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TEXT
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SUBJECT: SOME FORWARD MOVEMENT ON ISSUES OF CONCERN TO
LITHUANIA'S JEWISH COMMUNITY

REF: A) VILNIUS 605 (NOTAL)
B) 96 VILNIUS 3380 (NOTAL)
C) 96 VILNIUS 3308 (NOTAL)

1. (U) CLASSIFIED BY CHARGE JOHN STEPANCHUK. REASON 1.5
(B) AND (D).

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SUMMARY

2. (C) WHILE WORDS HAVE YET TO BE FOLLOWED BY ACTIONS, THERE ARE SOME ENCOURAGING SIGNS OF PROGRESS OVER MAJOR ISSUES OF CONCERN TO LITHUANIA'S JEWISH COMMUNITY -- AND OF INCREASING RELEVANCE TO OUR BILATERAL RELATIONSHIP. THE GOL IS APPARENTLY POISED TO TURN OVER THE JEWISH RELIGIOUS MATERIALS IN ITS POSSESSION; THE OFFICE OF THE PROSECUTOR GENERAL HAS FINALLY COMPLETED ITS INTERROGATIONS OF ALLEGED HOLOCAUST PARTICIPANT LILEIKIS; AND NEW PROPERTY RESTITUTION LEGISLATION MAY INCLUDE A PROVISION TO GRANT PROPERTY TO LEGITIMATE OWNERS AND THEIR HEIRS EVEN IF THEY ARE NOT LITHUANIAN CITIZENS. END SUMMARY.

RETURN OF JEWISH RELIGIOUS MATERIALS

3. (C) RECENT ANNOUNCEMENTS -- TIMED TO COINCIDE WITH PASSOVER -- BY MINISTER OF CULTURE SALTENIS THAT THE GOL WOULD TURN OVER FOUR/FOUR OF THE 371 TORAH SCROLLS, RELATED MANUSCRIPTS AND FRAGMENTS THEREOF HELD IN THE LITHUANIAN NATIONAL LIBRARY WAS GREETED WITH UNIVERSAL SKEPTICISM BY THE JEWISH COMMUNITY HERE. STILL DIVIDED INTO DISTINCT SECULAR AND RELIGIOUS FACTIONS, THE VIEW WAS UNIVERSALLY AND STRONGLY EXPRESSED THAT ALL OF THE RELIGIOUS MATERIALS HELD BY THE LIBRARY SHOULD BE RETURNED TO AS WIDE A VARIETY OF LITHUANIA'S RELIGIOUS JEWISH COMMUNITIES AS POSSIBLE (NOT CONFINED SOLELY TO THOSE IN VILNIUS AND KAUNAS, BUT ALSO HASIDIC COMMUNITIES ELSEWHERE).

4. (C) AS REPORTED REF A, VERY FEW (PERHAPS SIX OR LESS) OF THE 371 TORAHS AND RELATED SCROLLS ARE SUFFICIENTLY INTACT FOR USE IN RELIGIOUS SERVICES. NEVERTHELESS, THE RELIGIOUS AND SECULAR COMMUNITIES AGREE THAT THE REMAINDER MUST BE BURIED IN ACCORDANCE WITH JEWISH LAW. GIVEN THE RESPONSE OF THE JEWISH COMMUNITIES AND AFTER EMBOFF'S INTERVENTION ON THE SUBJECT, A KEY MEMBER OF THE LITHUANIAN PARLIAMENT (SEIMAS) AND MINISTER SALTENIS HAVE SINCE COME TO UNDERSTAND THAT TURNING OVER ONLY FOUR, WHETHER INTACT OR NOT, IS AN EMPTY GESTURE. BUILDING ON THE INTEREST EXPRESSED BY U.S. SENATOR DURBIN DURING HIS FEBRUARY VISIT, THE GOL IS NOW POISED TO TURN ALL OF THEM OVER, FINALLY WITH SEIMAS CHAIRMAN LANDSBERGIS' BLESSING (WITHOUT WHICH THIS ISSUE HAS REMAINED ON HOLD).

PROGRESS TOWARDS PROSECUTING ALLEGED WAR CRIMINAL LILEIKIS

5. (U) PRESS REPORTS THAT THE OFFICE OF THE PROSECUTOR GENERAL HAS COMPLETED THE FIRST PHASE OF ITS INVESTIGATIONS INTO THE GUILT OF **ALEKSANDRAS LILEIKIS** HAVE NOW BEEN CONFIRMED. LILEIKIS, WHO WAS STRIPPED OF HIS U.S. CITIZENSHIP FOR CONCEALING HIS SERVICE DURING THE GERMAN OCCUPATION OF LITHUANIA AS A SENIOR SECURITY OFFICER, IS ALLEGED TO HAVE PARTICIPATED IN THE HOLOCAUST.

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DOCUMENTS LOCATED BY THE OFFICE OF SPECIAL INVESTIGATIONS OF THE U.S. DEPARTMENT OF JUSTICE IN LITHUANIAN ARCHIVES SHOW LILEIKIS' SIGNATURE ON NUMEROUS DOCUMENTS, TURNING JEWS OVER TO THE GERMANS WHO -- AS WAS WELL-KNOWN AT THE TIME -- SUBSEQUENTLY KILLED THEM.

