AFTER DINNER APRIL 19 JUNTA MEMBER ADMIRAL JOSE T. PENA TOOK ME ASIDE FOR A LONG PRIVATE CONVERSATION IN WHICH TWO POINTS WERE SIGNIFICANT.

1. FIRST, WHEN I COMMENTED ON HARSHNESS OF SIX DEATH SENTENCES ASKED AT CURRENT AIR FORCE TRIALS, ADMIRAL TELING TO ME IN GREAT CONFIDENCE THAT UNLESS SOME NEW AND UNFORESEEN FACTS ARE DEVELOPED JUNTA DOES NOT INTEND TO EXECUTE ANY OF THOSE COMING TO TRIAL.

2. SECOND, AGAIN RESPONDING TO SUGGESTION, HE INDICATED JUNTA HAS SERIOUSLY THINKING OF EXPELLING FROM COUNTRY AFTER TRIAL SOME OF THE BEST KNOWN DETAINED SUCH AS ALMEYDA AND LETELIER. I REMARKED I HAD NO DOUBT THAT UNIVERSITY POST COULD BE FOUND FOR LETELIER IN US.

FURTHER DETAILS BY POST.
CONFIDENTIAL

PAGE 01  SANTIA 01701  0321052

ACTION  SS-30
TNFO  OCT-01  ISO-00  7031 W

R 032018Z APR 74
FM AMBASSAD SANTIAGO
TO SECSTATE WASHDC 8037

CONFIDENTIAL  SANTIAGO 1701

EXDIS

FOR ASSISTANT SECRETARY HOLTON FROM AMBASSADOR

F.O. 116521 GUS
TARG: OTRA
SUBJECT: VISIT OF FAIR TRIAL COMMITTEE FOR CHILEAN POLITICAL PRISONERS

1. THANK YOU FOR ADVISING ME OF IMPENDING VISIT FROM EX-CONGRESSMAN CHARLES PORTER, JOSEPH MORRAY AND IRA LOWE. WHEN THEY GET IN TOUCH WITH US, WE WILL OF COURSE DO WHATEVER WE APPROPRIATELY CAN TO BE OF ASSISTANCE, ALTHOUGH ONE-DAY ADVANCE NOTICE IS VERY SHORT.

2. WHILE I KNOW THAT DEPARTMENT HAS LITTLE CONTROL OVER SUCH VISITS, I HOPE VISITORS REALIZE THAT CHILEAN GOVERNMENT WILL NOT RECEIVE WARMLY INDIVIDUALS DESIGNATING THEMSELVES AS SPOKESMEN FOR CHILEANS WHO GOVERNMENT BELIEVES PLAYED A PART IN CONSPIRACY UNDER ALL ENDE TO INSTITUTE A MARXIST DICTATORSHIP HERE. NOR WILL ANOTHER LETTER TO GENERAL PINOCHET BE PARTICULARLY APPRECIATED.

3. WE ARE BEGINNING TO CARRY OUT DEPARTMENT'S INSTRUCTIONS TO WEIGH IN VERY CONFIDENTIALLY AND CAREFULLY WITH GOVERNMENT IN EFFORT TO INDUCE IT TO EASE UP ON ITS CURRENT HUMAN RIGHTS PRACTICES. DOUBTFUL WE CAN ENTIRELY CONVINCE GOVERNMENT THAT UNOFFICIAL GROUP CLAIMING SOME SORT OF SENATORIAL BLESSING

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Authority: NGC

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CONFIDENTIAL

PAGE 02 SANTIA 01701 0321052

IS ENTIRELY UNCONNECTED WITH OUR EFFORTS. I WILL TRY TO STEER OUR VISITORS AWAY FROM MOVES WHICH WOULD PREJUDICE THESE EFFORTS, BUT MUST CONFESSION I WOULD FEEL A GREAT DEAL EASIER IF THEY WERE NOT ON THE SCENE AT PRECISELY THIS TIME.

I WOULD APPRECIATE ANY INFORMATION AVAILABLE AS TO FAIR TRIAL COMMITTEE AND ITS SPONSORS.

POPPER
Department of State

TELEGRAM

74 APR 5 AM 8:41

CONFIDENTIAL 9496

PAGE 01 SANTIA 01726 0419382

66

ACTION 35-30

INPU OCT-81 ISO-08 1031 M

R 0418322Z APR 74

FM AMBASSADOR SANTIAGO

TO SECSTATE WASHDC 8050

CONFIDENTIAL SANTIAGO 726

EXDIS

EU 11652: GD

TAGS: CI, PDOC, PF

SUBJECT: HUMAN RIGHTS: COMMENT ON CONVERSATION BETWEEN

SECRETARY SHULTZ AND PRESIDENT PINOCHET

REF: SANTIAGO 1687

1. SECRETARY SHULTZ GAVE US MOST HELPFUL ASSIST IN OUR

EFFORTS TO CARRY OUT DEPARTMENT'S INSTRUCTIONS IN STATE

54824 AND STATE 62450, FROM MENTION OF HUMAN RIGHTS ISSUE

IN GENERAL PINOCHET'S SPEECH TO INTER-AMERICAN DEVELOPMENT

BANK DELEGATES APRIL 1 (SPECTRUM), AND FROM INTRODUCTION OF

SUBJECT INTO SHULTZ-PINOCHET CONVERSATION BY THE GENERAL

AT THE OUTSET, WE DEDUCE THAT JUNTA MAY HAVE BECOME AWARE

OF HARMFUL POTENTIAL OF WIDESPREAD JUDICIAL AND OTHER FOREIGN

CRITICISM OF TRIALS, ETC. SECRETARY SHULTZ'S REMARKS,

KEYED TO ACTIONS OF VISITING US CONGRESSIONAL DELEGATION,

SEEMED PERFECTLY IN POINT AND WERE ACCEPTED BY GENERAL

PINOCHET IN VERY GOOD GRACE.

