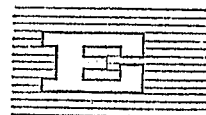


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1985/23
10 October 1984

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS

Forty-first session
Item 5 of the provisional agenda

QUESTION OF HUMAN RIGHTS IN CHILE

Letter dated 19 September 1984 from the Permanent Representative
of Mexico to the United Nations Office at Geneva addressed to the
Assistant Secretary-General for Human Rights

The Government of Mexico has instructed me to transmit to you the decision taken by the Standing Committee of the Congress of the Union of Mexico concerning the legitimate request of a number of Chilean Members of Parliament residing in Mexico to exercise the fundamental human right to return to their country. I would request you kindly to bring this decision to the attention of the Commission on Human Rights.

(Signed) Manuel Tello
Ambassador
Permanent Representative

GE.84-18174

Annex

At its meeting held today, the Standing Committee of the Congress of the Union adopted the following decision:

"FIRST COMMITTEE - ASSEMBLY: the Committee has been requested to give its opinion on the proposal put forward by Deputy Rolando Cordera Campos at the meeting held on 7 February last concerning the right of the following Chilean parliamentarians resident in Mexico to return to their country: Senators Anselmo Sule Candia, Hugo Miranda Ramírez, Jaime Suárez Bastidas, Adonis Sepúlveda and Alejandro Chelén; and Deputies Eduardo Contreras Mella, Víctor Barderis, Rogelio de la Fuente, Rubén Zapata Bravo, Arturo Pérez Balarecinos, Carlos Morales Avarzúa, Matías Núñez, Juan Vargas Puebla, Gerardo Espinoza and Manuel Rodríguez.

CONSIDERING THAT:

Firstly, the right to enter the country of which one is a citizen is laid down in article 13, paragraph 2, of the Universal Declaration of Human Rights and guaranteed by article 12, paragraph 4, of the International Covenant on Civil and Political Rights, which provides that "No one shall be arbitrarily deprived of the right to enter his own country."

Secondly, according to the United Nations Economic and Social Council report on the protection of human rights in Chile, submitted at the General Assembly's thirty-eighth session, the General Assembly resolution adopted last October and the resolution adopted by the United Nations Commission on Human Rights at its meeting held on 14 March last, Chile's regime, after having persecuted and expelled a large number of people - thus leading to the Chilean exile problem - has adopted the practice of barring many persons from entering its territory, thus violating the provisions of articles 9 and 13 of the Universal Declaration of Human Rights and article 12 of the International Covenant on Civil and Political Rights.

Thirdly, on many occasions the international community has shown its concern at the Chilean exile problem and has repeatedly urged the Chilean authorities to respect the right of Chileans to live in their country and to enter and leave it freely without restrictions or conditions of any sort, and to cease the practices of restricted residence and enforced exile. However, it has become obvious to the various bodies of the United Nations Organization that the attitude of the Chilean authorities with regard to all the problems of human rights in Chile they have studied has generally been negative and has not responded to the concern of the international community expressed in resolutions of the General Assembly and the Commission on Human Rights. Moreover, it is clear to international opinion that popular protest and opposition in Chile are becoming increasingly widespread and generalized, because the Government has failed to adopt measures to re-establish the protection of fundamental human rights and freedoms. As this popular protest gains strength and momentum, it is likely that further repressive measures will be adopted which will hinder the return of those exiled. The United Nations report therefore concludes that the international community should show continued interest and concern so that appropriate measures can be taken to ensure the re-establishment of the exercise, promotion and protection of human rights in Chile.

Fourthly, as a result of this report, at its previous session the United Nations General Assembly adopted the above-mentioned resolution in which it deplored once again the fact that the repeated appeals of the General Assembly, the Commission on Human Rights and other international organs to re-establish human rights and fundamental freedoms had been ignored by the Chilean authorities, which continued to refuse to co-operate with the Commission on Human Rights and its Special Rapporteur; in particular, the authorities were once more urged to respect the right of Chileans to live in and freely enter and leave their country without restrictions or conditions.

Fifthly, the human rights situation in Chile has aroused the Standing Committee's concern and solidarity in the face of the sufferings of the Chilean people. A specific display of this solidarity should be made by this Assembly towards Chilean parliamentarians resident in our country, who have not so far been able to exercise their fundamental human right to return to their country after the military coup d'état which destroyed its democratic and parliamentary life.

For these reasons, the following decision is submitted for consideration by the Standing Committee:

1. The members of the Standing Committee of the Congress of the Union express their disapproval at the systematic violation of human rights in Chile. In particular, they endorse the legitimate demand of the following Chilean parliamentarians resident in Mexico to exercise their fundamental human right to return to their country: Senators Anselmo Sule Candia, Hugo Miranda Ramírez, Jaime Suárez Bastidas, Adonis Sepúlveda and Alejandro Chelén; and Deputies Eduardo Contreras Mella, Víctor Barderis, Rogelio de la Fuente, Rubén Zapata Bravo, Arturo Pérez Balarecinós, Carlos Morales Avarzúa, Matías Núñez, Juan Vargas Puebla, Gerardo Espinoza and Manuel Rodríguez.
2. This decision should be brought through the appropriate channels, to the attention of the Secretary-General and the Commission on Human Rights of the United Nations, and also the Latin American Parliament, the European Parliament and the National Committee for the Return of Chilean Exiles.

COMMITTEE ROOM OF THE STANDING COMMITTEE OF THE CONGRESS OF THE UNION,
Mexico City, 7 August 1984 - José Luis Lamadrid Sauza, Deputy,
Andrés Henestrosa Morales, Senator, Ricardo Castillo Peralta, Deputy,
Norberto Mora Plancarte, Senator, Miguel Borge Martín, Senator,
Juan José Osorio Palacios, Deputy, and Mariano Palacios Alcocer, Senator."