

HUMAN RIGHTS IN ARGENTINA

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HEARINGS
BEFORE THE
SUBCOMMITTEE ON
INTERNATIONAL ORGANIZATIONS
OF THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
NINETY-FOURTH CONGRESS
SECOND SESSION

SEPTEMBER 28 AND 29, 1976

Printed for the use of the Committee on International Relations



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1976

78-596

For sale by the Superintendent of Documents, U.S. Government Printing Office
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There is a minimum charge of \$1.00 for each mail order

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- International Protection of Human Rights: The Work of International Organizations and the Role of U.S. Foreign Policy.** August 1; September 13, 19, 20, 27; October 3, 4, 10, 11, 16, 18, 24, 25; November 1; December 7, 1973.¹ (Hearings before the Subcommittee on International Organizations and Movements.)
- Human Rights in Chile (Part 1).** December 9, 1973; May 7, 23; June 11, 12, and 18, 1974.² (Joint hearings by the Subcommittee on International Organizations and Movements and the Subcommittee on Inter-American Affairs.)
- Treatment of Israeli POW's in Syria and Their Status Under the Geneva Convention.** February 26, 1974.⁴ (Hearing before the Subcommittee on International Organizations and Movements and the full committee.)
- Problems of Protecting Civilians Under International Law in the Middle East Conflict.** April 4, 1974.⁴ (Hearing before the Subcommittee on International Organizations and Movements.)
- Human Rights in Africa: Report by the International Commission of Jurists.** June 13, 1974.⁴ (Hearing before the Subcommittee on International Organizations and Movements.)
- Review of the U.N. Commission on Human Rights.** June 18 and 20, 1974.² (Hearings before the Subcommittee on International Organizations and Movements.)
- Soviet Union: Human Rights and Détente.** July 17 and 25, 1974.⁴ (Joint hearings by the Subcommittee on Europe and the Subcommittee on International Organizations and Movements.)
- Torture and Oppression in Brazil.** December 11, 1974.³ (Hearing before the Subcommittee on International Organizations.)
- Human Rights in South Korea and the Philippines: Implications for U.S. Policy.** May 20, 22; June 3, 5, 10, 12, 17, 24, 1975.¹ (Hearing before the Subcommittee on International Organizations and Movements.)
- Human Rights in Chile (Part 2).** November 19, 1974.² (Joint hearing by the Subcommittee on Inter-American Affairs and the Subcommittee on International Organizations and Movements.)
- Human Rights in South Korea: Implications for U.S. Policy.** July 31, August 5, December 20, 1974.³ (Joint hearings by the Subcommittee on Asian and Pacific Affairs and the Subcommittee on International Organizations and Movements.)
- Human Rights in Haiti.** November 18, 1975.² (Hearing before the Subcommittee on International Organizations.)
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- Psychiatric Abuse of Political Prisoners in the Soviet Union: Testimony by Leonid Plyushch.** March 30, 1976.² (Hearings before the Subcommittee on International Organizations.)
- Human Rights in Indonesia and the Philippines.** December 18 and May 3, 1976.² (Hearings before the Subcommittee on International Organizations.)
- Anti-Semitism and Reprisals Against Jewish Emigration in the Soviet Union.** May 27, 1976.² (Hearing before the Subcommittee on International Organizations.)

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Human Rights in the Philippines: Report by Amnesty International. September 15, 1976.² (Hearing before the Subcommittee on International Organizations.)

Human Rights Issues at the Sixth Regular Session of the Organization of American States General Assembly. August 10, 1976.² (Hearing before the Subcommittee on International Organizations.)

Religious Persecution in the Soviet Union. June 24 and 30, 1976.² (Joint hearings before the Subcommittee on International Political and Military Affairs and the Subcommittee on International Organizations.)

Human Rights in Iran. August 3 and September 8, 1976.³ (Hearings before the Subcommittee on International Organizations.)

Human Rights in Nicaragua, Guatemala, and El Salvador. June 8 and 9, 1976.² (Hearings before the Subcommittee on International Organizations.)

Human Rights in India. June 23, 28, and 29, and September 16 and 23, 1976.² (Hearings before the Subcommittee on International Organizations.)

Namibia: The United Nations and U.S. Policy. August 24 and 27, 1976.² (Hearings before the Subcommittee on International Organizations.)

¹ Document only available from Government Printing Office.

² Document available from Government Printing Office, or from International Relations Committee.

³ Document available from the International Relations Committee only.

⁴ Not available.

HUMAN RIGHTS IN ARGENTINA

TUESDAY, SEPTEMBER 28, 1976

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS,
Washington, D.C.

The subcommittee met at 2:15 p.m. in room 2172, Rayburn House Office Building, Hon. Donald M. Fraser (chairman of the subcommittee) presiding.

Mr. FRASER. The subcommittee will come to order.

Today, the subcommittee begins a series of hearings on the situation in Argentina. The second hearing will take place on Wednesday, September 29, at 2 p.m. in room 2255 in the Rayburn Building.

The subcommittee is holding these hearings in view of the appalling level of violence existing in Argentina. When General Videla assumed power in March of this year, he had promised to respect human rights and to stop the wave of kidnappings and assassinations committed by both rightwing and leftwing terrorist organizations.

Despite General Videla's good intentions, the violence continues unabated. I abhor the violence that has been committed by both rightwing and leftwing elements in Argentina.

Serious allegations have been raised, however, that certain elements within the government have either been directly engaged in such violence or have had knowledge of the perpetrators of such violence and have not sought to prevent the violence, or punish the perpetrators.

Our subcommittee is interested in finding out more about the situation in Argentina for the purpose of determining the application of section 402(b) of the Foreign Assistance Act. This provision requires the prohibition of security assistance to any government which engages in a consistent pattern of gross violations of internationally recognized human rights.

Pursuant to that provision, the Committee on International Relations is requesting the Department of State to make a full report on the status of human rights in Argentina.

The situation of political refugees in Argentina is also of special concern to the subcommittee.

Congressman Edward Koch and Senator Edward Kennedy and I, along with other Members of Congress, have urged the Attorney General to establish a parole program for the refugees.

The State Department has recommended such a program.

Tomorrow, the subcommittee will receive testimony from the Commissioner of Immigration and Naturalization Service of the Department of Justice to learn about the status of that program.

Today, the subcommittee has three highly qualified witnesses to speak about the situation in Argentina on the basis of varied experiences and perspectives.

Father James Weeks is a member of the La Sallette Mission Society and lived in Argentina for 11 years until he was recently expelled.

Burton S. Levinson is chairman of the Latin American Affairs Committee, the Anti-Defamation League of B'nai B'rith.

Gustavo Roca is an Argentina national who left his country in July of this year. He is a member of the Argentine Commission on Human Rights which is a nongovernmental organization with membership both in Argentina and abroad.

I want to extend my personal welcome to the witnesses, and Father Weeks, we have you first on the list, and if you are prepared to proceed, then why don't you go ahead.

STATEMENT OF FATHER JAMES WEEKS, LA SALLETTE MISSION SOCIETY

Father WEEKS. My name is James Weeks. I am an American born priest who has been working in Argentina for the past 11 years, 8 of which were spent in the city of Cordoba. I was until recently living in a small house in Cordoba together with five seminarians, four of whom are Argentine and one is Chilean. My role in the house was director of religious formation for these young men. Our ministry involved actively working with the poor in the formation of Christian communities and helping people improve their lives. We were doing this in some of the poorest neighborhoods of the city.

On the afternoon of August 3, eight armed men broke into our house, claiming to be police, but dressed as civilians. From about 5 p.m. until about 10:30 p.m. they proceeded to harass and threaten us with torture and death. They also ransacked and broke-up our house, robbed us, tied us up in a most inhuman way—our hands behind our backs and then tied to our feet—blindfolded and even gagged and beat some of the seminarians. They presented no search warrant.

From their conversation, I could tell they were looking for arms and "subversive" literature. The way they were tearing things apart, I thought for sure they were going to kill us. All that I could think of was the three priests and two seminarians who had been murdered in their beds a few weeks before, and suppose, without understanding why, that our fate was to be the same.

They shouted continuously at us. When they learned that I was a U.S. citizen, one minute they accused me of working with the CIA, the next minute they accused me of being a leftist subversive.

At one point they threatened to kill me and went through the motions of beating me with their guns to scare me, if I didn't tell them where I kept our U.S. dollars.

When I finally convinced them I did not have any U.S. currency they demanded all the Argentine money I had in my pocket.

At the time of the break-in, besides the five seminarians and I, there was a visitor and an old caretaker in the house with us. At about 11 o'clock they took the five seminarians and I to the Central Police Station leaving the other two people behind, telling them twice at machinegun point to wait 3 hours before leaving and later

to tell the press that they were "Montoneros," that is, members of a leftist, revolutionary group. They said this to make it appear that we were victims of a leftist organization, while all along we were, in fact, victims of police repression.

They held us blindfolded in the central police station for 3½ days where we were interrogated by both the military and the police. We were then moved to a second jail where we were first stripped naked and then locked up together with more than a hundred political prisoners. It was there that we first learned about the death of Bishop Enrique Angelelli, who supposedly was killed in an automobile accident. Bishop Angelelli, was one of the most progressive members of the Argentinian hierarchy who had been persecuted in one form or another for several years for his work with the poor of his diocese.

Almost immediately we were taken from that second jail to yet another jail to await trial. After an additional 10½ days of being held incommunicado I was released. But the seminarians, all except one, remain in jail, in spite of pressures by the church and people in the U.S. Government to have them released.

The search for arms and subversive literature was a pretext for cutting off those of us who are working with the poor sectors of the population. It seems as though the prevailing attitude among the present military regime is that anyone working with the poor is a Communist.

The U.S. Embassy in Buenos Aires because of pressure coming from many people, institutions, Congressmen and Senators, expedited my release and return to the United States and I am truly grateful. But I am saddened by the desperation of so many others who have no powerful advocates.

It is a persecution of the whole church, not only of the more progressive members of the hierarchy but also of the most committed Christian laypeople. A clash was inevitable and now is happening, murder, torture, et cetera, that is tolerated and in some cases even perpetrated by the Government.

To my knowledge most of these atrocities are carried out by right-wing extremist groups made up of police and paramilitary personnel. The reporting of these cases to the police is of no consequence. None of these cases are ever investigated nor is anyone punished.

The same point was strongly underscored by the Argentine bishops in their July meeting with General Videla following the killing of the three priests and two seminarians at the Church of San Patricio in Buenos Aires.

In our own parish, for example, our cook's son, the seminary cook's brother, the man who delivers the newspaper, a high school boy, and several factory workers all have been snatched from their homes, as we were, and have been missing for months; no one knows where they are or whether they are dead or alive. Practically everyone you talk to has a relative or friend who has disappeared under similar circumstances.

The response of the church and other institutions has at times been ambiguous, because of intimidation or severe repression by the police and paramilitary groups. Many lawyers, for example, who have attempted to defend prisoners have themselves been jailed—clergy who speak out have been threatened, jailed, and killed.

A few weeks ago in response to a rumor that there was going to be a demonstration on the part of the people of Cordoba protesting current

violations of human rights, 15 were found dead on the morning of the demonstration. So you see, fear and intimidation are the order of the day.

Right now, my major concern is about the safety and release of the five seminarians whom I painfully had to leave behind. They are wonderful young men in their early 20's, whose only crime was their desire to serve God and their fellowman, especially the poorest and most abandoned. Their personal lifestyle has always been an inspiration to me.

In an age when so many youth are selfish, and fall victim to the drug and sex cultures, their only interests were to serve, to be poor with the poor, to suffer in their own lives what poor people have to suffer and to live the gospel in all its dimensions.

Each was engaged in a constant revision of his own lifestyle seeking to become more faithful to gospel values. My experiences, and those of the seminarians with me, are not to be considered isolated cases of injustice and mistreatment. I have had the opportunity to speak with many people who have undergone similar and even more reprehensible violations of human rights.

I would like to detail just one of these cases for you as kind of representative of them all. I emphasize that I spoke personally to these persons and the testimony given is testimony I heard from their own lips.

A few months ago, very early in the morning, my husband and I were awakened by someone pounding on the outside door of the apartment building in which we were living.

The next thing we heard were footsteps coming toward our own apartment and then the bell rang. When my husband asked who it was, a voice outside shouted: "The Joint Armed Forces, sir, Army, Navy and Air Force." A bit taken aback, my husband opened the door and five men, armed with machine guns and switchblade knives, rushed him and fell upon him. To my horror, some of them began to beat him while others opened our closets, cabinets and drawers and threw everything on the floor, breaking many things in the process.

Those who attacked my husband appeared to be savages. After beating him ferociously with their fists, they dragged him to the bed and began to beat him with a wet towel, all the while threatening him with death as they questioned him about his political beliefs.

They insisted that he had leftist leanings and began to ask him about people and things he knew nothing about. He could not give them the information they were looking for. So they grabbed me and told him if he did not talk, they would kill me.

My poor husband was horrified and began to cry and beg them to spare my life. "How can I tell you what you want to know," he insisted, "when I do not even know what you are talking about." After some time of trying to convince them in a similar vein, they obviously believed him, because they let me go.

At this point they tied his hands behind his back and took him away. When they came back a few minutes later, they continued to ransack the house and rob anything of value. They then threatened to kill me because I could not find my identification documents. They were somewhere buried beneath all the debris. In Argentina, to go out without your legal I.D. documents is a serious offense and one can be jailed for it.

Finally, they took me out and put me in a truck. Other prisoners were already in it, but my husband was not one of them. On the way to the prison, they again threatened me with torture and death if I did not confess to leftist political beliefs. They told me not to act so innocent because they had followed me. I told them that if that was so, then they should know that I am innocent and that I did not know anything about politics.

Then they began to ask me about our sex life.

They made me lie down on the floor of the car and covered my head so I could not see where we were going. As I put my head down, I noted grenades on the

floor. Before I forget, when they took me out of our apartment, they had discussed setting fire to it, but decided not to because it was not our property and because it was an apartment building with many other tenants.

While I was lying on the floor, they started the siren and the man who sat next to me, apparently the commander of the group whom they called "Captain," pet me on the back. When we finally reached our destination, the Captain waited for the rest to get out and then he propositioned me. They then hand-cuffed and blind-folded me and robbed my wedding ring. I was then taken to a building where I heard my husband's voice for the first time since we were separated.

When he heard mine, he called me by name, so they hit him and told him it was forbidden to talk. Immediately afterwards they brought him into the next room and began to torture him. His screams of despair reached my ears mingled with the laughs of these monsters. One of them hit me on the head and told me that I would be sure to confess when my turn came. A little later, however, the "Captain" came in and told them not to harm me because it was obvious that I did not know anything about politics.

Nevertheless, when they took me out for questioning, another man told me that until then they had treated me like a lady, but that they were going to ask me some questions and depending on the answers I gave, they might begin to treat me like an animal. Through my whole interrogation I had to listen to the screams of pain of my husband being tortured.

Among these men were several who were called captain and several who were called lieutenant. The doctor who examined us every day was said to be a Colonel in the Army, and the rest addressed each other with numbers and nicknames.

Also among the prisoners there was an Uruguayan couple. According to our kidnapers, the man was wanted by Uruguayan justice. He was also tortured barbariously. There was also a couple with their three small children who were brought in by mistake, but in spite of that, they were detained for a week. Their oldest children were about 3 and 4 years old and the baby but a few months old.

There was a French woman who was also tortured and an old man who had gone insane because of his detention. Finally, there was a mother of four children, one of whom she was still nursing, but who was not with her.

The food was so bad that during my short detention I lost about 15 pounds. My husband was tortured brutally and savagely every day. According to the doctor, his bronchial and genital area were affected. They tortured him with electric shocks and water and hit him with clubs. His chest and abdomen were filled with burns, his mouth all swollen up, and his genital area infected. When he begged them to take him to the bathroom, they often made him wait for a half hour. When they brought him back from torture sessions, they threw him violently on the floor.

The torturers would gloat and complain about the high cost of the batteries they needed for their torture equipment. During the whole time they only allowed him to wash himself once. Whenever I went to the toilet or washed myself, there was always a guard with me who watched me. Practically the whole time I was there, except for a few hours during the night, the radio was blasting loudly, and they turned it up full volume when they took someone out to torture him.

When these men came near to me after torturing someone, they had the odor of burnt flesh about them. The head torturer told me that he had previously worked in Algiers and that he had a Nazi Ideology. The rest also seemed to have Nazi ideas. They insulted the Uruguayan man because his mother was a Jewish woman. "How could you marry such a filthy pig?" they asked his wife.

Because they realized that I knew little or nothing about politics they treated me a little better than the rest. While everyone else spent the night on the cold floor, sometimes with, sometimes without a blanket, they gave me a beach chair to sleep on.

They also began to indoctrinate me with their political beliefs. For this reason I learned something about their personal lives. They complained about the salaries, even though they were making four to five times that of ordinary workers. I also learned that an Uruguayan captain worked with them and that there was a psychologist whose job was to psychologically destroy the persons who were tortured.

Finally I want to make it clear that when they finished with my husband, they left not a man, but only the shell of what he was, almost like a little child who cried and begged for relief from torture, pleading with his torturers to believe that he did not know anything about what they wanted him to confess.

When they asked us about our religion they did not want to accept that we were Catholics. We evidently did not fit their definition of what a Catholic should be.

At night, the head torturer came to make jokes about the tortures he would carry out on the following day. One night, he said that they should prepare well for the next day because this night he was reading a book on Chinese torture.

Finally, they took all of our pictures, front and profile, holding a number in our hands. As a background for these photos, there was a large poster of Che Guevara. That way, they produced their own "documentation" of our leftist persuasion. I understand that that is the customary procedure with all prisoners to be released.

That same night, they took me to another room where they told me that they were going to release me. They said that I was to do nothing to help my husband, not even get him a lawyer. I was also forbidden to see my mother-in-law and father-in-law for a week and afterwards as little as possible. I would be watched and followed constantly to see that I obeyed these instructions. If I did not, I would be killed.

They said that they had taken everything of value from my house, so I should call my mother for help. Afterwards they returned all my documents except for my I.D. card. I begged them to let me say good-bye to my husband. They said that usually this was not allowed but that they would make an exception. We said good-bye for a brief minute and I have not seen him since.

Since that time, I, my family and my husband's family have been followed continually and the habeas corpus that my husband's family requested has been returned with a negative response.

When I finally got home I found that indeed they had robbed us of everything of any value. What was left of old clothes and books were thrown all over the room. I also learned from a neighbor that the night of the kidnaping the police were called and came but they left after the kidnapers had identified themselves, admonishing the kidnapers not to hit my husband anymore.

Since all this has happened, my life has been a crucifixion. I am threatened with death, followed day and night, without power to help my husband and defenseless against these people who at any moment may kidnap and kill me.

In summary, from my own experience and that of others with whom I have personally spoken there appear to be certain common occurrences experienced by each of the victims throughout their ordeal:

First of all, all the kidnapers were identified by their captives as police or military men. They were specifically addressed as "Chief," "Captain," "Colonel," "Lieutenant," et cetera.

Second, although at times they identified themselves as police or military, they presented neither official identification nor search warrants.

Third, all the kidnap victims were taken to pre-detention centers, police stations or military headquarters.

Fourth, the kidnapers presented themselves as defenders of democracy and Catholicism.

Fifth, anyone who could think for him or herself or who had a university education was considered a threat.

Six, the conversations and behavior of the kidnapers betrayed their antisemitic and Nazi-type mentality.

Seven, all the kidnaped were accused of having leftist or Marxist leanings.

Eight, no formal legal charges were brought against the victims, all activity was extra-legal.

Nine, physical and mental torture.

