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ACTION ARA-16

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INFO AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY ROME
USMISSION GENEVA
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Margaret P. Grafeld, Director
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DEPARTMENT FOR ARA/SC AND HA/HR; CINCSO FOR INTAFF,
CINCLANT ALSO FOR POLAD

E.O. 12356: DECL: OADR
TAGS: SHUM, AR, FR, IT
SUBJ: MORE HUMAN RIGHTS DEVELOPMENTS IN ARGENTINA

REF: BUENOS AIRES 1560 (NOTAL)

1. [REDACTED] SUMMARY: THE GOVERNMENT OF ARGENTINA (GOA)
CONFISCATED THE LATEST ISSUE OF "QUORUM" MAGAZINE ON
MARCH 11 BECAUSE IT CONTAINED THE MOST DETAILED AND
PROVOCATIVE ACCOUNT TO DATE OF ANTI-GUERRILLA ACTIVI-
TIES AT THE NAVY'S MECHANICS SCHOOL DURING THE 1970S.
THE ITALIAN MAGAZINE'S EDITOR TOOK REFUGE IN THE
ITALIAN EMBASSY ON MARCH 10, AND FLEW TO ROME ON
MARCH 11. MEANWHILE, THE COURTS CONTINUED TO SHOW
THEIR INDEPENDENCE. ON MARCH 11, THE SUPREME COURT
SAID THAT FORMER RADICAL SENATOR HIPOLITO SOLARI

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(RIGOYEN CAN RETURN FROM SIX YEARS OF EXILE IN
FRANCE. A FEDERAL JUDGE FINED AN ARMY GENERAL FOR

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NOT PROVIDING INFORMATION ABOUT A MISSING PERSON, AND TEN PRISON WORKERS, INCLUDING THE DIRECTOR OF THE PRISON, WERE SENTENCED TO SERVE FROM TWO TO EIGHTEEN YEARS FOR TORTURING AN INMATE TO DEATH. ALSO, THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS ANNOUNCED ON MARCH 11 A NEW APPROACH TO CLARIFY THE QUESTION OF DETAINEES AND MISSING PERSONS. THEIR MAIN THRUST APPEARS TO BE TO PUT THE GOA ON NOTICE THAT THE HUMAN RIGHTS ORGANIZATIONS WILL NOT ACCEPT A WHITEWASH IF THAT IS THE SUBSTANCE OF THE EXPECTED GOA REPORT ON THE STRUGGLE AGAINST SUBVERSION. END SUMMARY.

2. (U) ARGENTINA'S MILITARY GOVERNMENT BANNED AND CONFISCATED THE LATEST ISSUE OF "QUORUM" MAGAZINE ON MARCH 11 BECAUSE THAT ISSUE CONTAINED THE MOST DETAILED ACCOUNT TO DATE OF ALLEGED TORTURE AND ANTI-GUERRILLA ACTIVITIES THAT TOOK PLACE AT THE NAVY'S MECHANICS SCHOOL IN THE LATE 1970 THE MAGAZINE'S ITALIAN-BORN EDITOR, JOSE PALOZZI, CLAIMED THAT HE NARROWLY ESCAPED AN AMBUSH SET FOR HIM IN DOWNTOWN BUENOS AIRES, AND, THEREFORE, TOOK REFUGE IN THE ITALIAN EMBASSY ON MARCH 10. THAT EMBASSY HELPED HIM TO FLY OUT OF ARGENTINA TO ROME, UNDER CIRCUMSTANCES THAT ARE STILL UNCLEAR. THE MINISTRY OF FOREIGN RELATIONS CALLED IN THE ITALIAN AMBASSADOR ON MARCH 11 TO TELL HIM OF THE GOA'S "PROFOUND DISPLEASURE OVER JOSE PALOZZI'S DEPARTURE FROM THE COUNTRY," ACCORDING TO A MINISTRY ANNOUNCEMENT. THE ITALIAN AMBASSADOR, HOWEVER, COUNTERED WITH HIS OWN LATE EVENING STATEMENT MARCH 11 THAT THE MINISTRY HAD EARLIER TOLD THE EMBASSY THAT "THE ARGENTINE AUTHORITIES HAD NO OBJECTION TO MR. PALOZZI

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LEAVING THE COUNTRY."

3. (U) THIS IS THE THIRD TIME THAT "QUORUM" HAS BEEN BANNED OR CLOSED TEMPORARILY IN THE LAST FIVE MONTHS FOR ITS OUTSPOKEN AND DETAILED REVELATIONS OF SUPPOSED CORRUPTION AND CRIMES COMMITTED BY TOP MILITARY OFFICERS. THIS LATEST ISSUE (COPY POUCHED TO ARA/SC) CONTAINS NAMES OR ALIASES OF OFFICERS AND ENLISTED MEN WHO WERE ALLEGEDLY INVOLVED IN THE TORTURE THAT REPORTEDLY TOOK PLACE IN THE NAVY'S MECHANICS SCHOOL. THE ISSUE WAS BANNED, SAID THE GOA DECREE, BECAUSE "ITS CONTENTS ARE AIMED AT FOSTERING A DEFORMED IDEA OF THE STATE'S ROLE IN THE WAR AGAINST

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SUBVERSION."

4. [REDACTED] COMMENT: "QUORUM'S" LATEST ATTACK ON THE MILITARY IS PROBABLY THE MOST SPECIFIC AND PROVOCATIVE THAT HAS BEEN PUBLISHED IN ARGENTINA DURING THE MILITARY'S SEVEN YEARS IN POWER. END COMMENT.

