1. COUNTRY: ARGENTINA (AR)
2. REPORT NUMBER: \( (b)(3):10\) USC 42
3. TITLE: (U) POLITICAL, MILITARY-HUMAN RIGHTS AND RELATED MATTERS
4. PROJECT NUMBER: N/A
5. DATE OF INFORMATION: 781212-790412
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13. APPROVING AUTHORITY: DIA
14. SOURCE: All Media
15. SPECIAL INSTRUCTIONS: Yes
16. SUMMARY: (U) This IR forwards 35 press clippings, covering the period 781212 to 790412, which reflect improvements in the Argentine human rights situation—crackdowns on abuse of authority and weapons by security and police forces, release of Executive Power (PEN) detainees to the courts, and attitudinal changes.

COMMENT: (U) Summary translations were accomplished by DAO BRT. Increasing open press reports of "return to the rule of law" are in evidence.

COMMENT: (U) The thrust of the enclosed press clippings is to show positive aspects of organizational, institutional and attitudinal changes which are occurring in Argentina. They show: a. increased freedom of the press as evidenced by reporting of governmental actions, wrong or right; b. increased influence of the judicial system as evidenced by the fundamental fact that courts are now processing violators of laws against the government; and more importantly, violators of members of the government against the law; and c. a

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Date: Oct 19, 2018

35 Enclosures
(See Details Section)
change of attitude of the government which allows more freedom of the press and more judicial influence and action.

B. (6) These represent fundamental changes in the systematic sense, i.e. measures of change in the direction of checks and balances and public participation. In terms of measures of effectiveness of progress from "poor" to "acceptable" in attaining human rights goals, they should be considered more meaningful in the long run than statistics which, although, real, often represent a backward look rather than a measure of progress.

22. DETAILS: (U) 1. The following press clippings are forwarded as enclosures to this IR:

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2. The following are translations of the reported in each enclose
A. Encl. 1: The Government was ordered, by a La Plata magistrate, to compensate the families of three individuals who were shot for passing in front of a military installation. A doctor's car passed in front of the HQ of a communications battalion in City Bell, whereupon his car was riddled with machine-gun fire. A second doctor stopped to administer first aid, whereupon he, too, was shot. According to the magistrate the event "serves as a painful reminder of...the lack of precise procedures and controls placed on those who implement orders by those who give the orders." The installation has since taken measures to prevent future unnecessary shootings of this sort.

B. Encl. 2: Six policemen of San Luis, imprisoned for torturing a male individual, were freed because of insufficient evidence. The magistrate, however, commented that "this case will hasten the study and control of excesses and abuses of authority which are committed by professionally and ethically untrained policemen."

C. Encl. 3: An Argentine Army NCO who tried to settle a minor traffic incident by drawing his pistol was arrested and held without bail; the judge called the incident an example of flagrant disregard for individual liberties and abuse of weapons. (See Buenos Aires telegrams 2244 and 1507.)

D. Encl. 4: Minister of Justice, Dr. Alberto Rodriguez, tours federal penal facilities in central Argentina. (See B.A. tel. 3107.)

E. Encl. 5: An organization formed to improve judicial efficiency praises the dialog between the Supreme Court and Argentine President Videla, the latter reportedly supporting the Supreme Court's public expression of concern for the restoration of rights and Constitutional guarantees. (See B.A. telegram 1708.)

F. Encl 6: The Supreme Court orders a probe on the disappearance of a young scientist who disappeared in late 1978; the decision to investigate the case came shortly after the Supreme Court publicly called for Government action to be taken on behalf of other disappeared persons. (See B.A. telegrams 1727 and 1708.)

G. Encl. 7: Herald editorial cites increasingly frequent public dialog between Videla and the Supreme Court on human rights, along with citing President Videla's support of a Supreme Court expression of concern for the disappeared persons in Argentina. Editorial, however, deplores continued unwarranted house arrest of newspaper editor Jacob Timerman. (See B.A. telegram 1737.)

H. Encl. 8: Supreme Court calls for an investigation into the detention, allegedly by security forces, of a young scientist (see encl. 6). The Court vowed to restore freedom to all those who were illegitimately denied basic freedoms. (See B.A. telegrams 1727 and 2501.)
I. Encl. 9: Government action taken on detainees: 14 individuals released from P.E.N. to the courts; 8 individuals authorized to leave Argentina; 5 placed under house arrest. (See B.A. tel. 1737.)

J. Encl. 10: Supreme Court rules in favor of 2 young Jehovah's Witnesses, who had been expelled from a public Argentine school, in connection with religious beliefs. (See B.A. telegrams 2140 and 1909.)

K. Encl. 11: Government action taken on detainees: 5 released from P.E.N. to the courts; 1 allowed to leave the country; 1 placed under house arrest; names of 7 individuals who remain under P.E.N. detention. (See B.A. telegram 1956.)

L. Encls. 12 and 13: Consecutive Herald editorials. Notable extracts: "The Supreme Court is no longer afraid to speak for justice" and "In the past few months...justice has been giving many indications of being close to a complete recovery." (See B.A. telegram 2114.)

M. Encl. 14: An imprisoned woman, accused of having terrorist links, was allowed to complete law studies while in prison. Other terrorists sentenced.

N. Encl. 15: Ber association voices public concern over the armed forces' removal of an NCO (see Encl. 3) from prison. (See B.A. tel. 2244)

O. Encl. 16: Concerning same subject, Argentine Army CINC ordered the return of same NCO to prison, a gesture of respect for the Supreme Court order returning him to prison. (See B.A. telegrams 2244, 2250 and 2218.)

P. Encl. 17: Herald editorial support firm's decision to return the NCO to jail: "The armed forces are demonstrating...that they stand firmly on the side of the rule of law."

Q. Encl. 18: Judge in Cordoba rules on terrorist cases; issues sentences.

R. Encl. 19: Woman motorist defies policeman's abuse of weapon; Court supports her behavior.

S. Encl. 20: Governor of San Luis says that the province now enjoys peace and security.

T. Encl. 21: Terrorists sentenced. One terrorist, who turned himself in, received a reduced sentence.

U. Encl. 22: President Videla's speech on anniversary of military junta's takeover: "We are proud to proclaim as many times as may be necessary the independence of the judicial branch..."

V. Encl. 23: Director of Argentine National War College calls for
an end to public corruption citing the need for "political morality based on individual morality."

W. Encl. 24: NCO freed on bail.

x. Encl. 25: Former Navy CINC, Admiral Massera, denies responsibility for murder of Argentine diplomat Elena Holmberg.

y. Encl. 26: Mother's published appeal for disappeared son.

z. Encl. 27: Herald political analysis on increasing attention being focused on human rights-related matters.

3A. Encl. 28: Herald article citing publication of notices requesting information on disappeared persons.

B. Encl. 29: Government action taken on detainees: 3 released from P.E.N. to the courts; 14 placed under house arrest; 1 added to P.E.N. detention. (See B.A. telegram 2813.)

C. Encl. 30: Policeman sentenced for shooting an individual.

D. Encl. 31: Legislative reform in Ministry of Justice.

F. Encl. 32: ERP terrorists sentenced. (See B.A. telegram 2852.)

F. Encl. 33: 73 P.E.N. detainees released to the courts.

G. Encl. 34: Buenos Aires policeman sentenced for shooting.

H. Encl. 35: Former mayor of Tucuman sentenced for corruption and abuse of authority.
Indemnizará el Estado la muerte de 2 personas

LA PLATA. — El juez federal Rodolfo Carlos Adamo, como magistrado sustituto, dio lugar a las demandas presentadas por el doctor Tomás Silveira y las señoras Elisa Elibetha de Martínez y Ana María Rosa de Pastene y concedió al Estado Nacional la indemnización reclamada por la muerte de los doctores Eduard Gutierrez y Pedro Luis Piñacq y las graves lesiones sufridas por la señora Elisa Elibetha de Martínez en la madrugada del 27 de diciembre de 1965.

En la causa se ejercita un pernicioso relato del hecho que señala la vida a ambas partes. Como se recordará, la escena citada el aumento que gobierno del doctor Adolfo Elías en una visita de nuestro país a pasar ante las instituciones del gobierno de la República, caso en que el Gobierno del doctor Adolfo Elías, por su parte, estuvo a relato al ver a la víctima en la casa de la planta, con el que se había en una persona de nombre, nombre, nombre en la que se podría haber practicado para las presentes que les causaron heridas mortales y algunas lesiones graves a la señora Elisa Elibetha de Martínez. Al caerse trasladar de la misma al procurador fiscal federal, que afirmó en los tres casos a los hechos de derechos que se hubieran a las personas, y en las demás tal como fueron presentadas.

Destaca el magistrado la carencia de elementos visibles, auditivos, etc. capaces de advertir al público sobre el riesgo o sobre el procedimiento que debe observarse frente a una unidad militar.

"El hecho generado del discurso —dice— merece por sus circunstancias una pena ejemplarizadora pues, sin destacar el extremo de la presencia por los disturbios de una unidad militar en momentos fúlgidos de la lucha armada, en modo alguno se justifica el deplorable grito de burguesía, worth que está, en la cualidad, la ausencia de instrucciones precisas y medidas preventivas tanto dancíz a quienes manipulan el orden como a las que se trata de ordenar.

