

EXTERNAL (for general distribution)

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UA 320/92 Possible extrajudicial execution/ill-treatment 15 October 1992

CHILE: Pedro Ortiz Montenegro  
Mauricio Gómez Lira  
José Miguel Martínez

Pablo Muñoz Hoffman  
Patricio Ortiz Montenegro

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Amnesty International is concerned at allegations of the killing of at least one political prisoner in circumstances suggesting his extrajudicial execution and the serious ill-treatment of two others during an escape attempt by eight political prisoners from the Preventive Detention Centre of Southern Santiago (Centro de Detención Preventiva Santiago Sur or the ex-Penitentiary as it is more commonly known) on 10 October 1992. Two other prisoners were killed in as yet unclarified circumstances. Three others escaped.

Pedro Ortiz Montenegro was allegedly shot dead after he had run out of ammunition and was lying wounded on the ground. His brother, Patricio ran to cover his brother's body and was also shot and injured. Mauricio Gómez Lira and José Miguel Martínez were apparently killed outside the prison grounds in circumstances not yet clarified.

Pablo Muñoz Hoffman, who was reportedly unarmed, took refuge in a house. According to witnesses, he was severely beaten by prison guards once he had been recaptured and was allegedly shot twice during his transfer to prison. The injured prisoners were taken first to a medical centre before being transferred to the prison hospital. Both men are said to bear signs of beatings and bullet wounds.

A *recurso de amparo* (similar to a writ of *habeas corpus*) was presented to the courts on 10 October 1992 following the authorities' refusal to grant access to the prisoners. In response to the *recurso de amparo*, a judge ordered an examination of the prison hospital to assess whether conditions were adequate and on 13 October 1992, lawyers were able to see the injured men for the first time.

Lawyers are due to present complaints for homicide (*querellas por homicidio*) to the courts for the killing of the three men as the result of the excessive and indiscriminate use of force by the prison guards.

#### BACKGROUND INFORMATION

The prisoners involved in the prison escape were arrested following the return to civilian government in March 1990. The men are members of the Autonomous Manuel Rodríguez Patriotic Front (FPMR-A, Frente Patriótico Manuel Rodríguez

- Autónomo) and the Lautaro Popular Rebel Forces (Fuerzas Rebeldes y Populares Lautaro, FRPL), extreme left-wing armed opposition groups which have claimed responsibility for a number of attacks during the present administration. Amnesty International received reports that at least two of the prisoners were tortured following their arrest in 1990 by members of the *carabineros* (uniformed police).

In July 1992, several political prisoners in the prison were reportedly injured during disturbances that occurred after the authorities attempted to move four prisoners to another prison.

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**RECOMMENDED ACTION: Please send telegrams/telexes/faxes and airmail letters either in Spanish or English or in your own language:**

- urging an immediate and independent inquiry to clarify the circumstances surrounding the deaths of Pedro Ortiz Montenegro, Mauricio Gómez Lira, José Miguel Martínez following the guidelines set out in the United Nations Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions;

- expressing serious concern at the ill-treatment of Patricio Ortiz Montenegro and Pablo Muñoz Hoffman and urging they be granted immediate access to an independent doctor to ensure adequate treatment;

- requesting assurances that any disciplinary measures taken against prisoners following the incidents on 10 October 1992 in the Santiago Penitentiary do not contravene internationally accepted standards, in particular the United Nations Standard Minimum Rules for the Treatment of Prisoners.

**APPEALS TO:**

1) Minister of the Interior

Sr. Enrique Krauss Rusque  
Ministro del Interior  
Ministerio del Interior  
Palacio de La Moneda  
Santiago, Chile

**Telegrams: Ministro Interior, Santiago, Chile**

**Telexes: 240000 onemi cl: 240273**

**Salutation: Sr. Ministro/ Dear Minister**

2) Minister of Justice

Sr. Francisco Cumplido Cereceda  
Ministro de Justicia  
Ministerio de Justicia  
Morandé 107  
Santiago, Chile

**Telegrams: Ministro de Justicia, Santiago, Chile**

**Telexes: 242316 minju cl**

**Faxes: 56 2 69 66 952**

**Salutation: Sr. Ministro/ Dear Minister**

3) Director of Prison

Sr. Director  
Centro de Detención Preventiva Santiago Sur

Av. Pedro Montt 1902  
Santiago, Chile

**Telegrams: Sr. Director, CDP Santiago Sur, Santiago, Chile**

**Salutation: Sr. Director/ Dear Director**

**COPIES OF YOUR APPEALS TO:**

1) Committee for the Rights of the People  
Sres.  
CODEPU  
Bandera 465, 4to. piso  
Santiago, Chile

2) Daily newspaper  
Sr. Editor  
La Nación  
Agustinas 1269  
Santiago, Chile

and to diplomatic representatives of Chile accredited to your country

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 26 November 1992.