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Page: 1

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Case Number: 200000044

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PAGE 01 BUENOS 07875 01 OF 02 212253Z
ACTION ARA-15

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INFO OCT-01 IO-14 ADS-00 ACDA-12 HA-05 MCT-02 CIAE-00
DODE-00 PM-06 H-01 INR-10 L-03 NSAE-00 PA-01
SP-02 SS-15 NSCE-00 SSO-00 ICAE-00 INRE-00 AID-05
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FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 2504
INFO AMEMBASSY ASUNCION
AMEMBASSY BRASILIA
AMEMBASSY CARACAS
USMISSION GENEVA
AMEMBASSY LA PAZ
AMEMBASSY LIMA
AMEMBASSY MEXICO
AMEMBASSY MONTEVIDEO
AMEMBASSY SANTIAGO
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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 _____

[REDACTED] SECTION 1 OF 2 BUENOS AIRES 7875

E.O. 12065 GDS 9/21/85 (FRIEDMAN, TOWNSEND B.) OR-P
TAGS SHUM, AR OAS
SUBJECT [REDACTED] THE IAHRV VISIT: NOT MUCH CHANGED?

1. [REDACTED] INTRODUCTION AND SUMMARY: THE MEMBERS OF THE
INTER-AMERICAN HUMAN RIGHTS COMMISSION (IAHRC) CAME, SAW
AND LISTENED DURIN THEIR SEPTEMBER 5-20 VISIT TO ARGENTINA.
IT IS MORE DIFFICULT TO SAY WHAT IF ANYTHING THEY CONQUERED,
SINCE THOUGH THEIR VISIT MAY HAVE MADE HUMAN RIGHTS AN
ISSUE FOR MANY HITHERTO UNCONCERNED OR UNCARING ARGENTINES,
IT IS LESS CERTAIN IT CHANGED VERY MANY MINDS OR CONTRIBUTTED
TO A CESSATION OF THE PRACTICES THAT HAVE EARNED ARGENTINA
A REPUTATION AS A MAJOR HUMAN RIGHTS VIOLATOR AND HAVE
STRAINED US-ARGENTINE RELATIONS. END INTRODUCTION AND SUMMARY.

PAGE 02 BUENOS 07875 01 OF 02 212253Z

Current Class: [REDACTED]

Page: 1

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1979BUENOS07875

UNCLASSIFIED

Page: 2
Channel: n/a

Case Number: 200000044

2. (U) A PROGRAMMATIC SUCCESS -----

JUDGED FROM A DISTANCE-AND WE AVOIDED DIRECT CONTACT WITH THE COMMISSION-THE VISIT WAS A SUCCESS IN TERMS OF WHAT THE COMMISSION WANTED TO DO. THEY MET WITH PRESIDENT VIDELA AT THE BEGINNING AND THE END OF THEIR VISIT. IN THE LATTER ENCOUNTER THEY REPORTEDLY LEFT HIM WITH A CONFIDENTIAL AND PRELIMINARY LIST OF "RECOMMENDATIONS", PRESUMABLY ON WHAT ARGENTINA MIGHT DO TO IMPROVE ITS HUMAN RIGHTS SITUATION. IN ADDITION THEY HELD CONFABS WITH ALL THE LEADING LIGHTS OF THE GOVERNMENT, WITH PROMINENT PRISONERS LIKE TIMBERMANN AND MRS PERON, WITH OTHER EX-PRESIDENTS, WITH HUMAN RIGHTS LEADERS, WITH POLITICIANS, JUDGES, GENERALS AND THE LIKE. THEY ALSO TOOK TESTIMONY FROM THE FAMILY MEMBERS OF THE DISAPPEARED AND FROM FORMER PRISONERS; CHECKED OUT AT LEAST THREE SITES OF FORMER CLANDESTINE PRISONS; AND INVESTIGATED DISAPPEARANCES.

