

# AMNESTY INTERNATIONAL

## Public Document

AI Index: AMR 22/005/2008  
16 October 2008

## Chile: Testimonies of victims of the Pinochet government

The lives of thousands of families in Chile have been marred by the enforced disappearance, torture and killing of their relatives and thousands are still continuing their unwavering battle to achieve truth and justice.

### **ANGELA SAAVEDRA, sister of JOSÉ GREGORIO SAAVEDRA GONZÁLEZ, speaking on 29 September 2008:**

I am the eldest daughter of a typical Chilean family. I was 13 years-old when José Gregorio – fourth child and first boy -- came into our lives. We were very happy to have him because he was like a doll to play with and we used to dress him up so he looked even prettier.

Looking for new horizons, my father and I came to live in Calama in northern Chile in August 1959. I was ready to take up a job. The rest of the family followed us there.

That was the beginning of our life in Calama. My father and I were working to keep the family. My brothers were growing up. The two eldest got married, all had children, until the 11<sup>th</sup> September 1973, a date which changed our lives.

José Gregorio, known as Pepe to us and friends, was studying in secondary school and was living with me from Monday to Friday as my home was closer to the school. Then, the 11<sup>th</sup> of September arrived. I remember that when we were sent back home from our offices my biggest concern was my brother because I could see students walking from neighbouring Chuquicamata. Everything looked quiet and I was hoping that he would be at home because there was curfew from 4pm. That was my only concern.

We became concerned because of the news from Santiago, the capital, and from other cities. One night, on 24<sup>th</sup> September 1973, a group of carabineros arrived at my house, with my father. I shall never forget my father's expression when he said that they came for Pepe. I was in my room and my husband and Pepe were watching TV in the sitting room. What I found there was, my house full of police, Pepe standing against the wall with my husband and carabineros searching Pepe's room. They ripped the mattress apart and checked everything taking with them some things, nothing particularly special. They also took my brother saying that we could ask for him the following day in the police station.

The anguish I felt then is still with me. Later on I learned that my brother had been a candidate for the General Centre of Students at the Lyceum and that he was a member of the Movement of the Revolutionary Left.

Pepe was also accused of planning to blow up the police station with dynamite. They did not find any dynamite, neither in my father's house nor in mine. We did not know anything about his whereabouts for a few days. On 29<sup>th</sup> September Pepe was found in Calama jail. He was there until 19<sup>th</sup> October 1973, date on which, as we have learned, he was murdered in the hills of Topater.

Losing him has been very painful to all of us. My parents died without knowing his final resting place or whether any of the remains already found belonged to my brother. First we had to fight to find the bodies, then the Forensic Institute was in charge of the investigation of the fragmented

remains found in an unmarked grave. Allegedly, Pepe was there.

We, Calama women, have requested a new forensic test of the fragmented remains we have in the Memorial at Calama Cemetery and of the bags that were sent to the Forensic Institute, which have now been sent abroad to be examined to be sure that they are our relatives.

Today we are facing the legal proceedings undertaken by Judge Montiglio in Santiago and Judge Rosa Maria Pinto in Antofagasta. In the latter case, with charges for illegal burial and exhumation, it has been established that the bodies were removed, some of them to be thrown into the sea and that small fragments [of bones] were left behind. This manoeuvre is known as “television removal” around Chile. This is the object of another legal case in Antofagasta.

The women of Calama were very happy when Pinochet was arrested in London, but why was it a foreign judge who managed to keep him under arrest? We knew he was not going to be detained for long because he had the support of the then English government. We knew that nothing would stick to him and that he was not going to answer to the relatives or to the Chilean people in general.

How long are we going to be with this uncertainty while Madame Justice is reducing the sentences of those guilty of genocide? They live well, comfortably. Those on the other side have to prepare ourselves every day to receive painful news in spite of the length of time since these abominable deeds occurred.

**MARISOL ARAYA ARANEDA, daughter of a disappeared-detainee, Alfonso del Carmen Araya Castillo, testimony given on 29 September 2008:**

On 9 September 1976 my father was forcefully disappeared in Santiago. He was a leader of the Chilean Communist Youth (Juventudes Comunistas de Chile). He was a social fighter and his only desire, like that of many Chileans, was to live in a country free of the harsh dictatorship we were living under at the time. This was a dictatorship where people were arrested, tortured, forcefully disappeared.