En otra parte del fallo se expresa que "debe existir una cierta conciencia del valor de la vida humana en un estado social".
Disponen en S. Luis la libertad de 6 policías

SAN LUIS. — Los seis policías acusados de torturas por un juez local, recuperaron su libertad, al resolverlo así la Cámara del Crimen de esta ciudad.

Según el magistrado, Hecho Tizzeira del Castillo, los policías secuestraron a Luis Oscar Castro, le propinaron un duro castigo, le prendieron fuego y le dispararon a quemarropa, dando por muerto.

La victima, que fue abandonada en un zanjal, fue socorrida por un camionero que la encontró "todo maltratado y sangrante", y en estado emocional "lastimada, casi sin poder hablar ni caminar", de acuerdo con lo revelado por el juez.

Al disponer la prisión preventiva de los acusados, Tizzeira del Castillo expresó que "el castigo del hecho resultará sumamente aleccionador para frenar los excesos y abusos de autoridad en que a veces incurren los miales funcionarios policiales cuando no tienen una adecuada formación profesional y ética".

Sin embargo, la Cámara del Crimen de San Luis dispuso la libertad de los seis policías, señalando que no se había podido comprobar la comisión del delito que se les imputa.

Al acusarles, el juez Tizzeira del Castillo no se refirió a los motivos que tuvieron los policías para secuestrar e intentar matar a Castro.
Army NCO held for threatening civilian

AN ARMY non commissioned officer who threatened another motorist with a pistol after a minor argument, was arrested and is being held without bail by order of judge Guillermo Ledesma, it was announced yesterday.

In ordering Sgt-Major Domingo Vicente Barrueta's detention, judge Ledesma said that "after numerous official statements that the battle against subversion is at an end... individual rights should be fully implemented in practice and not only in the letter of the Constitution and the law..."

The judge found prima facie that after a dispute between Barrueta and motorist Leonardo Pereyra on Avenida General Paz, Barrueta threatened Pereyra with his service pistol.

"I have said before and I reiterate," the judge said, "that the state gives certain people weapons for its own defence... but abuse of those weapons... impairs respect for authority and causes the public scepticism and fear."

Men who are legally empowered to bear arms "should be the first to realize that things have changed," the judge added. "Until this happens, individual rights can be no more than a hope for the future."

(NA)
Visita a cárcel

RESISTENCIA (De nuestra agencia). El ministro de Justicia de la Nación, doctor Alberto Rodríguez Varéla, arribó a esta ciudad en cumplimiento de una gira que está realizando por el interior del país para visitar todas las unidades carcelarias dependientes del Servicio Penitenciario Federal.

El doctor Rodríguez Varéla, quien llegó acompañado por el subsecretario de esa cartera, doctor Roberto Diría, y por el asesor de gabinete y representante del Ministerio de Justicia ante el Centro Post Penitenciario, doctor Jorge Reul, se trasladó poco después a la prisión regional del norte, Unidad 7, con asiento en esta capital.

Por la tarde el ministro de Justicia se trasladó a la Presidencia Roque Sáenz Peña, para visitar la colonia penal, Unidad 31.

Posteriormente, viajará a Corrientes, para continuar la gira.
Lawyers praise Presidential dialogue with Supreme Court

THE RECENT exchange of notes between President Videla and the Supreme Court regarding the fate of people who have disappeared without a trace in Argentina over the past three years "shows great concern for the problem", the Forum for the Investigation of Judicial Administration said in a statement issued to the press yesterday.

On December 21 last year the Supreme Court called upon the government to restore individual liberties, when it ruled on a petition filed by Mrs Ana Maria Perez de Smith, the wife of missing union leader Oscar Smith, and by over a thousand other relatives of missing persons.

In his reply, President Videla said he shared the court anxiety concerning the matter and that the government is determined to restore rights and constitutional guarantees although he did not specify when this would take place.

"The main concern evident in the exchange of notes is the possibility that an effective privation of justice exists", the research forum says.

The forum, which is lobbying for a judicial reform to improve judicial efficiency, said that "the best way to ensure (the rule of law) is through a judicial reform".

There is justice in Argentina’

Supreme Court orders

missing person probe

IN what could turn out to be an historic decision, the Supreme Court has ruled on a petition addressed to the magistrates of the highest tribunal in the land by a man whose son disappeared after being taken away by men claiming to be members of the security forces.

The action of the five Supreme Court Judges, who have ordered that a judge be chosen to probe the case, follows two other major rulings which have called for steps to be taken to trace the thousands of people who have disappeared in Argentina after being taken away by armed men claiming to be police or military. The magistrates also reprimanded a judge whose staff gave the excuse that the photocopying machine was not operating for not acting on the habeas corpus writ presented for the missing man.

Osvaldo César Giorgi, a public accountant, told the Herald of the Supreme Court ruling last night, overjoyed by the decision which, he said, “demonstrates that there is justice in Argentina.”

Giorgi has been searching for his son, a 23-year-old chemical and physicist, since November 27, last year when he was seized by armed men claimed to be police or military at the National Institute of Industrial Technology (INTI) where he worked as head of the physics’ research department. The men, who were allowed into the plant on the General Paz avenue by the guards, claimed that he was wanted on a drugs charge. But all branches of the security forces denied arresting him.

Giorgi has been trying to find out why the INTI authorities handed over his son and institute directors have made statements to Judge Rodriguez Varela in San Martin, who is investigating the case.

(continued on back page)
Unexplained anomalies

OVER the last few months the government has shown itself increasingly sensitive to the claims of the judiciary. President Jorge Rafael Videla's letter to the Supreme Court expressing his own and his government's concern for the reestablishment of due legal processes could represent a landmark. The justice minister, Dr Alberto Rodriguez Varola, has, moreover, been ceaselessly stressing that the Supreme Court's precedence in administering justice must be universally accepted. These statements of official commitment to making Argentina once more a country where the law is not replaced by blind force have been accompanied by numerous instances in which the courts have endeavoured to reassert themselves against entities of various kinds that have tended to behave as though the law did not apply to them. This trend is, needless to say, highly positive and should be encouraged.

There are still, however, far too many gaps between proclaimed good intentions and actual practice. Large numbers of people are still being held without charge, even though victory in the battle against leftwing subversion was proclaimed well over a year ago. Even worse, as the Supreme Court recently noted, thousands of "missing" people have been placed beyond the limits of legal process because no official body admits it is holding them.

Disputable as this is, it is probably doing less harm to the government's "image" than the case of Mr Jacobo Timerman, the distinguished newspaper publisher who has been held for almost two years. In that period he has been cleared by a military tribunal of the vague initial charges made against him and the Supreme Court has instructed the government to let him go. The government, however, has acted as though nothing at all had happened, and is keeping Mr Timerman under house arrest.

The Timerman case is just one of many, but it is proving especially damaging because the issue has become embarrassingly clearcut. The reasons for holding him are evidently political, and unfortunately political interests still seem to take precedence over the law. Although no court has ruled Mr Timerman guilty of anything, a concerted effort is being made — not by the government — to persuade public opinion that he is guilty of some form of "cultural subversion." In support of this the undeniable fact that he has been associated with leftwing causes and hired some leftwing writers for La Opinion is emphasized. But even if the accusations of the authors of the campaign to discredit Mr Timerman were completely correct and he did consciously try to "subvert" Argentine culture, it would still not justify holding him under arrest, because the "cultural subversion" to which he was allegedly engaged is not a crime known to the law here or anywhere else in the democratic world. By keeping Mr Timerman in captivity against the orders of the Supreme Court and without any admissible cause, the government is only harming itself and the national image.
La Corte Suprema de Justicia hizo lugar al recurso de amparo interpuesto por el señor Juan Carlos Barros, en nombre y representación de sus hijos menores Pablo y Hugo, quienes fueron separados de la Escuela Nº 1 Profesor José Omalía el 9 de junio de 1977 por deisión de las autoridades respectivas, conforme a lo dispuesto en la resolución general N° 4 del Consejo Nacional de Educación y el decreto N° 1307, que penan la negativa a reverter las sanciones adoptadas. Los menores alumnearon el 1° y 2° grado respectivamente y fundaban sus actitudes en la convicción religiosa de sus progenitores, adoptada a la secta denominada Testigos de Jehová. En su oportunidad, la Sala en lo Contencioso Administrativo Nº 1 de la Cámara Federal desestimó, al igual que el juez de primera instancia, el amparo, razón por la cual Barros recurrió al recurso extraordinario ante la Corte Suprema. El defensor oficial súplicante, a su vez, planteó la inaplicabilidad constitucional de la mención de la ley y solicitó la reintegración de los niños al establecimiento educacional.

Al hacer lugar al amparo y revocar la sentencia de la Cámara que lo rechazó, la Corte Suprema señala entre otras cosas que la medida disciplinaria aplicada, por sus efectos y plazos, provoca un serio perjuicio para los niños mencionados, pues reviste el carácter de una inhabilitación permanente para asistir a la escuela pública acrítica, si se considera el motivo de la conducta. Esto causa una lesión grave al derecho de aprender, núcleo frente a la importancia de la continuidad de los estudios primarios y la periodicidad de los cursos lectivos.

