



Amnesty International  
International Secretariat  
1 Easton Street  
London WC1X 8DJ  
United Kingdom

November 1984

### CHILE UNDER THE STATE OF SIEGE

On 6 November 1984, President Pinochet, in accordance with article 40.2 and interim provision 15B.4 of the Constitution, declared the country to be in a State of Siege, in order to "safeguard democracy and liberty".\* In a public statement, Interior Minister Sergio Onofre Jarpa said that the State of Siege would "only affect terrorists" and will "benefit ordinary citizens because it will give them protection". Amnesty International is concerned that the State of Siege has facilitated further human rights abuses by the Chilean Government.

#### EMERGENCY LEGISLATION

Under article 41 of the Constitution, during a State of Siege the president of the republic has the power to detain people without charge in their homes or in places which are not prison or detention centres; to expel any individual from the country; to prevent any individual from leaving or entering the country; to banish people to other parts of the country; to restrict freedom of movement; to suspend or limit the rights to freedom of expression, information and association; to censor correspondence and other forms of communication; to limit severely the powers of the courts.

The president already had some of these powers before the State of Siege was declared, under the State of Emergency and under the State of Danger to Internal Peace. Under interim provision 24 of the Constitution, which comes into effect during the State of Danger to Internal Peace, the president has the power to detain individuals without charge for up to twenty days, to banish individuals for three months, and to expel people from or ban them from entering the country. The president has widely used these powers to detain political suspects, and it is during the twenty day period without charge that many individuals have said they have been tortured. Both states have been simultaneously in force almost without interruption since 1981.

After the State of Siege was declared, two sets of measures were introduced concerning freedom of assembly and information, as well as a curfew.

Decree 1.216 requires prior authorization from the respective Regional Military Commander to hold meetings in public places.

Decree 1.217 suspends six opposition magazines|newspapers: Cauce, Analisis, Apsi, Fortín Mapocho, La Bicicleta and Pluma y Pincel. The weekly opposition magazine Hoy was not suspended but must submit material to the authorities before publication. All other media are banned from publishing, without prior authorisation information, reports, photographs, advertisements etc "which are of a political nature, of political relevance or which could have political consequences." Official government communiques are excepted.

#### AMNESTY INTERNATIONAL'S CONCERNS

Amnesty International is concerned at reports it has received of massive military and security force operations resulting in thousands of arbitrary arrests, incommunicado detention, during which the organization feared that detainees

\*Chile had previously been under a State of Siege between September 1973 and March 1978, when it was replaced by a State of Emergency.

would be tortured or ill-treated. Many have been banished without trial. It is concerned that many arrests were carried out without warrant, sometimes violently, and that the authorities initially in many cases refused to provide information about who and where people were detained.

Efforts by human rights groups and relatives to find out where those arrested had been taken were severely hampered by this. Many families only heard what had happened to their relatives after their release or through contacts with others who had been released. Some had been taken to places of banishment before their families found out where they were. The difficulties in obtaining information were compounded by the censorship measures which had been brought in as a result of the state of siege. The Archbishop of Santiago said in a statement on 13 November:

"The implementation of the State of Siege has meant restrictions on information, the suspension of some media, raids on shanty towns, arrests and restrictions on exercising basic rights...I am a witness to the confusion, fear and anguish which these measures produce."

On 16 November, Amnesty International telexed President Pinochet to express its grave concern at reports of the massive military and security force operations "carried out with methods which violate basic human rights." It called on the government to take immediate steps to publish the names of those arrested and the reasons for each detention, urging that they be immediately taken out of incommunicado detention and brought before the courts.

Amnesty International is also concerned at the reports of torture and ill-treatment it has received of some of those arrested after the State of Siege was declared. Several people are reported to have been tortured while held by the Central Nacional de Informaciones (CNI - Chilean secret police) in secret detention centres. Some are said to have been beaten.

Between thirty and forty trade union leaders and members of political groups have been banished without trial to villages in the south of the country after being detained by security forces. Amnesty International is appealing for the banishment orders to be immediately revoked as it believes the orders are not related to their having used or advocated violence. It is not known whether they have been banished under State of Siege legislation or under interim provision 24 of the Constitution. A list of banished trade union leaders and members of opposition groups is appended.

The main sectors which have so far been subjected to human rights violations since the State of Siege was declared are <sup>residents of</sup> the shanty towns (poblaciones), trade unions and opposition groups. All these sectors have been victims of human rights abuses of concern to Amnesty International before the State of Siege.

