

## B U L L E T I N .

Centro de Documentación e Información sobre Derechos Humanos en Argentina - CEDIHA -

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Dirección Postal: Casilla de Correo ( en trámite ) .- Correo Central - 1000 Buenos Aires - Argentina.-

- Asamblea Permanente por los Derechos Humanos.- Note to President Videla.- The Seventh Session of the Permanent Assembly for Human Rights' Presidential Council, meeting in Buenos Aires on September 7, 1978 at its new address - Paraná 638, Piso 2 -, decided to send a note to Argentine President, retired lieutenant general Jorge Rafael Videla, concerning serious and urgent problems facing the nation. Its text was unanimously approved, after a long debate, among the participants - over a hundred - and based on a wide consensus. Several leaders of the Permanent Assembly underwrite the document, among others: Bishops Jaime de Nevares (Catholic) and Carlos Gattinoni (Methodist); Catholic priest Enzo Giustozzi; Pastor Aldo Echegoyen; political leaders Raúl Alfonsín, Oscar Alende and Augusto Conte Mac Donell; rabbi Roberto Graetz; professor Federico J. Westerkamp; lawyers Jorge Gómez and Emilio Fermín Mignone, and others, headed by Dr. Alicia Moreau de Justo.

In the referred note, the Permanent Assembly states that it addresses lieutenant general Videla acknowledging his invitation that "men of good will" bring forth their contributions for the political proposal being prepared by the Armed Forces.

The Permanent Assembly's Presidential Council considers that the aforementioned political proposal previously requires the following urgent and essential decisions:

- Governmental minutely detailed information about the fate of thousands of detained "disappeared" individuals. In two presentations, the Permanent Assembly has documented the detention - by hand of the Armed Forces and security organizations - and the immediate disappearance of 3,011 persons. Well informed observers estimate the total amount of so-called "Disappeared" persons range between 15 and 30,000.

- Immediately terminate irregular and clandestine procedures, with their sequels of abductions, assassinations, tortures, lootings, oppression and other terrorist actions. This sort of activity on the part of the Armed Forces and security organizations outline an actual State terrorism.

- Resolve the situation of the 4,000 detained individuals at the disposal of the Executive Power, that in many instances have been in such a state for over 3 years, without due process nor formal accusation. It is essential that the Government - fulfilling its legal obligations - place them at the disposal of the Judiciary or, in the event that they are considered as not having transgressed any law, be set free or granted - without no limitation whatsoever - the right to leave the country, as guaranteed by the Constitution. To that number of 4,000 people must be added those detained at the disposal of the military authorities, whose quantum is unknown.

- Substantially improve the inhuman life conditions in jails; eliminate the harsh treatment of prisoners and their visiting relatives. And enforce this right in the central and northern parts of the country, where detained persons remain completely isolated by strict orders of the Third Army Corps Commandant.

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Only the Buenos Aires Herald and "La Nación" newspapers (the latter very succinctly) mentioned the referred note, sent to all the mass media.

- Abductions taken place in August and September 1978.- Before the Permanent Assembly for Human Rights have been denounced 24 cases of detentions followed by disappearances during the months of August and September 1978. There could still be more, since families frequently delay in reporting them to the cited private organization for fear of reprisals. All testimonies submitted to the Permanent Assembly state - with the signature of relatives and witnesses - that the disappeared persons were detained by individuals claiming membership of the Armed Forces and security organizations, proceeding ostensibly and in broad daylight. According to customary estimates, these kind of denunciations imply around 120 kidnappings.

The data concerning the month of October has yet to be gathered.

With reference to all indicated abductions, habeas corpus writs were presented before the courts and have received similar answers from the authorities: they are not registered as detainees.

- Detention, disappearance and liberation of Dr. Lepanto Bianchi.- Last September 18 a group of armed civilians claiming membership of the Federal Police - and displaying corresponding credentials - broke into the Hospital Italiano, an important private hospital in downtown Buenos Aires and, in full view of doctors, personnel and patients, detained Dr. Lepanto Bianchi. Behaving in an unnecessary violent fashion, the apprehenders wounded Dr. Bianchi on his head and refused to pay any attention to his colleagues, who warned them that he is seriously ill. In fact, Dr. Bianchi suffers from intestinal cancer; he has been operated three times, the latest 3 months ago and he has an artificial anus. He can only survive by constantly in-taking sedative drugs, among others, and by special attention. Despite those pleadings, the public procedure followed its course. Due to its seriousness, the Buenos Aires Herald published this account the next day, and then other newspapers felt encouraged to transcribe the news item.

A few days later, on September 22, Dr. Bianchi was freed on a city street. Being a highly prestigious M.D. and nearly 60 years of age, Dr. Bianchi was able to explain the event. He affirmed that he was blindfolded and handcuffed in an undetermined place within the city limits, but that it was evidently a military unit for the movements, shouts of command, uniforms, etc.. For the first two days he was deprived of all medication, implying a real torture. He was amply interrogated by intelligence officers concerning his university activities since 1956, his ideas and specially his work as secretary of the Facultad de Medicina during the period 1973-74. On the fourth day, two doctors gave him the required medical attention. He was warned not to make any denunciation whatsoever.

- Ten kidnapped in Córdoba that later appear at the disposal of the military authority.- During the same month of September, ten Communist Party leaders were abducted in Córdoba, among them lawyers Jankelevich and Reinaudi, the latter also a newsman. Despite the fact that in the respective habeas corpus writs all questioned authorities informed that they were not detained, a few days later the Third Corps Army Command let it be known that they were arrested under its jurisdiction. It must be noted that the abductions were carried out by personnel flashing Federal Police credentials that later, according to this organism, were <sup>proved to be</sup> ~~clearly~~ forged.

