour contract. Unfortunately, the negative aspects which restrict the rights already achieved by the workers in the course of many union struggles are more numerous.

The document does not recognize the full trade union freedom which we demand and which we understand as a collective and not as an individual right; it does not mention the right of the trade union organization to be based on the trade union

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comprising members of particular professions or occupations within and outside a particular enterprise. We also desire recognition of the independence and autonomy of our trade unions, and the right of self-government through the machinery which the trade unions themselves set up, in order to guarantee full trade union democracy.

For all the above reasons, we reject the changes in the present trade union structure which the draft reform of the Labour Code seeks to introduce.

Simply by way of example, mention should be made of some provisions which are harmful to the workers and militate against labour victories already achieved. We have in mind the increase, under the terms of article 40 of the draft code, in the number of hours worked weekly by some categories of workers, who under the terms of article 125 of the present Code work fewer hours.

We consider inadmissible the last paragraph of article 203 of the draft, which provides that any employer who resists a legal order to re-employ a worker who has been unjustly dismissed, is not obliged to pay him compensation; this obligation passes to the social security organization, which bears no responsibility for the arbitrary conduct of the employer.

Article 207 reduces the protection of trade union authority by failing to exclude trade union leaders from termination of service, even for acts or causes beyond their responsibility; in several articles the right to organize a justifiable strike is subjected to undue limitations; the right of the trade union organization to affiliate itself to international trade union institutions is not recognized, and article 310, which provides that the provisions of the collective agreement shall not be incorporated in the individual work contracts, is, in our view, most unfortunate, especially since the right of all workers to become members of a trade union is excluded.

Lastly, with regard to the right to organize trade unions, we should like to say once more that there is no legitimate or just reason to maintain in force Legislative Decree No. 198, the aim of which is to keep the entire structure of the trade union movement inactive and in a state of disintegration.

We do not believe that the Government's aim is to intimidate and destroy the organizations which defend the rights of the workers; it is for this reason that we call for the repeal of Legislative Decree No. 198, which prevents the trade union leaders from acting as legitimate representatives. As long as this text stands, there cannot be said to be respect for the rights of the workers and the trade union organizations.

3. AGRARIAN REFORM AND RIGHTS OF THE RURAL WORKER

The rural workers join the urban workers in calling for respect for their rights and for the pledges given by the Honourable Government Junta.

The rural workers would have liked to say that the promises made on 5 December 1973 by the Minister of Agriculture at that time, Don Sergio Crespo, had

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been kept. He stated that the agrarian reform would not be reversed for any reason, but that once the progress achieved up to that time had been consolidated, the reform would continue.

The facts, however, show the contrary. A large number of expropriated estates, including estates expropriated before 1970, as is the case of the Salto de Conchate asentamiento (commune) which was expropriated in 1968 and returned in May 1976, have been returned. The estates have been returned with all the improvements and equipment introduced by the inhabitants of the asentamiento, and only in a few cases is it intended to provide compensation and then only over a long period.

The estates have been returned through CORA, by a simple administrative procedure, and without any prior proceedings before the competent agrarian tribunal. With the return of the asentamientos to their former owners, the inhabitants are abandoned to their fate, and the working and living community which Act No. 16,640 sought to create is disbanded.

We should have liked the agrarian reform to continue, as the Minister said at that time it would, but the fact is that since 11 September 1973 there have been no further expropriations of abandoned or under-exploited estates.

We had hoped that the rural trade unions would be given guarantees and support, but we are confronted with the suspension of the financing provided for in Act No. 16,625 of April 1967 for the federations and confederations of rural workers.

There is also the fact that agricultural employers are dismissing long-term workers and recruiting new workers in rotation in order to evade compliance with the labour laws. The contracts are of two to five months' duration, with the result that workers can be dismissed without indication of cause and without prior notice, minimum wages can be paid without bonuses, and workers can be made to work overtime without payment.

Today the rural workers, under the provisions of Legislative Decree No. 275 of 18 January 1974, have 50 per cent of their wages deducted for perquisites; this is a regression vis-à-vis Decree No. 244 of 1953, and means that the labour achievements of the rural sector during the past 20 years and more have been nullified.

There is more. Mention should be made of our categorical rejection of Legislative Decree No. 993 of May 1975 under which the sharecroppers lose their status as agricultural workers, acquired under Legislative Decree No. 9 of January 1968 and Act No. 17,510 of 1971. Under the legislative decree of the Honourable Government Junta, the sharecroppers also lose their legal guarantees and protection and minimum duration of the contract, while claims concerning social security payments by the employer and other matters have to be submitted to the civil courts and not the labour tribunals, which means that legal proceedings take longer.

The rural workers once more request the Government to give them the land in the

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form of agrarian reform co-operatives, as provided for by the spirit and the letter of Act No. 16,640, and not in the form of individual allocations which cause wastage of between 5 and 10 per cent of cultivable land, while the division of high costs increases the difficulties involved in technical assistance, regional and rural planning, and so on. The co-operative set up by the inhabitants of the asentamientos, however, does not destroy the unity of production which existed before the expropriation, cultivable land is saved and the costs of fences, roads and so on are reduced to a minimum, there are greater possibilities for investment, development plans can be implemented, there is a better rotation of crops, suitable equipment can be maintained for vineyards, plantations and dairy and cattle farming, the marketing of the products is improved, the range of available equipment and machinery is widened, and a real human community is created.

Lastly, we support the view that the agricultural workers' organizations should continue to be governed by the provisions of Act No. 16,625 and state workers by the Administrative Statute; we have no desire that a marginal trade union organization be imposed upon us against our will.

We should have liked to say that we are happy and can see that the status of the rural worker is improving rapidly, but the facts point to the contrary; we say this, loyally and courageously, because we do not wish to deceive the Chief of State and because we hope that the Government will rectify its agrarian policy.

4. EMPLOYMENT TRAINING STATUTE

We, the workers of our beloved country, would have liked to say to the country on this 1 May that we have a labour training statute which provides us with integral training in the problems which interested the workers of the city and the country, but the fact is that the training and employment statute which has been enacted leaves the training of the workers to the goodwill of the State or the owners of enterprises.

We rural and urban workers would like a training system administered by our own trade union organizations, but in fact the funds intended for the development of trade union training and extension programmes are being cut off. We are hoping that the Government will reconsider this measure which is so harmful to the workers, who wish to increase and not lose their historical achievements.

5. SOCIAL SECURITY REFORM

We, the workers, would like the Government to listen to our views concerning this reform and to respect our acquired rights.

We can only reject, and request the modification of, a system of retirement at the age of 65 for men and 60 for women. These figures have been categorically contested by our base organizations as inconsistent with Chilean reality.

We, the workers, do not agree with the system of individual capitalization because it infringes the principle of solidarity, which is basic to social security.

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It leads to the collapse of the principle of the adequacy of the benefits provided, whose level is measured against the real needs of the persons insured with a view to enabling them to live in a dignified manner. The adequacy levels laid down in article 27 et seq. have the disadvantage of being subjective since they are determined individually according to income levels per person and not according to a person's objective needs; this makes it difficult to satisfy the needs of the workers at any given moment. All this represents a serious step backwards and a heavy blow to the workers, especially in the lower-income groups.

It should be mentioned that individual capitalization has been abandoned in nearly all the countries of the world by the social security systems.

Lastly, we, the workers, do not wish our future to be gambled with on the capital market; nor do we wish to run the risk of losing our funds to the finance companies, in which we do not believe and which we do not trust or support. We have serious doubts about the efficiency of the system and even more doubts about its ethics and morals, which should arouse concern also in a Government based on Christian humanity.

The Government does not state or explain what will happen to corporations which make poor investments; nor does it guarantee the maintenance or increase of the capital owned by the workers, who do not really participate in its administration since they are to be designated or appointed by the Government.

In this respect there are many doubts about the system and the participation of the workers in the management and administration of their own funds.

The Government should clarify our doubts so as to dispel the apprehension of the workers and to listen to our opinions and suggestions in this very important matter.

SOCIAL AND ECONOMIC ASPECTS

A few days ago one of the communications media said that the Government's economic policy was widely supported by the working class.

We wish this was the case, but we know that it is not. The Government's economic policy in no way interprets the thinking of our organizations and their union bases; on the contrary, we are convinced that it is extremely damaging to the workers' interests.

We have something to say on this subject.

Forty-four months have passed since the so-called social market economy was first introduced; few people know what this means, and we are among the many who do not understand, despite the efforts of the authorities to teach us. In our view, this title obscures the serious economic problems which we are experiencing. Economic policy is said to be the technical solution to Chile's problems.

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Obviously, as in any economic policy, there are ideological and doctrinaire positions behind the model; there are men who have defined it and thus there are interests which are protected. This is indisputable.

This situation is painful to us. In these 44 months we have borne with dignity the greater and unequal share of the sacrifice requested by the Government.

We, the workers, would willingly contribute our share of sacrifice if we knew - through our participation - that the sacrifice was shared equitably, but this is not the case today. The sacrifice is not shared and we, the workers, have not participated in the relevant decisions.

We have expressed our interest in participating on numerable occasions, because we believe that we are not alien to the solution of the economic problems. We ask to be heard and to be respected; we do not want our contribution to be thrown into the wastepaper basket as on other occasions; and we would like to be treated in the same way as the entrepreneurs.

Furthermore, the results and costs of the present system are causing us serious concern; it is our children who are suffering from malnutrition and are ill, it is our wages which are inadequate, and it is our work which is disappearing.

EMPLOYMENT

When we speak of work, we are speaking of something beautiful, well-defined and full of hope. We are speaking of something which makes the country what it is; a person who works can bring something home in his hands and can clothe, feed and educate his family.

Many Chileans have no work today; according to the Department of Economics of the University of Chile, out of every 100 workers in Santiago, 14 have no work. This figure is also valid, and equally important, for the country as a whole, and it is not only the persons considered in these statistics who have employment problems.

Some Chileans have gone to other countries to seek work; others are working in the Minimum Employment Programme, which represents categorical official recognition of the problem of unemployment.

If we added these Chileans to the number of unemployed, instead of 14 we should have about 25 out of every 100 workers who have no chance to work. There are still more if we consider that the working days are shorter than normal or if we take into account the stoppages for collective holidays.

This whole situation contrasts sharply with what is happening in the money market which is very active and where high rates of interest are paid in contrast with the low wages.

We, the members of the Chilean trade union organizations, demand the creation of new sources of work, and call for the revision of the tariff policy which has

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benefited only the well-off and has left many without work. It is urgently necessary for the Government to develop an investment plan in view of the historical failure of private enterprise; in order that these decisions might be taken, we call for a revision of economic policy, in which the workers should be allowed to participate and be taken into consideration.

It is the duty of the State to give, or at least guarantee, work to all the citizens of the country. Today dogmas must be renounced and the investments which the country needs must be made, both in the sectors of production proper and in the basic services sector. Work should be granted to everyone. This is the only means of achieving a level of development in which we Chileans can live together with dignity.

Because we are particularly interested in the future and the objectives of Chile, we would like to endorse the works of the Association of Industrial Metal Workers (ASIMET): "When we have a high level of employment, nobody will be able to question the wisdom of closing down inefficient sectors, so that the enterprises being set up may have the workers they need; but as Chileans we cannot but feel uneasy while foreigners are given work in Chile in the production of unnecessary consumer goods."

CONSUMPTION AND INCOME

Studies carried out by institutions which merit the greatest confidence relating to the basic minimum consumption of only 17 products by a family of five give rise to serious concern about the levels of consumption and subsistence to which the great majority of Chilean workers are restricted.

A basket containing the 17 basic products is not enough to live on; it is only enough for subsistence, despite the fact that this basket in the second week of April cost 1,727.64 pesos. In the same month the minimum wage was 1,190 pesos; in other words, with the minimum wage only 68.9 per cent of the basket could be consumed. To state the situation in clearer terms, people can afford only enough food for 21 days a month.

In order not to lose hope, it should be remembered that this has not always been the case. Originally the minimum wage was sufficient for a somewhat bigger basket, which included education for the children, health and recreation. Today there are few who can aspire to these benefits; the great majority of workers can hardly afford even the minimum basket.

We, the Chilean workers, are very well aware that the economy will only be reactivated when the income of the most backward sectors is increased. Only in this way will the structure of national production be able to recover from its present serious situation.

We are in full agreement with the Minister who stated publicly that he was vexed and angered to see women with children begging; we, the working people, are also vexed and angered by an institutional situation which makes such degrading things possible.

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We therefore call for an improvement of the situation of the workers, employees, professionals, technicians and labourers in the public and private sectors. We want a minimum wage consistent with the real needs of the Chilean family.

LABOUR MATTERS

RELATIONS WITH EMPLOYERS AND SITUATION WITH REGARD TO ACQUIRED RIGHTS

As regards our relations with the employers, it is discouraging to observe how in practice these relations are deteriorating day by day. This could not be otherwise, since, protected by the suspension of union activity as a result of Legislative Decree No. 1,998, they have taken advantage of and abused, their privileged situation.

They have placed innumerable difficulties and impediments in the way of trade union activity, ranging from ignoring the unions to attempting to dissolve them. They have dismissed leaders, failed to pay dues, and dismissed staff in such large numbers that there are in some cases insufficient workers to keep the enterprise legally in existence.

Not only relations between employers and labour organizations, but also relations between employers and the workers themselves have worsened. The abuses range from requiring longer working days without paying the legal overtime rate, to the non-payment of benefits and rights acquired in agreements, such as compensation for years of service, and making a mockery of the payment of social security contributions, bonuses and so on.

In the construction industry, tariffs are not respected, social security contributions are not paid and differentials are not complied with. Furthermore, the owners of construction enterprises are empowered to contract 50 per cent of the manpower they use under conditions identical with those of the Minimum Employment Plan. In other words, they pay no social security contributions, the wage is less than 800 pesos a month, and they can dismiss workers whenever they wish, even without justification.

Another way in which owners of enterprises make a mockery of acquired rights is by liquidating their enterprises in order to form others with the same workers, who therefore lose whatever they have achieved and may be victims of this legal loop-hole. This is occurring in the construction industry, the rural sector and other sectors of production.

In view of this serious and continuing situation, the protection of the legal and political authorities has been sought. However, hopes fade when it is seen that, even after decisions and resolutions favouring the trade unions, the management ignores them. This has occurred in such cases as the following: Textil Pollak Hnos, Automotriz Franco-Chilena, Ferriloza and so on.

We feel particular sympathy for the workers of the Minimum Employment Programme, in view of their difficult working conditions and very low wages, which prevent them from maintaining even a dignified level of subsistence as workers and Chileans.

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RELATIONS OF THE TRADE UNION MOVEMENT WITH THE CHILEAN GOVERNMENT

We have been stressing the need for all sectors of activity to participate in the creation and planning of the historical destiny of the nation. It is, therefore, of fundamental importance to refer to the relations which we workers have had with the Government during the past 44 months, since it is by this yardstick that the importance which the authorities attach to the labour sector can really be measured.

The first statements by the Government on this question made frequent mention of "recognition of the victories achieved", "guaranteeing freedom of association", and so on. At first, therefore, the workers entertained hopes of being able to express themselves freely and to maintain relations with the Government. They hoped that they would be able to make a continuing contribution by explaining their concerns and co-operating in the creation and preparation of alternative solutions to their problems.

Before long, however, Legislative Decree No. 198 brought us down to earth; the trade union organization became subject to Government authority, trade union achievements began to be trampled upon by the entrepreneurs, and the possibilities of protection became ever fewer and more restricted.

Despite this, we workers have continued to state that the authorities have a need and obligation to listen to us, but the chances of this desire being fulfilled are becoming increasingly remote.

The Government has asked the workers to give their opinion on certain specific projects, but this has been no more than a simple "opinion poll", since in practice our suggestions have never had any effect on the eventual drafting of these projects. On the contrary, we consider that the Social Statute of the Enterprise and the Vocational Training Statute, for example, are clearly disadvantageous to the workers.

A separate comment should be made about the enactment of Supreme Decree No. 90, relating to the second stage of the career of state employees, since the workers had no chance to express their views when this decree was enacted. It was finally enacted on the basis of criteria completely alien to Chilean reality, and comprises provisions which in the final analysis paralyse the career of government employees and frustrate the workers' hopes of gaining promotion.

The relationship between the workers and the Government thus represents a dialogue of the deaf, in which no heed is paid to the workers. However, the entrepreneurial sectors have every chance and opportunity of being heard and influencing the decisions which will affect the workers of Chile.

UNION PARALLELISM

A number of measures which openly encourage union parallelism are causing us particular concern. These include the appointment of leaders, even outside the

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context of Legislative Decree No. 198, and the call for the establishment of "pure and untainted trade unionism" by certain persons who are in fact known to occupy a particular political position.

Our efforts have been aimed at achieving the unity of the trade union movement; and for this reason we utterly reject all attempts to establish parallelism and to manipulate the workers' organizations.

PERSECUTION OF TRADE UNION LEADERS

In addition to the dramatic situation of the Chilean workers described above, there is a matter which, because of its extreme seriousness, we have left to the end.

Attempts have not only been made to intimidate and destroy the trade union organization by depriving it of its rights and possibilities of expression. Since the workers were seen to remain faithful to the trade union movement and its leaders, recourse has also been had to all kinds of threats and pressures to bring them into line.

These have included threats to trade union leaders by entrepreneurs, outrageous demands by the administration, the dismissal of leaders with absolute contempt for the regulations relating to the rights of trade unions, throwing union property into the street and violation of documentation, the fraudulent use of the names of trade union leaders, and the dismissal of leaders in the agricultural sectors following agreements that no one would re-employ them.

We must trust in the decision and unity of the workers to prevent further arbitrary action of this kind; we are sure that they will not be intimidated by pressure and will continue to struggle for their legitimate social and economic aspirations within the context of legality and justice.

The trade union movement will not relinquish, or alienate itself from, its struggle; it will remain faithful to its spirit of self-denial and sacrifice. Sir, today we are experiencing one of the most difficult periods in the history of Chilean trade unionism: new legislation is restricting our possibilities of expression and organization; the power of capital is growing under the protection of favourable socio-economic structures; and the introduction of a climate of pressure and persecution threatens to silence the workers.

We look to you, Sir, to overcome this crisis for the good of our country and its workers.

THE LESSONS OF THE PAST AND A PLATFORM FOR THE TRADE UNION MOVEMENT STRUGGLE

This statement remains true to the tradition of the trade union movement. How difficult it is, in the light of the situation we have described, to escape from vindication of claims.

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Today, as yesterday our struggle has been conducted according to the rules commonly accepted. However, in the past, because of the inability of the system to respond to social demands, our trade union movement, like the other social fronts, invaded by party politics, was obliged to adopt partisan practices as a means of resolving the struggle for power. This historical fact must be recognized here if we are not to return to such situations. We must learn from our mistakes.

Thus if we want an autonomous labour movement, independent of political factions, a social system must be created which is capable of coping equitably and efficiently with the real needs of the working people.

This society must be one in which the workers are treated as human beings and not as merchandise, and where not only the priority rights of man and the State are recognized, but where the respect for those rights is really guaranteed and the assurance is given that they cannot be suspended or set aside on any pretext; where men are considered to be the masters of their own destiny, so that all of us, without discrimination as to race or creed, have continuing and regular opportunities to influence the decision which affects us.

Such a society must be a true democracy!

What we are saying is not new, since the historical target of the working movement has been and will continue to be the establishment of a democratic régime based on the capacity of organized labour to build a new society in which power, wealth and culture are in the hands of the masses but at the service of all, as the only real guarantee of the free exercise of their rights and aspirations. Let us remember that the days when the legitimacy of those who governed stemmed directly from the will of God or the ruling monarch are past; the people alone are the depositary of the sovereign will to govern and be governed.

In the trade union movement in Chile, the first question to be raised is thus the solution of the general problem of democracy as the only way of striving towards a specific historical ideal.

Our humanistic background gives us great confidence in man, and through participation we seek to open up the way for him to develop to the full.

From this point of view, what seems more important to us than a man's stability is the freedom and equality of the children of one and the same father, sharing a common fate. Hence we are interested rather in a type of social organization which permits the self-expression of its members and in which internal order is based on the idea of consensus rather than the material efficiency which a régime where force is the foundation holding up the established order could give us.

We workers realize that the struggle for our economic claims is simply a necessary means of alleviating need and poverty which we can only overcome through the long struggle to give Chile a new historical destiny.

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We, the workers of the country and of the city must create democracy step by step from its grass roots in an organized and unified way.

SOME CONCERNS OF THE PRESENT TIME

1. We observe with concern that some communications media systematically attempt to make the workers believe that the most serious problems of the country are technical problems such as the struggle against inflation, budgetary stability or the balance of payments, or else isolated private problems such as the sharp practices of some tradesmen and unscrupulous entrepreneurs, who take advantage of the consumer by raising prices beyond what a competitive economy warrants.

The technocrats of Chile and of the world generally, yesterday and today, have tried to make people believe that the main problems are of a technical nature. It is an old trick of the oligarchy designed to keep us from airing views on the problems which affect us all equally.

To fall into this snare means renouncing our legitimate right as workers and citizens to hold opinions about and to influence or decide on matters of public interest. What we fear is that silencing may be followed by the disruption and stagnation of the labour movement.

2. We are also concerned that today in Chile the freedom enjoyed by the worker is not even a faint shadow of that enjoyed by the entrepreneur.

The excellence of the present economic model lies in the fact that it has liberalized the economy, or rather returned it to the private sector, with singular rapidity and tenacity. This has made it imperative to maintain restrictive labour conditions. If this were not so, we would have been able to have freedom of association, freedom to hold meetings, freedom to negotiate, etc.

The employers' organizations, on the other hand, are developing in a climate of complete freedom; they can make claims with impunity and vindicate the right of private initiative to become the masters of Chile. It is also observed that while banks and corporations (the Bank of Chile, for example) elect their boards of directors, after going through an electoral campaign, union elections are bound by the rules of appointment laid down in Legislative Decree No. 198.

This is an odious discrimination which does violence to our inner feelings, and offends our dignity as men and Chileans who are proud of a different tradition from that in which we are living today. Let us be quite clear: the lack of freedom of the wage-earners guarantees complete freedom for the capitalists.

Your Excellency, we would like in conclusion to present to you a summary of some specific petitions directly connected with the critical situation of the workers of Chile today.

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SOCIO-ECONOMIC NEEDS

(a) The introduction of a "workers' shopping basket" genuinely representing the needs of the Chilean family and serving as a basis for calculating wage readjustment percentages and fixing the minimum wage.

(b) The replacement of the "basic wage" by the "minimum earnings" worker's benefits being calculated on the basis of the latter.

(c) The incomes of retired persons, pensioners and beneficiaries of charitable funds not to be less than the minimum earnings fixed.

(d) The Minimum Employment Plan workers to have their social security contributions paid and their wages not to be less than the minimum earnings fixed.

(e) The incomes of workers to be readjusted monthly, according to a price index to be established.

(f) One hundred per cent readjustment for family allowances.

(g) Formation of tripartite commissions in all sectors of labour, on a genuinely decision-making basis.

RURAL NEEDS

(a) The land to be handed over to rural workers in the form of "agrarian reform co-operatives".

(b) The organization of farm workers to continue to be governed by the provisions of Act 16.625, and civil servants by the Administrative Statute.