Aceptando la realidad de semejante perjuicio, analiza la Corte la validez de la medida a la luz de las determinaciones constitucionales y legales que se refieren al aprendizaje y la enseñanza. En tal sentido, añade que "el derecho constitucional de aprender (art. 14) y el deber del Estado de asegurar la educación primaria (art. 61) regulada en los términos de la ley 1420, se opone a la medida impugnada que pone todo sentido al ejercicio de aquellos derechos y el cumplimiento de esa obligación, y sobre el particular sostiene que "deben admitir la legitimidad de la decisión dada, teniendo en cuenta que afecta a dos menores de 7 y 8 años, cavilando de disciplinamiento (art. 92) del Código Civil que está normativamente presente en el caso, no puede afirmarse que hayas hecho una recomendación que llevase a efectuarse una intervención que afectase la sanción impugnada hacia los ciudadanos privados y si de obedecer a la autoridad paterna."
Arrestados a disposición del PEN

El Ministerio del Interior informó ayer sobre la situación de 20 personas que cesan de estar a disposición del Poder Ejecutivo Nacional.

Son cinco los arrestados que cesan de estar a disposición del PEN: Mayor Julio Bautista; Velázquez, Roberto Elío; Medina de Peña, Ana María; Valentini, Ricardo Luis y Álvarez, Alberto.

Por otra parte los arrestados que cesan de estar a disposición del PEN y se hallan condenados son: Burgos, Viviana; Cahalí, Ezequiel; Caamaño; Carlos Añez; Cuevas, Juan Martín y Gutiérrez, Marí Inés.

Además Urquidi Jurán, José Ricardo, de nacionalidad boliviana, fue expulsado del país; Di Servo, Rubén Rafael, por aplicación de la ley 51.650, fue autorizado a salir del país y Echeverría, Lidia Raquel, pasa al régimen de libertad vigilada.

Los que permanecerán arrestados a disposición del PEN son: Feresini, Fernando Víctorio; Messidaro, Juan Domingo; Fernández, Marcelo Ricardo; Di Buzzia, Ramón Carlos; Pérez, Emilio; Teobal, René Ernesto y Nancupíl Urbe, Guido Adrián.
ONE of the most encouraging signs of the country's slow return to "normal" is the increasing assertiveness of the Supreme Court. For many years the highest tribunal in the land systematically refused to make rulings that could bring it into conflict with the government. During the last twelve months, however, it has abandoned these extra-legal inhibitions and is now concerning itself more with its principal task, which is to do everything it can to ensure that the law is properly interpreted and obeyed. The Court's ability to make its rulings prevail are, naturally, limited — like the Pope the Supreme Court has few battalions at its disposal — and where its will runs counter to that of the government, the government will win. But in this constant tug-of-war the Supreme Court's moral force can be expected to prevail in the end.

In every country of the world where governments accept legal restrictions to their actions, conflicts between the executive and the courts are a permanent fact of life. When a court's rulings displease it, a government can appeal, and usually is able to call on lawyers with a formidable knowledge of the arguments for the government's case that are provided by the law. But if in the end the Supreme Court decides that the government must cease or desist in its course, then the government must obey. There is no particular humiliation in this, it is simply the way some problems are decided in any democratic, law-abiding state.

The Argentine government has not yet accepted the Supreme Court's right to tell it how the law should be applied. This is not surprising. The armed forces took power in a country where the broken-backed condition of the judiciary was one of the most dramatic characteristics of the crisis destroying it. But now, almost three years after National Reorganization began, the Supreme Court is getting to its feet once again. This is a matter of historic importance for Argentina, and it is thanks to the selfless actions of the armed services that it is happening.

The cases pitting the Supreme Court and others against the government or certain branches of it are not in themselves of fundamental importance. The way they are resolved will not affect constitutional procedure in Argentina. What they will affect, however, is the speed and effectiveness with which an important phase of National Reorganization is traversed. If Argentina is ever to return to the "normality" it has so rarely known in recent decades, the final decisions of the Supreme Court will prevail over the government's interpretations of its own interests as a matter of course.

The reassertion of the Supreme Court is the reassertion of an ethical approach to the conflicts arising in Argentine society. One of the principal reasons for the military's assumption of power was the disgust and despair of many senior officers at the way corrupt influence and brute violence had ousted legal and moral considerations in Argentine life. Now, their efforts are bearing fruit in the form of a Supreme Court that is no longer afraid to speak for justice.

Editor (director): Robert Cox

Returning to normal
Clamour for Justice

THREE years ago the Argentine judicial system, along with most of the country's institutions, seemed almost moribund. The country's legal backbone had been broken by the terrorist onslaught. Few people, not least members of the legal profession, had much faith left in justice. Subversion had spread fear among judges. Brave men, like Judge Quiroga, had been murdered by terrorists. Simply for applying the law. Other magistrates had been forced to flee the country for safety after being threatened with death. Under intimidation, judges reached decisions that gave the impression they had been dictated to them. It was not surprising, therefore, that in the months, and, indeed, years that followed the March 24, 1976 coup the judiciary made no major role in bringing those responsible for the country's moral, social and economic decline to justice. In the all-out war against subversion that ensued terrorism was routed and uprooted, but with only minimal participation by the judiciary. It is only over the past year that sentences for convicted terrorists have begun to be handed down regularly by the courts.

In the past few months, however, justice has been giving many indications of being close to a complete recovery. The Supreme Court has handed down a succession of major rulings which have accelerated the return to the rule of law. The highest tribunal in the land has called upon the government to take steps to end disappearances by empowering judges to carry out full investigations when habeas corpus writs are filed. And the murmurs from members of the legal profession for the restoration of due process of law in every case has become a clamour. Simultaneously, judges of lower courts have been making the voice of justice heard. Public opinion has been enormously heartened, for example, by the action of Judge Guillermo Ledesma in ordering officers who had pulled over another motorist after being involved in an incident on Avenida General Paz. The action of the Army High Command in defying the judge's order, by removing the man from Villa Devoto prison, has been the only setback in the recent advance of justice.

But in response to the public outcry over this properly publicized incident, the Army has now made it clear that the accused noncommissioned officer is at the disposal of the courts. The Supreme Court has also taken the necessary action to uphold Judge Ledesma's authority.

More recently, the country's lawyers, through their representative bodies, have added their voices to those of the growing number of people calling for a return to the rule of law. Their action has been constant and respectable. The Argentine Federation of Bar Associations, for example, has only recently made public a declaration calling for the return to due process of law and the constitutional limits on powers granted under the state of siege. The declaration was originally drafted in April last year and communicated to the government privately. All these actions by the legal profession have advanced the country towards the modern, stable democracy that the armed forces have pledged they will implant in Argentina. Indeed, the developments of the past few months even suggest that the judiciary and the legal profession, as an institution, are playing a key role in returning the country to normalcy.
Arrested student cleared of charges, obtains law degree while held in prison

ANA LUCIA Rearte, a law student who was arrested and charged with being a terrorist, has now been cleared of charges, but not before she completed studies in Villa Devoto prison where she was being held.

A student at the Catholic University of Córdoba at the time of her arrest, she received special dispensation from the university rector to continue her studies in prison. She received her degree from Federal Judge Adolfo Zamboni Ledesma, who has now cleared her of charges, at a ceremony in Villa Devoto.

The judge has also handed down sentences ranging from three to ten years in the case of eight terrorists accused of being members of guerrillas groups.

The judge cleared two alleged terrorists, aside from Rearte, of charges and absolved two others. Three persons have been provisionally been cleared of charges by the judge. Eduardo Alfredo de Breuil and Daniel Roberto Jicz received ten-year sentences for the possession of arms, explosives and subversive literature and for being members of a terrorist organization. Salvador Enrique Forain and Jorge Ernesto Mele received six years each, Francisco Hernán Sain and Ana Isabel Matilde Ginevr Berne received four years.

while Sebastián Canizzo and José Luis Canizzo were condemned to three years prison each. Judge Zamboni Ledesma cleared Dominga Machado de Lancastre and Pedro António Medina, together with Ana Lucia Rearte, of all charges and ordered their immediate release. Jorge Enrique de Breuil and Néstor Enrique de Breuil were absolved of charges and David Antonio Lancastre, Mario Ángel Parades and Diana Galara de Parades were provisionally cleared of charges. (NA)
THE Buenos Aires Bar Association (Colegio de Abogados) yesterday described the action of the Army High Command in removing a noncommissioned officer from prison, where he was being held under a judge's order, as "one of the gravest attacks suffered by the judiciary."

In an unusually strongly worded declaration, the prestigious bar association expressed itself "scandalized" by the news and commented:

"This act constitutes an attack on the majesty of justice which cannot be allowed to pass without condemnation, whatever the reasons given in order to justify it."

Newspapers published on March 13 reported that Warrant Officer Domingo Vicente Barrueta, who was ordered held in Villa Devoto prison for threatening a civilian motorist with a gun on February 18, had been removed from jail by a detail of troops. The order to have the man released came from the Army High Command.

The judge, Dr. Guillermo Ledesma, appealed to the Supreme Court which has asked the state prosecutor's office to give its advice on the case. The judge's action in appealing to the Supreme Court, President Videla and the Army C-in-C, came after the news of the man's removal from Villa Devoto against the judge's orders had become the number one topic of conversation among lawyers in the law courts. But the story did not break until March 12.