- Abduction and disappearance of students Daniel Eduardo Bendersky and Miguel Angel Spinella.- On Saturday, September 16, a group of armed individuals detained - at his home on Nazca 3370 (Villa Devoto) in the Capital - 24 year-old university student Daniel Eduardo Bendersky. The

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procedure was carried out at 11:30 A.M., without violence, and in the presence of the detainee's mother. The armed individuals displayed Federal Police credentials and affirmed that their intervention obeyed to a swindle denouncement. Since that moment, nothing is known as to his whereabouts. The habeas corpus writs presented have been answered negatively.

For already two years Bendersky had been pursuing an investigation in the Comisión Nacional de Energía Atómica in order to present his "licenciatura" (an intermediate degree between a Bachelor's and a Master's) thesis at the Facultad de Ciencias Exactas, Físicas y Naturales (Basic Sciences) of the Universidad de Buenos Aires, of which he is a student. The above mentioned Commission is under the comptrollership of the Argentine Navy and its director is Admiral Castro Madero.

Two days before, on September 14, biology university student at the same higher educational institution, Miguel Angel Seraffin Spinella - Daniel Bendersky's friend -, was detained in the street. On September 16, at 9:30 A.M., an armed group of men showing Federal Police credentials and invoking a certain Inspector Cejas, presented itself at the pension-hotel where Spinella lived, at Avenida Rivadavia 8000, and searched his room, number 17. The presumed policemen told the married couple - the hotel owners - that it concerned a swindle investigation ordered by Judge Madueño.

In the habeas corpus writ in favor of Spinella, presented before Dr. Rivarola - in charge of the Capital's Federal Court number 8 (Secretariat, Guanziroli) -, the Italian Consulate has come forth, since Spinella is Italian-born, invoking the Vienna Convention norms. As a result of this intervention, Judge Rivarola summoned the pension owners, who explained that two patrol cars from the adjacent Federal Police Station (number 40) participated in the procedure. With astounding celerity, the same Judge convoked the chief of police and patrol car personnel. Eight of these - the crew of two vehicles - testified the following: when adverting of two suspicious cars (a Peugeot automobile and a Ford Falcon pick-up truck) at the entrance of the afore-mentioned pension-hotel, they made both drivers raise their hands and demanded adequate identification from those searching Spinella's quarters. All of them accredited their membership to the Navy and affirmed they had come from the Escuela de Mecánica de la Armada, being the pick-up truck registered as belonging to that institution. When Judge Rivarola questioned the Navy's Chief of Operations, he answered that no Navy personnel had intervened in that procedure... But there is something going on, for it is the first time that a Judge has proceeded in such a fashion and that police functionaries openly testify - without hiding the facts in similar cases -, that have repeated themselves by the hundreds. Concerning the Judge in charge of the investigation, Madueño, several months have past since he resigned his post in the Capital. And the Federal Police insists that there is no chief of police Cejas. At the same time, the policemen have no doubt as to the authenticity of the Navy credentials that were shown to them. for - as they stated - they have seen them hundreds of times.

- 600.000 youngsters go on a pilgrimage on foot to the Santuario de Nuestra Señora de Luján.-  
On Saturday, September 30, more than 600.000 youngsters went on a pilgrimage on foot to the <sup>Basilica</sup> ~~Basílica~~ of Our Lady of Lujan, located in the city of Luján, 70 kilometers (43.5 miles) from the Capital. Though many joined on the way, the majority left from San Cayetano Church, in Buenos Aires, thus walking all the way.

Peregrinations on foot to Luján are not new. But in the last few years they have acquired great significance. Traditionally, there are two, the second one almost exclusively of youngsters. This fact is drawing the attention of observers. It undoubtedly shows a renewal of Christian faith and a notorious spirit of prayer and sacrifice. It also indicates that young people - politically frustrated, having no other channel of expression whatsoever and decimated by repression - search for a constructive and idealistic trench for <sup>their</sup> ~~the~~ generous aspirations.

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The pilgrimage caught one's eye for its juvenile enthusiasm; for its spontaneity and likewise the moderation of songs, prayers and refrains; for its perfect and almost spontaneous organization; and for its spirit of sacrifice. Observers did not lose track of these circumstances, neither did the Armed Forces - that worriedly analyze the Catholic Church's power of assembly and the vigorousness of this youthful manifestation - completely estranged from official summons. Differing from 1977, the Army did not adhere to the event. It sent trucks full of armed soldiers - as a deterrent - who offered assistance to those that fell (being sometimes such help refused) and distributed oranges.

Many mothers of "disappeared" persons participated in the pilgrimage and were noticeable by the white kerchiefs on their heads. During Mass - officiated by Cardinal Aramburu at Plaza Belgrano, facing the ~~Basilica~~ <sup>Basilica</sup> - they stood near the altar.

A Buenos Aires Herald editor, Ruben Calmels - a non-believer, participated in the pilgrimage and relates his impressions in the Saturday, October 7 edition. He affirms, among other things in his article: "I know of nothing like it in the world today", said a visiting priest from Canada. He was speaking about the annual pilgrimage from Buenos Aires to Luján. He described it as 'a phenomenon of faith' and was amazed that so many people - most of them youngsters - were both able and willing to walk 60 kilometers in testimony of their belief in Christ... The provincial police estimate was 650,000... The most impressive aspect of the pilgrimage is the organization... In the plaza there was a rainfall of pamphlets citing the Argentine and Chilean bishops plea for peace. They were being examined by the police who had probably heard of the other leaflets that were strewn on the road during the night, denouncing kidnappings and murders... I will not remember - he concludes -, the coming back from Luján. It is the pilgrimage there that will stay in my memory".

- Letter from "disappeared" persons' mothers - participants of the pilgrimage on foot to Luján - to Cardinal Aramburu.- A large group of mothers of "disappeared" individuals that participated in the pilgrimage on foot to Luján, sent a letter - dated October 2 -, to Cardinal Juan Carlos Aramburu, Archbishop of Buenos Aires, with copies delivered to Pope John Paul II and Argentine Cardinal Eduardo Pironio, as well as to other Argentine bishops.

