



Department of State

TELEGRAM

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460 WHITE HOUSE
SITUATION ROOM

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INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 R

DRAFTED BY L/ARA:DAGANTZ:CJS

APPROVED BY P:AMB PORTER

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TO AMEMBASSY SANTIAGO IMMEDIATE

INFO USMISSION USUN NEW YORK

USMISSION GENEVA

~~CONFIDENTIAL~~ STATE 190162

EXDIS

E.O. 11652: GDS

TAGS: PINS, CI

SUBJECT: PROTECTION OF HUMAN RIGHTS

REF: (A) GENEVA 5001, (B) STATE 185343

FOR AMBASSADOR DAVIS

1. IN SPITE OF SOME RECENT POSITIVE STEPS DEPARTMENT CONCERNED ABOUT ALLEGED GOC TREATMENT OF PERSONS, ESPECIALLY ALIENS, WHO HAVE BEEN DETAINED AND ARE ULTIMATELY TO BE TRIED AND/OR DEPORTED BY GOC. TO DATE THERE HAS BEEN CONSIDERABLE ADVERSE PRESS COMMENT; WE HAVE RECEIVED SEVERAL INQUIRIES FROM SENATORS, CONGRESSMEN AND PUBLIC AND ANTICIPATE QUESTIONING BEFORE FASCELL SUBCOMMITTEE AND CURRENT FRASER SUBCOMMITTEE HEARINGS ON HUMAN RIGHTS MATTERS. WE WOULD LIKE TO BE ABLE TO SAY THAT WE HAD EXPRESSED OUR CONCERN TO NEW GOC AT FIRST AVAILABLE OPPORTUNITY, AND THAT RESPONSE HAD INDICATED THEIR SENSITIVITY TO THESE PROBLEMS AND STRONG DESIRE TO AVOID ANY VIOLATIONS OF GOC'S LEGAL

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By 6861 NARA, Date 9/15/99

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AND HUMANITARIAN OBLIGATIONS. MOREOVER, WE RECOGNIZE THAT AS A PRACTICAL MATTER GOC ADHERENCE TO HUMAN RIGHTS PRINCIPLES IN TREATMENT OF PRISONERS AND CONDUCT OF TRIALS WILL MAKE IT MUCH EASIER FOR A COOPERATIVE RELATIONSHIP BETWEEN THE GOC AND USG TO RECEIVE THE SUPPORT FROM CONGRESS AND AMERICAN PUBLIC OPINION IT REQUIRES.

2. WE REALIZE, NEVERTHELESS, THAT GOC WILL BE EXTREMELY SENSITIVE TO ANY OFFICIAL USG DEMARCHE ON THIS SUBJECT. FOR THIS REASON, WE HAVE CONCLUDED THAT DEMARCHE SHOULD NOT TAKE PLACE UNTIL AFTER WE HAVE FORMALLY CONTINUED RELATIONS WITH NEW GOVERNMENT, THAT IT SHOULD BE RAISED IN CONTEXT OF OTHER MAJOR AREAS OF USG-GOC COMMON INTEREST, AND THAT IT SHOULD EMPHASIZE POSITIVE STEPS GOC HAS ALREADY TAKEN IN HUMAN RIGHTS MATTERS. CONSISTENT WITH THESE CAVEATS, AMBASSADOR SHOULD, UNLESS HE PERCEIVES OVER-RIDING OBJECTION, MAKE OR HAVE MADE DEMARCHE ON HUMAN RIGHTS ALONG LINES OUTLINED PARAS 3-5 BELOW AT EARLIEST APPROPRIATE OPPORTUNITY, DRAWING ON BACKGROUND INFORMATION PROVIDED PARAS 6-8 AT HIS DISCRETION.

3. THE UNITED STATES IS RELUCTANT TO RAISE QUESTIONS OF HUMAN RIGHTS WITH THE GOC BECAUSE IN SO MANY INSTANCES THEY ARE ESSENTIALLY MATTERS OF DOMESTIC JURISDICTION. WE UNDERSTAND FULLY THE SERIOUS PROBLEMS OF SECURITY WHICH THE GOC HAS FACED IN RECENT DAYS AND THAT SUBSTANTIAL STEPS HAD TO BE TAKEN IN ORDER TO RESTORE PUBLIC ORDER. WE VIEW THE POSITIVE STEPS WHICH THE GOC HAS ALREADY TAKEN IN HUMAN RIGHTS MATTERS AS EVIDENCE BOTH OF THE GOC'S BASICALLY HUMANITARIAN NATURE, CONSISTENT WITH LONG CHILEAN TRADITION, AND ITS REALIZATION THAT HUMAN RIGHTS PROBLEMS, IF NOT RESOLVED, COULD CAUSE SERIOUS DANGER TO GOC'S INTERNATIONAL REPUTATION. INSOFAR AS THE UNITED STATES IS CONCERNED, WE REALIZE THAT AN "ADVERSE PRESS" FOR THE GOC ON HUMAN RIGHTS MATTERS COULD INTERFERE WITH OUR OWN EFFORTS TO ASSIST THE GOC AND TO WORK CLOSELY WITH IT IN THE MONTHS AHEAD. IT IS IN THIS SPIRIT THAT REMARKS SHOULD BE TAKEN.

OURSELVES, AND, WE BELIEVE, INTERNATIONAL OPINION,

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HAVE BEEN FAVORABLY IMPRESSED BY A NUMBER OF VERY POSITIVE STEPS WHICH THE GOC HAS TAKEN IN RECENT DAYS TOWARD ASSUAGING THE PERHAPS UNJUSTIFIED FEARS OF MANY CONCERNING THE SITUATION IN CHILE. WE KNOW THAT THE GOC HAS ASSURED THE UN HIGH COMMISSIONER ON REFUGEES THAT IT IS NOT THEIR INTENTION TO DEPORT POLITICAL REFUGEES TO THE COUNTRIES FROM WHICH THEY FLED, AND THAT REFUGEES WHO ARE NOT ALLOWED TO REMAIN IN CHILE WILL BE ABLE TO CHOOSE THEIR DESTINATION. MISSIONS FROM THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES AND THE INTERNATIONAL COMMITTEE FOR THE RED CROSS WHICH HAVE COME TO CHILE WITH GOC APPROVAL TO ASSESS RELIEF NEEDS OF REFUGEES AND TO PROVIDE ASSISTANCE TO POLITICAL DETAINEES, RESPECTIVELY, SHOULD BE EFFECTIVE IN SHOWING WORLD OPINION THAT THE GOC INTENDS TO RESPECT FULLY ITS INTERNATIONAL OBLIGATIONS WITH RESPECT TO THESE PERSONS.

REPORTED GOC INVITATION TO FOREIGN JOURNALISTS TO OBSERVE THE SITUATION, AND ASSURANCES THAT ACCUSED WILL BE ABLE TO RETAIN DEFENSE COUNSEL, ADD TO THIS IMPRESSION.

5. THE INTERNATIONAL COMMUNITY HAS CERTAIN BASIC EXPECTATIONS AS TO TREATMENT OF RESISTERS, DETAINEES, AND THOSE ACCUSED OF CRIMES, OF WHICH THE GOC HAS INDICATED ITS AWARENESS BY THESE ACTIONS IT HAS ALREADY TAKEN. RESISTERS WHO HAVE LAID DOWN THEIR ARMS, AND DETAINEES, ARE EXPECTED TO RECEIVE FAIR AND HUMANE TREATMENT PENDING RELEASE OR TRIAL, INCLUDING CONTACT WITH CONSULAR REPRESENTATIVES FOR THOSE WHO DESIRE SUCH COMMUNICATION. SUMMARY EXECUTIONS OR BEATINGS OBVIOUSLY WOULD VIOLATE INTERNATIONAL NORMS. THE TRIALS THEMSELVES SHOULD CAUSE FEW SERIOUS PROBLEMS IF THEY ARE PUBLIC, OPEN TO FOREIGN OBSERVERS, AND LIMITED TO PERSONS CHARGED WITH SPECIFIC COMMON CRIMES. GOC HAS AVAILABLE TO IT ABLE INTERNATIONAL LAWYERS WHO CAN ADVISE GOC WITH RESPECT TO APPLICABLE INTERNATIONAL NORMS AND EXPECTATIONS OF INTERNATIONAL COMMUNITY. IN SHORT, USG IS IMPRESSED WITH EARLY INDICATIONS OF GOC RESPECT FOR HUMAN RIGHTS AND HOPES GOC WILL CONTINUE TO EXHIBIT SAME RESPONSIVENESS AND FORTHRIGHT APPROACH.

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6. FYI: CHILE IS PARTY TO GENEVA CONVENTIONS ON THE LAW OF WAR, WHICH APPLY IN PART TO CIVIL STRIFE, THE CONVENTION RELATING TO THE STATUS OF REFUGEES AND ITS PROTOCOL, APPLICABLE TO REFUGEES AND CERTAIN POLITICAL ASYLEES, THE VIENNA CONVENTION ON CONSULAR RELATIONS WHICH PROVIDES A RIGHT OF CONSULAR ACCESS, AND THE UNIVERSAL DECLARATION ON HUMAN RIGHTS, AN AFFIRMATION WHICH LACKS THE BINDING FORCE OF LAW BUT NEVERTHELESS IS WIDELY ACCEPTED AS A CONSENSUS OF THE INTERNATIONAL COMMUNITY ON THE RIGHTS OF INDIVIDUALS. ARTICLE 3 OF EACH OF THE GENEVA CONVENTIONS PROVIDES THAT QUOTE: IN THE CASE OF ARMED CONFLICT NOT OF AN INTERNATIONAL CHARACTER OCCURRING IN THE TERRITORY OF ONE OF THE HIGH CONTRACTING PARTIES EACH PARTY TO THE CONFLICT SHALL BE BOUND (TO PROVIDE HUMANE TREATMENT, ON A NON-DISCRIMINATORY BASIS, TO) PERSONS TAKING NO ACTIVE PART IN THE HOSTILITIES, INCLUDING MEMBERS OF THE ARMED FORCES WHO HAVE LAID DOWN THEIR ARMS. END QUOTE. IN ADDITION, THIS PROVISION EXPRESSLY PROHIBITS A NUMBER OF ACTS, INCLUDING QUOTE: THE PASSING OF SENTENCES AND THE CARRYING OUT OF EXECUTIONS WITHOUT PREVIOUS JUDGMENT PRONOUNCED BY A REGULARLY CONSTITUTED COURT AFFORDING ALL THE JUDICIAL GUARANTEES WHICH ARE RECOGNIZED AS INDISPENSIBLE BY CIVILIZED PEOPLES. END QUOTE.

7. THE CONVENTION ON REFUGEES DEFINES REFUGEES AS PERSONS WHO HAVE REMAINED OUTSIDE THE COUNTRY OF NATIONALITY DUE TO A "WELL-FOUNDED FEAR OF BEING PERSECUTED FOR REASONS OF . . . MEMBERSHIP OF A PARTICULAR SOCIAL GROUP OR POLITICAL OPINION." ARTICLES 32 AND 33 RESTRICT EXPULSION OF REFUGEES; ARTICLE 16 PROVIDES FOR ACCESS TO LOCAL COURTS. ARTICLE 14 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS PROVIDES SPECIFICALLY FOR AN INDIVIDUAL RIGHT OF ASYLUM, EXCEPT FOR NON-POLITICAL CRIMES. UNDER ARTICLE 11 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS PERSONS CHARGED WITH PENAL OFFENSES ARE AFFORDED A VARIETY OF DUE PROCESS GUARANTEES, INCLUDING THE RIGHT TO PUBLIC TRIAL. ALTHOUGH THE DECLARATION DOES NOT ITSELF IMPOSE ANY LEGALLY ENFORCEABLE INTERNATIONAL OBLIGATIONS, PERHAPS THE MOST WIDELY RECOGNIZED STATEMENT OF THE

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MINIMUM STANDARDS OF JUSTICE A NATION IS EXPECTED TO PROVIDE. THE INTERNATIONAL COVENANT OF CIVIL AND POLITICAL RIGHTS ADOPTED BY THE UN GENERAL ASSEMBLY IN 1966 PROVIDES SIMILAR DUE PROCESS GUARANTEES AND, IN ADDITION, RESTRICTS EXPULSION OF ALIENS LAWFULLY PRESENT IN A COUNTRY AND MAKES EXPULSION SUBJECT TO LEGAL PROCESS (ARTICLE 13). (ARTICLE 4 PROVIDES AN ESCAPE CLAUSE IN TIMES OF PUBLIC EMERGENCY THREATENING THE LIFE OF A NATION.) THIS COVENANT HAS NOT YET ENTERED INTO FORCE BUT THE GOVERNMENT OF CHILE HAS ADHERED TO IT.

8. ARTICLE 36 OF CONSULAR CONVENTION AFFORDS CONSULAR OFFICERS RIGHT TO VISIT NATIONALS OF HIS STATE WHO ARE DETAINED LOCALLY, AND REQUIRES AUTHORITIES OF RECEIVING STATE TO NOTIFY CONSUL WHEN NATIONAL OF HIS STATE HAS BEEN DETAINED, AT REQUEST OF DETAINEE. END FYI. RUSH

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APPROVED BY ARA:HWSHLAUDEMAN
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EXDIS

E.O. 11652: XGDS
TAGS: CASC, CI
SUBJ: ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS

REF:(A) STATE 189464; (B) SANTIAGO 4509

1. REFTEL(A) CONTAINS TEXT OF RECENT NEWS STORIES REPORTING STATEMENTS BY MR. AND MRS. ADAM SCHECH THAT THEY WITNESSED ALLEGED "MASS EXECUTIONS" IN NATIONAL STADIUM WHILE UNDER DETENTION. SCHECHES ALSO ALLEGE OTHER CHARGES OF HUMAN RIGHTS VIOLATIONS INCLUDING "TORTURE" AND "BRUTAL" TREATMENT OF DETAINEES.

2. DEPARTMENT URGENTLY NEEDS ANY FURTHER INFORMATION REGARDING SCHECHES' CHARGES AVAILABLE TO EMBASSY. DID SCHECHES REVEAL SUCH CHARGES TO CONSUL BEFORE DEPARTING CHILE? HAVE OTHER DETAINEES MADE SUCH CHARGES? IS EMBASSY AWARE OF ANY INDEPENDENT SOURCES WHO COULD CONFIRM OR DENY ANY PART OF ALLEGATIONS?