The Buenos Aires Bar Association said that the "security reasons" given for the army's decision to take the man out of jail was not a justification. The high command could have asked the judge to change the place of imprisonment, says the declaration.

But the bar association also chides the judge indirectly, pointing out that he should have gone to the Supreme Court immediately after the n.c.o. was removed from jail. The publicity given the matter before it was resolved is also subject to criticism, says the declaration.

"This sad episode does no one any good. We now wait, trusting in the Supreme Court, with its wisdom and prudence, to re-establish juridical order which has been so gravely harmed and establish the appropriate responsibility."

The declaration is signed by bar association president, Manuel V. Ordoñez and secretary, Juan Tomás Frías.
In compliance with Supreme Court order

Army to return NCO to Villa Devoto prison

THE ARMY Commander-in-Chief, Lt.-General Roberto Viola, decided yesterday to comply with a Supreme Court order returning a noncommissioned officer to Villa Devoto jail.

The Army NCO Warrant Officer Domingo V. Berreta, had been removed from the prison by an Army patrol a month ago without the permission of the judge who ordered that he be held in custody in Villa Devoto for threatening a civilian motorist with his army regulation revolver.

After the NCO had been escorted from the jail by the patrol and lodged in the First Corps garrison, the Army High Command, which had ordered his release, justified the action on the ground that Berreta's personal safety was at risk in the prison.

In his original ruling explaining why he had ordered the NCO's preventive arrest Judge Guillermo Ledeina said: "I have said before and I reiterate that the state gives certain people weapons for its own defense, but abuse of those weapons... insults respect for authority and gives rise to public suspicion and fear."

When the judge was informed that Berreta had been removed from jail without his permission on the night of February 21, ordered an investigation and followed this up, with summonses to the executive power and the Army high command ordering that the NCO be returned to Villa Devoto within five days. It was not until five days later that the judge received a letter from the chief of staff of the Army, dated February 23, the day the man was removed from jail. He had been imprisoned in Villa Devoto by order of the judge on February 21, informing him that Berreta had been removed to an "adequate" place. The following day the executive power informed him (in a letter dated March 5) that Berreta had been removed for security reasons. It was then that Judge Ledeina passed the case to the Supreme Court, which, in turn, asked the government for its opinion.

The Supreme Court order instructing the Army high command to return the man to Villa Devoto within five days was announced on Tuesday. The court described the high command's action as an "intolerable" act.

The ruling of the highest tribunal in the land came in the wake of a series of historic pronouncements by the Supreme Court magistrates which have been hailed by leading constitutionalists and the bar associations. Both the leading Buenos Aires bar associations, the Colegio de Abogados and the Asociacion de Abogados issued public statements condemning the Army high command's action in removing the man from jail against the judge's order as one of the gravest attacks on justice in the country's legal history.

Recent pronouncements by the Supreme Court have strengthened the hands of judges dealing with trials of habeas corpus and have warned that the many disappearances in Argentina could be considered deprivation of justice and asked the executive power to take steps to resolve the problem.

(Human Rights Organizations have over 4,500 documented cases of people who have vanished, most of them after being arrested by men claiming to be members of the security forces.)

The Supreme Court also ruled recently that young children of parents who are Jehovah's Witnesses may not be excused from school for failing, in obedience to their parents' religious beliefs, to remove the flag and pay homage to other national symbols.

Neither Judge Ledeina nor the Supreme Court had been officially informed of the Army's decision yesterday but sources said that the "necessary procedure" for the NCO's return was being carried out. The late edition of La Razón, a newspaper which is considered to be close to the Army HQ reported that the C-in-C, Lt.-General Viola had taken the necessary steps to see that the Supreme Court order is complied with speedily.

The Supreme Court decision, considered by observers to represent another major step forward in the nation's return to the rule of law from the state of war imposed by the struggle against subversive terrorism, was the lead story in yesterday's La Prensa and was also a major front page story in La Nación. (See editorial, page 10.)
End of a nightmare?

JUDGE Guillermo Ledesma has become something of a national hero for his action in jailing an army non-commissioned officer who threatened civilians with a gun on the Avenida General Paz. The immediate military reaction, to send a unit to Villa Devoto to get Warrant Officer Domingo Vicente Berreta out “for security reasons,” became the major issue of the day, and the majority of Argentine officers—not to speak of every foreign observer—watched the ensuing tug-of-war between the Army and the Supreme Court for Berreta with bated breath. Fortunately for everyone, the Army high command quickly realized that its action in removing Berreta from Villa Devoto was not doing itself or National Reorganization any good at all, and has reportedly acceded to the Supreme Court request. This, we hope, will be the end of this incident.

The implications of the Berreta affair are considerable. By letting the courts have the warrant officer back, the armed forces are demonstrating far more clearly than a million speeches could that they stand firmly on the side of the rule of law. The reasons given for taking Berreta out of Villa Devoto in the first place were perfectly valid—a security operative in a jail is in danger of death. Only the procedure, in which the legal norms were temporarily overruled, was quite unjustifiable, as the military clearly recognizes.

Even more important than the legal implications, however, is the sudden insight into the state of public opinion the Berreta incident gives. There was never any doubt about the legal rights and wrongs, and if the country is to continue its progress towards normality there can only be one outcome in such a case. What was unexpected was the immense public repercussion of Judge Ledesma’s action and the virtually total approval of every articulate person, and the news media, for his stand.

It would be easy, but completely wrong, to interpret this as a feeling of resentment against the armed forces. As the constant applause given military units in the most varied circumstances indicates, the Argentine armed forces remain popular with the citizenry despite the inevitable errors and hardships of three very difficult years. What is emerging, and bitterly, is the way far too many people connected in some way with the security forces have been allowed to lord it over the general population. People are sick and tired of being threatened with guns or being forced to make way for heavily-armed individuals in large cars. They are sick and tired of the feeling that they have no one, not the police or the military or the courts, to turn to when they are abused by some stranger waving a firearm at them and claiming very plausibly that he is attached to the security forces. They are, in other words, fed up with the insecurity that comes from living in a society in which robbery battles fought without quarter can rage around them, and in which nobody can be trusted.

The war against terrorism has been fought and won. Thanks to the armed forces, the conditions for the rule of law have been created. It is now up to the armed forces to ensure that nobody in any way connected with them becomes a threat to the public peace, rather than a defender of it. Should this be achieved, and the ubiquitous fear of gunfire in Ford Falcons with, or without, number plates be lifted, relations between the armed forces and the general public will greatly improve to the country’s immense benefit. Should the Berrettas continue to get away with their brand of terrorism, however, resentment against the bullies could become resentment against the armed forces such. This would be a tragedy.
Otros acusados fueron absueltos

Aplicaron condenas a ocho subversivos

El Juez Federal doctor Adolfo Zamboni Ledesma, a cargo del Juzgado N° 1 de Córdoba, condenó a tres a veinticuatro años de prisión a ocho delincuentes terroristas, sobresaliendo definitivamente a dos acusados, provisionalmente a tres y absolviendo a otros dos.

Diez años de prisión fueron aplicados a Eduardo Alfredo Brevi y Daniel Roberto Juez, como autores de los delitos de "asociación ilícita calificada, tenencia de armas de guerra, municiones, explosivos y material bibliográfico de corte subversivo".

Dispuso también aplicar seis años de prisión a Salvador Enrique Faraig y Jorge Ernesto Mele; a cuatro años a Francisco Hernán Sain y Ana Isabel Matilde Olney; Berne y tres años a Sebastián Canizoz y José Luis Canizoz.

Los dos primeros estaban imputados en el proceso abierto con motivo de un procedimiento realizado por la policía provincial en agosto de 1975 en una finca ubicada en la calle Nuestra Señora de Córdoba; en esa oportunidad se hallaron armas de guerra, explosivos, municiones y material bibliográfico subversivo.

Asimismo, Sebastián y José Canizoz se encuentran imputados en el mismo hecho, mientras que Faraig, Mele, Sain y Berne, se encuentran imputados en el delito de asociación ilícita calificada por haber comprobado su participación en una banda subversiva.

Por otra parte, el doctor Zamboni Ledesma, absolvió a Jorge Enrique de Brevi y Néstor Enrique de Brevi, ordenando la liberación de los mismos por no haberse comprobado su vinculación en el allanamiento de la calle Vi达尔 Ordenó también el sobreseimiento provisional de Antonio David Lautenbier, Mario Angel Pereda y Dolores Galindo de Pereda.

Finalmente el magistrado ordenó el sobreseimiento definitivo a Domingo Mezado de Lautenbier, Pedro Antonio Medina y Ana Lucía Rearte.
A woman defies traffic police, and wins case

AN APPEALS court yesterday struck down charges of resisting authority lodged against a woman who backed her car into a policeman who had insisted on towing her car away rather than giving her a ticket.

In January 1975 the motorist, Nélida Edelmira Estrella de Guerrero, returned to her double-parked car as two policemen from the tow-truck division were getting ready to tow it away. She refused to give them her driving license, asking them to give her a parking ticket instead. When they refused, insisting on towing the car away, she got in, backed it up and (according to police accounts) injured the leg of one of the policemen, and drove away. The police ordered her to halt and fired a warning shot into the air, and so managed to arrest her.