3. [REDACTED] THROUGHOUT THEIR VISIT THE COMMISSION SEEMED TO DISPLAY BOTH PROFESSIONALISM AND, ON OCCASION, CREATIVITY. FOR EXAMPLE, MEMBERS VISITED CEMETERIES, COMPARING THE UNUSUALLY LARGE NUMBERS OF ANONYMOUS BURIALS IN POTTERS FIELDS WITH THE DATES OF KNOWN CLASHES BETWEEN SECURITY FORCES AND TERRORISTS-THE ASSUMPTION BEING THAT IF THERE WERE NO CORRELATION BETWEEN DATES OF THE BURIALS AND THE CLASHES, THE UNKNOWN DEAD MAY WELL BE DISAPPEARED WHO WERE KILLED BY THE AUTHORITIES.

4. [REDACTED] A MEDIA BARRAGE -----

THE COMMISSION'S VISIT WAS MASSIVELY COVERED BY THE ARGENTINE PRESS, TELEVISION AND RADIO. THERE CAN HARDLY BE AN ARGENTINE ALIVE WHO IS NOW UNAWARE THAT HUMAN

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PAGE 03 BUENOS 07875 01 OF 02 212253Z

RIGHTS ARE AN ISSUE OF SIGNIFICANCE. EVERYWHERE THE COMMISSION WENT AND EVERYBODY THEY MET WITH-EXCEPT FOR CASES WHERE THE COMMISSION SOUGHT AND OBTAINED MORE CONFIDENTIAL MEETINGS-WAS REPORTED. THE DRAMATIC ASSEMBLY OF HUNDRES OF PEOPLE WAITING OUTSIDE THE ORGANIZATIONS BUENOS AIRES OFFICE TO REPORT DISAPPEARANCES DROVE HOME THE POINT HERE THAT MANY HAVE COMPLAINTS.

Current Class: [REDACTED]

Page: 2

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1979BUENOS07875

UNCLASSIFIED

Page: 3
Channel: n/a

Case Number: 200000044

5. THERE WAS LITTLE DISCUSSION OF THE SUBSTANCE OF THE HUMAN RIGHTS ISSUE-WHAT VIOLATIONS HAVE ACTUALLY TAKEN PLACE AND HOW MANY. NO PAPER EVEN PUBLISHED AN INTERVIEW WITH THOSE WAITING TO GIVE TESTIMONY ABOUT VIOLATIONS TO THE COMMISSION.

6. BUT THERE WERE MANY NATIONALISTIC PUBLIC PROTESTS ABOUT THE VIOLATIONS OF ARGENTINA'S SOVEREIGNTY, ABOUT THE ALLEGED FAILURE OF THE COMMISSION TO DEAL WITH TERRORIST PAST, AND, ABOUT THE NECESSITY FOR STERN MEASURES TO COUNTER A MAJOR SUBVERSIVE THREAT. GOVERNMENT ELEMENTS CLEARLY HELPED STIMULATE THIS OUTBURST OF NATIONALIST SENTIMENT. IT WAS ALSO SPONTANEOUS AND REFLECTED THE CHAUVINISTIC MOOD THAT RUNS STRONGLY HERE. THUS, THOUGH HUMAN RIGHTS ACTIVISTS HAVE TOLD US THAT THEY ARE PLEASED THAT THE VISIT BROUGHT SO MUCH ATTENTION TO THE ISSUE, WE ARE FORCED TO CONCLUDE THAT IT ALSO STIRRED SENTIMENTS THAT MAY NOT BE HELPFUL TO THE HUMAN RIGHTS CAUSE.

7. THERE WAS ONE DISAPPOINTMENT IN THE REAMS OF PUBLIC RESPONSES TO THE VISIT, SOME MORE ELOQUENT AND OTHER LESS SO, BUT MOST PREDICTABLE. PUBLISHERS OF ARGENTINA'S MAJOR DAILIES REFUSED THE INVITATION TO MEET WITH THE COMMISSION. SEVERAL PUBLISHERS ALSO RELEASED RINGING-AND LESS-THAN-CANDID-STATEMENTS CLAIMING THE COMPLETE FREEDOM OF THE PRESS IN ARGENTINA.

