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Pat - Although this never made it thru the front office the 1978 summary should be of interest to you for background. 2/7/79

TELEGRAM

AS 050

FROM: Amembassy BUENOS AIRES

12065
GDS 2/7/85 (HARRIS, F. Allen) OR-P
TAGS: SHUM AR
SUBJECT: The Argentine Human Rights Situation in 1978--a Review

ACTION: Secstate WASHDC
INFO: Amembassy ASUNCION
Amembassy BRAZILIA
AMB USMission GENEVA
DCM: Amembassy MADRID
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RF

I think we should compare 1978 to 77 in terms of the number of abuses & human rights crimes. I think 1979 shows a positive balance over 1978 in terms of the number of killings, kidnappings, etc. for return to rule of law. Gov. Sapper followed up on Parkes' order primarily through closing of detention centers.

1. Entire text [redacted]
2. INTRODUCTION AND SUMMARY: The 1978 human rights balance sheet for Argentina is as usual mixed, with some improvement. There have been no major shifts during the year in the government's anti-subversion campaign. Maintaining internal political equilibrium within the Armed Services and preparing for the Beagle Channel confrontation with Chile absorbed the government leadership's attention throughout the year, /resulted in "immobilismo" in all other policy areas including anti-subversion. ~~END SUMMARY~~
3. A catalogue of the human rights highlights of 1978 shows a

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3. Disappearances -----

Anti-subversive operations in 1978 continued to follow standard clandestine operating procedures--abduction, interrogation, torture, followed by a decision to either release, detain, or eliminate the individual. The reduction in the number of disappearances reported to the Embassy which began in mid-1977 continued through 1978. There was a 36% drop in the monthly average of cases for the last half of 1977 (81 cases per month) compared with the first half of 1978 (53 cases per month). The decline in disappearances (and operations) we believe is due to better security force intelligence and targeting efforts, scarcity of targets after two years of wide-scale repression, and the shift in the last half of 1978 of military and police personnel from anti-subversive duties ~~for~~ to Beagle ~~for~~ the war preparations,

4. 1978 saw a shift towards softer ideological targets as the few hundred remaining Montonero and ERP terrorists and their supporters became harder and harder to find. In early 1978, operations continued to be run against Peronist student and youth activists, Uruguayan refugees who had been active in left-wing labor organizations. Later in the year operations were directed against the leadership and activists of a number of Partido Comunista Argentina (PCA) splinter parties. Operations were reported against the Partido Comunista Revolucionario (PCR)--~~and~~ Maoist and Chinese Communist-backed party; Partido

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Comunista-Marxista-Leninista--a micro personal party; Partido Socialista Trabajadora (PST)--a Second International ideological offshoot. At midyear, operations began against former leftist university student leaders, who attended the University of La Plata prior to 1976. In December, ~~according to general information~~ a major operation was conducted against seventy former members of a Christian socialist youth group called Casa de la Juventud. Professionals--teachers, lawyers and newspapermen with leftist or Peronist connections--were sporadically targetted during the year. A few cases of human rights activists, labor leaders, and Partido Comunista Argentina members were reported, but these individuals were generally released or placed under PEN.

5. In mid-1978, we began to receive ~~the~~ reports of the re-appearance of long term detainees who had been held for over three months. The most significant/^{return} was the editor of an interior paper who had been held for over a year. Other reports were received of persons reappearing who had been missing for over two years. The Embassy received/^{fourteen} long term reappearance reports during the last half of 1978. These reappearances--although few in number--^{many of} fueled the expectations of/the families of desaparecidos that their relatives were still alive and being held clandestinely.

6. The Embassy also received throughout the year a stream of grizzly stories of the appearance of cadavers. The most significant were reports at the beginning and the end of

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1978 totaling about 80 bodies washing ashore on Atlantic beach resort beaches.

