

1879

SECRET

Buenos Aires, Argentina, May 7, 1947

No. 2462

Subject: Action of the Argentine Government in the Matter of Compliance with its Obligations Undertaken through Adherence to the Acts of Mexico City, and with Specific Reference to the Statement of Former Secretary Byrnes of April 8, 1946

The Honorable
The Secretary of State,
Washington.

Sir:

I have the honor, with reference to the obligations undertaken by the Argentine Government under the Acts of Mexico City, and with specific reference to the statement of former Secretary Byrnes of April 8, 1946 in this connection, to make the following observations and recommendations.

The Argentine Government, through its adherence to the Acts of Mexico City, undertook obligations with respect to Axis schools and institutions and propaganda, enemy property, and enemy aliens who had committed acts against the state or the United Nations. Former Secretary Byrnes in his statement of April 8, 1946 indicated in substance that it would not be the policy of our Government to sit down in a defense meeting at Rio de Janeiro with the Argentine present for the formulation of an inter-American defense pact until the Argentine Government had complied with the above mentioned obligations.

The despatches and reports of this Embassy during the last few years have set forth fully to the Department the action of the Argentine Government with respect to Axis schools and institutions and propaganda, property, and aliens. They show that prior to the entry of the Argentine into the war, the Argentine Government had taken certain action in common with the other American Republics in blocking enemy funds and various other measures. With its entry into the war, the de facto Government in the Argentine issued decrees with respect to schools and institutions and propaganda, property, and aliens and took some action thereunder which was considered by our Government as inadequate. When the Argentine Government adhered to the Acts of Mexico City after the close of that conference, and in which it had not been asked to take part, the de facto Government began to take more active action with regard to the above mentioned matters. As our Government did not consider the Argentine action sufficiently thoroughgoing, former Secretary Byrnes

issued

SECRET

SECRET

-2-

issued the statement of April 8, 1946 to indicate that we could participate in a meeting with respect to the defense pact, which was foreseen in the Acts of Mexico City, with the Argentine present only when in our opinion the Argentine had complied with its commitments.

The constitutionally elected government of the Argentine took office in June, 1946. I have reported on conversations with the President of the Argentine and high officials of the Government which took place immediately before and after the constitutional government took office in which they stated the definite intention of the Argentine Government to carry through fully all its obligations under the Acts of Mexico City with respect to the above matters, its definite policy to collaborate in a system of inter-American defense, and its policy to collaborate fully with the United States.

In a series of despatches which have been forwarded to the Department since the constitutional government took office in June, 1946, this Embassy has reported fully on the progressive steps taken by the Argentine Government with respect to enemy schools and institutions and propaganda, enemy property, and enemy aliens who have committed acts against the state or the United Nations. In this connection I would refer particularly to this Embassy's secret despatch no. 2119 of March 31, 1947 entitled "Conversation with the Foreign Minister" and to my letter of the same date to Secretary Marshall, in which I set forth the status of action by the Argentine Government with respect to compliance. In this despatch this Embassy refers to its series of reports and despatches on this matter and makes reference to the fact that in the matter of schools, institutions, and propaganda, as well as in the matter of enemy property, the Argentine Government has loyally carried through its obligations and is continuing to do so and that our Government has so recognized. I further brought out in that despatch that there remains only the question of certain enemy aliens whom the Argentine Government has not yet been able to locate and deport.

In its telegram no. 252 of April 2, 1947, 6:00 P.M., the Department informed me that on March 31 the President had invited the Argentine ambassador, Dr. Ivanissevich, to the White House where he received him with then Acting Secretary Acheson and Senators Vandenberg and Connally present. The President stated to Ambassador Ivanissevich that he had always been desirous of maintaining most friendly relationships with the Argentine people and government and that he considered it important that relationships should be on a firm foundation. The President said that he regretted there had been some difficulties between the two countries which it had taken some time to work out but that progress had been made in solving most of these problems and there now remained only the matter

of deporting

SECRET

SECRET

-3-

of deporting some 20 to 30 dangerous Nazi agents who remained in the Argentine. The President said to Ambassador Ivanissevich that he had heard he was returning to the Argentine for a month and he desired him to stress to President Perón the earnest desire that this action of the Argentine Government with respect to these remaining agents be taken promptly.