Among other things, the mothers state: "Yesterday, many of us mothers of "disappeared" persons were in Luján, taking part in the youngsters' pilgrimage on foot... You saw us, near the altar, during the concelebrated Mass. Undoubtedly, you also heard our anguished plea for a public prayer concerning our sons, many of them having participated last year in this same peregrination. The youngsters gathered around the altar certainly did so in silence. But you, defrauding them, refused to say a word and ask for a prayer. Not one of your words during the extense homily mentions this serious problem - the most tragic one facing the country. As Christians, Argentines and mothers, we cannot understand such a refusal; this insensibility in the face of sorrow; this silence... If the Lord's Ministers hush, for incomprehension, for fear, for infidelity to their apostolic mission, who will speak out? Who will be the voice of the voiceless? ... You, Mr. Cardinal, refuse to receive and hear us. When you pronounce public speeches referred to the subject, it is to subtlety insinuate that we shut up, that we forget our children, that we surrender. Due to this attitude, will we have to reach the sad conclusion that Christ's representatives in the Argentine Church prefer the complicity with temporal power and its advantages to attest the truth and to the ministry of service to the persecuted, to the humble, to those who suffer according to the Lord's reiterated mandate?...".

- Mother's Day.- Mass at San Francisco Church.- Public demonstration at Plaza de Mayo.- Meeting in Neuquén.- On Sunday, October 15 - Mother's Day - more than 2,000 relatives and friends of detained and "disappeared" persons congregated at San Francisco Basilica in Buenos Aires, located at the corner of Alsina and Defensa streets, a block away from the historic Plaza de Mayo, to pray for their loved ones. The officiating priest so solicited. It was a very emotional ceremony and touched all those present. Many patrol cars and uniformed policemen plus plainclothesmen stood guard at the Church and around the neighborhood.

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Leaving the Church, a long and spontaneous column began to walk towards Plaza de Mayo, where - imitating the mothers that meet there on Thursdays at 3:30 P.M. - they started walking around the pyramid. At the third turn, the police ordered the dispersion of those assembled, which was done in order. No newspaper accounted this incident.

On that same Sunday, October 15, the bishop of Neuquén - Monsignor Jaime de Nevares - celebrated, with presbyter Enzo Guistozzi - from the Permanent Assembly for Human Rights -, a Mass in that city's Cathedral. Around 500 persons attended. During the homily, Monsignor Nevares clearly pointed out the constant violation of human rights throughout the country by means of clandestine repression and asked that such procedures be stopped. With timely biblical quotations and from Pope Paul VI, he sublimated the sacred values of life, personal integrity and liberty. The faithful actively participated of the Sacred Sacrifice and, visibly moved, responded to his manifestations.

Having concluded the Mass, a meeting took place in the parochial room. There, presbyter Guistozzi and Dr. Alfredo Galletti talked about the work carried out by the Permanent Assembly for Human Rights - having purportedly come from Buenos Aires for this occasion. Those present expressed their viewpoints and pronounced their support and desire to contribute in the eradication of violence and in the termination of illegal and indiscriminate repression.

- Verdicts of the Penal Division of the Capital's Federal Criminal and Correctional Chamber of Appeals. - October 14 and 25 newspapers inform of several similar sentences handed down by the afore-mentioned Chamber, referred to habeas corpus writs presented in favor of detained persons at the disposal of the Executive Power. These are signed by Judges Victor A. Guerrero Leconte and Raúl P. Rodríguez Araya.

In the first of these verdicts (published on 10/14/78), the Chamber revokes sentences of Federal Judges Marquadt, Sarmiento, Giletta, Montoya and Tarantino, who had refused the appeal of habeas corpus writs in favor of 14 individuals detained at the disposal of the Executive Power, for considering that these had been legitimately based on the powers granted by the Constitution while the state of siege is in force. The Chamber sustains that the information given by the Executive Power is inconsistent. And since - according to the doctrine upheld by the same Chamber in the "Caso Zamorano" of April 4, 1977 - the Judiciary must be able to exercise its comptrollership of reasonableness in matters concerning the application of the Constitution's Article 23, it orders the release of the 14 persons under arrest.

As the prosecutor appealed the decision, presenting an extraordinary writ before the Supreme Court, such a release has not taken place. And there is the possibility that the Court may require further explanations from the Executive Power and, unexplainedly, remain satisfied - as in the "Caso Zamorano" - being left these 14 prisoners in jail as the former. However, the verdict has great significance.

That same Chamber of Appeals, in several sentences published on October 25 and resolved at the same time, adopts decisions within the previously quoted range of ideas. On the basis of the verdict in the "Caso Zamorano", it revokes the decisions in 4 habeas corpus writs deduced in favor of the same amount of detained persons and orders their release.

In another case, the Chamber declares the nullity of the verdict concerning Edgardo Alfredo An-guita and 156 persons more, ordering that the proceedings be sent to the Chamber on duty for it to decide according to law. The above mentioned Chamber of Appeals takes this decision for having found serious defects with regard to the procedures concerning the documents in the case. It has also detected a condescending attitude of the lower magistrates in accepting the Executive Power's official statements that explain nothing, and thus prevent the Judiciary from exercising the rationality control mentioned above.

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With regard to another writ, the same Chamber revokes the rejection of a habeas corpus presentation, "resolving that the court carry on the procedure asking the Executive Power to verify the correlation between cause and sanction between the decree ordering the detention and the concrete motives provoking the restoration of the state of siege" ("Caso, María Cristina Godoy de Arias"). It proceeds likewise with another group of sentences.

Finally, the Chamber of Appeals draws the attention of the official defender for using printed formularies for his defenses, where the detainee's name and case number are included. This, according to the Chamber, is a desapprehensive attitude towards the completion of their functions as well as a disrespectful regard towards the magistrates.