7. Detainees -----

The government's right of option program promulgated under Public Law 21,650 in late 1977, operated throughout the year with small effect. Four percent of the Poder Ejecutivo Nacional (PEN) prisoner population was granted the right of option (98 persons) or expelled from Argentina (41 cases) during 1978. The Ministry of Interior blames the Presidential Advisory Council created by the law for blocking "many good option cases" and the Council blames the Army Corps & ~~Commanders~~ Commands.

8. During 1978, 943 detainees had their PEN status removed. Although there is only case information, we and other human rights observers believe that the great majority of these change of status cases were not released from jail but had their PEN decrees removed and continued to be held by military or criminal court decrees.

9. The year began well as the government published the names and locations of most of its Poder Ejecutivo Nacional prisoners. However, a major policy change took place in mid-1978 when the government began placing the majority of its new detainees under the jurisdiction of the military courts instead of the PEN. In the last half of 1978, only 43 individuals were placed at the disposition of the executive power; while in the first half of the year, 291 persons were placed under PEN.

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There were two advantages to the GOA in this new procedure. First, PEN statistics improve. Secondly, military proceedings and trials are secret; there is no judicial or public accountability regarding the processing of prisoners held at the disposition of military authorities. The only information available comes from family reports. The government's policy is an effort to resolve the PEN problem through bookkeeping--no new political prisoners being placed under PEN (some economic prisoners are), old PEN prisoners being charged by military and civil courts and dropped from PEN. In 1978, this resulted in a drop of 748 persons being held under PEN, but only a small number being actually freed.

10. Governmental Attitudes -----

Throughout 1978, the Argentine leadership publicly defended itself from attacks about its anti-subversive record with justifications ranging from labeling the charges as "an anti-Argentine campaign", a necessary "dirty war" to combat Communist terrorism. The large number of reported disappearances were explained as by murders committed by terrorists, persons filing false reports before going underground, inability to identify corpses and some "excesses" by government operatives.

11. 1978 saw the first instances of the firm liners willing to deal privately on human rights issues. Most significant was the October Videla-Mondale discussion in Rome

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at which US willingness to review its policy of denying EXIM loans to Argentina and the Argentine government's willingness to accept an invitation by the Inter-American Commission on Human Rights were ~~reciprocally~~ discussed, and later agreed to by the US and Argentine governments. Navy Junta member Massera engineered the release of all French single national prisoners from Argentina (including those serving criminal sentences) as a "sweetener" for France's immediate delivery of two missile ships. Spanish authorities received promises that the majority of Spanish nationals would be freed after the Spanish king's and queen's visit to Argentina. This reportedly ~~helped~~ helped overcome Spanish parliamentary opposition to the visit.

12. US and international pressures led to some movement on high visibility detainee cases. The Deutsch family and Guillermo Vogeler were released, "La Opinion" publisher, Jacobo Timerman was transferred to house arrest. The International Red Cross was allowed to continue its program of prison visits throughout Argentina.

End of information on summary

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1978 Human Rights Highlights-----

January -- Major Events -----

-- The year began with international reverberations over the disappearances of thirteen members and supporters of the Plaza de Mayo Mothers' Group including two French nuns. ^{First} Army/Corps announced that the nuns were being held by the Montoneros.

** Embassy made high level demarches regarding these (COMCENTER: NEW SUB PARA) -- disappearances. / The UNHCR reported that seven Uruguayans residing in Argentina had disappeared in January. These Uruguayans along with 15 others taken in 1977, were reported ~~ix~~ held in a clandestine detention facility outside of Buenos Aires.

-- January 18 -- International Federation for the Rights of Man delegation headed by retired French Admiral Saguinetti and New York State Judge John Carro met with Argentine officials on human rights ~~ix~~ situation.

February -- Major Events -----

-- On February 8, the Ministry of Interior released the names of the Executive (PEN) Prisoners being held at the federal prison at Villa Devoto. In the following weeks the Ministry announced 3,178 names of PEN prisoners held at twenty federal and provincial prisons. A few hundred prisoner names were not listed due to oversight."

"administrative/oversight ~~xxxx~~ Action taken in compliance"

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with GOA Christmas promise.

