



DEPARTMENT OF STATE

Washington, D.C. 20520

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April 1, 1980

MEMORANDUM

TO: HA - Ms. Patt Derian

THROUGH: HA/HR - Mr. Charles B. Salmon *CSA*
 HA - Mr. Stephen E. Palmer

FROM: HA/HR - Patrick J. Flood *PJF*

SUBJECT: Developments in U.S. Policy Toward Argentina

Checklist of Recent Developments:

- Ambassador Gerard Smith's special three-day mission to Buenos Aires
- the UNHRC decisions on disappearances and on Argentina
- a pending OPIC proposal to participate in the Yacyreta hydroelectric project
- the U.S. Agriculture Department's proposed agricultural cooperation agreement with Argentina
- DOD's proposal for reciprocal visits by groups of Argentine and U.S. Air Force officers
- the pending (mid-April) publication of the IAHRRC Report on Argentina

Details:

Smith Visit (See B.A. 2571 EXDIS and 2604 NODIS). Ambassador Smith apparently got nowhere. What's more, he recommends that we scale down our own objectives and prepare to rebuild our bilateral relationship on essentially Argentine terms.

On nuclear issues, Amb. Smith's area of expertise, he came away with zero: no movement, or even hope of movement, on either full-scope safeguards or ratification

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of Tlatelolco. He recommends we fall back to seeking the less stringent "U.S. law" safeguards. He recently supported a stronger stance toward Chile. (See attached Action Memo of March 19.)

On human rights, he learned that the GOA does not plan to resume disappearances and does plan to reduce the PEN population from 1300 to about 650 by the end of 1980. He thinks this is good enough, and recommends we remove the issue of an accounting for disappeared persons as a major U.S. policy objective (stop "making our relations with Argentina hostage to this issue".)

Ambassador Smith also told the Argentines that "we would be prepared to receive a senior Argentine military officer sometime later this year" if "events moved favorably". (B.A. 2571; also see attached NSC memo.) In the NODIS, he recommends we go forward with an invitation to Army Chief of Staff Vaquero. (This would presumably be followed at some point by a visit to Argentina by our Chief of Staff.)

He also recommends opening up AID's reimbursable development program in Argentina and signing an agricultural cooperation agreement.

UNHRC Decisions. You are familiar with the substance of the resolutions. The Argentines are trying to blame the U.S. Delegation, and Jerry Shestack in particular, for instigating trouble with and over Argentina at Geneva, thereby, they allege, damaging the "Spirit of Goodpaster".

OPIC. Barbara has more specific information on this. The amount is \$435 million. This would be in addition to the several hundred million credit extended by EXIM.

Agricultural Agreement. The text is attached. OES, the action office in the Department, is checking to see whether USDA needs to obtain Circular 175 authority from the Secretary of State to negotiate an agreement with Argentina. OES believes the attached text has already been discussed informally with the Argentines.

Reciprocal Air Force Officer Visits. The Argentine desk officer, Gerry Whitman, informed me on Friday, March 28 that ARA had just learned that DOD, through use of the Defense Attache Channel in B.A., had elicited an invitation from the Argentine Air Force for eleven USAF officers to tour Argentine facilities. DOD told ARA "you don't have any objection, do you?" Gerry said yes, we have problems with that, please send over all the papers right away, and don't do anything further until you hear from State. Papers arrived on Monday and are attached.

IAHRC Report. The IAHRC is meeting now to approve the final version of the Argentina report. Publication is expected sometime in mid-April.

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Analysis and Recommendations:

The thrust of these developments is unhelpful to our human rights policy. The message we send through these actions is "We're prepared to rebuild a full set of normal cooperative relations with the Argentine Government in the absence of further substantial improvements in human rights. We need your help in dealing with the Soviet challenge, and, moreover, we're disturbed by signs that you're beginning to align yourselves on some issues with the Soviets. Therefore let's put the past behind us and begin to move forward together." I fear that our continued reaffirmation of our undiminished commitment to human rights will ring hollow in the context of our actions.

The Smith and Goodpaster visits demonstrate certain obvious drawbacks in dispatching Presidential envoys on short-term special missions. The very fact of the mission raises expectations among the Argentine Government that we are prepared to overhaul our policies despite the persistence of the serious human rights abuses which caused the strains in the first place. (See, for example, B.A. 2469.) These expectations also arouse fears among human rights visitors and human rights groups in Argentina, and human rights advocates in the U.S., that we are on the brink of abandoning a strong policy. We've had a lot of letters and phone calls on this. B.A. 2664 echoes this theme. Moreover, actions by the special envoys themselves can reinforce erroneous impressions

Particularly troubling is Amb. Smith's recommendation that we forget about an accounting for disappeared persons. If we turn our backs on this issue, we will be condoning state terrorism and mass slaughter on a scale hitherto unknown in South America in peacetime. We need to continue to make it clear to the Argentines that our relations will not become fully normal again until a serious accounting is made to the families of the victims, including the surfacing of all those being held clandestinely. This accounting can be made through an intermediary, such as the Church (which has now offered to assume the role), or through the UNHRC expert working group, or a combination of these or other means, and it can be private instead of public. But it must be done, and we should make it clear that the course of our relations will continue to depend importantly on resolving this issue.