In his decision upholding a lower court ruling, Judge Jorge Alberto Sandro justified the behaviour of the irascible woman motorist as "legitimate defense" because the policemen's "adamant insistence on towing away her car in her presence" constituted "an evident abuse of authority."

The judge attributed the display of arms and shot in the air for a simple traffic violation to the two policemen's "lack of experience." (NA)
Normalízase la justicia puntana, dijo Marcilese

SAN LUIS. — El gobernador de la provincia, brigadier (R.E.) Hugo Raúl Marcilese, declaró con relación a las denuncias de los Colegios de Abogados de San Luis y de Villa Mercedes que “la situación de la justicia nunca ha dejado de ser negativa y, virtualmente, ya está normalizada.”

El mandatario abordó otros aspectos de la labor del gobierno provincial y puntillizó que “las escuadras nacionales transfiridas están en muy mal estado, en general”. Agregó que “los fondos que, para el pago de los salarios de los docentes incorporados, ya están remitidos en los presupuestos, actual y pasado, pendientes un referente destinado a la infraestructura escolar”.

Respecto de las obras de los diques La Inútilita y Pue- go de las Carretas, y del canal reseñado entre estos últimos y Villa Mercedes dijo que “el fisco, de avanzar es la mitad de lo que pediríamos para titular normal, por razones financieras, y el grado de ejecución atendido está del 74, 58 y 79 por ciento, respectivamente.”

“La situación de la provincia es absolutamente normal y se trabaja en paz y seguridad”, dijo. El gobernador se mostró radicionalmente optimista en relación con el futuro de la provincia, a corto y mediano plazo. Señaló que “la situación financiera no es holgada pero a través del mejoramiento de sus comunicaciones, principalmente caminos, fuentes de energía (problema ya resuelto), un mejor manejo del agua, disponible y una significativa radicación industrial van a mejorar sensiblemente las condiciones socioeconómicas”.

Nombramiento

SAN LUIS. — El Poder Ejecutivo designó fiscal de estafeta el doctor Oswaldo De- riciano Sauri en la Fiscalía Civil, Comercial y Féminas, del mismo género, a la doctora Gna- ria Sara Lago.

Por el mismo decreto se designa defensor de Men- te, Incompatibles y Antecesores en el doctor Rodrigo Luis Figallo y defensor de pobres y exclu- sivos a la doctora Blanca Maria Baredi.
SAN JUAN. — El juez federal Dr. Mario Gareduzi, al dictar sentencias condonatorias contra seis subversivos vinculados con distintos hechos, a diez y seis años de prisión por asociación ilícita calificada, tentativa de documento subversivo y falsificación de documentos personales de identidad fueron condenados Marcelo Raúl Victoria Nivelli, ingeniero químico; Jorge Antonio Capella, profesor recreativo, y Marcelino Eloisa Paris, ex empleada de la estación de tren del Ministerio de Gobierno de Mendoza; a 11 años de prisión por los mismos delitos con excepción de falsificación de documentos de identidad, Isabel Mac Donald de Nivelli; a seis años de prisión por asociación ilícita calificada y apelación del delito subversivo Javier Ruben Gómez y Oscar Enrique Gimbelo, a tres años; de prisión se condena a Abraham Cruz Videña.

ES DESTRUYÓ A DOS LADRONES EN EL BARRIO NORTE.

Presencial de la comercialización, detuvo a dos ladrones, que fueron denunciados por el dueño dentro del ámbito estudiantil autoconsecuenciado Corrientes Univerasitaria por la Revolución Socialista (CURS) a través de lo cual intentaba alterar y suprimir el orden institucional de la Nación. Con tal fin, próximamente, se habrán constituido en grupos para exaltar la apariencia de la violencia y el caos, atentando contra la orden y la seguridad de la población.

“Por el citado motivo, y atendiendo la Cámara que no es admisible la libertad para atentar contra la libertad, continuó el referido terrorista a un año y ocho meses de prisión efectiva por la aplicación del artículo 216 quinto, que establece la reducción a un tercio de la pena, por haberse presentado voluntariamente a las autoridades competentes”.

Las sentencias del juez federal fueron apeladas en todos los casos, ante el tribunal de segunda instancia.

Reducción de pena para un terrorista

ROSARIO. — Por haber incurrido en el delito de asociación ilícita —en sus formas simples y agravadas (artículos 210, 211 B y 211 del Código Penal)— la sala B de la Cámara Federal de Apelaciones de Rosario dictó sentencia condonatoria contra un terrorista que se presentó espontáneamente. Por ello se le redujo la pena, conforme lo prescribe la citada disposición de la ley represiva y, por otra parte, no se sumarizó el nombre por razones de seguridad.

La información oficial al respecto expresa que “el condenado perteneciente a la banda de delincuentes terroristas autoconsecuenciados Organización Comunista Feder Obrero (OCFO), que fuera desbaratada tiempo atrás, y que se caracterizaba por su infiltración incontrolada, intestaba una suposición de tráfico de armas”.  

Las fotografías muestran dos copas con líquido, y un texto que indica: "Juego copas 62 piezas tot. y pol. 995,000; Juego copas 62 piezas "t" y pol. 625,000."
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PAGE 1 OF 2--VIENNA SPEECH
SPEECH GIVEN DURING SERVICE IN SPANISH CZ 02 00 MAR 93 FT

((COPY BY PRESIDENT FULLER camera ON FB 93 ANNIVERSARY
OF THE NATIONAL INDEPENDENCE GOVERNMENT ON FB PART OF SPEECH
AT NO--SOMA TV 424 ))

((COPY BY)) AT THE OUTSET OF THE NATIONAL INDEPENDENCE
PERIOD 5 YEARS AGO, I STATED THE NATION THAT A LONG AND BRIEF
PERIOD IS OVER, THAT A NEW REIGN COMMENCES A GLOSSY
SEASON OF NATION, THIS NATION CELEBRATION OUGHT TO BE
OPPORTUNITY TO THE GOOD SONS OF THE NATION TO VIRTUOUS
GOODS OBTAINED AND ALSO, OF COURSE, OF WHAT ACTIVITY TO BE DO
((COPY BY))

THE WORSHIP OF THE NATION HAS FORCED US TO TACTICALLY
TRED THE ELE BATTLE BETWEEN TO LEAD TO THE COMPLEMENT
APPALLED TO A CERTAIN END POINT AND WHICH HAS FREEED THE
NATION FROM OBSTACLES OF INTERNAL AND EXTERNAL DETERRENCE TO
DO
TO WENT THE DIFFERENT PHASES OF THE COUNTRY'S DEVELOPMENT, WHICH TO THE
FAVOR OF THE NATION AND WHICH TO THE DECISION TO THE NATION.
THE NATION OF THE NATION'S MINISTRY, NOT TO JOIN THE WAY OF PRAISE
WILL NEVER BE THE WAY OF THE PEOPLE
DONE NATION 1, FOR ASKING THEM TO
CHARGE DISCOURAGE THE COUNTRY'S MINISTRY CONQUERED NATION.

(b)(3):10 USC 424

\[\text{Return to Line File}\]
AND IT IS NOT FORTUITOUS THAT OUR FISCAL DEFICIT HAS STEADILY DECREASED. ((PASSAGE OMITTED))

OUR ACHIEVEMENTS IN THE ECONOMIC AREAS SHOULD NOT KEEP US FROM RECOGNIZING DELAYS AND DEFICIENCIES WHICH WEIGH NEGATIVELY AND HEAVILY ON ALL SECTORS, PARTICULARLY ON THOSE WITH THE SMALLEST RESOURCES. A HIGH AND HUMID INFLATION RATE STILL PERSISTS, AFFECTING IN DIFFERENT WAYS BUSINESSMEN AND WORKERS. IN ADDITION TO THE RESPONSIBILITY FALLING ON THE STATE FOR THIS SITUATION, THERE IS THE RESPONSIBILITY OF THOSE WHO REFUSE TO STRIVE AND COOPERATE AS MUCH AS THE CIRCUMSTANCES DEMAND, OR THOSE WHO PLACE THEIR PERSONAL OR SECTORIAL INTERESTS ABOVE THOSE OF THE COMMUNITY. THE NATIONAL GOVERNMENT IS GIVING THEM A WARNING: THERE WILL BE NO HESITATION ON THE GOVERNMENT'S PART TO ENFORCE THE MEASURES WHICH COULD BECOME NECESSARY TO CONTROL THE INFLATION PROBLEM.

