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ACTION DHA-05

INFO OCT-01 ARA-10 ISO-00 PM-05 NSC-05 SP-02 SS-15
CIAE-00 INR-07 NSAE-00 L-03 /053 W
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AMEMBASSY SANTIAGO

ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/IPS
Margaret P. Grafeld, Director
 Release Excise Deny
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Declassify: In Part In Full
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[REDACTED] SECTION 1 OF 2 BUENOS AIRES 6621

E.O. 11652: GDS
TAGS: SHUM, PORS, AR, PINS
SUBJECT: DERIAN MEETING WITH ARGENTINE PERMANENT
ASSEMBLY FOR HUMAN RIGHTS

REF: (A) BUENOS AIRES 6221 (B) STATE 193417

1. HUMAN RIGHTS COORDINATOR DERIAN MET WITH REPRESENTATIVES OF PERMANENT ASSEMBLY ON AUGUST 9. ASSEMBLY REPRESENTATIVES DESCRIBED TWO RECENT ACHIEVEMENTS: (1) THE SUPREME COURT'S REQUEST TO THE PRESIDENT THAT THE EXECUTIVE BRANCH THOROUGHLY INVESTIGATE THE HABEAS CORPUS PETITIONS FILED BY FAMILIES ON BEHALF OF "DISAPPEARED" RELATIVES. THE ASSEMBLY HAS ITSELF AIDED IN THE SUBMISSION OF 655 HABEAS CORPUS PETITIONS; MORE PETITIONS ARE IN PREPARATION, AND (2) THE DOCUMENT PUBLISHED IN MAY BE THE CATHOLIC BISHOPS DESCRIBING CASES OF HUMAN RIGHTS VIOLATIONS BY THE PUBLIC AUTHORITIES. THEY ALSO SAID THEIR GROUP WAS GROWING AND BECOMING MORE REPRESENTATIVE OF ALL SECTORS OF ARGENTINE SOCIETY.

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2. THE GROUP SAID THEY SAW NO IMPROVEMENT IN THE GENERAL HUMAN RIGHTS SITUATION SINCE MS. DERIAN'S LAST VISIT, RATHER THINGS ARE INTENSIFYING. THE NUMBER OF DISAPPEARED CONTINUES TO RISE AND DETENTIONS CONTINUE, E.G. PEREZ ESQUIVEL. THEY SEE SIGNS THAT THE HIGHEST AUTHORITIES EITHER CAN'T OR DON'T WISH TO MODIFY THE SITUATION. THEY SAID THERE IS GROWING PUBLIC DISCONTENT WITH THE GOVERNMENT. PEOPLE ARE LOSING THEIR FEAR AND GOING TO THE COURTS TO PRESENT CASES AGAINST THE PUBLIC FORCES FOR MURDER, TORTURE AND DETENTION. THEY SAID THERE ARE NO MORE MILITARY ENCOUNTERS WITH GUERRILLAS BUT THERE ARE INCIDENTS SET-UP TO LOOK LIKE ENCOUNTERS DESIGNED TO KILL PRISONERS. THEY SAID THE ASSEMBLY HAS HAD SOME SUCCESS TO DATE BECAUSE IT HAS WORKED RESPECTFULLY AND DISCRETELY THROUGH LEGAL CHANNELS.

3. MS. DERIAN ASKED ONE MEMBER, DR. MIGNONE, FOR HIS PERSONAL OPINION ON WHETHER THE GOVERNMENT WAS ABLE TO CONTROL THE SITUATION. HE RESPONDED THAT, LIKE THE SORCERER'S APPRENTICE, THE GOVERNMENT HAS SET A SECURITY APPARATUS INTO MOTION AND IT COULD NOT NOW CONTROL IT. HE CITED THE KIDNAPPING OF AMBASSADOR HIDALGO SOLA, THE ATTACK ON FOREIGN MINISTER GUZETTI AND THE DISAPPEARANCE OF FERNANDEZ PONDAL OF ULTIMA CLAVE AS EXAMPLES OF INTERNECINE CLASHES BETWEEN MODERATE AND FAR RIGHT ELEMENTS IN THE ARMED FORCES.

4. MS. DERIAN EXPRESSED CONCERN THAT IF A DISPUTE AT THE TOP WERE TO BE FOUGHT OUT AS TERRORISM WAS FOUGHT, THE PEOPLE WOULD BECOME IRRELEVANT VICTIMS OF THE COMBAT. SHE SAID WHEN SHE WAS LAST IN ARGENTINA THERE WAS A CONSENSUS THAT WHILE THE CURRENT GOVERNMENT WAS NOT IDEAL, THERE WAS NO ALTERNATIVE IN SIGHT. SHE SAID HER IMPRESSION NOW WAS THAT PEOPLE FELT THEY

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MUST CHOOSE SIDES WITHIN THE GOVERNMENT. SHE ASKED WHAT THEY PREDICTED WOULD COME OUT OF AN INTER-GOVERNMENTAL DISPUTE.

