

CHILE

E X T E R N A L

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NOTE: The Research Department of the International Secretariat of Amnesty International has prepared this document for the information of Amnesty International membership working on the organization's concerns in Chile. The information contained in the paper has been obtained from public sources, and AI members may make it available to non-AI members.

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We hope you will find this second update useful. Please let us know what you think about it and whether you think we could include more information, or whether you feel you need information about different things.

APPOINTMENT OF MINISTROS EN VISITA (SPECIAL INVESTIGATING JUDGES) TO LOOK INTO THE CASES OF DISAPPEARED PRISONERS

As reported in the last Update on Chile at the end of February, priests of the Archbishopric of Santiago (Vicarios Episcopales) petitioned the Supreme Court in November 1978 asking that a special investigating judge (Ministro en Visita Extraordinaria) be appointed by each of the eleven Courts of Appeal to look into the cases of 651 disappeared prisoners. (The eleven courts are in the following places: Iquique, Antofagasta, Copiapó, Valparaiso, Santiago, Rancagua, Talca, Chillán, Concepción, Temuco and Valdivia.)

On 24 March 1979, the President of the Supreme Court, Dr. Israel Bórquez, announced the decision of the Supreme Court to appoint just five Ministers en Visita for the areas of Santiago, Rancagua, Chillán, Concepción and Temuco. At the same time instructions were given to eleven courts (out of a total of 14 in the whole country) to begin investigations if there was sufficient evidence to base them on. This agreement included those cases which had been temporarily closed.

The text of the agreement to appoint the five judges shows serious limitations on the work they will be able to do. In particular it is stated that those cases which were in the process of investigation in the courts and which had been temporarily closed because the case could not proceed, could not be re-opened by the judge except where there was new evidence which could be presented. The text also mentions 67 people by name, and orders that their cases be investigated.

Of the 67 persons mentioned by name, only 41 actually appear on the list of disappeared prisoners issued by the Vicaría de la Solidaridad, and of the 41, nine are known to have criminal records or are wanted by the police for criminal offences. These cases are apparently not related to the problem of disappearances and might be used to confuse public opinion. This inclusion of persons who have never been cited as disappeared by the Vicaría de la Solidaridad or by international organizations seems to be an attempt on the part of the Chilean authorities to detract from the seriousness of the petition.

LOMBER

Of the remains found in the area at Lompoc, it was possible subsequently to identify 16 people positively. All those identified had disappeared following their arrest by security forces in the investigation September/October 1975. It has not been made clear whether the remains found at Lompoc, or whether in fact there exist other remains that have not been positively identified.

The names of those identified are as follows:

- Carlos Sepulco HERRANDEZ Flores)
- Melchor HERRANDEZ Flores)
- Oscar Nolasco HERRANDEZ Flores)
- Enrique Rene APPELLLO Alvarez)
- Ruben APPELLLO Rojas)
- Osar APPELLLO Rojas)
- Sergio Adrian MACHERA Lillo)
- Rochelio Antonio MACHERA Maffon)
- Armando Sepulco MACHERA Maffon)
- Juan Manuel MACHERA Maffon)
- Sergio Miguel MACHERA Maffon)

These brothers

Father and two sons

Father and four sons

These eleven people were from the Isla de Huapco, a small agricultural community which is in the Talapanda district of the province of Santiago. They were all arrested on 7 October 1975, and subsequently "disappeared". All had taken up their staves as abolitionists.

- Guillermo HURTADOQUE Sobrio
- Miguel Angel MONT Bustamante
- Manuel Jesus MONTANO Bustamante
- Nolan GONZALEZ Lomas
- Juan Manuel HERRERA Villacort

- Arrested on 14 September 1975
- Arrested on 7 October 1975
- Arrested on 7 October 1975
- Arrested on 7 October 1975
- Arrested on 7 October 1975

These parents were also from Isla de Huapco.

La Secunda, 14 February 1975

"Family identifies clothing in Lompoc case"

"A young woman from the Isla de Huapco, who, accompanied by her sisters-in-law the YLENE MALARCA Adelfa Infante and AFFRATA from Brevintajuntas, visited the Santhia's Mission (Santhia Medical Institute) - where the clothes and remains found at Lompoc were taken - told its Sepulca prosecutor that she was able to identify different pieces of clothing as belonging to her father, Sergio Adrian MACHERA Lillo: a short-sleeved length jacket, dark-grey coloured, with two rows of black buttons, a blue jacket, dark blue shirt, green socks and moccasins....from my brother Juan Manuel we found a thick wool vest and moccasins blue pointed...."

During the course of investigations, Visiting Minister Adolfo Bañados interviewed a number of police officers from the Isla de Maipo force, among them Police Captain Lautaro Castro Mendoza whose name had appeared on the order issued for the transfer of the Hernandez, Astudillo and Maureira family members to the National Stadium, Santiago on the day after their arrest. There was much speculation as to whether the Visiting Minister would be obliged to declare himself incompetent to deal with the case if the participation of government security forces in the events were to be proved. On 2 March, Adolfo Bañados declared (as reported in El Mercurio): "Next week I will decide on my possible incompetence to go on investigating the case of the discovery of bodies in the Lonquen mine. In the meantime I go on with the investigation as the law demands"....he confirmed that "he would only declare himself incompetent to go on investigating the case if the participation of carabineros (uniformed police) in the affair was proved."

On 9 March, Bañados received an official warning from the Supreme Court after a meeting of the plenary of the Court "that he must abstain in future from making statements on this investigation since it is subjudice".