(c) Article 54 of Legislative Decree No. 1446 of May 1976, reaffirming the financing of the rural Federations and Confederations, to be repealed thus restoring the spirit and letter of Act No. 16.625 on rural unionization.

(d) Legislative Decree No. 275 of 18 January 1974 to be repealed, and Legislative Decree No. 244 of 1953, preventing agricultural employers from deducting more than 25 per cent of income for perquisites, to be restored.

(e) Share-croppers to have their status as agricultural workers restored.

(f) A policy of support for credit and technical advisory matters to be defined, in keeping with the real necessities of the sector reformed.

TRADE UNION ORGANIZATION NEEDS

(a) Recognition of the independence and autonomy of the trade union organizations.

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(b) The right to self-government through the machinery which the unions themselves set up, this union freedom to operate at all levels, so that the Chilean workers will have a national organization to organize, co-ordinate and represent them.

(c) Respect for union authority.

(d) Repeal of the rules which make it possible to dismiss union leaders.

All these petitions come within the minimum conditions of respect for the following rights, inherent in a sound legal and political text:

1. The right of petition and collective bargaining.

2. The right to fair strike in defence of the workers' interests.

3. The right to take part in the management of our Social Security system.

4. The right to take part in the management of our training organizations.

5. The right to manage our own enterprises with the financial and institutional support required.

All the above is merely the recognition of Human Rights: right to work, freedom of expression, freedom to hold meetings, freedom of association, civil rights to participation in society.

Santiago, 1 May 1977.

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ANNEX LIII

Excerpts from the report of a mission to Chile under the auspices of the World Council of Churches relating to repression of trade union officials

/Original: French/

Persecution of union officials

Manuel Jesus Bustamente Garcia

Forty-one years of age, President of the Union of Gas and Sanitary Workers, arrested by members of the Police (Carabineros) on 6 May, interrogated and threatened.

Juan Eduardo Berrios Morales

National official of the Union of Domestic Servants, seized on 6 April 1977 on a public thoroughfare, interrogated and tortured. Finally, released but ordered to report every day to answer questions such as the following:

Who drafted the statement by "the 126"?
Who is in touch with the Church?
Who organized the artistic events and the events at the Vicaria?
Who are the leaders of the Communist Party?
What is the role of the Communist Party in the Federations?

Hector Cuevas Salvador

President of the Industrial Construction, Timber and Metals Federation, arrested on 28 April.

National trade union officials whom I have myself questioned have stated that:

- They dare not go out alone;

- They are increasingly threatened but in a more subtle fashion, e.g. through their children. Attempts are also made to discredit them publicly. They receive telephone calls threatening them with death, and visits are paid to their homes;

- Attempts which are being made to replace these officials have been facilitated by a legal device (a ban on re-election and official appointment of the new office-holders);

- In any action they take, the officials run the risk of doing something illegal through ignorance of the legal limits established.

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The trade union movement has thus been virtually paralysed through lack of freedom in matters of organization, mobility and scope of action. However, with the support of the Church, the unions are trying to pursue their activities in three ways:

- Training;

- Public attempts to regain their fundamental freedoms;

- General claims with regard to the right to exist.

The statement of "the 126" of 1 May 1977 is annexed.)

José del Carmen Briones Montenegro was arrested on 8 June and released on 11 June. He is 50 years of age and is a former President of the Interfas (Textile Union and an official in a southern sector labour exchange.

Samuel Ernesto Astorga Jorquera, 50 years of age, married, car mechanic, former Christian Democratic deputy and former trade union official at Iquique. Returned on 14 June from Caracas with Ramon Velasquez, national official of the "El Triunfo Campesino" Workers Confederation. Was seized, transferred from one car to another, beaten and finally left without his clothes.

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ANNEX LIV

Excerpts from the report of a mission to Chile under the auspices of the World Council of Churches relating to a study of 145 children with a parent missing

/Original: French/

SYMPTOMS FOUND IN CHILDREN WITH ONE PARENT "MISSING" TO WHOM NO EXPLANATION HAS BEEN GIVEN (OR VAGUE AND CONTRADICTORY EXPLANATIONS)

(Summary of a study of 145 files on minors of 1-18 years)

1. Somatic disorders

Disturbances of sleep:

- Insomnia
- Agitation (cries, convulsions)
- Nightmares, night fears
- Sleepwalking

Disturbances of the appetite:

- Refusal to take food, leading in certain cases to marked malnutrition
- Excessive over-eating
- Conflictive behaviour with regard to food

Gastro-intestinal problems (diarrhoea, vomiting etc.)
Headaches
Nervous tics
Stammering
Loss of hair
Enuresis: a very frequent symptom, also found among pre-adolescents of 13 years of age.

2. Affective disorders

- Affective inhibitions, indifference, loss of expressiveness, apathy;
- Exaggerated search for affection and attention, emotional dependence;

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- Irritability, anxiety (particularly with regard to any change of life style);

- Emotional instability (laughter, tears etc.);

- Phobias and fears in certain circumstances (darkness, sirens, nocturnal noises, uniforms, enclosed spaces);

- Difficulties in making contacts and establishing interpersonal relations and friendships.

3. Disorders of the intelligence and development

In all these minors, there has been a sharp and general drop in educational performance and level of intelligence:

- Impairment of memory, of attention and concentration;

- Regression to a lower level of development (in speech and walking), total or partial forgetting of reading and writing attainments;

- Blocks in development and in adapting to new stages of development;

- Imbalance between mental and emotional development.

4. Two examples

A boy aged six.

He was told that his father was in another country and a pretence was made that letters arrived from him. The child showed intense aggressivity when spoken to about his father and systematically refused to mention him. He rejected every kind of affective demonstration in his relations with adults and other children.

A boy aged 13.

He suffered from sleep and affective disorders. On waking up, he sees near his bed his father who speaks to him, and is convinced of the reality of these "apparitions" which cause him great distress. His behaviour is aggressive and uncontrolled, and he is emotionally unstable. He feels very strongly that he has no male figure with which to identify.

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ANNEX LV

Information concerning missing persons from the International Committee of the Red Cross and the Vicaría de la Solidaridad

/Original: Spanish/

The following is a compilation of certain information contained in the two lists of missing persons presented to the Government of Chile by the International Committee of the Red Cross in December 1976 and the two petitions to the Supreme Court of Chile presented respectively in August 1976 and March 1977 by the Vicaría de la Solidaridad.

Explanation of symbols:

ICRC I	Refers to the list of the International Committee of the Red Cross of persons reported missing between 11 September 1973 and 31 December 1975.
ICRC II	Refers to the list of the International Committee of the Red Cross of persons reported missing between 1 January and 30 November 1976.
VIC I	Refers to the first part (340 names) of the list of missing persons presented to the Supreme Court of Chile in August 1976 by the Vicaría de la Solidaridad.
VIC II	Refers to the second part (46 names) of the list of missing persons presented to the Supreme Court of Chile in August 1976 by the Vicaría de la Solidaridad.
501	Refers to the list of missing persons presented to the Supreme Court of Chile in March 1977 by the Vicaría de la Solidaridad.
C119	Indicates names of persons reported to have died outside Chile (see A/31/253, paras. 231-240).

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
1.	ACEVEDO	ANDRADE	Luis	ICRC I	1			30/04/74
				501	116	32 y		30/04/74
2.	ACEVEDO	GALLARDO	Pedro Gabriel	501	328	19 y		28/04/75
3.	ACUNA	CASTILLO	Miguel Angel	ICRC I	2 C119			08/07/74
				VIC I	1	19 y	731.714 Nunoa	08/07/74
				501	117		7.542.249 Nunoa	08/07/74
4.	ACUNA	CONCHA	Juan Antonio	ICRC I	3			15/09/74
5.	ACUNA	REYES	Rene Roberto	ICRC I	4 C119			14/02/75
				VIC I	2	22 y	13.312 Nueva Imperial	14/02/75
				501	329	22 y	13.312 Nueva Imperial	14/02/75
6.	ADASME	NUNEZ	Jose Domingo	VIC I	3	29 y	41.626 de Buin	16/10/73
				501	1	37 y		16/10/73
7.	AEDO	CARRASCO	Francisco Eduardo	ICRC I	5 C119			07/09/74
				VIC I	4	64 y	755.752 Santiago	07/09/74
				501	118	64 y	525.257 Santiago	07/09/74
8.	AGUAYO	FERNANDEZ	Luis Evangelista	ICRC I	6			26/09/73
				501	2	21 y	58.307 Parral	20/09/73
9.	AGUILERA	CELIS	Hugo Del Carmen	ICRC I	7			18/03/74
10.	AGUILERA	CELIS	Juan Ramon	ICRC I	8			18/03/74
11.	AGUILERA	GARCIA	Victor Manuel	ICRC I	9			07/10/74
12.	AGUILERA	PENALOZA	Stalin Arturo	ICRC I	10 C119			23/08/74
				VIC I	6	42 y	2.973.148 Santiago	28/08/74
				501	119	42 y	2.973.148 Santiago	23/08/74
13.	AGUIRRE	VASQUEZ	Antonio	VIC I	5	29 y	17.249 de Curaniiahue	11/09/73
				501	3	30 y	1.376.873 Santiago	11/09/73
14.	ALARCON	JARA	Eduardo Enrique	ICRC I	11 C119			29/07/74
				VIC I	7	28 y	4.851.211 Santiago	29/07/74
				501	120	29 y	58.451 Tocopilla	04/10/74
15.	ALARCON	TORRES	Sergio Benjamin	ICRC I	12			03/01/75
16.	ALBORNOZ	PRADO	Hernan Pernando	501	6	23 y	58.636 Buin	15/09/73
17.	ALBORNOZ	PRADO	Juan H.	501	5	27 y	58.635 Buin	15/09/73
18.	ALCAINO	RUBIO	Angel	ICRC I	13			11/09/73
19.	ALEN	ROJAS	Salomon	ICRC I	14			18/01/74
20.	ALISTE	GONZALEZ	Eduardo Gustavo	ICRC I	15			24/09/74
				VIC I	8	20 y	6.925.253 Santiago	24/09/74
				501	121	19 y	6.925.235 Santiago	24/09/74
21.	ALLENDE	ROJAS	Blanca Rosa	ICRC II	2	04/03/54		07/10/76
22.	ALMONACID	DUMENES	Luis Jorge	ICRC I	16			16/09/73
23.	ALTAMIRANO	VARGAS	Jorge Eladio	ICRC II	1	11/07/54		15/09/73
				501	4	19 y	141.476 Osorno	15/09/73
24.	ALVARADO	BORGEL	Maria Ines	ICRC I	17 C119			15/07/74
				VIC I	9	22 y	6.623.484 Santiago	16/07/74
				501	122	22 y	6.623.484 Santiago	25/07/74
25.	ALVAREZ	VASCONCELLOS	Tomas	VIC II	18	54 y	2.308.363 Santiago	23/06/76
26.	AMENGUAL	CATALDO	Jorge Rafael	ICRC I	18			16/05/74
27.	ANDAUR	ARELLANO	Evaristo Segundo	ICRC I	19			11/09/73
28.	ANDRADE	MUNOZ	Alberto Quintin	ICRC I	20			01/05/74
29.	ANDREOLI	BRAVO	Maria Angelica	ICRC I	21 C119			06/08/74
				VIC I	10	28 y	5.864.244 Santiago	06/08/74
				501	123	27 y	5.864.244 Santiago	06/08/74
30.	ANDRONICO	ANTEQUERA	Jorge Elias	ICRC I	22 C119			03/10/74
				VIC I	11	25 y	57.643 Tocopilla	03/10/74
				501	125	24 y	57.643 Tocopilla	03/10/74
31.	ANDRONICO	ANTEQUERA	Juan Carlos	ICRC I	23 C119			04/10/74

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	ANDRONICO	ANTEQUERA	Juan Carlos	VIC I	12	24 y	58.451 Tocopilla	03/10/74
				501	124	24 y	58.451 Tocopilla	04/10/74
32.	ANUHUAGA	LUCCO	Pablo	ICRC I	24			25/10/73
33.	ARACENA	TORO	Carlos Alberto	VIC I	13	28 y	5.520.349 Santiago	29/11/74
				501	128	28 y	39.967 Chuquicamata	24/09/74
34.	ARANCIBIA	SANHUEZA	Desiderio	ICRC I	25			15/03/74
35.	ARANDA	SCHMIED	Pablo Ramon	ICRC I	26			17/09/73
				VIC I	14	20 y	106.690 Punta Arenas	17/09/73
				501	7	20 y	106.690 Punta Arenas	17/09/73
36.	ARANEDA	PIZZINI	Dignaldo Herminio	ICRC I	27			10/08/74
				VIC I	15	24 y	294.293 Concepcion	10/08/74
				501	126	23 y	294.293 Concepcion	19/08/74
37.	ARANEDA	REYES	Luis Alberto	ICRC I	28			15/09/73
38.	ARANEDA	YEVENES	Rafael Eduardo	ICRC I	29			12/12/74
				VIC I	16	25 y	28.930 Concepcion	13/12/74
				501	127	25 y	28.930 Conception	12/12/74
39.	ARAVENA	CODORNIU	Eduardo Enrique	ICRC I	30			20/09/74
40.	ARAVENA	HERNANDEZ	Juan Ignacio	501	9	63 y		11/09/73
41.	ARAYA	CABRERA	Santiago Edmundo	501	397	28 y	5.780.754 Santiago	29/11/76
42.	ARAYA	CASTILLO	Alfonso Del Carmen	ICRC II	3	17/09/48		09/09/76
				501	398	28 y	5.347.584 Santiago	09/09/76
43.	ARAYA	OLIVOS	Jorge	ICRC I	31			00/10/73
44.	ARAYA	ROBLEDO	Elba Adriana	ICRC I	32			13/10/74
45.	ARAYA	ZULETA	Bernardo	ICRC II	4	02/12/11		02/04/76
				VIC II	39	67 y	2.189.374 Santiago	02/04/76
				501	399	67 y	2.189.374 Santiago	02/04/76
46.	ARENAS	DIAZ	Guillermo Jesus	ICRC I	33			12/09/73
47.	ARENAS	VALDERRAMA	Luis Rene	ICRC I	34			10/09/74
48.	AREVALO	MUNOZ	Victor Daniel	ICRC I	35	C119		21/08/74
				VIC I	18	26 y	5.538.601 Santiago	21/08/74
				501	129	26 y	5.538.601 Santiago	21/08/74
49.	ARGANDONA	HENRIQUEZ	Hector Manuel	ICRC II	5	22/03/19		28/06/74
				VIC I	17			28/06/74
50.	ARIAS	VEGA	Alberto Vladimir	ICRC I	36	C119		22/08/74
				VIC I	19	20 y	6.694.842 Santiago	22/08/74
				501	130	20 y	6.694.842 Santiago	22/08/74
51.	ARIAS	ZUNIGA	Manuel Jesus	ICRC I	37			13/11/73
52.	ARREDONDO		Gabriela	ICRC I	38			27/01/75
53.	ARRIAGADA	JEREZ	Maria	VIC I	20	44 y	14.270 Curacautin	27/09/73
				501	8	40 y	14.270 Curacautin	27/09/73
54.	ARROYO	PADILLA	Ruben David	ICRC I	39	C119		25/11/74
				VIC I	21	24 y		25/11/74
				501	131	24 y		25/11/74
55.	ASCENCIO	SUBIABRE	Jose Ramon	ICRC I	40			29/12/75
				VIC I	22	30 y		29/12/75
				501	330	30 y	6.009.291 Santiago	29/12/75
56.	ASTORGA	NANJARI	Jose Braulio	ICRC I	41			19/12/73
				VIC I	23		123.528 Santiago	19/12/73
				501	10	56 y	1.239.028 Santiago	19/12/73
57.	ASTUDILLO	ALVAREZ	Enrique Rene	501	11	51 y	1.447 Talagante	07/10/73
58.	ASTUDILLO	ALVAREZ	Enrique Sergio	VIC I	24	53 y		07/10/73
59.	ASTUDILLO	CELEDON	Jose Luis	ICRC I	42			27/10/73
60.	ASTUDILLO	ROJAS	Omar	ICRC I	43			07/10/73
				VIC I	26	21 y	45.716 Talagante	07/10/73

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	ASTUDILLO	ROJAS	Omar	501	13	21 y	45.716 Talagante	07/10/73
61.	ASTUDILLO	ROJAS	Ramon	ICRC I	44			07/10/73
				VIC I	25	28 y	48.449 Talagante	07/10/73
				501	12	27 y	48.449 Talagante	07/10/73
62.	ATENCIO	CORTEZ	Vicente	ICRC II	6	16/09/29		11/08/76
				501	401	47 y	56.396 Arica	11/08/76
63.	AVALOS	DAVIDSON	Alejandro Juan Luis	ICRC I	45			20/11/75
				VIC I	27	30 y	4.908.195 Santiago	20/11/75
				501	331	30 y	4.908.195 Santiago	20/11/75
64.	AVELLO	AVELLO	Oscar Eduardo	ICRC II	7	17/04/55		24/06/76
				VIC II	42	22 y	69.229 Rengo	24/06/76
				501	400	22 y	69.229 Rengo	24/06/76
65.	AVENDANO	SILVA	Luis Jorge	ICRC I	46			11/07/74
66.	AVILA	SEPULVEDA	Roberto Ivan	ICRC II	8	18/09/51		
				VIC I	28			03/10/73
				501	14	22 y	56.840 Tome	03/10/73
67.	AYOROA	ARGANDONA	Abel	ICRC I	47			08/10/74
68.	AZUA	MOYA	Pedro Nolasco	ICRC I	48			26/03/74
69.	BADILLA	VASEY	Ambrosio Eduardo	501	15	28 y	5.478.034 Santiago	22/09/73
70.	BAEZA	CRUCES	Jose Luis	ICRC I	49			09/07/74
				VIC I	29	43 y	2.471.897 Santiago	09/07/74
				501	132	42 y	2.471.897 Santiago	09/07/74
71.	BAGUS	VALENZUELA	Jose Lucio	ICRC I	51			17/09/73
				VIC I	30	45 y	2.557.190 Santiago	17/09/73
				501	19	45 y	2.557.190 Santiago	17/09/73
72.	BAHAMONDES	MUNOZ	Juan Segundo	ICRC I	52			08/10/73
73.	BARRARZA	RUHT	Luis Alberto	ICRC I	53			29/10/73
74.	BARRERA	BARRERA	Jose Guillermo	ICRC I	54			13/03/74
				ICRC II	9	14/07/43		
				501	133	28 y		14/08/74
75.	BARRIA	ARANEDA	Arturo	ICRC I	55 C119			28/08/74
				VIC I	31	39 y	3.400.191 Santiago	28/08/74
				501	134	39 y	3.400.191 Santiago	28/08/74
76.	BARRIOS	BARROS	Juan Bautista	ICRC I	56			27/07/74
				VIC I	32	27 y	5.277.598 Santiago	27/07/74
				501	135	27 y	5.277.598 Santiago	27/07/74
77.	BARRIOS	DUQUE	Alvaro Miguel	ICRC I	57			15/08/74
				VIC I	33	26 y	5.541.054 Santiago	15/08/74
				501	136	26 y	5.541.054 Santiago	15/08/74
78.	BARRIOS	MEZA	Jaime	ICRC I	58			11/09/73
79.	BASCUNAN	MORALES	Rosa A.	ICRC I	59			11/03/74
80.	BASOA	ALARCON	Rene Rodrigo	ICRC II	10	16/09/46		19/12/75
81.	BEAUSIRE	ALONSO	Guillermo Roberto	ICRC I	68			20/10/74
				VIC I	34	26 y		02/11/74
				501	146	26 y		02/11/74
82.	BEAZA	GUTIERREZ	Roberto	ICRC I	50			24/12/73
83.	BELMAR	SOTO	Mario	501	16	31 y	4.998.291 Santiago	13/09/73
84.	BELTRAN	SANCHEZ	Maria Isabel	ICRC I	60			12/01/74
				VIC I	35	22 y	6.926.367 Santiago	18/12/73
				501	17	22 y	6.926.367 Santiago	18/12/73
85.	BELUCHI	MORAIS	Beluce (Brasil)	ICRC I	61			19/09/73
86.	BERNALES	CAMPOS	Carlos	ICRC I	62			27/09/73
87.	BERRIOS	CATALDO	Lincoyan	501	403	48 y	2.759.542 Santiago	15/12/76

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	Surname 1	Surname 2	First Names	List	Pos.		Age/Birth	Identity card No.	Detention
88.	BETANCOURT	BAHAMONDES	Silvio F.	ICRC I	63				11/09/73
89.	BINFA	CONTRERAS	Jacqueline Del Carmen	ICRC I	64	C119			27/08/74
				VIC I	36		28 y	74.010 Nunoa	26/08/74
				501	137		28 y	74.010 Nunoa	27/08/74
90.	BLANCO	CASTILLO	Juan Andres	ICRC I	65				18/09/73
91.	BLANCO	TORRES	Domingo Bartolome	ICRC I	66				11/09/73
92.	BOBADILLA	BOBADILLA	Manuel Antonio	ICRC I	67				23/12/74
93.	BOETTIGER	VERA	Octavio Julio	ICRC II	11		11/08/47		17/01/76
				VIC II	1		28 y		17/01/76
				501	402				17/01/76
94.	BOYANIC	ABAD	Cecilia Miguelina	ICRC I	69				02/10/74
				VIC I	37		22 y	6.360.887 Santiago	02/10/74
				501	138		22 y	6.360.887 Santiago	02/10/74
95.	BRAVO	ARRIAGADA	Manuel Alberto	ICRC I	70				18/09/74
96.	BRAVO	FERNANDEZ	Nestor Del Carmen	ICRC I	71				10/04/74
				501	139		30 y	3.914.543 Santiago	12/04/74
97.	BRAVO	NOVOA	Jose Luis	ICRC I	72				00/12/73
98.	BRAVO	NUNEZ	Francisco Javier	ICRC I	73	C119			26/08/74
				VIC I	38		24 y	5.474.543 Santiago	26/08/74
				501	140		24 y	5.474.543 Santiago	26/08/74
99.	BRAVO	TORRES	Rene Julian	ICRC I	74				02/01/74
100.	BRICENO	ZUNIGA	Jose Benito	ICRC I	75				17/09/74
101.	BRUCE	CATALAN	Alan Roberto	ICRC I	76				14/02/75
				VIC I	39		25 y	5.895.053 Santiago	14/02/75
				501	332		25 y	5.895.053 Santiago	14/02/75
102.	BRUHN	FERNANDEZ	Amelia Ana	ICRC I	77				04/10/74
				VIC I	40		34 y	21.429 Quilpue	04/10/74
				501	145		34 y	21.429 Quilpue	04/10/74
103.	BUENO	CIFUENTES	Carmen Cecilia	ICRC I	78	C119			29/11/74
				VIC I	41		25 y	5.196.451 Santiago	29/11/74
				501	141		24 y	5.196.451 Santiago	29/11/74
104.	BURGOS	LAVOZ	Osvaldo	ICRC I	79				15/09/73
105.	BURGOS	MUJICA	Josefina	ICRC I	80				12/02/73
106.	BUSTAMANTE	BOTELO	Guillermo Del Carmen	VIC I	42		42 y	27.095 Talagante	14/09/73
				501	18		40 y	27.095 Talagante	14/09/73
107.	BUSTAMANTE	SOBARZO	Jose	ICRC I	81				15/01/75
108.	BUSTILLOS	CERECEDA	Maria Teresa	ICRC I	82	C119			06/12/74
				VIC I	43		24 y		09/12/74
				501	142		24 y		09/12/74
109.	BUSTOS	FUENTES	Jose Ignacio	ICRC I	83				13/09/74
110.	BUSTOS	REYES	Sonia De Las Mercedes	ICRC I	84	C119			05/09/74
				VIC I	44		30 y	5.226.393 Santiago	05/09/74
				501	143		30 y	5.226.393 Santiago	05/09/74
111.	BUZZIO	LORCA	Jaime Mauricio	ICRC I	85	C119			13/07/74
				VIC I	45		22 y	77.671 Nunoa	13/07/74
				501	144		22 y	77.671 Nunoa	13/07/74
112.	CABEZAS	A.	Cristian	ICRC I	86				17/10/74
113.	CABEZAS	BUENO	Jose	ICRC I	87				03/10/73
114.	CABEZAS	QUIJADA	Antonio Sergio	ICRC I	88	C119			07/08/74
				VIC I	46		28 y	5.520.839 Santiago	18/08/74
				501	147		28 y	5.520.839 Santiago	17/08/74
115.	CABEZAS	VILLEGAS	Pedro Antonio	ICRC I	89				16/10/73
116.	CADIZ	MOLINA	Luis Nelson	ICRC I	90				14/09/73

