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HUMAN RIGHTS: ARGENTINA

ARGENTINA PROJECT (S20000044)
U.S. DEPT. OF STATE, A/RFS/IFS
Margaret P. Grafeld, Director

Release Excise Deny

Exemption(s):

In Part In Full

Classify as Extend as Downgrade to

Date _____ Reason _____

Political terrorism of the left and the right has wracked Argentina since the late sixties and was partially responsible for the economic and political breakdown precipitating the March 1976 coup. The Junta's efforts to eliminate leftist terrorism led to massive counter-terrorist campaign, undertaken by the security forces.

Although the Government has publicly stated that terrorism has largely been defeated, the anti-terrorist campaign of the last few years has continued and has resulted in severe violations of human rights.

At present, the Government of Argentina acknowledges approximately 3,400 state of siege prisoners detained under executive power (PEN). The state of siege powers, involed in 1974, have been used to hold a wide variety of persons forlong periods without formal charges. The USG reports an additional 500 prisoners in military camps. Arrests continue but have decreased considerably from the level of the past two years. From January to August 1978, 347 were added to PEN and 446 released.

Security personnel and prison officials use torture routinely during the interrogation process.

In addition, thousands (estimates range between 3,000 and 20,000) have been abducted by security forces. These cases, known as the disappeared, include a broad range of people, such as labor leaders, workers, clergymen, human rights advocates, scientists, doctors and political party leaders. A movement is growing, led by human rights organizations and the Mothers of the Church, to trace the missing people. The Government, however, has not accounted for the vast majority of the disappeared, many of whom are presumed to be dead. At present, our Embassy is receiving reports of disappearances at a rate of 16-45 per month.

The GOA in late 1977 reinstituted a limited "right of option" for political prisoners, held under executive detention, to request exile. However, from January to August, only about 60 were allowed to leave under this program.

The GOA for the first time in February 1978 published lists of those detained under the state of siege.

Once again permission has been granted for the ICRC to visit non-military prisons.

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Responsive action has been taken on a few cases in which the U.S. has expressed special interest. Newspaper editor and Jewish leader Jacobo Timerman was transferred from PEN detention to house arrest, Alfredo Bravo, Co-Chairman of the Permanent Assembly for Human Rights, was paroled, Guillermo Vogler was released to the U.S. under the right of option, and the Deutsch family was released. Also placed on parole was Perez Esquivel, leader of Paz y Justicia and Nobel Peace Prize nominee.

Official harassment of selected religious groups continues. The Jehova's witnesses have borne much of the brunt. Reports of anti-semitic incidents targeted at members of the Jewish community and Jewish prisoners have decreased.

Severe restrictions remain on civil and political freedoms, among these trade union rights, fair judicial processes, and the activities of political parties. Press freedom continues to be curtailed although some restrictions were recently lifted. There appears to be little concerted or effective effort to date to check fundamental abuses or revitalize the legal and institutional barriers that would prevent human rights violations in the future.

We had hoped that the Argentine Government would have been able to accept a visit by the OAS Inter-American Commission on Human Rights (IAHRC). However, the conditioned invitation issued by the GOA was not acceptable to the Commission. Negotiations are continuing.

ACTION TAKEN ON HUMAN RIGHTS

- On October 27, 1977, the U.S. voted no on a gas pipeline loan in the IDB. We followed this up with "no" votes on a cellulose plant on December 1 and a petrochemical complex on December 8. On November 3 we did, however, support an IDB loan for portable water on the grounds that it meets basic human needs.

- Early in 1978, we abstained on an industrial credit and a grain storage loan, both in the World Bank. We abstained rather than vote no to signal to the Argentine Government that we had noted limited improvements in some areas, and to encourage further positive developments. We followed this by an extension of a \$60 million agricultural credit loan in April and abstained on three IFC loans.

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- Eximbank is currently holding back on over \$600 million in transactions for Argentina because of human rights considerations.
- Over 200 Arms transfer requests are being deferred. Argentina rejected FMS credits for FY-78. The Administration declined to sign for FY-77 FMS agreement and is not requesting FMS credits for Argentina for FY-79. All arms transfers (FMS sales and commercial sales of items on the munitions list) are being reviewed on a case-by-case basis; only very few selected new items with no apparent relationship to human rights have been approved.
- On various occasions, we have discussed our human rights concerns with the GOA at the highest levels, including trips by two Assistant Secretaries, an Under Secretary and the Secretary of State. When Under Secretary Newsom visited Argentina in late May, he made clear to the Argentines that we want better relations with that country, but that there would have to be improvements in the human rights area. He specifically asked for movement on: an invitation to the IAHRC; establishment of a mechanism to inform the families of disappeared persons of their whereabouts; and trial, release or exile for the 3,400 PEN prisoners held without charge.
- The Department has submitted over 1,000 names of individuals who are either detained or have disappeared to the Argentine Government and have requested that they furnish information on these individuals.

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