

the area near Lake Chad; 368,000 refugees from Darfur were living in refugee camps in eastern Chad. Some 97,000 refugees from CAR who fled their country stayed in camps in southern Chad.

On 8 August, the authorities of Logone Oriental province in southern Chad forcibly and without prior notice relocated people from the Doba transit site to another site in the village of Kobitey.

## CHILE

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### Republic of Chile

Head of state and government: **Michelle Bachelet Jeria (replaced Sebastián Piñera Echenique in March)**

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**Cases of police violence continued to be dealt with by military courts. Legal proceedings against those responsible for past human rights violations continued.**

### BACKGROUND

In March, Michelle Bachelet Jeria took office promising to decriminalize abortion in certain circumstances. She also pledged to bring the anti-terrorism law and the military justice system into line with international standards.

Chile accepted most of the recommendations made under the UN Universal Periodic Review. These included a call for the 1978 Amnesty Law to be repealed and for reform to legislation regulating sexual and reproductive rights. In June, the UN Human Rights Committee made similar recommendations.<sup>1</sup>

### POLICE AND SECURITY FORCES

In August, the police made public the security protocols used during demonstrations. This followed repeated complaints about the lack of transparency of the methods used by the police to respond to protests. There had been

repeated allegations of excessive use of force by police during protests since 2011.

### MILITARY JUSTICE SYSTEM

Cases of human rights violations involving members of the security forces continued to be dealt with by military courts.<sup>2</sup> Decisions by the Supreme Court and the Constitutional Court, upholding the right to due process and international human rights obligations, transferred some cases to ordinary courts.<sup>3</sup>

In May, a former police officer was sentenced to three years and 61 days' imprisonment for fatally shooting 16-year-old Manuel Gutierrez Reinoso and injuring Carlos Burgos Toledo during a protest in 2011. However, as the sentence imposed was for less than five years, the officer was conditionally released. The family's appeal against the sentence was pending before a higher military court at the end of the year.<sup>4</sup>

In 2013, a police officer was found responsible by a military court for inflicting serious injuries on journalist Víctor Salas Araneda and sentenced to 300 days' conditional release and suspended from work. However, Víctor Salas Araneda, who lost the sight in his right eye while he was reporting on a protest in 2008, was not granted reparation.

### Death in custody

In May, Iván Vásquez Vásquez died in custody in Chile Chico, Aysén region. The family's lawyers argued that he was beaten to death and that more than one police officer was involved in the crime. A first autopsy indicated that suicide was not the cause of death, as initially indicated by the police. A police officer was charged by a military court with using unnecessary violence resulting in death. However, the charges were dropped in October after a second autopsy requested by the defence stated that the cause of death was suicide. Concerns remained around the impartiality of this autopsy. Full results of the autopsy were pending at the end of the year.

## IMPUNITY

Some progress was made in bringing to justice those responsible for human rights violations committed under General Pinochet's regime. According to the President of the Supreme Court, by March there were 1,022 active cases, of which 72 related to allegations of torture. Official data from the Ministry of the Interior Human Rights Programme indicated that, by October, 279 people had been convicted in connection with these crimes; these convictions were not subject to appeal. At the end of 2014, 75 people were serving prison sentences in connection with these crimes.

In May, 75 former agents of the secret police (Dirección de Inteligencia Nacional, DINA) were convicted in connection with the enforced disappearance of Jorge Grez Aburto in 1974.<sup>5</sup> In October the Supreme Court convicted former DINA members, including its former head Manuel Contreras Sepúlveda, of the enforced disappearance of Carlos Guerrero Gutiérrez and Claudio Guerrero Hernández, in 1974 and 1975 respectively.

Investigations into the torture of Leopoldo García Lucero were continuing at the end of the year. In August 2013, in its first ruling on a case of a Chilean torture survivor, the Inter-American Court of Human Rights condemned the excessive delays in initiating the investigations into this crime.<sup>6</sup>

In June, the authorities announced legal reforms that would, if implemented, make torture a specific offence in the Criminal Code.

In September, the government announced its intention to speed up the discussion of a 2006 bill to overturn the 1978 Amnesty Law. The debate around the amnesty law was ongoing before the Congress at the end of the year.<sup>7</sup>

## INDIGENOUS PEOPLES' RIGHTS

There were renewed allegations of excessive use of force and arbitrary detention during police operations against Mapuche Indigenous communities. There were

particular concerns about abuses against minors in the context of the conflict.

In May, the Supreme Court confirmed the 18-year prison sentence of Celestino Córdova, a Mapuche *machi* (traditional healer), in connection with the deaths in January 2013 of Werner Luchsinger and Vivianne Mackay. The couple died following an arson attack on their house in the Vilcún community, Araucanía region. The Oral Criminal Court of Temuco, which ruled in the first instance, dismissed the prosecution's allegation that this was a terrorist attack. The defence alleged that Celestino Córdova's trial was politically motivated and had fallen short of international fair trial standards, and was another example of how the authorities dealt with the issue by criminalizing Mapuche land claims rather than seeking to resolve underlying issues.