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
117.	CADIZ	NORAMBUENA	Jaime Del Transito	ICRC I	91			17/07/74
				VIC I	47	23 y		17/07/74
				501	148	23 y	6.052.376 Santiago	17/07/74
118.	CALDERA	NAHUELHUAL	Victor	ICRC I	92			03/02/74
119.	CALDERON	MUNOZ	Aquiles Antonio	501	149	24 y		16/09/74
				501	20	23 y		16/09/73
120.	CALDERON	OTAIZA	Jorge Eduardo	ICRC I	93			30/10/74
				501	21	28 y	181.737 Temuco	30/09/73
121.	CALDERON	OVALLE	Jose	VIC I	48	34 y	4.356.614 Santiago	17/02/75
				501	333	34 y	4.356.614 Santiago	18/02/75
122.	CALDERON	TAPIA	Mario Eduardo	ICRC I	94 C119			25/09/74
				VIC I	49	32 y	440.841 Valparaiso	25/09/74
				501	150	31 y	440.841 Valparaiso	25/09/74
123.	CALDOENA	DE ZAMORA	Antonio	ICRC I	95			09/12/74
124.	CALFUQUIN	VILLALON	Luis Caupolican	501	22	49 y		18/09/73
125.	CAMPOS	BARRA	Eduardo Alejandro	ICRC I	96			13/09/74
				VIC I	50	29 y	2.627.553 Santiago	13/09/73
				501	23	29 y	2.627.553 Santiago	13/09/73
126.	CAMPOS	CARRASCO	Jines Luis	ICRC I	97			10/01/74
127.	CAMPOS	CASTRO	Ernesto	ICRC I	98			15/10/73
128.	CAMPOS	LOPEZ	Ruben Antonio	ICRC I	99			15/09/73
129.	CAMPOS	SANDOVAL	Manuel Jesus	ICRC I	100			18/09/73
130.	CAMUS	ANJARIS	Julio Rolando	ICRC I	101			00/02/73
131.	CANCINO	ARMIJO	Adan Del Carmen	ICRC II	12	21/10/45		13/01/76
				VIC II	2	30 y	5.537.810 Santiago	13/01/76
				501	404	30 y	5.537.810 Santiago	13/01/76
132.	CANTEROS	PRADO	Eduardo	ICRC II	13	16/09/27		23/07/76
				501	405	48 y	36.159 San Miguel	23/07/76
133.	CANTEROS	TORRES	Clara Elena	ICRC II	14	25/07/54		23/07/76
				501	406	21 y	7.351.624 Santiago	23/07/76
134.	CANTO	GUTIERREZ	Manuel Fernando	VIC I	51	20 y	24.070 Cardenal Caro	05/10/73
				501	24	18 y	24.070 Cardenal Caro	05/10/73
135.	CARABANTES	OLIVARES	Horacio Neftali	ICRC I	102			21/01/75
				VIC I	52	22 y	114.596 La Serena	21/01/75
				501	334	22 y	114.596 Serena	21/01/75
136.	CARADA	UTEAU	Hugo	ICRC I	103			08/03/74
137.	CARCAMO	RUIZ	Rudy	ICRC I	104			27/11/74
				501	151	28 y	90.477 Talcahuano	27/11/74
138.	CARDENAS	VALDERRAMA	Victor Modesto	ICRC II	15	04/11/23		26/08/76
				501	407	53 y	47.042 Calera	26/08/76
139.	CARES	PAREDES	Jorge Esteban	ICRC I	105			22/10/75
140.	CARMONA	MAGER	Roberto Eduardo	ICRC II	16	02/01/43		08/11/76
141.	CARO	AGUILAR	Juan Javier	ICRC I	106			15/09/73
142.	CARRASCO	AQUEDA	Manuel Alberto	ICRC I	107			25/01/75
143.	CARRASCO	AZOCAR	Jose Pascual	ICRC I	107a			13/09/73
144.	CARRASCO	BERRIOS	Emilio Del C.	ICRC I	108			11/09/73
145.	CARRASCO	CAVIEDES	Carlos Gabriel	ICRC I	109			22/04/74
146.	CARRASCO	DIAZ	Mario Eduardo	ICRC I	110 C119			16/09/74
				VIC I	53	18 y	6.696.049 Santiago	16/09/74
				501	152	18 y	6.696.049 Santiago	16/09/74
147.	CARRASCO	MATUS	Carlos Alberto	ICRC I	111			14/03/75
				VIC I	54	21 y	7.202.425 Santiago	14/03/74
				501	335	21 y	7.202.425 Santiago	14/03/75
148.	CARRASCO	SEPULVEDA	Rafael	ICRC I	112			30/01/74

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
149.	CARRASCO	VARGAS	Abel	ICRC I	113			27/09/73
				VIC I	55	45 y		27/09/73
				501	25	40 y	14.084 Villarrica	27/09/73
150.	CARRENO	AGUILERA	Ivan Sergio	ICRC I	114			13/08/74
				VIC I	56	15 y	7.625.597 Santiago	13/08/74
				501	155	16 y	7.625.597 Santiago	12/08/74
151.	CARRENO	GONZALEZ	Enrique Angel	ICRC I	115			00/09/73
				501	27	22 y		18/09/73
152.	CARRENO	NAVARRO	Manuel Antonio	ICRC I	116			13/03/74
				VIC I	57	53 y	1.753.948 Santiago	13/08/74
				501	156	53 y	1.753.948 Santiago	12/08/74
153.	CARTAGENA	PEREZ	Cristian Victor	ICRC I	117			18/09/73
				501	26	30 y	4.946.718 Santiago	18/09/73
154.	CARTER	LARA	Manuel Filamir	ICRC I	118			23/08/74
				501	153	36 y	98.194 Nunoa	23/08/74
155.	CARVAJAL	ARAYA	Angel	ICRC I	119			15/09/73
156.	CARVAJAL	CARRASCO	Margarita A.	ICRC I	120			31/01/75
157.	CARVAJAL	FARIAS	Victor Rene	ICRC I	121			10/10/73
158.	CARVAJAL	GONZALEZ	Victor Hugo	ICRC I	122			00/06/74
159.	CARVAJAL	MORALES	Raul (Venezolano)	ICRC I	123			30/11/73
160.	CASTELLON	MENGARELLI	Alfio Anselmo	ICRC I	124			00/10/73
161.	CASTILLO	CASTILLO	Guillermo Alfonso	ICRC I	125			03/04/74
162.	CASTILLO	REYES	Angel Segundo	VIC I	58			18/09/73
				501	32			18/09/73
163.	CASTILLO	TAPIA	Gabriel Del Rosario	ICRC II	17	29/11/40		05/08/76
				501	408	35 y	13.180 Combarbala	05/08/76
164.	CASTILLO	VICENTE	Arturo	ICRC I	126			27/12/73
165.	CASTRO		Oscar	ICRC I	127			30/11/74
166.	CASTRO	CARVAJAL	Hernan Mario	ICRC I	128			26/02/74
167.	CASTRO	GALDAMES	Galvarino	ICRC I	129			19/03/74
168.	CASTRO	MALDONADO	Jose Ignacio	VIC I	59	55 y	31.776 Buin	16/10/73
				501	28	53 y	31.176 Buin	16/10/73
169.	CASTRO	MENA	Leonilla	ICRC I	130			13/03/74
170.	CASTRO	MONTENEGRO	Raul	ICRC I	131			00/10/73
171.	CASTRO	SAEZ	Hector	ICRC I	132			24/09/73
172.	CASTRO	SALVADORES	Cecilia Gabriela	ICRC I	133			17/11/74
				VIC I	60	24 y	6.287.541 Santiago	17/11/74
				501	154	23 y	6.287.541 Santiago	17/11/74
173.	CASTRO	VIDELA	Oscar	VIC I	61	41 y	3.598.207 Santiago	16/08/74
				501	157	41 y	3.598.207 Santiago	16/08/74
174.	CATALAN	COFRE	Juan Carlos	ICRC I	134			13/09/73
175.	CATALAN	GONZALEZ	Jorge Antonio	ICRC I	135			07/03/74
176.	CATALAN	GONZALEZ	Pedro Juan	VIC I	62	39 y	90.898 Puente Alto	31/01/75
				501	336	39 y	90.898 Puente Alto	31/01/75
177.	CAUSSY	BENAVIDES	Plutarco Enrique	ICRC I	136			21/09/73
178.	CEBALLOS	ZUNIGA	Jose Bernardo	ICRC I	137			30/10/73
179.	CELAYA	SUAZO	Carlos Hugo	ICRC I	138			07/02/74
180.	CEPEDA	MARINKOVIC	Horacio	501	409	54 y	1.846.038 Santiago	15/12/76
181.	CEPEDA	VALDIVIA	Pedro Asuay	ICRC I	139			26/02/74
182.	CERDA	APARICIO	Patricio Humberto	ICRC I	141			10/02/75
				VIC I	63	20 y	198.136 Chillan	10/02/75
				501	158	20 y		10/02/74
183.	CERDA	CUEVAS	Cesar Domingo	ICRC II	18	02/08/23		19/05/76
				VIC II	33	53 y	1.514.352 Santiago	19/05/76

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	CERDA	CUEVAS	Cesar Domingo	501	410	53 y	1.514.352 Santiago	19/05/76
184.	CERDA	GARRIDO	Angela Cecilia	ICRC I	140			16/03/74
185.	CERDON	ALMADA	Juan Angel	ICRC I	142			12/09/73
186.	CERNA	HUANOL	Osvaldo	501	159	22 y	50.733 Traiguen	15/01/74
187.	CERNA	HUARD	Osvaldo Del C.	ICRC I	143			05/11/74
188.	CESPEDES	MONTANA	Hernan	ICRC I	144			04/02/74
189.	CHACON	HORMAZABAL	Julio	ICRC I	173			27/09/73
				501	31	27 y	49.011 Santa Cruz	27/09/73
190.	CHACON	OLIVARES	Juan Rosendo	ICRC I	174 C119			15/07/74
				VIC I	77	29 y	5.216.058 Santiago	15/07/74
				501	169	29 y	5.216.058 Santiago	15/07/74
191.	CHAER	VAZQUEZ	Roberto Salomon	ICRC I	175 C119			06/09/74
				VIC I	78	22 y	72.886 Pitrufquen	06/09/74
				501	170	21 y	72.886 Pitrufquen	06/09/74
192.	CHAMORRO	GOMEZ	Manuel Natalio	ICRC I	176			03/04/74
				VIC I	79	42 y	14.469 Renca	03/03/75
				501	171	41 y	14.469 Renca	09/03/74
193.	CHANFREAU	OYARCE	Alfonso Rene	ICRC I	177 C119			31/07/74
				VIC I	80	24 y	36.881 San Miguel	31/07/74
				501	172	24 y	36.881 San Miguel	31/07/74
194.	CHAVEZ	JEREZ	Raul	ICRC I	178			19/03/74
195.	CHAVEZ	LOBOS	Ismael Dario	ICRC I	179 C119			26/07/74
				501	173	22 y	5.552.155 Santiago	26/07/74
196.	CID	URRUTIA	Washington	ICRC I	145 C119			08/12/74
				VIC I	64	26 y	157.592 Chillan	07/12/74
				501	160	25 y	157.592 Chillan	08/12/74
197.	CIENFUEGOS	CAVIERES	Sergio Eduardo	ICRC I	146			07/01/74
				VIC I	65	25 y	4.777.108 Santiago	07/01/74
				501	161	24 y	4.777.108 Santiago	07/01/74
198.	CIFUENTES	CIFUENTES	Manuel	ICRC I	147			22/03/74
199.	CIFUENTES	NORAMBUENA	Gaston Eduardo	VIC I	66	25 y	6.025.839 Santiago	03/12/74
				501	162	25 y	6.025.839 Santiago	03/12/74
200.	CIFUENTES	SANDOVAL	Mario	ICRC I	148			05/01/74
201.	CONCHA	BASCUNAN	Marcelo Renan	ICRC II	19	26/10/45		10/05/76
				VIC II	45	30 y	4.945.518 Santiago	10/05/76
				501	411	30 y	4.945.518 Santiago	10/05/76
202.	CONCHA	VILLEGAS	Hugo Antonio	VIC I	67	29 y	51.300 Osorno	13/08/74
				501	163	29 y	51.300 Osorno	13/08/74
203.	CONTRERAS	CABRERA	Hector Hernan	ICRC I	149			08/12/73
204.	CONTRERAS	CONTRERAS	Juan Gustavo	ICRC I	150			14/05/75
205.	CONTRERAS	ESPINOLA	Ricardo L.	ICRC I	151			09/03/74
206.	CONTRERAS	GONZALEZ	Abundio Alejandro	ICRC I	152 C119			14/07/74
				VIC I	68	28 y	4.864.608 Santiago	14/07/74
				501	164	28 y	4.864.608 Santiago	14/07/74
207.	CONTRERAS	HERNANDEZ	Claudio Enrique	ICRC I	153 C119			07/01/75
				VIC I	69	28 y	93.267 Ovalle	
				501	337	27 y	93.267 Ovalle	07/01/75
208.	CONTRERAS	MALTRAIN	Carlos Patricio	ICRC I	154			07/10/74
209.	CONTRERAS	MALUJE	Carlos Humberto	ICRC II	21	05/12/46		03/11/76
				501	412	29 y		03/11/76
210.	CONTRERAS	MARZZANO	Carlos Antonio	ICRC I	155			22/03/74
211.	CONTRERAS	NUNEZ	Nora Jory	ICRC I	156			25/10/74
212.	CONTRERAS	PARDO	Daniel	ICRC I	157			23/03/74
213.	CONTRERAS	ROJAS	Hector Manuel	ICRC II	22	29/05/37		28/06/76

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	CONTRERAS	ROJAS	Hector Manuel	VIC II	29	39 y	3.878.398 Santiago	28/06/76
				501	413	39 y	3.378.398 Santiago	28/06/76
214.	CONTRERAS	SOTO	Luis Patricio	ICRC I	158			05/06/75
				VIC I	70	29 y		05/06/74
				501	165	29 y		05/06/74
215.	CORDERO	MUNOZ	Luis Alberto	ICRC I	159			26/03/74
				VIC I	71	36 y	4.372.855 Santiago	20/03/74
				501	166	36 y		05/06/74
216.	CORNEJO	CAMPOS	Raul Guillermo	VIC II	36	29 y		16/06/76
				501	414	29 y	6.024.920 Santiago	16/06/76
217.	CORNEJO	SILVA	Manuel Antonio	ICRC I	160			01/02/74
218.	CORREA	CANCINO	Fernando Hector	ICRC I	161			26/02/74
219.	CORREA	FERRADA	Ricardo	ICRC I	162			13/09/73
220.	CORTES	ALRUIZ	Juan Elias	ICRC II	20	04/03/45		07/05/76
				501	415	31 y	30.334 Quilpue	29/04/76
221.	CORTES	BEJAR	Bello	ICRC I	163			11/09/73
222.	CORTES	GUERRA	Fernando Alberto	ICRC I	165			09/09/75
223.	CORTES	JOO	Manuel Edgardo	ICRC I	166	C119		14/02/75
				VIC I	73	28 y	5.225.486 Santiago	14/02/75
				501	339	28 y	5.225.486 Santiago	14/02/75
224.	CORTES	LARA	Manuel	VIC I	74	36 y	98.194 Nunoa	23/08/74
225.	CORTES	ROJAS	Sergio Rosamel	ICRC I	167			25/03/74
226.	CORTEZ	CORTEZ	Juan Segundo	ICRC I	164			04/09/75
				VIC I	72	58 y	836.755 Santiago	04/09/75
				501	338	58 y	836.735 Santiago	04/09/75
227.	COBVALAN	VALENCIA	Jose Enrique	ICRC II	23	20/08/29		09/08/76
				501	416	47 y	2.351.340 Santiago	09/08/76
228.	COSIO	MONASTERIO	Miguel	ICRC I	168			20/02/74
229.	COUSY	BENAVIDES	Plutarco Enrique	501	29	31 y	442.042 Valparaiso	21/09/73
230.	CRISOSTOMO	SALGADO	Eduardo Segundo	ICRC I	171			03/10/73
231.	CRUZ	DIAZ	Tucapel	501	417	54 y	1.752.825 Santiago	18/12/76
232.	CUBILLOS	GALVEZ	Carlos Luis	ICRC I	169	C119		04/06/74
				VIC I	75	21 y	5.717.894 Santiago	04/06/74
				501	167	21 y	5.717.894 Santiago	04/06/74
233.	CUBILLOS	GUAJARDO	Domingo Clemente	ICRC I	170			19/01/74
				VIC I	76	19 y		17/01/74
				501	168	19 y		18/01/74
234.	CUEVAS		Jose Emiliano	ICRC I	172			14/05/74
235.	CUEVAS	BUSTOS	Antonio Isidor	ICRC II	24	05/10/37		23/11/75
236.	CURIHUAN	PAILLAN	Pedro	501	30	27 y		15/09/73
237.	D'ORIVAL	BRICENO	Jorge Humberto	ICRC I	196	C119		31/10/74
				VIC I	86	27 y	5.746.173 Santiago	31/10/74
				501	178	26 y	5.746.173 Santiago	31/10/74
238.	DAVILA	ALVEAR	Enrique Jaime	ICRC I	180			22/03/74
239.	DE CASTRO	LOPEZ	Bernardo	ICRC I	181	C119		14/09/74
				VIC I	82	30 y	4.182.895 Santiago	14/09/74
				501	174	26 y	4.182.895 Santiago	14/09/74
240.	DE LA BARRA	VILLAROEL	Leonardo	ICRC I	182			02/06/74
241.	DE LA JARA	GOYENECHE	Felix Santiago	ICRC I	183	C119		25/11/74
				VIC I	83	25 y		25/11/74
				501	176	24 y		25/11/74
242.	DE SOUZA	KOHL	Nelson	ICRC I	184			15/09/73
243.	DEL CANTO	RAMIREZ	Guillermo	501	175	32 y	207.262 Temuco	01/01/74

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
244.	DEL CANTO	RODRIGUEZ	Jose Enrique	ICRC I	185			06/10/74
245.	DIAZ	BRIONES	Alfonso Domingo	501	33	24 y	5.572.888 Santiago	
				501	340	24 y		
246.	DIAZ	DIAZ	Jorge Guillermo	ICRC I	186			18/04/74
247.	DIAZ	GONZALEZ	Manuel Camilo	ICRC I	187			11/09/73
				VIC I	84	40 y		11/09/73
				501	35	40 y		11/09/73
248.	DIAZ	JERIA	Luis Alfredo	501	34	20 y	26.522 Casablanca	20/09/73
249.	DIAZ	LOPEZ	Victor Manuel	ICRC II	25	10/11/19		10/05/76
				VIC II	31	56 y	1.001.421 Santiago	12/05/76
				501	418	56 y	1.001.421 Santiago	12/05/76
250.	DIAZ	SILVA	Lenin Adan	ICRC II	26	02/05/45		09/05/76
				VIC II	14	32 y	5.206.451 Santiago	09/05/76
				501	419	31 y	53.979 Tocopilla	09/05/76
251.	DOBANCEUS	GANDORA	Maria Estela	ICRC I	188			02/11/74
252.	DOCKENDORF	NAVARRETE	Muriel	ICRC I	189 C119			06/08/74
				VIC I	87	23 y	268.271 Temuco	06/08/74
				501	177	23 y	208.721 Temuco	06/08/74
253.	DONAIRE	CORTEZ	Uldarico	ICRC II	27	28/10/24		05/05/76
				VIC II	34	51 y	2.095.711 Santiago	05/05/76
				501	420	51 y	2.095.711 Santiago	05/05/76
254.	DONATO	AVENDANO	Jaime Patricio	ICRC II	28	30/05/34		04/05/76
				VIC II	35	43 y	3.317.762 Santiago	04/05/76
				501	421	43 y	3.317.762 Santiago	05/05/76
255.	DONOSO	ARTORGA	Hector	ICRC I	190			16/09/73
256.	DONOSO	JOFRE	Alejandro	ICRC I	191			23/03/74
257.	DONOSO	JOFRE	Carlos	ICRC I	192			23/03/74
258.	DONOSO	PALACIOS	Sara De Lourdes	VIC I	85	25 y	5.920.612 Santiago	15/07/75
				501	341	25 y	5.920.612 Santiago	15/07/75
259.	DONOSO	SOTO	Jorge	ICRC I	193			23/03/74
260.	DONOSO	SOTO	Juan Fernando	ICRC I	194			23/03/74
261.	DONOSO	TORRES	Hector	ICRC I	195			17/09/73
262.	DOTTE	JIMENEZ	Robinson Armando	501	179	27 y	51.220 San Miguel	11/01/74
263.	DROUILLY	YURICK	Jackeline Paulette	ICRC I	197 C119			30/10/74
				VIC I	88	25 y	205.565 Temuco	30/10/74
				501	180	25 y	205.565 Temuco	30/10/74
264.	DUQUE	ORELLANA	Patricio	ICRC I	198			14/10/73
265.	DURAN	GONZALEZ	Carlos Patricio	501	422	27 y	557.502 Valparaiso	18/12/76
266.	DURAN	RIVAS	Luis Eduardo	ICRC I	199 C119			14/09/74
				VIC I	89	30 y	5.177.340 Santiago	14/07/74
				501	181	29 y	5.177.340 Santiago	14/09/74
267.	ECHAVES	LOBOS	Ismael	VIC I	81	23 y	5.522.555 Santiago	26/07/74
268.	ELGUETA	PINTO	Martin	ICRC I	200 C119			15/07/74
				VIC I	90	22 y	99.025 Nunoa	16/07/74
				501	182	21 y	99.025 Nunoa	15/07/74
269.	ELIZONDO	ORMAECHEA	Antonio	ICRC II	29	21/05/47		26/05/76
				VIC II	16	29 y	4.469.491 Santiago	26/05/76
				501	423	29 y	4.469.492 Santiago	26/05/76
270.	ELTIT	CONTRERAS	Maria Teresa	ICRC I	201			12/12/74
				VIC I	91	23 y	7.076.730 Santiago	12/12/74
				501	183	22 y	7.076.730 Santiago	13/12/74
271.	ESCANILLA	ESCOBAR	Claudio Jesus	ICRC I	202			23/10/73
				501	36	16 y		13/09/73

