

To: Patt

From: Mark

Re: Human Rights Talking Points - Argentina

10/77  
MS-PY  
COPY FILED

AO 019

The summation of the human rights situation currently in Argentina is that a consistent pattern of gross violations of internationally recognized human rights has been established. The rights violated include the right to be free from torture, from arbitrary detention, from invasion of the home, from the arbitrary taking of life. They also extend to the full range of civil and political liberties which are denied or curtailed by the existence of a state of seige and the authoritar control of the military.

The talking points of current Secretary's book are adequate; how they do not respond directly to the question on Argentine minds: What do we have to do to obtain a change in U.S. positions on IFI loans, & on major arms sales?

Talking Points:

- 1. Release of the prisoners, either <sup>directly or</sup> through use of right of option. End to arbitrary arrest. End to prolonged detention without charge.
- 2. Reinstitution of civilian due process.
- 3. End to use of torture and the punishment of those who commit those acts, with public disclosure.
- 4. Lifting of the state of seige.
- 5. Accounting of those detained or sentenced
- 6. Reinstitution of civil liberties: association, expression, press.
- 7. Steps toward ending authoritarian rule and providing transiti to civilian democratic system.

One through five are required for any movement; six for substanti movement and seven for ~~some~~ normal relationship.

To the Argentine assertion that there has been improvement in the human rights situation since Grenada, the following might be appropriate:

- 1. Torture continues. Disappearances continue. Arbitrary arrests continue. Very few of the detainees have been turned over to the courts and had their charges heard and decided. Several thousand political prisoners remain. The disappearances now number in the many thousands as well.
- 2. Neither the Inter-American Human Rights Commission nor the UN Human Rights Commission has been permitted into the country. In fact, the ARgentine representatives drew a sharp criticism for having threatened the UN Subcommittee which was considering their case (the threat worked and the subcommission did not pass the case up to the UN Human Rights Commission).
- 3. Even with regard to right of option, administrative restrictions enable very few to utilize it. Many times that number have been pic

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

Release ( ) Excise ( ) Deny

Exemption(s): \_\_\_\_\_

Declassify: ( ) In Part ( ) In Full

( ) Classify as \_\_\_\_\_ ( ) Extend as \_\_\_\_\_ ( ) Downgrade to \_\_\_\_\_

Date \_\_\_\_\_ Declassify on \_\_\_\_\_ Reason \_\_\_\_\_

80 D 177  
Box 4859

List of Prisoners:

Essential Factors: The Coalition for a New Foreign and Military Policy submitted a list of 7500 names to you for the purpose of seeking from the Argentine Government information on their status and prospects for release or due process. This group includes the National Council of Churches, the Washington Office of Latin America, the U.S. Catholic Conference, the Americans For Democratic Action and others. The list they submitted also includes the 3000 names previously turned over to the Argentine Foreign Ministry by the U.S. Embassy on direction of the Department. President Carter in his conversation with President Videla in September had informed Videla that we had received the original list and the Department would provide it to the Argentine Government. In addition, we have received a list of sixteen names from Senator Kennedy's office and twenty-three other names from family members, friends and human rights organizations. Senator Kennedy's office also asked you to urge that former Argentine President, Hector Campora, who is currently in refuge at the Mexican Embassy in Buenos Aires, be allowed to leave the country as soon as possible. While the Campora case has political overtones because of his opposition to the current regime, humanitarian considerations argue for your raising it.

Points to be made:

-- We have received a list of 7500 names from a coalition of human rights groups in the United States of persons alleged to have been detained or disappeared.

-- This list includes the 3000 names previously submitted by our Embassy at the direction of the President.

-- We cannot vouch for the accuracy of these names either but would appreciate whatever response you may be able to provide for the family and friends who are concerned.

-- We will provide the list to the Foreign Ministry.

-- In response to a letter from Senator Kennedy, there are sixteen names which have been added to the list. Senator Kennedy also requested that I note the continuing concern with regard to the status of former President Hector Campora in the Mexican Embassy. Permission to leave the country obviously would be welcomed by many people in the international community.

-- Others, including human rights organizations and Congressional offices, have submitted 23 other names to me, which I have included on the list.

-- In all of these cases, we obviously would hope to be able to respond first with information on their status, if they are detained and what their future situation will be and then hopefully to be able to report that they have been released.