BRUNO KREISKY - Sekretariat Postfach 230 1011 Mien Wien, 1984-05-03 Sehr geehrter Herr Pinto ! Dr.Kreisky, der sich derzeit in Spitalsbehandlung befindet, hat Ihren Brief erhalten und sich mit Außenminister Lanc und Botschafter Dr. Jankowitsch in Verbindung gesetzt. Gleichzeitig darf ich Ihnen mitteilen, daß er in der Sache beim nordamerikanischen Außenminister interveniert hat. Dessen Antwort hat er in Kopie über Genossen Berger an Sie weitergeleitet. Mit den besten Grüßen dery y how our Margit Schmidt HERRN Manuel PINTO Margetinstraße 6/6 1110 Wien



THE SECRETARY OF STATE WASHINGTON

January 27, 1984

Dear Dr. Kreisky:

The President has asked me to respond to your letter of December 22, 1983, in which you kindly expressed your support for his remarks on the occasion of the 35th anniversary of the adoption of the Universal Declaration of Human Rights. At the December 9 White House ceremony commemorating the event, we invited individuals from various countries where human rights issues are problems, including Iran, Chile, Poland and El Salvador, to demonstrate our concern over violations of human rights wherever they may occur.

In your letter you raised the case of the legal proceedings now pending against the accused assassins of the late Major General Carol Urzua, who was Intendant of Santiago at the time of his murder. The three persons you mention in your letter, Hugo Jorge Marchant Moya, Jorge Palma Donoso, and Carlos Alberto Araneda Miranda, have been charged with a number of crimes, including murder, and the prosecution is seeking the death penalty. Two other individuals have been charged with lesser crimes in the same case.

All five defendants were initially to be tried by a "Council of War," which is a procedure provided for under Chilean law in the event of an attack on any member of one of Chile's uniformed services. On November 16, however, the Chilean Supreme Court ruled that the trial should be delayed while it considered the merits of a defense argument that there was no legal basis for convening a Council of War. The Chilean press has reported that the legal advisor to the Supreme Court has sent a study to the Court which questions the constitutionality of the decree establishing the Council of War procedures. The trial has been postponed indefinitely pending a Supreme Court decision.

His Excellency
Dr. Bruno Kreisky,
Vienna, Austria.

Chile is now undergoing a difficult transition from military rule to the return of elected democratic government. As you know, there have been a number of large demonstrations in recent months in support of an accelerated transition process. Talks had begun between Interior Minister Jarpa and representatives of the Democratic Alliance regarding the transition, although those talks have unfortunately been suspended. Because this is a difficult time for Chile, it is essential that all parties exercise restraint and act with responsibility. Actions by political terrorists, such as the assassination of General Urzua, are heinous crimes at any time, but they are especially deplorable now.

The above notwithstanding, I share your concern that the defendants receive all the protections due to them under generally accepted standards of due process. I can assure you that we will continue to follow the legal proceedings closely.

Sincerely yours, Levy P. Luly

George P. Shultz