2. PINOCHET'S STATEMENT THAT TRIALS WILL BEGIN IN APRIL

IS SIGNIFICANT. IT MAY MEAN THAT TRIALS WILL BE GOING ON AT

MOMENT WHEN FOREIGN AID HEARINGS, WHICH WE UNDERSTAND ARE NOW

SCHEDULED TO BEGIN APRIL 22, ARE UNDER WAY. THIS COULD HAVE

UNFORTUNE SHORT-TERM RESULTS, BUT I SEE WHETHER WE

CAN BE PUT IN POSITION OF ADVISING CHILEANS RE TIMING OF

THEIR JUDICIAL PROCEEDINGS. WE CAN CRITICALLY CONTINUE

TO URGING UPON THEM THE UTILITY OF POSTPONING AS FAR AS POSSIBLE

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Authority NRC

Declassified Effective Date

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GENERALLY ACCEPTABLE PROCEDURAL SAFEGUARDS TO THE ACCUSED, SUCH AS ADEQUATE TIME FOR DEFENSE COUNSEL TO PREPARE CASES, PUBLIC TRIALS WHERE POSSIBLE, AND RIGHT OF APPEAL.

3. IN THIS REGARD, CHILEANS MAKE MUCH OF ASSERTION THAT TRIALS WILL BE CONDUCTED STRICTLY IN ACCORDANCE WITH CHILEAN LAW. THIS IS TRUE, BUT PROBLEM IS THAT AS JUNTA PROLONGS, MONTH AFTER MONTH, LEGAL STATE OF WAR FOR WHICH CHILE'S CONSTITUTION PROVIDES, IT BECOMES INCREASINGLY DIFFICULT TO JUSTIFY UNDER THIS PROVISION LENGTHY RETENTION OF PRISONERS IN DISTANT CAMPS WITHOUT CHARGES, AND SUBJECT TO DISABILITIES INDICATED ABOVE. PUBLIC RELATIONS PROBLEM IS NOT ONE OF LEGALITY OF TRIALS FROM CHILEAN DOMESTIC STANDPOINT, BUT OF LEGITIMACY OF CHILEAN CONSTITUTIONAL PROVISIONS AS INTERPRETED BY JUNTA IN LIGHT OF RADICALLY ACCEPTED HUMAN RIGHTS STANDARDS.

4. IN MAKING THEIR JUDGMENTS ON THIS MATTER, OUTSIDERS ARE PRONE TO DISREGARD SENSE OF DANGER FROM INTERNATIONALLY SUPPORTED LEFIST CONSPIRACIES IN THIS COUNTRY, WHICH JUNTA DEEPLY FEELS. IN ONE RESPECT, ONE PROBLEM IS THAT JUNTA'S MEASURES APPEAR TO GO BEYOND WHAT IS REASONABLY NECESSARY FOR INTERNAL SECURITY PURPOSES. HOWEVER, IT MUST BE RECOGNIZED THAT EVEN IF JUNTA MODERATES ITS IRON-FIENDISH TREATMENT OF OFFENDERS, THERE WILL STILL REMAIN A TENDENCY, SPARKED FROM THE LEFT, TO CRITICIZE ANY SPECIAL SECURITY MEASURES AT ALL AS UNJUSTIFIED.

5. BRITISH REFERENCE TO LETTER FROM EX-AMBASSADOR TO US ORIANO LEYTER IS WEAK BASIS FOR CHILEAN POSITION, AS INDICATION REPORT LETTER DISCUSSES WHAT RESEMBLES "GUN RUN" TRANSACTION RATHER THAN SUBVERSIVE ARMS SHIPMENT.

6. I WILL BE SEEING FOREIGN MINISTER HUETTA APRIL 4 AND PLAN TO RAISE SUBJECT OF TRIALS WITH HIM, DEPENDING ON RESULTS, MAY ALSO REFER TO IT IN MEETING WITH JUNTA MEMBER ADMIRAL MERINO I AM ARRANGING EARLY NEXT WEEK.
SECRET

Department of State

TELEGRAM

CONFIDENTIAL 9818

PAGE 01 SANTIAGO 01731 042130Z

ACTION SS=30

INFO OCT=01 ISO=00 /031 W

R 041940Z APR 74
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 8055

CONFIDENTIAL SANTIAGO 1731

EXDIS

EO 11652: GDS
TAGS: PINS, CI
SUBJECT: HUMAN RIGHTS IN CHILE: TRIALS

REF: STATE 64524

1. SUMMARY: AMBASSADOR RAISED WITH FONMIN HUERTA APRIL 4
ALLEGATIONS OF DENIALS OF HUMAN RIGHTS TO CHILEAN DETAINNEES,
AND THEIR IMPACT ON PROSPECTS FOR IMENDING FOREIGN ASSISTANCE
LEGISLATION. FONMIN SAID GOC FEARED ANY YIELDING TO COMMUNIST
PROPAGANDA ON THIS SUBJECT WOULD BE CONSTRUED AS WEAKNESS AND
WOULD ONLY LEAD TO FURTHER DEMANDS. HOWEVER, DETAINNEES WOULD
EVENTUALLY BE TRIED. FONMIN ADDED THAT HE UNDERSTOOD OUR
CONGRESSIONAL PROBLEM AND WOULD TAKE MATTER UP WITH JUNTA
AT AN EARLY DATE. END SUMMARY.