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
272.	ESCOBAR	CEPEDA	Elisa Del Carmen	VIC II	23	42 y		09/05/76
				501	424	42 y		06/05/76
273.	ESCOBAR	CRUZ	Daniel Francisco	ICRC I	203			11/09/73
274.	ESCOBAR	FUENTES	Jorge	ICRC I	204			07/03/74
275.	ESINOZA	FERNANDEZ	Eliana Marina	ICRC II	30	02/12/31		
276.	ESPEJO	GOMEZ	Rodolfo Alejandro	ICRC I	205 C119			18/08/74
				VIC I	92	19 y	7.100.013 Santiago	15/08/74
				501	184	18 y	7.100.013 Santiago	15/08/74
277.	ESPINDOLA	FERRADA	Nestor Javier	ICRC I	206			01/05/74
278.	ESPINOZA	FARIAS	Jorge Hernan	ICRC I	207			07/10/73
279.	ESPINOZA	FERNANDEZ	Eliana Marina	VIC II	22	44 y	3.649.311 Santiago	12/05/76
				501	425	44 y	3.649.311 Santiago	12/05/76
280.	ESPINOZA	HENRIQUEZ	Mamerto Euloqio	ICRC I	208			00/09/74
281.	ESPINOZA	MENDEZ	Jorge Enrique	ICRC I	209 C119			18/07/74
				VIC I	93	26 y	6.344.061 Santiago	18/06/74
				501	185	25 y	6.344.061 Santiago	18/06/74
282.	ESPINOZA	POZO	Modesto Segundo	ICRC I	210 C119			22/08/74
				VIC I	94	32 y	4.545.453 Santiago	
				501	186	32 y	4.545.453 Santiago	22/08/74
283.	ESPINOZA	SANCHEZ	Ramon	ICRC I	211			20/10/73
284.	ESTAY	REINO	Miguel Arturo	ICRC I	212			23/12/75
285.	ESTEVEZ	CACERES	Alejandro	ICRC I	213			10/10/73
286.	ETCHEVERRY	PUCCI	Carlos Antonio	ICRC I	214			08/10/73
287.	EUGENIO	EUGENIO	Basilio	ICRC II	31	15/04/32		29/04/76
				VIC II	7	44 y		29/04/76
				501	426	44 y	8.298 Valdivia	29/04/76
288.	FARINA	OYARCE	Carlos Patricio	ICRC I	216			13/10/73
				VIC I	95			13/10/73
				501	37	13 y		13/10/73
289.	FAUNDEZ	REBOLLEDO	Antonio	ICRC I	217			10/06/74
290.	FELIU	GALLEGOS	Luis	ICRC I	218			10/11/73
291.	FERNANDEZ		Luis Orlando	ICRC I	224			00/09/73
292.	FERNANDEZ	ACUN	Mario	ICRC I	219			23/09/73
293.	FERNANDEZ	ARGANDONA	Patricia	ICRC I	220			13/09/74
294.	FERNANDEZ	FERNANDEZ	Julio Cesar	ICRC I	221			10/10/73
295.	FERNANDEZ	PAVEZ	Sergio Fernando	ICRC I	222			05/10/73
				VIC I	96	20 y		05/10/73
				501	38	19 y		05/10/73
296.	FERNANDEZ	ZAPATA	Carlos Julio	ICRC I	223			10/09/74
				501	187			10/09/74
297.	FERRUZ	LOPEZ	Santiago Abraham	ICRC I	225			11/12/75
				VIC I	99	74 y	1.948.002 Santiago	11/12/75
				501	342	73 y	1.948.002 Santiago	11/12/75
298.	FIGUEROA	SERRANO	Maria Soledad	ICRC I	226			18/09/74
299.	FIORASO	CHAU	Albano Agustin	ICRC I	227 C119			17/06/74
				VIC I	100	24 y	6.386.523 Santiago	17/06/74
				501	188	24 y	6.386.523 Santiago	17/06/74
300.	FLORES		Alejandro	ICRC I	228			
301.	FLORES		Arnaldo	ICRC I	229			09/02/74
302.	FLORES	ARAYA	Jose Orlando	ICRC I	230			23/08/74
				VIC I	101	19 y	34.602 Maipu	23/08/74
				501	189	19 y	44.602 Maipu	23/08/74
303.	FLORES	BARRAZA	Maria Olga	ICRC II	32	00/09/16		02/04/76

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	Surname 1	Surname 2	First Names	List	Pos.		Age/Birth	Identity card No.	Detention
	FLORES	BARRAZA	Maria Olga	VIC II	40		61 y	2.178.098 Santiago	02/04/76
				501	427		61 y	2.178.098 Santiago	02/04/76
304.	FLORES	BRAZA	Augusto	ICRC I	231				25/09/73
305.	FLORES	CASTILLO	Raul	ICRC I	232				05/01/74
306.	FLORES	GARRIDO	Jose Emilio	ICRC II	33		08/12/47		11/08/76
				501	428		28 y	5.527.967 Santiago	11/08/76
307.	FLORES	GUALA	Arnaldo	ICRC I	233				11/09/73
308.	FLORES	PEREZ	Julio Fidel	ICRC I	234	C119			10/01/75
				VIC I	102		22 y	5.927.163 Santiago	10/01/75
				501	344		23 y	5.927.163 Santiago	10/01/75
309.	FLORES	PONCE	Sergio Antonio	501	190		23 y		24/07/74
310.	FLORES	PONCE	Sergio Arturo	ICRC I	235				24/07/74
311.	FLORES	REYES	Sergio Raul	ICRC II	34		14/10/47		19/12/75
312.	FLORES	ROJAS	Jose Segundo	ICRC I	236				22/08/74
				VIC I	103		45 y	39.734 Vallenar	23/08/74
				501	191		45 y	39.734 Vallenar	23/08/74
313.	FONCILLA	VARGAS	Maria Soledad	ICRC I	237				06/03/74
314.	FONSECA	FONSECA	Carlos	ICRC I	238				17/09/73
315.	FONTELA	ALONSO	Alberto Mariano	ICRC I	239				23/05/74
316.	FOSSATI		Luis	ICRC I	240				08/10/73
317.	FRANCO		Luis	ICRC I	241				09/02/74
318.	FRITZ	MONSALVES	Eulogio	ICRC I	242				00/10/74
319.	FUENTEALBA	FUENTEALBA	Francisco Javier	ICRC I	243				13/07/74
320.	FUENTES	ALARCON	Jorge Isaac	ICRC II	35		05/02/48		09/06/75
				VIC I	104				
				501	345		29 y		07/06/75
321.	FUENTES	CISTERNAS	Jose Eduardo	ICRC I	244				22/01/74
322.	FUENTES	GONZALEZ	Luis Hernan	ICRC I	245				05/12/74
323.	FUENTES	MARTINEZ	Jimmy Darwin	ICRC I	246				20/02/74
324.	FUENTES	RIQUELME	Luis Fernando	ICRC I	247	C119			20/09/74
				VIC I	105		23 y	6.021.461 Santiago	20/09/74
				501	192		23 y	6.021.461 Santiago	20/09/74
325.	FUENTES	RODRIGUEZ	Humberto De La Nieves	ICRC I	248	C119			04/11/75
				VIC I	106		59 y	1844 Renca	04/11/75
				501	343		59 y	1844 Renca	04/11/75
326.	FUENZALIDA	LOYOLA	Sergio Manuel	ICRC II	36		22/08/20		28/06/76
				VIC II	41		55 y	1.722.277 Santiago	28/06/76
				501	429		55 y	1.722.277 Santiago	28/06/76
327.	FUENZALIDA	OSORIO	Flavio	ICRC I	249				15/02/74
328.	GAETE	BALMACEDA	Luis Alberto	501	39		20 y	65.408 Buin	16/10/73
329.	GAETE	BORQUEZ	Alfonso	ICRC I	250				24/12/73
330.	GAETE	FARIAS	Gregorio Antonio	ICRC I	251	C119			15/08/74
				VIC I	107		24 y	5.529.661 Santiago	15/08/74
				501	193		23 y	5.529.661 Santiago	15/08/74
331.	GAHONA	CHAVEZ	Alonso Fernando	ICRC I	252				08/09/75
332.	GAJARDO	HIDALGO	Sergio Alberto	ICRC I	253				23/09/73
333.	GAJARDO	WOLFF	Carlos	ICRC I	254				20/09/74
				VIC I	108		34 y	238.951 Concepcion	20/09/74
334.	GALDAMES	MUNOZ	Andres Tadeo	ICRC I	255				12/08/74
				VIC I	109		45 y	2.507.980 Santiago	12/08/74
				501	194		45 y	2.507.980 Santiago	12/08/74
335.	GALDAMES	VERA	Ines	ICRC I	256				17/09/73
336.	GALINDO	RAMIREZ	Maria	501	430		26 y	6.520.203 Santiago	02/07/76

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
337.	GALLARDO	AGUERO	Nestor Alfonso	ICRC I	257 C119			20/09/74
				VIC I	110	26 y	244.118 Temuco	16/09/74
				501	195	25 y	244.118 Temuco	16/09/74
338.	GALVEZ	MUNOZ	Jose Miguel	ICRC I	258			16/07/74
339.	GALVEZ	RIVADENEIRA	Guillermo	ICRC II	37	20/10/26		28/07/76
				501	437	49 y	1.905.224 Santiago	28/06/76
340.	GARATE	TORRES	Segundo Nicolas	ICRC I	259			12/09/73
341.	GARAY	BENAVIDES	Carlos Miguel	ICRC I	260			12/09/73
342.	GARAY	HERMOSILLA	Hector Marcial	ICRC I	261			08/07/74
				VIC I	111	19 y	7.694.786 Santiago	08/07/74
				501	196	19 y	7.694.786 Santiago	08/07/74
343.	GARCIA	FRANCO	Felix	ICRC I	262			12/09/73
344.	GARCIA	LAZO	Jose Andres	ICRC I	263			11/09/73
				VIC I	112	30 y	5.168.677 Santiago	18/09/73
				501	40	30 y	5.168.677 Santiago	18/09/73
345.	GARCIA	VEGA	Alfredo Gabriel	ICRC I	264 C119			18/01/75
				VIC I	113	30 y	466.209 Valparaiso	18/01/75
				501	346	20 y	466.200 Valparaiso	18/01/75
346.	GARFIAS	GATICA	Dagoberto Enrique	ICRC I	265			15/09/73
				501	41	23 y	16.462 San Rosendo	17/09/73
347.	GARRIDO	ASTETE	Roberto	ICRC I	266			11/03/74
348.	GARRIDO	GARBAYNE	Claudio Eduardo	ICRC I	267			00/09/73
349.	GAVILAN	VERA	Claudio	ICRC I	268			09/01/74
350.	GEDDA	ORTIZ	Maximo Antonio	ICRC I	269			16/07/74
				VIC I	116	28 y	51.056 Providencia	16/07/74
				501	197	27 y	51.056 Providencia	16/07/74
351.	GIANELLI	COMPANY	Juan Antonio	ICRC II	38	26/10/46		26/07/76
				501	431	30 y	5.086.166 Santiago	26/07/76
352.	GODOY	GODOY	Julio Cesar	ICRC I	270			13/09/73
353.	GODOY	LAGARRIGUE	Carlos Enrique	ICRC II	39	09/02/37		04/08/46
				501	434	39 y	200.576 San Bernardo	04/08/76
354.	GOMEZ	GALLARDO	Diogenes Segundo	ICRC I	271			12/09/73
355.	GONGORA	ZUNIGA	Moises Segundo	ICRC I	272			28/01/74
356.	GONZALEZ		Miguel	ICRC I	273			18/04/75
357.	GONZALEZ	CARO	Miguel	ICRC I	274			26/02/74
358.	GONZALEZ	CATALAN	Enrique	ICRC I	275			08/10/74
359.	GONZALEZ	DE ASIS	Guillermo	ICRC II	40	25/06/45		12/09/75
				VIC I	117	30 y	4.940.767 Santiago	12/09/75
				501	347	30 y	4.940.767 Santiago	12/09/75
360.	GONZALEZ	DE ASSIS	Guillermo Pascual	ICRC I	276			12/07/74
361.	GONZALEZ	ESPINOZA	Ignacio Orlando	ICRC I	277			04/12/75
				VIC I	340	34 y	5.540.891 Santiago	04/12/75
362.	GONZALEZ	FERNANDEZ	Hector Genaro	ICRC I	278			06/09/74
				VIC I	118	27 y	304.727 Concepcion	06/09/74
				501	198	27 y	304.272 Concepcion	06/09/74
363.	GONZALEZ	GALENO	Eduardo Alberto	ICRC I	279			15/09/73
				501	42	31 y		14/09/73
364.	GONZALEZ	GONZALEZ	Luis Enrique	VIC I	119	26 y	5.324.249 Santiago	15/03/75
				501	348	26 y	5.324.249 Santiago	15/03/75
365.	GONZALEZ	GONZALEZ	Ramiro Carlos	ICRC I	280			15/09/73
366.	GONZALEZ	INOSTROZA	Hernan Galo	ICRC I	281 C119			15/08/74
				VIC I	114	27 y	146.180 Chillan	15/08/74
				501	199	26 y	146.180 Chillan	15/08/74
367.	GONZALEZ	INOSTROZA	Maria Elena	ICRC I	282			18/08/74

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	GONZALEZ	INOSTROZA	Maria Elena	VIC I	115	22 y	155.324 Chillan	15/08/74
				501	200	22 y	155.324 Chillan	15/08/74
368.	GONZALEZ	MANRIQUEZ	Luis Francisco	ICRC I	283			03/10/74
369.	GONZALEZ	MARTINEZ	Victor Marcial	ICRC I	284			03/10/74
370.	GONZALEZ	MELLA	Luis Genaro	501	201	25 y	41.464 San Miguel	22/12/74
371.	GONZALEZ	MUNOZ	Jorge Luis	VIC II	3	42 y		06/01/76
				501	433	42 y		06/01/76
372.	GONZALEZ	MUNOZ	Raul	501	203	32 y	440.841 La Cisterna	25/09/74
373.	GONZALEZ	NUNEZ	Claudio Enrique	ICRC I	285			09/12/74
				VIC I	120	25 y	5.661.860 Santiago	09/12/74
				501	202	25 y	5.661.860 Santiago	09/12/74
374.	GONZALEZ	ORTIZ	Francisco Juan	ICRC II	41	01/08/49		09/09/76
				501	432	27 y	5.743.956 Santiago	09/09/76
375.	GONZALEZ	OSORIO	Carlos Manuel	VIC I	121	18 y		19/07/74
				501	211	18 y		18/07/74
376.	GONZALEZ	PEREZ	Juan Rosendo	ICRC I	286			28/09/73
377.	GONZALEZ	PEREZ	Rodolfo Valentin	ICRC I	287 C119			23/07/74
				VIC I	122	20 y	7.078.027 Santiago	23/07/74
				501	204	19 y	7.078.027 Santiago	23/07/74
378.	GONZALEZ	PONCE	Pedro	ICRC I	288			20/12/73
379.	GONZALEZ	ULLOA	Luis	ICRC I	289			29/03/74
380.	GONZALEZ	URRUTIA	Luis	ICRC I	290			29/03/74
381.	GOYENECHEA	CORVALAN	Ricardo Faustino	ICRC I	291			21/03/74
382.	GRANDON	GALVEZ	Fernando	ICRC I	292			15/09/73
383.	GREZ	ABURTO	Jorge Arturo	VIC I	123	30 y		23/05/74
				501	349	30 y		23/05/75
384.	GUAJARDO	WOLFF	Carlos Alfredo	501	206	34 y	238.951 Concepcion	20/11/74
385.	GUAJARDO	ZAMORANO	Luis Julio	ICRC I	293 C119			20/06/74
				VIC I	124	22 y	6.314.039 Santiago	20/07/74
				501	205	22 y	6.314.033 Santiago	20/07/74
386.	GUARATEGUA	QUINTEROS	Orlando Patricio	ICRC II	42	09/01/53		25/06/76
				VIC II	26	23 y	6.064.303 Santiago	25/06/76
				501	436	23 y	6.064.303 Santiago	25/06/76
387.	GUENDELMAN	WISNIACK	Luis Alberto	ICRC I	294			02/09/74
				VIC I	125	25 y	5.712.546 Santiago	02/09/74
				501	207	25 y	5.712.546 Santiago	02/09/74
388.	GUERRA	GONZALEZ	Americio Ivan	ICRC I	295			21/07/74
389.	GUERRA	GUERRA	Osvaldo	ICRC I	296			17/12/74
390.	GUERRERO	ALVARADO	Luis	ICRC I	297			29/09/74
391.	GUERRERO	CARRILLO	Angel Gabriel	ICRC II	43	26/02/52		25/05/76
				501	435	24 y		25/05/76
392.	GUERRERO	GUTIERREZ	Carlos Eduardo	ICRC I	298			06/11/74
				VIC I	126	21 y	5.894.776 Santiago	31/12/74
				501	208	20 y	5.894.776 Santiago	31/12/74
393.	GUERRERO	POBLETE	REne	ICRC I	299			29/09/74
394.	GUTIERREZ	AVILA	Artemio Segundo	VIC I	128	34 y		12/07/74
				501	209	34 y		13/07/74
395.	GUTIERREZ	AYALA	Daniel Antonio	ICRC I	300			11/09/73
				VIC I	127	29 y	418 San Javier	11/09/73
				501	44	29 y		11/09/73
396.	GUTIERREZ	MARTINEZ	Maria Isabel	ICRC I	301			24/01/75
				VIC I	129	27 y	572.647 Valparaiso	24/01/75
				501	350	26 y	572.647 Valparaiso	24/01/75
397.	GUTIERREZ	MARTINEZ	Oscar Luis	ICRC I	302			21/08/74

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398.	GUTIERREZ	OCAMPO	Juan	ICRC I	303			11/09/73
399.	GUTIERREZ	RIVAS	Luis Sergio	ICRC I	304			02/10/73
				VIC I	130	29 y	157.232 Coronel	30/09/73
				501	45	29 y	157.232 Coronel	30/09/73
400.	GUTIERREZ	RODRIGUEZ	Jack Eduardo	ICRC I	305			15/09/73
				501	43	45 y	9.332 Valdivia	13/09/73
401.	GUTIERREZ	SEGUEL	Sergio Enrique	ICRC I	306			18/01/74
				VIC I	131	20 y		18/01/74
				501	210	19 y		18/01/74
402.	HANSEN	CALDERON	Guillermo Roberto	ICRC I	307			29/03/74
403.	HENRIQUEZ	CASTILLO	Luis Humberto	ICRC I	308			26/03/74
404.	HEREDIA	VASQUEZ	Miguel Andres	VIC I	132	24 y	6.008.192 Santiago	26/12/73
				501	51	24 y	6.008.192 Santiago	26/12/73
405.	HERNANDEZ	CONCHA	Eduardo Enrique	ICRC II	44	11/12/47		03/08/76
				501	438	28 y	60.593 San Bernardo	03/08/76
406.	HERNANDEZ	FLORES	Carlos Segundo	ICRC I	309			07/10/73
				VIC I	134			07/10/73
				501	46	39 y	3.777.875 Santiago	07/10/73
407.	HERNANDEZ	FLORES	Nelson	VIC I	135	34 y	32.063 Talagante	17/10/73
				501	48	32 y	32.063 Talagante	07/10/73
408.	HERNANDEZ	FLORES	Nivaldo	ICRC I	310			07/10/73
409.	HERNANDEZ	FLORES	Oscar Humberto	VIC I	136	30 y		07/10/73
				501	47	30 y	38.703 Talagante	07/10/73
410.	HERNANDEZ	MANRIQUEZ	Gaspar Antonio	ICRC I	311			10/10/73
411.	HERNANDEZ	ORREGO	Jose Daniel	ICRC I	312			16/10/73
				VIC I	137	32 y	4.866.357 Santiago	16/10/73
				501	49	32 y	4.866.357 Santiago	16/10/73
412.	HERNANDEZ	ZAZPE	Jorge	501	439	24 y		00/04/76
413.	HERNANDEZ	ZAZPE	Juan Humberto	VIC II	4	24 y		00/04/76
414.	HERRERA	BENITEZ	Alicia	ICRC II	45	52 y		04/08/76
				501	440	52 y	25.007 San Pelipe	04/08/76
415.	HERRERA	COFRE	Jorge Antonio	ICRC I	313 C119			13/12/74
				VIC I	133	19 y	7.475.178 Santiago	13/12/74
				501	212	18 y	7.475.179 Santiago	13/12/74
416.	HERRERA	VILLEGAS	Jose Manuel	ICRC I	314			07/10/74
				VIC I	138	18 y	6.925.857 Santiago	07/10/73
				501	50	17 y	5.925.857 Santiago	07/10/73
417.	HIDALGO	BERMUDEZ	Pedro Enrique	ICRC I	315			27/03/74
418.	HIDALGO	MELLA	Aurelio	ICRC I	316			03/10/73
419.	HINOJOSA	ARAOS	Jose Santos	ICRC II	46	23/06/41		26/06/76
				VIC II	43	43 y		26/06/76
				501	441	43 y		26/06/76
420.	HORN	ROA	Luis Armando	ICRC I	317			05/11/73
421.	HUAIQUIVIR	BENAVIDES	Joel	VIC I	139	29 y	5.287.586 Santiago	27/07/74
				501	213	28 y	5.287.586 Santiago	27/07/74
422.	HUENTECOT	LIENCURA	Jose	ICRC I	318			10/03/74
423.	HUERTA	BALEY	Jose Cipriano	ICRC I	319			16/03/74
424.	HUERTA	CORVALAN	Enrique Helio	ICRC I	320			11/09/73
				501	52	38 y	3.234.562 Santiago	11/09/73
425.	HUERTA	JARA	Miguel	ICRC I	321			25/09/73
426.	IBANEZ	VALENZUELA	Cesario Leonardo	ICRC I	323			16/01/73
427.	IBARRA	CORDOVA	Fabian Enrique	ICRC I	325			10/01/75

