



DEPARTMENT OF STATE
BRIEFING MEMORANDUM

73217-24

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TO: The Secretary
FROM: ARA - Jack B. Kubisch

Chilean Executions

You requested by cable from Tokyo a report on this subject.

— On October 24 the Junta announced that summary, on-the-spot executions would no longer be carried out and that persons caught in the act of resisting the government would henceforth be held for military courts. Since that date 17 executions following military trials have been announced. Publicly acknowledged executions, both summary and in compliance with court martial sentences, now total approximately 100, with an additional 40 prisoners shot while "trying to escape". An internal, confidential report prepared for the Junta puts the number of executions for the period September 11-30 at 320. The latter figure is probably a more accurate indication of the extent of this practice.

— Our best estimate is that the military and police units in the field are generally complying with the order to desist from summary executions. At least the rather frequent use of random violence that marked the operations of these units in the early post-coup days has clearly abated for the time being. However, there are no indications as yet of a disposition to forego executions after military trial.

— The Chilean leaders justify these executions as entirely legal in the application of martial law

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under that they have declared to be a "state of siege in time of war". Their code of military justice permits death by firing squad for a range of offenses, including treason, armed resistance, illegal possession of arms and auto theft. Sentences handed down by military tribunals during a state of siege are not reviewable by civilian courts.

The purpose of the executions is in part to discourage by example those who seek to organize armed opposition to the Junta. The Chilean military, persuaded to some degree by years of Communist Party propaganda, expected to be confronted by heavy resistance when they overthrew Allende. Fear of civil war was an important factor in their decision to employ a heavy hand from the outset. Also present is a puritanical, crusading spirit -- a determination to cleanse and rejuvenate Chile. (A number of those executed seem to have been petty criminals.)

The Junta now has more confidence in the security situation and more awareness of the pressure of international opinion. It may be a hopeful sign that the Junta continues to stall on bringing to trial former cabinet ministers and other prominent Marxists -- people the military initially had every intention of standing up before firing squads. How the military leaders proceed in this area from now on will be influenced to some degree by outside opinion, and particularly by ours, but the major consideration will continue to be their assessment of the security situation.

At Tab A is a Chile situation report and at Tab B a fact sheet on human rights in Chile.

Attachments:

- Tab A - Situation Report
- Tab B - Fact Sheet

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Situation Report: Chile

The country is calm at the moment and there is little overt challenge to the military's firm control. Seven leftists reportedly died in an attack earlier this week on a military post in a Southern city. This, however, was the first such leftist initiative since mid-September. The general impression is that the Marxist left has given first priority to underground survival in the face of unrelenting pressure.

The Junta has announced that state of seige measures will remain in force for at least another eight months, but they have relaxed the curfew somewhat, revoked on-the-spot executions, placed some restrictions on searches, and promised that persons charged with civil offenses committed before the coup will be prosecuted under standard civil procedures. Although the traditional parties are well represented on the commission charged with drafting a new constitution, there is growing apprehension among them that the Junta's "anti-political" orientation will close off normal political activity for a long time to come. Again ruling out any timetable for turning Chile back to the civilians, Junta President Pinochet reinforced these fears by placing much of the blame for the country's present state on politicians in general.

Security and political preoccupations are receding somewhat in the face of economic issues. The October cost of living rose 88 per cent, bringing the cumulative total for 1973 to 528 per cent, reportedly the highest in the world. Although the cost of living surge was anticipated in allowing artificially controlled prices to seek their true levels, the resulting economic hardship has had a serious impact on lower and middle income groups. As a result, the government's tough stabilization policy is coming under fire from various quarters. Despite subsidies to wage earners, falling liquidity and growing unemployment raise the threat of recession. IMF and CLAP missions are currently in Chile, studying the Government's economic stabilization plans.

The IMF tentatively projected a potential 1973 balance of payments deficit of \$800 million. Assuming debt relief of some \$350 million is obtained from the Paris Club and other creditors, the foreign exchange gap

ould be reduced to \$453 million. According to the Chileans, private U.S. and Canadian banks have already pledged \$171 million in new financing of which \$70 million is in highly liquid dollar acceptances. Also, the IMF is likely to provide at least one credit tranche of \$43 million by year's end. These credits will lessen the gap but a considerable balance of payments deficit is expected to remain at the end of the year. Additional credits may be forthcoming from West Europe, Japan, Brazil and Argentina although most of these are likely to materialize after the first of the year.

Internationally, the Junta's repressive image continues to plague it. Italy still withholds recognition, and reaction continues strongly adverse among West European socialist governments. This attitude was manifested in the stalling of IBRD loans to Chile, despite the fact that the Junta has made good on the Allende Government's IBRD arrearages, and in the continued suspension of bilateral lines of credit.

Chilean Ambassador Heitmann presented credentials to President Nixon on November 9. On November 14, we announced our second CCC credit to Chile -- \$24 million for feed corn. Our longstanding commitment to sell two surplus destroyers to the Chilean Navy has met a reasonably sympathetic response in Senate consultations. The Chileans, meanwhile, have sent us several new requests for controversial military equipment.

Media criticism and congressional inquiries growing out of the deaths of two American citizens--Frank Teruggi and Charles Horman--continue heavy. The only negative line of inquiry during Ambassador Davis' appearance before the Senate Latin American Subcommittee concerned Horman. A Jack Anderson staffer has already telephoned our Consulate in Santiago; we also expect in-depth coverage from the New York Times which is now making inquiries. We have instructed Embassy Santiago to deliver a note underlining our desire for a full investigation of the circumstances of death and specifying unanswered questions and discrepancies in CCC explanations thus far. Our Charge has already prepared the Foreign Ministry for this demarche and impressed upon it the need for prompt, specific answers.

Figures without asterisk are from public sources.

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| Total arrested in Chile since September 11 | 13,500* |
| Arrested originally and held in National Stadium in Santiago | 7-8,000 |
| Released from Stadium | 6,500 |
| Presently held in Stadium | 0 |
| Detained in Santiago jails | 550 |
| Detained outside Santiago | 2,000 |
| Estimated number serving sentence or pending trial | 1,500* |
| Executions acknowledged | 100 (approx) |
| Executions according to intelligence source | 320* |
| Number killed attempting to escape military custody | 40 |
| American citizens detained (27 detainees had been released by October 17) | 0 |
| American citizens dead since coup | 2 |
| Safeconducts issued to asylees in Embassies | 1,791 |
| Safeconducts issued to others | 3,100 |
| Safeconduct requests not yet acted upon | 408 |
| Departed from Chile (Chileans and foreigners) | 2,000 (approx) |
| Foreigners registered with UNHCR for permanent resettlement | |
| In safe havens (refugee camps, etc.) | 820 |
| At home (possibly some under house arrest) | 824 |
| In diplomatic missions | 172 |
| In COC detention centers | 203 |
| Total number still in foreign Embassies | N.A. (368 a/o mid-Oct) |
| Total dead: According to Chilean authorities | 600 (approx) |
| According to Barnes article in October 8 Newsweek | 2,796 |
| According to October 21 Washington Post article on CIA Director Colby's statement to Congressional Committee | 2-3,000 |
| Recent SNF source estimate | 1,500* |