

DEPARTMENT OF DEFENSE INTELLIGENCE INFORMATION REPORT

NATIONAL SECURITY INFORMATION Unauthorized Disclosure Subject to Criminal Sanctions		UNCLASSIFIED UNCLASSIFIED Classification/Control Markings		This report contains unprocessed information. Plans and/or policies should not be evolved or modified solely on basis of this report.	
1. COUNTRY: ARGENTINA (AR)		2. REPORT NUMBER: (b)(3):10 USC		(b)(3):10 USC 424	
3. TITLE: TERRORISM-ARGENTINE LAW		4. PROJECT NUMBER: N/A			
5. DATE OF INFORMATION: 790405		6. DATE OF REPORT: 790418			
7. DATE & PLACE OF ACQUISITION: 790405, Buenos Aires		8. REFERENCES: (b)(3):10 USC 424			
9. ASSESSMENT: SOURCE INFO (b)(3) 10 U.S.C. 424		10. ORIGINATOR: (b)(3):10 USC 424		(b)(3):10 USC 424; (b)(6)	
11. REQUEST EVALUATION (country)		12. PREPARING OFFICER: JANE H. CAREY BILINGUAL RESEARCH TECHNICIAN			
14. SOURCE: Embassy telegram 2761					
15. SPECIAL INSTRUCTIONS:				D YES <input type="checkbox"/> R C NO <input checked="" type="checkbox"/>	
16. SUMMARY: This IR forwards Emembassy Buenos Aires telegram 2761 concerning updated laws on terrorism effective in Argentina.					
<div style="text-align: center;"> BEST AVAILABLE COPY Rec'd RDS-3B/ 02 MAY 19 </div> <div style="float: right; text-align: right;"> 298 261700-AR 102100/AR 102452/AR 102450/AR 201600/AR </div>					
18. DISTRIBUTION BY ORIGINATOR: DIA (original)		19. DOWNGRADING AND DECLASSIFICATION DATA:		20. ENCLOSURES:	
DIA (RCI-1) DIA (DB-3E)		Page determined to be Unclassified Reviewed DIA FOIA & Declassification Services Offices IAW EO 13526, Section 3.5 Date: Oct 19, 2018		1 Enclosure 1. Embassy tel. 2761, 1 cy. 3 pgs (U)	
		UNCLASSIFIED UNCLASSIFIED Classification/Control Markings		MICROFICHED BY RDS-JD2 18	
				21. This IR contains 1 pages.	

BEST AVAILABLE
COPY

TELEGRAM

2761
062016Z APR 79

INDICATE
☐ COLLECT
☐ CHARGE TO

terrorism

12065
E.O. 12852
TAGS:
SUBJECT:

FROM
AmEmbassy BUENOS AIRES

CLASSIFICATION
UNCLASSIFIED

N/A
PINS, AR
HOST COUNTRY LAWS ON TERRORISM: UPDATE

(b)(3):10 USC
424

STATION

ACTION:
SECSTATE WASHDC
USDOC WASHDC

UNCLASSIFIED BUENOS AIRES 2761

REF: STATE 69183

ECOM/C-4
ECOM-2
POL
AMB
DCM
CHRON
RF
POL/E

SY

(b)(3):10 USC 4

1. Post does not have copy of response to Department
airgram cited ref. Nonetheless, many laws on
terrorism have been amended since 1974, as a result of the
high level of terrorism in Argentina through 1977. Argentina
is not a party to the New York or OAS conventions.
While laws 19,793 and 20,411 ratify The Hague and
Montreal Conventions respectively, there have been
no implementing regulations to these laws.

2. The basic law on terrorism is Law 20,840 enacted
on September 28, 1974 which was amended by Law 21,459 of No-
vember 18, 1976. Article 1 of the current law mandates

DRAFTED BY:
ECOM/C: CWBster:pcs

DRAFTING DATE
4-5-79

TEL. EXT.
230

CONTENTS AND CLASSIFICATION APPROVED BY:
ECOM:JCamolt:

ECOM/C: GLE

POL: YThayer:

Page determined to be Unclassified
Reviewed DIA FOIA & Declassification Services Offices
IAW EO 13526, Section 3.5
Date: Oct 19, 2018

UNCLASSIFIED

CLASSIFICATION

OPTIONAL FORM 100-4
(Formerly FD-413-4)
January 1979
Dept. of State

50152-101

UNCLASSIFIED

Classification

Page 2 of BA 2761
MRH

a prison sentence of between three and eight years for those who use non-Constitutional means to disturb the Argentine Internal order for ideological reasons, unless the offense comes under another provision of existing laws with stiffer penalties. Article 2 decrees prison terms from two to six years for those who teach or support others who carry out subversive acts. According to Article 3, those who use symbols of terrorist organizations or radio or newspaper authorities who publicize their statements are subject to two to five years imprisonment. If any of these offenses are committed by naturalized Argentines, after serving their sentence, their citizenship is revoked and they are expelled from the country. Foreigners committing these crimes are expelled from Argentina following the conclusion of their sentence. Under Law 21,460, also enacted on November 18, 1976, the Argentine Armed Forces as well as the police are given responsibility to prosecute terrorists.

3. In addition to these laws dealing with ideologically motivated terrorist acts, Article 210 of the Argentine Penal Code stipulates a sentence of five to fifteen years for those belonging to an organized group which commits

UNCLASSIFIED

Classification

UNCLASSIFIED

Classification

Page 3 of BA

27701
MFM

violent acts against a person or institution. Under the provisions of the same article, leaders of such armed groups are subject to imprisonment of between eight and twenty five years. If their act leads to loss of life or grave wounds sustained by their victims, the article states that the punishment shall be death or life imprisonment^{respectively}. The sentence of those who voluntarily give themselves up is reduced to fifteen to twenty five years, ten to twenty years, or by a third for sentences of death, life imprisonment, or a reduced prison term respectively.

4. Article 170 of the Penal Code mandates a five to fifteen year prison term for perpetrators of kidnapping attempts made for ransom and an eight to fifteen year term if they are successful. Under Article 142, kidnappers are also subject to an eight to twenty five year prison term if the victim is wounded in the act or if forced to give aid to a subversive organization. In case the victim dies in captivity, the offender ^{to} is subject to the death sentence. Article 225 decrees a two to six year prison sentence for those who pay ransom to kidnappers or economically aid terrorists.

CASTRO
[Signature]

UNCLASSIFIED

Classification