Ten, use of psychiatrists and medical observers.

Eleven, the kidnapers often tried to make their activities appear to be actions of leftist organizations.

Most of these facts, as I say, are common to practically all documented cases and seem to point to a definite pattern or plan.

I have been happy to learn, since returning here, of the strong efforts made by several Members of Congress to insist on relating the ques-

tion of human rights to foreign assistance programs. Their efforts need to be encouraged and greatly strengthened. In the matter of U.S. military assistance, I can see no reason why the American people should be put in the position of having to pay for the horrible abuses committed by the military and police of these repressive governments.

Concerning refugees and people detained for their political beliefs, everyone knows that there are many thousands of such people in Argentina and elsewhere in Latin America. Their situation is desperate and, at the moment, seemingly hopeless. I understand that the State Department has recently recommended that a very small number of these be allowed into this country under the parole program. Although a hundred more detainees from Chile and another hundred refugees now in Argentina only scratches the surface, it seems to me most important to help at least that many escape from their present danger.

I would like permission from the Chair to submit additional documentation for the record. These materials refer to the case of Patricia Erb, an American girl who was kidnaped in Argentina on September 13, 1976.

Thank you, Mr. Chairman.

Mr. FRASER. Without objection, the material will be included in the record.¹

Thank you very much, Father Weeks.

Our second witness is Burton Levinson, chairman, Latin-American Affairs Committee of the Anti-Defamation League of B'nai B'rith.

Mr. Levinson.

STATEMENT OF BURTON S. LEVINSON, CHAIRMAN, LATIN AMERICAN AFFAIRS COMMITTEE, ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

Mr. LEVINSON. Thank you, Mr. Chairman.

Mr. Chairman, my name is Burton S. Levinson and I am the chairman of the Latin American Affairs Committee of the Anti-Defamation League of B'nai B'rith. I am accompanied by Rabbi Morton M. Rosenthal, the director of the league's Latin American Affairs Department. He is seated to my right.

The Anti-Defamation League was founded in 1913 as an official arm of B'nai B'rith, a service organization of Jews created in 1843, to advance good will and mutual understanding among people of all creeds and races, and specifically to combat anti-Semitism and anti-Jewish activities. Among its many activities directed to these ends, the ADL, through its Department of Latin American affairs, has maintained for more than a decade a continuing relationship with Latin American Jewish communities and with other organizations, Jewish and non-Jewish, which are interested in that region. As chairman of the ADL Latin American Affairs Committee, I have visited Argentina and other Latin American countries on various occasions.

We appreciate, Mr. Chairman, your invitation to appear before this body together with representatives of the Catholic community, to present our views on the human rights situation in Argentina, with particular reference to anti-Semitic activity. Our testimony is based

¹ See press release in appendixes, pp. 3 and 4, pp. 64 and 65.

upon the independent findings of the league, which routinely monitors anti-Semitic activity throughout the world. It is also based upon press and government reports reaching this country. Accepting without verifying on the ground the authenticity of the information, we nonetheless regard it as part of our responsibility to speak, even if unasked by Jews in Argentina, on the plight of Jews in that country.

Through historic experience, the world has learned that Jewish people often serve as a moral barometer, the status of Jewish reflecting the moral climate of the society in which they live. This is due to the fact that Jews are often the initial target chosen by destructive forces which ultimately endanger nations and world peace. We, therefore, understand the interest and concern of this committee, stimulated by the proliferation of Nazi literature and record levels of anti-Semitism during this period of great social and political turmoil in Argentina.

The number of Jews in Argentina has for long been estimated to be 500,000, but a recent demographic study indicates that the figure may be closer to 400,000. In either case, it is the largest Jewish community in Latin America and one of the largest centers of Jewish population in the world.

Argentine Jews enjoy full and equal rights of citizenship and have made significant contributions to their country's development, in all spheres of activity.

The amount of anti-Semitic activity to which the community is exposed fluctuates, with peak periods often coinciding with unstable political conditions. Thus, in 1966, subsequent to the military coup led by Gen. Juan Carlos Ongania, there was a sudden surge in anti-Semitism which produced feelings of uneasiness in the Jewish community. This was widely reported in the world press and was the subject of a study by the Anti-Defamation League.

A marked increase in anti-Semitic activity began about 18 months ago and it has remained at an unusually high level since. A report on anti-Semitism, published in Argentina in May 1975, said that the escalation of such activity in the preceding 2-month period had "exceeded all that previously known." In recent months it escalated again, as the cities were flooded with Nazi literature and the number of bombings and shootings directed against Jews grew more menacing.

Mr. Chairman, I offer at this time several documents which contain information on anti-Semitism in Argentina. They include a report on anti-Semitism in Argentina which has been compiled by the Anti-Defamation League from March 3, 1975, on through September 21, 1976.

Attached as well is an article on anti-Semitism in Argentina by Rabbi Rosenthal, whom I have introduced, and who is seated at my right, and as well as another article published under the copyright of the Jewish Telegraph Agency, "Argentina Called Center of Nazi Literature Distribution."¹

Mr. FRASER. We will include all of that in the record.

Mr. LEVINSON. Thank you very much.

I would like to point out please, Mr. Chairman, that these documents that will be incorporated indicate that there is an organized campaign designed to discredit and intimidate the Jews of Argentina.

¹ See appendix 1, p. 59.

A primary objective of the campaign is to persuade the Argentine public and officials in key sectors, such as the military forces and labor unions, that Jews are a threat to the economic, social, and political life of the country. To achieve this goal, a massive propaganda effort has been launched, utilizing all arms of the media.

To illustrate this point, there has been information recently published that there is an attempt, or a Jewish plot, to create a second Jewish state in Patagonia, the southern section of the country. In addition, there have been reprints of the infamous "Protocols of the Elders of Zion" which have been published and distributed in certain areas of Argentina.

There have been significant magazine articles published, such as those by the editors of *El Caudillo*, a well-known hate magazine which ceased publication in March 1975. They used the final edition to announce that its supporters will no longer devote their energies to denouncing Jews in print, but rather suggest that the time was right for more aggressive action.

Last month, Mr. Chairman, the Jewish quarter, "Barrio Once," was attacked. Unidentified thugs drove through this predominantly Jewish neighborhood and strafed Jewish-owned shops with machine-guns, placed bombs in synagogues and Jewish schools and cultural institutions. A group calling itself the Argentine National Socialist Front claimed responsibility for some of the attacks and declared, "Thus commences the war which will only end when the Jewish-Bolshevik plutocracy is exterminated."

During this period, we have also witnessed the disturbing proliferation of Nazi literature translated and published in Argentina.

The bombings and machinegun attacks have been apparently intended to intimidate the Jewish community and serve as a warning; although there has been considerable damage, there have not been any physical injuries.

Jews have, however, been among the victims of terrorism which has claimed more than 900 lives this year and are also among the many Argentine citizens who have disappeared. In some instances, there are indications that anti-Semitism was a factor in their murder or abduction, and certainly the testimony of Father Weeks would suggest that to be quite obvious now.

We would like to point out, Mr. Chairman, that there have been numerous newspapers in Argentina that have protested against this increasing violence. The two most prestigious newspapers in Buenos Aires, "La Prensa" and "La Nacion" have editorially condemned the Nazi activity in the country. The English-language "Buenos Aires Herald" in an editorial entitled "Shades of the Nazis?" warned that anti-Semitism in Argentina should arouse widespread concern. It is, they stated, "a threat to our way of life."

Argentina's leading Catholic publication also asked the Government to ban the Nazi books.

Spokesmen for the Argentine Jewish community organization that goes by the acronym DAIA, which is the representative body of Argentina Jewry, have met with the Minister of the Interior and the Chief of the Federal Police to express "the visible uneasiness generated within the Jewish community because of recent anti-Semitic attacks."

In a telegram to the police chief, DAIA requested that the authorities take effective measures to put an end to the racist violence.

The Anti-Defamation League had a cordial and constructive meeting on September 7 with the Argentine Ambassador to the United States to express concern about the proliferation of Nazi literature and the high level of anti-Semitism. We asked that the Argentine Government condemn anti-Semitism and prevent the distribution of such literature. The following week a decree was issued, closing Editorial Milicia, the principal source of Nazi books, and specifically banning six titles. The decree stated that the measure was invoked because the books generate reactions against certain sectors of the population and that their ideology is not compatible with the essential values of the Argentine nation.

We view that action as a significant first step in dealing with the problems of anti-Semitism. However, we are at the same time troubled by the partial nature of the decree, banning only six titles, but permitting the continuing circulation of others, published by the same firm, and containing the same message of hatred for Jews.

In view of the total ban on left-wing groups whose ideology is not compatible with the nation's goals, we would hope that the authorities would take equally effective measures to halt the campaign against Argentine Jewry, waged by extremists of the right. We look forward to vigorous Argentine Government action to put an end to this wave of anti-Jewish bigotry.

Our organization is acutely aware, given the history of the Jewish people, that there is a vital linkage between the rights of Jews and the rights of others. Throughout the 63 years of its history, the league has operated on the premise that if the rights of anyone are to be secure, the rights of all must be made secure. We are concerned for all, regardless of religion or nationality, when they are victims of kidnappings, terror, and murder.

Mr. Chairman, we also wish to state that we recognize the problems the Government of Argentina is confronting in its attempts to restore tranquility to a nation sorely beset by political strife and economic woes. We hope that Argentina will soon return to a tranquil state, in which the rights of all are respected, but we believe that this is possible only if the Government follows an even-handed policy in dealing with all extremists and those who incite group hatred.

Thank you.

Mr. FRASER. Thank you very much, Mr. Levinson.

We turn now to our third witness, Mr. Gustavo Roca, who is a member of the Argentine Commission on Human Rights.

STATEMENT OF GUSTAVO ROCA, MEMBER, ARGENTINE COMMISSION ON HUMAN RIGHTS ¹

Mr. ROCA. Mr. Chairman of the committee and other Congressmen: I have come here at the invitation of this committee to give my personal testament about the violations of human rights in my country. Nonetheless, for reasons of loyalty, I must first make a confession and an apology.

¹ Mr. Roca's statement and responses to questions were given through an interpreter who requested that his name be withheld.

Before coming here, I have had to overcome the reticence of all Argentinians who speak in other countries about the problems in their country; but I have overcome this reticence because the level of atrocities taking place in my country is such that there is no way that I could stop myself from speaking out publicly without defying my own conscience.

This is my confession, Mr. Chairman. And this is my apology. Unfortunately, I am not fluent in English and I cannot address you in your own language, so I must make recourse to the always difficult task of speaking through a translator. In addition, I received this invitation only quite recently and I have not had time to prepare a previous written statement.

I will begin now with my statement.

I am 52 years old. I was born in the Province of Cordoba in the center of my country.

For the past 30 years, I have actively and exclusively practiced as a lawyer, and I do not belong to any political party. I am, what you, the Americans, call an independent man.

I practice my profession in the city of Cordoba and the city of Buenos Aires. In both cities, I belong to law firms with other lawyers.

My office in Cordoba, which is in the center of town and is just two blocks from the main police station, was set on fire on Friday, April 16, a few days after the coup of March 24, 1976. At 11:30 pm. a large, armed group broke down the door into the offices, broke the things in the office and burned it down.

This group was identified by some neighbors, who saw what they did, as a group that was acting with official sanction. The owners of nearby buildings called the fire department. The fire department came and put out this first fire successfully. Three more times that same night and the next dawn the office was set on fire again with total impunity by these same people and later the next Sunday—that is, 2 days later—what had not been destroyed previously was burned.

All of our furniture, all of our machinery, all of our files, our books, our libraries, everything that is basic to our work was destroyed, not only our things but those of our clients. At the same time in Cordoba, my home, and those of the other members of this law firm were raided by uniformed, military regiments.

During the raids on these homes, lists of persons to be detained were shown and on these lists, among others, were the names of my wife and my sons. Among my sons was the name of one—and I know this sounds ridiculous and unbelievable—his name is Manuel, he is 12 years old. I assume they must have thought that he was more than 18 years old.

All of this meant that my family had to leave Cordoba secretly without letting everybody know about it, clandestinely, running certain risks with their lives.

Later, in the month of May 1976, the lawyers belonging to my law firm in Buenos Aires were kidnaped, among them Drs. Mario Hernandez, Roberto Sinigaglia, and Eduardo Sanjurjo. None of them have been seen again to this day.

The corresponding writs of habeas corpus have been filed, with a negative result. That is to say, all of the police and all of the military

of Buenos Aires have denied the kidnaping and detention of these three lawyers.

We are talking of three lawyers who had worked for a long time as lawyers, who had great prestige in my country and who were quite well-known there.

At the same time, in Cordoba, a member of my law firm there, Dr. Carlos Altamira was also kidnaped.

With regard to the case of Dr. Mario Hernandez, his family and other lawyers carried out a private investigation and, unfortunately, we have been able to prove that after being ferociously tortured he was murdered.

With regard to the other lawyers, we unfortunately presume that Dr. Sinigaglia and Sanjurjo have been killed. We have evidence that Dr. Altamira is alive and being held in a military prison in Cordoba.

For reasons of modesty, it is difficult for me and people like me to come speak of what is going on in my country, for what I am telling you, as horrible as it is—is but a tiny part of what is going on to thousands and thousands of people in my country. In spite of our problems, the pain and the problems of thousands and thousands of other Argentinians is much worse than that of us.

Our only crime, Mr. Chairman, has been for many years to carry out the task of defending human rights in Argentina and to have exercised our right as lawyers in the courts of our country to defend citizens persecuted for political, social or ideological reasons.

I would like to tell you now why the Argentine Committee for Human Rights was formed, and what it is: A group of men and women of the most various political persuasions concerned about the violation of human rights came together and agreed to put their energies to investigate and denounce these violations both inside and outside the country. As a result of these investigations we have been able to put out a first report, which is serious, responsible, legally formulated, and which has sufficient proof to show that in the Argentine Republic at this moment grave, massive, systematic, and persistent violations of human, civil, political, economic, and social rights are taking place. These rights, as we define them, can be found in the Universal Declaration of Human Rights in 1948 and in its additional protocols, just as it can be found in the National Constitution of Argentina and in the Constitution of the United States. However, I would like to make specific reference to the situation of lawyers in my country.

Since the assassination, on the streets, in July of 1974 of Dr. Rodolfo Ortega Peña, a member of the national congress until the present time, there have been dozens of lawyers imprisoned, tortured or disappeared. Dr. Ortega Peña himself was a distinguished lawyer, best known for his tireless work of defending political prisoners, and because that was the work he did, he was assassinated in the streets of Buenos Aires.

In the same period Dr. Alfredo Curuchet, Silvio Frondizi, and Felipe Rodriguez Araya were also assassinated.

Following March 24, 1976, far from stopping, cases such as these multiplied and extended. They multiplied qualitatively and quantitatively. In this way, Dr. Hugo Vaca Narvaja, the Minister of the Interior during the presidency of Dr. Frondizi was kidnaped from his home in Cordoba and has not been heard since. His entire family,

26 persons, his wife, his sons and his grandsons had to seek asylum in the Embassy of Mexico and are now in Mexico.

Later his son who has the same name, also a lawyer, and also defender of political prisoners was assassinated. He had been detained before March 24, 1976, by the executive branch without having any charge brought against him. He was found in the Cordoba penitentiary, and he was taken from there, supposedly to give a statement to a military court. The statement given by General Menendez of the Third Court of the Armed Forces indicates that the military taking him to the war council in from the penitentiary had an accident. A fire started, and Vaca Narvaja along with two other people, sought refuge behind two trees, and thus because he didn't give himself up, he was murdered.

These are not my words. These are the words of the commander of the Third Army Corps of Cordoba, General Menendez.

In Tucuman, another Province of Argentina, Gerardo Pisarelo, former provincial deputy and former member of the national congress for the Radical Party was kidnaped. Days later, his body was found in another province 100 kilometers away, riddled with bullets and showing signs of torture.

Dr. Pisarelo was also a lawyer who defended political prisoners and was a member of the centrist political party of my country, the Radical Party. Barely 2 months ago, Dr. Horacio Vivas also disappeared. He was a lawyer for the newspaper La Razon of Buenos Aires and he was kidnaped by a military regiment while he was eating lunch with his wife and small children in his own home.

Up until this moment, he has not reappeared.

In San Luis, another man was kidnaped. His dead body was also found, bullet-riddled: Dr. Rene Raimundo Bodo, a member of a centrist political party.

In the city of Buenos Aires, also kidnaped with his body never having been found was Dr. Rodolfo Paludi. Under same circumstances the following lawyers have also disappeared: Hector Sobel, Fernandez Blanco, Waismann, and quite recently Dr. Sergio Karakachoff and Dr. Alfredo Teruggi, both lawyers of the Radical Party, and this in the month of September of this year.

Other lawyers are presently being held prisoner in various prisons without having been charged with anything or having undergone any judicial process, but as distinct from the others, the armed forces admit holding them in prison. They are Drs. Luis Prol, Alberto Asberg, Eduardo Jozani, Ramon Torres Molina, Juan Penschansky, Hector Fidalgo, and others.

Also quite recently two former legislators, lawyers for political prisoners, were kidnaped: Mario Abel Amaya, a former national deputy; Hipolito Solari Irigoyen, a former national senator, both also members of the Radical Party.

Eight or 9 days after they disappeared they turned up in the south of Buenos Aires Province when they had been kidnaped in Trelew in the Patagonia of Argentina. Following public protests by the Radical Party, the two lawyers Amaya and Solari Irigoyen are being held in a prison in Bahia Blanca in the south of Buenos Aires Province. In their case also, there have been no charges brought against them.

Neither of them is undergoing any proceedings, either judicial or military.

Finally, to finish the subject of lawyers, Dr. Eduardo Duhalde, an associate and a friend of Ortego Peña to whose death I have already made reference, has been included in the Institutional Act, by whose virtue one is deprived of the rights of citizenship and one's arrest is ordered by decision of the military junta, along with 36 other Argentine citizens.

I should particularly like to point out that Dr. Duhalde had nothing to do with the previous government of Isabel Martinez, nor has he ever held a public post.

His inclusion in the Institutional Act is in response solely to the fact of his being a lawyer who defends political prisoners. This active, cruel, unrestricted campaign against lawyers is aimed at leaving all political prisoners totally undefended.

I could not tell you at this moment, Mr. Chairman—perhaps nobody could—what is the number of citizens of Argentina, Uruguay, Chile, and Paraguay who fill the civil and military jails of Argentina. Whatever number I might give would just be an approximation. Nonetheless, I can assure you that there are thousands of political prisoners who are not undergoing any proceedings, who are at the disposition of military authorities, and whose names and whose places of being held are absolutely unknown.

I could go on quite extensively, Mr. Chairman, to the point of using up all of your time and all of your patience recounting thousands and thousands of episodes of this sort. I might also go on telling you what it is that happens in the prisons of my country. I could give minuscule details with names and dates of the men and women tortured, humiliated, maltreated.

I could tell you of the cruelty of these tortures, of the incredible methods that are used, from the mutilation of fingers to being bitten by specially trained dogs; from being subjected to the cruelest and most inhumane beatings—and I could also mention all of the bodies which are found in the river mutilated, with unmistakable signs of torture. The Uruguayan press has given details of the condition in which 15 cadavers were found on the shores of the River Plata in Uruguay which truly frighten and horrify.

All of this data is included in this first report by the Commission on Human Rights, to which I made reference earlier.

