

URGENT ACTION

LAWYER AT RISK FOR DEFENDING INDIGENOUS PEOPLE

Lawyer Karina Riquelme was again intimidated by Chilean police intelligence agents several times because of her work as a defender of Mapuche Indigenous people rights. She fears for her personal security and feels intimidated.

On 31 August, Chilean lawyer **Karina Riquelme** reported new security incidents. While returning from doing some errands outside Temuco, central Chile, she saw a car with police intelligence agents who took photos of her. The police later admitted that intelligence agents were there but denied that they were surveilling her. Due to these and several previous incidents, Karina Riquelme fears for her personal security and feels intimidated. An appeal for legal protection was filed, but on 14 September it was denied by the Appeal Court in Temuco. The appeal will now be filed before the Chilean Supreme Court.

These later incidents came after several others. On 9 July, Karina Riquelme reported to be intimidated by men she identified as Chilean police intelligence agents in Temuco. The incident occurred in a hearing for the investigation of the police intelligence Executive Director and other intelligence agents, as part of the high-profile 'Operation Hurricane' case. The police officials are investigated for "obstruction of justice", "falsification of documents" and other crimes related to efforts to accuse Mapuche community members of "illicit terrorist association". On 10 July, Karina Riquelme reported the intimidating presence of two unidentified men outside of her house.

A decision by the Chilean Supreme Court in 2016 (Decision 7641-2016) ordered the police and the Public Prosecutor's Office not to interfere with the free exercise of legal activities related to criminal investigations, including through the presence of police personnel in spaces where lawyers carry out their work. This decision was made after Karina Riquelme and her colleague were followed and photographed in 2016.

The National Institute of Human Rights, a Chilean autonomous public organization that defends human rights, and the Centre for Investigation and Defence South (Cid-Sur), the human rights organization with whom Karina Riquelme works, filed the appeal for legal protection to ensure protection measures are put in place for her.

1) TAKE ACTION

Write a letter, send an email, call, fax or tweet:

- Urging the Chilean authorities to ensure that Karina Riquelme can freely and safely carry out her work as a lawyer and a defender of the Mapuche Indigenous People, in consultation with her and in accordance with her wishes and consent;
- Urging the police and the Public Prosecutor's Office not to interfere with the free exercise of legal activities as per the Supreme Court decision 7641-2016.

Contact these two officials by 5 November 2018:

Interior and Public Security Minister

Sr. Andrés Chadwick Piñera

Palacio de La Moneda S/N

Santiago, Chile

Twitter: @min_interior

Email: gpulgarl@interior.gov.cl or plagos@interior.gov.cl

Salutation: **Dear Minister**

Ambassador Alfonso Silva Navarro

Embassy of the Republic of Chile

1732 Massachusetts Ave NW, Washington DC 20036

Phone: 202 785 1746

Fax: 202 887 5579

Email: echile.eeuu@minrel.gob.cl

Salutation: **Dear Ambassador**

2) LET US KNOW YOU TOOK ACTION

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ADDITIONAL INFORMATION

In August 2016, soon after lawyer Karina Riquelme Viveros agreed to defend a Mapuche indigenous individual in a high-profile terrorism law case, men in civilian clothing repeatedly surveilled and photographed her and her colleague in and around the courts. According to license plate records, two vehicles that these men were using belonged to the Chilean National Police and a criminal investigation unit, respectively.

Karina Riquelme and her colleague filed for a protection order against the Araucanía Zone 9 Chief of Police and Chile's Police Investigation Prefect, before the Temuco Court of Appeals, to protect their right to personal liberty. On 1 October 2016, the Court of Appeals denied the protection order, ruling that the actions of the police officials could be considered to be part of their standard behaviour in court. On 19 October 2016, Chile's Supreme Court of Justice upheld the denial of the protection order but warned the Public Prosecutor's Office not to interfere with the work of Karina Riquelme and her colleague in investigations of police officials, and that the police must act in accordance with the law and with specific instructions from relevant authorities in order not to interfere with the lawyers' work. The investigation carried out as part of the protection order request revealed that Karina Riquelme and her colleague were the subjects of two open criminal investigations. On 5 January 2017, the presiding judge closed both investigations on the grounds that the acts being investigated did not constitute crimes.

In April 2018, Karina Riquelme received information showing that her telephone number was on a list of over 60 numbers that were tapped by the police in early 2017 under the Chilean Intelligence Law. During part of this period she was providing legal defence in several ongoing cases against Mapuche indigenous individuals.

Name: Karina Riquelme
Gender m/f: Female

Further Information on UA: 134/18 Index: Index: AMR 22/9135/2018 Issue Date: 24 September 2018