#### POBLACIONES (Shanty towns):

Several large scale dawn raids by combined military and security forces were reportedly carried out on poblaciones in the first two weeks after the State of Siege was declared, resulting in many arrests, reports of ill-treatment, and extensive damage to homes and community buildings.

Campamento Raúl Silva Hénriquez, a shanty town settlement of some 20,000 people on the outskirts of Santiago:

At dawn, on 10 November, military and security personnel in buses, armoured vehicles and helicopters are reported to have surrounded and then entered the settlement. They then proceeded to carry out house to house searches. All men over the age of 15 were taken out of their homes to airforce buses and driven away. Many are said to have been beaten, and property wantonly destroyed, including a community clinic. Security forces said later that arms, ammunition and "subversive propaganda" had been found. However, local residents and priests alleged that the material had been planted by security forces, who were seen unloading boxes, left-wing banners and publications from a lorry.

Those arrested, believed to be several thousand, were taken to the San Bernardo Infantry School, which had reportedly been used as a detention and torture centre in the early years after the coup. There, the detainees from the Campamento Raúl Silva were separated into groups. Some sixty, described as "subversives" reportedly had their heads shaved. Most of those arrested are believed to have been released after questioning. However, at least 153 are believed to have been banished without trial to Pisagua, northern Chile, including a number of shanty town leaders. (Nearly three hundred people, described by the government as "common criminals", were banished without trial to Pisagua for three months after round-ups in the poblaciones between 27 and 31 October 1984.) Amnesty International has no other details of those banished, or about the treatment of detainees while in custody.

Población La Victoria, Santiago :

A second massive dawn raid by military and security forces in almost identical circumstances took place on 15 November at the Población La Victoria. According to press reports, residents were awakened by the noise of helicopters as troops surrounded the población shortly before the end of the curfew (05.00h). Electricity supplies were cut off before the troops moved into the población, ordering people out of their homes. According to the same reports, all those arrested - several thousand males over the age of 15 - were taken to San Eugenio football stadium. Those released said that they had been lined up in groups in alphabetical order and called to a table where their names, addresses and identity card numbers were taken down. Those with no criminal or political records or whose names did not appear on prepared lists were released. One of those released said "They had loudspeakers and called people with political or criminal records. They were taken to another part of the pitch."

According to reports, there are no detainees <sup>now</sup> being held in the stadium, most having been released. An undetermined number, including shanty town leaders, are said to have been banished without trial, and some "political suspects" are thought to be still in detention in plainclothes police stations, though no longer incommunicado. Amnesty International has no other details of those banished or still in detention, or about their treatment while in custody.

Población de Reñaca Alto, Viña del Mar (some 100km from Santiago):

In the early hours of the morning of 7 November, individuals who identified themselves as members of the CNI and ACHA (Acción Anticomunista Chilena - an extreme right-wing paramilitary organization) are said to have moved into the Población de Reñaca Alto, waking residents with explosives. According to reports, they rounded everyone up in the centre of the población for questioning. Three women are said to have been raped, and other individuals ill-treated. Twenty people were reportedly taken to a secret CNI detention centre. Some were reported to have been tortured while held there. All are thought to have since either been released or transferred to prison pending charges.

TRADE UNIONS

Several trade union headquarters were reportedly raided in the days after the declaration of the State of Siege. On 9 November, armed civilians believed to be members of the CNI raided the headquarters of the Confederación Campesina "El Surco" (an agricultural workers' confederation) and of the Confederación Minera (Mineworkers' Confederation). Those arrested were taken to CNI detention centres where they remained in incommunicado detention until they were either released without charge, or banished without trial. According to Amnesty International's information, many of those held have previously been detained, tortured and/or banished. (See AMR 22|70|83: Recent Arrests of Trade Unionists.)

OPPOSITION GROUPS

On 7 November, between 14.00h and 16.30h, armed civilians believed to be CNI agents raided the headquarters of the Popular Democratic Movement, its youth branch, and of the Socialist Block (BS - Bloque Socialista) in Santiago. Property was damaged or stolen during the raids. About thirty people are thought to have been handcuffed and blindfolded before being taken away to secret detention centres. Nineteen of those detained have since been banished without trial. The others were released without charge after a few days in custody.

The homes of several MDP leaders or their relatives have also been raided and it is believed that arrest warrants have been issued for at least seven of them. They include at least one of the MDP leaders who were imprisoned in October 1984 accused of organizing anti-government protests. They were released the following day after President Pinochet decided to withdraw the accusations. Other MDP leaders have been expelled from the country or banished without charge for three months this year. The MDP, Movimiento Democrático Popular, is a coalition of left-wing parties which was formed in 1983.