All these verdicts were widely publicized in the press (conf. "La Prensa", "La Nación" and "Clarín" newspapers of the dates mentioned at the beginning). They rekindle the hope - as well as the measures taken by Federal Judge Rivarola concerning the "Caso Spinella" - that the Judiciary will begin, though timidly, to work more independently.

Anyway, the Supreme Court has the last word, for it must consider all the afore-mentioned procedures due to the prosecutor's appeal. And up to this moment the Supreme Court - as proven by the sentence of July 20, 1978 in the case "PEREZ DE SMITH Ana María y otros s/pedido" - has confirmed the clandestine repression carried out by the Executive Power.

- Sentence of Federal Judge Guillermo Federico Rivarola in the habeas corpus writs presented by French lawyer Colette Auger.- Proof of the apparent need Judges have for showing their identification with the political power - the timid and futile attempts to investigate cases presented for their consideration notwithstanding - is the far-fetched verdict handed down by Federal Judge Rivarola in the procedure initiated with several writs presented by French lawyer Colette Auger, of the Paris Court. Dr. Auger was in Buenos Aires on the eve of the International Cancer Congress, accompanying doctors Schwarzenberg, Kaplan, Van Berkum and Low Beer. They hoped to interview the Argentine authorities to plea for the release or get them to investigate the whereabouts of 189 Argentine M.D.'s detained at the disposal of the Executive Power and "disappeared". They believed that a scientific meeting as the one convoked could not take place as long as this situation continued, since it affects the most elemental human rights. Since they were not received by the authorities, the afore-mentioned scientists and lawyer Auger presented a habeas corpus writ for a total sum of 494 individuals that include the cited doctors, lawyers in the same situation and other Argentine citizens whose relatives contacted this commission during its stay in Buenos Aires.

The thundering and aggressive terms used by Judge Rivarola, without the least reference to the grave situation - of which he is well informed - concerning thousands of political prisoners and abductions carried out by the Armed Forces and security organisms, is further proof of the subordination of the Judiciary to the political power.

From the standpoint of Argentine procedural law, not having lawyer Auger ratified her writ, having left the country, the logical solution consisted in ignoring its presentation, without further consideration.

- Detention and disappearance of lawyer Eduardo Pesci.- Lawyer Eduardo Pesci's mother presented a habeas corpus writ before the Capital's Penal Court in charge of Dr. Angel Mercado, letting it be known that <sup>on</sup> during the afternoon of October 23, the former was detained by security forces when he was leaving his office located in the 1500th block of Avenida Callao. On that same night, two individuals claiming to be members of the Federal Police tried to enter the apartment Dr. Pesci inhabits with his mother, María Teresa Morfino de Pesci. Since that moment, nothing is known as to the whereabouts of detained Dr. Pesci.

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The testimony of the detention and disappearance has also been presented at the Permanent Assembly for Human Rights.

Dr. Pesci fulfilled his professional activities in the Capital's tribunals and had defended some political prisoners. His mother supposes that this fact has been the cause of his arrest and disappearance.

- Abduction of Mr. Rodolfo Eduardo Zanlungo, President of the Committee in charge of the organization regarding the XXIII Chess Olympic Games.- Mr. Zanlungo - a government functionary, member of the Comisión de Asesoramiento Legislativo (CAL) that operates in the National Congress edifice - was kidnapped at noon in the first days of October, when he was leaving his office. Due to the characteristics of the procedure, it is presumed that he was detained by persons that acted openly, as if belonging to a security force.

When denouncing this incident, Mr. Zanlungo's wife - as a consequence of official inactivity - asserted that he had been repeatedly threatened to cancel the Olympic Games, apparently for the almost certainty of a Soviet victory. Mentioning this presumption, the Buenos Aires Herald - on October 25 - imputes the episode to "right-wing terrorism", a euphemism that shields the activities of intelligence services. The Government, for its part, limited itself in affirming that Mr. Zanlungo had been replaced in his functions, without following the ritual of accusations against subversion.

The Federal Police insinuated the possibility of a self-abduction when it received proof - as affirmed in "Clarín" (10/29/78) - of the misplacement of a large sum of money destined to finance the Olympic Games.

No matter the motive of Zanlungo's disappearance, the fact is further proof of the insecurity reigning in the country as a cause of clandestine repression and the lack of sanctions against those responsible for the irregular procedures.

- The Inter-American Commission on Human Rights visits Argentina.- The most important episode during the month of October concerning human rights is the announcement made by the Argentine Government that it has invited the Inter-American Commission on Human Rights of the Organization of American States to visit the country.

As it is widely known, this Commission - made up of a distinguished nucleus of inter-american independent jurists, headed by former Venezuelan Justice Minister Andrés Aguilar - has received thousands of denunciations for serious violations of the fundamental rights in Argentina. Due to this fact, at the end of 1977 it asked the Argentine Government's permission to carry out an "in loco" investigation.

The Argentine Government never answered the petition. But in June 1978, on occasion of the annual O.A.S. assembly, it invited the Commission, limiting its visit to an examination of the legislation and contact with public functionaries and judges... The Commission responded that if it traveled to Argentina it was to have freedom of movement, according to its norms.

In effect, Article 11 of its Statute and Article 50 of its Procedures state that in such cases the Commission may receive or interview the persons they wish to, the same as regarding institutions, organizations, groups, etc.; freely receive testimonies; travel irrestrictively throughout the country; have access to jails or detention sites and interrogate prisoners; use any means appropriate for recording or preserving the information obtained, etc.. For its part, the Government of the country in question must provide lodging, supply information and documents, and collaborate with its displacements.

The Argentine Foreign Relations Ministry also did not answer this request of clarification on the part of the Commission and it seemed that the visit would not be permitted. However, in

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October 1978 it sent the Commission another official statement, inviting it to visit Argentina unconditionally. It is thus interpreted that the trip will take place according to the Commission's Statute. Even though in the same invitation the Ministry of Foreign Relations leaves for further determination the details of the visit, on the basis of sovereignty.

