

URGENT 5/114
9:00 a.m.

PD

Patt,

ARA AGREED TO FORWARD OUR PAPER VERBATIM TO MR. CHRISTOPHER, ALONG WITH ARA'S POSITION SUPPORTING OPTION B.

CAROLYN LOCKWOOD STAYED UNTIL 9:30 TYPING IT - AND DID AN EXCELLENT JOB - AND I GAVE IT TO ARA.

I UNDERSTAND IT IS TO BE ON MR. CHRISTOPHER'S DESK AT OPENING OF BUSINESS. THE ARC IS AT 10:30. Pat

~~Department of State, A/GIS/IPS/SRP~~

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IPS by [Signature] Date 12-15-16

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MAY 14

Proposed U.S. Human Rights Strategy Toward Argentina
(Prepared by HA)

OPTION A

We have developed the following rationale and scenario in support of Option A: "To maintain a cool and correct posture until the human rights situation shows substantial further progress, simultaneously making clear to the Argentine Government that we are prepared to improve relations when and to the degree that fundamental human rights problems are solved".

This paper also challenges a basic assumption underlying Option B that U.S. human rights policy has had a negative impact on our nuclear nonproliferation, economic, and East-West objectives:

Nuclear: Neither we nor the Argentines have ever linked nonproliferation and human rights issues, nor is there any evidence that human rights matters have affected Argentine attitudes toward cooperation in the nuclear field.

Economic: U.S. exports to Argentine rose 127% in 1979 over 1978, the largest percentage increase of American exports to any country in the world. U.S. human rights policy has affected trade in only two areas: military and police equipment. Normal commerce is unrestrained, and booming.

East-West: Although Argentine grains exports to the USSR more than doubled this year over the same period in 1979, the consensus is that Argentina would have increased such exports to the Soviets for purely commercial reasons regardless of human rights issues. Moreover, as the INR Annex on Argentine-Soviet Relations points out, there are inherent self-limiting characteristics to the relationship which effectively preclude any fundamental political or security realignment. These limits are dictated more by domestic Argentine political considerations than by international human rights pressure, and control how far the GOA can play "the Soviet card". We should recognize this, and not fall into the trap of basing our decisions on the false premise that our human rights policy is somehow pushing Argentina into the Soviet orbit.

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STRATEGY

U.S. GOALS:

-- to induce the Argentine Government to change its pattern of behavior toward its citizens and to correct past wrongs.

-- to induce the Argentine Government to accept that the international community has certain legitimate responsibilities for the rights of individual human beings, and that the GOA, as a member of this community, therefore has certain obligations to cooperate with it.

The U.S. should, therefore, pursue an integrated two-track (bilateral and multilateral) approach. Both approaches are more likely to succeed if we are joined by other countries which have important influence in Argentina; this might be called the "third track".

In all three tracks, effectiveness ultimately depends on a judgment by the Argentine authorities that better respect for human rights is either a) good in itself and worth adopting as state policy or b) advantageous to Argentine "national interests" (however they might define them). It is assumed that a revolt or other sweeping change of government is unlikely in the next twelve months.

THE RECORD:

Sustained foreign pressure has been effective. The IAHR visit was the direct result of U.S. withholding of EXIM financing; in response to the IAHR visitation, we have approved about \$270 million of EXIM financing. The drop in disappearances in early 1979 was due to the U.S. decision to shift to a "No" vote on Argentine non-BAN IFI loans. The Timerman release and some other releases are attributable to foreign pressure.

However, foreign pressure has not been as effective as it could have been because the countries most important to Argentina have not coordinated their approaches and because each of them has sent a mixed message.

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For maximum effect, the message should be reinforced by an understanding that continued human rights violations will have consequences in other areas of the bilateral and multilateral relationship. While this course of action can involve costs to both parties, these costs must be calculated in terms of intangible values and of tangible human lives as well as in economic terms.

Withholding some of the benefits of the relationship may not result in early human rights progress; yet, such actions have a cumulative effect and thus should be sustained over as long a period as is required to achieve fundamental progress. Even in the short run, steps toward dissociation, in the context of an integrated approach directed toward human rights improvements, reinforce and make fully clear the seriousness of the human rights message. Business as usual, on the other hand, undermines credibility. Our negative vote in the IFIs, for example, is important to the Argentines mainly because of what it says to the world about their standing in our eyes. Argentina doesn't need the money. If a loan was defeated, Argentina could easily self-finance the project. But defeat would be a powerful psychological judgment by the international community.

