

UPDATE ON **RAOUL WALLENBERG**

FR

HEARING
BEFORE THE
SUBCOMMITTEE ON HUMAN RIGHTS
AND INTERNATIONAL ORGANIZATIONS
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
NINETY-EIGHTH CONGRESS

FIRST SESSION

AUGUST 3, 1983

Printed for the use of the Committee on Foreign Affairs



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1983

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UPDATE ON RAOUL WALLENBERG

WEDNESDAY, AUGUST 3, 1983

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON HUMAN RIGHTS AND
INTERNATIONAL ORGANIZATIONS,
Washington, D.C.

The subcommittee met at 10:20 a.m., in room 2172, Rayburn House Office Building, Hon. Gus Yatron (chairman of the subcommittee) presiding.

Mr. YATRON. The Subcommittee on Human Rights and International Organizations will come to order.

This subcommittee has asked questions regarding the disappearance of Raoul Wallenberg on two other occasions. The questions remain unanswered, but those who are committed to human rights will continue to ask and care about the fate of Raoul Wallenberg. In the past, our inquiries have been met by the Soviet authorities with silence. Today, I hope we can work toward shattering the silence that surrounds the Wallenberg matter.

Wallenberg's tragedy is still unknown to some people, and known only recently to many others. Swedish diplomat Raoul Wallenberg went to Budapest in 1944 after the Nazis began deporting Hungary's Jews to extermination camps. He accepted this mission in response to a request from the American Refugee Board and the World Jewish Congress. Through Wallenberg's personal efforts and determination, 100,000 Hungarian Jews were saved from extermination.

When the Russians captured Budapest in January 1945, Raoul Wallenberg disappeared. The Soviets insist that he died in 1947, but over the past three decades there have been eyewitness reports that Wallenberg is alive in a Soviet prison.

Congress first acted to recognize these heroic deeds in November 1980, during the second session of the 96th Congress. House Concurrent Resolution 434 honoring Wallenberg passed the House of Representatives on October 2, 1980, and passed the Senate on November 19, 1980. This resolution called on our delegation to the Madrid Conference on Security and Cooperation in Europe to raise the question of the fate of Raoul Wallenberg.

On September 22, 1981, Congress passed House Joint Resolution 220, which gave honorary citizenship to Raoul Wallenberg. This legislation also required the President to ascertain from the Soviet Union the whereabouts of Wallenberg and to secure his freedom:

On October 5, 1981, President Reagan signed into law this special bill.¹

We must take action once again to let the world know Raoul Wallenberg is not forgotten. He is alive in the minds and hearts of the thousands of people whom he saved. He is an inspiration to all of us, a compassionate, enlightened individual who fought against a very cold, dark time in the history of mankind.

Wallenberg's own words suggest why our endeavors to rescue him must continue. When he asked whether he would go to Budapest, he said, "If I can save one life, I will go." It is my greatest desire that the life we may be able to save through our hearing today will be that of Raoul Wallenberg.

The symbol of all the goodness humanity can offer is represented in this immortal man. All the silence in the world will never quiet the consciences of those who have come to know Raoul Wallenberg.

Does the gentleman from New York have an opening statement?

Mr. GILMAN. Thank you, Mr. Chairman. I will be brief in my remarks.

I want to commend you for conducting this hearing this morning and for bringing together such a distinguished panel of witnesses, including our good Senator from the State of Rhode Island, Mr. Pell, and our former Member, Josh Eilberg, as well as our good colleagues, Congressman Lantos and Mrs. Lantos, who have been so deeply involved in this issue for the past few years.

This case has distressed a number of us in the Congress, particularly since we have given to Mr. Wallenberg the status of honorary citizenship. There are a number of mixed reports that we have received over the years regarding his being alive and regarding to the Soviets telling us that he had passed away at an earlier date. However, as a number of prisoners have indicated that they had seen Wallenberg or knew of his whereabouts, I think it makes it all the more important that this subcommittee pursue this issue further.

It is for that reason that I welcome this opportunity to bring us up to date on the latest information we have and to keep this issue before the public, reminding the Soviet Union that we are not satisfied with the information we have received up to this point.

Thank you, Mr. Chairman.

[Mr. Gilman's prepared statement follows:]

PREPARED STATEMENT OF HON. BENJAMIN A. GILMAN

Mr. Chairman, I welcome the opportunity to join with my colleagues to review the case of Raoul Wallenberg and to focus attention on what steps the Administration has taken to locate Raoul Wallenberg and to secure his return to freedom. I commend you for conducting this hearing, to help demonstrate that those who are committed to human rights will continue to inquire about and demand an accounting for Raoul Wallenberg. I also commend our colleague from California, Tom Lantos and Mrs. Annette Lantos, founder of the Free Wallenberg Committee, for their work in focusing world attention on this "lost hero of the holocaust," who has penetrated the conscience of mankind. I join you in welcoming the others on this distinguished panel including the gentleman from Rhode Island, Senator Pell and our former colleague from Pennsylvania Joshua Eilberg.

As you know, at the request of the United States Government, and at great personal risk and sacrifice, this Swedish diplomat began his humanitarian effort in

¹ See app. 4 for text of Public Law 97-54.

1944, saving tens of thousands of Hungarian Jews from death at the hands of the Nazis. Following the liberation of Budapest by Soviet troops in 1945, Raoul Wallenberg disappeared into Soviet custody. The Soviets have never accounted for their incarceration of Wallenberg and official Soviet explanations of what happened to him have been inconsistent and incomplete. Since 1957 the Soviets have stated that Wallenberg died in a Soviet prison in 1947. Reports from ex-prisoners over the years, however, indicate that Raoul Wallenberg is still alive and being detained in the Soviet Gulag.

Mr. Chairman, I am pleased to have had the opportunity to join with my colleagues on September 22, 1981, in passing H.J. Res. 220, proclaiming Raoul Wallenberg to be an honorary citizen of the United States. I am particularly pleased that H.J. Res. 220 not only confers United States Citizenship on Raoul Wallenberg but also calls upon the President to ascertain from the Soviet Union his whereabouts and to secure his return to freedom. I welcome the Administration's statement that "until the Soviets provide a full clarification of Wallenberg's fate, the United States will not accept as final the Soviet assurances that Wallenberg died in 1947." However, since the President signed this special bill into law on October 5, 1981, almost two long years have passed without word from the Soviet Union.

Accordingly, Mr. Chairman, I hope that these hearings of the Subcommittee on Human Rights and International Organizations will be seen as an example of the special concern felt by the United States Congress and the American people for a great humanitarian hero. I also hope that our continued inquiry into the fate of Raoul Wallenberg will stand as a symbol of the United States quest for human rights throughout the world.

Mr. YATRON. I thank the gentleman from New York.
Congressman Levine?

Mr. LEVINE. Thank you, Mr. Chairman.

I also would like to commend you for calling this hearing and to associate myself both with your fine remarks and those of my colleague from New York, Mr. Gilman.

I am very pleased that we are going to have the opportunity to hear from our colleague from California, Tom Lantos, and his wife, Annette, both of whom have waged a long and courageous personal crusade on behalf of Mr. Wallenberg. I am also very pleased that we will have the opportunity to hear from such distinguished other witnesses as the Senator from Rhode Island and a colleague with whom I did not have the pleasure of working but whose reputation has preceded him for many years, Mr. Eilberg.

I had the privilege as a member of the California State Legislature last year of carrying a resolution in California on the Raoul Wallenberg issue, putting the State of California, through its legislature, on record in support both of the move at that time, which was then in progress, of making Mr. Wallenberg an honorary citizen, as well as of commending his courage and his success through the cause that he championed and the successes that he had, which we know so much about.

I am very, very pleased, as a member of this subcommittee, that we will have the opportunity to receive the testimony that we are hearing today and hopefully play some role in continuing to keep this issue visible and prominent. It is a critically important issue both from the personal point of view of Mr. Wallenberg and symbolically for all that it represents and that he represents.

So I would simply like to go on record in associating myself with the remarks of those gentlemen who have preceded me and again complimenting the chairman on having this hearing.

Mr. YATRON. I thank the gentleman from California.

At this time I would like to call on our colleague, Congressman Reid from Nevada.

Mr. REID. I have no questions, Mr. Chairman.

Mr. YATRON. Thank you.

At this time I would like to call on Mr. Weiss from New York.

Mr. WEISS. Thank you very much, Mr. Chairman.

I have a prepared statement which I would ask unanimous consent to have entered into the record.

Mr. YATRON. Without objection.

[Mr. Weiss' prepared statement follows:]

PREPARED STATEMENT OF REPRESENTATIVE TED WEISS

Mr. Chairman, I am pleased to submit this statement in praise of Raoul Wallenberg and in support of efforts to secure his release from the Soviet Union. I am particularly pleased to be speaking today, one day before his seventy-first birthday.

The case of Raoul Wallenberg is an important one not only for the Hungarian Jews who survived the Nazi's "final solution" because of Mr. Wallenberg's efforts, but for all people concerned with human rights and the struggle of people fighting oppression.

In 1944, in response to an advertisement by the World Jewish Council and the American Ambassador in Stockholm, Raoul Wallenberg volunteered for the assignment of saving Jews in Nazi-occupied Hungary. Upon arriving in Budapest, Wallenberg, a Swede and a businessman, set out on his mission with a vigor and ingenuity that matched that of the Nazi soldiers assigned to carry out Eichmann's plans for exterminating the remaining Jews in Hungary.

Wallenberg would drive alongside trains bound for the death camps, stop the trains, and pull people off. He conceived the idea of a special new Swedish passport—"a protective passport"—that placed individuals under care of the Swedish government. The stories can go on and on. Raoul Wallenberg, the man known as the "Angel of Rescue," saved the lives of 20,000 Jewish citizens in Hungary, and is recognized as indirectly responsible for saving an additional 70,000 Hungarians through collaborative efforts with neutralist representatives in Budapest and the Jewish community in Hungary.

Mr. Lantos, my colleague from California and himself a refugee from Hungary, aptly summarized the achievement of Mr. Wallenberg: "This was a confrontation with a gigantic Nazi-war machine and a single human being, ending in some measure with a victory for a single human being by virtue of his having saved so many at such a mind-boggling cost to himself."

Adept at dealing with the Nazis, in 1945 Mr. Wallenberg met an oppressor with whom he couldn't negotiate—the Russian Army, the so-called "liberators" of Hungary.

Thirty-eight years after he saved the lives of more than 90,000 Hungarian Jews, it is Raoul Wallenberg who now needs an "Angel of Rescue." A colleague of Mr. Wallenberg characterized his attitude toward the Nazis in the following terms: "Toward the end, he got so arrogant, so wonderfully arrogant with these terrible, terrible people." I encourage my colleagues in the House of Representatives and advocates of human rights to be "wonderfully arrogant" toward Mr. Wallenberg's present oppressors. Perhaps, then, we might help secure his release from the Soviet Union.

Mr. WEISS. I simply want to take this occasion to commend our colleague, Mr. Lantos, and Mrs. Lantos, as well, for the tremendous work that they have put forth in bringing worldwide attention to the work that Raoul Wallenberg did in saving hundreds of thousands of lives during the Second World War.

As were Tom and Annette Lantos, I was born in Hungary. It was my family and people like them who were the intended and the real beneficiaries of Raoul Wallenberg's work. I think that anything that we can do by way of calling attention to his work and his birth date which might possibly help, if he is still alive, to secure his freedom is extremely important and valuable work.

I want to again express my appreciation and commendation to Tom Lantos and to Annette Lantos.

Mr. YATRON. Thank you, Mr. Weiss.

The gentleman from Pennsylvania, Mr. Kostmayer.

Mr. KOSTMAYER. Thank you very much, Mr. Chairman.

First, I want to commend the gentleman from Pennsylvania, Mr. Yatron, the chairman of the Subcommittee on Human Rights, for his efforts on this issue and for scheduling this oversight hearing. This morning there surely can be no greater human rights cause worldwide than that of Raoul Wallenberg.

Second, I want briefly to apologize to my colleagues and the witnesses because I must leave immediately to testify before the Rules Committee on the Radio Marti legislation, so I must absent myself from the testimony, regrettably.

Before I leave, however, Mr. Chairman, I want to recognize just briefly one of the witnesses, Morris Wolff of Philadelphia, who has traveled to Washington today. Mr. Wolff is a professor of international law at Delaware Law School and has taken the Wallenberg case as one which cries out for the attention of the Congress and the country.

Professor Wolff has researched the international criminal and civil law to find a way to bring this matter to the jurisdiction of the U.S. courts, and as members of the subcommittee will hear later, Professor Wolff has proposed that section 1116 of title 18 of the Criminal Code be amended to bring within the jurisdiction of our courts the Soviet authorities who are responsible for or may have pertinent information about the whereabouts of Raoul Wallenberg.

I urge my colleagues to consider this approach as one way to get action on this most important human rights case. I welcome Professor Wolff to the subcommittee today.

Perhaps you have already said this, Mr. Chairman—I was out of the room, so I don't know—but I also know that a former distinguished colleague of mine and ours from Pennsylvania, Joshua Eilberg, is in the room today. I join with the others in welcoming him as well.

Thank you, Mr. Chairman.

Mr. YATRON. Thank you, Mr. Kostmayer.

Mr. Fish, do you have a statement you would like to make? You will be testifying a little bit later.

Mr. FISH. No; I will wait, Mr. Chairman.

Mr. YATRON. OK, thank you.

I am pleased that among the number of distinguished witnesses we have with us is our colleague from California, Tom Lantos, who is the original author and sponsor of the legislation which conferred honorary citizenship on Raoul Wallenberg. Mr. Lantos has worked tirelessly over a long period of time to obtain justice and freedom for Wallenberg.

I am equally proud to recognize Annette Lantos, Tom's lovely wife, who is the founder and chairperson for the Free Wallenberg Committee. Without Mrs. Lantos' dedication and perseverance, millions of people throughout the world would not have learned about this genuine hero, Raoul Wallenberg. Both of you are to be commended on the excellent work that you have done.

Congressman Lantos.

STATEMENT OF HON. TOM LANTOS, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

Mr. LANTOS. Thank you very much, Mr. Chairman, and members of the subcommittee.

I would like to begin, Mr. Chairman, by paying tribute to your work as the new chairman of our Subcommittee on Human Rights and International Organizations. You have brought a degree of commitment and dedication to this all-important subcommittee that makes all of us who are concerned with human rights delighted and proud. We know that for many years you will give this subcommittee the loud, clear, compassionate, and principled leadership that it deserves and it is getting under your chairmanship.

Mr. YATRON. Thank you.

Mr. LANTOS. I would also like, at the outset, Mr. Chairman, to thank a handful of my colleagues who were so critical in the passage of the Wallenberg citizenship legislation. It is dangerous to name colleagues because there is always the possibility that you might miss someone who did useful and valuable work. But I shall take that chance because the people I have decided to mention have been so important and so critical that their contributions in a sense are unique.

I would like among my colleagues in the House now to thank Jack Kemp of New York; Peter Rodino of New Jersey, without whose help on the Judiciary Committee we would have been blocked; your predecessor, Don Bonker, former chairman of this subcommittee; my friend Barney Frank from Massachusetts; Ted Weiss from New York, who carried this ball before I ever got here; to my friend and colleague, Ham Fish, who was such a solid and dependable friend throughout; and, of course, Ben Gilman, who was the conscience on that side for this legislation.

I also want to make special mention of Senator Claiborne Pell, who in the Senate of the United States carried the ball with a degree of commitment and personal involvement that only Annette and I know. I am grateful and proud that he has seen fit to join us at this hearing.

I should mention the invaluable work of Senators Moynihan and Boschwitz and Carl Levin, and among former members of the Congress Bob Dornan, Ed Derwinski, our friend Millicent Fenwick, and Senator Frank Church.