On his arrival in the Argentine, Ambassador Ivanissevich conveyed the foregoing message of President Truman to President Perón and later to the Foreign Minister, Dr. Bramuglia, who expressed appreciation of this initiative of President Truman, of his recognition and that of our Government that in the matters of schools, institutions, and propaganda and enemy property the Argentine Government had carried through and was carrying through its commitments loyally and that there remained only this question of certain aliens who had committed acts against the state or the United Nations to complete the program of the Argentine in this particular respect.

In order not to burden this despatch, I would respectfully refer to my secret letters to Acting Secretary Acheson of April 3, 11, 18, and 25 in which I reported on the delivery by Ambassador Ivanissevich of this message and on the attitude of the Argentine Government with respect thereto. I stated in these letters that President Perón and the Foreign Minister, Dr. Bramuglia, were deeply appreciative and understanding of this message from President Truman on behalf of our Government and had informed me that the Argentine Government was as desirous of deporting the remainder of these aliens as we could be, and that it had been and was taking all the appropriate measures to locate and to deport these individuals.

In my secret despatch no. 2119 of March 31, 1947 already referred to, I had indicated that in view of the fact that the Argentine Government believed it had done all that it could in these matters and that it had carried through its obligations under the Acts of Mexico City, there was a possibility of its issuing a statement to that effect in due course and when the next lot of aliens against whom deportation orders existed and whom they have been able to apprehend and detain have been deported. I made it clear in my despatch that I did not know that the Argentine Government was planning to make such a statement and it had not said to me that it would, but that we had to keep in mind this probability. In the Department's telegram no. 332 of April 23, 11:00 A.M., making reference to my despatch no. 2119 of March 31 and my telegram of April 3 to the Acting Secretary, the Department stated that it considered the issuance by the Argentine Government of such a statement as possibly seriously prejudicing the chances of a satisfactory solution of the problem by freezing the Argentine position and agitating press discussion in the United States. The Department stated that the purpose of President Truman's statement

to Ambassador

SECRET

SECRET

-4-

to Ambassador Ivanissevich and the message to President Perón was for the purpose of impressing on the Argentine Government the importance of the expulsion of the most important Nazi agents. It stated that while we realistically expect only "reasonable and substantial" compliance, we do expect that performance will be genuine on its face and meet the test of deeds and not merely promises as set out in the statement of former Secretary Byrnes of April 8, 1946 and that a good performance in deporting the more important individuals in the list of 52 included in the last deportation order would do this.

This Embassy has appreciated the helpful action of the President and the then Acting Secretary in conveying this message to President Perón and the Argentine Government. It had reported and our Government had expressed its opinion that in the matter of schools, institutions, and propaganda and enemy property the Argentine Government had carried and was continuing to carry through its obligations loyally under the Acts of Mexico City. In its reports and despatches this Embassy has fully outlined what the Argentine Government has already done in the deportation of enemy aliens and what it is doing with respect to the list of 52 included in the last deportation list and which list the Argentine Government considers contains the names of all those against whom action had not been taken who had committed acts against the state or the United Nations which could be adequately substantiated for the Government to take action. The Embassy in its reports to the Department has stated that in its opinion and in that of the British Embassy which has been following these matters together with this Embassy, this list of 52 includes all those against whom the Argentine Government has not already taken action against whom adequate evidence is available for it to take action.

President Truman and then Acting Secretary Acheson in the message conveyed to the Argentine Government through Ambassador Ivanissevich took cognizance of the fact that there remained only this question of certain aliens in that list whom the Argentine Government had not yet been able to apprehend and deport. They took cognizance of the fact that 13 of those included in this list had already been deported on the Argentine vessel Pampa to Germany.

