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## LATIN AMERICA REPORT

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VETERAN POLITICIANS ON POLITICAL PARTIES, TRANSITION

Introduction

Santiago EL MERCURIO in Spanish 7 Aug 83 p D1

[Text] The days pass with the sound of changes, plans, announcements, manifestos and proposals.

The echoes are heard in one sector and another: the right says this or that, the opposition says such and such. The noise of the government grows, overwhelming and deafening.

It is a fact that changes that look good will occur.

From what has been learned, the most certain is that the secret "Secretariat General of the Presidency" plans would be consolidated and there would be a prime minister with more prerogatives. His task would be to get the government to leave the rear guard and go to the "line of fire."

Within that framework the surprising presidential "advances" like the announcement that the study of the political laws is beginning can be understood.

A change in "faces" is expected. The "gray-haired" are not being discarded or, at least, experienced people free from the "sin" of recent times will be called upon.

The plan is to go on the "offensive" at a time when all the political sectors are redoubling their efforts to find a way to take the country out of the crisis.

The traditional right has been polishing up documents with proposals for a transition for some time now. In the eventuality that that sector will take part in the leadership of the country, it was felt that they could always "abort." They have woken up, ready to push the car of democracy.

The opposition wants to do the same with more effective or realistic statements although it is staggering.

It is a fact that after the excitement, everyone is searching for unity and not moving apart on their different roads to achieve democracy.

Now when the politicians take up the reins again and when definitions are being written, can that unity be glimpsed? It is necessary to find out what definitions will come from La Moneda.

For now, we seek to learn the positions of old politicians who have not been far from things concerning changes, plans, manifestos or proposals.

#### Return of the Right

Santiago EL MERCURIO in Spanish 7 Aug 83 pp D1, D2

[Interview with former senator Victor Garcia Garzena of the National Party by Raquel Correa; date and place not specified]

[Text] He admits that the practice of law is his wife and politics is his lover. It is an autumnal love which he left for 10 years but now, the way life goes, is making him dream again.

This is not a history of personal loves and losses but the history of an entire sector of the country, the political right. In 1973, it held on to the letters, pictures and rings "until the new order," as someone said.

[Question] It is said that you, the nationals, gave the government a blank check and now you want to manage the account....

He answered, laughing: "Something like that, something like that."

Garcia Garzena (69 years old, married to Mariita Armanet with five children and 25 grandchildren) has a happy disposition and an encyclopedic memory. Polemic and a polemicist, he was a fixture in the political forums of the past. When he laughs, shaking from head to foot, he looks like a happy giant choked with laughter. Even when he becomes serious--or angry--a smile flickers on his open face.

He warned that he is very cautious. He said: "The country is going through a change so I feel a certain responsibility to express my opinions."

[Question] They are calling you a minister around here.

"I hope it is misinformation." Laughing, he added: "Of course, this is like the deceived husband: the last to know."

The name of former senator Victor Garcia Garzena is completely foreign to the youths of today. He had a belated and quick political career. He more or less debuted in public life when he became the first president of the National Party in May 1966. He had been professor of procedural law and director of the Catholic University Law School. Along with Patricio Aylwin and Fernando Alessandri, he drew up the Organic Code for the Courts and the Tax Code. It was not in jest that it occurred to him to become a senator of the republic.

He likes to recall why he became a politician. He was urged on by a Cuban jurist who told him that what had happened in his country happened because

"everyone did the same thing as you, did not participate in politics." He became the leader of the unification of the right with liberals, conservatives and nationalists which had electoral repercussions.

[Question] Now, almost 20 years later, why are you again interested in politics?

[Answer] I have tried hard not to participate. I felt I had already fulfilled the duty and obligation of public service that every citizen has....But there are broad sectors of Chileans with whom I have contacts who ask those who were their leaders to orient them now in these difficult times for the country.

#### Political Destiny

[Question] What is your diagnosis of "these difficult times"?

[Answer] Essentially, a clear political destiny cannot be sensed in the country. There is no legal continuity that provides a degree of certainty that the violence and anarchy which surround us in Latin America will be avoided. It is also necessary to improve our foreign image based on our usual dignity. We are living in a serious economic crisis that eats away at us like cancer.

He stated that the economic crisis is causing a serious political crisis. "Yes, of course. Of course." "Many government supporters are depressed and apathetic facing groups that are clearly in opposition."

[Question] Why are these supporters depressed and apathetic?

[Answer] To a large degree, due to the economic situation but that is not all. It is also due to lack of participation. The people who have unconditionally supported the government believe a greater degree of participation is necessary.

[Question] The traditional right was absent from government administration until now. Were they put to one side because this was the system that was best for them?

[Answer] The government interpreted for us some things that are basic for us: economic freedom and the indispensable order and authority for managing the country.

[Question] And then?

[Answer] All that has limitations and those limitations were not applied. There was excessive authoritarianism at a time when it was no longer necessary. The type of economic freedom that was applied ended in a disaster. As Jorge Alessandri said, it was like giving a train to a child....Freedom is for rational people!

[Question] Who were the children in this case?

[Answer] The groups with mentalities absolutely foreign to ours. They were inspired by the Japanese and U.S. consortia and believed it was possible to apply

the same methods here. They did not know the national reality. The government economists forgot that the Chileans have a nouveau riche mentality.

#### Conciliating Movement

[Question] Do you think the right has some political future after supporting the military government from the sidelines for 10 years?

[Answer] The right has a great political future. People who belonged to the National Party are waiting to be called....

[Question] To collaborate with the government?

[Answer] To collaborate with the party. We suspended partisan activity but I am sure that when we can publicly call our people, the response will be much greater than anyone imagines.

[Question] Don't you think that those people are going to reproach you for having gone quietly, each to his own affairs, ignoring the country?

[Answer] Yes, they are unfortunately going to tell us that...and they are right. However, in 1966 we managed to unite conservatives and liberals who had had deep divisions between them for 100 years with the nationalists of National Action, Jorge Prat's party. Today the task is again consensus.

[Question] Between the nationals and the nationalists?

[Answer] Among diverse groups of radicals, Christian Democrat sectors and nationals.

[Question] When speaking of Christian Democrat sectors, are you referring to former members like Juan de Dios Carmona and William Thayer or people like Gabriel Valdes and Andres Zaldivar?

[Answer] I am referring to many Christian Democrats who support the basic government line, recognize its achievements and do not have an outlet at this time, people who, if they are not supporters, are at least not hostile toward the government. Consequently, the new call will be broader, striving for the ideal of national unity, with the idea of having political opponents but not political enemies.

[Question] Are you thinking about creating a type of support party for the present government?

[Answer] We are thinking about creating a movement that reflects national concern and gives stability to the country. Obviously, it will need the understanding support of the Armed Forces.

[Question] Do you want to be reborn as the National Party, with your own ideology, and stand in front of the government as valid interlocutors or try to be born as a belated movement of support for the regime?



[Answer] Neither....We aspire to create a movement that stamps a certain conduct on the government. This conduct would force us to carry out a program of conciliation with sacrifices and disinterest. For the state to function, there must be room in it for economic organizations, the unions, professional associations and production and trade organizations....All must be involved in it in one way or another.

[Question] Do you think that the government needs the assistance of rightist politicians now?

[Answer] Yes. It is known that a regime cannot create a stable and reliable institutionalization without the enthusiastic support of the people.

[Question] This government, though, based its popularity on its antipartisanism....

[Answer] The government enjoyed popularity and the confidence of the people but, unfortunately, it has lost it or at least a good part of it.

[Question] And the right is getting ready to play the role of reviver of the lost enthusiasm?

[Answer] The truth is that I am working for the future.

[Question] Are you speaking of the future when you refer to the unification and the broad call?

[Answer] I am thinking about now.

[Question] When is now? Before 11 September 1983 or in 1989?

[Answer] I am thinking about this year but many of these ideas are for long-term development. The balance of power and harmony spring from continued generous positions and attention to the modifications that are needed.

Purify the Process

[Question] Since there is a clear political polarization and social concern noted in the country today, don't you think it is a little late for this birthday present?

[Answer] God willing, it is not.

[Question] In that consensus you seek, would you also include the sectors that are indicated now as also responsible for the political and economic leadership during these years?

[Answer] When the consensus is achieved, they will be automatically excluded. If they--the unionists as well as the so-called Chicago Boys--adapt to this program or movement...well, we are not excluders nor do we seek sanctions but an understanding is difficult when there are stubborn ideologies.

[Question] Does that consensus include Pablo Rodriguez' nationalists?

[Answer] It includes the real nationalists like Jorge Prat who even had socialists in his movement. Don't confuse those nationalists with those who plainly and simply are--how can I say it not to hurt anyone--totalitarian.

He stood up. In two long strides he crossed the office and returned with the Political Constitution. It was opened to the pages on transition. He commented suddenly: "I don't like this Constitution. The road to transition is very hard." Then he added, as if speaking to himself: "Frankly, I am not even afraid of a constitutional amendment. It is good for the young people to know that the 1925 Constitution was amended 10 times."

[Question] What changes are you thinking about?

[Answer] I am thinking about the need to purify the process. I feel we must have a more accelerated timetable with definite steps. We need supervision and participation in a legislative process....Those two needs are met with a congress even if it is appointed at the beginning because anyone who has inviolability inevitably begins to exercise his prerogatives.

He added: "Political orientation needs groups that can make their voices heard in order to channel public opinion and keep the union and production associations from becoming political. Otherwise, they are given a role that does not really correspond to them. Therefore, the existence of political parties is necessary."

[Question] This week General Pinochet announced that he would make the Council of State in charge of studying political laws without any deadline. Do you think that they must function as soon as possible or, as was announced, at the end of the transition?

[Answer] The political parties must function as soon as possible. Otherwise, the vacuum that exists which, as Julio Duran said, has been filled by the church will become larger. The people need to group together. They need to have a common expression; they need solidarity. The political parties had all that, among other qualities.

[Question] For years it has been repeated that many of the evils that the country has endured are the responsibility of the politicians....

[Answer] Many of the evils are the fault of the citizens themselves who elected inappropriate people. That is why parliament lost so much prestige.

[Question] In short, you want the political recess to end soon.

[Answer] I want the political recess to end. Correct.

[Question] Without exceptions?

[Answer] Only those who obey directives sent to them from 20,000 kilometers away from Chile should be excluded. I am referring to the group affiliated

with the Internationale directed from Moscow and any group that is directed and controlled from abroad.

[Question] What do you know about the political plan that your former comrade and current ambassador to Argentina, Sergio Onofre Jarpa, might have prepared?

He could barely speak for laughing: "You don't know how much I would like you to inform me about this. I would be so happy if you would tell me....I am filled with curiosity!"

[Question] Didn't you know either about the documents prepared by national parliamentarians, one by Patricio Phillips and the other by Fernando Ochagavia?

[Answer] It is the same plan that different people have come up with at the same time. Some preferred to sign with some, others with others. I signed with all. (He again shook with laughter.) When a consensus is formed, all must be together. What happens is that when something becomes necessary, many people begin it at the same time. That proves the urgency of unity today. There are only differences in nuance....What matters is not what separates us but what unites us. There are several roads to reach the same goal.

[Question] Is the right willing to go toward the center or does the center have to go toward the right?

[Answer] We both must move at the same time.

[Question] And you think that General Pinochet is willing to incorporate you into the government?

[Answer] We could not say that this pleases the president but...facing the problems that exist, he is willing to in order to avoid greater evils.

[Question] Do you think that the time of the politicians has arrived or is this only the tenth-year itch?

[Answer] The itch is explained because we have a small transition and the hope for a greater transition. As to the time of the politicians...I think that, rather than the time of the politicians, it is the time of more experienced people....I believe that the tenth-year itch is very logical. Under old governments, there was the joy of the first year and the hopes of carrying out the program in the second year. There was content with what there was in the third year and in the fourth year there were criticisms. It ended in the fifth and sixth years with the search for a new president. Now there have been more than six years....There is an itch because Chile always needs to be changing.