5. (U) THE SUPREME COURT ON MARCH 11 DECLARED INVALID A GOA DECREE OF SEPTEMBER 1, 1976, UNDER WHICH FORMER RADICAL CIVIC UNION SENATOR HIPOLITO SOLARI YRIGOYEN (GREAT-NEPHEW OF FORMER PRESIDENT HIPOLITO YRIGOYEN) HAD BEEN ARRESTED AND HELD AS A PEN PRISONER AT THE DISPOSITION OF THE EXECUTIVE BRANCH. THE GOA JAILED SOLARI YRIGOYEN FOR ALLEGED TIES TO SUBVERSIVE ELEMENTS, THEN ALLOWED HIM TO GO INTO EXILE IN FRANCE IN 1977. THE SUPREME COURT DECISION MEANS THAT HE CAN RETURN TO ARGENTINA, WHICH THE WEEKEND PRESS QUOTES HIM AS SAYING HE PLANS TO DO DIRECTLY.

6. [REDACTED] COMMENT: BY DECLARING UNCONSTITUTIONAL THE DECREES UNDER WHICH SOLARI YRIGOYEN WAS ARRESTED AND EXILED, THE HIGH COURT HAS TAKEN ANOTHER STEP TOWARD JUDICIAL INDEPENDENCE. END COMMENT.

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7. (U) THE CENTER FOR LEGAL AND SOCIAL STUDIES (CELS) ISSUED A STATEMENT THAT NEWSPAPERS CARRIED ON MARCH 14 WHICH SAID THAT FEDERAL JUDGE OSCAR MARIO SALVI HAD FINED A GENERAL AND ORDERED AN INVESTIGATION INTO THE POSSIBILITY THAT THE GENERAL HAD COMMITTED A CRIME BY NOT PROVIDING COURT-ORDERED INFORMATION CONCERNING A MISSING PERSON. THE GENERAL IS JULIO FERNANDEZ TORRES, SECOND IN COMMAND OF THE ARMY'S FIRST CORPS, WITH HEADQUARTERS IN PALERMO. THE FINE WAS 3,600,000 PESOS (ABOUT US \$45). SALVI IS THE JUDGE WHO REPLACED PEDRO CARLOS NARVAIZ, WHO FLED THE COUNTRY IN JANUARY AFTER ALLEGEDLY RECEIVING DEATH THREATS.

8. (U) ACCORDING TO A WIRE SERVICE REPORT FROM POSADAS, "TEN PRISON WORKERS HAVE BEEN SENTENCED TO SERVE FROM TWO TO 18 YEARS IN THE SAME PRISON IN WHICH THEY WERE WORKING FOR TORTURING TO DEATH AN INMATE THERE. ACCORDING TO THE JUDICIAL REPORT THE DIRECTOR OF THE ELDORADO PRISON WAS SENTENCED TO 16 YEARS AND TWO OF HIS ASSISTANTS TO 18

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YEARS FOR BEATING TO DEATH THE INMATE JUAN PABLO GARCIA. OTHER PRISON GUARDS WERE SENTENCED FROM TWO TO SIX YEARS FOR THEIR INVOLVEMENT IN THE MISTREATMENT ATROCITY." WE DO NOT HAVE ANY INFORMATION IN THE EMBASSY ABOUT GARCIA.

9. (U) THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS (PAHR) HELD A PRESS CONFERENCE ON MARCH 11 AT WHICH IT ANNOUNCED A PROPOSAL TO CLEAR UP THE PROBLEM OF DETAINEES AND MISSING PERSONS. IT SUGGESTS THE GOA TURN OVER DETAINEES, MISSING PERSONS, AND MISSING CHILDREN TO THE BISHOPS' PERMANENT COMMISSION (BPC). ANOTHER SUGGESTION WAS FOR THE GOA TO GIVE THE BPC, WITHIN 30 DAYS OF THE PUBLICATION OF THE GOA'S REPORT ON MISSING PERSONS, EXPECTED BY EARLY APRIL, A MESSAGE FOR THE NEXT NATIONAL CONGRESS IN WHICH THE GOA REVEALS EVERYTHING THAT IT DEEMS PERTINENT CONCERNING THIS ISSUE. THE BPC WOULD HOLD THAT MESSAGE UNTIL 30 DAYS AFTER THE INITIAL SESSION OF THE NEXT CONGRESS, AT WHICH TIME THE BPC WOULD GIVE THE MESSAGE

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TO BOTH HOUSES OF CONGRESS FOR FURTHER ACTION AS DEEMED NECESSARY. ANOTHER SUGGESTION WAS FOR THE EXECUTIVE BRANCH TO GIVE THE JUDICIAL BRANCH ALL THE INFORMATION REQUIRED IN HABEAS CORPUS CASES CONCERNING MISSING PERSONS THAT HAVE BEEN DISMISSED WITH NEGATIVE RESULTS TO DATE.

10. [REDACTED] COMMENT: HUMAN RIGHTS ORGANIZATIONS IN ARGENTINA BELIEVE THAT THE GOA'S REPORT ON MISSING PERSONS AND THE "DIRTY WAR" WILL BE A WHITWASH OF THE MILITARY, AND WILL REVEAL NOTHING NEW. SOME MEMBERS OF THE ARGENTINE HUMAN RIGHTS ORGANIZATIONS MAY SINCERELY BELIEVE THAT SOME OF THE PEOPLE ON THE LISTS OF MISSING PERSONS ARE STILL ALIVE AND BEING HELD IN ARGENTINA. WE HAVE NO EVIDENCE TO SUPPORT SUCH A CONTENTION. END COMMENT. SHLAUDEMAN
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