My father was working clandestinely when he was made to disappear. At the time, my mother was 7 months pregnant with me. As soon as she learned that my father had been arrested, my mother looked for him tirelessly. She submitted habeas corpus on his behalf, looking for him in several army barracks, hospitals, the morgue, at the International Red Cross, searching for answers about his whereabouts. The answers were always the same: he is not here, go look somewhere else; or simply there were no answers. She also went to the Bishops' Solidarity office (Vicaría de la Solidaridad) where she found help and where she found that there were many people searching also for their loved ones. From that moment on my mother became part of the Association of the Relatives of the Disappeared-detainees (Agrupación de Familiares de Detenidos- Desaparecidos) actively working as a leader.

When I was born it was difficult for my mother to be on her own in Santiago living in fear that she might be arrested too. A year later she moved to the city of Talcahuano where her family lived and where we live to this day.

My father's case at present is closed because there is no background information on his disappearance, although they have investigated and we have done everything possible to find information. He was arrested with two other people Anibal Riquelme and Juan Gonzáles. There is no news about them either. Those who know what happened and have the information do not want to talk. They carry on protecting the criminals of the 1973 dictatorship in Chile.

For me as a daughter, it has been very difficult to grow up without my father. During my 31 years

of life I always imagined how he might have been. I only have four photographs and the memories of those who talk to me about him, so I have had to construct my own image of what kind of man he was. I would have loved for him to have been at my birthdays, my first day at school and in general at the important moments of my life. But that was not possible because heartless people, without scruples and dignity, took away his life just because he wanted a better society. But I feel proud of him and, if what happened in this country occurs again and he continues to fight for a better society, I would support him unconditionally.

Because of all that I do not want that this country or any other place in the world suffers what happened here during the 17 years of military dictatorship.

I thought that with the arrest of the criminal Pinochet in London he was going to be tried, but it was not to be and he died without giving any answers and without being tried in Chile also, as here he was an untouchable. While he was alive, governments never applied justice as it should be, therefore he did not pay for his crimes.

Pinochet hurt our country and the wound he left will never heal, because the memory of my father and of many others will continue to live in our hearts. We will not allow them to be forgotten by history. And this also will be due to the work of the Association of Relatives in their important fight which has made it possible for their memory to be with us for 35 years.

I do not want impunity to prevail because such crimes should NEVER AGAIN happen, and therefore we should neither FORGIVE NOR FORGET.

**AMANDA SILVA ALVAREZ is the daughter of Mario Silva Iriarte. He was a 37 years-old lawyer, manager of the Corfo Corporation in the city of Antofagasta in northern Chile, also President of the Chilean Socialist Party in the same city and President of the Unidad Popular party. Mario Silva was married, with five children aged between 2 and 15 years. Testimony given on 30 September 2008:**

In the context of the military coup of 11 September 1973, the army took power in all the cities of the country and arrested all those in authority. Antofagasta was under siege and the atmosphere was terrifying. My father was called to report to the army and our home was raided and ransacked by the military. We were forced to leave the house with our mother.

Given that my father had a position of trust in the government of President Salvador Allende, he was in Santiago attending work meetings during those days. Because of the seriousness of the situation, the Mexican Ambassador offered him political asylum. He did not accept it because his family was unprotected in Antofagasta. He was convinced that the Chilean Army is republican, loyal, and anti-coup. Under this belief he traveled back to Antofagasta where he found his family scattered between friends' houses.

On 13 September 1973 he gave himself up to the army. When he said good bye to us, his children, he showed his hands saying that they were clean and that he had done nothing wrong. We never saw him again. Only through stories from other people we learned what was happening in the detention centres, learning that people were brutally tortured. As my father was a lawyer, the President of the local Lawyers' Association came to the detention centre to visit him and to offer counsel, this was denied. This is recorded in the testimonies which are part of the legal proceedings underway in Chile.

On 19 October 1973, a helicopter landed in our city. This was an army delegation under the command of General Sergio Arellano Stark, who was under personal orders from and invested by Augusto Pinochet with power to remove all political prisoners from the city and execute them. At dawn on that morning, 14 people were massacred without trial, without charges, totally illegal.