2. DURING MY MEETING WITH FONMIN HUERTA APRIL 4 I BROUGHT
UP EXTRAORDINARY UNGA, WASHINGTON MFM, AND ATLANTA UAS
ASSEMBLY, WITH SPECIAL EMPHASIS ON OUR APPROACH TO SUBJECT OF
TRANSFER OF SCIENCE AND TECHNOLOGY (SEPTEL). I THEN TURNED
TO DESCRIPTION OF OUR ECONOMIC AID OBJECTIVES, AS EARLIER
ENUMERATED TO MINECON (SANTIAGO 1708), LISTING PL 480
ASSISTANCE, AGRICULTURAL-NUTRITIONAL LOAN, EXIM BANK CREDIT
GUARANTEES, SCRAP IRON ALLOCATION, AND POSSIBLE HOUSING LOAN
GUARANTEES. POINTED OUT KEY RULE OF CONGRESS IN IMPLEMENTATION
OF OUR PLANS. FONMIN EXPRESSED APPRECIATION. I THEREUPON ASKED
IF WE COULD TALK WITHOUT ADVISERS PRESENT, AND MOVED TO HUMAN
RIGHTS ISSUE.

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Authority: NSC
By: [Signature] NARA, Date: 9/15/99

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3. I RECALLED THAT IN MY COURTESY CALLS ON PRINCIPAL CHILEAN OFFICIALS I HAD ASSURED THEM OF USG DESIRE TO SUPPORT CHILEAN GOVERNMENT BUT HAD REFERRED TO OBSTACLES CREATED BY CERTAIN HUMAN RIGHTS CONTROVERSIES WHICH TENDED TO INHIBIT OUR ABILITY TO HELP. IT REMAINED OUR INTENTION, I ASSERTED, TO BE AS FORTHCOMING AS WE COULD, GOVERNMENT SHOULD REALIZE THAT PACKAGE OF ASSISTANCE MEASURES I HAD MENTIONED REPRESENTED SPECIAL DEGREE OF CONCERN FOR CHILE. WE WOULD DO WHAT WE COULD TO GET IT THROUGH CONGRESS WITHOUT CHANGE.

4. GUC SHOULD KNOW, HOWEVER, THAT DEPARTMENT WAS SERIOUSLY CONCERNED OVER CONTINUING CRITICISM OF JUNTA FOR ALLEGED HUMAN RIGHTS VIOLATIONS, IN LIGHT OF SECTIONS 32 AND 35 OF THE FOREIGN ASSISTANCE ACT, WE COULD NOT BE CERTAIN OF THE FATE OF OUR PROPOSALS IN CONGRESS UNDER CURRENT CIRCUMSTANCES. WE HAD NO INTENTION HOWEVER OF INTERVENING IN CHILEAN DOMESTIC AFFAIRS, BUT I HAD BEEN ASKED TO DISCUSS THIS SUBJECT WITH THE FOREIGN MINISTER IN THE SPIRIT OF FRANKNESS WHICH EXISTED BETWEEN US.

5. HUERTA RESPONDED ALONG FAMILIAR LINES. HE ASSERTED THAT THE COMMUNIST ATTACK ON CHILE, WHICH CENTERED SO LARGELY ON ALLEGED HUMAN RIGHTS ABUSES, WAS NOT ONLY COMpletely HYPOCRITICAL BUT REPRESENTED A DIRECT EFFORT TO INTERVENE IN CHILEAN AFFAIRS. THE DETAINNEs IN CHILE WOULD BE TRIED FOR CRIMES UNDER THE LAW, EVEN THOUGH EXISTING CHILEAN LEGISLATION WAS ILL ADAPTED TO DEAL WITH SUCH OFFENSES AS INTENT TO ENGAGE IN MASS SLAUGHTER, CLANDESTINE ARMS IMPORTS, STORAGE OF ARMS IN HOSPITALS FOR SUBVERSIVE PURPOSES, ETC.

6. PEOPLE WHO ON INVESTIGATION HAD BEEN FOUND INNOCENT, THE FOMIN CONTINUED, INCLUDING SOME LEADING LEFTISTS, HAD BEEN RELEASED. THOSE STILL DETAINED WOULD BE TRIED WHEN THE FULL EVIDENCE WAS IN, BUT CHILE HAD NO DESIRE TO HOLD A "NUREMBERG YRTAL." ON THE OTHER HAND, TO GIVE AMNESTY WOULD BE A MISTAKE, AND THE JUNTA WOULD NOT CONTEMPLATE IT. ANY EVIDENCE OF WEAKNESS ON THE PART OF THE JUNTA WOULD ONLY ENCOURAGE ITS COMMUNIST OPPONENTS TO PRESS ON FOR FURTHER GAINS, SINCE THEIR VICTORY WAS NOTHING LESS THAN THE DESTRUCTION OF THE CHILEAN GOVERNMENT AND ITS REPLACEMENT BY A MARXIST REGIME.
7. IN FACT, MUERTA ADDED, THE PRISONERS GENERALLY WERE IN GOOD SHAPE, THERE HAD BEEN A CAMPAIGN IN THE LAST TWO WEEKS WITH RESPECT TO CLODOMIRO ALMEYDA, AND IT HAD BEEN ASSERTED THAT HE MIGHT BE AT DEATH'S DOOR. IN FACT, WHILE ALMEYDA HAD LOST SOME WEIGHT (HE HAD BEEN VERY FAT) HE WAS GETTING ALONG QUITE WELL AND HAD NO COMPLAINTS.

8. I SAID I UNDERSTOOD FULLY THE DANGER OF ANY STEP WHICH WOULD IMPAIR THE SECURITY OF THE GOV. OUR CONGRESSIONAL PROBLEM, HOWEVER, AROSE BECAUSE THERE WAS A WIDESPREAD IMPRESSION AMONG SOME ELEMENTS OF AMERICAN OPINION THAT THE PROCEDURAL SAFEGUARDS REQUIRED TO MAINTAIN ADEQUATE HUMAN RIGHTS STANDARDS WERE BEING WEAKENED IN CHILE, WHAT WOULD BE IMPORTANT TO THESE AMERICANS WOULD BE EVIDENCE THAT THE RIGHTS OF ACCUSED PERSONS WERE BEING PROTECTED; THE RIGHT TO COUNSEL, ADEQUATE OPPORTUNITY FOR COUNSEL TO PREPARE DEFENSES, A TRIAL WITH SUFFICIENT PUBLICITY TO ENSURE JUST TREATMENT, AND THE RIGHT OF APPEAL AFTER SENTENCING. MOREOVER, TRIALS SHOULD NOT BE UNDULY DELAYED WHILE INDIVIDUALS WERE DETAINED WITHOUT CHARGES.