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PAGE 04 BUENOS 07875 01 OF 02 212253Z

AND ONE PUBLISHER VIGOROUSLY DENOUNCED IAHRC'S MEDDLING IN ARGENTINE AFFAIRS. AS MEN WHO EARN THEIR BREAD SELLING A COMMODITY TO THE PUBLIC, THE PUBLISHERS' REACTION TO THE VISIT MAY HAVE BEEN A COMMENT ON THEIR READING OF THE PUBLIC MOOD.

8. THE PERONISTS POLITICIZE THE ISSUE-TEMPORARILY AT LEAST -----
THE BIGGEST SURPRISE OF ALL WAS DELIVERED BY A GROUP OF PERONISTS. USING THE COMMISSION'S VISIT AS AN OPPORTUNITY, THEY ISSUED THE FIRST STRONG PUBLIC STATEMENT OF OPPOSITION TO THE GOVERNMENT SINCE 1976, BLASTING

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Current Class: [REDACTED]

Page: 3

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1979BUENOS07875

UNCLASSIFIED

Page: 4
Channel: n/a

Case Number: 200000044

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PAGE 01 BUENOS 07875 02 OF 02 212302Z
ACTION ARA-15

INFO OCT-01 IO-14 ADS-00 ACDA-12 HA-05 MCT-02 CIAE-00
DODE-00 PM-06 H-01 INR-10 L-03 NSAE-00 PA-01
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O R 212201Z SEP 79
FM AMEMBASSY BUENOS AIRES
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[REDACTED] SECTION 2 OF 2 BUENOS AIRES 7875

THE MILITARY FOR EXERCISING DE FACTO POWER AND GROSSLY ABUSING HUMAN RIGHTS. GIVEN THE PAST RECORD OF PERONIST GOVERNMENTS ON HUMAN RIGHTS, THE STATEMENT SUBSTITUTED HYPOCRISY FOR THE MOVEMENT'S RECENT INDIFFERENCE TO THE ISSUE. BUT FOR THE MOMENT IT ALSO PUT A SECTOR OF THE NATION'S LARGEST SINGLE CIVILIAN POLITICAL FORCE ON THE SIDE OF HUMAN RIGHTS. THUS, AT LEAST SOME POLITICIANS SEEM TO HAVE TAKEN A READING THAT DEFENDING HUMAN RIGHTS MAKES POLITICAL SENSE IN ARGENTINA.

THE IMPLICATIONS OF THIS DEVELOPMENT ARE STILL UNCERTAIN. WHETHER THE DECLARATION WAS PURELY A TACTIC-- THE PERONISTS HAVE CURIOUS IDEAS ABOUT HOW TO BARGAIN WITH THE MILITARY--OR A WELL THOUGHT OUT MOVE BY MEN

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PAGE 02 BUENOS 07875 02 OF 02 212302Z

Current Class: [REDACTED]

Page: 4

UNCLASSIFIED

Case Number: 200000044

WHO BELIEVE THE TIME IS RIPE TO BEGIN AN OPPOSITION CAMPAIGN IS UNCLEAR. THE GOVERNMENT HAS CHOSEN TO INTERPRET IT AS A POLITICAL MOVE BY "COMMUNIST-INSPIRED" ELEMENTS IN THE PERONIST MOVEMENT ANY MANY OTHER PERONIST LEADERS QUICKLY DISOWNED THE STATEMENT AND DISTANCED THEMSELVES FROM BITTLE.

