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United States Senate

85-0819X

SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510

86-0603
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ROBERT DOLE, KANSAS, EX OFFICIO
ROBERT C. BYRD, WEST VIRGINIA, EX OFFICIO

BERNARD F. McMAHON, STAFF DIRECTOR
ERIC D. NEWSOM, MINORITY STAFF DIRECTOR

February 20, 1986

The Honorable William J. Casey
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Bill:

We have received the enclosed letter from Senator Kennedy requesting the assistance of the Select Committee in clarifying the role of the Chilean government in organizing demonstrations against him during his visit to Chile on January 15-16. We have been informed that Senator Kennedy was briefed on intelligence reports on this matter just prior to his arrival in Santiago, and also that the Senator, his staff and others have publicly alleged that the Chilean government had a role in organizing the demonstrations and have described in some detail the nature of government involvement.

Senator Kennedy has requested that the Committee study this matter and report to the Senate on the role of the Chilean government. Senator Kennedy would like some part of the Committee's conclusions in this matter to be made public. At the outset, we propose to begin by requesting copies of all intelligence reports pertaining to this matter produced by the CIA or other U.S. intelligence agencies. If it becomes necessary, we would also appreciate your support in arranging briefings of Committee staff to obtain any further background information that may be relevant.

The State Department has apparently been unwilling to endorse Senator Kennedy's allegations concerning the role of the Chilean government, in part because intelligence sources and methods might be revealed by acknowledging U.S. government information in this area. We would like to have your opinion on whether it would be possible for the U.S. government to make a statement about the fact, nature and extent of Chilean government involvement without jeopardizing U.S. intelligence sources. (It appears that considerable information has already been made public about this affair, including through Chilean press reports.)

The Honorable William J. Casey
February 20, 1986
Page Two

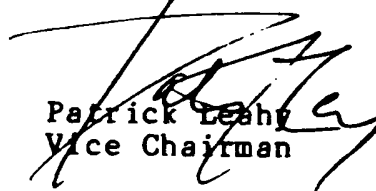
As Senator Durenberger stated in the Congressional Record on January 30 (copy attached), it is extremely important that the causes of the demonstrations in Chile be determined and responsibility for them established. The Senate and the rest of the U.S. government must take very seriously the threat to one of our elected representatives created by a government which had permitted his visit and provided assurances as to his safety.

Thank you for your attention to this matter.

Sincerely,



Dave Durenberger
Chairman



Patrick Leahy
Vice Chairman

Enclosures

United States Senate

WASHINGTON, D.C. 20510

February 10, 1986

Senator Dave Durenberger
Chairman
Senate Select Committee on Intelligence
United States Senate

Dear Dave:

I am writing to request the assistance of your Committee on a matter of importance to me personally but also of some importance to the United States Senate as an institution.

The purpose of this letter is respectfully to request the Senate Select Committee on Intelligence, after reviewing the available information, to report to the Senate about the Chilean Government's responsibility for and involvement in the planning and organizing of demonstrations that occurred in Santiago, Chile at the time of my trip to that country on January 15-16, 1986.

If it is necessary to classify this report, I would be grateful if the Committee would also issue an unclassified summary of conclusions reporting the degree of the involvement of the Chilean Government -- if any -- in organizing these demonstrations.

Thank you for your help on this.

Very truly yours,



Edward M. Kennedy

in the location of the closed hearing previously scheduled before the Committee on Energy and Natural Resources on Thursday, February 27, at 10 a.m. The hearing will take place in room SH-219 of the Senate Hart Office Building in Washington, DC. The purpose of the hearing is to receive a briefing with respect to negotiations on Micronesian status.

For further information, please contact Jim Beltrne at (202) 224-2584.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON STRATEGIC AND THEATER NUCLEAR FORCES

Mr. DANFORTH. Mr. President, I ask unanimous consent that the Subcommittee on Strategic and Theater Nuclear Forces, of the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, January 30, 1986, in order to conduct a hearing on antitactical ballistic missile defenses.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DANFORTH. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, January 30, 1986, in closed executive session, in order to receive an intelligence briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER, AND RESOURCES CONSERVATION

Mr. DANFORTH. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands, Reserved Water, and Resource Conservation of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, January 30, to hold a hearing on Senate Joint Resolution 221 and House companion House Joint Resolution 382, to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project and H.R. 3851, to amend section 901 of the Alaska National Interest Lands Conservation Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DANFORTH. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Thursday, January 30, 1986, in order to receive testimony on the Farmers Home Administration loan servicing regulations and a General Accounting Office report on FmHA's farm loan portfolio.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

THE CHILEAN HUMAN RIGHTS COMMISSION

Mr. DURENBERGER. Mr. President, the Chilean Human Rights Commission was founded in 1978 by Dr. Jaime Castillo and other prominent Chileans from various fields seeking a secular human rights organization to monitor violations of human rights and to work to restore the rights guaranteed in the international human rights treaties that Chile has signed.

