

DOCUMENT ID: 18130692
INQNO: DOC31D 00351222
DOCNO: TEL 274792 94
PRODUCER: WASHDC
SOURCE: STATE
DOCTYPE: OUT
DOR: 19941008
TOR: 235257
DOCPREC: P
ORIGDATE: 199410090346
MHFNO: 94 8091083
DOCCLASS: C

STATE DEPT. DECLASSIFICATION REVIEW
 Retain class'n
 Declassify
Change/classify to _____
with concurrence of _____
after _____
EO 12958, 25X
IPS/CR/IR by Date: 8/30/01

HEADER
PP RUEAIIB
ZNY CCCCC ZOC STATE ZZH
MPH4792
PP RUEHC
DE RUEHC #4792 2820348
ZNY CCCCC ZZH
P 090346Z OCT 94
FM SECSTATE WASHDC
TO RUCNDT/USMISSION USUN NEW YORK PRIORITY 0000
INFO RUEHVI/AMEMBASSY VIENNA PRIORITY 0000
RUEHVEN/USMISSION USVIENNA 0000
BT

CONTROLS
C O N F I D E N T I A L STATE 274792

USVIENNA FOR UNVIE

E.O. 12356: DECL: OADR

TEXT
TAGS: AORC, PREL, CVIS, UN, AU, US (WALDHEIM, KURT)
SUBJECT: AVOIDING A UN INVITATION TO WALDHEIM

REF: A. USUN 4134 B. VIENNA 8706 C. VIENNA 8653
D. VIENNA 8884 E. VIENNA 8886

1. CONFIDENTIAL--ENTIRE TEXT. THIS IS AN ACTION CABLE FOR USUN.

SUMMARY

2. REF A REPORTS THAT A WIDE VARIETY OF CONTACTS IN THE UN SECRETARIAT HAVE INDICATED THAT SYG BOUTROS BOUTROS-GHALI MAY BE PLANNING TO INVITE FORMER SYG KURT WALDHEIM TO AN EVENT IN NEW YORK TO COMMEMORATE THE FIFTIETH ANNIVERSARY OF THE UN. USUN SHOULD TAKE IMMEDIATE ACTION TO DETERMINE WHETHER THESE REPORTS ARE ACCURATE AND, IF SO, TO DISSUADE THE UN FROM ISSUING SUCH AN INVITATION OR EVEN FROM GIVING IT FURTHER

**NAZI WAR CRIMES DISCLOSURE ACT
2000**

**CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF CIA INFORMATION
IN THIS DOCUMENT**

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCES METHODS EXEMPTION 382B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2001 2007

CONFIDENTIAL

CONSIDERATION. TALKING POINTS ARE PROVIDED IN PARA 3 FOR USUN'S USE. REF C REPORTS THAT AUSTRIAN FOREIGN MINISTER MOCK HAS SPOKEN TO BOUTROS-GHALI IN AN EFFORT TO STIMULATE SUCH AN INVITATION. SEPTEL TO VIENNA INSTRUCTS PARALLEL ACTION THERE. END SUMMARY.

APPROACH TO THE UN

3. PLEASE MAKE AN IMMEDIATE APPROACH TO AN APPROPRIATE, HIGH-LEVEL OFFICIAL, INCLUDING IF NECESSARY BOUTROS-GHALI, TO DETERMINE WHETHER A UN INVITATION TO WALDHEIM FOR A NEW YORK VISIT IS EITHER PLANNED OR UNDER CONSIDERATION. IF SO, USUN SHOULD ACT QUICKLY AND DO ITS UTMOST TO DISSUADE THE UN FROM ISSUING, OR EVEN GIVING FURTHER CONSIDERATION TO, SUCH AN INVITATION DRAWING ON THE FOLLOWING TALKING POINTS:

-- IT WOULD BE A GRIEVOUS MISTAKE FOR THE UN TO ISSUE ANY INVITATION TO **KURT WALDHEIM** TO VISIT NEW YORK TO COMMEMORATE THE FIFTIETH ANNIVERSARY OF THE UN OR FOR ANY OTHER REASON.

-- WALDHEIM'S ACTIONS DURING WORLD WAR II AND U.S. IMMIGRATION LAW MAKE IT IMPOSSIBLE FOR HIM TO BE ADMITTED TO THE U.S.

-- IF THE FACT THAT THE UN IS EVEN CONSIDERING SUCH AN INVITATION BECOMES PUBLIC, THIS WILL ATTRACT ENORMOUS MEDIA ATTENTION AND IMMEDIATELY EMBROIL THE UN IN THE CONTROVERSY OVER WALDHEIM'S ACTIONS DURING THE SECOND WORLD WAR.

