<<<<.>>>>
[redacted]

2/12/79

N087
P
B1

PAGE 01 BUENOS 01189 01 OF 03 122021Z
ACTION ARA-15

INFO OCT-01 IO-14 ISO-00 HA-05 H-01 L-03 SS-15 SSO-00
CIAE-00 INR-10 NSAE-00 INRE-00 NSCE-00 PM-05
DODE-00 MCE-00 EB-08 PA-01 SP-02 /080 W
----------011630 122100Z /70

O R 121930Z FEB 79
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 9464
INFO AMEMBASSY ASUNCION
AMEMBASSY SANTIAGO
AMEMBASSY MONTEVIDEO
AMEMBASSY BRASILIA
USUN NEW YORK 0921
USCINCSO
USMISSION GENEVA

ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/IPS
Margaret P. Grafeld, Director
( ) Release (X) Excise ( ) Deny
Exemption(s): B1
Declassify: (X) In Part ( ) In Full
( ) Classify as ___ (X) Extend as 5 ( ) Downgrade to ___
Date 4/25/011 Declassify on _____ Reason 25X1

[redacted] SECTION 1 OF 3 BUENOS AIRES 1189

E.O. 12065 XDS-1/1 2-12-09 (CASTRO, RAUL H.) OR-M
TAGS PINS, SHUM, AR
SUBJECT HUMAN RIGHTS ROUNDUP - SEPTEMBER 78 - FEBRUARY 79

REF: A 78 BA 5656; B 78 BA 6527; C 78 BA 7693;
D 78 BA 9110; E 78 BA 9209 (ALL REFS NOTAL)

1. [redacted] ENTIRE TEXT)

2. SUMMARY: THIS REPORT RESUMES THE HUMAN RIGHTS ROUND UP SERIES, WHICH THE REPORTING PLAN NOW SCHEDULES EVERY SIX WEEKS. THE LAST REPORT IN THIS SERIES WAS REF B, WHICH WAS FOLLOWED BY REFS C, D AND E ON OUTLOOK, RIGHT OF OPTION, AND DISAPPEARANCES.
LARGE NUMBERS OF THE MOST ELEMENTAL HUMAN RIGHTS ABUSES CONTINUE TO OCCUR. THE EXPECTATIONS EXPRESSED IN REF C HAVE NOT BEEN MET, NEITHER HAS THE SIATUION RETROGRESSED. WHILE THERE HAVE BEEN A NUMBER OF POSITIVE
[redacted]

PAGE 02 BUENOS 01189 01 OF 03 122021Z

DEVELOPMENTS OVER THE PAST FIVE MONTHS, WE HAVE YET TO SEE THE HERALDED BASIC CHANGES IN THE OPERATIONAL METHODS

AND ROLE OF THE SECURITY FORCES - THE SOURCE OF THE MOST CRUCIAL VIOLATIONS. THE ATTENTION OF THE MILITARY AND THE PUBLIC OVER MOST OF THIS PERIOD WAS RIVETED ON THE BEAGLE CHANNEL DISPUTE, THE MOBILIZATION AND NEAR WAR. NEXT IMPORTANT AS A DIVERSION WERE THE YEAR-END MILITARY PROMOTIONS AND ASSIGNMENTS, THE FINAL RESULTS OF THE YEAR'S MILITARY POLITICS.
THIS REPORT COVERS SIGNIFICANT DEVELOPMENTS IN SIX AREAS OF TOP INTEREST. THESE DEVELOPMENTS SHOW SOME SIGNS OF IMPROVEMENT IN THE HUMAN RIGHTS PICTURE -- CLEARLY BETTER THAN ONE YEAR AGO, BUT PORTRAY A SITUATION IN WHICH GRAVE VIOLATIONS CONTINUE TO BE COMMON. END SUMMARY.