Since its founding, and despite the many obstacles placed in its path by Chile's military government, the Commission's accomplishments have been impressive. The Commission has established a network of human rights organizations throughout Chile. With the support of these regional groups, the Commission monitors the status of human rights and publishes monthly informational bulletins. The Commission is one of the most highly respected organizations in Chile and has been accepted as an affiliate of several leading international human rights organizations, such as: the International Commission of Jurists, Geneva; the International Federation of Human Rights, Paris; and the International League for Human Rights, New York.

The Commission's President, Dr. Castillo, served as Minister of Justice in the Christian Democratic government of President Eduardo Frei in the late 1960's and early 1970's. Maximo Pacheco Gomez, the Commission's Vice President since 1978, was the Minister of Education in President Frei's government and served as the dean of the faculty of law at the University of Chile in Santiago.

Since last August, it appears that the government of President Augusto Pinochet has intensified its pressure against the Commission and its affiliates. In August, Chilean police temporarily detained Dr. Castillo for reading a proclamation that reminded Chileans of their obligation and right to uphold basic human rights. More than 20 others associated with the Commission were arrested at the same time.

On November 29, the Commission's national offices in Santiago were raided, ransacked, and its documents were confiscated by armed plainclothesmen. One Commission employee was beaten so severely that she required hospitalization. This attack preceded by one week the visit to Chile by the United Nations Special Rapporteur on Chile, Prof. Fernando Vollo of Costa Rica. This attack was just one of more than a dozen similar incidents in 1985 of plainclothesmen attacking Chilean human rights defenders and ransacking their offices.

On January 15, Senator KENNEDY visited Chile to meet with representatives of the democratic opposition and Chilean human rights organizations. Upon his arrival at Santiago, he was confronted by a violent demonstration

by members of the Independent Democratic Union, a pro-Pinochet group. Chilean police did not act to restrain the demonstrators and Senator KENNEDY was forced to leave the airport by helicopter. At the same time, three of the Commission's leaders were approaching the airport and were themselves attacked by UDI demonstrators. Their car was damaged and Dr. Castillo was injured. Once again, Chilean police stood aside and did nothing while the attack was underway. It now appears that high-ranking officials of the Chilean Government were actively engaged in the planning and the implementation of this demonstration. If this is true, President Pinochet's government owes Senator KENNEDY an apology and should conduct a thorough investigation into this incident.

Most recently, Dr. Pacheco and his family have again been the targets of harassment. At noon on January 18, Dr. Pacheco's maid, Rosa Espinoza Baeza, was abducted by plainclothesmen and driven to a remote location on the outskirts of Santiago. She was held and interrogated by her kidnapers for 14 hours, when she was returned to the center of Santiago on the morning of January 19. During Ms. Espinoza's interrogation, her kidnapers' questioning focused on Dr. Pacheco's contacts in the United States and on the January 15 visit of Senator KENNEDY to Chile. It is my hope that the Pinochet government will cease its attacks against the Chilean Human Rights Commission and that it will allow the Commission to conduct its important humanitarian efforts.

Mr. President, I ask that two articles on the Chilean Human Rights Commission as well as two summaries of attacks on the Commission be printed in the RECORD.

The material follows:

PROTEST HINDERS KENNEDY IN CHILE

(By Lydia Chavez)

SANTIAGO, CHILE, Jan. 15.—Senator Edward M. Kennedy, arriving here today on a tour of South America, was forced to leave the airport by police helicopter after dozens of pro-Government demonstrators blocked a highway.

Some of the protesters wore life preservers and carried photographs of Mary Jo Kopechne, who died in the Senator's 1969 automobile accident at Chappaquiddick. The demonstration was organized by the Independent Democratic Union, a party that supports the military Government.

The police, generally fierce with crowds, did little to hinder the protest.

The airport protesters were greatly outnumbered elsewhere by people who warmly welcomed Mr. Kennedy.

