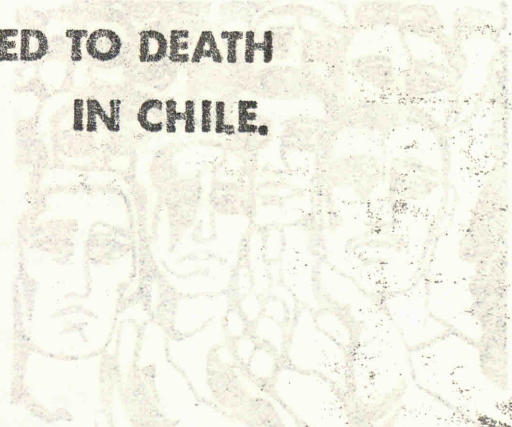


**URGENT**

**TO THE  
ARTISTS AND INTELLECTUALS  
GOVERNMENTS AND POLITICIANS  
CITIZENS OF THE WORLD**

**FOR THE LIFE  
OF TWO POLITICAL PRISONERS  
CONDEMNED TO DEATH  
IN CHILE.**



**INTERNATIONAL CHAIN OF SOLIDARITY**

URGENT

TO THE

ARTIST AND INTELLIGENTS

GOVERNMENTS AND PARLIAMENTS

CLERKS OF THE WORLD

FOR THE LIFE

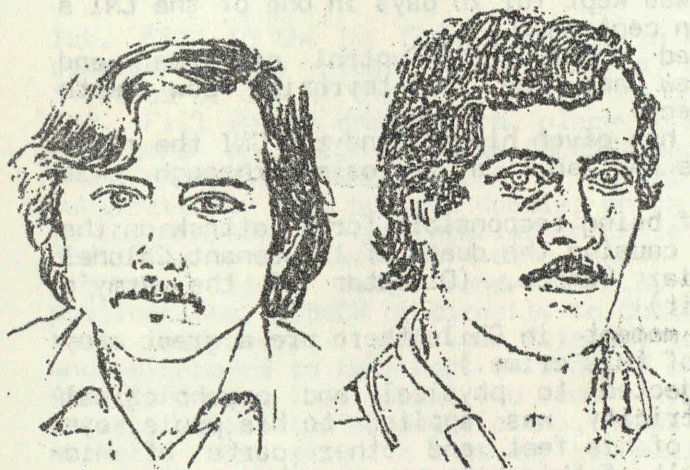
OF TWO POLITICAL PRISONERS

CONFINED



INTERNATIONAL CHARTER

The bloody military dictatorship in Chile, responsible for thousands of murders and the constant and systematic violation of human rights, through its "MILITARY TRIBUNALS IN PEACE TIME", has condemned to death two political prisoners, members of the Chilean Resistance Movement.



**VICTOR ZUÑIGA**

**CARLOS GARCIA**

Because of the urgency of the situation and answering the call of the organizations for political prisoners in Chile and of the prisoners families, **LATIN AMERICA** magazine and **LATIN AMERICAN PUBLICATIONS** have launched an urgent appeal to the artists and intellectuals of the world, to the politicians and government personalities, to the citizens of the world, to participate in an **INTERNATIONAL CHAIN OF SOLIDARITY**

**TO SAVE THE LIVES**

of **VICTOR MANUEL ZUÑIGA ARELLANO** and  
**CARLOS GARCIA HERRERA.**

### **VICTOR MANUEL ZUÑIGA ARELLANO.**

Was born on the 27th of february 1955. Education: completed secondary education.

His wife is Marcela Garcia, and his son is called Nicolas Zuñiga Garcia, and is now 4 years old.

He was arrested on the 21st of December 1981 by agents of the National Intelligence Centre (CNI, the Chilean gestapo). He was kept for 20 days in one of the CNI's secret detention centres.

He is accused under the "Control of Arms and Explosives" Law and the Anti-terrorism Law (with retroactive effect).

(Note: Pinochet has given himself and the CNI the right to decide who is and isn't a terrorist through this law.)

He is accused of being responsible for an attack on the armed forces, causing the death of lieutenant Colonel Roger Vergara Diaz Campos, (Director of the Army's Intelligence Unit).