3. SECRUTIY FORCE OPERATIONAL PRACTICES
IN JULY-AUGUST 1978 WE RECEIVED REPORTS FROM [redacted] B1
POLITICAL SOURCES THAT POLICE AND MILITARY COUNTER-SUBVERSIVE PRACTICES WERE TO BE CLEANED UP AND MORE CLOSELY CONTROLLED. MANY COUNTER-SUBVERSIVE UNITS WERE REPORTEDLY TO BE CLOSED DOWN. WHILE THE LATTER SEEMS BORNE OUT IN SEVERAL CASES, WE SEE NO EVIDENCE OF MAJOR REFORMS OF THE SYSTEM BY WHICH INDIVIDUAL SECURITY UNITS CAN ABDUCT SUSPECTS WHO NEVER REAPPEAR. THE TOTAL NUMBER OF THESE EVENTS APPEARS TO HAVE DECLINED FROM 1977, BUT THE PRACTICE CONTINUES DESPITE REPORTS BY SENIOR SECURITY OFFICERS AND STATEMENTS BY JUNTA MEMBERS VIOLA DNA AGOSTI THAT THE WAR AGAINST TERRORISM IS OVER. THE EMBASSY CONTINUES TO RECEIVE REPORTS THAT TORTURE OF SUBVERSIVE SUSPECTS IS COMMON. THE TREND OF DISAPPEARANCES IS CLEARLY DOWN, THOUGH THE DATA IS EXTREMELY SLIPPERY. (OUR DATA IMPROVES OVER TIME, THERE IS A LAG IN REPORTING DISAPPEARANCES, THIS

[redacted]

LAG MAY BE SHRINKING ACCORDING TO ONE HUMAN RIGHTS SOURCE, AND THERE IS A COMPLETELY UNKNOWN PERCENTAGE ERROR RESULTING FROM UNREPORTED CASES.) DESPITE THE MANY UNCERTAINTIES, WE ARE SATISFIED THAT THE NUMBER OF DISAPPEARANCE DECLINED FROM APPROXIMATELY 80/MONTH AT THE END OF 1977 TO APPROXIMATELY 50/MONTH DURING THE FIRST HALF OF 1978. THE LATTER FIGURE IS SO FAR FROM ZERO AS TO BE OF MOSTLY ACADEMIC INTEREST; CAUTION SHOULD BE USED IN DRAWING CONCLUSIONS FROM IT. OF INTEREST WERE A

NUMBER OF REAPPEARANCES REPORTED OVER THE PAST SEVERAL MONTHS, ESPECIALLY THE JOURNALIST ESTEBAN WHO WAS FINALLY

SURFACED AND CHARGED (BA 7797, BA 7966), ALFREDO SMITH (BA 9133) AND OTHERS (BA 9111, BA 0029). THE HANDLING OF THESE FEW CASES DOES NOT NECESSARILY INDICATE AN IMPROVEMENT IN SECURITY FORCE PRACTICES. A NUMBER OF EMBASSY SOURCES REPORT OPTIMISM ABOUT REDUCTION OF DISAPPEARANCES IN FIRST CORPS AREA WITH THE APPOINTMENT OF GENERAL GALTIERI AS COMMANDER. DURING HIS TENURE AS SECOND CORPS COMMANDER, SECURITY FORCES PROCEDURES THERE WERE RELATIVELY FAR BETTER, WITH SUSPECTED SUBVERSIVES USUALLY BEING PRESENTED TO THE COURTS AND CHARGED. AT THE SAME TIME DISAPPOINTMENT IF EXPRESSED OVER THE APPOINTMENT OF GENERAL SASIAIN AS CHIEF OF FEDERAL POLICE.
SUMMARY EXECUTIONS ARE CONTINUING, SOME EVIDENCE BEING THE REPORTS OF BODIES WASHED ASHORE IN DECEMBER 78 (BA 0530). THIS KIND OF REPORT BRINGS HORROR AND DRAMA TO THE SITUATION, BUT WE CONTINUE TO BELIEVE THAT THE BEST INDICATOR OF WHAT IS ACUTALLY HAPPENING IS THE NET NUMBER OF DISAPPEARANCES. APPARENTLY SOME IN THE GOA USE THE SAME MEASURES; NOTE THE STATEMENT TO THE AMBASSADOR BY THE SECGENERAL OF THE AIR FORCE THAT JANUARY DISAPPEARANCES SHOULD NOT EXCEED TEN (BA 1084). SUMMARY EXECUTION OF ABDUCTED SUSPECTS IS AN INTEGRAL PART OF THE SYSTEM BY WHICH INDIVIDUAL SECURITY UNITS ARE PERMITTED TO OPERATE WITHOUT ACCOUNTABILITY TO THE COURTS. IT SEEMS UNLIKELY