[Question] What do you think would happen if that plan to incorporate politicians from different sectors into the government and the initiatives toward a political opening presented this week were not carried out?

[Answer] If this plan or similar ones was not carried out...the political situation that could occur in the country would really worry me....I hope that

his excellency, the president of the republic, understands the desire of the great majority of his fellow citizens. He already demonstrated that he understood it when he had the Council of State study the political laws....It must not be forgotten that after Ibanez' fall, the country had 11 governments in 17 months. This was because there were no organized parties or movements that sought a national consensus which made it impossible for the country to find a political outlet.

Luis Bossay: Realism of the Opposition

Santiago EL MERCURIO in Spanish 7 Aug 83 pp D1, D2

[Interview with Luis Bossay, founder of Leftist Radical Party, by Blanca Arthur; date and place not specified]

[Text] It seems as if the years have not affected him. He looks like the same politician he was although time and again he repeats that the years have passed and not in vain. "There are many things to learn from this period in history."

He has innate sympathy and has not lost that style and manner he learned in his 33 years in congress--"the most senior but not the oldest when parliament was dissolved"--and his more than 50 years devoted to public activities. He began his battle in the Valparaiso Student Federation "in the times of the Ibanez dictatorship."

He is a dyed-in-the-wool radical and a Mason, of course. Everyone knows that he is also a democrat who has fought for what he believes. He and some fellow partisans decided to withdraw from the UP [Popular Unity] government and form the Leftist Radical Party "when the Allende government moved away from the democratic program that it had promised."

Today, at the age of 70, he recalls his past activities with some nostalgia but does not live on memories. He was one of the signers of the "Democratic Manifesto"--known as multipartisan--and they say here that not many decisions are made without the approval of this "patriarch."

[Question] Haven't you said more than once that the politicians have remained in the shadows, shadows filled with ghosts?

[Answer] I am one of those who think that it is impossible to erase the existence of the politicians....The most that can be done is to make politics secret and to even reach secret agreements....

The truth is that his political activity now has been devoted more to his party, Social Democracy now, than to anything else. He is absorbed with speaking of the possible reunification of Chilean radicalism. However, he understands that although it is important for him, that is a long-term task, less urgent than finding a solution to the present situation. He defined it as follows:

"I believe that the phenomenon that is most significant in Chile today is the lack of confidence. This lack of confidence began in layers, in working sectors,

unions, some isolated sectors....A situation that caused 30 percent unemployment spreads and generates an enormous lack of confidence in the government. The people then see that it could not solve the problems and look for a solution even if they don't know it or understand it."

Time of the Politicians

[Question] That is why the politicians feel that it is their time and they must propose a solution?

[Answer] I think at this time there are many organisms that recognize that there is a profound political, economic, social and moral crisis and agree that it is necessary to hurry and offer a solution.

We can listen to an Ernesto Ayala or a Jorge Fontaine say that what the government gives is not enough. We can see so many sectors or people individually trying to change what exists. That is the situation in which the people, who during a lifetime exercised the art of governing and learned that politics is the art of the possible, must contribute--even if it angers the government--in order to end the enormous lack of confidence and lack of faith. If they are left alone, they might bring us to a solution. Therefore, the politicians in the opposition--organized or not--and also many of the right that I believe are in the same situation are trying to find a solution so that this type of collective distress does not end in a violent outburst.

[Question] How does the opposition concretely assume that responsibility? To what point is it willing to offer a positive and realistic proposal that makes dialogue possible?

[Answer] I think the response is indirect but clear and precise. The great difficulty for fluent dialogue is precisely the lack of currents of opinion that could be the interlocutors for the government or for a top leader of the Catholic Church or for whomever is dialoguing. The important thing is that they be persons with some representativeness who appear to be responsible for what they say or offer. To make that dialogue more functional and easier, it must be between persons who know the subject. Therefore, I think it has been wrong not to bring back the political parties.

[Question] But President Pinochet announced that the study of the political laws, among them the party law, will begin. What do you think about that announcement?

[Answer] I repeat that the great problem today is lack of confidence. No matter how good the measures are, to make the deadline 1989 does not change the lack of credibility that exists. It means staying the same. It is only rhetoric. The enthusiasm that these measures could generate disappears when it is seen that there is nothing immediate.

[Question] It was said that the opposition would be called. Would you be willing to collaborate in the study of the law?

He laughed: "I don't think I have years to wait this time."

[Question] If it is accelerated?

[Answer] If it is to be taken care of in a year, I think I would have a favorable attitude although I don't know if there are going to be candidates. In any case, for now I do not discard the possibility of a statute because, at best, we ourselves--the politicians--can admit that we committed errors in the past that it is obviously necessary to avoid in the future....Now that the word transparency is used so much, I think that the internal life of the parties, for example, should be transparent. Therefore, I think that the problem of the future law is one thing and the need for representative politicians today to have a dialogue is another.

[Question] I asked you about the possibility of a realistic stance. Does it seem to you that this is?

[Answer] I also share the lack of confidence. General Pinochet's letter to the Pope which might seem hopeful procrastinates in some of its statements. It is only a stubborn reaffirmation of what has been maintained until now. That lack of confidence that the time has come for fruitful, pragmatic dialogue that contains some wisdom and logic makes the opposition act very cautiously. Trying to answer your question, this does not mean that the statements that the opposition could make necessarily appear as impossible based on the criterion that has reigned these 10 years. In other words, if the opposition is willing to dialogue to reach democracy and a state of law quickly, I don't think it is impossible to compromise.

[Question] How can that willingness be believed when they remain stubborn that those who have denied the government everything for these 10 years must be recognized as interlocutors?

[Answer] We have spent 10 years fighting. We never had a minister. The president asked for opinions or asked the reason for disagreements in things that he eventually changed although, in our opinion, too late. The truth is that I think it would have been a lot better if we had not been considered second-class citizens for 10 years.

[Question] But the military did not decide who was in the opposition and who was in the government....

[Answer] Naturally, with the passage of time, many who saw that it was not headed toward a true democracy, that it did not act based on those principles, took a position of rejection.

[Question] There were many who asked for military intervention and then immediately took that position of rejection and....

[Answer] The military demonstrated its ignorance of administration of the country by excluding the politicians, a result of its inexperience....

[Question] Don't you agree that there was something of the reverse situation?

[Answer] Unfortunately, the politicians do not have complete knowledge of military psychology. The important thing is that it be understood that there can be disagreement that does not lead to isolation. In that way, the democratic governments can overcome so many crises.

[Question] Let us return to the problem of the present crisis. You said that the opposition, to reach democracy, might even be willing to compromise....

[Answer] I think that the opposition--whatever organism it says it represents--is convinced that it cannot wait much longer for Chile to return to a state of law and democracy. It cannot wait until 1989.

[Question] Where is the compromise? Do you agree to a period of transition with the Armed Forces?

[Answer] The opposition agrees that there must be a period of transition. I think the dispute with the government is that the opposition wants it to be effective and real. Everyone speaks with similar terminology. The government says that it is going toward democracy and the opposition asks for democracy. However, some speak concavely and others convexly.

[Question] Are you asking for democracy now or a real road to democracy?

[Answer] The ideal would be if there could be democracy now.

[Question] Do you believe that the conditions are present or that what you call the "law of the pendulum" would apply?

[Answer] I personally--I do not pretend to speak for all the opposition--believe that a transitional stage is necessary. There must be a period when many of the problems that must be solved are discussed to reach an agreement. To me, it is very important that the opinion of the workers be expressed. It is absurd to think that any solution to what we are discussing can be effective if there is not clear knowledge of what the working class of this country thinks.

#### The Opening

[Question] What concrete characteristics must that transition have, in your opinion, to fulfill the objectives sought?

[Answer] Possibly the main one would be that there could be some important changes in the government.

[Question] Do you think that will happen?

[Answer] I think what is needed is a change in image to show that the transition is serious. I believe that if they are going to present programs to debate, it is necessary to find ways to keep matters from being black and white.

[Question] What significance do measures like the study of the political laws or others that could be understood as an opening--final solution to the exile problem, greater participation in the universities--have for the opposition?

[Answer] I think all measures like these are positive. The only thing that could hurt them would be the continuation of this lack of confidence. In other words, for those measures that I consider positive to have effect, the way must be found to reestablish confidence in Chile that what is said is going to be done. As we said before, the deadline for the political parties must not be set at 1989 because that takes away all credibility.

[Question] If these or other similar measures do take shape, would you continue stubbornly in the opposition or would you be willing to dialogue, understanding that the time had come when each side must yield and compromise?

[Answer] I think that the opposition has the idea of taking the steps necessary to accelerate the return to democracy. I am convinced that the desire to dialogue is sincere. It is not just a willingness to say: tonight no more military, tomorrow civilians and direct representatives of the democratic parties. I have the feeling that the concept has matured that it is necessary to make joint efforts to find a shorter road to democratic recovery in Chile. Dialogue is fundamental.

[Question] Do you think the popular bases that have revealed their discontent at this time hold that same position? Do you believe that with such a position, you respond to their demands and can avoid being abandoned?

[Answer] I think that this point is extraordinarily difficult to answer simply. It is a point that has naturally been considered since there is no serious proposal if it does not have the endorsement of the broadest sectors we want to represent. We are not going to find unanimity because there can always be sectors that disagree on the road to dialogue or the way to establish a consensus that permits a nonviolent transition without clashes or civil war in Chile.

[Question] Are you among those who believe in the renovation of socialists who have stopped believing in the Marxist formula?

[Answer] I would not say that they have stopped believing in Marxism because they would have no reason to do so. But I was able to verify, in Chile as well as in different congresses abroad, that there is another focus. The experience of these recent years and the UP has made them reformulate many of their statements.

[Question] You withdrew from the UP because it did not carry out the democratic program that it had promised. Don't you think that you again risk committing a "sin of naivete"?

[Answer] I don't know everyone. But I would say that the socialists have changed. This does not mean that I can state that 100 percent of the socialists in the world and Chile think that the only way possible is the nonviolent and democratic way. However, the immense majority of the socialists today have a different focus. It is not even unusual that they say that the bourgeois democracy that they abhorred in the past is a tool that cannot be scorned. I think the lips of the old men of the far left have a lot to say.



[Question] Are you willing to unite with them in this budding democratic alliance?

[Answer] I repeat that general statements cannot be made. My impression is that the Socialist Party has matured and does not want violence. The fact that they admire methods that Marxism advocates is another thing. I think that these people are in the universities and in many places where they can coexist peacefully and they want to. What we do reject is Marxism-Leninism. We do not advocate killing or persecuting the Marxist-Leninists but we do reject their stand as a solution for Chile.

[Question] Do you exclude them then?

[Answer] My answer is that the Marxist-Leninists are not in the "Democratic Manifesto." The communists are not signing it; therefore, they are not assuming responsibility for what can be stated these days and, if there is dialogue, for what can result from that dialogue. Although they are a reality in Chile because they exist, that is a problem that they will in time assume as Chileans.

#### Subjects for Dialogue

[Question] Are those of you who are assuming it now willing to recognize in that dialogue positive aspects of what has been done in these 10 years?

[Answer] This is a difficult topic, especially when you want to dialogue. We can recognize the success in the fight against inflation without accepting the extraordinarily high cost it had.

[Question] That is not recognizing a success. My question was directed at the willingness to recognize aspects of the reformulation of institutionalization, the so-called modernizations, for example. Would you agree that there have been positive changes or do you think that, in the return to democracy, it would be necessary to start over again, return "to page one"?

[Answer] I am going to begin with your last words: none of us wants to return to the UP.

[Question] But to the old plan?

