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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 ____

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E.O. 11652: GDS
TAGS: SHUM, PINS, AR
SUBJECT: THE PROBLEM OF THOSE WHO DISAPPEARED

1. SUMMARY:
WITH THE PUBLICATION OF THE FINAL LISTS OF PRISONERS HELD BY THE EXECUTIVE UNDER THE STATE OF SEIGE POWER, MANY IN ARGENTINA AND ABROAD WILL HAVE TO FACE THE LIKELIHOOD THAT MISSSING FRIENDS AND RELATIVES MUST BE PRESUMED DEAD. THIS WILL CREATE SOME POLITICAL PRESSURES WITHIN ARGENTINA, BUT LIKELY WILL NOT HAVE A MAJOR DOMESTIC POLITICAL IMPACT. IT WILL ALSO GENERATE PRESSURES AND CAMPAIGNS SEEKING TO FORCE THE GOA TO RENDER AN ACCOUNTING FOR THE MISSING. THIS SITUATION RAISES THE QUESTION FOR THE USG OF HOW TO REACT. THE EMBASSY RECOMMENDS THAT THE USG SHOULD CONCENTRATE ITS EFFORTS ON THE OPPORTUNITIES CREATED FOR CONTINUED PROGRESS TOWARD RETURN TO THE RULE OF LAW. WHILE NOT CONDONING OR
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PARDONING THE GOA FOR ITS PART IN THE DISAPPEARANCES, WE SHOULD AVOID ENDORSING DEMANDS FOR AN ACCOUNTING.

END SUMMARY

2. CIVIL VIOLENCE, TERRORISM AND COUNTERTERRORISM IN ARGENTINA OVER THE PAST HALF-DOZEN YEARS HAVE PROBABLY TAKEN THOUSANDS OF LIVES. A GREAT MANY OF THOSE HAVE BEEN SHOT OR VICTIMS OF BOMB ATTACKS. THERE IS A LARGE CATEGORY, HOWEVER, GENERALLY DESCRIBED AS "THE DISAPPEARED". THE CONVENTIONAL GOVERNMENT EXPLANATION FOR THESE PERSONS WHO HAVE VANISHED WITHOUT A TRACE IS THAT THEY:

(1) HAVE GONE UNDERGROUND.
(2) WERE TERRORISTS WHO WERE KILLED BY THEIR COMPANIONS.
(3) HAVE FLED THE COUNTRY.
(4) HAD BEEN KILLED IN BATTLE AND BODIES WERE UNRECOGNIZABLE, OR
(5) WERE THE VICTIMS OF COUNTER-SUBVERSIVE EXCESSES.

WHILE WE KNOW THAT THERE ARE SIGNIFICANT NUMBERS IN THE FIRST FOUR CATEGORIES, WE ARE CONVINCED THAT THE MAJORITY FALL IN THE FIFTH. THESE INDIVIDUALS HAVE BEEN SEIZED BY ELEMENTS OF THE SECURITY FORCES AND HAVE BEEN SUMMARILY EXECUTED WHEN IT IS FOUND OR STRONGLY SUSPECTED THAT THEY HAVE SERIOUS INVOLVEMENT WITH TERRORISM.

3. THE MAGNITUDE OF THE PROBLEM:
AN ACCURATE NUMBER CAN NEVER BE ARRIVED AT. ORGANIZATIONS WHICH REGISTER REPORTS OF DISAPPEARANCES HAVE COLLECTED WIDELY VARYING NUMBER OF CASES. IT IS OUR ESTIMATE THAT AT LEAST SEVERAL THOUSAND WERE KILLED, AND WE DOUBT THAT IT WILL EVER BE

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POSSIBLE TO CONSTRUCT A MORE SPECIFIC FIGURE.