It was not until 29 March that the Visiting Minister was presented with the official report on the findings by the Legal Medical Institute. The Mercurio reports it thus: "The Visiting Minister, Adolfo Bañados Cuadra, yesterday began to study the report that he received from the Director of the Legal Medical Institute, Dr Claudio Molina, which relates to the analysis carried out by specialists on the human remains found in the Lonquen mine. The document has two hundred pages and its content has not been made known to the general public because of the secret nature of the investigation."

It was on 4 April that Bañados declared himself incompetent to carry on with the investigation: "Visiting Minister Adolfo Bañados Cuadra who is investigating the discovery of 45 bodies in the Lonquen lime quarry, declared himself incompetent two days ago to go on with the investigation and handed over all the papers relating to the case to military justice.... the incompetence of Bañados was no doubt due to the fact that 'people who come under military jurisdiction might have been involved in the events'".

The papers relating to the investigation were handed over to the Military Judge of Santiago, Brigadier General Enrique Morel Donoso, who will carry on with the investigation. In a communiqué issued on 12 April, the commanding officers of the Chilean Army said: "Neither the Military Judge nor the Attorney will make any statement while the investigation is still subjudice." The following are extracts from an article which appeared in the magazine 'Solidaridad' published by the Vicaría de la Solidaridad which focusses particularly on the plight of the Maureira, Hernandez and Astudillo families:

"The idea of a common grave where those without a name, without a family, end up, seems to us violent, unjust and inhuman. However, sectors of the population have begun to accustom themselves to the idea that 15 bodies were found - after a long search - in an abandoned lime quarry. Fifteen human beings were buried there - not only was their right to life trampled on, but also their right to die and have a decent burial...."

"There are those, disregarding the right of men to live and die in peace, who have pointed only to how 'prejudicial' it is for the whole country that exhumation of bodies should have started, and that we should be examining in long and public investigations the actions of officials who were acting in a state of war, and who proceeded to establish public order and tranquility with the methods of military occupation".

Comments from family members

"These things are true. It is not a lie. Because what we were finding out (before the ban on publicity) is exactly what we have been asking justice for for so many years: where are they? And they were only a few steps away. That hurts and it is bad that they don't let the facts be known."

"Five years of living in hope, imagine it. Wondering whenever you have lunch, if they are having lunch, if they are hungry with the winter cold. On the other hand now I am calmer now I know that God has them in heaven, and I ask you to pray for the children I have left, to pray for me and for the other disappeared prisoners....."

"Suddenly it seemed that I could see them coming, above all when they announced on the radio that another eighteen would be freed, that at new year they would be freeing prisoners They released a hundred, but the children did not appear, nor did any of those from this area....."

"Now no one dares to claim anything. What they (the bosses) say is done. In the last few years they have made the children, who should be going to school, work. They don't pay them insurance, they don't pay them anything and people are left unemployed, without a job. The parents have to let them work, they take them out of college and make them work for periods."

Further quote from an editorial in Solidaridad regarding the application of the amnesty decree law to these cases: "El Mercurio in an editorial on 11 March justifying the ban on publicity for the case said "A wide amnesty has been established which covers both parties in the fight in order to stop this disinterment and search for blame and guilty ones in an action that was supported by quite a few of those who are now condemning only those who acted against communism and extremism from the extreme left. There is no way of sanctioning the possible guilty ones if it is evident that these events occurred in a period covered by the amnesty. The disinterment has thus more political effect than judicial or penal".

Final comment from a relative: "What we want is justice, that they find who was responsible for killing my husband and I can explain it to my son who was only a year old when his father was arrested....."

AN INTERVIEW WITH CORINA MAUREIRA, PUBLISHED IN CHILE-AMERICA (MARCH-APRIL-MAY 79)
(TRANSLATED AT THE INTERNATIONAL SECRETARIAT)

A daughter of Adriaen Maureira Lillo has been in Europe for two months in an attempt to obtain the help of international organisations in clarifying the very real tragedy of her family of which the father and four brothers were killed by policemen.

Her name is Corina Maureira Muñoz, she is about 25 years old and is a typical young peasant girl from the central region, dark, with very lively eyes, with a certain shyness. Her story is a pathetic one:

"Our village, Isla de Maipo, has about 1,500 inhabitants and we were all friends there, including the policemen. We lived in one of the houses on the Naguayan estate, a vineyard belonging to the farmer Jose Celso. There were about 100 people working on this vineyard, most of them agricultural workers. During President Allende's government they formed a trade union but there were no serious problems with the boss. My father was one of the leaders, but my brothers were only members of the union and did not belong to any party. One of them worked in Santiago. When they arrested him he was visiting the house because he was married. I think my father was first a member of the API, señor Tarud's party. But later he joined MAPU Obrero y Campesino because he liked it better."

"We had a quiet life. My father had bought a tractor from doña Ana Celso, the boss's sister, and it was used by one of my brothers. We were comfortable peasants, my father had a good horse."

QUESTION: How many children were there in your family?

"There were 12 of us; Carmen the eldest who is married, then come the four arrested by the police, Sergio, Jose, Segundo and Rodolfo. Then I have another married sister called Olga, then come myself, Rafael, Ricardo, Jorge, Maria Cristina and Juan Luis, who was 12 when my father was arrested. The seven youngest were all studying, including my sister Olga. I had 2 years left to do of a humanities course. But when the tragedy happened, our life changed completely. The four oldest of us who were left had to start work because the boss put pressure on us to leave the estate house and we had to go to Isla de Maipo. My mother Purísima Muñoz had to look after everything and we couldn't go to school. Only the two youngest went on with their studies but Maria Cristina had a nervous illness and failed so my mother sent her work with our uncle, but my sister could not stand it because my uncle told her that what had happened to us was all the fault of my father and brothers for joining the union. My brother Jorge had to leave school because all his hair fell out due to nerves and the children made fun of him. With the little money that we earned between us we set up a greengrocery that I look after, and with this we have to cover our costs because the tractor has broken down, the battery has worn out and it is very old. My brother Ricardo who learnt to use it and so earn a few extra pesos, can no longer use it. We have nothing with which to fix it. We only have the horse left. My mother does not want to sell the tractor, but she can't anyway since the lady who sold it to her did not transfer the registration to her."

