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NAZI WAR CRIMES DISCLOSURE ACT
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CONTROLS

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TEXT

E.O. 12356: DECL:OADR
TAGS: PINR, PGOV, TBIO, BR GE
SUBJ: INFORMAL DEMARCHE ON MENGELE INVESTIGATION
1. CONFIDENTIARHAL ENTIRE TEXT.
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2. SUMMARY. EMBASSY STRESSED TO ACTING FOREIGN MINISTER IMPORTANCE FOR BRAZIL'S FOREIGN RELATIONS OF INTERNATIONAL SENSITIVITY TO THE HANDLING OF THE MENGELE INVESTIGATION. ACTING MINISTER ASSERTED BRAZILIAN SOVEREIGNTY AND AUTHORITY OVER THE CASE, BUT EMPHASIZED WILLINGNESS TO ACCEPT COOPERATION FROM FOREIGNERS WHO CAN CONTRIBUTE TO IDENTIFICATION OF EXHUMED REMAINS. HE SAID HE WOULD AGAIN ASK JUSTICE MINISTER TO INSTRUCT POLICE ACCORDINGLY. JUSTICE MINISTER HAS SAID PUBLICLY THAT FOREIGN EXPERTS WILL NOT PARTICIPATE IN THE INVESTIGATION, BUT MAY "ACCOMPANY" IT. END SUMMARY.
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3. IN A CONVERSATION WITH FOREIGN MINISTRY SECRETARY GENERAL AND ACTING MINISTER AMBASSADOR PAULO TARSO FLECHA DE LIMA FRIDAY EVENING DCM NOTED THAT THE EMBASSY HAD HEARD REPORTS THAT POLICE AUTHORITIES IN SAO PAULO MIGHT NOT BE HANDLING THE ANALYSIS OF THE EVIDENCE IN THE JOSEF

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MENGELE CASE IN ACCORDANCE WITH THE HIGHEST PROFESSIONAL STANDARDS. THIS IMPRESSION, HE SAID, COULD PROMPT DOUBTS AROUND THE WORLD ABOUT WHETHER THE EXHUMED REMAINS WERE REALLY MENGELE'S, AS WELL AS ABOUT BRAZILIAN CAPABILITIES AND INTENTIONS. THESE DOUBTS IN TURN MIGHT GENERATE SIGNIFICANT PRESSURES IN THE U.S. AND ELSEWHERE WHICH COULD COMPLICATE BRAZIL'S FOREIGN RELATIONS. DCM SUGGESTED THAT THESE POSSIBILITIES WARRANT GREATER INVOLVEMENT BY THE FOREIGN MINISTRY IN THE INVESTIGATION.

4. APPARENTLY INTERPRETING THESE REMARKS AS AN INDIRECT ATTEMPT TO ENCOURAGE THE BRAZILIAN POLICE TO COLLABORATE MORE CLOSELY WITH AMERICAN (AND PERHAPS OTHER FOREIGN) PERSONNEL WHO HAVE COME TO BRAZIL IN CONNECTION WITH THE MENGELE INVESTIGATION, THE ACTING MINISTER REPLIED THAT THE GOB WAS NOT ABOUT TO ALLOW INFRINGEMENT OF ITS SOVEREIGNTY AND LEGAL AUTHORITY IN THIS CASE. NEVERTHELESS, HE SAID, HE HAD SPECIFICALLY AUTHORIZED THE BRAZILIAN EMBASSY IN WASHINGTON TO PROVIDE A VISA TO A JUSTICE DEPARTMENT OFFICIAL WHO ARRIVED IN BRAZIL THAT MORNING. HE ADDED THAT THE GOB WAS WILLING TO ACCEPT COOPERATION FROM ANYONE WHO COULD CONTRIBUTE TO THE IDENTIFICATION OF THE REMAINS AND HE HAD ASKED JUSTICE MINISTER LYRA TO COMMUNICATE THIS TO THE POLICE. HE ADDED THAT THE GOB HAD ALSO BENT OVER BACKWARD TO FACILITATE THE ENTRY OF AMERICAN TELEVISION CREWS WHO ARRIVED IN BRAZIL UNANNOUNCED TO COVER THE STORY. THE BRAZILIAN GOVERNMENT COULD HARDLY BE MORE COOPERATIVE WITH FOREIGNERS INTERESTED IN THE CASE.

