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TEXT
TAGS: PREL, PHUM, PGOV, LH
COMBINE: COMPLETE

SUBJECT: LITHUANIA SUSPENDS PROSECUTION OF ALLEGED WAR
CRIMINAL **ALEKSANDRAS LILEIKIS** ON MEDICAL GROUNDS

CLASSIFIED BY CHARGE JONATHAN MOORE. REASON 1.5 B AND D.

SUMMARY AND RECOMMENDATION

1. (C) POST RECEIVED JULY 22 A LETTER FROM LITHUANIAN

NAZI WAR CRIMES DISCLOSURE ACT

FOR COORDINATION WITH STATE
DoJ/OSI

Declassified and Approved for Release
by the Central Intelligence Agency
Date: 2003 2005

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HEALTH MINISTER GALDIKAS FORWARDING THE OPINION OF A TEAM OF GOL MEDICAL EXPERTS ON THE HEALTH OF **ALEKSANDRAS LILEIKIS** (TEXT PARA 8). BASED UPON THE INFORMATION PROVIDED, ALL/ALL EFFORTS TO PROSECUTE LILEIKIS ARE NOW SUSPENDED INDEFINITELY. THIS INFORMATION UNFORTUNATELY COMES JUST WEEKS AFTER THE DETERMINATION OF THE NEW PROSECUTOR GENERAL THAT CHARGES COULD IN FACT BE FILED AGAINST LILEIKIS. WHILE THERE IS A CREDIBLE PRECEDENT FOR MEDICAL INFORMATION TAKING PRIORITY IN LEGAL CASES, POST RECOMMENDS THAT THE GOL BE DEMARCHED TO CONSIDER THE ISSUE OF FILING CHARGES AGAINST LILEIKIS WITHOUT HIS PHYSICAL PRESENCE IN COURT. END SUMMARY AND RECOMMENDATION.

BACKGROUND

2. (U) LILEIKIS, A FORMER BOSTON AREA RESIDENT, IS THE MOST PROMINENT FORMER U.S. CITIZEN IN LITHUANIA ACCUSED OF PARTICIPATING IN GENOCIDE. HE WAS STRIPPED OF HIS U.S. CITIZENSHIP FOR CONCEALING HIS SERVICE DURING THE NAZI OCCUPATION OF LITHUANIA AS HEAD OF THE SECURITY SERVICE IN VILNIUS AND IS SUSPECTED OF ACTIVELY PARTICIPATING IN THE HOLOCAUST. EVIDENCE LOCATED BY U.S. DEPARTMENT OF JUSTICE EXPERTS IN LITHUANIAN ARCHIVES SHOWS REPEATED INSTANCES OF LILEIKIS TURNING JEWS OVER TO THE NAZIS (AS WAS OBVIOUS AT THE TIME) TO BE KILLED.

3. (U) BORN IN 1907, LILEIKIS HAS BEEN SUBJECT TO A RAMBLING AND CONFUSED SERIES OF "INVESTIGATIONS" SINCE HIS ARRIVAL IN LITHUANIA FROM THE UNITED STATES LAST YEAR. THE EFFORTS OF SUCCESSIVE PROSECUTORS GENERAL CULMINATED IN A DETERMINATION AT THE END OF JUNE THAT WORK WAS COMPLETE AND THAT CHARGES COULD IN FACT BE FILED.

4. (C) IN A PRIVATE LETTER TO SEIMAS HUMAN RIGHTS COMMITTEE CHAIRMAN EMANUELIS ZINGERIS (PROTECT), PROSECUTOR GENERAL PEDNYCIA RECENTLY ADMITTED THAT HIS PREDECESSORS HAD NOT INVESTIGATED THE CASE PROPERLY AND THAT THERE WERE LINKS BETWEEN LILEIKIS AND ACTS OF GENOCIDE. (NOTE: ZINGERIS HAS GOTTEN PEDNYCIA'S PERMISSION TO SHARE THE LETTER BUT IT HAS NOT YET BEEN PUBLISHED.)

5. (U) ALMOST IMMEDIATELY AFTER PEDNYCIA'S ANNOUNCEMENT THAT THE INVESTIGATION WAS COMPLETE, MEDICAL "EXPERTS" ASSERTED THAT LILEIKIS' HEALTH WOULD NOT ALLOW HIM TO BE PROSECUTED. PEDNYCIA CHALLENGED SUCH OPINIONS, AND A BOARD OF EXPERTS WAS APPOINTED BY HEALTH MINISTER GALDIKAS JULY 2 TO EXAMINE LILEIKIS AND PROVIDE THEIR DIAGNOSIS. PRIOR TO RECEIVING THE REPORT, WE HAD BEEN TOLD THAT THERE WAS A CHANCE THAT THE PROSECUTION OF LILEIKIS COULD CONTINUE; THAT NOW APPEARS NOT TO BE THE CASE. THE FINDINGS OF THE BOARD OF EXPERTS ARE REPEATED PARA 8 BELOW.