[Answer] I think that there are positive things in the 1925 Constitution and new concepts have been introduced that were latent in parliament which was thinking about the need for amendment. How to do them and how far to go must be the result of the discussion. In any case, I think there is awareness that these years have not passed in vain for the history of Chile. There are many things we have learned. One is that this period must end the watertight isolation in which the Armed Forces lived. This cannot occur again.

[Question] Don't you think that if the valves are opened, the same groups would return with their old grudges? Do you think that that situation is over?

[Answer] No one wants to revise the UP. This is explained often to the man in the street. My first response is that no one wants to revise the UP. As I

have maintained, much has been learned in these years. It is true that what you say is very important. It is necessary to try to end the little political groups and regroup currents of opinion.

[Question] What do you think of the possibility that the political sectors of the right will assume political leadership in the period that approaches?

[Answer] This is possible. Although it might seem bad to sectors of the opposition, if they assume the responsibility for what has happened, they should take some command. If what they do in the immediate future is serious, a real turn toward democracy, they will have the understanding of immense sectors of the opposition in Chile.

[Question] Would that seem good to you?

[Answer] Perfectly good, at least to me. I do not speak in anyone else's name. I think that the right is going to be in a much better situation to give a solution to the people than those of us who have been isolated from everything that has been done in these years.

[Question] Can I infer that it would be an ideal formula and....

He interrupted: "It is a little exaggerated to speak of ideal. I put your words in the following framework. It is a possible alternative that the rightist civilian sectors that have collaborated with the military government will take or retake the road to return to democracy. I think that large sectors of Chile would be happy if this happened if the military agreed that these civilians provide the country with an alternative."

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CSO: 3348/629

## CONSTITUTIONAL FRONT FOR DEMOCRACY ISSUES COMMUNIQUE

Santiago TERCERA DE LA HORA in Spanish 7 Aug 83 p 8

[Text] A movement called the Constitutional Front for Chilean Democracy has issued a lengthy statement, whose text reads as follows:

The discontent caused by the continuing economic crisis and its exploitation for political purposes, joined with the natural attrition stemming from several years of government, on the one hand, and, on the other, an apparent lack of sustained political determination to take measures aimed at achieving an effective transition to a democratic regime, has led to a series of demonstrations, statements, protests, threatened strikes, and so on, that point up the existence of serious problems among our people.

This situation is being used by the Communist Party, which has already managed to have the so-called "democratic opposition" consider it as a valid interlocutor and promise it participation in the Chilean political framework, "as long as it acts in a democratic fashion." This is a major triumph because it enables the party to orient and penetrate various sectors and offer imaginary future election support which has begun to exert influence on the political decisions of old or new candidates.

#### Need for Clarification

Under such circumstances, we deem it necessary to help to orient national opinion, proposing a proper realistic path leading to the political objectives which the country aspires to achieve.

Our solution is not the proposal of a partisan organization or the expression of an ideological sector. It transcends the dilemma of adhering to rigid positions in favor of the government or the so-called opposition.

We do not want our fellow citizens to be the victims of confusion -- intentionally sought by some -- between the political model contained in the 1980 Constitution, approved by the vast majority of the people in the country, and the current action of the government, mainly in the economic field.

We are not unaware of the importance of this field and we shall speak out on it at the proper time, but we wish to make certain things clear about our future democratic life in Chile.

Looking to the future, we therefore propose a path so that, through a vigorous process of transition and citizen participation, there may be a systematic advance toward full democracy.

#### Constitutional Consensus

We call for respect for the 1980 Constitution in all that it signifies, especially with respect to the legitimacy of government for the terms specified. Failure to respect the constitution not only renders authentic democratic dialogue impossible, but it leaves the political situation of the country in a vacuum and state of uncertainty with respect to the democratic solution and the length of time needed to achieve it. Failing to recognize our current constitution means giving up an instrument of valuable and necessary democratization, which has the support and moral commitment of our armed forces.

Despite the defects and limitations it might have, like any human effort, the spirit and letter of the new constitution reflects the desire to build a free society with equal opportunity for all. That charter undeniably contains the defense of values of the individual and society that transcend the government itself, especially the defense of freedoms, which are the pillar of the Western culture to which we belong.

If, as has repeatedly been expressed, authority is subject to the constitution and if, in addition, one wishes to remain faithful to its spirit, as expressed in the president's response to the appeal of Pope John Paul II, then we believe it is possible to open up a fruitful, constructive dialogue, channeled within the constitutional framework, and that the debate will play a broad role in approval and discrepancies. In these times of crisis, it is necessary to have opinions that contain the criticisms and evaluations of administrative acts in order to have a larger number of possible solutions. Likewise, it will be necessary, in periods of transition, to facilitate citizen participation in order to achieve a complete democracy.

With the same conviction, we believe that we cannot invoke democracy in order to manifest a disagreement if, while underestimating the preceding record, we propose as the sole political objective the cessation of the regime and the government and the violation of the constitutional framework which Chile has established for itself.

This path closes debate, excludes and unnecessarily pits the armed forces against the civilian population and leads only to chaos, disorientation and, what is likely and worse, to violence and, as a result, to a step backward in the democratic transition. In recent days, the country has watched while those who have even invoked healthy intensions have been overcome by violent extremism, manipulated at home and abroad by the very same elements that destroyed Chilean democracy.

#### Steps Needed

We believe, in addition, that the 1980 Constitution imposes a series of moral and legal obligations on the government.

In fact, to the extent that the situation in the country makes it possible, we must apply most carefully the powers which the constitution gives to the Executive Branch during the transitional period having to do with constitutional guarantees. In that sense, we express our agreement with the measures taken on those in exile and await their complete application so that all those not responsible for acts of violence or not preaching violence may return home.

We also express our agreement with the government's decision to turn over to the courts of justice cases of violations of the constitution or the law, instead of applying merely administrative measures to those presumed responsible. The attacks and statements made against the government from abroad after the latter resolved to turn such persons over to the courts are excessive, irresponsible and politicized. They do nothing to change the respect held by Chileans, proud of their traditions, for the rulings of the courts. Those who now seek comfort in applause from the outside should feel in their deepest conscience a natural reaction dictated by their dignity as Chileans, and we sincerely hope that this feeling will predominate over their accidental sympathies.

We deem the opinion of authorities on the publication of books to be accurate but insufficient. We believe that the country has reached a stage in which there must be no restriction on the freedoms of expression and information.

We believe that the contemporary situation requires maximum transparency in the making of law as an essential condition of government and we are therefore pleased with the promises formulated by the president of the republic in this respect. This transparency is not only achieved by communicating the contents of a bill to the sectors presumably involved and asking their opinion, but by systematic publication of legal initiatives, channels for the reception of observations by Chileans wishing to make them and the publication of debates and reports.

We also believe that in the transitional period in which we live, it is necessary to have an entity capable of overseeing government action in a way and sense distinct from the legal or simply administrative control exercised by the Office of Comptroller General. There exists a wide range of possibilities here that the government should explore as part of the constitutional provisions governing us.

Likewise, the government must plan future Chilean political life within the main framework established by the existing constitution. The announcement made by the president that information will soon be released on the matter appears to be positive. We believe that such a study should be made with the participation of all democratic sectors and for that purpose, we suggest the broadest possible public discussion of the standards that must govern future Chilean political groups and the election law. The government should call in representative, capable persons from the various democratic groupings to participate in such studies and analyses.

In this connection, we wish to state that we want a dignified and independent democratic life that is our own. In order to have it, we believe that the law

must limit to the maximum extent the action of violence-prone extremism and totalitarianism and ensure that party statutes are absolutely clear with respect to internal financing and their financing, accompanied by serious and lasting punishment for those who use them to facilitate the intervention of foreign or international governments or organizations or conglomerates in our midst.

#### National Task

We believe that the policies and measures that we have suggested are not only possible within the letter and spirit of the 1980 Constitution, but that they are in keeping with the democratic meaning of the constitution and the methods appropriate for a period of transition.

We call on all Chileans to embark upon a democratic dialogue within the constitutional consensus that we have outlined. We can thus act realistically, moving toward the construction of the Chile we all want in a modern spirit.

We are confident that in the task of carrying out the institutional process, we can overcome the atmosphere of passion and tension that exists between democratic forces.

We call upon Chileans to join and participate in the Constitutional Front for Chilean Democracy that contains this appeal.

Along with it, we call upon the government and the men in the armed forces and security forces to work with the same determination they used in saving the country from totalitarian danger in the past in promoting the Chilean democratic process, so that everyone, civilians and military men, may forge the country's future amidst freedom.

Nicanor Allende Urrutia, Miguel Luis Amunategui Jhonson, Willy Arthur Aranguiz, Hugo Alamos Ibanez, Patricio Barros Alemparte, Victor Braun Page, Enrique Curti Canobbio, Salvador Correa Larrain, Samuel Correa Quesney, Mario Caballero, Sergio Diez Urzua, Alberto Decombe Edwards, Gabriel de La Fuente, Enrique Edwards Orrego, Carlos Jose Errazuriz Eyzaguirre, Jaime Egana Baraona, Edmundo Eluchans Malherbe, Maximiano Errazuriz Eguiguren, Sergio Gutierrez Olivos, Pedro Gonzalez Fernandez, Jorge Ivan Hubner Gallo, Bernardo Larrain Vial, Gustavo Lorca Rojas, Gustavo Loyola Vasques, Fernando Maturana Erbeta, Mario Marchant Binder, Gustavo Monckeberg Barros, Hardy Monberg Roa, Pedro Marin Alemany, Jose Manuel Matte Yanez, Sergio Nunez Ramirez, Fernando Ochagavia Valdes, Pedro Poklepovic Novillo, Ismael Pereira Lyon, Hermogenes Perez de Arce Ibieta, German Riesco Zanartu, Rodolfo Ramirez Fuenzalida, Alfonso Suarez Obiol, Abelardo Silva Davidson, Enrique Serrano Viale Rigo, Manuel Tagle Valdes, Juan Valdes Riesco, Luis Valdes Larrain, Osvaldo Vega Vega, Fernando Vargas Peralta, Julio Von Mulenbruck Lira, Raul Yrarrazaval Lecaros and Gonzalo Yuseff Sotomayor.

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CSO: 3348/624

## PROPOSAL FOR ANTARCTIC INTERNATIONALIZATION OPPOSED

Santiago EL MERCURIO in Spanish 2 Aug 83 pp A1, A12

[Text] "Chile is opposed and will remain firmly opposed to any attempt to internationalize the Antarctic and we are confident that such a thing will never occur."

This statement was made yesterday by the Foreign Ministry's adviser on ocean affairs and the Antarctic, Fernando Zegers, who returned home after participating in a meeting in Bonn held to draft a system for the working of mining resources of the continent.

According to his statements, Malaysia has proposed discussing the issue of the internationalization of the Antarctic at the next General Assembly of the United Nations.

He maintained that the advisory bodies on the Antarctic Treaty consider it absolutely improper for the United Nations to discuss the matter. "There is a treaty and an Antarctic system that has administered Antarctica for the good of mankind. It is open to the membership of all members of the United Nations and has operated perfectly," he said.

He added that the first peace zone was created there, along with the first ecological reserve zone and it has carried out the principles and intent of the UN Charter. "It is a subsystem integrated into the general international system, which perhaps functions better in many ways than the system itself. There is no reason for the topic to be debated," he said.

He then went on to say that "it seems to me to be an absurd topic. The Antarctic belongs to no one. There has been human activity there for over a century, such as that carried out by our country."

Zegers said that the territory is not like the ocean floor or outer space, since it has its own legal system.

He indicated that the terms of the presentation of Malaysia are not yet quite clear, but he maintained that he thinks that it may be due to the fact that that nation seeks greater participation in the United Nations.

"The Antarctic does not belong to mankind, in the sense given to that term. It is within the Antarctic Treaty that protects claims of sovereignty such as that of Chile. Our sovereign claim is protected by it in its Article 4," he said.