5. DCM ACKNOWLEDGED THIS COOPERATIVE ATTITUDE AND EXPRESSED SPECIAL APPRECIATION FOR THE ISSUANCE OF THE VISA TO THE DOJ OFFICIAL ON A BRAZILIAN HOLIDAY (CORPUS CHRISTI) WHEN THE BRAZILIAN EMBASSY IN WASHINGTON WAS CLOSED. HE OBSERVED, HOWEVER, THAT IN THEIR INITIAL CONTACTS WITH U.S. OFFICIALS THE POLICE IN SAO PAULO REPORTEDLY HAD NOT BEEN VERY FORTHCOMING OR COOPERATIVE. HOW THE BRAZILIAN AUTHORITIES SHOULD DEAL WITH FOREIGNERS IS, OF COURSE, A MATTER FOR THE GOB TO DETERMINE, BUT DCM REPEATED THAT, UNLESS THE MENGELE CASE WAS HANDLED VERY SENSITIVELY AND IN ACCORDANCE WITH THE HIGHEST FORENSIC STANDARDS, BRAZIL MIGHT BECOME THE TARGET OF SERIOUS NEGATIVE REPERCUSSIONS OVERSEAS.

6. AMBASSADOR FLECHADE .IMA INQUIRED WHAT THE POLICE WERE DOING THAT WAS VIEWED AS IMPROPER FROM AN INVESTIGATIVE VIEWPOINT. DCM REPLIED THAT, WHILE HE WAS NOT QUALIFIED TO MAKE A SCIENTIFIC EVALUATION, HE HAD HEARD NEGATIVE

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COMMENTS CONCERNING THE REMOVAL OF THE REMAINS FROM THE GRAVESITE, INCLUDING FAILURE TO PHOTOGRAPH THEM AND REMOVE THEM IN AN ORDERLY FASHION WITH CARE TO REASSEMBLE THEM ACCURATELY, E.O. 12356: DECL:OADR
TAGS: PINR, PGOV, TBIO, BR GE
SUBJ: INFORMAL DEMARCHE ON MENGELE INVESTIGATION AND THE HANDLING OF DOCUMENTS AND OTHER ITEMS WHICH ALLEGEDLY BELONGED TO MENGELE. THE ACTING MINISTER REJOINED THAT THE REMOVAL OF THE REMAINS FROM THE COFFIN WAS DONE IN FULL VIEW OF HUNDREDS OF PHOTOGRAPHERS FROM AROUND THE WORLD; THE GOB CERTAINLY COULD NOT BE ACCUSED OF HIDING ANYTHING. DCM GRANTED THIS, BUT REITERATED THAT IT IS THE IMPRESSION OF LESS THAN FULLY PROFESSIONAL INVESTIGATIVE AND ANALYTICAL TECHNIQUES THAT COULD CAUSE PROBLEMS FOR BRAZIL.

7. THE ACTING MINISTER EMPHASIZED THAT, WHILE THE GOB HAD TO MANAGE THE INVESTIGATION AS IT SAW FIT AND WOULD NOT ACCEPT DICTATES FROM OUTSIDERS, IT WAS BEING AS COOPERATIVE AS IT COULD WITH FOREIGN OFFICIALS. HE ASKED DCM TO CONVEY THIS TO THE USG, ADDING THAT HE WOULD SPEAK AGAIN WITH THE JUSTICE MINISTER URGING HIM TO INSTRUCT THE POLICE ALONG THIS LINE. LYRA HAS BEEN QUOTED IN THE PRESS AS SAYING FOREIGN OBSERVERS WOULD NOT PARTICIPATE IN THE INVESTIGATION, BUT COULD "ACCOMPANY" IT.

8. COMMENT. AS USUAL, AMBASSADOR FLECHA DE LIMA ADOPTED A HARD-NOSED ATTITUDE WITH US ON A SENSITIVE ISSUE, ESPECIALLY ONE THAT TOUCHES ON BRAZILIAN SOVEREIGNTY. NEVERTHELESS, WE BELIEVE HE GOT THE MESSAGE ON THE IMPORTANCE OF INTERNATIONAL SENSITIVITY TO THE GOB'S HANDLING OF THE MENGELE CASE AND THE SIGNIFICANCE OF COOPERATING WITH FOREIGN EXPERTS IN THIS REGARD. HIS COMMITMENT TO CONTACT THE JUSTICE MINISTER AGAIN ON THIS IS A POSITIVE STEP.

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