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QUESTION OF HUMAN RIGHTS IN CHILE

Letter dated 3 March 1987 from the Permanent Representative of Chile to the United Nations Office at Geneva, addressed to the Under-Secretary-General for Human Rights, forwarding the observations of the Government of Chile on the report of the United Nations Special Rapporteur to the Commission on Human Rights at its forty-third session

I have the honour to refer to the report submitted by Mr. Fernando Volio Jiménez, Special Rapporteur for Chile, entitled "Report on the question of human rights in Chile".

In the report, Mr. Volio Jiménez makes a number of statements and charges against the Government of Chile regarding human rights. My Government has taken note of this report, and its reply is annexed hereto.

In this regard, and bearing in mind that Mr. Volio Jiménez's report is an official document of the Commission on Human Rights, I should be grateful if you would treat my Government's reply in the same manner and circulate it as an official document of the forty-third session.

(Signed) Luis ESCOBAR

Ambassador  
Permanent Representative of Chile

Annex

OBSERVATIONS OF THE GOVERNMENT OF CHILE ON THE REPORT  
OF THE UNITED NATIONS SPECIAL RAPPORTEUR FOR THE  
FORTY-THIRD SESSION OF THE COMMISSION ON HUMAN RIGHTS

I. INTRODUCTION - General Considerations

The Government of Chile has the honour to submit observations and comments arising from the report on the human rights situation in Chile submitted by the Special Rapporteur to the Commission on Human Rights at its forty-third session.

Firstly, it is necessary to reiterate yet again the fundamental point that the procedure being applied to Chile by the Commission on Human Rights, without any proper justification, continues to be of an ad hoc, i.e. selective nature, diverging significantly from the normal procedure followed by the Commission, which is that set out in Economic and Social Council resolution 1503 (XLVIII).

The ad hoc procedure applied to Chile is therefore open to the fundamental objection that it entrusts such an important matter to the judgement and discretion of one person, however worthy he may be.

While maintaining its position and its objections, the Government of Chile is co-operating fully with the present Special Rapporteur, Professor Fernando Volio Jiménez, because although it has certain disagreements of substance with him, it recognizes his serious and correct approach, and particularly his legitimate interest in human rights, without external considerations.

The present observations go beyond the particular case of Chile, since the Government is convinced that the ad hoc manner in which these procedures are being applied do not in any way further the cause of human rights, but in fact are greatly harmful to it.

Is it admissible that countries with a far from untarnished record of respect for human rights - to be specific, Mexico, Cuba and others - should assume the role of prosecutors and judges of other countries? It is Mexico which has ventured to sponsor a draft resolution against Chile.

Is it admissible that countries which have never co-operated with international human rights bodies should seek to impose on others what they do not do themselves?

Is it admissible that countries which shamelessly encourage and foster terrorism, which is among the worst present-day threats to human rights, should in turn assume the role of prosecutors and judges of others?

Is it admissible that countries with different cultures and traditions, whose legislation allows for punishments which others consider vile and cruel, should in turn assume the authority to judge others, paradoxically applying criteria that they themselves do not apply?

Many more contradictory and absurd aspects of the current machinery might be listed here. They may be encompassed in one telling observation: when a country like Chile co-operates to the maximum, even in the case of ad hoc procedures, as the Special Rapporteur himself recognizes, the response from the system is harsher criticism, complete denial of progress, even in large part disregard of the very reports of the Special Rapporteur, to such an extent that the country treated in this way may legitimately ask what benefit it obtains from co-operating and what difference there is between co-operating and refusing to do so.

Replies to these questions may be found in the Special Rapporteur's report (para. 5), in which he says that he recommended:

"that the Government of Chile should seek to overcome its anger and disillusionment, for in the long run its attitude will be better understood and judged in the future solely on the basis of results, in other words, of the scale of the advances that it manages to make in effectively protecting human rights. Any other position in opposition to the Chilean Government that failed to take account of such advances, should they materialize as a sustained policy, would fall on deaf ears and would be discredited because it would not be objective."