QUESTION: Why do you think your father and brothers were taken prisoner?

"What happened was that the police were going round all the estates to find out who were the subversives or trouble makers and we think the boss picked them out without imagining what would be done with them. The truth is that they were very tranquil; all over the area they arrested people who had been pointed out by bosses, but there were others who refused to give names. For example Carlos Velasco, a farmer and one of the bosses, told my mother that when the police asked for names he wouldn't give them because all his workers were equal, whatever their political ideas. This man took pity on us because he knew my father and he gave my mother a present of a million pesos to buy the house where we live now, a prefabricated house with four rooms. Also the mayor German Silva found us the site. There are many good bosses, but others give their people away as I think happened in our case, although we are not sure."

QUESTION: Did you know the policemen of the village?

"Of course, some of them were friends of the family and of my father, but they had their orders and they changed over night. You know the policeman Vargas who came to arrest my father was very courteous and respectful at first, and asked my father to accompany him to make a statement, but when he came back to arrest my brothers he was a different man and my brothers were beaten in our own home and in our presence."

QUESTION: Why have you come to Europe?

"Because we want justice, we want those who are guilty to be punished and we want the remains of our relatives returned to us, which the government. Do has not done up to now. We want justice for all disappeared prisoners. You think that a person should remain silent when their father and then brothers have been killed, when they have been told a pack of lies and then the poor things are found buried in a lime quarry with signs of torture?"

QUESTION: What have you done in Europe?

"I went first of all to testify before the Commission of Human Rights in Geneva, then I have had interviews with many people; here in Rome I've even been to the Vatican."

QUESTION: Do you believe you will get justice done?

"We will not rest until everything is clarified, and our loved ones are returned to us, even though they are dead."

END OF INTERVIEW

This identification has finally proved for the first time the fate of some of Chile's missing prisoners, whose arrest has always been denied by the Chilean authorities, not only nationally but in international fora, such as the UN. In 1975 the Chilean Ambassador to the UN, Sergio Diaz Diez, declared to the Commission on Human Rights that Sergio Miguel Maureira Muñoz "has no legal existence". Sr. Diaz had stated that three of the Maureira Muñoz sons (Rodolfo, Segundo and José Manuel) were "legally dead" and that their bodies had been taken to the Legal Medical Institute.

There has been a considerable movement of support for the relatives of the dead prisoners, and also pressure on the government to bring those responsible for their murder to trial. On 18 February a memorial service was held for the Lonquen victims. It was attended by 8 priests, one of whom read out details of the detention of the Maureiras and another priest urged people "to unite to obtain a truthful reply from authorities about the situation of the disappeared prisoners". After the mass, pamphlets were openly distributed by political organizations. In March, a homage at Lonquen (about 60 kms. south of Santiago) was organised by the Group of Relatives of Disappeared Prisoners. 2,000 people attended and although the police kept a close watch, speakers from the Trade Union Movement, the Group of Relatives and Human Rights organizations within Chile made strong calls to bring the murderers of the victims to justice. At the beginning of the march, a declaration signed by a broad spectrum of opposition to the military dictatorship, from moderate right-wing sectors to Communist Party members, accused high level leaders of the regime of responsibility for the Letelier murder and the Lonquen corpses. The Minister of the Interior denounced the declaration as damaging for the honour of Chile and her Institutions.

VIOLATIONS OF HUMAN RIGHTS IN THE MONTHS OF MARCH, APRIL & MAY 1979

In March, the number of arbitrary detentions increased considerably compared with the previous month. There were many cases of brutal torture using electricity and blows that fractured the ribs of the victims. Here are some examples of arrests and other violations of human rights during March:

On 23 March about 20 civilians armed with machine guns and revolvers arrived at the house of Sra. X. She was alone in the house with her 2 children aged 4 and 2 years. The house was searched without any explanation being offered, nor warrant shown for the search. The woman was kept prisoner in her home, not allowed out even to buy food for her children for almost a week. Her mother presented a writ of habeas corpus on her behalf and also made a denunciation before one of the criminal courts asking the judge to go personally to the house, check the facts and order the agents out of her daughter's house. The judge did go to the house; the civilians identified themselves as agents of the CNI. They said that the woman's husband had been arrested on 23 March and that arms had been found in the original search made of the house. The woman had had no idea that her husband had been arrested until that moment. The explanation they gave did not justify their presence in the woman's home for a week. In any case her husband had not been taken to any legal prison nor had he been placed at the disposition of any court. The judge took declarations from the agents and from the woman 'prisoner' and then left the house, without ordering the CNI to leave. It was not until after a visit from the woman's lawyer that the agents left the house.

A was arrested at his home on 26 March at about 13.00 by five civilians who were heavily armed. They gagged him and blindfolded him and took him to a torture centre where the form of torture known as the "Parrilla" was used on him. This consists of tying the subject to a metallic bed, wetting him/her and applying electric current all over the body. Before this case was reported it had seemed that the "parrilla" had stopped being used in cases of arbitrary detention in Chile. A's house was searched without a warrant: the search lasted 5 hours during which time his entire family was under effective house arrest. Three days later he was left unconscious in the street. During his detention he had also been beaten and some of his ribs broken, he was given hypnosis treatment and was denied all food. The CNI agents responsible for his detention threatened reprisals to his family if he denounced what had happened to the Vicaría de la Solidaridad.