9. MY PURPOSE IN MAKING THESE POINTS, I CONTINUED, WAS NOT IN ANY SENSE TO INTERVENE IN CHILEAN AFFAIRS OR TO INDICATE ANY CHANGE IN THE ATTITUDE OF THE EXECUTIVE BRANCH OF THE US GOVERNMENT, BUT I KNEW THE FOREIGN MINISTER WOULD WANT ME TO DISCUSS FRANKLY WITH HIM THE OBSTACLES I SAW ON THE HORIZON. I WAS RECEIVING COMMUNICATIONS EVERY DAY FROM MEMBERS OF CONGRESS AND FROM THE PUBLIC, AND I KNEW THE DEPARTMENT WAS IN THE SAME POSITION. ONLY YESTERDAY I HAD HAD WORD OF THE ARRIVAL YESTERDAY OF THE "FAIR TRIAL COMMITTEE FOR CHILEAN POLITICAL PRISONERS" (STATE 66889). I HOPE THAT THE FONOFF WOULD MAKE AVAILABLE TO THEM, AS IT HAD TO EARLIER GROUPS OF AMERICANS, THE FACILITIES NEEDED FOR THEM TO DRAW THEIR OWN CONCLUSIONS AS TO EVENTS IN CHILE.

10. MUERTA SAID HE UNDERSTOOD FULLY THE BASIS FOR MY REPRESENTATIONS, BECAUSE OF THE DEPRIVATION OF THE CURRENT SITUATION ON AID LEGISLATION WHICH CHILE WANTED AND NEEDED, HE WOULD TAKE THE MATTER UP WITH THE JUNTA AT AN EARLY DATE. HE WOULD LET ME KNOW OF THE OUTCOME.
11. Comment: Huerta's manner was serious but entirely friendly. He gave no assurances, but understood the basic point involved. I am unable to predict how the junta will react, and whether and to what extent current practices will be modified.

12. The fact is that a good deal of educational work will have to be done to convince the junta that steps which are legal under the Chilean constitution during the existence of a "State of War" are by no means consistent with generally accepted standards of judicial procedure. Having made this start, I intend to use appropriate occasions to zero in with more specificity on the kinds of things that might reasonably be done to satisfy non-communist opinion in these matters. POPPER
Department of State

TELEGRAM

74 APR 9 AM 8,10

CONFIDENTIAL 6575

PAGE 01  SANTIA 01833 0822182

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ACTION SS-30

INFO OCT-01 ISQ-00 /031 W

R 082135Z APR 74
FM AMBASSAD SANTIAGO
TO SECSTATE WASHDC 8113

CONFIDENTIAL SANTIAGO 1833

EXDIS

EO 11652: GDS
TAGS: CI, PFOR, PINS
SUBJECT: HUMAN RIGHTS IN CHILE: TRIALS

REF: SANTIAGO 1731

1. SUMMARY: AMBASSADOR STRESSES TO JUNTA MEMBER IMPORTANCE OF PROPER JUDICIAL PROCEDURES DURING UPCOMING TRIALS.

END SUMMARY.

2. ON APRIL 8 I CALLED ON ADMIRAL JOSE MERINO, MEMBER OF THE JUNTA IN CHARGE OF ECONOMIC AFFAIRS, FOR A GENERAL DISCUSSION OF CURRENT CHILEAN ECONOMIC PROBLEMS AND A DESCRIPTION OF TYPES OF ECONOMIC ASSISTANCE USG WAS PLANNING TO EXTEND TO CHILE THROUGH AID AND OTHER MECHANISMS (SEPTEL). AT CONCLUSION THIS PHASE OF MEETING, I ASKED TO BE ALONE FOR A FEW MINUTES WITH THE ADMIRAL AND TOOK UP WITH HIM OUR CONCERNS RE HUMAN RIGHTS.

3. AS IN CASE OF MY MEETING WITH FUNMIN HUELIRA LAST WEEK (SEPTEL) I REMINDED MERINO THAT GREATEST OBSTACLE TO USG ASSISTANCE TO CHILE AROSE FROM CONTROVERSY OVER HUMAN RIGHTS ABUSES ALLEGELY TAKING PLACE, PARTICULARLY IN CONNECTION WITH DETAINEEs. I SHOWED MERINO SECTIONS 32 AND 35 OF THE FOREIGN ASSISTANCE ACT, NOTING THAT WHILE THEY WERE NOT BINDING ON THE EXECUTIVE, THEY DID REFLECT CONGRESSIONAL CONCERN AND HAD TO BE TAKEN INTO ACCOUNT.

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 Authority NRC
By: NARA, Date: 9/9/99

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4. I SAID IT SEEMED TO ME THAT AT THE MOMENT THE PRINCIPAL
PROBLEM LAY IN ASSURING OUTSIDE WORLD THAT THOSE NOW UNDER
DETENTION RECEIVED BENEFITS OF PROPER JUDICIAL PROCEDURES
INCLUDING RIGHT TO COUNSEL, SUFFICIENT OPPORTUNITY FOR
COUNSEL TO PREPARE DEFENSES, PUBLIC TRIAL TO EXTENT POSSIBLE,
JUDGMENT IN LIGHT OF EXISTING LEGISLATION, AND RIGHT OF
APPEAL. THE MORE CLOSELY NORMAL JUDICIAL PROCEEDINGS WERE
APPROXIMATED, I SAID, THE BETTER THE RECEPTION WOULD BE IN
THE OUTSIDE WORLD.

