

EXTERNAL (for general distribution)

AI Index: AMR 22/01/94

Distr: UA/SC

UA 23/94

Prisoners of Conscience / Legal concern

25 January 1994

CHILE

Juan Andrés LAGOS ESPINOZA, editor

Francisco HERREROS MARDONES, journalist and editor

In a case which may have serious ramifications for other journalists and their freedom of expression in Chile, the Santiago Military Court (*Tribunal Militar de Santiago*) on 13 January 1994 sentenced the two men named above to 300 days in jail for publishing an article critical of the Supreme Court. Juan Andrés Lagos is editor of *El Siglo* (The Century), the weekly newspaper of the Communist Party, and Francisco Herreros is journalist and editor of the magazine *Pluma y Pincel* (Pen and Paintbrush). Both are currently free on bail pending appeal before the Supreme Court.

In a case brought by the Supreme Court, the two were charged in January 1993 under the *Ley de Seguridad del Estado* (State Security Law) with offending the judiciary. This followed an article written by Francisco Herreros which was critical of the Supreme Court's decision to transfer investigations into the 1974 "disappearance" of Alfonso Chanfreau Oyarce to the military courts. They were detained in January 1993 for 15 days and then released on bail. Andrés Lagos and Francisco Herreros have at least one other case pending against them.

BACKGROUND INFORMATION

At least nine other journalists face legal proceedings, mostly in the military courts. In 1992, the government tried to introduce a bill that would restrict cases of journalists to civilian jurisdiction but the measure was defeated in the Senate where the right-wing opposition has a majority. The government withdrew the bill in December 1992.

In another incident in November 1993 the Second Military Prosecutor's Office (*Segunda Fiscalía Militar*) ordered the confiscation of the daily *La Época* for allegedly infringing a prohibition to inform about the investigations into the 1976 killing of Spanish diplomat Carmelo Soria.

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

- expressing concern at the sentencing of Juan Andrés Lagos Espinoza and Francisco Herreros Mardones on charges based solely on account of the non-violent expression of their political views;
- calling for their immediate and unconditional release as prisoners of conscience;
- urging the authorities to call a halt to the prosecution of any other journalists who may face similar sentences for the peaceful expression of their views.

APPEALS TO

1. President of the Republic

Sr. Patricio Aylwin Azócar
 Presidente de la República de Chile
 Palacio de la Moneda
 Santiago, Chile

Telegrams: Presidente Aylwin, Santiago, Chile

Telexes: 240152 segreg cl

Faxes: + 56 2 697 3262

Salutation: Excelencia/Your Excellency

2. 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

Salutation: Sr.Ministro/Dear Minister

3. Supreme Court

Sr. Marco Aburto Ochoa
 Presidente de la Suprema Corte
 Palacio de los Tribunales
 Plaza Montt Varas
 Santiago, Chile

Telegrams: Presidente Corte Suprema, Santiago, Chile

Faxes: +56 2 6952144

Salutation: Presidente Corte Suprema / Your Honour

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
 El Siglo
 Compañía 2691
 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 7 March 1994.