Some examples of harassment:

The consulting rooms of a doctor were searched while the doctor was not there. Those who entered the office forced the doors and went through all the documents there, leaving everything in total disorder, although no valuable objects were taken. This doctor, who works in the Vicaría de la Solidaridad, has frequently been followed by security agents.

Lawyer Y was permanently followed by security agents who on two occasions went to look for him at his home. In March his home was visited while he was absent and the visitors beat up his maid who was there at the time. She had serious bone lesions. They did not take anything from the house. This lawyer also works with the Vicaria. The police have not identified the people who searched the house.

Writer W. He presented a writ of habeas corpus on his own behalf because he was being followed and harassed by members of the security services. This was increased and made more obvious after 21 February when he was approached by three CNI agents who stole his briefcase. He asked the police for help, with the result that one of the agents was arrested. The case against the CNI agent lasted only a very short time before the judge concerned ordered his unconditional liberty.

9/.....

DISAPPEARED PRISONERS : DETENTION OF RELATIVES 18 APRIL 1979

On the morning of 18 April 1979 63 persons belonging to the Agrupación de Familiares de Detenidos Desaparecidos (Committee of Relatives of Disappeared Prisoners) chained themselves to the railings outside the old Parliament buildings in Santiago. They were demanding the repeal of the amnesty Decree Law of April 1978, and that the bodies of the persons found in the mine at Lonquén should be returned to their families for burial.

The reaction of the Minister of the Interior, Sr. Sergio Fernández, was hard. After holding them for 48 hours in Comisarías (police stations) the Minister of the Interior sent a petition to the Court of Appeals, asking that a criminal action be taken against the relatives. The Minister of the Interior explained that "Disorder and chaos cannot be created on the altars of national unity".

The persons concerned were accused by the government under the Law of Internal State Security, of "subverting public order, distributing pamphlets and causing injuries against the authorities". The 59 women were then sent to the Women's Prison in Santiago and the 3 men to the Public Prison of Santiago.

On Monday 23 April, the Ministro Sumariante (the indicting judge) ordered their unconditional release for lack of evidence against them.

There follows a testimony from one of the relatives who was detained:

"At about 11 o'clock on Wednesday 18 April 1979, we arrived at the old building which used to be the Chamber of Deputies, now used for Pinochet's courts of justice. At exactly 11 we chained ourselves up while we began to chant the slogan of the Agrupación de Familiares de Detenidos Desaparecidos: "For life, for peace, tell us where they are". At that point a large crowd began to gather on the pavement opposite us, and several times we saw friendly faces of people who made signs to show their solidarity with us.

The 59 courageous women and 3 men had tried all "legal" paths and had resorted to all the "legal" judicial remedies that exist in Chile at the present time to try and get an answer as to the whereabouts of their children, husbands, wives, brothers, sisters. Not only did they face the indifference and silence of the authorities, but many times they felt they were banging their heads against a brick wall.

For almost an hour we chanted our slogan. Some of the demonstrators were interviewed by different sectors of the Chilean media - Radio Chilena, Agencia Orbe and El Mercurio. At 11.50 a pack of policemen came up behind us, that is across the gardens of the Courts of Justice, and, armed with a "Napoleon" (something used for cutting chains) cut our chains. Then we were taken to a police van as "prisoners". Comrade Matilde Urrutia, Neruda's widow, was treated in a rough and insolent way by Pinochet's henchmen and was put in the van after being beaten. Singing the national anthem, we were taken to the police station in Calle Merced.

Once we were at the police station they separated the women from the men and began to take down our personal details. We were told that from that moment on we were at the "disposition of the Minister of the Interior", Sr. Sergio Fernández. Then followed long hours of tense waiting in the police station, but our spirits remained high through it all, since we were certain that reason would prevail in our favour. At about 8 in the evening we saw camp beds being brought in and we were left in no doubt that we would be spending the night there in the police station. The following day we had our details taken by civilian agents, were photographed from the front and in profile by people (presumably CNI agents). At that point the news came through that the Vicaría de la Solidaridad had presented a writ of habeas corpus for all the prisoners and that this had been rejected by the Court of Appeals with an opposing vote being cast by Minister Sr. Ruben Galecio. At the same time we received the encouraging news that our relatives had begun a hunger strike asking for our release.

One detail that seems to us to be of interest is the behaviour of the civilians who were in charge of interrogating us. The majority were young people who showed a marked nervousness, and at the height of the questioning came a series of anecdotes which demonstrate the ingenuity of our brave comrades. One of the women was asked by a CNI agent what her work was, she replied "I'm unemployed sir". "What did you do on Monday?" he asked, "I worked sir". "Tuesday?", "I worked sir". "And what did you work for?", "To buy the chains". Another comrade was interrogated by the CNI and asked to give her alias. As she didn't understand the meaning of alias, the interrogator said "Well, señora, what do they call you at home?" "At home I'm called 'mother'". It should be pointed out that in the interrogation they spoke very authoritatively, concentrating all the time on the same questions in an attempt to confuse the prisoners. In all the questions they tried to bring in the Vicaría de la Solidaridad.