This passage speaks volumes, and no further comment is required.

Nevertheless, a major question remains: Why has this situation been reached - a situation marked by a complete reversal of values as a result of discrimination, injustice and even absurdity?

The answer is both simple and tragic: because, for many countries, human rights have ceased to be an end in themselves, and have become merely means to attain other objectives, which are always political in nature.

The Commission on Human Rights must react against this tragic distortion, while there is yet time to do so. If it does not, there will be an undoubted risk of repeating the unfortunate fate of other organizations which collapsed precisely because they lacked the ability and firmness to tackle problems of this nature.

It is Chile's intention to continue to co-operate on the same broad terms as in the past, but continued selective, unfair and politicized treatment will certainly make it difficult to maintain this position.

## II. ANALYSIS OF THE REPORT

### Section I. "Introduction"

In this section the Rapporteur briefly outlines the consideration of the subject at the last session of the General Assembly; the report he presented at that time, the observations of the Government of Chile on it and the circumstances in which agreement was reached concerning his second visit to the country, which Chile accepted even though on that occasion the Rapporteur's terms of reference did not include such a visit.

To turn to the subject-matter of the report, section II, under the heading "Activities of the Special Rapporteur", contains a detailed and comprehensive account of the material provided to him by the Government of Chile in accordance with his requests.

All the legislative and administrative measures which the Government of Chile is implementing, in accordance with its programme of constitutional changes, and which fall within the purview of the Rapporteur's recommendations, are accurately and objectively described.

The report also indicates the observations made at the time by the Rapporteur himself, with special reference to the states of exception and freedom of information.

The Rapporteur states that he has continued to receive, through the secretariat of the Centre for Human Rights, various requests from individuals to intercede with the Chilean Government to remedy alleged violations of human rights. He reports that in general the Government has met these requests. On this same subject, the Rapporteur has been informed that the Government is considering new requests of a similar nature with great interest.

In this and other paragraphs, the Rapporteur makes numerous positive observations concerning the continued co-operative attitude of the Government of Chile, going so far as to say that it encourages him in his work. Mention has already been made of what he said concerning the Government's disillusionment and anger at the response from the United Nations.

This attitude of full and honest co-operation, which in this case is largely prompted by the Rapporteur's qualities as an individual, is in no way exceptional. Chile has always co-operated with all international bodies having responsibilities in this area, and we may say that to date it has done so to their satisfaction, while maintaining its position of principle and refusing to accept procedures of a selective nature.

### Section III. "Complaints of further violations of human rights"

Before analysing this section, it is necessary to define a few concepts which are not sufficiently clear in the report. The Rapporteur states that:

"the information contained in this section comes from judicial, or other equally reliable, documents that the Special Rapporteur has received from the persons concerned, their lawyers or Chilean human rights organizations. The information relates to violations of human rights alleged to have occurred in the second half of 1986".

It should accordingly be understood that what may be relied upon in this case is that the complaints emanate from responsible sources, and not that their content is accurate, as the expression "alleged violations" shows. This clarification is made in order to eliminate any doubts in this regard and to ensure that complaints are not deemed to be correct simply because they have been recorded.

The Rapporteur communicated these complaints to the Government of Chile specifically in order to enable it to reply - this is the meaning of the phrase:

"the reference to such allegations is made without prejudice to any relevant findings that [the] Government [of Chile] wishes to transmit ... I hope that my concern will be dispelled in a prompt reply from the Government".

The procedure invariably followed in this regard is that a reply is given directly to the Rapporteur concerning each and every complaint recorded. This is what was done in the present case. It will be for him to analyse the replies, after which he will be in a position to express his views.

Nevertheless, a few comments are called for on some of these complaints.