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This does not mean that we will break diplomatic relations if the Argentines refuse to move; it does mean that these relations should serve the purpose of maintaining an active, forceful dialogue with the GOA to press them to move. It does not mean that we will suspend normal non-military trade; U.S. exports to Argentina doubled in 1979, demonstrating that the human rights policy is no barrier to trade. Nor would we break transportation links, interrupt the

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nuclear dialogue, or interfere with student exchanges. All of these are part of a normal relationship which can go on -- though it's well to remember that the U.S. has opted for still cooler relations with other countries in certain situations. With Argentina, we should not go beyond "cool and correct" relations until the major remaining human rights problems, including especially an accounting for disappeared persons, an end to summary execution, an end to torture, and the release or fair processing of the 1300 remaining PEN prisoners, are solved.

To my mind, this means

-- emphasizing positively that the Administration will oppose any moves to repeal or modify the Kennedy-Humphrey Amendment.

-- hanging tough on our IFI votes, and intensifying our efforts to gain support from other donors for a negative vote on non-BHN loans.

-- beginning new consultations with our NATO allies on the subject of arms transfers to Argentina and Chile, and the implications of such transfers for regional stability (citing the Beagle problem) and human rights. This should be accompanied by a careful analysis of the Argentine-Soviet rapprochement. E.g., are the Argentines seriously going that way, or is this only an effort to scare the West into being nice to Argentina? How serious are the risks of taking a tough line toward the Argentines? Have they already succeeded in frightening us about their intentions? Can we demonstrate to the Argentines that casting their lot with the USSR is not in their interests?

-- declining to provide any form of U.S. Government assistance to Argentine non-BHN projects. In this connection, we should take a very hard look at the OPIC proposal, which may differ in important respects from EXIM activities. The latter, which are essentially subsidies to U.S. exporters, have already been approved and there's no point in trying to reopen that issue. But OPIC operates under different legislation containing different human rights provisions. The nature of OPIC operations differ from EXIM transaction, though I am not sure exactly how.

-- delaying the approval and signature of any Agricultural Cooperation agreement until there is evidence of real progress on key human rights issues, and of genuine Argentine cooperation with the UNHRC on both the disappearance issue and on responding to the questions posed under the 1503 procedure.

-- withholding invitations to Argentine military officers, and declining to accept their invitations to U.S. military officers.

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-- if any more special missions are contemplated, HA should be included from the outset in 1) consideration of the pros and cons of sending the envoy; 2) selection of the person to head the mission and 3) all of the planning. Also, an HA officer should be included -- preferably a DAS or Office Director.

-- recognizing that it makes no sense for the U.S. to be making positive gestures just on the eve of the publication of the Inter American Human Rights Commission report on Argentina. The report will probably be published in mid-April and it is impossible to predict its repercussions in Argentina. Passions will rise in the immediate aftermath of publication, and it's hard to know what will happen.

Suggested initial steps:

I think it would be useful for you to meet soon with Ambassador Smith to discuss his visit and to voice concerns about the direction of our policy. After that, I'd suggest a meeting with Amb. Bowdler for essentially the same purpose.

I'd suggest drawing on the points in this paper in your conversations.

I believe it's important to let the Secretary know of your concerns. We will need his support if we get into a dispute with ARA over the nature or pace of the development of our relations with Argentina. You might go over this in a general way during your next weekly meeting with him. You will probably also want to have a similar talk with Mr. Christopher.

We are at the outset of our latest attempt to draft human rights strategy papers. I propose to begin with Argentina; we can use this exercise to develop policy decisions on issues like those mentioned above.

Attachments:

As stated.

P.S. - LATE NOTE: B-A 2690, ATTACHED, INFORMS US OF MAJ. GEN. TANGUY'S VISIT TO ARGENTINA AND OF AMB. CASTRO'S PROPOSAL TO AWARD MEDALS TO ARGENTINE OFFICERS DURING HIS VISIT. WE NEED TO RESPOND TO ARA ON THE LATTER.

Drafted:HA/HR:PJFlood:diw

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