

CONFIDENTIAL

FRP: ,2, ,4, , , ,8

STATE

25X1



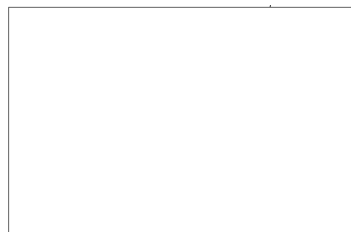
86 1636437 SCO

PAGE 001
TOR: 260026Z JUL 86

NC 1636437
SANTIA 04882

OO RUEAIIH
ZNY CCCCC ZOC STATE ZZH
UTS8542
OO RUEHC
DE RUEHSG #4882/01 2060000
ZNY CCCCC ZZH
O 252354Z JUL 86
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 7150
BT
C O N F I D E N T I A L SANTIAGO 04882

25X1
25X1



JUL 23 8 57 PM '86



E.O. 12356: DECL: OADR
TAGS: PHUM, PREL, KPRP, CI
SUBJ: HUMAN RIGHTS REVIEW: THE FIRST SIX
MONTHS OF 1986

REF: SANTIAGO 697

1. ENTIRE TEXT CONFIDENTIAL

2. THE HUMAN RIGHTS SITUATION IN CHILE DURING THE FIRST SIX MONTHS OF 1986 WAS VERY MIXED. FOLLOWING A BRIEF RESPITE DURING THE FIRST QUARTER OF THE YEAR, AS BOTH THE GOVERNMENT AND THE OPPOSITION TOOK THEIR SUMMER BREAKS, THE PATTERN OF HUMAN RIGHTS VIOLATIONS WHICH HAD BEEN SET DURING THE LAST 6 MONTHS OF 1985 WAS RESUMED. THE SECOND QUARTER OF 1986 SHOWED INCREASES IN THE NUMBER OF DETENTIONS, REPORTS OF TORTURE OR MISTREATMENT, AND A NUMBER OF OTHER VIOLATIONS OF BASIC CIVIC RIGHTS. ACCORDING TO PROVISIONAL FIGURES AVAILABLE FROM THE VICARIATE OF SOLIDARITY, THERE WERE APPROXIMATELY 3,300 PEOPLE DETAINED BY SECURITY FORCES FOR PARTICIPATING IN POLITICALLY MOTIVATED DEMONSTRATIONS DURING THE FIRST 6 MONTHS, WITH APPROXIMATELY 2,700 OF THESE

W. J. Kelly

CONFIDENTIAL

CONFIDENTIAL

STATE

86 1636437 SCO

PAGE 002
TOR: 260026Z JUL 86NC 1636437
SANTIA 04882

.....

OCcurring IN THE SECOND QUARTER OF THE YEAR. BY COMPARISON DURING THE LAST SIX MONTHS OF 1985, THE BEST PERIOD OF COMPARISON SINCE THE STATE OF SIEGE WAS IN EFFECT FOR THE FIRST HALF OF 1985, A TOTAL OF 3,920 WERE DETAINED FOR SIMILAR REASONS.

3. CHARGES OF TORTURE CONTINUE TO BE MADE BEFORE THE COURTS, WITH AT LEAST 14 SUCH CASES BEING REPORTED AS OF THE END OF MAY IN SANTIAGO ALONE. OTHER CASES HAVE BEEN REPORTED IN OTHER AREAS OF THE COUNTRY, BUT FIRM EVIDENCE ON THESE CASES HAS NOT AS YET BEEN RECEIVED BY THE VICARIATE OF SOLIDARITY. IN ADDITION, AT LEAST 22 PEOPLE HAVE BEEN KNOWN TO HAVE DIED AS THE RESULT OF VIOLENCE ASSOCIATED WITH POLITICAL UNREST. THIS INCLUDES THE 8 PEOPLE WHO DIED DURING THE JULY 2-3 GENERAL STRIKE, AS WELL AS THE MEMBERS OF THE SECURITY FORCES WHO HAVE BEEN ASSASSINATED DURING THE FIRST 6 MONTHS.