The over-all impression is that the Argentine Government has taken this step in view of a more flexible attitude on the part of the United States, that lifted the embargo for the loans destined to the sale of turbines for the Yaciretá dam.

The Argentine Government's new posture has awoken some hope among the victims of repression and their relatives, specially that of the prisoners at the disposal of the Executive Power and the so-called "disappeared". Even though the note does not mention it, there is information that the Argentine Government has stated, as an adequate date for the visit, the second trimester of 1979, that is to say, between April ~~to~~ <sup>and</sup> June. Such a delay leads to believe that the military regime expects to take further steps in improving the situation for that deadline. Inevitably, those steps must be the ones presented by the Permanent Assembly for Human Rights in its September 7, 1978 note: information concerning the "disappeared" persons; due process, freedom or option to leave the country for those arrested at the disposal of the Executive Power or other authorities; the discontinuance of clandestine and irregular procedures and, as their sequels, the kidnappings, summary executions, tortures, lootings and oppression; and an improvement of life conditions in jails.

Anyway, the number of testimonies regarding human rights violations that the Commission will find in Argentina - added to the thousands of condemnations received at its headquarters - will be innumerable. This accounts for the resistance and delays of the Argentine Government. It should also not be discarded that the Government may find pretexts for hindering them at the last moment or may try to limit its attributes, invoking sovereignty, security and other reasons.

- Political proposals. Several newspapers - specially "Clarín" (10/15/78 and 10/27/78) - have published the text of the three Armed Forces' political proposals and of a new one ascribed to the Buenos Aires Provincial Government, with the participation of its state prosecutor, Dr. Alberto Rodriguez Varela, a National Justice Minister candidate.

The three proposals of the Armed Forces are characterized by their rhetorical and general verbosity, with neither concretions nor realistic and relevant initiatives. All of them coincide in a gradual process, with a slow transference of power from the military to civilians, but withholding the former a rigid control. No deadlines are set out. The establishment of a kind of military or civic-military party is proposed - called the M.O.N. (Movimiento de Opinión Nacional)-that would inherit the present regime.

These proposals need to be scrutinized and transformed into a sole plan that will be made known to the public.

Though a future democratic system and the rule of law is referred to - specially in the Army and Navy proposals - no immediate and concrete measures are mentioned in order to pursue those goals and less to guarantee the enforcement of human rights, as suggested by the Permanent Assembly for Human Rights in its communiqué to President Videla of September 7, 1978.

Of the three proposals, that of the Air Force is the most outstanding, for it denies the republican and democratic principles on which the 1853 National Constitution is based upon, upheld - at least as long-term objectives - by the other forces. The Air Force sustains that the Armed Forces' political proposal should be consulted with no one - since by doing so they would be admitting the "representativity" of those consulted - nor be submitted to a plebiscite. This would signify - continues the document - the recognition that sovereignty originates



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from the people, qualified as a "political myth". It also suggests the dissolution of the actual political parties plus the prohibition of the diffusion and teaching of certain ideologies.

None of the propositions are feasible nor are they capable of acquiring popular consensus. That of the Air Force is particularly utopic and pseudo-doctrinary. The influence of Maurrasian and Fascist ideologies are noticed throughout the document, as that of Jordán Bruno Genta.

With reference to the so-called Buenos Aires Provincial Government's proposal, it has been vigorously disproved by such an authority. In fact, it was not that government's proposal. The document mentioned was elaborated by provincial state prosecutor and National Justice Minister candidate, Alberto Rodriguez Varela, for the Planning Ministry during the incumbency of General Diaz Bessone and typed on paper with the Provincial letter-head.

The cited proposition is likewise utopic, almost childish. A mixture of a badly focussed Maurras, Hispanic Franquismo and military authoritarianism.

- Cabinet changes.- Its relation to human rights.- The long and arduous process of Cabinet modifications initiated by General Videla when confirmed in the Presidency as a retired lieutenant general on August 1 - and that is concluding at the end of October - has evidenced the following concerning human rights: (a) General Videla's attributions, limited by the military feudalism during his simultaneous mandate as Commander in Chief of the Army, have been reduced to ridiculous proportions. The Military Junta, being the Chief of State, withholds power but does not govern. Neither does Videla. Thus, a total governmental paralysis exists. The real strings of power lay in the hands of Economy Minister Martinez de Hoz - whose policies are, at this moment, repudiated by all productive and working-class segments of society - and in the repressive apparatus. Nothing else counts; (b) No one bets on General Videla remaining in charge; (c) The inopportune exit of Foreign Relations Minister Montes, with the Navy's support, in the midst of conflicts with neighboring countries and general deterioration of foreign policy, is a sign of the internal tensions and the beginning of an inevitable desintegration of the regime; (d) The Armed Forces, security organisms and even the Judiciary attempt to elude responsibility for the human rights violations caused by repression. But no one has the authority to stop them nor to decide that the people be informed regarding "disappeared" individuals.

- The conflict with Chile and human rights.- The conflict with Chile is provoking a series of violatory measures concerning human rights. Numerous Chilean citizens residing in Patagonia and Cuyo have been victims of discrimination and all sorts of abuses. They are expelled if they lack documentation, sometimes separating families. They are excluded from the possibility of acquiring or renting housing, of using hospital facilities, etc.. Against such an attitude, the energetic voice of Neuquén bishop Monsignor Jaime de Nevaes has risen.

Furthermore, the pre-war situation serves as a pretext to clamp down even more on the press, prohibiting news items and commentaries that are considered as possibly affecting national security. To this must be added the systematic use of T.V. and radio in creating a favorable public attitude towards the initiation of military actions.

- Appearance of newspaperman Enrique Esteban.- The Commander of the 5th Army Corps - headquartered in Bahía Blanca - General Vaquero, announced that his military unit, alerted by a phone call, found newspaperman Enrique Esteban handcuffed and muzzled in a car trunk. Originally from the city of Neuquén, he had been kidnapped three months earlier. As it is known, Mr. Esteban was a "Clarín" newspaper correspondent in that Patagonic city.