(Note: at this moment in Chile there are a great many people accused of this crime.)

Victor was subjected to physical and psychological torture. Electricity was applied to his penis, eye lids, the soles of his feet and other parts of his body, as a result of this his spine has been affected. His family has received death threats.

### **CARLOS GARCIA HERRERA.**

Was born on the 21st of May 1953. Profession: Electronic Technician. His wife's name is Carmen Gloria Escobar and his children are Fernando and Nataly, 7 years and 1 year 4 months respectively.

He was arrested on the 24th of January 1981, together with his wife and younger daughter by agents of the CNI.

He is charged with the same offences as Victor Zuñiga.

Carlos was held for 20 days in solitary confinement, handcuffed and blindfolded. He was tortured intensively and forced to hear the cries of his wife and child, who were also tortured. The little girl was held for 11 days by agents of the CNI, badly fed, and without the care needed by a child of her age. The magazine "Solidarity", which belongs to the Catholic Church, said in February 1981: "The traumatic experiences this little girl went through have caused her to reject her own mother and she is suffering from severe traumas which will affect her in the future".

## HOW TO TAKE PART IN THIS INTERNATIONAL CHAIN OF SOLIDARITY.

- 1st. Fill in the 1st form, place it in a envelope and address it to Sergio Onofre Jarpa, minister of the interior or any of the other addresses on the form.
- 2nd. Fill in the second form, place it in an envelope and send to COSECH or LATIN AMERICA magazine or LATIN AMERICAN PUBLICATIONS. L.A. magazine and L.A. publications will build a dossier which they will send to the Minister of the Interior in Chile.
- 3rd. Draw up letters defending these young freedom fighters lives and send to L.A. magazine, L.A. publications, COSECH or directly to Chile. (We include their addresses). Ask your friends, your trade union and neighbours to take part in sending a group letter.
- 4th. Photocopy this appeal and send copies to fellow artist, intellectuals, politicians, heads of government, workers, etc, etc,. In this way you will contribute to extend this CHAIN OF SOLIDARITY for the defense of human rights.
- 5th. We remind you that all the information we receive will go towards building a dossier.

TO SAVE THE LIVES

OF CARLOS GARCIA H. and VICTOR ZUNIGA A.

DURING THE 2ND WORLD WAR EUROPE  
WAS OVERRUN BY THE NAZIS. THEY CONDEMNED  
TO DEATH AND EXECUTED THOUSANDS OF  
ANONIMOUS HEROES OF THE RESISTENCE, WHO  
DIED DEFENDING FREEDOM AND THE RIGHT TO  
LIFE.

LET US PAY A TRIBUTE TO THAT  
SACRIFICE BY SAVING THE LIVES OF THE  
YOUNG MEN, FIGHTERS FOR THE PEOPLE'S  
RIGHTS.

ALLOWING THE DICTATORSHIP TO  
CARRY OUT THE DEATH SENTENCES IS TO  
LEGITIMIZE THE MURDER OF HUNDREDS OF  
OTHER CHILEAN CITIZENS WHOSE ONLY CRIME  
IS TO DISSENT WITH THE REGIME.

Mr  
 Minister of the Interior.  
 Ministry of the Interior,  
 The Moneda Palace,  
 SANTIAGO- CHILE.

Dear minister:

We have been informed that the Chilean citizens Carlos García Herrera and Manuel Zuñiga Arellano, prisoners in your country, have been condemned to death by the tribunals of military justice; the death sentence has been requested by Brigadier General Samuel Rojas.

In the name of the most fundamental principles of humanity, we ask you to suspend immediately the death sentence and commute it to exile, under the terms of law no.504.

We sincerely hope that by your intervention this shameful situation might come to an end.

Name or Institution.

Address

Date:

THE ANTI-TERRORIST LAW.

Its provisions are aimed at punishing any terrorist  
actions which might endanger people's lives, private or  
public property, national security or the  
State's law. It is no longer  
describes the terrorist's guilt, rather it requires  
the non-demonstration of guilt as a condition.

FORM NUMBER 2.