In general terms, they all follow the same pattern, in order to transfer the burden of proof, presenting as proven what is merely affirmed. Some are completely unimportant, as a single reading will show, but their mere numbers can obviously produce an unfavourable effect at first sight. A few in particular have had considerable repercussions in Chile and abroad.

Firstly, the cases of Rodrigo Andrés Rojas Denegri and Carmen Gloria Quintana Arancibia, who suffered serious burns in an encounter with a military patrol on 2 July 1986, as a result of which the former died. This case deserves special mention, because the Commission on Human Rights has heard testimony from Miss Carmen Gloria Quintana, concerning which the following clarifications are necessary. Firstly, the circumstances in which the event took place:

One of the incorrectly named "peaceful protests" took place in Chile, and particularly in Santiago, on 2 July 1986. Under cover of these protests extremist elements commit all manner of outrages against life and property, on that occasion with the declared intention of destabilizing the Government and sowing chaos, which would interrupt or halt the the process of institutional changes being pursued by the Government under the authority granted by the constitution. This situation called for exceptional security measures to safeguard the lives and property of the population. What occurred was a very serious escalation designed to make the country ungovernable.

Immediately after the events, the Special Rapporteur was contacted personally in San José, Costa Rica, and informed that, in addition to the events involving these persons, 32 attacks with firearms against military patrols occurred that night in Santiago, with seven soldiers seriously wounded - a fact which he should also have recorded, in the interests of greater objectivity.

These were the circumstances in which the incident currently being investigated took place.

As for the event itself, in order to place it in its true context, one fundamental fact must be borne in mind - that the incendiary bombs which caused death and injury were being carried by both victims, obviously with the intention of using them, that is to say, causing harm to third parties; what

is being investigated specifically is the origin of the fire. This element has been publicly recognized by the lawyers for the victims, and it is very important that it should be borne in mind by those genuinely seeking an objective picture of what happened.

However, there is also a trial under way in which important new developments have recently taken place, and have been reported to the Special Rapporteur. In other words, the domestic remedies have not been exhausted - far from it; and since the exhaustion of such remedies is a condition of admissibility common to all international procedures for the protection of human rights, acceptance of this type of testimony by the Commission on Human Rights is premature and inadmissible. In this regard, analysis of this case with a minimum of objectivity would show that the trial has been handled meticulously and strictly, and that the court has accepted all the requests made by the lawyers for the plaintiffs. Consequently, it will be for the courts to apportion responsibility and apply the appropriate punishment.

In Chile, when it was learned that Miss Quintana was to make a statement before the Commission on Human Rights, numerous requests were received from other survivors of terrorist acts perpetrated by elements subscribing to ideologies close to that of Miss Quintana, some of them even more pathetic and moving. One case cited by the Rapporteur himself in his report - that of Mrs. Rosa Rivera and the child she was expecting, who were victims of an attack with an incendiary bomb - could not be raised as both of them died as a result of burns. Many widows and orphans of innocent people and members of the armed forces who had been assassinated treacherously might have come here to testify at a length which would have taken up an appreciable portion of the Commission's time. Chile did not wish to bring them here, since it feels that that would diminish the importance of the debates; but the Special Rapporteur, when he visits Chile for the second time, will have an opportunity to meet all the victims of the violence to which the country is being subjected by terrorism, which, as the Rapporteur himself states, is the greatest obstacle to the restoration of democracy.

If one wishes to be objective in these matters, it must be understood that there cannot be first-class and second-class victims - all of them have human rights, all of them deserve the same treatment, and it is unfair to take up some and ignore others.

The Rapporteur also records developments in the trial relating to the murder of Messrs. Nattino, Guerrero and Parada, stating explicitly that the corps of Carabineros, whose involvement in the case has been alleged has formally requested the Supreme Court to order that investigations should continue, no matter what the consequences are thereby rejecting the stay of proceedings ordered by the investigating judge.