6. (U) LILEIKIS HAS BEEN RESIDENT IN LITHUANIA SINCE JUNE 1996, LIVING WITH RELATIVES; HE HAD APPARENTLY BEEN BANKRUPTED BY LEGAL COSTS AND LEFT THE U.S. BEFORE HIS DEPORTATION BECAME NECESSARY. AFTER HIS ARRIVAL, THE PROSECUTOR'S OFFICE ONLY HALF-HEARTEDLY INTERROGATED HIM, CITING

LILEIKIS' ILLNESS AND ADVANCED AGE, WHILE HE CONVENIENTLY FOUND SUFFICIENT ENERGY TO CONDUCT OCCASIONAL INTERVIEWS WITH THE PRESS. IN RECENT WEEKS, HOWEVER, A NEW PROSECUTOR GENERAL HAS BEEN APPOINTED, OTHER PERSONNEL CHANGES HAVE BEEN MADE, AND INTERROGATIONS HAVE ENDED, PROVIDING GROUNDS FOR HOPE THAT THE CASE WILL SOON COME TO TRIAL. HOWEVER, NO SPECIFIC DATE OR CHARGES HAVE YET BEEN DETERMINED.

PROPERTY RESTITUTION

7. (U) CURRENT PROPERTY RESTITUTION LEGISLATION WAS SUSPENDED BY THE RULING CONSERVATIVE/CHRISTIAN DEMOCRATIC COALITION, WHICH INTENDS TO ADDRESS CERTAIN CONCERNS AND EXTEND THE TIME LIMIT FOR MAKING CLAIMS. THE SEIMAS IS RE-WORKING THREE OPPOSING DRAFTS WHICH HANDLE THE QUESTION OF ETHNIC GROUPS IN SLIGHTLY DIFFERENT WAYS. THE LEAST ENLIGHTENED DRAFT SUGGESTS THAT THOSE PERSONS WHO "RETURNED TO THEIR ETHNIC HOMELAND" UPON DEPARTING LITHUANIA (DIRECTED AT JEWS, RUSSIANS AND POLES) SURRENDERED THEIR RIGHTS TO PROPERTY IN LITHUANIA BY DOING SO. ONE OF THREE DRAFTS OPENS THE DOOR TO NON-CITIZENS' CLAIMS, WHICH WOULD BE A MARKED IMPROVEMENT OVER THE PRESENT STIPULATION THAT ONLY CITIZENS HAVE THE RIGHT TO REGAIN PROPERTY.

8. (C) DISCUSSING THE ISSUE WITH EMBOFF MAY 6, SEIMAS FIRST DEPUTY CHAIRMAN ANDRIUS KUBILIUS ADMITTED THAT THERE WAS CONCERN OVER THE POTENTIALLY GREAT EXPENSE OF RESTORING PROPERTY TO NON-CITIZENS. THE SEIMAS UNDERSTANDS THAT NON-CITIZENS' RIGHTS TO FILE CLAIMS ARE CONSTRAINED ELSEWHERE IN CENTRAL EUROPE, KUBILIUS NOTED; HE ADDED THAT THE REQUIREMENT OF RESIDENCE IN LITHUANIA WOULD IN ANY CASE BE LIFTED. (NOTE: SUCH A PROVISION CLEARLY FAVORS THE LITHUANIAN DIASPORA BUT WOULD ALSO ADDRESS THE CLAIMS OF OTHER CITIZENS ABROAD REGARDLESS OF THEIR ETHNICITY. END NOTE.)

9. (C) KUBILIUS ACKNOWLEDGED EMBOFF'S ARGUMENT THAT LEGISLATION WHICH AT LEAST ESTABLISHES A MECHANISM TO RETURN PROPERTY TO BOTH CITIZENS AND NON-CITIZENS WITH LEGITIMATE CLAIMS WOULD BE A CONSIDERABLE IMPROVEMENT, AND THAT QUESTIONS OF ACTUAL PROPERTY RETURN AND/OR PAYMENT IN KIND COULD BE DEALT WITH LATER. KUBILIUS EXPLAINED THAT

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DISCUSSIONS ON THE LEGISLATION SHOULD BE COMPLETED IN THE NEXT TWO WEEKS, AND HOPED TO INCORPORATE SUCH CONSIDERATIONS IN THE FINAL, ADOPTED VERSION.

COMMENT

10. (C) WE ARE INITIALLY ENCOURAGED BY THIS TURN OF EVENTS -- WHICH SEIMAS MEMBER EMANUELIS ZINGERIS MAY RAISE IN HIS WASHINGTON MEETINGS THIS WEEK -- BUT DO NOT FEEL COMPLACENT. THE TORAHS AND OTHER SCROLLS ARE STILL IN THE NATIONAL LIBRARY; WHILE THE LEGAL FRAMEWORK FOR PROPERTY RESTITUTION IS UNDER REPAIR, IT IS NOT A CERTAINTY THAT THE RIGHTS OF NON-CITIZENS WILL FIGURE IN THE FINAL DRAFT; AND REGARDING LILEIKIS -- WHO AT 89 IS REPORTEDLY DYING OF CANCER -- WE WILL REMAIN SKEPTICAL OF THE PROSECUTOR'S INTENTIONS UNTIL CHARGES ARE ACTUALLY FILED AND THE TRIAL BEGINS. NEVERTHELESS, THE STAGE HAS BEEN SET FOR SOME CONCRETE STEPS FORWARD.

STEPANCHUK

ADMIN
END OF MESSAGE

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