PSYCHOPOLITICAL FACTORS IN ARGENTINA

The Argentine Government has not yet abandoned the concept that human rights abuses are justifiable, although the range has been narrowed to focus on those it considers actual terrorists, the GOA concluding that the evil of terrorism outweighs the evils of disappearance, torture and summary execution (or even renders these practices ethical). These practices continue.

The more the Argentines hear from individual Western countries (and groups such as the European Parliament and the Council of Europe) that all disappearances and associated practices are incompatible with Western civilization, the more they will come to accept that these practices must be ended. Spain, Italy, West Germany, and France have better ways of dealing with violent subversion than Argentina, and they can bring this point home if they will. Moreover, the UNHRC (with solid West European and Canadian support), the

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IAHRC, and the Pope have now weighed in publicly on the problem of disappeared persons. Argentina's desire for acceptance as a respected leader in the Western community is probably the most important tool we can employ. There is value in mobilizing private and public expressions of Western official concern, if the effort is sustained, serious, and untainted by any suspicion of collaboration with exiled terrorist organizations or the Communist Party.

This gradual process of consciousness-raising and criticism by Western countries has already had a positive impact on GOA thinking. Most Argentines, after all, think of themselves more as European settlers than as South Americans. (When they go into exile, for example, they overwhelmingly choose Western European countries.)

JOINT ACTION WITH OUR ALLIES

We should begin a fresh series of consultations with our NATO Allies for the purpose of

- sharing information about human rights developments in Argentina (and perhaps other high-profile countries such as Chile and Guatemala).

- discussing various existing and possible approaches from the standpoint of effectiveness, with a view toward stimulating a will to take a more active stance.

- planning coordinated diplomatic demarches, public statements, and policy in multilateral institutions including the international lending institutions.

- at least exploring seriously the advantages and disadvantages, from the standpoint of arms control and regional stability as well as human rights, of a coordinated effort to reduce the sale of arms to the Southern Cone (citing, for example, the Beagle Channel crisis).

The prospective Western demarche should have these objectives:

- to ensure that the Argentine Government is fully aware that its human rights abuses, including the question of accounting for disappeared persons, are matters of serious

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priority concern to the governments and peoples of Western Europe and the U.S.; that GOA understands that the esteem and respectability of the GOA has sunk considerably because of these practices, and that Argentina will not recover its good name until respect for human rights is restored and a serious accounting for the disappeared is underway.

-- in this connection, to press the GOA to cooperate fully with the UNHRC Working Group on Disappearances, on the basis of ground rules agreed between the GOA and the UNHRC group. Argentina should have the option of working primarily through the Catholic Church, if the UNHRC receives satisfactory assurances that real progress is taking place in this manner. Accounting for the disappeared must include providing information on clandestine detainees, and providing access to them by agreed persons (e.g., the ICRC).

-- to press the GOA to definitively end new disappearances, torture and summary execution.

-- to press the GOA to release or try the remaining PEN prisoners by a certain date (e.g., Christmas).

The Western countries should let it be known that Argentine responsiveness to these concerns will affect the public position of their countries at this year's UN General Assembly and next February's Human Rights Commission session, as well as their position on future IFI loan requests. Major Western European nations (and Israel, if it participates in the demarche,) should also note that their military supplier roles will also be affected by GOA non-responsiveness to human rights concerns.

THE SOVIET ANGLE

This approach would not drive the Argentines into the Soviet orbit. Anti-Communism is too ingrained in Argentina to permit this. Faced with a clear choice between resuming a place of respect in the Western community and deriving the material and moral benefits which flow from this position, and opting for political allegiance to the USSR, Argentina will pay a reasonable price to obtain the former. This price need not include a demand for public confession and Nuremberg-type trials of the guilty. A future Argentine Government can address those issues. The West Europeans can help to discourage the Argentines from allying, or even seeming to ally

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themselves with the Soviets. Does Argentina like the idea of being defended in international fora only by the USSR and Cuba? Certainly many Argentines are uncomfortable with the idea; some political and labor groups and journalists have already begun to articulate their concerns about a possible drift toward the USSR. According to intelligence reports, elements of the Armed Forces are also beginning to worry.