In a second incident later in the day, the Massachusetts Democrat's car was struck by a stone and eggs as he left a rehabilitation center after a tour. Jamie Castillo, the president of the Chilean Human Rights Commission, was injured slightly when a stone smashed the window of his car.

President Augusto Pinochet has refused to meet with the Senator, calling him a "enemy" of the people because of his spon-

January 20, 1986

ship of a 1986 amendment banning military assistance to Chile and his strong criticism of the military Government.

"I am told that there are some people who regard me as an enemy of Chile," Mr. Kennedy said. "I am not an enemy of Chileans. I am an enemy of kidnapping, murder and arbitrary arrests."

The Senator, flanked by his sisters Jean Smith and Patricia LaFord, came here for a 24-hour visit.

In the last week, the Senator has met with the Presidents of Brazil, Uruguay and Argentina to talk about the foreign debt crisis that has thrown their fledgling democracies into recessions. In Argentina, he also met with political exiles from Paraguay.

Mr. Kennedy in his airport statement said he would be the first to support renewed aid if "Chile were once again to respect basic human rights." He added that Congress at one time or another has banned aid to Cuba, Guatemala, Nicaragua, Uruguay and Argentina because of present or past abuse of human rights.

The Senator met today with political leaders who recently signed a United States-supported agreement, rejected by the Government, that calls for a return to full democracy here.

Juan Francisco Cardinal Fresno Larrain, who supported the pact, declined to meet with Mr. Kennedy, saying his visit was political, but church sources said he supported the visit. But other church officials, including Raul Silva Cardinal Henriquez, met with the Senator.

ACCOUNT OF INCIDENT AT SANTIAGO AIRPORT ON JANUARY 15 INVOLVING OFFICIALS OF THE CHILEAN HUMAN RIGHTS COMMISSION
(Source: International Friends of the Chilean Human Rights Commission)

On Wednesday, January 15, 1986, at approximately 10:00 a.m., three principal officers of the Chilean Human Rights Commission were assaulted by a mob. Jaime Castillo Velasco, President, Maximo Pacheco Gomez, Vice-President, and Gonzalo Taborga Molina, Director for International Relations were driving from the Santiago airport towards the city. They had gone to the airport to greet Senator Edward Kennedy, Democrat of Massachusetts, who has been a consistent and prominent critic of human rights abuses in Chile during the last decade. The purpose of Senator Kennedy's visit was to meet with Commission members and other human rights groups, church groups, and influential political and social figures, hear testimony of victims of human rights abuse and discuss, in general, the situation of human rights in Chile. Due to the hostile reception that the Senator received at the airport by nearly 500 student protesters of the Independent Democratic Union (UDI), the Senator had to leave the airport by police helicopter for security purposes.

Dr. Pacheco and Dr. Castillo in the front seats and Gonzalo Taborga in the rear, were driving together with a long line of existing vehicles slowly along the road from the airport. A crowd of highly charged protesters was chanting "Ted go home." One kilometer from the airport itself, and not quite 10 meters from a Carabinero station, one of the protesters spotted Dr. Pacheco's car and shouted, "Here comes Castillo and Pacheco." Within moments the Commission members found themselves surrounded by approximately 100 armed individuals, some reportedly students of the UDI, others belonging to different youth groups. The protesters, who were well organized, began to throw rocks, sticks and eggs at the vehicle,

thus breaking all the windows. One rock struck Dr. Castillo in the back of the neck and bits of shattered glass cut his head, face and back.

During this entire incident civilian police officers of the Carabineros standing close by did nothing; they neither moved to protect the Commission members nor attempted to break up the menacing crowd. In fact, according to the testimony of Maximo Pacheco, the protesters acted while the Carabineros were "absolutely passive." Dr. Pacheco believes that if he had been hit and did not advance the car, the crowd would have killed them.

However, the Commission members succeeded in escaping from the mob, and Dr. Castillo was quickly taken for medical treatment. The vehicle they drove is estimated to have sustained substantial damage.

The Chilean Human Rights Commission fears that similar incidents may happen again. On November 29, 1985, the national offices of the Commission were ransacked by armed intruders who beat an employee so severely she had to be hospitalized. In Chilean newspapers the UDI's organizers stated that their actions of January 15 "met with great success" and that they were very satisfied with the results of the day.

Dr. Pacheco commented on the latest incident: "It is a sad state of affairs when we cannot even greet an American Senator without risking our lives."