3. FYI. SENATOR KENNEDY'S SUB-COMMITTEE ON REFUGEES AND ESCAPEES WILL BEGIN HEARINGS ON WEDNESDAY,

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By 469
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SEPTEMBER 26, ON ALLEGED HUMAN RIGHTS VIOLATIONS IN CHILE.
END FYI. RUSH

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EXDIS

E.O. 11652: N/A

TAGS: CASC CI, ADAM AND PATRICIA GARRETT-SCHESCH

SUBJ: ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS

REF: STATE 190297 AND PREVIOUS, SANTIAGO 4549

1. AFTER RELEASE AT 1220 HOURS 21 SEPT, CONSUL HAD TWO PERSONAL OPPORTUNITIES AND TWO TELEPHONE OPPORTUNITIES TO TALK TO GARRETT-SCHESCHES BEFORE THEIR DEPARTURE FROM SANTIAGO AT 1720 HOURS 22 SEPT. IN FIRST THREE OPPORTUNITIES, SUBJECTS LIMITED SELVES TO THANKS FOR HAVING SECURED RELEASE AND TO CONCERN ABOUT OTHER DETAINEES AND THEIR OWN DEPARTURE. DURING FOUR HOURS CONSUL WITH THEM ON 22 SEPT ENROUTE TO AND AT AIRPORT, ADAM MADE FOLLOWING POINTS WHICH HE SAID WOULD BE BASIS HIS INTERVIEWS IN U.S., AND UPON WHICH CONSUL MADE WRITTEN NOTES: A. HE DID NOT WANT TO ENDANGER "FEW FRAGILE OPENINGS" WHICH HAD BEEN MADE TO SECURE LIBERTY OF DETAINEES; B. HE DID NOT WANT TO ENDANGER OWN RESEARCH MATERIALS, MUCH OF WHICH STILL IN HANDS OF MILITARY INTELLIGENCE AND WHICH USED AS BASTIS OF THEIR INTERROGATION; C. PRESS AND OTHER PERSONS INTERESTED IN WHAT IS REALLY GOING ON IN CHILE OUGHT TO GO, INDIVIDUALLY OR IN SMALL GROUPS, INTO THE "POBLACIONES" (LOWER INCOME NEIGHBORHOODS); D. HE WOULD EXPRESS HIS THANKS FOR EMBASSY'S EFFORTS IN OBTAINING THEIR FREEDOM, BUT FELT THAT MORE PRESSURE, POLITICAL AND OTHER, WOULD BE NECESSARY TO BE APPLIED TO THE NEW GOVERNMENT, BECAUSE OF AN ANTI-FOREIGNER SENTIMENT CURRENT IN CHILE. BOTH ADAM AND PATRICIA ALSO DISCUSSED ISSUES OF EXECUTIONS, BOTH WITH CONSUL AND, IN HIS PRESENCE, WITH PERSONS MET CASUALLY AT AIRPORT, THEY CLAIMED TO KNOW OF

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EXECUTIONS, AS REPORTED IN US PRESS, BUT WHEN PRESSED FOR DETAILS, GAVE FOLLOWING STORY: PATRICIA WAS IN A POSITION, DURING PARTS OF SEVERAL DAYS, TO SEE PRISONERS LED OUT OF AREA OF CONFINEMENT TO ANOTHER, UNSPECIFIED AREA OF NATIONAL STADIUM. SHE COUNTED THOSE WHO LEFT, SUBSEQUENTLY HEARD UNSPECIFIED NUMBER OF SHOTS, AND LATER COUNTED RETURNING PRISONERS. FROM THIS, COUPLE DEDUCED THAT "MORE THAN ONE HUNDRED AND FIFTY PRISONERS HAD BEEN EXECUTED." COUPLE SCOFFED AT CONSUL'S SUGGESTION THAT PRISONERS MAY HAVE BEEN TRANSFERRED FROM ONE PART OF STADIUM TO ANOTHER. FYI: EMB KNOWS SUCH TRANSFERS TO BE COMMON.

2. AT AIRPORT, HALF HOUR BEFORE DEPARTURE, UNIDENTIFIED CHILEAN MEDIA REPORTER APPROACHED ADAM AND ASKED FOR INTERVIEW. LATTER GRANTED IT AND IT WAS FILMED AND TAPED. ALTHOUGH CONSUL DID NOT HEAR ALL OF INTERVIEW, IT GENERALLY FOLLOWED LINES OF A. THRU D. ABOVE, WITH ADDITIONAL EMPHASIS THAT "THINGS ARE WORSE IN THE NATIONAL STADIUM THAN MOST PEOPLE THINK."

3. FOLLOWING INFO RECEIVED FROM AMCITS JOHN CERRETTI AND CONFIRMED BY AMCIT HENRY WARLOW, BOTH OF WHOM WERE HELD OVERNIGHT SEPT 20-21 IN SAME CELL AS GARRETT-SCHESCHES: THEY WERE PICKED UP IN PROCESS OF RENEWING EXPIRED VISAS, TAKEN TO POLICE STATION, SEARCHED AND TAKEN TO NATIONAL STADIUM. THEY WERE NOT MISTREATED AND DID NOT SEE ANYONE MISTREATED. THEY TALKED TO OTHER FOREIGNERS HELD AT NATIONAL STADIUM AND NO ONE, OTHER THAN GARRETT-SCHESCHES, MENTIONED MISTREATMENT. THEY SAID THEY WERE KEPT IN A SEPARATE SECTION WITH OTHER FOREIGNERS, WHERE ENVIRONMENT WAS "NOT UNBEARABLE NOR REALLY BAD EITHER". THEY SAW NO SHOOTINGS OR BEATINGS. ALTHOUGH OFFERED FOOD, THEY DID NOT EAT WHILE DETAINED BECAUSE HAD JUST EATEN BIG MEAL BEFORE ARREST AND WERE NOT HUNTRY (ALSO WERE WORRIED ABOUT GETTING DYSENTERY.) NEITHER WAS IN ANY HURRY TO LEAVE CHILE ALTHOUGH NOT LOOKING FORWARD TO BEING DETAINED AGAIN.

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NOTE BY OC/T: RAISED TO EXDIS PER MR. NEWLIN, S/S-O.

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EXDIS

E.O. 11652: GDS
TAGS: PINS, CI
SUBJECT: PROTECTION OF HUMAN RIGHTS

REF: SANTIAGO 4629

1. DEPT HAS BEEN ASKED BY FASCELL SUBCOMMITTEE TO COMMENT ON PROPOSED HR CONCURRENT RESOLUTION 308 WHICH CALLS UPON PRESIDENT TO REQUEST GOC TO INSURE PROTECTION OF HUMAN RIGHTS IN ACCORDANCE WITH INTERNATIONAL OBLIGATIONS AND TO PUBLISH ASAP LIST OF DETAINEES AND CHARGES AGAINST THEM.
2. DEPT WISHES TO INCLUDE IN LETTER OF COMMENT TO SUBCOMMITTEE SPECIFIC REFERENCE TO DEMARCHE REPORTED IN REFTEL. WE NOTE HOWEVER THAT AMR STATED TO FONMIN THAT USG WOULD ADVISE MEMBERS OF CONGRESS PRIVATELY OR IN EXECUTIVE SESSION (PARA 3 OF REFTEL).
3. DEPT BELIEVES THAT COMMENT ON PROPOSED RESOLUTION SHOULD NOT BE LIMITED TO PRIVATE CONTACTS OR TO EXECUTIVE SESSION TESTIMONY. A NUMBER OF SIMILAR RESOLUTIONS ARE NOW UNDER CONSIDERATION BY CONGRESSIONAL COMMITTEES, AND

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RELEVANT USG ACTIONS TO DATE SHOULD BE MADE CLEAR. IF AMB BELIEVES IT NECESSARY TO SEEK FONMIN'S CONCURRENCE TO PROVIDING INFO CONCERNING DEMARCHE TO CONGRESS ON UNRESTRICTED BASIS, REQUEST THIS BE OBTAINED ASAP. AMB MAY

WISH TO ADVISE FONMIN THAT LETTER OF COMMENT SETS FORTH IN DETAIL POSITIVE STEPS TAKEN BY GOC IN HUMAN RIGHTS AREA. REPLY REQUESTED BY COB FRIDAY, SEPTEMBER 28. KISSINGER

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EXDIS

E.O. 11652: GDS
TAGS: PINS, CI
SUBJECT: PROTECTION OF HUMAN RIGHTS

REF: 190162

1. I SAW FOREIGN MINISTER HUERTA AT 8:00 PM TONIGHT AND MADE ALL POINTS CONTAINED PARAGRAPHS 3 TO 5 REFTEL. HUERTA OUTLINED TALKS AND UNDERTAKINGS REACHED WITH UN REPRESENTATIVES AND PROMISED TO SEND ME A COPY OF AGREEMENT REACHED. HE MADE A DISTINCTION BETWEEN REFUGEES AND CHILEAN DETAINEES (AS HIGH COMMISSIONER'S OFFICE IS PARTICULARLY CONCERNED WITH THE FORMER), BUT I MADE CLEAR OUR CONCERN IS WITH BROADER PROBLEM AND ITS POSSIBLE INFLUENCE ON OUR ABILITY TO BE HELPFUL. HUERTA EXPRESSED REGRET THAT INVESTIGATIONS WERE TAKING LONGER THAN HE WOULD HAVE LIKED, BUT NOTED THAT NOBODY WANTED INJUSTICES TO BE COMMITTED THROUGH HASTE. HE ASSURED ME GOC SHARES FULLY OUR CONCERN FOR HUMAN RIGHTS.

2. POINT WHICH GAVE HUERTA TROUBLE WAS PUBLIC TRIAL. HE SAID HE BELIEVED CHILEAN MILITARY TRIALS WERE PRIVATE, BUT SAID HE WOULD CHECK WHAT THE POSSIBILITIES WERE. I NOTED THAT THE REASSURANCE TO INTERNATIONAL PUBLIC OPINION WOULD BE NOTABLE IF SOME WAY COULD BE FOUND TO PROVIDE PUBLIC TRIAL.

3. I ADVISED HUERTA THAT WE WISHED TO BE IN THE POSITION TO ADVISE MEMBERS OF CONGRESS PRIVATELY OR IN EXECUTIVE

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4. I ASSURED HUERTA OF SPIRIT IN WHICH WE MADE THIS APPROACH, AND I THINK HE ACCEPTED IT AS OFFERED.
DAVIS

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EXDIS

EO 11652: GDS
TAGS: PINS, CI
SUBJECT: PROTECTION OF HUMAN RIGHTS

REF: STATE 192805

1. I HAVE TALKED WITH FONMIN HUERTA ABOUT QUESTION RAISED REFTL. FONMIN WOULD GREATLY PREFER THAT ANY REFERENCE TO OUR CONVERSATION LAST NIGHT BE PRIVATE OR IN EXECUTIVE SESSION. RELUCTANTLY AND AFTER SOME DISCUSSION, HE GAVE ME PERMISSION TO ADVISE THE DEPARTMENT THAT A MENTION COULD BE MADE OF OUR DISCUSSION AND HIS ASSURANCES TO ME IF THIS IS NECESSARY IN THE CONTEXT OF THE CONGRESSIONAL PROBLEM WE FACE. HE SAID THE TENOR AND NATURE OF ANY PUBLIC REFERENCE TO OUR CONVERSATION WOULD OF COURSE MAKE A LOT OF DIFFERENCE.

2. COMMENT: I BELIEVE IT WOULD BE SERIOUSLY DAMAGING IF THE DEPARTMENT WERE TO TICK OFF POINTS I MADE FROM PARAS 3 TO 5 IN STATE 190162. IF IT WERE POSSIBLE TO SAY THAT THE FONMIN, ON THE OCCASION OF OUR MEETING ON A NUMBER OF SUBJECTS (FYI WE ALSO DISCUSSED WHEAT), DESCRIBED THE MEASURES THAT THE CHILEAN GOVERNMENT IS TAKING TO ENSURE PROTECTION OF HUMAN RIGHTS, RIGHTS OF REFUGEES IN COLLABORATION WITH UN HIGH COMMISSIONER'S OFFICE AND HUMANE TREATMENT FOR DETAINEES IN COLLABORATION WITH THE INTERNATIONAL RED CROSS, I THINK SUCH STATEMENT WOULD NOT CAUSE SERIOUS TROUBLE. DEPARTMENT MIGHT GO ON TO SAY THAT FONMIN HUERTA WENT ON TO EXPRESS THE POLICY OF THE GOVERNMENT OF CHILE TO UPHOLD ALL ITS

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OBLIGATIONS IN THE FIELD OF HUMAN RIGHTS AND TO NOTE HOW STRONGLY THE GOVERNMENT OF CHILE FEELS THIS CONCERN. IN PRIVATE TALKS OR EXECUTIVE SESSION, DEPARTMENT SPOKESMAN MIGHT OF COURSE GO FURTHER.

3. IT IS OBVIOUS THAT PUBLIC STATEMENTS ABOUT TALKS ON THIS SUBJECT ARE NOT HELPFUL HERE. I BELIEVE THE PUBLIC LINKING BY THE BRITISH OF RECOGNITION AND THEIR DEMARCHE CREATED AN UNFORTUNATE LOCAL IMPRESSION. MOREOVER, I AM CONVINCED THAT WE WILL BE MORE EFFECTIVE IN PROTECTING HUMAN RIGHTS OF CHILEANS AND FOREIGNERS IF WE CAN CONVINCE THE CHILEAN GOVERNMENT OF OUR ABILITY TO TALK ABOUT THESE MATTERS IN PRIVATE AND NOT TO MAKE THE GOC THE OBJECT OF PUBLIC HUMILIATION AND EMBARRASSMENT. FROM THE POINT OF VIEW OF OUR WORK HERE, WE WOULD DO MUCH BETTER NOT TO MAKE ANY PUBLIC STATEMENT. HOWEVER, I AM AWARE THAT WE HAVE SERIOUS AND INTRACTABLE PROBLEMS AT HOME, AND YOU ARE THE BEST JUDGES WHERE TO DRAW THE LINE BETWEEN DAMAGE, COSTS AND NECESSITIES IN SANTIAGO AND WASHINGTON.

4. I HOPE THE DEPARTMENT'S LETTER OF COMMENT WILL SEEK TO HEAD OFF PROPOSED CONCURRENT RESOLUTION 308. SUCH AN EXPRESSION BY THE CONGRESS WOULD BE REGARDED HERE AS A DIRECT INTERVENTION.
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EXDIS

E.O. 11652: GDS
TAGS: SREF, CI
SUBJECT: PROTECTION OF HUMAN RIGHTS

REF: SANTIAGO 4674

PERSONAL FOR AMBASSADOR DAVIS FROM ASSISTANT SECRETARY
KUBISCH

1. MANY THANKS FOR YOUR TELEGRAMS OVER LAST SEVERAL DAYS WHICH PREPARED ME WELL FOR HEARING THIS MORNING BEFORE SENATOR KENNEDY'S SUBCOMMITTEE ON REFUGEE AFFAIRS. IN SEPTTEL WE ARE TRANSMITTING A COPY OF THE STATEMENT PREPARED FOR MY DELIVERY AT OPENING OF HEARING. IN FACT THERE WERE SO MANY INTERRUPTIONS AND QUESTIONS AND ANSWERS THAT THE ENTIRE STATEMENT NEVER GOT DELIVERED, BUT IT IS THE GENERAL LINE THAT I FOLLOWED.