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	IBARRA	CORDOVA	Fabian Enrique	VIC I	141	27 y		17/01/75
				501	351	26 y		17/01/75
428.	IBARRA	DURAN	Luis Antonio	ICRC I	323a			23/09/73
429.	IBARRA	GUZMAN	Hector Enrique	ICRC I	324			22/01/74
430.	IBARRA	TOLEDO	Juan Ernesto	ICRC I	326 C119			25/07/74
				VIC I	140	21 y	5.832.312 Santiago	25/07/74
				501	214	21 y	5.832.312 Santiago	25/07/74
431.	INACAYA	BONDES	Alfonso Segundo	ICRC I	327			15/09/73
432.	INOSTROZA	CASTRO	Rodolfo Hernan	ICRC I	328			18/07/74
433.	INOSTROZA	MELENDEZ	Carlos Hector	ICRC I	329			20/03/74
434.	INSUNZA	BASCUNAN	Ivan Sergio	ICRC II	48	09/07/33		04/08/76
				501	442	43 y	3.402.166 Santiago	04/08/76
435.	INZUNZA	PARADA	Julio Enrique	ICRC I	330			07/11/74
436.	IRIBARREN	LEDERMAN	Emilio	ICRC I	331			04/01/75
437.	JARA	CASTRO	Jose Hipolito Segundo	ICRC I	332 C119			13/09/74
				VIC I	142	29 y		13/09/74
				501	215	29 y		13/09/74
438.	JARA	JARA	Mario	ICRC I	333			15/09/73
439.	JARA	MATUS	Guillermo Segundo	ICRC I	334			23/01/74
440.	JERIA	SILVA	Enrique	ICRC II	49	30 y		18/08/76
				501	443	37 y	99.688 San Antonio	18/08/76
441.	JIMENEZ	BARRERA	Luis Raul	ICRC I	335			04/10/73
442.	JIMENEZ	CORTES	Luis Carlos	VIC I	143	28 y	4.779.937 Santiago	15/09/73
				501	53	27 y	4.779.937 Santiago	15/09/73
443.	JIMENEZ	MARIN	Enedina Amalia	ICRC I	336			13/02/74
444.	JIMENO	GRENDI	Claudio	ICRC I	337			11/09/73
				VIC I	144	33 y	4.555.064 Santiago	11/09/73
				501	55	33 y	4.555.064 Santiago	11/09/73
445.	JORGE		Lilian	ICRC I	342			24/01/75
446.	JORQUERA	ARMIJO	Roberto Fernando	ICRC I	338			08/10/74
447.	JORQUERA	ARMIJO	Victor Manuel	ICRC I	339			08/10/74
448.	JORQUERA	ENCINA	Mauricio Edmundo	ICRC I	340 C119			05/08/74
				VIC I	145	19 y	6.376.132-K Santiago	06/08/74
				501	216	19 y	6.376.132 Santiago	05/08/74
449.	JORQUERA	NAVARRO	Luis Eduardo	ICRC I	341			27/10/75
450.	JOUI	PETERSEN	Maria Isabel	ICRC I	343 C119			20/12/74
				VIC I	146	19 y	6.972.216 Santiago	20/12/74
				501	217	19 y	6.872.216 Santiago	20/12/74
451.	JUANTOK	GUZMAN	Vactong Orlando	501	54	26 y		12/09/73
452.	JUICA	VEGA	Mario Jesus	ICRC II	50	30/12/41		09/08/76
				501	444	35 y	4.663.098 Santiago	09/08/76
453.	KLAPES	MONTECINOS	Haroldo	ICRC I	344			25/09/73
454.	KLEMER		Juan Carlos	ICRC I	345			12/10/73
455.	LABRADOR	URRUTIA	Ramon Isidro	ICRC I	346 C119			14/12/74
				VIC I	147	24 y	98716 Los Angeles	14/12/74
				501	218	24 y	98.716 Los Angeles	14/12/74
456.	LABRIN	SAZO	Maria Cecilia	ICRC I	347			10/01/74
				VIC I	148	26 y	16.885 Providencia	12/08/74
				501	219	25 y	16.885 Providencia	12/08/74
457.	LAGOS	CID	Luis Humberto	ICRC I	348			11/01/74
				VIC I	149	41 y	3.472.271 Santiago	11/01/74

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	LAGOS	CID	Luis Humberto	501	220	40 y	3.472.271 Santiago	11/01/74
458.	LAGOS	HIDALGO	Sergio Hernan	ICRC I	349 C119			14/09/74
				VIC I	150	31 y	5.748.116 Santiago	14/09/74
				501	221	30 y	5.748.116 Santiago	14/09/74
459.	LAGOS	LAGOS	Victoriano	ICRC I	350			17/09/74
460.	LAGOS	LILLO	Jorge Anibal	ICRC I	351			03/02/75
461.	LAGOS	MARIN	Ogan Esteban	ICRC I	352			00/03/74
				VIC I	152	21 y	156.822 Chillan	12/03/74
				501	222	21 y	156.822 Chillan	12/03/74
462.	LAGOS	MARIN	Sergio Esteban	ICRC I	353			07/02/75
463.	LAGOS	MARIN	Sergio Humberto	VIC I	151	25 y	144.819 Chillan	07/02/75
				501	352	25 y	144.819 Chillan	07/02/75
464.	LAGOS	NILSSON	Gloria Ester	ICRC I	354			26/08/74
				VIC I	153		4.332.602 Santiago	26/08/74
				501	223		4.332.602 Santiago	28/08/74
465.	LAGOS	RIOS	Oscar Reinaldo	ICRC I	355			14/09/73
				501	56	21 y	6.490.796 Santiago	11/09/73
466.	LAGOS	SALINAS	Ricardo	VIC I	154	24 y		17/06/76
				501	354	24 y		17/06/75
467.	LAMANA	ALBARZUA	Jorge Andres	ICRC I	356			15/09/73
468.	LARA	PETROVICH	Eduardo Enrique	ICRC I	357 C119			15/07/74
				VIC I	155	37 y	3.747.590 Santiago	15/07/74
				501	224	36 y	3.787.590 Santiago	15/07/74
469.	LARA	ROJAS	Fernando Antonio	ICRC II	51	12/05/50		07/05/76
				VIC II	17	26 y	163.811 Talca	07/05/76
				501	445	26 y	168.811 Talca	07/05/76
470.	LARA	VANDERLEY	Flavio	ICRC I	358			24/09/73
471.	LAURIE	LUENGO	Aroldo Vivian	VIC I	156	30 y	149.703 Talca	28/07/74
				501	229	30 y	149.703 Talca	28/07/74
472.	LAZO	BAHAMONDES	Silvia Del Carmen	ICRC I	359			02/06/74
473.	LAZO	LAZO	Ofelio De La Cruz	ICRC I	360 C119			30/07/74
				VIC I	161	43 y	2.793.771 Santiago	29/07/74
				501	226	43 y	2.793.771 Santiago	30/07/74
474.	LAZO	MALDONADO	Luis Rodolfo	VIC I	157	23 y	64.993 Maipu	16/10/73
				501	57	23 y	64.993 Maipu	16/10/73
475.	LAZO	MALDONADO	Samuel Del Transito	VIC I	158	25 y	64.991 Buin	16/10/73
				501	58	24 y	64.991 Buin	16/10/73
476.	LAZO	QUINTERO	Samuel Altamiro	VIC I	160	39 y		16/10/73
477.	LAZO	QUINTERO	Samuel Antonio	501	60	39 y	49.645 Buin	16/10/73
478.	LAZO	QUINTEROS	Carlos Enrique	VIC I	159	42 y	65.168 Buin	16/10/73
				501	59	42 y	65.168 Buin	16/10/73
479.	LAZO	ROJAS	Alonso	ICRC I	361			14/11/75
				501	353	24 y	48.066 Illapel	14/11/75
480.	LAZO	SANTANDER	Luis Segundo	501	446	62 y	2.743.046 Santiago	15/12/76
481.	LEAL	ARRATIA	Luis Alberto	ICRC I	362			22/11/73
482.	LEAL	CARRASCO	Ana Maria	ICRC I	363			01/05/74
483.	LEIVA	HENRIQUEZ	Ricardo Ulises	ICRC I	365			12/07/74
484.	LEIVA	VARGAS	Juan Alberto	VIC I	162	34 y	89.481 Melipilla	14/09/73
				501	61	33 y	89.481 Melipilla	14/09/73
485.	LEON	GALVEZ	Jose Patricio	ICRC I	366			06/01/75
				VIC I	163	28 y	****07 Santiago	06/01/75
				501	355	28 y	456.307 Santiago	06/01/75
486.	LEYTON	MARTINEZ	Leonel Leopoldo	ICRC I	364			07/10/75
487.	LILLO	MARAMBIO	Domingo	ICRC I	368			10/01/74

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
488.	LILLO	MAUREIRA	Sergio Adrian	ICRC I	367			07/10/73
489.	LILLO	NAVARRO	Domingo Antonio	ICRC I	369			10/01/74
490.	LILLO	TRONCOSO	Javier Domingo	ICRC I	370			10/01/74
491.	LINES	LINES	Marcos	ICRC I	371			26/10/73
492.	LLANCA	ITURRA	Monica Chislayne	ICRC I	385 C119			06/09/74
				VIC I	164	23 y	5.542.886 Santiago	06/09/74
				501	225	23 y	5.542.886 Santiago	06/09/74
493.	LLANOS	CRUZ	Juan Raul	ICRC I	386			00/09/73
494.	LLIDO	MENGUAL	Antonio	ICRC I	387			00/10/74
495.	LOBOS	GUTIERREZ	Luis Rene	ICRC I	372			21/10/73
				VIC I	165	27 y	8.679 Maipu	21/10/73
				501	62	24 y	8.679 Maipu	21/10/73
496.	LOITHNER		Elsa	ICRC I	373			15/08/74
497.	LONFRE	MONTE	Manuel	ICRC I	374			30/05/75
498.	LONG	ALESSANDRI	Eduardo	ICRC I	375			27/09/73
499.	LOPEZ	ALARCON	Victor	ICRC I	376			27/01/74
500.	LOPEZ	ARELLANO	Jaime Eugenio	ICRC II	52	11/07/51		28/12/75
501.	LOPEZ	DIAZ	Violeta Cecilia	ICRC I	377 C119			29/08/74
				VIC I	166	41 y	3.103.593 Santiago	29/08/74
				501	228	40 y	3.103.593 Santiago	29/08/74
502.	LOPEZ	ELGUETA	Ricardo Octavio	ICRC I	378			20/09/73
503.	LOPEZ	LOPEZ	Arazoti	ICRC I	379			14/09/73
504.	LOPEZ	LOPEZ	Bernabe	ICRC I	380			09/10/73
505.	LOPEZ	MUNOZ	Pedro Felix	ICRC I	381			18/09/73
506.	LOPEZ	STEWART	Maria Cristina	ICRC I	382 C119			21/09/74
				VIC I	167	22 y	6.274.790 Santiago	23/09/74
				501	227	21 y	6.374.790 Santiago	22/09/74
507.	LOPEZ	SUAREZ	Nicolas Alberto	ICRC II	53	41 y		30/07/76
				501	447	39 y		30/07/76
508.	LOPEZ	VIDELA	Jorge Antonio	ICRC I	383			27/10/75
509.	LORCA	TOBAR	Carlos Enrique	ICRC I	384			26/06/75
				VIC I	168	30 y	5.006.438 Santiago	25/06/75
				501	356	30 y	5.006.438 Santiago	25/06/75
510.	LOYOLA	CID	Edgardo	VIC I	169		234.294 Temuco	03/12/74
				501	230		234.294 Temuco	03/12/74
511.	MAC LEOD	TREVER	Juan Rodrigo	VIC I	170	30 y	4.805.444 Santiago	30/11/74
				501	241	30 y	4.805.444 Santiago	30/11/74
512.	MACARETE	PALMA	Luis	ICRC I	388			10/10/73
513.	MACHUCA	MORALES	Gumercindo Fabian	VIC I	171		35.053 Penaflor	30/07/74
				501	231	28 y	35.053 Penaflor	30/07/74
514.	MACHUCA	MUNOZ	Zacarias Antonio	ICRC I	389 C119			30/07/74
				VIC I	172	22 y	5.715.089 Santiago	29/07/74
				501	232	22 y	5.715.089 Santiago	30/07/74
515.	MAHUIDA	ESQUIVEL	Luis Omar	ICRC I	391			20/11/74
				VIC I	173	25 y	4.997.821 Santiago	20/11/74
				501	233	25 y	4.997.821 Santiago	20/11/74
516.	MAINO	CANALES	Juan Bosco	ICRC II	54	19/02/49		26/05/76
				VIC II	46	27 y	6.053.723 Santiago	26/05/76
				501	448	27 y	6.053.723 Santiago	26/05/76
517.	MALDONADO	TORRES	Carlos German	ICRC I	390			21/10/73
518.	MANCILLA	RAMIREZ	Adolfo Ariel	ICRC I	392			14/03/75
				VIC I	174	27 y	5.249.056 Santiago	14/03/75
				501	357	27 y	5.249.056 Santiago	14/03/75

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
519.	MANQUINIR	MANKUBILO	Mauricio	ICRC I	393			11/09/73
520.	MANRIQUEZ	LOPEZ	Omar Lautaro	ICRC I	394			06/09/74
				VIC I	175	58 y	1.292.817 Santiago	06/09/74
				501	234	56 y	1.292.817 Santiago	06/09/74
521.	MANRIQUEZ	SOTO	Juan Ramon	ICRC I	395			00/05/74
522.	MANRIQUEZ	YANEZ	Liberto Jose	ICRC I	396			28/01/74
523.	MANZO	Gomez	Jorge	ICRC I	397			12/12/73
524.	MARCHANT	VILLASENOR	Rodolfo Arturo	ICRC I	398			02/01/75
				VIC I	176	28 y	5.122.917 Santiago	02/01/75
				501	362	28 y	5.122.917 Santiago	02/01/75
525.	MARCHI	BADILLA	Maria Amelia	ICRC I	399			00/06/74
526.	MARCONDES	PINTO	Maria Regina	ICRC II	55	29 y		00/00/76
527.	MARDONES	SANCHEZ	Miguel Angel	ICRC I	400			06/03/74
528.	MARTINEZ		Victor Alfonso	ICRC I	401			13/09/73
				VIC I	177	23 y		19/09/74
				501	235	23 y		14/09/74
529.	MARTINEZ	GARCIA	Irene	ICRC I	402			02/06/74
530.	MARTINEZ	HERNANDEZ	Eugenia Del Carmen	ICRC I	403 C119			24/10/74
				VIC I	178	26 y	5.816.392 Santiago	24/10/74
				501	236	25 y	5.816.392 Santiago	24/10/74
531.	MARTINEZ	LARA	Julio Antonio	ICRC I	404			01/11/74
532.	MARTINEZ	MEZA	Agustin Alamiro	ICRC I	406 C119			01/01/75
				VIC I	179	28 y	105.816 La Serena	01/01/75
				501	363	27 y	105.806 La Serena	01/01/75
533.	MARTINEZ	QUIJON	Guillermo	501	451	68 y	667.758 Santiago	21/06/76
534.	MARTINEZ	VALENZUELA	Domingo Enrique	ICRC II	56	15/11/50		05/08/75
535.	MASSIGNOTTI	MACAYA	Maria Victoria	ICRC I	405			11/12/74
536.	MATURANA	ESPINOZA	Hector Pedro	VIC I	180	28 y	5.027.836 Santiago	23/12/74
				501	237	27 y	5.027.863 Santiago	23/12/74
537.	MATURANA	GONZALEZ	Luis Emilio Gerardo	ICRC II	57	14/09/49		08/06/76
				VIC II	27	26 y	5.192.381 Santiago	08/06/76
				501	449	26 y	5.192.381 Santiago	08/06/76
538.	MATURANA	PEREZ	Juan Bautista	ICRC I	407 C119			24/08/74
				VIC I	181	29 y	5.272.452 Santiago	27/08/74
				501	238	29 y	5.272.452 Santiago	24/08/74
539.	MATURANA	PEREZ	Washington Hernan	ICRC I	408			24/08/74
				VIC I	182	26 y	6.082.115 Santiago	24/08/74
				501	239	26 y	6.082.115 Santiago	24/08/74
540.	MATURANA	VALDERRAMA	Samuel Eduardo	ICRC I	409			08/10/73
541.	MAUREIRA	GAJADO	Rene Del Rosario	ICRC I	410			15/10/73
542.	MAUREIRA	LILLO	Sergio Adrian	ICRC I	411			07/10/73
				VIC I	183	47 y	16.445 Talagante	07/10/73
				501	63	47 y	16.455 Talagante	07/10/73
543.	MAUREIRA	MUNOZ	Jose Manuel	VIC I	186	27 y	44607 Talagante	07/10/73
				501	66	25 y	44.607 Talagante	07/10/73
544.	MAUREIRA	MUNOZ	Rodolfo Antonio	VIC I	184	24 y	49670 Talagante	07/10/73
				501	64	22 y	49.670 Talagante	07/10/73
545.	MAUREIRA	MUNOZ	Segundo Armando	VIC I	185	24 y	5.925.332 Santiago	07/10/73
				501	65	24 y	5.925.332 Santiago	07/10/73
546.	MAUREIRA	MUNOZ	Sergio Miguel	ICRC I	412			07/10/73
				VIC I	187	29 y	37945 Talagante	07/10/73
				501	67	29 y	37.945 Talagante	07/10/73
547.	MAUREIRA	VASQUEZ	Mario Osvaldo	501	462	23 y		08/08/76
548.	MEDINA	HERNANDEZ	Rodrigo Alejandro	ICRC II	58	11/05/58		27/05/76

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	MEDINA	HERNANDEZ	Rodrigo Alejandro	VIC II	44	18 y	46.342 Providencia	27/05/76
				501	452	18 y	46.342 Providencia	27/05/76
549.	MEDINA	NUNEZ	Fidel Ignacio	ICRC I	413			30/12/74
				501	240	42 y	3.216.965 Santiago	30/12/74
550.	MEJIAS	FUENTES	Arturo Fernando	ICRC I	414			31/01/75
551.	MELIAN	OSSANDON	Julio	ICRC I	415			20/10/73
552.	MELILIAN	SANHUEZA	Rene Eduardo	ICRC I	416			14/03/74
553.	MELLIA	FLORES	Alejandro Robinson	ICRC I	418			28/12/73
554.	MELO	PRADENAS	Mario Ramiro	ICRC I	417			29/09/73
555.	MENA	ALVARADO	Nalvia Rosa	ICRC II	59	26/08/55		22/04/76
				VIC II	8	21 y		29/04/76
				501	450	21 y	7.688.548 Santiago	29/04/76
556.	MENDEZ	MENDEZ	Manuel	ICRC I	419			20/09/73
557.	MENDOZA	URRUTIA	Mario	ICRC I	420			28/10/73
558.	MENESES	REYES	Juan Aniceto	ICRC I	421			03/08/74
				VIC I	188	26 y	5.122.572 Santiago	03/08/74
				501	243	26 y	5.122.572 Santiago	03/08/74
559.	MERINO	MOLINA	Pedro Juan	ICRC I	422 C119			14/09/74
				VIC I	189	21 y	5.926.255 Santiago	14/09/74
				501	244	21 y	5.926.225 Santiago	14/09/74
560.	MERINO	VARAS	Ulises Jorge	ICRC II	60	00/00/43		02/02/76
				VIC II	5	31 y	5.110.863 Santiago	02/02/76
				501	453	32 y	5.110.863 Santiago	02/02/76
561.	MEZA	ANDRADE	Luis Nelson	ICRC I	423			15/09/73
562.	MEZA	CASTILLO	Vicente	ICRC I	424			05/01/74
563.	MEZA	ZARATE	Rene Antonio	ICRC I	425			28/07/74
564.	MILLAN	GARCIA	Luis Enrique	ICRC I	426			07/09/75
565.	MIMICA	ANGOTE	Gregorio	VIC I	190	23 y	1.851.682 Santiago	14/09/73
				501	68	23 y	5.927.653 Santiago	14/09/73
566.	MIRANDA	GODOY	Dario Francisco	ICRC II	61	21/08/53		30/07/76
				501	454	23 y	180.896 Chillan	30/07/76
567.	MIRANDA	JIMENEZ	Maximo Segundo	ICRC I	427			16/05/74
568.	MIRANDA	KASANEVAS	Sergio Ivan	ICRC I	428			02/09/74
569.	MIRANDA	LOBOS	Eduardo Francisco	ICRC I	429 C119			18/10/74
				VIC I	191	28 y	5.660.829 Santiago	08/10/74
				501	242	27 y	5.660.829 Santiago	07/10/74
570.	MIRANDA	SEPULVEDA	Ivan Octavio	ICRC I	430			19/09/73
571.	MOLINA	MAGALLANES	Juan Rene	ICRC I	431 C119			29/01/75
				VIC I	192	29 y	103.063 Linares	29/01/75
				501	364	30 y	103.063 Linares	29/01/75
572.	MOLINA	RETAMALES	Miguel Angel	ICRC I	432			03/05/74
573.	MOLINA	TORRES	Mario Enrique	ICRC I	433			27/09/73
574.	MONSALVES	TOLEDO	Waldemar Segundo	ICRC I	434			11/10/73
575.	MONTECINOS	ALFARO	Sergio Sebastian	ICRC I	435 C119			01/08/74
				VIC I	193	29 y	29.611 Maipu	01/08/74
				501	245	28 y	29.611 Maipu	01/08/74
576.	MONTIGLIO	MURUA	Juan Jose	ICRC I	436			00/09/73
577.	MONTOYA	VILCHES	Raul Gilberto	ICRC II	62	15/04/33		21/07/76
				501	455	43 y	2.935.822 Santiago	21/07/76
578.	MONTT	RIVERA	Jorge Segundo	ICRC I	437			09/10/73
579.	MONTTI	CORDERO	Eugenio Ivan	ICRC I	438			13/02/75
				VIC I	194	29 y	243.456 Temuco	13/02/75
				501	358	29 y	243.456 Temuco	13/02/75
580.	MORAGA	CIFUENTES	Guillermo Enrique	ICRC I	439			00/12/74

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
581.	MORAGA	CRUZ	Luis Desiderio	ICRC II	63	04/06/35		20/10/75
				VIC I	200	40 y	3.401.655 Santiago	20/10/75
				VIC I	195	40 y	3.401.655 Santiago	20/10/75
				501	359	40	3.401.655 Santiago	20/10/75
582.	MORAGA	GARCES	Juan Hector	ICRC II	64	24/11/43		22/07/76
				501	456	33 y	4.861.596 Santiago	22/07/76
583.	MORALEDA	PINTO	Jorge Abraham	ICRC I	440			20/02/74
584.	MORALES	CHAPARRO	Edgardo Agustin	ICRC I	441 C119			06/09/74
				VIC I	197	38 y	3.968.027 Santiago	06/09/74
				501	246	38 y	3.968.027 Santiago	06/09/74
585.	MORALES	MAZUELA	Victor Hugo	ICRC II	65	17/01/31		09/08/76
				501	457	45 y		09/08/76
586.	MORALES	MORALES	Armando Edelmiro	ICRC I	442			13/10/73
587.	MORALES	MORALES	Elena Rosa	ICRC II	66	01/03/30		18/08/76
				501	458	46 y	3.224.233 Santiago	18/08/76
588.	MORALES	RAMIREZ	Miguel Luis	ICRC II	67	11/10/44		03/05/76
				VIC II	30	31 y	5.083.545 Santiago	03/05/76
				501	459	31 y	5.083.545 Santiago	03/05/76
589.	MORALES	SAAVEDRA	Newton	ICRC I	443			13/08/74
				VIC I	196	40 y	2.920.768 Santiago	13/08/74
				501	360	40 y	2.920.768 Santiago	13/08/75
590.	MOREIRA	VARGAS	Alejandro	ICRC I	444			16/05/74
591.	MORENO		Irma	ICRC I	445			02/05/74
592.	MORENO	CANDIA	Jacinto	ICRC I	446			22/10/73
593.	MORENO	FUENZALIDA	German Rodolfo	ICRC I	447 C119			17/07/74
				VIC I	198	26 y	5.277.604 Santiago	15/08/74
				501	247	26 y	5.207.604 Santiago	15/07/74
594.	MORENO	PULGAR	Julio Hernan	ICRC I	448			11/09/73
595.	MORGADO	OYARCE	Carlos Alberto	VIC I	199	30 y	532.403 Santiago	12/10/73
				501	71	30 y	5.324.403 Santiago	12/10/73
596.	MOYA	FUENTES	Luis Humberto	ICRC I	449			14/09/74
597.	MUJICA	MATURANA	Moises Eduardo	ICRC II	68	18/01/46		29/04/76
				VIC II	13	30 y	4.481.267 Santiago	29/04/76
				501	460	30 y	4.481.267 Santiago	29/04/76
598.	MULLER	SILVA	Jorge Hernan	ICRC I	450			29/11/74
				VIC I	201	28 y	5.520.349 Santiago	29/11/74
				501	249	28 y	5.520.349 Santiago	29/11/74
599.	MUNIZAGA	DIAZ	Raul Armino	ICRC I	451			27/02/74
600.	MUNIZAGA	MUNIZAGA	Joel	ICRC I	452			09/10/75
601.	MUNOZ	ANDRADE	Alberto	ICRC I	453			01/05/74
602.	MUNOZ	ANDRADE	Leopoldo Daniel	ICRC I	454 C119			20/07/74
				VIC I	202	24 y	5.927.653 Santiago	20/07/74
				501	248	24 y	5.927.653 Santiago	20/06/74
603.	MUNOZ	BIZAMA	Jose Miguel	ICRC I	455			17/10/73
				ICRC II	69	04/11/57		17/10/73
604.	MUNOZ	CORNEJO	Manuel Del Carmen	ICRC I	456			15/10/73
				501	69	33 y	58.189 Copiapo	11/09/73
605.	MUNOZ	ESPINOZA	Manuel	ICRC I	457			29/09/73
606.	MUNOZ	MELLA	Jorge Rodrigo	VIC I	203	19 y	6.342.434 Santiago	18/09/73
				501	70	18 y	6.342.434 Santiago	18/09/73
607.	MUNOZ	MUNOZ	Alberto	ICRC I	458			15/02/74
608.	MUNOZ	MUNOZ	Fernando	ICRC I	459			25/10/73
609.	MUNOZ	MUNOZ	Raul Antonio	ICRC I	460			29/09/73
610.	MUNOZ	PENALOZA	Basilio Antonio	ICRC I	461			16/10/73