10. IF THE PERONIST'S GRAB FOR THE HUMAN RIGHTS BANNER HAD ENDURED IT WOULD HAVE POLITICIZED THE ISSUE ALONG THE LINES OF THE GREAT SCHISM IN ARGENTINE SOCIETY-THE PERONISTS AND THE ANTI-PERONISTS. THE DEFENSE OF HUMAN RIGHTS IN ARGENTINA HAS ON BALANCE BENEFITTED BECAUSE IT WAS, AT LEAST SUPERFICIALLY NON POLITICAL. THE DEGREE THAT IT BECOMES POLITICIZED COULD INFLUENCE--AND RESTRICT--THE ABILITY OF THIRD PARTIES LIKE THE UNITED STATES TO INTERJECT THEMSELVES INTO THE ISSUE.

11. THE REAL POLITICS: UNIFORMED POLITICS ----- THE MOST IMPORTANT IMMEDIATE POLITICAL BATTLE IN THE COUNTRY CONCERNS THE MILITARY SUCCESSION PROBLEM AND NOT THE PERONISTS. IT SEEMS UNLIKELY THAT THE IAHRC VISIT WILL NOT BECOME AN ISSUE IN THE STRUGGLE THAT PITS RELATIVE MODERATES--PRESIDENT VIDELA, ARMY COMMANDER VIOLA--AGAINST THE KNOWN HARDLINERS--ARMY CHIEF OF STAFF CARLOS SUAREZ MASON AND GENERAL LUCIANO MENENDEZ. WE HAVE NO DIRECT KNOWLEDGE OF HOW THE GOVERNMENT AND THE MILITARY HAVE RESPONDED TO THE VISIT. FOR EXAMPLE, DOES VIDELA THINK IT WAS A SUCCESSFUL GAMBLE, THUS FAR?

12. THE HARDLINERS ARE CLEARLY TRYING TO SHOW HIM-- AND THEIR COLLEAGUES--THAT IT WAS NOT. THUS, WE HAVE

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PAGE 03 BUENOS 07875 02 OF 02 212302Z

SEVERAL PUBLIC STATEMENTS FROM THEM WHICH SUGGESTS THAT THEY ARE SEEKING TO USE THE VISIT TO STOKE THEIR AMBITIONS AND FIRE NATIONALISTIC SENTIMENT AT THE EXPENSE OF THE PRESIDENT AND VIOLA. SUAREZ MASON TOLD THE PRESS THAT "WE DO NOT NEED ADVICE FROM ABROAD," ADDING THAT HE ACCEPTED THE VISIT BECAUSE IT WAS A DECISION OF THE GOVERNMENT. MENENDEZ WAS EVEN BLUNTER, DECLARING TO THE PRESS THAT IT HAD "HURT" HIM TO HAVE

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1979BUENOS07875

UNCLASSIFIED

Page: 6
Channel: n/a

Case Number: 200000044

TO TALK TO THE COMMISSION ABOUT ARGENTINE AFFAIRS. HE ADDED THAT HE HAD DONE SO ONLY BECAUSE HE HAD BEEN ORDERED TO. HE ALSO DENIED THAT ANY SORT OF HUMAN RIGHTS VIOLATIONS HAD TAKEN PLACE UNDER HIS COMMAND. SEVERAL ARGENTINES HAVE COMMENTED TO US THAT MENENDEZ' REMARKS WERE INSUBORDINATE AND WOULD HAVE BEEN ENOUGH TO GET HIM SACKED UNDER EARLIER GOVERNMENTS. THAT HE GOT AWAY WITH SUCH CONTEMPTUOUS TALK, IN THE VIEW OF THESE MEN, IS AN INDICATION OF THE WEAKNESS OF VIOLA AND THE PRESIDENT. (ON THE OTHER HAND, HE DID OBEY ORDERS AND RECEIVED THE COMMISSION--WHICH MAY BE A MORE IMPORTANT FACT THAN HIS SUBSEQUENT STATEMENT TO THE PRESS.)