I would like to leave in the hands of yourself, Mr. Chairman, and of your subcommittee, one copy of this document, and I prefer—and believe it would be easiest for you—to do this so you will have complete information, that you ask me whatever questions might occur to you over whatsoever phase of repression in Argentina: In the cultural sector, in the universities, insofar as families of political prisoners, insofar as the workers in union movements, insofar as political parties. In that way, with my own voice, I would give you elements with which to judge that Argentinians who are struggling for human rights have the duty of denouncing throughout the entire world, so that the entire world might be aware of the atrocities that the Argentina people are suffering at this moment.

I thank you, Mr. Chairman and members of the subcommittee for having listened to me, and I would also be grateful if you would allow me to answer any questions which you might wish to put to me.

Mr. FRASER. Thank you very much. That is a very helpful presentation.

Why were you not kidnaped?

Mr. ROCA. It was purely a matter of good luck.

Mr. FRASER. Where have you been living?

Mr. ROCA. In Europe.

Mr. FRASER. When did you leave Argentina?

Mr. ROCA. At the end of July of this year.

Mr. FRASER. You were able to leave with your family?

Mr. ROCA. No. My family left the country before I did. I would not have left the country if my family had not gotten out first, because I did not want them to run the risk I was running.

Mr. FRASER. Why do you think that the members of your firm were chosen for the kidnaping and so on?

Mr. ROCA. I believe that I have already said why, because we dedicated a large part of our time to defend political prisoners and human rights, and because in my country, this is one of the most serious crimes that one can commit.

We are not speaking only of suppressing human rights, but also of making sure that they cannot be defended.

At this moment, technical judicial projection of human rights of political prisoners is absolutely impossible. Those lawyers who are not dead or who have not disappeared are quite legitimately afraid to take any actions because of the quite legitimate fear they have of what would happen to them.

It is enough to say that repression against lawyers is carried out, despite their own private, political ideas. It ranges all the way from somebody with advanced ideas to a man with quite conservative ideas. I would like to clarify that the radical party, the Radical Civic Union, is a traditional democratic party of Argentina and that the expression "radical" has nothing to do with the way the word "radical" is used and understood here in the United States, but it is a designation that arose in 1890, with the "El Parque Revolution" led by Leandro Alem, founder of the radical party. It is, historically, the most traditionally liberal party of Argentina.

Mr. FRASER. Where were you when you formed the Committee on Human Rights?

Mr. ROCA. In Argentina. The committee or commission functions in Argentina. It is there where the information is gathered, the reports prepared, the testimonies are collected, and whatever proofs can be gathered. It also functions in Europe where these documents are distributed. And this, because publication and distribution of these documents and these facts are absolutely impossible in Argentina. In the first place, because of the tremendous censorship of the press; in the second place, because the military junta has made a special decree which carries the punishment of up to 6 years in prison for the publication of these facts by the press. In the third place, because all of these facts are subjected to self-censorship which prevents both the press and reporters from distributing these facts through the media. So it is that the only way that these facts can be known outside of the country is through the participation of ourselves and many other Argentinians, lawyers, artists, writers, and even politicians, who have taken it upon themselves to distribute these facts throughout

the entire world to sensitize world opinion and to try to prevent these acts from continuing and increasing in Argentina.

The sole task of the Argentine Commission on Human Rights, of which I am a member, is to defend and denounce the violation of human rights.

Mr. FRASER. Are there members publicly identified with this commission who live in Argentina now?

Mr. ROCA. Yes, they also live in Argentina.

Mr. FRASER. They are known to the authorities?

Mr. ROCA. I believe so, as I, myself, am known to the authorities.

Mr. FRASER. Those who live in Argentina now, are they in jeopardy?

Mr. ROCA. Yes, they are. Most certainly, they are running risks by being in Argentina.

Mr. FRASER. Has anything happened to any of them?

Mr. ROCA. Quite recently the homes of two of them were raided, and some of the people who work, who collaborate with this commission, have been kidnapped and I can give you right now two names: Dr. Daniel Hopen, sociologist and writer and publicity person and Mrs. Monica Carreira who were kidnaped 8 to 10 days ago in Argentina.

Mr. FRASER. I would like to address a question generally to the panel taking the last 30 days as a rough period, are things better now or the same or worse than preceding months? In other words, what is the trend with respect to the extent of the kidnaping and so on?

Mr. ROCA. I believe that the military junta is not stopping what is going on in the country. However, the junta has been receiving pressure from outside Argentina which is causing it problems.

For instance, today's Washington papers tell us that the Pope, at the moment of receiving the Ambassador of Argentina, in the Holy See in Spanish and with his own voice, demanded that all these things must cease in Argentina. If the highest representative of the Catholic Church upon receiving a representative of the Argentine Government has as his very first word a statement in defense of human rights in Argentina this, Mr. Chairman, gives a clear idea of how important it is to continue making these denunciations in the way in which we have been making them.

Nonetheless, Mr. Chairman, I am personally pessimistic, and I believe that the repression, political, social and religious, in Argentina in the next several months is going to arrive at even greater levels than before. It is going to increase quantitatively and qualitatively.

Thirty or 40 days ago, in just one place, 60 corpses were located in the streets of Buenos Aires and Cordoba, people whose names are not yet known, and at this moment there are thousands of political prisoners whose place of detention is not known, nor, in fact, is it known if they are alive or dead.

And so it is that one of our fundamental demands, the one in which we place the most stress, is that the military government of Argentina let be known the names of all these political prisoners, where they are being held and which judges are in charge of their cases, things that we have not been able to accomplish in any form in 5 or 6 months of military government.

Mr. FRASER. What about the others?

Father WEEKS. I also heard that things were worsening, they were almost coming to a head.

Mr. FRASER. Things were worsening?

Father WEEKS. Yes. From a very trustworthy source I found that they were getting worse and worse.

Mr. LEVINSON. We have no other information, any newer information than that I related to you.

Mr. FRASER. Mr. Levinson, with respect to the decree that banned six titles, have you any way of judging whether that was a bona fide, sincere, adequate effort, or was it a token obviously to create a public impression or perhaps an international impression?

Mr. LEVINSON. I think it was most likely in response to the international pressure that was created. Whether it was, in fact, tokenism or intended by the government as a genuine effort to suppress this anti-Semitism, we do not know yet.

Mr. FRASER. It is argued that the President would like to curb these excesses, but that he has trouble, perhaps in political terms, in restraining the elements in the military, perhaps in the police, who are embarked on these missions.

Can you enlighten us on that question?

Father WEEKS. There have been rumors within the military that there is a power struggle. I do not know how certain it is; I do not know if it is true or not.

Mr. ROCA. I could answer this, speaking only for myself but not as a representative of anything.

I do not believe that there are two different military projects in Argentina, and that, while there may be dissidents inside the military junta or among the various military sectors, the one thing in which they all agree is in terms of political and social repression.

There is no way, for instance, to explain the repression against the Jewish community, the Jewish community of which Rabbi Levinson has spoken, nor the Church in general, of which Father Weeks has spoken, nor specifically against the Catholic Church.

I can personally give testimony to the proliferation of Nazi books which fill all the newstands on the streets of Buenos Aires.

I can give testimony to the fact that those prisoners who have the misfortune of having Jewish last names are particularly singled out for the fact of being Jewish, and I can give personal testimony to something which also has appeared in the world press about the five members of the Catholic Church, two priests and three seminarians who were assassinated, in a part of Buenos Aires Province, and I have been able to read in the European press one very complete denunciation that the automobile accident in which Bishop Angelelli was a victim in the Province of La Rioja in the center of the country, was not an accident, but rather something that was done on purpose, carried out the same day that Bishop Angelelli was participating, or giving a memorial service, for two priests of his diocese who had been assassinated in Chamical.

There was nobody in Argentina unaware of the level of confrontation which had arisen between Bishop Angelelli and the military in his area, specifically because the bishop defended those people who were having their human rights violated.

Mr. FRASER. It is also argued that the response by the right, whether it is a part of the military police or outside of them, is in response to violence and terrorism on the left.

What would you have to contribute on that?

Father WEEKS. I think for years there was a lot of violence from the left. At this moment, there is no doubt in my mind personally that all the violence now is coming from the right.

Mr. FRASER. All of it?

Father WEEKS. Pretty much all of it. I would not say all of it completely, but the greater majority of the violence at this moment—and I have lived in Argentina for 11 years—is coming from the right. Two wrongs do not make a right.

Mr. FRASER. Is the violence now a product of the violence that came from the left?

Father WEEKS. I think so, yes. As I said, that does not right it.

Mr. FRASER. It may explain it, but not justify it.

Father WEEKS. Yes.

Mr. FRASER. Why is there not violence coming from the left now?

Father WEEKS. I think they have pretty well exterminated it, or pushed them in an underground. They are so full of fear. I think it is pretty well controlled now.

Mr. FRASER. From the testimony today, it appears——

Father WEEKS. I, myself, always suspected, when somebody was kidnaped or killed, that it was left, at first, until I was a victim of it myself, and they tried to make it look like it was from the left.

I also know, for example, a boy who was in the army who told me that he was sent out at night with a hood over his head with a group of men to rob banks and engage in other terrorist activities, and then write on the walls "Montoneros," or "ERP" to make people think the violence was coming from the left. Because a year ago there was a lot of violence coming from the left.

Mr. FRASER. Primarily from the Montoneros?

Father WEEKS. Yes, but in the last year, I would say that most of it is from the right.

Up in the northern provinces, there is a confrontation between the guerrillas who are on the left, with the army.

Outside of that, in the cities and most other places, it is pretty clear to me that it is coming from the right, and I was not always clear on it. But now I am, because of the fact that I myself have experienced it. You know, I used to wonder where it was coming from, there were so many conflicting stories. But during the last few months even the most conservative people were saying it was from the right. But I never completely believed them until it happened to me.

Mr. FRASER. If there was violence on the left, the violence on the right now seems to be targeted rather broadly. I gather that the people who are being kidnaped are not people who themselves had engaged in violence or advocated violence.

Father WEEKS. Exactly. There are many, many innocent victims of all of this.

Mr. FRASER. What is the rationalization? Why does the "right" do this? An ideology that they have?

Father WEEKS. I suppose they figure we have tried every other way. We have tried every other thing and it did not work, so we will try it this way.

There are evidences that there are ideologies behind this now.

Mr. FRASER. Mr. Levinson.

Mr. LEVINSON. We really do not have any information about that subject.

Mr. ROCA. The theme of violence is a very delicate theme, complex, which responds to a multiplicity of causes. Many are local Argentine practices or South American practices or worldwide practices, and to clarify the theme would take quite some time.

Nevertheless, it does not matter where the violence comes from. What nobody can admit is that in order to repress certain sort of violence military junta uses vile and monstrous methods as they do now. If there is a civil war going on in Argentina, it should be regulated by the accords of the Geneva Convention which guarantee the human rights of soldiers and prisoners, norms which are of course not followed by the Argentine Military Junta. If, on the other hand, a "dirty war" is going on in Argentina, norms should be drawn up which would regulate it and guarantee human rights. In any case, torture, murders without trial, and other methods currently used on political prisoners in Argentina would not be admitted.

Most important among the human rights which shall be protected, is the right to life, the right to defense, and the right to a trial, and these are definite advances that humanity has won, and for which the entire world, particularly during the last war, has lost blood from people of all races, all colors, and all ideologies.

This is the answer that I could give you at this moment to your question.

Mr. FRASER. Is there an agreement among the governments or security forces of Chile, Uruguay, or Argentina to deal with people they want to get rid of? Is there a cooperative agreement in force?

Mr. ROCA. I believe so.

Mr. FRASER. Does anybody else here have an opinion?

Father WEEKS. I believe so also, from the experience that I have had and things that I have read and heard.

Mr. LEVINSON. Again, Mr. Chairman, I am not a participant witness. We do not have any information that relates to that subject.

Mr. FRASER. Two of you believe there is such an arrangement existing?

Father WEEKS. In fact, you could see in my testimony when I read the testimony of that person that there was Uruguay officers and people involved. That is just one example.

Mr. ROCA. In order to back up my affirmative answer to your question in a rather hurried way, I would have to once again make reference to a quantity of judicial and historical facts. It is enough to recall two things, two facts which took place in Argentina: The assassination of the former Uruguayan Senator and of the former President of the Chamber of Deputies of Uruguay and of the frustrated attempt against an Uruguayan politician.

This is an episode carried out in Argentina with the participation of military and police forces of Uruguay in Argentina, and these are proven facts, proven by a multitude of testimonies by detained Uruguayans who are interrogated in their places of detention in Argentina by Uruguayan military and police officials. There is no other way to explain the disappearance and assassination of hundreds of Uruguayan citizens in Argentina.

The concrete case of 35 disappeared Uruguayans whose names are registered with the United Nations High Commissioner for Refugees, and perhaps it would also be impossible to explain the preliminary report by the subcommission of experts of the United Nations Commission on Human Rights in which they expressly recommend to the High Commissioner an investigation of all denunciations by Uruguayan, Chilean, and Bolivian refugees living in Argentina, denunciation contained in this report by the Argentine Commission on Human Rights, and once again, there is no other way to explain the persecution of these citizens of the brother and neighbor countries actually living in Argentina.

Father WEEKS. Mr. Chairman, I might mention, for example, that there was a raid on the Catholic Charities Office where all the names of the Chilean refugees were and, if I recall right, I think they stole all the names of the Chilean refugees. I think over 60 have disappeared and been killed.

Mr. FRASER. Is there any way to believe that if there is an arrangement that extends to people outside those countries, refugees who may be living in Europe or North America?

Father WEEKS. Last week we had a typical example of what can happen: The ex-Ambassador from Chile Orlando Letelier was murdered right on the streets of Washington.

Mr. FRASER. We do not know who did it?

Father WEEKS. No; but it sure looks pretty suspicious.

Mr. FRASER. There was a strong presumption that it was a part of the pattern.

Father WEEKS. The presumption seems to be there. There seems to be kind of a pattern. Every year on the anniversary of the "coup" an important member of the Allende government is killed.

Mr. ROCA. I agree with Father Weeks. I feel that this violence carried out last week is a proof of how this violence extends even to the United States.

Mr. FRASER. Mr. Smeeton, do you have any questions?

Mr. SMEETON. Thank you, Mr. Chairman.

Mr. Levinson, getting back to your comments with respect to the decree that was issued earlier this month banning the principal source of anti-Semitic literature and books, I gather you are troubled by the fact that it is a partial decree; it does not go quite far enough.

Was any reason given to you as to why it was not total?

Mr. LEVINSON. No.

There really are two factors. First of all, we would have preferred it to have been total. We are also aware of the fact that there are various sources of publication. Only one of the sources, Editorial Milicia, has been suspended, and then only suspended partially.

Mr. SMEETON. That is the principal source for most of this anti-Semitic literature?

Mr. LEVINSON. That is the principal source of matters relating to neo-Nazi or Nazi-type publications. There are other publications that are anti-Semitic that are not by a neo-Nazi group, and they are still being published and distributed.

Mr. SMEETON. I invite everybody's reaction to this question.

How sensitive do you think the junta is to world opinion on human rights, and in this context: what impact, if any, do you feel that these hearings will have on the present regime?

Mr. LEVINSON. Are you addressing that to me?

Mr. SMEETON. Any of you.

Mr. LEVINSON. I have a very hard time answering such questions because of my involvement in chairing the Latin American Committee of the Anti-Defamation League. I have become very interested, of course, in the political scene. From the point of the chairmanship of the committee, I really am not a percipient witness, and cannot answer your question.

With that admonition to myself, I will still venture, as a personal view, that the government is concerned with obtaining as much foreign investment and maintaining what stature it can in the world community, so all recognition of these acts that have been described, in the testimony today, to world opinion have the salutary effect of correcting it.

Mr. SMEETON. Father.

Father WEEKS. I would like to make it very clear that we are not against the Argentine Government. What we are against is this oppression and these atrocities that are going on.

This is the only thing that we are against, and we ask that they be stopped. Nobody wants to speak badly of the Argentine people or their government. It is just that we are against all people who are tramping on human rights, who are committing these atrocities.

That is the only thing that makes us speak out. As Mr. Roca said at the beginning, we love Argentina. We want it to become like it was before. It was founded on the same principles that our country was founded on. These things cannot be allowed to continue. They are against the very principles that the Argentine and indeed all civilized nations are founded on.

We hope that this hearing will sensitize the leaders of Argentina and make them reexamine their policies in this regard.

Mr. ROCA. I believe that the pressure which is brought by international opinion in relation to the violations of human rights in Argentina, always produces, or should always produce beneficial effects, because the world is now absolutely tired of the historic repetition of these acts, and wherever human rights are violated, against a sector of people or a certain class, it is like a plague which then extends throughout the entire world.

We recall the contemplative, peaceful and very cautious attitude which European and even North American governments had before the last war, toward those occurrences which were taking place in Germany. So it is in our documents, we call upon all international organizations, all world opinion, and upon all peoples who want to put a stop to these violations of human rights throughout the world and specifically in the southern cape of Latin America.

Mr. SMEETON. Mr. Roca, how many political exiles would you estimate are presently residing in Argentina?

Mr. ROCA. According to the information received from the High Commissioner for Refugees of the United Nations, the actual numbers of refugees from neighboring countries residing in Argentina is 15,000. They are particularly concerned now to get immediate asylum in other countries for a minimum of 2,000 to 3,000 of these people.

Mr. SMEETON. Are these the ones who are especially vulnerable to reprisals?

Mr. ROCA. Yes, of course.

Mr. SMEETON. Are a large percentage of these 2,000 or 3,000 faced with the prospect of being returned to their native country, or the country from which they fled?

Mr. ROCA. Yes, quite clearly they do run that risk, but there are some cases which are worse than others. For example, one group of Uruguayans who live quite precariously in some low-class hotels in Buenos Aires due to their lack of means and of work have had to go on hunger strikes, they and their entire families, men, women and children, hoping in this way to sensitize world opinion and to break the insensitivity of the military junta.

Mr. SMEETON. One final question, Mr. Chairman.

Do any of you know what has happened to former President Lanusse? Is he still in custody, or has he been released? I have heard conflicting reports concerning him lately.

Mr. ROCA. The information is in the newspapers. The incident begins with an investigation carried out in the University of the South by General Vilas, who formerly led the political repression in Tucuman. He denounced Marxist infiltration in that university in 1975, and he mentioned as one of the persons implicated in this Marxist infiltration, a former Minister of Education Gustavo Malek in the government of the President Lanusse. General Lanusse published a letter naming this former Minister and denouncing the fact that he had been condemned in the press without ever having been tried for any crime.

He demanded that the right of his former Minister to defend himself be respected, and he criticized and condemned this type of previous condemnation without first letting the man go through any proceedings.

For this, he was sentenced by the military junta to 5 days of imprisonment, which he carried out in a military garrison.

This information has also been in newspapers throughout the world, and in Argentina.

Mr. SMEETON. I posed the question because I had heard conflicting reports as to whether or not he had been rearrested.

Thank you very much. I appreciate that information.

Thank you, Mr. Chairman.

Mr. FRASER. I ask this question of all of the witnesses. In your judgment, are there being committed today in Argentina gross violations of human rights?

Father WEEKS. Obviously, yes.

Mr. ROCA. I believe so, Mr. Chairman.

Mr. FRASER. I have a follow-on question I want to ask.

Mr. ROCA. We believe that rights to live sanctioned by the third article of the Universal Declaration of Human Rights has been violated.

The fifth article of the same Declaration of the United Nations has also been violated; as well as the eighteenth article of our National Constitution which prohibits the application of torture on human beings and which also guarantees the right to a fair trial and the right of defense.

Mr. FRASER. Our law has certain consequences for our aid programs if there is a consistent pattern of such violations. It is argued in some quarters that while there may be gross violations of human rights, they have not been going on long enough to establish a consistent pattern.