In my despatches and reports, and particularly in my despatch no. 2119 of March 31 and in my letters of April 3, 11, 18, and 25 to then Acting Secretary Acheson, I have informed the Department of the continuous and widespread efforts which the Argentine Government is making to find the remainder of these aliens in order to deport them. With reference to the Department's telegram no. 332 of April 23, 11:00 A.M., in which it states that it considers the issuance by the Argentine Government of a statement as possibly prejudicing the situation, I may say, as I have already reported in one of the above mentioned letters to

Under

SECRET

SECRET

-5-

Under Secretary Acheson, that I find the Argentine Government did not contemplate making such a statement as I thought they might have in mind and indicated in my despatch no. 2119. As indicated in my letter of April 25 to Under Secretary Acheson, it is the intention of the Argentine Government, as stated by the Foreign Minister, when it deports these aliens whom it has been able to detain, merely to make a statement as to what has been done with respect to enemy aliens, that this particular number, giving a list of the names, is being deported on a ship leaving for Germany, and that the Government will continue its efforts to find the remainder in the list of 52.

I am addressing the Department on this matter at this time for two reasons.

First, it is the opinion of this Embassy that as the Argentine Government has carried through and is loyally continuing to carry through its obligations with respect to schools, institutions, and propaganda and enemy property, and has done so in a very effective manner and one which does it credit, and as in the matter of enemy aliens who have committed acts against the state and the United Nations it has shown its complete good faith since the constitutional government came into office in June, 1946 in endeavoring to find and deport such aliens and has with this second lot included in the list of 52 sent out of the country all those on which it can lay hands, the time has come when as a matter of equity alone and recognition of the performance of the Argentine Government for our Government to make an appropriate statement removing the reserves expressed by former Secretary Byrnes in his statement of April 8, 1946. The Department is aware from the reports of this Embassy that the British Embassy, which has been following this matter with this Embassy so closely during the war and until recently, is in complete accord and has already indicated that so far as it and the British Government are concerned, it is considered that the Argentine has carried through its obligations.

I will not in this despatch recite the measures which the Argentine Government has taken in the matter of endeavoring to apprehend and deport all of these enemy aliens against whom anything like adequate information has been determined. I can only repeat what I have said in my previous despatches and letters, that I and my associates who have been following this matter in every aspect so closely are convinced that the Argentine Government has used all of the effective means at its disposal in order to apprehend the remainder of these aliens and that its failure up to this time to apprehend all of them in the list of 52 is not due to any negligence on its part or to lack of any zeal or efficiency. Under these circumstances, this Embassy is of the opinion and is of the hope that the President and the Department will be of the opinion that upon the deportation of those whom it has been able to ap-

prehend

SECRET

SECRET

-6-

prehend our Government will be in a position to completely normalize the relations with the Argentine by removing the reserves which we have had with respect to sitting down in the Rio meeting to formulate a defense pact with the Argentine present. There is, in the opinion of this Embassy, no doubt whatever that the Argentine Government will continue its efforts to find those of these remaining aliens in the list.

Therefore, on the basis of the statement of former Secretary Byrnes of April 8, 1946 that we expected deeds and not words in this matter of compliance, it is the opinion of this Embassy that in this matter the Argentine Government has now loyally complied with its commitments and will continue to do so. This Embassy does not wish to make any invidious comparisons, but a careful and objective examination of the performances of the other American Republics with respect to Axis schools, institutions, and propaganda, enemy property, and aliens will show that the Argentine has complied with its commitments in this respect as fully, and in some cases much more effectively, as others of the American Republics. The Chiefs of Mission of the other American Republics in the Argentine have been following this matter of compliance by the Argentine Government very closely, and I am convinced that there is not one who is reporting without prejudice and on the basis of facts who has not informed his government that the Argentine Government has and is loyally meeting its commitments.