Afterwards, at 16.25 on Thursday 19 April, the President of the Court of Appeals, Sr. Enrique Paillaz appeared in the police station to find out how we were and how we had been treated. This visit cheered us up immensely, because it was the first time since we chained ourselves up that we had seen a human face; he showed emotion when some of our comrades were telling him about the cases of their disappeared relatives. Others asked if it was correct that we should be interrogated by civilians who did not identify themselves. Sr. Paillaz stopped the CNI interrogation; only half of the prisoners had been interrogated. Afterwards, on Friday 20 April at about 13.30, we were transferred, in two separate buses, from the police station to the Courts of Justice, since the Minister of the Interior, Sr. Fernández, had requested that a visiting minister be appointed. Sr. Germán Valenzuela Erazo was appointed as Visiting Minister to examine our case because we had been formally charged with "Infraction of the Law of Internal State Security". There were five principal charges, all absolutely unfounded: "Shouting insults against the government; distribution of leaflets and rising up against the constituted government", etc.

We remained in a small space in the corridors in the basement of the Justice building for about 6 1/2 hours because the interrogations lasted until about 8 in the evening. Our arrival at the building was particularly

emotional, our relatives were waiting and singing the National Anthem and we were constantly encouraged when we were taken before the actuaries who took our statements. At about 20.30 we were told that officially we were detained for infringement of the Law of Internal State Security, and that the women would be transferred to the Women's Prison, now known as the Centro de Orientación Femenino (Centre for Female Orientation) and the men to the Penitenciaria (Penitentiary).

At about 17.00 on that day the different Vicarios (Vicars) came to the courts, bringing us the word of the Church which once more in Chile was "the voice of those who have no voice". Cristián Precht was there, Monseñor Jorge Hourton, Monseñor Gustavo Ferrari and the new Vicario de la Solidaridad, Monseñor José de Castro, who took over the past recently, and had a bearing worthy of his predecessor Cristián Precht.

At about 11.25 at night we were transferred to the Penitentiary, arriving there at 11.50. Our identity documents were taken away from us and we were sent to Calle 12 where all the prisoners are received. We slept three to one stinking narrow bunk. The next day a sergeant from Gendarmería came to transfer us to Calle 5 which had, he jokingly told us, a school for guerrillas. This was at about 10.00 in the morning of Saturday 21. The political prisoners immediately expressed their solidarity with us with two thermos flasks containing cocoa. All day Saturday we were receiving the visits of the lawyers from the Vicaría de la Solidaridad, who behaved marvellously, and on Sunday we had visits from our relatives. In the meantime the 59 brave women received visits from their loved ones and children on Saturday 21. On Monday 23 the recurso de amparo (writ of habeas corpus) would be seen by the Supreme Court of Justice and we thought that as is usual in these cases, the writ would be rejected as it had already been in the Court of Appeals. But thanks to great international solidarity which once again made itself felt, and thanks to the large number of people who supported us inside and outside the country, we were released on Monday 23 at about 19.00.

The farewell from the 45 political prisoners who are in the Santiago Penitentiary was particularly emotional - they said goodbye to us with a big round of applause. We went out and made for the Women's prison, but the women had already been released. The words of the lawyer, Sr. Molina of the Chilean Commission of Human Rights, were particularly interesting. He said that it was reassuring to see the serene faces of the women on their way to prison surrounded by policemen; we would say that this was an exact reflection of the Pinochet regime. While the henchmen keep watch, the dignity of Chile, abused, goes once more to prison. Thus ended a new attempt in Chile to restore dignity, justice and liberty to our country - values which have been hard to find in these six long years. "

MAY DAY ARRESTS 1979

The Grupo de los Diez (Group of Ten), the Coordinadora Nacional Sindical (National Union Coordinator) / For an explanation of what these two bodies consist of, please see note at the end/, the Frente Unitario de Trabajadores (United Workers' Front) and the Confederación de Empleados Particulares de Chile (Confederation of Private Employees of Chile) decided to celebrate May Day (1 May) together for the first time. More than twenty leaders of union federations and confederations which belonged to the four groups mentioned above asked for official authorization for the celebrations. Invitations were sent to about forty international organizations and in a press conference the Chilean trade union leaders involved called on the people of Santiago to join in the celebrations.

The government's reply to the request was as expected: "Since its aims fall outside what could be called labour activities and could turn it into a political act which the government could not accept", official authorization was refused by the Minister of the Interior, Sr. Sergio Fernández. Among those who had signed the request and the groups which organized the meeting were persons "of recognized marxist militancy", added the government.

On 2 January 1979, the Minister of Labour, Sr. José Piñera, had announced a new Labour Plan which would have as its basis a "free, democratic, financed, autonomous and depoliticized labour organization". The Plan had united nearly all the labour sectors in their opposition to it. Another significant contribution to the unity of the workers during the last few months had been the announcement of massive dismissals from the Empresa Metalúrgica de Obras Sanitarias (Metropolitan Company of Sanitary Works), Canal 4 Television, LanChile (the national airline), Empresa Nacional del Carbón (National Coal Company), El Teniente copper mine, and others. Also, the arbitrary dismissals of four trade union leaders from the Sindicato Industrial de Chuquicamata (Industrial Union of Chuquicamata copper mine), one from El Teniente copper mine and of Daniel Lillo, President of the Asociación Nacional de Empresas de Aduanas (National Association of Customs Companies).

On the eve of 1 May there were several detentions. Manuel Bustos, President of the Coordinadora Nacional Sindical; Alicia Gajardo, President of the women's section of the same organization; and Eduardo Ríos, President of the Confederación Marítima de Chile (Maritime Confederation of Chile) and of the Grupo de los Diez, who were arrested while they were holding a meeting to discuss May Day with 300 workers. They were all released the same night (30 April).

