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document DE068.

RELEASE IN FULL

NOTE

Subject: Action taken by Italian authorities on behalf of Italian citizens, Italo-Argentines, Argentine citizens of Italian extraction and others, all "missing" or imprisoned in Argentina (1974-1982). (Embassy Rome Comment: Submitted by MFA to Rome Prosecutor.)

For purposes of a more up-to-date information and a more effective illustration of the action under consideration, we are offering here below an explanation of the main and most significant elements (on the desaparacidos), divided in three parts which concern respectively:

- a) General political and diplomatic action by Italian politicians and officers, in Italy and in Argentina;
- b) Circumstances in which action was taken by Italian diplomats in Argentina and examples of often not documented and not documentable activities performed by Italian officers on behalf of Italian and non-Italian citizens, sometimes going beyond the limits which international practice grants consular and diplomatic representatives, and which could expose these representatives to considerable personal risk;
- c) Data that can be found in files regarding documented action on behalf of single prisoners, missing persons, or persons in danger, and also data on provisions, subsidies, repatriations, etc.

I. General Action

General action from 1975 to date, in Buenos Aires and in Rome, on a political and diplomatic level, although taken in all cases in the timeliest and most precise manner, was inevitably affected by the following elements:

- a) The need (despite a progressive freezing of political relations and consequent reduction of economic cooperation) not to reach a breaking point and to avoid being accused of interference in domestic affairs, which would have jeopardized action by Italian Diplomatic and Consular Missions to protect Italian citizens and dual nationals;
- b) The fact that action was taken in most cases on behalf of Argentine citizens (although Italian citizenship was also recognized as regards many of them) meant that it has to be taken with the discretion requested by family members of the persons in question. The latter, moreover, fearing retaliation, very often were late in signaling the disappearance of their relatives;

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- c) The need to avoid any publicity being given to action by Italians, both for the reason stated above and in order to avoid negative reaction on the part of the Argentine authorities, which would risk lessening the efficacy of the action itself or compromising it entirely, above all as concerns dual nationals;
- d) The need emphasized (since 1975 by consultants of the Advisory Committee for Italians Abroad responsible for Argentina) during a meeting with Hon. Granelli, (at the time Under Secretary for Foreign Affairs) not to expose Italian citizens to possible retaliation.

Even with the above mentioned limitations, activity by Italian representatives was constant and continuous and served in the first place, on a general plane, to make Argentine authorities accept the admissibility of approaches by us, including approaches in favor of dual nationals imprisoned or missing (despite the dubious juridical ground of such action).

Italians started taking action on a general level in 1975, both through formal steps by the Italian Ambassador to Argentina, and through a request for a meeting with the Argentine Ambassador to Italy by Under Secretary Granelli.

Such action was intensified after March 1976, when the Argentine Armed Forces took power. In fact, from April to June of that same year, the Italian Ambassador to Argentina raised the question several times in the course of formal meetings at the Argentine Ministries of Foreign Affairs, Interior and Justice.

During the following years, constant activity by Italian Missions and Consulates at all levels, including meetings with Ministers, Under Secretaries and Armed Forces leaders (also on the basis of repeated instructions by the Italian Ministry of Foreign Affairs), was authoritatively supported and framed by proper action at a political level. Italy's concern for the fate of Italian citizens was again clearly expressed; we stressed that Italy expected a prompt solution to the various cases, and that the seriousness of the problem could not help bearing repercussions on relations between the two Countries.

Such concern and considerations were expressed and confirmed in particular:

- At the end of 1976, by Minister of Foreign Affairs Forlani to Argentine Ambassador to Italy Ghisani, who was handed an aide-memoire containing the list of names, known to the Ministry, of Italians imprisoned or missing;

- in May 1977, on the occasion of a visit to Argentina by Under Secretary Foschi;

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- in July 1977, again by Under Secretary Foschi, in Rome, during a meeting with Argentine Under Secretary Allara;

- at the end of September 1977, in New York, by Minister Forlani to Argentine Minister of Foreign Affairs Montes;

- in October 1977, by the Italian President of the Council of Ministers and other Italian political leaders to Admiral Massera during the latter's visit to Rome;

- on September 4, 1978, by the President of the Council of Ministers Andreotti to General Videla, who came to Rome on the occasion of the coronation of the Holy Father;

- in November 1979, during a visit to Buenos Aires by State Under Secretary Hon. Santuz;

- during 1980 and part of 1981, since political relations between Italy and Argentina were frozen, pressure on the Argentine authorities in favor of Italian citizens and dual nationals prisoners or missing, was essentially exercised by Italian Mission representatives in Buenos Aires. Action at a high level was again taken in October 1981 during a visit by Under Secretary Hon. Fioret, and, above all, in August 1982, on the occasion of a visit to Buenos Aires by Hon. Minister Colombo, when the subject was taken up with the highest representatives of the Argentine government.