The question, Mr. Chairman, is what happened since that warm, sunny, October afternoon in a special Rose Garden ceremony at the White House, when President Reagan signed the legislation making Raoul Wallenberg the second honorary citizen of the United States.

Many felt that that was the end of the road. Annette and I did not share that view. We felt that the legislation called for specific action by the Government of the United States. We will need to ask what specific action has the Government of the United States taken. What actions have been taken by the Governments of Sweden and the Soviet Union? What happened across this land and in other free societies following this enormous focus of attention on the hero of the Holocaust?

First, the good news. Across the U.S. communities small and large have suddenly recognized that the United States did indeed have a conscience during the darkest days of the 20th century in Raoul Wallenberg.

In San Francisco we dedicated a new academic high school for Raoul Wallenberg. It is now called the Raoul Wallenberg High School. From Charleston, S.C. to Alaska communities have designed libraries, museums, schools, parks, and major boulevards after this great man.

In a sense, one of our two objectives, to prevent the Soviet Union from making Raoul Wallenberg a nonperson, has been achieved. Raoul Wallenberg has penetrated the conscience of mankind and, as such, will live forever as one of the handful of giants who have stood up for human freedom at enormous risk to themselves.

The second goal Annette and I set we have not yet achieved. That, of course, is either the freeing of Raoul Wallenberg or minimally obtaining the true story of what in fact had happened to him.

I would like to analyze briefly, Mr. Chairman, what the various governments have done following the signing of the legislation by President Reagan.

Before doing so, and having paid tribute to my colleagues and former colleagues, there is one other person to whom I want to pay special tribute. That person, of course, is the founder and chair of the Free Wallenberg Committee, my wife, Annette, without whose work none of this would have happened.

I want to state this categorically and without any reservations because all the work that Senator Pell and our colleagues here in the House and the rest of us have done came about because of the drive, commitment, dedication, perseverance, and decency of this woman.

What has the Government of the United States done following the signing of the legislation? As a Democrat, it gives me great pleasure to pay tribute to our Government because the State Department under both Secretary Haig and Secretary Shultz has been diligent and persistent in raising this issue at every international forum and at many private meetings between our Secretaries of State and their Soviet counterparts.

While there are others in the State Department who have worked hard on this matter, I want to single out Secretary Haig and Secretary Shultz and Secretary Eagleburger. I know that their work will continue with the same degree of perseverance they have shown thus far.

I also want to pay tribute, Mr. Chairman, to our representatives in Madrid, specifically Ambassador Kampelman and Ambassador Novak, who have repeatedly raised this issue with eloquence and commitment. I must say that from the American side we can be proud of what our Government has done. We have not achieved our goal, but it was not for lack of trying.

I wish that I could give equally high marks to the Swedish Government, but I am unable to do so. In point of fact, an almost miraculous happening a few weeks after Raoul Wallenberg became the second honorary citizen of our Nation happened at a Swedish

naval base. A Soviet spy submarine was caught spying inside Swedish territorial waters at a naval base of Sweden.

Annette and I, the night this news broke, were in touch with the Swedish Government in Stockholm urging them not to release the captain and the crew and the submarine until one of two things happened: either Raoul Wallenberg is released or minimally the Soviet Union comes clean with the fate of Raoul Wallenberg.

It is a matter of deep disappointment to me that the Government of Sweden has seen fit not to use this unique, historic, and God-given opportunity to find out the fate of Sweden's most distinguished citizen.

The Foreign Minister of Sweden, in fact, is publicly on record in saying that this is not the way the Swedish Government functions. It reminds me of that fateful remark in World War I that gentlemen don't read other people's mail.

In the Soviet Union the Swedish Government dealt with an entity that had incarcerated Sweden's most distinguished citizen in the entire history of Sweden for decades. To fail to use this incredible opportunity for leverage that the Swedish Government had in the fall of 1981 is inexcusable and will go down in the history books as an inexplicable black mark on an otherwise very distinguished history of a very distinguished nation.

Let me say a word about the Soviet Government and its actions.

First, Mr. Chairman, I think it is clear that the continuing insistence on the part of the Soviet Union that Wallenberg died in 1947 is a blatant and unvarnished lie. Wallenberg lived through the forties, he lived through the fifties, he lived through the sixties, and he lived well into the seventies. The evidence of that is unquestioned.

I cannot tell you today, Mr. Chairman, whether Raoul Wallenberg is alive. I think it is clear that with every passing day the chances of his being alive diminish. But I think the Soviet Union will not be able to clear the slate until minimally it provides the world with an accounting of what happened to Wallenberg in all those decades.

There is still a small, I am afraid a very small chance that Wallenberg is alive today. I don't think we can exclude that possibility, but I think the chance is very limited and it is waning. We, however, will not go away until the true story of Raoul Wallenberg is told by the Soviet Union, which is the only entity which can tell that story, since it is the only entity which knows.

A final observation I would like to make, Mr. Chairman, is that several of us are working on the establishment of an international freedom award, an award honoring the two individuals, Winston Churchill and Raoul Wallenberg, whom our Nation honored with its highest tribute, naming them honorary U.S. citizens.

We hope to have legislation introduced into the House early this fall to establish an international freedom award, which an appropriate U.S. tribunal would award to an individual who each year makes the greatest contribution to human freedom, as Winston Churchill and Raoul Wallenberg did in their very different ways during World War II.

Raoul Wallenberg was the conscience of America during World War II. That conscience, Mr. Chairman, endures.

Thank you very much.

Mr. YATRON. Thank you very much, Mr. Lantos, for an excellent statement and for being here today.

Now I would like to call on Mrs. Lantos for her statement.

STATEMENT OF ANNETTE LANTOS, ADMINISTRATIVE ASSISTANT TO REPRESENTATIVE LANTOS, AND FOUNDER, FREE WALLENBERG COMMITTEE

Mrs. LANTOS. My husband is a very hard act to follow. It is not fair. But I will concentrate on other aspects.

First of all, I do want to express my deep appreciation to Chairman Yatron for calling this very important hearing. It takes time and effort to put this together, and Chairman Yatron has been most generous with both of them in pursuing human rights all over the world, and in particular pursuing now the human rights of this man, who stands as a symbol for the whole movement.

I also would like to mention in particular two members who are sitting up there. When my dear friend, Nina Lagergren, Wallenberg's sister, and I used to haunt the corridors of power, two young grandmothers seeking support for this victim of World II, little known—not even little known, practically unknown—who disappeared 30 years ago into the gulag. We had very few friendly ears willing to listen to our story but there were two good guys on top of our list.

Those two good guys are still sitting there. I do want to thank them because they were listening to me even before I really had a proper voice to speak with. They are, of course, Congressman Ben Gilman and Congressman Ted Weiss, who rallied to our cause and gave us an ear and the support and the sympathy that we badly needed in those days. I want to thank them once more very much.

Of course, I do want to express my deep, deep appreciation to Senator Pell, without whom I think I would have given up a long time ago. Thank you very much.

Very briefly, I would like to tell you about the purpose of my testimony today, which is basically to provide a very brief record of the events which led up to the almost unprecedented awarding of the honorary citizenship to Raoul Wallenberg in October of 1981.

The story begins in 1972, when a group of people, myself included, became very concerned that the Holocaust was about to be forgotten. We had growing children, and they knew nothing about this black hole of history. We were a small band, all of whom had lost many members of our family in that terrible time.

We decided—and this was before the television show on the Holocaust—to establish a speaker's bureau under the auspices of the Jewish Community Relations Council and we began speaking to local schools, clubs, and churches, telling the history of the Holocaust.

Somehow or other I began more and more to focus my speeches on Raoul Wallenberg, who was a legend, of course, in my own childhood and whose humanity and decency could provide a rallying point and an inspiration for our young people.

At the same time, I started a library search for more information about his work in order to document my own memories and to

really get an idea of the scope of his work, because I was a child, of course, when he was working in Hungary.

I found references to him in only two books, one written in 1957 by a man by the name of Phillip Friedman, entitled "Their Brother's Keeper," and another published in 1968, more well known, by Arthur D. Morse, called "While Six Million Died."

Even from the short references in these two books I realized that the scope of Wallenberg's work was far greater than I had known or even imagined. So during the 1970's there was a gradual realization on the part of a few of us in the Jewish community concerning the magnitude and the heroic dimensions of Wallenberg's contribution. During all this time we were still convinced that he did in fact die in 1947. Whatever evidence Sweden had to the contrary was not available in America.

In 1977 the explosive news came through Simon Wiesenthal in the form of a minor notice on the back pages of the New York Times, in which Simon Wiesenthal indicated that there was information as recent as from 1975 that Raoul Wallenberg was definitely alive in the gulag, though his case and his name had been all but forgotten. At that time it seemed that no one but his mother cared whether he lived or died.

After reading this story from Wiesenthal, I was determined that from then on the rescue of Raoul Wallenberg would have to be my number one priority in life, notwithstanding that I had very little clout or very little ability to achieve any major public relations campaign about it.

I began making inquiries, raising the question of his survival in the gulag with everyone I could. It became very clear to me that never had any attempt been made on the part of the U.S. Government to find out what happened to Raoul, even though at the same time it also became evident to me, that it was the United States which was primarily responsible for Wallenberg's mission.

In response to my inquiries I was told over and over again, being a Swedish citizen Raoul Wallenberg did not fall within the jurisdiction of the United States. Nevertheless, believing that something could and must be done, I formed the first Concerned Citizens for Wallenberg Association in 1977 for the purpose of bringing the story of Wallenberg to the attention of people who were then in a position to help him.

As further evidence that Raoul was still alive began to accumulate, the Concerned Citizens for Wallenberg expanded its activities, and in July 1979 I invited Nina Lagergren, Raoul Wallenberg's sister, to come to the United States, to Washington, and join me in the effort to stir American public opinion and Government to action.

We took the story to Capitol Hill and enlisted the support of some of our friends, some of the friends I just mentioned, in addition, of course, to Senators Pell, Church, Moynihan, and Boschwitz. They all agreed to become honorary chair of a newly reorganized committee, which we called the Free Wallenberg Committee.

The sole purpose of this organization was to obtain the release of Raoul from the gulag. In the following year we organized a major campaign to gain public support and interest.

Then an unexpected breakthrough came in October, when in a public news conference on the air President Carter happened to pick out my postcard, which had my name and phone number on it, which prompted him to call me and which enabled me to bring the issue of Raoul Wallenberg to his attention. He subsequently pledged the support of the U.S. Government in obtaining Wallenberg's release.

Media attention followed this news conference. All major networks prepared reports. Investigative reports were able to obtain access to previously classified documents which now completely documented the story of Wallenberg's work on behalf of the U.S. War Refugee Board in the final years of World War II.

President Carter later wrote to us a followup letter in which he stated that the Soviets refused to deal with our Government on the issue of Wallenberg because, as a Swedish citizen, he was Sweden's responsibility.

It was then that our committee first considered the possibility of the honorary citizenship, in view of the fact that his mission was on behalf of the United States and in recognition of the fact that historically his effort was to the credit of the United States. In fact, in many ways it alone redeemed our otherwise very poor record of response to the Holocaust.

The following year my husband was elected to Congress. His first legislative act was the submission of the resolution which made Raoul Wallenberg the second honorary citizen in the history of the United States. The outpouring of support for the legislation from persons throughout the Nation and from members of the Free Wallenberg Committee gave tremendous momentum to this bill.

Not that the legislation was easy to pass. There were delays and roadblocks, but those are behind us now. The President pledged his earnest support to Raoul's family and to the people of the world when he signed the citizenship bill in October 1981.

Now almost 2 years have passed, 2 years of life precious to Raoul, if he is still living today in the gulag, as I personally believe he may. We want to know what has been done, what will be done for him by our country, which now claims him as his own.

Mr. YATRON. Mrs. Lantos, thank you for your very compassionate and eloquent remarks.

Mr. Leach, would you have a statement or would you like to ask any questions?

Mr. LEACH. I have no questions, I think the subcommittee owes a great debt to Mrs. Lantos and her husband, our fellow colleague, for their work in this area. We are very appreciative of all that you have done.

Thank you.

Mr. YATRON. Thank you.

Do any of the members of the subcommittee have any questions of Congressman Lantos?

Mr. Gilman.

Mr. GILMAN. Mr. Chairman, I want to take this opportunity to again commend Congressman Lantos and Mrs. Lantos for their persistent, diligent, and continuing efforts in keeping this matter before the entire Congress, before the entire Nation and hopefully the world.

Without this kind of publicity I am certain that would never get to the bottom of this issue. I hope that they certainly will continue in their efforts. With the cooperation of all of us, hopefully one day we will resolve this long, frustrating problem.

Thank you, Mr. Chairman.

Mr. YATRON. Thank you, Mr. Gilman.

Mr. Weiss.

Mr. WEISS. Yes, thank you very much, Mr. Chairman.

I simply want to express my appreciation again to Tom and Annette Lantos and to all the other witnesses as well as my apologies. Unfortunately our schedules here, as you know, are that require us to be at three places at the same time. However, I will be reading the testimony with great interest.

Thank you.

Mr. YATRON. Thank you, Mr. Weiss.

We want to thank you, Congressman Lantos and Mrs. Lantos, for your statements. Congressman Lantos, would you like to join us up here, please?

Mr. LANTOS. Yes, thank you.

Mr. YATRON. The next panel is the Honorable Claiborne Pell, U.S. Senator from the State of Rhode Island, and the Honorable Hamilton Fish, Jr., Member of Congress from the State of New York.

We are pleased to have both of you with us, and we are looking forward to hearing you testify.

Senator Pell, you may proceed, sir.

STATEMENT OF HON. CLAIBORNE PELL, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

Senator PELL. Thank you very much, Mr. Chairman.

I commend you for holding this hearing, drawing attention to a problem and an unsolved mystery that should be spotlighted and about which we should be better informed.

I also congratulate Tom and Annette Lantos for all that they have done. I have lived in that part of the world and, I remember opening a consulate in nearby Bratislava, Czechoslovakia shortly after the war, and my father was the last minister in Hungary before the war and had the experience of having to deliver the U.S. declaration of war on Hungary. He was also interned when he was there, I do think that the name Wallenberg, while familiar to a very few of us, is not familiar to the world as a whole.

I think Mrs. Lantos is right. One of the strongest books that has ever been written is a book by Morse, "While Six Million Died." I think that book did something to push the consciousness of Wallenberg's heroism and decency across the world.

Frankly, he was not well known. I think that Tom and Annette Lantos singlehandedly have made the world conscious of the greatness of this man. I know I am grateful for having had the opportunity to be the Senate sponsor of the resolution according him honorary U.S. citizenship.

I am not sure I agree with the quite strong criticism of the Swedish Government. There were things they should have done in the past. The present is perhaps more difficult to examine.

I also believe that the American Government could have done even more. I can remember pressing a series of our Ambassadors in Moscow to raise this matter. I am not sure it was raised with the vigor with which I would have liked.

All told, I think the best thing we can do is to keep the spotlight of public concern on the problem, which is what this hearing is helping to do, making sure the name Wallenberg is not only not forgotten but continuously emblazoned further on the conscience of the world, so that it become a more familiar name in the corridors of the United Nations as well. I would like to see it taken up more strongly in the U.N. Human Rights Commission, taken up more strongly wherever people gather who have a concern for human rights.

I would ask unanimous consent that my statement be inserted in the record as if read. I will now desist because I have such a high regard for my old friend, Ham Fish. Our fathers were old friends and neighbors, too. So, I will stop and listen to you, Ham.

Mr. YATRON. Thank you very much, Senator. We will have all your remarks included in the record. Thank you for being here and testifying.