In your judgment, is there a consistent pattern of violations?

Father WEEKS. I certainly think so. I do not know how long would be not long enough.

For at least over a year now, all of this has been taking place. If we personally were involved in it, we would think that was long enough and our tax money should not be used to help out this kind of government.

Mr. LEVINSON. Mr. Chairman, while our testimony is limited to that of anti-Semitism, we have seen such a pattern for the last year or year and a half.

Mr. ROCA. I would like to say, Mr. Chairman, categorically and without any hesitation whatsoever, invoking, to back myself up, my status as a lawyer, that in this case the violations of human rights in Argentina should fall directly under those restrictions which you, Mr. Chairman, made reference to in the U.S. law.

Mr. FRASER. Well, I think we have run out of time. This has been a very helpful hearing, and I appreciate very much the testimony that each of you have given.

This has been an important hearing, and we will have a hearing tomorrow with some additional witnesses on the same subject.

I want to thank all of you for your presentation this afternoon.

[Whereupon, at 4:20 p.m. the subcommittee was adjourned to reconvene at 2 p.m. Wednesday, September 29, 1976.]

HUMAN RIGHTS IN ARGENTINA

WEDNESDAY, SEPTEMBER 29, 1976

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS,
Washington, D.C.

The subcommittee met at 2:15 p.m. in room 2255, Rayburn House Office Building, Hon. Donald M. Fraser (chairman of the subcommittee) presiding.

Mr. FRASER. Today, the Subcommittee on International Organizations continues its series of hearings on the human rights situation in Argentina.

On the basis of testimony received before this subcommittee yesterday, it is apparent that the level of violence and other serious deprivations of human rights has reached catastrophic proportions.

The question before this subcommittee is: How should the United States and the international community respond to this situation?

Our witnesses today are: Rev. J. Bryan Hehir, associate secretary, U.S. Catholic Conference; Lucio Garzon Maceda, an Argentine labor lawyer; and Leonard Chapman, Commissioner of the Immigration and Naturalization Service of the Department of Justice.

What we will do is to ask Reverend Hehir and Mr. Lucio Garzon Maceda to testify first, and we will ask questions of them; and then ask Commissioner Chapman to testify separately.

Reverend Hehir, it is a pleasure to welcome you back before the subcommittee.

STATEMENT OF REV. J. BRYAN HEHIR, ASSOCIATE SECRETARY, OFFICE OF INTERNATIONAL JUSTICE AND PEACE, UNITED STATES CATHOLIC CONFERENCE

Reverend HEHIR. Thank you very much, Congressman Fraser. I thank you and the committee for the invitation to participate in these hearings.

I would like to introduce Mr. Thomas Quigley, who is the Latin America adviser for our Office of Justice and Peace at the U.S. Catholic Conference (USCC) who has just returned from Argentina. He is accompanying me.

Mr. FRASER. We are delighted to have any contributions that he may wish to make.

Reverend HEHIR. Mr. Chairman, our office functions as the foreign policy section for the Catholic bishops of the United States, and I speak in the name of the U.S. Catholic Conference this afternoon.

It is an unpleasant task, at best, both because none of us enjoys rehearsing the sad chronical of persecution, torture, and other violations of people's basic rights that seem to be the hallmark of many societies today, and particularly in the case of these hearings, because we hold the Argentine people in such deep respect, admiration, and affection.

As the unit of the U.S. Catholic Conference specifically dealing with international affairs, the Office of International Justice and Peace has received numerous communications and a great deal of printed documentation on the Argentine situation. These include long lists of political prisoners and missing persons, accounts of brutal and degrading conditions in the prisons, and descriptions of the systematic employment of the same revolting torture practices that have been widely reported now for some time in the cases of Brazil, Chile, and Uruguay.

Much of this documentation has already been brought before the committee and entered into the Congressional Record.

It is beyond our competence to affirm the authenticity of all such allegations, but the sheer volume of the charges, arising from many different sectors of the Argentine community, and the fact that highly responsible and moderate Argentine citizens with whom we are in direct contact, tend to credit them fully, places the burden of disproving these allegations squarely on the shoulders of the Argentine authorities.

That there are an extraordinary number of wholly unjustifiable and unjustified, systematic and gross violations of the universally recognized rights of the human person in Argentina today is simply a fact, an inescapable fact.

Our testimony today will be restricted, however, to just one aspect of a more generalized repression, that directly touching the Catholic Church. We limit our remarks to this area for two reasons: It is the aspect on which we have the most complete and verifiable information, and it is, we believe, a very important key to understanding what is happening in much of Latin America today.

That is to say, repression of the Church, a relatively recent phenomenon in modern Latin America, can be understood only in the larger context of conflicting world views. Since these conflicting perspectives are at the same time powerful motivators of human conduct and in no way confined to any single nation of Latin America, it is almost inevitable that their expression in one country will, sooner or later, be relatable to similar expressions in other countries.

This is one way of saying that the sad state of human rights in Argentina today cannot be seen apart from similar conditions in Chile or Uruguay and elsewhere, and that the repression of church persons and Christian movements in Argentina today, however selective, is equally of a piece with attacks against the church in Brazil or Paraguay.

The two conflicting viewpoints, then, that we are addressing here are, on the one hand, that of the renewed Church of Latin America, responsive to Vatican II and Medellin, the church committed to preaching the good news to the poor, to being, in fact, the church of the poor, seeking justice for the poor and oppressed, a church that finds itself defining its evangelical mission ever more clearly in terms of proclaiming and defending the sacred dignity of the human person, and, on the other hand, the ideology of the modern national security

state in which the individual's worth and merit, indeed very existence, has meaning only insofar as it contributed to the so-called security of the national state.

Implicit here is the assumption that the state is under constant threat, not chiefly from external aggression but from its own citizenry.

Although these two world views are clearly expressed by different sectors of each country's population, it should be obvious that in no country are the two opposing views so sharply defined as to leave no room for variations of each or still other quite different viewpoints.

Within the church, for example, there continue to be strong reactionary tendencies expressing themselves most dramatically in such rightwing movements as tradition, family, and property.

On the part of the state, even in the new military dictatorships which are today's norm in Latin America, there are still voices of moderation struggling to restore the democratic process and achieve justice for the masses.

It is our impression that these voices are as yet numerous within the present Argentine Government and were represented among those who overthrew the corrupt administration of President Isabel Martinez de Peron on March 24. That they have been manifestly unsuccessful in making their voices prevail is, I take it, the occasion for these hearings.

Turning, now, to the situation of the Catholic Church in Argentina, I must preface what follows by saying that it would be an illusion to speak of a massive, organized persecution of the Church or of an all-out confrontation between church and state. The situation is far too complex and nuanced to be captured by slogans.

There is persecution, that is, repression of, and attacks upon various church personnel, and there is, at the highest institutional level, an on-going discussion that could fairly be described as confrontational, but some distinctions continue to be in order.

That it is a situation that can only be described as most serious, however, is perhaps best illustrated by the fact that just 2 days ago, September 27, Pope Paul VI drew unusual attention to the current crisis.

In receiving the credentials of the Argentine Ambassador to the Holy See, the Pope departed from the usual formalities and expressed his deep concern at:

* * * the anguish of those who have been dismayed by the recent events that have cost precious human lives, including those of several churchmen, under circumstances that have still not been adequately explained.

Although couched in the language of diplomatic understatement, there should be no doubt that the Holy See considers the Argentine situation to be extremely serious.

We can identify at least three categories of attacks upon the Church which appear to be part of a more generalized system of repression and terror.

First are the direct attacks against well-known progressive church figures, such as the brutal killing this year of four priests, one of them a Frenchman, and the presumed murder in a highly suspicious auto accident of one of the Argentine hierarchy's most outspoken advocates of the poor, Bishop Enrique Angelelli of La Rioja.

All five of these victims were men known for their commitment to the poor. Father Francisco Soares was killed in the delta town of

Tigre, and his body dumped on the Pan American Highway. Father Jorge Tedeschi was kidnaped from his house in Bernal, and his body later found on the outskirts of the provincial capital of La Plata.

Although the Tigre parish house where Soares was killed is only 1 mile from the Federal prison station, a priest from the chancery office of the San Isidro diocese arrived before the police did. The chancery official, who was in bed when the dawn call was relayed to him, had to get dressed and drive 6 miles to the scene of the murder, but still arrived before the police, although both parties were notified simultaneously.

Father Soares' parishioners believe that he was marked for execution because of a sermon he preached which made unflattering references to police conduct.

On July 21, Fathers Gabriel Rogelio Longueville and Carlos de Dios Murias were arrested in the Province of La Rioja by two carloads of men with police credentials. The dead bodies of the two priests were found the following day.

The local parishioners in Chamical believe that the men who took the priests were indeed policemen because the clergy there have been the target of several police roundups in an intense campaign against suspected subversives.

On August 4, 2 weeks after the murders of Longueville and Murias, Bishop Angelelli celebrated a memorial mass in their parish. That same day, the commander of the navy and member of the ruling junta, Adm. Emilio Massera, called for the dismissal of Bishop Angelelli, Bishop Jaime Francisco de Nevares of Neuquen and Bishop Augusto Scozzina of Formosa.

All three were involved in the creation last December of an ecumenical committee called the "Permanent Assembly for Human Rights in Argentina."

After celebrating the memorial service, Bishop Angelelli was killed when his car suddenly overturned on a flat section of well-paved highway under light traffic conditions. According to reports, the car was removed to a nearby air force base, the tires removed, and they were not made available for inspection. Virtually no one believes that this was a mere accident.

A second category appears to be those far more numerous assaults against relatively unknown persons, frequently members of Christian reflection groups or parish teams working among the poor.

No one knows how many, but in recent contact with Argentinian priests, friends and parents of disappeared persons, each one of them knows of different people in this category.

Typical is the case of the 24-year-old daughter of a man well known to our office, who was abducted from her family's apartment in May in the presence of her parents and her younger brothers and sister and has not been heard from since. In the same early morning, four friends of hers, two young couples, were similarly abducted by armed men claiming to be members of the Argentine Army.

Her father, a highly respected educator and former international civil servant, has compiled a list of 35 other persons, mostly in their twenties and thirties, all of whom have been abducted in Buenos Aires under almost identical circumstances and at about the same time. In most cases, these are students or young professionals, often with some personal involvement in a parish program in one of the villas miserias, or slums.

The case of Father James Weeks and the five seminarians in Cordoba, about which the committee heard testimony yesterday, belongs in this category of persons whose lifestyle and dedication to serving the poor is now perceived by certain people as a threat.

But it also shades off into the third category, seemingly random attacks against persons who apparently symbolize the supposed threat but may not themselves be engaged in direct ministries with the poor.

The most horrible instance of this is, of course, the carefully planned, wanton and brutal murder of the three priests and two seminarians in the parish church of San Patricio on the morning of July 4.

The immediate and probably intended effect of these murders was to increase the already intense climate of fear and uncertainty within which many in the church are now forced to work.

If the five Pallotines engaged in normal parish activities in a middle-class suburb could be slain with such total impunity, others are asking: "Why not us?"

One pastor told a member of my staff flatly that he no longer touches on social issues in his sermons, and has instructed the other priests in his parish to do the same.

Another spoke of "cleaning out" the rectory library, making sure that nothing—whether books on liberation theology or posters with any social content—could lead anyone to point the finger of suspicion at him.

Whatever else is at work here, this is a form of church persecution, a campaign of intimidation that inhibits the church's full pastoral ministry. Whether decreed or merely tolerated by the authorities, the effect is the same.

No discussion of the attempts by national security elites to stifle religious expression in today's Argentina could fail to note the extremely ominous resurgence of anti-Semitism in that country.

Recent visitors to Argentina have described to me the shocking number and variety of crude, obscene, anti-Semitic tracts to be found in virtually every bookstall and newsstand.

The Government has lately taken some steps to restrict the distribution of some of this calumnious and frankly Nazi material, but direct attacks upon the Jewish community have multiplied in recent months, and much anti-Semitic literature is still being widely diffused.

This is a matter of the gravest concern to all of us, and I am grateful that the committee has also taken detailed note of the situation through yesterday's testimony by the Anti-Defamation League of B'nai B'rith.

The Argentine Episcopal Conference, the National Justice and Peace Commission, the Papal Nuncio, and individual bishops have all been active in seeking an end to these violations of human and civil rights.

The bishops issued a major pastoral letter on May 15 decrying the many present events that wound the Argentine nation and obstruct the common good.

In July, the executive board of the episcopal conference addressed the recent slaying of the five Pallotines, and added:

But we cannot, nor do we want to emphasize only that horrendous crime, when every day the papers bring us news of many other deaths about which nothing is ever known as to how or by whom they have occurred. We ask ourselves, or, rather, people ask themselves, at times only in the privacy of their homes or

in a circle of friends, because fear also is growing, what all this means. What forces are so powerful that they can act thus with such impunity and such total anonymity in our society. The question arises, also, what guarantees, what rights are left to the average citizen.

On July 29, the Vatican Secretary of State, Cardinal Villot, sent a telegram to Cardinal Primatesta, president of the Argentine Episcopal Conference, urging the bishops' efforts to eliminate violence and restore peaceful coexistence.

We know that a great deal of work is going on quietly to secure information about prisoners and missing persons, but more visible attempts to organize around the human rights issues are greatly inhibited by the need for extraordinary caution.

Even the Papal Nuncio, whose work is very much behind the scenes, has reportedly been threatened by the neo-Nazi Argentine National Socialist Front for his "crimes against the nation."

One high level committee, the Ecumenical Permanent Assembly for Human Rights, previously mentioned, has this month issued an open letter to President Videla expressing its distress over the violence that "hinders most Argentines, a peaceable people, from devoting themselves in tranquility to work for the society we all desire."

Among the signers are Bishop Nevares of Neuquen and Dr. Jose Miquez Bonino, one of the six presidents of the World Council of Churches.

What more the Argentine Church will and can do in the coming days remains to be seen, but they know that they can count on their sister churches in the United States to offer every possible assistance.

To date, our involvement, as USCC, has been considerable, if often frustrating. We have engaged ourselves, with others, in seeking the release of particular political prisoners and detainees, as in the cases of Norma Morella, Casiana Ahumada, and the American citizens Olga Talamante and Father James Weeks.

In this connection, Mr. Chairman I have just received a communication from Olga Talamante describing the conditions of her own arrest and imprisonment from November 1974, to April of this year, and expressing her deep fears for the safety of her companions who did not have the benefit of strong pressure from U.S. citizens to secure their release.

I would request that Olga's statement be added to the testimony received for the record.

Mr. FRASER. Without objection, we will include it.¹

Reverend HEHIR. We have made such representations as seemed appropriate directly to the Argentine Embassy here in Washington and we have urged the Attorney General to admit into the United States under his parole authority a generous number of political exiles presently residing in Argentina.

Through our documentation and publication services, we will continue to do what we can to expose and denounce the violations of human rights that come to our attention, and to urge our fellow citizens and our Government to employ every proper means at their disposal to assist those who suffer injustice in Argentina today.

Thank you, Mr. Chairman.

¹ See appendix 5, p. 66.

Mr. FRASER. Thank you very much, Father Hehir.

We have a vote in progress on the floor. I think this would be the best time to take a brief recess, and we will return and proceed with our second witness.

[Whereupon, a short recess was taken.]

Mr. FRASER. The subcommittee will resume its hearing.

The voting machine on the floor of the House has broken down, and they are back to the old rollcall, which is the explanation for the extended time we took to vote and return.

Our second witness is Mr. Lucio Garzon Maceda, Argentine labor lawyer.

STATEMENT OF LUCIO GARZON MACEDA, ESQ., ARGENTINE LABOR LAWYER

Mr. GARZON MACEDA. Mr. Chairman and Congressmen: I will try to be as clear and objective as possible, and hope that my feelings will help in obtaining this objective.

I am a lawyer specializing in labor law. I have carried out this work for 21 years. I have also been a newspaperman and a representative of the newspapermen's union.

I have been a member of the executive commission of the Confederation of Trade Unions of Cordoba.

In the 21 years of my professional work, I have been a labor adviser for the most important unions in Cordoba; and since this is a theme with which I am quite familiar, I consider it necessary to explain to you, Mr. Chairman, and yourselves, other Congressmen, what is the reality of Cordoba where important occurrences have taken place, which we will now try to present to you.

Cordoba is the second most important industrial city of the Argentine Republic, with the oldest university in the country.

The organized workers movement of Cordoba has known for more than 20 years the existence of representative workers' unions which have gone on existing under previous military regimes in Argentina from 1955 to 1957, and from 1966 to 1973.

They have carried out a very important role in the protection of people's rights.

It is quite important to point out the existence of this representative unionism in Cordoba, because in programing the repression in Argentina, the first priority was the elimination of this representative unionism of Cordoba.

The military's project of repressing the Argentine people did not begin on March 24, 1976, it began on May 25, 1973, when the Argentine people recovered their right to govern themselves democratically. The military began to plan their return to power. With the death of General Peron, the military team charged with regaining power for the military decided that the time had come to lay the basis for the next military coup.

In order to carry this out, the first necessity was seen as a general repression against popular organizations. This could not possibly be done officially and in agreement with some government organizations, they suggested and aided in setting up such organisms as the well-known Argentine Anti-Communist Alliance, the Triple A.

This organization, the Triple A, always acted under the direction of the police and the military. One of its objectives was to weaken the representative unions of Cordoba. In order to do this, the best known labor leader was assassinated. He was Atilio López, former Vice Governor of Cordoba Province.

In the second place, the Triple A also demanded the President of the Republic to order the capture of another prestigious union leader, Agustín Tosco, leader of the electricians' union.

Finally, at the end of 1974, the capture of Rene Salamanca was requested. He was General Secretary of the Automobile Workers' Union.

These measures tended to prepare for the integral weakening of the Cordoba workers' movement. Agustín Tosco, as a result of the repression of which he was an object, died in October, 1975 as the result of being unable to receive adequate medical attention.

The system carried out by these groups organized since 1974 were repeated again following the coup of March 24, 1976, which would seem to confirm that these groups which were active in 1974 and 1975 used the same methodology as that which had been used following March 24, 1976.

The law of flight—shooting escaping prisoners—is used in 1975 against detained persons, and in 1976, also in Cordoba, it is used against 18 persons within 3 months, among them, Dr. Hugo Vaca Narvaja, who was the lawyer of the authentic Peronist Party.

Inside this context of repression, which was gotten underway in 1974, we must place those personal facts about which I am now going to testify.

In December of 1974 my detention was ordered without there having been any crime or any charge against me whatsoever.

In October of 1975—30 persons under the command of an officer of the army, broke into a weekend home of mine, supposing I was sleeping there; and when I wasn't found there, they carried out a simulated execution of the housekeepers and burned down the house.

On March 24, 1976, with a great show of force, the army raided my office, my law office; and 1 month later, a group similar to that which had gone to my house in October 1975 set fire to the office.

Fifteen days later, in my home in the city of Cordoba, in the apartment on the ninth floor, at 11:30 p.m., some approximately 15 armed persons showed up and proceeded to go through everything in the house, for 7½ hours.

The neighbors, frightened by what they knew about the previous fires in my weekend home, as well as in my office, called the police station, which was two blocks away.

During the 7½ hours of the raid no police showed up.

In November of 1975 General Mendendez, Chief of the 3d Army Corps of Cordoba, based in Cordoba, announced that 700 families with various backgrounds would have to leave Cordoba Province, and that he would consider himself militarily in charge of seeing that this took place.

In the 3 months following the March 24 coup, General Mendendez has imprisoned 1,600 citizens and has admitted that in Cordoba, in addition to this, there are some 800 disappeared persons;

and you should understand that these 800 disappeared persons are being held in 3 concentration camps and under military control in the area of San Vicente, Camp De la Rivera-Jose de la Quintana, and in La Perla, which is on the road to Carlos Paz.