-- THIS CONTROVERSY WOULD CERTAINLY DETRACT FROM, AND COULD WELL OVERSHADOW, THE GLOBAL SUMMIT AND OTHER ASPECTS OF THE FIFTIETH ANNIVERSARY CELEBRATIONS

-- THIS CONTROVERSY WOULD ALSO UNDERMINE THE EFFORTS TO ENHANCE THE PRESTIGE OF THE UN AND TO HIGHLIGHT BOTH THE UN'S PAST ACCOMPLISHMENTS AND ITS FUTURE OBJECTIVES IN SUCH AREAS AS HUMAN RIGHTS, PEACE KEEPING. AND HUMANITARIAN ASSISTANCE.

-- THE USG STANDS STEADFASTLY BEHIND ITS 1987 FINDING, BASED ON CAREFUL RESEARCH AND THE EXAMINATION OF A GREAT DEAL OF EVIDENCE, INCLUDING SUBMISSIONS ON WALDHEIM'S BEHALF BY HIS SON AND OTHERS, THAT BETWEEN 1942 AND 1945, AS A LIEUTENANT IN THE ARMY OF NAZI GERMANY, **KURT WALDHEIM** "ASSISTED, OR OTHERWISE PARTICIPATED IN THE PERSECUTION OF . . . PERSON(S)

BECAUSE OF RACE, RELIGION, NATIONAL ORIGIN OR POLITICAL OPINION."

-- UNDER U.S. LAW (I.E. SECTION 212 (A) (3) (E) OF THE

CONFIDENTIAL

IMMIGRATION AND NATIONALITY ACT, AS AMENDED), INDIVIDUALS WHO ASSISTED OR PARTICIPATED IN NAZI PERSECUTIONS OF THIS TYPE ARE INELIGIBLE TO RECEIVE U.S. VISAS AND THERE IS NO PROVISION FOR A WAIVER OF THIS INELIGIBILITY.

-- HENCE. BECAUSE OF THIS FINDING, IT IS IMPOSSIBLE TO GRANT WALDHEIM A U.S. VISA.

-- ISSUING A UN INVITATION, OR EVEN ALLOWING IT TO BE KNOWN THAT ONE IS UNDER SERIOUS CONSIDERATION WILL ACHIEVE NOTHING POSITIVE BUT COULD CAUSE POLITICAL DAMAGE TO ALL CONCERNED, PARTICULARLY THE UN.

END OF TALKING POINTS.

PAROLE ADMISSION A NON-STARTER

4. IT IS POSSIBLE THAT YOUR INTERLOCUTOR(S) MAY PRESS YOU BY ARGUING THAT THERE IS A WAY AROUND WALDHEIM'S INELIGIBILITY AND/OR BY RAISING THE USE OF PAROLE TO ADMIT HIM TO THE U.S. IN THE EVENT THIS OCCURS AND YOU FEEL A RESPONSE IS NEEDED, YOU MAY RESPOND BY DRAWING ON THE FOLLOWING CONTINGENCY TALKING POINTS. IF YOUR INTERLOCUTORS DO NOT TAKE THE INITIATIVE IN RAISING THIS, YOU SHOULD NOT/NOT DO SO. WE WANT TO AVOID LEADING THE UN INTO BELIEVING THAT WE WOULD CONSIDER USING PAROLE FOR WALDHEIM; WE CERTAINLY WOULD NOT/NOT BE WILLING TO DO SO.

-- AS YOU POINT OUT, EVEN IF THE FINDING ON WALDHEIM REMAINS IN FORCE AND, HENCE, IT CONTINUES TO BE IMPOSSIBLE TO GIVE HIM A VISA, IT MIGHT STILL BE POSSIBLE TO ADMIT WALDHEIM TO THE U.S. USING THE PAROLE PROVISION OF U.S. IMMIGRATION LAW.

-- WHILE THIS IS A THEORETICAL POSSIBILITY, IT IS NOT/NOT A VIABLE OPTION.

-- ANY REQUEST FOR PAROLE FOR WALDHEIM WOULD HAVE TO GO TO U.S. ATTORNEY GENERAL JANET RENO FOR DECISION. Y

-- IT IS EXTREMELY UNLIKELY THAT SHE COULD BE PERSUADED TO TAKE THIS EXTRAORDINARY STEP IN WALDHEIM'S CASE AND EQUALLY UNLIKELY THAT HE WOULD AGREE TO THIS SINCE COMING HERE ON PAROLE (RATHER THAN ON A VISA) WOULD BE TAKEN AS AN INSULT AND BE EXTREMELY EMBARRASSING TO HIM.

END OF CONTINGENCY TALKING POINTS. TALBOTT

ADMIN
END OF MESSAGE

CONFIDENTIAL