They were massacred in such a way that according to the forensic doctor's statement it was impossible to assemble the bodies, because of the impacts of machine gun fire. The family was not informed. At 9 am my mother goes to the prison to request information on the current situation and she was told "what are you looking for? They are all dead". We begged for the bodies to be returned to us as they have lined them in the street outside the morgue. The army authority finally gave us the bodies on condition that we leave the city. We went to the city of Vallenar guarded by the army; we could not place his name on his grave. He lies in an unnamed grave.

We did not leave the country. We stayed to fight against the dictatorship on all fronts. This decision was taken by my mother bravely and with courage. That is how we resist and fight up to this day.

This case of homicide, as thousands more of Chilean citizens, allowed for the opening of the case of the Caravan of Death investigated by Judge Juan Guzman in Chile which managed to try Pinochet and sentence high ranking officers.

No doubt the arrest and legal proceedings against Augusto Pinochet in London meant a support and acknowledgement to the work of the relatives of the victims. It also broke down the wall of impunity.

**Víctor Manuel Díaz López, former Undersecretary of the Chilean Communist Party and former leader of the Chilean Workers Union, detained-disappeared on 12 may 1976 when he was 56 years of age. Testimony given by his daughter Viviana Díaz, in Santiago de Chile on 29 September 2008:**

Since his detention I have been working every day with the Association of Relatives of the Disappeared Detainees in an unyielding search for truth and justice. Over the years our persistent activities to find the whereabouts of our loved ones have received the same response: rejection of the habeas corpus we have submitted, arrests during the public demonstrations we have staged, death threats, raids, telephone tappings, surveillance, etc. All this was done with the sole purpose of guaranteeing the impunity of the perpetrators of human rights violations. In spite of this, we have continued our search and, through the years, we have built the truth and drawn closer to justice.

Today, I remember the mixed feelings I had on 16 October 1998 when I heard that Augusto Pinochet had been arrested in London. On the one hand, a huge feeling of happiness and, on the other, a great sorrow that my mother was no longer with us, her children, to share such great news. She had died a year before with the sadness of not seeing any judicial progress in the search for my father. By then, it had been 22 years since my father's detention.

To Chilean society his detention [Augusto Pinochet's] represented the real possibility of bringing him to trial, hence ending the impunity he had created during 17 long years of military dictatorship. It is worthwhile highlighting that, having obtained the lifting of his parliamentary immunity and although he was placed under house arrest, it was not possible to sentence him. The judicial proceedings were halted when his defence argued that he was mentally unfit to stand trial. Therefore, he died without answering for the crimes he had committed. During the period he was under arrest in London, dozens of criminal complaints accumulated against him. Once he was back in Chile, more and more complaints were submitted until they amounted to over 300. Those were investigated by Judge Juan Guzman and subsequently taken up by Judge Victor Montiglio.

In January 2007, nine years after the Pinochet detention in London, and 31 years after the detention of my father, we started finally to learn the truth. That truth, which, as we have always

said, we have to face no matter how painful, is the only way to start mourning to reach a closure, a closure only possible perhaps through real justice. It has been dreadful to know the horror my father lived through at the hands of his torturers, all members of the armed forces of Chile, and the cruel, inhuman and cowardly way of his assassination after he was kept alive for eight months living under constant torture.

Through the investigation undertaken by Judge Victor Montiglio (Causa Rol No. 2182-98 "Conferencia") and from the work of the Human Rights Group of the Investigations Police, another detention centre has been revealed: the Simón Bolívar Barracks and the Extermination group Lautaro, an unknown place until then because there have been no survivors. During the judicial proceedings it was concluded that all prisoners kept in that place were cowardly assassinated under unspeakable torture and -- according to some confessions by those responsible -- their bodies were tied to metal rails and thrown from army helicopters into the sea.

In my father's case, Judge Montiglio has charged and tried with kidnapping, torture and homicide 67 people, men and women members of the Chilean armed forces.

One of the massive achievements of Pinochet's arrest in London was the precedent that there is no immunity for heads of State that commit crimes against humanity. The other one is that crimes like genocide and torture can be tried by any State, independently of place and time where these crimes were committed. Also, as established in the ruling of Judge Ronald Bartle, that the practice of forced disappearance constitutes mental torture to the relatives of the victims.

