Department of State TELEGRAM

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~~C O N F I D E N T I A L~~ SANTIAGO 0846

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EO 11652: GDS
TAGS: SOCI
SUBJ: CHILEAN REQUEST FOR SUPPORT IN UN HUMAN RIGHTS COMMISSION

REF: USUN 564

1. SUMMARY: DEPARTMENT MAY WISH TO CONSIDER AUTHORIZING USUN TO SUGGEST TO CHILEAN UN DEL OUTLINES OF A CHILEAN GOVT POSTURE ON CHARGES OF HUMAN RIGHTS VIOLATIONS WHICH MIGHT HELP TO DAMPEN EFFORT TO ATTACK AND ISOLATE CHILE IN UN ORGANS. POSITION WOULD EXPLAIN RATIONALE FOR SEPTEMBER 1973 COUP, DESCRIBE JUNTA'S HUMAN RIGHTS RECORD IN TERMS OF STATE OF EMERGENCY ACTIVITIES, OFFER TO COOPERATE IN AN IMPARTIAL STUDY, AND STAYE INTENTION TO RESTORE DEMOCRATIC PRACTICES. END SUMMARY.

2. SINCE IT SEEMS RATHER UNLIKELY THAT ANYTHING DONE ABOUT SOLZHENITSYN CASE (REFTEL) WOULD SUCCEED IN HEADING OFF AN ANTI-CHILEAN RESOLUTION IN THE UN HUMAN RIGHTS COMMISSION, MAY I MAKE A SUGGESTION WHICH MAY WARRANT CONSIDERATION IN RESPONDING TO USUN'S REQUEST FOR DEPT. VIEWS. SUGGESTION IS PUT FORWARD WITH SOME DIFFIDENCE. LAST THING I WOULD WANT TO DO IS TO APPEAR TO BE MASTERMINDING STRATEGY OR TACTICS FOR DEPT OR USUN.

3. CHILEANS WILL UNDERSTANDABLY BE INCLINED TO BRIDLE AT HRC CON-DEMNATION OF THEIR GOVERNMENTAL PRACTICES, AND PARTICULARLY AT

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Authority NSC
By SBB NARA, Date 9/15/99

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BEING THE OBJECT OF A STUDY BY AN HRC COMMITTE AFTER THEY HAVE ALREADY BEEN CONDEMNED IN A RESOLUTION, THEY WILL REGARD THEM SELVES AS THE TARGET OF A MARXIST CONSPIRACY IN THE UN. THEY WILL NOT SEE WHY THEY SHOULD COOPERATE AS REQUESTED WITH THE PROPOSED COMMITTEE IN THESE CIRCUMSTANCES, AND AS INDICATED REFTEL WILL HARDLY WANT TO HAVE IT VISIT CHILE.

4. AT THE SAME TIME, CHILEANS SHOULD REALIZE THAT IF THEY LIMIT THEMSELVES TO ALL-OUT RESISTANCE TO SUCH A RESOLUTION, THEY WILL PROBABLY LOSE. IN LOSING, AND IN SUBSEQUENTLY REFUSING TO CO-OPERATE WITH THE COMMITTEE, THEY MAY WELL PROJECT THEMSELVES ALONG THE ROAD WHICH HAS LED SOUTH AFRICA, PORTUGAL AND ISRAEL TO BECOME THE PARIAH STATES OF THE UN. CHILE CAN ILL AFFORD TO BE IN SUCH A POSITION AT THIS JUNCTURE IN ITS HISTORY.

5. THERE IS A CHANCE THAT CHILE COULD BLUNT THE ATTACK AGAINST IT BY REACTING IN A DIFFERENT WAY.

6. FIRST, BY COGENT STATEMENTS IN THE HRC EXPLAINING THE BACK-GROUND OF THE PRESENT SITUATION: HOW THE ALLENDE REGIME WAS DES-TROYING DEMOCRACY IN CHILE AS POINTED OUT BY CONGRESS, THE SUPREME COURT AND THE CONTROLLER GENERAL; HOW EXTREMIST ELEMENTS WERE PRE-PARING TO ESTABLISH BY VIOLENCE A TOTALITARIANISM OF THE LEFT; HOW THE COUNTRY HAD COLLAPSED INTO ECONOMIC CHAOS; HOW THE MIL-ITARY HAD THEREUPON INTERVENED AS A CIVIC DUTY ACCLAIMED BY BULK OF THE COUNTRY.

6. SECOND, BY DESCRIBING OPENLY WHAT MEASURES HAVE HAD TO BE TAKEN AND WHY, BY DEFENDING CHILE'S RECORD RE ASYLUM AND REFUGEES AND ITS PLEDGE TO TRY ALL DETAINEES NOT RELEASED AFTER IN-VESTIGATION, AND BY NOTING PROGRESS ALREADY MADE.