5. ADMIRAL MEROI SAID HE UNDERSTOOD THE PROBLEM FULLY.
CHILE'S IMAGE ABROAD WAS BAD, AND IT WAS A MATTER OF CONCERN,
BUT PROBLEM WAS THAT EFFORTS GO CAME MADE WERE DISTORTED BY
HOSTILE ELEMENTS ABROAD.

6. TRIALS WERE BEGINNING NOW, ADMIRAL SAID, WITHIN A FEW
DAYS A GROUP OF DEFENDANTS WOULD GO ON TRIAL AFTER DELAYS
WHICH HAD GIVEN THEIR COUNSEL PLENTY OF TIME TO PREPARE
AUFQUATE DEFENSES. THOSE BEING TRIED UNDER CIVILIAN LAW
WOULD BE CHARGED ACCORDING TO LEGAL CODE DATING BACK TO 1821;
THOSE TRIED UNDER MILITARY LAW, UNDER PROVISIONS DATING BACK
TO ABOUT 1925, EVEN THOUGH THESE PROVISIONS MADE NO PROPER
ALLOWANCE FOR MANY OF THE CRIMES COMMITTED BY DETAINES,
GO CAME WOULD ADHERE TO THEM.

7. I REITERATED IMPORTANCE OF ATTEMPTING TO SATISFY REASONABLE
AMERICAN OPINION, ESPECIALLY IN THE CONGRESS, ON THESE MATTERS,
URGED ADMIRAL TO DO WHAT HE COULD SO THAT OUR DIFFICULTIES
ON THE HILL IN CONNECTION WITH AID PROGRAM MIGHT BE MINIMIZED.

8. COMMENT: I BELIEVE THIS CONVERSATION, TAKEN IN CONJUNCTION
WITH MY TALK WITH ADMIRAL HUERTA, GOES ABOUT AS FAR AS WE
CAN AT THIS STAGE. THINK WE HAVE NOW ESTABLISHED THAT WE HAVE
A LEGITIMATE CONCERN RE TRIALS AND THAT WE CAN COME BACK TO
THIS SUBJECT AS OCCASION ARISES, SO FAR WE SEEM TO HAVE
AVOIDE ANTAGONIZING CHILEANS BY GIVING IMPRESSION THAT WE
ARE TRYING TO INTERVENE IN THEIR INTERNAL AFFAIRS. ON OTHER
HAND, IT IS APPARENT JUNTA HAS NOT YET BEEN APPRISED OF OUR
INTEREST BY FUMMIN ADMIRAL HUERTA. AS OPPORTUNITY OFFERS,
WE WILL CONTINUE OUR PRIVATE REPRESENTATIONS, IN HOPE THEY
MAY HAVE SOME EFFECT.

FOOTER

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PAGE 01  SANTIA 01856  091939Z

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ACTION SS-3W

INFO OUT-01 ISO-00 /031 w

R 091918Z APR 74
FM AMBASSADOR SANTIAGO
TO SECSTATE WASHDC 8128

CONFIDENTIAL SANTIAGO 01856

EXDIS

FU 11652! GDS
TAGS: CI, PFOR, PING
SUBJECT: HUMAN RIGHTS IN CHILE

REFS: SANTIAGO 1687, 1731, 1833

1. REFIFS MAY BE SAID TO MARK COMPLETION OF FIRST ROUND
OF OUR REPRESENTATIONS WITH RESPECT TO HUMAN RIGHTS IN CHILE.
WE WILL CONTINUE TO REPEAT SUBSTANCE OF OUR COMMENTS
WHENEVER APPROPRIATE, BUT CHILEANS ARE NOW FULLY APPRISED OF
OUR VIEWS — PARTICULARLY WITH RESPECT TO IMPORTANCE OF PROPER
LEGAL PROCEDURES IN PENDING TRIALS — AND DECISION IS UP TO
THEM.

2. IT OCCURS TO ME THAT NEXT PHASE MIGHT PROPERLY BEGIN IN
WASHINGTON. I GATHER THAT ADMIRAL HUERTA HAD A FAIRLY HARD
TIME AT THE TLALELOLUZ MEETING BECAUSE OF CHILE'S POSITION
ON HUMAN RIGHTS, AND I EXPECT HE WILL AGAIN AT THE MFN IN
WASHINGTON AND THE OAS MEETING IN ATLANTA. I BELIEVE THAT
AT SOME STAGE DURING HUERTA'S PRESENCE IN THE UNITED STATES
A LOW-KEY BUT VERY HIGH-LEVEL APPROACH TO HIM REGARDING THE
HARMFUL EFFECTS OF CHILE'S STANCE ON HUMAN RIGHTS QUESTIONS
WOULD BE WELL ADVISED, CHILEANS APPARENTLY UNDERSTAND AND
ACCEPT THE RATIONALE: THAT OUR ABILITY TO HELP THEM IS
AFFEC TED VERY DIRECTLY BY THE WAY IN WHICH THEY HANDLE THIS
PROBLEM, WE UNDERSTAND THE SECURITY PROBLEM FOR THE JUNTA,
AND THE STRESSES UNDER WHICH IT WORKS, BUT WE HOPE CHILEANS
WILL ASK THEMSELVES WHETHER ALL OF THE MEASURES THEY HAVE

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TAKEN ARE REASONABLY RELATED TO THEIR SECURITY REQUIREMENTS.

3. I HOPE DEPARTMENT WILL NOT MISS THIS OPPORTUNITY TO MAKE THE BASIC POINT. IF DESIRED, WE CAN FILL OUT THE ARGUMENTATION AS REQUIRED.