WE ARE PROUD TO PROCLAIM AS MANY TIMES AS MAY BE NECESSARY OUR INDEPENDENCE OF THE JUDICIAL BRANCH STRICTLY WITHIN THE REPUBLICAN SYSTEM OF GOVERNMENT, WHICH IS BOTH OUR GUIDE AND OUR CODE. THIS IS A BASIC GUARANTEE EVERY CITIZEN HAS TO THE PROTECTION HIS LEGAL RIGHTS AND HIS DUTIES. WE MUST RECOGNIZE, HOWEVER, THAT DESPITE THE SIGNIFICANT ADVANCES ACCOMPLISHED, WE STILL HAVE TO FOLD SOME URGENT REQUIREMENTS AND ASPIRATIONS IN THIS FIELD. ((PASSAGE OMITTED))

OUR LINE, COHERENT ACTION IN THE DOMESTIC SECTOR HAS HAD ITS LOGICAL CONSEQUENCES IN THE INTERNATIONAL POLITICAL SECTOR. ARGENTINA AGAIN HAS A CLEAR PRESENCE IN THE WORLD AND IT HAS PURSUED ITS ROLE IN THE REGIONAL FRAMEWORK, WITHOUT RESERVES, BUT WITH RESPECT, GRADUALLY DEVELOPING SPECIFIC ACTIONS. WE HAVE BEEN ABLE TO OBTAIN FROM OUR MAJOR ALLIES AND OUR INITIATIVE THE COUNTRY HAS PROJECTED ITSELF AHEAD ORIENTALLY AND CONSCIENTIOUSLY. THE ENTIRE PEOPLE HAVE SUPPORTED EACH DECISION. THE SOLUTION OF DIFFICULT POLITICAL SITUATIONS SHOWS THAT OUR FOREIGN POLICY IS COMPLIANT AND THAT ITS OBJECTIVES ARE CLEAR. ((PASSAGE OMITTED))

OF ARGENTINA CANNOT OVERLOOK THE ENGAGEMENT AND SUPPORT
POSSING THE HOPE FOR TRANSFORMATION AND CHANGE WITHIN ALL NEW STABILITY AND WHICH ARE INDICTION OF OUR FUTURE SUCCESS. BUT IT SHOULD BE MADE CLEAR AGAIN THAT THIS SUCCESS WILL NOT DEPEND EXCLUSIVELY ON THE GOVERNMENT, WHICH DESIGNS AND GUIDES FOR ITS REFORMS, BUT ALSO OF THE RESPONSIBLE, SOLIDARITY ATTITUDE OF ALL CITIZENS AND整個 OF OUR SOCIETY.

THIS ATTEMPT WOULD NOT, OF COURSE, BE SIMILAR TO THESE REFLECTIONS ON THE APPEARANCE OF CRISIS, WHICH WAS THE
THING WHICH CANNOT BE QUESTIONED NOT IF IN THE MAIN, CORRECTIVE AND
CONSTRUCTION OF THE PROGRESS OF URGENTLY—A MAJOR EFFORT TO NOT GIVE
ON INJUSTICES OR ON POLITICS PROGRESS, BUT OF THE MAIN AUTHORITY
AND AUTHORITY OF OUR EVOLUTION AND REORGANIZATION—HERE TO STAND
UNDERSTANDING AND DIGNIFIED MEDICAL—A RESOLUTION BY D. MINISTRY
WITH THE FULL ACTIVE OF ALL JURISDICTIONS WHO SUPPORT USUAL
LICENCES ALLOWING FOR THE DECISION ALTERNATIVES—MORE THAN
INSTEAD OF OUTLIVING LIMELIGHTS AND HURDLES, MAINTAINING AND
SIEVE S OF THE DETERMINED TO BE UNCLASSIFIED
Revieweed DIA FOA & Declassification Services Offices
IAW EO 13526, Section 3.5
Date: Oct 19, 2018

Finally, then, we have assumed responsibility for both our right and wrong actions, from inconsistent criticism and passively attack. Indeed, the problem of power is the record institutions which guarantee the steady continuity of the process itself, and goes on continuing, with the power and authority derived from its role, the government bearing today its full weight to achieve the goals set on 24 March 1676, recognizing its primary responsibility without dates or conditions. (Passage continued)
WORLD, CULTURE, ECONOMIC FOR SERVICE, SOCIAL SOLIDARITY AND JUSTICE. STARTING FROM THIS OUTLINE WHICH SUMS UP THE POSITION OF THE ARMED FORCES--WHICH IS NONE OTHER THAN THE POSITION OF THE ARGENTINE PEOPLE--AND FACED WITH CONCRETE CURRENT PROBLEMS, THE ARGENTINE GOVERNMENT WILL NOT HESITATE TO MAKE USE OF THE MEANS AVAILABLE TO IT TO CORRECT WHATEVER DISTORTION MAY CROP UP IN ANY FIELD OF THE NATION'S LIFE. ((PASSAGE OMITTED))

IT IS A POLITICAL DECISION OF THE NATIONAL GOVERNMENT TO CREATE A REALISTIC AND OPEN ECONOMIC SYSTEM IN WHICH DEVELOPMENT WILL BE THE RESULT OF CONCRETE DECISIONS BASED ON GROWTH PRIORITIES, AN ECONOMIC SYSTEM WHICH WILL GIVE RISE TO AN INCREASE OF GOODS AND SERVICES AND WILL ASSIGN A LEADING ROLE TO PRIVATE ENTERPRISE WHILE GUARANTERING FULL EMPLOYMENT THROUGHOUT THE NATION TO THE ARGENTINE NATION CAPACITY FOR WORK HAS BEEN FULLY PROVEN. ((PASSAGE OMITTED))

WITH REGARD TO LABOR RELATIONS, WE WILL PASS AND IMPLEMENT LAWS WHICH WILL ALLOW TRADE UNION REPRESENTATION AND WILL REAFFIRM THE TRUE RIGHTS AND DUTIES OF THE UNIONS WITHOUT THE INTERFERENCE OF ALIEN INTERESTS. I WANT TO MAKE IT VERY CLEAR THAT WHILE THESE LAWS WILL PROPERLY CHANNEL UNION ACTIVITIES, THE GOVERNMENT WILL, IN NO TIME, ISSUE THE APPROPRIATE LEGISLATION TO GUIDE THE ACTIVITIES OF ALIENIZED POLITICAL ORGANIZATIONS BECAUSE THEY ARE INHIBITING FACTORS WITHIN A DEMOCRATIC SOCIETY. ONE OF OUR MAIN CONCERNS IS THE STRENGTHENING OF JUSTICE AND THE FULL VALIDITY OF THE LEGAL SYSTEM BECAUSE WE GENERALLY BELIEVE IN LAW AS THE SOI OF CONDITIONS UNDER WHICH THE FREEDOM OF EACH AND EVERYONE CAN AND MUST COEXIST WITH THE FREEDOM OF ALL. ((PASSAGE OMITTED))

THOUGH WE WANT TO STRESS OUR PRESENCE AT THE NATIONAL AND WORLD LEVELS, WE WILL IMPROVE THIS SUCCESS BY ACHIEVING A SIGNIFICANT ROLE IN ALL FORCES AND LEVELS OF INTERNATIONAL POLITICS--A ROLE WHICH WILL ENSURE OUR BEST TRADITIONS AND WILL ENSURE OUR HONOR FOR INTEGRATION WITH UNIONS OF COMMON ORIGIN AND NATURE--A ROLE WHICH WILL REAFFIRM OUR LEGITIMATE CLAIM TO REPRESENTATION AND WILL INSURE US TO THE INHERENT INTEGRITY--A GREAT HOPE, SUCH AS HAS CONQUERED US OUR EVALUATIONS.

ARGENTINA: WE HAVE FARTHER THAN DIFFICULT PERIOD, AND THE ORDER HAS JUST MIRACULOUS AND PRICE HAS BEEN ACHIEVED. ((PASSAGE OMITTED))

IF WE CAN MAKE A NEW OPEN IN WHICH WE MUST COOPERATE MORE OPEN, MORE VIVID, MORE CONVERGENT AND MORE PLURALISTIC, BECAUSE OF THE NEW AND WELL-DEVELOPED RELATIONS, THIS WILL NOT OUR NEW RELATIONS SIGNAL, AND THE NEW AND CONVERGENT CAPABILITIES OF THE ARGENTINE PEOPLE WILL BE CONVEYED THE COST, AND THAT THIS NEW PERIOD BEGINS A CONTROL WITH MORE HOLIDAYS TO IT.

WITH THE EVENTUAL UNION ENTRIES AND WE WILL HAD TO TAKE A PROGRESSIVE POLITICAL DEGREE OF OUR NATIONAL INTEGRATION. FOOTNOTE: THE
ARGENTINE HANDS OF THIS BY FORECASTING TO THE NEW PROGRESS
INCREASE WITH INTEGRATION--A PROGRESS WHICH WILL RESULT IN THE
CONSTRUCTION OF COMMUNITY ENVIRONMENT. -- A MIGHTY ARGENTINE CO-
THE PARTICIPATION OF ARGENTINA ON GOODWILL WITH THE SOLE
REQUIREMENT OF HONESTY, ABILITY AND DISCIPLINE.
IF WE follow THIS WAY, WE WILL HAVE AN OPEN ROAD TO A UNIFICATION
OF CIVILIAN AND MILITARY AS THE NECESSARY FIRST STEP FOR
NATIONAL UNIFICATION. ONLY THIS WAY, IN PEACE, CIVILTY AND FRIENDSHIP,
WILL WE BE ABLE TO MOVE TOWARD THE NATIONAL OBJECTIVE WHICH IS
NOTHING BUT PRESERVING IN OUR COUNTRY MEMORY, TRADITION,
STRONG AND STABLE DEMOCRACY. (((PLEASE PLUGIN))) STANZIO. O. G. D./
INLAND/JAN. COORS E. EM. LONAL.
ST. O. D. D.
Advertencia contra los corruptos

El director de la Escuela de Defensa Nacional, brigadier Guillermo Pastrellini, dijo ayer, al inauguración dos cursos anuales en ese instituto, que la moralidad política debe basarse necesariamente en la moralidad individual y advirtió sobre las consecuencias que pueden producir "la dominación de los deshonestos y corruptos". La ceremonia correspondió a la inauguración del XXVII Curso Superior y del XI abreviado de dicha escuela y se realizó con asistencia del ministro de Defensa, contralmirante (R) David de la Riva; de los titulares de Economía, José Alfredo Martínez de Hoz; y de Justicia, Alberto Rodríguez Varella.

