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STATE FOR EUR/NB, S/WCI, AND EUR/RHA
JUSTICE FOR OSI ROSENBAUM AND MACQUEEN
NSC FOR FLANAGAN

E.O. 12958: DECL: 5/27/2009

TEXT
TAGS: PREL, PGOV, PHUM, CJAN (LILEIKIS, ALEKSANDRAS), LH
SUBJECT: ANSWERING LITHUANIAN REQUEST FOR EVIDENCE IN LILEIKIS WAR CRIMES
CASE

REF: A) VILNIUS 784, B) VILNIUS 436

(U) CLASSIFIED BY AMBASSADOR KEITH SMITH FOR REASONS 1.5 B AND D.

1. (C) AS DETERMINED BY THE JUDGE, THE WAR CRIMES CASE AGAINST FORMER U.S. CITIZEN ALEKSANDRAS LILEIKIS REMAINS SUSPENDED (AS REPORTED REFS A AND B) PENDING RECEIPT OF EVIDENCE FROM ELI ROSENBAUM -- DIRECTOR OF THE OFFICE OF SPECIAL INVESTIGATIONS OF THE U.S. JUSTICE DEPARTMENT - REGARDING LILEIKIS' HEALTH. LILEIKIS, BORN IN 1907 AND CURRENTLY RESIDENT IN LITHUANIA

NAZI WAR CRIMES DISCLOSURE ACT

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A, WAS THE CHIEF OF THE VILNIUS SECURITY POLICE DURING THE NAZI OCCUPATION AND HAS BEEN IMPLICATED IN ACTS OF GENOCIDE.

2. (C) MAY 26 DISCUSSIONS WITH VISITING OSI CHIEF OF INVESTIGATIONS MICHAEL MACQUEEN AND POST PERSONNEL SUGGEST THAT THE BEST COURSE OF ACTION WOULD BE FOR DIRECTOR ROSENBAUM TO WRITE THE LITHUANIAN AUTHORITIES DIRECTLY. IT COULD BE EXPLAINED THAT THE EVIDENCE IN OSI'S POSSESSION -- SUGGESTING THAT LILEIKIS IS FIT TO STAND TRIAL -- IS NOW OUT OF DATE AND THAT THE USG WOULD BE PLEASED TO CONTRIBUTE TO AN INTERNATIONAL MEDICAL COMMISSION WHICH WOULD EXAMINE LILEIKIS AND DETERMINE THE STATE OF HIS HEALTH.

3. (C) PRESIDENTIAL ADVISOR SMULKSTYS HAS RECENTLY CONFIRMED TO EMBASSY AND TO MACQUEEN THAT THE PRESIDENCY WILL PURSUE ALL APPROPRIATE EFFORTS TO HAVE THE JUDGE IN THE CASE REQUEST THE FORMATION OF AN INTERNATIONAL MEDICAL COMMISSION. THE MEDICAL DOCUMENTS IN THE CASE HAVE ALREADY BEEN OFFERED TO THE USG (REF A) FOR SCRUTINY, BUT POST AGREES WITH MACQUEEN THAT INTERNATIONAL EXAMINATION OF THE PAPERWORK (RATHER THAN THE PATIENT) IS NOT ACCEPTABLE. HOWEVER, ONLY THE JUDGE CAN DETERMINE THAT A PHYSICAL EXAMINATION IS APPROPRIATE. FOR US TO REACH THAT POINT, AT LEAST AN INITIAL RESPONSE IS NEEDED FROM OSI.

4. (C) POST WILL REQUEST MEDICAL DOCUMENTATION AS SOUGHT BY MACQUEEN AND LOOKS FORWARD TO MOVING THIS CASE FORWARD IN CLOSE COOPERATION WITH OSI SMITH

ADMIN
END OF MESSAGE

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