PUTTER
SECRET

Department of State

TELEGAM

0 0532042 MAY 74
FM AMBASSADOR SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 8499

SGR & T SANTIAGO 2508

SGR 114526 XGDS
TAGS: CASC, PINS, CI
SUBJ: U.S. CITIZEN UNDER GOC DETENTION

1. MARIA GUADALUPE SANTA CRUZ LINDQUIST IS A U.S. CITIZEN
   (DPO US SEPTEMBER 27, 1952, ORANGE, NEW JERSEY) AND BEARER OF
   U.S. PASSPORT Z-1639176 ISSUED NOVEMBER 20, 1973 AT SANTIAGO.
   SHE IS ALSO A CHILEAN NATIONAL, AND NIECE OF HERMAN SANTA CRUZ,
   FORMER CHILEAN AMBASSADOR TO OAS UNDER PAP GOVERNMENT.

2. WE HAVE LEARNED THAT AFTER HAVING BEEN DETAINED BY GOC AUTHORITIES, SHE IS BEING
   DBGRIEVED ON HER KNOWLEDGE OF EXTREMIST CONTACTS. ON UNDERSTANDING
   SHE WILL BE PERMITTED DEPART CHILE THEREAFTER.

3. NEITHER SHE, FAMILY NOR FRIENDS HAS APPEALED TO THIS
   MISSION FOR ASSISTANCE.

4. WE HAVE MADE REPRESENTATIONS TO EFFECT WE EXPECT AND DESIRE THAT EVERY EFFORT BE
   MADE TO ASSURE HER SAFETY AND PERMIT HER DEPART CHILE ASAP.
   WE HAVE BEEN ASSURED SHE HAS SUFFERED NO VISTREATMENT, IS
   COOPERATING FREELY, IS IN REGULAR COMMUNICATION WITH HER FATHER,
   AND WILL BE RELEASED TO OUR CUSTODY FOR DEPARTURE FROM CHILE
   AS SOON AS HER DBGRIEVING COMPLETED.

5. SRF CAN PROVIDE FULL DETAILS THIS CASE.

POPPER

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By: GLA NARA, Date 9/16/99

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Department of State

SECRET

TELEGRAM

CONTROL: 5442
RECEIVED: May 10, 1974 645 PM

0 1622344X MAY 74
PM AMBASSAD SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 6545
ST
S E C R E T SANTIAGO 2573

NODIS

ETO 112521 NSC
TAGS: GSO, PINS, CI
SUBJ: U.S. CITIZEN UNDER GOC DETENTION

REF: SANTIAGO 2958

1. ALFREDO SANTA CRUZ, FATHER OF SUBJECT REFEL, CALLED ON DCMD AT 1630 MAY 13 TO REPORT FOLLOWING:

A. ARMY OFFICER TOOK AMCIT DAUGHTER FROM FATHER’S HOME ON MAY 1 GIVING ASSURANCES SHE WOULD BE BACK WITHIN TWO HOURS. DAUGHTER STILL UNDER DETENTION.

B. MISS SANTA CRUZ HAS TELEPHONED HER FAMILY SEVEN TIMES SINCE HER DETENTION BUT HAS NOT BEEN PERMITTED RECEIVE VISITORS.

C. AFTER USING FORMER PRESIDENT FREI AS INTERMEDIARY, FATHER CALLED ON GENERAL ARELLANO, ARMY COMMANDER FOR SANTIAGO MILITARY CORE. TELLING ASSURED HIM THAT HE HAD INVESTIGATED CIRCUM-
   STANCES OF DAUGHTER’S CASE AND COULD GUARANTEE HER WELFARE AND
   PROPER TREATMENT.

D. FATHER UNDERSTAND SANTA CRUZ IS IN CHEMICAL ARMY
   INTELLIGENCE WHICH IS SEEKING INFORMATION ABOUT HER ALLEGED
   LEFTIST CONTACTS. MISS SANTA CRUZ HAS TOLD HER FATHER THAT SHE
   HAS PROVIDED ANSWERS IN RESPONSE TO QUESTIONS.

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Authority M30
By. NARA, Date 9/16/99

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E. UNIDENTIFIED OFFICER AT MISS SANTA CRUZ’S PLACE OF DETENTION HAS INFORMED HER FATHER THAT SINCE SHE IS ANCIT, SHE WILL BE RELEASED FOR DEPARTURE TO U.S.

2. SANTA CRUZ REQUESTED THAT EMBASSY BRING U.S. INTEREST IN CASE AT ATTENTION OF GOVT WITHOUT MAKING PROTEST ON DEMANDS AND AVOIDING APPROACH TO FOREIGN MINISTRY IF POSSIBLE.

3. IT WAS AGREED THAT EMBASSY WOULD INFORM GOVT THAT SANTA CRUZ HAD REPORTED TO US ON DAUGHTER’S SITUATION AND ASSURANCES HE HAD RECEIVED THAT SHE WOULD BE RELEASED FOR TRAVEL TO U.S. AND HAD AGREED TO MAKE INQUIRIES RE ARRANGEMENTS FOR HER DEPARTURE.

4. WE INTEND TO TAKE STEP SUGGESTED BY SANTA CRUZ AND INDICATE THAT IT IS IN OUR COMMON INTEREST THAT AUTHORITIES GIVE US SPECIFICATION AS TO WHEN MISS SANTA CRUZ WILL BE RELEASED TO OUR CUSTODY.

P.S.

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Department of State

SECRET

CONTROL: 43680
RECEIVED: May 14, 1974 408PM

DEC 14 19552 MAY 74
FM AMBASSAD SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 8575
BT
SECRET SANTIAGO 2625

NO DIS

EC 11562: AGOS
TAGS: CASC, PINS, CI
SUBJECT: AMCIT MARIA GUADALUPE SANTA CRUZ LINGUIST
REF: SANTIAGO 2573

SUBJECT'S FATHER REPORTS MISS SANTA CRUZ RELEASED TO HIS CUSTODY AFTERNOON MAY 14 FOR TRAVEL U.S. ASAP.

