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QUESTION OF HUMAN RIGHTS IN CHILE

Report by the Chairman of the Board of Trustees of
the United Nations Trust Fund for Chile

1. The General Assembly, on 20 December 1978, at its thirty-third sessions established by its resolution 33/174 the United Nations Trust Fund for Chile. The purpose of this voluntary fund is to receive contributions and distribute, through established channels of assistance, humanitarian, legal and financial aid to persons whose human rights have been violated by detention or imprisonment in Chile, to those forced to leave the country and to relatives of persons in the above-mentioned categories.
2. The United Nations Trust Fund for Chile is administered in accordance with the Financial Regulations of the United Nations by the Secretary-General with the advice of a Board of Trustees, composed of a chairman and four members with wide experience of the situation in Chile. The chairman and members of the Board of Trustees are appointed by the Secretary-General with due regard to equitable geographical distribution and in consultation in each case with the Government concerned, to serve for a three-year term. The Board of Trustees is currently composed of the following members who serve in their personal capacity: Mr. Ghulam Ali Allana (Pakistan) Chairman; Mr. Simon Alberto Consalvi (Venezuela); Mr. Hans Danelius (Sweden); Mrs. Marian Kamara (Sierra Leone); and Mr. Adam Lopatka (Poland).
3. The Commission on Human Rights, on 6 March 1979, at its thirty-fifth session adopted resolution 11 (XXXV), in which it welcomed the decision of the General Assembly to establish the United Nations Trust Fund for Chile and decided to invite the Chairman of the Board of Trustees to submit a written report, on behalf of the Board, to the Commission on the operation of the Fund. The present report is submitted to the Commission on Human Rights at its thirty-seventh session pursuant to that resolution.
4. The early activities of the Trust Fund, its financial situation and the actions taken by the Board of Trustees were reflected in the report of the Chairman of the Board of Trustees to the Commission on Human Rights at its thirty-sixth session (E/CN.4/1364) and in the report of the Secretary-General on the Trust Fund to the General Assembly at its thirty-fifth session (A/35/543). The financial situation of the Fund remains exactly as stated in paragraphs 9 and 10 of the above-mentioned report of the Secretary-General: contributions; or pledges of contributions; of \$US 156,250 have been received; grants totalling \$US 101,250

have been made; expenses in the amount of \$US 24,060 have been incurred for the travel and subsistence of the members of the Board of Trustees; and, pursuant to the Financial Regulations of the United Nations, \$US 8,800 has been earmarked to finance programme support costs.

5. The present situation of human rights in Chile was dealt with by the Special Rapporteur appointed by the Commission on Human Rights, in his report to the General Assembly at its thirty-fifth session (A/35/522). The General Assembly, having considered this report, adopted resolution 35/138 in which it expressed its grave concern at the deterioration of the human rights situation in Chile as reported by the Special Rapporteur, in comparison with the same a year previously, in particular with regard to the alteration of the traditional democratic legal system and its institutions and the repression of the activities of the Catholic Church in defence of human rights and of academic life. The Assembly also expressed its deep concern that the whereabouts of the numerous persons who had disappeared were still unknown and that this had caused grief and often hardship to their relatives.

6. The United Nations Trust Fund for Chile continues to receive well-documented requests for assistance to persons falling within its terms of reference, that is, persons whose human rights have been violated by detention or imprisonment in Chile, persons forced to leave the country and the relatives of persons in both categories. It is clear that there is an urgent and imperative need to provide assistance to persons falling within the competence of the Trust Fund.

7. The General Assembly at its thirty-fifth session also adopted resolution 35/190 entitled "Voluntary Fund of the United Nations for Victims of Gross and Flagrant Violations of Human Rights", whereby it requested the Commission on Human Rights to study, at its thirty-seventh session, the possibility of extending the mandate of the United Nations Trust Fund for Chile to receive voluntary contributions and further to study criteria for their distribution, through established channels of assistance, as humanitarian, legal and financial aid to persons, not covered by the mandate of other existing United Nations Trust Funds, whose human rights have been grossly and flagrantly violated, to those who have been forced to leave their countries as a result of gross and flagrant violations of their human rights and to relatives of persons in the above-mentioned categories. The resolution requested the Commission to report on its studies to the Economic and Social Council at its first regular session of 1981 and requested the Council to present to the thirty-sixth General Assembly recommendations concerning the extension of the mandate of the existing United Nations Trust Fund for Chile to become a United Nations Trust Fund for Victims of Gross and Flagrant Violations of Human Rights.

8. As indicated in the first report of the Chairman of the Board of Trustees (E/CN.4/1364, paragraph 17) the Board expressed no opinion on the question of enlarging the Fund's scope to cover victims of violations of human rights throughout the world. The United Nations Trust Fund for Chile has in any case a specific mandate to implement and substantial contributions are necessary to enable it to fulfill the objectives established for it by the General Assembly. In this regard reference should be made to the appeals to Member States contained in General Assembly resolutions 33/174 and 34/176 to respond favourably to requests for contributions to the Fund.