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
611.	MUNOZ	PENALOZA	Jorge Hernan	ICRC I	462			16/10/73
				VIC I	204	28 y	5.305.510 Santiago	16/10/73
				501	72	28 y	5.305.510 Santiago	18/10/73
612.	MUNOZ	PENALOZA	Mario Enrique	ICRC I	463			10/10/73
				VIC I	205	22 y		16/10/73
				501	73	22 y		16/10/73
613.	MUNOZ	PENALOZA	Ramiro Antonio	ICRC I	464			16/10/73
				VIC I	206	24 y		16/10/73
				501	74	24 y		16/10/73
614.	MUNOZ	PENALOZA	Silvestre Rene	ICRC I	465			16/10/73
				VIC I	207	30 y		16/10/73
				501	75	30 y		16/10/73
615.	MUNOZ	POUTAYS	Onofre Jorge	ICRC II	70	16/12/33		05/05/76
				VIC II	38	42 y	2.595.417 Santiago	04/05/76
				501	461	42 y	2.595.417 Santiago	04/05/76
616.	MUNOZ	RODRIGUEZ	Luis Gregorio	ICRC I	466			20/01/75
				VIC I	208	23 y	7.455.519 Santiago	20/01/75
				501	361	23 y	7.455.519 Santiago	20/01/75
617.	MUNOZ	RODRIGUEZ	Wilson	ICRC I	467			15/09/73
618.	MURA	MORALES	Juan Miguel	ICRC I	468			18/05/74
				VIC I	209	24 y	5.167.519 Santiago	16/08/74
				501	250	24 y	5.167.519 Santiago	16/08/74
619.	MURUA	MONTIGLIO	Juan Jose	ICRC I	469			11/09/73
620.	MUTARELLO	SOZA	Vitalio Orlando	ICRC II	71			12/09/73
621.	NANBRAND	RODRIGUEZ	Fernando	ICRC I	470			19/04/74
622.	NANCO	MELIFIL	Segundo Francisco	ICRC I	483			17/11/73
623.	NARVAEZ	Salamanca	Jose Patricio	ICRC I	471			28/09/73
624.	NAVARRETE	MORALES	Sergio Jose	ICRC I	472			00/11/75
625.	NAVARRO	ALLENDE	Fernando	501	463	49 y	312.505 Valparaiso	13/12/76
626.	NAVARRO	MARTINEZ	Manuel Jesus	ICRC I	473			07/10/73
627.	NAZAL	QUIROZ	Miguel	ICRC II	72	21/09/31		11/08/76
				501	464	45 y		11/08/76
628.	NEGRETE	PENA	Cesar Arturo	ICRC I	474			09/12/74
				VIC I	210	24 y	59.458 Tome	09/12/74
				501	251	25 y	59.458 Tome	09/12/74
629.	NEIRA	MUNOZ	Marta Silvia Adela	ICRC I	475 C119			09/12/74
				VIC I	211	30 y	5.084.419 Santiago	09/12/74
				501	252	29 y	5.084.419 Santiago	09/12/74
630.	NEUPERT	RIPKE	Ricardo	ICRC I	476			13/09/74
631.	NIETO	DUARTE	Carlos	ICRC I	477			17/10/73
				501	76	20 y		16/10/73
632.	NORAMBUENA	RODRIGUEZ	Sergio Aleibiades	ICRC II	73	22/02/33		24/12/75
633.	NUNEZ		Jorge	ICRC I	478			12/11/73
634.	NUNEZ	ALVAREZ	Luis Francisco P.	ICRC I	479			11/10/73
635.	NUNEZ	BENAVIDES	Marcial Rodolfo	ICRC II	74	21/10/21		18/05/76
				VIC II	37	55 y	65.815 San Miguel	18/05/76
				501	465	55 y	65.815 San Miguel	18/05/76
636.	NUNEZ	ESPINOZA	Ramon Osvaldo	ICRC I	480 C119			25/07/74
				VIC I	212	20 y	6.593.751 Santiago	25/07/74
				501	253	21 y	6.593.751 Santiago	25/07/74
637.	NUNEZ	NUNEZ	Jose Adolfo	ICRC I	481			03/11/73
638.	NUNEZ	NUNEZ	Margarita	ICRC I	482			16/03/74
639.	NUNEZ	ROJAS	Luis Hernan	ICRC II	75	13/11/51		26/05/76

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	NUNEZ	ROJAS	Luis Hernan	VIC II	21	24 y	6.240.343 Santiago	26/05/76
				501	466	25 y	6.240.343 Santiago	26/05/76
640.	OBREQUE	OBREQUE	Domingo Antonio	ICRC I	484			28/09/73
641.	OJEDA	JARA	Jorge Luis	ICRC I	485			19/09/74
				VIC I	213	21 y	5.783.420 Santiago	19/09/73
				501	77	20 y	5.783.420 Santiago	19/09/73
642.	OJEDA	ORTIZ	Maximo	ICRC I	486			16/07/74
643.	OLEA	ALEGRIA	Victor Fernando	ICRC I	487			11/09/74
				VIC I	214	24 y	5.788.334 Santiago	11/09/74
				501	254	24 y	5.788.334 Santiago	11/09/74
644.	OLEVASCO	G.	Jorge	ICRC I	488			27/07/74
645.	OLIVARES		Mario	ICRC I	489			
646.	OLIVARES	GRAINDORGE	Jorge Alejandro	ICRC I	490 C119			27/07/74
				VIC I	216	24 y	5.896.069 Santiago	27/07/74
				501	256	23 y	5.896.069 Santiago	27/07/74
647.	OLIVARES	GUERRA	Zcilo Galvarino	ICRC II	76	10/07/39		03/06/75
648.	OLIVARES	MORI	Fernando De La Cruz	ICRC I	491			05/10/73
				VIC I	215	29 y		05/10/73
				501	79	28 y	5.047.881 Santiago	05/10/73
649.	OLIVARES	PEREZ	Mario Samuel	VIC I	217	29 y	78.714 San Antonio	17/09/73
				501	78	28 y	78.714 San Antonio	17/09/73
650.	OLLINGER		Marcelo	ICRC I	492			00/10/74
651.	OLMO	CALVO	Rafael	ICRC I	493			00/12/73
652.	OLMOS	GUZMAN	Gary Nelson	ICRC I	494 C119			24/08/74
				VIC I	218	34 y	4.036.793 Santiago	24/08/74
				501	255	34 y	4.036.793 Santiago	24/08/74
653.	ORELLANA	CATALAN	Juan Rene	ICRC II	77			08/06/76
				VIC II	25	34 y	4.037.100 Santiago	08/06/76
				501	467	34 y	4.037.100 Santiago	08/06/76
654.	ORELLANA	MEZA	Jose Guillermo	ICRC I	495			22/01/74
				VIC I	219	30 y	4.141.446 Santiago	22/01/74
				501	258	30 y	4.141.446 Santiago	22/01/74
655.	ORELLANA	TAPIA	Nelson Ricardo	ICRC I	496			05/10/73
656.	ORTEGA	GAETE	Demetrio	ICRC I	497			11/03/74
657.	ORTIZ	BALLADARES	Francisco Hernan	ICRC I	500			30/10/75
658.	ORTIZ	LETELIER	Fernando	501	468	54 y	611.532 Santiago	15/12/76
659.	ORTIZ	MORAGA	Jorge	ICRC I	498 C119			12/12/74
				VIC I	220	20 y	5.630.019 Santiago	19/12/74
				501	260	20 y	5.630.019 Santiago	19/12/74
660.	ORTIZ	ORELLANA	Ramon Remigio	ICRC I	499			18/01/74
				VIC I	221	17 y	6.974.289-0 Santiago	18/01/74
				501	257	16 y	6.974.289 Santiago	18/01/74
661.	ORTIZ	VALLADARES	Francisco Hernan	VIC I	222	36 y	2.933.613 Santiago	30/10/75
				501	365	45 y	2.933.613 Santiago	30/10/75
662.	ORTIZ	VILLALOBOS	Hector Lorenzo	501	366	27 y	95.615 Ovalle	27/07/75
663.	OSANDON	DIAZ	Aladino	ICRC I	501			09/05/74
664.	OSSAS	CASANOVA	Jose	ICRC I	502			05/02/74
665.	OVALLE	NARVAEZ	Miguel Hernan	ICRC II	78	17/08/53		27/06/76
				VIC II	24	22 y	6.023.053 Santiago	27/06/76
				501	469	23 y	6.023.053 Santiago	27/06/76
666.	OVANDO	DONOSO	Luis Mario	ICRC I	503			25/02/74
667.	OYARZO	TORRES	Bautista Segundo	VIC I	223	52 y		20/10/73
				501	80	52 y		20/10/73

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
668.	OYARZUN	SOTO	Flavio Arquimedes	ICRC I	504			02/10/74
				VIC I	224	26 y	5.413.940-3 Santiago	02/10/74
				501	259	26 y	5.413.940 Santiago	02/10/74
669.	PADILLA	CIFUENTES	Luis Eduardo	ICRC I	505			27/11/74
670.	PADILLA	CRUCES	Luis Bernardo	ICRC I	506			
671.	PAINEBILU	BELTRAN	Guillermo	ICRC II	79	18/12/44		29/11/76
672.	PAIVA	PARRA	Paulina	ICRC I	507			22/04/74
673.	PALMA	DONOSO	Gregorio	ICRC I	508			03/12/74
674.	PALMA	ROBLEDO	Daniel	ICRC II	80	61 y		04/08/76
675.	PALOMINOS	BENITEZ	Vicente Segundo	ICRC I	509 C119			16/09/74
				VIC I	225	30 y	4.405.460 Santiago	16/09/74
				501	261	30 y	4.405.460 Santiago	16/09/74
676.	PALOMINOS	ROJAS	Luis Jaime	ICRC I	510 C119			07/12/74
				VIC I	226	21 y	5.546.096 Santiago	08/12/74
				501	263	21 y	5.546.096 Santiago	08/12/74
677.	PARADA	GONZALEZ	Alejandro Arturo	ICRC I	511			30/07/74
				VIC I	227	22 y	6.612.170 Santiago	30/07/74
				501	262	22 y	6.612.170 Santiago	30/07/74
678.	PARDO	PARDO	Eliana	ICRC I	512			20/05/74
679.	PARDO	PEDEMONTE	Sergio Raul	VIC II	28	25 y	5.392.668 Santiago	16/06/76
				501	470	26 y	5.392.668 Santiago	16/06/76
680.	PARDO	ROJAS	Silvio Vicente	ICRC I	514			04/04/74
681.	PAREDES	DIAZ	Raul Antonio	ICRC I	513			22/06/74
682.	PAREDES	DURAN	Carlos Jesus	ICRC II	81	26/01/45		10/11/76
683.	PAREDES	PEREZ	Ernesto Enrique	ICRC II	82	27/12/42		15/05/76
				VIC II	20	32 y		15/05/76
				501	471	34 y	136.882 Temuco	15/05/76
684.	PARRA	LEDESMA	Sergio	ICRC I	515			08/10/73
685.	PARRA	SEGOVIA	Jose Luis	ICRC I	516			22/02/74
686.	PARRA	VERGARA	Igor Edgardo	ICRC I	517			28/10/74
687.	PARRAGUEZ	ACEVEDO	Julio Hernan	ICRC I	518			03/01/74
688.	PASMINO	RODRIGUEZ	Daniel	ICRC I	519			10/10/73
689.	PATINO	CORTEZ	Hugo Esteban	ICRC I	520			07/05/74
690.	PAVEZ	HENRIQUEZ	Jorge Manuel	ICRC I	521			13/10/73
691.	PENA	CATALAN	Hernan Manuel	ICRC I	523			15/10/73
692.	PENA	FUENZALIDA	Juan Francisco	ICRC I	524			02/10/74
				VIC I	229	22 y		00/10/74
				501	266	21 y	184.127 Rancagua	05/10/74
693.	PENA	HERREROS	Michelle	ICRC I	525			25/05/75
				VIC I	228	27 y		20/06/75
				501	368	27 y		20/06/75
694.	PENA	LEON	Manuel Edilio	ICRC I	526			05/02/74
695.	PENA	LOBOS	Oscar Luis	ICRC I	527			18/09/74
696.	PENA	SOLARI	Mario Fernando	ICRC I	528 C119			09/12/74
				VIC I	230	22 y	5.922.332 Santiago	09/12/74
				501	265	21 y	5.922.332 Santiago	09/12/74
697.	PENA	SOLARI	Nilda Patricia	ICRC I	529 C119			10/12/74
				VIC I	231	25 y	6.494.786 Santiago	10/12/74
				501	264	24 y	6.494.786 Santiago	10/12/74
698.	PENAILILLO	SEPULVEDA	Clodomiro	ICRC I	530			16/12/73
699.	PENAMARIA	PEREZ	Antonio Alberto	ICRC I	531			00/09/73
700.	PENLLAL	PAINEPAN	Sirio Antonio	ICRC I	522			19/10/73
701.	PEREDA	FELIU	Vladimir	ICRC I	532			20/03/74

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702.	PEREIRA	PLAZA	Reynalda Del Carmen	501	472	28 y	5.319.316-1 Santiago	15/12/76
703.	PEREIRA	SALSBERG	Andres	ICRC I	533			15/10/73
				VIC I	232	56 y	26.716 Buin	10/10/73
				501	81	54 y	26.756 Buin	16/10/73
704.	PERELMAN		Pablo	ICRC I	534			05/12/74
705.	PERELMAN	IDE	Juan Carlos	ICRC I	535			20/02/75
				VIC I	233	32 y	332.767 Concepcion	20/02/75
				501	367	31 y	332.767 Concepcion	20/02/75
706.	PEREZ	CARVALLO	Roberto Felipe	ICRC I	536			16/10/73
707.	PEREZ	GODOY	Pedro Hugo	ICRC I	537			17/10/73
				VIC I	234	16 y		17/10/73
				501	82	15 y		17/10/73
708.	PEREZ	HERMOSILLA	Jose Leonardo	ICRC I	538			03/01/74
				VIC I	235			03/01/74
				501	270			03/01/74
709.	PEREZ	MOLINA	Sergio	VIC I	236	31 y		21/09/74
				501	271	31 y		21/09/74
710.	PEREZ	NAVARRETE	Abelino Alfonso	ICRC I	539			
711.	PEREZ	VARGAS	Carlos Fredy	ICRC I	540 C119			10/12/74
				VIC I	237	25 y	6.227.008 Santiago	20/09/74
				501	267	25 y	6.227.008 Santiago	10/09/74
712.	PEREZ	VERA	Robinson	ICRC I	541			27/02/74
713.	PEZZUTO	BLANCO	Alberto	ICRC I	542			11/09/73
714.	PINO	BAEZA		501	85	40 y		22/10/73
715.	PINO	CARMONA	Exequiel Segundo	ICRC I	543			05/09/74
716.	PINO	QUEZADA	Exequiel Roberto	ICRC I	544			05/09/74
717.	PINTO	ARROYO	Edras	501	473	48 y	2.471.070 Santiago	20/12/76
718.	PINTO	CAROCA	Hector	VIC I	238			03/10/73
				501	67			03/10/73
719.	PINTO	CAROCA	Hernan	ICRC I	545			03/10/73
720.	PINTO	CAROCA	Pedro	VIC I	239			03/10/73
				501	86			03/10/73
721.	PINTO	CAROCA	Santiago	ICRC I	546			03/10/73
722.	PIZARRO	MENICONI	Isidro Miguel Angel	ICRC I	547 C119			19/11/74
				VIC I	240	22 y	6.223.627 Santiago	19/11/74
				501	269	22 y	6.223.627 Santiago	19/11/74
723.	PIZARRO	MOLINA	Waldo Ulises	501	474	42 y	2.951.237-K Santiago	15/12/76
724.	POBLETE	CORDOVA	Pedro Enrique	ICRC I	548 C119			19/07/74
				VIC I	241	24 y	5.205.527 Santiago	
				501	268	24 y	5.205.527 Santiago	19/07/74
725.	PONCE	VICENCIO	Exequiel	VIC I	242	41 y	64.251 Calama	24/06/75
				501	369	41 y	64.251 Calama	24/07/75
726.	POSECK	PEDREROS	Reinaldo Salvador	ICRC I	549			07/10/73
				501	84	49 y		30/09/73
727.	POUPIN	DISSEL	Arsenio	501	83	38 y		11/09/73
728.	QUEZADA	FARIAS	Juan Miguel	ICRC I	550			19/09/73
729.	QUEZADA	SOLIS	Mario Luis	ICRC II	83	02/08/43		29/01/76
				501	370	32 y	4.289.884 Santiago	12/12/75
730.	QUINONES	IBACETA	Juan Luis	ICRC II	84	22/12/44		23/07/76
				501	475	31 y	532.556 Santiago	23/07/76
731.	QUINONES	LEMBACH	Marcos Esteban	ICRC I	552 C119			17/07/74
				VIC I	244	27 y	6.050.565 Santiago	17/07/74
				501	272	27 y	6.050.565 Santiago	17/07/74

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
732.	QUINTANO	CARDOSO	Tulio	ICRC I	551			12/09/73
733.	QUINTEROS	MIRANDA	Abelardo De Jesus	VIC I	243	23 y		06/10/73
				501	88	23 y		06/10/73
734.	QUIROGA	DE GEDDA	Silvia Isolina	ICRC I	553			30/10/74
735.	QUIROZ	PEREIRA	Wilfredo Hernan	ICRC I	554			21/09/73
736.	QUIROZ	PEZOA	Lauriano Del Carmen	ICRC I	555			06/10/73
737.	QUIROZ	SEPULVEDA	Manuel	ICRC I	556			15/09/73
738.	RADRIGAN	PLAZA	Anselmo Osvaldo	ICRC I	557 C119			12/12/74
				VIC I	245	24 y	561 Renca	13/12/74
				501	273	24 y	561 Renca	12/12/74
739.	RAMIREZ	BARRIOS	William Osvaldo	ICRC I	558			11/09/73
740.	RAMIREZ	FUENTES	Maximo Antonio	ICRC I	559			03/09/74
741.	RAMIREZ	GALLEGOS	Maria Julieta	ICRC I	560			00/12/74
				VIC I	246	66 y	811.644 Santiago	30/09/74
				501	274	65 y	811.644 Santiago	30/11/74
742.	RAMIREZ	MUNOZ	Carlos Hernan	ICRC I	561			22/12/73
743.	RAMIREZ	ROSALES	Jose Manuel	ICRC I	562			27/07/74
				VIC I	247	23 y	10.301 Renca	22/07/74
				501	275	22 y	10.301 Renca	27/07/74
744.	RAMOS	GARRIDO	Oscar Orlando	ICRC II	85	17/10/16		05/08/76
				501	476	60 y	615.705 Santiago	05/08/76
745.	RAMOS	RIVERA	Osvaldo Del Carmen	501	89		5.921.360 Santiago	28/09/73
746.	RAMOS	VIVANCO	Oscar Arturo	ICRC II	86	28/01/52		05/08/76
				501	477	24 y	5.395.900 Santiago	05/08/76
747.	RAYO	PLANELLA	Maria Isabel	ICRC I	563			23/01/74
748.	RECABARREN	GONZALEZ	Luis Emilio	ICRC II	88	29 y		29/04/76
				VIC II	12	29 y	5.473.525 Santiago	29/04/76
				501	479	29 y	5.473.525 Santiago	29/04/76
749.	RECABARREN	GONZALEZ	Manuel Guillermo	ICRC II	87	24 y		30/04/76
				VIC II	11	24 y		29/04/76
				501	478	23 y	7.311.072 Santiago	29/04/76
750.	RECABARREN	ROJAS	Manuel Segundo	ICRC II	89	50 y		
				VIC II	10	50 y	1.464.283 Santiago	30/04/76
				501	480	51 y	1.464.283 Santiago	30/04/76
751.	REINAGA	CABALLEROS	Victor	ICRC I	564			15/01/75
752.	REINOSO	CAAMANO	Hector Edmundo	ICRC I	565			19/10/73
753.	REINOSO	OLATE	Hector Edmundo	ICRC I	566			19/10/73
754.	REINUAVA	REINUAVA	Dagoberto	ICRC I	567			11/09/74
755.	REKAS	URRA	Elizabeth De Las Mercedes	ICRC II	90	27 y		26/05/76
				VIC II	15		5.849.187 Santiago	26/05/76
				501	481	27 y	5.849.167 Santiago	26/05/76
756.	RETAMAL	SEPULVEDA	Julia Del Rosario	ICRC II	91	21/09/21		13/08/76
757.	RETAMALES	BRICENO	Azrael Leonardo	ICRC I	568 C119			07/09/74
				VIC I	248	44 y	2.934.165 Santiago	07/09/74
				501	278	44 y	2.934.165 Santiago	07/09/74
758.	RETAMALES	PEDRAZA	Enrique	ICRC I	569			01/10/73
759.	REYES	CATALAN	Francisco Alfonso	ICRC I	570			15/05/74
760.	REYES	CRUZ	Walterio Alejandro	ICRC I	571			09/08/74
761.	REYES	GONZALEZ	Agustin Eduardo	ICRC I	572 C119			27/05/74
				VIC I	249	25 y	4.309.970 Santiago	
				501	276	24 y	4.309.970 Santiago	25/05/74
762.	REYES	GONZALEZ	Segundo Hernan	ICRC I	573			03/11/73
763.	REYES	MELLA	Miguel Patricio	ICRC I	574			00/02/74