U.S.-ARGENTINE BILATERAL RELATIONS: BASIC PRINCIPLES

Political/Diplomatic: We must continue to emphasize human rights concerns in the bilateral relationship. No U.S. official should have a conversation with an Argentine official where these subjects are not dealt with candidly and forcefully. Public speeches and Congressional testimony by U.S. officials should never fail to include these points in some appropriate form. In Buenos Aires, ICA officers should stress these points in their dialogue with Argentine journalists and intellectuals.

Military Visits: Any US-Argentine military visits should be cleared in advance by the Department of State with full regard for their human rights implications. Programs should be designed in consultation with the Department. Any U.S. military officers whose visits have been approved should be briefed in the Department before travelling to Argentina. U.S. military officers should also provide the Department an oral debriefing or written report upon their return from Argentina.

SCENARIO FOR 1980

We should take the following actions, roughly in this order:

-- re-emphasize to the GOA our primary human rights concerns, stressing the positive value of progress in terms of rebuilding Argentina's international image in advance of the OAS and UN General Assemblies. A track record of improvements during the next 5-6 months will sit well with the Western international community. Continued violations, and non-cooperation with the UNHRC, will not be well-received.

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-- initiate consultations with our Allies, and perhaps with Israel, on Argentine human rights issues and East-West issues, and begin to talk about parallel or joint demarches, as described earlier in this paper.

-- depending on developments in the human rights situation, determine the most appropriate time to extend an invitation to General Vaquero.

-- Also, depending on Argentine human rights practices during the next 4 or 5 months, including evidence of cooperation with the UNHRC and UNESCO, determine a suitable time and level for the signature of the draft US-Argentine agricultural cooperation agreement. If the improvements are substantial, give the agreement a suitably high profile to demonstrate that better relations result from human rights progress.

-- If there is significant progress by the time of the OAS General Assembly, be prepared to acknowledge this in an appropriate public way at the Assembly. If there is insignificant or no progress, say so. Determine the degree of U.S. leadership on the issue by the nature of Argentine actions. For example, co-sponsor and actively lobby for a critical resolution if there is no progress. Be supportive but less out front on a critical resolution if there is only modest progress. Support a neutral or even mildly laudatory version if there is dramatic improvement in at least one respect. And so on.

-- Follow the same general approach on any Argentine issues which arise at the UN General Assembly, making appropriate statements in the Third Committee.

-- If there is great progress, we should activate other economic tools, such as AID's Reimbursable Development Program, a new OPIC agreement, and perhaps follow-on agreements in the agricultural area.

-- The tempo of military visits could also be accelerated in the event of really substantial progress toward ending Category I violations. However, there should be no discussion at this stage of resuming the military supply relationship.

In all of this, we should be sure to communicate our intentions clearly to the GOA, so that the potential benefits of progress on human rights issues are clearly understood.

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In calibrating our actions, we need to be careful not to squander our limited resources. If we rush to embrace the GOA, turning on everything at once, we'll be left with nothing to use as an inducement to further progress. We need to manage this process carefully.

EARLY 1981

Again, assuming steady progress - and by now we mean that the UNHRC and the families of the disappeared have received a large amount of information, that clandestine prisoners have been surfaced, that new disappearances, torture, and summary execution have ceased, and that nearly all PEN prisoners have been released or tried - we can look at possible technical cooperative agreements in such fields of mutual interest as energy and fisheries - or expanding the scope of existing agreements. We will also want to take appropriate note of improvements in our annual human rights report and in the positions we take with regard to Argentina at the UNHRC. With regard to the latter, we can let the GOA know at an appropriate time of our willingness to adopt this moderate attitude if they accomplish the needed reforms.

With regard to the Kennedy-Humphrey Amendment, we should be clear in our own minds, and tell the Argentines if asked, that any modification or repeal is a long way down the road -- the road toward popular government. And this doesn't seem likely in 1980 or 1981. Ending Category I violations and resolving disappearance issues will bring political and economic benefits, but not a restoration of the military-supply and training relationship. When political parties are free to operate, and genuinely free elections are near, we can go to the Congress with a request to modify the Kennedy-Humphrey Amendment to enable us to have a fully normal relationship with an elected government.

Somewhere along the road to democratic rule, and before we talk about modifying Kennedy-Humphrey, we will want to choose a time to inform the GOA of our willingness to start voting "yes" on their non-BHN loan requests in the IFI's.

Option A has produced improvements in Argentina. To move away from this policy, when significant human rights deprivations continue and when thousands of disappeareds remain unaccounted for, would strengthen the GOA's belief that "Soviet card" tactics are indeed powerful.

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