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INFO OCT-01 ISO-00 DHA-02 IO-13 CIAE-00 DODE-00 PM-04 H-02
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 AID-05 PC-01 OMB-01 /079 W
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R 101258Z NOV 76
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 7864

[redacted] SECTION 1 OF 2 BUENOS AIRES 7386

E.O. 11652: NA
TAGS: PINT, PINS, SHUM, AR
SUBJECT: HUMAN RIGHTS ROUND-UP NO. 5

REF: (A) BUENOS AIRES 6975, (B) BUENOS AIRES 6490

1. THE WIFE AND POLITICAL COLLEAGUES OF FORMER UCR SENATOR SOLARI IRIGOYEN HAVE PUBLICLY DEFENDED THE DETAINED LAWYER AGAINST LAST MONTH'S NEWS "LEAKS" CONNECTING HIM WITH SUBVERSIVES. (SEE REFTEL A). THE STATEMENT OF TEN FORMER SENATORS--ALSO SIGNED BY UCR PRESIDENT RICARDO BALBIN AND FORMER ARGENTINE PRESIDENT ARTURO ILLIA--DESCRIBED SOLARI IRIGOYEN AS A PATRIOT AND ARDENT DEFENDER OF DEMOCRACY AND HUMAN RIGHTS, BOTH OF WHICH ARE GUARANTEED IN THE CONSTITUTION. IT ALSO REJECTED THE ACCUSATIONS MADE AGAINST HIM. HIS WIFE TERESA HANSEN RELEASED A LETTER SHE SENT TO PRESIDENT VIDELA NOV. 3 REFUTING THE CHARGES AGAINST HER HUSBAND. SHE LISTED A NUMBER OF FACTUAL ERRORS IN THE ACCUSATIONS AND POINTED OUT HER HUSBAND HASN'T PRACTICED LAW SINCEHWQOUWM SUNDAY'S BA HERALD (N. 7) DESCRIBED SOLARI IRIGOYEN AS A SYMBOL OF THE STRUGGLE BETWEEN JSTICE AND FORCE. "IF TERRORISM HAS REALLY BEEN CRUSHED, AS ARMED FORCES LEADERS CLAIM, AND ONLY THE LAST STAGES OF MOPPING UP REMAIN, THEN THERE CAN BE NO JUSTIFICATION FOR THE CONTINUATION OF EXCEPTIONAL WARTIME MEASURES...IF, INDEED, THEY WERE EVER REALLY JUSTIFIED," COLUMINST JAMES NEILSON SAID. HE QUESTIONED, THOUGH, HOW MUCH PRESIDENT VIDELA IS ABLE
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ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/IPS
Margaret P. Grafeld, Director
(X) Release ( ) Excise ( ) Deny
Exemption(s): _____
Declassify: ( ) In Part (X) In Full
( ) Classify as __ ( ) Extend as __ ( ) Downgrade to __
Date _____ Declassify on _____ Reason

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TO DO ABOUT THE MYSTERIOUS DISAPPEARANCES, SAYING IT APPEARS PROVINCIAL MILITARY COMMANDERS USE EXTRAORDINARY POWERS. "ONE'S RIGHTS APPEAR TO DIMINISH THE FURTHER HE GETS FROM BUENOS AIRES."

2. TWO CATHOLIC BOOKSTORES WERE SPRAYED WITH MACHINE GUN FIRE FROM PASSING CARS ON THURSDAY NIGHT (NOV. 4). DAMAGE WAS SLIGHT AND THERE WERE NO INJURIES. THERE HAVE BEEN NO REPORTED ATTACKS AGAINST JEWISH ESTABLISHMENTS FOR MORE THAN ONE MONTH.

3. NEWSPAPERS CONTINUE TO PUBLISH NAMES OF PERSONS MISSING AND FAMILIES' EFFORTS ON THEIR BEHALF. RECENT CASES INCLUDE LAWYER MARIO GERARDO YACUB, TAKEN FROM HIS OFFICE BY SIX ARMED MEN NOV. 1; LAWYER BALDONERO J. VALERA, KIDNAPPED NOV. 3; CLAUDIO AUGUSTO LEVITAN AND CELSO PEDRO CRUCES, TAKEN FROM THE CRUCES HOME OCT. 27. IN ALL CASES WRITS OF HABEAS CORPUS WERE FILED. PARENTS OF THE LAST TWO HAVE APPEALED TO THE LOCAL CATHOLIC HIERARCHY, INTERIOR MINISTER HARGUINDEGUY AND THE POPE, PRESS REPORTS SAY.