II. Activities by Italian Mission Representatives in Argentina

As is known, from 1974 up to at least 1980, Argentina lived perhaps the most tragic days of her history, sunk for years in a real civil war, with all consequent violence and suspension of constitutional guarantees (martial law and enforcement of Article 23 of The Argentine Constitution).

Under such circumstances, and considering not only the size of the Italian community (about 1,290,000 people), but above all, the number of Argentine citizens of Italian origin (about 6 million people, between actual and potential dual nationals and people of Italian extraction), the Italian Embassy and Consulates had to face unpredictable and dramatic situations. In an atmosphere of chaos and widespread violence, Italian diplomatic and consular authorities were often the only reference point to obtain justice, protection, information and material help. It must, in fact, be remembered that most associations working for the protection of prisoners and missing persons (Mothers of Plaza de Mayo, Argentine League for Man's Rights, etc.) were constituted beginning only in the second half of 1977.

Above all, after March 1976 the flow of Italian citizens and people of Italian extraction seeking protection, assistance and help increased remarkably, taking up most of the time of most Italian Mission officers. In no instance did the latter refuse to receive and talk to persons involved or members

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of their families. Each one of them was always granted the greatest attention, cooperation and assistance. To help solve problems, special additional funds were allocated for the legal and material assistance of families of prisoners and missing persons, also of dual nationals, who made requests. In fact, as already stated, any action or assistance by Italian Mission representatives was subject to recommendation, approval or request by family members of those concerned.

As soon as they were informed of the case, the Embassy and the Consulates, each one within its province, took all possible action: contacts made with the competent services of the Argentine Ministry of Foreign Affairs, notes, letters, notices, visits, personal action through all possible channels considered to be in a position to furnish information and support (Armed Forces, Presidency of the Republic, Ministries, Church, Nunciature, military vicariate, military chaplains, Supreme Court of Justice, humanitarian organizations, etc.); regular consular visits to prisons, arrangements to accompany released and exiled prisoners to aircraft or ships.

As regards prisoners, diplomatic and consular authorities achieved, in most cases, positive results, obtaining a very large number of releases and facilitating expatriation to Italy also of Argentine citizens who were not of Italian extraction.

As regards the missing, even though it has been possible, in a limited number of cases, to attain favorable developments, the results have unfortunately not been proportionate to the pressing, constant efforts made by all officials.

The above picture would not be complete if one failed to mention the persecuted Chilean citizens, about ten of them, who found refuge for several months in our Embassy. And we must mention the 30 odd cases of Argentine citizens hidden, assisted and sent out of the country, in the name of elementary humanitarian principles, in the strictest secrecy, saving their lives at a very serious personal risk for Italian officials in Argentina.

III. Data concerning action taken

1. Political prisoners

A. Italian political prisoners whose cases were reported by relatives or various organizations: 17 Italian citizens have been arrested between 1974 and 1980, 6 of them were subsequently released, 9 expelled (and accepted by Italy), one was sentenced and one is still in jail pending trial.

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Total number of persons arrested: 17
 Total number of persons released: 15
 Still in prison: 2

B. Political prisoners of dual nationality, arrested between 1974 and 1980, as reported by relatives or various organizations, whose Italian citizenship has been ascertained and documented: 352, of which 211 have been released, 68 authorized to leave the country, and 4 expelled, while 21 have been sentenced to various punishments and 47 remain at the disposal of NEP (National Executive Power).

Total number of persons arrested: 352
 Total number of persons released: 283
 Still in prison: 67 (two committed suicide in jail)

C. Political prisoners who are not Italian citizens and do not have dual nationality, but who are only persons of Italian extraction or who have been arrested together with Italians and have been the object of concern on the part of our Authorities: about 60.