Zegers explained that the treaty has no expiration date and that in 1991, after 30 years of being in effect, its modification may be sought by members.

#### Mining Resources

Concerning the meeting in Bonn, he said that a similar assembly will be held in Washington in January.

"It is a slow and difficult process," he said in reference to the drafting of the system that would establish working of mining resources in the area.

Regarding the Chilean position, he said that ecological protection and protection of the country's sovereign rights are very important.

"In addition, the protection and caution of the Antarctic Treaty are important because Chile is one of its members, with a veto right over all the Antarctic. It is an Antarctic power recognized by the treaty," Zegers said.

The Foreign Ministry adviser said that it is believed that there is oil in the Antarctic's continental shelf, along with all kinds of hard minerals.

"Their working and exploitation," he said, "are very difficult because of the special conditions existing on the continent. In drafting a system, we are trying to outline one that would make development possible if it ever is, technologically speaking. It will require great progress and much time, as well as economic means."

Zegers explained that the matter of the working of mining resources began to be discussed last year in New Zealand.

"Initially, Chile thought it would sponsor an ecological reserve -- that is, the Antarctic would be devoted solely to ecological purposes, but there was great world pressure due to the oil crisis and more pressure because of live resources in the Antarctic. We then worked out a convention on live resources and now, the advisory parties to the treaty are considering a system for mining resources," he said.

He stressed that for our country, it is indispensable for such a system to have strong ecological protection, as well as protection of related ecologies such as that of the Chilean mainland located 500 miles from the icy continent.

Zegers admitted that there are difficulties in consolidating the interests of the parties involved, either because of differences in development or policies.

He also stated that "there has to be negotiation between those who assert sovereignty and those who either recognize or refuse to recognize it."



## EXPORT VOLUME INCREASES ; VALUE DECREASES

Santiago LA NACION in Spanish 9 Aug 83. p 19

[Text] Compared with the first half of 1982, Chile's volume of exports increased 4 percent during the first 6 months of this year, according to the most recent information released by the Central Bank.

However, according to the figures, export shipments declined .8 percent in value during the period compared with the previous year, due to the international recession.

Shipments abroad between January and June of this year totaled \$1,955,800,000, while the total for the same months of 1982 was \$1,971,600,000. It was reported that the drop was exclusively due to the fact that average prices for exported products dropped 4.6 percent, while the actual physical volume went up 4 percent.

The Central Bank stated that the value of exports of mining products increased 1.7 percent, while that of agricultural and ocean products dropped 10.1 percent. The value of industrial products dropped 1.2 percent.

It was stated that the decline observed in the value of farm exports and in ocean and industrial exports is exclusively due to the drop in prices, since physical volumes increased.

The price index for agricultural and ocean exports showed a drop of 17.2 percent during the first half of the year compared with the same period of the previous year, while the index of volumes rose 8.6 percent during the same periods.

For its part, the industrial export index showed a drop of 11.2 percent, while the volume index rose 11.3 percent between the first half of 1983 and 1982.

Among the export products showing significant growth in physical volumes are beans, grapes, plums, nectarines, dried alfalfa and alfalfa in pellet form, vegetable seed, honey, algae, Japan globeflower, tomato paste, prawns, shrimp and frozen maian, bulk wine, lumber, newsprint, cellulose, sodium sulfate and polyethylene.

Variations in Values, Prices and Volumes Exported (first half of 1983 compared with first half of 1982; figures in percentages)

<u>Product</u>	<u>Value</u>	<u>Price</u>	<u>Volume</u>
Mining products	1.7	1.2	0.44
Agricultural and ocean products	-10.1	-17.2	8.6
Industrial products	- 1.2	-11.2	11.3
Total	- 0.8	- 4.6	4.0

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CSO: 3348/623

ARMY CONDUCTS WAR GAMES IN CUNDINAMARCA

Bogota EL TIEMPO in Spanish 25 Jul 83 p 10-D

[Article by special correspondent German Acero Espinosa]

[Text] La Mesa, Cundinamarca--We visited the war camp.

It is located in the midst of three mountains where the wind blows like a 50-millimeter machinegun burst.

Within an area with a radius of 60 meters everything had been sown with mines. Access to the site was difficult and mountainous.

There, in the foothills leading to these three peaks, 2,000 men were occupying strategic positions.

Seemingly, only soldiers wearing camouflaged uniforms were guarding the encampment. Unquestionably, we felt as if we were in a war camp.

Behind some cautious individuals who came into view as shadows were the men of the cavalry armed with G-3 rifles.

Everything had been laid out strategically to demonstrate, without fanfare, that Colombia now has one of Latin America's most modern tactical establishments in South America.

Cascavel tanks and Urutu armored vehicles were criss-crossing the mountain that cold morning of 22 July when a new milestone of the cavalry was passed.

The vehicles, which appeared suddenly like a rifle shot, were transporting soldiers from one side to the other and, at each moment, the action intensified in that inhospitable mountain region.

A wooden platform had been built on one of the mountain tops where officials, including the secretary of the Defense Ministry, Gen Miguel Vega Uribe, were positioned.

His impeccable mutti stood out. Elsewhere stood officers wearing camouflage and, farther back, military personnel who had been invited to watch the war games.

To penetrate the area it was advisable to secure a guide because, as like as not, one could find oneself in a minefield from one second to the next. There were warning signs which read: "Operational zone, restricted."

"This is a technical-tactical demonstration of the cavalry," Major Alba, a proficient officer of the 13th Army Brigade, reminded me.

Several newsmen, most of them military correspondents of the most important dailies and television stations of Bogota, were present in that war zone.

## War

The sound of walkie-talkies interrupted the silence, which had descended on military and civilian personnel, at 1054 hours in the morning.

The strains of a military march could be heard in the distance. Everybody became hushed. An officer, the commander of the operation, ordered that the tactical demonstration get started.

In the closeness of one of the mountains a siren began to sound announcing that the war games had started. A Cascavel tank and an Urutu armored car stood on a small plateau.

The people became silent. The roar of the military equipment drowned out the whispers of the generals and other ranks.

The sky became cloudy and a persistent wind began to blow hard on the faces of those watching the imposing war spectacle.

A thundering burst like the roar of a violent earthquake was heard throughout the area.

The Cascavel tank did not even move. But there, on the side of one of the mountains, a gaping hole appeared.

The large EC-90 gun of the Cascavel tank had fired a round and the hole appeared within a few seconds.

Its shot was electronically detonated. It fired after turning some 360 degrees and the shell found its mark at over 3,000 meters.

Other rounds followed immediately accompanied by bursts of a coaxial 7.62-millimeter machinegun.

The sky lit up. More and more Cascavel tanks appeared, disclosing the power of their machineguns.

Later, the Urutu Brazilian-made armored cars joined in.

Their enormous wheels made of nylon threads and a steel ring chewed up the mountainside in their attack.

Right away other war machines appeared on both sides of the mountain. The two armies were well matched. There was no break in communications between one platoon and another.

Gigantic smoke clouds enveloped the area and in a few minutes some enormous gaping holes in spots which had served as targets for the Cascavel tanks opened in the sides of those three mountains.

All the Cascavels launched into a spirited attack. In the meantime in zone No 1, 11 soldiers were arming the "Green Hornet," one of the vehicles.

The supplies had not arrived and it was essential to arm this vehicle. In barely 9 minutes the soldiers climbed on the chassis and assembled its engine and body. The small vehicle then took off speedily, directed by remote control.

The coaxial machineguns and antiaircraft guns continued to chatter when the Urutu vehicles appeared in the immensity of the mountains carrying reinforcements.

This armored car, which is also amphibious, penetrated the peaks and hit its targets. Another tank support squadron then appeared in the southwest.

The attack against the enemy became strong when more than 11 tanks, firing their powerful electronically-controlled machineguns, proceeded to complete the former's neutralization.

The bursts were louder in the isolated war camp.

Some types of demonstrations were held there--for instance, a troop transport truck, facing one of the many flukes of nature, had to cross an improvised bridge made of two large wooden planks.

Furthermore, four soldiers lifted the chassis of a Jeep to change the tire which had been punctured. The soldiers were outstanding in their technical demonstrations of mechanics and improvised bridges. One more war duty.

All of this turned out to be a success thanks to the reconnaissance missions undertaken initially over the mountain area to discover the enemy's layout.

The three squadrons completed their missions on the slopes of Mondonedo mountain with tactical cavalry units which now handle the new mechanized equipment purchased in Brazil.

Because, according to the dictates of the strategy of modern warfare, combat tanks and armored cars are a secondary element compared with the advance in antitank weaponry.

"For this reason our army considered the acquisition of armored cars under the equipment renovation plan," one of the officers watching the war games noted.

The Cascavel and Urutu vehicles were acquired for the cavalry taking into account the fact that long-range, rapid firing antitank guns accompanied by surface-to-surface missiles can dominate ground combat, another military spokesman explained.

This type of weapon makes it possible to fire at stationary or moving targets, facilitating in this manner the destruction of any type of armor as long as these remain within their effective range, he observed.

The spokesman added that this has implied new responsibilities for the cavalry as regards their preparedness and training, in such a way that even though they may be in a position of inferiority compared to the possible aggressors, "we have to make an effort to carry out successfully our assigned mission as armored units of our army."

The Cascavel EG-9 of Brazilian manufacture is a light, wheeled vehicle designed for reconnaissance and combat duties. It is entirely protected by armor and can combine maximum firepower with antimissile capabilities.

The EE-11 Urutu reconnaissance and personnel transport vehicle, also of Brazilian make, is a very light, wheeled vehicle. It is also amphibious and is entirely protected by armor, with excellent land and water performance characteristics. It fords lakes and rivers with ease and carries 13 men. It is used for reconnaissance missions calling for speed and silence.

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CSO: 3348/612

RODRIGUEZ REPORT TO L.A. ECONOMISTS MEETING PUBLISHED

Havana PRISMA LATINOAMERICANO in Spanish Jul 83 pp 22-23

[Article by Roberto Molina: "A Scientific Definition"]

[Text] On the eve of his 70th birthday, Carlos Rafael Rodriguez, a doctor in economic sciences and eminent Cuban political figure since the 1930's, went to Bogota, Colombia, to participate in a meeting of prominent Latin Americans in the field of economics.

His contribution to that conclave convoked by ECLA was entitled "The international economic crisis and the response capability of Latin America." It is a valuable, deeply analytical document concerning the evils that afflict the subcontinent and the possibilities of proceeding toward a solution with a serious joint effort free of prejudice.

His in-depth mastery of economics and other fields of knowledge were honored again recently by the Universidad de La Habana. On the occasion of his birthday, it bestowed on him the title Professor of Merit, the most important award of that advanced education center.

PRISMA avails itself of the happy coincidence of Carlos Rafael Rodriguez' appearance in Colombia and his birthday to offer passages from that important socioeconomic analysis of Latin America.

In his analysis of the document presented by the organizers of the meeting, Carlos Rafael Rodriguez began by considering the true basic cause of the external factors that affect the critical internal situation of Latin American economies.

"I am referring to the structure of foreign relations. I am not revealing anything to you or SELA and ECLA. We all know this, but it is necessary to state it more clearly. This structure is unjust. It is irrational if the global interests of mankind are taken into account and it is unacceptable to the developing countries.

"A little while ago, Fidel Castro collected all the facts that verify that inequality in a book. They show how the international capitalist crisis--which undeniably has repercussions on the socialist countries but with different consequences--aggravates this inequality.

"The Brandt Commission has also confirmed this diagnosis with new elements. Although it is not as in depth as Fidel Castro who starts from the positions and interests of the Third World countries, it still has important concomitances. Even the World Bank quietly presents analyses now that would have seemed radical 10 years ago.