4. THE NAVY HEAD OF THE MILITARY AREA IN TRELEW HAS ORDERED A SEARCH FOR MISSING FORMER SECRETARY-GENERAL OF THE LOCAL COMMUNIST PARTY ELBIO ANGEL BEL AND THE FORMER ATTORNEY OF THE POPULAR SOCIALIST PARTY SERGIO ARMANDO MAIDA AND HIS WIFE, IT WAS REPORTED TODAY (NOV. 8). THERE WERE NO FURTHER DETAILS.

5. VENEZUELA HAS GIVEN PROVISIONAL ASYLUM TO AN ARGENTINE CITIZEN IN ITS EMBASSY IN BUENOS AIRES, ACCORDING TO A PRESS REPORT FROM CRACAS NOV. 5. VENEZUELAN FOREIGN MINISTER RAMON ESCOVAR SAID HE WILL RECEIVE PERMANENT ASYLUM, PRESUMABLY IN CARACAS, AS SOON AS THE PAPERWORK IS COMPLETED.

6. THE DEATH TOLL OF TERRORISTS HAS CLIMBED PRECIPITOUSLY IN RECENT WEEKS. FOLLOWING THE MURDER OF TWO POLICE GUARDS AT THE HOME OF THE UNIVERSITY RECTOR IN THE LA PLATA OCT. 27 AND OF A RETIRED NON-COMMISSIONED NAVAL OFFICER OCT. 29, AT LEAST TWENTY TERRORISTS WERE REPORTED KILLED IN SEPARATE INCIDENTS IN THE LA PLATA AREA OCT. 29-31. AS REPORTED IN ARMY COMMUNIQUES, TEN WERE KILLED ON OCT. 29 IN A HOUSE RAID AND TWO SEPARATE SHOOTOUTS DURING ROAD CHECKS. TWO DAYS LATER NINE MORE WERE KILLED, ALLEGEDLY WHILE ATTACKING A POLICE STATION AND ANOTHER WHILE RESISTING A POLICE STATION AND ANOTHER WHILE

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RESISTING A POLICE SEARCH. THE INCIDENTS HAVE RAISED SPECULATION THAT SECURITY FORCES ARE IN FACT CONTINUING TO TAKE REPRISALS AGAINST SUSPECTED TERRORISTS, BUT ARE DISGUISING THE EXECUTIONS AS DEATHS RESULTING FROM GUNBATTLES WITH AUTHORITIES. ON NOV. 5, 17 EXTREMISTS WERE KILLED IN SEPARATE INCIDENTS IN BUENOS AIRES AND ROSARIO. SEVEN MORE WERE KILLED NOV. 6 IN CORRIENTES, INCLUDING REGIONAL MONTONERO HEAD EDUARDO ISIDRO COLOMBO. BODIES ARE ALSO TURNING UP IN VARIOUS PARTS OF THE COUNTRY. BODIES OF NINE YOUNG PERSONS WERE FOUND FLOATING ON THE LUJAN RIVER NEAR SAN FERNANDO AROUND OCT. 15. THE BODIES, WHICH HAD BEEN TIED TO OIL DRUMS, HAD BEEN IN THE WATER AT LEAST 45 DAYS. SEVEN MORE BODIES WERE FOUND IN A FIELD NEAR CORDOBA. LA OPINION REPORTED THE DISCOVERY OF THE SEVEN ON NOV. 5 AFTER AUTHORITIES HAD SUPPRESSED THE STORY FOR A WEEK. ANOTHER VICTIM WAS DISCOVERED IN A RESERVOIR IN MENDOZA PROVINCE AND THREE MORE IN A GARBAGE DUMP IN BUENOS AIRES NOV. 6. ALL OF THE VICTIMS HAD BEEN REPEATEDLY SHOT. NONE OF THE BODIES HAS BEEN PUBLICLY IDENTIFIED.

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TO SECSTATE WASHDC 7865

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7. THE SUSPENSION OF ARTICLE 23 OF THE CONSTITUTION GIVING CITI-

ZENS DETAINED UNDER STATE OF SIEGE THE RIGHT TO OPT TO LEAVE THE COUNTRY WAS EXTENDED ON OCT. 28 FOR ANOTHER 180 DAYS. EARLIER THE INTERIOR MINISTRY ANNOUNCED THAT PERSONS DETAINED BY THE EXECUTIVE COULD PETITION TO LEAVE THE COUNTRY WITHIN 90 DAYS OF THEIR ARREST ORDER. THE MINISTRY WOULD HAVE 90 MORE DAYS IN WHICH TO RESPOND BUT WOULD DENY THE PETITION IF IT CONSIDERED THE PETITIONER TO BE A THREAT TO NATIONAL SECURITY.