These 800 persons are the hostages of General Mendendez, and it's from these concentration camps that they are taken. These are the citizens who turn up later, riddled with bullets; and the supposed explanation is that they have died in a shootout between guerrillas and the security forces.

The military junta, on gaining power, had three priorities: to put an end to chaos, eliminate violence, and achieve economic stability. None of these three priorities of theirs has been achieved. There is worse chaos; there is more violence, and there is no economic stability.

In terms of salaries for the Argentine worker, 56 percent of its real value has been lost. In various industries, only 3 days a week are work days, and the most violent repression ever known in Argentina has been unleashed against the workers.

The repression can be seen in the revocation and the revoking of those laws which had to do with the collective bargaining process, the suspension of those parts of the law which had to do with professional associations, the prohibition against unions taking any sort of direct action; and accompanying these repressive measures of a legal sort, there is direct repressive action carried out by the army in the factories.

It's a common happening that in factories, when the workers have some complaint, make some demand, either army or navy forces show up to remove the workers and to demand that work be carried out as usual under the threat of having the place closed down, with the corresponding loss of salary for the workers.

So, the Argentine workers have lost their representative unions, although conciliatory unions continue to exist carrying on in a collaborationist manner with those military officers who were involved in the revolutions of 1955, and those officers involved in the revolutions of 1966 and 1976.

As I say, the workers have lost their representative unions. They have lost the right to discuss their work conditions. They have lost the right to discuss their salaries. They cannot carry on any type of task inside their workplace or at their own unions; or, to put it another way, they cannot carry out, collectively or individually, any sort of work which is not directly related to their productive work in the factory.

This is a form of violence which, accompanied by the freezing of wages, has led to the basic wage of the Argentine worker to a level less than 40 cents an hour.

None of the proceedings carried out since March 24, 1976, has been directed toward finding out or identifying any of the members of these bands which were acting before the military coup. There has not been one single person detained who might be said to have been a member of these Fascist groups; and the reason for this, we must insist, is that the military plan of the junta was already underway in 1974 and 1975, being realized, carried out by these bands whose basic objective was to weaken the popular will.

As the result of a raid, an attack against the synagogue in the city of Cordoba, a former national senator managed to have an interview with General Mendendez, less than 1 month ago, and at this time General Mendendez told the senator that his boys had had nothing whatsoever to do with the attack against the synagogue, and that he supposed the boys from the air force hadn't anything to do with it either.

The limits to General Mendendez' actions have been passed. They can be seen in this conversation in which he, to a former senator, personally assumes responsibility, not only for the regular forces but also for those which carry out kidnaping, assassinations, and the placement of bombs.

This policy of repression against the people of Argentine is linked to the policies in Uruguay and Chile.

In 1974 there was a meeting in Buenos Aires in which the directors of the police, the Chilean carabineros, and the chief of the Uruguayan police were present, and where they agreed to exchange information, to exchange prisoners, and on the basic terms of the persecution to be carried out against Chileans, Uruguayans, and Bolivians, in exile in Argentina.

The assistant chief of police who participated in this meeting was appointed on the recommendation of the armed forces in 1974, and along with the chief of police of Cordoba, he received instructions already in 1974, from the military commanders.

Almost none of the social prisoners detained in 1974 and 1975 has been released since March 1976. That is, we might say, the military junta, in terms of what it does to repress the popular sectors, accepts the repression carried out in 1974 and 1975, as a part of that which has been carried out since March 1976.

We have maintained that the objectives of the military junta, publicly announced, to end violence, to end chaos, and to achieve economic stability, have not been achieved.

This does not only concern the people who are the victims, but also to well known, spokes persons for the right, such as the economist, Alvaro Alsogaray, who on a recent day said the following:

The extraordinary creation of money, the direct and only cause of inflation which can drag us fully into a crisis, worse than that which we have come from, and the freezing of the labor market, which, aside from maintaining an unacceptable rigidity, carries the germ of a social explosion. If we are not allowed to freely negotiate salaries and if we are not freed from the restrictions presently existing in the labor field, productivity will not be able to increase, economic deterioration will continue increasing, and the germs of a true social explosion will incubate.

Mr. FRASER. Whom is that statement by?

Mr. GARZON MACEDA. A right-wing economist named Alvaro Alsogaray.

He was twice the Minister of the Economy, and he identified himself with ultraconservative doctrines.

A few days after the economist's warning was published, in spite of the military repression and the existing legal repression, lacking any organization of a public nature, the workers in the automobile industry confronted the military junta in the most important social happening of 1976, which transcends its own nature to become a judgment against the military junta.

The automobile workers, without a legally recognized union, since their union had been intervened by the military junta, and with the participation of the General Federation of Unions in Resistance, totally paralyzed all automobile production for 10 days, demanding an increase in salary.

The threat of the military junta had no effect on the workers, and the infantry division of the marines had to intervene militarily and had to shut all the workers out of the factories.

The only answer that was given to the workers' demands was the decreeing of Law No. 21400, which carries with it a punishment of 1 to 10 years' imprisonment for those workers who participate in any kind of protest movement and against employers who offer any increase in salary beyond that authorized by the military junta.

I believe that in this way, leaving aside for a moment my totally personal testimony, we have given an approximate picture of the situation of the workers in Cordoba and Argentina, and that is all.

Mr. FRASER. Thank you very much.

I understand that your testimony is that the forces that were engaging in violence in 1974, in effect, now have a government that is more compatible with their activities?

Mr. GARZON MACEDA. Yes.

Mr. FRASER. Where does General Videla fit into this?

Mr. GARZON MACEDA. General Videla is, along with having his important position, in agreement with all the measures adopted by the military junta and enforced by himself as the President.

There is no fact showing the slightest disagreement or difference between Videla and Mendendez; and if there were, it would mean that Videla's weakness was absolute.

Mr. FRASER. Well, could General Videla fire General Mendendez?

Mr. GARZON MACEDA. Mendendez can get rid of Videla.

Mr. FRASER. It's the wrong way.

[Laughter.]

Mr. GARZON MACEDA. Because Videla's function is purely administrative, and Mendendez is the one who has the arms and Mendendez is carrying out the dirty work for Videla; and so participation is demanded. For an army at war, such as they consider themselves, it's very difficult to change the general in the middle of the battle.

Mr. FRASER. Well, do you think General Videla would like to change the reign of terror which is going on today?

Mr. GARZON MACEDA. I believe the error isn't pleasing to anybody. I think the terror is just an instrument of the policy, and insofar as this, Videla has accepted and participated in these terror measures in order to support his policies.

In a speech he gave 1 year ago, Videla said: Everybody necessary would have to die in order to maintain order and the Reorganization of the Country. He is no saint.

To differentiate between Videla and Mendendez is to slow down understanding, publicly, of what the Argentine Army is trying to carry out in the southern cone; and all the leaders of the army are in agreement in terms of what it is that had to be done throughout the southern cone.

Mr. FRASER. You said there was a meeting in Buenos Aires in 1974 involving the police, and I think perhaps the armed forces, but I am not certain about that.

Could you tell me again who was at this meeting at which there was a discussion about what would happen to Uruguayan and Chilean refugees?

Mr. GARZON MACEDA. The meeting was one of chiefs of police of the three countries. Chile, Bolivia, and Uruguay——

Mr. FRASER. There was somebody from each of the three countries present?

Mr. GARZON MACEDA. Yes, one from each, from Chile, Bolivia, and Uruguay.

Mr. FRASER. Did they represent the armed forces, or the police?

Mr. GARZON MACEDA. They were representing the police, but given that the police in each of those countries is directly under the control of the military, and the Argentinian representative was a man suggested by the federal police, was suggested for the federal police by the Argentine Army, a Commissar Villar——

Mr. FRASER. And how do you know about that meeting?

Mr. GARZON MACEDA. It was published in a newspaper in Buenos Aires on December 10, 1975.

Mr. FRASER. Well, a year later?

Mr. GARZON MACEDA. Yes, a year later.

Mr. FRASER. Mr. Koch.

Mr. KOCH.¹ The machine is working again, so now we have to run. [Laughter.]

Mr. KOCH. If I may—and you will forgive me if I ask some repeated questions, because I was out of the room—to pursue the area of cooperation between Uruguayan and Argentine police, I don't know how much of that he has already reported on——

Mr. GARZON MACEDA. Congressman Fraser was just beginning to ask about it.

Mr. KOCH. What exactly do you, personally, know with respect to the cooperation, and distinguish, if you will, your personal knowledge from that which someone has told you.

Mr. GARZON MACEDA. Personally, I don't know anything, because in order to know it personally, I would have had to have been chief of police. But I do have some documents which may shed some light.

I have a typed version of part of the meeting which took place among the various chiefs of police in February of 1974.

Mr. KOCH. I assume that is in Spanish and not English?

Mr. GARZON MACEDA. Yes.

Mr. KOCH. What is the date of it?

Mr. GARZON MACEDA. It was published on December 10, 1975, but it is taken from a meeting of chiefs of police on February 1974.

Mr. KOCH. I assume that was a confidential document, not a public document, or was it a public document?

Mr. GARZON MACEDA. It was a confidential document, which was later made public.

Mr. KOCH. Made public by whom?

Mr. GARZON MACEDA. By the weekly paper which was edited in Buenos Aires.

Mr. KOCH. Don't read it, but would you give us the summation of what is in there, please?

Mr. GARZON MACEDA. There was a "clearing," the same as there is in commercial business, a bank, for instance.

¹ Hon. Edward I. Koch, a Representative in Congress from the State of New York.

Mr. KOCH. You are talking about records; is that what you are talking about, interchange between records?

Mr. GARZON MACEDA. Of prisoners.

Mr. KOCH. Go ahead.

Mr. GARZON MACEDA. It was agreed to create an information center, with an interchange of functionaries, with an interchange of expulsion decrees.

Mr. KOCH. Let me break in. Are you saying that there was a physical exchange of prisoners, Uruguay giving to Argentina Argentinian citizens; and Argentina giving Uruguay Uruguayan citizens; is that what you are saying?

Mr. GARZON MACEDA. Yes.

Mr. KOCH. Now, was that done pursuant to any extradition treaty?

Mr. GARZON MACEDA. No; because the objective of this meeting was to create an irregular process outside the laws of the respective countries.

Mr. KOCH. Now, do you know of any prisoners by name who were exchanged in this extra-legal way?

Mr. GARZON MACEDA. Yes.

Mr. KOCH. Could you give us those names? If you cannot, we can go on to something else.

Mr. GARZON MACEDA. No, no. A citizen named Washington Perez, a Uruguayan national, a newspaper vendor in Buenos Aires was interviewed in the city of Buenos Aires by police persons, both Argentinian and Uruguayan, June 13.

They asked him to serve as an intermediary with the relatives or friends of Gerardo Gatti, a known political leader who had been kidnaped days before in Buenos Aires. He also was Uruguayan.

The officials told Perez to tell the family and friends of Gatti to turn over a certain amount of money and his life would be spared.

Mr. KOCH. These are police officials who made that demand?

Mr. GARZON MACEDA. Yes, Officer Campos Hermida, of the Uruguayan police, very well known in Uruguay.

On four different occasions, Perez talked with the kidnapers and then with the relatives and friends of Gatti. Gatti's relatives, wanting to save his life, extended the negotiations. Finally, on the fourth occasion of Perez' meeting with Argentinian-Uruguayan police, they told him, "The time is up, and tell Gatti's friends and relatives that the negoatation is over," and they show Perez another Uruguayan leader named Leon Duarte, with whom Perez had had a previous meeting, since he had been one of the friends of Gatti, who had negotiated for the latter's life.

Mr. KOCH. Let me interrupt. I don't want this step by step!

What I really want: What happened in the ultimate resolution?

Mr. GARZON MACEDA. Perez seeing that he could lose his life by taking part in these negotiations between the Uruguayan and Argentine police and family and friends of Gatti, sought refuge in the United Nations High Commissioner's office; and they take it upon themselves to try to get him out of Argentine territory.

Perez is now in Sweden, and he presented a testimony which we have already recapitulated for you and which I will make available to the commission, together with a copy of a photograph in which Perez can be seen, together with prisoner Gatti.¹

¹ The document is not reprinted in this publication.

Mr. KOCH. Let me say, then, and I will conclude my examination, if you had to estimate how many Uruguayans, Chileans, and Argentinians are now in danger of their lives, not now in prison but now in danger of their lives, could you give us some reasonable breakdown of that number?

Mr. GARZON MACEDA. All in Argentina?

Mr. KOCH. Yes. I don't speak Spanish, but I got that.

Mr. GARZON MACEDA. I could assure you that not less than 30,000.

Mr. KOCH. Could you break down those three categories, if it's possible? If it's not, I understand.

Mr. GARZON MACEDA. The greatest number would be those in risk of losing their freedom.

Mr. KOCH. Thank you.

Mr. FRASER. Where are you living now?

Mr. GARZON MACEDA. In Paris, France.

Mr. FRASER. Were you active in any of the political parties in Argentina?

Mr. GARZON MACEDA. No.

Mr. FRASER. None?

Mr. GARZON MACEDA. No. The only activity of mine which perhaps could be classified as political is my participation, in my capacity as a labor lawyer, in various congresses held by unions.

Mr. FRASER. The labor unions are affiliated with the political movements, are they not?

Mr. GARZON MACEDA. No.

Mr. FRASER. They are not?

Mr. GARZON MACEDA. No.

Mr. FRASER. How much violence is there now which originates from the left?

Mr. GARZON MACEDA. It's very difficult to say, because a lot of the violence which the Government attributes to the left, for instance, when bodies turn up bullet riddled, are actually people who have been hostages of the Government.

Mr. FRASER. So, there is an active program to mislead the public about the origins of the violence?

Mr. GARZON MACEDA. Clearly, it's in the interest of the Government to fool the people, yes.

Mr. FRASER. Father Hehir, we have not asked you so many questions, partly because of other witnesses are from abroad, and thought we should use the time.

Reverend HEHIR. I understand.

Mr. FRASER. But we have a third witness. Before I turn to him, I wanted to sort of invite you to make a comment on any of the questions that have been asked, or any other aspect of this problem that you think deserves elaboration.

Reverend HEHIR. I would make a very brief comment, then ask Mr. Quigley if he has comments, especially in regard to some of the questions you have asked the witness from Argentina. Mr. Quigley just returned from there.

It seems to me that the possible activities that are identified in your opening statement about U.S. relationships to the problem are those which I would concentrate on, and they are rather obvious to everyone in the room, and I guess I would reinforce the urgency we feel about the parole program; and if the Congress has any way to exercise

its influence in that area, we have tried, and all indications we have are that that would be an extremely welcomed and useful measure.

And second, again, the assistance program, obviously, toward Argentina, is symbolic; it's of such minuscule nature, the foreign military assistance, we feel, has symbolic value, one way or the other, and therefore the kind of scrutiny that it receives, and the kind of consideration, and the kind of announcement of the fact that all of those assistance programs will be carefully scrutinized on the human rights question, we feel are important because of the nature of our testimony, we see a pattern that cuts across several countries.

The pattern is very similar, as you know, Mr. Chairman. It undoubtedly, certainly in the past, is rooted in military training programs of which we have been a part; and therefore we feel that there is a clear responsibility on the Congress and administration to exercise scrutiny, and to use even the symbolic amounts of assistance in a way that will make it clear that human rights are going to be consistently weighted in any aid we give.

Mr. FRASER. In that connection, I understand there are several loans pending before the Inter-American Bank. Under the Harkin amendment, the U.S. delegate is required to vote against loans which do not go to the needy people if the recipient country is engaged in a consistent pattern of gross violations.

Reverend HEHR. I would just invite Mr. Quigley, if he has comments.

**STATEMENT OF THOMAS QUIGLEY, LATIN AFFAIRS ADVISER,
OFFICE OF JUSTICE AND PEACE, U.S. CATHOLIC CONFERENCE**

Mr. QUIGLEY. Specifically, on the question of applying the Harkin amendment to the Inter-American Bank loans?

Mr. FRASER. That, or anything else you think we need.

Mr. QUIGLEY. Well, on the questions that you addressed to Mr. Maceda, I have no special or particularly profound knowledge. I have heard most of the same things that have been said, but I don't know them as firsthand knowledge.

I could only say the people with whom I did have many conversations in Argentina, mostly people who are not directly connected with political movements, by and large church persons but relatively well informed as Argentine citizens, were strongly of the opinion that international pressure, particularly coming from the United States, was the most important factor in changing the situation. They saw no way in which things are going to improve or even radically change within Argentina in the foreseeable future.

The two predominant impressions I took away from every conversation was fear and confusion, the confusion being their sense that they cannot see any clear vectors as to where their history is tending, and the only way in which they see any possibility of something breaking through to change things is if sufficient international pressure is brought upon the present government to change what most everyone in Argentina I spoke to believes can be changed; that is, if the government will do the kind of things that General Videla says it wishes to do, that it indeed could, but hasn't yet exercised sufficient will do.

Mr. FRASER. Well, it is argued—I don't know if correctly or not—that General Videla lacks the ability in the political sense to bring the more right-wing elements under control; that is, he doesn't have a firm enough political position to do that. But it is argued he would like to do it, and perhaps is moving in a position to begin to moderate some of the violence.

Is that confirmed by your conversations or not?

Mr. QUIGLEY. I would say most of the people whom I spoke with felt that there wasn't sufficient will. There is clearly a veneer of such expression, of a desire to change things, that is of a moderate image projected for parts of the junta in contrast with its more right-wing elements, and that these are in conflict.

I simply am not in a position to make any conclusive judgment as to whether that conforms to the reality, or whether there is a real unity, as Mr. Maceda implies. The question is whether there is a kind of struggle among the different services and within them, and between them and the junta, or not. Thus far, it is extremely difficult for an outside observer to make any judgment.

Mr. SMEETON. Thank you, Mr. Chairman.

I wonder if any of you could tell me how popular the current regime is?

The reason I ask the question is because I have before me a recent article written by James Goodsell of the Christian Science Monitor in which he says that opinion polls and other samplings of public reaction continue to suggest that the military government is riding a wave of popularity, particularly when it's contrasted with the predecessor government.

Mr. GARZON MACEDA. A poll of what sort?

Mr. SMEETON. He refers to them as public opinion polls.

Mr. GARZON MACEDA. The best answer to that is the strike I referred to earlier by the automobile workers and the metallurgical workers.

If the conditions under which democratic assurances exist now were to be modified, the same thing which inspired the automobile workers would hold true for all the other workers and middle sectors of Argentina. The military junta does not in these moments have the acceptance of the majority of the Argentine people; it only has the hopeful support of a few rural sectors, and in virtue of its offer to get high prices for some of the crops to be harvested.

Mr. SMEETON. Do any of the rest of you care to comment on that?

Mr. QUIGLEY. I would think that given the climate of fear that exists, given the fact that in the Province of Buenos Aires alone there are no fewer than 11 different intelligence security agencies of various branches of the Government; given the fact that the unemployment rate is rising, that inflation is increasing, it seems very unlikely that any poll that reflects general satisfaction with the present regime could be seen as very trustworthy.

It does bring to mind the Gallop polls that have been taken in Chile in recent months which purport to show a similar kind of satisfaction with the junta in Chile.

I think anyone who is familiar with Chile, certainly any Chilean with whom I have spoken tends to laugh at such an idea, that these polls accurately reflect people's thinking. No one is about to give his

innermost thoughts about the government to a stranger coming up with a piece of paper in his hand.