2. THERE WAS BOTH A PUBLIC AND PRIVATE SESSION WITH THE PUBLIC SESSION ALSO HEARING OTHER WITNESSES, INCLUDING MR. & MRS. GARRETT-SCHESCH. DURING THE PUBLIC SESSION, I BELIEVE I WAS ABLE TO HOLD TO THE GENERAL LINES RECOMMENDED IN YOUR MESSAGES, INCLUDING SPECIFICALLY

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Department of State

TELEGRAM

~~CONFIDENTIAL~~

PAGE 02 STATE 194227

SANTIAGO 4674. THERE WAS CONSIDERABLE AND PERSISTENT QUESTIONING ABOUT SPECIFIC NATURE AND CONTENT OF YOUR AND EMBASSY'S CONTACTS IN SANTIAGO, BUT I DID NOT TICK OFF SPECIFIC POINTS YOU MADE BUT RATHER TOOK MORE GENERAL LINE

YOU PROPOSED IN PARA 2 REFTEL. IT REMAINS TO BE SEEN, OF COURSE, HOW THE PRESS WILL REPORT THE SESSION.

3. I ALSO WAS ABLE ON SEPTEMBER 25, IN AN EXECUTIVE SESSION OF HOUSE FOREIGN AFFAIRS L.A. SUBCOMMITTEE WITH CHAIRMAN FASCELL AND SOME 8-10 CONGRESSMEN PRESENT, TO EXPLAIN YOUR SECOND VISIT TO WASHINGTON LAST WEEKEND. I TOLD THEM OF YOUR AND OUR WILLINGNESS TO HAVE YOU COME BACK TO WASHINGTON TO MEET WITH MEMBERS OF THE CONGRESS AT SOME LATER DATE IF IT WAS DESTED. I THINK THEY WERE FULLY SATISFIED WITH EXPLANATION AND THIS OFFER AND THAT NEITHER YOU NOR WE HAVE ANY CONGRESSIONAL PROBLEM WITH RESPECT TO LAST WEEKEND'S VISIT.

4. SINCE DICTATING ABOVE, PAT HOLT HAS TELEPHONED TO SAY THAT SENATOR MCGEE WOULD LIKE TO HAVE YOU APPEAR BEFORE SFR SUBCOMMITTEE ON LATIN AMERICA FOR AN EXECUTIVE SESSION SOMETIME DURING WEEK OF OCTOBER 29. WHAT ARE YOUR VIEWS ON THIS? KISSINGER

~~CONFIDENTIAL~~

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M DS-1652

The seal of the United States Department of State is located at the top center of the page. It features an eagle with wings spread, perched on a shield with vertical stripes. Above the eagle's head is a circular emblem containing a constellation of stars. The words "DEPARTMENT OF STATE" are arched above the eagle, and "UNITED STATES OF AMERICA" is arched below it. Two small stars flank the central emblem.

Department of State

TELEGRAM

~~SECRET~~ 653

PAGE 01 SANTIA 04889 01 OF 02 070036Z

73
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 CCO-00 /026 W

039520

P 062238Z OCT 73
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC PRIORITY 0000

~~SECRET~~ SECTION 1 OF 2 SANTIAGO 4889

EXDIS

E.O. 11652: GDS
TAGS: CI, PINT
SUBJECT: FREI, THE CHRISTIAN DEMOCRATS AND THE JUNTA

REF: SANTIAGO 4752

SUMMARY. FORMER PRESIDENT FREI ASSERTED THAT THE MILITARY INTERVENTION WAS NECESSARY, CLAIMED THAT THE PDC HAS NOT FARED TOO BADLY UNDER THE JUNTA AND NOTED JUNTA MISTAKES IN TREATMENT OF CONGRESS AND THE UNIVERSITIES. HE LAMENTED THE JUNTA'S UNWILLINGNESS TO HAVE CONTACT WITH HIM OR THE PDC, BUT APPEARED DISPOSED TO PROVIDE HELP, ESPECIALLY IN THE AREA OF IMPROVING THE JUNTA'S OVERSEAS IMAGE. HE URGED US TO BE GENEROUS IN ASSISTING CHILE. IN A SUBSEQUENT CONVERSATION WITH ME, GEN. LEIGH REJECTED ANY CLOSE TIES TO THE PDC OR TO "POLITICIANS" AT THIS TIME. END SUMMARY.

1. I MET EX-PRESIDENT FREI PRIVATELY FOR TEA ON THE AFTERNOON OF OCTOBER 4. FREI IS FIRM IN HIS CONVICTION THAT THE MILITARY INTERVENTION WAS NECESSARY. HE DEEPLY REGRETS THAT IT WAS NOT POSSIBLE TO WORK OUT A CONSTITUTIONAL AND INSTITUTIONAL SOLUTION, BUT HE PLACES BLAME FOR THAT FAILURE SQUARELY ON THE SHOULDERS OF ALLENDE, THE UP AND THE LEFT EXTREMISTS. HE TOLD ME THAT THERE WAS "NO QUESTION" THAT THE MILITARY HAD TO ACT. HE ALSO EXPRESSED HIMSELF IN VERY STRONG TERMS ABOUT THE "GANGSTERISM AND CORRUPTION" OF THE FORMER GOVERNMENT, SAYING THAT THE REVELATIONS THAT HAVE COME TO LIGHT SINCE SEPTEMBER 11 HAVE SHOWN THAT THINGS

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WERE EVEN WORSE THAN THE OPPOSITION LEADERSHIP HAD FEARED.

2. SO FAR AS THE FORTUNES OF THE CHRISTIAN DEMOCRATIC PARTY ARE CONCERNED, FREI SAID THE CHRISTIAN DEMOCRATS ARE REALLY FARING PRETTY WELL AT THE SECONDARY AND TECHNICAL LEVEL. HE DESCRIBED THE SITUATION IN EACH MINISTRY AND IN MANY AGENCIES, INDICATING THAT IN ONE SEMI-AUTONOMOUS AGENCY AFTER ANOTHER THE PRE-1970 TECHNICAL TEAM HAD BEEN LARGELY BROUGHT BACK TO JOBS OCCUPIED BEFORE. IN SPITE OF THE FACT THAT ELECTED MAYORS AND CITY COUNCILMEN HAVE BEEN REMOVED FROM OFFICE, THE MILITARY AUTHORITIES HAVE REAPPOINTED MANY OF THE SAME CHRISTIAN DEMOCRATS AS MILITARY DELEGATES. FREI REMARKED THAT IN THE SMALL TOWNS OF CHILE THE MILITARY AUTHORITIES HAVE KNOWN OPPOSITION LEADERS, HAVE WORKED WITH THEM PRIVATELY, AND ARE NATURALLY TURNING TO THEM AS THEY TAKE UP THEIR NEW DUTIES OF GOVERNMENT.

3. SO FAR AS THE TOP LEVEL OF GOVERNMENT IS CONCERNED, THE MILITARY ARE SHARING REAL POWER WITH NO ONE. THEY ARE OCCUPYING THE TOP JOBS THEMSELVES. A FEW GUILD LEADERS LIKE ORLANDO SAENZ HAVE MOVED INTO TOP ADVISORY POSITIONS. BUT THE NATIONAL PARTY, ACCORDING TO FREI, IS NOT REALLY DOING MUCH BETTER THAN THE CHRISTIAN DEMOCRATS. FREI ALLEGED WITH SOME AMUSEMENT THAT JARPA HAD GONE TO CARACAS IN A MOOD OF FRUSTRATION AND ANNOYANCE, AND SENATOR PATRICIO PHILIPS IS SO MAD HE IS FIT TO BE TIED. (GUSTAVO ALESSANDRI TOLD ME TODAY THAT JARPA IS "EXPLAINING THE COUP" IN CARACAS AND SEVERAL OTHER CAPITALS.) FREI SAID THE RIGHT POSTURE FOR THE CHRISTIAN DEMOCRATIC PARTY IS TO ASSUME A DISCREET SUPPORTIVE POSITION, AND TO ACCEPT THE POLITICAL NECESSITY OF STEPPING ASIDE AND GUARDING SILENCE FOR A VERY CONSIDERABLE PERIOD OF TIME. FREI SAID HE KNEW THE CHRISTIAN DEMOCRATS WOULD BE IGNORED AND SOMETIMES DENIGRATED. IN THE MEANTIME THE PARTY MUST WORK LIKE FURY AT THE GRASS ROOTS WITH THE NEIGHBORHOOD COUNCILS, THE PEASANTS, THE WORKERS, THE WOMEN AND THE POOR. THE JUNTA MAY WELL BE IN POWER FOR SEVERAL YEARS. IF THE CHRISTIAN DEMOCRATIC PARTY DOES NOT WORK EFFECTIVELY, IT WILL BE THE COMMUNISTS WHO ARE ORGANIZED WHEN POLITICAL LIFE COMES BACK TO THE SURFACE. AND POLITICAL LIFE WILL REAPPEAR, AS THE CHILEAN PEOPLE ARE POLITICALLY SOPHISTICATED AND WILL START ITCHING FOR THEIR POLITICAL RIGHTS AND LIBERTIES BEFORE EVEN A YEAR PASSES. CHILE IS NOT BRAZIL AND IS

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Department of State

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NOT PERU, FREI EMPHASIZED. FOR THE MOMENT, THE CHILEAN PEOPLE WELCOME THE OPPORTUNITY TO GET BACK TO WORK, AND EVEN TO BE MADE TO GET BACK TO WORK. THERE ARE THINGS THE MILITARY CAN NOW DO, FREI SAID, WHICH A CIVILIAN DEMOCRATIC GOVERNMENT COULD NEVER DO. FOR EXAMPLE, A LEFTIST DISMISSED FROM HIS POSITION-- AND FREI SAID HE KNEW CASES WHERE EXACTLY THIS HAPPENED-- COMES HOME TO HIS WIFE AND FALLS INTO HER ARMS. THE TOW OF THEM BREAK OUT THEIR LAST BOTTLE OF PISCO TO CELEBRATE THE FACT THAT THE HUSBAND IS AT HOME, FREE AND SAFE. THE FACT THAT HE HAS LOST HIS JOB IS ALMOST FORGOTTEN IN THE JOY OVER THE FACT THAT THE MILITARY HAVE LET HIM GO. IF IT WERE A CIVILIAN DEMOCRATIC GOVERNMENT, SENATORS WOULD BE INTERVENING TO MAKE SURE THAT THIS OR THAT UP FUNCTIONARY WAS SPARED DISMISSAL, AND INSTEAD OF CLEANING OUT A THOUSAND UP PEOPLE FROM A GOVERNMENT MINISTRY, RESULT WOULD BE PERHAPS 150 DISMISSALS.

4. THIS DOES NOT MEAN, FREI SAID, THAT THE MILITARY HAVE AVOIDED SERIOUS MISTAKES. THE MOST SERIOUS OF THEM, ACCORDING TO FREI, WERE THE MILITARY'S TREATMENT OF THE CONGRESS AND THE UNIVERSITIES. SO FAR AS PDC CONGRESSMEN WERE CONCERNED, "ALMOST ALL OF THEM--AS WAS THE CASE WITH 98 PERCENT OF THE PARTY AS A WHOLE-- FELT THAT THE MILITARY INTERVENTION WAS NECESSARY." IT IS

INTERESTING

FREI SAID, THAT BERNARDO LEIGHTON WAS NOT ABLE TO GET MORE SIGNATURES THAN HE DID FOR HIS DISSIDENT STATEMENT (SANTIAGO A-191). LEIGHTON PRESSURED SEVERAL OLD FRIENDS VERY HARD, INCLUDING SOME WHO WERE DEEPLY BEHOLDEN TO HIM. BUT THE CHRISTIAN DEMOCRATIC PARTY REMAINS ESSENTIALLY UNDIVIDED. HOWEVER, SOME CHRISTIAN DEMOCRATIC SENATORS AND CONGRESSMEN HAVE BEEN HIT VERY HARD AND WHOLLY UNNECESSARILY BY THE HARSH MILITARY ATTITUDE TOWARD CONGRESS. THE CONGRESSMEN NOT ONLY LOST THEIR SALARIES, BUT THEY ALSO LOST THEIR OFFICES, THEIR FURNITURE, THEIR STAFF ASSISTANCE, AND EVEN THEIR PARKING PLACES. THE CHRISTIAN DEMOCRATIC SENATORS AND CONGRESSMEN WERE NOT RICH MEN, MORE IMPORTANT, THEY SUFFERED THE PSYCHIC BLOW OF LOSING POSITIONS WHICH WERE THE CULMINATION OF A LIFETIME'S ASPIRATION. NOTWITHSTANDING ALL THIS, FREI SAID, THE SENATORS HAVE REACTED PRETTY WELL. THE TWO MOST MOTABLE EXCEPTIONS ARE

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TOMAS PABLO AND RENAN FUENTEALBA. SO FAR AS THE UNIVERSITIES ARE
CONCERNED, FREI BELIEVES THE
JUNTA MADE A DEEPLY SERIOUS MISTAKE.

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WHITE HOUSE
OPERATION ROOM
Department of State TELEGRAM

~~SECRET~~ 562

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 CCO-00 /026 W

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P 062238Z OCT 73

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 6083

S E C R E T SECTION 2 OF 2 SANTIAGO 4889

EXDIS

5. MORE IN SORROW THAN APPARENT ANGER, FREI WENT ON TO DESCRIBE THE JUNTA'S UNWILLINGNESS TO HAVE SUBSTANTIVE CONTACT WITH HIS PARTY OR WITH HIM. HE SAID PDC PRESIDENT PATRICIO AYLWIN HAD EVEN GONE SO FAR AT THE BEGINNING OF LAST WEEK (PRESUMABLY SEPT 24) TO ADDRESS A LETTER IN WRITING TO THE JUNTA PROPOSING A MEETING. THE LETTER HAS NOT BEEN ANSWERED. (THIS APPEARS TO BE AN AMPLIFICATION OF WHAT TRONCOSO TOLD ME SEPT. 29--SEE REFTEL.) FREI SAID AYLWIN IS FRUSTRATED AND NERVOUSLY EXHAUSTED. FREI'S ADVICE TO AYLWIN WAS TO TAKE A WEEK OFF, GO TO THE SOUTH, AND GET SOME REST. FREI BELIEVES AYLWIN HAS DONE SO. [REDACTED] HAS A DIFFERENT VERSION OF AYLWIN'S TRIP TO THE SOUTH, THE THRUST IS SIMILAR.) SO FAR AS FREI HIMSELF IS CONCERNED, HE HAS MADE A NUMBER OF INFORMAL SOUNDINGS, AND IT IS CLEAR THAT THE JUNTA DOES NOT WANT TO OPEN ANY DIRECT DIALOGUE. FREI IS IN CLOSE AND

CORDIAL CONTACT WITH BONILLA AND VIO. ONE OF FREI'S CONTACTS RAISED THE POSSIBILITY OF A MEETING WITH PINOCHET, WHO ANSWERED: "I AM NOT READY TO TALK TO THAT GALLO (BUCK)." APPARENTLY PINOCHET EXPRESSED A CERTAIN LACK OF SELF-CONFIDENCE IN THIS CONNECTION--AND THE FEAR THAT CLEVER FELLOW LIKE FREI MIGHT RUN CIRCLES AROUND HIM IN A NEGOTIATION. FREI'S IMPRESSION IS THAT THE JUNTA'S ATTITUDE IS A MIXTURE OF DIFFIDENCE AND STRONG BIAS AGAINST POLITICS, POLITICIANS AND PARTIES.

