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---ASSIGNMENT OF HOMOSEXUAL EMPLOYEES

FOLLOWING ARE COMMENTS ON QUESTIONS RAISED PARA TWO OF REFTEL.

RESPONSE, OF NECESSITY, INVOLVES BOTH FACT AND PERCEPTION.

A) HOMOSEXUALITY (MALE OR FEMALE) IS NOT/NOT SPECIFICALLY ILLEGAL UNDER ARGENTINE LAW (IE NO/NO SODOMY LAWS). HOWEVER, DURING 1990, GROUP OF HOMOSEXUALS ATTEMPTED TO REGISTER UNDER ARGENTINE LAW AS A CIVIL ASSN IN THE INSPECTION GENERAL DE JUSTICIA WHERE ALL ASSNS MUST REGISTER. APPLICATION WAS REJECTED ON GROUNDS THAT PROPOSED BYLAWS OF THE ASSN WERE AGAINST MORAL LAWS. DECISION RESULTED IN A LIVELY PUBLIC DEBATE, BOTH PRO AND CON FOR A PERIOD OF TIME, BUT DID NOT/NOT RESULT IN REVERSAL OF DECISION OR INTRODUCTION OF HUMAN RIGHTS LEGISLATION, ALTHOUGH MATTER IS STILL UNDER REVIEW. SIMILAR LEGAL SITU EXISTS IN URUGUAY;

E) RESPONSE TO QUESTION POSED IN (B) FALLS IN GENERAL CATEGORY OF PERCEPTION AND OPINION AS FACTS ARE HARD TO COME BY. THERE HAVE BEEN NO/NO INDICATIONS TO SUGGEST THAT ABILITY OF CBS MEMBER TO CARRY OUT DUTIES AND RESPONSIBILITIES WOULD BE NEGATIVELY AFFECTED EITHER WITHIN MISSION OR LOCAL COMMUNITY. WHILE ARGENTINA IS SUPERFICIALLY STILL A RELATIVELY MACHO SOCIETY AND LEVEL OF ACCEPTANCE MIGHT WELL STILL DEPEND UPON SOME DEGREE OF DISCRETION BEING PRACTISED BY

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PAGE TWO ZYGR0262 C O N F I D E N T I A L

INDIVIDUAL, IN PRACTICE, HIGH DEGREE OF SEXUAL FREEDOM EXISTS. RESPONSE TO SECOND PART OF QUESTION WOULD HAVE TO BE PURE CONJECTURE. SUSPECT THAT THE HIGHER THE LEVEL OF VISIBILITY OF THE INDIVIDUAL, THE GREATER THE DEGREE OF DISCRETION THAT MAY BE ADVISABLE, ALTHOUGH NO/NO REASON TO ANTICIPATE THAT THERE WOULD BE ANY OVERT NEGATIVE IMPACT EVEN AT MOST SENIOR LEVELS. IN URUGUAY, BECAUSE OF QUOTE GENTLER AND KINDER LIFESTYLE UNQUOTE, PROBABILITY OF NEGATIVE FEEDBACK COULD BE CONSIDERED REMOTE;

C) AS NO/NO LEGAL CONSTRAINTS EXIST, ANY DIFFICULTIES EXPERIENCED WOULD BE RESULT OF SOCIETAL ATTITUDES AND PERHAPS LACK OF DISCRETION ON PART OF INDIVIDUAL, ALTHOUGH PROBABILITY OF THIS OCCURRING WOULD BE REMOTE. BAIRS IS LARGE, COSMOPOLITAN CITY WHERE INDIVIDUAL MEMBERS OF MISSION ARE FREE TO ENJOY THEIR PRIVATE LIFE WITHOUT PUBLIC NOTICE OR IN MOST CASES KNOWLEDGE. GIVEN DEGREE OF ANONYMITY THAT ALL BUT MOST SENIOR POSITION ENJOYS, BELIEVE THAT ESSENCE OF MATTER IS JUDGEMENT AND DISCRETION (EVEN MINIMAL) THAT INDIVIDUAL IS WILLING TO EXERCISE. ALTHOUGH SEXUAL LIBERTY AND CHOICE NOT/NOT SPECIFICALLY ENSHRINED IN HUMAN RIGHTS LEGISLATION, CDA-BASED STAFF COULD EXPECT FULL PROTECTION OF ALL ASPECTS OF LAW INCL FREEDOM FROM HARASSMENT. AS IN RESPONSE TO PREVIOUS QUESTION, IN CASE OF URUGUAY SITU JUDGED TO BE EVEN LESS PROBLEMATIC, PARTICULARLY AS TIME SPENT THERE LIMITED TO PERIODIC VISITS

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