BT
#2625

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Authority NCS
By: NARA, Date 9/19/99

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PAGE 01 STATE 113905

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DRAFTED BY ARA/BC/JK/KARKASHIAN
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TO AMEMBASSY SANTIAGO PRIORITY

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EXDIS

E:0 11652: G0S
TAGS: CI, CASC, SOCI
SUBJECT: DETENTION OF AMCIT; FATHER DANIEL PANCHOT
REF: A) SANTIAGO 2945; B) 2986

1. DEPARTMENT CONCURS EMBASSY'S PROPOSAL FOR HANDLING THIS
MATTER PER PARA 5 REFTEL A.

2. HOLY CROSS PROVINCIAL SUPERIOR, FATHER LUERS INFORMED
DEPARTMENT ON MAY 26 OF CHILEAN MILITARY INTELLIGENCE
INTEREST IN HOLY CROSS PRIESTS DIEGO AND MARIO YRARRAZAVAL,
MARTIN GARATE, AND MAURICIO LAFOREDE, ALL OF WHOM ARE
CHILEAN NATIONALS. LUERS (PROTECT SOURCE) STATED FOUR
PRIESTS RESIDED WITH FATHER PANCHOT. LUERS ACKNOWLEDGED
THAT GARATE WAS LAST SECRETARY GENERAL OF PRO-ALLENDE
ORGANIZATION KNOWN AS "CHRISTIANS FOR SOCIALISM". ACCORDING
TO LUERS, MARIO YRARRAZAVAL ARRESTED AND RELEASED, DIEGO
YRARRAZAVAL AND MARTIN GARATE SOUGHT AND RECEIVED PROTEC-

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TION OF MONSIGNOR VALECH OF CARDINAL'S OFFICE WHO IS
REPORTEDLY ARRANGING SAFE CONDUCT TO THE U.S. LUERS
EXPRESSED APPRECIATION FOR ASSISTANCE FROM CONSUL PURDY IN
QUOTE ARRANGING VISAS FOR ALL FOUR UNQUOTE.

3. LUERS SAID CARDINAL SILVA LUNCHED WITH FATHER THEODORE
HESBURG OF NOTRE DAME ON MAY 27 AND LATER SPOKE TO LUERS
BY PHONE. ACCORDING TO LUERS, CARDINAL WILL CONTINUE TO
PRESS FOR MAJORITY CONTROL OF ST. GEORGE'S SCHOOL BY
HOLY CROSS AND IN INTERIM WILL CONTINUE TO REFUSE TO
ASSIGN CLERGY TO SCHOOL ON GROUNDS THAT WITHOUT MAJORITY
CONTROL SCHOOL IS NOT A CHURCH INSTITUTION.

4. FATHER LUERS SAID HE WANTED TO KEEP DEPARTMENT INFORMED
OF DEVELOPMENTS RE STATUS OF HOLY CROSS PRIESTS IN CHILE
AND LACK OF ANY FORWARD PROGRESS ON ST. GEORGE'S PROBLEM.
HE DID NOT REQUEST ANY ACTION BY THE DEPARTMENT OR EMBASSY.

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Page 01 SANTIA 02916 241741Z

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ACTION SS-30
INFO OCT-01 ISO-00 /031 m

P 241554Z MAY 74
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC PRIORITY 8692

CONFIDENTIAL SANTIAGO 02916

EXDIS

FO 11652: XGDS-4
TABS: CI, PINT, SOCI, UN
SURJ: WIVES OF HIGH-LEVEL PRISONERS APPROACH EMBASSY

REF: SANTIAGO 2774.

1. SUMMARY. WIVES OF ERICH SCHNAKE, ALEJANDRO JILIBERTO, AND
CLODOMIRO ALMEYDA HAVE JOINED MRS. ORLANDO LETELIER (NEFTEL)
IN INFORMING EMBASSY OF SITUATION OF THEIR HUSBANDS, JILIBERTO,
A DAWSON ISLANDER, CONFIRMED, THROUGH WIFE, HARSH TREATMENT
DURING LAST 30-45 DAYS OF STAY ON DAWSON REPORTED TO US EARLIER
BY MRS. LETELIER. END SUMMARY.

2. DURING INTERVIEW MAY 23 REQUESTED BY WIVES OF EX-SENATOR
ERICH SCHNAKE (SOCIALIST) AND EX-DEPUTY ALEJANDRO (COVPD) VARYING
EXPERIENCES OF
THEIR HUSBANDS. JILIBERTO IS ONE OF DAWSON ISLAND GROUP, AND
HIS EXPERIENCES AS RELATED BY WIFE, A LAWYER AND FORMER MEMBER
OF SANTIAGO LABOR APPEALS COURT, ARE SIMILAR IN MANY RESPECTS
TO THOSE RECOUNTED BY MRS. ORLANDO LETELIER (NEFTEL).

3. MRS. JILIBERTO CLAIMS HER HUSBAND WAS ARRESTED IN DECEMBER
1973, TORTURED INTER ALIA BY ELECTRIC CHARGES WHILE IN CUSTODY
OF INVESTIGATIONS DEPARTMENT (NOTE THAT MRS. LETELIER DOES
NOT CLAIM THAT HUSBAND WAS MISTREATED PRIOR TO ARRIVAL OF DAWSON),
THEN SENT TO DAWSON WHERE TREATED ADEQUATELY UNTIL LAST MONTH
TO MONTH-AND-A-HALF, WHEN CAMP COMMANDER WAS CHANGED AND FORCED
MARCHES WITH STONE-FILLED PACKS, WADING STREAMS WHILE HALF

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Naked, and inadequate food became characteristic. She denied any knowledge of torture in sense of cold-blooded individual application of physical duress, however.