"The measures that must be taken in Latin America to end the present situation and go toward development objectives--which would be distant and difficult even if all these transformations were realized and we discovered the way to salvation--would demand great effort from the Latin American workers and peasants. They will only be willing to make these efforts to the degree that what is demanded from them does not serve to continue their situation of poverty and the enrichment of wealthy minorities. As statistical data tell us, only 15 percent of the population receives 60 and up to 80 percent of the income in many countries in the area.

"I am willing to accept the debt problem on which we are asked to focus our attention as an emergency problem. However, if we resolved the debt of our countries tomorrow, the next day we would be in the same position and the day after tomorrow we would be in even worse economic condition than now unless we concurrently solve that problem of internal structure."

#### Basic Problem

"I know that I am referring to the basic problem of class struggle and I am speaking of situations that, in some cases, would require a revolution to change them. However, what I am asking for is not a revolutionary pronouncement but a scientific definition from economists. Our debt is directly tied to that unequal income structure. The transnationalization of our economies is directly tied to it and has aggravated it. In my opinion, that must be pointed out in every analysis of the Latin American economy.

"...I would like to state the opinion that we must not study and try to resolve the problems of Latin America without including the necessary unity and commonality of combat among all the countries of the underdeveloped world. This is a battle. Armies that have common objectives cannot act separately, much less contradictorily. These contradictions do exist objectively. At times in our own area, the interests of Latin America and those of the English-speaking and French-speaking Caribbean conflict in their relations with the EEC...."

"I also feel that the negative effect that transnationalization has had on the economies of the majority of Latin American countries is not sufficiently noted. When the multinationals are mentioned in the document, they not only receive tolerant treatment but they are--in my opinion, erroneously--expected to contribute positively to the solution of our present and future problems.

"The growing presence of multinationals in this region coincides with the structural immobility that we have mentioned and aggravates it...."

"I do not agree with the benevolent interpretation of the report concerning the role the multinational enterprises play in Latin America. I especially do



not share the hope placed there concerning the possibility of using these enterprises to achieve the objectives we propose.

"Facing the undesirable transnationalization, I propose indispensable nationalization.

"...I do not believe that the new international economic order to which we aspire will be achieved with invocations and certainly not with pleas....I repeat that the debts are both a weakness and a strength for Latin America.... Let us recall that there are powerful countries that could not exist without many of our raw materials. Let us recall that our market of almost 350 million --if the necessary purchasing power is given to those who do not have it today --will become one of the most beneficial sources of a fluid, stable foreign trade...."

"If we underdeveloped countries in the Group of 77 and the Movement of Non-aligned Countries agree on our action, it will be necessary to listen to us.... We have a lot to offer in exchange for what we demand...."

"We all know that the present situation cannot prevail. However, history has taught us that if the weak do not unite, political and economic dependence usually last longer than seems possible. Historical situations do not resolve themselves; only action helps resolve them. The document refers to the elimination of 'critical poverty.' However, in addition to that 'critical poverty' which implies constant hunger, disease and illiteracy for many, there is widespread poverty in our countries from which only limited sectors of the workers have been liberated...."

"That is why I propose that our conclusions include democratic structural changes and the progressive improvement of the income levels of the working population not only as objectives to be achieved but also as prerequisites for the viable development of Latin American economies.

"...Development does not spring from malnutrition and ignorance...."

"As to equity, we have already mentioned that we not only agree with what is stated in the document concerning the possibility of almost all the Latin American countries of eliminating critical poverty but I maintain that we must assume as a principle that, at this time in the world, every form of poverty must be considered critical.

"I am not pessimistic but neither can I be idealistic. What we will propose, if we boldly lengthen the guidelines of the document, will be a plan of action with realistic outlines. It will not entail radicalism that seems unattainable to some but will assume necessary changes. This is, then, a document addressed to the governments but its repercussions will go further and will be aimed more directly at the peoples...."

"The program that we are shaping also assumes growing collaboration among the Latin American and Caribbean states and governments. Nothing we agree on will make it impossible for Latin American leaders with different ideological

positions to meet around the same table. The joint work will surely contribute to eliminate tension and achieve the necessary regional and continental peace."

Carlos Rafael Rodriguez ended: "Although I am here as an individual, I can state with confidence that if my country is asked for a similar pledge without renouncing its convictions that consider socialism a necessary aspiration for the peoples, Cuba will contribute to what must be a common undertaking of our America in these days of Bolivar-like significance."

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CSO: 3248/1200

## PELEGRIN TORRAS DISCUSSES LAW OF SEA CONVENTION

Havana PRISMA LATINOAMERICANO in Spanish Jul 83 pp 61-62

[Interview with Dr Pelegrin Torras, vice minister of foreign relations, by Mercedes Ramos; date and place not specified: "Toward a New Order"]

[Text] After 9 years of negotiations, the Third UN Law of the Sea Conference reached an agreement in 1982. The two previous meetings ended without any result due to obstacles set up by the United States and some Western European industrialized capitalist countries.

The interest of the international community to have clear and precise regulations concerning use of the oceans and the mineral wealth of the marine sub-soil overcame those obstacles and a Law of the Sea Convention was written. This constitutes one of the most important actions carried out by the UN Assembly in the postwar period.

The document approved at the end of 1982 contains 320 articles and 8 annexes. They regulate the use, exploration and exploitation of the wealth of the ocean beds. The Law of the Sea Convention became a unique accomplishment in UN history with the favorable vote of 119 delegations on its first day.

Due to the singular importance of the approval of the Law of the Sea Convention, PRISMA interviewed Dr Pelegrin Torras, Cuban vice minister of foreign relations, who has led the Cuban delegation to those negotiations for the past 9 years. He is also a distinguished specialist in research on colonialism, neocolonialism and underdevelopment.

PRISMA: What importance do you attribute to approval of the Law of the Sea Convention?

Pelegrin Torras: The fact that the Law of the Sea Convention was signed by 119 countries the same day it was opened for signatures is unprecedented for international agreements. However, this convention is considered the most important one after the constitution of the United Nations.

For developing countries, the most important political aspect is the international system established for exploitation of the ocean beds because it could mean the first victory won by the nations of the so-called Third World toward a new international economic order.

Atty Lewis Ratiner, the main U.S. negotiator at the final session on the convention--with Reagan already in power--criticized that administration's opposition to the convention. He said that its position is condemned to failure because the convention will be signed anyway and also because it is a step toward the new international economic order.

Reagan was angry since a representative of the U.S. delegation itself, realistically protecting the long-term interests of the multinationals, criticized his position on the Law of the Sea. After this, Reagan announced that his government will not help finance the establishment of the Preparatory Committee. This is a new facet of U.S. isolation within these complex negotiations.

PRISMA: How would you qualify the results of the Jamaica meeting to constitute the Preparatory Committee for the International Authority and the International Tribunal?

Pelegrin Torras: The Jamaica meeting was the initial meeting of the Preparatory Committee. Although it did not achieve as much as expected, it was very interesting because it demonstrated the awareness with which the Group of 77 has acted.

In the beginning, many countries thought that the chairman who could guarantee the success of the Preparatory Committee was Ambassador Tommy T. Koh. He had presided over the conference and was able to bring it to a conclusion when no one believed it would ever end.

The work done by Koh during the last 8-week session gave him authority at the conference since all that time he led the debates under tremendous pressure from the United States and the Western powers.

However, he did not aspire to the chairmanship of the committee, attributing his position to family reasons. However, it was later learned that this was not really the problem. He represents a country which is very subordinate to the United States. Now there are serious indications that Singapore did not permit him to aspire to the chairmanship of the Preparatory Committee.

After several days of negotiations, Julie Manning, Tanzanian minister of justice, was elected chairman of that committee.

It is also necessary to state that although the Preparatory Committee was not established at that meeting, the basic principles on which it will be structured were established. Therefore, we give great importance to the meeting because it should help so that fishing powers like France and Japan, which already signed, and the FRG and the United Kingdom would adhere to the convention. That would leave the United States isolated.

PRISMA: What is your opinion of the U.S. position to arbitrarily apply an exclusive exploitation zone of 200 marine miles?

Pelegrin Torras: That U.S. measure reveals the intention to exploit the aspects of the Law of the Sea Convention that benefit it while it rejects it as a whole due to the establishment of the international system for the ocean beds.

That position was denounced by the Group of 77 and the Soviet Union at the meeting that just ended in Jamaica. Both statements emphasized that the convention cannot be partially used because it is necessary to accept it as a whole. It is not possible to respect the parts of it that suit each country.

PRISMA: What prospects does the separate agreement that the United States sponsors have with other developed capitalist countries?

Pelegrin Torras: The prospects of what has been called the "minitreaty" are very problematic.

After a Preparatory Committee is constituted, one of its prerogatives will be to assign the areas of exploitation of the ocean beds to the states or companies that apply for them. This will mean that any agreement outside of the convention will be illegal. Therefore, those who participate in a "minitreaty" will have difficulty obtaining the credits they need from the banks.

This is not just my opinion. It is the opinion of Ambassador Elliot Richardson, the head of the U.S. delegation before the Reagan government, and it is also the opinion of Atty Lewis Ratiner.

He clearly warned that the U.S. position can mean that its enterprises will be the only ones that cannot exploit the ocean beds.

Both Richardson and Ratiner appeared before the Foreign Relations Committee of the U.S. House of Representatives. They both stated that they felt that the position of not signing the Law of the Sea Convention was harmful to national interests.

In other words, the prospects of a "minitreaty" are very weak, very fragile. Once the Preparatory Committee is constituted, it will have the prerogative of assigning the area of primary activities.

It is necessary to recall that the United States worked very tenaciously so that its companies--which have made large investments in the ocean beds--could be guaranteed the exploitation. It presented a bill, the second resolution, which was approved by the convention at the final session. This concerned preparatory investments in primary activities related to polymetallic nodules.

Those prior investors can only carry out exploration activities authorized by the Preparatory Committee because exploitation must be approved by the International Authority that will be formed when a minimum of 60 countries ratifies the convention.

When the Preparatory Committee assigns those zones to signatory countries or companies, other enterprises or nations that have not signed the convention cannot work those areas.

The United States will be isolated.

PRISMA: What significance does the convention have for Cuba?

Pelegrin Torras: There are some regulations in the convention that are not in our interest but are in the interest of the majority of the developing countries. Since we practice an internationalist policy, we support that. For example, the economic zone of 200 miles does not benefit us because our fishing is basically expeditionary. We do not have 200 maritime miles anywhere. However, we support it because it is a triumph for the majority of the developing countries.

Another matter that interests us is that when the exploitation of the ocean beds begins--planned for 1988--the metals that will be extracted include nickel and cobalt which are produced in Cuba. It can lead to situations of excessive supply and, by extension, affect their prices. However, since the convention establishes a formula that limits the exploitation of the ocean beds--in the case of nickel, at a level of 60 percent of the growth of world consumption of that mineral--that situation can be avoided.

PRISMA: What importance does the convention going into effect have in general?

Pelegrin Torras: The convention means a legal system for all aspects of the use of the seas and the exploitation of the ocean beds. In other words, it will be difficult to have situations like when Peru and Ecuador declared the 200 miles and had conflicts with U.S. tuna fishermen who entered their zones or problems like the downing of Libyan airplanes by the United States in the Gulf of Sidra. All those incidents can occur but are less likely to because anyone who does this will be breaking international law.

Secondly, the convention means the establishment of new international economic relations in such an important area as the wealth of the ocean beds.

There are trillions of polymetallic nodules in the beds that contain manganese, copper, nickel and cobalt. The fact that there is an International Authority, made up by all the signatory countries of the convention, which will authorize the exploitation of the ocean beds represents a new situation. That is the basic reason for the United States' tenacious opposition to signing the convention.