C O N F I D E N T I A L SECTION 02 OF 05 SANTIAGO 04882

E.O. 12356: DECL: OADR
TAGS: PHUM, PREL, KPRP, CI
SUBJ: HUMAN RIGHTS REVIEW: THE FIRST SIX

4. ONE OF THE MORE DISTURBING FEATURES OF THE HUMAN RIGHTS ARENA HAS BEEN THE RETURN OF THE USE OF MASSIVE SWEEPS OF POOR NEIGHBORHOODS BY SECURITY FORCES. BEGINNING IN LATE APRIL, THE GOC HAS CONDUCTED AT LEAST 12 SUCH SWEEPS AFFECTING 36 DIFFERENT NEIGHBORHOODS. THE USUAL MANNER IS FOR THESE SWEEPS TO BEGIN IN THE EARLY MORNING HOURS WITH THE MILITARY SURROUNDING THE NEIGHBORHOOD WITH TANKS, ARMoured CARS, AND ARMED SOLDIERS DRESSED IN BATTLE GEAR AND WITH THEIR FACES COVERED WITH CAMOUFLAGE PAINT. ON OCCASIONS THE ELECTRICITY AND TELEPHONE SERVICE TO THE NEIGHBORHOOD IS CUT OFF.

DURING THESE SWEEPS ALL MALES BETWEEN THE AGES OF 16 (SOMETIMES 14) AND 60 ARE TAKEN TO A NEARBY OPEN SPACE, OFTEN A FOOTBALL FIELD, WHERE THEY ARE DETAINED UNTIL THEIR IDENTITIES HAVE BEEN CHECKED,

CONFIDENTIAL

CONFIDENTIAL

STATE

86 1636437 SCO

PAGE 003
TOR: 260026Z JUL 86NC 1636437
SANTIA 04882

AND THEY ARE CLEARED OF ANY PENDING CHARGES BY THE POLICE OR OTHER SECURITY FORCES. < THESE 12 SWEEPS RESULTED IN SOME 129,000 PEOPLE BEING TEMPORARILY AFFECTED, EITHER BY BEING QUESTIONED ABOUT THEIR IDENTIFY OR BY HAVING THEIR HOUSES SEARCHED, WHILE REPORTS VARY, MANY OF THOSE AFFECTED HAVE CHARGED THAT THE MANNER IN WHICH THE SWEEPS ARE CARRIED OUT HAVE BEEN DEHUMANIZING AND HARSH. ACCORDING TO FIGURES GATHERED BY HUMAN RIGHTS GROUPS, OF THE 129,000 AFFECTED, 22,393 WERE DETAINED FOR QUESTIONING, 1,733 WERE HELD FOR FURTHER QUESTIONING, AND 8 WERE ULTIMATELY ARRESTED FOR VARIOUS CHARGES. (THE VICARIATE OF SOLIDARITY, HOWEVER, PUTS THE NUMBER OF ARRESTED AT 7. WE HAVE NO EXPLANATION AS TO WHY THEIR FIGURE ON THIS DIFFERS FROM THAT OF THE CHILEAN HUMAN RIGHTS COMMISSION.)

5. THE GOC JUSTIFIES THESE SWEEPS AS NECESSARY TO SEARCH FOR TERRORISTS AND THEIR ARMS CACHES, WHICH ARE GENERALLY HIDDEN IN THE OUTSKIRTS OF THE CITY. THERE HAVE BEEN PRESS REPORTS OF SEVERAL SUCH ARMS CACHES BEING DISCOVERED DURING THESE SWEEPS. THE GOC ALSO NOTES THAT THE SWEEPS ARE CARRIED OUT IN A MANNER WHICH REDUCES THE AMOUNT OF BOTHER TO THE INNOCENT. IT ALSO CLAIMS THAT MANY OF THE SWEEPS ARE THE RESULT OF PLEAS BY NEIGHBORHOOD LEADERS CALLING FOR STRONG GOC ACTION TO STAMP OUT DELINQUENT BEHAVIOR IN THE NEIGHBORHOODS. HUMAN RIGHTS GROUPS CHARGE THAT THE SWEEPS ARE DISCRIMINATORY, IN THAT THEY ONLY AFFECT THE POORER AREAS OF THE CITY. THEY FURTHER CHARGE THAT THE SECURITY FORCES USE UNNECESSARY VIOLENCE IN DETAINING THE MALES IN THE AREA, AND IN SEARCHING THE HOMES. OFTEN THESE FORCES ARE CHARGED WITH STEALING THE FEW POSSESSIONS OWNED BY THESE POOR PEOPLE, A CHARGE WHICH THE GOVERNMENT STRONGLY DENIES AS

