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UNIT: R-1106  
DATE: 24 Oct. 1966

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**SECRET**

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TO IMMEDIATE/  
KEYWAY

1. FOLLOWING IS FOR ~~BACKGROUND~~ INFO ONLY.

2. FRIDAY EVENING [ ] ATTORNEY FOR YURI RAUS, PHONED GENERAL COUNSEL TO REQUEST WOFACT OFFICER'S PRESENCE DURING PHONE CALL [ ] EXPECTED FROM TORONTO. [ ] PROCEEDED TO [ ] HOME WHERE LATTER ADVISED HE HAD RECEIVED EARLIER CALL FROM MR. DONALD KEITH, TORONTO LAWYER, WHO REPRESENTING TWO ESTONIAN CLIENTS, HENRY PARKMA AND OLAF TRASS, IN LIBEL SUIT AGAINST A THIRD ESTONIAN, MART TARUM. KEITH'S CALL WAS TO SOLICIT ASSISTANCE FROM RAUS' LAWYER AS RESULT OF DEVELOPMENTS IN CASE THAT AFTERNOON. [ ] WANTED WOFACT REP PRESENT WHEN KEITH CALLED BACK WITH ELABORATION OF CASE AND ITS BACKGROUND.

3. LEGAL CASE IS COMPLAINT THAT TARUM CIRCULATED FOUR SCURRILOUS AND LIBELOUS ANONYMOUS "BULLETINS" CONCERNING PLAINTIFFS IN LATE

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1964. ON 21 OCTOBER, FOURTH DAY OF TRIAL, DEFENDANT TARUM NAMED EERIK HEINE AS AUTHOR AND WRITER OF "BULLETINS".

4. BACKGROUND OF CASE: IN SEPTEMBER 1964 RUDOLF SIRGE, WELL KNOWN SOVIET-ESTONIAN AUTHOR, VISITED CANADA AS MEMBER CULTURAL DELEGATION. CANADIAN-ESTONIAN KARL EERME, THEN VICE PRESIDENT OF ESTONIAN CENTRAL COUNCIL BOARD (ECCB) HAD BEEN BOYHOOD FRIEND AND SCHOOLMATE OF SIRGE AND INVITED LATTER TO HIS HOME TO MEET A FEW CANADIAN ESTONIANS SOCIALLY. THIS INVITATION AND SO-CALLED "SECRET MEETING" IN EERME'S HOME WERE SUBSEQUENTLY SEVERLY CONDEMNED BY RIGHTWING ULTRA-NATIONALIST ESTONIAN EMIGRES, INCLUDING EERIK HEINE. PARKMA, AS PRESIDENT OF ECCB DEMANDED EERME EXPLAIN HIS ACTIONS. EERME PRESENTED HIS REPORT AND RESIGNED AS VICE PRESIDENT. AFFAIR GREW INTO "CAUSE CELEBRE" WITH SEVENTEEN MAN ECCB DIVIDED BETWEEN RIGHT WING FACTION (LED BY HEINE) WHICH CONDEMNED THE OTHERS AS

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SUPPORTING CO-EXISTENCE AND BEING SOFT ON COMMUNISM, AND MODERATES (INCLUDING PARKMA AND TRASS) WHO OPPOSED THIS ULTRA NATIONALIST POSITION.

5. SHORTLY AFTERWARD FOUR ANONYMOUS ~~SECRET~~ "BULLETINS" IN ESTONIAN APPEARED, DENOUNCING PARKMA, TRASS AND OTHERS FOR HAVING ABANDONED STRUGGLE AGAINST COMMUNISM AND DESERTING THE CAUSE. THERE WAS CONSIDERABLE SPECULATION AS TO AUTHORSHIP OF BULLETINS, MANY SUSPECTING HEINE. KNOWLEDGEABLE ESTONIANS WHO ANALYZED BULLETINS DETECTED SKILLED PROPAGANDA STYLE AND A FEW CURIOUS SOVIET EXPRESSIONS AND TURNS OF SPEECH. TARUM, WHO IS A LAWYER AND IS CLOSE TO HEINE, DISTRIBUTED BULLETINS, ONCE AT PUBLIC GATHERING AND OTHER TIMES PRIVATELY TO INDIVIDUALS. PARKMA AND TRASS INITIATED SUIT AGAINST TARUM FOR LIBEL, MAINLY TO ATTEMPT LEARN WHO WAS BEHIND THIS DISRUPTIVE ACTION. SUIT CAME TO JURY TRIAL IN TORONTO LAST WEEK. ON 21 OCTOBER TARUM'S ATTORNEY PUT HIM ON STAND

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IN DEFENSE. IN DIRECT EXAMINATION HE ASKED TARUM WHETHER HE KNEW IN 1964 WHO AUTHOR OF BULLETINS WAS. TARUM SAID NO. IN 1965? NO AGAIN. NOW? TARUM REPLIED, "YES, ON 18 OCTOBER IN YOUR (THE ATTORNEY'S) OFFICE EERIK HEINE CONFESSED HE WAS THE AUTHOR."