6. IN SPITE OF THE FOREGOING, FREI APPEARS DISPOSED TO GIVE THE JUNTA SOME HELP. HE DESCRIBED AN OFF-THE-RECORD CONVERSATION HE HAD JUST HAD WITH SOME TIME CORRESPONDENTS IN WHICH HE HAD STATED HIS VIEW THAT THE MILITARY INTERVENTION HAD BEEN

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NECESSARY, AND THAT THE JUNTA IS DOING SOME NECESSARY THINGS. IN DESCRIBING TO ME HIS PRESENT VIEW OF THE SITUATION, FREI USED THE SIMILE OF A PATIENT WITH CANCER. THE PATIENT HAS FINALLY REJECTED THE ADVICE THAT HE TAKE ASPIRIN, AND HAS GONE UNDER THE KNIFE. HE HAS LOST HALF HIS STOMACH AND SOME OTHER ORGANS. BUT THE DOCTOR HAS TOLD HIM THAT THE MALIGNANCY IS GONE, AND THE PROCESS OF RECOVERY CAN BEGIN.

7. FREI IS THINKING OF WRITING AN ARTICLE ABOUT THE CHILEAN SITUATION

WHICH MAY HELP TO COUNTERACT THE EXAGGERATIONS AND MISREPRESENTATION WHICH SEEM TO BE DOMINATING THE FOREIGN PRESS. HE IS ALSO CONSIDERING SENDING SENATOR KENNEDY EITHER AN ADVANCE COPY OF THIS ARTICLE OR A SHORT PERSONAL MESSAGE. HE ASKED ME IF I WOULD BE WILLING TO ENSURE SECURE AND PRIVATE DELIVERY, AND I SAID I WOULD BE HAPPY TO DO SO.

8. FREI'S ADVICE TO US WAS TO HELP CHILE. CHILE WILL HAVE GREAT NEED FOR OUR ECONOMIC ASSISTANCE IN ITS RECOVERY, AND FREI HOPES WE WILL BE GENEROUS. HE ALSO SUGGESTED THAT I DO WHAT I COULD TO REORIENT THE UNFLATTERING PRESS REPORTING ABOUT CHILE WHICH IS RAMPANT. I SAID THAT AN AMBASSADOR'S ABILITY TO DO THIS IS LIMITED.

9. COMMENT: I TOOK THE OCCASION OF A LUNCHEON I GAVE OCT. 5 FOR WALTER HEITMANN TO TALK BRIEFLY WITH GENERAL LEIGH ABOUT THE JUNTA'S RELATIONS WITH THE CHRISTIAN DEMOCRATS. LEIGH WAS COMPLAINING ABOUT THE LIES AND SLANDERS OF THE FOREIGN PRESS AGAINST CHILE. I ASKED LEIGH IF HE HAD THOUGHT ABOUT THE POSSIBILITY THAT THE CHRISTIAN DEMOCRATS MIGHT BE HELPFUL WITH THIS PROBLEM OF FOREIGN IMAGE. IN ANSWER, LEIGH DELIVERED HIMSELF OF SOME QUITE UNFLATTERING VIEWS OF POLITICIANS AND PARTIES. HE NOTED THAT THE CHRISTIAN DEMOCRATS WERE NOT VERY EASY TO DEAL WITH (WHICH IS TRUE), AND EXPRESSED CONSIDERABLE ANNOYANCE AT PATRICIO AYLWIN. I ASKED IF HE HAD HAD ANY CONTACT WITH FREI. LEIGH SAID NO, AND OBSERVED THAT FREI WAS A PERSON OF SUCH STANDING AND PRESTIGE THAT HE WOULD BE A LITTLE HARD TO DEAL WITH. LEIGH SAID THAT IT WAS IMPORTANT TO THE JUNTA NOT TO GET ITSELF INVOLVED WITH ANY PARTY AT THIS TIME. I ASKED WHETHER LEIGH THOUGHT THERE WAS A POSSIBILITY OF ENLISTING CHRISTIAN DEMOCRATIC HELP WITHOUT THE JUNTA BEING COMMITTED OR COMPROMISED.

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TELEGRAM

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LEIGH'S REACTION WAS THAT HE WOULD BE HAPPY IF THE CHRISTIAN DEMOCRATS WERE WILLING TO BE HELPFUL, AND HE UNDERSTOOD THEY WERE DOING SOMETHING IN THIS REGARD, BUT HE DID NOT WANT THE JUNTA TO BE ASKING FOR THAT HELP.

DAVIS

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URGENT -- VIA LDX

Sent

10 October 1973

MEMORANDUM FOR: DICK CAMPBELL
FROM: GEORGE PICKETT *GP*
SUBJECT: Chilean Nationals

In California Professor Michael Crozier discussed with Mr. Marshall his concern about the status of two graduate students (husband and wife) in Chile. Both are Chilean nationals. The husband has been arrested and is to be courtmartialed. Professor Crozier learned of their situation through the girl's father and wondered if he should contact HAK, whom he knows from Harvard.

I have talked with Mary Brownwell in the NSC and Mr. Karkashian's people at the Chilean Country Desk. They have said little can be done because both people are Chilean nationals. Professor Crozier could talk with the Chilean Consul General in San Francisco, the Red Cross, or the UN High Commission for Refugees. They indicated, however, that because of HAK's schedule he might be able to take a personal interest within the next 24 hours.

As far as Professor Crozier knows, I am talking with State Department to see what can be done and to check to see if he should call HAK. He knows nothing of HAK's plans. If HAK wishes to take no action I will talk to Crozier tomorrow about what he can do without mentioning the opportunity now presented.

Professor Crozier number at Stanford in California
Office: 415-321-2052
Home: [REDACTED]

SANITIZED COPY

Names of the two individuals:

Francisco ZAPATA (husband)

Maria Luisa Tarres Zapata (wife)

When I talked with Professor Crozier it was apparent that he did not know how to contact these people in Chile. He was told of their plight by the girl's father, whom he also cannot reach. He has talked with the Ford Foundation (Mr. Carma Silva), which is aware of the situation because the two are considered scholars.



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~~CONFIDENTIAL~~ 274

PAGE 01 STATE 206543

45
ORIGIN SS-30

INFO OCT-01 ISO-00 1031 R

DRAFTED BY: ARASHWSHLAUDEMAN
APPROVED BY: ARASHWSHLAUDEMAN
S/S-MR. GAMMON

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FM SECSTATE WASHDC
TO AMEMBASSY SANTIAGO PRIORITY

~~CONFIDENTIAL~~ STATE 206543

EXDIS

E.O. 11652: GDS
TAGS: CASC, CI
SUBJ: W/W: AMCITS IN CHILE

REF: SANTIAGO 5039

1. MAC GEORGE BUNDY CALLED AT HIS REQUEST OCTOBER 17 ON SHLAUDEMAN TO DISCUSS PROBLEM OF BELL AND MANITZAS. FORMER HAD REPORTED TO FORD FOUNDATION ON HIS CONVERSATION WITH AMBASSADOR DAVIS.

2. BUNDY WAS INTERESTED IN HAVING OUR ASSESSMENT OF BELL'S POSITION VIS-A-VIS JUNTA. HE WANTED TO KNOW HOW SERIOUS WE THOUGHT SITUATION MIGHT BE, WHETHER BELL WAS IN ANY IMMEDIATE DANGER OF ARREST, AND IF WE HAD AN INDICATION OF JUNTA'S GENERAL ATTITUDE TOWARD FOUNDATION. BUNDY SAID FOUNDATION WOULD STAY ON IN CHILE IF AT ALL POSSIBLE AND WAS NOT DISPOSED TO WITHDRAW BELL BECAUSE OF "INDIRECT THREATS" - ALTHOUGH HE MIGHT BE TRANSFERRED AT SOME LATER DATE IN THE NORMAL COURSE OF ADMINISTRATIVE ROUTINE.

3. DURING DISCUSSION SHLAUDEMAN MADE FOLLOWING POINTS:
(A) DEPARTMENT HAD CONCLUDED IT WAS NECESSARY TO INFORM BELL HE WAS UNDER SUSPICION SINCE WE COULD NOT RULE OUT

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By

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POSSIBILITY OF HIS DETENTION; (B) OUR ONLY CONCERN WAS PERSONAL WELFARE OF BELL AND MRS. MANIYZAS; (C) WE HAVE NO INDICATION THERE IS IMMEDIATE THREAT OF ARREST, BUT ARE UNABLE OFFER ANY FIRM ASSURANCES IN THAT REGARD; (D) EMBASSY WILL ATTEMPT FACILITATE BELL'S DESIRE TO DISCUSS HIS PROBLEM WITH CHILEAN AUTHORITIES; AND (E) WE DO NOT BELIEVE BIAS AGAINST FORD FOUNDATION AS AN INSTITUTION IS INVOLVED IN THIS MATTER.

4. BUNCY SAID HE WOULD WAIT TO SEE HOW BELL CAME OUT
IN PROPOSED DISCUSSION WITH CHILEAN AUTHORITIES AND
THEN PERHAPS SEND DAVID BELL TO CHILE--OR POSSIBLY
EVEN GO HIMSELF--TO PURSUE PROBLEM AT A HIGH LEVEL.
HE OBSERVED THAT GOC MIGHT FIND A REASONABLE AMOUNT
OF GOOD WILL ON PART OF FORD FOUNDATION TO ITS
ADVANTAGE--A POINT WITH WHICH SHLAUDAMAN AGREED. KISSINGER

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MEMORANDUM

THE WHITE HOUSE
WASHINGTON

CHILE
Retyped -
Ready for
Signature

ACTION
January 30, 1974

MEMORANDUM FOR SECRETARY KISSINGER ✓ *conf*

FROM: PETER W. RODMAN *pwr*

SUBJECT: Note from Kitty Hart about Political Prisoner
in Chile

At Tab B is a note to Nancy from Kitty Hart asking if anything can be done to determine the fate of a woman academic -- a Communist -- who is in prison in Chile.

I checked with Bill Jorden's office, and the case is familiar to them. She apparently has many American friends.

Your reply to Mrs. Hart, at Tab A for your signature, recommends that she write directly to the Chilean Ambassador. This is how inquiries in this case have been handled up to now. The woman is Chilean, not American, so there is no basis for any official intervention.

The last sentence of your reply, however, suggests that Mrs. Hart can tell the Chilean Ambassador that you suggested she write to him. You may or may not want this degree of personal involvement and you may wish to delete that sentence.

Okay as is _____

Delete that sentence ✓

RECOMMENDATION

That you sign the note to Mrs. Hart, as is, at Tab A.

THE WHITE HOUSE
WASHINGTON

February 11, 1974

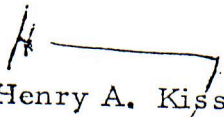
Dear Kitty:

I received your note, via Nancy, inquiring about Felicia Bernstein's friend who is imprisoned in Chile.

Her case is familiar to our people here because she apparently has many American friends. A representation has been made to the Chilean authorities through our Embassy. I frankly do not expect that anything more can be done on our part, since she is Chilean and not American. However, I recommend that you write directly to the Chilean Ambassador in Washington, His Excellency Walter Heitmann, at 1736 Massachusetts Avenue, N.W., Washington, D.C. 20036. Expressions of interest in her fate from her American friends may have some effect.

I hope this is helpful to you.

Warm regards,


Henry A. Kissinger

Mrs. Kitty Hart


SANITIZED COPY

PPH
HHC

Jan 24th
'74

Retyped -
Ready for
Signature

ON
0, 1974

Dearest Nancy;

I called Felicia Bernstein
after our talk, to tell her how slim
the chances are for her friend - &
she said she was so grateful
you even listened to her plea.

The name is: - G

Eneg Figueroa ~~TABLE~~
Women's House of Detention
Santiago - Chile.

She was head of publications at the
University of Chile, & is a communist.

I was so moved by Felicia's
obvious agony, that I appealed
to you - something I simply
deprive doing
until soon - make the 2nd or
the 3rd - with love, Betty

tical Prisoner

f anything
nic -- a

amiliar to

re, recommends
This is how
The woman is
official inter-

that Mrs. Hart
she write to him.
volvement and

Okay as is

Delete that sentence

RECOMMENDATION

That you sign the note to Mrs. Hart, as is, at Tab A.



Department of State

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~~SECRET~~ 138

PAGE 01 SANTIAGO 05360 312209Z

73
ACTION SS-30

INFO OCT-01 ISO-00 /031 W

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P 312100Z OCT 73
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC PRIORITY 6411

~~SECRET~~ SANTIAGO 5360

EXDIS

E.O. 11652: GDS
TAGS: CI, PINT
SUBJECT: EDUARDO FREI'S VIEWS

REF: SANTIAGO 4889

1. I CALLED ON FORMER PRESIDENT FREI YESTERDAY TO SAY GOODBYE. HE REMAINS FIRM IN HIS CONVICTION THAT THE MILITARY COUP WAS THE ONLY POSSIBLE SOLUTION TO CHILE'S PROBLEM AND REMAINS APPALLED AT THE CORRUPTION AND POLITICAL ECONOMIC COLLAPSE THAT THE UNIDAD POPULAR GOVERNMENT HAD PRODUCED PRIOR TO SEPTEMBER 11. HE BELIEVES HIS BEST ROLE NOW IS TO REMAIN SILENT FOR A TIME - JUST AS HE DID DURING THE EARLY ALLENDE PERIOD. FREI TOLD ME HE HAS TWO PRINCIPAL CONCERNS - ONE A MAJOR AND THE OTHER A LESSER ONE. HIS MAJOR CONCERN IS THE CONTINUANCE OF REPORTS OF SUMMARY EXECUTIONS UNDER THE "LEY DE FUGA" OR UNDER OTHER PRETEXTS. HE HAS JUST SPENT SOME TIME IN THE LA SERENA-COQUIMBO AREA AND IS DISTURBED AT REPORTS HE HAS HEARD OF EXECUTIONS THERE, IN ANTOFAGASTA, AND IN OTHER PLACES. HE ALSO SAYS HE IS HEARING DISQUIETING REPORTS ABOUT THE USE OF TORTURE IN INTERROGATIONS. I TOLD FREI THAT HUMAN RIGHTS WERE OF DEEP CONCERN TO THE U.S. GOVERNMENT - NOT JUST THE LEGISLATIVE BRANCH - AND THAT I HAD RAISED THIS QUESTION WITH CHILEAN AUTHORITIES HERE. I ADDED THAT U.S. CONCERNS HAD ALSO BEEN EXPRESSED BY MY GOVERNMENT IN WASHINGTON. I NOTED, HOWEVER, MY OWN VIEW THAT DISCREET REPRESENTATIONS BY A FOREIGN GOVERNMENT WERE LIKELY TO BE MORE EFFECTIVE THAN PUBLIC ONES. FREI AGREED.