The risk of detention did not deter a large number of people from turning out on 1 May, although they had to disperse themselves in various places in the centre of Santiago because of the large number of policemen who had practically taken over the city from very early that morning. There was no chance of having large scale meetings. The largest march, headed by the leaders of the four labour organizations which had called for the celebration reached the Basílica El Salvador (a church in the centre of Santiago). There a liturgical service was held which was attended by about

800 people. Episcopal Vicars and Auxiliary Bishops of Santiago also attended the service. At the exit there was violence on the part of the police and 21 wounded persons had to be treated in the church. It is alleged that policemen broke down the church doors and arrested people who were standing in the back of the church.

More than 360 persons were arrested in central parts of Santiago during peaceful demonstrations which were attended by thousands of workers and young people during the morning of 1 May. Seventeen of those arrested were handed over to a Military Judge and accused, initially, of resisting arrest. The others were all charged under the Law of Internal State Security.

Of the 17, 12 remain in prison having been formally charged with the more serious offence of "maltrato de obra a Carabineros" (actual bodily harm to policemen). Eye-witnesses deny the truth of this charge.

Note: We have just heard that the 12 were released on 1 June on conditional liberty. It is not yet clear whether the charges have been upheld and whether they will be tried, and if so, when.

NOTE

The Grupo de los Diez was originally formed by 10 union leaders who were not government-appointed, in 1976. It now has many more members, and is Christian Democrat based.

The Coordinadora Nacional Sindical was formed at about the same time by similar people from the left-wing trade unions.

Both groups attempt to coordinate trade union activity nationally at a federation level.

Situation of political prisoners

One of the most important events in April as far as the political prisoners were concerned, was the half-yearly visit to the prisons made by the President of the Supreme Court, Sr Israel Borquez. The traditional visit to the prisons by the President of the Supreme Court has come to be regarded as merely routine and without practical benefit for the prisoners. On the occasion of his April visit, the political prisoners presented him with a four point petition. The requests made were as follows:

I A legal statute for the political prisoners establishing that they will be judged exclusively under the Law of Internal State Security in the cases where an act which might be considered illegal has been committed with the purpose of bringing down a legally constituted government, and which will avoid trial under common law (or military law) or regarding arms control, of political prisoners.

II Rules for the prison régime of political prisoners establishing that they be kept in special buildings which fulfill conditions of hygiene; the prisoners should have access to information and culture; they should be allowed normal relations with their families; internal administration of the prison buildings should be carried out by the prisoners themselves; the physical and psychological wellbeing of the prisoners should be safeguarded and reprisals and additional sentences to those passed by the courts should be avoided; also interrogations of prisoners by security services inside or outside the prison buildings should be stopped.
All this should be watched over by the International Red Cross.

III Denunciations regarding the CMI's treatment of political prisoners during their detention and subsequent interrogation. Here the political prisoners refer to the necessity of carrying out a thorough investigation of the methods used by the security services, of nominating a Visiting Minister to conduct the investigation which should look into those places which have been specifically denounced as secret places of detention.

Those responsible for the torture and maltreatment of prisoners should be brought to justice. The following guarantees should be considered as the minimum: a warrant for the arrest should be produced, the prisoner should be able to communicate with his family and a lawyer, the arrested person should only be obliged to give his name and the charge against him, if there is one. Any declarations made under physical and psychological pressure should be considered invalid.

IV Denunciations concerning disappeared political prisoners. About this point the political prisoners told the President of the Supreme Court that it is necessary to order judges to hold trials for disappeared prisoners. Some people imprisoned in the Penitentiary who have witnessed the detention of disappeared prisoners should be called to present their testimonies. The security of these witnesses should be guaranteed. Finally, the amnesty decree 2191 should not include those responsible for the disappearance of persons, because in cases where these people have been killed this would amount to the crime of genocide.

BRIEF SUMMARY OF EVENTS RELATED TO HUMAN RIGHTS DURING 1978

JANUARY

- Alex Sasserius Miller, 19 years old, arrested and accused of obstructing the police. Was released after the payment of a fine.
- Carlos Antonio Vergara and Juan Ramon Latorre arrested and later released.
- Hernán del Transito Romero was arrested and accused of distributing pamphlets calling for a "NO" vote in the National Referendum.
- Olga del Carmen Gonzalez Peñaloza, José Manuel Palma Acuña, Ruben Morales, Luis Armando Valenzuela Lira and Javier Aguilera Bustos arrested for distributing pamphlets. They were later released.
- Octavio Rivero Rovelo and Germán de Jesús Cortes Rodriguez, members of the MIR (Movimiento de Izquierda Revolucionaria, of Movement of the Revolutionary Left) were killed by agents of the ONI on 16 January.
- The same day the following people were arrested: Sofia Donoso, Eliana Palma Donoso, Bernarda Nubia Santelices Diaz and her daughter of a few months, Haydée del Carmen Palma Donoso, a doctor. All of them were taken to the torture centre of Villa Grimaldi. The government recognized the detention of all of them except for Haydée del Carmen Palma Donoso whose arrest was denied by the Military Junta.
- On 17 January Guillermina Figueroa Duran, Aura and Dinko Ghadrosic Figueroa were arrested in 1474 San Isidro Street in Santiago. They were taken to the Villa Grimaldi torture centre.
- Luis Gonzalez Ugalde was arrested in San Fernando. Later he was released.
- Victor Hugo Heresman was arrested after the police told his family that he was involved with a clandestine printing press of the Socialist Party. Hector Hernán Duarte Lucero was also arrested. Both were sent to the Military Courts.
- Ceferino Rojas Garrido and José Orlando Gana Pizarro were arrested in a workshop on Juarez Street in Santiago.
- National Referendum: after the final results were known, President Pinochet said on the television and radio "this consultation is not a plebiscite and there will be no further elections for ten years".
- Writ of "inapplicability" presented before the Supreme Court by lawyers of three women, relatives of disappeared prisoners, who were not allowed to enter the country in December 1977 after having testified before the United Nations about their situation.