[redacted]

[redacted]

PAGE 04 BUENOS 01189 01 OF 03 122021Z

THEY CAN BE STOPPED WITHOUT OVERHAUL OF THE SYSTEM. PRESSURE FOR CHANGE OF THE SYSTEM JUMPED SHARPLY IN DECEMBER WITH THE ABDUCTION AND MURDER OF FONOFF OFFICIAL ELENA HOLMBERG (BA 436). THE MURDER OF HOLMBER, A STAUNCH CONSERVATIVE FROM ONE OF ARGENTINA'S MOST DISTINGUISHED FAMILIES SEEMS TO HAVE ROCKED THE ESTABLISHMENT PROFOUNDLY. LA NACION, WHICH HAD HERETOFORE BEEN ABLE TO IGNORE THE PROBLEM, EDITORIALIZED ABOUT THE MURDER WITH GENUINE OUTRAGE.

[redacted]

NNN

[redacted]

PAGE 01 BUENOS 01189 02 OF 03 122039Z
ACTION ARA-15

INFO OCT-01 IO-14 ISO-00 HA-05 H-01 L-03 SS-15 SSO-00
CIAE-00 INR-10 NSAE-00 INRE-00 NSCE-00 PM-05
DODE-00 MCE-00 EB-08 PA-01 SP-02 /080 W
----------011765 122106Z /70

O R 121930Z FEB 79
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 9465
INFO AMEMBASSY ASUNCION
AMEMBASSY SANTIAGO
AMEMBASSY MONTEVIDEO
AMEMBASSY BRASILIA
USUN NEW YORK 0922
USCINCSO
USMISSION GENEVA

[redacted] SECTION 2 OF 3 BUENOS AIRES 1189

4. COURTS AND THE RULE OF LAW
A MAJOR INDICATOR OF NORMALIZATION IS ASSERTION BY THE COURTS OF THEIR AUTHORITY, AND THE GOVERNMENTS RESPONSIVENESS TO THAT AUTHORITY. IN THE AREA OF TREATMENT OF SUBVERSIVE SUSPECTS, THE GOVERNMENT CONTINUES TO IGNORE THE COURTS. FOR THEIR PART, THE COURTS AND BAR ASSOCIATIONS HAVE BECOME INCREASINGLY ASSERTIVE (ENCOURAGED BY THE AMBASSADOR'S INITIAVIES AND BY EMBASSY PROGRAMMING). IN A SMALL BUT
GROWING NUMBER OF SUBVERSIVE CASES THE EXECUTIVE IS CHARGING SUSPECTS BEFORE CIVIL JUDGES (BA 7966 IS AN EXAMPLE). WE HAVE RECEIVED REPORTS THAT A NUMBER OF PRISONERS ARE TRIED BY MILITARY COURTS, BUT NO DATA ON NUMBERS IS AVAILABLE.
OTHER INSTANCES OF THE COURTS' ASSERTION OF AUTHORITY WERE REPORTED IN BA 8212, BA 8796 AND BA 1097. THE SIGNIFICANCE OF THESE EVENTS GROWS WITH THEIR FREQUENCY.

[redacted]

PAGE 02 BUENOS 01189 02 OF 03 122039Z

5. THIS APPEARS TO BE ONE AREA IN WHICH THE GOA IS MAKING A REAL EFFORT TO IMPOSE CONSISTENT CENTRAL GOVERNMENT CONTROL OVER PRISONERS WHO HAVE RECEIVED WIDELY VARYING TREATMENT. IT APPEARS TO BE IN PREPARATION FOR THE IAHRC VISIT, AND IN RESPONSE TO ICRC URGINGS. PEN PRISONERS THROUGHOUT THE COUNTRY ARE BEING TRANSFERRED TO SIX PRISONS RUN BY THE MINISTRY OF INTERIOR. ALSO IN ANTICIPATION OF THE IACHR VISIT THERE IS AN EFFORT TO CHARGE

OR RELEASE PEN PRISONERS (MEMCONS WITH MININTERIOR OFFICIAL 1-10 AND 2-2-79).
IN RECENT MONTHS A NUMBER OF PROMINENT PRISONERS HAVE BEEN RELEASED, SUCH AS ALFREDO BRAVO (BA 0066) OR PUT UNDER HOUSE ARREST (BA 7098). WHILE THESE ACTIONS SHOW THE AUTHORITIES CAN REVERSE ARBITRARY DETENTION, THEY HAVE ONLY A SMALL EFFECT ON THE TOTAL PRISONER POPULATION.

