

D/HA

Rights Office
Routing Slip

Date: 7/21
From: Jones

*D/HA - Jones
Comments to LWS
in T ASAP*

INFO ACTION INITIALS

	INFO	ACTION	INITIALS
Ms. Derian	X	X	
Mr. Schneider	X	X	
Mr. Jones			
Mr. Hill			
Ms. Bova			
Mr. Brody			
Ms. Hanson			
Mr. Heilsnis			
Ms. Hanley			
Ms. Capps			
ALL			

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ales to Argentina for Human

be in denying pending
Sales (FMS) to the armed
where there are serious

FILE -

COMMENTS:

*I got the
larger part into the
next draft of our
suggestions including
especially details
on H. RO violations and
business about obstruction.
In spite of heaviest
pressure from Halib &
Benson, L still has
problems. Rendon will
try to get L clearance. When
he doesn't at 9:00 A.M. will*

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rights and fundamental
policy of not providing
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the stated policies and
defending governments.

Department of State, A/GIS/IPS/SRP

Change to _____
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Exemptions b () () E.O. 13526 25x () ()
Declassify after _____
With concurrence of:
_____ obtained _____ not obt.
IPS by [Signature] Date 12-15-16

Date: 7/19 URGENT
From: Same

D/HTA - ...
Comments to LWB
in T ASAP

INFO ACTION INITIALS

NAME	INFO	ACTION	INITIALS
Ms. Derian			
Mr. Schneider			
Mr. Jones			
Mr. Hill			
Ms. Bova			
Mr. Brody			
Ms. Hanson			
Mr. Heilsnis			
Ms. Hanley			
Ms. Caops			
ALL			

Refer to

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Sales (FMS) to the armed
where there are serious

FILE -

COMMENTS: ARGENTINA

PAPER:

*I received approval with suggestions I have indicated
PLEASE - URGENT*

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the stated policies and
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Department of State, A/GIS/IPS/SRP

Change to _____

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

Declassify after _____

With concurrence of: _____

IPS by [Signature] obtained _____ not obt. _____

Date 12-15-16

DRAFT

~~CONFIDENTIAL~~
~~(WITH SECRET ATTACHMENT)~~

*D/HA - Jones
Comments to LHS
in T ASAP*

TO: The Secretary

THROUGH: P - Mr. Habib
T - Mrs. Benson

FROM: ARA - Terence A. Todman
D/HA - Patricia M. Derian
PM - Leslie Gelb

SUBJECT: Restriction of Arms Sales to Argentina for Human Rights Reasons

ISSUES FOR DECISION

How restrictive should we be in denying pending commercial and Foreign Military Sales (FMS) to the armed forces and police of Argentina, where there are serious abuses of human rights?

ESSENTIAL FACTORS

Section 502B of the Arms Exports Control Act expresses as United States policy the promotion and encouragement of internationally recognized human rights and fundamental freedoms. It further expresses a policy of not providing security assistance to any country engaged in a consistent pattern of gross human rights violations and directs the President to formulate and conduct security assistance programs in a manner which promotes the stated policies and avoids identifying the USG with offending governments.

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

Change to _____

Release Excise Deny Declassify

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

Declassify after _____

With concurrence of: _____

IPS by [Signature] Date 12-15-16

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US Interests in Argentina

Non-Proliferation
Politico-Military

As the second largest country in Latin America in population, area and per capita GNP, Argentina is and will remain an important political influence in the region, and the world. ~~Its thousand miles of coast line gives Argentina a potentially important role in any future contingency involving the Southwestern Atlantic and the straits of Magellan. The U.S., however, has no military facilities in Argentina.~~

Fred Pearson wants this out

It
Argentina has substantial uranium reserves and an ambitious nuclear power program. It has the most advanced nuclear capability of any Latin America state and the greatest potential for an autonomous fuel cycle. U.S. efforts to prevent proliferation in Brazil, and Latin America generally, depend critically on Argentina's acceptance of full-scope safeguards (which it has shown a conditional willingness to consider) and deferral of its fuel reprocessing program.

Economic - The U.S. is Argentina's largest trading partner (we currently have a \$250 million trade surplus). U.S. banks hold \$3 billion of Argentina's debts and U.S. industry has some \$1.2 billion invested in the country. Argentina is a major food exporter and may have in its extensive continental shelf large reserves of oil. Although the country has recently suffered severe economic troubles, it is

All of these options ~~presuppose that~~ ^{would of one}
cases be re-examined ~~it would~~
then occur ~~re-performance~~ changes in
the Argentine human rights performance...