Oddly enough, Mr. Esteban - instead of being released - has been detained and is actually held incommunicado under military authority. He is accused of having provided lodging to a suspected subversive.

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Even when Mr. Esteban's appearance is encouraging, it seems quite clear that the supposedly "finding" - as the case of former Senator Solari Yrigoyen in the same area many months ago - is nothing more than a dirty trick to "whitewash" one of so many illegal detentions.

- Declarations of Minister Martinez de Hoz.- Economy Minister, Dr. Martinez de Hoz - whose weight within the Government is ever more important, in spite of generalized dissatisfaction with the results of his policies -, has made some significant declarations in Los Angeles, California related to the human rights issue. In fact, during a preliminary meeting of a conference given at the Council of World Affairs, held at the Baltimore Hotel of that city, he said the following: "We have used with ~~the~~ terrorists the same drastic measures that they employed" ("La Prensa", Buenos Aires, 9/21/78). Evidently, "el pez por la boca muere". And there is no need for evidence when a defendant confesses.

The aforesaid manifestations clearly show the complicity of the civilian functionaries that collaborate with the Government in repressive measures infringing human rights and State terrorism. And the necessary correlation between Martinez de Hoz's economic policies and indiscriminate repression.

- Declarations made by General Harguindeguy.- General Harguindeguy, Minister of the Interior, confirmed in his post by General Videla, made a speech with clearly racist, anachronistic, and offensive overtones. This caused - as the sole reaction, in spite of supposedly press antiracism - a Buenos Aires Herald editorial (Buenos Aires, 9/24/78 and 9/28/78, "Whites Uber alles?"). Among other things, the Interior Minister stated that it was indispensable to maintain, at any cost, the primacy of the white race in Argentina, due to its well-known superiority... To achieve this goal it would be necessary to prevent the entrance of Orientals (Chinese, Japanese, Koreans) and mestizos, the latter from neighboring countries.

- Other official declarations.- Generals Chasseing and Ojeda - the former, Governor of Córdoba, and the latter, Federal Police Chief - have affirmed ("La Nación", 9/19/78) that having concluded the military phase of repression, it had to be pursued against the ideologists. They added that this struggle will last several years, further stating that the so-called "ideologists" are more dangerous than those carrying weapons.

- New declarations from General Videla.- The Argentine President, retired Lieutenant General Videla, has incorporated a new concept to his theme concerning repression and human rights. The truth is that, when meeting the Bolivian President on the border - on October 25, 1978 -, he was questioned by some newsmen. As they asked him if there could be an amnesty for political prisoners, General Videla insisted on his well-known thesis that there are no political prisoners in Argentina. For, he added, those detained are for subversive activities. (Obviously, this does not explain what qualification would be given to persons under arrest by an Executive Power decree or by a military authority that does not indicate any cause whatsoever; that are kept months and even years without any formal accusation; not being subject to due process and sometimes having never been interrogated).

However, since it is evident that a great number of persons arrested at the disposal of the Executive Power could never be suspected, for different reasons, of performing terrorist acts, President Videla stated that there were cases of physical and others of "mental" aggression - the latter more dangerous than the former. (newspapers of 10/26/78). The President did not explain what he meant by this rare expression, but he is clearly referring to citizens whose ideas are dangerous for the regime. In short, an acceptance of the existence of conscientious prisoners.

- Freedom of the press.- That in Argentina there is no freedom of speech and, therefore, of

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the press, is an undoubtable fact. This has also been the conclusion arrived at by the XVI Assembly of the Asociación de Entidades Periodísticas Argentinas (ADEPA) meeting in September at Iguazú. Following that gathering, the Inter-American Press Society (IPS) met in Miami, where a lapidary report was presented by a commission sent by that institution to investigate the Argentine situation referred to the matter. The representatives of most Argentine newspapers - subjected to the military regime, and some typically fascist like "La Nueva Provincia" of Bahía Blanca, represented at the meeting by its director, Mrs. Massot - got frightened by the conclusions and tried to limit its ripples, despite the judgement arrived at during the local meeting in Iguazú. For that reason, they refused the prize granted to jailed, disappeared and killed Argentine newsmen during the past two years (Their number ascends to 53).

On Newsman's Day, Rear Admiral Franco - the Presidential Press Secretary - asserted that in Argentina there existed freedom of speech, but that it was forbidden to publish anything that could favor subversion. As this concept, manipulated by the Government, is very ample and indefinite, one must conclude that such a liberty is nonexistent. Similar affirmations were pronounced by General Videla at the inauguration of the paper producing plant for newspapers, "Papel Prensa". On that occasion, the President said that he supported the freedom of the press, but warned that there were circumstances that made it necessary to hush.

Incidentally, it must be noted that the members of the Military Junta did not attend the inauguration, irritated by ADEPA's declaration that freedom of the press was not fully respected in the country. Furthermore, the afore-mentioned company was formed by Graiver and its stocks were acquired by the editorial enterprises of "La Nación", "Clarín" and "La Razón" newspapers. "Papel Prensa" continues to be an enterprise of State - Private ownership, with State capital stock. Naturally, its production costs are higher than the imported material. And all this is totally contradictory with the present economic policies sustained. It is likewise interesting to note that one of Graiver's figureheads and executer of "Papel Prensa" is Dr. Martinez Segovia, a cousin and business partner of Minister Martinez de Hoz.

Finally, it is important to transcribe two affirmations of "La Prensa" newspaper concerning this subject. The first one - found in an editorial of October 1, 1978 entitled "Journalism's Situation" - is the following: "The conclusion one arrives at after having stated the journalistic situation is not very comforting... The truth will not be known in our country, specially regarding the Government, until the freedom of the press is fully enforced". Likewise, columnist Manfred Schönfeld - in "La Prensa" of October 25, 1978 - commenting on the controversial UNESCO proposal concerning information agencies, says the following: "There is a news agency in Argentina that not only is State-owned, but also has a virtual monopolistic access to certain - not to say the most important - official sources... It could also be mentioned in Paris ... that thrifty Argentine governmental offices - related by murmured versions to this or that Armed Force - regularly sends on carefully anonymous paper, not information, but complete "editorials" to the editorial rooms of the country's newspapers. Pieces of work...we have seen literally reproduced by some colleagues".