También dijo el brigadier Pastrellini que el objetivo del instituto a su cargo es "contribuir en la capacitación de una nueva generación de hombres de honor para que, en un plazo no lejano, con saber y probidad, asuma la representación de su raza y de su nacionalidad en toda la fuerza y el valor necesarios para levantar el escudo mágico invisible, pero invulnerable, que proteja nuestra Patria y dignifique nuestra Nación".

Más adelante, el brigadier Pastrellini expresó que "cuando las masas están corrompidas..."

El ministro de Relaciones Exteriores y Culto, brigadier mayor (R) Carlos Washington Pastor y el embajador de la Unión de Repúblicas Socialistas Soviéticas, Serguei Shugaynov, suscribieron un convenio "para eliminar la doble imposición en materia de transporte internacional marítimo y aéreo".

La ceremonia tendrá lugar hoy a las 9, en el Salón Dorado del Palacio San Martín.

y corruptos se hace inevitable..." En cambio -acotó-, cuando ellas tienen orden, moral y hábitos sanos, la Nación se verá dirigida honestamente y gobernada con nobleza..." Al inaugurar ayer los cursos del corriente año para oficiales de la plana mayor, de auxiliares de plana mayor y básicos para perfeccionamiento del personal superior, el director de la Escuela Superior de Gendarmería Nacional, comandante mayor Francisco Ferrigno impuso al estudiante el nombre de "General de brigada Mauro María Calderón". Presidio el acto el comandante de Institutos Militares, general de división José Busquets, y estuvo presente el director nacional de la Gendarmería, general de división Antonio Díaz de Díaz Busi. Ferrigno dijo en la ocasión que "ningún esfuerzo humano que pretenda lograr desarrollo integral y armón en cualquiera de los campos que conforman una sociedad moderna, podrá alcanzar el éxito si los responsables de la conducción no han tenido en cuenta la necesidad de formar previamente los elementos encargados de su ejecución para el logro de objetivos prefijados"... El comandante de la Infantería de Marina, contralmirante Alfredo Fernández, puso ayer funciones al nuevo jefe de fuerza de apoyo "infinito", capitán de navío José Escobar... Por otra parte, ayer a mediodía, en el helipuerto del edificio "Libertad", de esta capital, asumió sus funciones el nuevo comandante del batallón de seguridad del Comando en Jefe de la Armada, capitán de corbeta Jerónimo Pozas...
**Ledesma ruling 'too severe'**

**Gun-toting NCO out on bail**

A CRIMINAL appeal court yesterday conceded freedom on bail to a noncommissioned army officer who threatened a civilian motorist with his army revolver, ruling that the decision by Judge Guillermo Ledesma to hold him without bail was of "unjustified severity," considering that the officer is "a person 52 years of age who had never committed a crime before the motorist incident, and has an honourable profession and a family."

However, the appeal court upheld Ledesma's decisions placing army NCO Domingo V. Berrueta under preventive arrest, and applying a 500,000-pesos lien to his property.

As Berrueta had threatened the motorist and his two passengers with an unlicensed army pistol of his property, the court ordered an investigation to determine whether he should be tried for possession of a military firearm — which could lead to another trial.

The appeal court also said that the army's transfer of Berrueta from Villa Devoto jail to an army garrison against the orders of Judge Ledesma "might constitute a crime," and ordered an investigation to determine who in the army and the Federal Penitentiary Service were responsible for the transfer.

(Ther army later complied with a Supreme Court order and returned Berrueta to Villa Devoto).

In their lengthy decision, the three judges said that the publicity given by the media to Judge Ledesma's sentence, Berrueta's removal from Villa Devoto, and the Supreme Court's order to the army that he be returned to the jail, "might damage the interests of the parties in the case" and sway public opinion.

Berrueta's woes began the evening of February 16, when he was out driving on the General Paz and decided he disliked the lights of a fellow motorist. The NCO pulled out his pistol, aimed it at the motorist and his two passengers, and ordered them to pull over. Instead, the motorist sped up, cut in front of a police car further down the road, and reported the incident, for which Berrueta was arrested.

In his ruling, Judge Ledesma said he had ordered the NCO's preventive arrest because "I have said before and I reiterate that the state gives certain people weapons for its own defence... but

On February 23 Berrueta was removed from Villa Devoto jail and lodged in the first corps garrison, at the order of the army high command, on the ground that his personal safety was at risk in the prison. Judge Ledesma ordered an investigation which he followed up with summons to the executive branch and the army high command ordering the return of the NCO to Villa Devoto within five days. When he got no action on his order, he took the case to the Supreme Court, which ordered the army to return Berrueta to the prison within five days — an order with which the army quickly complied.

The appeal court ruled that Berrueta's act of pointing the gun at the occupants of the car to back up his order that they stop constituted the crime of "threatening with a firearm," or also possibly "attempted coercion with a firearm."

In either case, the defendant could get a suspended sentence, and hence it was proper to let him out on bail while the case was being tried, the court said.
Massera denies link between navy and the Holmberg case

New York

RETIRED Admiral Emilio Massera described published reports attributing the disappearance and murder of the Argentine diplomat Elena Holmberg to "naval personnel" as "outrageous" at a press conference here.

The report charging that Elena Holmberg had been about to "denounce the supposed misuse of government funds by Massera for his personal political campaign" was "quite simply outrageous," said Massera. He denied categorically that there had been any intervention of the Navy in the affair. (UP)
Friday, March 30, 1979

Mother appeals for news of missing son

ROBERTO Luis Cristina disappeared on August 15, last year, after leaving his apartment at Julián Alvarez 2465, in Buenos Aires.

His mother Mrs. Antonia Alvarez de Cristina, has been trying to trace his whereabouts ever since. She assumed that he had been arrested because shortly after his disappearance his apartment was raided by men claiming to be members of the security forces, who, she said, took away some personal possessions.

But her habeas corpus writ produced no response, neither did her many visits to government offices, police stations and garrisons. She published two paid notices about her son's disappearances in La Nación and La Prensa last year, all to no avail.

She is appealing again for news of her son. She believes that he was taken away because he was the secretary of the Marxist-Leninist Party, a group which is described as "Maoist". She said that her son, and the party, had always been opposed to violence and had repeatedly condemned terrorism. She said about 50 members of the party disappeared about the same date as her 35-year-old son and all but about 10 of them have resurfaced.
The next big issue

by James Naissos

FOR over three years the Argentine public has been so obsessed with economics that prominent political leaders have felt obliged to point out that there is more to human existence than the cost of living index. Thanks to this economic obsession — understandable, in the circumstances — hostility to the government has been concentrated on its stringent point, the only area where it has a cohesive and cardinal policy. Until now, however, the handling of this economic issue has involved many people, inside and outside the government, at being in fact the weakest and most vulnerable portion of the official system. They could look back, however, at their mistakes if they have been.

The public mind, hence everywhere else, can only think of one thing at a time. President in the World Cup, no one could imagine that the Martinez de Velez success could have been.

It was a reasonably impressive victory that could have spared many months, had the last few weeks without realizing that the "disappearance" remained a problem all the more now that the General public has been used to meaningful defeat that they are known as a marginal matter. But while the government may persist in the comfortable attitude, the public will focus on other sealing issue to the exclusion of the rest of the universe. The issue will remain, however, a non-policy issue in the limited sense. It could prove to be a problem of enormous emotional and social conflict with far-reaching political implications: the "disappearance" of people.

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Mothers seek son, daughter and friend

The capable and renowned became used to keeping quiet.

BUSINESS ACRES MAR 11
Cesa el arresto de tres detenidos

El Ministerio del Interior informó ayer que entre el 23 de marzo último y el día de la Viernes, el Poder Ejecutivo Nacional dispuso el cese de arresto de tres personas, en tanto que otras catorce pasaron al régimen de libertad vigilada.

En el mismo lapso fueron autorizadas a salir del país dos personas de acuerdo con los términos de la ley 21.650, mientras que una fue puesta a disposición del PEN.

La nómima es la siguiente: arrestados que cesan de estar a disposición del PEN: Núñez, Ramón; Gil, Norberto Oscar y Olivera, José Alberto.

Arrestados a disposición del PEN que pasan al régimen de libertad vigilada: Vázquez, José Ramón; Juárez, Pedro Pablo; Bierens, Horacio Alberto; Olivarés, Jorge Alberto; Ghigliani, Alejandro; Marco Eduardo; Cifre, Miguel Angel; Mugetti, Rosana; Barrientes, Margarita; Zúñiga, Mercedes Susana; Gómez, María Dolores; Prudencio, Doris Rosalba; Peneira, Osvaldo; Alver, Carlos; Cambe, Juan Carlos; Páez, Hugo de Valde.

