(U) IR forwards two Embassy cables concerning human rights developments. Cable 3703 concerns recent disappearances and government response to US inquiries on the individuals; cable 4849 concerns Foreign Minister Pastor's reports on PEN (Executive Power) and disappearance cases.

COMMENT: (CONFIRMED) Concerning cable 3703, Embassy received a letter from Jara de Cabezas, which indicated that she had left Argentina of her own volition. It appears that the Argentine military were serious in their efforts to get information on this case. It also puts in some perspective the comments concerning Suarez Mason, which appeared to be somewhat self-serving to begin with.
May 4, a special meeting was convened of senior officers of military intelligence and police officers. Representation was unusually broad, including Army, Navy, Air Force, Prefectura, Gendarmeria, SIDE and Federal Security Service. The meeting was reportedly convened at General Viola's order to obtain from each service a report on information it had relating to Thelma Dorothy Jara de Cabezas, pursuant to Viola's previous order to find her. One service reported a record of her brief detention and interrogation following a demonstration of the Mothers of the Plaza de Mayo last year. All services denied any knowledge of her disappearance or current whereabouts.

3. Source commented that a meeting of this nature was unusual and he
believed that the officers present reported honestly, for to attempt to lie in the face of a direct order of the Army Commander would be both personally and professionally very dangerous. The conclusion of the members of his organization was that the abduction of Cabezas was either an operation undertaken independently by low level elements of a security force, or was a case of General Suarez Mason's personal hit squad performing an abduction of a high-profile human rights leader to embarrass Videla and Viola. He reported that the intelligence services were resigned to waiting until Cabezas' body appeared, considering this to be a case almost identical to the abduction of Elena Holmberg in November 1978.

4. Our assessment of this report is that it is probably true in its essential elements. It is possible that one or more participants withheld information or suspicions about the abduction. Pointing the finger at General Suarez Mason is common, and while the allegation of his involvement is possibly true, it strikes us as too conveniently self-serving.

5. On May 9 Charge pressed General Viola's aide for information on disappearances and was informed that the General had not yet received all the replies to his inquiries on the matter but that a response would be forthcoming shortly. FonOff also said no COA response ready yet, but would push for reply. Embassy will keep the issue of these disappearances before the COA.

CHAPLIN

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DIA FOIA & Declassification Services Staff
Date: Oct 18, 2018
C) PASTOR REPORTS ON PEN AND DISAPPEARANCE CASES

SECSTATE WASHDC

AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY MADRID
USUN NEW YORK
AMEMBASSY PARIS
AMEMBASSY ROME
AMEMBASSY STOCKHOLM
USCONSUL QUARRY HTS CZ

CONFIDENTIAL BUENOS AIRES

1. ENTIRE TEXT.

2. FOREIGN MINISTER PASTOR REPORTEDLY TOLD THE ASSEMBLED EUROPEAN COMMON MARKET AMBASSADORS LAST WEEK THAT A LAW CONCERNING THE STATUS OF FAMILIES OF DISAPPEARED PERSONS WOULD SOON BE SUBMITTED TO THE LEGISLATIVE COUNCIL AND THE JUNTA FOR APPROVAL AND SHOULD BE PROMULGATED WITHIN THREE MONTHS. AS REPORTED BY THE FRENCH EMBASSY (PROTECT), PASTOR SAID THE LAW WOULD ESTABLISH THE FOLLOWING PROCEDURES FOR PRESumptive DEATH: THREE MONTHS AFTER A DISAPPEARANCE, THE FAMILY COULD PETITION THE GOVERNMENT FOR ASSISTANCE AND INFORMATION; THE GOVERNMENT WOULD HAVE THREE MORE

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MONTHS TO ESTABLISH THE WHEREABOUTS OF THE DISAPPEARED PERSON; IF NO INFORMATION IS DEVELOPED, THE GOVERNMENT WOULD AUTHORIZE PRESumptive death, OPENING THE WAY FOR FAMILIES TO CLAIM SURVIVORS' BENEFITS AND REGULARIZE THEIR LEGAL STATUS. FINALLY, THE FAMILY COULD CLAIM INDEMNIZATION FROM THE GOVERNMENT. PASTOR APPARENTLY DID NOT DETAIL HOW THE INDEMNIZATION WOULD WORK.

3. PASTOR ALSO TOLD THE AMBASSADORS THAT THE GOA IS REDOUBLING ITS EFFORTS TO REDUCE THE PEN POPULATION. HE SAID THAT THE PEN POPULATION SHOULD BE REDUCED FROM THE PRESENT 2000 OR SO TO ABOUT 500 WITHIN TWO OR THREE MONTHS AND TO 50 OF THE "HARD-CORE UNRELEASABLES" BY THE END OF THE YEAR. PASTOR SAID THE INTERIOR MINISTRY HAS INCREASED ITS PEN LEGAL REVIEW STAFF FROM FOUR TO 30 LAWYERS. HE SAID RELEASES UNDER OPTION WOULD INCREASE, AND THAT OTHER PEN PRISONERS WOULD BE TURNED OVER TO THE JUSTICE SYSTEM FOR TRIAL OR RELEASED OUTRIGHT OR GRANTED CONDITIONAL LIBERTY. ACCORDING TO OUR FRENCH EMBASSY SOURCE, PASTOR IMPLIED THAT THE ABOVE-MENTIONED IMPROVEMENTS WERE BEING IMPLEMENTED IN TIME FOR THE INTER-AMERICAN HUMAN RIGHTS COMMISSION VISIT WHICH HE SEEMED TO EXPECT WOULD OCCUR SOMETIME IN THE FALL, IN SEPTEMBER OR OCTOBER.

Sec. 3.3(b) (6)