COMMENT

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6. (C) POST HAS LONG BELIEVED THAT THE GOL HAS NOT WANTED TO SERIOUSLY ADDRESS THE LILEIKIS CASE AND HAS HOPED THE ISSUE WOULD DIE WITH HIM. HOWEVER, BOTH LILEIKIS AND THE CONTROVERSY REMAIN ALIVE; SENATOR DURBIN, DURING HIS

FEBRUARY 1997 VISIT, STRESSED THE NEED TO FOLLOW THROUGH WITH THE PROSECUTION BUT HIS WORDS FELL ON DEAF EARS. SENIOR GOL OFFICIALS, INCLUDING PARLIAMENTARY CHAIRMAN LANDSBERGIS, ARE RELUCTANT TO SEE THE CASE GO FORWARD AND, WE SUSPECT, HAVE WORKED TO SLOW DOWN THE EFFORTS OF PREVIOUS PROSECUTORS. WHILE LILEIKIS' HEALTH IS OBVIOUSLY POOR, IT REMAINS TO BE SEEN WHY THE GOL IS MAKING NO EFFORT TO PROSECUTE HIM WITHOUT REQUIRING HIS PHYSICAL PRESENCE.

7. (C) IF THIS IS A MATTER OF CONCERN TO THE DEPARTMENT, AS WE UNDERSTAND IT TO BE, WE BELIEVE THAT THE GOL SHOULD BE DEMARCHED AT A HIGH LEVEL (PRIME MINISTER VAGNORIUS WOULD BE THE BEST INTERLOCUTOR; DUE TO THE LITHUANIAN "COHABITATION", PRESIDENT BRAZAUSKAS' ABILITY TO EFFECT THIS TURN OF EVENTS IS SEVERELY LIMITED) TO STRESS THE VIEW THAT PROSECUTION OF LILEIKIS SHOULD NOT BE HOSTAGE TO THE FACT THAT HE IS AN OLD MAN. AS POST UNDERSTANDS THE VIEWS OF SENATOR DURBIN AND OTHERS, THE UNITED STATES WILL CONTINUE TO JUDGE LITHUANIA BY ITS CONDUCT IN THIS CASE; THE IMPOSITION OF YET ANOTHER OBSTACLE TO PROSECUTION OF LILEIKIS, NO MATTER HOW LEGITIMATE UNDER LITHUANIAN LAW, LEAVES A VERY STRONG IMPRESSION OF DUPLICITY AND DECEIT. POST BELIEVES THAT LILEIKIS' MEDICAL CONDITION HAS BEEN RAISED LEGITIMATELY, BUT WE REMAIN CONCERNED THAT THE PROSECUTION OF A PROMINENT WAR CRIMINAL BE SO EASILY PUSHED ASIDE.

8. (U) TEXT OF MEDICAL OPINION:

HAVING ANALYZED THE AVAILABLE MEDICAL INFORMATION AND HAVING EXAMINED MR. LILEIKIS, THE COMMISSION IS PROVIDING THE FOLLOWING OPINION IN RESPONSE TO THE ISSUES RAISED IN THE RESOLUTION (OF THE MINISTER OF HEALTH):

1. MR. A. LILEIKIS IS NOT SIMULATING ANY DISEASE OR ILLNESS.
2. PRESENTLY, MR. A. LILEIKIS SUFFERS FROM THE FOLLOWING DISEASES:
 - A) CHRONIC VASCULAR INEFFICIENCY IN THE PRESENCE OF ATHEROSCLEROSIS OF THE BASIC BRAIN AND BACKBONE BLOOD VESSELS;
 - B) ISCHEMIC HEART DISEASE WITH TENSION AND REST ANGINA PECTORIS OF II DEGREE;

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C) STATUS AFTER REMOVAL OF PROSTATE DUE TO ADENOMA WITH FREQUENT BLEEDING FROM URINARY TRACT.

3. THE CAUSE OF THE ABOVE MENTIONED DISEASES IS CHANGE OF THE BODY DUE TO THE OLD AGE.

4. DISEASES, FROM WHICH MR. A. LILEIKIS IS SUFFERING, ARE INCURABLE.

5. MR. A. LILEIKIS MAY NOT UNDERGO INVESTIGATIONS, SINCE ANY STRESS MAY ACUSE LIFE THREATENING STATUS, LIKE:

- A) ACUTE DISTURBANCE OF BLOOD CIRCULATION IN BRAIN;
- B) ACUTE CARDIOVASCULAR INSUFFICIENCY DUE TO THE ISCHEMIC HEART DISEASE;
- C) ACUTE ARRHYTHMIA DUE TO FREQUENT VENTRICULAR EXTRASYSTOLES (SEVEN PER MINUTE).

6. SINCE THE DISEASES ARE INCURABLE, THERE IS NO POSSIBILITY TO DETERMINE THE TIME WHEN MR. A. LILEIKIS MAY UNDERGO INVESTIGATION PROCEDURES.

END TEXT. MOORE

ADMIN
END OF MESSAGE

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