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CSO: 3248/1200

## FOREIGN TRADE MINISTER CABRISAS ON BELGRADE UNCTAD CONFERENCE

Havana BOHEMIA in Spanish 22 Jul 83, No 29, pp 73-74

[Interview with Ricardo Cabrisas Ruiz, Cuban minister of foreign trade, by Jose Bodes Gomez, PRENSA LATINA correspondent; date and place not specified: "Belgrade Meeting"]

[Text] The Sixth UNCTAD Conference was held in Belgrade, a month of intensive and difficult negotiations with delegations from about 150 countries participating. To summarize the main aspects of the debates and analyse its results, we present the readers of BOHEMIA the following interview with the minister of foreign trade and head of the Cuban delegation, Ricardo Cabrisas Ruiz.

Question: Were the objectives for the Sixth UNCTAD that were agreed on by the Group of 77 (underdeveloped countries) very ambitious?

Answer: I don't think that the objectives for the Sixth UNCTAD that were agreed on by the Group of 77 at the ministerial meeting held in Buenos Aires last April were very ambitious. On the contrary, I think it was a realistic and balanced proposal that considered not only the interests of the developing countries but also the economic recovery of the developed capitalist countries.

In addition, the set of proposals called the "Buenos Aires Platform" was preceded by a document that the Group of 77 itself called "Message from Buenos Aires for dialogue and debate." It stated that the Group of 77 would come to the Sixth UNCTAD with a spirit of understanding and cooperation.

Question: Did the developed capitalist countries have enough time to prepare an answer to those objectives?

Answer: The developed capitalist countries had all the time they needed to prepare their response to the "Buenos Aires Platform." The ministerial meeting of the Group of 77 ended on 10 April 1983 and the documents that came out of it became public knowledge that day. I must also point out that those documents were delivered to the embassies of the countries represented in Buenos Aires. Later the Argentine minister of foreign relations officially presented the "Buenos Aires Platform" at the 12th extraordinary session of the Trade and Development Council held in Geneva at the end of April. A meeting of the OECD ministers was held in May. Its objectives included preparing the

positions of the developed capitalist countries for the Sixth UNCTAD. The Williamsburg Summit was held on 30 May. It also analyzed the position that those countries would take at the Sixth UNCTAD.

It is interesting to point out that in their speeches to the plenary session of the Sixth UNCTAD, the majority of the ministers of those countries recognized the importance of the proposals and agreements adopted by the developing countries at the Seventh Summit of the Nonaligned Countries held in New Delhi as well as at the Buenos Aires meeting of the Group of 77 and the usefulness of having those proposals well before the beginning of the conference. This, of course, is the first time that this has happened since, in previous UNCTAD meetings, the proposals have been presented during the course of the conference.

Question: Were there differences within the "B" group (developed capitalist countries), intransigent positions and other more flexible positions?

Answer: I think so. In the first place, it should be pointed out that the most intransigent position was held by the U.S. delegation, both in the speech the head of the delegation gave at the plenary session as well as during the negotiations in the different committees and work groups. In the second place, it became evident that some major countries in the "B" group did not entirely share the U.S. position: for example, the Nordic countries, Greece, Turkey, Spain, France and some EEC countries.

Differences of opinion showed up mainly in the speeches in the plenary session. Negotiations are carried out through regional groups and the United States managed to impose the majority of its positions on the "B" group. Only at the end of the conference, facing the obvious failure of the negotiations and the reaction of the Group of 77, did some developed capitalist countries take a different position than the United States. They tried to get closer to the interests of the developing countries.

Question: At some point, did the United States hold an isolated position in the debates?

Answer: Yes, but I would say that this was especially true at the end of the conference. What happened is the best example of the isolation of the U.S. position in international economic negotiations. It suffices to point out that, in addition to having made reservations about several resolutions, the United States voted against four resolutions and one paragraph in another resolution but they were all approved by a broad majority. In the case of the resolution on Namibia, the only vote against it was the U.S. vote and in the resolution on the Palestinian people, only Israel voted with it.

The bill on compensatory financing of deficits in export revenue from basic products was approved with 90 votes in favor, only one against (the United States) and one abstention. I think the results of those votes and the number of reservations made by the U.S. delegation to the rest of the resolutions approved constitute the best example of this country's isolation and its position against the interests of the underdeveloped countries and international cooperation.



Question: What was the position of the "D" group (European socialist countries) with respect to the Buenos Aires Platform?

Answer: The position of the "D" group was very positive. This was demonstrated in the fact that they accepted the documents of the Group of 77 as the basic documents for all the negotiations. The "D" group presented some documents explaining their positions or making suggestions for the proposals presented by the Group of 77. However, it never presented alternative texts like the "B" group did.

I think it is important to point out that on 22 June when the conference was ending in a failure and the Group of 77 made a statement at the plenary session establishing its position and denouncing those responsible for the stagnant negotiations, it pointed out clearly that this situation was due to the position taken by the "B" group. This evaluation corresponded to an examination of the positions taken by the different groups which showed that the "D" group (socialist countries) and China supported the majority of the presentations made by the developing countries.

Question: Do you feel that the preparatory work for the conference done by the UNCTAD secretariat was positive?

Answer: We feel the preparatory work done by the UNCTAD secretariat as well as the work done during the conference were positive.

Question: How did the Sixth UNCTAD focus on the serious problem of the foreign debt of the underdeveloped countries?

Answer: I don't think you can say how the conference focused on this problem since there were two diametrically opposed focuses: that of the Group of 77 and that of the developed capitalist countries.

The latter, especially the United States, defended the opinion that the problem of the debt had to be handled within the IMF and the World Bank. Using that point of view, they refused to accept the proposals of the Group of 77 which, in their opinion, exceeded the jurisdiction of UNCTAD and constituted interference in the above mentioned international institutions. The resolution finally approved is a weak text that essentially ratifies the decisions already adopted in UNCTAD and does not include the in-depth solution that this problem requires.

Question: Are there any real prospects that a common fund for basic products will go into operation next year?

Answer: I think so. I believe the majority of the countries want that. However, there is an element of great concern; it is necessary to return here to the U.S. position. That country has clearly indicated that it does not favor the existence of new international agreements on basic products and it will not ratify the common fund until there is what it calls a "guarantee" that the fund will really be used.

Question: What was the position of the Group of 77 toward U.S. economic aggression against Nicaragua?

Answer: This was one of the most interesting aspects of the conference. The Group of 77 presented a bill against coercive economic measures. Nicaragua made the original proposal and everyone knew that this bill was inspired by the measures the U.S. Government adopted recently against Nicaragua--that is, suspension of the Nicaraguan sugar quota. The spokesman for the Group of 77 verified this when he presented the resolution.

This resolution was approved by a broad majority. Naturally, the United States and other developed capitalist countries voted against it. At the end of the vote, according to UN regulations, the delegations have the opportunity to explain their vote. This is generally done by those who voted negatively or abstained. In this case, however, several of us progressive countries explained our favorable votes and expressed our reasons for supporting that bill. Those who spoke included Suriname, Mexico, Cuba and Burundi.

All these speeches denounced the coercive economic measures adopted by the United States against Nicaragua, Cuba, Grenada, Suriname and other countries. Therefore, it was another expression of the isolation of the positions of the present U.S. administration and the repudiation these positions provoke.

Question: How did the debates on the protectionist barriers that hinder the trade of the developing countries go?

Answer: There were two diametrically opposed focuses on the problems of trade and development: that of the developing countries that demanded elimination of the protectionist measures, revision of discriminatory policies and measures and improved access by their products to the markets of the developed countries; and the position of the United States and some other capitalist countries that defended the thesis that the so-called economic recovery begun in the U.S. economy was alone responsible for resolving the problems of protectionism. Therefore, they demanded that the developing countries adopt measures to facilitate greater trade liberalization and stimulate foreign investment in order to aid recovery in the large capitalist countries. According to them, this, in turn, will solve the problems that the underdeveloped countries face.

Question: What conclusions were reached on questions related to so-called East-West and East-South trade?

Answer: In spite of the fact that there was progress in relations between the developing countries and the socialist countries, there were no results due to the fact that the position adopted by the "B" group was refusal to discuss the problems of their trade relations with the socialist countries in UNCTAD. It was finally decided to pass the bill on to the Trade and Development Council where it will continue to be studied.

Question: Did the Sixth UNCTAD provide any important result for the underdeveloped countries?

Answer: I think its most important result does not lie in the resolutions approved since these, in reality, do not have any great significance. Rather, they ratify positions and accomplishments of the UNCTAD meetings in Nairobi and Manila.

The most important result lies in the evaluation that the Group of 77 made at the end of the conference and its spokesman's statement at the closing session. This revealed the seriousness with which it faced that failure and the dignity with which the group refused to be accomplices to rigged results which were not in the interest of the underdeveloped countries.

Finally, I would say that the most important result is the evidence that there is no other alternative at this time than what was expressed at the Seventh Summit of the Nonaligned Countries by comrade Fidel Castro: to fight for our economic demands.

Question: Were there attempts to divide the Group of 77?

Answer: Yes, there were. However, I think that, despite the lack of results of the Sixth UNCTAD, one of the most positive aspects for the developing countries was that the Group of 77 acted with great unity at every moment.

Question: What possibilities are there of continuing the debates that were inconclusive at the Sixth UNCTAD in other forums?

Answer: This is not only possible but is the decision of the Group of 77: to continue fighting to advance the proposals of the "Buenos Aires Platform" at the Trade and Development Council, the General Assembly and all the organizations in the UN system.

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## ASI QUESTIONS ARTICLES ON RIGHT TO STRIKE, PROFIT SHARING

San Salvador EL DIARIO DE HOY in Spanish 10 Aug 83 pp 5, 38

[Text] In a country like ours, which is attempting to emerge from the greatest crisis in its history, and in which we are all obliged not to repeat the errors of the past, we must combine efforts in mutual respect and settle our conflicts by the most appropriate ways and means, says the Salvadoran Association of Industrialists, (ASI).

The strike, he adds, which is the last step in solving a collective conflict, is the least advisable solution to conflicts, since the effects of strikes do not always leave the best memories of what could be a fair labor claim.

Why then not better strengthen other institutions of labor law, the ASI proposes, like conciliation and arbitration, which are the most competent and qualified means for the solution of a conflict.

ASI agrees with the words of the recognized authority in natural law, Dr Guillermo Cabanellas, who wisely maintained that only concerted action between manager or contractor and worker can create the solid foundations of a recovery process in a country victimized by a rotten war like ours.

This is what the ASI told the Constituent Assembly when it questioned specifically Article 49 of the proposed constitution. It also questions Article 47.

#### Right to Strike or Work Stoppage

Article 49 of the proposed constitution reads as follows:

"Workers have the right to strike and employers to work stoppage without previous notice. But the effects of same shall be retro-active back to the moment the strike or work stoppage began. The law shall regulate these rights as to their terms and exercise or practice."

The drafting of this provision of law powerfully draws the attention of the ASI, inasmuch as at the present time it is a procedural matter in outstanding legislation. Apparently the provision confirms the procedure established in the Labor Code that the outbreak of a strike shall always

be subject to an a posteriori assessment for declaring its legality or illegality, which is nothing novel, for this is what occurs at present.

What worries the ASI is the explanation that the drafting commission gives of the proposal in its statement of grounds upon declaring: "That from now on the strike, if the proposal is approved, will not exact previous requirements independent of the will of the workers, since such requirements in the past have determined that strikes have almost always been illegal."

The ASI says that nobody questions the right of workers to strike as a procedural means of solving their labor conflicts of a collective nature. The ASI, however, wishes to point out that this addresses a constitutional right that the secondary law must regulate methodically and carefully. ASI does not mean to suggest that this should be restricted or limited; but rather that it should be regulated since no right can be exercised in a state of law in an unrestricted way.

#### Profit-Sharing in Utilities

According to the preliminary draft, Article 47, on profit-sharing by workers in the utilities of the companies, reads as follows:

"It is recognized that profit-sharing by workers in utilities of the company contributes to harmony between capital and labor and to the achievement of social justice."

