



DEPARTMENT OF STATE

Washington, D.C. 20520

August 14, 1975

MEMORANDUM

TO : ARA - Mr. George Lister

FROM : L/HR - Charles Runyon *CR*

SUBJ : Chile

In relation to Mr. Garment's drafts that D/HA was to give you, I suggest that an alternative forum for a State comment on Chile is the Congress at Geneva. We should propose, inter alia, that the Congress make a recommendation to the General Assembly that in any case in which the UN Human Rights Commission is investigating a situation involving the question of possible torture, the state or states concerned should extend full cooperation to the Commission in resolving the question, including access to their territory when the Commission, a body or persons acting under its authority, indicate that such access would materially facilitate their task.

Under US law, existing general categories of persons to whom visas may issue could in the USG's discretion include persons coming for such UN purposes. Of course, neither the Headquarters agreement nor a recommendatory UNGA resolution would require such issuance. Clearly the US would remain legally and morally free to exclude certain persons for reasons stated in our immigration laws. Before any action is taken, VO should be consulted.

In making our proposal, we should recite the facts of the Chile case to illustrate the need and timeliness for such a UN recommendation. We should stress the earlier excellent record of Chile, in respect to access, suggest that it was exemplary and hope that it may again become so, indicate how serious was the departure in the refusal of access to the UN HRC group (à la Mr. Garment's statement), and conclude that it would be well to work toward universal acceptance of the principle of responsible international access and inquiry in relation particularly to such gross violations as torture.

*ADHOC*  
*consultation*  
*with VO*  
*VO wants*  
*it to be*  
*using*

An obvious dividend would be to smoke out Soviet and other hypocrisy.

It would be very useful, of course, if the importance of the statement could be emphasized by appropriate accreditation of Mr. Garment for the purpose of putting it forward. Presumably, similar high level interest in this matter would be reemphasized at the General Assembly if the whole item is handled there by Congressman Fraser.

cc: D/HA - Mr. Wilson  
IO/UNP - Mr. Hewitt  
L/UNA - Mr. Matheson  
L/SCA - Mr. Gaither