

Congress of the United States

Washington, DC 20515

February 3, 2011

His Excellency Sebastián Piñera
President of the Republic of Chile
Palacio de la Moneda
Santiago, Chile

Dear President Piñera:

We are writing to express our concern over the situation unfolding in Easter Island (Rapa Nui), where Chilean armed forces have been carrying out forced evictions of Rapa Nui natives over the past five months. We continue to be very concerned about the physical safety of all of the Rapa Nui; but right now we are especially concerned about the welfare and security of Hito clan members inside the Hanga Roa Hotel. Several sources have informed us that heavily-armed Chilean police are surrounding the hotel, 24 hours a day. We have also been alerted that the electricity has been cut off, and that there are no provisions for food or medical care. At one point, it was reported that there were 13 individuals trapped in the hotel. Of the 13 individuals, 2 were children, 6 were women, and one was elderly and medically-compromised (diabetic). Sources say the clan members have no way to communicate with anyone outside the hotel, including their defense attorneys.

The Chilean government has threatened to evict the clan members inside the Hanga Roa Hotel on February 8, 2011. Some of the evictions carried out by Chilean troops in recent months have resulted in injuries to the Rapa Nui natives. According to news reports, an eviction on December 29, 2010 was carried out against peaceful protesters gathering at a public square. Some of these individuals suffered serious injuries, including fractures and head wounds, after police forces reportedly fired buckshot pellets at their heads. We are concerned that evictions on February 8th could lead to more injuries should Chile follow through.

We are also concerned by (1) the failure of the Ministry of the Interior to seriously consider the legitimate land ownership claims of the Rapa Nui clans; (2) criminal prosecutions of Rapa Nui political leaders for their involvement in the peaceful Rapa Nui land rights campaign; and (3) the ongoing disproportionate use of force by Chilean Special Forces against Rapa Nui clan members. These actions undermine the basic legal, political, and human rights that both of our countries share.

It is our understanding that the Chilean executive branch is operating unilaterally in its Rapa Nui policy. Chile's Congressional Commission of Foreign Affairs and the Human Rights Commission of the House of Representatives both requested a review of your government's policies regarding treatment of the Rapa Nui Nation. Likewise, the Chilean Supreme Court has spoken, most recently rejecting an *amparo* filed by a private party against the Hito clan. We also note the January 12th statement of the U.N. Special Rapporteur on the Rights of Indigenous Peoples which expresses similar concerns regarding your government's policies.

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Mr. President, we are also aware that on October 3, 2010, the Rapa Nui people filed a request for "precautionary measure" from the Inter-American Commission on Human Rights, of which Chile is a member. Because the Commission has yet to make a decision on the measure and since the number of Rapa Nui near the hotel grounds will soon increase from the support of other clans, there is an even greater need to prevent the February 8th eviction. We are concerned about reports that Chilean forces continue to target peaceful Rapa Nui individuals, including unarmed women and children. We strongly urge you to lower tensions on Rapa Nui by removing the police forces patrolling the Hanga Roa Hotel. Food, water, medicine, and other life-sustaining provisions should be immediately provided to the individuals inside the hotel. They should also be provided the means to communicate with their supporters outside the hotel, including their defense attorneys. Finally, we also urge you to refrain from the use of disproportionate force in dealing with peaceful Rapa Nui protesters occupying their ancestral land on the entire island.

It is our hope that your government will undertake efforts to peacefully resolve this conflict with the Rapa Nui Nation.

Sincerely,



DANIEL K. AKAKA
U.S. Senator



ENI F. H. FALEOMAVAEGA
Member of Congress

cc:

Honorable John Kerry, U.S. Senate Committee on Foreign Relations, Chairman

Honorable Ileana Ros-Lehtinen, U.S. House Committee on Foreign Affairs, Chairman