The second reason I am transmitting this despatch at this time is because yesterday the Foreign Minister in a conversation in the Foreign Office informed me that Ambassador Ivanissevich is leaving for Washington to resume his duties there on May 9 and that he will carry a message to President Truman in reply to the communication which President Truman sent to President Perón. The Minister said that Ambassador Ivanissevich would be instructed to express to President Truman President Perón's appreciation and understanding of President Truman's constructive action. He would carry with him a list of the additional aliens included in the list of 52 whom it has been possible with the best efforts of the Government to apprehend and who will be deported in the relatively near future on an Argentine vessel to Germany. He will be instructed to say that with the best efforts and the use of all the means at its disposal the Argentine Government has not been able to apprehend all of these aliens but that it will continue these efforts and that in the meantime such persons are completely sterilized for if they would show their heads or engage in any activities in the Argentine, their presence would become immediately known and they would be apprehended and deported.

The Foreign Minister said yesterday that a ship was ready to take those whom they had been able to apprehend

and

SECRET

SECRET

-7-

and that the day after its departure he would make a statement to the press merely to the effect that the ship had left with these additional aliens on board which the Government had been able to apprehend and that it was continuing its efforts to secure the remainder.

In this connection the Minister said that the Government of the United States he was sure recognized that the Argentine Government had shown and was showing the same good faith in the matter of aliens as it had shown in the matter of schools, institutions, and propaganda and property. He said he was not able to say and the Government was not able to say which of these aliens in the last list of 52 and whom it had not been possible to apprehend up to now were in the Argentine. It was possible that some of them had been able to escape to other countries in spite of the vigilance of the authorities. If any of these aliens were left in the Argentine, he felt sure that in due course they would be apprehended, but that in the meantime he was confident that so important a matter as the Rio meeting and the defense pact could no longer be held up because a few aliens had not been apprehended in spite of the best efforts of the Argentine Government.

The Minister then repeated some of the preoccupations which he had with respect to the situation in the hemisphere, the importance of the closest collaboration between all of the American countries, the necessity for the defense pact and the early calling of the Rio meeting, and the imperative necessity of the American Republics being in a position to deal adequately with the indigenous Communist movements so rapidly developing in some of these countries and with the efforts of Soviet Russia to further such movements and to undermine inter-American collaboration. In this respect I would refer to my despatch no. 2119 of March 31 as the Minister again emphasized the importance of leadership of our country in the hemisphere.

I will not in this despatch reiterate the reasons why in the opinion of this Embassy a complete composition of the situation with the Argentine is desirable and necessary at the earliest moment. There is no doubt that the present government of the Argentine is the most friendly government towards the United States which there has been in the country for many years. There is no doubt that the policy of the Argentine which had been so largely directed towards Europe is now directed into this hemisphere. There is no doubt that the present Argentine government has a definite policy of close collaboration with the other American Republics and with us. There is no doubt of its deep interest in the defense pact and of its preoccupation over developments in the world situation and of its recognition of our leadership and the responsibilities which it carries. There is no doubt of the spirit of collaboration which the Argentine has shown with us since the present constitutional government took office in June,

1946

SECRET

SECRET

-8-

1946. The Government now feels that it has loyally carried through its obligations and has shown its definite purpose of continuing to carry them through.

While our relations with the Argentine are considered to be normal in every respect except that we have not so far been willing to sit down in the Rio meeting to formulate the defense pact, it is obvious that as long as our reserves in this connection are not removed, an abnormal situation continues which is leading to increasing irritation and such a situation cannot continue longer without serious detriment to our relations with the Argentine and with the other American Republics. There can be no real and effective collaboration among the American states without the full participation and collaboration of the Argentine, and during the past 11 months it has amply shown the new orientation of its policy. As I have in my reports and despatches and in a memorandum left with the Secretary during my visit to Washington in January amply set forth the reasons why in my opinion in the present world picture the consolidation of the collaboration among the American states is vital and imperative, I do not enter into a detailed statement of these reasons in this despatch. I do wish to state that I consider further delay in the composition of the situation with the Argentine, now that it has carried and is carrying through loyally its obligations and has given adequate evidences through its orientation of policy and implementation thereof that it will continue to do so, could have serious consequences in the American situation.

When the Argentine Government announces the deportation of the aliens in the list of 52 which it has been able to apprehend, I will send an appropriate telegram to the Department referring to this despatch.

Respectfully yours,

George S. Messersmith

To Department in quadruplicate

File No. 800

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