Concerning this matter, the ASI believes that the positive legislation of other countries, the doctrine of specialists in this discipline and experiences gathered so far must be the elements that constitute the adequate comparative framework for judging how complex the use of this system has been in practice, a system requiring the establishment and analysis of a group of prior factors and conditions.

Because of the foregoing, the ASI deems it very objectionable for a thesis subject to so many variables to be raised to the rank of a constitutional precept.

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## DEPUTIES URGED TO HEED CRITICISM OF PROPOSED CONSTITUTION

San Salvador EL MUNDO in Spanish 8 Aug 83 p 13

[Text] Dr Jose Maria Mendez held a press conference in which he explained superficially the meaning of a political constitution, stressing the importance and significance of a basic code. He also asked the representatives of the Constituent Assembly to lend an ear to criticism and not to approve the proposed constitution until after making an in-depth survey of public opinion. "If this is not done, and if the proposed constitution is approved quickly, since it has now been approved by the political factions, we run the risk of promulgating a constitution riddled with errors which could create serious problems in our social, political and legal life."

The worthy professional made some observations about the first article, and said that he would limit himself to 2 general issues: human rights and form of government.

With regard to human rights, Dr Mendez explained that recently he had been in Costa Rica at a seminar held in San Jose and that the event was sponsored by the Inter-American Institute of Human Rights.

Dr Mendez stated that in light of the analysis that great jurists had made and of which he had become informed and of the far-reaching implications of human rights, these must be protected not only by international treaties, but they also must be incorporated into the constitution and mainly into criminal laws and procedures, so that they will not be instruments for the violation of human rights carried out by the legal process.

He made it clear that the decision had been made at the seminar he attended to study such rights not only from the point of view of legal texts, which often have a lyrical content and are no more than theoretical discourses, but that they were to be analyzed from the practical standpoint, in order to be able to understand what reality is, which is used in a fixed social environment, independent of prevailing laws.

Regarding the specific subject of human rights, Dr Jose Maria Mendez continued, in Article 3 of the proposed political constitution there was an omission concerning political rights relating to sex, for which there would have to be a complementary provision saying that women enjoy full political rights.

Regarding Article 5 of the proposed constitution, which deals with the freedom to enter, remain, and leave the territory, he said that this right should in any case not be restricted, as it is being now by virtue of Article 28, again of the proposed constitution.

Reference was also made to the functioning of paramilitary associations and said that the respective article was not clear in its purposes or objectives. He also criticized vague expressions, like that in Article 9 of the proposed constitution which speaks of other cases determined by law. Such terminology lends itself to many abuses. Similarly, he criticized the use in Article 12 of the term "accused" instead of "imputed" or "attributed to."

Furthermore, Dr Mendez referred to the theme of human rights very objectively within a rigorously logical framework. As for the form of government to be adopted, he explained that the Legislative Power had assumed functions it had no business exercising and this had distorted the function of the Executive Power; that it had reduced the authority of the Judicial Power and had subjected it more to political influence.

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DRAFT LAW ON PATRIOTIC MILITARY SERVICE PUBLISHED

Managua BARRICADA in Spanish 10 Aug 83 pp 8-9

[Text] Draft Law on Patriotic Military Service

Junta of the Government of National Reconstruction

Whereas:

I. The duty and honor of defending the fatherland have been embodied since 1893 in the Nationalist Constitution of that year, principles which were subsequently accepted by prominent patriots who, by their exemplary attitude, left convincing evidence of this unescapable historical commitment.

II. Benjamin Zeledon and Augusto Cesar Sandino, glorious standard-bearers of the tradition of anti-imperialist struggle, are the supreme examples of our people's unswerving position on the defense of our fatherland and the nation's honor.

III. Carlos Fonseca, founder of the Sandinist National Liberation Front, our people's historic vanguard and faithful perpetuator and synthesizer of the great battles for our fatherland's definitive liberation, has taken the legacy of Zeledon and Sandino and transmitted it to the founders, shapers and militants of the Sandinist National Liberation Front.

IV. In its historic program, the Sandinist National Liberation Front stipulated the abolishment of the force which was the enemy of the people, the National Guard, and the creation of a patriotic, revolutionary, Popular Army, wherein service would be rendered by students, workers and peasants who, as the society's fundamental forces, would defend the rights that have been conquered, bearing arms, against the inevitable onslaught of the internal and external reactionary forces.

V. In fulfillment of the pledge contracted with the people in the First Proclamation of the Government of National Reconstruction, there has been clearly established the intention of destroying the former regime's army of occupation and creating a new National, Popular Army, that will personify the interests of the Nicaraguan people and be comprised of its best sons and daughters.



VI. Consequently, both in the Government Program, Point 1.12, and in the Fundamental Statute, Article 24, it is stated that the new Army created after the overthrow of the dictatorship will consist, in addition to a minimum number of full-time cadres, of qualified citizens who render their Compulsory Military Service in a timely manner, for the purpose of reducing the expenses caused by defense and appropriating those financial resources for the country's economic and social development.

VII. Patriotic Military Service will provide instruction in the most advanced military techniques, and will foster among our youth a sense of revolutionary discipline and ethics, while at the same time incorporating our people into the construction of an energetic productive force aimed at meeting the government's goals in the areas that require a priority increment both during peace and wartime.

Therefore:

Using its powers, it decrees:

The following Law on Patriotic Military Service

Chapter I. Purpose of the Law

Article 1. This law regulates the exercise of the patriotic duty of all citizens to render military service in accordance with the provisions of the Fundamental Statute and the Statute on Rights and Guarantees of Nicaraguans.

Through this law, there are stipulated the regulations that will govern the conditions, organization, performance, features and registration related to patriotic military service. This law is strictly one of public order.

Chapter II. On Patriotic Military Service, Definition and General Information

Article 2. Patriotic Military Service is the active participation by all the people in defense activities, and hence constitutes an obligation for all Nicaraguans to defend with arms the sovereignty and independence of the fatherland and the Sandinist Popular Revolution; whether they be attached to a military structure or subjected to military instruction for a particular period during peacetime, and responding to the summons for defense of the fatherland during wartime, according to the provisions of this law.

Article 3. Patriotic Military Service is the institutionalization of the Military Service that has been voluntarily rendered by the members of the militias and reserves throughout the past 4 years of revolution.

Hence, it should be interpreted as an effort for superior forms of organization involving our entire people's participation in the defense of the fatherland and of the revolution.

Article 4. Patriotic Military Service is based on:

1. The honor and duty of defending the fatherland's sovereignty.
2. Fulfillment of the historic legacy of our heroes and martyrs.
3. Our people's tradition of struggle and unswerving attitude, since colonial times, on behalf of liberation from foreign domination in our country.
4. Consolidation of a popular army to guarantee the revolution's conquests.
5. Our people's mass-scale integration into the Sandinist Popular Militias and the Reserve Infantry Battalions.

Article 5. Patriotic Military Service consists of:

- Active Military Service
- Reserve Military Service

Active Military Service consists of direct, consecutive fulfillment of military obligations in any unit or branch of the Sandinist Popular Army or the Ministry of Interior.

Reserve Military Service consists of fulfillment, on the part of the citizens covered by this law who are not in Active Military Service, of military instruction tasks that will train them for the country's defense in wartime.

Article 6. Nicaraguan citizens of the male sex between the ages of 17 and 50 years will be obliged to perform Active and/or Reserve Military Service. Similarly, Nicaraguans of the female sex between the ages of 18 and 40 years may perform Reserve Military Service, depending on the requirements and specifications determined by the Ministry of Defense.

Article 7. Citizens rendering Active Military Service are known as military, and those in the reserves are known as reservists. Similarly, citizens covered by this law, who are between 17 and 25 years of age, and who have not been called to render their period of Active Military Service, are known as pre-recruits.

Both the military and the reservists must take the military oath stipulated by the Government of the Republic.

Article 8. Officials will perform their Active and Reserve Military Service, also governed by the provisions of this law and its regulations, in accordance with the stipulations of the "Regulations on Rendering Military Service for Officials," which has been put into effect by the Ministries of Defense and Interior.

### Chapter III. On Active Military Service

Article 9. The period of Active Military Service is two (2) years, which may be extended by the minister of defense up to six (6) months, or reduced by up to six (6) months in the event that the service conditions so require.

During this period, the citizen will be subordinate to a military structure, either performing strictly military tasks or engaged in the country's reconstruction and development.

In the event of war, or an emergency situation, this term may be extended at the government's decision so long as this situation lasts.

Article 10. All Nicaraguan citizens may be called to perform Active Military Service starting on one (1) January of the year in which they reach the age of seventeen (17) until thirty-one (31) December of the year in which they reach the aged of twenty-five (25).

Article 11. The term for Active Military Service for officials is determined in the Regulations on Rendering Military Service for Officials put into effect by the Ministries of Defense and Interior.

Article 12. During the time that they are rendering Active Military Service, the military will be ensured food, military instruction, medical care, clothing, items for personal grooming and a monthly allowance for their indispensable personal expenses.

Article 13. Active Military Service begins when the citizen is incorporated into a military unit or branch to receive his military instruction; starting at that time, they are considered as military for all purposes.

Article 14. The member of the military will, upon completing his term of Active Military Service, be incorporated into Reserve Military Service.

### Chapter IV. On Reserve Military Service

Article 15. Reserve Military Service is comprised of two categories:

The first category includes:

- a. Those who have completed their term of Active Military Service.
- b. Those who have been discharged from the Sandinist Popular Army or the Ministry of Interior and who have completed no less than one (1) year of Active Military Service.
- c. Those who have been incorporated into the reserve military units as reservists.

The second category comprises the reservists not included in the first category.

Article 16. The citizens involved in Reserve Military Service are obliged to receive military instruction during the periods and in the locations stipulated by the minister of defense. The manner and period for fulfillment of military service by reserve officials are determined by the "Regulations on the Rendering of Military Service for Officials" put into effect by the Ministries of Defense and Interior.

Article 17. Every year, the minister of defense will submit to the Junta of the Government of National Reconstruction, for its approval, the number of reservists who will be required to participate in the military instruction periods.

Article 18. All reservists integrated into reserve units, when the mobilization of the unit to which they have been assigned is ordered, will be considered military on active duty, and therefore are obliged to appear immediately.

Article 19. Reservists mobilized to undergo periods of military instruction or for wartime will continue to earn their salaries through the work center with which they are associated from an employment standpoint, and the regulations in force are to be applied for this purpose.

Article 20. Agencies, enterprises, work centers and private or state-run educational centers are obliged to provide facilities for the citizens attached to their work or educational centers to participate in the periods of military instruction or other activities specified for them.

Article 21. The minister of defense is authorized to order, during peacetime, for defense needs, the incorporation of those registered for Reserve Military Service into Active Military Service.

Article 22. Women who have special technical or professional qualifications will be included in the first reserve category, in accordance with the regulations issued by the Ministry of Defense for this purpose.

#### Chapter V. On the Organs Responsible for Enforcement of the Law

Article 23. To implement the activities stemming from the enforcement of this law, the Ministry of Defense is creating military delegations, which will have the organization and functional obligations specified in this law and its regulations.

Article 24. The military delegations will, insofar as possible, be geared to the politico-administrative division established by the Junta of the Government of National Reconstruction, and have jurisdiction over the territory assigned to them and its inhabitants who are covered by Articles 6, 10 and 15 of this law.

Article 25. To organize and carry out all the operations required for registration in military service, deferments, exceptions and the recruitment of Nicaraguans covered by this law, there are created recruitment boards attached to the military delegations, which will be governed by this law and its regulations.

## Chapter VI. On Registration, Preparation, Selection and Appearance

Article 26. Registration for military service consists of a compulsory personal appearance before the military delegations and recruitment boards in registration offices that have been created, which will formalize the registration of all Nicaraguan citizens who are of the ages stipulated for military service.