[Senator Pell's prepared statement follows:]

PREPARED STATEMENT OF SENATOR CLAIBORNE PELL

Mr. Chairman, as member of the Raoul Wallenberg Committee of the United States and the Senate sponsor of S.J. Res. 65, the resolution proclaiming Raoul Wallenberg to be an honorary citizen of the United States, which was passed by the House and the Senate in 1981, I commend you for holding this hearing to learn what steps the Administration has taken to locate Raoul Wallenberg and secure his return to freedom.

I will not take the time this morning to recount the details of how Raoul Wallenberg courageously and selflessly risked his life to save thousands of Hungarian Jews from death at the hands of the Nazis during World War II. I believe that we are all familiar with his heroic work, which has proven to be a unique contribution in the history of the salvation of European Jews from the Holocaust. Indeed, Wallenberg, himself, who has not been heard from since January 1945 when he was seized in Budapest by Soviet authorities, has become, for millions of people, a symbol of our deepest humanitarian values.

I have long had a special interest in Hungary and the Raoul Wallenberg case. My father, Herbert C. Pell, was the last U.S. Minister to Hungary prior to World War II. Later, after serving as the U.S. Representative to the United Nations War Crimes Commission, he was in great part responsible for the State Department reversing itself and agreeing that genocide would be considered a war crime. I, myself, served as vice president of the International Rescue Committee and was responsible for the IRC's refugee relief effort in Europe following the Hungarian uprising in 1956.

In 1979, Senators Boschwitz, Church, Moynihan and I founded the Free Raoul Wallenberg Committee. In 1980, along with those same distinguished colleagues, I sponsored Senate Concurrent Resolution 117, expressing the sense of Congress that the President should convey to the Soviet Government the deep concern of Congress and the American people for the fate of Raoul Wallenberg. That resolution was approved overwhelming in both the House and the Senate.

At my request, Secretary of State Vance raised this matter with Soviet Ambassador Dobrynin and Ambassadors Toon and Watson were asked to make similar approaches in Moscow. I also made an appeal on behalf of the Wallenberg family at a press conference in Madrid in 1980 in connection with the review Conference on Security and Cooperation in Europe.

In April 1981, I introduced Senate Joint Resolution 65 on behalf of myself and 42 other cosponsors. My good friend and colleague, Congressman Lantos, introduced a similar resolution in the House in March 1981. I sponsored this legislation because of my strong belief that the United States has an obligation to Raoul Wallenberg and his family. Wallenberg undertook his humanitarian mission and put his own

life in jeopardy at the behest of our government. In my view, by proclaiming him an honorary U.S. citizen—the highest honor the U.S. can bestow—we could express our appreciation for his courageous and unprecedented efforts and give added stature to our inquiries concerning his fate. Because many of my colleagues shared this view, the resolution was passed overwhelmingly in both houses of Congress, and President Reagan signed it in October 1981.

S.J. Res. 65 not only confers U.S. citizenship on Raoul Wallenberg but also calls upon the President to ascertain from the Soviet Union his whereabouts and to secure his return to freedom. Last September, I sent a letter to Secretary Shultz urging him to raise the Wallenberg case in his meeting with Soviet Foreign Minister Gromyko at the United Nations. In October, on the first anniversary of Wallenberg's honorary U.S. citizenship, many of us reaffirmed our commitment to him and urged the Administration to take all possible steps to locate him and secure him the liberty that he brought to so many others. Today, we look forward to learning what the Administration has done and what progress has been made.

Raoul Wallenberg is one of the great humanitarian heroes of World War II. To date, we have not solved the mystery of his tragic disappearance. But like him, we will be relentless in our effort to resolve this question. One day, Raoul Wallenberg, the "lost hero of the holocaust", will be lost to us no more.

Mr. YATRON. The next witness will be Mr. Hamilton Fish. Mr. Fish, you may proceed.

STATEMENT OF HON. HAMILTON FISH, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. Fish. Thank you, Mr. Chairman.

In the 97th Congress your committee and my Judiciary Committee overwhelmingly supported legislation that proclaimed Raoul Wallenberg to be an honorary citizen of the United States and requested the President to ascertain from the Soviet Union the whereabouts of this courageous man and secure his return to freedom.

Raoul Wallenberg's extraordinary record of saving the lives of countless thousands of Jews during the Holocaust, at great personal risk and sacrifice, amply justified our conferring upon him this Nation's highest honor by proclaiming him an honorary citizen.

The passage of Public Law 97-54 represented a ringing affirmation of America's commitment to the survival of the Jewish people and our tremendous esteem for someone who risked his own life to try to save as many Jewish lives as possible from the barbarity of Nazi extermination.

Conferral of honorary citizenship on Wallenberg symbolized our commitment as a Nation to remember the Holocaust and vigilantly guard against the possibility of any recurrence. Honorary citizenship was singularly appropriate in the Wallenberg case, not only because of the place the Holocaust occupies in the history of human depravity, but also because Wallenberg acted at the behest of the United States and suffered untold misery as a result of it.

A few of the statements in the legislative record underscored the critical significance of the step we took. Secretary of State Alexander M. Haig, Jr. said that Mr. Wallenberg's " * * * contribution during the dark days of World War II in Hungary stands out as a beacon to all those who respect human rights and dignity."

Former Secretary of State Edmund Muskie informed this subcommittee and the Subcommittee on Europe and the Middle East that " * * * the chronological record * * * of State Department and War Refugee cables and communications * * * document the

U.S. Government position of responsibility for the selection of Wallenberg, the directive and funding for his activities, the appreciation for his work, and the deep distress over his disappearance."

Assistant Secretary of State Richard Fairbanks wrote that " * * * the conferral of honorary U.S. citizenship on Wallenberg would serve to underscore the seriousness with which the American Government and people view Soviet behavior in the Wallenberg case. Conferral of honorary U.S. citizenship on Wallenberg would also serve to reaffirm to the Government of Sweden that the United States firmly supports the quest to resolve Wallenberg's fate."

The Soviet Union never has accounted satisfactorily for what happened to Mr. Wallenberg. Those of us who worked on this legislation fervently hoped that its passage would assist in the effort to locate Raoul Wallenberg and, if he is still alive, to free him.

These hearings will give the Congress an opportunity to assess the attempts that have been made during the last 2 years to fulfill the mandate of this legislation in our contacts with the Soviet Union.

In the course of this hearing I am sure this subcommittee will receive details of sightings and information indicating Raoul Wallenberg is alive. It is important that public attention be focused on these facts.

I wish to join all of you in commending our colleague from California, Tom Lantos, and Mrs. Lantos, the Free Wallenberg Committee, the Wallenberg Committee of the United States, and this subcommittee for continuing to focus national and world attention on one of the great heroes of this century.

Thank you, Mr. Chairman.

Mr. YATRON. Thank you very much, Mr. Fish. I really appreciate the fact that you and Senator Pell both came before our subcommittee today.

Do any members want to be recognized?

Mr. Gilman.

Mr. GILMAN. Mr. Chairman, I want to join you in thanking our good representative from the State of Rhode Island for his continuing concern, and our good colleague, the gentleman from New York, Mr. Fish, the ranking Republican on the Judiciary Committee, for keeping this measure focused in both Houses. I think that these efforts are extremely important to our continuing effort to find a final resolution of this issue, and we thank the gentlemen for their time this morning.

Mr. YATRON. Thank you.

Mr. Lantos.

Mr. LANTOS. Just one word, Mr. Chairman. I first want to thank my friend, Ham Fish, for the invaluable work he gave us on the Judiciary Committee and since.

I would like to say a word about Senator Pell because in the case of Senator Pell we have a classic case of what I can only describe as noblesse oblige. It was his distinguished father who was one of the prime champions in American history for human rights before that phrase was known. I think it is only appropriate that Claiborne Pell carried the fight in the tradition of his distinguished father, one of our finest public servants in this instance. We are deeply grateful to you.

Mr. YATRON. Thank you, Mr. Lantos.
Does anyone else care to say anything?
Thank you, gentlemen.

Mr. YATRON. Our next witnesses will be the Honorable Millicent Fenwick, U.S. Ambassador-designate to the U.N. Food and Agricultural Organizations and former Member of Congress from the State of New Jersey, and the Honorable Joshua Eilberg, member of the board of advisers of the Wallenberg Committee of Greater Philadelphia and former Member of Congress from the State of Pennsylvania.

We appreciate you being here. I welcome both of you.
Mrs. Fenwick, it is good to see you. You may proceed.

**STATEMENT OF HON. MILLICENT FENWICK, U.S. AMBASSADOR
TO THE U.N. FOOD AND AGRICULTURAL ORGANIZATIONS, AND
FORMER REPRESENTATIVE IN CONGRESS FROM THE STATE OF
NEW JERSEY**

Mrs. FENWICK. Thank you, Mr. Chairman. It is very good to be here, and particularly for such a reason.

I think all of us in the world, reading the news and knowing what we know, have had to sadly confess that this has probably been one of the most savage centuries in the history, as recorded, of mankind.

All the traits of human beings that are least to be praised seem to come forward in these times: brother against brother, men and women fighting each other, daycare centers blown up, buses, with innocent people in them, destroyed; and a loss of faith, which has been remarked by many who have commented on the climate of this century, a loss of faith, a loss of values, a departure from a belief that the truth would make us free, that communications would make us brothers, that mankind basically was decent and in all situations could be counted on for that decency.

I think that is what makes Raoul Wallenberg such an extraordinary figure, a true hero in the classic tradition, the kind of person who did not count the cost in the pursuit of something he believed to be right and good, the kind of person who pursued the welfare of others when it might well endanger his own.

That is a hero. That is something that reminds us that those values still exist, that we can hope for more people of that caliber, although perhaps it is a lot that we should all strive to be heroes. But it does remind us of values that need to be stated more and more clearly and more and more often.

That is what I think is so important. Those who work—and I see my dear colleagues here who worked in this cause—and all of us who joined with them, that is what we intended to do, I think; to say it is time to recognize that human beings can rise above, no matter what circumstances; that the human heart and the human spirit and courage can push people beyond the normal limits of human capacity.

So, it is a wonderful thing to have this hearing, Mr. Chairman. I hope it will be pursued wherever we can pursue it. With no danger to ourselves, we can certainly bring some of the zeal, belief, and hope that he brought to his work.

Thank you, Mr. Chairman.

Mr. YATRON. Thank you very much, Ambassador Fenwick, for testifying here today.

Do any of the members want to be recognized?

Congressman Lantos.

Mr. LANTOS. Yes, Mr. Chairman.

First, let me say that Millicent's passionate commitment to the Wallenberg cause was one of the things that kept it going through some very difficult periods. Our gratitude is endless to you.

I would also like to say that both the Foreign Affairs Committee and the House have been much impoverished by the fact that you are not sitting with us this time.

I should mention, Mr. Chairman, that a few days ago we had a party honoring our Ambassador-designate, Millicent Fenwick, and a lot of us were there, covering the broadest political spectrum, from the Speaker of the House to our Secretary of Defense.

When it was my turn to say a word, I said something that I would like to repeat. I hope I won't embarrass Millicent, but I think it needs to be said publicly. We can't be informed on every issue, and sometimes when we go to vote in the Hall of the House of Representatives, I suspect my colleagues and I aren't quite sure which way to vote. My secret formula was to look up on the board and watch which way Millicent voted.

That was an easy guide for me to vote. Every time when I thought I did know the issue and on very rare occasions—and I assure you, Millicent, they were rare—when I voted against you, I invariably felt somehow unclean, as if I had done something wrong. We are grateful for your being here.

Mrs. FENWICK. Thank you for those kind words.

Mr. YATRON. Mr. Fish.

Mr. FISH. Thank you, Mr. Chairman.

Very briefly, I think the grace and eloquence and dignity exhibited by Millicent Fenwick before your hearing this morning remind us of how much we miss her.

Mr. YATRON. Thank you, Mr. Fish.

Mr. Leach.

Mr. LEACH. Thank you, Millicent.

Let me end the accolades with the further comment that the term "Ambassador" is very fitting.

Mrs. FENWICK. Thank you, Jim.

Thank you, Mr. Chairman. Thank you all.

Mr. YATRON. Thank you for being here.

Mr. Eilberg, we want to welcome you back to the halls of Congress. It is good to see you again. Thank you for being with us. You may proceed.

STATEMENT OF HON. JOSHUA EILBERG, MEMBER OF THE BOARD OF ADVISERS, WALLENBERG COMMITTEE OF GREATER PHILADELPHIA, AND FORMER REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. EILBERG. Thank you, Mr. Chairman.

Thank you for inviting our testimony today. We represent the Wallenberg Committee of Greater Philadelphia, an independent,

nonprofit, and ecumenical group from Delaware, New Jersey, and Pennsylvania, organized to support all U.S. foreign and official and private efforts to free Raoul Wallenberg from the Soviet Union.

I would like to thank first Congressman Lantos for his very important role in organizing this hearing today. At the same time, Mr. Chairman, we did visit with both of you in April, and in visiting you, without any reservation you agreed to hold an oversight hearing. We are very indebted to you for following through with your commitment, but that is typical of the long association that I have had personally with you here in the Congress, as well as in the State legislature before that. Thank you very much, Mr. Chairman.

Our emphasis today will not be so much on the good deeds of Raoul Wallenberg, which are well known to all of us or many of us in this room, although there is indeed the need to educate the public and the people of the Nation, but rather on what we can do to free him.

It was our desire and is our desire that the emphasis be laid on the oversight function and what might be done or can be done by the legislative branch and also by the executive branch.

It is our view, Mr. Chairman, that notwithstanding occasional statements by the executive branch, by the State Department, that indeed those statements have been too few, too few since the legislation was adopted.

Really, I think the purpose of today's hearing is to expedite the flow of statements and actions by the executive branch, including the White House, including the State Department.

So, we ask the following U.S. official actions, first mentioning legislative branch actions.

We ask you and all members of the subcommittee and the Congress to join us in writing to President Andropov and asking that the Soviet Union free Raoul Wallenberg. I am not speaking necessarily of a petition because we know that that doesn't mean as much as individual expressions. We never know what particular letter is going to reach a responsive cord.

Also, join us in publicizing Raoul Wallenberg by regularly and repeatedly referring to Wallenberg in all speeches.

We ask for continuing oversight. We sincerely hope that this will not be the end of the oversight of this issue; but that it will continue, including the exercise of oversight by the other relevant committees—there are five in all that have dealt with this subject, the legislation as we know—in joint or independent hearings. We ask that you and all Members of Congress notify the chairman of each committee having jurisdiction of support for all U.S. and foreign official and private efforts to free Wallenberg.

We ask that for such continuing oversight, Mr. Chairman, you use the Congressional Research Service and other information resources to provide information as needed in the various issues raised by the Wallenberg situation. In that connection, frequently as Members of Congress we overlook the tremendous resources that are at our fingertips.

With the courtesy of Congressman Hamilton Fish, my very good friend on the Judiciary Committee, with whom I served so many

years, his office provided the answers to questions from the Congressional Research Service. I am going to ask that it be made part of the records of the subcommittee.

Mr. YATRON. Without objection.

Mr. EILBERG. I will just briefly indicate that in the material submitted by Congressman Fish from the Congressional Research Service we have selected reports on the status of Raoul Wallenberg, quite complete documentation.

We have organizations throughout the country that are Wallenberg organizations. We have an identification of possible violations of international law and Soviet law in connection with conduct committed by the Soviet Government. We have references to treaties that the Soviets have entered into providing diplomatic recognition and so forth.

This material is at your fingertips, Mr. Chairman. We know how busy you are, but we hope the staff will effectively use the kind of material that we are just reminding you of today.

We ask that you request continuous review with regular reports from all relevant State Department officials, the International Communication Agency officials, intelligence agency officials and other executive officials on the latest status of United States and foreign official and private efforts to free Wallenberg and other information relating to Wallenberg; that the members request from the intelligence agencies and other relevant United States and foreign agencies all unclassified information relating to Wallenberg.

