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DEPT PLEASE PASS TO JUSTICE DEPARTMENT

E.O. 12356: DECL: OADR

TEXT

TAGS: PGOV, PREL, AU
SUBJECT: WALDHEIM EXCLUSION: FOREIGN MINISTER MOCK'S
REACTION

REF: VIENNA 6785

1. CONFIDENTIAL-ENTIRE TEXT.
2. THE AMBASSADOR CALLED ON FOREIGN MINISTER MOCK AT THE LATTER'S REQUEST AT 0800 HRS ON APRIL 30. ALSO PRESENT WERE AUSTRIAN AMBASSADOR TO THE US KLESTIL, MFA CHEF DE CABINET STAFFELMAYR AND DCM BLOCH.
3. MOCK SAID HE WISHED TO PASS PERSONALLY TO THE AMBASSADOR THE GOA STATEMENT ON THE USG'S "WATCHLIST" DECISION. (AN INFORMAL EMBASSY TRANSLATION OF THE GOA STATEMENT IS IN REFTEL; THE TEXT OF MFA ENGLISH LANGUAGE VERSION IS AT THE END OF THIS MESSAGE.) IN HANDING OVER THE STATEMENT, MOCK EMPHASIZED THAT IT WAS A UNANIMOUS DECISION OF THE AUSTRIAN FEDERAL GOVERNMENT. THIS WAS

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NOTABLE INASMUCH AS IT WAS THE FIRST TIME THE GOVERNMENT HAD ACHIEVED UNANIMITY ON A DECISION BEFORE IT.

4. MOCK CONTINUED THAT THE US DECISION "CONTRADICTS" THE GOOD RELATIONS WHICH EXIST BETWEEN THE TWO COUNTRIES AND THE SYMPATHY THE TWO PEOPLES HAVE FOR ONE ANOTHER. MOREOVER, IT IS AT VARIANCE WITH THE TOTALITY OF THE WARM RELATIONS WHICH HAVE EXISTED BETWEEN THE US AND AUSTRIA SINCE THE END OF WORLD WAR II. MOCK WENT ON TO SAY THAT THE DECISION "IGNORES" THE OBLIGATION OF RESTRAINT IN RELATIONS BETWEEN TWO SOVEREIGN COUNTRIES.

5. MOCK INSISTED IT WAS "ARTIFICIAL" TO SEEK TO DISTINGUISH BETWEEN WALDHEIM AS AN INDIVIDUAL AND AS PRESIDENT OF THE REPUBLIC, AND STATED IT WAS "MOST REGRETTABLE" THAT THE US DECISION IS BASED ON "ALLEGATIONS" AND NOT ON EVIDENCE. AT THIS POINT, MOCK REQUESTED THAT THE US PROVIDE THE GOVERNMENT OF AUSTRIA WITH THE BASIS ON WHICH THE DEPARTMENT OF JUSTICE REACHED ITS DECISION TO EXCLUDE WALDHEIM. ONCE THE GOA WAS IN POSSESSION OF THAT INFORMATION AND HAD HAD A CHANCE TO EXAMINE IT, IT WOULD BE POSSIBLE TO ENTER INTO THE CONSTRUCTIVE DIALOGUE WHICH THE US INDICATED IN ITS DEMARCHE TO CHANCELLOR VRANITZKY IT WISHED TO INITIATE.

6. MOCK CONCLUDED HIS REMARKS BY OBSERVING THAT "TREMENDOUS DAMAGE" HAD BEEN DONE TO AUSTRIA'S INTERNATIONAL REPUTATION. HE NOTED THAT AUSTRIA IS A SMALL COUNTRY AND HE HAS LEARNED FROM HIS INTERNATIONAL TRAVELS THAT FOREIGNERS CAN'T BE EXPECTED TO BE ACQUAINTED WITH DETAILS OF ITS HISTORY. ON THE OTHER HAND, IT WAS NOT PERMISSIBLE THAT AUSTRIA'S REPUTATION BE SULLIED IN SUCH A FASHION. REFERRING TO THE DECISION, MOCK CONCEDED THAT WHEN SUCH EVENTS OCCUR BETWEEN FRIENDS, THE CONSEQUENCES MUST BE TOUCHED OUT, BUT HE ACKNOWLEDGED IT WOULD BE VERY DIFFICULT FOR THE AUSTRIANS.

7. THERE FOLLOWED A BRIEF EXCHANGE ON WHERE JUSTICE DOCUMENTATION ON WALDHEIM SHOULD BE PASSED TO THE GOA. MESTIL VOLUNTEERED THAT SINCE HE WOULD, FOR THE TIME BEING, REMAIN AMBASSADOR, THE PAPERS COULD BE PASSED TO THE AUSTRIAN EMBASSY IN WASHINGTON OR IN VIENNA, WHERE HE WILL BE FOR AN INDEFINITE PERIOD. IT WAS ALSO AGREED THAT, IF AND WHEN SUCH DOCUMENTS WERE PASSED, THE USG COULD STATE PUBLICLY IT WAS DOING SO IN RESPONSE TO THE PUBLIC GOA REQUEST FOR SAME.

8. COMMENT: AUSTRIAN RADIO AND TV WERE INSIDE THE FOREIGN MINISTER'S SUITE TO RECORD THE ARRIVAL AND DEPARTURE OF THE AMBASSADOR. HE LIMITED HIMSELF TO A BRIEF NON-SUBSTANTIVE COMMENT AFTER THE MEETING.