FEBRUARY

- The doctor Haydée Palma Donoso who had been arrested in January and whose detention on the government had denied, was found in Peru in a drugged state and with false identity papers. She was taken to the Refugee Committee in Lima.
- A new resolution against the Chilean government was approved by the Human Rights Commission United Nations meeting in Geneva.
- A new appeal was made on behalf of the disappeared prisoners by Cristián Precht of the Vicaría de la Solidaridad before the Supreme Court on the occasion of the beginning of the Judicial Year 1978.
- The 12 leaders from the Christian Democrat Party who had been exiled in Arica for nearly 2 months were released.
- 5 representatives of the Group of Relatives of Disappeared Prisoners left Chile to call on world public opinion to intercede before the Military Junta.
- Enrique Sanhueza Burgos, ex-governor of the dissolved Christian Democrat Party and ex-Mayor from Angol, was sentenced to 5 years + 1 day in exile, accused of having broken the 4th Article of the Law of Internal State Security.
- Wave of arrests: Juan Morelet, Aquiles Mires, both teachers; Ricardo Avalos and Julio Garay were arrested on 13 February and later released.
- The Seventh Chamber of the Court of Appeals reopened the investigation into the murder of the Ex-Director of the Procedure of the Chancellor's Office, Guillermo Osorio. Osorio had occupied a high post in the Chancellor's office at the time when passports were issued to Williams and Romeral, implicated in the case of Orlando Letelier's murder in September 1976 in Washington.

APRIL

- Carlos Lazo, ex-President of the Bank of Chile and leader of the Socialist Party, Raúl Vergara Meneses and Ernesto Galaz Guzman had their sentences commuted to exile. They had earlier been condemned to death.
- Rodolfo Fortunatti, sociology student at the University of Chile was expelled from the university after having participated, with 5 other young people of the Christian Democrat Party, in a hunger strike in support of Castillo Velasco's hunger strike in Venezuela.
- Manuel Cortes Larenas, Rene Durandean Guarda, Alejandro Dario Zuleta Marin and Alvaro Javier Fisher Diaz were tried before the Naval Tribunal of Valparaiso and condemned to internal exile accused of distributing pamphlets against the government.
- Michael Townley, ex-DINA agent, who took part in the murder of Orlando Letelier in Washington, was expelled from Chile.
- The daughters of Chilean General Carlos Prats Gonzalez who was killed in Argentina on 30 September 1974, asked the Argentine Military Government to investigate their father's death.

- APRIL/
cont..
- 16 relatives of disappeared prisoners and an American citizen arrested by police when they went to hand over a letter asking for an interview with the Minister of the Interior, Sr. Sergio Fernández.
 - Decree Law 2.191 promulgated on 19 April providing a general amnesty for all political prisoners. 96 prisoners were released.
- MAY
- Second Chamber of the Supreme Court rejected a writ of habeas corpus presented on behalf of Hernán Santos Perez Alvarez who disappeared in October 1977.
 - Relatives of disappeared prisoners began an indefinite hunger strike in the UNICEF building, and the churches of Jesús Obrero, La Estampa and Don Bosco.
 - Cesar Godoy Urrutia (ex-communist deputy) in exile in Mexico since 1975 was not permitted to enter Chile on his arrival at Pudahuel airport. Was sent to Argentina under the protection of the UNHCR.
 - From the last amnesty on 19 April more than 20 trials that were taking place in the different courts of Santiago were closed indefinitely. The 11 investigations into kidnapping and illegal arrest were closed.
- JUNE
- A public declaration was made by the relatives of disappeared prisoners on ending their hunger strike on 8 June. The Minister of the Interior promised to give an answer in 30 days to the Catholic Church concerning the fate and whereabouts of the disappeared prisoners.
 - Armando Barria Oyarzun and José Osvaldo Aguayo Ibaceta were arrested and transferred to the Penitentiary.
- JULY
- A delegation from the United Nations Human Rights Commission travelled to Chile to investigate the human rights situation.
 - Nicolas Rojas, a Peruvian citizen, was detained for 18 days in Arica.
 - The Supreme Court strictly forbade its Ministers, Judges and all other members of the judiciary to give interviews or to make any other publicity.
 - Relatives of disappeared prisoners sent a letter to the Minister of the Interior reminding him of the petition made in April asking for an interview.
 - Relatives of disappeared prisoners informed the Minister of the Interior of the visits they had been receiving from members of the Civil Police.

JULY/
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- Attack against the Vicaría de la Solidaridad made by the Chilean journalist, Silvia Pinto of "El Cronista".
- Court of Appeals ordered the re-opening of investigation on behalf of the General Secretary of the Communist Party, Victor Maz. The case had been closed by the Sixth Judge of First Degree Crime by virtue of the amnesty decree.
- Sergio Inzunza, ex-Minister of Justice under the Popular Unity Government of Salvador Allende, was refused entry to Chile. A writ of habeas corpus was presented on his behalf in the Court of Appeals.
- The Seventh Court of Appeals rejected the writ of habeas corpus presented by Graciela Alvarez Rojas, who had not been allowed to enter Chile.
- Commander-in-Chief of the Chilean Air Force, Gustavo Leigh Guzman, was forced out of the Military Junta by Pinochet.
- Court of Appeals ordered the re-opening of 7 cases of disappeared prisoners.
- Writ of habeas corpus presented on behalf of Juan Bustamante Jaque after being attacked by unknown persons.
- 14 new cases of disappeared prisoners were presented to the Minister of the Interior by the Bishop of Temuco, Sergio Contreras Navia.
- Archbishop of Santiago denounced the fact that the house of the Episcopal Vicar of the Rural Zone, Monseñor Rene Vio Valdivia, was robbed by unknown people.
- Alfonso Ugalde Villafana, Heriberto Manuel Mena Bastias, Jaime Enrique Sepulveda Castillo, Carlos Angel Silva Villegas, Angel Antonio Sanhueza Garrido and Ricardo Valenzuela Serrano were accused under the arms control laws and transferred to Military Justice.
- 65 relatives of disappeared prisoners were arrested when they participated in a silent demonstration in "La Libertad" Park in front of the Chacacellery.
- Monseñor Fernando Ariztia, Bishop of Copiapó, presented 3 new cases of disappeared prisoners to the Minister of the Interior.
- Monseñor Carlos Camus, Bishop of Linares, presented new cases of disappeared prisoners to the Minister of the Interior.