The worldwide impact of Augusto Pinochet's arrest was beyond measure. It allowed, for the first time, access to the victims and their relatives to media all over the world so they could tell in detail what had happened during the military dictatorship. Five hundred and three days that I shall never forget. Ten years ago the world gave its verdict: guilty, and that is how history will record it.

**Ana González De Recabarren, in Santiago on 28 September 2008:**

At the end of April 1976, on the 29th, my sons **Manuel** 23, years-old, **Luis Emilio**, 29 years-old and his three month pregnant wife **Nalvia Rosa**, 21 years-old; were arrested. The following day, the 30<sup>th</sup>, my husband **Manuel Recabarren Rojas**, 50 years-old was arrested. Until this day they are all disappeared. Immediately after the detentions we submitted habeas corpus and called on all the necessary legal authorities to locate them.

The only information we have received is what was collected as a result of the human rights Discussion Table, which is a list of names submitted by the army. On the list it was my son's name, Luis Emilio, whose body had been thrown into the sea. As a consequence of this horror my oldest daughter, Anita Maria, got ill with cancer and died.

The whole family, some more, some less, has had to work out the emotional and psychological problems that we are carrying since then. This has affected even the youngest members of the family, because my grandchildren, although they were very small when this tragedy unfolded, have had to carry within them the trauma of not knowing what has happened to their parents, uncles and grandfather.

Personally, there is the pain of knowing that society has not been able to recognize what that dark night meant and has continued to mean to our country, ignoring the path to truth and justice, no matter how hard this might be. This is the case, in spite of the progress made in a few cases in the courts of law.

Even the arrest of [Augusto] Pinochet, which brought so many expectations and hopes that the crimes committed by the dictatorship would be tried, and that we would be able to recover our dignity, have dwindled in the ins and outs of the system we have inherited from the dictatorship.

Even so, during the detention of the tyrant in London, we gathered every night without going to sleep with our motto “one night without sleep so mankind can sleep peacefully”. Night after night we were counting the days: and this is one, and two and three .. until we counted up to 502 days when we felt the support of the whole world who recognized Pinochet as the murderer of Chile’s soul.

**Juan Leonardo Maureira C., President: Association of Relative of Disappeared – Detainees and Executed – Paine, Greater Santiago, 29 September 2008:**

At dawn, on 16 October 1973, a military patrol from San Bernardo under the command of Lieutenant Andrés Magaña Bau came into our home asking to see the head of the family, my father **René Maureira Gajardo**. My father had been released two days before after being detained first in the Paine police station and then for about a month at the National Stadium. My father was taken from our home while we, my brother, my mother and I could not do anything to prevent him from being taken. The same thing happened to our friend and neighbor Andres Pereira. The two were taken with the patrol to the 24 de Abril y Nuevo Sendero settlement. There, 20 peasants are arrested. They were taken to the Quillayes brook in the area of Litueche, area of Melipilla in the Santiago Metropolitan Region to be murdered by the same army patrol.

It is important to highlight that in October 2007, thanks to the investigation initiated by Judge Hector Solis at the San Miguel Appeals Court, it was possible to establish the exact place of the massacre due to evidence found at the massacre site that was subsequently identified by us, the relatives.

In 1978 [Augusto] Pinochet had ordered the operation known as “Television Removal” which involved the removal of the corpses in every place in Chile where individuals had been executed. Today, the judge is also investigating this situation.

When taking into account the population of Paine in 1973, Paine is the area (comuna) in Chile with the largest number of detained-disappeared: 70 people.

The arrest of Pinochet to us, as members of the Association was very satisfactory. It also confirmed that justice in Chile has not worked as it should, because he should had been arrested in our country and tried for all the barbarous acts he committed.

During the time he was arrested we did not see any progress in our legal cases. Only during the government of President [Ricardo] Lagos and thanks to the appointment of special judges and exclusive judges did we see the cases moving forward and there were members of the army, police and civilians arrested and subsequently tried.

In Paine, civilians worked together with army and police to detain torture and kill. Today several have confessed their crimes and have been tried. We are expecting that in the next few months Judge Solis will pass sentence.

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