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To: All sections
Chile/CHAN coordinators

From: Americas Research Department

Date: September 1987

ORIGINAL

CHILE ACTION NETWORK

50 Cases of Torture: Update II

Summary

This circular is the second follow-up to AMR 22/03/87: 50 Cases of Torture. It contains information about new measures taken by the government which could reduce the risk of torture to detainees. Other measures regarding the protection of detainees were outlined in AMR 22/03/87. In June 1987 the government passed a law closing down all detention centres run by the Central Nacional de Informaciones (CNI - Chilean secret police). The CNI still has powers of arrest, but according to the new law, detainees must be handed over to either investigaciones (criminal investigations police) or to carabineros (uniformed police). It is too early to predict how successful the new law will be in diminishing the use of torture. It should also be borne in mind that detainees have been tortured in police stations in the past, and that the CNI has carried out torture sessions in police stations. Since the new law came into effect Amnesty International has received new reports of torture.

The attached document also includes information about investigations by a civilian judge, judge René Garcia, who is dealing with more than 40 complaints of torture against the CNI. Judge René Garcia is known for his tenacity in pursuing investigations into torture complaints in spite of obstructions by the security forces. Such obstructions have however in previous cases prevented him from being able to carry out his judicial functions fully and complete the investigations. In the last few months he has received numerous death threats.

Distribution

As above.

Recommended actions

CHAN groups may send letters welcoming the closure of CNI detention centres, expressing the hope that this will help to protect detainees from torture. Express your concern however that reports of torture continue in spite of the apparently positive measures taken and stress the need to monitor the treatment of detainees by the security forces. Express concern

at reports that Ricardo Campos was tortured by the CNI after the new law came into force, and that others have also been tortured or subjected to ill-treatment while held by Investigaciones. Letters should also welcome the investigations carried out by judge René Garcia and urge that measures are taken to ensure that the security forces cooperate fully with the courts. You can refer to government assurances made last year that police and security forces will act within the law and cooperate with the courts of justice. Express concern at reports that judge Garcia has received death threats and ask what steps are being taken to investigate them.

Letters should be sent to:

General Hugo Salas Wenzel
Director de la Central Nacional
de Informaciones
Av. República 517
Santiago, Chile
(Head of the CNI)

Sr. Sergio Fernández Fernández
Ministro del Interior
Palacio de La Moneda
Santiago, Chile

Sr Ambrosio Rodriguez
Procurador General
Ministerio de Justicia
Compañía 1111
Santiago, Chile

Sr Ricardo Garcia
Ministro de Relaciones Exteriores
Palacio de La Moneda
Santiago, Chile

Vicealmirante Patricio Carvajal
Ministro de la Defensa
Palacio de La Moneda
Santiago, Chile

Sr Miguel Schweitzer
Presidente
Consejo del Estado
Edificio del Senado
Santiago, Chile

Some of you may have written to Sr Ricardo Garcia in his previous capacity as Interior Minister in connection with the original action. If so, write to him again reminding him of your first letter and reiterating your concerns, updating them with the new information contained in this circular.

Copies of Appeals

Sr Rene Garcia Villegas
20 Juzgado del Crimen
Compañía 1325
Santiago, Chile

Agrupación de Abogados Defensores de
Presos Politicos
Pasaje Matte 957, Of 415
Santiago, Chile

Asociacion Nacional de Magistrados
del Poder Judicial de Chile
Merced 286, 3 piso
Santiago, Chile

Comisión Chilena de Derechos Humanos
Huerfanos 1805
Santiago, Chile

Publicity: This circular is external and should therefore be distributed to those who received the original circular and update 1 so that they are kept informed of developments on this issue. You may actively seek to publicise the information if you wish, particularly as the issue of torture in Chile has recently received much international attention as a result of the visit to Chile by the West German minister Norbert Bluem. (See text of circular.)

If you have good contact with a local judge or magistrate you should invite

them to write a letter to the Chilean authorities and send a copy to judge Rene Garcia and/or the National Magistrates Association. Local lawyers could do the same with copies to the Association of Lawyers Defending Political Prisoners.

EXTERNAL (for general distribution)

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September 1987

CHILE

50 CASES OF TORTURE: UPDATE II

Renewed reports of torture have been received by Amnesty International and the issue continues to be one of serious concern in spite of measures taken by the government which give the appearance of increased protection for detainees.