C O N F I D E N T I A L SECTION 03 OF 05 SANTIAGO 04882

E.O. 12356: DECL: OADR
TAGS: PHUM, PREL, KPRP, CI

CONFIDENTIAL

CONFIDENTIAL

STATE

86 1636437 SC0

PAGE 004
TOR: 260026Z JUL 86NC 1636437
SANTIA 04882

SUBJ: HUMAN RIGHTS REVIEW; THE FIRST SIX

COMMUNIST PROPAGANDA. FINALLY, THE HUMAN RIGHTS GROUPS CHARGE THAT THE REAL INTENT OF THE SWEEPS IS TO INSTILL A SENSE OF TERROR AND FEAR IN THE PEOPLE LIVING IN THESE POOR AREAS, NOTING THAT THE GOVERNMENT HAS PRODUCED LITTLE EVIDENCE AND FEW ARRESTS TO SUPPORT ITS CLAIM THAT THE SWEEPS ARE AIMED AT TERRORISTS.

6. ANOTHER NOTABLE FEATURE OF THE HUMAN RIGHTS ARENA SINCE MARCH HAS BEEN THE APPEARANCE OF ARMY PERSONNEL IN BATTLE GEAR AND PAINTED FACES TO PARTICIPATE IN CONTROLLING DEMONSTRATIONS. THE EPITOMY OF THIS WAS THE DEMONSTRATION CARRIED OUT BY THE ARMY ON MAY 20, WHEN THEY CUT OFF ALL ACCESS INTO AND OUT OF THE CENTRAL PART OF SANTIAGO AS PART OF AN EFFORT TO CONTROL THE POSSIBILITY OF VIOLENT INCIDENTS ASSOCIATED WITH AN INTERNATIONAL MEETING OF PARLIAMENTARIANS. THE USE OF ARMY PERSONNEL, WHO ARE REPORTEDLY UNTRAINED IN HANDLING PEACEFUL DEMONSTRATIONS BY CIVILIANS, HAS CAUSED WIDESPREAD CRITICISM OF THE MILITARY, AND HAS LED TO THE CHARGE THAT THE ARMY APPEARS TO BE AT WAR WITH THE REST OF THE NATION. A NUMBER OF DEATHS OF DEMONSTRATORS, OR INNOCENT BYSTANDERS, HAVE BEEN BLAMED ON THESE TROOPS.

7. ON THE POSITIVE SIDE, THE GOVERNMENT DID ANNOUNCE EARLIER IN THE YEAR THAT IT WAS ALLOWING THE OPPOSITION TO BEGIN PRINTING ITS OWN DAILY NEWSPAPER ON MARCH 11, 1987. THE GOVERNMENT ALSO RELAXED THE BAN ON THE REPORTING OF NEWS CONCERNING THE ACTIVITIES OF POLITICAL PARTIES, WHICH WAS A RECOGNITION OF THE FACT THAT THE MEDIA HAD BEEN REPORTING THESE EVENTS ANYWAY. THE GOVERNMENT ALSO ESTABLISHED A HUMAN RIGHTS COMMISSION TO ADVISE THE MINISTER OF INTERIOR AND TO INVESTIGATE INCIDENTS INVOLVING TORTURE, ILLEGAL ARRESTS AND TERRORIST ACTIONS. WE VIEW THIS AS A POSITIVE STEP IN RECOGNIZING THAT THERE ARE PROBLEMS IN THE HUMAN RIGHTS AREA, BUT WILL RESERVE