We ask that you direct your staff to cooperate with all United States and foreign official and private efforts to free Wallenberg and that each member of the subcommittee designate a staff member to facilitate private contacts with U.S. and foreign government officials, including intelligence officials, and to facilitate replies to private requests for information, including intelligence information.

We ask that you request of the President that he designate one or more staff members to facilitate private contacts and to facilitate replies to private requests for information; that you ask the President to regularly and repeatedly—not once or twice and not merely to Jewish groups, Mr. Chairman—refer to Wallenberg in speeches to the public; and that you send a formal request to the President that he direct—and I emphasize direct—all Federal officials to cooperate with all United States and foreign officials in private efforts to free him, with this directive to appear in the Federal Register.

We attach to our statement, Mr. Chairman, a proposed Presidential directive which spells out in some detail what we think might be in such a directive, which of course refers, among other things, to the possibility of a spy swap. As Congressman Lantos mentioned so very well, there was an excellent example that was muffed by Sweden.

We refer in our directive to multilateral spy swaps, national spy swaps, any kind of deal that is necessary because Wallenberg is typical of the highest commodity that we are interested in, Mr. Chairman.

I emphasize that the directive that we are proposing, once placed in the Federal Register, has the force of law. We are presently

without that. It seems to us that a Presidential directive is absolutely essential if this movement is to effectively proceed.

We thank you again, Mr. Chairman, for previously meeting with us in your office in April, inviting us to testify, and holding this hearing, notwithstanding the many other pressures that there are upon you. We welcome any questions or comments from the subcommittee now or in the future.

Thank you.

[Mr. Eilberg's prepared statement and attachments follow:]

PREPARED STATEMENT OF HON. JOSHUA EILBERG

Mr. Chairman, thank you for inviting our testimony today. We represent the Wallenberg Committee of Greater Philadelphia, an independent, non-profit, and ecumenical group from Delaware, New Jersey, and Pennsylvania, organized under the aegis of the Raoul Wallenberg Committee of the United States, to support all U. S. and foreign official and private efforts to free Raoul Wallenberg from the Soviet Union.

Mr. Chairman, thank you for agreeing to meet with us last April 27th to discuss Raoul Wallenberg; thank you for at that meeting offering to hold oversight hearings on Public Law 97-54 of October 5th, 1981; and thank you for now holding just such an oversight hearing.

Our testimony is on proposed U. S. official actions to help free Raoul Wallenberg. These actions are of two types: legislative branch actions and executive branch actions. The legislative branch's Public Law 97-54 of October 5th, 1981 includes a Section 2 which states, "The President is requested to take all possible steps to ascertain from the Soviet Union the whereabouts of Raoul Wallenberg and to secure his return to freedom," and the executive branch's U. S. President's Public Papers for 1981 at page 890 includes President Reagan's statement at the signing ceremony that "we're going to do everything in our power" to free Raoul Wallenberg. Because

both the legislative and executive branches already agree it is right "to take all possible steps" and "to do everything in our power," we ask the following U. S. official actions, first mentioning legislative branch actions.

We ask you, and all members of the Sub-Committee, to join us in sending letters to Soviet President Andropov asking that the Soviet Union free Raoul Wallenberg, and to join us in publicizing Raoul Wallenberg by regularly and repeatedly referring to Wallenberg in speeches.

We ask for continuing oversight, including exercise of oversight by the other relevant committees in joint or independent hearings, and we ask that you notify the chairman of each committee having jurisdiction of your support for all U. S. and foreign official and private efforts to free Wallenberg.

We ask that, for such continuing oversight, you use the Congressional Research Service and other information resources to provide information as needed in the various issues raised by the Wallenberg situation; that you request continuous review with regular reports from all relevant State Department officials, International Communication Agency officials, on the latest status of U. S. and foreign official and private efforts to free Wallenberg, and other information relating to Wallenberg.

We ask that you direct your staff to cooperate with all U. S. and foreign official and private efforts to free Wallenberg, and that each member of the Sub-Committee designate a staff member to facilitate private contacts with U. S. and foreign government officials including intelligence officials, and to facilitate replies to private requests for information including intelligence information.

We ask that you request of the President that he designate one or more staff members to facilitate private contacts and to facilitate replies to private requests for information; that you ask the President to regularly and repeatedly refer to Wallenberg in speeches to the public, and that you send a formal request to the President that he direct all federal officials to cooperate with all U. S. and foreign official and private efforts to free Wallenberg, with this directive to appear in the Federal Register. A proposed presidential directive is attached.

We thank you again, Mr. Chairman, for previously meeting with us, inviting us to testify, and holding this hearing. We welcome any questions from the Committee, now and in the future.

Proposed Presidential Directive

It is my policy to take all possible steps to ascertain from the Soviet Union the whereabouts of Raoul Wallenberg and to secure his return to freedom, pursuant to Public Law 97-54.

I direct all federal officials to cooperate with all U. S. and foreign official and private efforts to free Raoul Wallenberg.

I further direct:

--all officials of the Department of State to ask in every possible bilateral and multilateral meeting that the Soviet Union free Raoul Wallenberg;

--all officials of the Department of State to continuously review all bilateral and multilateral policies for changes to assist all U. S. and foreign official and private efforts to free Raoul Wallenberg, including requests of, and policy reviews concerning, all countries besides the U. S. and Soviet Union that might influence the Soviet Union to free Raoul Wallenberg, and including on a priority basis continuous exploration of all possible bilateral and multilateral prisoner exchanges and other exchanges to free Raoul Wallenberg;

--the Legal Advisor of the Department of State to prepare briefs on a priority basis for U. S. official litigation and official protest in all possible international legal and human rights forums, and to make copies available to all U. S. and foreign official and private efforts to free Raoul Wallenberg.

The Secretary of State is assigned the responsibility to formulate detailed instructions for implementation by the Department of State of this directive.

I further direct that all possible media, and specifically Voice of America broadcasts, be used to frequently, regularly, and repeatedly report the latest status of all U. S. and foreign official and private efforts to free Raoul Wallenberg.

The Director of the International Communication Agency is assigned the responsibility to formulate detailed instructions for implementation by the International Communication Agency of this directive.

(The above text follows the form of President Reagan's March 25, 1983 Presidential Directive in Weekly Compilation of Presidential Documents at p. 462.)

SELECTED REPORTS ON THE STATUS OF RAOUL WALLENBERG*

- 01/16/45 Soviet Deputy Foreign Minister Vladimir Dekanozov claims Wallenberg is under protection of Soviet military.
- 03/08/45 Soviet controlled Kossuth Radio in Budapest claims Wallenberg murdered en route to Debrecen by Hungarian fascists or "agents of the Gestapo."
- 07/01/45 Swedish Foreign Office receives report from Swedish Embassy in Switzerland quoting "absolute reliable source" from Budapest who had seen someone in Budapest who claimed he saw Wallenberg alive, well and living in Pest.
- 06/46 Swedish journalist Edward af Sandeberg released from Soviet custody, claims to have met a Romanian prisoner, and a German prisoner named Erhard Hille, both of whom reported meeting a Swedish diplomat named Wallenberg. (Sandeberg's official testimony received May 1949.)
- 08/18/47 Soviet Deputy Foreign Minister Andrei Vyshinsky declares "Wallenberg is not in the Soviet Union and is unknown to us."
- Mid 1951 Claudio de Mohr, former cultural attache at Italian Embassy in Budapest, released from Soviet custody, claims to have been in cell next to Wallenberg in Lefortovo Prison, Moscow. Communicated with him by tapping code messages on wall between April 1945-April 1948.
- 1951-1953 Several newly released Soviet prisoners claims news of Wallenberg including:
- o Italian diplomat Giovanni Ronchi, contact at Lefortovo Prison.
 - o Swedish citizen Roland Gottlieb, heard of Wallenberg from co-prisoner in Lefortovo at end of 1947.
 - o General Moser, between Christmas 1947-summer 1948, housed in same section of Lubianka Prison, Moscow as Wallenberg.
 - o Hungarian Georg Libik, claimed fellow cellmate Horvath had exchanged messages with a Swede in Lubianka Prison, 1953.

*Prepared by Sheri Hoptman, Foreign Affairs and National Defense Division.

1955

German and Austrian prisoners released by Soviets are screened by Swedish Foreign Office.

o Gustav Richter, German police attache in Bucharest, shared cell in Lubianka Prison with Wallenberg for one month beginning January 1945. Claims Wallenberg interrogated once for 1-1/2 hours. Richter names Otto Scheuer, Willi Roedl and Hans Loyda as cellmates of Wallenberg's in Lubianka and Lefortovo prisons.

o Karl Supprian, German scientific attache in Bucharest, shared cell with Claudio de Mohr. Claims during mid-April 1945, communicated by "knocking" on wall to prisoners in next cell, Wallenberg and Willi Roedl.

o Heinz-Helmut Von Hinckeldey, major in German general staff in Bucharest, "knocked" to Roedl and Wallenberg in Lefortovo. Claims Wallenberg gave name of family bank in Stockholm as his address. Last message, "we are being taken away." Von Hinckeldey couldn't remember date.

o Ernst Wallenstein, scientific attache for Germany in Bucharest, knocked with cell above his own in Lefortovo Prison at the end of 1945 which contained Wallenberg. Claims Wallenberg wrote an appeal to Stalin transmitted outside through prison guard.

o Bernhard Rensinghoff, economic counselor for Germany in Bucharest, shared cell with Wallenstein, cited daily messages with Roedl and Wallenberg. Confirms Wallenberg wrote plea to Stalin. Last message received in Autumn 1946 was "we are being taken away."

o Willi Bergemann, Bucharest German legation, in next cell down from Wallenberg and Roedl from September 1946-May 1948 in Lefortovo Prison. Said both removed sometime between March and May 1947.

02/56

Erhard Hille, Wehrmach corporal, testifies met Vilmos Langfelder, Wallenberg's driver, on March 22, 1945 in Lubianka Prison. Langfelder reported arrest by NKVD and transport to Moscow via Romania of himself and Wallenberg. Both brought to Lubianka on February 6, 1945. Hille also met prisoner Hans Loyda who told him in 1946 about Langfelder exchanging places with Wallenberg in Lubianka cell on March 18, 1945. Wallenberg was interrogated several times said Loyda. In mid-May 1945 Wallenberg, Loyda, and Roedl transported from Lubianka in a van. Wallenberg and Roedl left at Lefortovo Prison while Loyda went on to Butyrka Prison.

03/56

Ernst Huber, corporal with German military intelligence, claims shared cell with Vilmos Langfelder and given same account of Wallenberg's arrest as Hille. Huber met both Hille and another cellmate of Langfelder's (a Finn named Pelkonen) at Butyrka Prison.

- 1956 Horst Kitschmann claims was cellmate of Vilmos Langfelder during November-December 1945 in Lefortovo Prison.
- 02/02/57 Soviet Deputy Foreign Minister Andrei Gromyko claims Wallenberg died in 1947 in Lubianka Prison of a heart attack. Cites handwritten report dated July 17, 1947 by head of prison health service, Col. A.L. Smoltsov, that a "Walenberg" died suddenly in the night and the body was cremated without autopsy. Smoltsov died in 1953.
- 1958-1959
- o A Swiss named Brugger claims talked with Wallenberg in knocking code in Corpus II hospital block of Vladimir Prison at end of July, beginning of August 1948.
 - o Undisclosed Austrian claims shared cell for one night with Wallenberg in Corpus II, Vladimir Prison, end of January, beginning of February 1955. Wallenberg told him he had spent years in solitary confinement.
 - o German named Mulle claims in 1956 met Georgian prisoner named Simon Gogoberidse who was in Vladimir Prison since 1945. Gogoberidse said Wallenberg was in solitary confinement for years and thought he was in hospital block of prison either because ill or for isolation purposes. Prison official told Gogoberidse in 1956 "They'll have to look for a long time to find Wallenberg," at about the time of visit of Swedish Premier to Moscow.
 - o German named Rehekampf reports same story from Gogoberidse as Mulle.
- 01/27/61 Swedish professor Nanna Svartz meets Soviet medical expert
to Aleksander Miashnikov in Moscow and questions him about
07/65 Wallenberg. Miashnikov says Wallenberg is in poor condition in a mental hospital. In February meeting with Svartz, Miashnikov says Svartz can see Wallenberg "unless he is dead." Then claims poor German led to misunderstanding of previous conversation and says knows nothing about Wallenberg's case. (Miashnikov had been summoned by Krushchev and reprimanded for discussing Wallenberg, according to other sources.) Miashnikov continues to deny first conversation in April of 1964 and July of 1965. Miashnikov dies suddenly in November 1965.
- 07/12/64 Oral statement from Deputy Foreign Minister Aleksander Orlov repeating that Wallenberg died in Lubianka Prison in 1947.
- 01/70 Undisclosed Hungarian tells Wallenberg's mother that his girl friend's father, a senior government official in Hungary, mentioned Wallenberg was in camp in Siberia.

- 1973 Efim Moshinsky, former SMERSH and KGB agent, claims encountered Wallenberg in Budapest in January 1945 and then saw him on Wrangel Island in the Arctic Circle during 1961-1962. (Moshinsky discounted by Swedish authorities.)
- 1974 Unnamed informant says saw Wallenberg in Vadivovo camp near Irkutsk in 1966-67. Prisoner was old man, had been very ill and had nickname "Roniboni."
- 11/77 Anna Bilder receives telephone call from her father, Jan Kaplan, who says while in Butyrka Prison hospital in 1975 he met a Swede that claimed imprisonment for 30 years and seemed reasonably healthy. (Reported late 1978 by Abraham Kalinski.)
- 10/78 Abraham Kalinski, Soviet-born Jew, claims while imprisoned from 1945-late 1959 heard of and saw Wallenberg several time. First news in 1951 in prison at Verkhne Uralsk from Jewish author David Vendrovsky who claimed he shared cell with Wallenberg and Latvian Cabinet Minister Wilhelm Munters. Vendrovsky pointed out Wallenberg to Kalinski as Wallenberg exercised in prison yard. Kalinski saw him several times until 1953. When prisoners were transported to Alexandrov Central Prison in 1953 Kalinski saw Wallenberg on train. When prisoners were transferred again in 1955 to Vladimir Prison Kalinski saw Wallenberg at transit prison at Gorki. Kalinski claims to have been Simon Gogoberidse's cellmate at Vladimir Prison in beginning of 1956. Gogoberidse told Kalinski he shared cell in Corpus III block with Wallenberg and former KGB general Mamulov. All then transferred to Corpus II. Kalinski and Gogoberidse saw Wallenberg in exercise yard and knew Wallenberg's cellmate was Georgian Communist Party official Shariyev. Wallenberg was still in Vladimir Prison when Kalinski was released on October 29, 1959, he claims.
- 06/14/79 Anonymous Soviet Jewish immigrant tells U.S. Embassy that on May 1, 1978 at a party of a friend who's father is a senior KGB official, the official said when drunk that he had a Swede in his charge at Lubianka Prison who had been a prisoner for over 30 years.
- 03/80 British spy Greville Wynne claims while in Lubianka Prison in early 1963 he overheard conversation between a guard and a prisoner identifying himself as Swedish.
- 1980 Victor Herman, jailed as spy and returned to U.S. in 1976, claims contact with former co-prisoner who claims prison guards told him in 1976 that Wallenberg was in special block of Gorki Central Prison. Wallenberg later transferred to prison in Kirov according to Herman's source.

