

5-11-82

1-D 899

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Case Number 1199900006

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ORIGIN SS-25

INFO OCT-00 ADS-00 SSO-00 /025 R

DRAFTED BY HA:DLSHAFFER:CM  
APPROVED BY HA:EABRAMS  
HA:MLEVITSKY  
ARA/SC:DKEMP (INFO)  
S/S-O:RSTERN

Chile Project (#S199900030)  
U.S. Department of State  
Release X Excise \_\_\_\_\_ Deny \_\_\_\_\_  
Declassify: In Part X In Full \_\_\_\_\_  
Exemption(s) 1, 2, 7, 8

-----157240 112008Z /67

P 111909Z MAY 82  
FM SECSTATE WASHDC  
TO AMEMBASSY SANTIAGO PRIORITY  
INFO AMEMBASSY BUENOS AIRES PRIORITY

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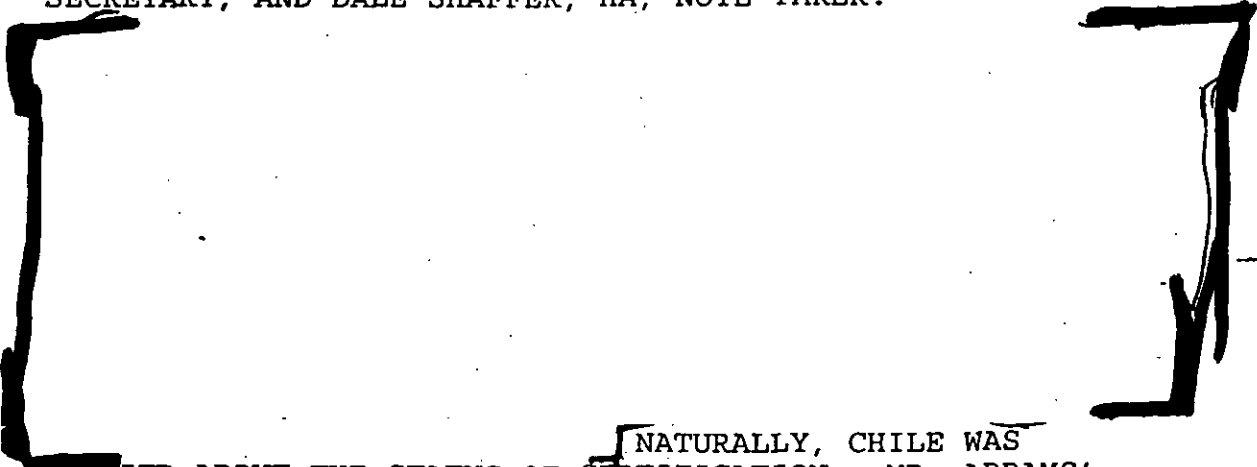
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**DECAPTIONED**

E.O. 12065: RDS-1 5/4/02 (ABRAMS, ELLIOTT)  
TAGS: MASS, SHUM, PMMC, CI, AR  
SUBJECT: CHILE CERTIFICATION

REF: STATE 81948  
1. (CONFIDENTIAL-ENTIRE TEXT)

2. ASSISTANT SECRETARY ABRAMS HAD ANOTHER FRANK AND  
LENGTHY MEETING WITH CHILEAN EMBASSY MINISTER COUNSELORS  
COSTA NORA AND LARRAIN AT THEIR REQUEST ON MAY 3.  
ALSO PRESENT WERE MELVYN LEVITSKY, HA DEPUTY ASSISTANT  
SECRETARY, AND DALE SHAFFER, HA, NOTE-TAKER.



NR

NATURALLY, CHILE WAS  
WORRIED ABOUT THE STATUS OF CERTIFICATION. MR. ABRAMS'  
STATEMENTS BEFORE THE HUMAN RIGHTS SUBCOMMITTEE ON

APRIL 28, THAT THE CERTIFICATION PROCEDURE HAD STOPPED

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(SIC), GAVE CAUSE FOR WORRY. THE GOC WAS AWARE OF THE PROBLEMS BETWEEN THE USG AND ARGENTINA AT THIS MOMENT, BUT THE CERTIFICATION FOR CHILE SHOULD NOT BE HELD HOSTAGE TO THE CERTIFICATION FOR ARGENTINA. AFTER ALL, IF ARGENTINA HAD ATTACKED CHILE, CHILE COULD NOT COUNT UPON THE PUBLIC SUPPORT THAT THE US HAS GIVEN TO THE UK. HAD CHILE, FOR EXAMPLE, BEEN IN CONFLICT WITH THE US, THE USG WOULD NOT HAVE STOPPED THE CERTIFICATION PROCESS FOR ARGENTINA.

