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5. ~~Can you explain why the United States is selling fighter planes to~~
~~to Chile. Is the U.S. in deep concern about war between Chile and~~
~~Peru?~~

10/7/74 *Contact signed under Allende. Took this money.*
and planes made and sent there.

Guidance: I would refer your questions on this matter to the
Department of State.

7. ~~What is the United States position on allegations of torture and~~
~~cruelty used on political prisoners in Chile?~~

Guidance: Refer all questions on this matter to the State Department.

12/9/74

FYI ONLY: The OAS Human Rights Commission has reported that the Chilean Government has in fact used torture and cruelty on political prisoners. We have examined the report and there are serious allegations. We hope that the OAS Commission and OAS General Assembly will study these reports. The Chilean Government has also issued a report denying these claims. State will say that the US has never denied deploring the violation of human rights and violence and welcomes public commitments by the Chilean Government to avoid torture and cruel punishment of its prisoners.
END FYI.

November 25, 1975

- Q. CBS reported last night that the President had ordered Kissinger, Colby and others not to appear before the Church Committee investigating matters pertaining to Chile. Any comment?
- A. Quite the contrary, the President has ordered all members of the Administration and to the extent possible, former officials of the government to testify fully on this matter before the Church Committee in Executive Session. In fact the CIA has already testified on the subject and submitted documentation.
- Q. Why doesn't the President allow them to testify in open session?
- A. The President feels that all information should be made available to the Committee but he feels that there should be some safeguard to ensure a responsible handling of the information.

May 6, 1976

SIMON'S TRIP TO CHILE AND THE RELEASE OF POLITICAL PRISONERS

Q. How did Treasury Secretary Simon negotiate the parole of 50 political prisoners in exchange for a visit to Chile? Was this "deal" accomplished with the President's authority, or with any Administration coordination?

A. In arranging for his trip to Chile, Secretary Simon, of course, consulted with the State Department and the White House was generally aware of the planning for the trip. But for details of the trip preparations, I suggest you check with the Treasury Department.

PRESS DEPARTMENT OF STATE



June 8, 1976

No. 293

As Prepared for Delivery

STATEMENT BY
THE HONORABLE HENRY A. KISSINGER
SECRETARY OF STATE
ON HUMAN RIGHTS
AT THE
6TH REGULAR GENERAL ASSEMBLY
OF THE ORGANIZATION OF AMERICAN STATES

SANTIAGO, CHILE
June 8, 1976

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One of the most compelling issues of our time, and one which calls for the concerted action of all responsible peoples and nations, is the necessity to protect and extend the fundamental rights of humanity.

The precious common heritage of our Western Hemisphere is the conviction that human beings are the subjects, not the objects, of public policy; that citizens must not become mere instruments of the state.

This is the conviction that brought millions to the Americas. It inspired our peoples to fight for their independence. It is the commitment that has made political freedom and individual dignity the constant and cherished ideal of the Americas and the envy of nations elsewhere. It is the ultimate proof that our countries are linked by more than geography and the impersonal forces of history.

Respect for the rights of man is written into the founding documents of every nation of our Hemisphere. It has long been part of the common speech and daily lives of our citizens. And today, more than ever, the successful advance of our societies requires the full and free dedication of the talent, energy, and creative thought of men and women who are free from fear of repression.

The modern age has brought undreamed-of benefits to mankind—in medicine, in technological advance, and in human communication. But it has spawned plagues as well, in the form of new tools of oppression, as well as of civil strife. In an era characterized by terrorism, by bitter ideological contention, by weakened bonds of social cohesion, and by the yearning of order even at the expense of liberty, the result all too often has been the violation of fundamental standards of humane conduct.

The obscene and atrocious acts systematically employed to devalue, debase, and destroy human life during World War II vividly and ineradicably impressed the responsible peoples of the world with the enormity of the challenge to human rights. It was precisely to end such abuses and to provide moral authority in international affairs that a new system was forged after that war: globally, in the United Nations, and regionally, in a strengthened inter-American system.

The shortcomings of our efforts in an age which continues to be scarred by forces of intimidation, terror, and brutality fostered sometimes from outside national territories and sometimes from inside, have made it dramatically clear that basic human rights must be preserved, cherished, and defended if peace and prosperity are to be more than hollow technical achievements. For technological progress without social justice mocks humanity; national unity without freedom is sterile; nationalism without a consciousness of human community — which means a shared concern for human rights — refines instruments of oppression.

We in the Americas must increase our international support for the principles of justice, freedom, and human dignity — for the organized concern of the community of nations remains one of the most potent weapons in the struggle against the degradation of human values.

The Human Rights Challenge in the Americas

The ultimate vitality and virtue of our societies spring from the instinctive sense of human dignity and respect for the rights of others that have long distinguished the immensely varied peoples and lands of this Hemisphere. The genius of our inter-American heritage is based on the fundamental democratic principles of human and national dignity, justice, popular participation, and free cooperation among different peoples and social systems.