The headquarters of the other main opposition coalition, the Democratic Alliance, were also raided on 15 November in Santiago, but no arrests were reported. However, the president of the Concepción branch of the Democratic Alliance was banished without trial after he had been arrested with others during a peaceful demonstration in the main square in Concepción. They had gathered together to commemorate the death of Sebastián Acevedo a year ago after he had set fire to himself to protest at the detention by the CNI of his son and daughter. Seven others arrested at the demonstration are also said to have been banished. They were accused by the Regional Military Commander of being "agitators".

\* \* \* \* \*

APPENDIXLIST OF PEOPLE BANISHED WITHOUT CHARGE

The following people are known to have been banished without charge or trial on the orders of the Interior Minister following their arrest after the declaration of the state of siege. Amnesty International is appealing for the banishment orders against these people to be revoked immediately as it believes that the confinement order is not related to their having used or advocated violence, but because of their real or suspected trade union or political activities. The list does not include the several hundred individuals who are believed to have been banished because of alleged "criminal" activities.

<u>Banishment of Detainees from MDP Socialist</u> <u>Bloque Headquarters</u>		<u>Place of Banishment</u>
Manuel CARPINTERO	(MDP)	Puerto Cisne, XI Region
Jecar NEGhme	"	Puerto Cisne
Leopoldo VARGAS MIÑANO	"	Puerto Cisne
Sergio ROJAS	"	Puerto Aisen, XI Region
Gabriel BANCHEROS	"	Puerto Aisen
Hernán MUÑOZ	"	Porvenir, XII Region
Darwin SAEZ DIAZ	"	Puerto Aisen
José CANO SANDOVAL	"	Río Ibañez, XI Region
Bruno BERNIER	"	Río Ibañez
Sergio ABARZUA	"	Porvenir
Juan PAVEZ HIDALGO	"	Porvenir
José NAVARRETE YAÑEZ	"	Porvenir
Jaime CATALDO	(BS )	Chonchi, X Region
Luis ALVARADO	"	Constela, Chonchi
Mario Guillermo DEL VALLE	"	Cochrane, XI Region
Estéban GARRIDO SALVA TIERRA	"	Chonchi
Luis ALDANA AGUILERA	"	Cochrane
Luis Antonio LOPEZ VEGA	"	Cochrane
<u>Banishment of Trade Unionists</u>		
Enrique AVENDAÑO ATENAS (arrested "El Surco" HQ)		Curaco de Veliz, X Region
Carlos OPAZO BASCUÑAN ( " " )		Achao, X Region
Segundo CANCINO FERNANDEZ ( " " )		Quemchí, X Region
Hernán CASTANEDA ( " " )		Quemchí
Ariel URRUTIA VILLALOBOS (arrested Miners Confed.)		Dalcahue, X Region
Luis SUAREZ ZEGARRA ( " " )		Puqueldón, X Region
Moises LABRAÑA MEÑA ( " " )		Puqueldón
Enrique BUCHRNIC CANALES ( " " )		Curaco de Véliz
Carlos ARAYA ( " " )		Dalcahue
Jorge RODRIGUEZ CANILLO ( " " )		Dalcahue, X Region
Sergio DASTRES GONZALEZ ( " " )		Curaco de Véliz

Banishment of Trade Unionists: cont.

Place of Banishment

Juan VALENCIA VERA	Puqueldón
Valentín OSORNO PADILLA (Construction Workers' Confederation)	Achao
José Enrique NUÑEZ ESTRELLA (Arrested MDP HQ, leader of Metal Workers' Union	) Río Ibañez

Banishment of Those Arrested in Sebastian Acevedo Demonstration, Concepción

The following people were banished after being arrested during a peaceful demonstration to mark the anniversary of the death of Sebastián Acevedo.

Manuel CERDA ALMONACID (President of the Democratic Alliance, Concepción)	Huara, I Region
Iván PARRA MORA	Huara
Juan PEREZ GONZALEZ	Camiña, I Region
Luis CAMPO PEDREROS	Camiña
Luis FIGUEROA ESCOBAR	Mamiña, I Region
Oscar DUARTE DUARTE	Mamiña
Pedro NARANJO SILVA	Pozo Almonte, III Region
Miguel ACUÑA ANABALON	Pozo Almonte

Banishment of other MDP/Shanty Town leaders

The following people have been banished following their arrest in Santiago on 21 November 1984:

Fanny POLLAROLO, MDP leader, psychiatrist	Mauñín, X Region
Mario ARANEDA ESPINOZA, shanty town leader	Mafil, X Region
Lisandro SALAZAR, shanty town leader	Place of banishment not yet known.