Mr. SMEEETON. I solicit all of your opinions on this question: How sensitive do you feel the junta is to world opinion on the human rights issues, and what impact, if any, do you feel these hearings will have upon the Videla government?

Mr. GARZON MACEDA. The military junta, given that it's a government by force, is not regulated by the same norms as a democratic government is, but it might be more sensitive to international pressure, given that it is lacking internal popular support, in terms of repercussions which might be brought upon the government by the Congress of the United States. That would depend on the sense of the resolution this Congress adopts, and the Argentine people would certainly be sensitive to whatever these resolutions might say.

Mr. SMEEETON. Father?

Reverend HEHIR. I will speak first, and then Mr. Quigley.

I would speak at a more general level because I think the question is very important.

I can report on a conversation with a neighbor of Argentina, a leading Paraguayan churchman, who when I told him within the past 2 months that we had access to committees like this, said that the only institution in the world that the Paraguayan Government has any fear of was the U.S. Congress. They have no fear of any newspaper; they have no fear of general public opinion; but the only institution in the world they have any apprehensions about is the U.S. Congress and what it might do.

I think, second, the importance of these hearings has to be evaluated not only in terms of their impact on the government in question, which I think is the first area at which we ought to look, but they also have to be interpreted bureaucratically within the U.S. governmental decisionmaking process.

It seems to me that the kind of attention, whatever it is, that is attributed to human rights today is partly a result of the hearings of this very committee, and that it does indicate a sustained interest in this question, that it will be weighed throughout the policy process, put pressure on the executive branch that gives anybody like our groups who work in public opinion, in publication and education formulation; this is ultimately the point of leverage to which you move.

I think the significance of the hearings has to be seen over a long term, in addition to the immediate impact it has, and I think they are very significant, bureaucratically, in that sense.

Mr. QUIGLEY. It is clear the government is very concerned about its image, which is not quite the same as saying it is responsive to the pressures or sensitive to the pressures that are building up in many places in the world.

We read in the September 17 issue of Latin America from London that the Argentine Government has recently hired a U.S. public relations firm to help improve its public image, and it has taken a number of cosmetic steps to change some of the things that have been most significantly cited.

For example, the anti-Semitic literature has been somewhat restrained, but it is not clear that this represents a real sensitivity or willingness to make significant changes except when there is a sufficiently strong kind of pressure, such as that which the Congress and other, essentially, monetary agencies can bring upon the government.

Mr. SMEETON. I get a feeling from reading certain recent press accounts—I have one before me by Joanne Omang of the Washington Post—that improvement on the human rights front must be linked to Videla's ability to consolidate his support within the armed forces. In the same article, which is dated September 11, Ms. Omang seems to indicate that he is maybe to that point now, or near that point.

She observes that some politicians are mainly optimistic that the relatively moderate line will prevail over the current violence. Specifically, she notes that:

The shift is evident in recent command changes and in private conversations. It was achieved mainly by Videla's patient, self-effacing, personal style, combined with a hard and largely successful military campaign against leftist terrorism. Both elements are deeply popular at the secondary command level of the military, which is showing signs of a real willingness to turn against its own extreme right wing.

Mr. GARZON MACEDA. The information transmitted by this reporter is in contradiction to the information given out by the various leaders of the Argentine Government, who no more than 15 days ago through General Videla and General Mendendez maintained that one of the organizations had lost 60 percent of its forces, which would be equivalent to 40 percent of its forces remaining, and that other major force had lost 30 percent of its forces, which would mean that 70 percent are still active.

So, given this official figure of General Mendendez, and keeping in mind both the economic and social conditions of Argentina, it is rather difficult to believe that what this reporter suggests could possibly be seen in any kind of concrete moves in the near future. I believe this is a very dangerous article, that of believing that the left must be liquidated before anything could be done against the right.

Mr. SMEETON. Thank you, Mr. Chairman.

Mr. FRASER. Well, I want to thank our witnesses.

I would like to just make a statement. We had intended to invite another witness, Juan Gelman, an Argentine poet now living in Rome. Mr. Gelman's son and daughter-in-law had been under detention. Upon learning of his decision to testify, it has been reported that the Argentine Government contacted Mr. Gelman and said, in effect, if he wanted his son and daughter-in-law to leave Argentina, he should not testify. He decided not to testify.

The Government now indicates that Mr. Gelman's son and daughter-in-law have been freed and are in Argentina. Mr. Gelman does not believe this is true, and fears for the lives of his son and daughter-in-law. So, perhaps we can learn about that particular information.

Mr. GARZON MACEDA. Mr. Chairman—

Mr. FRASER. One other thing. We have some documents which have been provided to us on torture and violations of human civil rights, presented by the Argentina Commission on Human Rights. It is extensive and we will review it and include as much as is appropriate as a part of the record.

Mr. GARZON MACEDA. I have some additional ones which I would like to submit, along with those you already have——

Mr. FRASER. All right.

Mr. GARZON MACEDA [continuing]. Which are related to the exposition we have given.

Mr. FRASER. We would like to have as much documentation as we can and will review it.

Mr. GARZON MACEDA. I would like to also submit a photocopy speaking of one of the books which is obligatory reading in the military academy, along with the books of a French author based on the experience of the French Army, both in Indochina and Algeria.

It maintains that the army must prepare to carry out a dirty war. These books are required reading for officials in the army.

Mr. FRASER. We will be glad to accept additional documentation. It doesn't have to be provided at this moment.

Mr. GARZON MACEDA. All right.

Mr. FRASER. My thanks to the three witnesses that have been at the witness table. We really appreciate the information we have received, and we would like to now turn to our final witness today, Hon. Leonard Chapman, Commissioner of Immigration and Naturalization Service, Department of Justice.

The subcommittee will proceed now with our final witness, Mr. Chapman. Let me repeat my apologies for the long delay. It may not have been the first delay you have encountered in a congressional committee, but I, nevertheless, appreciate your willingness to appear third here.

**STATEMENT OF HON. LEONARD CHAPMAN, JR., COMMISSIONER,
IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT
OF JUSTICE**

Mr. CHAPMAN. Thank you, Mr. Chairman.

It is a pleasure to appear before you to present the views of the Department of Justice concerning a proposal for the parole of Chilean, Bolivian, and Uruguayan refugees from Argentina and additional detainees from Chile into the United States.

I am accompanied today by Sam Bernsen, General Counsel, and Sol Isenstein, Assistant Commissioner for Adjudications.

I should say there has been a new development in the last 24 hours since the statement was prepared and submitted, and I will touch on it as I come toward the end.

The new development is that the consultation with the House Judiciary Committee and Senate Judiciary Committee has now begun on this proposal.

I am sure you know the Immigration and Nationality Act presently contains no provision dealing specifically with refugees who are natives of the Western Hemisphere. However, section 212(d)(5) of the act does give the Attorney General discretionary authority to parole aliens into the United States in emergency situations.

The Attorney General, acting in conjunction with the Secretary of State and the Congress, has used this provision to admit refugees from the Western Hemisphere; for instance, in the Cuban situation. However, aliens from the Western Hemisphere admitted under parole cannot adjust their status to that of lawful permanent resident without an act of Congress.

Normally, in situations involving a large number of refugees, the Secretary of State makes a finding that an emergency refugee situation exists, and requests the Attorney General to exercise his discretionary authority in favor of establishing a parole program for such group of refugees.

If the Attorney General is satisfied that a bona fide refugee situation exists and that a program should be established, he will consult with the Judiciary Committees of the House and the Senate prior to exercising his parole authority.

Refugees coming under parole authority must, of course, meet all of the qualitative requirements for new immigrants except those relating to immigrant visas, labor certification, and literacy.

The foregoing procedure has worked reasonably well in the past.

In an earlier program lasting over 10 months, 400 Chileans who were within Chile or Peru, plus their families, were authorized parole into the United States as refugees.

On July 21, 1976, the State Department addressed a letter to the Attorney General requesting parole of additional Chilean detainees in Chile and a new program in Argentina to parole Chilean, Uruguayan, and Bolivian refugees.

The total number requested is 200, plus their families.

Thereafter, consultations were held between the Justice Department and the State Department, with a view so determining the nature of the problem in Bolivia and Uruguay, as well as Chile and Argentina.

It was also important to learn whether the pending request would complete the program or likely be followed by similar proposals.

Also discussed were the prospects for an improvement of conditions in these countries, and the past performance and future likelihood of other nations accepting refugees from Chile and Argentina.

I will now modify the last paragraph: The Attorney General is presently considering recently received material pertaining to these foregoing matters.

We have now requested that consultation with the two judiciary committees of the House and the Senate be held as soon as possible regarding the establishment of a parole program for Chilean, Uruguayan, and Bolivian refugees from Argentina, and for an increase in the number of Chilean detainees in Chile who may be paroled into the United States.

When the consultations with the two committees are completed, the Attorney General will make his decision.

I hope we will now be able to answer your questions.

Mr. FRASER. Yes; let me direct a question to the last statement you made.

The present status of the matter is what? What has happened now that is different from what is in the statement?

Mr. CHAPMAN. The next step in the process has been taken as of yesterday and today, namely, that the two judiciary committees, the chairmen of the House Judiciary and the Senate Judiciary have been informed of the proposed program, and an offer to consult in accordance with our procedure has been made. We now await the pleasure of the two committees.

Mr. FRASER. Well, does this mean, then, that the Attorney General has made a recommendation to the committees?

Mr. CHAPMAN. No, sir. He has merely announced the proposed program and asked to consult on it. When he receives the advice of

the two committees, which, of course, is consultation, then he will make a decision.

This is the process we followed for the Chilean refugees, for the Vietnamese refugees, and others.

Mr. FRASER. Well, I want to call attention to the last sentence in your prepared statement, which I will read. I understand it is changed, but it says, "As I have explained, if the Attorney General decides that such a program is needed, he will immediately consult the appropriate committees of the Congress."

Mr. CHAPMAN. Those are the words of the program, and—

Mr. FRASER. Am I to conclude that the Attorney General has decided such a program is needed and, therefore, is now engaging in the consultative process?

Mr. CHAPMAN. That is correct, sir. If the consultation is favorable, if the advice is favorable, in favor by the two judiciary committees, then the Attorney General will make a decision and we will no doubt proceed with the program.

Mr. FRASER. But he has now decided that a program is needed and is taking the next step?

Mr. CHAPMAN. That is correct.

Mr. FRASER. That is very encouraging.

One question that arises out of the hearings that we have had yesterday and today—I don't know how this would work, but it would appear as though Argentinians themselves—well, a number are already in refugee status.

The witness we had yesterday, and the one today, both are living in Europe.

Mr. CHAPMAN. Yes.

Mr. FRASER. What about that? In other words, in addition to the refugees from Uruguay, Chile, and Bolivia, there is a problem now for people living in Argentina who are of Argentinian citizenship?

Mr. CHAPMAN. Well, sir, there has been no procedural recommendation from the Secretary of State—

Mr. FRASER. Department of State?

Mr. CHAPMAN [continuing]. Declaring that an emergency refugee situation for Argentinians in Argentina presently exists and recommending a parole program. There has been no such recommendations from the Department of State.

Mr. FRASER. So, if there is any augmentation, we would have to start with that again.

Where does the word "parole" come from?

Mr. CHAPMAN. It comes from the Immigration and Nationality Act.

Mr. FRASER. I know. Why does that word show up in the act? What does the word "parole" mean in this context?

Mr. CHAPMAN. Well, legally, it means that we bypass certain requirements of the law and parole an individual bodily into the United States; but legally he is still at the water's edge. It is a technical term.

STATEMENT OF SAM BERNSEN, GENERAL COUNSEL, IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

Mr. BERNSEN. Parole is a legal fiction by which we consider that legally a person stands at the boundary seeking admission to the

United States, but physically we allow him to be in the United States while his request for admission to this country is under consideration.

Mr. FRASER. Is that still the way it is? I note in your statement the people that are paroled into the United States cannot gain permanent residence.

Mr. CHAPMAN. That is Western Hemisphere people; that is correct.

Mr. FRASER. Are they able to proceed with whatever application they might have proceeded with being outside of the country? Does coming into the country disqualify them or restrict the kind of status they might have pursued if they were outside the country?

Mr. BERNSEN. They can still continue to pursue any application they may have pending before an American consul to obtain an immigrant visa so they may enter the United States as permanent residents. If in the United States they would have to depart, pick up an immigrant visa abroad when the consul is ready to issue one, return to the United States and be admitted as a permanent resident.

Mr. FRASER. Does it matter what Embassy they go to to pick it up?

Mr. BERNSEN. No, sir.

Mr. FRASER. They don't necessarily have to go back to the country they were forced to leave?

Mr. BERNSEN. No.

Mr. FRASER. There is no disqualification added; it is simply that being here adds nothing to their position?

Mr. BERNSEN. That is correct.

Mr. FRASER. In relation to their application?

Mr. BERNSEN. That is correct.

Mr. FRASER. How long, when someone is paroled, can they stay in the United States?

Mr. BERNSEN. They can remain indefinitely, unless we put a time period on the parole. We may allow them to be paroled for an indefinite period; and usually with refugees the parole is for an indefinite period.

Mr. CHAPMAN. Theoretically, if the conditions in his home country which caused him to be a refugee fleeing from persecution for political, religious, racial reasons should change, then theoretically the reason for the parole would change and he should return to his country.

Mr. FRASER. But is there a change?

Mr. CHAPMAN. In practice that doesn't happen very often.

Mr. FRASER. That is not followed, necessarily, by a change in status, is it? It happens so rarely it is more theoretical, is that it?

Mr. BERNSEN. Yes, it has rarely ever happened.

Mr. FRASER. The way the world is going——

Mr. CHAPMAN. Yes. Who knows. It is possible to imagine a situation in which there would be an overthrow of the government in Vietnam and——

Mr. FRASER. One other——

Mr. CHAPMAN [continuing]. And another party getting back in power.

Mr. FRASER. I am told that people have difficulty getting information from the government about who is being paroled or who has actually entered the United States from Chile.

Should there be such a problem, or what is the situation?

Mr. CHAPMAN. Well, to begin with, each refugee coming from Chile comes under the cognizance of a voluntary agency in this country, and there is a sponsor arranged and waiting for each such refugee and his family.

There shouldn't be any problem about proper care being taken of the refugees, the strangers who arrive under this program into the United States.

Mr. FRASER. Who, typically, are the sponsors, say, for the Chilean refugees?

STATEMENT OF SOL ISENSTEIN, ASSISTANT COMMISSIONER FOR ADJUDICATIONS, IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

Mr. ISENSTEIN. Well, there are all kinds of sponsors—the Catholic organizations sponsor; the Lutheran organizations; Amnesty International sponsors many. There are many sponsoring organizations.

Mr. FRASER. What is involved in sponsoring for this purpose? What commitment does the sponsor make?

Mr. ISENSTEIN. They give assurance to the Government that these people will not become public charges, and that they will get them employment and housing, not a legal obligation but a moral obligation undertaken by these voluntary agencies.

Mr. FRASER. Well, when you are working with recognized agencies, you know what you are dealing with.

Can an individual become a sponsor?

Mr. ISENSTEIN. Yes. An individual usually becomes a sponsor under the auspices of one of the voluntary agencies we recognize. We want a voluntary agency we can look to, and the individual works through the voluntary agency.

So, if an individual came to us and said he wanted to sponsor an individual, we would refer him to 1 of the 10 or so voluntary agencies.

Mr. FRASER. Let me go back to my question: Whether the sponsor, then, is able to provide the supportive assistance or not, is there any reason why someone inquiring of the Department might not get the information?

Mr. ISENSTEIN. None at all. We should have, and I think we do have the addresses of all the refugees that come to the United States and the whereabouts can be made known. We have it.

Mr. FRASER. And it is available on request?

Mr. ISENSTEIN. Yes, sir.

Mr. FRASER. Mr. Koch.

Mr. KOCH. Thank you, Mr. Chairman.

I, too, want to thank you, Mr. Chapman, and your associates, for being so patient.

I would like to know what happens to Uruguayans in this country whose passports have been revoked by their own Government. Do you provide them with sanctuary under any program?

Mr. CHAPMAN. They are here on temporary status as non-immigrants?

Mr. KOCH. Yes.

Mr. ISENSTEIN. If a person is here on temporary status and the period has expired and he cannot return to the country from which

he came, he may ask for asylum in the United States, and that request will be considered.

We ask the State Department for information regarding the conditions in the country from which the alien came and whether or not he would be subject to persecution there.

Mr. KOCH. Do you have any facts with respect to Uruguayans in that situation? Have any applied for asylum?

Mr. ISENSTEIN. To my knowledge, none.

Mr. KOCH. None?

Mr. ISENSTEIN. To my knowledge, none.

Mr. KOCH. That surprises me, simply because my office has indicated to me that there are a number of Uruguayans in this country who fear to go back; but you are not aware of them?

Mr. ISENSTEIN. They have not requested asylum from us.

Mr. KOCH. There is a program, should they apply for asylum on a case-by-case basis?

Mr. ISENSTEIN. Yes, there certainly is.

Mr. KOCH. The second question I have, Mr. Chapman, is this:

With respect to numbers, could you give us the numbers that the Attorney General will be discussing with the two committees?

Mr. CHAPMAN. It is 200. This is the Secretary of State's parole recommendation, 200 refugees from—Chileans detained in Chile, and, as I said, Bolivians or Uruguayans or Chileans in Argentina, plus their families.

Mr. KOCH. The total number is 200-plus families?

Mr. CHAPMAN. From both countries. I think I mentioned we have already taken 400 Chileans from Chile.

Mr. KOCH. Has that program been completed, the 400?

Mr. CHAPMAN. The 400 have been approved; not all are yet here. I think we have that number.

Mr. ISENSTEIN. Yes, 288 principals who have families have come. There are 94 principals and families still to come.

Mr. KOCH. Now, do you know what other countries have done for refugees from these countries similarly situated? Do you know what the other programs are?

Mr. CHAPMAN. No, sir. We know some general information, but we are not the primary witness on that. It would be the Department of State.

I do know that France has taken a considerable number from Chile.

Mr. KOCH. Do you know the number?

Mr. CHAPMAN. I don't know the number.

Mr. KOCH. Am I correct?

Mr. CHAPMAN. Other countries have also.

Mr. KOCH. Am I correct that the U.N. Commissioner has asked countries each to take a thousand? Are you familiar with that figure?

Mr. CHAPMAN. No, I am not, sir. I know the U.N. High Commissioner has been working hard on the problem of refugees from Chile.

Mr. KOCH. I think that is the figure that he has urged upon countries.

Mr. CHAPMAN. This has been going on for some time.

Mr. KOCH. Then I am also requested to ask this question: Do we take Communist as refugees?

My response normally is that "to the best of my knowledge, Communists are not eligible under this program and that the people who would be so identified could find sanctuary from Communist countries, hopefully."

Could you discuss that with us?

Mr. CHAPMAN. That is correct. Under the law, one of the excluding criteria is communism. I mentioned that refugees coming under parole must meet all of the qualitative requirements of the law, except for immigrant visas, labor certification, and literacy; and one of the other requirements is that one.

There are some ways laid out in the law to cope with that exclusionary requirement.

Mr. Bernsen may wish——

Mr. BERNSEN. Well, a person who was what we call a defector—that is, a person who was a member of a Communist organization who discontinued his membership and actively opposed the principles of the Communist Party for 5 years may, in the discretion of the Attorney General, be allowed to come to the United States.

Mr. KOCH. So those Americans who might be concerned that such a program would open this country to infiltration by Communists can be assured that, in fact, that is not the case? Is that a fair statement?

Mr. BERNSEN. Yes; indeed.

