

Señor
Carlos Bascañan

26-11-92
A/C

Estimado Carlos:

Te envío el ejemplar del libro; junto con la carta enviada por el propio autor quien se encuentra en Chile; y con el comunicado de prensa efectuado por la Comisión Internacional de Escritas al momento de lanzar el libro

Muchos saludos

Felipe Portales

Don Jaime Erpel
Asesoría de Derechos Humanos
Ministerio de Relaciones Exteriores
Morandé 441,
Presente

Santiago, a 26 de noviembre de 1992

Estimado Señor Erpel,

Luego de nuestra conversación telefónica, le adjunto tres ejemplares del informe de la Comisión Internacional de Juristas, Chile: A Time of Reckoning, que fue publicado en Ginebra el 24 de este mes. Como le señalé por teléfono, lamentablemente fue imposible hacerles llegar el documento antes por razones fuera de nuestro control, aunque me aseguran que una copia fue entregada a la delegación chilena en Ginebra el mismo día de su publicación. Incluyo para su información una copia del comunicado de prensa emitido en la misma fecha.

Le agradezco su gentileza en hacer llegar un ejemplar del informe al Presidente de la República, Don Patricio Aylwin, y al Ministro de Justicia, Don Francisco Cumplido.

Estoy a su disposición por cualquier consulta u otra información y me puede ubicar llamando al teléfono 226 7714.

Atentamente,



Sebastian Brett

Incl: Tres ejemplares del informe Chile: A Time Of Reckoning

Copia del comunicado de prensa emitido por la Comisión Internacional de Juristas el 24 de noviembre.



Geneva, 24 November 1992

FOR IMMEDIATE RELEASE

Chile Judiciary Shut Its Eyes to Junta's Brutality, Report Says

Chile's judiciary was a pliant partner of the military junta and shut its eyes to violations of constitutional rights, says a report issued today by the International Commission of Jurists and its Centre for the Independence of Judges and Lawyers.

The report, "Chile: A Time of Reckoning", maintains that the judiciary proved unwilling or unable to confront the authorities over flagrant human rights abuses during the military rule from 1973 to 1990.

At this moment Chile is coming face to face with its brutal past. On 16 November Osvaldo Romo Mena, an agent of the notorious Directorate of National Intelligence (DINA), was deported by Brazil where he had sought refuge. Mr. Romo appeared before a civil court judge in Santiago to be tried for kidnap, murder and torture. The courts are also examining the 1976 assassination in the United States of Orlando Letelier, former Minister of Foreign Affairs and Defence under President Salvador Allende. The elected President Allende was ousted by the military in 1973 and General Augusto Pinochet Ugarte led the country until 1990.

During this period thousands of cases of torture, disappearance and murder were brought before the courts. Except in a handful of cases, the courts failed to complete investigations, to establish the criminal responsibility of state agents or to bring any of those responsible to justice.

Investigations were usually transferred to military courts which offered no legal protection to the victim. Culprits were often given amnesty and cases were closed.

The author of the report, Sebastian Brett, points out that Chile differed from neighbouring countries that underwent transitions to democracy in the 1980s. Unlike Argentina – where the military junta replaced up to 80 per cent of the judges after the 1976 coup – Chile's Supreme Court was untouched by the junta. The court even presided over the dismissal of many judges regarded as supporters of the Allende government and others who simply tried to inquire into human rights violations.

The International Commission of Jurists (ICJ), headquartered in Geneva, is a non-governmental organization in consultative status with the United Nations Economic and Social Council, UNESCO, the Council of Europe and the OAU. Founded in 1952, it is composed of 31 distinguished jurists from around the globe and has 75 national sections and affiliated organizations.

The Centre for the Independence of Judges and Lawyers (CIJL) was founded in 1978 by the ICJ to promote the independence of the judges and lawyers and to organize support for jurists who are being harassed or persecuted. The CIJL has been the driving force behind the adoption of the UN Basic Principles on the Role of Lawyers and the UN Basic Principles on the Independence of the Judiciary.



Chile: A Time of Reckoning

Human Rights and the Judiciary

INTERNATIONAL COMMISSION OF JURISTS
CENTRE FOR THE INDEPENDENCE OF JUDGES
AND LAWYERS

Geneva - Switzerland

92/27803

ARCHIVO



Presidencia de la República

A large, stylized handwritten signature in black ink, reading "Patricio Aylwin Azocar".

PATRICIO AYLWIN AZOCAR,

saluda atentamente al señor Sebastián Brett y le agradece el libro "Chile: A time of Reckoning, Human Rights and the Judiciary" que tuvo la amabilidad de enviarle por intermedio de don Jaime Erpel.

Santiago, 2 de diciembre de 1992