CONFIDENTIAL

CONFIDENTIAL

STATE

86 1636437 SCO

PAGE 005
TOR: 260026Z JUL 86

NC 1636437
SANTIA 04882

ANY FINAL JUDGEMENT ON THE EFFICACY OF THIS
CONFIDENTIAL SECTION 04 OF 05 SANTIAGO 04882

E.O. 12356: DECL: OADR
TAGS: PHUM, PREL, KPRP, CI
SUBJ: HUMAN RIGHTS REVIEW: THE FIRST SIX

COMMISSION UNTIL IT HAS HAD TIME TO FUNCTION. FINALLY, CHILE HAS BEEN VERY OPEN TO VISITS BY A WIDE VARIETY OF HUMAN RIGHTS GROUPS, WHO HAVE ALL HAD READY ACCESS TO THE PRISONS, TO LOCAL HUMAN RIGHTS GROUPS, AND TO ALL OF THOSE WHO MAY HAVE COMPLAINTS IN THIS AREA. THE IMPRESSION GIVEN IS THAT CHILE IS NOT A CLOSED SOCIETY TRYING TO HIDE SOMETHING, BUT IS RELATIVELY OPEN IN ALLOWING OUTSIDERS TO PROBE BENEATH THE SURFACE TO ESTABLISH EXACTLY WHAT IS HAPPENING IN THE COUNTRY.

8. WHILE THIS REVIEW WAS TO HAVE COVERED ONLY THE FIRST SIX MONTHS OF 1986, THE EVENTS OF JULY HAVE IN MANY WAYS OVERSHADOWED THE EVENTS OF THESE SIX MONTHS. THE GENERAL STRIKE OF JULY 2 AND 3, AND THE RESULANT DEATHS OF 8 PEOPLE, INCLUDING THE THE HUMAN RIGHTS SCENE. THE SCRIMMAGES WHICH TOOK (#)

BEEN LOST IN THE EMOTIONAL UPROAR CREATED IN THE AFTERMATH OF THE GENERAL STRIKE. THE DETENTION OF THE 16 LEADERS OF THE NATIONAL CIVIC ASSEMBLY ON CHARGES THAT THEY MAY HAVE VIOLATED THE STATE SECURITY LAW, AND THE REFUSAL OF THE COURTS TO RELEASE THEM ON BAIL; THE DETENTION OF THREE DOCTORS AND A VICARIATE OF SOLIDARITY LAWYER FOR HAVING AIDED A WOUNDED MAN WHO WAS REPORTEDLY INVOLVED IN A TERRORIST ACTION WHICH KILLED A CARABINERO; HAS BEEN CONTRASTED NEGATIVELY WITH THE LEVI- ENT TREATMENT OF THE MILITARY PERSONNEL WHO WERE APPARENTLY INVOLVED IN THE BURNING DEATH OF A LONG-TIME U.S. RESIDENT ON JULY 2. THE PRESENT MOOD IN THE HUMAN RIGHTS COMMUNITY IS VERY DEPRESSED, WITH A GROWING FEELING OF HOPELESSNESS DUE TO THE FAILURE (AS THEY SEE IT) OF THE JUDICIAL SYSTEM

CONFIDENTIAL

CONFIDENTIAL

STATE

86 1636437 SCO

PAGE 006
TOR: 260026Z JUL 86NC 1636437
SANTIA 04882

TO SHOW SOME DEGREE OF IMPARTIALITY IN ALL OF THESE CASES. THERE IS A GENERAL ACCEPTANCE OF THE VIEW THAT THE GAINS MADE IN LATE 1985 IN THE JUDICIAL AREA, SUCH AS THE INVESTIGATIONS BEING CARRIED OUT BY JUDGES CANOVAS AND CERDA, HAVE ALL BEEN DESTROYED BY MORE RECENT RULING OF THE SUPREME COURT AND BY JUDGE ECHAVARRIA'S DECISION ON THE BURN CASE. AS JESUIT PRIEST RENATO HEVIA HAS DESCRIBED IT, THERE IS INCREASING FRUSTRATION BEING VOICED BECAUSE THE OPPOSITION NOW FEELS THAT THE POSSIBILITY OF USING THE JUDICIAL SYSTEM TO HELP BRING ABOUT A PEACEFUL CHANGE IN THE GOVERNMENT APPEARS TO HAVE BEEN DASHED.