01/81

Wallenberg Committee Stockholm Hearings:

o Cronid Lubarsky, Soviet dissident living in Munich, claims a Moscow source saw an old Swede in bad physical condition in Blagovoschensk special psychiatric hospital near the Soviet-Manchurian border. Speculation among prisoners that his name was Wallenberg.

o Andre Lipchitz claims shared cell with Wallenberg in Lubianka Prison for two days before Christmas 1947.

o Marvin Makinen, American biophysics professor, claims while imprisoned in Vladimir Prison in 1962 his cellmate, Zyguard Kruminish, described meeting Wallenberg in Vladimir during 1956-1959 period. Makinen had heard stories of a Swedish prisoner from other sources as well. After leaving Vladimir for another prison, Makinen informed that Kuminish had lived in a cell in Vladimir with a Swede named van den Berg.

o Simon Wiesenthal told by Russian emigre of a conversation with Soviet General G. Kuprianov (imprisoned 1948-1956) concerning a meeting between Kuprianov and Wallenberg in 1953 when both were transferred to Verkhne Uralsk Prison from Alexandrov Central Prison, and then again in 1955 when both moved from Verkhne Uralsk to Vladimir Prison, and finally again in 1956 in the dentist's facilities in Vladimir. Kuprianov was later interrogated by Soviet authorities in May 1979 about his accounts of meeting Wallenberg and said to have died of a heart attack at interrogation center. All his papers and documents confiscated.

o Russian lawyer identified as "Ivanov" says in 1972 a client formerly in a prison camp "Mordvinia" near Potma in Moldavian Republic required his help, so he talked to camp commandant. When drunk, camp commandant spoke of "very important foreigners" in camp, including a Swede imprisoned over 20 years.

03/81

Associated press quotes "Estonian exile sources" concerning Estonian dissident Veljo Kalep who claims to have new evidence about Wallenberg. Kalep faces trial in Estonia on undisclosed charges.

Sources:

Bierman, John. Righteous Gentile: The Story of Raoul Wallenberg, Missing Hero of the Holocaust. New York, The Viking Press, 1981.

Rosenfeld, Harvey. Raoul Wallenberg: Angel of Rescue. Buffalo, New York, Prometheus Books, 1982.

Werbell, Frederick E. and Thurston Clarke. Lost Hero: The Mystery of Raoul Wallenberg. New York, McGraw Hill Book Company, 1982.

VIOLATIONS OF INTERNATIONAL AND SOVIET LAW
IN THE CASE OF RAOUL WALLENBERG*International Law

It may be argued on the following grounds that the Soviet Union violated international law concerning diplomatic immunity by arresting and holding Raoul Wallenberg.

1. Inviolability of diplomats is customary international law recognized and practiced by states over a long period of time.

2. The Soviet Union is a party to the Vienna Convention on Diplomatic Rights of 1961 which codified and confirmed existing customary law concerning the inviolability of diplomats.

3. There existed in 1945 (in force since 1927) a bilateral consular convention between Sweden and the Soviet Union that guaranteed the rights and immunities of diplomats.

Soviet Law

The question of diplomatic immunity aside, an alien is subject to the same laws and procedures as a Soviet national. However, there is only speculation as to what, if any, charges were made against Wallenberg, and if there was indeed a trial. The alleged treatment of Wallenberg could have violated provisions of both the Soviet Constitution and the Soviet Code of Criminal Procedure. Both spell out an individual's right to defense counsel and an open trial.

The length and manner of Wallenberg's imprisonment does not raise legal problems under Soviet law. If Wallenberg was sentenced for a crime as serious as that of treason, the maximum penalty he would have received would have been 25 years or death. If additional charges were brought against him during his initial imprisonment, the sentence could have been extended indefinitely. Internal exile or assignment to a psychiatric prison hospital could also be added to the sentence. Both situations are fairly common for those in the Gulag.

*Prepared by Sheri Hoptman, Foreign Affairs and National Defense Division.

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SOVIET TREATY SERIES

(By Leonard Shapiro, Ph.D.)

NO. 266—SWEDEN—U.S.S.R.

EXCHANGE OF NOTES REGARDING RECIPROCAL RIGHTS AND IMMUNITIES OF CONSULS ¹*S—Moscow, February 2, 1927.*

(I) Monsieur le Ministre: I have the honor to inform you that U.S.S.R., having judged it useful to determine in an agreement with the Government of Sweden the reciprocal rights, privileges and immunities of consuls general, consuls, vice-consuls, consular agents, as well as chancellors or secretaries of consular institutions, has authorized me to declare as follows:

The consuls general, consuls, vice-consuls, consular agents, as well as chancellors or secretaries of Swedish consular institutions, shall enjoy in U.S.S.R. all exemptions, prerogatives, immunities and privileges which are or will be accorded the agents of the same rank of the most favored nation.

Nevertheless, it is understood that the preceding resolution shall not apply to exemptions, prerogatives, immunities and privileges which the Government of U.S.S.R. has already accorded or should accord, henceforth, to the neighboring states of Asia and to the states whose territory was in every respect an integral part of the former Russian Empire on August 1, 1914. This resolution shall no longer be applicable to the rights of the consuls relative to the vested heritages of the Swedish subjects in U.S.S.R., whose rights shall be regulated by a special agreement.

The establishment of consulates general, consulates, vice-consulates or consular agencies in villages and localities, other than those where consular institutions of one or the other Party have already been established, shall be made the object of a preliminary accord between the two Governments. The consuls general, consuls, vice-consuls and consular agents must be regular career and salaried functionaries of the state naming them. Besides, they shall be obligated to practice no commerce or industry on the territory of the country where they will exercise their duties.

Before appointing a consul general, consul, vice-consul or consular agent, the appointing Government shall ask his approval from the Government of the state on whose territory the respective consular representative is to exercise his duties.

The present Arrangement enters into applicable force from the day of signature of the present Note and shall cease to be effective only at the expiration of three months following its denunciation.

M. LITVINOV.

Moscow, February 2, 1927.

(II) Monsieur le Commissaire du Peuple: In acknowledging the receipt of your Note dated this day, I have the honor to inform you that the Royal Government of Sweden, having judged it useful to determine in an agreement with the Government of U.S.S.R. the reciprocal rights, privileges and immunities of consuls general, consuls, vice-consuls, consular agents, as well as chancellors or secretaries of consular institutions, has authorized me to declare that which follows:

The consuls general, consuls, vice-consuls, consular agents, as well as chancellors or secretaries of consular institutions of U.S.S.R., shall enjoy in Sweden all the exemptions, prerogatives, immunities and privileges which are or shall be accorded to the agents of the same rank of the most favored nations.

Nevertheless it is understood that the preceding resolution shall not apply to exemptions, prerogatives, immunities and privileges that the Royal Government has already accorded or should accord to Denmark, Finland and Norway. This resolution shall no longer be applicable to the rights of the consuls relative to the vested heritages of the citizens of U.S.S.R. in Sweden, whose rights shall be regulated by a special agreement.

[Paragraphs 4, 5 and 6 continue mutatis mutandis as I.]

CARL G. VON HEIDENSTAM.

Mr. YATRON. Thank you, Congressman Eilberg, for your testimony. I want to say that you can rest assured that the subcommittee will actively consider the recommendations that you have made here today. We thank you.

Would any of the members like to be recognized?

Mr. EILBERG. Mr. Chairman, may I introduce for the record Leona Feldman, who is the president of the Greater Philadelphia group, on my left. John Fraser is our research man. Both of them deserve credit for being here with us today and preparing me, in fact.

Mr. YATRON. We want to welcome both of them for being here. I thank all the witnesses for taking the time out to be here today.

Mr. YATRON. Our next witness is Hon. Edward J. Derwinski, Counselor of the Department of State and former Member of Congress from the State of Illinois.

I welcome you, Mr. Derwinski. We are anxious to hear from you today. You may proceed.

STATEMENT OF HON. EDWARD J. DERWINSKI, COUNSELOR OF THE DEPARTMENT OF STATE AND FORMER REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. DERWINSKI. Thank you, Mr. Chairman.

First, since we could be interrupted by a rollcall at any minute, I would ask that my complete statement be inserted in the record. I will summarize it for you, since a good part of it basically is supportive of the comments you have already received this morning.

I first wish to make it as clear as possible, on behalf of the State Department, that we are taking every appropriate opportunity to make our concern known to the Soviet authorities, to make clear to them that the United States will not be satisfied until there is a full and complete accounting of the fate of Mr. Wallenberg.

I see no substitute for steady, constant pressure. The type of thing that you are doing this morning, generating special interest, special concern, eventually worldwide public pressure, may be the vehicle by which the Soviets will finally come forth and tell us what has happened; if Mr. Wallenberg is alive, where he is; if he isn't, under what circumstances he passed away.

The Congress very properly took the step of making him an honorary citizen of the United States. Although honorary citizenship doesn't establish any special rights, I think it does, as a number of witnesses have emphasized to you this morning, create a very important symbolic act.

Unfortunately, the Soviets have not recognized this action of the Congress in the sense of cooperating and acknowledging the special interest. Quite frankly, when you look back at almost 40 years of tragedy that we are speaking of there, refusal to give us the information we want isn't surprising. It is frustrating, disappointing, but not surprising.

I understand Tom Lantos properly made the point, and I wish to reiterate it, that we are going to continue our interest, our special concern until such time as the Soviets provide the full clarification

of Wallenberg's fate. That is the stated goal of our constant contacts with Soviet authorities.

At the Madrid meetings, as well as at the U.N. Human Rights Commission meetings, this issue has been raised by our spokesmen. Mr. Michael Novak has made a special point of raising the issue at the U.N. Human Rights Commission, and in this year's session of the Human Rights Commission, our alternate representative, Walter Berns, raised the Wallenberg issue and did so as emphatically as he could under the circumstances of the procedures there.

He made the point, and I wish to quote, that an authorization be adopted for a complete and renewed search and a full report on this case, which he described as "involving the most famous of all disappeared persons."

We continue to and will continue to cooperate fully with the Government of Sweden and all other interested parties, governmental and nongovernmental, in a persistent effort to obtain the information we need until the answers that we seek are obtained.

Mr. Chairman, I commend you and your staff and members of the subcommittee and the members of the full committee who join you. I would think that by your continued special interest you are helping to keep up this pressure, to build the pressure point of world opinion, hopefully to the day when the Soviet authorities will no longer be able to ignore this tragic case.

I thank you for giving me time this morning.

[Mr. Derwinski's prepared statement follows:]

PREPARED STATEMENT OF HON. EDWARD DERWINSKI

It is a pleasure to speak to you today about Raoul Wallenberg.

As you know, when I was a member of the House, I took a very active interest in the fate of Raoul Wallenberg, and now as State Department Counselor, let me begin by stating that the Department of State and the President share with the Congress a strong concern about the fate of Raoul Wallenberg. We are taking every appropriate opportunity to make that concern known to the Soviet authorities and to make clear to them that the United States will be satisfied with nothing less than a full and complete accounting of the fate of Mr. Wallenberg.

As you know, in 1981 President Reagan signed a bill which made Raoul Wallenberg an honorary citizen of the United States. Although honorary citizenship established no rights in international law that would give us any greater legal standing in our inquiries with the Soviet Union, it was an important symbolic act. It let the entire world know how much we admire Raoul Wallenberg's courage, how much we are inspired by his dedication to humanity and humanitarian principles, and how much we deplore his unjust and illegal punishment by the Soviet Union.

Following the signing ceremony which made Raoul Wallenberg an honorary American, the Department of State made the Soviet Government formally and officially aware of our continued dedication to finding out the truth about Raoul Wallenberg's fate.

To date, we have not received a satisfactory response from the Soviet Government to this or any of our earlier inquiries.

Immediately following the liberation of Budapest by Soviet troops in 1945, Raoul Wallenberg disappeared into Soviet custody. The Soviets have never accounted for their incarceration of Wallenberg, which was in total violation of Wallenberg's immunity as a Swedish diplomat under international law. Although there has been speculation that the Soviets suspected Wallenberg of being an espionage agent for the United States, there is not one shred of documentation to indicate Wallenberg was engaged in anything but a humanitarian effort.

The official Soviet explanations of what happened to Wallenberg have been inconsistent and incomplete. In 1947 the Soviets informed Sweden that Wallenberg died in Hungary in 1945. In 1957, after repeated Swedish inquiries, the Soviets stated that Wallenberg had, in fact, died in a Soviet prison in 1947. In 1980, the Soviets provided this same explanation to us.

Our position has remained consistent and clear. Until the Soviets provide a full clarification of Wallenberg's fate, the United States will not accept as final the Soviet assurances that Wallenberg died in 1947.

We have pressed our efforts to obtain an accounting from the

Soviets both on a bilateral basis and at international fora, such as the CSCE Review Conference in Madrid and the U.N. Human Rights Commission. In this regard, last year our representative to the U.N. Human Rights Commission, Mr. Michael Novak, urged the Soviet Union to make "a humanitarian gesture, which would contribute to universal good-feeling, namely, a renewed search and full report, which may lay questions to rest; or else, in the best of all possible outcomes, result in the discovery of the whereabouts of a man who stands among the heroes of our time."

At this year's session of the Commission, on February 22, Alternate Representative Walter Berns again raised the issue of Raoul Wallenberg, whom he termed "one of the genuine heroes of World War II, and one of the war's most noble spirits." Mr. Berns suggested that the UN Human Rights Commission's working group on disappearances be authorized to "make a renewed search and a full report" on the case "involving the most famous of all disappeared persons."

We have also continued to work closely with the Government of Sweden to try to confirm reports that have come to light about Wallenberg. To date, we have been unable to confirm any of the reports suggesting that Wallenberg might still be alive. We intend to continue to cooperate fully with the Government of Sweden and all other interested parties in a persistent effort to obtain information that will clarify the fate of this brave man.

As Ambassador Max Kampelman noted at a CSCE plenary session two years ago, the Wallenberg case is one that "will not go away"; the Soviet failure "to appreciate the human factor which is symbolized by the Wallenberg case" only serves to stimulate further interest.

Your colleague, Tom Lantos, has suggested the establishment of a Wallenberg freedom award which would be used to honor individuals who have advanced the cause of human rights. This certainly would be a dramatic and practical vehicle for emphasizing the worldwide concern about Raoul Wallenberg. However, since it is our fervent hope that Wallenberg is still alive, and the pressure we are exerting is such that he would eventually be released and returned to freedom, the only question we would have is that there not be any interpretation, which this award might arouse, that we are accepting the fact that he might be dead.

The United States Government will continue to express concern over the Wallenberg case at every appropriate opportunity, both publicly and in our diplomatic communications with the Soviet Union. I can assure you categorically that this matter will be raised again in every appropriate forum.

The tragedy of Raoul Wallenberg has attracted the attention of millions of people around the world, and nowhere more forcefully than in the United States. This hearing is an example of the special concern of the United States Congress and the American people, and we appreciate the opportunity it provides to keep this issue at the forefront of world attention.

Mr. YATRON. Thank you very much for being here and for your excellent statement.

Mr. Derwinski, I have one question. I wanted to ask you, to your knowledge, has the subject of Raoul Wallenberg been mentioned in any of the negotiations between the administration and the Soviet officials.

Mr. DERWINSKI. I think it all depends what you mean by negotiations. We have so many ongoing contacts with the Soviet Union, and I think the Wallenberg case stands entirely on its merits. This isn't something where we would want to be swapping let's say the grain agreement for some information on Wallenberg.

This is something that I don't think is subject to negotiations as much as it is to our constant pressure that we finally have the record clear. Maybe we are playing on words here, but I think you would agree with me that there isn't any tradeoff involved.

What we want to know is the truth. What happened? We are entitled to know it. The world is entitled to know it. I think that is the point which we have to make whenever we raise this issue with Soviet authorities at any level or in any international meetings.

Mr. YATRON. Thank you.

Mr. Lantos.

Mr. LANTOS. Thank you, Mr. Chairman.