~~Significant Deterioration~~ ^{Deterioration} ... ^{improvement} ...

Argentine human rights performance would
~~require~~ ^{require} a review of ~~the option chosen~~
the policy you adopt

a generally self-sufficient industrial and economic leader in Latin America.

THE OPTIONS

There is general agreement that we should not sell items on the U.S. munitions list related to internal security, civil law enforcement and crowd control to Argentina or sell munitions list items of any kind to Argentine internal security organizations. There is disagreement however, whether we should deny all FMS sales and commercial export licenses for ~~weapons~~ other defense articles on the munitions list, or whether we should ban only the "lethal" equipment, and be prepared to sell non-lethal munitions list equipment.

There are three options:

1. Continue our present policy of denying sales of items related to internal security or destined for internal security organizations but permit FMS cash and commercial sales of other munitions list items for the Argentine military ~~including weapons~~ forces ~~on a case-by-case basis.~~ *We would review this*

2. Deny all new FMS cash and commercial sales of munitions list items, suspend use of unexpended FMS credits from prior years, and deny export licenses for ~~equipment~~ under order *an important exception is...*

3. Continue our present policy of denying sales of items related to or destined for internal security forces, and, in addition, deny sales of "lethal" equipment to the Argentine military forces. *FMS and Commercial* Exports of "non-lethal" items on the munitions list to these forces would be permitted ~~(...)~~

~~FMS and commercial...~~

Add center about review

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Option 1 - Current PolicyPros

-- Preserves a minimal tie with the Argentine armed forces -- a dominant institution in Argentina -- in a period of political instability.

-- Is consistent with our policy toward other countries with poor human rights' records (e.g. Korea, Iran, Phillipines)

-- Does least damage to our other interests in Argentina, particularly those involving nuclear non-proliferation.

-- Provides some incentive for the Government to improve its human rights practices before the Congressionally legislated embargo comes into effect.

Cons

-- Will be opposed by a significant number of Congressmen and by other influential groups as inconsistent with the provisions of the Security Assistance Act of 1976.

-- May encourage the Argentine Government (and others) to assume the U.S. Government's human rights policy is hortative ^{only} and that its punitive elements can be safely ignored.

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Option 2 - ~~Temporary~~ *Temporary* ~~Embargo~~ *Embargo*

Pros

-- is consistent with the spirit of the human rights provisions of security assistance legislation

-- sends an unambiguous message to the Argentine government and ^{words: "Government has imposed on take the consequences,} ~~may strengthen the hand of its moderate elements in trying to improve human rights practices.~~

-- Will probably have wide public and Congressional support.

Cons

-- Will antagonize the Government and the armed forces and seriously damage such leverage as we have, both on the important nuclear proliferation problems and on human rights.

-- Will force Argentina to look elsewhere for arms, possible including the USSR, thus complicating U.S. efforts to develop regional arms transfer controls, pursuant to the new arms transfer policy.

-- Would prematurely abandon without trial the policy option of providing positive incentives as well as sanctions to promote human rights.

Option 3 - Non-Lethal Sales

Pros

-- Generally similar to Option 1

Cons

-- Similar to Option 1, except that this option creates

By removing our support for and identifying the program with military.

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a difficult definitional problem (e.g. is a helicopter with hard points for mounting weapons a lethal item, even if the weapons themselves are not sold?)

Recommendations:

That you approve Option 1 to limit denials to internal security weaponry, ~~the policy is to examine all items~~ (favored by ARA, PM and the Department of Defense. ~~It is a team effort~~ ~~human rights situation~~)

Approve _____ Disapprove _____

ALTERNATIVELY, that you approve Option 2 to deny all FMS cash and commercial export licenses for defense articles on the Munitions List to Argentina, ~~pending a change in its human rights practices~~ (favored by D/HA and S/P)

Approve _____ Disapprove _____

ALTERNATIVELY, that you approve Option 3 to limit denials to "lethal equipment".

Approve _____ Disapprove _____

Significant changes in the Argentine Human Rights practices will trigger a re-examination of the policy adopted.

- Clearances: PM/SAS: Winship
- PM/MC: Robinson
- S/P: RFeinberg
- ACDA: ~~W~~ ~~son~~ (substance)
- ~~OSD/ISA: MGen RCavazos~~ (substance)
- D: SOsman
- T: SLédogar
- U: DTice
- Legal Advisor: Michel
- H: CCutter

NARA II

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HA County Files 1977

Box 1

Lat Am - Argentina 1977