- Moors Cabot Award for newsman Robert Cox, director of the "Buenos Aires Herald". - New York's Columbia University granted this year's Moors Cabot Award to outstanding hemispheric newsmen. Among others to Robert Cox, director of Buenos Aires' English language daily, the "Buenos Aires Herald". Mr. Cox was given such a distinction, handed to him on October 24 in New York, "for his abnegated dedication to freedom to freedom of the press and human rights, for his determination in combatting injustice, the perils it represents for his newspaper and personal security notwithstanding". Elie Abel, dean of Columbia University's School of Journalism, described Buenos Aires Herald Editor Robert Cox as "the conscience" of Argentina and said that the newspaper is admired for publishing in English what others hush up in Spanish"... Dean Abel added that editor Cox, "continues doing what he must do: Publishing the ugly truth about events in Argentina when so many others lose heart, or back down" ("La Nación", 10/25/78

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and "Buenos Aires Herald", 10/25/78).

- Message in behalf of woman, child and family.- The Permanent Assembly for Human Rights published in newspapers "La Nación" (10/22/78) and "Clarín" (10/24/78) a paid advertisement, that occupies half a page of the former and a whole page of the latter, containing a message addressed to President Videla referred to woman, child and family.

This Message, which has had great repercussion, is signed not only by the leaders of the Permanent Assembly, but also by numerous personalities of all walks of Argentine life. The signatories reach 168. Among them figure Catholic Bishop Jaime de Nevares; Methodist Bishop Carlos F. Gattinoni; Catholic priests Carlos O'Leary, Enzo Giustozzi, Mario Leonfanti, Donaciano Gala, Miguel Egan, Mario Lobato, Patricio T. Hughes, Carlos Francescutti, Juan Ignacio Clarey, Jorge Contreras, Jorge A. Aguiar Martín, Angel O. Contreras, Pedro Sallaberremborde and Dionisio Doyle; pastors Ernesto Nielsen, Federico Pagura, Enrique Bösemberg, Aldo Etchegoyen, José Miguez Bonino, Néstor Miguez, Ricardo A. Couch, Federico Gerber, Pedro Lienenkamper, Samuel Acado, Raúl Glein, Harmuth Winkler, Horts Kilian and Raúl Sosa; presbyter Federico Richards; labor leader Juan José Taccone; political leaders Raúl Bustos Fierro (Peronist), Luis A. Caeiro (Unión Cívica Radical), Alicia Moreau de Justo (Confederación Socialista), Eduardo Pimentel, Guillermo Frugoni Rey and Augusto Conte Mac Donell (Federación Demócrata Cristiana), Raúl Alfonsín and Conrado Storani (Unión Cívica Radical), Oscar Alende and Susana Pérez Gallart (Partido Intransigente); rabbis Robert Graetz and Marshal Meyer; university professors Federico Westerkamp, Francisco Gneri, Luis Farré and Gregorio Klimosky; lawyers, impresarios, newsmen, etc..

The Message concerns the painful situation provoked by present circumstances to the family, specially women and children. "There are no less - it states - than a thousand detained women, many of them without being accused nor having undergone due process, and in many instances subjected to humiliating jail treatment... Having at least the same amount of 'disappeared', not having their relatives been able - up to this moment - to obtain information as to their whereabouts... Most cases deal with young women, having been separated from infants and even pregnant, whose children, born in jail or unknown places, have on certain occasions been handed to grandparents or other relatives. But in other cases nothing is known about these babies and their relatives ask if they have been brought into life, died, or share their mother's fate... The country's future cries out for the lips of those infants that will be nurtured with fear, resentment and hatred from their cradle... To this specter must be added the anguish of thousands of mothers, wives, sons, whose loved ones have "disappeared"... There is no reason that could possibly justify before human conscience or history the lingering on of such situations... The solution to the drama we have displayed - concludes the pathetic Message - and the amelioration of its serious consequences for the future, will be the best homage to the sublime dignity of the Argentine woman, child and family".

- Repression during Mass.- On occasion of a scheduled Mass for Saturday, October 14, at María Auxiliadora Church, petitioned by relatives of detained and "disappeared" persons in Rosario, Santa Fé Province, an unusual sort of aggression took place. First of all, a bus leaving at dawn for that Mass from the city of Santa Fé with relatives of those victims, was detained by the police and was hindered from continuing its journey. Finally, before the religious ceremony began, a group of machine-gun-armed plainclothesmen entered the Church, threatening the priest and persons assembled.

This aggression took place before the full view of uniformed policemen and caused the suspension of the Mass. Rosario Bishop, Monsignor Bolatti, has said nothing, in spite of this clear attack on religious freedom, defended by Pope John Paul II in his first speeches and homilies.

- Declarations of United States Ambassador to Buenos Aires, Raúl Castro.- U.S. Ambassador Castro attended the II Conference on Judiciary Reform held in Mar del Plata, with the participation of some American jurists.

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"La Prensa's" correspondent - in its October 14, 1978 edition - reproduces the following textual answer given by Mr. Castro to a newsman that questioned him concerning his Government and President Carter's position regarding human rights: "You are very obstinate. Frankly, the matter of human rights is of no interest to me whatsoever. What interests me is that I arrived to this country almost a year ago and they received me with open arms. And that I ate hearty 'asados' (Argentine barbecue) with good wine. That I put on 16 pounds. I speak the same language and hey, I am".

Both in the U.S. and Argentina observers ask themselves if Mr. Castro's answer clearly reflects the U.S. Government and President Carter's preoccupation concerning human rights.