Allegations that torture existed in Chile made by a West German Minister Mr Norbert Bluem during a visit to the country in August 1987 led to further national and international debate about the issue and prompted renewed denials by the government that torture takes place. A government spokesman, Orlando Poblete, said: "In Chile, nobody is tortured. There is no repression and our government is founded on respect for the rights of individuals".(1) He added that allegations of torture were part of a domestic and international campaign to discredit the Government. Another government official claimed that if excesses have been committed occasionally "by nervous officials" [funcionarios nerviosos], they have "certainly been the exception." [se tratará con seguridad de una excepción]

The Chilean Catholic Church, which has campaigned for many years against the use of torture, immediately refuted government claims. "The time has come" said a church spokesman, Monseñor Cristian Precht, "to stop arguing about whether or not there is torture - we all know that there is torture." (2) The Chilean Bishops' Conference in a statement on 13 August called on the government to "reassure this country that it rejects such practices and that it is willing to investigate the complaints and punish those who may be responsible." (2a) Their statement was supported by a judge who has been courageously investigating numerous complaints of torture submitted to him by political detainees since 1985: "One cannot honestly deny that torture exists. Through my work as judge I can certify that it does."(2b) He has received repeated death threats over the last few months because of his work. (See below, Investigations into Torture Allegations).

This document contains information about new measures taken by the government since the publication of 50 Cases of Torture and its Update 1 (AMR 22/03/87 and AMR 22/10/87), about cases of torture reported to the organization since March 1987, and about developments in judicial investigations into torture allegations made by some of the prisoners whose cases featured in 50 Cases of Torture. It also contains extended extracts from the testimonies of two detainees arrested in December 1986 and February 1987 respectively.

Closure of CNI Detention Centres

In June 1987 a new law was passed closing down detention centres run by the Central Nacional de Informaciones (CNI - state security police). Under the new legislation, the CNI retain their powers of arrest but must hand detainees over either to investigaciones (criminal investigations police) or to carabineros (uniformed police). For many years there had been a pattern of severe torture of political suspects held in the CNI's own detention centres.

The closure of the detention centres is one of a number of measures taken by the government relating to some of the most widely criticised practices of the military government. Other recent measures have included new agreements with the International Committee of the Red Cross (ICRC) facilitating access to political detainees and the lifting of banning orders on a large number of exiles who were previously prohibited from returning to Chile. Measures introduced in response to pressure for a return to democracy have included a set of laws that regulate the "transitional period" between the military administration and an elected government. A plebiscite is scheduled for 1989 or earlier when voters will be asked whether they accept a presidential candidate designated by the military.

Amnesty International welcomes the closure of CNI detention centres, which it hopes will reduce the risk of torture to detainees. However, the organization is concerned at reports that since the new law came into force CNI agents have participated in the interrogation of detainees under torture while held in police stations run by investigaciones, and in one case applied the torture in the house where the detainee was arrested. Also the branches of the police which are now responsible for the custody of all suspects - Investigaciones and Carabineros - have been involved in some cases of torture in the past. It believes therefore that treatment of detainees should be closely monitored and further appropriate measures taken to prevent the use of torture.

Amnesty International has received information about several new cases of torture by investigaciones and the CNI since the new law came into force. (See New Cases below.)

Investigations into Torture Allegations

In the 14 years of military rule in Chile no member of the police or security forces has been convicted of the torture of a political detainee in spite of the many official complaints submitted to the courts. Judges have complained that CNI agents have failed to obey orders to appear in court, and operate using false names, making identification difficult. Some agents under investigation have been transferred to distant places by higher officers, apparently to obstruct court appearances. Forensic examinations by government appointed medical officers have often been carried out long after torture takes place and when the marks on the body have disappeared. Some civilian judges have been persistent in pursuing their investigations, but even these cases usually end up being closed by military courts, which take over investigations when the involvement of military personnel is suspected.

Judge René García Villegas of the 20th Criminal Court (Vigésimo Juzgado del Crimen) is currently investigating some 40 complaints (querellas) of torture presented to the court by political detainees or

former detainees. Until recently, he was also in charge of investigating complaints of torture submitted by 25 detainees arrested in August-September 1986 and accused of smuggling arms into the country for the Frente Patriotico Manuel Rodriguez (FPMR - Manuel Rodriguez Patriotic Front). Defence lawyers for the prisoners say that in 19 of the 25 cases court medical officers confirmed signs of beatings and other ill-treatment.

Almost from the start of his investigations into the 25 cases the judge complained of difficulties in his work, in particular long delays by the police and military in the carrying out of judicial orders. It took five months, for example, before the military courts dealing with the trials of the detainees gave permission for them to appear before the judge. In a missive in September 1986 repeating his request that they be brought before him, he stated that the failure to bring the detainees before him "constitutes a severe obstacle to the course of justice" (importa un obstáculo grave a la acción de la justicia").

In spite of the obstacles, the judge continued his investigations and identified two CNI agents responsible for participating in the torture of Claudio Molina during the ten days he was held by the security forces in September 1986. However, in response to the judge's order that the two CNI agents appear before him, the head of the CNI refused to comply on the grounds that a civilian judge has no jurisdiction to try members of the security forces. In August 1987 the judge lost jurisdiction of the 25 cases when the Supreme Court ruled that the case should be transferred to a military court. (These cases were included in the AI document 50 Cases of Torture and Update 1 to the document.)