9. THE GOC'S RESPONSE TO THE VOLIO REPORT DOES LITTLE TO REINFORCE ANY POSSIBILITY OF CHANGE IN THE GOC'S ATTITUDE TOWARDS HUMAN RIGHTS. THE RESPONSE IS BASICALLY A LENGTHY, HEAVILY-DOCUMENTED DEFENSE OF THE GOC'S HUMAN RIGHTS RECORD, WHICH QUOTES EXTENSIVELY FROM THE LAW TO SHOW THAT HUMAN RIGHTS VIOLATIONS ARE NOT ALLOWED TO TAKE PLACE IN C O N F I D E N T I A L SECTION 05 OF 05 SANTIAGO 04882

E.O. 12356: DECL: OADR
TAGS: PHUM, PREL, KPRP, CI
SUBJ: HUMAN RIGHTS REVIEW: THE FIRST SIX

CHILE. THE ENTIRE HUMAN RIGHTS PICTURE IS SAID TO BE ERRONEOUS SINCE IT IS BEING DIRECTED BY INTERNATIONAL COMMUNISM IN AN EFFORT TO SUBVERT THE CHILEAN GOVERNMENT. TERRORISM DIRECTED BY INTERNATIONAL COMMUNISM IS THE CAUSE FOR ALL OF THE HUMAN RIGHTS PROBLEMS IN CHILE, BUT THE INTERNATIONAL COMMUNITY HAS BEEN MISLEAD BY THE COMMUNISTS TO MAKE THE GOC OUT AS THE VILLAIN, WHEN IN FACT IT IS THE VICTIM. THIS DETAILED REITERATION OF THE GOC'S POSITION ON HUMAN RIGHTS APPEARS TO INDICATE THAT THE HARD LINERS WITHIN THE GOC CONTINUE TO BELIEVE THAT THE ENTIRE HUMAN RIGHTS MATTER WOULD GO AWAY IF FOREIGNERS WOULD CEASE SUPPORTING THIS COMMUNIST PLOT AGAINST CHILE.

CONFIDENTIAL

CONFIDENTIAL

STATE

86 1636437 SC0

PAGE 007
TOR: 260026Z JUL 86NC 1636437
SANTIA 04882

10. ~~AT THIS POINT, WE SEE LITTLE LIKELIHOOD THAT THE GOC WILL CHANGE ITS ATTITUDE TOWARDS HUMAN RIGHTS. IT APPEARS TO FIRMLY BELIEVE THAT IT IS THE VICTIM OF A PLOT, AND THAT IT MUST STAND FIRM AGAINST THOSE WHO DO NOT UNDERSTAND THE TRUE NATURE OF THIS PLOT.~~ THE EVENTS SURROUNDING THE DEATH OF THE BURN VICTIM, AND THE FUNERAL, HAVE OBVIOUSLY HARDENED THE ATTITUDES OF THOSE WITHIN THE GOVERNMENT WHO ACCEPT THIS VIEW OF THE SITUATION, AND IT WILL BE INCREASINGLY DIFFICULT TO OVERCOME THIS PERCEPTION OF THE WORLD. ~~THUS, WE ARE INCLINED TO THINK THAT THE REMAINDER OF 1986 WILL SHOW LITTLE IMPROVEMENT IN THE HUMAN RIGHTS ARENA. IF THE OPPOSITION FOLLOWS THE USUAL PATTERN OF THE PAST FEW YEARS, THERE WILL BE A SERIES OF ANTI-GOVERNMENT DEMONSTRATIONS IN SEPTEMBER, OCTOBER AND NOVEMBER. THIS WILL UNDOUBTEDLY LEAD TO FURTHER ATTEMPTS BY THE GOVERNMENT TO REPRESS THESE TYPES OF UNAUTHORIZED ACTIVITIES, AND THERE WILL MOST LIKELY BE MORE DEATHS AND INJURIES TO REPORT.~~ BARNES

END OF MESSAGE

CONFIDENTIAL