-- Four PEN prisoners were released from La Plata Prison at midnight on February 5 and disappeared.

-- Inter-American Commission on Human Rights (IACHR) privately requests permission to visit Argentina to investigate human rights complaints.

-- March -- Major Events -----

-- Four Vietnamese boat people allowed to enter Argentina as a humanitarian gesture.

-- Railway and subway workers strike settled after union leaders disappear and ^{then} /reappear.

-- National Academy of Science delegation fails to get concrete signals from GOA to allow Academy to support US members' participation in October Cancer Congress.

-- Press reports 35 to 40 bodies wash ashore near mouth of Rio de La Plata.

-- Six Inner Religious sect members arrested in Resistencia.

-- CAFH sect members arrested in Cordoba.

-- International Union of Lawyers (UIA) delegation postpones visit to Argentina due to organizational difficulties.

-- Buenos Aires province orders teachers to insist that all school children salute flag and sing national anthem. Major round up of Jehovah's Witnesses conducted

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in Mar del Plata.

-- Alejandro Deutsch released from PEN detention in Cordoba.

-- Governmental leadership changes as Videla vacates Army CINC post but remains as President.

-- On the night of March 20, labor lawyer, Juan Carlos Meghi, ^{is} released from La Plata Prison. ~~He was~~ ^{and immediately} abducted

with his wife ~~and his wife~~ ^{is} Wife released quickly ~~but his body~~ ^{is} found three days later.

-- Catholic Bishops Conference ^{sends} ~~sends~~ private letter to President Videla complaining of human rights violations and "excesses" committed by security forces. Letter ^{provokes} ~~provoked~~ sharp response from President Videla for church's characterization of PEN detainees as political prisoners.

-- Army launches operation on March 26 (Easter Sunday) against Partido Comunista Revolucionario medical project in Buenos Aires workers' barrio. Twenty-four PCR members and barrio leaders reported held and tortured at the Tablada Military Base. Two reportedly die from interrogation injuries. Thirteen others re-appear in October under PEN, others released.

April -- Major Events -----

-- On April 6, Danish Deputy Foreign Minister ~~presented~~ presents oral demarche to Argentine Ambassador in Copenhagen

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expressing European Community's concern for its citizens who have disappeared or who are detained without charges. Danish Ambassador ^{makes} ~~made~~ similar demarche to Western European Foreign Ministry Office Director.

-- On April 17 "La Opinion" publisher, Jacobo Timerman, transferred to house arrest.

-- Ninety-eight Jehovah's Witnesses arrested in separate operations in mid-March and April.

-- In late April, escaped Navy Mechanics School trusty, Horacio Maggio, ^{distributes} ~~distributes~~ letter alleging that a number of important desaparecidos, including the French nuns, were held at the Navy Mechanics School interrogation facility.

May - Major Events -----

-- On May 3, Interior Minister Harguindeguy lectures National Police Congress that Argentine police forces have used special emergency procedures to eradicate ^{but} all subversion ~~and~~ now must resume normal police tasks and procedures.

-- May 17 -- Three human rights organizations publish names of 2,507 disappeareds in "La Prensa."

-- May 24-25 -- Under Secretary Newsom visits Buenos Aires.

-- Foreign Ministry ~~denies~~ rejects ICEM participation

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in right of option program.

-- Mid-May -- Belgian delegation representing the International League for the Rights of Man visits Buenos Aires.

-- Swedish Foreign Minister made strong oral demarche to Argentine Ambassador in Stockholm regarding the human rights situation in Argentina and with emphasis on abduction of Swedish citizen Dagmar Heglin.

June -- Major Events -----

-- World Cup Football Championships; Argentina wins.
orders

-- Ministry of Interior ~~xxxxxx~~/prison officials not to release PEN prisoners after 6:00 pm.

-- Embassy/~~receives~~ receives first reappearance reports of four long time "desaparecidos."

-- June 16 -- Human rights and labor leader Alfredo Bravo released from PEN detention and placed on conditional liberty.