This chapter also records allegations of ill-treatment and denial of legal guarantees in the case of persons who have been arrested and charged with the clandestine import of weapons (which has been described by outside sources as the largest inflow in recent times in the entire hemisphere) and the attempt on the life of the President, which led to the death of five members of his entourage, who also have human rights. It should be pointed out that the very modern arms used by those responsible formed part of the clandestine import shipment, and that only some of them have been found.

Just recently, as a result of the explosion of a powerful bomb as it was being assembled by extremist elements, another large cache of arms of the same origin was discovered in the very centre of Santiago.

When the Special Rapporteur visits Chile, he will meet the judges who are hearing the case and the lawyers for those who have been arrested, and will then be able to form a conclusive opinion. However, the Special Rapporteur will remember that when these events took place (discovery of weapons and attempted murders), the Government of Chile indicated to him that all those arrested would undoubtedly claim to have been subject to illegal coercion, since this is a common practice among terrorist elements when they are arrested.

As regards these claims of alleged illegal coercion, it should be borne in mind that, under the system of agreements in force with the International Committee of the Red Cross, the alleged victims can report these events directly to the Committee, which may conduct medical examinations using its own staff, so that the way is clear for preventing any such occurrence. What is more, the alleged victims, their relatives and any other person may report the facts to the courts and to the Advisory Commission of the Ministry of the Interior set up specifically as a standing body for this purpose. During his visit, the Special Rapporteur will be able to speak to representatives of the International Red Cross, as well as to the Advisory Commission.

The report also mentions in this and subsequent chapters reports of an alleged campaign of harassment against a Catholic Church body, the Vicaría de la Solidaridad of the Archbishopric of Santiago. Without prejudice to the submission of all the relevant documentation, the Special Rapporteur was informed of the need to distinguish between "harassment" and "prosecution". The Vicaría de la Solidaridad fulfils an important function which deserves recognition, although its principal interest lies in certain victims, disregarding others. What happens is that, when any of its lay members commit allegedly criminal acts - specifically, concealment of terrorist and extremist elements - the summons is addressed to these persons, and not the organization. During judicial investigations, the judges have sought testimony from some dignitaries of the Archbishopric, who, under the law, as spiritual authorities, may make their statements in places of their choice or before the court itself. In short, it will be for the courts to determine the procedure to be adopted, and the Government will abide by their decisions, as it has invariably done in the past.

In this regard it is appropriate to point out - as a step towards refuting one of the Rapporteur's conclusions concerning the alleged lack of independence of the Chilean judiciary - that a simple statistical analysis, which he will be able to confirm during his visit to the country, will demonstrate that the courts do not as a general rule accept the applications made by the Government in respect of specific persons, and that - to repeat - the Government invariably abides by court decisions. This is illustrated by one of the cases mentioned in this same chapter, that of Mr. Juan Pablo Cárdenas, editor of the magazine Análisis, against whom the Government instituted proceedings for repeated insults against the President. In the court of first instance Mr. Cárdenas was given a custodial sentence whereby he was to spend his nights in prison. However, the case was dismissed on appeal. Mr. Cárdenas recently participated in a journalists' congress in

Paris, held in order to attack the Government of Chile, before the case was dismissed on appeal. Consequently, it is dangerous to speak of an alleged lack of independence on the part of the judiciary.

Another noteworthy point in connection with the independence of the judiciary and its strict manner of operation is the fact that the only two occasions on which the death sentence was applied in Chile arose from sentences imposed by civil courts on security and police force personnel for very serious offences.

#### Section IV. Conclusions of the report

In this section the Rapporteur reiterates very clearly the co-operation afforded by the Government of Chile, and also notes that there have been no cases of disappearances or administrative measures of restricted residence, that since October there have been no further mass raids on settlements, and that the state of siege has been lifted, with positive results.