Another of the cases in the hands of Judge Garcia is that of two doctors, Hernan Mendoza and Manuel Ipinza arrested and tortured by the CNI in October 1985. After a year and nine months the judge identified two CNI agents who he wanted to question about the case but requests to the Interior Minister and the Defence Minister to order the head of the CNI to bring the two agents before him have, according to reports, so far failed to result in a court appearance.

In August 1987, the judge announced that he had received anonymous telephone calls both at home and at the court in which he was threatened with death, apparently with the aim of intimidating him into stopping his work. On one occasion, after he had been given police protection, the caller warned him "We will silence you in the end, in spite of the (police) guard." {No importa la vigilancia. Igual lo vamos a silenciar.} The judge, however, stressed in a series of press interviews in Chile his commitment to continue:

"If I am presented with a case of a complaint of alleged torture... I dedicate myself to that task with the serenity and determination with which one proceeds with any judicial case brought to the attention of a magistrate." (3)

New Cases of Torture Reported to Amnesty International

Amnesty International has received detailed information about several cases of torture since March 1987, including the case of a man tortured by the CNI after the new law came into force in June. It is also seeking further details of the treatment of two political prisoners who allege they were tortured while held in a police station recently. Luis Tricot, who receives regular medication for epilepsy, was arrested on 3 September 1987

and said he was beaten and given electric shocks during the three day period he was held by Investigaciones. He was subsequently taken to hospital with a fractured vertebra, the cause of which is not yet known. A medical report indicated that it could have been the result of muscular convulsions or of external causes. José Silva Hidalgo was arrested in August 1987 and held incommunicado for several days by Investigaciones. Reports indicate that a forensic doctor who subsequently examined him recorded a series of injuries apparently resulting from torture.

Ricardo Campos Urzua

Ricardo Campos Urzua was arrested on 24 June at the home of his girlfriend's father, Eliseo Richards, a well-known lawyer. Sr Campos was given electric shocks in one of the bedrooms in the house. About fifty CNI agents took part in the operation in which Eliseo Richards, his wife Nancy Zepeda, brother-in-law Omar Zepeda and two daughters, Maria Gabriela and Paulina Richards, were also arrested. Nancy Zepeda described what happened:

"When the CNI arrived they put all the women in the living room. Maria Gabriela's boyfriend was beaten a lot. He was shouting and to stop anyone hearing [the screams] they turned up the volume of the radio. After a while, they moved me to a bathroom together with the woman who helps me in the house. At that moment I saw a man pass by carrying a machine with a long cable and looking for a plug. They turned up the volume of the radio again and the youth screamed, he was screaming terribly." (4)

Others present were also beaten or treated violently before being taken to the headquarters of Investigaciones in Santiago.

According to a presentation made to the court dealing with the petition for amparo on behalf of Ricardo Campos, he was half unconscious when he arrived at the headquarters of Investigaciones, and during the four days he was held there he was not allowed to sleep; on repeated occasions he was tied naked to a chair and given electric shocks to the anus, penis and all over his body and head; he was subjected to the "submarine", his head being submerged in water with excrement in it; his sister was brought to see him and the agents threatened to torture her in the same way if he didn't confess. He was denied access to lawyers and his family in spite of court orders.

A medical report dated 3 August 1987 by the Servicio Médico Legal (Department of Legal Medicine) concluded that when examined on 25 July (a month after his arrest) he had "light injuries caused by a blunt instrument and/or other instruments." [lesiones leves explicables por la acción con elemento contundente y/u otros elementos físicos]. The doctor who examined him found scars 1x1cm on both sides of his right ankle bone and a scar 1.2 x 1.5cm on the outside of the left ankle.

Though the Richards' family were mostly treated well while in police custody 21 year old Maria Gabriela Richards was reportedly interrogated by members of the CNI in the basement of the headquarters of Investigaciones. According to her family, she was interrogated for 21 consecutive hours during which time she was held incommunicado and blindfolded, and given no food or drink.

After six days in Investigaciones they were taken before a Military Prosecutor. Ricardo Campos, Maria Gabriela and Paulina Richards were

transferred to prison and the others released unconditionally.

Ivan Barra and Jorge Jaña, students, were arrested by the CNI in the early hours of the morning of 9 April accused of provoking violent incidents which occurred during the Pope's visit to Chile a few days earlier, despite the fact that neither of them were present in the park where the incidents occurred. Held in a CNI detention centre for four days, they both said they were tortured to pressurise them into implicating themselves in the incidents.