Since you came a bit late, let me, if I may, just repeat what I said earlier because I think you need to hear this.

Long before I got to Congress you fought the Wallenberg battle vigorously and courageously and successfully. I want you to know, Ed, that all of us who are involved with this issue are deeply in your debt personally.

Let me also say—because I hope you will carry this back to George Shultz—that it certainly is the view of this member of the Foreign Affairs Committee that under both Secretary Haig and Secretary Shultz, the State Department has pursued this matter diligently. It was not for lack of trying that we are still without information from the Soviets.

I have two specific questions, Mr. Chairman, if I may.

One relates to Mr. Derwinski's view of human rights in the Soviet Union in general under the Andropov regime. Some of us have the impression that contrary to the early hopes, which are very difficult to understand, given the professional background of Mr. Andropov as head of the KGB, there has been a general recognition that the Soviet Union has tightened up in the field of human rights; that there has been a closing down of whatever avenues of emigration had been opened earlier; that there is a systematic and officially sanctioned policy of anti-Semitism, culminating in the establishment of a so-called Anti-Zionist Committee by the Soviet Union; that there is no improvement in the fate of either the well-known individuals, like Shcharansky or Sakharov, or in the fate of the hundreds of others who are less well known but are just as deprived.

I would be grateful if we could get the official State Department appraisal of the status of human rights in the Soviet Union today.

Mr. DERWINSKI. First, Tom, I unfortunately was not prepared to go beyond the issue of the Wallenberg question this morning. Elliott Abrams of our Bureau of Human Rights and Humanitarian

Affairs will give you anything you want. However, let me give you a personal opinion, rather than to wear the hat of the official spokesman of the State Department, at this point.

My personal opinion is that it was purely wishful thinking, when Mr. Andropov replaced Mr. Brezhnev, to think that he would usher in a new era of sweetness and light. Given his background in the KGB and the way the bureaucratic mechanism of political control in the Soviet Union operates, I think one should have expected a period of consolidation, which means internal pressure, not internal easing of tensions.

We have had recent information to show that the process referred to as "Russification" in the Baltic States continues. This is a deliberate effort to deny the people in those countries their traditions, language, culture, religious freedom, and so on.

There is no evidence that there is any easing of the crackdown on the churches in the Ukraine. There is no indication that what we would call basic civil liberties, human rights, for the great mass of population in the Soviet Union is being alleviated.

I think it was just wishful thinking in the few sectors of the press that Mr. Andropov would go through some honeymoon period in which the benefits would trickle down to the rank and file citizenry of the Soviet Union. That really hasn't occurred.

When we add their continued participation in the attempt to subjugate Afghanistan, their hard line position foreign policywise, their brazen interference in the Middle East peace processes, I think you would have to say that Mr. Andropov isn't turning out to be a closet liberal.

Mr. LANTOS. If I may, the second question I would like to raise, Mr. Chairman, relates to specific legislation I intend to introduce in September. I would like to ask the distinguished Counselor of the State Department to react to that.

In your prepared testimony you have a statement which I would like to read and would like to ask you to comment on. You are suggesting that I have suggested the establishment of a Wallenberg freedom award—and you are correct—which would be used to honor individuals who have advanced the cause of human rights. This certainly would be a dramatic and practical vehicle for emphasizing the worldwide concern about Raoul Wallenberg.

However, since it is our fervent hope that Wallenberg is still alive, and the pressure we are exerting is such that he would eventually be released and returned to freedom, the only question we would have is that there not be any interpretation, which this award might arouse, that we are accepting the fact that he might be dead.

End quote from Counselor Derwinski.

I would like to comment on this observation of yours. I think you are correct. We must proceed on the assumption, until we have conclusive evidence to the contrary, that Raoul Wallenberg may be alive. Yet, at the same time I think it is clear that we cannot hold this proposed legislation hostage indefinitely to the failure of the Soviet Union not to provide us with factual evidence as to what happened to Wallenberg.

Would it be your judgment, on the basis of your lengthy and distinguished service in this body, that if the legislative history in enacting this proposed bill spells out clearly that in no sense does it

indicate that we have given up on Wallenberg, far from it, that the effort to either free Wallenberg or to obtain information on what had happened to him will go forth full speed; that this legislative history would be sufficient to allay the concerns of the State Department on this score?

Mr. DERWINSKI. Certainly. In fact, I don't think that the statement you just read should be interpreted as concerns of the State Department. I think what I was trying to convey was that we do not want to provide a basis for the Soviets interpreting the situation as being a closed book.

In fact, your proposal has the very special significance of helping raise the constant attention level to this subject. Therefore, I think it is a very positive proposal. It would actually, as I see it, fit the point I made earlier of the necessity to develop worldwide public knowledge and, therefore, worldwide public pressure on the Soviet authorities.

Mr. LANTOS. I am most grateful for that clarification. I look forward to working with you on this legislation.

Thank you, Mr. Chairman.

Mr. YATRON. Thank you, Mr. Lantos.

Mr. Leach.

Mr. LEACH. Thank you, Mr. Chairman.

First, I think it is important that we put this into historical perspective. Wallenberg is a hero because he stood up against the totalitarianism of the right and Nazi genocide. But he is also a martyr because he is a victim of totalitarianism of the left and Soviet anti-Semitism.

Here I think we should be clear in understanding that the period in which Wallenberg disappeared coincided with the period of intense Soviet anti-Semitism, the whole period in which cosmopolitanism, Zionism, and culminating in the plot of 1952 were really the modus vivendi about which the Soviet system worked.

Now we are seeing a period in which we have, as the gentleman from California referenced, hardened relations with the Soviet Union on human rights issues. Emigration of Jewish citizens is down to about 100 a month, whereas 4 years ago it was over 4,000 a month.

It is in that context, not in the context of the grain agreement, that I think the State Department ought to be pressing this issue. One might well argue that one of the greatest benefits of efforts to account for Wallenberg's fate, whether he is dead or alive, and we all would pray the latter is the case, would be if we could succeed in the process in getting the Soviets to honor the Helsinki accords and to restore emigration to a proper level.

I have two questions from your testimony, Ed. One relates to your reference to the fact that we received officially from the Soviet Government in 1980 the same explanation the Swedes had received, that Wallenberg had died in 1947; 1980 was prior to passage of the Lantos bill.

My question is, has the United States received any other official explanation since 1980 and has the passage of honorary citizenship had any effect on our search for the truth?

Mr. DERWINSKI. I am not aware that the Soviets have responded in any official or, for that matter, unofficial manner since the reference I made to the 1980 matter.

In terms of the value of the legislation, however, I think it has strengthened our ability to make the point in different international bodies and in our constant contact because it has shown the special interest of Congress in the case.

It is dramatic evidence of the public interest, presumed I think by the Soviets, and quite properly, that Congress tries to accurately reflect public opinion. Certainly in this case there is no political debate. So I think it has been a very positive contribution.

What we are running into, quite frankly, is a Soviet refusal to admit what did happen.

Mr. LEACH. Let me ask a second question. You referred to a statement by Walter Berns before the U.N. Human Rights Commission in which he suggested that the Commission be authorized to make a renewed search and full report on the case.

Has the U.N. Human Rights Commission agreed to do this, and is there now an internationalization of the search in this regard?

Mr. DERWINSKI. I am not aware of it. No, they have not.

Mr. LEACH. I would only make the modest suggestion that Mr. Berns' very thoughtful idea be pursued and that the U.N. Human Rights Commission formally consider the suggestion of our representative. We should not allow the suggestion to die but encourage pursuit of this idea.

I can't think of anything that would be more helpful than the conferring of international legitimacy on the issue. I think the U.N. Human Rights Commission would be the perfect, appropriate vehicle for that.

Mr. DERWINSKI. First, may I assure you that we will continue to pursue it. May I also make the observation that even though throughout my congressional career I was always a strong supporter of the United Nations—that is, the principles—I also share everyone's frustration at the way in which the goals of the United Nations have been frustrated and the way the Soviets quite effectively, from time to time, are able to frustrate the legitimate direction of certain U.N. bodies. I think this is a classic case.

Mr. LEACH. Thank you very much.

Mr. YATRON. Thank you, Mr. Leach.

Mr. Fish?

Mr. FISH. Thank you, Mr. Chairman.

Ed, I am encouraged, I am sure we all are, by your statement of repeated contacts by our Department of State with Soviet officials on this issue.

Our former colleague, Josh Eilberg, who testified before the subcommittee today, presented us with an agenda for action, an agenda designed to build the pressure we have been referring to. It is an agenda both for the legislative branch and for the executive branch.

Attached to his testimony is a draft or proposed presidential directive. I realize you may not have had an opportunity to review this. I wrote the President myself suggesting that he send out a Presidential directive that would embody much of what is in this model in directing all officials in the Department of State to bring

up this matter at every possible opportunity and review policies for changes that might be constructive.

I will ask you at this time if you would review Mr. Eilberg's proposal for a presidential directive. I think it is one more avenue to be pursued that has been suggested to us.

Mr. DERWINSKI. I would be pleased to. Plus I think this is something that Assistant Secretary Abrams and his specialists have focused on. In turn, their recommendations would flow up through the Secretary to the President.

Mr. YATRON. Thank you, Mr. Fish.

We want to thank you very much for being here today. We want to say that we miss you and miss the excellent work you did when you were a member of the House Foreign Affairs Committee. It is always a pleasure to see you.

Mr. DERWINSKI. I want you to know, Mr. Chairman, that I miss all of you gentlemen, even when I recall the rare occasions when you didn't agree with me.

Mr. YATRON. It has been very informative. Thank you very much.

Our next panel of guests is Sonia Sonnenfeld, executive director of the International Raoul Wallenberg Committee in Stockholm, Sweden; Rachel Ostreicher Haspel, president of the Raoul Wallenberg Committee of the United States; Agnes Adachi, vice president of the Raoul Wallenberg Committee of the United States and the president of the Queens Chapter of the Wallenberg Committee; Mr. Morris Wolff, professor of law at the University of Delaware; and Joan Sacarob, cochairperson of the Free Wallenberg Committee.

We welcome all of you. Ms. Sonnenfeld, would you please begin?

STATEMENT OF SONIA SONNENFELD, EXECUTIVE DIRECTOR, INTERNATIONAL RAOUL WALLENBERG COMMITTEE, STOCKHOLM, SWEDEN

Ms. SONNENFELD. Thank you.

First, a few words about an absent friend, a very important absent friend, besides Raoul Wallenberg. Guy von Dardel was very much looking to being with us today to participate in this hearing. Unfortunately, on the very day of his departure from Geneva to Washington, he fell and broke his hip. He is now recovering in a hospital in Geneva.

Mr. YATRON. Send him our best wishes for a speedy recovery. We are very sorry.

Ms. SONNENFELD. Thank you. I will.

I am more convinced than ever and have more reasons than ever to believe that Raoul is still alive. I am very sorry I cannot go deeper into this. However, tomorrow, on his 71st birthday, he still suffers somewhere in the Soviet Union, waiting for us to come for him. His only hope lies with the United States, a country he loved and lived in for quite a few years and whose mission he was so eager to take on.

It sounds very cynical that you can survive 39 years in a Russian prison. My experts, who are all dissidents, experts on the Soviet prison system—we have one with us today, but he will not testify—

all assure me that you are not even allowed to die until you have served your sentence.

Since they most probably have sentenced Raoul for spying, that would mean a lot of years. Then they can give him any amount of years for just nothing. They don't need any reason, as you know.

It is one thing to bestow honor after honor on Raoul, but that is not enough. Don't ever forget Raoul isn't just a symbol. He is a human being who needs your help, our help, everybody's help. You and your government must be prepared to take some risks if you ever intend to live up to your promises.

Raoul is unique. Why are not the procedures for him as unique? Raoul Wallenberg helped so many people without asking any questions. Isn't it a catch 22 to insist on absolute proof before searching for that very proof?

If you or your Government want to find out something from the Soviet Union, do you just ask them politely for that information? No, of course you don't. You have the resources and you use the resources to find out what you need. Why doesn't this apply to Raoul?

Couldn't we just end this catch 22 now and here, and go for him, or does he have to wait another 39 years?

Thank you very much.

Mr. YATRON. Thank you very much, Ms. Sonnenfeld.

The next witness will be Ms. Haspel.

**STATEMENT OF RACHEL OESTREICHER HASPEL, PRESIDENT,
RAOUL WALLENBERG COMMITTEE OF THE UNITED STATES**

Ms. HASPEL. Thank you, Congressman Yatron.

First of all, allow me to thank you for convening this hearing. I think it is very important.

I have abbreviated my testimony in the interest of time. I request that the full text, along with the three exhibits which accompany it, be entered into the record.

Mr. YATRON. Without objection, each appendix will be included.

Ms. HASPEL. Thank you.

My name is Rachel Oestreicher Haspel. I am president of the Raoul Wallenberg Committee of the United States, an affiliate of the Anti-Defamation League of the B'nai B'rith.

Our volunteer organization believes Wallenberg's imprisonment is a human rights issue of the highest magnitude. Our membership comes from 37 States, and we send out publications to Wallenberg-related committees in 13 countries.

The Raoul Wallenberg Committee of the United States has two goals. The first is to free Raoul Wallenberg. The second is to make his deeds in Hungary known.

We commend the Government and Congress of the United States for what has already been done, both on an international and on a bilateral basis. We ask only that these efforts be more constant and we urge you to consider the following proposals:

First, that a question pertaining to Wallenberg be asked of all arriving Soviet immigrants.

Second, that Radio Free Europe and the Voice of America be used to help locate Raoul Wallenberg.

Third, that all Government officials, when communicating with the Soviets, automatically ask the fate of Raoul Wallenberg.

Fourth, that a U.S. postal stamp be issued to honor the war refugee board bearing Raoul Wallenberg's picture because he is alive and a memorial stamp to him would be inappropriate.

Finally, that the U.S. Holocaust Memorial Council name a wing in the new Holocaust Memorial Museum in honor of Raoul Wallenberg.

On a State level, our committee encourages enactment of legislation in all 50 States to include Raoul Wallenberg's story in school curriculums and to designate October 5, a day honoring Raoul Wallenberg.

I am here today as the president of a large national organization, but I became interested in Raoul Wallenberg because of my children and yours, who are growing up in really a very hostile world.

Each time I hear the Wallenberg story I am staggered by the enormity of his deeds. Our children have few heroes not created by script writers. Raoul Wallenberg is not a media hero, though he should be. If our children are going to survive, they must know that they have the same possibility for kindness and courage. We all need Raoul Wallenberg as a role model for these trying times.

A year ago, I spoke to 800 students at West Rowan High School in Mount Ulla, N.C. I was the first Jew that most of these students had met, but the response to the Raoul Wallenberg story, to this hero who risked his life to save Jews, was overwhelming.

The students wanted to be a part of bringing recognition and possible freedom to Raoul Wallenberg. They decided, that the only worthy means they had, was to make a contribution of personal effort and sacrifice.

These public school students from rural families, whose incomes are earned from farming or mill work, where extra dollars do not exist, decided to do something for Raoul. I quote from a letter from their really gifted teachers, Libby Edmondson and Joyce Sloop:

Although most of the students sacrificed from their allowances, Tommy Steele and Tim Webb, attempted a Herculean effort. They located a tree deep within a forest, cut it down after many attempts, sawed it into firewood, and transported it by armloads. Finally, they sold their load for \$40. Dee McDaniel, a student who sells firewood to supplement the family income, cut a special load for \$20 as his contribution. We are proud of their drive and ingenuity.

These students' personal sacrifice is the kind of reaction that Wallenberg's story inspires. That \$400 is truly like \$400,000 for many of us.

He was the one shining light in all that darkness. How different our world might have been today had there been a few more heroes like Raoul Wallenberg, a man who acted while the rest of the world watched.