6. *RIGHT OF OPTION*
THIS ASPECT OF PRISONER TREATMENT MERITS SEPARATE ATTENTION BECAUSE OF THE DETAINEE PAROLE PROGRAM. AFTER MONTHS OF ARGUMENTS AND PRESSURE, THE GOA FINALLY AGREED IN NOVEMBER 1978 TO PERMIT OUR CONSULAR OFFICERS TO INTERVIEW PAROLE APPLICANTS. (APPARENTLY THERE ARE MIXED FEELINGS WITHIN THE GOA ABOUT THIS PROGRAM - SEE BA 8869 AND BA 9110). TWO LISTS OF APPLICANTS FOR PAROLE TO THE US HAVE BEEN REVIEWED BY THE MINISTRY OF INTERIOR, AND WHILE APROVING SOME, MANY INTERVIEWS HAVE BEEN DISAPPROVED: FIRST BECAUSE THE APPLICANT HAS BEEN CHARGED OR SENTENCED ON A CRIMINAL CHARGE, SECOND BECAUSE HIS APPLICATION FOR RIGHT OF OPTION HAS RECENTLY BEEN DISAPPROVED, THE THIRD BECAUSE HE HAS EITHER BEEN RELEASED OR GRANTED RIGHT OF OPTION TO GO TO ANOTHER COUNTRY. WE BELIEVE THAT OVER THE NEXT FEW MONTHS OUR PROGRAM WILL PERMIT A MODEST [redacted]

NUMBER OF DETAINEES TO GO TO THE US. THIS WILL NEVER BECOME A MAJOR PROGRAM UNTIL THE GOA - AS THE CHILEAN GOVERNMENT FINALLY DID -- DECIDES TO USE IT AS A PRIMARY VEHICLE FOR EMPTYING THE PRISONS.

7. IAHRC - THE MAJOR HUMAN RIGHTS EVENT OF THE PERIOD WAS GOA AGREEMENT TO THE VISIT OF THE COMMISSION. THE CIRCUMSTANCES ARE INSTRUCTIVE, AND PROBABLY THE BEST FACTURAL EVIDENCE OF THE GOOD INTENTIONS OF PRESIDENT VIDELA IN THIS AREA. IT IS IMPORTANT TO RECALL THAT THE INITIATIVE FOR THE POSSIBLE VISIT OF THE COMMISSION WAS WITH PRESIDENT VIDELA DURING THE VISIT OF UNDERSECRETARY NEWSOM. INITIAL EFFORTS TO SET IN MOTION A VISIT FOUNDERED ON FOREIGN OFFICE OPPOSITION IN JUNE 1978. SUBSEQUENTLY AN AGENT OF THE PRESIDENCY NEGOTIATED DIRECTELY WITH THE COMMISSION TO ACHIEVE AGREEMENT ON A VISIT, WHICH WAS BITTERLY OPPOSED BY ELEMENTS IN THE FOREIGN OFFICE. DESPITE THE OPPOSITION THE PRESIDENT

PERSEVERED AND THE VISIT WAS ANNOUNCED IN OCTOBER, ACCOMPNAIED BY RUMBLINGS OF DISSENT FROM THE FOREIGN OFFICE (BA 8171 AND BA 8248). WHILE THE VISIT SEEMED REMOTE DURING THE BEAGLE CHANNEL CRISIS, WE NOW HAVE INCREASING REPORTS THAT THE GOVERNMENT IS CONCENTRATING ON REMEDIAL ACTIONS TO BE TAKEN BEFORE THE VISIT TAKES PLACE (BA 0592, 0627, 0850, 1084). THE VISIT IS A DECISION AND ACTION-FORCING EVENT WHICH CAN HAVE SIGNIFICANT EFFECTS ON GOA PRACTICES IN SECURITY AND PRISONER TREATMENT. THOUGH WE CANNOT ACCOUNT FOR IT, THE GOA SEEMS TO BE ABLE TO CONTEMPLATE THE VISIT OF THE IAHRC, WHERE ANY DEALINGS WITH THE UN COUNTERPART WOULD BE UNTHINKABLE FROM THEIR VIEW.

