

1/16/80

T-B memo

summarizing
key developments
(all mentioned
cables are attached)

Department of State, A/GIS/IPS/SRP

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Exemptions b () () E.O. 13526 25x () ()

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DEPARTMENT OF STATE

Washington, D.C. 20520

S/S 8001008

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(Entire Text)

January 16, 1980

MEMORANDUM FOR DR. ZBIGNIEW BRZEZINSKI
THE WHITE HOUSE

COPIES:
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Subject: Consultations with Argentina on Human Rights

On January 8, you advised us of President Carter's request for a proposed course of action on the suggestion (BUENOS AIRES 0163) that the Argentine Government might negotiate specific human rights improvements for a U.S. commitment not to condemn them in the meeting of the United Nations Commission on Human Rights next month.

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Such a plan was drawn up, approved by the NSC, and transmitted to our Charge d'Affaires in Buenos Aires on January 11 (STATE 8592). However, earlier the same day, when delivering the message from President Carter to President Videla urging Argentine cooperation with us on restricting grain and soybean sales to the USSR (STATE 8135), our Charge, as instructed, raised this question. He told the Acting Foreign Minister that we had observed significant improvements in the Argentine human rights situation over the past year and had been considering appropriate ways of recognizing these improvements (BUENOS AIRES 385). He then suggested that the Geneva session of the Human Rights Commission might be an occasion on which we could consult, should President Videla so wish.

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The Acting Foreign Minister replied with great satisfaction, saying he would forward this news to President Videla. He asserted that recognition of Argentina's efforts in human rights was what the Government had wanted, and implied that genuine recognition would bring "understanding and support for Argentina." He said President Videla would make a prompt reply to President Carter's message, and the meeting ended with his expression of optimism about the future of US-Argentine relations.

Our Charge had planned to follow up this initial approach with a more substantive exchange with Colonel Cerda of the Office of the President as proposed in his original message. However, in the interim, the Ambassador has returned to Buenos Aires and now has been instructed to personally approach President Videla to urge Argentine

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cooperation on grain sales and to propose that a special emissary be sent to Argentina to discuss with the GOA a number of issues, among them U.S. positions in multilateral fora dealing with human rights in Argentina (STATE 12183).

If the GOA expresses interest in consultations with us as a result of our Charge's approach to the Acting Foreign Minister, as a result of any subsequent approach to Colonel Cerda, or after meeting with our special emissary, we would propose to follow the plan furnished to the Embassy earlier (STATE 8592). Specifically, we would seek from the GOA a commitment to release a certain number of prisoners by a set date (if possible, a schedule of releases); a commitment to additional releases under the right-of-option program; and a reaffirmation of previous Argentine statements, not fully honored to date, that disappearances definitively will cease. With regard to information about the disappeared, we plan to convey our continuing concern that the GOA find a way to inform families of their fate.

For our part, we would plan to assure the Argentines that the United States does not and will not seek public censure or condemnation of the GOA in the coming meeting of the United Nations Commission on Human Rights. Instead, we would look toward either:

-- a Commission request to the Secretary General to establish direct contact with the GOA; or

-- the Commission's appointment of a rapporteur to study the Argentine situation.

We do not believe that the human rights situation in Argentina has improved sufficiently to warrant merely keeping the situation under review, nor do we believe that the other members of the Commission would wish to appoint a special investigatory committee, since this already has been done through the Inter-American Human Rights Commission. We consider it unlikely that the Commission would seek to censure Argentina publicly, despite GOA fears, as this is the first time the Argentine case will come before the Commission. However, given Argentine fears, and the fact that both direct contacts by the Secretary General and the appointment of a rapporteur are confidential procedures, we believe it likely that our planned position will be acceptable.

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We also shall seek from the Argentines a commitment not to lobby against or offer resistance to the proposed resolution in the UNCHR that the Sub-Commission on Discrimination and Minorities be given authority to establish a special group of experts to "make contacts with governments and families concerned to assist in locating missing and disappeared persons." In return for this, we would assure the Argentines that we would not introduce or support resolutions dealing solely with Argentina.

for *John A. Dooley*
Peter Tarnoff
Executive Secretary

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