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~~SECRET~~

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~~SECRET~~

PAGE 02 SANTIA 05360 312209Z

2. A DISCUSSION THEN ENSUED OVER THE NO-DOUBT GENUINE CONCERN FELT BY THE JUNTA OVER THE NATURE AND MAGNITUDE OF THE LEFT EXTREMIST OPPOSITION. FREI NOTED HIS VIEW THAT WELL OVER 30 0/0 OF THE CHILEAN PEOPLE MUST STILL BE REGARDED AS SUPPORTERS OF UNIDAD POPULAR IDEAS. I ASKED FREI HOW HE ARRIVED AT A FIGURE THAT WAS SO LOW IN LIGHT OF MARCH ELECTION RESULTS. FREI SAID THAT ACCUMULATED DATA, INCLUDING FIGURES ON FALSE IDENTITY CARDS, LED HIM TO THE FIRM CONCLUSION THAT THE MAGNITUDE OF FRAUD IN THE MARCH ELECTIONS WAS BETWEEN FOUR AND FIVE PERCENT. HE SAID THE FIGURES AVAILABLE TO HIM FROM A VARIETY OF SOURCES CONFIRM THIS. HE ADDED THAT THERE IS ALWAYS A FLOATING OR OPPORTUNISTIC VOTE OF ALMOST 10 0/0 - PROBABLY ON EACH SIDE OF THE POLITICAL SPECTRUM - AND THEREFORE HIS CONCLUSION IS THAT THE UNIDAD POPULAR HARD-CORE SYMPATHY REMAINS AT ABOUT 30 0/0. UNDER THESE CIRCUMSTANCES, IT IS AT LEAST UNDERSTANDABLE THAT THE MILITARY GOVERNMENT LEADERS REMAIN HIGHLY SENSITIVE TO THEIR INTERNAL SECURITY PROBLEM. NEVERTHELESS, THIS DOES NOT JUSTIFY A CONTINUANCE OF SUMMARY JUSTICE.

3. FREI WENT ON TO MENTION HIS "LESSER CONCERN" - THAT THE MILITARY GOVERNMENT, WHILE REJECTING BOTH THE CHRISTIAN DEMOCRATIC PARTY AND THE NATIONAL PARTY ON THE BASIS OF "GETTING AWAY FROM POLITICS," IS IN FACT TURNING TO GREMIALISTS, BUSINESSMEN AND AGRICULTURALISTS WHOSE VIEWS ARE NOT APOLITICAL. THESE MEN, HE SAID, HOLD STRONG CONSERVATIVE AND IN MANY CASES RIGHT-WING VIEWS THAT CANNOT HELP BUT INTRODUCE A POLITICAL TONE INTO THE MILITARY GOVERNMENT'S ADMINISTRATION. FREI SAID HE HIGHLY RESPECTED THE MEMBERS OF THE JUNTA AND THEIR MILITARY COLLEAGUES AS HONEST, HONORABLE AND WELL INTENTIONED MEN. HOWEVER, THEY WILL HAVE TO BE CAREFUL NOT TO SLIDE INTO A POLITICAL "DEFINITION BY DEFAULT" THROUGH THEIR CHOICE OF COLLABORATORS. FREI ADDED, HOWEVER, THAT POLITICAL ERRORS CAN ALWAYS BE CORRECTED. DEATH AND THE SHEDDING OF BLOOD CANNOT BE UNDONE.

4. ON THE QUESTION OF ASSISTANCE TO CHILE, FREI REITERATED IN THE STRONGEST TERMS HIS BELIEF THAT THE U.S. SHOULD BE GENEROUS AND FORTHCOMING WITH ASSISTANCE TO CHILE IN ITS ECONOMIC RECONSTRUCTION. AS BEFORE, HE EMPHASIZED THAT ECONOMIC RECOVERY WOULD BE THE QUICKEST ROAD TO THE REESTABLISHMENT OF CHILE'S TRADITIONAL DEMOCRATIC INSTITUTIONS. FREI REITERATED AN INTEREST IN WRITING SENATOR KENNEDY AND TRYING TO CONVINCE HIM ON THIS PART.

~~SECRET~~

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Department of State

TELEGRAM

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PAGE 03 SANTIA 05360 312209Z

5. COMMENT: FREI'S ATTITUDE TOWARD THE MILITARY GOVERNMENT REMAINS POSITIVE IN ITS MAIN OUTLINES. AS CONTRASTED WITH OUR LAST TALK, HOWEVER, I FOUND HIS CONCERN FOR HUMAN RIGHTS VIOLATIONS FORTIFYING HIS DOUBTS ABOUT TAKING AN ACTIVE SUPPORTIVE ROLE.

DAVIS

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TELEGRAM



Department of State

TELEGRAM

~~SECRET~~

PAGE 02 SANTIA 00415 252317Z

ALMEYDA'S CREATION OF A PARALLEL ORGANIZATION FOR THE CONDUCT OF FOREIGN RELATIONS OUTSIDE THE FOREIGN MINISTRY. ALMEYDA CAN BE TRIED FOR THE MINOR OFFENSE OF INSIGNIFICANT FRAUD BUT THERE IS NO CHILEAN LAW UNDER WHICH HE CAN BE TRIED FOR HIS REAL OFFENSES. HUERTA SAID HE PERSONALLY IS ADAMANTLY OPPOSED TO A "NUREMBERG PROCEDURE" TO ESTABLISH AFTER THE FACT NEW CRIMINAL OFFENSES UNDER WHICH THESE PERSONS CAN BE TRIED. HE SAID HE HAS RECOMMENDED THAT THE GOC MAKE PUBLIC THE OFFENSES THESE PERSONS HAVE COMMITTED AND EXILE THEM ON THE GROUNDS THAT THEIR OFFENSES ARE NOT PUNISHABLE UNDER CHILEAN LAW.

3. INDEPENDENTLY WE HAVE LEARNED THAT CORVALAN'S FAMILY HAS RETAINED CHILEAN ATTORNEY LUIS ORTIZ QUIROGA TO HANDLE HIS DEFENSE AND THAT SPANISH ATTORNEY JOAQUIN RUIZ GIMENEZ, FORMER EDUCATION MINISTER AND FORMER AMBASSADOR TO THE VATICAN, TOGETHER WITH A WELL-KNOWN FRENCH ATTORNEY, MAY BE BROUGHT INTO THE CASE BY ORTIZ.
THOMPSON

~~SECRET~~

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Department of State

TELEGRAM

~~CONFIDENTIAL~~

73 NOV 28 AM 8:11

LC

O 280229Z NOV 73 ZFF4
FM SECSTATE WASHDC
TO AMEMBASSY SANTIAGO IMMEDIATE 4520
BT

CONTROL: 7110Q
RECD: 27 NOV 73 9:45PM

~~CONFIDENTIAL~~ STATE 233299

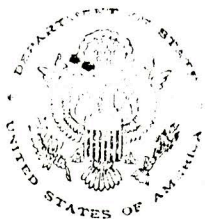
NODIS
E.O. 11652: GDS
TAGS: CI, CDES
SUBJECT: HORMAN AND TERUGGI DEATHS

1. DURING NOVEMBER 26 CALL BY AMBASSADOR HEITMANN ON ASSISTANT SECRETARY KUBISCH, THE CONTINUING AND DEEP USG INTEREST IN DETERMINING CIRCUMSTANCES OF DEATHS OF TWO AMERICAN CITIZENS WAS RAISED BY KUBISCH.
2. KUBISCH ASKED IF HEITMANN WAS INFORMED OF ANY DEVELOPMENTS IN GOC'S INVESTIGATION OF CIRCUMSTANCES SURROUNDING HORMAN AND TERUGGI DEATHS. HEITMANN SAID HIS UNDERSTANDING OF THE CIRCUMSTANCES WAS THAT BOTH MEN HAD BEEN TAKEN INTO CUSTODY BY CHILEAN AUTHORITIES AND THAT THEY HAD ENGAGED IN ACTIVITIES WHICH HE DESCRIBED AS "INADVISABLE (INCONVENIENT)". HEITMANN SAID BOTH MEN WERE RELEASED FOLLOWING THEIR ARREST AND THAT "A FEW DAYS LATER THEY WERE FOUND SHOT". HE SAID THE GOC DID NOT KNOW WHAT HAPPENED IN THE INTERVAL BETWEEN THEIR RELEASE AND THE DISCOVERY OF THEIR BODIES. HEITMANN SAID THIS WAS A HIGHLY REGRETTABLE SITUATION, BUT ONE WHICH CAN OCCUR IN THE CIRCUMSTANCES EXISTING AT THE TIME. HE SAID HE UNDERSTOOD THE CASES WERE NOW CLOSED.
3. HEITMANN ASKED WHETHER THE DEPARTMENT WANTED HIM TO ATTEMPT TO DETERMINE SOME ADDITIONAL FACTS. KUBISCH SAID THAT HEITMANN MIGHT WISH TO CABLE THE FOREIGN MINISTRY TO REFLECT THE SERIOUSNESS OF THE DEPARTMENT'S CONCERN WITH THE DEATHS OF THESE TWO AMERICAN CITIZENS AND OUR UNDERSTANDING THAT THE FOREIGN MINISTRY WOULD REPLY TO SEVERAL NOTES WHICH WE HAVE SUBMITTED CONTAINING SPECIFIC QUESTIONS ON HOW AND WHY THEY DIED. KUBISCH NOTED THE STRONG COMPLAINTS WE CONTINUE TO RECEIVE FROM MANY QUARTERS IN THE U.S. ABOUT THESE DEATHS. HEITMANN STATED THAT HE WOULD RELAY OUR CONCERN TO HIS GOVERNMENT. KISSINGER
DRAFTED BY: ARA:BC:JEKARKASHIAN APPROVED BY: ARA:JKUBISCH
CLEARANCES: S:S:MR.PICKERING

~~CONFIDENTIAL~~

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Authority NSC
By 467
NARA, Date 9/15/99

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Department of State

TELEGRAM

~~SECRET~~ 540

PAGE 01 STATE 240799

54
ORIGIN SS-30

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /031 R

DRAFTED BY ARA/BC/C:AISAACS:ARA:JBKUBISCH:CJS
APPROVED BY THE SECRETARY
ARA/BC:JEKARKASHIAN (SUBSTANCE)
S/S: TRPICKERING

----- 071762
O 080301Z DEC 73
FM SECSTATE WASHDC
TO AMEMBASSY SANTIAGO IMMEDIATE

~~SECRET~~ STATE 240799

EXDIS

E.O. 11652: XGDS
TAGS: PINS, CI, UR
SUBJECT: SOVIET INTEREST IN LUIS CORVALAN

FOR CHARGE THOMPSON FROM THE SECRETARY

1. SOVIET AMBASSADOR DOBRYNIN MENTIONED TO ME TODAY THAT THE EXECUTION OF COMMUNIST PARTY SECRETARY GENERAL CORVALAN MAY AGAIN BE IMMINENT AND ASKED THAT I INTERCEDE WITH THE CHILEAN AUTHORITIES TO FORESTALL THIS.

2. OBVIOUSLY, CORVALAN'S STATUS AND FUTURE IS UP TO THE CHILEAN AUTHORITIES TO RESOLVE. HOWEVER, UNLESS YOU PERCEIVE OVERRIDING OBJECTION, YOU SHOULD MENTION TO APPROPRIATE GOC OFFICIALS THAT THE CORVALAN CASE IS GENERATING RENEWED INTERNATIONAL INTEREST AND DISCREETLY SEEK TO ELICIT FURTHER INFORMATION ON THE JUNTA'S PLANS FOR HIM. WERE HE TO BE EXECUTED, THERE WOULD ALMOST CERTAINLY BE A VIGOROUS, NEGATIVE INTERNATIONAL REACTION.
KISSINGER

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Authority N9C

By SES NARA, Date 9/15/99

73 DEC 8 AM 9:11
WHITE HOUSE
MODERATOR

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Department of State

WHITE HOUSE
SITUATION ROOM

TELEGRAM

'73 DEC 10 AM 8:17.

~~SECRET~~ 947

PAGE 01 SANTI A 06039 081432Z

51
ACTION SS-30

INFO OCT-01 ISO-00 SSO-00 /031 W

075924

0 081418Z DEC 73
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 6818

~~SECRET~~ SANTIAGO 6039

EXDIS

E.O. 11652: XGDS
TAGS: PINS, CI, UR
SUBJECT: SOVIET INTEREST IN LUIS CORVALAN

REF: STATE 240799

FOR THE SECRETARY FROM CHARGE

1. WE HAVE HAD SOME REPORTS THAT GOC IS THINKING OF PUTTING ON TRIAL A FEW OF THE SIGNIFICANT PERSONS NOW UNDER DETENTION AND INVESTIGATION WITH A VIEW TO DOCUMENTING PUBLICLY THE WORST EXCESSES OF THE ALLENDE REGIME. ACCORDING TO THESE REPORTS ALL OTHER DETAINEES WOULD BE EXILED.