4. THE ISSUE MUST BE FACED. UNTIL NOW, THE ARGENTINE GOVERNMENT HAS SIMPLY ACKNOWLEDGED THAT INDIVIDUALS HAVE DISAPPEARED AND CITED THE FIVE REASONS GIVEN ABOVE, DISMISSING THE MATTER. THE ISSUE OF DISAPPEARANCES WILL SHORTLY BECOME MORE ACUTE, WHEN FRIENDS AND NEXT-OF-KIN OF THE MISSING MUST FACE UP TO THE FACT THAT THEY ARE NOT BEING HELD BY THE GOVERNMENT. IN DECEMBER 1977 THE GOA BEGAN TO PUBLISH LISTS OF ALL THOSE BEING HELD UNDER THE EXECUTIVE'S STATE OF SEIGE DETENTION

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POWER ON GROUNDS OF SUBVERSIVE ACTIVITY OR SUSPECTED ACTIVITY. AT THIS POINT, ALL BUT ABOUT 800 OF THE 3,700 PRISONERS IN THIS CATEGORY HAVE BEEN IDENTIFIED BY THE GOA. WHEN THE NAMES OF THE REMAINING 800 HAS BEEN PUBLISHED, ALL THOSE MISSING WHOSE NAMES HAVE NOT TURNED UP ON THE LISTS (AS SOME 70 HAVE) WILL HAVE TO BE PRESUMED DEAD. THEIR FRIENDS CAN NO LONGER CLING TO THE HOPE THAT THEY WERE UNDER SECRET GOVERNMENT DETENTION.

5. COMPLETENESS OF THE GOVERNMENT'S LISTS:
IT IS INEVITABLE THAT SOME WILL CONTINUE TO CONTEND THAT THOUSANDS OF PRISONERS ARE BEING HELD IN SECRET PRISON CAMPS OR THAT FOR SPECIAL REASONS THE GOVERNMENT HAS DECLINED TO IDENTIFY SOME INDIVIDUALS IT IS HOLDING. THE EMBASSY DOUBTS THAT THIS COULD ACCOUNT FOR A SIGNIFICANT NUMBER. WE KNOW THAT THERE IS A SMALL NUMBER OF CAPTURED TERRORISTS WHO ARE COOPERATING WITH THE AUTHORITIES AGAINST THEIR FORMER COMRADES AND WHOSE NAMES ARE WITHHELD FOR THEIR PROTECTION. THERE MAY BE SMALL NUMBERS OF OTHER PRISONERS SECRETLY RETAINED FOR SPECIAL REASONS, BUT THERE IS NO INCENTIVE OR

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RATIONALE FOR THE GOVERNMENT TO IMPRISON SECRETLY SIGNIFICANT NUMBERS OF TERRORIST SUSPECTS.

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6. THE PROBLEM FOR THE GOA:
THOSE WHO HAVE BEEN MAINTAINING THE HOPE THAT DISAPPEARED RELATIVES MAY TURN UP WILL FEEL THEIR SENSE OF LOSS ACUTELY. THE ONE-ISSUE GROUPS, SUCH AS THE MOTHERS OF THE PLAZA DE MAYO, WILL CLAMOR FOR THE GOVERNMENT TO MAKE AN ACCOUNTING FOR THE MISSING. THE ISSUE WILL BE INCREASINGLY AND DRAMATICALLY REPORTED INTERNATIONALLY. HOWEVER, WE DOUBT THAT IT WILL ASSUME SIGNIFICANT DOMESTIC POLITICAL PROPORTIONS; HE GOVERNMENT RETAINS SUBSTANTIAL PUBLIC SUPPORT AND THERE IS NO SIGNIFICANT ORGANIZED OPPOSITION. THERE IS NO GENERAL PERVASIVE SENSE OF OUTRAGE ABOUT THOSE WHO HAVE DISAPPEARED, AND, INDEED, AMONG THOSE WHO HAVE NOT LOST RELATIVES--AND EVEN AMONG SOME WHO HAVE--A FREQUENT REACTION IS "GOOD RIDDANCE". THE ISSUE HAS SHOWN POLITICAL POTENTIAL, HOWEVER, IN THAT ADMIRAL MASSERA HAS MADE A FEW GESTURES AT EXPLOITING IT FOR HIS PERSONAL POLITICAL ADVANTAGE AND WHEN GREATER [redacted]

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POLITICAL FREEDOM PERMITS, THE POLITICAL PARTIES WILL USE THE ISSUE AS A STICK WITH WHICH TO BEAT THE MILITARY REGIME.