The observance of these essential principles of civility cannot be taken for granted even in the most tranquil of times. In periods of stress and uncertainty, when pressures on established authority grow and nations feel their very existence is tenuous, the practice of human rights becomes far more difficult.

The central problem of government has always been to strike a just and effective balance between freedom and authority. When freedom degenerates into anarchy, the human personality becomes subject to arbitrary, brutal, and capricious forces. When the demand for order overrides all other considerations, man becomes a means and not an end, a tool of impersonal machinery. Clearly, some forms of human suffering are intolerable no matter what pressures nations may face or feel. Beyond that, all societies have an obligation to enable their people to fulfill their potentialities and live a life of dignity and self-respect.

As we address this challenge in practice, we must recognize that our efforts must engage the serious commitment of our societies. As a source of dynamism, strength, and inspiration, verbal posturings and self-righteous rhetoric are not enough. Human rights are the very essence of a meaningful life, and human dignity is the ultimate purpose of government. No government can ignore terrorism and survive, but it is equally true that a government that tramples on the rights of its citizens denies the purpose of its existence.

In recent years and even days, our newspapers have carried stories of kidnappings, ambushes, bombings, and assassinations. Terrorism and the denial of civility have become so widespread, political subversions so intertwined with official and unofficial abuse, and so confused with oppression and base criminality, that the protection of individual rights and the preservation of human dignity have become sources of deep concern and — worse — sometimes of demoralization and indifference.

No country, no people — for that matter no political system — can claim a perfect record in the field of human rights. But precisely because our societies in the Americas have been dedicated to freedom since they emerged from the colonial era, our shortcomings are more apparent and more significant. And let us face facts. Respect for the dignity of man is declining in too many countries of the Hemisphere. There are several states where fundamental standards of humane behavior are not observed. All of us have a responsibility in this regard, for the Americas cannot be true to themselves unless they rededicate themselves to belief in the worth of the individual and to the defense of those individual rights which that concept entails. Our nations must sustain both a common commitment to the human rights of individuals and practical support for the institutions and procedures necessary to ensure those rights.

-3-

The rights of man have been authoritatively identified both in the United Nations' Universal Declaration of Human Rights and in the OAS's American Declaration of the Rights and Duties of Man. There will, of course, always be differences of view as to the precise extent of the obligations of government. But there are standards below which no government can fall without offending fundamental values — such as genocide, officially tolerated torture, mass imprisonment or murder, or comprehensive denials of basic rights to racial, religious, political, or ethnic groups. Any government engaging in such practices must face adverse international judgment.

The international community has created important institutions to deal with the challenge of human rights. We here are all participants in some of them: the United Nations, the International Court of Justice, the OAS, and the two Human Rights Commissions of the UN and OAS. In Europe, an even more developed international institutional structure provides other useful precedents for our effort.

Procedures alone cannot solve the problem, but they can keep it at the forefront of our consciousness and they can provide certain minimum protection for the human personality. International law and experience have enabled the development of specific procedures to distinguish reasonable from arbitrary government action on, for example, the question of detention. These involve access to courts, counsel, and families; prompt release or charge; and, if the latter, fair and public trial. Where such procedures are followed, the risk and incidence of unintentional government error, of officially sanctioned torture, of prolonged arbitrary deprivation of liberty, are drastically reduced. Other important procedures are habeas corpus or amparo, judicial appeal, and impartial review of administrative actions. And there are the procedures available at the international level — appeal to, and investigation and recommendations by established independent bodies such as the Inter-American Commission on Human Rights, an integral part of the OAS and a symbol of our dedication to the dignity of man.

The Inter-American Commission has built an impressive record of sustained, independent, and highly professional work since its establishment in 1960. Its importance as a primary procedural alternative in dealing with the recurrent human rights problem of this hemisphere is considerable.

The United States believes this Commission is one of the most important bodies of the Organization of American States. At the same time, it is a role which touches upon the most sensitive aspects of the national policies of each of the member governments. We must ensure that the Commission functions so that it cannot be manipulated for international politics in the name of human rights. We must also see to it that the Commission becomes an increasingly vital instrument of Hemispheric cooperation in defense of human rights. The Commission deserves the support of the Assembly in strengthening further its independence, even-handedness, and constructive potential.

The Reports of the Inter-American Human Rights Commission

We have all read the two reports submitted to this General Assembly by the Commission. They are sobering documents, for they provide serious evidence of violations of elemental international standards of human rights.

In its annual report on human rights in the Hemisphere, the Commission cites the rise of violence and speaks of the need to maintain order and protect citizens against armed attack. But it also upholds the defense of individual rights as a primordial function of the law and describes case after case of serious governmental actions in derogation of such rights.

A second report is devoted exclusively to the situation in Chile. We note the Commission's statement that the Government of Chile has cooperated with the Commission, and the Commission's conclusion that the infringement of certain fundamental rights in Chile has undergone a quantitative reduction since the last report. We must also point out that Chile has filed a comprehensive and responsive answer that sets forth a number of hopeful prospects which we hope will soon be fully implemented.