Jorge Jaña describes some of the treatment he was given:

"They gave me electric shocks on the hands, neck and back through a bunch of keys attached to an electrode. They passed it round my neck and applied it to my back through the overalls [I was made to wear]. They punched me in the face and beat me in the chest with a baton. They put a machinegun to my head and threatened to kill me. They tortured me while I was tied to a chair." (5)

After nine days in detention, they were unconditionally released.

Leopoldo Orrego Sáez, was arrested by members of Investigaciones on 28 April 1987 and taken to their headquarters. There he was blindfolded, made to sit in a chair to which his hands and feet were tied, and to undo his clothes. He was interrogated and given electric shocks to his temples, hands, ears and legs before being released without charge. Prior to his release he was told that if he presented a complaint about the way he had been treated "it would cost him dearly" [le costaría caro].

Claudio Ríos Flores, 19 year old student leader, was arrested near his home in the early hours of the morning of 27 April by individuals who said they were CNI agents. According to the querrela (official complaint) submitted to the court by his mother, he was thrown violently into a vehicle where the CNI agents began beating him. Taken to a CNI detention centre, he was blindfolded and stripped. The CNI agents made him lie face down and balance on his toes and fingertips. They stood behind him and threatened to rape him. After an hour he was given overalls and lightweight shoes and the CNI agents began to beat him again. The beatings continued and they pretended to apply electricity [simulacros de aplicación de electricidad]. They also used a technique they called the "donkey" ("burro") which consisted of tying down his arms, chest, thighs and calves with a kind of strap and using some kind of machine to exert a lot of pressure on different parts of his body and which caused intense pain each time the CNI agent turned the handle. When not under interrogation he was not allowed to sleep or rest. He was given coffee to drink but it was taken away before he could manage a sip, and he kept being taken in and out of his cell. The following day he was seen by an ICRC delegate. Before the interview Ríos was warned not to say anything about his treatment otherwise the torture would continue.

Later that day, 28 April, he was left at his brother's house. Claudio Ríos has been subjected to a series of intimidatory actions since July 1986, including repeated death threats, and abduction by clandestine groups.

Jaime Sobarzo Valdes, 28, He was arrested on 19 April 1987 by carabineros while distributing pamphlets in the street. Taken to a police station he was interrogated and beaten by a man in civilian clothing and then transferred to a CNI detention centre. He was stripped naked and punched in the chest and stomach while being interrogated. After being made to

dress in overalls he was tied to a bedframe and cables attached to his body, although he was not given electric shocks. The CNI agents told him that if he didn't talk they would rape his wife. Two days later he was released without charge.

Edison Barrales Daza, 38 year old electrician, was arrested by carabineros on 20 April 1987 and handed over to the CNI the following day. In spite of orders by the court dealing with the petition for amparo presented on his behalf, lawyers and relatives were not allowed to see him. During the six days he was held by the CNI, he said he was punched, put under psychological pressure, and given electric shocks on several occasions.

Guillermo Santander Robles, member of a local human rights group in Santiago, was arrested on 18 March 1987 during a violent raid on his home by heavily armed men in civilian clothes who said they were CNI agents but who were later identified as members of Investigaciones. He was taken to an Investigaciones police station which he at first thought was a CNI detention centre.

"There, they took me down to a basement and made me strip completely. They sat me in a chair and gave me electric shocks to the mouth, temples, hands and penis. They also punched me in the face and body and pulled my beard very hard. I was blindfolded during this time."(6)

Testimony of Leopoldo Gutierrez Pazoca

Accountant Leopoldo Gutierrez Pazoca was arrested on 19 February 1987 and taken to a CNI detention centre where he was held until 24 February. Transferred to prison, he was then held incommunicado for a further 25 days before being allowed access to his lawyers and family. He has been charged under the Arms Control Law. The following are extracts from his testimony about the way he was treated while held by the CNI.

"On the night of 19 February, I was sleeping deeply when I was woken by heavy knocking on the door, as if it had been hit by a heavy stone. Almost at the same time, a military-sounding voice shouted through the window, "Police: Open the door or we'll shoot." As I went to open the door I noticed that there was a man at each window, their faces covered in balaclavas, and pointing automatic weapons at me.

As soon as I opened the door, two individuals grabbed me and threw me face down on the floor, kicking me and hitting me with the butts of their guns, while others entered the house shouting. They put a gun to my head and said "If you don't cooperate, we'll kill you immediately." I hadn't yet got over the shock and couldn't think clearly because of the blows. They asked me for my "political name". I told them I didn't have one. Another avalanche of blows. The same question and answer were repeated several times. They blindfolded me and handcuffed my hands behind my back. Pushing and pulling me, they made me get into a car together with the young man who rents a room in my house and took us to a detention centre where we were made to get out, being beaten at the same time. I was made to sit down and my hands handcuffed to the chair to the back of the chair"...