6. KEITH, CONFIDENT OF WINNING CASE FOR PARKMA AND TRASS, HAD NO INTENTION OF CALLING HEINE TO TESTIFY, BUT HAD STRONG FEELING DEFENSE WOULD DO SO. KEITH WAS AFRAID DEFENSE WOULD CALL HEINE AND PRESENT HIS LONG HEROIC BIOGRAPHY TO JURY, PAINTING HIM AS ANTI COMMUNIST FIGHTER AND EXPERT ON COMMUNISM, AND THEN LEAVE KEITH WITHOUT AMMUNITION FOR COUNTERATTACK. KEITH WANTED TO SHOW THAT HEINE'S ACTION IN CLANDESTINELY AUTHORIZING AND DISSEMINATING THE BULLETINS AND DISRUPTING THE ESTONIAN EMIGRATION WAS PROOF OF THE RAUS THESIS THAT HEINE WAS AGENT PROVOCATEUR. KEITH WANTED [ ] TO GO TO TORONTO WITH WHATEVER BACKGROUND INFO HE COULD

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PROVIDE TO ENABLE HIM TO DESTROY HEINE'S CREDIBILITY ON THE STAND. AT FIRST KEITH SEEMED TO SUGGEST [ ] JOIN HIM IN THE COURT-ROOM.

7. [ ] EXPLAINED TO KEITH THAT WOFACT UNDOUBTEDLY HAD MUCH INFO ON HEINE WHICH IT HADN'T DISCLOSED TO HIM. ALL [ ] HAD, HE SAID, WAS WHAT HAD BEEN DEVELOPED VIA THE LENGTHY DEPOSITION IN 196<sup>65</sup> PLUS RESULTS OF HIS OWN INVESTIGATIONS. KEITH REPLIED THIS WAS PRECISELY WHAT HE WANTED AND THAT HE WOULD BE MOST GRATEFUL FOR ANY HELP. [ ] SAID HE WOULD HAVE TO REFLECT AND CONSULT AND PROMISED CALL KEITH BACK.

8. RAUS WAS THEN CONTACTED AND WAS ABLE CONFIRM FACT SUIT EXISTED AND PROVIDED A FEW DETAILS OF THE BACKGROUND. FROM KEITH'S PRESENTATION, LIKLIHOOD THAT HE WAS PROVOCATEUR WAS PUT DOWN AS MOST UNLIKELY. IN EXAMINING ALTERNATIVES, DUE WEIGHT WAS GIVEN

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TO "KISS OF DEATH" ASPECTS OF WOFAC INVOLVEMENT OR PARTICIPATION BY "WOFAC LAWYER" AS [ ] MIGHT BE LABELED. HOWEVER, DANGER WAS HEINE MIGHT APPEAR IN COURT AND EMERGE A HERO. [ ] WAS CONCERNED THAT IF THAT HAPPENED, KEITH MIGHT ANNOUNCE TO PRESS HE HAD CALLED ON RAUS' LAWYER FOR ASSISTANCE AGAINST HEINE AND HAD GOT NOTHING. TENTATIVE CONCLUSION WAS THAT [ ] OR HIS ASSOCIATE [ ] SHOULD GO TO TORONTO AND CONSULT WITH KEITH PRIVATELY, TAKING ONLY "OVERT" FILE MATERIAL (PLEADINGS DEPOSITION, TRANSCRIPTS OF HEARINGS, ETC) BUT STAYING OUT OF COURTROOM AND AVOIDING ANY OPEN INVOLVEMENT IN CASE. GENERAL COUNSEL FELT THIS MIGHT BE FAVORABLE BREAK IN HEINE CASE AND IT WOULD BE ERROR NOT TO TAKE ADVANTAGE OF IT.

9. AFTER FURTHER DISCUSSION ON 22 OCTOBER, IT WAS DECIDED [ ] SHOULD GO TO TORONTO ON 23 OCTOBER, TAKING MATERIAL

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INDICATED ABOVE, AND LIMITING HIMSELF TO CONSULTATIONS IN KEITH'S OFFICE.

10. HQS WAS ADVISED ON AFTERNOON 24 OCTOBER THAT AT REQUEST OF KEITH, CASE WAS DISMISSED ON GROUNDS THAT AUTHOR AS WELL AS DISTRIBUTOR OF LIBEL WAS NOW KNOWN. KEITH INDICATED INTENTION TO FILE NEW SUIT WITH TARUM AND HEINE NAMED AS CO-DEFENDANTS, AND JUDGE SAID WOULD PUT IT ON CALENDAR. IT LIKELY CASE WILL HIT PRESS TOMORROW.

END OF MESSAGE

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