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DEPARTMENT OF STATE

ACTION MEMORANDUM

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TO: The *Deputy* Secretary

FROM: HA - Patricia M. Derian *by F.S.*
S/R - Dick Clark *rec*

SUBJECT: U.S. Contribution to the International Committee of the Red Cross's Programs of Assistance to Argentine Refugees and Detainees

ISSUE FOR DECISION

Whether to recommend to the President that he authorize the contribution of up to \$340,000 to the International Committee of the Red Cross to support ICRC programs of relief and resettlement assistance to Argentine refugees and detainees.

ESSENTIAL FACTORS

The Argentine Government permitted the International Committee of the Red Cross (ICRC) to resume its program of visits to political detainees in December, 1977. During 1978, the ICRC visited about 4,000 detainees in 32 detention centers, and the program has continued throughout 1979. The ICRC has been able to provide considerable moral and material support to the detainees and their families, and earlier this year assumed an important new role in initiating visa applications and other procedures on behalf of detainees who wish to avail themselves of the right-of-option program to leave Argentina as refugees.

The Argentine Constitution provides that an individual held without charge may choose to depart from the country rather than remain in detention and face possible prosecution. As interpreted by the present Government, the individual may apply for the right of option only after he has obtained a visa or other evidence of admissibility to a foreign country. As a prisoner, however,

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he is unable to apply for a visa and must rely on the assistance of relatives or other interested parties to initiate the preliminary processing. Communication with family members is sporadic at best, and some detainees either have no close relatives or their relatives have little interest in their predicament.

As the only other outsiders with whom the detainees have contact, ICRC officials play a critical role in initiating visa applications with countries of potential refuge, including the United States. The ICRC program thereby contributes to the goals of our Hemispheric Parole Program for Argentine Detainees/Refugees under which we have offered to parole up to 500 political detainees into the U.S. with their families. During 1978 the ICRC delegation in Buenos Aires also issued about 120 travel documents to refugees without identification papers who had been authorized to leave Argentina.

To meet the estimated 2,400,000 Swiss francs (US \$1,500,000) annual costs of this program, the ICRC in 1978 launched an appeal to governments, national Red Cross societies, and private organizations for contributions. As of April 30, 1979 the governments of Canada, Great Britain, the Netherlands, Norway, Sweden, and Switzerland had contributed 1,680,000 Swiss francs (just over \$1 million), and Red Cross and other private groups had donated 175,000 francs (slightly over \$100,000), leaving an estimated shortfall of 550,000 francs (\$340,000) for the balance of 1979. The ICRC estimates that funds for the program will be exhausted by September 1, and recently appealed to us again to contribute to this program.

We strongly recommend that the U.S. respond by contributing \$340,000, the amount needed to cover the expenses of the program during the remainder of the year. As this amount would represent about 23% of the total cost of the program, such a contribution would be in line with our general practice of providing about 25% of the financial support for ICRC activities. Such a contribution would promote our humanitarian and refugee assistance objectives by enabling the ICRC to continue its critical role in processing visa applications for

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detainees who seek refuge in other countries and in providing emergency medical and food assistance to detainees and their indigent families. It would also further the goals of our human rights policy by enabling the ICRC to continue its program of prison visits, which afford considerable protection to the detainees.

At the present time the unobligated balance in the U.S. Emergency Refugee and Migration Assistance Fund is \$172 million. There is, therefore, sufficient funding available to meet this need.

Recommendation:

That you sign the attached request for a Presidential Determination to authorize the contribution of up to \$340,000 to the International Committee of the Red Cross to support ICRC programs of relief and resettlement assistance to Argentine refugees and political detainees.

Approve _____

Disapprove _____

Attachments:

Tab 1 - Memorandum for the President

Tab 2 - Presidential Determination

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Concurrences:

HA:FA Sieverts *AS*
HA/HR:CB Salmon *AS*
ARA/ECA:CBrayshaw *AS*
HA/ORM:MKavaliunas *AS*
S/R:CRussell *CR*
S/R:FMoss *FM*

Drafted:HA/HR:PJFlood *AS*
x21180 8/6/79

OFFICE OF
THE SECRETARY OF STATE
WASHINGTON

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MEMORANDUM FOR: THE PRESIDENT

FROM: Cyrus Vance

SUBJECT: Presidential Determination to
Contribute to the International
Committee of the Red Cross for
Programs to Assist Argentine
Refugees

A presidential Determination is required to make available \$340,000 from the U. S. Emergency Refugee and Migration Assistance Fund to cover the remaining costs through December 31, 1979 of the International Committee of the Red Cross's program of assistance to Argentine refugees and detainees.

The ICRC visits political detainees throughout Argentina, compiles lists of other prisoners; distributes various relief items to detainees and provides emergency medical and food assistance for their families, and initiates the processing of detainees' applications to leave Argentina as refugees under the right-of-option provisions of the Argentine Constitution. As the ICRC is the only organization permitted to visit Argentine political detainees, its right-of-option role is crucial for detainees who have no close relatives and who are, therefore, unable to exercise this right. The ICRC program thereby contributes to the objectives of the U. S. Hemispheric Parole Program for Argentine Detainees/Refugees, under which we have offered to parole up to 500 political detainees and their families into the U. S. ICRC efforts to initiate right-of-option procedures also cover detainees desiring to go to countries of refuge other than the U. S., mainly in Western Europe. Also, during 1978 the ICRC's Buenos Aires office issued some 120 travel documents to refugees without identification papers who had been authorized to leave Argentina.

ICRC expenditures for its Argentine assistance programs will amount to approximately \$1,500,000 in 1979. Other governments, responding to an earlier ICRC appeal have contributed over \$1 million, and national Red Cross societies have brought the total to approximately \$1,140,000, leaving an anticipated shortfall of \$340,000 for the balance of 1979. The ICRC expects to run out of money by September 1. The amount proposed in the attached Determination would cover the anticipated shortfall, and would represent about 23% of the total 1979 budget for this program.

Recommendation

That you sign the attached Determination authorizing the use of \$340,000 from the U.S. Emergency Relief and Migration Assistance Fund by the Department as a contribution to programs sponsored by the International Committee of the Red Cross in Argentina.

Approve _____

Disapprove _____

Attachment:
Presidential Determination

THE WHITE HOUSE

WASHINGTON

Presidential Determination

No. _____

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Determination pursuant to Section 2 (c) (1) of the Migration and Refugee Assistance Act of 1962, as amended, (The "Act") authorizing the use of up to \$340,000 of funds made available under the United States Emergency Refugee and Migration Assistance Fund

In order to meet unexpected and urgent refugee and relief needs arising in connection with the relief and resettlement of Argentine refugees/detainees, I hereby determine, pursuant to Section 2 (c) (1) of the Act, that it is important to the national interest that up to \$340,000 of funds appropriated under the United States Emergency Refugee and Migration Assistance Fund be made available for this purpose to be used as a contribution to programs sponsored by the International Committee of the Red Cross.

The Secretary of State is requested to inform the appropriate committees of Congress of this Determination and the obligation of funds made under this authority.