

amnesty international

CHILE

ORIGINAL

THE BURNING OF RODRIGO ROJAS AND CARMEN QUINTANA: ARREST OF KEY WITNESS

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Florencio RODRIGUEZ CIFUENTES, a key witness to the burning of Rodrigo Rojas and Carmen Quintana in July 1986, is currently in prison after being arrested in October. 21 year-old Florencio was arrested on 7 October 1987 by uniformed police (carabineros), who accused him of building a barricade near the place where he was arrested and being in possession of a petrol bomb. That day there were many protests including barricades in different parts of Santiago organized as part of a national stoppage called by the National Workers' Command. After being taken into police custody, Florencio Rodriguez was charged by a military prosecutor (fiscal militar) under articles 13 and 14 of the Arms Control Law with possession of explosives.

Information available to Amnesty International contradicts the official version of his arrest and his lawyer is calling for the revoking of the charges on the grounds that he is innocent. Eye-witnesses who saw the arrest of Florencio Rodriguez said that he was in a baker's shop buying bread at the time of his arrest and apparently had nothing to do with either the barricade or the petrol bomb which police say they found. In addition reports indicate that when police at the 21st Comisaría (police station) recognized him as a witness in the Rojas-Quintana case, he was beaten.

In the petition for amparo submitted on his behalf by Carmen Quintana's aunt, Ana Arancibia, she stated that when she went to the police station to ask about Florencio Rodriguez, "I told the officer who I was. When he found out I was Carmen Gloria Quintana's aunt, the officer told me literally that my niece was "a bitch that should have been shot." [Me identifique ante el oficial de guardia. Al saber que era tía de Carmen Gloria Quintana, el oficial me dijo literalmente, que mi sobrina era "una quiltra a la que debían haber baleado."

Sergio Corvalán, Florencio's lawyer, described the accusations against Florencio Rodríguez as "calumny, as he has been accused of a crime which

he never committed. It simply confirms the ignoble attitude of personnel in uniform on recognizing someone as a witness in a case of such national and international importance and in which, in addition, uniformed personnel are implicated. It is not the first time that witnesses in this case have been subjected to such harassment...

Local people are indignant because they know that an enormous injustice is being committed against a person who wanted to collaborate with justice in clarifying the extremely serious events which he witnessed. However, today, in vengeance, he is being made to look like a delinquent when in fact he is the victim."(1)

A petition for the revoking of the charges is currently in the hands of the military prosecutor dealing with the case. A petition for amparo has been submitted to the Military Appeals Court (Corte Marcial) on the grounds of wrongful prosecution.

Amnesty International is appealing for the release of Florencio Rodriguez as it believes he is a prisoner of conscience.

1. "Esto es una calumnia ya que le atribuyen un grave delito, que jamás ha cometido. Solamente pone en evidencia la reacción tan poco noble de personas que visten uniforme al reconocerlo como testigo de un caso con resonancia nacional e internacional, donde además aparece involucrado personal uniformado. No es la primera vez que testigos de este caso han sido objeto de tales denuncias y amedrentamientos..

"En el sector la gente está indignada porque saben que se comete una injusticia enorme contra una persona que quiso colaborar con la justicia esclareciendo hechos gravísimos que le tocó presenciar. Sin embargo, hoy a modo de venganza se le hace aparecer como delincuente, en circunstancias que ha sido víctima."

For background to the case of Rodrigo Rojas and Carmen Gloria Quintana see AMR 22/39/87: The Burning of Rodrigo Rojas and Carmen Gloria Quintana Ten Months On and AMR 22/09/87: The Burning of Rodrigo Rojas and Carmen Gloria Quintana, One Year Later

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CHILE ACTION NETWORK

COUNTRY: CHILE
SUBJECT TITLE: THE BURNING OF RODRIGO ROJAS
AND CARMEN QUINTANA: ARREST OF KEY WITNESS

CHAN 09/87

RECOMMENDED ACTIONS

Please ensure that all relevant people in the section have received copies for their attention, and that the document is centrally filed for future reference. In addition please undertake as many of the following recommended actions as possible.

1. CHAN groups should send airmail letters and a few telegrams if possible expressing concern at the arrest of Florencio Rodriguez and calling for his immediate and unconditional release to:

Sr. Ricardo Garcia
Ministro de Relaciones Exteriores
Palacio de La Moneda
Santiago, Chile

General Rodolfo Stange
Miembro de la Junta de Gobierno
Edificio Diego Portales
Santiago, Chile

2. Copies of your appeals should be sent to:

Sr. Lorenzo Andrade
Fiscal Militar
II Fiscalia Militar
Zenteno 102
Santiago, Chile

Sres
Vicaria de la Solidaridad
Casilla 26D
Santiago
Chile

Sres Ministros
de la Corte Marcial
Palacio de los Tribunales
Santiago, Chile

3. The attached information is external and can be distributed to non-Amnesty members in response to requests for information about human

rights violations in Chile. It may also be distributed to previous recipients of documents prepared by Amnesty International about the cases of Rodrigo Rojas and Carmen Quintana.

DISTRIBUTION BY THE IS

This circular has been sent direct by the IS to Chile/CHAN coordinators for distribution to CHAN groups.