7. THE GOA REACTION:
THE GOA HAS LONG SINCE DECIDED HOW TO DEAL WITH THE PROBLEM OF DISAPPEARANCES. IT HAS ESTABLISHED A FRAMEWORK TO EXPLAIN THE DISAPPEARANCES AND HAS NOT DENIED THAT WHEN THE LAST OF THE LISTS OF DETAINEES UNDER THE EXECUTIVE AUTHORITY IS PUBLISHED, THOSE NOT LISTED CAN BE ASSUMED LOST INTO ONE OF THE FIVE CATEGORIES OF THE DISAPPEARED. THE GOA'S LEADERS HAVE DECIDED TO RIDE OUT THIS ISSUE. WE THINK THEY HAVE CONCLUDED THAT IT CAN BE DONE WITHOUT SIGNIFICANT DOMESTIC POLITICAL RISK. WE

CAN EXPECT THE GOA SPOKESMEN IN THE UN AND OTHER INTERNATIONAL FORA TO DEAL WITH THE DISAPPEARANCE PROBLEM BY CITING THE FIVE REASONS FOR DISAPPEARANCES WHENEVER THE SUBJECT IS RAISED. THE PUBLICATIONS OF THE LISTS OF DETAINEES, HOWEVER, TOGETHER WITH THE IMPLEMENTATION OF THE RIGHT OF OPTION (VOLUNTARY EXILE) PROGRAM HAVE SET THE STAGE FOR FURTHER MODIFICATIONS OF THE GOA COUNTER-TERRORIST PRACTICES. THESE MOVES, MINIMAL THOUGH THEY BE, CREAT SOME MOMENTUM IN THE DIRECTION OF A RETURN TO DUE PROCESS AND NORMALITY. WE ALREADY SEE-AS IN THE CHURCH'S LETTER TO THE GOVERNMENT--GROWING PRESSURES TO CHARGE OR FREE THOSE HELD UNDER THE EXECUTIVE AUTHORITY AND TO CEASE THE IRREGULAR DETENTION PRACTICES (ABDUCTION) REGULARLY USED BY THE SECURITY FORCES.

8. THE PROBLEM FOR THE UNITED STATES GOVERNMENT:
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WHEN EVENTS REQUIRE THAT THERE BE PUBLIC ACKNOWLEDGMENT OF MANY THOUSANDS OF PRESUMED DEAD IN ARGENTINA, THE USG WILL HAVE TO COMMENT ON THE SIUTATION IN DEALING WITH CONGRESS AND INTERNATIONAL ORGANIZATIONS, HUMAN RIGHTS GROUPS, AND PARTICULARLY FRIENDS AND RELATIVES OF THE MISSING. THE EMBASSY RECOMMENDS THAT THE US AVOID SUPPORTING DEMANDS THAT THE GOA ACCOUNT FOR THE MISSING. WE BELIEVE THIS WOULD BE FRUITLESS AND MIGHT DIVERT US FROM THE OPPORTUNITY THAT LIES IN THE CURRENT SITUATION. THE EFFORT WOULD BE FRUITLESS BECAUSE WE BELIEVE THAT THE GOA FEELS ITS CURRENT POSITION IS LESS RISKY THAN FUTURE PUBLICATION OF NECESSARILY INCOMPLETE LISTS OF THOSE EXECUTED BY THE SECURITY FORCES. EVEN IF IT SHOULD CHOOSE TO PUBLISH LISTS, THEIR OMISSIONS WOULD GENERATE FURTHER CONTROVERSY. THE GOA COUNTER-TERRORIST OPERATIONS WERE DELIVERATELY ORGANIZED WITH A HIGH DEGREE OF INDEPENDENCE OF INDIVIDUAL UNITS, PARTICULARLY IN THE FIRST YEAR FOLLOWING THE REVOLUTION. THIS WAS DONE PARTLY TO COMPARTMENTALIZE THE OPERATIONS AND PROTECT THEM FROM TERRORIST PENETRATION, BUT IT WAS ALSO DONE SO THAT THE GOA MIGHT MAKE A PLAUSIBLE DENIAL OF ANY PARTICULAR OPERATION. WE SUSPECT THAT, EVEN IF THE GOVERNMENT HAS TRIED TO MAINTAIN SOME RECORDS OF EXECUTIONS, THE METHOD