After further interrogation..."I noticed a sharp pain in the side as if a rib had collapsed. It made me double up and I had difficulty breathing. I don't know how much time went by. There was total silence when suddenly I felt something like a nail touch my neck which produced an electric shock

and sent my body into convulsions. "Have you thought about it?" The same agent asked: "What is your political name?" Another electric shock, and so it went on. I don't know how many times they gave me electric shocks, to the arms, ankles, navel, testicles. I felt as if I was fainting. They beat me on the ears. I woke up and finally, because I couldn't stand up, they lifted me and took me back to the car."....

Taken to another detention centre, the interrogation sessions began again: "They tried to confuse me, shouted in my ears, threw me to the floor and finally made me lie on a bedframe. They tied down my ankles, knees, hips, thorax, arms and head and left me alone for quite a while. After a time, a new individual, talking in a soft voice near my ear, said: "This is called the "parrilla". We don't want to harm you. Will you cooperate?" Of course, I answered. "Then tell me your political name." I haven't got one I answered and immediately felt an electric shock on both ankles. I screamed loudly, trying to relax through the scream. Another question, another electric shock to the thorax, then to the head."

Throughout the 20 February he said the interrogation sessions with electric shocks and beatings continued. In between he was taken back to his cell and allowed to rest for a while before being dragged back to the next session. He said that there were three teams of interrogators. In the night of 20 February, "they left me standing facing the wall in a room with a light on, my hands handcuffed behind my back... The man guarding me punched me in the face without warning every so often which made me feel very insecure, and stopped me sleeping for the second night running."

The next day, "a new team arrived and I was again taken to the torture room. A new interrogator. He was well-educated. I could see beneath the blindfold that he is wearing a pair of very good quality shoes and very fine cashmere trousers. (The others were wearing sandals and blue jeans.) He began: "Do you want to cooperate? Yes, I answered. "Political name?" "I don't have one." "So take this little present", and he opened the overalls I was wearing and inserted in a rat which headed desperately towards my crotch scratching, biting and uttering characteristic noises. I couldn't take it so I threw myself to the floor to try to squash it.

The man continued: "political name?" My nerves couldn't take any more. I insisted that I didn't have one. They tied me to a chair, two men holding me down. A third opened my mouth and inserted a tube about 5-8cms wide. I felt them put something in the other end. I heard a match and then felt a rat scratching the inside of my palate, almost entering my oesophagus. I started to vomit, clenched my stomach and could hardly breathe. The interrogator waited until I had recuperated and said. "That's only one of the things we can do to you. We can also do it to your wife and daughter so you can go and rest and think about it, but I don't have much time. Back in my cell, my nerves were at their limit. I tried to cry but I couldn't. I kept thinking about my wife and my little girl and getting desperate."

In the afternoon, he said, the interrogation sessions with electric shocks continued and resumed the following day after he had slept. He was made to sign some papers which he wasn't allowed to read, and in the morning of 23 February he was visited by two ICRC delegates.

"In the afternoon and evening (of 23rd) the torture sessions were repeated and on Tuesday morning I received the last visit in my cell from a group of four individuals who methodically beat me in places which don't

leave marks. "That's our way of saying goodbye" they said.

On Tuesday afternoon, 24th, I was taken before the Special Military Prosecutor where I was interrogated by a Sr. Baguetti who threatened that if I didn't sign the statement they put in front of me I would be taken back before the CNI as my statements were not consistent with the statement made by my wife. He said that she had also been arrested with my four year-old daughter. It was only after the incommunicado detention order was lifted that I learnt that they hadn't been detained."(7)

Testimony of Dr Manuel Ubilla

The following are extracts from the testimony of Dr Manuel Ubilla, whose case was referred to in 50 Cases of Torture. Arrested in Santiago on 18 December 1986, he was held in incommunicado detention by the CNI until 2 January. During these two weeks the CNI repeatedly refused to comply with the orders of a Santiago appeals court that he be visited by a court-appointed forensic doctor. Relatives said at the time that they had information that Dr Ubilla could not walk and was in a state close to coma. He was visited by a delegate from the International Committee of the Red Cross on 26 December.

When Dr Ubilla appeared before the Military Prosecutor on 2 January 1987 he was seen to be in poor physical condition and his lawyer lodged a request with the Prosecutor that he be transferred to hospital; this request was however turned down. The Military Prosecutor ordered that Dr Ubilla be held in incommunicado detention upon his transfer to prison, an order which remained in effect for a further month. During this time further visits from the ICRC were reportedly not allowed.

Dr Ubilla was subjected to repeated electric shocks and severe beatings while being interrogated by the CNI. He had been arrested in the street by four armed men and taken blindfold to a CNI detention centre. The following are extracts from his testimony.

