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PAGE 01 STATE 130875

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NAZI WAR CRIMES DISCLOSURE ACT
DATE 2007

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REFERENCE: MOSCOW'S 3916

SUBJECT: LITOWKA CASE

1. TRAVEL AGENT SHIPKA ADVISED DESK OFFICER, WHO CONTACTED HIM REGARDING LITOWKA CASE, THAT HE LEARNED DURING RECENT VISIT TO USSR THAT LITOWKA EXECUTED MARCH 25, 1969. SHIPKA DECIDED NOT TO INFORM FAMILY OR DEPT. MOTIVATED BY CONCERN APPARENTLY THAT PUBLICITY CONNECTED THIS CASE WOULD HAVE FURTHER ADVERSE EFFECT ON HIS TRAVEL BUSINESS.
2. DEPT. HAS INFORMED FAMILY AND CONGRESSMAN MINSHALL.
3. DEPT. PLANS RESPOND ANY PRESS QUERIES ALONG LINES PARA. 4 REFTTEL.
RICHARDSON

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PAGE 01 MOSCOW 03916 301724Z

43

ACTION EUR 22

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TO SECSTATE WASHDC PRIORITY 3396

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FOR EUR/SOV

SUBJECT: LITOWKA CASE

REF: STATE 126229; MOSCOW 6042

1. EMBOFF MET WITH L. N. FEDOTOV, COUNSELOR, CONSULAR ADMINISTRATION OF MFA AT 1330 (LOCAL) JULY 30, REGARDING LITOWKA AFFAIR. NOTING THAT EMBASSY HAD RECENTLY READ OF LITOWKA'S TRIAL IN UKRAINE AND OF THE SENTENCE OF DEATH METED OUT TO HIM, THE EMBOFF REQUESTED CONFIRMATION OF THESE FACTS AND ANY FURTHER DETAILS THE MINISTRY MIGHT BE WILLING TO PROVIDE. EMBOFF POINTED OUT THAT DESPITE MINISTRY'S EARLIER REFUSAL TO PROVIDE INFORMATION ON PROGRESS LITOWKA'S CASE, EMBASSY UNDER SERIOUS OBLIGATION TO KEEP FAMILY INFORMED OF HIS FATE.

2. FEDOTOV, WHO EXPRESSED NO KNOWLEDGE OF CASE, WAS REMINDED OF MFA'S ASSURANCES THAT FAMILY WOULD BE PROVIDED WITH INFORMATION UPON REQUEST, IF SUCH REQUESTS WERE FORWARDED THROUGH INTERNATIONAL MAILS. EMBOFF NOTED THAT TO DATE THE EMBASSY IS UNAWARE OF ANY INFORMATION HAVING BEEN PROVIDED BY THE MINISTRY TO LITOWKA'S FAMILY.

3. FEDOTOV TOOK NOTE OF ESTABLISHED FACTS THAT LITOWKA HAD NO LEGAL CITIZENSHIP AND THAT MFA HAD ONLY AGREED TO CONTACT THE FAMILY UPON THEIR DIRECT REQUEST FOR INFORMATION. HE FELT THAT EMBASSY'S INTEREST IN CASE, WHILE UNDERSTANDABLE IN VIEW OF FAMILY'S PRESENT RESIDENCE IN US, COULD NOT BE JUSTIFIED UNDER TERMS OF CONSULAR CONVENTION.

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PAGE 02 MOSCOW 03916 301724Z

HE CHARACTERIZED THE EMBOFF'S SUGGESTION THAT SUCH SECRETIVE HANDLING OF LEGAL PROCEEDINGS BROUGHT AGAINST TOURISTS FROM THE US BY SOVIET AUTHORITIES COULD BE HARMFUL TO FURTHER GROWTH OF AMERICAN TOURISM IN THE SOVIET UNION, AS A "BAD ATTEMPT TO APPLY PRESSURE" IN A MATTER WHERE VITAL SOVIET INTERESTS ARE AT STAKE. FEDOTOV REMARKED THAT HIS GOVERNMENT WOULD NOT EXPECT TO BE ALLOWED TO INTERVENE ON BEHALF OF A STATELESS PERSON CONVICTED FOR A SIMILAR CRIME AGAINST THE UNITED STATES.

4. COMMENT: IT WAS WITH SOME RELUCTANCE THAT FEDOTOV FINALLY AGREED TO LOOK INTO MATTER WITH USA SECTION OF MFA AND INFORM EMBASSY, "IF POSSIBLE", OF RESULTS HIS INQUIRY. IF FAMILY HAS ALREADY BEEN NOTIFIED, EMBASSY INTENDS TO RESPOND TO ANY PRESS INQUIRIES ALONG LINES THAT WE ARE AWARE OF LITOWKA'S CASE AND REQUESTED CONFIRMATION OF HIS TRIAL AND SENTENCING THROUGH MFA BUT AS YET HAVE RECEIVED NO RESPONSE. EXEMPT
BEAM

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