Arrestados a disposición del PEN que son autorizados a salir del país por ley 21.650: Román, Felix; Fernández, Julio Horacio.

Arrestado a disposición del PEN: Iniesta, Marcelo Mario.
Por asesinato condenaron a un ex policía de Rosario

La Cámara de Apelaciones en lo Penal de Rosario redujo de 15 a 9 años la prisión de un policía que dio muerte a un joven dos años atrás. El juez del crimen había solicitado inicialmente tres años de condena.

El 6 de marzo de 1997 el agente Orlando Leopoldo Gaviria, de 23 años, subió a un omnibus de la línea 51 completamente el yendo y comenzó a molestar al chofer, con malos modos lo instaba a presurarse. Un joven salió en defensa del conductor. Se originó una discusión a la que el joven, llamado Juan Damián Acevedo, descendió del vehículo junto con un amigo. Pero el policía descedió detrás suyo y continuó la discusión. Hasta que le dijeron e impresionante Gaviria extrajo el arma reglamentaria y disparó a que marropa sobre Acevedo. Este trato de alejarse, pero a pocos metros cayó moribundo. El amigo condujo el herido al hospital de emergencia en una ambulancia cuyo conductor fue también amenazado e insultado por el policía, imposibilitando durante largo tiempo que se pudiera en marcha. El juez del crimen, Dr. José María Peña, celebra que "es bien existan contradicciones entre los dichos del imputado y el testigo (amigo de la víctima) hay consideraciones de que el imputado en ningún momento se identificó como policía y extrajo su arma antes de desembarazarse del colectivo."

Agrega que "el chofer observó cuando Gaviria le disparó a quemarse y no le dejó auxiliar por el amigo, a quien amenazó con el arma."

El magistrado considera también "que a los efectos de la individualización de la pena, y conforme a las pautas establecidas, debe computarse como agravante la fatalidad del medio que propició el accionar del agente y su condición de policía, cuya función es resguardar el orden y velar por la seguridad de los ciudadanos. Por lo demás, la cantidad penal en que se habla en momentos en que se disponía a tomar servicio y su conducta posterior al hecho, entorpeciendo la asistencia a la víctima, pone de relieve —a pesar del bien concep- to que gozaba— que asusta una peligrosidad que requiere una severa repre- sión y por ello debe considerarse la pena solicitada por el fiscal— de 12 a 15 años— de prisión más accesorias legales y costos por el delito de homicidio."
Inicióse el programa de ordenamiento legislativo

En una entrevista, exclusiva concedida a La Nación, el subsecretario de Asuntos Legislativos, doctor Roberto Enrique Luqui, se refirió en detalle a los aspectos sustantivos del programa de ordenamiento legislativo que efectúa el Ministerio de Justicia de la Nación. El doctor Luqui expresó, también, algunas consideraciones sobre el criterio con que se emprendieron las futuras modificaciones y el dictado de nuevas leyes de competencia del Ministerio.

Antecedentes

El 12 de enero último, el doctor Luqui elevó a consideración del Ministerio de Justicia de la Nación, doctor Alberto Rodríguez Varela, el proyecto de ordenamiento y sistematización de la legislación nacional. El autor se refería a la necesidad de aplicación de dicho proyecto, sosteniendo que, entre otros conceptos, que "el individuo, en el Estado de derecho, tiene limitada su libertad en la medida en que la ley lo establece, está en la cual debe conocer esas normas que restringen sus derechos y confirman los efectos del reglamento jurídico que realiza, para permitirse adecuar su conducta a los preceptos legales.

Al respecto, se señala que este programa de seguridad está en gran medida a favor del ordenamiento jurídico, no obstante la existencia del principio establecido en el artículo 923 del Código Civil, por el que la ignorancia de la ley o el error de derecho no impide sus efectos legales si es extintivo de responsabilidad. La preeeminencia también de la orden de normas jurídicas y el preponderio de la crítica generosidad, en donde hace preponderar en gran medida este presupuesto de seguridad.

El 12 de febrero, el doctor Rodríguez Varela presentó el proyecto y dispuso las medidas necesarias para ponerlo en funcionamiento. El 22 de febrero se firmó una resolución conjunta entre el Ministerio de Justicia y el jefe de la Comisión de los Asuntos Atinentes al Congreso de la Nación, capitán de navío Albertó E. Hareda, estableciendo la coordinación de las organizaciones a cargo de la tarea, para la redacción y la implementación de las propuestas legales.

Estatuto de ley

El 29 de febrero, el doctor Luqui emprenderá por el Ministerio de Justicia, "Por la magnitud de la tarea y por su complejidad —además— es preciso recurrir a procedimientos técnicos modernos, que fueron utilizados en distintas jurisdicciones con resultados altamente positivos. En esta materia, los sistemas de computerización de datos, cuyos resultados en materia de informática jurídica son de gran interés, constituyen un auxilio indispensable para alcanzar la finalidad propuesta en el programa".

"Como será, en líneas generales, el método técnico por analizar en el proyecto de ordenamiento legislativo?

La tarea —según nueve entremetido— requiere tres etapas: la elaboración del equipo, los programas y el personal necesario para escuchar los tribunales, los cuales implica tanto para su formación en el Ministerio de Justicia y el jefe de la Comisión de los Asuntos Atinentes al Congreso de la Nación, capitán de navío Albertó E. Hareda, estableciendo la coordinación de las organizaciones a cargo de la tarea, para la redacción y la implementación de las propuestas legales.

Sistemas de computadora

En el transcurso de la entrevista con La Nación, el doctor Luqui se refirió a la situación en que se halla el sistema de computadora. En dicha situación, la legislación integral tuvo la importancia de la introducción de medidas para su ordenamiento y sistematización jurídica.
THREE members of a subversive organization have received sentences of 20, 14 and 10 years. Judge Alfredo H. Bisordi sentenced 28-year-old textile worker Manuel Antonio Lago Castro to 20 years in prison. Lago Castro was found guilty of being a member of the People's Revolutionary Army (ERP) and of possessing subversive literature and explosives.

Carlos Monzón Navarre, a 28-year-old Bolivian, has been sentenced to 14 years in prison, and Aida Graciela Schuttman de Monzón was sentenced to 10 and a half years in prison. The investigation started in November 1974 when a home-made bomb that was being handled by Manuel Lago Castro exploded at a house on Rivadavia avenue. Monzón Navarre and Aida Graciela Schuttman, who rented the house, were arrested the following year. (NA)
Condenan a un ex policía a reclusión perpetua

La Cámara Penal de Azul confirmó la sentencia a reclusión perpetua aplicada por el juzgado número 2 de la justicia local a un cabo de la policía bonaerense, quien, en dos hechos distintos, terminó a balazos a otros tantos comerciantes para hurto luego en los automóviles de sus víctimas, a las que previamente despojó de dinero y otros efectos personales.

El doble homicida es Carlos Herrera, de 32 años, quien cometió sus delitos con todo aplomo e incluso llegó a estacionar el automóvil de una de sus víctimas frente al destacamento de Las Flores de la Policía Caminera, a la cual pertenece.

Las primeras pistas concretas sobre la culpabilidad de Herrera fueron descubiertas por familiares del segundo comerciante ultimado y fue así como la posterior intervención policial culminó con la detención del delincuente. Herrera actuó con similar comportamiento en los dos casos y la primera de sus víctimas fue Morris Ighens, de 30 años, quien viajaba en la Autopista 3 en las cercanías de esa ciudad, en esa circunstancia Ighens estuvo el coche en que viajaba para acceder a los requerimientos de Herrera, quien se encontraba "haciendo dedo", sin embargo, a poco de ascender al auto sacó a reducir su arma reglamentaria y obligó al comerciante a desviarse por un camino de tierra, donde lo ultimó a balazos.

El asesino despojó a Ighens de 100 mil pesos y luego de arrojar el cadáver, a un costado del camino vecinal, hizo en el auto de la víctima. El robo fue encontrado días después, casi totalmente desmantelado, en las cercanías de la población de Montes.

El segundo hecho fue cometido por el cabo Herrera en enero del año pasado y en esa oportunidad su víctima fue José Luis Ridner, de 62 años, a quien sorprendió también con el mismo procedimiento. Luego de ultimar a Ridner, el homicida lo despojó de 300 mil pesos y luego en el auto del comerciante, que dejó estacionado frente a la unidad de camineros de la ciudad de Las Flores. El robo fue encontrado allí por los familiares de la víctima.
El juez penal de la Tercera Nominación Félix Mendiharzu impuso condenas que oscilan entre los tres meses y tres años de prisión al ex intendente municipal de Tacuamán Carlos Martín Torres y a seis de sus colaboradores que actuaron en el periodo de 1973-1976, a los que calificó de criminalmente de una serie de delitos vinculados con la corrupción administrativa y el abuso de autoridad.

Partiendo de la causa quedó suspendida para otros tres funcionarios municipales de esa época que está en trámite y cuyo trámite se refiere a la policía.

La nueva condena fue impuesta al ex intendente Carlos Martín Torres, quien en el caso definitorio fue encarcelado como malversador de fondos públicos.