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
764.	REYES	NAVARRETE	Sergio Alfonso	ICRC I	575 C119			16/11/74
				VIC I	250	26 y	5.574.473 Santiago	16/11/74
				501	279	26 y	5.574.474 Santiago	16/11/74
765.	REYES	PINA	Daniel Abraham	ICRC I	576 C119			18/07/74
				VIC I	251	25 y	6.314.039 Santiago	18/07/74
				501	277	25 y	47.425 San Miguel	18/06/74
766.	RIFFO	RAMOS	Sergio Alejandro	ICRC I	577			27/11/74
				VIC I	252	23 y	325.515 Concepcion	27/11/74
				501	280	23 y	325.515 Concepcion	29/11/74
767.	RIOS	PACHECO	Sonia Del Transito	ICRC I	578			17/01/75
				VIC I	253	28 y		17/01/75
				501	373	31 y		17/01/75
768.	RIOS	SOTO	Herbit Guillermo	VIC I	254	24 y	116.398	03/01/75
				501	372	27 y	116.398 Osorno	03/01/75
769.	RIOS	VIDELA	Hugo Daniel	ICRC I	579 C119			14/02/75
				VIC I	255	21 y		14/02/75
				501	371	21 y		14/02/75
770.	RIOSECO	ESPINOZA	Carlos Ramon	ICRC I	580			09/01/75
				VIC I	256	27 y	308.116 Concepcion	18/01/75
				501	374	27 y	308.116 Concepcion	18/01/75
771.	RIQUELME	CONCHA	Federico	ICRC I	581			15/09/73
772.	RIQUELME	LOBOS	Julio	ICRC I	582			24/09/73
773.	RIQUELME	PINO	Anibal Raimundo	ICRC II	92	23/10/47		09/09/76
				501	482	29 y	13.593 Villa Alemana	09/09/76
774.	RIVAS	RACHITOFF	Miguel	ICRC I	583			00/02/74
				VIC I	258		2.225.328 Santiago	
				501	282		2.325.328 Santiago	03/01/74
775.	RIVAS	SEPULVEDA	Patricio Fernando	VIC I	259	30 y	4.817.896 Santiago	31/08/75
				501	375	30 y	4.817.890	31/08/75
776.	RIVERA		Alex	ICRC I	584			00/11/74
777.	RIVERA	CHAVEZ	Jose Hernan	ICRC I	585			00/09/73
778.	RIVERA	JOFRE	Luis Enrique	ICRC I	586			00/09/73
779.	RIVERA	MATUS	Juan Luis	ICRC I	587			06/11/75
				VIC I	257	32 y	1.923.690 Santiago	06/11/75
				501	376	52 y	1.923.690 Santiago	06/11/75
780.	RIVEROS	VALLAVICENCIO	Jorge	ICRC I	589			15/08/74
781.	RIVEROS	VILLAVICENCIO	Sergio Alberto	ICRC I	588			15/08/74
				VIC I	260	32 y	4.339.612 Santiago	15/08/74
				501	281	32 y	4.339.612 Santiago	15/08/74
782.	ROBERT	POUPIN	Luis Arturo	ICRC I	590			10/12/74
783.	ROBOTHAM	BRAVO	Jaime Eugenio	ICRC I	591 C119			31/12/74
				VIC I	261	23 y	6.107.397 Santiago	31/12/74
				501	284	23 y	6.107.797 Santiago	31/12/74
784.	ROCHA	ALVAREZ	Jose Santos	ICRC I	592			31/10/75
785.	RODRIGUEZ	ARAYA	Juan Carlos	ICRC I	593			17/11/74
				VIC I	262	30 y	4.806.865 Santiago	17/11/74
				501	283	30 y	4.806.865 Santiago	17/11/74
786.	RODRIGUEZ	CARCAMO	Hector Roberto	ICRC I	594			19/09/73
				501	90	25 y	258.835 Concepcion	19/09/73
787.	RODRIGUEZ	DIAZ	Mireya Herminia	ICRC I	595			25/06/75
				VIC I	263	34 y	3.858.849 Santiago	25/06/75
				501	377	34 y	3.858.849 Santiago	25/06/75
788.	RODRIGUEZ	GALLARDO	Miguel Angel	ICRC I	596			28/08/75
				VIC I	264	26 y	6.021.539 Santiago	28/08/75

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	RODRIGUEZ	GALLARDO	Miguel Angel	501	378	24 y	6.021.539 Santiago	28/08/75
789.	RODRIGUEZ	GONZALEZ	Artagnan	VIC I	265	27 y	732.956 Barrancas	24/08/74
				501	285	27 y	171.537 San Bernardo	23/08/74
790.	RODRIGUEZ	GONZALEZ	Jesus De La Paz	ICRC I	597			22/08/74
				VIC I	266		171.537 San Bernardo	22/08/74
791.	RODRIGUEZ	RIQUELME	Luis Fernando	ICRC I	598			11/09/73
792.	RODRIGUEZ	SANHUEZA	Ricardo	ICRC I	599			18/09/74
793.	RODRIGUEZ	URZUA	Alejandro	ICRC II	93	49 y		27/07/76
				501	483	49 y	255.761 Concepcion	27/07/76
794.	ROJAS	ARIAS	Pascual	ICRC I	600			25/11/74
795.	ROJAS	CASTANEDA	Alfredo	ICRC I	601			04/03/75
				VIC I	267	34 y	4.019.553 Santiago	27/09/74
				501	379	34 y	4.019.953 Santiago	04/03/75
796.	ROJAS	COPELLI	Heriberto	ICRC I	602			28/08/74
797.	ROJAS	COPELLI	Victor	ICRC I	603			28/08/74
798.	ROJAS	EGANA	Osvaldo	501	380	43 y		22/07/75
799.	ROJAS	RAMIREZ	Aladin Esteban	ICRC I	604			09/04/75
800.	ROJAS	ROJAS	Miguel	ICRC I	605			13/10/73
				VIC I	268	55 y		13/10/73
				501	91	55 y		13/10/73
801.	ROJAS	VASQUEZ	Gilberto	ICRC I	606			13/10/73
				VIC I	269			
				501	92			13/10/73
802.	ROZAS	CONTADOR	Francisco Javier	ICRC I	607			20/12/74
				VIC I	270	23 y	6.595.234 Santiago	20/12/74
				501	286	22 y	6.595.234 Santiago	20/12/74
803.	RUBILAR	MORALES	Gerardo Ismael	ICRC I	608			26/01/74
				VIC I	271	27 y	6.195.188 Santiago	26/01/74
				501	287	26 y	1.195.188 Santiago	26/01/74
804.	RUIZ	ARANZAES	Carlos Sergio	ICRC I	609			06/09/74
805.	RUIZ	CERECEDA	Juan Guillermo	ICRC I	610			15/10/74
806.	SAAVEDRA	GONZALEZ	Enrique Antonio	ICRC I	611			15/09/73
807.	SAEZ	FUENTES	Zenon	501	96	41 y		13/09/73
808.	SAEZ	VICENCIO	Jorge Roberto	VIC I	272			19/10/73
				501	93	23 y		19/10/73
809.	SAGREDO	PACHECO	Jose Del Carmen	ICRC I	612			03/11/75
				VIC I	273	65 y		03/11/75
				501	384	64 y		03/11/75
810.	SALAMANCA	MORALES	Ernesto Guillermo	ICRC I	613			26/01/74
				VIC I	274	22 y		25/01/74
				501	291	20 y	7.250.760 Santiago	26/01/74
811.	SALAS	SALAS	Juan Ramon	ICRC I	614			13/02/74
812.	SALAS	VALENZUELA	Francisco	ICRC I	615			30/01/75
813.	SALAZAR	AGUILERA	Jose Alberto	ICRC I	616			00/12/74
				VIC I	275	24 y	5.759.469 Santiago	22/11/74
				501	288	23 y	5.759.469 Santiago	22/11/74
814.	SALAZAR	VELOZ	Bartolomeo Ambrosio	ICRC I	617			16/04/74
815.	SALAZAR	ZAMORANO	Eduardo Ruben	ICRC I	618			23/11/74
816.	SALAZO	DE BOIZIER	Ines	ICRC I	619			11/01/75
817.	SALCEDO	MORALES	Carlos Eladio	ICRC I	621	C119		17/08/74
				VIC I	276	23 y	5.193.409 Santiago	16/08/74
				501	290	22 y	5.193.409 Santiago	16/08/74
818.	SALDIAS	DAZA	Oscar Eladio	ICRC I	620			25/09/73

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819.	SALGADO	SALGADO	Rene Nolberto	ICRC I	622			17/09/73
820.	SALGADO	SALINAS	Jorge	ICRC II	94	12/08/33		09/08/76
				501	485	43 y	112.365 Quillota	09/08/76
821.	SALINAS	ARGOMEDO	Ariel Martin	ICRC I	623 C119			25/09/74
				VIC I	277	26 y	15.817 Maipu	25/09/74
				501	293	26 y	15.817 Maipu	25/09/74
822.	SALINAS	EYTEL	Marcelo Eduardo	ICRC I	624 C119			31/10/74
				VIC I	278	32 y		31/10/74
				501	292	32 y	15.817 Maipu	31/10/74
823.	SALINAS	SALINAS	Carlos	ICRC I	625			18/09/73
824.	SALINAS	SALINAS	Juan De Dios	ICRC I	626			09/11/73
				VIC I	279	30 y	36.101 Talagante	14/09/73
825.	SALINAS	VASQUEZ	Alfredo Ernesto	ICRC I	627			02/11/75
				VIC I	280	45 y	2.936.368 Santiago	03/11/75
				501	385	45 y	2.936.368 Santiago	03/11/75
826.	SALINAS	VERA	Mario	ICRC I	628			20/10/73
				501	97	16 y		20/10/73
827.	SALINAS	VILCHES	Victor	501	386	54 y		13/09/75
828.	SALOM	CHAERS	Roberto	ICRC I	629			06/09/74
829.	SALVATIERRA	ORMAZABAL	Rodrigo Alberto	ICRC I	630			08/05/74
830.	SAN MARTIN	BARRERA	Raul Buridan	ICRC I	637			06/10/73
				VIC I	284	20 y		06/10/73
				501	94	20 y		06/10/73
831.	SAN MARTIN	BENAVENTE	Jose Isaiac	ICRC I	638			17/09/73
832.	SAN MARTIN	VERGARA	Luis Dagoberto	ICRC I	639			17/12/74
				VIC I	285	22 y	6.008.528 Santiago	17/12/74
				501	383	23 y	6.008.528 Santiago	10/02/75
833.	SANCHEZ	ANGUEN	Francisco	501	95			17/12/73
834.	SANCHEZ	ARGUEN	Francisco Segundo	ICRC I	631			01/10/73
835.	SANCHEZ	CORNEJO	Carlos Enrique	ICRC II	95	23/11/16		17/12/75
				VIC I	282	60 y		17/12/75
				501	382	59 y	1.297.567 Santiago	17/12/75
836.	SANCHEZ	PEREZ	Simon Flavio	ICRC I	632			20/09/73
837.	SANDOVAL	RODRIGUEZ	Miguel Angel	ICRC I	633 C119			07/01/75
				VIC I	281	27 y	5.750.455 Santiago	07/01/75
				501	381	27 y	5.750.455 Santiago	07/01/75
838.	SANDRO	FALLERO	Norma Cecilia	ICRC I	634			11/11/73
839.	SANHUERZA	MELLADO	Manuel	ICRC I	636			10/07/74
840.	SANHUEZA	CONTRERAS	Oscar Omar	ICRC I	635			15/09/73
841.	SANTANDER	MIRANDA	Jose Eduardo	ICRC II	96	20/04/47		06/08/76
				501	484	29 y	4.805.124 Santiago	06/08/76
842.	SANTIBANEZ	ESTAY	Ariel Danton	ICRC I	641			13/11/74
				VIC I	283	26 y	5.966.823 Santiago	13/11/74
				501	289	26 y		13/11/74
843.	SANTIBANEZ	MARDONES	Gabriel Osvaldo	ICRC I	642			12/11/74
844.	SANTIS	QUIJADA	Ceferino Del Carmen	ICRC I	643			12/09/73
845.	SANZ	BROUN	Elchin	ICRC I	640			30/11/73
846.	SARAVIA	SARAVIA	Guillermo	ICRC I	644			12/11/73
847.	SARMIENTO	SABATER	Hernan	ICRC I	645			28/07/74
				VIC I	286		5.966.823 Santiago	28/07/74
				501	294	26 y	5.966.823 Santiago	28/07/74
848.	SAZO	SAZO	Olga Ines	ICRC I	646			31/07/74
849.	SEGOVIA	RODRIGUEZ	Oscar Rene	ICRC I	647			00/11/74
850.	SEGUEL	GUTIERREZ	Sergio Enrique	ICRC I	648			18/01/74

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851.	SEPULVEDA	AROS	Siqfredo Antonio	ICRC I	649			01/06/74
852.	SEPULVEDA	GUAJARDO	Renato Alejandro	ICRC I	650			24/12/74
				VIC I	287	22 y	6.025.494 Santiago	12/12/74
				501	295	21 y	6.025.494 Santiago	12/12/74
853.	SEPULVEDA	TRONCOSO	Marcela Soledad	ICRC I	651			27/06/74
854.	SERRANO	FUENTES	Luis Ramiro	ICRC I	652			15/10/73
855.	SERRANO	GALAZ	Roberto Esteban	ICRC I	653			16/10/73
				501	98	33 y		16/10/73
856.	SERRANO	SILVA	Lilian Donoroh	ICRC I	654			05/11/74
857.	SEVILLA	BARONA	Juan Carlos	ICRC I	655			13/09/73
858.	SILBERMAN	GUROVICH	David	VIC I	288	36 y		04/10/74
				501	298	36 y		04/10/74
859.	SILVA	BUSTOS	Pedro Eduardo	ICRC II	97	08/02/37		09/08/76
				501	486	40 y	3.809.582 Santiago	09/08/76
860.	SILVA	CAMUS	Fernando Guillermo	ICRC I	656 C119			27/11/74
				VIC I	289	60 y	565.411 Santiago	27/11/74
				501	296	60 y	565.411 Santiago	27/11/74
861.	SILVA	CARRENO	Luis Ramon	ICRC I	657			11/10/73
				VIC I	291	44 y	24.362 Buin	16/10/73
				501	99	44 y	24.362 Buin	16/10/73
862.	SILVA	CONTRERAS	Samuel Eduardo	ICRC I	658			05/03/74
				VIC I	292	27 y	5.274.324 Santiago	00/03/74
				501	297	28 y	5.274.324 Santiago	27/03/74
863.	SILVA	DONOSO	Mario	ICRC I	659			26/03/74
864.	SILVA	MUNOZ	Enrique Elias	ICRC I	663			22/12/73
865.	SILVA	MUNOZ	Jorge Oscar	ICRC I	660			22/11/73
				VIC I	293	24 y		22/12/74
866.	SILVA	PERALTA	Claudio Guillermo	ICRC I	661 C119			26/11/74
				VIC I	290	24 y	6.387.659 Santiago	26/11/74
				501	299	24 y	6.347.659 Santiago	26/11/74
867.	SILVA	PEREZ	Nora Del Carmen	ICRC I	662			13/12/74
868.	SILVA	SALDIVAR	Gerardo Ernesto	ICRC I	664 C119			10/12/74
				VIC I	294	23 y	6.222.736 Santiago	10/12/74
				501	300	23 y	6.222.736 Santiago	10/12/74
869.	SILVA	SILVA	Luis Armando	VIC I	295	21 y	5.896.330 Santiago	24/09/74
				501	301	20 y	5.896.330 Santiago	24/09/74
870.	SOLARZA	ARAYA	Jose Humberto	ICRC I	665			
871.	SOLIS	DELGADO	Maria	ICRC I	666			26/03/74
872.	SOLOVERA	GALLARDO	Jorge Gerardo	ICRC II	98	16/08/47		30/07/76
				501	487	28 y	6.199.024 Santiago	04/07/76
873.	SOTO	CASTILLO	Luis Gerardo	ICRC I	667			31/02/75
874.	SOTO	CERNA	Antonio Patricio	ICRC I	668			22/12/74
				VIC I	296	31 y	4.436.651 Santiago	22/11/74
				501	302	31 y	4.436.665 Santiago	22/11/74
875.	SOTO	FIGUEROA	Alfredo	ICRC I	669			00/11/74
876.	SOTO	PEREDO	Gustavo Edmundo	ICRC II	99	25/08/21		13/09/73
				VIC I	297	44 y	185.307 Iquique	13/09/73
				501	100	44 y	185.387 Iquique	13/10/73
877.	SOTO	QUIJADA	Sergio Alberto	ICRC I	670			19/09/73
878.	SOTO	SOTO	Daniel	ICRC I	671			08/07/74
879.	SOTO	SOTO	Hernan	ICRC I	672			22/12/73
880.	SOTO	ZAMORA	Humberto Hernan	ICRC I	673			20/10/73
881.	STEPKE	MUNOZ	Walter Raul	ICRC I	674			15/09/73
				501	101	24 y	64.830 Pitrufquen	15/09/73

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882.	SUIL	FAUNDEZ	Juan Ismael	ICRC I	675			04/01/74
883.	TABILO	GUTIERREZ	Chile Antonio	ICRC I	676			05/11/74
884.	TAMAYO	MARTINEZ	Manuel Jesus	ICRC II	100	24 y		25/04/76
				VIC II	9	24 y	5.543.248 Santiago	
				501	490	24 y	5.543.248 Santiago	00/04/76
885.	TAPIA	DEL RIO	Ernesto David	ICRC I	677			26/09/74
886.	TAPIA	MARTINEZ	Julio Fernando	ICRC I	678			11/09/73
				501	102	24 y	119.781 Curico	11/09/73
887.	TELLO	GARRIDO	Teobaldo Antonio	ICRC I	679 C119			22/08/74
				VIC I	299	27 y	5.327.220 Santiago	22/08/74
				501	306	27 y	5.327.220 Santiago	22/08/74
888.	TENORIO	FUENTES	Sinar Enrique	ICRC I	680			15/09/73
889.	TERAN	DE LA JARA	Carlos Alberto	VIC I	300	26 y	5.622.911 Santiago	11/12/74
				501	307	25 y	5.622.911 Santiago	11/12/74
890.	THAUBY	PACHECO	Claudio Francisco	ICRC I	681			31/12/74
				VIC I	298			31/12/74
				501	309			31/12/74
891.	THIELE	CARTAGENA	Ricardo	ICRC I	682			07/03/74
892.	TOBAR	MUNOZ	Osvaldo Del C.	ICRC I	683			31/10/75
893.	TOBAR	SILVA	Manuel Segundo	ICRC I	684			15/02/74
894.	TOLOSA	VASQUEZ	Jose Vicente	ICRC II	101	17/07/45		15/07/76
				501	491	31 y	5.019.913 Santiago	15/07/76
895.	TOMIC	ARCE	Teresa Mercedes	ICRC I	685			05/08/74
896.	TORMEN	MENDEZ	Sergio Daniel	ICRC I	686			20/07/74
				VIC I	303	25 y	5.203.175 Santiago	20/07/74
				501	304	25 y	5.203.175 Santiago	28/07/76
897.	TORO	BRAVO	Niccmedes Segundo	ICRC II	102	31 y		27/07/76
				501	488	33 y		04/04/74
898.	TORO	GARLAND	Gonzalo Marcial	ICRC I	687			04/04/74
				VIC I	301	48 y	2.443.249 Santiago	04/04/74
				501	305	48 y	2.443.249 Santiago	10/07/74
899.	TORO	ROMERO	Enrique Segundo	ICRC I	688 C119			03/04/74
				VIC I	302	29 y	2.443.249 Santiago	10/07/74
				501	303	29 y	4.660.882 Santiago	06/10/73
900.	TORO	VELEZ	Eduardo Emilio	ICRC I	689			16/02/74
901.	TORREALBA	PLAZA	Carlos Antonio	ICRC I	690			16/09/73
902.	TORRES	ALBORNOZ	Osvaldo Alfonso	501	103	24 y	5.870.226	13/11/74
903.	TORRES	ARAVENA	Ruperto	ICRC I	691			10/10/73
				VIC I	304	60 y		13/10/73
				501	104	58 y	13.060 Parral	16/12/73
904.	TORRES	GONZALEZ	Raul Osvaldo	ICRC I	692			17/03/74
905.	TORRES	OLIVA	Orfa	ICRC I	693			28/09/73
906.	TORRES	VILLAROEL	Rodolfo Ramiro	ICRC I	694			15/09/75
907.	TREJO	SAAVEDRA	Luis Hernan	ICRC I	695			15/09/75
				VIC I	305	46 y	59.698 Curico	15/09/75
				501	387	46 y	59.598 Curico	15/08/74
908.	TRONCOSO	MUNOZ	Ricardo Aurelio	ICRC I	696			15/08/74
				501	308	26 y	152.161 Talca	16/07/76
909.	TRUCO	CHOQUEHUANCA	Mario T. (Peru)	ICRC I	697			15/07/76
910.	TURIEL	PALOMERA	Mariano Leon	ICRC II	103	07/11/45		
				501	489	31 y	4.649.784 Santiago	
911.	UBILLA		Juan	ICRC I	698			15/10/74

