



DEPARTMENT OF STATE
ACTION MEMORANDUM

S/S

September 15, 1977

CONFIDENTIAL

To: The Secretary
Through: The Deputy Secretary
T - Ms. Lucy W. Benson

From: D/HA - Patt Derian

Arms Transfer to Argentina
(Fall List)

Issue for Decision

Argentina's military government, a gross violator of human rights, has a military shopping list. It's up to you to decide on each item. I believe that such a sale particularly of this magnitude flies in the face of Section 502 B of the Security Assistance Act and makes a mockery of our human rights obligation to withhold military equipment from gross violators.

Essential Factors

Proponents of the sale concede governmental human rights violations but maintain that "none of the items listed is known to have been used against urban or rural guerrillas or to have been otherwise involved in human rights violations..." We have established the general principle that we will not send items which can be used for internal security, but that is not the be-all-and-end-all policy.

All, but one, of the pending Argentine requests for government to government FMS cash sales are for deadly weapons and ammunition ranging from

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Department of State, A/GIS/IPS/SRP

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torpedoes for the Argentine Navy to bullets for guns. Fine distinctions can be drawn about which of these are useful for internal security purposes and which are not, but I, for one, do not wish to argue such fine distinctions before Congress or in the public press. We have been forthcoming with the Argentines on the issue of sales of unarmed helicopters. I am simply not prepared to go beyond this. I cannot think of any serious consequences from delaying the approval of the sale of these kinds of things, pending significant human rights improvements.

While we precisely discriminate between security assistance, commercial munitions license applications, FMS and the like, the Congress and the public will not. To most, a weapon is a weapon. To most the understanding is that we are going to conduct matters having to do with military equipment, materials and supplies in such a way as to advance our human rights policy.

I also would note that the Argentine Navy has been particularly opposed to improvements in the human rights policies of the government.

Finally, I believe it imperative that we maintain appropriate pressure on the Argentine government to provide a continuing argument for Videla to use against the recalcitrant elements of the armed forces that failure to end the human rights violations will directly impinge on other important Argentine interests. With the terrorist threat diminished substantially, he can argue that the heavy-handed repression is now counter-productive.

Recommendation:

That you disapprove or defer at this time the pending arms transfers to Argentina with the exceptions noted in the attachment.

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ATTACHMENT:

Cases to be decided:

1. Commercial munitions License Applications (non-governmental sales):

a. 3 Boeing CH-47c "Chinook" helicopters (advisory opinion). We should have a clear understanding with all parties that we reserve the option to stop the actual export if human rights conditions do not improve. Assurances also should be sought from the Argentine government that they will not be used for internal security purposes as we are doing in the case of the eight Bell helicopters. They are described as unarmed and unarmored and should so remain.

b. 2 Lockheed KC-130 Tankers (aircraft) (advisory opinion): We again should have a clear understanding that we reserve the right to stop the actual munitions license for the sale at the time of export if human rights conditions do not improve. These planes are unarmed and are to be partly paid for by the Argentine scientific budget and the Air Force budget, according to the company because of their proposed use for Antarctic supply.

c. Rudder Flutter Dampener Kit for A-4 aircraft (25). This is a kit to correct deficiencies in U.S. aircraft now in inventory by the Argentine Air Force and may be regarded as safety equipment. As such, I find it difficult to object under present guidelines; but question the need to proceed at this time. There is no apparent urgency.

d. Spare parts for Sikorsky Helicopter Model S-61R (HH-3F): Spare parts such as these should only be permitted if the Argentine government is willing to assure us that the equipment will not be used for internal security purposes.

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e. Spare parts for Target Drone Aircraft: This is intended to permit the Argentine Air Force to continue to practice its marksmanship. This is the type of sale for which I can see no apparent justification for action at this time and no previous precedent for permitting these sales.

2. Technical Specifications for Helicopter Training and a General Aviation Flight Trainer:

Permitting the export of such technical specifications would give the signal that we are prepared to approve any contract which might arise out of subsequent negotiations with the U.S. company. I see no reason to give such a signal at this time.

3. Foreign Military Sales: The FMS sales now pending include the following, all of which should be rejected or deferred pending significant improvement in human rights conditions.

6 Attack and Search Periscopes
 18 Mark 44 Torpedoes
 15 5" 38 mm Illuminating Projectiles
 150 155 mm High Explosive Projectiles
 50 155 mm Illuminating Projectiles
 250 Propelling Charges for 155 mm projectiles
 762 Artillery Fuses
 750 Artillery Percussion Primers
 10,000 20 mm Cartridges
 10 500 lb. Bombs
 1,100 107 mm High Explosive Mortar Rounds
 140 107 mm Mortar Illuminating Rounds
 50,000 .50 Calibre Machine Gun Rounds
 30,000 .50 Calibre Machine Gun Tracer Rounds
 500 Detonating Fuses for Mortar Rounds.

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