Mr. CHAPMAN. Yes; I will give that assurance. I give the final approval to each parolee, and I can assure you there is no Communist getting in.

Mr. KOCH. Now, could you tell us whether, in fact, Communists who are subject to harassment and, two, are in danger of their lives, are they receiving sanctuary in Communist countries? Do they have programs to take Communists, Argentinians or Chileans or Bolivians, do you know?

Mr. ISENSTEIN. I don't know they take Communists. I know many other countries have taken people.

Mr. KOCH. I am talking about Communist countries.

Mr. ISENSTEIN. I don't know of any.

Mr. KOCH. You don't know whether they provide sanctuary to——

Mr. CHAPMAN. This is Mr. Tom Brobson, Chief of our Inspections, and with your permission I think he can cast some light on this.

Mr. KOCH. I would appreciate being informed.

STATEMENT OF THOMAS BROBSON, ASSISTANT COMMISSIONER FOR INSPECTIONS, IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

Mr. BROBSON. Some Communist countries have taken refugees out of Chile, and presumably will be taking them out of Argentina at the request of U.N. High Commissioner for Refugees.

Mr. KOCH. You are not familiar with any numbers or——

Mr. BROBSON. No; we are not.

Mr. KOCH [continuing]. Or any special program that——

Mr. BROBSON. No; we are not.

Mr. KOCH. Is it possible that you might provide that to us? I would be interested to know what——

Mr. BROBSON. The State Department would be the primary source of information along these lines.

Mr. KOCH. I would appreciate whatever information you could provide on that.

Mr. CHAPMAN. Yes, sir.

[The information received from the Department of Justice follows:]

Refugees from Chile absorbed by Communist countries Oct. 6, 1973 to Sept. 30, 1976

Country:	Number
Cuba.....	569
Democratic Republic of Germany.....	344
Hungary.....	327
Romania.....	1, 398
U.S.S.R.....	33
Yugoslavia.....	54
Total.....	2, 725

Mr. KOCH. My last question is this:

Why is it that we discriminate against Western Hemisphere people in terms of regularizing their status? Is the implication that we let Eastern Hemisphere people regularize their status? Is that in the law, and if so, do you know why, and do you think it should be changed?

Mr. CHAPMAN. It is in the law, and was written into the law when the amendments to the Immigration and Nationality Act were passed about 1965.

It is my understanding that at that time the need for this type of arrangement was just not foreseen. Second, we do favor very strongly amendments to the act that would provide for the Western Hemisphere the same preference system, the same country ceilings, and all the other arrangements that are now in effect for the Eastern Hemisphere, so-called Eastern Hemisphere—Eastern Hemisphere in the law being all the rest of the world other than North Central and South America and the Caribbean Islands.

There are bills pending before the Congress now and have been, I think, for three Congresses, to do just that.

Mr. KOCH. In a bizarre way——

Mr. CHAPMAN. They have not yet passed.

Mr. KOCH [continuing]. In a bizarre way, the current law discriminates unfairly against those people who are closest to us, at least in geographical proximity; is that a fair statement?

Mr. CHAPMAN. I think it is a fair statement, and we endorse, in the interest of fairness, as I said, the extension to the Western Hemisphere measures that are now in the law on the Eastern Hemisphere.

Mr. KOCH. My final question, Mr. Chapman, is this: At this point, whether or not the Attorney General extends the parole program and does it expeditiously really depends on the expeditious response of the chairmen of the two subcommittees on the House and the Senate sides; is that correct?

Mr. CHAPMAN. That is correct, sir. We await their pleasure in this regard.

Mr. FRASER. You indicated that there are still 94 Chilean refugees under the original 400 number who have not arrived in the United States and are still to come.

How long has that program been in force?

Mr. ISENSTEIN. Since June 1975.

Mr. FRASER. It has been in force for 15 months?

Mr. ISENSTEIN. That is correct.

Mr. FRASER. Why would the 94 not have arrived?

Mr. ISENSTEIN. The commonest reason is awaiting sponsors.

Mr. FRASER. That is, there may be 94 without sponsors?

Mr. ISENSTEIN. No; that is the commonest reason. Other reasons may be awaiting exit permits from the Government of Chile.

Mr. FRASER. Do you have any notion with respect to these 94 which kind of reason prevails in the case of most of them?

Mr. ISENSTEIN. Well, I indicated that the most common reason is lack of sponsorship, but there are some who are waiting exist permits from the Government.

I don't know the numbers on each side.

Mr. FRASER. But before someone is processed through the program, don't we have some reason to believe the Chilean Government will let them go?

Mr. ISENSTEIN. No; we sponsor some before they get exist permits. In some cases we have the exist permits before we begin the processing; in other cases, representations are made to us that a individual would like to come to the United States and that he qualifies under our program.

We will process his case and await the issuance of the exit permit.

Mr. FRASER. With respect to the established agencies involved in sponsorship, where are they with respect to the 94?

Mr. ISENSTEIN. They are in the United States.

Mr. FRASER. But I mean are they saying we have got all that we can handle; we can't accept any more?

Mr. ISENSTEIN. No; they don't say that. Usually they are awaiting an individual who has undertaken on their behalf seeking of employment, seeking of housing for the individual.

Mr. FRASER. In other words, they are actively working with someone?

Mr. ISENSTEIN. Yes.

Mr. CHAPMAN. Yes. There may be delays. It is quite a responsibility to assume for an American citizen who probably has a family of his own; but I don't think there has ever been a failure to find a sponsor. Sponsors are a lot of fine Americans who are more than happy to sponsor a refugee family from Chile.

We found some 140,000 sponsors for the Vietnam refugees.

Mr. FRASER. Well, I must say the Vietnamese program was handled, I think, with a high degree of efficiency, given the circumstances.

Mr. CHAPMAN. That is a tribute to the American people, sir.

Mr. FRASER. And I had the impression—I am glad to be informed about some of the circumstances—I had the impression the Chilean parole program moved very slowly.

Mr. CHAPMAN. Well, I think that is correct.

Mr. FRASER. From our point of view, as far as you can tell, it is the normal processing and—

Mr. ISENSTEIN. I think this program moved a little slower than we anticipated, and certainly much slower than the Vietnamese program; and I think there are a variety of reasons for that.

One of the reasons is what I mentioned before, the obtaining of exit permits from the Chilean Government. Another reason was the getting of security checks on all the individuals to make sure that nobody who was inadmissible to the United States would be able to come. We undertook that.

Also, these refugees are scattered all over Chile, and we had to send officers to remote parts of the country to seek them out and interview them. They were all interviewed.

Mr. FRASER. How do we get their names? Do they apply?

Mr. ISENSTEIN. No. Usually, the names are furnished to us by the Intergovernmental Committee on European Migration. They give us the names of the individuals, and then we go to the jails and interview them there.

Mr. FRASER. You indicated if someone has been active in the Communist Party, they cannot enter. I get the impression that many political movements may be more radical, more militant than the standard, traditional, old-line Communist Party, especially the ones with ties to Moscow. On the other hand, there are people who have a Marxist philosophy, but they may be active in a political movement that has no direct ties to Moscow, and may not call itself Communist.

Mr. ISENSTEIN. Well——

Mr. FRASER. What do you do about such a case?

Mr. ISENSTEIN. They don't have to call themselves a Communist in order to be excludable from the United States. If they espouse the principles of communism, they may not come.

Mr. FRASER. What are the principles of communism that distinguish it from other ideologies?

Mr. ISENSTEIN. I don't think I can give you an essay on that right now.

Mr. FRASER. There aren't three or four sort of litmus tests that you apply?

Mr. ISENSTEIN. Three or four litmus tests? I don't think it is quite as simple as all of that.

We go into the writings and the lectures, the organizations the people belong to, a variety of things we look into and take the totality of the situation. If the person is not a member of a named organization——

Mr. CHAPMAN. We seek security clearances from all of the governmental agencies.

Mr. FRASER. You mean from our governmental agencies?

Mr. CHAPMAN. Beg pardon?

Mr. FRASER. If someone advocated the doctrine that is enunciated in the Declaration of Independence, namely, the right to overthrow the government that have ceased to become representative of the people, would that disqualify them?

Mr. ISENSTEIN. As we both know, it would not.

Mr. CHAPMAN. Of course, the leaders——

Mr. FRASER. We both know it should not.

Mr. CHAPMAN. The leaders of our revolution considered it was the British Parliament that was in revolt, had revolted against the British Constitution.

Mr. FRASER. There is not a British Constitution.

Mr. CHAPMAN. Well, it may not be written, but it was well settled!

Mr. FRASER. Well, the doctrine enunciated in the Declaration is what I gather is an operating principle on the part of many people who may or may not get caught up in movements that are identifiable as Communist; but there are clearly people around the world who have given up hope of working within the system as they perceive it and decided it ought to be changed by force and violence.

But that, you say, does not automatically disqualify them?

Mr. ISENSTEIN. No, sir.

Mr. CHAPMAN. Mr. Bernsen may be able to add.

Mr. BERNSEN. One of the things would be that the organization or the person believed in a totalitarian form of government for the United States and that is one of the guidelines of the statute.

Mr. FRASER. The dictatorship of the proletariat?

Mr. BERNSEN. Yes, if totalitarianism for the United States is advocated.

Mr. FRASER. Now, the French and Italian Communists come in freely, since they have not added that phrase?

Mr. KOCH. If you believe them.

Mr. BERNSEN. If a person was a member of the Italian Communist Party, he is inadmissible to the United States.

Mr. FRASER. They claim they don't subscribe to that anymore.

Mr. BERNSEN. Well, they have an Italian Communist Party as such that calls itself the Italian Communist Party, and our immigration statute expressly says a person who is or was a member of the Communist Party of any country is inadmissible to the United States.

Mr. FRASER. Regardless of its ideology?

Mr. BERNSEN. That is correct. That is spelled out in those terms, in terms of any Communist Party.

Mr. FRASER. We had a witness before us, Leonid Plyushch, who is a Ukrainian who had been put in a mental hospital in the Soviet Union. He got out and finally, after protests by a number of professional associations, Amnesty International and so on, he said, "I was a Marxist," but he believed in democratic Marxism. Where would he stand in all of this?

Mr. BERNSEN. I don't think I am prepared to say. That is a nuance that may be a little difficult to decide instantly.

Mr. CHAPMAN. If he applied for admission to the United States, we would have to analyze his writings and his sayings and background and beliefs, and make a decision.

Mr. FRASER. This is the last question. I don't know if it's easy to answer.

The position of the United States in respect to the overthrow of the Allende regime and our embrace of the military junta which took power, must have created certain perceptions with respect to those who were at that point put into a refugee status.

Did that cause trouble internally, say, in the State Department, or Justice—in other words, people fleeing from a government that we were more or less identified with?

Mr. CHAPMAN. Well, it didn't cause any problems within Justice. I can't speak for the State Department, but it wouldn't surprise me if it caused some problems.

Mr. FRASER. Maybe the suspicion they must be really left, and if they aren't Communists, they are cheating the party out of dues.

Does that kind of attitude have an effect on our approach to the parole program from Chile?

Mr. ISENSTEIN. I would say "No."

What we actually did was to go to the jails and interview so-called political prisoners. We interrogated them regarding their beliefs, their philosophy. We looked at what we could of their records, either from our own agencies, FBI, CIA; we sought information also from the Chilean Government, to see what they had to say; and after the interview we made an appraisal as to whether or not they came within the ambit of our program or whether or not they were excludable from the United States under the immigration laws.

Mr. FRASER. In practice, say, with respect to the Chilean program, of the names given to us, did we end up excluding a significant number?

Mr. ISENSTEIN. We wound up excluding 76.

Mr. FRASER. And accepting 400?

Mr. ISENSTEIN. And accepting 400; 392, actually.

Mr. CHAPMAN. Some of those were from Peru, a few of those, Chileans that had fled Peru.

Mr. ISENSTEIN. The number from Peru was 34.

Mr. CHAPMAN. Thirty-four principals.

Mr. ISENSTEIN. These are Chileans who fled to Peru for refuge, and they were examined in the same manner as the Chileans in Chile, and we found 34 who were admissible.

Mr. KOCH. Mr. Chairman, I would like to pursue this question of the criteria that you use. One of the major criteria, as you outlined it, is that someone who believes in a totalitarian form of government would be excluded; is that right?

Mr. BERNSEN. That would be one of the touchstones. We look to see if the person advocates totalitarianism for the United States or the principles of world communism.

Mr. KOCH. I understand that.

Now, the law, does that cover Nazis as well?

Mr. BERNSEN. No, the law does not cover Nazis.

Mr. KOCH. Now, do you know why it doesn't cover Nazis? You and I, I would assume we all agree it should, it doesn't?

Mr. BERNSEN. I would agree, it should, but it doesn't.

Mr. KOCH. Do you have any idea why it does not?

Mr. BERNSEN. Well, I suppose when the Immigration and Nationality Act was passed in 1952 I think the Congress was concerned about the Communist menace and felt that we had overcome the Fascist and Nazi menace.

Mr. KOCH. My impression is—I just read in the papers the other day a number of Nazis now in the country are going to, in fact, be expelled; is that so? I just read that the other day.

Mr. CHAPMAN. Those are alleged Nazi war criminals.

Mr. KOCH. Let me get that straight now. Nazis, per se, would not be barred, only a Nazi war criminal would be barred; is that correct?

Mr. BERNSEN. That is correct.

Mr. KOCH. Is that a correct statement?

Mr. BERNSEN. That is correct. In other words, a person who was a member of the Nazi Party, that is, the only thing he did was join the Nazi Party, he would not be inadmissible to the United States.

However, a person who is a member of a Communist Party now or was in the past is barred under the immigration law.

Mr. KOCH. Well, I know that; you can't change the law. In fact, we have the responsibility for that. But wouldn't you agree that if the exclusionary touchstone is belief in a totalitarian form of government—we don't have to provide them with sanctuary in this country. I agree with that principle. Let them find sanctuary in a totalitarian form of government; they will be happier. So, I have no problem with that concept at all, particularly since there are huge numbers of refugees who would fall into that classification of not believing in a totalitarian government and who have opposed a totalitarian government in their own country, and that is why they became refugees.

Since we are not taking everybody, we might as well take those who are closer to our form of government. I find no quarrel with that.

But I do find something inconsistent, almost bizarre, with the concept that one could be a Nazi and enter the country without bar and not considered in the same way as we would consider a Communist. After all, fascism and communism are really two sides of the same coin.

Mr. BERNSSEN. Well, I speak for myself. I surely do, and the matter, of course, caused a great deal of controversy when the Immigration and Nationality Act was passed in 1952. Many people objected to that distinction.

Mr. KOCH. Mr. Chairman, I suggest between now and Friday we change the law.

[Laughter.]

Mr. FRASER. Just one last question: You must make a distinction between those who subscribe to authoritarian modes of government and those who subscribe to totalitarian. You distinguish between those two concepts, totalitarian and authoritarian?

Mr. BERNSSEN. Well, I am not sure I quite appreciate the distinction.

Mr. FRASER. Let me put it this way: Supporters of the Pinochet government are inadmissible to the United States, since it is authoritarian?

Mr. BERNSSEN. I don't—

Mr. FRASER. There is no freedom there?

Mr. BERNSSEN. I don't believe that would be so. We would have to look to see if it is a Communist government, and—

Mr. FRASER. What do you judge it by, economic principles or political principles?

Mr. BERNSSEN. By whether or not the party or the organization advocates the same principles as the Communist Party advocates.

Mr. FRASER. I thought, though, you said if someone subscribed to a totalitarian system of government they were excludable.

Mr. BERNSSEN. No.

Mr. FRASER. Under those terms alone.

Mr. BERNSSEN. That might be one of the tests as to whether he believes in the principles of the Communist Party. Does he believe in a totalitarian form of government for the United States? That is one of the things we would ask.

Mr. FRASER. If someone believed—I suppose this is coming back—

Mr. KOCH. What he is saying, the supporters of Pinochet would be considered to be Nazis and therefore admissible.

Mr. BERNSSEN. It depends on what the evidence establishes.

Mr. FRASER. In other words, someone who defended the right of an elite to maintain control over the population by use of force, and who did not believe in the right of people to elect their own representatives, they would not be excludable, even though that was their belief?

Mr. BERNSEN. Our immigration law doesn't bar aliens just because they believe in any form of dictatorship.

Mr. FRASER. Just to the left?

Mr. BERNSEN. It bars Communists, yes, per se—those who believe in the principles of communism, those who distribute Communist literature, or who engage in supportive activities for Communism.

Mr. CHAPMAN. That is what the law says, Mr. Chairman.

Mr. KOCH. That is not your fault; that is the fault of the Congress.

Mr. FRASER. That law may be lacking, the way the world is today.

Mr. CHAPMAN. Of course, certain laws did exclude those who advocate or practice persecution for political, racial, or religious reasons.

Mr. KOCH. Why wouldn't the Nazis come under that?

Mr. CHAPMAN. The alleged Nazi war criminals may come under that.

Mr. KOCH. No, no. I mean a Nazi war criminal is someone who under international law is subject to being pursued with indictment and trial and ultimate conviction; that is what a war criminal is. It is not simply, I don't like what you did or said. There are certain standards that the Nuremberg trial set up, but that is not what you are talking about.

You enunciated another principle, someone who believes in oppression based on race?

Mr. CHAPMAN. Religion or race.

Mr. KOCH. So is it clear that such individuals are barred now? Or political belief.

Mr. CHAPMAN. Persecution.

Mr. KOCH. Are they barred now?

Mr. BERNSEN. May I say something? May I say something on the question of persecution? Persons who are barred, aliens who are barred because they participated in acts of persecution—now, we have to go as we all know by the law.

Mr. KOCH. Surely.

Mr. BERNSEN. Well, in our refugee laws, in the Displaced Persons Act of 1948, and the Refugee Relief Act of 1953, there were express provisions that any aliens who participated in persecution were inadmissible under those acts, and if they entered in spite of being inadmissible, we today may deport them.

That is why we are considering instituting deportation proceedings against some of these Nazi war criminals; but those who entered after the Immigration and Nationality Act of 1952 became effective and entered only under that act are not deportable, even though they participated in acts of persecution.

That is a gap in the law.

Bills have been introduced in the Congress to close that gap.

Mr. KOCH. You learn something every day, Mr. Chairman.

Mr. FRASER. That is true.

Mr. CHAPMAN. Why don't we correct that by Friday?

[Laughter.]

Mr. FRASER. Correct the fact that we learn something every day?

[Laughter.]

Mr. CHAPMAN. That is really a complicated law.

Mr. FRASER. Well, it certainly seems to be.

I really do appreciate your appearance and your testimony. This has been helpful to us in understanding it. I guess our interest in human rights intersects with the U.S. immigration policy, and it is probably important that we learn more about your responsibilities and the laws under which you have to operate.

Tomorrow?

Mr. SMEETON. No, thank you, Mr. Chairman.

Mr. FRASER. With that, then, the subcommittee stands adjourned.

[Whereupon, at 5:15 p.m., the subcommittee adjourned, subject to call of the Chair.]

APPENDIX 1

[From Detroit Jewish News Service, August 13, 1976]

ARGENTINA CALLED CENTER OF NAZI LITERATURE DISTRIBUTION ¹

NEW YORK (JTA).—Argentina has emerged as a major world center for the publication and distribution of Nazi literature, it was reported by Rabbi Morton M. Rosenthal, director of the Latin American Affairs Department of the Anti-Defamation League of B'nai B'rith.

In a special report, he stated that newstands and bookstores in Buenos Aires and other large cities in Argentina prominently display classic texts by Goebbels and Hitler in Spanish translations.

Books by other Nazi writers as well as contemporary works and pamphlets eulogizing Hitler and the Third Reich are also on sale.