2. Missing Italians or persons with dual nationality

With regard to this category, one has to point out that it is not possible to indicate with absolute accuracy the total number of Italians or persons of dual nationality missing. In fact, the lists prepared by the Ministry and the Missions have been drawn up and updated only on the basis of information received, as it was received, and of subsequent checks. Consequently, the following figures obviously refer only to cases reported to our Authorities and could therefore be incorrect, i.e. too low compared to the total number of the missing of the two categories. The list could, instead, include missing persons who were subsequently released but are kept under surveillance and have been warned not to contact our Missions.

Italian citizens reported missing: 43
 Persons with dual nationality reported missing: 314
 Missing children reported as being of Italian origin but for whom it has not yet been possible to ascertain their citizenship: 39

In addition to these cases, 39 persons have been reported missing in these last days whose Italian citizenship seems to be in many cases dubious, but who have been the object of concern on the part of our Embassy.

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It is not possible to list all the letters, aide memoires, separate or collective requests, etc. forwarded or delivered by our Missions to Ministers, officials of the Ministry of Foreign Affairs, of War, to Officers of the Armed Forces, to Magistrates, to Police Authorities, etc.

As an example, one can point out that 90 official notes (Notes Verbale) were sent to the Argentine Ministry of Foreign Affairs for missing Italian citizens and 387 for persons with dual nationality. They were followed by the other communications mentioned above.

As a result of the above action, about ten Italians, persons with dual nationality and foreigners reappeared. Those among them who made the request were sent to Italy at our expense, while others came here at their own expense.

3. Repatriations

In addition to normal consular repatriations, between 1976 and 1982 about 165 Italians, persons with dual nationality, persons of Italian origin and, in some cases, even foreigners who applied for political reasons -- sometimes only in view of the possible danger of being arrested -- have been repatriated (or sent to Italy) at the expense of the Treasury. Among them there are several political prisoners with their families. Many of these repatriates belonging to various categories have also been granted, during their stay in Rome, subsidies for a total amount of 13.5 million lire.

4. Assistance and subsidies in Argentina

In addition to the above described measures, our Missions in Argentina have tried to meet, as far as possible, the needs of members of the families of arrested and missing persons, granting subsidies or bearing the costs of various forms of assistance, especially medical and legal. In particular, the lawyer Librandi from Buenos Aires, at the request and expense of the Consulate General, filed on several occasions, the last one in June 1982, with the approval of members of the family, habeas corpus writs in favor of missing Italians, always with negative results.

The amount of expenses borne is documented by the funds allocated for Argentina under the two relevant budget items: 3532 (assistance) and 3572 (subsidies), consolidated as of 1979 in item 3532.

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In 1977, 1978, 1979 and 1980 additional funds were allocated, first against both items of budget and then against item 3532 only, specifically intended for members of the families of imprisoned or missing persons (identified in the table hereafter by letters "f.d.s."). Normally allocated funds too have been and continue to be used for this purpose.

Item 3532 (direct assistance)	Item 3572 (subsidies)
1976 - 24,000,000 (L800 per \$1.00 US)	113,000,000 (of which 98,000,000 is "f.d.s.")
1977 - 51,000,000 plus 25,000,000 "f.d.s."	101,500,000
1978 - 73,000,000 (of which 20,000,000 is "f.d.s.")	96,500,000 (of which 35,000,000 is "f.d.s.")
1979 - 250,000,000 (of which 33,000,000 is "f.d.s.")	-
1980 - 340,000,000 (of which 21,000,000 is "f.d.s.") (L1000 per \$1.00 US)	-
1981 - 276,000,000 (without ad hoc allocation) (L1200 per \$1.00 US)	-
1982 - 335,000,000 (without ad hoc allocation) (L1300 per \$1.00 US)	-

In conclusion, one can say that if Italy had to shoulder perhaps a most difficult task on humanitarian action on behalf of prisoners and missing persons -- considering the size of our community and consequently the large number of Italian citizens or persons with dual nationality involved -- it is also true that, as regards arrested persons, the number of releases we obtained is definitely higher, also in percentages, than that obtained by other countries.

As regards the missing, checks made at the Embassies of the other countries chiefly involved in the case - Germany, United States, Spain, France, Sweden - showed that action taken by them in behalf of their own nationals and other nationals came to nothing.

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