"On arrival they undressed me immediately... I was taken to a freezing room (air conditioned) and there they handed me wires which when I touched them gave me electric shocks; I let go of them immediately and they attached them to my fingers and another to my penis; they beat me on the head and on the legs with sticks prepared so as not to leave marks. This was combined with electric shocks, each time more intense. Because I remained silent my torturers beat me on the head and in the stomach with force; I felt great pain and later a sort of numbness throughout my body; I lost consciousness."

"... two or three men came into the cell talking about the days that I had been unconscious and the fact that I was dehydrated. They beat me on the face, gagged my mouth and nose to provoke asphyxiation and see how I reacted, and applied current to my nipples; they left later after failing to get any reaction from me; this was repeated on two or three occasions at intervals, I estimate, of four to six hours approximately.

Later I was taken by several people to a kind of metal bed where the one in charge of the torturers told me I would have to respond and reply to their questions; they tied down my feet and hands, placed electric wires on my hands, feet, penis and anus and combined electric shocks with beatings on the ears and testicles; they interrogated me, I gave no answers to their questions and with the pain that I felt I begged them to kill me. As they

didn't succeed in making me speak, this torture lasted for several hours.

On 24 December in the morning they transferred me to a room where I was cleaned and they began treatment with a drip for several hours; in this time I recuperated a little. I was attended here by a man (a medical assistant) and a woman...."

"A little before midnight the group of torturers came into the place where I was recuperating; by their breath and what they said [I realized] they were drunk; there were 4-6 of them; they tried to hang me from the hands, but seeing me to be very weak they did this only with my left hand from which I remained semi-suspended, causing great pain in the arm.they began to give me electric shocks on different parts of my body, and slapped me with open hands on my ears, face and chest; they put a pistol into my mouth so I would kill myself; I made a forward movement with my head so that the gun would go off if it was really loaded, but realized that they were just intimidating me. Then they took me by the hair and beat my eyes with their fingers; I felt extreme pain and then a dizziness and pain throughout my body; I lost consciousness. From then on all I remember is that on 26 December someone was cleaning me [my body] and was speaking in French; I didn't respond; later when I was a little more conscious, in pain all over, especially in the head, spinal column and eyes, I realized that I was with two men from the [International Committee of the] Red Cross...They attended me, examined me and then left; later a group of torturers arrived and said that they were going to continue with the "treatment", but now they would take care not to kill me.

They left me in the cell for several hours and spoke to me through a little window, saying that all the others had talked; that it wasn't necessary any longer to remain silent, that there were many more detainees and that they knew all that I had done. To all this I replied that they couldn't bother me and that they were liars. At this, they left me naked in the cell naked and turned up the air conditioning; I felt extremely cold and tried to do exercises but I didn't have the strength; on two or three occasions the torturers came in, beat me with sticks, although they didn't ask questions now, and then left.

On 1 January 1987 I was bathed and taken to a room for filming.... On 2 January I was taken to the Military Prosecutor's Office and handed over by the leader of the torturers (an army colonel) to the Prosecutor... who ordered me to be held incommunicado for 31 days." (8)

Spanish Quotations

1. "En Chile no se tortura. En Chile no hay represión. (El gobierno) tiene entre sus fundamentos el reconocimiento pleno a las garantías individuales."
2. "Ya creo que es hora de que nos dejemos de discutir si en Chile se tortura o no se tortura. Todos sabemos que se tortura."
- 2a. "Pide a las autoridades a quienes corresponda que den al país la seguridad de que tales prácticas son rechazadas por ellas y que hay disposición para investigar las denuncias y sancionar a los eventuales culpables."
- 2b. "No se puede honestamente negar la existencia de la tortura ..Por las funciones que desempeño como juez..puedo dar autorizado testimonio de que así es."
3. "Si yo tengo una causa motivada por una querrela por supuestas torturas, por ejemplo, en la que el querellante me pide que haga una investigación para establecer el hecho y los responsables, yo me dedico a esa tarea con la serenidad y decisión que procede con respecto a cualquier caso judicial que se ponga en conocimiento de un magistrado."
4. "Cuando llegó la CNI, nos pusieron en el living. Al pololo de María Gabriela le pegaron mucho. El gritaba y para que no se oyera, subían el volumen de la radio. Rato después me trasladaron a un baño junto a la señora que me ayuda en la casa; entonces vi pasar a una persona con una máquina que tenía un cable muy largo, buscando enchufe. Subieron más el volumen de la radio y el chiquillo gritaba, gritaba terriblemente."
5. "Se me aplicó corriente eléctrica en las manos, cuello y espalda con un manojo de llaves agarrado de un electrodo. Me lo pasaban por el cuello y me lo metían a través del buzo por la espalda. Se me golpeó la cara con las manos, el pecho con una luma, se me puso la metralleta en la cabeza y se me amenazó de muerte. Me torturaron sentado en una silla."
6. "En ese recinto me bajaron a un subterráneo, me hicieron desnudarme completamente y sentado en una silla me pusieron corriente eléctrica en la boca, sienes, manos y en el pene. También me dieron golpes de mano en la cara y en el cuerpo y me tiraban fuertemente la barba. Todo este procedimiento fue con la vista vendada."
7. "La noche del 19 de febrero me hallaba profundamente dormido, cuando fui despertado por un fuerte y seco golpeado en la puerta, tal como si hubiesen usado una pesada piedra; casi al mismo tiempo una voz de tono militar grita por la ventana, "Abran la puerta o disparamos, somos policías; al salir a abrir me percate que había un hombre en cada ventana con sus rostros cubiertos por pasamontañas y apuntándome con fusiles automáticos;...inmediatamente que abro la puerta se me abalanzan dos sujetos y me arrojan al suelo boca abajo golpeándome con puntapiés y culatazos mientras otros ingresan gritando a la casa. Me colocan un cañon en la cabeza y me dicen: "si no cooperas te liquidamos de inmediato": Yo aún no salía de la sorpresa y no lograba pensar con claridad a raíz de los golpes. Me preguntan "Nombre político". "No tengo" respondo. Nueva avalancha de golpes. Esta pregunta y esta misma respuesta se repite varias veces. Me vendan la vista y me esposan por las muñecas a la espalda, a tirones y empujones me suben a un automóvil junto al joven arrendatario y