4. ABRAMS POINTED OUT THAT THOSE IN THE DEPARTMENT WORKING ON QUESTION OF CERTIFICATION WERE, OF COURSE, HEAVILY OCCUPIED WITH FALKLANDS CRISIS AND THAT IT WAS UNDERSTANDABLE THAT OUR DECISION ON CERTIFICATION HAD BEEN DELAYED. MR. ABRAMS RECALLED THAT DURING THEIR LAST MEETING, HE HAD SAID THERE WERE TWO PROBLEMS WITH CERTIFICATION FOR CHILE--THE QUESTION OF HUMAN RIGHTS IMPROVEMENTS AND THE LETELIER/MOFFIT REQUIREMENT. MR. ABRAMS STATED THAT HE WAS NOT OPTIMISTIC ABOUT THE PROSPECTS FOR CHILEAN CERTIFICATION IN THE SHORT RUN, SINCE HE DID NOT SEE HOW THE LETELIER/MOFFIT REQUIREMENT COULD BE MET. CONGRESS HAD MADE THE WHOLE QUESTION OF CHILEAN CERTIFICATION INTO A LEGAL, RATHER THAN A POLITICAL, QUESTION, AND WE HAD TO MEET THE LEGAL REQUIREMENTS. IN THE MEDIUM RUN, THERE WERE POSSIBILITIES FOR THE CERTIFICATION, FOR EXAMPLE, IF THE CONGRESS WOULD DROP THE LETELIER/MOFFIT REQUIREMENT.

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SIGNIFICANT HUMAN RIGHTS PROGRESS IN CHILE WOULD BE NECESSARY TO ACHIEVE THIS.

5. COSTA NORA ASKED RHETORICALLY EXACTLY WHAT CONGRESS WANTED CONCERNING THE LETELIER CASE. ABRAMS REPLIED THAT THE MOTIVES OF CONGRESS FOR PUTTING THE LETELIER REQUIREMENT INTO THE CERTIFICATION WERE VARIED. IN SOME CASES, CONGRESSMEN HAD PARTICULAR INTEREST IN KEEPING THE CASE OPEN. OTHERS WERE PROBABLY MOTIVATED BY A DESIRE TO PREVENT CLOSER RELATIONS WITH THE GOC. COSTA NORA REPLIED THAT EVERYTHING THAT COULD BE LEGALLY DONE ABOUT THE CASE IN CHILE HAD BEEN DONE, SO WHAT MORE COULD CHILE DO? MR. ABRAMS REPLIED THAT HE REALIZED THAT THE LAW PRESENTED SOME SERIOUS PROBLEMS. MR. ABRAMS CONTINUED BY STATING THAT OUR BEST ARGUMENT WITH THE CONGRESS FOR DROPPING LETELIER/MOFFIT WOULD BE TO DEMONSTRATE THAT THE HUMAN RIGHTS SITUATION IN CHILE WAS IMPROVING, AND THAT BY CERTIFYING CHILE, WE COULD

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INDUCE EVEN MORE IMPROVEMENTS. HE COULDN'T SAY POSITIVELY WHAT KIND OF RECEPTION OUR POSSIBLE EFFORTS WOULD RECEIVE FROM CONGRESS, BUT WE COULD BE ABSOLUTELY SURE THAT UNLESS THE HUMAN RIGHTS SITUATION IN CHILE IMPROVED, CONGRESS WOULD NOT EVEN CONSIDER THEM SERIOUSLY. IN RESPONSE TO A QUESTION, ABRAMS SAID THAT IF CHILE MADE SIGNIFICANT PROGRESS ON HUMAN RIGHTS, NOTHING COULD BE DONE OVERNIGHT, BUT AT LEAST IMPROVEMENTS WOULD LAY A FOUNDATION FOR LATER ACTION.

6. COSTA NORA REMARKED THAT HE BELIEVED THE USG HAD A SUFFICIENT ARGUMENT FOR ADDRESSING THE LETELIER/MOFFIT QUESTION GIVEN THE GOC'S EFFORTS SO FAR, KEEPING WITHIN ITS LEGAL SYSTEM. COSTA NORA STATED THAT HE HOPED THE USG WOULD CHANGE ITS POSITION OR AT LEAST BEGIN REEXAMINATION OF THE CHILEAN CERTIFICATION.

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THE QUESTION WAS, WHAT STEPS COULD THE GOC TAKE THAT WOULD LIKELY TURN CONGRESS AROUND? MR. ABRAMS REPLIED THAT THIS WAS A MOST IMPORTANT QUESTION, AND HE DID NOT WANT TO ANSWER IT IMMEDIATELY, BUT WOULD LIKE TO GIVE THE QUESTION SOME VERY SERIOUS CONSIDERATION.

7. COSTA NORA STATED THAT AMBASSADOR ENDERS WAS MEETING THAT AFTERNOON WITH THE FOREIGN MINISTRY'S DIRECTOR GENERAL FOR FOREIGN POLICY. THE US MUST REALIZE THAT THERE WAS STILL CONSIDERABLE TERRORISM IN CHILE. THE GOC WAS DOING THE BEST IT COULD UNDER THE CIRCUMSTANCES. AFTER ALL, BY IMPROVING THE ECONOMIC SITUATION AND STANDARD OF LIVING IN CHILE, THE GOC WAS IN FACT HELPING IMPROVE ONE ASPECT OF HUMAN RIGHTS. THE GOC MAY BE CONSIDERING THE CASES OF SOME OF THE EXILES, BUT THIS WAS AN INTERNAL DECISION. CHILE COULD NOT MAKE THESE VITAL DECISIONS ONLY AT THE WISH OF THE US CONGRESS.

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9. MR. ABRAMS ASSURED COSTA NORA THAT HE WOULD CONSIDER COSTA NORA'S QUESTION ABOUT WHAT HUMAN RIGHTS STEPS CHILE SHOULD UNDERTAKE, AND THAT THESE CONVERSATIONS HAD BEEN EXTREMELY USEFUL.

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