-- Embassy informed of new Argentine Army policy to transfer officers involved in abuses in counter-subversive campaign to strictly military assignments.

-- On June 22, Mothers of the Plaza de Mayo verbally harassed in what appeared to be a staged counter-demonstration for newsmen covering World Cup Soccer matches.

-- Admiral Massera shows Embassy exchange of letters

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with President Videla in which Massera urged the armed forces to publish available information regarding "persons who have died in confrontation with anti-subversive forces." Navy plan later leaked and publicly rejected by Videla.

-- Argentine government reacted with displeasure to President Carter's June 21 OAS speech.

-- GOA officials began study of the effects of Humphrey-Kennedy amendment on cutting off military sales and training.

-- Large-scale ~~anti-subversive operations~~ round up to find/who La Plata ~~against~~ persons/ ~~believed to have~~ interfered with World Cup TV broadcast.

July -- Major Events -----

-- Argentine press complains about US policy of restricting official financial credits to Argentina.

-- Decision leaked that General Videla had ~~chosen~~ chosen General Viola to succeed him in the Junta as Army CINC; Navy Junta member Massera reported to be planning to retire ~~about~~ around September; and Air Force Junta member Agosti reported to retire in early 1979.

-- State Department's veto of EXIM issuance of letter of interest to Alice Chalmers to supply turbines for Yacyreta Hydroelectric Project draws extensive criticism from GOA officials and the press.

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indignation regarding Assistant Secretary Derian's testimony to House Inter-American Affairs Subcommittee that Argentine government is guilty of systematic torture of political prisoners and summary executions.

-- Argentine Navy decides not to participate in UNITAS exercises.

September -- Major Events -----

-- Jehovah's Witnesses launch a worldwide information and letter writing campaign against religious intolerance in Argentina.

-- Argentine Spanish language press begins giving increased coverage to disappearances, especially of professionals, students and businessmen.

-- Army reportedly issues strict operating guidelines for the anti-subversion campaign stopping "independent" operations and requiring the non-terrorist subversives are to be handled within the bounds of the law.

-- "Grandmothers'" group launches campaign over the fate of children born to their/pregnant daughters. ~~disappeared~~

-- Four cancer researchers visited Buenos Aires September 25-29 in unsuccessful attempt to obtain release of jailed physicians and scientists as a trade off for cancellation of Paris anti-cancer conference.

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November -- Major Events -----

-- November 6 -- Foreign Ministry informed Embassy that US Consular Officials would be permitted to interview PEN prisoners applying for the right of option to leave Argentina.

-- 220 prisoners reported transferred from Third Corps to Villa Devoto and La Plata Prisons. Forty to sixty "non-recognized prisoners" held by the military reportedly included in group.

-- Thirty-nine men and women "non-recognized prisoners" are also reported to have surfaced in La Plata and Villa Devoto Prisons from detention centers in the First Corps area.

-- The Beagle crisis with Chile becomes critical.

December -- Major Events -----

-- Red Cross prison visit program suspended, and then reinstated

-- Senior government officials publicly and privately suggest that a large Christmas PEN prisoner amnesty list will be forthcoming.

-- Navy sources report that Mechanics School detention and interrogation facility to be closed. Navy seeks to resettle ~~some of~~ some of the 80 trustys ~~xxxxxxx~~ outside Argentina.

-- Federal police confiscate over a half million books and pamphlets of the US Watchtower Society and sell

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the \$100,000 worth of literature as waste paper.

-- December 22 -- officials at the Casa Rosada (the Argentine White House) received two human rights delegations and promise a large Christmas amnesty, reduction of sentences of persons sentenced by military tribunals, and information regarding the whereabouts of the "desaparecidos."

-- mid-December -- Mothers of the Plaza de Mayo's Thursday afternoon demonstration swelled to over a thousand and become ~~more~~ vocal.

-- December 22 -- Ministry of Interior announces the change of status of 252 PEN prisoners as a result of the government's Christmas review. Included are eight spaniards expelled as a goodwill gesture for the visit of the Spanish king and queen.

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