9. COMMENT CONTINUED: MOCK MADE HIS PRESENTATION IN A LOW AND CALM TONE OF VOICE, ONE WHICH BETRAYED NO HINT OF EMOTION. THE DEPTH OF HIS FEELINGS IS MIRRORED IN HIS CHOICE OF WORDS, HOWEVER, AND THERE IS LITTLE QUESTION THAT HE IS DEEPLY HURT AND ANGERED BY THE DECISION ON

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WALDHEIM.

10. COMMENT CONTINUED: IN A SUBSEQUENT CONVERSATION, EVA NOWOTNY, FOREIGN POLICY ADVISOR TO THE FEDERAL CHANCELLOR, ADVISED THAT THE GOA WOULD LIKE TO HAVE FROM US THE DEPARTMENT OF JUSTICE'S DECISION MEMORANDUM OR SPECIFIC FINDINGS (ENTSCHEIDUNGSGRUNDLAGE) WHICH THE ATTORNEY GENERAL USED IN PLACING WALDHEIM ON THE
C O N F I D E N T I A L SECTION 02 OF 02 VIENNA 06911

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E.O. 12356: DECL: OADR
TAGS: PGOV, PREL, AU
SUBJECT: WALDHEIM EXCLUSION: FOREIGN MINISTER MOCK'S
"WATCHLIST". END COMMENT.

11. ACTION REQUESTED: WE BELIEVE WE MUST RESPOND POSITIVELY TO THE AUSTRIAN REQUEST IF WE ARE TO PRESERVE OUR CREDIBILITY WITH THE GOVERNMENT AND WITH AUSTRIA AT LARGE. WHAT WE NEED TO PREVENT OUR RELATIONSHIP FROM DESCENDING INTO FRACTIOUSNESS AND FURTHER BITTERNESS IS THE FULL AIRING WITH THE GOVERNMENT OF HOW WE ARRIVED AT OUR DECISION ON WALDHEIM. WE RECOMMEND THAT WE GIVE TO THE AUSTRIAN GOVERNMENT THE SPECIFIC MEMORANDUM OR OTHER DECISION DOCUMENT LEADING TO THE ATTORNEY GENERAL'S DETERMINATION. WE SHOULD TRANSMIT TO THE AUSTRIAN GOVERNMENT, IN VIENNA AND PUBLICLY, THE FULL REPORT ON WALDHEIM WITH ITS TOTAL WEIGHT. WE WOULD WANT THE AUSTRIANS TO SEE THE BODY OF OUR INVESTIGATION FOR THEMSELVES AND REACH THEIR OWN CONCLUSIONS REGARDING THE JUSTICE OF OUR FINDINGS. END ACTION REQUESTED.

12. THE TEXT OF MFA ENGLISH LANGUAGE VERSION OF THE AUSTRIAN STATEMENT FOLLOWS:

QUOTE: STATEMENT OF THE AUSTRIAN FEDERAL GOVERNMENT OF APRIL 28, 1987

1. THE AUSTRIAN FEDERAL GOVERNMENT IS DISMAYED AT THE DECISION OF THE US DEPARTMENT OF JUSTICE TO PLACE THE FEDERAL PRESIDENT DR. **KURT WALDHEIM** ON THE SO-CALLED "WATCH LIST", THEREBY EXCLUDING HIM FROM ENTERING THE UNITED STATES AS A PRIVATE PERSON. THE ADMINISTRATIVE PROCEDURE APPLIED IS INEXPLICABLE AND INCOMPREHENSIBLE TO THE AUSTRIAN PEOPLE AND TO THE AUSTRIAN FEDERAL GOVERNMENT. THE ALLEGATIONS KNOWN AGAINST DR. **KURT WALDHEIM** ARE UNPROVEN. THEY ARE THEREFORE REJECTED BY THE FEDERAL GOVERNMENT.

2. IN VIEW OF THE TRADITIONALLY EXCELLENT AND FRIENDLY RELATIONS BETWEEN THE UNITED STATES AND AUSTRIA, THE AUSTRIAN FEDERAL GOVERNMENT REGRETS THIS DECISION OF THE

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US-AUTHORITIES.

3. IN THE OPINION OF THE AUSTRIAN FEDERAL GOVERNMENT IT IS ALL THE MORE ESSENTIAL, THAT DECISIONS ON FURTHER MEASURES BE TAKEN ON THE BASIS OF COOL AND CAREFUL CONSIDERATION. THE AUSTRIAN AMBASSADOR TO THE UNITED STATES HAS ALREADY BEEN RECALLED FOR CONSULTATIONS. FURTHERMORE THE US DEPARTMENT OF JUSTICE WILL BE REQUESTED TO FULLY REVEAL THE BASIS OF ITS DECISION.

4. THE FEDERAL GOVERNMENT WILL TAKE ALL STEPS IT DEEMS NECESSARY TO PROTECT THE HEAD OF STATE, THE ELECTED REPRESENTATIVE OF THE REPUBLIC, AGAINST UNJUSTIFIED ALLEGATIONS. THIS THE FEDERAL GOVERNMENT CONSIDERS AN OBLIGATION TO OUR COUNTRY. UNQUOTE.
LAUDER

ADMIN
END OF MESSAGE

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