13. BRIGHTENING ARGENTINA'S IMAGE -----
ONE OF THE GOA'S GOALS IN INVITING THE COMMISSION WAS TO BRIGHTEN ARGENTINA'S BENT AND TARNISHED IMAGE ABROAD. THE FINAL REPORT OF THE COMMISSION WILL DETERMINE IN GREAT MEASURE HOW SUCCESSFUL THAT BID WILL BE. BUT AT LEAST AS SIGNIFICANT WILL BE THE BEHAVIOR OF THE NATION'S SECURITY FORCES, WHOSE BRUTAL PRACTICES EARNED THE COUNTRY THE LABEL OF A MAJOR HUMAN RIGHTS VIOLATOR.

AND THESE SAME SECURITY FORCES BY DESIGN OR INADVERTENCE CONTINUED THOSE PRACTICES PRIOR TO AND DURING THE COMMISSION'S VISIT. THE GROSSEST PUBLIC MANIFESTATION OF THIS PROBLEM WAS THE TAKING OF THREE SMALL CHILDREN DURING THE LAST DAYS OF THE COMMISSION'S STAY. AND THE SECURITY FORCES INDULGED IN ACTIONS RANGING FROM THE HARSH

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PAGE 04 BUENOS 07875 02 OF 02 212302Z

--CONTINUING DISAPPEARANCES--TO THE KEYSTONE COPPISH--CLUMSY AND UNSUCCESSFUL ATTEMPTS TO INTIMIDATE THOSE APPROACHING THE COMMISSION, AND SETTING OF "BLACK" PAMPHLET BOMBS WHICH SOUGHT TO IDENTIFY THE HUMAN RIGHTS ACTIVISTS WITH THE TERRORISTS.

IT SEEMS UNLIKELY THAT PRESIDENT VIDELA AND GENERAL VIOLA WANTED SUCH ACTIONS TO TAKE PLACE, EITHER AS PRELUDES OR ACCOMPANIMENT TO THE IAHRV VISIT. BUT THEY DID, EMPHASIZING THAT THE SECURITY FORCES ARE SEIZED WITH A DIFFERENT MENTAL FRAMEWORK. THE RULE OF LAW CONTINUES TO BE BREACHED WHENEVER THE MILITARY OR ELEMENTS WITHIN THE SECURITY FORCES DEEM IT JUSTIFIED--NO MATTER WHAT THE IMPLICATIONS FOR US-ARGENTINE RELATIONS.

Current Class: [REDACTED]

Page: 6

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1979BUENOS07875

UNCLASSIFIED

Page: 7
Channel: n/a

Case Number: 200000044

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Current Class: [REDACTED]

Page: 7

UNCLASSIFIED

UNCLASSIFIED

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Human Rights Summary

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Argentina: Response to IAHR Report

Margaret P. Grafeld, Director

() Release (X) Excise () Deny

Source: []

Exemption(s): B1

Declassify: (X) In Part () In Full

(X) Classify as S () Extend as () Downgrade to

Date 3/13/01 Declassify on Reason 25X1

Argentina has decided upon a general strategy for responding to the Inter-American Human Rights Commission's (IAHRC) report compiled after the Commission's September 1979 visit, according to a generally reliable clandestine source. One Argentine official working on the ~~reply~~ reply reportedly stated in late January that Argentina would challenge:

- the IAHRC's practice of allegedly drawing conclusion from unverified information about isolated cases; and
- the Commission's authority to judge the constitutionality of laws and decrees promulgated as part of the counterterrorist fight.

The Argentine response will reportedly be ready by late February.

INR Comment: The Argentines were prepared for a critical IAHR report but not for anything quite as negative as they apparently received. We have not seen the report, but the Argentines are reportedly especially disturbed with scant treatment accorded the terrorist menace in Argentina and the inclusion of the names of alleged torturers in the text. Two of the targets of Argentina's displeasure over the report have been the US--because of the suspicion that the US influenced the report's contents through the US citizen member of the IAHR--and OAS Secretary General Alejandro ~~Orfila~~ Orfila--because of the notion that Orfila, have^{ing} encouraged the government to accept the visit, should have somehow tempered the Commission's draft.

INR/RAR: J. Buchanan

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