BY WHICH IT ORGANIZED ITS TROOPS ALMOST GUARANTEES THAT REPORTS WOULD BE UNRELIABLE. IT IS ALSO IMPORTANT TO BEAR IN MIND THAT THE GOA HAS ACCEPTED RESPONSIBILITY FOR THE DEATHS OF SOME OF THE PERSONS DISAPPEARED AND, CONSEQUENTLY, ADMITS A BURDEN OF GUILT, ALBEIT VASTLY UNDERSTATED. THE EMBASSY RECOMMENDS THAT IN CORRESPONDENCE AND PUBLIC STATEMENTS ABOUT THE PROBLEM OF THOSE MISSING IN ARGENTINA, THE USG AVOID LANGUAGE THAT WOULD STIGMATIZE THIS GOVERNMENT AND INSTEAD FOCUS ATTENTION ON THE PROSPECTS FOR IMPROVED OBSERVANCE OF HUMAN

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RIGHTS IN ARGENTINA.

9. THE OPPORTUNITY FOR THE U.S.:
THE PUBLICATION OF THE LISTS OF POLITICAL PRISONERS IS IN A SENSE A WATERSHED EVENT. THE GOVERNMENT HAS DROPPED THE VEIL OF SECRECY FROM ONE IMPORTANT ASPECT OF ITS SECURITY PROGRAM. WITH THE WAR AGAINST SUBVERSION ACKNOWLEDGED AS WON BY ALL BUT A FEW HARDLINERS, IT SHOULD BECOME INCREASINGLY DIFFICULT TO JUSTIFY THOSE ABDUCTION PRACTICES STILL USED BY THE SECURITY FORCES IN THEIR OPERATIONS. THE US RESPONSE SHOULD BE TO REINFORCE THE MOMENTUM TOWARD NORMALIZATION AND DUE PROCESS. IN THIS CONTEXT, PRESSING FOR

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AN ACCOUNTING OF THE MISSING WOULD BE A DIVERSION.

10. THE EMBASSY RECOMMENDS THAT ON AN EARLY CONVENIENT OCCASION A RANKING DEPARTMENT OFFICIAL COMMENT ON THE PUBLICATION OF THE DETENTION LISTS, THE RIGHT OF OPTION PROGRAM (AND, POSSIBLY THE DEUTSCH AND TIMERMAN RELEASES), STRESSING OUR HOPE THAT THEY ARE BUT EARLY STEPS TOWARD THE RULE OF LAW. THE PUBLIC STATEMENT SHOLD BE COMPLEMENTED BY HIGH-LEVEL PRIVATE DEMARCHES IN BOTH WASHINGTON AND BUENOS AIRES. THESE WOULD NOT THE PUBLIC STATEMENT BUT HEAVILY QUALIFY IT, AND OBSERVE THAT US PUBLIC OPINION, FOR ONE, WILL NOT TOLERATE MOVES FOR AN IMPROVEMENT IN BILATERAL RELATIONS WHILE THE IRREGULAR ARREST PROCEDURES AND DETENTIONS WITHOUT CHARGE CONTINUE. AT THIS TIME IT SHOULD ALSO BE STRESSED THAT THE ISSUE OF THE DISAPPEARED WILL NEVER GO AWAY SO LONG AS THE GOA CONTINUES THOSE PRACTICES WHICH [redacted]

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ARE DIRECTLY ASSOCIATED WITH MANY DISAPPEARANCES. THE DEMARCHE COULD USEFULLY SET FORTH COME SPECIFIC REFORMS WHICH WOULD PERMIT THE USG TO ABSTAIN ON FURTHER IFI VOTES ON ARGENTINE LOANS. WE SHOULD CONCENTRATE ON THE ARREST PROCEDURES AT THIS STAGE, FOR THEY ARE THE MECHANISM FOR THE WORST ABUSES. WE SHOULD AVOID PRESSING FOR INDIVIDUAL RELEASES--A TACTIC WHICH THE GOA HAS SUCCESSFULLY USED TO BLUNT THE FORCE OF THE USG PRESSURES--AND SHOULD AVOID DEMANDING ACCOUNTABILITY FOR THE DISAPPEARED, SINCE THAT DOES NOTHING DIRECTLY TO ELIMINATE FURTHER ABUSES.

11. THE DEPARTMENT'S COMMENTS WOULD BE APPRECIATED.
CASTRO

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