In observations of exceptional importance relating to the process of institutional changes, the Rapporteur makes the following statements, which are reproduced in full:

"29. The process of the adoption of the laws with constitutional status relating to the electoral process and the restoration of democratic normality has been speeded up in the past six months and, at the time of writing (30 January 1987), the situation is as follows: (a) Electoral Tribunal Act: in force; (b) Electoral Registration Act: in force; \*/ (c) Regional Electoral Tribunals Act: in force; (d) Political Parties Act: approved by the Government Junta; (e) National Congress Organizational Act: pending.

"30. The above-mentioned electoral process is in itself a particularly significant and important step forward on the road to the restoration of representative democracy and, consequently, to the establishment of a system of protection for human rights which will form part of such a political system. Moreover, this legislative activity will, if it is to yield the results desired by the democratic Chilean people, make it possible to test the political will of the Government and that of all citizens regarding the re-establishment of representative democracy. Actions speak louder than words, as the saying goes. With the political parties in operation, the expression of the wishes and the demands of the people for full democratic life will provide an opportunity to carry on the strenuous, determined and peaceful pursuit of reforms in the institutional machinery which now governs the fate of all Chileans. There is without doubt much more to be done, but the political parties will guide and mobilize public opinion, for the desirable and essential purpose of ensuring that the movement towards full and lasting democratic institutions is not halted".

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\*/ The registration process began throughout the country on a large scale on the 25th of this month.



Following this broad acknowledgement, which calls for no further comments, the Rapporteur states in paragraph 31 that:

"the work on the electoral laws has aroused the interest of the Chileans and has had a positive, though still limited, impact on the dialogue between opposition sectors and Government officials. It is to be hoped that broader dialogue will be an antidote to violence, which stands in the way of a peaceful, but still urgent, return to responsible representative democracy".

The Government of Chile fully shares these views. The institutional process, which, as already described, has gathered speed in the manner laid down in the constitution and as had been announced, together with greater readiness for a serious-minded and constructive dialogue with the democratic parties, is undoubtedly the only way in which the country will overcome the climate of tension and violence fostered by those whose aim is precisely to destroy the process of institutional changes and plunge the country into civil war.

Paragraphs 32 and 33 of the report list the measures being adopted to put an end to the problem of Chileans temporarily prevented from entering the country - in plain English the problem of exiles - describing them in very positive terms. The Rapporteur has been provided with updated information, covering a further 1,000 cases in which decisions in favour of reconsideration have been accepted. During his visit to Chile, the Rapporteur will be given detailed information on the operation of this procedure, and will be able to draw up observations and recommendations on the spot. It is emphasized that efforts to resolve this situation are now in their final stages.

Subsequently, in paragraphs 34 and 35, the Rapporteur draws attention to the singular importance of the agreements reached by police and security bodies with the International Committee of the Red Cross, since they constitute, "without any doubt, an effective means of bringing about changes in practice that are contrary to the purposes of the agreements". The same observation applies here: during his visit, the Rapporteur may seek updated information from ICRC.

The facts recorded in earlier paragraphs, duly recognized by the Rapporteur, confirm the desire and very clear intention of the Government of Chile to carry out its process of institutional changes, which will culminate in the full restoration of democracy, and also to prevent any excesses, which it is the first to repudiate. In other words, a broad process is fully under way.

Nevertheless, the Rapporteur states that despite the achievements described, much remains to be done. It is true that much always remains to be done in these matters, in Chile and in many other places, to the extent that a government can never be fully satisfied, but it is necessary to point out now a number of erroneous observations he makes, undoubtedly based on information he has received from opposition sources.