Mr  
Minister of the Interior.  
Ministry of the Interior.  
The Moneda Palace.  
SANTIAGO- CHILE.

Faced with the inhuman fact that Carlos Garcia and  
Manuel Zuniga have been sentenced to death by a  
"MILITARY TRIBUNAL IN PEACETIME", I add my voice to the  
thousands of voices around the world in asking that  
their lives be spared, and that the rule of law should  
be respected.

FOR LIFE.

Name or Organization

Address.

Date:



## THE ANTITERRORIST LAW.

Its provisions are aimed at curbing any "extremist action" which might endanger people's lives, private or public property, national security or social harmony.

Under this new law it is no longer justice which determines the accused's guilt, rather the accused must prove his own innocence if he is to be freed.

In the words of Jaime Hales, noted penal expert, in an interview with "El Mercurio" on the 14th of May 1984:

*"It is terrifying to think that anyone might be accused of committing an offence (without even knowing it) even if someone else was responsible. It is also terrifying to be presented with such far reaching legislation which doesn't even define clearly its method of working, thus allowing enormous license to the police. This is a law of insecurity, instability and terror."*

The most salient features of this so-called 'antiterrorist' law, which have inspired such uncompromising resistance, are the following:

1. Vagueness and broadness of concept regarding "illicit association".
2. The very nature of its presumptions, enabling anyone or any organisation to be labelled guilty.
3. It introduces expressly the possibility of being sentenced more than once for one crime.
4. Faced with the alternative of prison, many Chileans might feel tempted to turn informer, aiding the police in their role as arm of security and authority.
5. The law contains certain clauses of such wide application that family ties may be severely undermined by it.
6. It eliminates important guarantees and rights to those so unlucky as to fall under its provisions.

## TRIBUNALS IN TIMES OF PEACE.

### A synopsis of the legal proceedings.

#### First Instance:

A district attorney (lawyer as well as official of the Armed Forces) conducts the investigation and requests the sentence.

The counsel for the defence makes his own enquiries into the indictment, then has to prepare an affidavit stating the arguments and proofs of the innocence of the accused.

The dossier is given to the appropriate military tribunal, for sentence to be passed. The military "judge" is not, in fact, a trained lawyer, but rather a military officer of the highest rank. He takes counsel from a legal adviser (who is also an Army official).

The military tribunal's sentence can form the substance of an appeal to a Court Martial.

#### THE COURT MARTIAL.

The Supreme Military Tribunal in times of peace, made up of three high ranking officers (representing each of the Armed Forces) and two (government) Ministers, who are lawyers appointed by the regional Court of Appeal. Generally speaking the Army representatives are Judge Advocates, that is, barristers of high rank.

#### Second Instance.

The Court Martial's sentence can be used for an appeal or a request for the sentence to be set aside.

On the 28th of September 1984, the Military Tribunal of Santiago whose judge is Brigadier General Samuel Rojas, condemned to death Victor Zuniga and Carlos Garcia. They were accused of the attempt on the life of Lieutenant-Colonel Roger Vergara, Director of the 'Escuela de Inteligencia' and officer high up in the DINA-CNI.

The defence submitted an immediate appeal to the Court Martial.

Subsequently there remains the possibility of a further appeal, or as a last resort, petition could be made for a reprieve from the President himself (Pinochet).

THE TWO HAVE BEEN CONDEMNED ACCORDING TO THE PENAL CODE CONTAINED IN THE STATUTES OF MILITARY JUSTICE, AND THE 'ANTITERRORIST' LAW (APPLIED RETROACTIVELY).

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LATIN AMERICA magazine  
The Center, P.O. - Box 20 -  
Oxford OX1 1AA. ENGLAND.  
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LATIN AMERICAN PUBLICATIONS.  
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OX2 0DS. ENGLAND.  
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COMMISSION DE SOLIDARITE EUROPEENNE  
AVEC LE CHILI-COSECH.  
34, Rue du Nord - 75018 -Paris.  
Tel: (1) 257.91.28.  
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Further information and copies of this report may be obtained from the following sources:

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MSS. 09/145/122

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