In October, José Mauricio Quintriqueo Huaquimil died after being run over by a tractor while he and other Mapuche were entering a farm in the Araucanía region. According to reports, they had gone to the farm in connection with a proposal they were preparing for the authorities about what part of the land could be given to them. The community had been occupying part of the farm with the owner's agreement. A man suspected of responsibility for the death was detained and the investigation was continuing at the end of the year.

In April, the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism published a report on his 2013 visit to Chile highlighting discrepancies between the national anti-terrorism law and the principle of legality and due process in the context of Mapuche proceedings. A bill to reform the anti-terrorism law was under discussion in Congress at the end of the year.

In May, the Inter-American Court of Human Rights condemned Chile for human rights violations in its application of the anti-terrorism law against eight Mapuche sentenced in 2003. The Inter-American Court

also ordered the state to adopt all necessary measures to ensure that court decisions in these cases were not enforced. The Inter-American Court argued that the stereotyping of the accused in these cases violated the principles of equality, and non-discrimination and equal protection before the law.

## SEXUAL AND REPRODUCTIVE RIGHTS

Abortion remained a criminal offence in all circumstances. A bill to decriminalize abortion in cases of rape, incest, threats to the life of the woman and foetal malformation was announced by the government but not submitted to the Congress.

## DISCRIMINATION

In October, legislation on civil partnerships, including for same-sex couples, was passed by the Senate. At the end of the year, it was under discussion by the Deputies Chamber.

A bill on the right to gender identity that would allow people to change their name and gender on official documents was before the Senate at the end of the year.

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1. Chile: Submission to the United Nations Human Rights Committee: 111th session of the Human Rights Committee (7-25th July 2014) (AMR 22/003/2014)  
[www.amnesty.org/en/library/info/AMR22/003/2014/en](http://www.amnesty.org/en/library/info/AMR22/003/2014/en)
  2. Chile: Urge reformar la justicia militar (AMR 22/007/2014)
  3. Chile: Importante decisión del Tribunal Constitucional sobre la aplicación de la jurisdicción militar en un caso de tortura (AMR 22/005/2014)  
[www.amnesty.org/en/library/info/AMR22/005/2014/es](http://www.amnesty.org/en/library/info/AMR22/005/2014/es); Chile: Corte Suprema resuelve a favor de una aplicación restrictiva de la justicia militar (AMR 22/006/2014)  
[www.amnesty.org/en/library/info/AMR22/006/2014/es](http://www.amnesty.org/en/library/info/AMR22/006/2014/es)
  4. Chile: "No sabía que existían dos tipos de justicia hasta que nos ocurrió esto", 22 August 2014
  5. Chile: Important conviction against 75 former agents of Pinochet in a case of enforced disappearance (AMR 22/001/2014)  
[www.amnesty.org/en/library/info/AMR22/001/2014/en](http://www.amnesty.org/en/library/info/AMR22/001/2014/en)
  6. Chile: 40 years on, Chile torture victim finally finds justice  
[www.amnesty.org/en/news/40-years-chile-torture-victim-finally-finds-justice-2013-11-04](http://www.amnesty.org/en/news/40-years-chile-torture-victim-finally-finds-justice-2013-11-04)

7. Chile: Pinochet victims see justice within their grasp, 6 October 2014 (Press release)

[www.amnesty.org/en/for-media/press-releases/chile-pinochet-victims-see-justice-within-their-grasp-2014-10-03](http://www.amnesty.org/en/for-media/press-releases/chile-pinochet-victims-see-justice-within-their-grasp-2014-10-03)

# CHINA

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**People's Republic of China**

Head of state: **Xi Jinping**

Head of government: **Li Keqiang**

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**The authorities continued to severely restrict the right to freedom of expression. Activists and human rights defenders risked harassment and arbitrary detention. Torture and other ill-treatment remained widespread and access to justice was elusive for many. Ethnic minorities including Tibetans, Uighurs and Mongolians faced discrimination and increased security crackdown. Record numbers of workers went on strike demanding better pay and conditions. In November 2013, the Central Committee of the Chinese Communist Party in its Third Plenum issued a blueprint for deepening economic and social reforms, paving the way for modifications to family planning policies and China's household registration system. The abolition of the Re-education Through Labour system was also announced in 2013. The Fourth Plenum in October 2014 focused on the rule of law.**

## BACKGROUND

Throughout 2014, President Xi Jinping continued to pursue a high-profile anti-corruption campaign, targeting both low- and high-ranking officials. In July, state media announced that Zhou Yongkang, a former Minister of Public Security and Communist Party Politburo Standing Committee member, had been under investigation for alleged corruption since late 2013. He was the most