2. THESE REPORTS DO NOT MENTION CORVALAN AND WE HAVE NO RPT
NO REASON TO BELIEVE HE IS IN IMMINENT DANGER OF EXECUTION.

3. I SHALL SEEK EARLY OPPORTUNITY TO MENTION CORVALAN CASE TO APPROPRIATE GOC OFFICIALS IN EFFORT ELICIT INFORMATION ON JUNTA'S PLANS FOR HIM.
THOMPSON

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Authority NSC

By GRB, NARA, Date 9/15/99

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~~SECRET~~



Department of State **TELEGRAM**

'74 FEB 22 PM 7:52

~~CONFIDENTIAL~~ 5940

PAGE 01 SANTIA 00846 221510Z

50

ACTION SS-30

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /031 W

005591

O R 221415Z FEB 74
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 7538
INFO USUN IMMEDIATE 713
AMEMBASSY MEXICO IMMEDIATE
AMEMBASSY MOSCOW

~~CONFIDENTIAL~~ SANTIAGO 0846

EXDIS

EO 11652: GDS

TAGS: SOCI

SUBJ: CHILEAN REQUEST FOR SUPPORT IN UN HUMAN RIGHTS COMMISSION

REF: USUN 564

1. SUMMARY: DEPARTMENT MAY WISH TO CONSIDER AUTHORIZING USUN TO SUGGEST TO CHILEAN UN DEL OUTLINES OF A CHILEAN GOVT POSTURE ON CHARGES OF HUMAN RIGHTS VIOLATIONS WHICH MIGHT HELP TO DAMPEN EFFORT TO ATTACK AND ISOLATE CHILE IN UN ORGANS. POSITION WOULD EXPLAIN RATIONALE FOR SEPTEMBER 1973 COUP, DESCRIBE JUNTA'S HUMAN RIGHTS RECORD IN TERMS OF STATE OF EMERGENCY ACTIVITIES, OFFER TO COOPERATE IN AN IMPARTIAL STUDY, AND STATE INTENTION TO RESTORE DEMOCRATIC PRACTICES. END SUMMARY.

2. SINCE IT SEEMS RATHER UNLIKELY THAT ANYTHING DONE ABOUT SOLZHENITSYN CASE (REFTEL) WOULD SUCCEED IN HEADING OFF AN ANTI-CHILEAN RESOLUTION IN THE UN HUMAN RIGHTS COMMISSION, MAY I MAKE A SUGGESTION WHICH MAY WARRANT CONSIDERATION IN RESPONDING TO USUN'S REQUEST FOR DEPT. VIEWS. SUGGESTION IS PUT FORWARD WITH SOME DIFFIDENCE. LAST THING I WOULD WANT TO DO IS TO APPEAR TO BE MASTERMINDING STRATEGY OR TACTICS FOR DEPT OR USUN.

3. CHILEANS WILL UNDERSTANDABLY BE INCLINED TO BRIDLE AT HRC CON-DEMnation OF THEIR GOVERNMENTAL PRACTICES, AND PARTICULARLY AT

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By SPR NARA, Date 9/15/99

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TELEGRAM

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BEING THE OBJECT OF A STUDY BY AN HRC COMMITTEE AFTER THEY HAVE ALREADY BEEN CONDEMNED IN A RESOLUTION, THEY WILL REGARD THEMSELVES AS THE TARGET OF A MARXIST CONSPIRACY IN THE UN. THEY WILL NOT SEE WHY THEY SHOULD COOPERATE AS REQUESTED WITH THE PROPOSED COMMITTEE IN THESE CIRCUMSTANCES, AND AS INDICATED REFTEL WILL HARDLY WANT TO HAVE IT VISIT CHILE.

4. AT THE SAME TIME, CHILEANS SHOULD REALIZE THAT IF THEY LIMIT THEMSELVES TO ALL-OUT RESISTANCE TO SUCH A RESOLUTION, THEY WILL PROBABLY LOSE. IN LOSING, AND IN SUBSEQUENTLY REFUSING TO CO-OPERATE WITH THE COMMITTEE, THEY MAY WELL PROJECT THEMSELVES ALONG THE ROAD WHICH HAS LED SOUTH AFRICA, PORTUGAL AND ISRAEL TO BECOME THE PARIAS STATES OF THE UN. CHILE CAN ILL AFFORD TO BE IN SUCH A POSITION AT THIS JUNCTURE IN ITS HISTORY.

5. THERE IS A CHANCE THAT CHILE COULD BLUNT THE ATTACK AGAINST IT BY REACTING IN A DIFFERENT WAY.

6. FIRST, BY COGENT STATEMENTS IN THE HRC EXPLAINING THE BACKGROUND OF THE PRESENT SITUATION: HOW THE ALLENDE REGIME WAS DESTROYING DEMOCRACY IN CHILE AS POINTED OUT BY CONGRESS, THE SUPREME COURT AND THE CONTROLLER GENERAL; HOW EXTREMIST ELEMENTS WERE PREPARING TO ESTABLISH BY VIOLENCE A TOTALITARIANISM OF THE LEFT; HOW THE COUNTRY HAD COLLAPSED INTO ECONOMIC CHAOS; HOW THE MILITARY HAD THEREUPON INTERVENED AS A CIVIC DUTY ACCLAIMED BY BULK OF THE COUNTRY.

6. SECOND, BY DESCRIBING OPENLY WHAT MEASURES HAVE HAD TO BE TAKEN AND WHY, BY DEFENDING CHYLE'S RECORD RE ASYLUM AND REFUGEES AND ITS PLEDGE TO TRY ALL DETAINEES NOT RELEASED AFTER INVESTIGATION, AND BY NOTING PROGRESS ALREADY MADE.

7. THIRD, BY A CLEAR INDICATION THAT THE JUNTA HAS AS ITS OBJECTIVE THE RESTORATION OF TRADITIONAL CHILEAN DEMOCRATIC PRACTICES, INCLUDING THOSE INVOLVING HUMAN RIGHTS GUARANTEES, WHEN THAT BECOME POSSIBLE. (THIS MAY BE THE MOST DIFFICULT STATEMENT FOR THE CHILEAN REP TO FORMULATE IN TERMS ACCEPTABLE TO SANTIAGO.)

8. FOURTH, BY HIGHLIGHTING THE DISPARITY BETWEEN THE TREATMENT BEING ACCORDED TO CHILE AND THE BLIND EYE TURNED TO THE SYSTEMATIC, PERMANENT, AND DOCTRINAIRE VIOLATIONS OF INDIVIDUAL RIGHTS PRAC-

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Department of State

TELEGRAM

~~CONFIDENTIAL~~

PAGE 03 SANTIA 00846 221510Z

TICED IN THE COMMUNIST STATES. FINALLY, BY AGREEING TO COOPERATE WITH A STUDY COMMITTEE IF AN IMPARTIAL ONE IS CHOSEN, TO THE EXTENT OF FURNISHING INFORMATION AND POSSIBLY, IF IN CHILE'S JUDGMENT A USEFUL CONTRIBUTION CAN THEREBY BE MADE AT SOME STAGE, THROUGH A VISIT BY THE COMMITTEE TO THE COUNTRY.

9. A BASIC ELEMENT IN THIS SCENARIO WOULD BE THE STRESS PLACED ON THE PROVISIONAL NATURE OF THE MEASURES TAKEN BY THE JUNTA. COPIES OF THE HUMAN RIGHTS COVENANTS ARE NOT READILY AVAILABLE HERE, BUT IN MY RECOLLECTION THEY ARE PRETTY WELL LARDED WITH ESCAPE CLAUSES THAT WOULD APPLY TO THE PRESENT STATE OF EMERGENCY IN CHILE UNDER ITS LAWS.

10. THE IMMEDIATE OBJECTIVE OF SUCH AN APPROACH WOULD BE TO SET THE STAGE FOR TONING DOWN THE DRAFT RESOLUTION IN USUN 564, NOTABLY EM&. BY REPLACING THE CONDEMNATION OF CHILE BY AN EXPRESSION OF CONCERN REGARDING REPORTS OF HUMAN RIGHTS VIOLATIONS THERE. THE LONGER-RANGE OBJECTIVE WOULD BE TO ESTABLISH A DEFENSIBLE POSTURE TO WHICH THE CHILEANS COULD HEW AS THE COMMUNISTS AND THEIR RADICAL NON-ALIGNED FRIENDS SEEK TO CLOSE IN ON CHILE IN ONE UN ORGAN AFTER ANOTHER, TO ROB IT OF THOSE ASSOCIATIONS AND THAT RESPECTABILITY WHICH IT IS GOING TO WANT AND NEED IN THE INTERNATIONAL COMMUNITY.

11. WE COULD NOT TODAY DISCUSS OR EVEN SUGGEST A COURSE OF THIS CHARACTER IN SANTIAGO WITHOUT SERIOUS POLITICAL RISK: THE JUNTA IS EXTREMELY SENSITIVE TO ANYTHING IT MIGHT CONSTRUE AS INTERVENTION. IT MAY NOT EVEN RESPOND HAPPILY TO SOUNDINGS FROM USUN ALONG ABOVE LINES. BUT IF AS INDICATED REFTEL CHILEAN AMB BAZAN HAS ASKED USG FOR HELP TO DEFEAT A RESOLUTION OF TYPE QUOTED THEREIN -- AND IF RESOLUTION IS ACTUALLY GOING TO BE INTRODUCED AND PASSED IN HRC -- IT WOULD BE PERFECTLY LEGITIMATE FOR USUN TO SUGGEST SOMETHING OF THE SORT. PROCEDURE IS ANYTHING BUT SURE-FIRE BUT I BELIEVE CHILE WOULD HAVE ENOUGH FRIENDS IN HRC AND OTHER UN ORGANS TO MAKE A SOLID STAND ON THIS GROUND.

12. IN ANY EVENT, IF RESOLUTION IS PRESSED I HOPE US WILL FIND IT POSSIBLE TO AID CHILEAN DEL IN DERAILING OR SOFTENING RESOLUTION. MOST DESIRABLE OUTCOME WOULD BE TO NEGOTIATE A TEXT CHILEANS COULD LIVE WITH AND WE COULD SUPPORT; BUT AT VERY LEAST I HOPE WE CAN AVOID ALIGNING OURSELVES WITH CHILE'S CRITICS.

POPPER

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35



Department of State **TELEGRAM**

'74 MAR 26 AM 7:51

~~CONFIDENTIAL~~ 4011

PAGE 01 SANTI A 01483 252115Z

64
ACTION SS-30

INFO OCT-01 ISO-00 /031 W

082755

R 252040Z MAR 74
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 7922

~~CONFIDENTIAL~~ SANTIAGO 1483

EXDIS

EO 11652: GDS
TAGS: PINS, CI
SUBJECT: CLODOMIRO ALMEYDA

1. SUMMARY: CBS CORRESPONDENT INFORMS EMBASSY FORMER FOREIGN AND DEFENSE MINISTER CLODOMIRO ALMEYDA BEING MISTREATED BY CHILEAN MILITARY IN SANTIAGO. END SUMMARY

2. FRANK MANITZAS (CBS CORRESPONDENT) AND WIFE NITA (OF FORD FOUNDATION) CALLED ON AMBASSADOR MARCH 25 TO RELAY WHAT THEY CONSIDERED RELIABLE INFORMATION CONCERNING FORMER FOREIGN AND DEFENSE MINISTER UNDER ALLENDE, CLODOMIRO ALMEYDA, WHO THEY SAID HAD BEEN RETURNED FROM DAWSON ISLAND TO SANTIAGO. ACCORDING TO THEIR SOURCE (BELIEVED TO BE ALMEYDA'S WIFE OR SOMEONE CLOSE TO MRS. ALMEYDA), HE WAS TAKEN FROM TACNA REGIMENT ARMY HEADQUARTERS ON FEBRUARY 20 BY AIR FORCE TO AIR FORCE MILITARY SCHOOL. ACCORDING TO MANITZAS, MRS. ALMEYDA VISITED HIM LAST WEDNESDAY (MARCH 20) AND FOUND ALMEYDA ALMOST UNRECOGNIZABLE DUE TO LOSS OF ABOUT FORTY POUNDS. HEARD HE HAD BEEN KEPT IN SOLITARY CONFINEMENT FOR THIRTY DAYS ON VERY SHORT RATIONS. ALMEYDA EXTREMELY DEPRESSED, SUFFERING GREAT MENTAL STRAIN AND BROKE INTO TEARS DURING FIRST FEW MINUTES OF MEETING. INFORMANT SAID HE WAS BEING KEPT BLINDFOLDED MOST OF TIME IN ORDER "PROTECT HIM FROM SOME FANATIC ANTI-MARXIST MILITARY WHO MIGHT RECOGNIZE AND KILL HIM." ALSO STATED ALMEYDA HAD BEEN GIVEN BELT TO HOLD UP PANTS WHICH DUE TO LOSS OF WEIGHT NO LONGER STAYING UP. MRS. ALMEYDA PROVIDED ANOTHER PAIR OF PANTS WHICH FIT AND REMOVED BELT. THIS UNDOUBTEDLY DONE IN LIGHT OF FORMER

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TELEGRAM

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PAGE 02 SANTIA 01483 252115Z

DEFMIN TOHA'S ANNOUNCED SUICIDE LAST WEEK USING BELT.

3. ACCORDING MANITZAS, ALMEYDA'S DIET VERY POOR AND HE LITERALLY DEVoured GIFT OF DRIED FIGS PROVIDED BY WIFE AND EIGHTY-YEAR-OLD MOTHER WHO WAS STUNNED BY ALMEYDA'S CONDITION. ALMEYDA SAID TO BE IN NEED OF TRANQUILLIZERS AND SPECIAL PRESCRIPTION FOR CHRONIC KIDNEY STONE CONDITION, BUT THESE NOT BEING PROVIDED. MRS. MANITZAS ADDED THAT UNIVERSITY OF BUFFALO HAS OFFERED ALMEYDA TEACHING POSITION IF AND WHEN HE LEAVES COUNTRY.

4. AMBASSADOR EXPRESSED CONCERN OVER INFORMATION CONVEYED BY MANITZAS. SAID HE WOULD INFORM WASHINGTON. REMINDED MANITZAS ALMEYDA WAS CHILEAN NATIONAL, AND THAT USG COULD NOT INTERVENE IN CASES OF THIS KIND; BUT SAID THAT IF ON INFORMAL OCCASION EMBOFF HAD OPPORTUNITY TO MAKE AN INQUIRY, WE WOULD DO SO.

5. COMMENT: WHILE BIASED AGAINST THE REGIME, MANITZAS IS NORMALLY FAIRLY WELL INFORMED ON CURRENT DEVELOPMENTS. IF HE CHOOSES TO PUBLISH STORY, PRESS AND MEDIA IN U.S. AND WESTERN EUROPE CAN BE EXPECTED TO TAKE UP CASE. SHOULD ALMEYDA DIE WHILE DETAINED, SKEPTICISM ALREADY EXPRESSED IN SOME QUARTERS RE TOHA'S "SUICIDE" LIKELY TO INCREASE. END COMMENT.
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Department of State **TELEGRAM**

~~CONFIDENTIAL~~ 2159

PAGE 01 STATE 062450

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ORIGIN SS-30

INFO OCT-01 YSD-00 7031 R

DRAFTED BY ARA/BC:WLORENTHAL/ARA:GLYSTER/HWSHLAUDENMAN

APPROVED BY ARA: HWSHLANDERAN

SCA/VO - FRED SMITH

S/S - WHLIERS

128798

P 2820217 MAR 74

FM SECSTATE WASHDC

TO AMEMBASSY SANTIAGO PRIORITY

~~CONFIDENTIAL~~ STATE 262450

FXNIS

E.O. 11652: GDS

TAGS: PINS, CI

SUBJECT: CLODOMIRO ALMEYDA

REF: SANTIAGO 1483

1. EMBASSY AT ITS DISCRETION MAY TAKE EARLY OPPORTUNITY TO INFORM GOC THAT DEPARTMENT HAS CONFIRMED THAT NEW YORK STATE UNIVERSITY AT BUFFALO HAS OFFERED TEMPORARY TEACHING POSITION TO ALMEYDA. WASHINGTON CHECKS DO NOT RPT NOT DISCLOSE ANY INFORMATION INDICATING INELIGIBILITY UNDER 212 (A), (27), (28), OR (29).