SEPTEMBER -

- 17 relatives of disappeared prisoners began a hunger strike in the Church of Santa Bernardita, Santiago, against the "Presumed Death" decree law.
- Wave of arrests: Francisco Herrera, Jaime Gonzalez and Alberto Binardello were accused of belonging to the MIR. Juan Carlos

SEPTEMBER/
cont....

- Barrios Alvarez arrested by the Civil Police; Claudia Lucia Donoso Crocco arrested together with her bridegroom Leonardo Rojas Bahamondes. He was released hours later and she was given conditional freedom. Luis Humberto Vergara Torres, Ivan Humberto Vera Mendez, Luis Rolando Cifuentes Gonzalez were accused of belonging to a Fascist Front. They were all released unconditionally. Sergio Enrique Miranda Tapia and Jorge Antonio Aguiara Pascal were accused of belonging to the Socialist and Communist Parties. Lucindo Fermin Sandoval Barros and Lorenzo Pizarro Vallejos arrested and later released. Carlos Lillo Acuna, construction worker, Norma Estela Contreras Castillo and Cecilia del Carmen Gallardo Gonzalez were accused of distributing leaflets. They were released the day after. Cristián Cesar and Luis Aalenzuela Lira both workers, were accused of taking part in a demonstration of 200 workers in the Plaza de Armas. They were later released as there was no evidence against them. Amaro Yamil and Charles Amador Labra Sepulveda were arrested in the street and later released.
- Arbitrary detentions in September were of 75 miners from the Chuquicamata copper mine; 50 workers from Conchali district; 10 shoemakers; 8 people from Viña del Mar; 12 from the centre of Santiago.
- 13 copper miners arrested; 10 of them were exiled to the interior of El Loa and the rest to Calama.
- Victor Manuel Ibaache Barraza and Victor Hernandez were arrested for having copies of the "Solidaridad" bulletin.
- The Minister of the Interior reaffirmed his decision not to allow any person involved in international campaigns against Chile to re-enter the country.
- The wives of Clodomiro Almeyda, Luis Maira and Juan Carlos Concha send a letter from abroad to the Chilean government protesting about its refusal to allow them back into Chile. They have been exiled since the coup in 1973.
- The Bishop of Chillán, Monseñor Francisco José Cox sent information on 31 cases of disappeared prisoners in his diocese to the Minister of the Interior.
- The Bishop of Osorno, Monseñor Francisco Valdes Subercaseaux sent the Minister of the Interior 16 new cases of disappeared prisoners.
- Cesareo Castillo Michea, ex-ceptu of Loa was accused of political activism, pamphlet distribution and holding clandestine meetings in his house. He was exiled to Ascotan.
- Relatives of disappeared prisoners send a letter to General Pinochet in which they asked him to leave the decree law about "Presumed Death" without effect.
- Relatives of disappeared prisoners took part in a public demonstration in front of the Justice Tribunal asking for the non-promulgation of the Decree Law about "Presumed Death".

OCTOBER

OCTOBER/
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- National Trade Unions were dissolved. Security forces raided and confiscated everything belonging to these organizations: and confiscated everything belonging to these organizations: "Ranquill".
- Confederación Nacional Campesina Indígena
- Confederación Nacional Unidad Obrera Campesina FENSIMET.
- Federación Nacional de Sindicatos Metalurgicos de Santiago
- Sindicato Nacional de Obreros de la Construcción de Santiago
- Federación Nacional del Textil y del Vestuario FENATEX
- Federación Nacional de la Edificación Madera y Construcción
- Federación Industrial Nacional Minera
- Iris Flores and Salfredo Flores Acevedo were arrested by armed civilians and accused of being members of an extremist party. They were released with no charges against them.
- 17 people were arrested accused of distribution of pamphlets. They were later released.

NOVEMBER

- A Bishops' Committee asked for the designation of a special investigating judge (Ministro en Visita) for a definitive investigation into the situation of the disappeared prisoners.
- 15 women relatives of the disappeared prisoners chained themselves onto the gates of the CEPAL building in Santiago demanding an answer from the government about the disappeared prisoners.
- Waldo Silva Daunich and Ruben Luis Morales Cuevas were detained when they were on the streets taking photographs. Hours later they were left in a lonely place. When Luis Morales took off his blindfold, he saw that Waldo Silva was dead.
- 14 people arrested accused of distributing pamphlets in different parts of the country. They were later released without charges against them.
- 7 people were arrested and denied charges of provocation at the Symposium on Human Rights in Santiago.
- Symposium on Human Rights organized by the Catholic Church.

DECEMBER

- In an abandoned mine in Lonquén about 60 kilometres from Santiago, 25 corpses of disappeared prisoners were found.