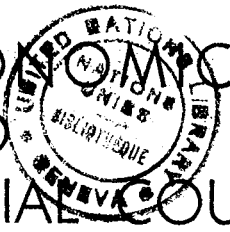


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1158
6 September 1974

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS

Thirty-first session

LETTER DATED 21 AUGUST 1974 FROM THE CHARGE
D'AFFAIRES, R.I., OF THE PERMANENT MISSION
OF CHILE TO THE UNITED NATIONS ADDRESSED TO
THE SECRETARY-GENERAL

I have the honour to address you in connexion with the resolution concerning my country adopted at the twenty-seventh session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/L.610).

To begin with a general comment, the biased and discriminatory obsession with Chile shown by the Sub-Commission must be regarded as extraordinary. It is biased inasmuch as it disregards past events which, in my Government's opinion, are important considerations in reaching sound conclusions about situations such as supposedly occur in my country. It is discriminatory in that it makes no mention of countries which have massively and systematically, as a normal and institutionalized practice, violated all human rights with impunity for decades past.

This assessment in no way detracts from the respect owed to the Sub-Commission by my Government. We express it solely because we are convinced that the recognized moral authority of that organ has, regrettably, not been matched by an accurate knowledge of the complex set of factors that make up the present situation in Chile.

The question arises whether the members of the Sub-Commission have had an opportunity to make a close investigation of the facts complained of. We believe that they have not; otherwise the resolution would have reflected more objective and better-founded considerations and conclusions. We are bound to take this view because we are reluctant to believe that the Sub-Commission could have allowed itself to be influenced by the political militancy of the "expert" Mr. Smirnov or the moralizing exhortations of the representative of Amnesty International.

Specifically we wonder whether, in the Sub-Commission's deliberations, due weight was given - to quote only a few considerations - to the recent report by the Inter-American Commission on Human Rights, which visited Chile from 22 to 29 July; to the text of the Chilean reply to that report; and to the fact that - in flat contradiction with the diatribes of the Soviet "expert" at the meeting of 5 August - Air Commodore Don José Berdichevsky, the Air Force judge, exercising powers specifically laid down in the Code of Military Justice, agreed to reduce to thirty years' imprisonment with compulsory labour the death penalties passed by the

Court Martial on four offenders guilty of participating in acts of sedition, treason and subversion. This last circumstance, which Mr. Smirnov naturally did not mention, is in itself proof that the attitude of the Chilean military authorities is purely and simply one of justice, divorced from any spirit of revenge or unjustified intention to persecute people.

Unlike such countries as the Soviet Union and Cuba, which conceal from foreign eyes behind an iron curtain the violations of human rights that are daily perpetrated there, Chile has nothing to hide and therefore has on numerous occasions granted admittance to its national territory to individuals and groups wishing to familiarize themselves on the spot with the realities of our situation. This too Mr. Smirnov does not mention, and we find it very natural that he should not, since the country of which he is a citizen and whose thinking he faithfully expresses in the Sub-Commission is characterized by the pursuit, since its foundation, of a closed-door policy towards all contact with the outside.

Please be good enough to have this communication circulated as an official document of the thirty-first session of the Commission on Human Rights.

Accept, Sir, the assurances of my highest consideration.

(Signed) James Holger
Chargé d'Affaires a.i. of Chile