

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCE METHOD EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2008



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TELEGRAM

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ACTION SCS 04

INFO EUR 08, SCA 02, PPT 02, H 02, L 03, P 04, USIA 12, CIA 04, RSC 01, INR 07,
SY 03, FBI 01, NSAE 00, /053 W

R 120848Z OCT 67
FM AMEMBASSY BELGRADE
TO SECSTATE WASHDC 2562

~~CONFIDENTIAL~~ BELGRADE 1160

REF: STATE 51852

WELFARE/WHEREABOUTS; DESTAN BERISHA. INTEREST CONGRESSMAN
CONTE.

1. BERISHA STILL HELD UNDER INVESTIGATION. CONSUL VON DEN
STEINEN, WHO VISITED PRIZREN OCTOBER 10, INFORMED BY JUDGE IN
CHARGE INVESTIGATION THAT BERISHA FACES PROBABLE INDICTMENT
UNDER ARTICLE III, CRIMINAL CODE--TRANSPORTING AND ORGANIZING
UNAUTHORIZED ARMED GROUPS. BERISHA UNDER FORMAL INVESTIGATION
"BECAUSE OF GROUNDED SUSPICION THAT FROM THE FALL OF 1950
HE USED TO COME, TO CARRY OUT THE TASKS OF THE AMERICAN
INTELLIGENCE SERVICE IN AN ARMED GROUP: ...ONTO THE TERRITORY

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OF YUGOSLAVIA ON WHICH OCCASION HE STAYED A FAIRLY LONG TIME
ILLEGALLY AND ARMED WITH THE OBJECTIVE OF GATHERING DATA AND
CREATING A BASE FOR THE EXECUTION OF HOSTILE ACTS--THE RAISING
OF INSURRECTIONS, WHICH WOULD SERVE THE INTELLIGENCE SERVICE
OF THE U.S.A." MINIMUM PENALTY UNDER ARTICLE III THREE YEARS
IMPRISONMENT, MAXIMUM DEATH. AS CAPITAL OFFENSE NEITHER
1964 AMNESTY NOR STATUTE OF LIMITATIONS APPLY. PRE-TRIAL

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FOR COORDINATION WITH State

*DDI
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CULLEY*

*ONE
HR/SP8
INDICO
DCS
GR2*

*SB3
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OLC
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CAL
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CONFINEMENT ALSO MANDATORY. INVESTIGATING JUDGE ANTICIPATES INDICTMENT HEARING ABOUT TEN DAYS AND FORMAL TRIAL WITHIN EIGHT WEEKS.

2. WHEN CONSUL READ CHARGE JUDGE'S PRESENCE, HE EXPRESSED DISMAY AT LANGUAGE WHICH IMPLIED HOSTILE U.S. INTENTIONS TOWARD YUGOSLAVIA DURING PERIOD OF EXCELLENT BILATERAL RELATIONS. JUDGE IMMEDIATELY STATED WORDING DERIVED FROM STATEMENTS BY WITNESSES AND NOT NECESSARILY FINAL FORMULATION OF CHARGE.

3. BERISHA DUAL NATIONAL AND WILL BE CHARGED AS YUGOSLAV CITIZEN. THOUGH INITIALLY ACCEPTING U.S. INTEREST UNRESERVEDLY.

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YUGOSLAV AUTHORITIES NOW DISPUTING IN THEORY CONSULAR RIGHTS AND HAVE ONLY FURNISHED INFORMATION WHEN PRESSED. PRIZREN JUDGE SAID U.S. CONSUL COULD ATTEND TRIAL AND ALSO GRUDGINGLY GRANTED ACCESS TO BERISHA ON OCTOBER 10 AFTER SOME DISCUSSION.

4. DURING WELL-MONITORED INTERVIEW, BERISHA SEEMED IN REASONABLY GOOD SPIRITS. HE LOOKED WELL BUT COMPLAINED ABOUT DIARRHEA AND HAVING BLOOD IN BOWEL MOVEMENTS. THE PRISON DOCTOR HAS SEEN HIM TWICE AND PRESCRIBED MEDICINE. AUTHORITIES PROMISED TO FORWARD DIAGNOSIS TO EMBASSY. LEGAL ASSISTANCE ALSO DISCUSSED. EMBASSY HAS HELPED ARRANGE ADDITIONAL SERVICES OF TOP-FLIGHT CRIMINAL LAWYER. THOUGH BERISHA HAS SOME FUNDS, DEPOSIT \$200 DEPARTMENT TO MEET POSSIBLE LEGAL EXPENSES ADVISABLE.

5. BERISHA ASKED THAT HIS WIFE BE INFORMED HOW HE IS. EMBASSY HAS NOT WRITTEN MRS. BERISHA AND PREFERS SHE BE CONTACTED PERSONALLY BY DEPARTMENT. ANY WISH ON HER PART TO COME YUGOSLAVIA SHOULD BE DISCOURAGED. (FYI) BERISHA APPEARS TO HAVE ANOTHER

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WIFE--AT LEAST COMMON-LAW--IN VILLAGE NEAR PRIZREN.)

6. YUGOSLAV PRESS AS YET QUIET. BERISHA IS ETHNIC SHIPTAR (ALBANIAN) (SZRSRYBLXPCBOO#ESTIMATE DEGREE AND FDSLEWUJVHM

POTENTIAL PUBLICITY. JUDGE INFORMED CONSUL THAT TRIAL WOULD BE OPEN.

7. IN ADDITION TO EXTENSIVE CONTACTS WITH LOCAL AUTHORITIES AT PRIZREN AND PRISTINA, EMBASSY HAS PRESENTED TWO NOTES TO FOREIGN MINISTRY IN BERISHA'S BEHALF. EMBASSY DOES NOT BELIEVE THAT ADDITIONAL REPRESENTATIONS AT FOREIGN OFFICE WOULD BE EITHER HELPFUL OR PRODUCTIVE AT THIS JUNCTURE.

8. EMBASSY REQUESTS SPECIFIC DATA BERISHA'S NATURALIZATION AND ANY VIEWS DEPARTMENT RE PROTECTING RIGHTS DUAL NATIONAL APPLYING THIS CASE. BERISHA ENTERED YUGOSLAVIA AUGUST 15, 1967 ON U.S. PASSPORT WITHOUT VISA (NOT REQUIRED DURING INTERNATIONAL TOURIST YEAR).

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