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Presidential Certification for Argentina and Chile

(U) Background:

- Presidential certification is required before the US can resume a security assistance relationship with Argentina and Chile.
- For both countries, President must certify to Congress that repeal of the restrictive legislation (Humphrey-Kennedy and Kennedy Amendments) is in the national interest and that the human rights situation has improved.
- Additional certification requirements for Chile include provisions that the Chilean government has made every effort to bring to justice those officials indicted in the US for the Letelier-Moffitt case and that the Chilean government does not support international terrorism.

(U) Discussion:

- US has maintained a balanced approach toward Argentina and Chile to avoid aggravating sub-regional tensions.
- Traditional position resulted in quiet efforts to obtain repeal legislation for Chile which was similar to that proposed for Argentina.
- Consequently, Administration originally planned to seek certification for Argentina and Chile simultaneously.
- Due to Justice Department objections to certification on Letelier-Moffitt provisions for Chile, Administration may be politically unable to certify Chile.

(U) Issue: Should Administration proceed with certification for Argentina independently of certification for Chile?

- Pro:
 - State and Justice have been unable to resolve the Letelier-Moffitt issue in a manner which would allow certification to go forward.
 - Argentina is of greater strategic importance to the US at this time.
 - Pushing a questionable Chilean certification could have adverse impact on credibility of Administration's certifications on other countries (El Salvador).
- Con:
 - Chileans would perceive a definite US tilt toward Argentina.
 - Support of Argentine Beagle Channel position.
 - Argentine military superiority (over \$4B arms purchases in last five years).

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- Chilean human rights situation has been better than that of Argentina's.
- Could further isolate Chile internationally.
- Could increase Argentine belief in US support for Beagle Channel, Falkland/Malvinas Islands positions.

(S) With armed dispute between Argentina and UK over Falkland/Malvinas Islands, any US move to proceed with Argentine certification would send an inappropriate signal. Nothing more can be done before DepSecDef visit on this issue until Argentine-UK dispute is defused.

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