8. ATTITUDES - TOLERANCE OF DISSENT
IN OUR EXPRESSION OF GUARDED OPTIMISM (BA 7693) WE EXPRESSED SOME CAUTIOUS HOPES BASED ON A VISIBLE CHANGING OF ATTITUDES TOWARDS VIOLATION OF HUMAN RIGHTS, AND

[redacted]

PAGE 04 BUENOS 01189 02 OF 03 122039Z

GREATER WILLINGNESS TO SPEAK OUT AGAINST ABUSES.
THESE TRENDS HAVE CONTINUED AND INCREASED, THOUGH THE GOVERNMENT RESPONSE TO THEM HAS BEEN BARELY VISIBLE.
MOST OBVIOUS IS THE FACT THAT NEWSPAPER COVERAGE OF AND COMMENT ON DISAPPEARANCES, ONCE TABOO, IS NOW ALMOST COMMON. WE COMMENTED ON THIS IN SEPTEMBER (BA 7625), AND THE

[redacted]

NNN

[redacted]

PAGE 01 BUENOS 01189 03 OF 03 122042Z
ACTION ARA-15

INFO OCT-01 IO-14 ISO-00 HA-05 H-01 L-03 SS-15 SSO-00
CIAE-00 INR-10 NSAE-00 INRE-00 NSCE-00 PM-05
DODE-00 MCE-00 EB-08 PA-01 SP-02 /080 W
----------011784 122110Z /70

O R 121930Z FEB 79
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 9466
INFO AMEMBASSY ASUNCION
AMEMBASSY SANTIAGO

AMEMBASSY MONTEVIDEO
AMEMBASSY BRASILIA
USUN NEW YORK 0923
USCINCSO
USMISSION GENEVA

[redacted] SECTION 3 OF 3 BUENOS AIRES 1189

TREND HAS BEEN GATHERING MOMENTUM. THE MOST NOTABLE COVERAGE RELATED TO THE DEATH OF ELENA HOLMBERG IN DECEMBER, WHICH SEEMS TO HAVE STRUCK A SENSITIVE SPOT. HUMAN RIGHTS GROUPS NOW REGULARLY PLACE PAID ADVERTISEMENTS IN THE PRESS ASKING FOR REDRESS OF THEIR GRIEVANCES, AND SUPREME COURT DECISIONS CRITICAL OF THE GOVERNMENT ARE NO LONGER GIVEN KID-GLOVE TREATMENT.
ANOTHER EXAMPLE OF HESITATION TO RESORT AUTOMATICALLY TO FORCE IS THE CASE OF JEHOVAH'S WITNESSES. (BA 0461, 0577 AND PREVIOUS). THE GOA SEEMS TO BE AWARE THAT IT IS INCURRING INTERNATIONAL DISFAVOR BY PLACING HEAVY PENALTIES ON THE REFUSAL OF THE WITNESSES' CHILDREN TO SALUTE THE FLAG AND BEAR ARMS. THEY SEEM TO BE IMPRESSED BYTHE AMBASSADOR'S ARGUMENT THAT THE USG WENT THROUGH THE SAME PROBLEM, AND THEY SHOULD LEARN BY OUR MISTAKES. SOME CONFIRMATION OF THIS APPEARED IN [ ] WHICH STATES THAT THE CONCEPT OF ALTERNATIVE MILITARY SERVICE IS NOW BEING SERIOUSLY EXPLORED. b1

[redacted]

[redacted]

PAGE 02 BUENOS 01189 03 OF 03 122042Z

HAVING NOTED THESE STRAWS IN THE WIND, IT MUST BE STATED THAT TOLERANCE OF DISSENT, NOVELTY OR UNCONVENTIONAL VIEWS IS MINIMAL.

9. CONCLUSION: THERE ARE SOME POSITIVE EVENTS AND TRENDS AMIDST CONTINUING VIOLATIONS. QUANTITATIVELY THE VIOLATIONS HAVE DECLINED AND QUALITATIVELY THE GOA'S PERFORMANCE HAS IMPROVED A LITTLE, BUT IT IS STILL FAR SHORT OF INTERNATIONAL STANDARDS.
CASTRO

[redacted]

NNN