2. REPORTS OF ALMEYDA'S PURPORTEDLY DESPERATE SITUATION ARE CIRCULATING IN U.S. ACADEMIC AND RELIGIOUS CIRCLES. (CHILEAN ECONOMIST OSVALDO SUNKEL SEEMS TO BE PRIMARY SOURCE.) JUNTA'S RELEASE OF ALMEYDA TO ACCEPT TEACHING POSITION HERE MIGHT FORESTALL FRESH WAVE OF ANTI-JUNTA PUBLICITY AND PROTEST.

3. FYI: UNIVERSITY HAS INFORMED US THAT ONE LECTURING POSITION EXISTS FOR EITHER ORLANDO LETELIER OR ALMEYDA. END FYI. RUSH

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By SRG, NARA, Date 9/15/99

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Department of State

TELEGRAM

'74 MAR 31 AM 9.37

~~CONFIDENTIAL~~ 7840

PAGE 01 | STATE 064524

43
ORIGIN SS-30

INFO OCT-01 ISO-00 /031 R

DRAFTED BY L/HR:CRUNYON/L/ARA:DAGANTZ/ARA/BC:AI AAC6:MF
APPROVED BY L:CEMAW
ARA:HSHLAUDEMAN
RA/BC:JKARKASHIAN
ARA:JBKUBISCH
S/S - DMILLER

P 301910Z MAR 74
FM SECSTATE WASHDC
TO AMEMBASSY SANTIAGO PRIORITY

029770

~~CONFIDENTIAL~~ STATE 064524

EXDIS

E.O. 11652: GDS
TAGS: CI, PFOR, SOCI, UN
SUBJ: HUMAN RIGHTS IN CHILE: TRIALS
REFS: A. USUN 828
B. SANTIAGO 1131
C. STATE 190162
D. SANTIAGO 4674

1. IN VIEW OF HELPFUL GOC STATEMENT RE FAIR TRIALS (REF A) AND IMMINENT INITIATION OF WHAT PROMISES TO BE SERIES OF MAJOR TRIALS, DEPT BELIEVES IT TIMELY FOR EMBASSY TO MAKE NEW DEMARCHE ON CORROSIVE HUMAN RIGHTS ISSUE. OUR OBJECTIVES IN THIS EFFORT ARE TO ASSURE: (1) THAT THE GOC IS AWARE THAT THE TRIAL ATMOSPHERE AND OUTGROWTH WILL AFFECT THE USG'S ABILITY IN THE FACE OF U.S. PUBLIC, ESPECIALLY CONGRESSIONAL OPINION, TO CONTINUE TO DEVELOP THE CLOSE AND MUTUALLY BENEFICIAL RELATIONSHIP THAT WE DESIRE TO HAVE WITH THE GOC; AND (2) THAT THE GOC UNDERSTANDS THE LONGSTANDING U.S. POSITION ON HUMAN RIGHTS QUESTIONS, INCLUDING THE IMPORTANCE OF FAIR AND OPEN TRIALS AND OF AVOIDING

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Authority NCC

By LOB NARA, Date 9/15/99



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ARBITRARY DETENTIONS.

2. AMBASSADOR SHOULD SEEK EARLIEST OPPORTUNITY (PREFERABLY BEFORE MAJOR TRIALS HAVE ACTUALLY BEGUN) TO DISCUSS TRIALS AT APPROPRIATELY HIGH LEVEL, DRAWING ON THE FOLLOWING:

(A) THE FORM OF CHILE'S GOVERNMENT AND THE SHAPE OF ITS SOCIAL AND ECONOMIC POLICIES, OF COURSE, ARE CHILEAN MATTERS.

(B) AS THE GOC KNOWS, HOWEVER, THERE EXISTS AN IMPRESSION IN THE MINDS OF MANY AMERICANS, INCLUDING MEMBERS OF THE U.S. CONGRESS, THAT THE GOC IS NOT DOING ALL THAT IT COULD TO PROMOTE HUMAN RIGHTS. THIS CONCERN HAS BEEN REFLECTED IN PART IN SECTIONS 32 AND 35 OF THE MOST RECENT FOREIGN ASSISTANCE ACT WHICH DEAL, RESPECTIVELY, WITH THE QUESTIONS OF POLITICAL PRISONERS AND BROADER ISSUES OF HUMAN RIGHTS. THE REPORTED IMPENDING TRIALS OF A LARGE NUMBER OF HIGH-LEVEL CHILEAN OFFICIALS HAVE GENERATED CONSIDERABLE ADVERSE PUBLICITY DIVERTING POLITICAL ATTENTION FROM THE NUMEROUS POSITIVE ACCOMPLISHMENTS OF RECENT MONTHS. U.S. PUBLIC AND CONGRESSIONAL INTEREST IN EVENTS IN CHILE IN THE NEXT FEW WEEKS AND MONTHS, ESPECIALLY THE TRIALS, WILL AFFECT THE CLIMATE IN WHICH OUR FOREIGN AID AND MILITARY ASSISTANCE LEGISLATION WILL BE CONSIDERED IN CONGRESSIONAL HEARINGS TO COMMENCE SHORTLY. THE GOC MAY HAVE OBJECTIONS TO THE RELATING OF HUMAN RIGHTS CONCERNS TO THE GRANTING OF BILATERAL ASSISTANCE, BUT IT IS A FACT WHICH BOTH THE GOC AND THE USG MUST TAKE INTO ACCOUNT IN OUR EFFORTS TO DEVELOP A MUTUALLY BENEFICIAL ASSOCIATION IN THE SPIRIT OF FRANKNESS WHICH HAS CHARACTERIZED OUR RELATIONS UP TO NOW.

(C) USG WISHES TO HELP THE GOC IN ITS EFFORTS TO BUILD A STRONG, ECONOMICALLY VIABLE NATION WHICH HAS, INTER ALIA, THE FULL CONFIDENCE OF THE INTERNATIONAL COMMUNITY. THIS CONFIDENCE DEPENDS NOT ONLY ON CHILE'S ECONOMIC AND POLITICAL RELATIONS WITH THE OUTSIDE WORLD, BUT ALSO ON ITS CONTINUED EFFORTS TO OBSERVE INTERNATIONALLY ACCEPTED STANDARDS ON HUMAN RIGHTS.

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(D) WE APPLAUD, IN THIS CONTEXT, THE GOC POSITION (PER REF A) THAT DETAINEES WILL BE RELEASED "EXCEPT FOR THOSE WHO ARE PROSECUTED FOR COMMON CRIMES PUNISHABLE UNDER LAWS ANTE-DATING THE ACTS WITH WHICH THEY ARE CHARGED AND WHOSE DETENTION OR LIBERTY CAN BE DECIDED ONLY BY THE ORDINARY COURTS OF JUSTICE." WE ARE HOPEFUL THAT THIS MEANS THAT DETAINEES FOUND SUBJECT TO PROSECUTION WILL BE DEALT WITH EMPLOYING (1) PROPER CHARGES, (2) ADEQUATE DEFENSE COUNSEL AND TIME AND FACILITIES FOR DEFENSE, (3) OPEN TRIAL BEFORE A PROPER COURT OF THE INDEPENDENT CIVIL JUDICIARY, AND (4) PROPER APPEALS PROCEDURES. WHILE WE RECOGNIZE THAT CHILEAN LEGISLATION GOVERNING STATE OF SIEGE MAY DICTATE SOME MODIFICATION OF THESE PRINCIPLES, WE HOPE THAT THE PROCEDURES

USED WILL HEW CLOSELY TO THESE GENERALLY ACCEPTED STANDARDS OF DUE PROCESS.

(E) THE GOC'S COMMENDABLE DESIRE TO COMMENCE TRIALS PROMPTLY WILL, WE HOPE, BELIEVE FURTHER CHARGES THAT THE GOC HAS UNREASONABLY DELAYED THE CHARGING AND TRYING OF PERSONS IN CUSTODY. FAIR AND OPEN TRIALS, REASONABLE SENTENCING IN THOSE CASES WHERE PERSONS TRIED ARE FOUND GUILTY, OR PROMPT RELEASE WHERE ACQUITTED OR NOT PROSECUTED WILL NOT ONLY BE CONSISTENT WITH CHILE'S TRADITIONS, BUT WILL PROVIDE CHILE'S FRIENDS WITH A FIRMER BASIS FOR HELPING TO CREATE A MORE CONSTRUCTIVE CLIMATE OF OPINION TOWARDS CHILE. THE GOC'S SPLENDID COLLABORATION WITH THE UNHCR, ICRC AND OTHER INTERNATIONAL ORGANIZATIONS IS EVIDENCE TO US OF ITS SENSITIVITY TO THIS ISSUE AND OF ITS CONSTRUCTIVE INTENT.

3. DEPT APPRECIATES EMBASSY'S EXCELLENT REPORTING ON HUMAN RIGHTS MATTERS. WE WOULD APPRECIATE CONTINUING TO RECEIVE ALL INFORMATION EMBASSY CAN FURNISH CONCERNING WHO IS TO BE TRIED, WHEN, WHERE, AND WITH WHAT GUARANTEES OR LACK THEREOF. (SEE ARTICLES 10 AND 11, UNIVERSAL DECLARATION; ARTICLE 14, CONVENTION ON CIVIL AND POLITICAL RIGHTS.)

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The seal of the United States Department of State is located at the top center of the page. It features an eagle with wings spread, perched on a shield with vertical stripes. Above the eagle's head is a constellation of stars. The words "DEPARTMENT OF STATE" are arched above the eagle, and "UNITED STATES OF AMERICA" is arched below it, separated by two small stars.

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4. FYI: DEPT NOTES (A) THAT PINOCHET STATEMENT REF B "WE HAVE NORMAL LEGAL TRIALS AND THE COURTS FUNCTION IN A TOTALLY INDEPENDENT MANNER" UNDERCUTS GOC POSITION THAT ARTICLE 4 OF CONVENANT'S PUBLIC EMERGENCY EXCEPTION LICENSES DEPRIVATION OF RIGHT TO TRIAL OR TRIAL OTHER THAN IN ACCORDANCE WITH NORMAL LEGAL PROCESS, I.E., AT A MINIMUM, GUARANTEES OF ARTICLE 14 OF CONVENANT; (B) ARTICLE 4 OF CONVENANT DOES NOT LIMIT RIGHTS PROTECTED BY CERTAIN OTHER ARTICLES, NOTABLY IN PRESENT CASE BY 6(1), (2), (4), AND (5), 7, 15, 16, AND 18; AND (C) BASIC REQUIREMENT OF ARTICLE 14 CONVE-NANT RESPECTING PUBLIC ACCESS IS THAT THERE BE "FAIR AND PUBLIC HEARING", ETC. ANY CLOSING MUST BE FOR SPECI-FIED REASONS AND ONLY OF THAT PART OF TRIAL WHERE SUCH SPECIFIED REASONS CLEARLY REQUIRE, SUBJECT FURTHER, HOW-EVER, TO THE COURT'S (NOT LEGISLATIVE, NOT EXECUTIVE) DISCRETION TO AVOID PREJUDICE THROUGH PUBLICITY TO THE INTERESTS OF JUSTICE. WE WISH TO AVOID AN EXAMINATION OF GOC'S PRECISE COMMITMENTS UNDER ITS INTERNATIONAL UNDERTAKINGS AND DEGREE TO WHICH GOC MAY OR MAY NOT BE COMPLYING, BUT EMBASSY MAY DRAW IF USEFUL. END FYI KISSINGER

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TELEGRAM

SECRET

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44

ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 CCO-00 /026 W

052785

P 091401Z OCT 73
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC PRIORITY 6087

~~SECRET~~ SANTIAGO 4892

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EXDIS

Authority NSC

NOFORN

By CHB NARA, Date 8/7/00

EO. 11652: XGDS-2
TAGS: CI, EFIN, PINK
SUBJECT: REQUEST FOR INFORMATION

1. [REDACTED] HAS ASKED [REDACTED] FOR BELOW INFORMATION CONCERNING ADMIRAL HUGO POBLETE MERY (RECENTLY RETIRED DIRECTOR OF THE CHILEAN NAVY SUPPLY CORPS), ADM RAUL MONTERO CORNEJO (EX-CINC OF THE CHILEAN NAVY), CDR JUAN ENRIQUE OVALLE MARAMBIO (FINANCIAL ADVISOR TO THE CHILEAN NAVY CINC), AND CDR RENE DURANDEAU OYARZUN (CHILEAN NAVY SUPPLY CORPS): THE NUMBER AND BALANCE OF THEIR SAVINGS/ CHECKINGS ACCOUNTS AT THE RIGGS NATIONAL BANK, DUPONT CIRCLE BRANCH, WASHINGTON, D.C.; IN THE CASE THAT THEY HAVE NO ACCOUNT AT RIGGS IT IS REQUESTED THAT A CHECK BE MADE AT THE FIRST NATIONAL CITY BANK, OVERSEAS BRANCH, IN NEW YORK. CDR OVALLE HAS CHECKING AND SAVINGS ACCOUNTS AT RIGGS AND FIRST NATIONAL.

2. OBVIOUSLY GOC AUTHORITIES HAVE REASON TO BELIEVE MONTERO AND THE OTHER SENIOR ADMIRALS LISTED MAY HAVE BEEN DIVERTING OFFICIAL CHILEAN FUNDS TO THEIR PERSONAL ACCOUNTS IN WASHINGTON. WE ARE NOT AWARE OF POLICY PRECEDENTS, AND DEPT. WILL OBVIOUSLY WISH TO CONSIDER

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THEM IN MAKING ITS DECISION. THE CHILEAN AUTHORITIES WILL UNDER-
STANDABLY PLACE GREAT IMPORTANCE ON OUR COOPERATION IN THIS MATTER.
AS A FIRST STEP, WE RECOMMEND THAT THE RELEVANT INFORMATION BE
OBTAINED IN ORDER FOR US TO BE ABLE TO JUDGE IF THE CHILEANS'
SUSPICIONS
APPEAR TO HAVE SOME BASIS.
DAVIS

NOTE BY DC/T: NOT PASSED ABOVE ADDRESSEES.

