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April 1985

CHILE

TWELVE BANISHMENT CASES

Amnesty International is concerned at reports of the banishment of twelve people following their arrest either during demonstrations or at home in March. Under emergency legislation currently in force in Chile, the president has the power to banish individuals suspected of having views opposed to those of the government for up to three months (under interim provision 24 of the Constitution, invoked during a state of danger to internal peace) and indefinitely (during a state of siege). Individuals banished under emergency legislation are not charged or committed for trial and have no right of appeal to the courts against the measure. This is in violation of article 9.4 of the International Covenant on Civil and Political Rights, which states that:

"Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful."

It is believed that the twelve people banished recently were banished under interim provision 24 of the Constitution.

The Chilean Government has frequently used banishment without charge or trial to punish its opponents. The victims have included trade unionists, members of human rights organizations, student, teacher and community leaders, lawyers and doctors. Though not in prison during the period of banishment those affected by the measure are confined to the village to which they are sent and have to sign on two or three times at the local police station.

Several hundred people have been banished for up to three months since a state of siege was declared on 6 November 1984.

The latest victims are:

Marisa ANDRADE ALCAINO, 24 year old university student, Ximena GONZALEZ SAEZ, 24 year old student, Jacqueline NAVARRO TORRES, student, and Verónica VENEGAS DÍAZ, 22 year old university student, were reportedly arrested in Santiago on 12 March 1985 during a demonstration protesting at the possible convocation of a war tribunal to try five political prisoners, three of whom faced possible death sentences. (War tribunal proceedings have since been dropped against the five and they are to be tried by a military court

according to peacetime procedures. For further information on these cases see AMR 22|26|85 and AMR 22|12|85).

Ximena REYES OSORIO and Isabel SOTO CORNEJO are both members of the Movimiento Sebastián Acevedo, an organization mainly made up of priests, nuns and lay church workers which campaigns against the use of torture and the death penalty. They were reportedly arrested on 25 March, also during a demonstration in Santiago protesting against the war tribunal.

Sonia RAMIREZ KLAJEVIC was reportedly arrested in the street on 22 March. At the time she was detained she reportedly had health problems.

Alicia SANDOVAL TORRES, head of the training department at the Confederación "El Surco", an agricultural workers' trade union, was reportedly arrested during the early hours of 9 March at her home. The previous day she had taken part in an International Women's Day demonstration in Santiago.

All the above women are believed to have been taken to police stations where they were held until being banished to Putu, VII Region, on 28 March.

Genoveva NOVOA NAVARRO was reportedly arrested at home in Concepción by members of the Central Nacional de Informaciones (CNI - Chilean secret police) on 25 or 27 March. She was reportedly held in incommunicado detention until 8 April when she was banished to Putu.

Vladimir MORA JAMETT was reportedly arrested in Concepción on 25 March in a Concepción street and subsequently banished to Tierra Amarilla, III Region. Both he and Genoveva Novoa were reportedly accused by the Regional Military Governor of possessing anti-government leaflets. (The two were arrested shortly before a national day of protest called by the opposition).

Marcos UGARTE UGARTE and Lorenzo ARAYA ARAYA are both construction workers' union leaders in Antofagasta. Both men were reportedly arrested by plainclothes police (Investigaciones) on 13 March. They were banished to Melinka, X Region, and Lago Verde, XI Region respectively.

Amnesty International is calling for the banishment orders against the twelve to be immediately revoked and that they be allowed to return home.