The survivors of the Holocaust have a slogan: "Never again." Let us take these words and apply them further. Never again will we allow the name Raoul Wallenberg or the deeds that his name stands for to be overlooked. Never again will we allow the horrors of the gulag to totally engulf him. Never again will we remain silent, until the true reason for his imprisonment and his actual whereabouts are made known to his family and to the world.

Thank you, Mr. Yatron.

[Ms. Haspel's prepared statement and attachments follows:]

PREPARED STATEMENT OF RACHEL OESTREICHER HASPEL

Gentlemen, my name is Rachel Oestreicher Haspel. I am extremely pleased to be here today as the spokesperson for the Raoul Wallenberg Committee of the United States in affiliation with the Anti-Defamation League of B'nai B'rith. This is a committee of volunteer members who care deeply about both the heroic actions of Mr. Wallenberg in 1944 and 1945 in Hungary and about his subsequent incarceration in the Soviet Union. We join with all of those here in seeking his freedom. We who are involved in this work, feel that Mr. Wallenberg's imprisonment and present condition is a Human Rights Issue of the highest magnitude.

I am most appreciative that the Foreign Affairs Committee's Sub-Committee on Human Rights and International Organizations is allowing me to appear before it on behalf of our committee. For all of us who care so deeply about the fate of Raoul Wallenberg, an Honorary Citizen of the United States since October 5, 1981, I should particularly like to thank the chairman, Congressman Gus Yatron, for convening this sub-committee. I should also like to single out a member of this sub-committee, Congressman Tom Lantos, for his selfless early efforts on behalf of Raoul Wallenberg and his continued vigilance on this issue.

The Raoul Wallenberg Committee of the United States has two goals:

- (1) To free Raoul Wallenberg and allow him to return to his home and family in Sweden.
- (2) To make his extraordinary deeds in Hungary known, so that the name Raoul Wallenberg will become synonymous with heroism and humanitarianism throughout the world.

As to freeing Raoul Wallenberg from prison in the Soviet Gulag, let me say here and now that I do absolutely believe that there is indeed a strong possibility that Raoul Wallenberg is still alive. Based on very concrete information, it is my opinion that Mr. Wallenberg has been given preferential treatment by his Soviet jailers. Never in all the thousands of pages of testimony released by the Swedish government has hard labor ever been mentioned. More significant, however, is the testimony of a now elderly Swedish doctor, Professor Nana Svartz.

Professor Svartz was told on January 27, 1961 by a Russian physician, Professor Aleksandr Miashnikov, that he had examined Raoul Wallenberg at a prison hospital in Moscow and even offered, at the time, to allow Dr. Svartz to see him.

This in itself is not the most remarkable thing; what is staggering is that Professor Miashnikov was the personal physician of Nikita Khrushchev. How often, in any country, does the personal physician of a President or of a Prime Minister examine an ordinary prisoner? Unfortunately, Professor Miashnikov later denied having told Dr. Svartz about Raoul Wallenberg and then died rather suddenly in 1965, but I offer this testimony as a means of establishing a point-of-view about Mr. Wallenberg, as compared with the ordinary prisoner in the Soviet Gulag.

Because we believe he is alive, and to help ascertain his whereabouts in the Soviet Union, we have run ads in Russian language newspapers to see if recent Soviet immigrants might help shed new light on Raoul Wallenberg. As I need not explain, this is very expensive and almost impossible for a non-profit group to maintain, particularly on the day-to-day basis that might make it successful. To aid all of us in this effort, I would like to suggest that the following actions be considered:

- (1) That the feasibility of a question pertaining to Raoul Wallenberg and his whereabouts be asked of all immigrants

- from the Soviet Union applying for residence.
- (2) That the use of the enormous Russian language resources of both Radio Free Europe and the Voice of America be used on a daily basis to aid in locating Mr. Wallenberg.
- (3) That all branches of the government, when communicating with the Soviets, on official matters, automatically bring up the fate and case of Raoul Wallenberg as a part of any dialogue.

We commend Secretary Shultz and the Department of State for what they have done thus far both on a bilateral basis and at international forums, such as the CSCE Review conference in Madrid and the United Nations Human Rights Commission in Geneva. We ask only that the effort be more constant, as every day that passes is one day more of freedom lost to this extraordinary man.

It will perhaps be of interest to this panel to know that in April 1983, I wrote to the Prime Minister of Sweden, Mr. Olaf Palme, urging that Sweden take a stronger position on behalf of Mr. Wallenberg. I received a letter sometime after that from Ambassador Lennart Eckerberg, Under-Secretary for Political Affairs in the Swedish Ministry for Foreign Affairs. I am submitting a copy of that letter to the Sub-Committee. I would like to quote briefly from that letter:

". . . in addition to many previous contacts on high level, Raoul Wallenberg's case was taken up by Sweden's Minister for Foreign Affairs during his visit to Moscow in 1980, by

Sweden's Minister of Justice also
 during a visit to Moscow in 1981 and
 also by the Under-Secretary of State at
 the Swedish Ministry for Foreign
 Affairs in September 1981 and January
 1983."

It is particularly heartening to see that the last date given was as recent as January of this year, and does, in fact, indicate that the government of Sweden will also continue to pursue the case of this most heroic Swede under Mr. Olaf Palme's leadership.

As I mentioned before, the Raoul Wallenberg Committee of the United States has two goals. In a very personal way, I feel strongly that the second goal:

"To make Raoul Wallenberg's
 extraordinary deeds in Hungary known,
 so that his name becomes synonymous
 with heroism and humanitarianism
 throughout the world."

is of equal importance with the first.

I ask your indulgence; I should like to be personal for a moment. I appear before you today as the President of a national organization, but I originally became interested in Raoul Wallenberg because I am the mother of two young children who are growing up in what today appears to be a very hostile world. When I first heard Raoul Wallenberg's story, I was staggered by the enormity of his deeds. Many persons in this century have taken far too many precious lives, but I can think of no other human being who has saved one hundred thousand lives by his direct action and intervention. Mr. Wallenberg is not a media hero (though he should be); he is flesh and blood like each of us here. Our children have few heroes not created by script writers; if they are going to survive, they must all know that they and others carry within themselves the same possibility

for kindness, selflessness, and courage that Raoul Wallenberg showed. Only because he is a flesh and blood hero -- and because of his flesh, vulnerable like all of us -- will our children know they, too, are capable of facing evil and danger with courage. We all need Raoul Wallenberg as a role model for these trying times.

Let me illustrate this with another true story that I also consider extraordinary. About a year ago I spoke to eight hundred students at West Rowan High School in Mount Ulla, North Carolina. I had been asked to speak there by two gifted teachers, Miss Libby Edmondson and Mrs. Joyce Sloop. This is a public school located in a rural section of North Carolina and its students come from families whose incomes are earned primarily from farming or mill work in either the textile or furniture factories in the area. I can assure you that extra dollars are few and far between in the majority of homes that these wonderful students come from.

I was the first Jew that most of these eight hundred boys and girls had ever met, but the response to the story of this hero who risked his own life in order to save Jews, and as we know saved so many tens of thousands, was overwhelming. The students responded to this story with voluntary contributions to the Wallenberg effort. Quoting from a letter of Miss Edmondson and Mrs. Sloop, "They wanted to be a part of bringing recognition and perhaps freedom to this noble man and decided that the only worthy means was to donate money obtained from personal effort and sacrifice."

"Although most of the students sacrificed money from their allowances, there are two contributions of special merit. Two Advanced Placement English students, Tommy Steele and Tim Webb, attempted what amounted to a Herculean effort for them. With a total absence of experience, they located a tree deep within a forest, cut it down after many attempts, sawed it into firewood, transported it by armloads, because a truck was unable to reach the wood, and finally sold the

load for forty dollars. Dee McDaniel, a student who sells firewood to supplement the family income, cut a special load for twenty dollars as his contribution. We are proud of their drive and ingenuity.

"The effect Mrs. Haspel had on our students cannot be measured by the four hundred dollars they contributed; there may be no tangible means to assess the impact made by this exposure to Wallenberg's idealistic concept of man and his courage to act upon it. They have perceived the good in man and have honored it. For this elevation of consciousness we shall always be indebted . . ."

I am submitting the full text of Mrs. Sloop and Miss Edmondson's letter along with an article about the students by Rose Post, a writer for the Salisbury Evening Post of Salisbury, North Carolina. The article, written on April 3, 1982, is entitled, "West Students Learn Valuable Lesson from World War II Hero," and it further elucidates the impact that Raoul Wallenberg's story had on these students.

In the face of this overwhelming response and commitment by our young people to the heroic ideal that Raoul Wallenberg represents, how can we not respond in turn? We are requesting that all state governments enact the following legislation:

- (1) We urge the states to include Raoul Wallenberg's story in their school curriculum. He is, after all, our only living Honorary Citizen.
- (2) We are also asking that all fifty (50) states designate October 5th as a day honoring Raoul Wallenberg as his honorary citizenship is a uniquely American Tribute.

On a national basis we suggest two actions:

- (1) The issuance of a United States Stamp to honor our only living Honorary Citizen; a uniquely fitting tribute to Raoul Wallenberg. I have been told that stamps are issued only to honor persons no longer living. Perhaps for this exceptional hero an exception can be made.
- (2) Finally, I would like to express the hope that the United States Holocaust Memorial Council will consider naming a wing of the new Holocaust Memorial Museum now being planned, in honor of Raoul Wallenberg, our only living Honorary American Citizen.

He was the One shining light in all that darkness. How different our world might have been today had there been a few more heroes like Raoul Wallenberg.

It has taken the world more than thirty-five years to truly recognize the greatness of Raoul Wallenberg -- a man who acted while the rest of the world watched. The survivors of the Holocaust have a slogan "NEVER AGAIN." Let us take these words and apply them further. Never again will we allow the name RAOUL WALLENBERG or the deeds that this name stands for to be overlooked. Never again will we allow the horrors of the Gulag to totally engulf him. Never again will we remain silent until the true reasons for his imprisonment and his actual whereabouts are made known to his family and to the world.

Rachel Oestreicher Haspel
 The Raoul Wallenberg Committee of the United States
 823 United Nations Plaza
 New York, New York 10017
 Telephone: (212) 490-2525

MINISTRY
FOR
FOREIGN AFFAIRS

Stockholm June 1, 1983

*Under Secretary
for Political Affairs*

Mrs Rachel Oestreicher Haspel
President of the Raoul Wallenberg
Committee of the United States
Suite 415
823 United Nations Plaza
NEW YORK, NEW YORK 10017

U S A

Dear Mrs Rachel Oestreicher Haspel,

I have been instructed to thank you for your letter of April 28 to the Prime Minister of Sweden, Mr Olof Palme, regarding the fate of Raoul Wallenberg. As you probably are aware, the authorities of the Soviet Union have stated that Raoul Wallenberg died in the Ljubljanskaja prison in Moscow in 1947. The Swedish Government has not been able to accept the Soviet statement. It did not provide complete clarity about what had happened to Raoul Wallenberg. In an official statement Sweden stated that the inquiries would continue until complete clarity has been obtained.

Nothing that has emerged since then reduces the credibility of the Swedish working hypothesis that Raoul Wallenberg is still alive.

Therefore, and in addition to many previous contacts on high level, Raoul Wallenberg's case was taken up by Sweden's Minister for Foreign Affairs during his visit to Moscow in 1980, by Sweden's Minister of Justice also during a visit to Moscow in 1981 and also by the Under-Secretary of State at the Swedish Ministry for Foreign Affairs in September 1981 and January 1983.

To sum up, it can be said about the Soviet authorities' assertion that Raoul Wallenberg died in 1947 that it cannot be accepted by the Swedish side as a complete explanation of Raoul Wallenberg's fate.

Therefore the Swedish Ministry for Foreign Affairs continues to investigate every fresh trace of Raoul Wallenberg. It is still hoped that such strong evidence will ultimately be procured that new representations in Moscow aimed at obtaining definite knowledge of Raoul Wallenberg's fate will seem likely to succeed.

Yours sincerely,

Lennart Eckerberg
Ambassador

OFFICE OF THE PRINCIPAL

WEST ROWAN HIGH SCHOOL
 ROUTE 1, BOX 282
 MOUNT ULLA, NORTH CAROLINA 28123

March 1, 1982

The Raoul Wallenberg Committee of the United States
 Suite 445
 823 United Nations Plaza
 New York, New York 10017

Gentlemen:

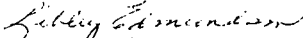
On January 27 a wonderful event occurred at our school. On that day Rachel Oestreicher Haspel visited our school and shared her vision of Wallenberg with the students. She met with eight hundred students during their regular English classes. Our students responded to her message with voluntary contributions to the Wallenberg Fund. They wanted to be a part of bringing recognition and perhaps freedom to this noble man and decided that the only worthy means was to donate money obtained from personal effort or sacrifice.

Although most of the students sacrificed money from their allowances, there are two contributions of special merit. Two Advanced Placement English students, Tommy Steele and Tim Webb, attempted what amounted to a Herculean effort for them. With a total absence of experience, they located a tree deep within a forest, cut it down after many attempts, sawed it into firewood, transported it by armloads, because a truck was unable to reach the wood, and finally sold the load for forty dollars. Dee McDaniel, a student who sells firewood to supplement the family income, cut a special load for twenty dollars as his contribution. We are proud of their drive and ingenuity.

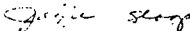
The effect Mrs. Haspel had on our students cannot be measure by the four hundred dollars they contributed; there may be no tangible means to assess the impact made by this exposure to Wallenberg's idealistic concept of man and his courage to act upon it. They have perceived the good in man and have honored it. For this elevation of consciousness we shall always be indebted to you.

We all send our best wishes for the success of your efforts to free the true hero of the twentieth century.

Sincerely yours,



Miss Libby Edmondson



Mrs. Joyce Sloop

JS/swd
 LE/swd

[From the Salisbury Evening Post, Apr. 3, 1982]

WEST STUDENTS LEARN VALUABLE LESSON FROM WORLD WAR II HERO

(By Rose Post)

Until a few months ago Linda Shumacher had never heard of Raoul Wallenberg. And she'd never had a letter from a rabbi.

But now she knows all about Wallenberg and she has a letter from Rabbi Bruce Cole of New York in her scrapbook—along with letters from President Gerald Ford and other public figures—and she's hoping to hear from him again.

After all, he told her he'd put her name on the general mailing list of the Wallenberg Committee "because there are several occasions during the year when we are requesting individuals throughout the United States to help organize certain types of activities."

And if one of those occasions arises, the committee, he said, has "full confidence that we will be able to count on your assistance."

He can.

Linda is willing and waiting.

"Once I get into something, like the Wallenberg project, then I try to do everything I can to make it come through. . . ."

And that's exactly what she and other students at West Rowan High School did to send a contribution of \$406 to the Wallenberg Fund and a poem by Linda that brought her the personal letter from Rabbi Cole.

"He is locked behind closed doors of his hidden soul. . . ." she wrote.

Not that she or any of the other West students had ever heard of Raoul Wallenberg before Rachel Oestreicher Haspel visited them during the winter to tell his story.

Rachel had become so concerned about the Lutheran Swedish diplomat who saved an estimated 100,000 Hungarian Jews from torture or death at the hands of the Nazis during World War II that she had personally dedicated herself to working with the Wallenberg committee to get him named an honorary American citizen.

Wallenberg was arrested by the Soviets in Budapest at the end of the war and repeated demands for his return have elicited only vague Russian denials that he is there or statements that he is dead. Documented reports, however, indicate he was alive as late as 1975.

Recently renewed interest in his cause has grown throughout the Western world, and the honorary citizenship, approved last October, gives the United States the right to make more demands for his release.