nos llevan a un recinto a donde nos bajan a golpes. Me sientan con las manos esposadas al respaldo de una silla"....

"Noto un fuerte dolor en el costado como si tuviera una costilla hundida lo que me tiene doblado y con dificultad para respirar. No sé cuanto tiempo transcurre; hay un silencio total y de pronto siento en el cuello algo como un clavo que al tocarme produce una descarga eléctrica que me convulsiona todo el cuerpo. "Ya pensaste?" Me dice el mismo sujeto: "Nombre político", y una nueva descarga y así sucesivamente, no sé cuantas veces me aplican la descarga en los brazos, los tobillos, el ombligo, los tobillos, los testículos, siento que me desmayo, me golpean las orejas; despierto, y finalmente me levantan en vilo pues no puedo sostenerme en pie y me suben nuevamente al automovil."...

"Ellos tratan de confundirme, me gritan a los oídos, me tiran al suelo y finalmente me acuestan a una camilla y me amarran los tobillos, rodillas, caderas, tórax, brazos y cabeza y me dejan un buen rato solo; un nuevo individuo me habla al oído con voz suave. "Esto se llama la parrilla, no queremos hacerte daño. Quieres cooperar?" "Por supuesto", le respondo. "Entonces dime tu nombre político". No tengo, le contesto, e inmediatamente siento una descarga eléctrica en ambos tobillos; mi grito es feroz, a través de él trato de relajarme; nueva pregunta, nueva descarga en el tórax, luego en la cabeza." ...

"En la media noche de ese Viernes me dejan en una sala iluminada de pie, mirando hacia la muralla, las manos esposadas a la espalda, no me permiten dormir de pie, un sujeto que me vigila se encarga de impedirlo dándome sorprendidos golpes en el rostro, esto me provoca gran inseguridad, y así cumplo dos noches sin dormir..."

Llega un nuevo equipo, de nuevo al cuarto de torturas, un nuevo interrogador; se nota un tipo educado, por debajo de la venda veo un excelente par de zapatos y un finísimo pantalón de casimir (los anteriores usaban zapatillas y blue jeans). Comienza: "Quiere cooperar? Si, respondo. Entonces: "Nombre político". No tengo. "Entonces toma este regalito" y me abre el buzo y me introduce una rata que se desliza desesperada para mis entrepiernas rasguña, mordiaquea y emite esa voz característica. Yo no resisto y me tiro al suelo para tratar de aplastarla..

El tipo continúa: "Nombre político". Yo no puedo más de los nervios. Insisto, "No tengo". Me amarran a la silla y sujetan entre dos tipos, un tercero me abre la boca y me introduce un tubo de unos 5 a 8 cms. de espesor. Siento que introducen algo en el otro extremo, siento un fósforo y de pronto una rata rasguña el interior de mi paladar casi entrando el esófago. Comienzo a vomitar, se me aprieta el estómago, casi no puedo respirar. El tipo espera que me recupere y me dice: "esto es sólo algo de lo que podemos hacer contigo, pero también lo podemos hacer con tu mujer y tu hija, así es que te vas a ir a descansar y a pensar, pero no tengo mucho tiempo. Ya en mi celda, me siento en el límite de mis nervios, trato de llorar, pero no puedo, pienso en mi esposa y mi pequeña y me desespero."...