Article 27. Registration for military service will take place annually, during the period expressly cited in a notice issued for this purpose by the Ministry of Defense, and in the location where the citizen is residing either temporarily or permanently.

Article 28. No citizen covered by Article 6 of this law is excused from registering for military service according to the provisions of the foregoing article, even though he may deem himself covered by one of the deferments or exceptions in this law.

Article 29. The military delegations will order those citizens who do not fulfill their obligation to register for military service brought before them by members of the Sandinist Police.

Article 30. Nicaraguan citizens residing abroad who are covered by Article 6 are obliged to register at the embassies or consulates, during the periods stipulated for annual registration; and the organization and implementation of the registration process abroad are incumbent on the Ministry of Foreign Affairs, in cooperation with the Ministry of Defense.

Article 31. The heads of agencies, enterprises and work and educational centers, both state-run and private, must require that every Nicaraguan citizen obliged to register who is incorporated, contracted, enrolled, or under their responsibility attest to his registration for military service and the fulfillment of his military obligations, reporting any violations, if they should exist, to the military delegation.

Similarly, the Directorate of Migration and Alien Status will not issue a passport nor grant a visa to citizens of age for military service who do not submit the documents referred to in the foregoing paragraph.

## Chapter VII. On Deferments and Exceptions

Article 32. Registration to perform Active Military Service may be temporarily deferred during peacetime for the reasons and period of time cited below:

a. Owing to illness which incapacitates him temporarily for performing Active Military Service. In such instances, the deferment lasts for one (1) year, and the registered person is obliged to subject himself to therapeutic medical treatment that will enable him to eliminate the illness that he is suffering.

b. Those who are the sole support of their household, so long as one of the following situations continues and coincides:

1. The only son, at whose expense his parents have their livelihood.
2. The brother, supporting younger siblings who have no parents or whose parents are not able to work.
3. The only grandson, supporting his grandparents over 60 years of age, when the latter do not have living children or are unable to work.
4. Those who have been married and have children before this law goes into effect, provided there is inability to work on the spouse's part, and so long as this situation lasts.

c. For reasons of study, fulltime students in higher, intermediate and equivalent education who are taking the final year of study on their level.

The minister of defense, after hearing the opinion of the minister of education and CNES [National Council of Higher Education], may stipulate the deferment of fulltime students not covered in the foregoing paragraph, taking into account the requirements of defense and those of our youth's cultural, technical and professional development.

d. Those registered who for any reason are deprived of liberty, and so long as this situation lasts.

e. For one (1) year, and in the event of social necessity, provided the one registered is over twenty-one (21) years of age.

Article 33. Those registered who have permanent physical or mental disability are absolutely excused from performing Active Military Service in peacetime or wartime.

Article 34. For the purpose of determining deferments or exceptions for health reasons, the Ministry of Defense, jointly with the Ministry of Health, will prepare the pertinent list of medical conditions.

Article 35. Members of the military may be discharged from Active Military Service before completing their period of active military service and go into the reserves when any of the causes cited in Sections a and b of Article 32 of this law appear.

Article 36. In the event that general mobilization is ordered by the Junta of the Government of National Reconstruction, all the deferments and exceptions specified in this law, except for the one cited in Article 33 thereof, are cancelled.

#### Chapter VIII. On the Military Register of Those Registered

Article 37. The Military Register of the citizens covered by this law is kept by the military delegations, depending on the locations of the domiciles thereof.

Article 38. All citizens registered for military service are dutybound to report immediately any changes that may occur in their situation and status.

Article 39. When general mobilization is ordered, those registered may not leave their place of residence without the approval of the military delegation with which they are registered.

Article 40. The administrations of the work and educational centers on all levels, both state-run and private, will carry out the tasks relating to the Military Register stipulated for this purpose by the minister of defense.

Article 41. The Embassies and Consulates of the Republic of Nicaragua abroad will prepare the Military Register of Nicaraguan citizens registered with them, which will be at the disposal of the Ministry of Defense for any purposes determined by the latter.

Article 42. The organs of the Ministry of Interior will cooperate with the military delegations on the adoption of measures to ensure that the citizens fulfill the requirements stipulated in this law in connection with the Military Register, and will be responsible for locating citizens who attempt to evade fulfillment thereof.

Article 43. Those responsible for the Register of Civil Status of Persons will provide, free of charge, at the request of the military delegations, any information on vital statistics held in their Register which is necessary for the performance of the Military Register functions.

#### Chapter IX. On Liability for Violations of Military Service Obligations

Article 44. A penalty of from three (3) months to two (2) years in prison will be imposed on anyone who attempts to evade fulfilling his obligations as a citizen for military service, by engaging in any of the following types of conduct:

- a. Not appearing during the period set for registration.
- b. Not appearing when he is summoned for interviews, medical examinations or treatment, or other similar engagements.
- c. Refusing to provide information or to sign documents submitted to him.
- d. Not completing the periods of military instruction or training to which he is subject.

If the aforementioned conduct is carried out with deception or pretense of disability, by providing false information or by any other fraudulent means, the penalty to be imposed will be from two (2) to five (5) years in prison.

Article 45. Anyone who, upon being summoned for incorporation into Active Military Service, does not appear on the date and in the location that have

been specified, without duly justified cause, will be subject to a penalty of from one (1) to three (3) years in prison.

The same penalty will be imposed on anyone called for Active Military Service who refuses, either during his transportation or upon arriving at the unit or institution in which he must render his service, to wear the military uniform or carry the weapons required by regulations, or to take any other action that is necessary for his effective incorporation.

Article 46. Anyone who, having been discharged from Active Military Service, does not appear before the pertinent military delegation to formalize his assignment to Reserve Military Service will receive a penalty of from three (3) to nine (9) months in prison, or a fine of from five hundred (C\$500.00) to a thousand (C\$1,000.00) cordobas, or both.

Article 47. Anyone who does not inform the Military Register organs of changes in his situation, status or domicile, the loss or deterioration of the document attesting to his registration for military service, or any fact or circumstance on which he is obliged to report, will be penalized with a fine of from a hundred (C\$100.00) to a thousand (C\$1,000.00) cordobas.

The same penalty is incurred by anyone who does not carry the document attesting to his registration for military service, or who does not show it upon being requested by an authority to do so.

Anyone who repeats the loss of his documents attesting to registration for military service or the fulfillment of his military obligations will be given twice the fine stipulated in the first paragraph of this article, or will be jailed for up to thirty (30) days, or both penalties will be imposed.

Article 48. Any reservist who, after having been summoned, fails on a single occasion to attend the periods of military instruction or functions relating to military service, without justified cause, will be given a fine of from a hundred (C\$100.00) to a thousand (C\$1,000.00) cordobas. If he should repeat such an action, he will be penalized with from one (1) to nine (9) months in prison.

Article 49. Any reservist who evades mobilization in a state of war or combat action will be given a penalty of from three (3) months to two (2) years in prison, and a fine of five thousand (C\$5,000.00) cordobas.

Article 50. A penalty of imprisonment for from three (3) to nine (9) months and a fine of from a thousand (C\$1,000.00) to ten thousand (C\$10,000.00) cordobas will be imposed on any authority, official or other person who:

- a. Impedes or hampers the fulfillment of the military service obligations by anyone who is subordinate to him from an employment standpoint.
- b. Hires anyone included in the ages for Active Military Service in the absence of the required formalities.



c. Fails to meet the obligations stipulated for the organization, control and updating of the Military Register, or does not do so in the prescribed manner.

d. Fails to meet any other obligation ascribed to him for carrying out the notification and delivery of the personnel assigned to the military units.

Article 51. The local criminal courts will be authorized to hear and decide on the violations cited in this chapter, through the summary proceedings stipulated in the respective title of the Code of Criminal Proceedings, with the exception that, in such cases, the release on bail or caution juratory will not be in order.

The penalties imposed by the authorized courts for violation of the provisions of this law will be implemented in the prison establishments of the National Prison System.

Nevertheless, citizens who are rendering Active Military Service and who violate the provisions of this law will be tried by the organs of the military judge advocate's office, and will serve their sentences in accordance with the stipulations contained in the regulations for the serving of sentences by members of the military.

Article 52. Those registered who have served for two (2) years in the Sandinist Popular Army or in the Ministry of Interior are excused from fulfilling their period of Active Military Service, which they will attest to at the request of the military delegations.

Article 53. The registration of Nicaraguan citizens for military service will be carried out as follows:

a. From 1 October to 31 October of the current year for those of the male sex born between 1962 and 1967, from 16 to 21 years of age, both inclusive.

b. On the date stipulated by the minister of defense for the rest of the citizens not covered by the foregoing section.

Excused from registration are the members of the Sandinist Popular Army and the Ministry of Interior in Active Military Service, who are dutybound to register for military service if they have been discharged.

#### Special and Temporary Provisions

Article 54. The voluntary principle is to be maintained for incorporation into the Sandinist Popular Militias, which will continue to be governed by the principles set forth in Decree No 313, on Creation of the Sandinist Popular Militias and the Reforms Thereto, and also by the regulations governing their operation.

Citizens not covered by this law, as well as reservists who are not incorporated into reserve units may be incorporated into the Sandinist Popular Militias,

so long as they have not been assigned to the latter by the military delegations, as may pre-recruits, so long as they have not been called into the ranks.

Article 55. The Junta of the Government of National Reconstruction will issue the regulations for this law.

Moreover, the minister of defense is authorized to issue as many regulations as may be necessary for the improved execution and fulfillment of this law.

Article 56. This law will go into effect when its approval has been reported by any mass medium, without precluding its subsequent publication in LA GACETA, the official newspaper.

Issued in the city of Managua, on 9 August 1983, "Year of Struggle for Peace and Sovereignty."

Commander of the Revolution Daniel Ortega

Dr Sergio Ramirez Mercado

Dr Rafael Cordova Rivas

2909

CSO: 3248/1197

## HERRERA CAMPINS' MOTORCADE INVOLVED IN TRAFFIC ACCIDENT

## Initial Report

PA221701 Managua Radio Noticias in Spanish 1200 GMT 22 Aug 83

[Text] We are now receiving a report on a traffic accident that endangered Venezuelan President Luis Herrera Campin's life. The Venezuelan Government's intelligence office is attempting to determine whether this was really an accident or the result of a plot against the president.

Some circumstances indicate that perhaps the incident was not an accident and may have been an attempt on the Venezuelan president's life.

## Possible Plot Alleged

PA221732 Managua Radio Noticias in Spanish 1200 GMT 22 Aug 83

[Text] We have more details on the traffic accident that endangered the life of Venezuelan President Luis Herrera Campins. It was a violent automobile collision that put the president's life in danger. The police have not discarded the possibility that it was an attack on the president. Yesterday, minutes after the accident, the president said: I did not have time to be afraid.

A UPI report notes that the accident took place approximately 25 km from Caracas on the Catia La May highway when a truck bore down on the president's vehicle. The collision was avoided through the skill of the presidential vehicle's driver. A presidential escort vehicle was hit by the truck, and four of its occupants were injured.

President Herrera Campins was going to Catia La Mar to participate in a public event. The police are investigating the possibility that this was an attack against the president of Venezuela.

CSO: 3348/638

## BRIEFS

U.S. 'INTERVENTION' DENOUNCED--Caracas, 19 Aug (EFE)--A women's rally took place last night in front of the U.S. Embassy in Caracas, protesting the armed U.S. intervention in Central America. The women, headed by a delegation from the United Central Organization of Venezuelan Workers (CUTV), gave the U.S. ambassador a declaration asking Washington to stop the arms race initiated by the U.S. State Department with the support of the U.S. military-industrial complex. The communique stated that "in response to this tangible and unconcealable reality we ask respect for free self-determination of peoples and energetically protest the U.S. Government's attempts to stop the Nicaraguan reconstruction process." [Text] [PA201245 Madrid EFE in Spanish 2022 GMT 19 Aug 83]

CSO: 3348/638

END