- Italian Ambassador Enrico Carrara.- On the other hand, Ambassador Enrico Carrara of Italy - whose departure has been repeatedly announced but not accomplished - affirmed before newsmen during a trip to the interior of the country, in Córdoba, that the Argentine Government has satisfied his country's complaints referred to detained and "disappeared" Italian citizens.

Such a statement sharply contrasts with the actual hundreds of imprisoned and "disappeared" Italians and with the preoccupation shown towards them by the Italian Government and political parties, President Pertini, Prime Minister Andreotti and the rest of the Italian Embassy and Consulate functionaries in Buenos Aires.

- Affirmations made by columnist Manfred Schönfeld in "La Prensa".- "La Prensa" columnist Manfred Schönfeld, known for his anti-Communist and anti-Peronist militancy as for his support of the military regime, wrote the following comment regarding the incident suffered by Dr. Leopoldo Bianchi and ten Córdoba lawyers, referred to at the beginning of this BULLETIN: "There are times to make war and times to mitigate the evil caused by war. There is a season to inquire into the necessity or not of the continuance of certain features that disqualify a strategy or tactical planning of this or that nature, adopted at this or that moment and under the reign of circumstances of this or that type... In the end, there is a moment when it is necessary to 'dar la cara por el país' ('face it for the country's sake') in foreign lands and another in which the authorities must venture to do likewise, that is to say, 'face it', but in a completely opposite direction, facing the country... Undoubtedly, the time has come to review the fighting methods used by the Government... What occurred last week with a distinguished surgeon, Dr. Lepanto Bianchi, in the Capital, in broad-daylight and in the middle of the hall of one of our best known hospitals, is proof that these aspects continue to have an intolerable validity in our country. If the afore-mentioned physician was suspected of some kind of subversive activity - or of a linkage with those dedicated to such activities - the law enforcers, military or police, were in their right to detain him... However, it was not necessary to take that kind of measure concerning a merely believed suspect, with high-ranking professional records, recovering from a recent illness, in a primitive fashion as, according to undisputed testimonies, was carried out. Furthermore, there was no need to hide behind forged credentials and fake names. It is time, as we have said, to 'face it' and the country's public opinion, if the objective is for the country to continue supporting the struggle against terrorism... An authority that acts deceitfully runs the risk of losing precisely what it incarnates: that is, authority, but moral authority... The same must be said about the incident that occurred around the same date in Córdoba, where units finally admitting to belong to the Army, faked being police officers while arresting a group of persons, apparently also suspects... It could be stated that without an indispensable degree of such abuses, wars are not won... Once again, we agree... But it is already time to lay aside certain measures that were necessary until recently and that are no more, at least in the same quantum" ("La Prensa", September 26, 1978).

- Judicial action against a newspaper.- The Córdoba Provincial Government, through a decree, has ordered judicial action against "La Voz del Interior" newspaper, due to an article in

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which this daily criticized the inactivity of the Provincial Housing Institute. It is, as can be seen, a renewed attack against freedom of the press, by even trying to hinder criticism against administrative deficiencies of lower-ranking governmental departments ("La Prensa", 10/28/78).

- Paid advertisement for Mother's Day.- On occasion of Mother's Day (10/15/78), the nucleus that assembles relatives of political detainees and "disappeared" individuals, published a pathetic paid advertisement in the October 13 newspapers. "With great anguish - it states - for the absence of our children from the family table, we ask THAT THE DISAPPEARED APPEAR; that those detained without motive nor due process be released and that those wishing to leave the country may be permitted to do so; that those detained and charged be judged according to the Constitution and the laws; and that repressive measures cease immediately".

- Presentation in favor of Jacobo Timmerman.- It is well known that Mr. Jacobo Timmerman, owner and director of "La Opinión" newspaper, remains under house arrest, after having been absolved by a military tribunal and the Supreme Court ordered his release for not finding justifiable his arrest according to the norms of the state of siege. This Court pronouncement, however, is pharisaical, for it does not judge the decision of the Military Junta in submitting Timmerman to Constitutional Act number 5, by which he is still under arrest, in spite of not knowing the reasons for such a decision. As a consequence of this situation, Mr. Timmerman's wife has initiated new legal action before Judge Giletta, petitioning that the restrictions on his freedom be lifted.

- International Cancer Congress.- As a result of the International Cancer Congress - that took place in Buenos Aires during the first week of October - a group of participant doctors and investigators addressed the Argentine authorities, expressing their preoccupation for the constant violation of human rights in the country, as for the detention and disappearance of 189 members of the medical - scientific community. The document is signed by 35 scientists from different countries. Some of them interviewed Presidential aides and functionaries of the Foreign Relations Ministry.

The delegates to the Congress contacted the Permanent Assembly for Human Rights and relatives of disappeared and detained scientists, on two occasions also participating in the pacific demonstrations that are held on Thursdays, at 3:30 P.M., in Plaza de Mayo - facing the Government House -, by mothers of those victims of repression.

Incidentally, it must be noted that this weekly reunion congregates an ever more numerous quantity of mothers, that by this channel defy repression, which has cost the life of several among them.

- Declarations made by Christian Democratic leaders.- Twenty-four Christian Democratic leaders - now unified in a Federation - have published a declaration concerning the country's situation, dated October 3, 1978.

With reference to human rights, the cited declaration expresses the following: "We are not satisfied with the actual state of affairs... that does not find an institutional solution so as to encourage expectations for the full reestablishment of popular sovereignty... Deep rectifications are needed, in order to fully assure personal security and the enforcement of the fundamental rights... We believe that all sorts of illegitimate violence, without any distinction whatsoever as to its origin, affects the fundamental rights of man. The brutal terrorist transgressions we have witnessed hurt our Christian consciences. But these are also affected by the numerous and unexplainable "disappearances" of persons that have been denounced; the possible excesses in repression alluded to in official declarations and the prolonged detention of citizens without due process... As Argentiniens, we regret the many-times tendencious