"Por la tarde y la noche de ese lunes se repiten las torturas y el martes en la mañana recibí la última visita en mi celda de un grupo de cuatro tipos que me propinaron una metódica golpiza en lugares que no dejan huellas, "esto a modo de despedida" me dijeron.

Por la tarde del martes 24 fui trasladado a la Fiscalía Militar Ad-Hoc, donde fui interrogado por un Señor Bagueti; el cual me amenazó que si no

firmaba la declaración que puso frente a mi sería nuevamente llevado a la CNI ya que mis declaraciones no coincidían con la que había hecho mi esposa. A la cual también tenían detenida junto a mi hija de 4 años de edad. Solo después de levantada mi incomunicación supe que no estaba ni había sido detenida."

8. "Al llegar al lugar de inmediato me desnudan..... luego me trasladan tirándome del pelo a una habitación helada (aire acondicionado) y allí me pasan unos cables, al tomarlos estos conducían electricidad, los suelto de inmediato y los amarran a mis dedos y otro cable en el pene, allí me golpean en la cabeza, piernas, con palos preparados para no dejar huellas "tableados", combinados estos con golpes cada vez más intensos de electricidad, al mantenerme en silencio mis torturadores me golpean con fuerza en la cabeza y en el estómago, siento un gran dolor y después como adormecimiento en todo el cuerpo, pierdo el conocimiento...."

"... entran en la celda 2 ó 3 hombres los que comentan los días que estoy inconciente y que estoy deshidratado. Me golpean en la cara, me tapan la boca y nariz para provocar asfixia y ver mi reacción y me aplican corriente en las tetillas y luego se fueron al no ver reacción en mí, esto se repite por 2 ó 3 ocasiones con intervalos de 4 a 6 horas calculo aproximadamente.

Soy conducido luego por varios individuos a una especie de camilla metálica, allí el jefe de los torturadores señala que es necesario que yo reaccione y dé respuestas a sus preguntas, me engrillan de pies y manos, se me ponen cables de electricidad en manos, pies, pene y ano, combinando golpes de electricidad y golpes en oídos, testículos, se me interroga, no doy respuesta a sus preguntas, yo con el dolor que sentía pedí que me mataran, además que no me hacen hablar, esta tortura dura varias horas.

El día 24 de diciembre por la mañana me trasladan a una habitación donde me limpian e inician un tratamiento con sueros por varias horas, en estas horas me recupero un poco, allí me atendió un hombre (practicante) y una mujer..."

"Poco antes de medianoche entraron al lugar donde me recuperaba el grupo de torturadores, los que por el aliento y lo que decían estaban borrachos, eran 4 - 6, tratan de colgarme de las manos pero al verme muy débil sólo lo hacen de mi mano izquierda, de la cual quedo semisuspendido, sintiendo un gran dolor en el brazo..... dieron inicio a golpes eléctricos por diversas partes del cuerpo, golpes con manos abiertas en oídos, cara, pecho, me pusieron una pistola en la boca para que yo me matara, hice un movimiento con fuerza con la cabeza hacia adelante para provocar el disparo si era verdad que el arma estaba cargada, pero me di cuenta que era sólo intimidación. Luego me tomaron con fuerza por el pelo y me golpearon varias veces en los ojos con los dedos, sentía un fuerte dolor y luego un mareo con dolor en todo el cuerpo, pierdo el conocimiento, de allí me recuerdo solo el 26 de diciembre que una persona me estaba limpiando y que hablaba francés, yo no respondo nada, más tarde un poco más conciente, pero con fuertes dolores en el cuerpo y en especial la cabeza, columna y ojos, reconozco que me acompañaban dos hombres de la Cruz Roja..... Me cuidaron y me examinaron un rato y se retiraron, luego llegó el grupo de torturas, los que me dicen que igual van a seguir con el "tratamiento", pero ahora con la precaución de no matarme.

Me dejaron en la celda varias horas, me hablaron por una ventanilla donde decían: "que todos los demás habían hablado, que ya no era necesario mi silencio, que existían muchos más detenidos y que conocían todo lo que yo

hacia. A todo lo cual respondí que no me molestaran y que eran mentiras. A esta reacción mía me dejan en la celda desnudo e intensifican el aire acondicionado, senti gran frio, hacia esfuerzos para hacer ejercicios pero no tenia fuerza, en dos o tres ocasiones entraron los torturadores, me golpeaban con palos, ya no hacian preguntas y se retiraban.

El día 1^o de enero de 1987 me bañan y trasladan a una sala de filmación.... y me señala que seré trasladado a la Fiscalía Militar. El día 2 de enero soy trasladado a la Fiscalía Militar y entregado por el jefe de tortura [un mayor de ejército]...el cual me incomunica por 31 días..."