A statistic supplied to him indicates that during 1986 there were 7,019 arrests in Chile, a number which, cited thus as a total, cannot but cause concern. However, simple analysis reveals that the situation is very

different. Every year and nearly everywhere in the world, street incidents occur in which unruly behaviour is provoked, resulting in attacks on life and property. The forces of law and order in Chile, as everywhere, intervene to halt such actions and arrest those caught in flagrante delicto. They are held for a limited time only, for a very precise purpose - to make it possible to identify those responsible and, where necessary, hand them over to the appropriate court for it to apply the punishment required. The vast majority of these persons - 6,600 - were freed immediately, while the rest are to be tried and are for the most part free on bail. Indeed, the report itself states that "418 of the detainees are under investigation and being held in prison" - from which it follows that the remainder have been released.

The Rapporteur then records two acts of violence that particularly struck him. The first was the attack by unknown persons on the Santiago offices of the Intergovernmental Committee for Migration (ICM), which in his view reveals "the extreme dangerousness of the private gangs which are operating in Chile", without anything having been done so far to put a stop to them.

The Government of Chile also attaches the greatest importance to this event, and the Special Rapporteur has been informed of progress in the investigations. It is of interest to mention in this regard that, once the attack had occurred, members of the opposition accused the Government of responsibility, alleging an attempt to intimidate ICM because it was working on behalf of persons temporarily prevented from entering the country. This accusation will not bear examination, because as the Rapporteur himself states, the problem of exiles is being solved, and also because a co-operation agreement between the Government of Chile and the Office of the United Nations High Commissioner for Refugees (UNHCR) has been in force for the past two years, with the specific objective of offering co-operation, within the existing legal framework, to persons returning to the country after obtaining authorization. The Special Rapporteur has been given detailed information on this matter. It would therefore be incongruous, not to say stupid, for the Government to place obstacles in its own path. On the other hand, there are sound reasons for affirming the existence of political plans to damage the Government's image, as the investigations conducted so far show clearly.

The other serious event which struck the Special Rapporteur has already been dealt with in this document, but it is very illuminating to quote in full the words of the Rapporteur:

"the terrorist act committed by unknown persons against Mrs. Rosa Rivera Fierro, a humble citizen who lost her life, as did her first child as a result of miscarriage, after a gas canister had been thrown into the bus in which she was travelling".

It should be mentioned in this regard that none of the political, church, diplomatic, human rights or other representatives who attached such importance to other cases either visited the hospital or attended the funerals; apart from a half-hearted reference to the attack, they generally remained silent. This is a case of what was said earlier about first-class and second-class victims.

The Government of Chile must now take up a statement by the Rapporteur which it rejects very firmly. He states in paragraph 44 that "in general, the Rapporteur finds that there are positive and encouraging signs in the Chilean human rights situation which will probably relieve the burden of danger the Chileans have to bear, since the régime is not a democratic one", adding that the signs seem to point to a new, positive political will on the part of the Government.

This is not the first time that the Rapporteur has made this observation. In this same report under consideration, in the section on recommendations, he says that, although the Government is acting positively, which it is indeed doing, its undemocratic nature, essentially due to the application of states of exception, hampers it in the very task on which it has embarked, adding that he trusts that he will be able to deal with this situation in depth in his meetings with government officials. This is a reckless, not to say contradictory observation.

It must be said in the first place that since the Government of Chile began its contacts with the Special Rapporteur, it has always emphasized to him that the country is in the final stages of a process of transition, in which legislative and administrative steps are being taken with the specific aim of fully restoring the democratic system in Chile. In other words, it has never been denied that the measures are being adopted to restore the democracy whose existence was so seriously disrupted, not by the actions of the present Government, but by those of its predecessor, the so-called Popular Unity régime, which caused the greatest political and economic breakdown in the history of Chile as a result of its incompetence and its subordination to totalitarian doctrines which are alien to the traditions of the Chilean people.

Furthermore, the Rapporteur himself has stated repeatedly that terrorism is the greatest obstacle to the Government's efforts to re-establish the democratic system. It is the very persistence and virulence of the terrorist menace which has necessitated the continued application of the states of exception - which in any case have always existed in Chile (as well as in other countries, where they are very strictly applied, without attracting criticism, despite their long duration in some places).