(From the New York Times, Dec. 7, 1985)

GUNMEN IN CHILE SAID TO STEAL RIGHTS DOCUMENTS

(By Robert O. Boorstin)

Armed gunmen in the Chilean capital of Santiago stormed into the office of the nation's leading human rights group and removed documents that had been compiled for a United Nations investigation, members of the group said this week.

The commission members said the assailants beat the wife of an employee of the Chilean Commission on Human Rights and ransacked the offices in central Santiago during the attack last week.

Human rights commission members and officials of the New York-based International League for Human Rights said that although they could not identify the gunmen, recent patterns of human rights abuses in Chile suggested that they might have been operating with the knowledge of the Government of President Augusto Pinochet.

"This is a special kind of harassment," German Molina, national secretary of the commission, said Wednesday in a telephone interview from Santiago.

GROUPE LOGS RIGHTS ABUSES

The commission, established in 1978, is made up of prominent Chileans attempting to catalogue human rights abuses and seek judicial remedies.

Juan Prado, press attaché of the Chilean Embassy in Washington, said charges of intimidation by groups connected to the Government were "silly" and "stupid."

"I find absurd and completely devoid of logic," he said, "that anybody in his right sense of mind would commit such an assault in Santiago on the eve of the visit by a representative of the United Nations."

The visit by the investigator, Prof. Fernando Volio, would mark the first time in the six-year history of the special investigator's position that the Pinochet Government had agreed to permit a United Nations investigator to go to Chile to collect information on human rights. Mr. Volio is a former Foreign Minister of Costa Rica.

In a telegram to General Pinochet on Wednesday night, the New York-based

International Friends of the Chilean Human Rights Commission urged appropriate authorities to "undertake a full investigation and prosecute the perpetrators."

The recently formed group of former and current public officials includes the chairman of the Senate Select Committee on Intelligence, Dave Durenberger, Republican of Minnesota, and is headed by former Secretary of State Cyrus R. Vance.

In a related development, the Reagan Administration urged the Pinochet Government on Thursday to accept the recommendations of the United Nations report by Mr. Volio. The report calls for increased protection for church and human rights activists, an end to the practice of internal banishment of anti-Government activists and the strengthening of judicial procedures.

ACCOUNT OF RANSACKING OF CHILEAN HUMAN RIGHTS COMMISSION OFFICE ON NOVEMBER 29

On Friday morning, November 29, 1985, at approximately 8:45 a.m., two men armed with revolvers rang the doorbell of the Chilean Commission for Human Rights Marina Rodriguez, the 43-year-old caretaker (condadora) answered and was told that they had a letter to deliver to the secretary of the Commission, Bessi Saavedra Sra. Rodriguez, who lives on the premises with her family, advised them that the Commission would not open to the public until 10:00 a.m.

The men then pushed her aside violently. One beat her with his fists and revolver causing a concussion. The other intruder went straight to the secretary's office. He broke down the door and destroyed the furniture within the room. He was allegedly searching for some "special document."

The caretaker's two daughters, 20 and 22 years old, respectively, tried to help their mother and carry her to the apartment in the same building. The men threatened them with death.

The two attackers then entered other Commission offices "searching for an employee" and proceeded to destroy archives and correspondence of the Commission. When they left, 25 minutes later, they took with them two private, confidential address-telephone books and three documents which the Commission planned to publish: "The Rights to the Physical and Moral Integrity of Individuals Under the 1980 Political Constitution"; "The Organic Law Regarding States of Exception"; and "Terrorism, Antiterrorism and Human Rights."

Marina Rodriguez testified that while being beaten her attackers shouted "Now you will know the hand of the CNI." (The CNI, (Central Nacional de Informaciones, or the National Intelligence Agency) is the Chilean secret security police force identified by international organizations as the agency linked to torture and other human rights abuse.) To date, the police investigation of the attack on the Commission reported that this was a common crime, although nothing of material value was taken. Sra. Rodriguez is still hospitalized in the Costa Rodriguez Hospital in Santiago.

Source: International Friends of the Chilean Human Rights Commission. ©

INTERNATIONAL TRADE 1985

● Mr. LUGAR, Mr. President, this morning the Department of Commerce announced preliminary U.S. trade results for December 1985 and all of 1985. The news is not very positive. In December the U.S. trade deficit was \$17.4 billion and for the year the trade deficit was \$149 billion. This

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