8. ISABLE PERON WILL NOT STAND TRIAL AGAIN FOR DRAWING A PERSONAL CHECK ON A PUBLIC CHARITY FUND. THE COURT BASED ITS DECISION ON THE PRINCIPLE OF DOUBLE JEOPARDY (MRS. PERON HAD BEEN CLEARED OF THE CHARGE LAST YEAR), EVEN THOUGH IT SAID THAT THE EARLIER TRIAL WAS FULL OF "IRREGULARITIES." THE LOCAL PRESS PRAISED THE COURT VERDICT AS AN EXAMPLE OF THE INDEPENDENCE AND IMPARTIALITY OF THE COURT SYSTEM IN UPHOLDING A PRINCIPLE OF LAW, AND NOTED THAT MRS. PERON WOULD STILL BE TRIED ON A NUMBER OF OTHER CHARGES OF MISUSE OF PUBLIC FUNDS.

9. REP. DON FRASER HAS INVITED LA OPINION EDITOR JACOBO TIMERMAN TO TESTIFY IN FURTHER CONGRESSIONAL HEARINGS ON THE ARGENTINE HUMAN RIGHTS SITUATION EARLY NEXT YEAR. LA OPINION TODAY (NOV. 9) PUBLISHED FRASER'S REPLY TO TIMERMAN'S LETTER OF SEPT. 30 OFFERING TO TESTIFY (REFTEL B). FRASER WROTE THAT THE SUBCOMMITTEE WAS INTERESTED IN A WIDE SPECTRUM OF POINTS OF VIEW AND PLANS [redacted]

TO CALL ADDITIONAL HEARINGS ONCE CONGRESS RECONVENES, PROBABLY IN JANUARY OR FEBRUARY.

10. THE INTERIOR MINISTRY'S NEW POLICY ON PRISONERS' PETITIONS TO LEAVE THE COUNTRY WAS ALSO BLUNTED WHEN THE GOVERNMENT THE SAME DAY QUICKLY EXTENDED ITS SUSPENSION OF THE CONSTITUTIONAL GUARANTEE OF THE SAME RIGHT. WHILE WE HAVE YET TO SEE HOW MANY PERSONS SUBMIT PETITIONS--AND HOW MANY THE GOVERNMENT ACCEPTS--THE DECREE IS SO WORDED AS TO LEAVE THE DETAINEES' FATE ENTIRELY UP TO THE INTERIOR MINISTRY'S DESCRETION, JUST WHERE IT ALREADY RESIDES.

11. TRACTOR COMPANY PERSONNEL MANAGER ADOLFO VALIS WAS SHOT DEAD BY TERRORISTS OUTSIDE HIS HOME YESTERDAY (NOV. 9). VALIS HAD RETIRED FROM THE AIR FORCE IN 1963. HIS WAS THE EIGHTH MURDER OF COMPANY EXECUTIVES IN BUENOS AIRES' WESTERN SUBURBS IN THE LAST THREE MONTHS. GRAFA EXECUTIVE CARLOS VALENTIN AGUIRRE

Case Number: 200000044

WAS KILLED NOV. 8 AND CHRYSLER BUEINESSMAN CARLOS SOUTO LAST WEEK (NOV. 3).

12. COMMENT: ONE IS TEMPTED TO BELIEVE THERE HAS BEEN SOME IMPROVEMENT IN THE HUMAN RIGHTS SITUATION IN ARGENTINA OVER THE PAST FEW WEEKS. THERE HAVE BEEN NO "HIGH PROFILE" VIOLATIONS ON THE ORDER OF THE IPLAR MASSACRE IN AUGUST OR THE MURDER OF THE FIVE PRIESTS IN JULY. THIS MAY BE EXPECIALLY SIGNIFICANT IN VIEW OF THE OCT. 17 BOMBING OF THE CIRCULO MILITAR--WHICH MANY OBSERVERS HAD FEARED WOULD RESULT IN A RASH OF REPRISALS. SO FAR, THERE HAVE BEEN NONE--AT LEAST NONE OF WHICH THE PUBLIC IS AWARE, AND THAT IS A QUALITATIVE CHANGE IN ITSELF, GIVEN PUBLIC NATURE OF PILAR MASSACRE. VARIOUS GOVERNMENT AND MILITARY OFFICIALS, MOREOVER, INSIST THAT THE ABSENCE OF MAJOR INCIDENTS IS NO COINCIDENCE. THEY ARE, THEY SAY, BEGINNING TO GET MORE EXTREME ELEMENTS IN SECURITY FORCES UNDER CONTROL. GIVEN THE CONTINUING APPEARANCE OF BODIES NOTED IN PARA SIX, HOWEVER, ANY CONCLUSION ABOUT AN IMPROVEMENT IN THE HUMAN RIGHTS SITUATION SHOULD BE DEFERRED.
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