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
912.	UBILLA	CONTRERAS	Ricardo Mauricio	ICRC I	699			12/09/73
913.	UGAS	MORALES	Pedrigo Eduardo	ICRC I	700 C119			07/02/75
				VIC I	308	22 y	125.925 Curico	07/02/75
				501	388	22 y	125.925 Curico	07/02/75
914.	ULLOA	PINO	Juan Claudio	501	106	26 y		18/09/73
915.	ULLOA	PINO	Victor Adolfo	501	105	14 y		19/09/73
916.	ULLOA	VALENZUELA	Luis	ICRC I	701			15/09/73
917.	URBINA	CHAMORRO	Gilberto Patricio	ICRC I	702 C119			06/01/75
				VIC I	306	25 y	5.865.078 Santiago	06/01/75
				501	389	25 y	5.865.078 Santiago	06/01/75
918.	URETA	VILLANUEVA	Jose Emilio	ICRC I	703			26/02/74
919.	URIBE	TAMBLAY	Barbara Gabriela	ICRC I	704			10/07/74
				VIC I	307	21 y	6.364.277 Santiago	10/07/74
				501	310	21 y	6.364.271 Santiago	10/07/74
920.	URIBE	TAMBLAY	Monica Isabel	ICRC I	705			13/09/74
921.	URRA	PARADA	Raul	ICRC I	706			13/09/73
922.	URREA	ILLANES	Hector Demetrio	ICRC II	104	09/10/27		00/06/75
923.	URRUTIA	GALAZ	David Edison	ICRC II	105	04/12/50		30/11/75
924.	UTRERA	BELTRAN	Juan Segundo	ICRC I	708			17/10/73
925.	VALDEBENITO	FUENTES	Amado Jose	ICRC I	709			17/09/73
926.	VALDES	GALAZ	Manuel Nemesio	ICRC II	106	08/02/54		18/11/74
927.	VALDIVIA	ARAYA	Jose Eugenio	ICRC I	710			22/12/73
928.	VALDIVIA	GONZALEZ	Oscar Dante	ICRC II	107	04/10/48		26/05/76
				VIC II	19	27 y	5.787.715 Santiago	26/05/76
				501	492	28 y		26/05/76
929.	VALDIVIA	VALDIVIA	Aliro	ICRC I	711			03/10/73
930.	VALENCIA	ZAMORANO	Guillermo Daniel	ICRC I	712			23/01/74
931.	VALENZUELA		Renato	ICRC I	716			00/12/74
932.	VALENZUELA	ALVAREZ	Basilio	VIC I	309			16/10/73
				501	109	37 y		16/10/73
933.	VALENZUELA	FIGUEROA	Luis Armando	ICRC I	713			27/07/74
				VIC I	310	25 y	6.496.170 Santiago	28/07/74
				501	311	24 y	6.496.175 Santiago	28/07/74
934.	VALENZUELA	GARRIDO	Pedro Alberto	ICRC I	714			26/02/74
935.	VALENZUELA	GONZALEZ	Hernan Jorge	ICRC I	715			11/09/73
936.	VALENZUELA	LEIVA	Luis Oscar	VIC I	311	22 y	7.189.947 San Miguel	13/11/74
				501	312	20 y	7.189.947	13/11/74
937.	VALLADARES	CAROCA	Julio Del Transito	ICRC II	108	01/07/48		02/07/76
938.	VALLADARES	CAROCA	Oscar Enrique	ICRC I	717			11/09/73
				VIC I	312	24 y	26.817 Quinta Normal	11/09/73
				501	111	24 y	26.817 Quinta Normal	11/09/73
939.	VALLE	PEREZ	Jose Miguel	ICRC I	718			17/10/73
				VIC I	314	16 y		17/10/73
				501	112	16 y		17/10/73
940.	VALLEJOS	VILLAGRAN	Alvaro Modesto	ICRC I	719			20/05/74
				VIC I	313	25 y	7.069 Maipu	20/05/74
				501	313	25 y	7.069 Maipu	20/05/74
941.	VAN SCHOUWEN	VASEY	Juan Bautista	VIC I	316	32 y	267.726 Concepcion	13/12/73
				501	113	32 y	267.762 Concepcion	13/12/73
942.	VAN YURICK	ALTAMIRANO	Edwin Francisco	ICRC I	720 C119			12/07/74
				VIC I	315	21 y	6.426.158 Santiago	10/07/74
				501	314	20 y	6.426.158 Santiago	10/07/74
943.	VARAS	SUAZO	Luis Enrique	ICRC I	721			27/09/73

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
944.	VARGAS	BARRIENTOS	Pedro Leon	ICRC I	722			14/09/73
				VIC I	317	58 y	61.215 Buin	14/09/73
				501	114	23 y	61.215 Buin	13/09/73
945.	VARGAS	LEIVA	Manuel De La Cruz	ICRC II	109	20/06/22		07/08/76
				501	493	54 y	1.169.190 Santiago	07/08/76
946.	VARGAS	ORTEGA	Luis Armando	ICRC I	723			03/01/75
947.	VARGAS	TRASALVINA	Luis	ICRC I	724			24/01/74
948.	VARGAS	VALENZUELA	Juan De Dios	ICRC I	725			11/09/73
949.	VASQUEZ		Justino	ICRC I	726			00/09/73
950.	VASQUEZ	CALDERON	Luis Gilberto	ICRC I	727			27/02/74
951.	VASQUEZ	SAENZ	Jaime Enrique	ICRC I	728 C119			13/02/75
				VIC I	318	27 y	64.741 Nunoa	13/02/75
				501	390	27 y	64.741 Nunoa	13/02/75
952.	VASQUEZ	VERA	Dagoberto	ICRC I	729			15/03/74
953.	VAZQUEZ	MUNOZ	Luis Justino	ICRC II	110	29/06/39		20/11/73
954.	VEAS	VALDIVIA	Luis Enrique	ICRC I	730			24/04/74
955.	VEGA	RAMIREZ	Luis Eduardo	VIC I	319	26 y		12/09/75
				501	393	26 y		12/09/75
956.	VEGA	VEGA	Julio Roberto	ICRC II	111	20/06/15		16/08/76
				501	494	61 y	1.252.460 Santiago	16/08/76
957.	VELASQUEZ	FERNANDEZ	Carlos Fco.	ICRC I	731			12/09/73
958.	VELIZ	AROS	Jeannette Maria	ICRC I	732			01/04/74
959.	VELIZ	RAMIREZ	Hector	501	495	44 y	4.234.509-1 Santiago	15/12/76
960.	VELOSO	CANALES	Sebastian	ICRC I	733			26/04/74
961.	VENEGAS	LAZZARO	Claudio Santiago	ICRC I	734			10/09/73
				VIC I	320	17 y	7.254.242-8 Santiago	
				501	315	17 y	7.254.242 Santiago	10/09/74
962.	VENEGAS	SANTIBANEZ	Enrique Patricio	ICRC I	735			10/02/75
963.	VERA	ALMARZA	Ida Amelia	ICRC I	736			19/11/74
				VIC I	321	32 y	14.859 Providencia	19/11/74
				501	316	31 y	14.859 Providencia*	19/11/74
964.	VERA	FIGUEROA	Sergio Emilio	ICRC I	737			16/08/74
				VIC I	322	28 y	5.432.385 Santiago	16/08/74
				501	317	28 y	5.432.385 Santiago	16/08/74
965.	VERAGUA	CORTES	Jorge Adrian	ICRC I	738			08/10/73
966.	VERDUGO	VALDES	Felix Eloi	ICRC I	742			28/10/74
967.	VERGARA		Patricio	ICRC I	739			17/09/74
968.	VERGARA	DOXRUD	Hector Patricio	ICRC I	740			17/09/74
				VIC I	323	32 y	4.592.223-5 Santiago	17/09/74
				501	318	32 y	4.592.223.5 Santiago	17/09/74
969.	VERGARA	GONZALEZ	Luis Armando	ICRC I	743			15/10/73
				VIC I	324	24 y	6.205.318 Santiago	15/10/73
				501	115	24 y	6.205.318 Santiago	15/10/73
970.	VERGARA	INOSTROZA	Pedro Jose	VIC I	325	22 y		27/04/74
				501	319	22 y		27/04/74
971.	VERGARA	RETAMALES	Fernando Gabriel	ICRC I	744			30/07/74
972.	VERGARA	SAN MARTIN	Luis	ICRC I	741			18/12/74
973.	VERGARA	SOTO	Angel Cesar	ICRC I	745			15/05/74
974.	VICENCIO	GONZALEZ	Hector Orlando	ICRC I	746			20/09/73
				VIC I	326	26 y	7.438.795 Santiago	20/09/73
				501	107	26 y	7.438.795 Sanitago	20/09/73
975.	VIDAL	ARENAS	Jose Hugo	ICRC I	747			03/10/73
976.	VIDAL	ARMAS	Hugo	ICRC I	748			03/10/73
977.	VIDAL	MOLINA	Jose Alfredo	VIC I	327	29 y	5.399.068 Santiago	23/09/73

	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	VIDAL	MOLINA	Jose Alfredo	501	110	29 y	5.399.068 Santiago	24/09/73
				501	320	29 y	5.300.068 Santiago	23/09/73
978.	VIDAL	MUNOZ	Carlos Abelino	ICRC II	112	12/11/36		06/02/76
979.	VIDAL	PANGUILEF	Jose Mateo	ICRC I	749			00/09/73
980.	VILCHES	FIGUEROA	Abel Alfredo	ICRC II	113	27/09/47		27/01/75
				VIC I	328	28 y	106.194 Santiago	27/01/75
				501	391	28 y	106.184 Valparaiso	27/01/75
981.	VILLAGRA	ASTUDILLO	Jose Caupolican	ICRC I	750 C119			15/07/74
				VIC I	331	42 y	3.060.023 Santiago	15/07/74
				501	322	41 y	3.060.023 Santiago	15/07/74
982.	VILLALOBOS	DIAZ	Alejandro Delfin	ICRC I	751			11/09/73
983.	VILLALOBOS	DIAZ	Manuel Jesus	ICRC I	752 C119			17/09/74
				VIC I	329	22 y	6.553.478 Santiago	17/09/74
				501	321	22 y	6.553.478 Santiago	17/09/74
984.	VILLANUEVA	MOLINA	Santiago Gmo.	ICRC I	753			04/10/74
985.	VILLAR	QUIJON	Elias Ricardo	VIC I	330	20 y	525.551 Valparaiso	27/01/75
				501	392	21 y	525.551 Valparaiso	27/01/75
986.	VILLAR	SOTO	Gilberto	ICRC I	754			27/09/73
987.	VILLARROEL	ESPINOZA	Juan	ICRC I	755			15/09/73
988.	VILLARROEL	GANGA	Victor Manuel	ICRC I	756 C119			25/06/74
				VIC I	332	18 y	743.471	25/06/74
				501	323	18 y	7.434.471 Santiago	25/06/74
989.	VILLARROEL	ZARATE	Juan	501	498	55 y		13/08/76
990.	VILLEGAS	ARIAS	Maritza	ICRC I	757			27/11/74
991.	VIVANCO	HERRERA	Nicolas Hugo	ICRC II	114	20/01/46		10/08/76
				501	496	30 y	66.597 San Felipe	10/08/76
992.	VIVANCO	VASQUEZ	Julio	ICRC I	758			30/09/73
993.	VIVANCO	VASQUEZ	Victor Julio	501	108	21 y		08/10/73
994.	VIVANCO	VEGA	Hugo Ernesto	ICRC II	115	08/01/18		04/08/76
				501	497	58 y		04/08/76
995.	VIZCARRA	COFRE	Carlos Mario	ICRC II	116	13/12/44		11/08/76
				501	499	32 y	4.665.693 Santiago	11/08/76
996.	WEIBEL	NAVARRETE	Jose Arturo	VIC II	6	33 y		29/03/76
				501	500	34 y	4.107.245 Santiago	29/03/76
997.	WEIBEL	NAVARRETE	Patricio Eduardo	ICRC I	760			25/10/75
998.	WEIBEL	NAVARRETE	Ricardo Manuel	ICRC I	761			25/10/75
				VIC I	333	30 y	5.477.039 Santiago	07/11/75
				501	395	30 y	4.770.390 Santiago	
999.	WEINBERGER	MAND-OVA	Pedro Jose	ICRC I	759			12/09/73
1000.	WIFF	SEPULVEDA	Modesta Carolina	ICRC I	762			26/06/75
				VIC I	334	34 y	37.330 San Javier	25/06/75
				501	394	34 y	37330 San Javier	25/06/75
1001.	YANEZ	JIMENEZ	Horacio Jesus	ICRC II	117	02/07/06		22/10/75
				VIC I	335	69 y	152.961 San Bernardo	07/02/75
				501	396	69 y	152.961 San BErnardo	07/02/75
1002.	YANEZ	OLAVE	Jorge Bernabe	ICRC I	764			16/09/73
1003.	YANGA	RUPEYAN	Antonio	ICRC I	763			02/08/74
1004.	YANSEN	DE MARABOLI	Judith	ICRC I	765			15/10/74
1005.	ZAMORANO		Alfonso	ICRC I	766			30/11/74
1006.	ZAMORANO	BAEZ	Hugo Alberto	ICRC I	767			22/07/74
1007.	ZAMORANO	DONOSO	Mario Jaime	ICRC II	118	05/05/31		04/05/76

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	Surname 1	Surname 2	First Names	List	Pos.	Age/Birth	Identity card No.	Detention
	ZAMORANO	DONOSO	Mario Jaime	VIC II	32	45 y	2.596.100 Santiago	04/05/76
				501	501	45 y	2.596.100 Santiago	04/05/76
1008.	ZAMORANO	ESPINOZA	Ricardo Gaston	ICRC I	768			25/02/74
1009.	ZAPATA	QUIROZ	Jose Amadeo	ICRC II	119	20/06/11		14/01/76
1010.	ZELAYA	SUAZO	Carlos Hugo	ICRC I	769			08/02/74
				VIC I	336	42 y	162.239 Santiago	07/02/74
				501	324	41 y	162.239 Santiago	07/02/74
1011.	ZIEDE	GOMEZ	Eduardo Humberto	ICRC I	770 C119			15/06/74
				VIC I	337	28 y	5.311.370 Santiago	15/06/74
				501	325	28 y	5.311.370 Santiago	15/06/74
1012.	ZORRILLA	RUBIO	Jorge	ICRC I	771			15/09/73
1013.	ZUNIGA	AGUILERA	Francisco Arnaldo	ICRC I	772			
1014.	ZUNIGA	TAPIA	Hector Cayetano	ICRC I	773 C119			16/09/74
				VIC I	338	28 y	115.679 Curico	16/09/74
				501	326	27 y	115.679 Curico	16/09/74
1015.	ZUNIGA	ZUNIGA	Eduardo Fernando	ICRC I	774			23/08/74
				VIC I	339	44 y		23/08/74
				501	327	44 y		23/08/74

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ANNEX LVI

Information supplied by the Government of Chile in relation to the lists of missing persons submitted by the International Committee of the Red Cross a/

/Original: Spanish/

Explanations of symbols:

GC IV, A, B, C, D and E	Refers to Parts A, B, C, D and E, respectively of the memorandum of the Government of Chile dated 22 February 1977.
GC V, A and B	Refers to Parts A and B of the memorandum of the Government of Chile dated 10 May 1977.

a/ By notes verbales dated 22 February 1977, 10 May 1977 and 10 June 1977 (see paras. 124-127).

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Persons visited in their homes and leading normal lives

Surname 1	Surname 2	First Names	List Code	Pos.	Identity Card
AGUILERA	CELIS	Hugo Del Carmen	GC V A	1	3.876.751 Santiago
AGUILERA	CELIS	Juan Ramon	GC IV A	1	848.491-3 Santiago
ARAYA	OLIVOS	Jorge	GC IV A	2	3.845.375-0 Santiago
BASCUNAN	MORALES	Rosa Amelia	GC V A	2	
CARRASCO	AQUEDA	Manuel Alberto	GC V A	13	
CARRASCO	SEPULVEDA	Rafael Segundo	GC IV A	3	4.010.080 Santiago
CASTRO	MENA	Leonilla	GC IV A	4	41.772 San Miguel
CATALAN	GONZALES	Jorge Antonio	GC IV A	5	3.465.415-7 Santiago
CAVILAN	VERA	Claudio Esteban	GC V A	3	7.257.026-K Santiago
CERDA	GARRIDO	Angela Cecilia	GC IV A	6	7.575.136-2 Santiago
CIFUENTES	SANDOVAL	Mario	GC IV A	7	4.219.645 Santiago
CORREA	CANCINO	Hector Fernando	GC IV A	8	5.204.118 Santiago
CORTES	ROJAS	Sergio Rosamel	GC IV A	9	4.138.532-4 Santiago
DONOSO	SOTO	Jorge	GC IV A	10	4.042.363 Santiago
ESPINDOLA	FERRADA	Nestor Javier	GC IV A	11	3220 Cardenal Caro
FARINA	CISTERNAS	Angel Osvaldo	GC IV A	12	7.479.193-K Santiago
FIGUEROA	SERRANO	Maria Soledad	GC IV A	13	8.000.628-4 Santiago
FUENZALIDA	OSORIO	Flavio Blas	GC IV A	31	3.241.249 Santiago
GONGORA	ZUNIGA	Moises Segundo	GC IV A	14	146.231-8 Santiago
GOYENECHEA	CORVALAN	Ricardo Faustino	GC IV A	15	6.866.326 Santiago
GUTIERREZ	OCAMPOS	Juan Gabriel	GC IV A	16	6.862.322 Santiago
HUERTA	BAILEY	Jose Cipriano	GC IV A	17	4.605.077 Santiago
INOSTROZA	CASTRO	Rodolfo Hernan	GC IV A	18	5.525.469 Santiago
IRIEARREN	LEDERMAN	Emilio E.	GC IV A	19	5.039.111-6 Santiago
MEZA	ZARATE	Rene Antonio	GC IV A	20	4.948.727-4 Santiago
MIRANDA	JIMENEZ	Maximo Segundo	GC IV A	21	949.375 Santiago
MOLINA	RETAMAL	Miguel Angel	GC V A	4	
MORALEDA	PINTO	Jorge A.	GC IV A	22	4.944.861-0 Santiago
MOYA	FUENTES	Luis Humberto	GC IV A	23	525.729-8 Santiago
MUNOZ	MUNOZ	Alberto	GC IV A	32	3.195.687 Santiago
NANCO	MELIFIL	Segundo	GC V A	5	
RAMIREZ	MUNOZ	Carlos Hernan	GC V A	6	
RETAMALES	PEDRAZA	Enrique	GC IV A	24	1.261.129 Santiago
RIFFO	RAMOS	Sergio Alejandro	GC V A	7	
ROJAS	ARIAS	Pascual	GC V A	8	
ROJAS	COPELLI	Humberto	GC V A	9	5.951.471.4 Santiago
ROJAS	COPELLI	Victor	GC IV A	25	5.958.729-3
SOLORZA	ARAYA	Jose Umberto	GC V A	10	
TOBAR	SILVA	Manuel Segundo	GC IV A	26	6666 Cardenal Caro
TOMIC	ARCE	Teresa Mercedes	GC IV A	27	490.820 Providencia
TORREALBA	PLAZA	Carlos	GC IV A	33	2.816.610 Santiago
URETA	VILLANUEVA	Jose Emilio	GC V A	11	
VARGAS	ORTEGA	Luis Armando	GC V A	12	
VARGAS	TRASLAVINA	Luis	GC IV A	28	8.612.152-2 La Florida
VIDAL	MUNOZ	Carlos Avelino	GC IV A	29	3.460.097 Santiago
ZAPATA	QUIROZ	Jose Amadeo	GC IV A	30	245.916-7 Santiago

Persons having left the country

Surname 1	Surname 2	First Names	List Code	Pos.	Identity Card
FONCILLAS	VARGAS	Maria Soledad	GC V B	1	
IEANEZ	VALENZUELA	Cesario Leonardo	GC V B	2	
JORQUERA		Armijo Roberto E.	GC IV C	1	
JORQUERA	ARMIJO	Roberto Fernando	GC V B	3	
HANSEN		Calderon Guillermo R.	GC IV C	2	
KLENNER		Juan Carlos	GC IV B	1	
MEJIAS	FUENTES	Arturo Fernando	GC V B	4	
PAREDES	DIAZ	Raul A.	GC IV B	2	
PEREDA	FELIU	Vladimir	GC V B	5	
REYES	CRUZ	Walterio Alejandro	GC V B	6	
RUIZ	ARANZAES	Carlos Sergio.	GC V B	7	
SALVATIERRA	ORMAZABAL	Rodrigo Alberto	GC V B	8	
TABILO	GUTIERREZ	Chile Antonio	GC V B	9	
UBILLA	GUERRA	Juan I.	GC IV C	3	
VERGARA	RETAMALES	Fernando Gabriel	GC V B	10	
WEINBERGER	MAND-OVE	Jose			5.664.633 Santiago

Persons whose death is recorded by the Institute of Forensic Medicine, Santiago

RODRIGUEZ	CARCAMO	Hector	GC IV D	1	2389515 Santiago

Persons concerning whom the Government of Chile requested further particulars since the Central Bureau of Identification files show more than one person as having the name in question

ACEVEDO	ANDRADE	Luis	GC IV E	1
BELTRAN	SANCHEZ	Maria Isabel	GC IV E	2
BUSTAMANTE	SOBARZO	Jose	GC IV E	3
CABEZAS	O.	Cristian	GC IV E	4
CARVAJAL	ARAYA	Angel	GC IV E	5
CASTRO		Oscar	GC IV E	6
CIFUENTES	CIFUENTES	Manuel	GC IV E	7
CONTRERAS	SOTO	Luis	GC IV E	8
CORDERO	MUNOZ	Luis Alberto	GC IV E	9
CORNEJO	SILVA	Manuel Antonio	GC IV E	10
CORTES	CORTES	Juan Segundo	GC IV E	11
DIAZ	DIAZ	Jorge Guillermo	GC IV E	12
ESCOBAR	FUENTES	Jorge	GC IV E	13
ESPINOZA	SANCHEZ	Ramon	GC IV E	14
FERNANDEZ	FERNANDEZ	Julio Cesar	GC IV E	15
FERNANDEZ	LUIS	Orlando	GC IV E	16
FLORES		Alejandro	GC IV E	17
FLORES	ROJAS	Jose Segundo	GC IV E	18
FONSECA	FONSECA	Carlos	GC IV E	19
FRANCO		Luis	GC IV E	20
FUENTES	GONZALEZ	Luis Hernan	GC IV E	21

GODOY	GODOY	Cesar	GC	IV	E	22
GONZALEZ		Miguel	GC	IV	E	23
GONZALEZ	CATALAN	Enrique	GC	IV	E	24
GONZALEZ	PONCE	Pedro	GC	IV	E	25
GONZALEZ	ULLOA	Luis	GC	IV	E	26
GUERRA	GUERRA	Osvaldo	GC	IV	E	27
GONZALEZ	URRUTIA	Luis	GC	IV	E	28
GUERRERO	ALVARADO	Luis	GC	IV	E	29
GUTIERREZ	MARTINEZ	Maria Isabel	GC	IV	E	30
GUTIERREZ	RIVAS	Sergio Luis	GC	IV	E	31
JARA	JARA	Mario	GC	IV	E	32
LILLIAN		Jorge	GC	IV	E	33
LOPEZ	ALARCON	Victor	GC	IV	E	34
LOPEZ	MUNOZ	Pedro Felix	GC	IV	E	35
MARTINEZ		Victor Alfonso	GC	IV	E	36
MORENO		Irma	GC	IV	E	37
MUNOZ	ESPINOZA	Manuel	GC	IV	E	38
MENDEZ		Manuel	GC	IV	E	39
MUNOZ	MUNOZ	Alberto	GC	IV	E	40
MUNOZ	MUNOZ	Fernando	GC	IV	E	41
MUNOZ	MUNOZ	Raul Antonio	GC	IV	E	42
NAVARRO	MARTINEZ	Manuel Jesus	GC	IV	E	43
NEUPERT	RIPKE	Ricardo	GC	IV	E	44
NUNEZ		Jorge	GC	IV	E	45
NUNEZ	NUNEZ	Margarita	GC	IV	E	46
OLIVARES		Mario	GC	IV	E	47
ROJAS	ROJAS	Miguel	GC	IV	E	48
SALGADO	MORALES	Carlos Eladio	GC	IV	E	49
SALINAS	SALINAS	Carlos	GC	IV	E	50
SALINAS	SALINAS	Juan De Dios	GC	IV	E	51
SALINAS	VERA	Mario	GC	IV	E	52
SANHUEZA	MELLADO	Manuel	GC	IV	E	53
SARAVIA	SARAVIA	Guillermo	GC	IV	E	54
SILVA	DONOSO	Mario	GC	IV	E	55
SOLIS	DELGADO	Maria	GC	IV	E	56
SOTO	SOTO	Daniel	GC	IV	E	57
SOTO	SOTO	Hernan	GC	IV	E	58
ULLOA	VALENZUELA	Luis	GC	IV	E	59
VALENZUELA	GONZALEZ	Hernan Jorge	GC	IV	E	60
VARGAS	VALENZUELA	Juan De Dios	GC	IV	E	61
VERGARA		Patricio	GC	IV	E	62
VERGARA	GONZALEZ	Luis Armando	GC	IV	E	63
VILLALOBOS	DIAZ	Manuel Jesus	GC	IV	E	64
VILLARROEL	ESPINOZA	Juan	GC	IV	E	65