Simple comparison of the various constitutions which have been in force in Chile shows this very clearly: states of exception have been applied by practically all the Governments which have ruled the country, and especially the Popular Unity Government.

It would be much easier for the Government not to do so, but when powerful weapons are imported in commercial quantities, which are proved to have originated from Cuba and other similar countries, with the specific aim of setting off a bloody civil war; when attacks against life and property occur periodically, when attempts are made to generate a climate of irrational violence, then the Government, of whatever stripe it may be, has no alternative - indeed, has the obligation - to adopt measures to preserve order and calm, which essentially means the human rights of the people.

Another hasty claim which lacks justification is that freedom of expression is restricted in Chile. Since the lifting of the state of siege, there has been full freedom of expression in Chile, certainly to a greater

extent than in many countries which dare to criticize it. Such magazines as Hoy, Análisis, Cauce, La Bicicleta, Fortín Mapocho, Boletín de la Vicaría de la Solidaridad, Mensaje, El Rebelde, etc., circulate freely, and many of them insult the Government daily in terms which would undoubtedly not be tolerated by many member States of the Commission on Human Rights. A Christian Democrat-backed periodical, La Epoca, is to be issued starting this month. There are also - though this is not widely known - 42 opposition radio stations throughout the country, as the Rapporteur has been informed. Finally, in this connection, the new legal norms relating to television which are set out both in the Political Parties Act and in the revised legislation on television itself guarantee time on the different channels for political parties governed by the provisions of the Political Parties Act.

To embark now on an overall evaluation of the report, following an objective analysis in the present document, the moment has come to repeat that while praiseworthy and encouraging progress towards objectivity may be observed, much remains to be done to achieve the full recognition of the Chilean Government. However, the Government of Chile counts upon the outstanding qualities of Mr. Volio, his sense of justice and realism.

Despite the terrorist campaign, directed, co-ordinated and financed from abroad, despite the effects of the world recession, by which it has been hard hit, the Government has not interrupted its process of institutional changes, and has never departed from the constitution, which limits both its powers and its duration, in contrast to other, incorrectly named "people's" democracies, which seek to rule for ever, countries with "institutionalized revolutions", with single-party régimes, where office holders are imposed from above, with picturesque titles. It is time for this ridiculous farce to end, since it only undermines the prestige of the United Nations.

#### Section V. Recommendations

It should be pointed out that many of the matters covered in this section are dealt with by the Rapporteur in previous sections, especially in the conclusions. Accordingly, we will not refer to previous sections but only to matters which have not been discussed so far.

The Rapporteur repeats that, despite "the constructive and praiseworthy measures which the Government of Chile has taken in the area of human rights ..., the task is far from complete ... and the Government must realize" this, by continuing to adopt measures of this kind. It goes without saying that the Government has recognized this point and will continue to fulfil its mandate in institutional matters.

However, the Government of Chile is encouraged that the United Nations Special Rapporteur has objectively described the measures which are being adopted. It is clear that what still remains to be done is directly related, as the Rapporteur himself states, to the institutional process. For that reason, the Government joins the Rapporteur in urging all democratic elements to participate in the process, in other words, to place their names on the electoral rolls, to set up political parties when the Act on that subject enters into force shortly, and to participate in discussions on forthcoming legislation, drafts of which are to be published, so that contributions are received from all of them. In that regard, the recommendation on the National Congress Act will be given due consideration.

We also associate ourselves with the joint call to the Government and the citizens to put an end to violence and terrorism.

The above are the principal observations which the Government of Chile wishes to make on the report of the Special Rapporteur. The Government of Chile trusts that the Commission on Human Rights, putting behind it political passions and other interests not directly related to human rights, will adopt an attitude of greater objectivity, understanding and encouragement than in the past. In that way it will contribute to the cause which is its *raison d'être*, and also the reason for Chile's co-operation.