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TELEGRAM

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~~CONFIDENTIAL~~ 532

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66

ORIGIN SS-30

INFO OCT-01 ISO-00 /031 R

DRAFTED BY L/ARA:DAGANTZ
APPROVED BY ARA:HSCLAUDEMAN
L/M/SCA:KEMALMBORG (DRAFT)
ARA/BC:JKARKASHIAN
S/S:SRGAMMON

ADDITIONAL
SITUATION ROOM

OCT 13 PM 1:45

2
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R 122254Z OCT 73
FM SECSTATE WASHDC
TO AMEMBASSY SANTIAGO

092539

~~CONFIDENTIAL~~ STATE 203246

EXDIS

E.O. 11652: XGDS-2
TAGS: CI, EFIN, PINR
SUBJECT: REQUEST FOR INFORMATION

REF: SANTIAGO 4892

1. WHILE JUSTICE DEPARTMENT CAN PROVIDE SOME FORMS OF ASSISTANCE TO FOREIGN GOVERNMENTS, INFORMATION REQUESTED PARA 1 REFTEL CANNOT BE OBTAINED FROM BANKS IN ABSENCE OF COURT ORDER DIRECTING THAT THE RECORDS INVOLVED BE PRODUCED. ASSISTANCE OF US COURTS IN DISTRICT OF COLUMBIA AND NEW YORK CAN BE REQUESTED BY CHILEAN GOVERNMENT THROUGH LETTERS ROGATORY PROCESS WHICH NORMALLY INVOLVES REQUEST PROCEEDING FROM COURT IN FOREIGN COUNTRY TO APPROPRIATE US COURT. (SEE 7 FAM 841.6 AND 845.)

2. UNDER THESE CIRCUMSTANCES YOU SHOULD EXPLAIN TO CHILEAN AUTHORITIES THAT THIS MATERIAL CANNOT BE OBTAINED BY ACTION OF THE EXECUTIVE BRANCH, BUT THAT WE ASSUME COURTS IN THE UNITED STATES WILL PROVIDE APPROPRIATE ASSISTANCE IF REQUEST IS MADE THROUGH USUAL JUDICIAL CHANNELS, E.G., LETTERS ROGATORY. KISSINGER

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KMB NARA, Date 8-1-00

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APR 33 AM 9:26

WHITE HOUSE

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ACTION SS-30

INFO OCT-01 ISO-00 /031 W

010402

R 021058Z MAY 74
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 8421

~~CONFIDENTIAL~~ SANTIAGO 2361

EXDIS

FO 11052: GDS
TAGS: CI, PINS, PINR
SUBJ: ORLANDO LETELIER FAMILY

REF: (A) SANTIAGO 2313; (B) SANTIAGO 1693

1. SUMMARY. ISABEL LETELIER AND HER FOUR SONS ARE WELL BUT HARASSED BY ECONOMIC DIFFICULTIES, SURVEILLANCE OF GOC INTEL-LEGENGE AGENCIES, AND UNCERTAINTY OVER ULTIMATE FATE OF ORLANDO LETELIER, ALLENDE'S LAST FOREIGN MINISTER AND FORMER AMBASSADOR TO US, STILL BEING HELD BY GOC WITHOUT CHARGE. END SUMMARY.

2. IN PRIVATE DINNER WITH EMBOFF FAMILY EVENING APRIL 29, MRS. ISABEL MOREL DE LETELIER AND FOUR TEENAGE SONS (ONE A US CITIZEN) DISCUSSED CIRCUMSTANCES IN WHICH THEY HAVE LIVED SINCE ORLANDO LETELIER WAS ARRESTED SEPT 11, 1973 AND IMPRISONED ON DAWSON ISLAND. DURING THIS PERIOD MRS. LETELIER HAS SEEN HUSBAND ONLY ONCE, FOR 15 MINUTES JAN 17 IN HOSPITAL AT PUNIA ARENAS, WHERE HE HAD BEEN TAKEN FOR DENTAL TREATMENT. TO BEST OF HER KNOWLEDGE HE HAS NOT RPT NOT OTHERWISE LEFT DAWSON. SHE HAS SEEN RECENT NEWSPAPER STORIES OF PENDING TRANSFER OF HUSBAND TO SANTIAGO AREA (REFTEL A) BUT HAS NO RPT NO OTHER INFORMATION CONCERNING HIS WHEREABOUTS.

3. LETELIERS HAVE BEEN PERMITTED BY GOC TO EXCHANGE LETTERS ON SUPPOSED SCHEDULE, BUT CAPRICIOUS CENSORSHIP AND NON-DELIVERY OF LETTERS HAVE REDUCED EFFECTIVE COMMUNICATION TO

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By SRG NARA, Date 9/19/99

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ABOUT ONCE PER MONTH. SHE STATES THAT IN AT LEAST ONE INSTANCE, CENSOR INSERTED "DO NOT" IN ONE OF HER LETTERS WHICH ENDED "I LOVE YOU." NO MENTION OF POLITICAL MATTERS, POSSIBLE CHARGE AGAINST LETELIER, OR EVEN HIRING OF LAWYER HAS BEEN PERMITTED. HOWEVER, FRIENDS IN POSITION TO KNOW HAVE KEPT FAMILY INFORMED OF LETELIER'S WELFARE ON DAWSON, AND RED CROSS, NEWSMANS, AND VISITORS TO CHILE SUCH AS IDB OFFICIALS HAVE PASSED INFORMATION TO THEM.

4. APPARENTLY LETELIER HAS SUFFERED NO TORTURE OR OTHER PHYSICAL MISTREATMENT, BUT INITIAL LACK OF MEDICAL TREATMENT AND INADEQUATE DIET SEVERELY AFFECTED HIM AND PRESUMABLY OTHER PRISONERS. LETELIER HAD DENTAL SURGERY SEPT 10 AND WAS SENT TO DAWSON WITH OPEN ROOT CANAL WHICH CAUSED SEVERE PAIN FOR MONTHS. WHEN MRS. LETELIER HEARD OF THIS THROUGH HER OWN "ULANDSTINE" CHANNELS IN JANUARY, SHE WENT TO GOC DETAINEES OFFICE (SANTIA 270) AND OFFERED TO PAY ALL EXPENSES TO HAVE HUSBAND TREATED. LETELIER TAKEN SHORTLY AFTER TO PUNTA ARENAS FOR TREATMENT, AT GOC EXPENSE.

5. DURING PERIOD OCTOBER-NOVEMBER PRISONERS ON DAWSON APPARENTLY LIVED ON LITTLE MORE THAN LENTILS AND BREAD. LETELIER LOST MANY KILOS OF WEIGHT, BUT FORTUNATELY, ACCORDING WIFE, HE WAS CONSIDERABLY OVERWEIGHT WHEN ARRESTED. SINCE DECEMBER HE AND PRESUMABLY OTHERS HAVE RECOVERED WEIGHT WITH IMPROVED IF SPARTAN DIET. WARM CLOTHING AND SOME FOOD SENT BY FAMILY WAS RECEIVED, AND RED CROSS ALSO PROVIDED SOME ITEMS.

6. MRS. LETELIER UNDERSTANDS THAT CARDINAL SILVA ASKED JUNTA FOR PERMISSION TO, AND DID, SEND PRIEST TO DAWSON TO CARE FOR PRISONERS IN OCTOBER. JUNTA ALLOWED NAVY CHAPLAIN TO GO, BUT TRANSFERRED HIM ABOUT END NOVEMBER.

7. SHORTLY AFTER COUP, MRS. LETELIER ENGAGED LAWYER HERMOSILLA BOTH TO HELP HER WITH OWN PROBLEMS AND TO DEFEND LETELIER IF NECESSARY. NO RPT NO CHARGES OF ANY DESCRIPTION HAVE BEEN NOTIFIED TO DATE TO HER OR TO LAWYER. SHE HAS BEEN TOLD BY HIGH GOC SOURCE THAT LETELIER LETTER TO ALLENDE RE GUN SHIPMENT WHICH APPEARED IN PRESS APRIL 1 (REFTEL 0) WAS GIVEN TO PAPER BY MINISTRY INTERIOR SOURCES WITHOUT APPROVAL OF JUNTA, WHICH REGARDED MATTER AS RIDICULOUS. NOTHING MORE

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HAS BEEN HEARD OF LETTER. SHE ACCEPTS LETTER AS PROBABLY GENUINE, GIVEN STYLE AND LETELIER'S RELATION WITH ALLENDE. INTERESTING POINT MADE THAT NUMEROUS "CONSERVATIVE" LAWYERS WHO FOUGHT ALLENDE GOVT QUICKLY RALLIED TO DEFENSE OF ITS MEMBERS WHEN JUNTA ARRESTED THEM.

8. MRS. LETELIER HOPES THAT IF ANY CHARGES ARE PLACED, IT WILL BE FORMALITY AND LETELIER WILL BE EITHER ABSOLVED OR RELEASED ON BASIS TIME SERVED ON DAWSON AND PERMITTED TO LEAVE CHILE. HE HAS SEVERAL OFFERS OF TEACHING POSITIONS IN US AND WOULD MOST PROBABLY ACCEPT SUNY OFFER AT BUFFALO, PARTLY BECAUSE OF RELATIVE ISOLATION OF THAT CAMPUS AND THUS INSULATION FROM ATTEMPTS TO DRAW HIM INTO POLITICS AGAIN. HE WOULD WANT TO BE ABLE TO VISIT CHILE FROM TIME TO TIME TO SEE PARENTS AND THUS WOULD PROBABLY AVOID BECOMING INVOLVED IN ANTI-JUNTA ACTIVITIES. SHE ASKED IF SHE OR FAMILY WOULD HAVE VISA PROBLEMS WITH USG, AND WAS TOLD THAT WE KNOW OF NO PRESENT BAR TO ENTRY.

9. MRS. LETELIER HERSELF, AND HER SONS, APPEAR WELL, BUT STRAIN HAS TAKEN SOME TOLL. FAMILY LIVES IN APARTMENT NEAR US CONSULATE NEAR DOWNTOWN SANTIAGO. FOR SOME TIME AFTER COUP SHE WAS ADVISED BY AUTHORITIES TO STAY AT HOME, BUT FOR LAST SEVERAL MONTHS SHE HAS MOVED RELATIVELY FREELY, INCLUDING TRIP TO PUNTA ARENAS. TELEPHONE IS OPENLY MONITORED, AND WHAT LITTLE MAIL ARRIVES HAS BEEN OPENED WITHOUT ATTEMPT TO HIDE FACT. SHE AND SONS WERE FOLLOWED AT FIRST, BUT THAT ELEMENT OF SURVEILLANCE APPEARS TO HAVE BEEN DROPPED. SHE KNOWS THAT MUCH OF HER MAIL, INCLUDING LETTERS FROM FRIENDS IN US, IS INTERCEPTED. SEVERAL FRIENDS HAVE SENT COPIES OF LETTERS TO HER TO OTHER, "NON-POLITICAL" FRIENDS IN CHILE, AND SHE RECEIVED THESE BUT NOT ORIGINALS. SHE BELIEVES CONTACT WITH US EMBASSY HAS BEEN BENEFICIAL AS IT REMINDS GOV OF NEED FOR RESTRAINT IN DEALING WITH FAMILIES OF PRISONERS. WIVES OF DETAINEES HAVE REMAINED IN CLOSE TOUCH WITH EACH OTHER, BUT AVOID APPEARANCE OF ORGANIZED GROUP.

10. ECONOMIC CIRCUMSTANCES OF FAMILY HAVE BEEN MATTER OF REAL CONCERN. LETELIER SOLD PERSONAL HOMES IN WASHINGTON AND SHENANDOAH VALLEY BEFORE COMING BACK TO CHILE IN 1973. WHILE MRS. LETELIER DID NOT REFER TO PROCEEDS THESE SALES OR ANY

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OTHER SAVINGS, IT APPEARS THAT MONEY MUST HAVE BEEN LEFT IN US AND SHE CANNOT OR DOES NOT WISH TO TAP IT. LETELIER BANNED ONLY THREE MONTHS PAY IN CHILE AS CABINET MINISTER BEFORE HIS ARREST, AND UNTIL MRS. LETELIER AND LAWYER APPEALED TO GOC SHE WAS NOT ALLOWED TO USE EVEN THIS. SHE HAS SOLD SOME TIME AND IS WORKING AS TRANSLATOR TO SUPPORT FAMILY, BUT SITUATION OBVIOUSLY TIGHT, AS IT IS OF COURSE FOR MAJORITY OF MIDDLE CLASS CHILEANS TODAY. AS FAMILY ARRIVED BACK IN CHILE ONLY IN MAY 1973, CUSTOMS FORMALITIES ON HHE AND CAR HAD NOT BEEN COMPLETED BEFORE COUP. CUSTOMS HAS REFUSED ISSUE DOCUMENTS ALLOWING HER TO REGISTER CAR, AND OTHER HARASSMENT OF VARIOUS NATURE HAS OCCURRED. SHE BELIEVES THIS IS NOT RPT NOT DONE WITH CONSENT OR KNOWLEDGE OF JUNTA, BUT IS PETTY MEANNESS OF LOWER LEVEL ANTI-MARXIST OFFICIALS. SHE APPLIED FOR TEACHER POSITION AT NIDO DE AGUILAS INTERNATIONAL SCHOOL IN EARLY MARCH, USING HER MAIDEN NAME, AND SAYS SHE WAS ACCEPTED. BUT WHEN SOMEONE, SHE THINKS ANTI-MARXIST PARENTS AT SCHOOL, FOUND OUT WHO SHE WAS, OFFER WAS WITHDRAWN. SHE HAD BEEN TOLD BY SOMEONE THAT US EMBASSY "VETOED" HER EMPLOYMENT, BUT HAD NEVER BELIEVED THIS. (EMBASSY HAD NOTHING TO DO WITH MATTER). SCHOOL BOARD MEMBER TOLD US APPLICATION NEVER SERIOUSLY PURSUED AND POLITICS NOT INVOLVED. FOUR LETELIER SONS CONTINUE AS STUDENTS AT NIDO. OLDEST, CRISTIAN, HOPES RETURN TO US FOR COLLEGE THIS SUMMER ON SCHOLARSHIP AND FAMILY HAS NO INDICATION HE WILL HAVE DIFFICULTY IN LEAVING CHILE.

11. FAMILY WAS SHOWN ABC TV FILM TAKEN AT DAWSON ISLAND IN FEBRUARY.

12. USE OF FOREGOING MATERIAL BY US NEWSPAPERS OR ATIRIBUTION TO EMBASSY SOURCES COULD BE PREJUDICIAL. GOC CERTAINLY AWARE OF CONTACT WITH AND VISIT TO EMBASSY FAMILY, BUT MRS. LETELIER AND EMBASSY AGREE IT UNLIKELY THAT GOC WILL OBJECT AS LONG AS DISCRETION IS USED AND NO ANTI-JUNTA PUBLICITY RESULTS. PUPPER

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