7. THIRD, BY A CLEAR INDICATION THAT THE JUNTA HAS AS ITS OB-JECTIVE THE RESTORATION OF TRADITIONAL CHILEAN DEMOCRATIC PRACT-ICES, INCLUDING THOSE INVOLVING HUMAN RIGHTS GUARANTEES, WHEN THAT BECOME POSSIBLE. (THIS MAY BE THE MOST DIFFICULT STATEMENT FOR THE CHILEAN REP TO FORMULATE IN THERS ACCEPTABLE TO SANTIAGO.)

8. FOURTH, BY HIGHLIGHTING THE DISPARITY BETWEEN THE TREATMENT BEING ACCORDED TO CHILE AND THE BLIND EYE TURNED TO THE SYSTEMATIC, PERMANENT, AND DOCTRINAIRE VIOLATIONS OF INDIVIDUAL RIGHTS PRAC-

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TICED IN THE COMMUNIST STATES. FINALLY, BY AGREEING TO COOPERATE WITH A STUDY COMMITTEE IF AN IMPARTIAL ONE IS CHOSEN, TO THE EXTENT OF FURNISHING INFORMATION AND POSSIBLY, IF IN CHILE'S JUDGMENT A USEFUL CONTRIBUTION CAN THEREBY BE MADE AT SOME STAGE, THROUGH A VISIT BY THE COMMITTEE TO THE COUNTRY.

9. A BASIC ELEMENT IN THIS SCENARYO WOULD BE THE STRESS PLACED ON THE PROVISIONAL NATURE OF THE MEASURES TAKEN BY THE JUNTA. COPIES OF THE HUMAN RIGHTS COVENANTS ARE NOT READILY AVAILABLE HERE, BUT IN MY RECOLLECTION THEY ARE PRETTY WELL LARDED WITH ESCAPE CLAUSES THAT WOULD APPLY TO THE PRESENT STATE OF EMERGENCY IN CHILE UNDER ITS LAWS.

10. THE IMMEDIATE OBJECTIVE OF SUCH AN APPROACH WOULD BE TO SET THE STAGE FOR TONING DOWN THE DRAFT RESOLUTION IN USUN 564, NOTABLY EM&. BY REPLACING THE CONDEMNATION OF CHILE BY AN EXPRESSION OF CONCERN REGARDING REPORTS OF HUMAN RIGHTS VIOLATIONS THERE. THE LONGER-RANGE OBJECTIVE WOULD BE TO ESTABLISH A DEFENSIBLE POSTURE TO WHICH THE CHILEANS COULD HEW AS THE COMMUNISTS AND THEIR RADICAL NON-ALIGNED FRIENDS SEEK TO CLOSE IN ON CHILE IN ONE UN ORGAN AFTER ANOTHER, TO ROB IT OF THOSE ASSOCIATIONS AND THAT RESPECTABILITY WHICH IT IS GOING TO WANT AND NEED IN THE INTERNATIONAL COMMUNITY.

11. WE COULD NOT TODAY DISCUSS OR EVEN SUGGEST A COURSE OF THIS CHARACTER IN SANTIAGO WITHOUT SERIOUS POLITICAL RISK: THE JUNTA IS EXTREMELY SENSITIVE TO ANYTHING IT MIGHT CONSTRUE AS INTERVENTION. IT MAY NOT EVEN RESPOND HAPPILY TO SOUNDINGS FROM USUN ALONG ABOVE LINES. BUT IF AS INDICATED REFTEL CHILEAN AMB BAZAN HAS ASKED USG FOR HELP TO DEFEAT A RESOLUTION OF TYPE QUOTED THEREIN -- AND IF RESOLUTION IS ACTUALLY GOING TO BE INTRODUCED AND PASSED IN HRC -- IT WOULD BE PERFECTLY LEGITIMATE FOR USUN TO SUGGEST SOMETHING OF THE SORT. PROCEDURE IS ANYTHING BUT SURE-FIRE BUT I BELIEVE CHILE WOULD HAVE ENOUGH FRIENDS IN HRC AND OTHER UN ORGANS TO MAKE A SOLID STAND ON THIS GROUND.

12. IN ANY EVENT, IF RESOLUTION IS PRESSED I HOPE US WILL FIND IT POSSIBLE TO AID CHILEAN DEL IN DERAILING OR SOFTENING RESOLUTION. MOST DESIRABLE OUTCOME WOULD BE TO NEGOTIATE A TEXT CHILEANS COULD LIVE WITH AND WE COULD SUPPORT; BUT AT VERY LEAST I HOPE WE CAN AVOID ALIGNING OURSELVES WITH CHILE'S CRITICS.

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