Nevertheless the Commission has asserted that violations continue to occur, and this is a matter of bilateral as well as international attention. In the United States, concern is widespread in the Executive Branch, in the press, and in the Congress, which has taken the extraordinary step of enacting specific statutory limits on United States military and economic aid to Chile.

The condition of human rights as assessed by the OAS Human Rights Commission has impaired our relationship with Chile and will continue to do so. We wish this relationship to be close, and all friends of Chile hope that obstacles raised by conditions alleged in the report will soon be removed.

At the same time, the Commission should not focus on some problem areas to the neglect of others. The cause of human dignity is not served by those who hypocritically manipulate concerns with human rights to further their political preferences, nor by those who single out for human rights condemnation only those countries with whose political views they disagree.

We are persuaded that the OAS Commission, however, has avoided such temptations.

The Commission has worked and reported widely. Its survey of human rights in Cuba is ample evidence of that. Though the report was completed too late for formal consideration at this General Assembly, an initial review confirms our worst fears of Cuban behavior. We should commend the Commission for its efforts — in spite of the total lack of cooperation of the Cuban authorities — to unearth the truth that many Cuban political prisoners have been victims of inhuman treatment. We urge the Commission to continue its efforts to determine the truth about the state of human rights in Cuba.

In our view, the record of the Commission this year in all these respects demonstrates that it deserves the support of the Assembly in strengthening further its independence, even-handedness, and constructive potential.

-5-

We can use the occasion of this General Assembly to emphasize that the protection of human rights is an obligation not simply of particular countries whose practices have come to public attention. Rather, it is an obligation assumed by all the nations of the Americas as part of their participation in the Hemispheric system.

To this end, the United States proposes that the Assembly broaden the Commission's mandate so that instead of waiting for complaints it can report regularly on the status of human rights throughout the Hemisphere.

Through adopting this proposal, the nations of the Americas would make plain our common commitment to human rights, increase the reliable information available to us and offer more effective recommendations to governments about how best to improve human rights. In support of such a broadened effort, we propose that the budget and staff of the Commission be enlarged. By strengthening the contribution of this body, we can deepen our dedication to the special qualities of rich promise that make our Hemisphere a standard-bearer for freedom-loving people in every quarter of the globe.

At the same time, we should also consider ways to strengthen the inter-American system in terms of protection against terrorism, kidnapping and other forms of violent threats to the human personality, especially those inspired from the outside.

The Necessity for Concern and Concrete Action

It is a tragedy that the forces of change in our century — a time of unparalleled human achievement — have also visited upon many individuals around the world a new dimension of intimidation and suffering.

The standard of individual liberty of conscience and expression is the proudest heritage of our civilization. It summons all nations. But this Hemisphere, which for centuries has been the hope of all mankind, has a special requirement for dedicated commitment.

Let us then turn to the great task before us. All we do in the world — in our search for peace, for greater political cooperation, for a fair and flourishing economic system — is meaningful only if linked to the defense of the fundamental freedoms which permit the fullest expression of mankind's creativity. No nations of the globe have a greater responsibility. No nations can make a greater contribution to the future. Let us look deeply within ourselves to find the essence of our human condition. And let us carry forward the great enterprise of liberty for which this Hemisphere has been — and will again be — the honored symbol everywhere.

* * * * *

9 June 1976

HUMAN RIGHTS AND CHILE

Q: Yesterday, Dr. Kissinger gave a speech in Latin America indicating strong U.S. support for the guarantee of human rights throughout the world. Does this speech signal a change in the Administration's position on the amendment to the Security Assistance legislation which would prohibit the provision of assistance to countries which abuse human rights?

A: Our position remains the same. It is our belief that such mandatory sanctions as have been proposed on the Security Assistance legislation are not an effective means of promoting observance of human rights abroad and often can prove counter-productive.

December 1, 1976

EARTHQUAKE IN CHILE AND PERU

Q: Is the United States going to send any emergency disaster assistance for the earthquake victims in Chile and Peru?

A: I understand that the region where the earthquake occurred was sparsely populated and we have received no reports of widespread damage or loss of life which would necessitate U. S. emergency disaster assistance. I also understand we have not been asked for any assistance by either government.

CHILE MILITARY ASSISTANCE

Q: Why has the Administration decided against requesting Foreign Military Sales and credit to Chile in the 1976 Foreign Assistance Budget request? Is this related to accusations of torture and civil rights abuses in that country?

A: We have traditionally maintained security assistance ties in Latin America with countries friendly to us, regardless of their domestic politics. We still believe we should maintain a long term security relationship with Chile. However, it became obvious that Congress would not approve military assistance funds for Chile this year.

(If asked only)

Q: Doesn't the Administration also feel strongly about civil rights abuses in Chile? Do you mean you don't share Congress' view about civil rights abuses in Chile?

A: Of course this country stands for human rights everywhere. But in my view, cutting off military sales and credits would not benefit human rights in Chile and would only undermine our external relations with Chile, weakening our influence there on human rights and many important foreign policy issues.