"Editorial Milicia," which describes itself as "the only publishing house in all the world dedicated to the publication of fundamental texts of national Socialism" has been the main source of the literature, Rosenthal stated.

Milicia celebrated its first anniversary on June 30, proudly announcing that it had already published 16 paperbacks in a series called "Library of Doctrinal Formation," and 10 individual books on the topic, all of which have been sold in "impressive numbers."

Among the titles are two by Mussolini, "Fascism" and "Revolutionary Fascism"; two by Hitler, "My New Order" and "My Enemies and Yours"; and three by Goebbels, "Toward the Third Reich," "The Conquest of Berlin," and "Hitler or Lenin." Other authors published include Nazi propagandists Dieter Schwartz, Heinz Roth, and Hans Sponholz.

Planned for publication this month is the anti-Semitic classic, "The Protocols of the Elders of Zion," which Milicia describes as the first Spanish translation of the celebrated edition published during the Third Reich by Theodore Fritsch, "the maestro of anti-Semitism," who translated it from the Russian.

The respected Buenos Aires daily "La Prensa" has condemned what it describes as Milicia's "damaging and persistent spreading of the doctrine of Adolph Hitler," Rosenthal reported.

In its editorial "Publications of the Nazi Doctrine," the paper called upon the government to close down Milicia, as it did 48 other organizations dissolved under public law, because their purposes involved "the spreading of alien ideologies."

A similar request was made by representatives of Argentine Jewry in a lengthy meeting last month with the Minister of Interior, Gen. Albano E. Harguindeguy.

The Jewish delegation, made up of Dr. Hehemias Resizky, president of DAIA, the representative body of Argentine Jewry, and three other DAIA officers, expressed the community's concern with the proliferation of propaganda that is plainly Nazi and anti-Semitic. They gave Harguindeguy a list of the literature and reminded him of the fact that under Argentine law, inciting religious or racial hatred is a criminal act.

The interior minister assured the Jewish leaders, who later described the meeting as being frank and cordial, that the government did not in any way encourage racial or religious prejudice. He said that the matter would be studied carefully and that the government would seek an appropriate solution.

Editorial Milicia charged that "a campaign orchestrated by Judaism by means of the Masonic-Liberal-Bolshevik press" was trying to destroy it, Rosenthal said.

In a printed four-page reply headed, "Who are the victims and who are the executioners, the Jews or the Nazis?" Milicia blamed Jews for the world's problems. Among 18 examples were the creation of capitalism and communism by Jews, subverting Cuba and Chile, and causing both world wars.

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According to Milicia, Adam Smith, Fidel Castro, Salvador Allende, Franklin D. Roosevelt, Harry Truman, Joseph Stalin and Jacques Maritain were all Jewish. Jews are also blamed for creating the United Nations and controlling international news agencies. An additional 18 points focused on the role of Jews in Argentina, alleging that they lead the liberal parties and the Bolsheviks, and are responsible for prostitution and fraud.

The reply ended with Milicia's vow to continue "to unmask Judaism. We will see who will win: the gold of the international Jew or the will of the Argentine people."

The growing volume of literature is particularly menacing to Argentine Jews because the country is experiencing a political and economic crisis almost without precedent. The military junta, which took power in March of this year, is attempting to rescue the country from economic collapse while it simultaneously seeks to suppress left-wing terrorist organizations.

The threat to Jews is magnified by a proliferation of indigenous anti-Semitic literature in addition to Milicia's tracts.

"Ediciones Theoria" recently published a fifth edition of "The Jew in the Mystery of History" by Rev. Julio Weinvielle, an anti-Semitic priest who was spiritual adviser to many nationalist officers until his death last year. "AOCRA Argentina" has published a new edition of two classic Argentine anti-Semitic novels by Hugo Wast—"El Kahal" and "Oro."

Argentina's new role as a major world center for Nazi literature is also a threat to the country's image abroad. It evokes memories of the 1930s and '40s when Argentina was the base for Nazi espionage and propaganda in Latin America.

The activities reached such proportions in the '30s that the Chamber of Deputies created an investigation commission to study Nazi subversion. It is well-known that Argentina entered the war against Germany belatedly and reluctantly and, under Peron's leadership, gave haven to thousands who fled Germany as the Third Reich crumbled, Rosenthal declared.

The La Prensa editorial calling for a ban on Nazi publications pointed out that "there has never been sufficient clarification of the clandestine entry of thousands of Third Reich ex-agents and officials" under the Peronist governments.

La Prensa contrasted the present situation in Argentina with that in West Germany where Nazism is proscribed "for moral reasons more than juridical."

APPENDIX 2

[From Southern Israelite (Atlanta), July 18, 1976]

ANTI-SEMITISM HITS NEW HIGH IN ARGENTINA ¹

(By Rabbi Morton M. Rosenthal)

Anti-Semitism in Argentina has escalated to a level "which exceeds all that previously known" according to the Committee Against Racism and Other Forms of Colonialism, based in Buenos Aires. The organization's report on Argentine anti-Semitism from March to May 1975, asserts that the Arab League is behind efforts to local reactionary elements, described as "dark forces of pogromism," to make Jews scapegoats for the passions "which should properly be directed against the enemies of the country."

These reactionary groups, financed by international oil profits, are engaged in a "fundamentally anti-Jewish propaganda campaign which is operating at all possible levels—from government officials to the opposition and from the right to the left." The Committee contends that the escalation of anti-Semitism is part of a carefully planned and coordinated global strategy.

Analysis of the Committee's 11-page report shows that Argentina's 500,000 Jews are threatened more by the massive propaganda campaign than they are by the occasional bombings and machine gunnings of synagogues and other Jewish communal buildings. The principal aim of the propagandists campaign is to use Argentine Jews as scapegoats for the tension and emotions generated by the country's critical economic and political conditions.

A key personality in this effort is a one-time Argentine Senator and university professor, Walter Beveraggi Allende who has long been known as a mouthpiece for Arab propagandists. A dispatch from Barcelona by the Spanish news agency, EFE on April 27, signaled efforts to revive Beveraggi Allende's claim that the Jews plan to establish a Jewish state, called "Andinia" in the south of Argentina. The EFE story was widely reported in newspapers throughout Argentina, as well as other Latin American countries. Another indication of efforts to revive the myth was the denunciation of the "Andinia plot" on a TV program featuring the Libyan ambassador.

This so-called "Andinia plot," reminiscent of the infamous Protocols of the Elders of Zion, was first disseminated in 1971, circulating as an anonymous ten-page pamphlet. Subsequently, it was mass-mailed to military officers and university students. Both efforts failing to gain popular reaction. Beveraggi Allende, in January 1972, sent it as an open letter to Jose Rucci, the leader of the principal Argentine labor confederation, CGT. In his letter to Mr. Rucci, he charged that Jewish-Zionist interests had almost total control of the Argentine economy which they used to control also the judiciary, the media and the Argentine political system. Their objective, according to Beveraggi Allende, was "the total enslavement of Argentina by Zionism."

After describing in detail the foregoing charges, the letter reproduced the plan to dismember a portion of Argentine territory in order to establish a second Jewish state to be called "Andinia." This alleged "plot" was first presented to local Jewish leaders in March 1969 by "Chief Rabbi Gordon of New York." Directives issued by Rabbi Gordon included the fomenting of chaos, confusion, corruption, misery and injustice "to the ultimate extremes" to culminate on Feb. 4, 1972, when "Andinia" would be created.

With the backing of the cultural attache of an Arab embassy who financed its widespread distribution, the open letter created such a great stir in Argentina that an attorney filed suit in federal court against "the Jewish-Zionist high command in

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Argentina" demanding an immediate investigation "with the aid of all security organs and intelligence bodies of the armed forces, federal and local police." Although the "Andinia plot" was later incorporated in an Argentine edition of the "Protocols" it faded from public attention.

Current efforts to rekindle public interest in Beveraggi Allende's "Andinia plot" have as a secondary goal the build-up of interest in Beveraggi Allende's new book entitled, "Argentine Inflation 1946-1975." Leaflets announcing the forthcoming publication of the book give graphic warning of its anti-Semitic content. Its cover shows the country of Argentina crucified, the nails in its extremities adorned by Jewish stars, as a hook-nosed individual in "Der Stuermer" style, looks on with hammer in hand. The book's potential for harm is great, because it is appearing during a period of rampant inflation, approximately 80 percent in the last 12 months.

Government agencies also play an important role in the spread of anti-Semitism. This is evident from the Committee's list of anti-Semitic incidents:

A series of television broadcasts on Argentine literature, sponsored by the Ministry of Education, scheduled to include the classic anti-Semitic novel "La Bolsa" (The Stock Exchange), by Jules Martel. The main theme of the book, which first appeared in 1891, is Jewish responsibility for the economic crisis of that time.

Among the advertisers in the new magazine "Puntal" is the Ministry of Social Welfare as well as Peronist labor unions. This magazine is edited by the staff of the anti-Semitic "El Caudillo" whose final issue carried an incitement to violence against Jews in Argentina.

The government of Cordoba prohibited a scheduled memorial meeting to celebrate the anniversary of the Warsaw Ghetto uprising and the end of World War II. Provincial government officials offered "technical reasons of security" as their explanation for the unprecedented act.

The ban on the showing of the movie, "QB VII," in the interior of the country was, according to the newspaper "Ultima Hora," due to its having been adjudged "decidedly pro-Zionist and anti-Nazi." The director of films for Channel 13, a government-owned station, was forced to resign because he had authorized the broadcast of that film in Buenos Aires. At the same time, an official television channel was showing a long series of German war films which glorify the Wehrmacht.

An employe of the Secretary of the Senate published an item in an official bulletin which said that "the Jews fatten their purses in this generous Argentine land at the cost of doing us irresponsible damage."

The official government news agency, TELAM, was responsible for spreading the malicious Spanish news report on "Andinia" throughout the country. Under a new law, foreign broadcasts and news reports which in any way relate to Argentina can be distributed in Argentina only by means of TELAM.

The most disturbing incident, which involved government owned TV Channel 11, was the broadcast of two one-hour programs which a spokesman for Argentine Jewry labeled "crude anti-Semitism." A letter to the head of the Federal Broadcasting Committee, Gen. Diego Enrique Perkins, from DAIA, the representative body of Argentine Jewry, protested the spread of "anti-Semitism disguised as anti-Zionism" by foreign diplomats utilizing the mass media. Contrary to erroneous press reports, Gen. Perkins did not support the DAIA protest; he did not even answer it. DAIA's note to the station manager deplored the planting of seeds of hatred in Argentine homes and efforts to divide the Argentine people.

Participants in the controversial programs on Libya and Syria, part of a series called "The World Seen Through Argentine eyes," included the ambassadors of those countries, three Argentine national legislators and a priest of an heretical Catholic group. The participants' statements were denounced as "anti-Semitic preaching on official television" in a lengthy editorial in the prestigious Buenos Aires daily "La Prensa" which detailed some of the objectionable statements: the priest saying "only one of the disciples of Jesus was Jewish, a native of Iscariot: Judas, the traitor", another participant asserting that the State of Israel had its origins in one of the four proposals of "Balfour and co." destined to "give territory to Zionism . . . according to documents which nobody can doubt those proposed, in the order of preference: 1. Palestine; 2. Argentina; 3. Libya; 4. Uganda"; an Arab ambassador charging that Israel is a creation of an international conspiracy which "uses Judaism as a screen" for its real purpose of "economically dominating the world."

"La Presna" observed with irony that the head of the Arab League in Argentina sent a complimentary letter to the station manager singling out those two broadcasts for special praise "for their objectivity, amenity and responsible documentation."

The editorial ended on a somber note which reflects the feeling of many in Argentina. Observing that the anti-Semitic broadcasts coincided with a larger anti-Semitic campaign whose goals are clear, it somberly warned that "the country knows and the world also, at the price of an holocaust, the perversity and nonsense of such affirmations." It called for an end to "the methods of a fatal past, encouraged now by the exorbitant funds derived from petroleum."

APPENDIX 3

LETTER TO SECRETARY OF STATE KISSINGER FROM THE MENNONITE BOARD OF MISSIONS CONCERNING THE RELEASE OF PATRICIA ANN ERB

MENNONITE BOARD OF MISSIONS,
Elkhardt, Ind., October 21, 1976.

HON. HENRY KISSINGER,
*Secretary of State,
United States of America,
Washington, D.C.*

DEAR MR. KISSINGER: Mennonite Board of Missions is grateful for the very deep human and official interests which Ambassador Robert Hill, and Consul Gerald J. Whitman of the Buenos Aires office and Fred Rondon of the Washington office, Argentine desk, and others in official capacity have taken in helping to secure the release of Patricia Ann Erb. Without their help Patricia may have suffered the same fate that many others are suffering.

We are aware that many people in Latin America and other parts of the world are experiencing deprivation of human rights. Many are being detained, tortured and killed, by "rightist" and "leftist" governments. Our Christian faith and our commitment to the way of peace impels us to be deeply concerned for these people. We want to use our influence and resources to help the oppressed and the suffering and not only be deeply concerned when one from our missionary family is detained by authorities or other groups. For this reason, we feel it appropriate to register our concern and objection to our government providing overt or covert aid to "rightist" or "leftist" governments who deny human rights to supposed or actual opponents of those governments.

The United States cannot live, nor should it live, in isolation from the rest of the world. We do believe that its influence for good in the world is being dissipated by allowing governments who deny human rights to their citizens to count on our aid or to provide them with arms and/or personnel training which allows them to carry out repressive programs. We, therefore, call on you to use your considerable influence to help secure the human rights of all people, irrespective of their nationality. We also ask our government to desist from aiding or promoting regimes which deny human rights to their citizens.

Sincerely yours,

LAWRENCE H. GREASER,
Secretary for Latin America Overseas Division.

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APPENDIX 4

PRESS RELEASE FROM THE MENNONITE BOARD OF MISSIONS CONCERNING PATRICIA ANN ERB

SEPTEMBER 17, 1976.

Mennonite Board of Missions, Elkhart, Ind., has asked the U.S. State Department for help in determining the whereabouts and assuring the safety of Patricia Erb, 19-year-old daughter of Mennonite missionaries, J. Delbert and Ruth Erb, abducted from her parents' home in Buenos Aires, Argentina, late evening Sept. 13.

The Board of Missions stated that they could neither confirm nor deny the possibility that Patricia may have been involved in anti-government activities in the National University of Buenos Aires. "We can confirm that our Board, our missionaries, and Patricia are opposed to the use of violence," a spokesman for the Mennonite Board said. "Therefore as regards the safety and the release of Patricia we solicit the abstinence of violence in securing her release."

The Erbs have been working in Argentina since 1951, assisting the Mennonite Church there in congregational team leadership, youth camps, and Delbert as treasurer of the Argentine Mennonite Church.

In a statement adopted by Mennonite agencies in 1972, the Mennonite position in relation to Christian conduct in situations of conflict, is stated as: "Since the Christian is concerned with the total needs of man, both individually and socially, an overseas worker will be concerned with the political, economic and social issues confronting the host country. He will recognize that it is impossible to maintain a truly neutral stance. However, as an expatriate, it will be expected and may be specifically required, that he abstain from political involvements. In all situations the counsel and advise of the church leaders is to be sought and duly respected."

Close acquaintances of Patricia characterized her as an intense and active girl, highly socially concerned. As a middle teenager she regularly worked as a volunteer in the local hospital, giving hope to patients in the iron lung. She also worked in a project to take meals to elderly people. The acquaintances described her as a person in a hurry to make her contribution to the world.

The Board of Missions is in touch with U.S. State Department officials and the Erb family and is doing all possible to help in the situation.

APPENDIX 5

STATEMENT OF OLGA TALAMANTE, FORMER POLITICAL PRISONER IN ARGENTINA, DATED SEPTEMBER 27, 1976

I am an American who was living in Argentina from August of 1973 until my release from prison last March. For the first fifteen months I was working in a community service organization which shortly before had been sponsored by the governments of Hector Campora and Juan Peron. Under their auspices several such programs had been instituted to help those communities which had suffered most under the military dictatorships of the past eighteen years. These programs functioned to provide such services as voter registration, legal aid, tutoring, health care clinics, trying to get the city to install lights on dangerous street corners and to level off sections of the barrios which flooded seasonally. For several years our organization was considered fully legitimate and received strong community support. However, as rightist elements became more dominant in the national government after Peron's death, attempts were made to discredit all these programs, and these attempts were the source of our imprisonment.

On November 10, 1974 I was arrested along with eleven other persons after having attended a barbeque party in Azul, Argentina. All of us had been working at community centers, and this made us highly visible and an easy target for the repression inspired by the state of siege declared four days earlier. We were arrested on a number of trumped up charges such as possessing explosives, large amounts of weapons, guerrilla literature, and participating in armed confrontations killing police officers and other innocent persons. These charges were so ridiculous, however, that they were never formally made. They were only passed around town to discredit us. When we were finally arraigned seven months later in June of 1975 the only charges were possession of two pistols and subversive leaflets. But even these could not be well supported by evidence. The weapons allegedly found in the house were identical by serial number with weapons found in three other police raids on three different houses.

As soon as we were arrested we were taken at machine-gun-point to the Federal Police Station in Azul. We were forced to remain motionless with our feet spread and our hands against the wall. Any sort of movement was punished with a quick karate blow against our heads or backs. In the four days and nights which followed we remained thus except for when we were taken to the bathroom. We were thrown on the cold, hard floor and beaten occasionally during the night. I was put in the same room with three other friends but we were forbidden to talk to each other. The first day we were subjected to constant interrogation accompanied intermittently by merciless poundings. The next day systematic torture began. Pressure was applied to get me to confess to terrorist activity and to give the names of others who could then be subjected to similar treatment. This was done by administering electric shocks to the most sensitive parts of the female anatomy. These felt like a burning electric current that bolted my entire body. After a while I was stripped naked and tied to a bed with my arms and legs open. The officers threatened to rape me, as they continued administering the electric shocks.

Our case was not tried until September of 1975. At that time each of us was summarily sentenced to three years in prison. I was able to gain release after sixteen months due to heavy pressure from inside the U.S. Nine of the others, however, are still in the prison. From the beginning the judge's task had been a difficult one. Most of the people had spent all their lives in Azul, were from respected families, and were well-liked in the community. In fact, he knew most of them personally. He knew that we were innocent of the charges, but at the same time he was very much pressured by the police and by the paramilitary right wing death squads which eventually forced him to resign. While in office he sought to preserve a commitment to due process of law. He assured us that if due process were followed, the maximum time we could expect to spend in prison was eight

months, the minimum time under a minimum sentence of three years. The judge waged many battles with higher authorities on our behalf, but as we became aware of the constant pressures being applied to the judge prohibiting him from exercising his minimal judicial power we began to doubt the likelihood of our being paroled. A few months after our sentence the judge resigned because his life and the lives of his family had been seriously threatened.

Since my release the news from Argentina has been disturbing. Tens of thousands of persons have been jailed without good reason. Conditions in the prisons are extreme. I have specific grounds to fear for the safety of the nine persons with whom I was arrested. They have been singled out and subjected to unusually severe abuses and are no longer allowed to communicate with the outside world. Even before the junta took power and initiated the current wave of mass arrests, legal remedies had ceased to function effectively for political prisoners. Now the gross violation of human rights has reached intolerable proportions in Argentina. It is very important for all concerned that pressure be applied from other countries. Members of the United States Congress are in an excellent position to have an impact. I urge you to consider very seriously the matter of human rights in defining this country's relations with others who violate them. In addition to withholding aid from such countries, plans are now being made to allow foreign political prisoners to be paroled into the United States. These efforts deserve our support.