4. Once in Santiago, Jiliberto was mandated to Carabinero custody and he is now being held in mountainous Cajon de Maipo ARPA outside Santiago. She has seen him once since return from Dawson, according to her, he said he had no problem with food or treatment but did complain of being held in isolated cell with nothing to do, no one to talk to, and nothing to read. She acknowledged she had heard story that all Dawson prisoners would be reunited in one place in June, but she put this in rumor category. She stressed that no charges of any kind have been lodged against Jiliberto, nor has any legal process involving him or others of Dawson group even begun.

5. Mrs. Schnake said husband, defendant in each trial, was arrested shortly after coup, "tortured for 40 days in army military academy," sent to Dawson briefly, and returned to Santiago public jail Nov 14, 1973. Since his return to Santiago, she has been able to visit him frequently, his lawyer has had ample access to him, and he has received adequate if Spartan treatment. She sharply criticized legal basis for each trial, noting specifically prosecutor's charge of "dealing with the enemy." Her prime immediate concern, however, was being allowed to attend his trial, tentatively scheduled for early next week. She stated that she was making strenuous efforts to secure permission to attend; if this were refused, she planned to send telegram to various US senators (Church and Kennedy were specifically named) and UN human rights commission, citing discrepancy between GOC statements that each trial open and reality of situation. She acknowledged some families have been allowed to attend previous trials. She also planned to contact Ramsey Clark, who is at present visiting Santiago (Santiago 2790).

6. Both women requested US representations to GOC to secure access of families of each defendants to their trial, more liberal visiting privileges to prisoners, and improved conditions of their detention. They urged USG to request GOC to exile their husbands and other prisoners. Emboff cited USG inability to make specific representation on behalf of non-US citizens or
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TO MAKE OFFICIAL COMMENT ON MERITS OF PROSECUTION OR DEFENSE LEGAL CASES, EMMBOF D ID STRESS CONTINUED US INTEREST IN FULL PROTECTION OF HUMAN RIGHTS IN CHILE AS ELSEWHERE AND NOTED USG STATEMENTS THAT APPROPRIATE REPRESENTATIONS HAVE ALREADY BEEN MADE TO GOC. AT THEIR REQUEST, EMMBOF AGREED TO REPORT THEIR CONCERNS "FOR THE RECORD."

7. WHILE ABOVE CONVERSATION TAKING PLACE, ANOTHER EMMBOF SPOKE TO IRMA CACERES DE ALMEYDA, WIFE OF FORMER FOREIGN MINISTER CLODORIO ALMEYDA (SOCIALIST). MRS. ALMEYDA CAME TO CHANCERY TO ASK EMMBOF TO USE POUCH TO SEND THREE LETTERS TO U.S. ACADEMIC CENTERS IN RESPONSE TO TEACHING OFFERS THAT HER HUSBAND HAD RECEIVED. EMMBOF AGREED AND LETTERS BEING POCHIED TO AR AABC FOR TRANSMSITI.

8. MRS. ALMEYDA REPORTED THAT HER HUSBAND IS IN GOOD PHYSICAL AND EMOTIONAL CONDITION. HE IS CURRENTLY IMPRISONED IN SANTIAGO'S TACNA REGIMENT QUAVERS WHERE HE WAS TRANSFERRED ON MARCH 30 FROM AIR FORCE WAR ACADEMY (SANTIAGO 1438). MRS. ALMEYDA, HER CHILDREN, AND HER HUSBAND'S PARENTS VISIT HIM THREE TIMES A WEEK. THEY HAVE BROUGHT HIM FOOD TO SUPPLEMENT HIS DIET, BOOKS, PERIODICALS, AND OTHER ITEMS INCLUDING A TV SET. SHE REPORTED THAT HE HAS NOT BEEN INTERROGATED SINCE HE WAS TURNED BACK TO ARMY CUSTODY. ACCORDING TO HIS WIFE, THE FORMER CABINET MINISTER HAS NOT HAD THE OPPORTUNITY TO CONSULT ANY ATTORNEY AND HE IS PREPARING HIS OWN DEFENSE, THOUGH AS YET HE DOES NOT KNOW WHAT SPECIFIC CHARGES, IF ANY, WILL BE BROUGHT AGAINST HIM. SHE STATED THAT SHE REALIZED THAT HER HUSBAND'S SITUATION IS CRITICAL BECAUSE HE IS THE "BIGGEST FISH" THE MILITARY HAS IN CUSTODY.

9. ACCORDING TO MRS. ALMEYDA, OTHER UP PRISONERS AT TACNA REGIMENT, ALL OF WHOM ARE RECEIVING SIMILAR TREATMENT, INCLUDE HERNAN SOTO, FORMER UNDER SECRETARY OF MINES; ALFREDO JOIGNANT, FORMER DIRECTOR OF CIVIL POLICE (INVESTIGACIONES) AND OSVALDO PUCIO, 21-YEAR OLD SON OF ALLENDE'S PERSONAL SECRETARY WHO WAS ARRESTED ALONG WITH HIS FATHER ON SEPTEMBER 11 IN THE MONEDA, THE FATHER IS IN THE MILITARY HOSPITAL OWING TO A SEVERE HEART CONDITION WHICH PRE-DATED THE COUP. MRS. ALMEYDA LOOKS WELL, STATES THAT SHE IS NOT BEEN HARASSED THOUGH SHE SUSPECTS HER PRIVATE MAIL IS READ, AND THAT SHE AND HER FAMILY

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ARF LIVING "AS WELL AS ONE COULD EXPECT." NEITHER SHE, MRS. SCHNAKE, NOR MRS. JILIBERTO SEEM TO BE SUFFERING ANY FINANCIAL PROBLEMS.

POPPER