

DEPARTMENT OF DEFENSE

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Authority: EO 13526
DIA FOIA & Declassification Services Offices
Date: Oct 18, 2018

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ACTION

DIA:
DISTR

IADB(01) J3(09) J5 J3:NMCC SECDEF(07) SECDEF: ASD:ISA(16)
ATSD:AE(01) ASD:PA&E(01) :DIA(20) NMIC
CMC CC WASHINGTON DC
CSAF WASHINGTON DC
CNO WASHINGTON DC
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SECSTATE WASHINGTON DC
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TRANSIT/0861401/0861459/000:58TOR0861439

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R 271310Z MAR 79

FM (b)(3):10 USC 424

TO RUEKJCS/DIA WASH DC//DB-3E//
INFO RULPALJ/USCINCSO QUARRY HTS CZ//SCJ2-AD//
RUEKJCS/DEPT OF DEFENSE WASH DC//OSD-ISA//

Rec'd RDS-3B/ 29 MAR 79

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BT

~~CONFIDENTIAL/NOFORN~~ (b)(3):10 USC 424

SUBJ: THIS IS (b)(3):10 USC 424

1. (U) COUNTRY: ARGENTINA (AR)
2. (U) REPORT NUMBER: (b)(3):10 USC 424
3. (U) TITLE: HUMAN RIGHTS AND RETURN TO LAW-AN ATTORNEY'S VIEW
4. (U) PROJECT NUMBER: N/A
5. (U) DATE OF INFORMATION: 790320
6. (U) DATE OF REPORT: 790321
7. (U) DATE AND PLACE OF ACQUISITION: 790320, BUENOS AIRES
8. (U) REFERENCE:
9. (U) ASSESSMENT: (b)(3):10 USC 424
10. (U) ORIGINATOR:
11. (U) REQUEST EVALUATION: NO
12. (U) PREPARING OFFICER:
13. (U) APPROVING AUTHORITY (b)(3):10 USC 424

14. (U) SOURCE (b)(3):10 USC 424

15. (U) SPECIAL INSTRUCTIONS: ~~DIRC-NO NOFORN TO AVOID~~

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~~C O N F I D E N T I A L~~

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~~EMBARRASSMENT TO HOST GOVERNMENT~~

16. (U) SUMMARY: THIS IR FORWARDS VIEWS ON HUMAN RIGHTS AND THE RETURN TO THE RULE OF LAW IN ARGENTINA. IT IS SIGNIFICANT IN THAT THE VIEWS REFLECTED MIGHT PORTRAY THOSE OF A LARGE SEGMENT OF BUENOS AIRES BAR ASSOCIATION'S MEMBERS.

22. ~~(C/NOFORN)~~ DETAILS: ~~(ALL PARAGRAPHS/NOFORN)~~ 1. SOURCE, AT

Sec. 3.3(b) (1) STATED THAT ARGENTINA, IN THE VIEW OF MOST LAWYERS IN THE COUNTRY, IS FAR FROM ESTABLISHING THE RULE OF LAW AND THE RETURN TO A DEMOCRATIC POLITICAL STATE. IT WILL TAKE A MUCH LONGER TIME, HE CONTINUED SAYING, TO ESTABLISH THE DEMOCRATIC CONDITIONS THAT EXIST, FOR EXAMPLE, IN COUNTRIES SUCH AS THE U.S.

2. THERE ARE NO HUMAN RIGHTS IN ARGENTINA, SAID SOURCE. IT IS VERY UNFORTUNATE FOR THE COUNTRY AND A SCANDAL TO ITS JUDICIAL SYSTEM THAT INCIDENTS, SUCH AS THE RECENT REMOVAL BY AN ARMY PATROL OF A NCO FROM A VILLA DEVOTO PRISO WITHOUT THE AUTHORIZATION OF THE JUDGE WHO HANDLED THE CASE, STILL CONTINUE. THEY ARE DAMAGING TO THE REPUTATION OF THE ARMED FORCES, A TRAMPLING ON THE COUNTRY'S JUDICIAL SYSTEM, AND ADVERSELY AFFECT AND DETRACT FROM GENUINE EFFORTS WHICH HAVE BEEN TAKEN TO BRING ARGENTINA BACK TO NORMALCY. 3. SOURCE THEN BEGAN TO ELABORATE AND CLARIFY SOME OF HIS REMARKS. MANY OF THE INCIDENTS HAVE BEEN THE RESULT OF OVERZEALOUSNESS BY SOME WHO WITNESSED AND VIVIDLY REMEMBER THE CHAOTIC STATE OF AFFAIRS OF SOME YEARS BACK, HE SAID. AS FOR POLITICAL PARTIES, THEIR ORGANIZATION OR RE-STRUCTURING OF THE OLD ONES, SOURCE BELIEVES, WILL TAKE MUCH TIME TO ESTABLISH. FOR MANY OF US, HE SAID, THERE IS HARDLY A CHOICE TO MAKE AT THIS EARLY STAGE. "WE ARE JUST NOW BEGINNING TO EMERGE FROM WHAT WAS PRACTICALLY A CIVIL WAR AND THE DISRUPTIVE ECONOMIC POLICIES BROUGHT BY PERON AND POST-0349,8 5 & 9;34, .3, 5 . THE MILITARY BROUGHT SOME SEMBLANCE OF STABILITY AND HAVE GIVEN US SOME HOPE THAT THE COUNTRY'S DISARRAYED STATE OF AFFAIRS CAN BE CORRECTED," SAID SOURCE.

4. FOR NOW, THEN, THE PEOPLE--FROM STUDENTS TO PROFESSIONALS-- SUPPORT IT. "MOST OF US," HE CONTINUED, "REALIZE THE GOVERNMENT'S EFFORTS AT, FOR EXAMPLE, CURBING INFLATION. WHILE GRUMBLINGS ARE HEARD FROM SOME QUARTERS CRITICIZING (ECONOMIC MINISTER) MARTINEZ DE HOZ' PLAN AND POLICIES DEALING WITH THE PROBLEM, MOST PEOPLE UNDERSTAND THAT HIS POLICIES ARE SOUND AND ARE THE ONES CALLED FOR. THE PEOPLE ALSO KNOW THAT IF (PRESIDENT) VIDELA IS FORCED TO RID HIMSELF OF MARTINEZ DE HOZ, THE MINISTRY OF THE ECONOMY WOULD GAIN A NEW FACE WITHOUT THE GOVERNMENT HAVING TO DRASTICALLY ALTER ITS ECONOMIC POLICIES."

5. IN CONCLUSION, SOURCE STATED THAT POLITICAL REORGANIZATION

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WOULD HAVE TO START WITH THE EMERGENCE OF NEW LEADERS. THE
COUNTRY DISTRUSTS, WILL NOT ACCEPT OR FOLLOW THE OLD ONES, LIKE
BALBIN. THE REORGANIZATION IS TIED TO DEVELOPMENT OF NEW LEADERS
IN WHOM A PEOPLE LONG WEARY OF POLITICIANS CAN PLACE THEIR TRUST.

(b)(3):10 USC 424

EMBASSY COMMENT: (U) NCO MENTIONED PARA 2 ABOVE WAS RECENTLY
RETURNED BY ARMY TO CIVIL PRISON IN RESPONSE TO ORDER OF
SUPREME COURT. SEE STATE DEPT. BUENOS AIRES TELEGRAMS 2244
AND 2250.

EMBASSY COORDINATED. ~~DECL 22 MAR 1985~~

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