5. ONE MEMBER SAID THAT THE U.S. MUST DISTINGUISH BETWEEN THE GOVERNMENT AND THE PEOPLE, I.E. THAT THE STEPS THE U.S. TOOK WITH REGARD TO ARMS COULD BE CORRECT BUT THE EFFECT ON THE PEOPLE OF SIMILAR ECONOMIC STEPS SHOULD BE CONSIDERED. HOWEVER, EXTERNAL PRESSURES WELL THOUGHT OUT AND DIRECTED COULD HELP PUSH THE GOVERNMENT IN A CERTAIN DIRECTION,

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DESPITE INTERNECINE PROBLEMS. HE SAID NO ONE CARES ABOUT ARMS BUT ECONOMIC STEPS COULD LEAD TO A GROWTH OF ANTI-AMERICANISM. ANOTHER MEMBER DIFFERED, SAYING THAT THE U.S. IS ENJOYING GREATER POPULARITY TODAY IN ARGENTINA THAN IT HAS FOR MANY YEARS AND U.S. ACTIONS DESIGNED TO PROMOTE HUMAN RIGHTS, INCLUDING NEGATIVE ACTION IN THE INTERNATIONAL BANKS, IS SEEN IN A POSITIVE LIGHT.

6. THE GROUP CONCURRED THAT THE U.S. HUMAN RIGHTS POLICY WAS POPULAR. RETURNING TO MS. DERIAN'S QUESTION, IT WAS AGREED THAT A DIFFERENCE EXISTED BETWEEN MEMBERS OF THE GOVERNMENT AND THAT THE ASSEMBLY BACKS THE MODERATE GROUP TO WHICH VIDELA BELONGS. ONE MEMBER SAID THE VIDELA GROUP IS WEAKER AT PRESENT AND ALL PRO-HUMAN RIGHTS GROUPS INSIDE AND OUTSIDE OF ARGENTINA MUST MOVE FIRMLY AHEAD.

7. THE GROUP MENTIONED THAT THERE WAS SOME PROBLEM WITH AN APPARENT LACK OF CONSISTENCY IN THE U.S. POLICY, KOREA WAS CITED AS AN EXAMPLE. MS. DERIAN EXPLAINED THAT WE ARE TALKING TO PEOPLE EVERYWHERE AS WE WERE HERE.

8. RETURNING TO ARGENTINA IT WAS OBSERVED THAT THE GOVERNMENT IS NOT RESPECTING ITS OWN LAWS. MS. DERIAN ASKED IF THE GROUP THOUGHT THAT THE RIGHT OF OPTION TO SELF EXILE WOULD BE REINSTATED. ONE MEMBER SAID THIS WOULD SERVE AS A GREAT ESCAPE VALVE, STATING THAT ONLY A

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FEW OF THOSE DETAINED ARE TERRORISTS AND THE GOVERNMENT COULD DENY THE RIGHT OF OPTION TO THEM. THE PROBLEM WITH THE RIGHT OF OPTION IS THAT IT FORCES THE GOVERNMENT TO ACCUSE PEOPLE. THE GROUP INSISTED THE DIRTY WAR MUST END, LISTS OF THE DETAINED MUST BE PUBLISHED.

9. MS. DERIAN INDICATED AGREEDMENT BUT SAID SHE FEARED THE GOVERNMENT LACKED THE SELF-CONFIDENCE NEEDED. SHE SAID

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AMEMBASSY MONTEVIDEO
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THE ASSEMBLY MUST USE TACTICS WHICH WOULD AVOID BACKLASH. A GROUP MEMBER EXPRESSED CONCERN WITH THE RECENT DISAPPEARANCE OF JOURNALISTS AND A RECENT JUDGEMENT AGAINST A 17 YEAR OLD OVERTURNED BY THE SUPREME COURT. ANOTHER MEMBER SUGGESTED THE GOVERNMENT MIGHT GIVE THE RIGHT OF OPTION TO THOSE UNDER OFFICIAL DETENTION NOW WHO ARE NOT CONSIDERED EXTREMELY DANGEROUS AND PUT ALL OTHERS DETAINED INTO PUBLIC JAILS. MS. DERIAN SPECULATED THAT THERE ARE PROBABLY PEOPLE WHO HAVE SUFFERED SUCH SEVERE TRAUMAS THAT THE GOVERNMENT COULDN'T AFFORD TO LET THEM OUT.

10. ONE GROUP MEMBER SPECULATED THAT THE RECENT ACTION OF THE COURTS IS A HOPEFUL SIGN AND SHOWS AN INTEREST IN AN DEMOCRATIC SOLUTION. HE SAID THE ASSEMBLY IS INTERESTED IN STIMULATING ALL THAT CAN LEAD TO NORMALIZATION AND THE DIALOGUE WHICH VIDELA HAS CALLED FOR.

11. THE GROUP THANKED MS. DERIAN SAYING THEY WERE IMPRESSED BY THE CLARITY WITH WHICH SHE SAW THE SITUATION9 THEY ASSURED HER THAT THEY WOULD OVERCOME THE DIFFICULTIES AND THAT A COUNTRY WITH THE VALUES OF ARGENTINA COULDN'T

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12. MS. DERIAN PRAISED THE PERMANENT ASSEMBLY SAYING
IT WAS THE HOPE OF THE COUNTRY. SHE SAID THAT ARGENTINA
HAD EVERYTHING GOING IN ITS FAVOR AND IF IT WAS POSSIBLE
TO OVERCOME REPRESSION ANYWHERE, SURELY IT WAS POSSIBLE
IN ARGENTINA.

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