West teachers Joyce Sloop and Libby Edmundson, who coordinated American Education Week last fall, had seen a Post story about Mrs. Haspel, Salisbury native who now lives in New York, and her interest in Wallenberg. As a result, they invited her to be one of the speakers during the special week, highlighted at West Rowan with many speakers invited to introduce students to new fields and new ideas.

Mrs. Haspel couldn't make the trip then, but she came to Rowan later and spent a day at West talking to students about heroism in the 20th century.

Her talk ignited them with her own commitment to do everything possible to make the name of Raoul Wallenberg known.

Almost before she was gone, the students were making plans. They would, they decided, raise funds for the Raoul Wallenberg Fund. Within a few days, carts went up in every English classroom, competition was in the air, and money was coming in.

Tommy Steele and Tim Webb, with no experience, decided to sell a load of firewood for their contribution. It didn't take them long to locate the tree but it took two days for them to get it down. But they did it. The result was \$40 for the Wallenberg Fund.

Dee McDaniel, who sells firewood to supplement family income, had less trouble, but cut a special load and sold it for \$20 for his contribution.

Other students donated from their allowances or raised money in other ways. Many read a recent book about Wallenberg entitled "Righteous Gentile," and Linda wrote her poem and mailed it to the committee.

When they wound down, the Wallenberg Fund was \$406 richer—and the students' gain couldn't be counted, according to Mrs. Edmundson and Mrs. Sloop, who wrote the Wallenberg committee that "a wonderful event occurred at our school." The effect on the students cannot be measured by the \$406 they contributed. "There may be no tangible means to assess the impact made by this exposure to Wallenberg's idealist concept of man and his courage to act upon it. They have perceived

the good in man and have honored it. For this elevation of consciousness, we shall always be indebted to you."

The committee responded with praise.

The contribution from students who sacrificed to make it, wrote Lena Kaplan, president of the committee, takes on "far greater importance than a contribution that is made by individuals who are better off economically. . . . It is inspiring to know that there are young people in this great country of ours who care very dearly for the important moral issues of the day and who not only voice their support, but sacrifice and labor to express their support in very tangible ways. . . . Through their actions, we perceive the deep goodness of the students of West Rowan High School."

The Wallenberg committee, she said, shared the work of the students at West Rowan with President Ronald Reagan "so that the may learn of the deep feeling and commitment of the youth of our country. . . ."

As for Wallenberg, the United States delegation to the United Nations Human Rights Commission proposed officially that an investigation directed toward discovering his whereabouts be conducted.

And rippling circles in the pond caused by the pebble of Rachel Haspel's talk are still widening.

Not only does Linda Shumaker have a letter in her scrapbook, along with a thank you from President Ford for a pot holder she sent him, but she still hopes the Wallenberg committee will find something for her to do.

Another West Rowan student went to the Rowan Public Library to get a book on concentration camps for a term paper and found they'd all been checked out. Still another bought a book about concentration camps and took it to school to share with Mrs. Sloop.

A class reading Stephen Crane's "Red Badge of Courage" and discussing heroes talked of Wallenberg.

And almost daily someone mentions something about Wallenberg or about a hero. "I really think Raoul Wallenberg has been woven into the fabric of our thinking," Mrs. Sloop says. "The students have been altered perhaps in their consciousness because of him. One student said a faculty member said, 'I don't see the point in trying to raise money. He won't be freed,' and the student responded, 'But it's a matter of consciousness, isn't it? Whether he's freed or not, I want to make the effort.'"

When young people of today find a hero to admire

"In all sincerity I do not think they will forget this year."

Mr. YATRON. Thank you for your statement, Ms. Haspel. The next witness will be Ms. Adachi.

STATEMENT OF AGNES ADACHI, VICE PRESIDENT, RAOUL WALLEMBERG COMMITTEE OF THE UNITED STATES, AND PRESIDENT, QUEENS CHAPTER OF THE WALLEMBERG COMMITTEE

Mrs. ADACHI. Congressman Yatron, members of the subcommittee, ladies and gentlemen, it is a great privilege to appear before you here today.

I am Agnes Adachi. In 1944 I was honored to be in Budapest with Raoul Wallenberg and working in his rescue mission. Through his efforts over 100,000 people were rescued from the Nazi oppression of Hungary.

I am a vice president of the Raoul Wallenberg Committee of the United States in affiliation with the Anti-Defamation League of B'nai B'rith. I am chairperson of the Queens, N.Y., Raoul Wallenberg Committee. I am happy that I see the Philadelphian here, where I was helping to make that Philadelphia club.

The single aim of this committee is to find the truth about what happened to Raoul Wallenberg after he was abducted from Hungary by the Soviet Union. Up to now I have dedicated myself for the past for years to speaking about Raoul in colleges, in community gatherings all over the country. The overwhelming reaction to my talks has been a positive reinforcement of our goals.

I am particularly pleased to report to all of you that one of the results of my efforts is that the Wallenberg story is now a mandatory part of the ninth grade curriculum in global history in the New York City schools, starting this September.

Also, we have now the very first Raoul Wallenberg public school in Brooklyn. I was very proud this year to give a Wallenberg honorary humanitarian award to a fifth and sixth grader who has worked through the years for blind people after school and has done all kinds of wonderful things to achieve Raoul's spirit.

We also now have a Queens Wallenberg Square, a beautiful park on the foot of Forest Park, where not long from now, on October 3, Federal Judge Mark Constantino is going to swear in new citizens in the spirit of Raoul Wallenberg. He is trying to find a Swede who is also going to become an American citizen. We think this will give the whole world a picture of what Raoul Wallenberg is.

When I worked with Raoul I never, never heard him say it cannot be done or it is impossible or it is dangerous. In his spirit it is our hope that through the recommendation of your subcommittee and the Congress and all our committees together, because we are one body, we will find the truth about Raoul. He is alive. I know that. His spirit must be still high. He is waiting for our help. Please, the Congress and all the Wallenberg committees, please work together.

Thank you for your kindness.

Mr. LANTOS [presiding]. Thank you very much, Ms. Adachi.

Mr. YATRON. Professor Wolff.

STATEMENT OF MORRIS WOLFF, PROFESSOR OF LAW, UNIVERSITY OF DELAWARE

Mr. WOLFF. Thank you, Congressman Lantos.

I should like to thank Congressman Yatron for his invitation to testify before the subcommittee.

For the record, my name is Morris H. Wolff. I am a professor of international law at the Delaware Law School. I am also a lawyer admitted to practice before the courts of the District of Columbia, the Commonwealth of Pennsylvania, and the Supreme Court of the United States. I have had the privilege of serving as legislative counsel to Hon. John Sherman Cooper in his service as U.S. Senator from Kentucky. I support the congressional oversight process which is involved here today, and through which the U.S. Government has been asked to help secure Wallenberg's release.

Members of the family of Raoul Wallenberg have asked me to review with them the possibility and the advisability of filing a lawsuit as part of a continuing effort to achieve the release of their brother and to obtain a reunification of the family.

I would like to suggest to this subcommittee that legal action can, should and will be taken on behalf of Raoul Wallenberg in the U.S. Federal courts, we would welcome your assistance and support of this effort.

Winston Churchill, once said, "Give us the tools and we will fight the war." We come to you to ask for support of a definition of existing Federal legislation so that we can win the case.

Your subcommittee can be of considerable help in supporting this lawsuit, aimed at securing Wallenberg's freedom, and in supporting our legal arguments for jurisdiction in our Federal courts to hear lawsuits in which a foreign nation has violated international law and violated the fundamental rights of a diplomat acting at the request of the U.S. Government and in his legal capacity as an accredited diplomat of the Government of Sweden in Hungary.

We are fortunate on behalf of Raoul Wallenberg to have a U.S. law and international law on which we can hinge this lawsuit effectively. That United States law is title 18, United States Code 1116 and 1201(e). That law is known as the "Act for the Prevention and Punishment of Crimes Against Internationally Protected Persons." At the time of his service in Hungary, Raoul Wallenberg was an internationally protected person as defined by this law.

The act presently provides for jurisdiction in the U.S. Federal courts over the offense of abducting and confining an internationally protected person. Here are the important words. "The United States may exercise jurisdiction over the offense if the alleged offender is present in the United States, irrespective of the place where the offense was committed or the nationality of the victim of the alleged offender."

Even if Raoul Wallenberg is a Swedish citizen, and only an honorary American citizen, even if the offense began in Hungary by his abduction, in protective custody into the Russian prison system, we may assert jurisdiction under the law as presently written. We will argue that the alleged offender is not only the three or four people who took him and abducted him from his diplomatic post in Hungary but that the offender is the Soviet Union, which put him into their prison system and has admitted that they had him in prison. Their 1957 written statement by Gromyko concerning his detention at Lubyanka Prison supports this fact.

We want the Congress to further define that law and to enlarge or clarify that law, to tell us, the people of America, that an alleged offender under the act which I have quoted may be construed by a court to include not only a human individual or individuals, but may include a state where there is evidence presented that the internationally protected person is a U.S. citizen who has been taken into custody by that government and confined in a prison, and detained by that foreign government without a trial.

The rights of habeas corpus, the rights of due process, and the rights of access to the Federal court are already protected by this courageous and necessary law to protect the well-being of diplomats. We simply ask you to lend further support to this law.

Finally, we ask for further help from the Congress in these specific ways:

First, we ask you to clarify that the citizenship status granted to Wallenberg in 1981 by President Reagan and by the magnificent work of Congressman Thomas Lantos be clarified to express that these rights provide the same rights and privileges of citizenship as those granted to any natural or naturalized citizen.

Ironically, wasn't it Wallenberg's courage that gave Swedish citizenship to Hungarian Jews so that they could live? Why would we not be willing to give the same beneficent and generous citizenship to this great human being?

I am aware of the political difficulty in accomplishing a new law. I am aware of the incredible achievement you, Congressman Lantos, obtained in getting this law passed.

Second, to ask Secretary of State Shultz to intervene, as he did in the Jaffe case, now with the Soviet Government by whatever action is necessary to cause Soviet officials to set Wallenberg free.

The Jaffe case involved the abduction from Florida of a man legitimately charged with a crime in Florida. He jumped bail and fled to Canada. Florida bounty hunters went and got him in Canada and brought him back. No matter how bad a criminal that man was, the United States stood up for the international law principle that you may not abduct an individual from one country to another without extradition papers.

If Secretary Shultz on July 27, 1983, saw fit to file a protest with the government of Florida with regard to their treatment of Jaffe, can he not on August 3 or 5 file a similar protest with the Soviet Government saying abduction, whether from the United States to Canada or from Hungary to Russia, involves a similar violation of law? It constitutes a violation of both national law and international law.

Third, following Congressman Derwinski's testimony we ask the Legal Advisor's Office of the State Department to support our lawsuit and to file an *amicus curiae* brief which is supportive of our position on the violations of international law here involved.

Fourth, to ask the State Department to turn over to the Wallenberg family any other Secret Service memorandums in their possession of the years 1944 to 1946 which mention Wallenberg or his work in Hungary. This will help our lawsuit.

Fifth, to support the arguments for Federal court jurisdiction and nonimmunity of the Soviet Government as will be set forth in our legal complaint.

Sixth, for those members of this subcommittee who are lawyers, to join with us on the Wallenbergs' complaint as cocounsel, so that the district court will further appreciate the seriousness of this case and the support which it has received in the Congress.

Seventh, to recommend to the House Foreign Affairs Committee and to the Congress that appropriate changes in the diplomat abduction law be drafted, debated, and passed which will support us in our jurisdictional arguments that any nation which kidnaps and abducts a diplomat from his nation of assignment to another country shall be in violation of Federal U.S. law and international law and shall be subject to prosecution in the U.S. Federal courts under title 18, United States Code 1165, section 120(e), as amended.

Eighth, to ask the State Department to report to this subcommittee the precise steps taken by the State Department and results since 1981 to secure the release of Raoul Wallenberg. Listening to former Congressman Derwinski and his lack of presentation of concrete evidence of anything done following your magnificent initiative of citizenship for Wallenberg. Congressman Lantos makes me feel that the place of effective assertion of rights will be in our U.S. Federal courts.

Thank God we have three branches of power. Thank God we have the executive, the legislature, and the judiciary. We are going

to turn to the judiciary for help. I know that those men who serve for life without any other constraints will be of help to us.

I close by this brief quote. "Amongst states, as well as among men, justice is a sacred law. On states, as with individuals, the duties of humanity are strictly incumbent." That is a quote from a case in 1793 known as Henfield's case, and Justice Wilson's charge to the jury and to us remains alive today, as we work together to obtain the freedom of this man.

Mr. LANTOS. Thank you very much, Professor Wolff, for very substantive and thoughtful testimony. I clearly cannot speak for the subcommittee as a whole, but you will have my full support in attempting to obtain the additional legislation and other remedies that you seek.

[Mr. Wolff's prepared statement follows:]

PREPARED STATEMENT OF MORRIS H. WOLFF

Mr. Chairman: I want to thank your subcommittee for convening this hearing on the status of RAOUL WALLENBERG and for your invitation to testify. For the record, my name is Morris H. Wolff. I am a Professor of International Law at the Delaware Law School. I am also a lawyer admitted to practice before the courts of The District of Columbia, the Commonwealth of Pennsylvania, and the Supreme Court of the United States. Members of the family of Raoul Wallenberg have asked me to review with them the advisability of filing a lawsuit as part of the continuing effort to achieve the release of their brother and to obtain a reunification of the family.

I would like to suggest to this subcommittee that legal action can and should be taken on behalf of Raoul Wallenberg in the United States federal courts. Your committee can be of considerable help in supporting this lawsuit, aimed at securing Raoul Wallenberg's freedom, and in supporting our legal arguments that jurisdiction exists in the federal courts to hear lawsuits in which a foreign nation has violated

international law and violated the fundamental human rights of a diplomat acting at the request of The United States government.

Section 1(b) of The Helsinki Records, (The "Conference on Security and Cooperation in Europe: Final Act, Helsinki, 1975") provides that "The participating states agree to deal in a positive and humanitarian spirit with the application of persons who wish to be reunited with members of their family, with special attention being given to requests of an urgent character-such as requests submitted by persons who are ill or old. They will deal with applications in this field as expeditiously as possible." This treaty is an important and binding legal obligation on those nations which signed it. It was signed for The United States by President Gerald R. Ford and for the Soviet Union by Secretary Leonid Brezhnev, General Secretary of The Central Committee of the Communist Party. In the litigation of human rights claims signed treaties can be considered as evidence of customary international law even before they are ratified by a 2/3 vote of the United States Senate. In its present form, as a signed but as yet unratified treaty, the Helsinki Records provide a powerful and legitimate basis for asserting the legal right under international law of the Wallenberg family, and specifically the brother and sister

of Raoul Wallenberg (Guy Von Dardel and Nina Lagergren) to be reunited with their brother after 35 years of unlawful separation.

The Soviet Union may suggest that Diplomat Wallenberg is no longer alive. If true, that unfortunate fact would not reduce the right of the family to be reunited and the right of the family to have the remains of their brother brought from the Soviet Union for a dignified burial in the family burial grounds. Nor would that fact, if true, reduce the importance of the lawsuit to be filed, since part of its purpose is to recover 15 million dollars in damages for the injuries and illegal imprisonment of the abducted diplomat, and to re-affirm the open quality of United States federal courts to hear lawsuits which raise the violations of International Law and Human Rights as a basis for jurisdiction.

We remain optimistic, and hopeful that Raoul Wallenberg is still alive. We believe this good man is still alive, and that God has watched over him during his years of unlawful imprisonment. We are sustained by this belief and by this dream that somewhere in the Russian penal system he lives with the dream of his eventual freedom as a sustaining life force. We must use every lawful strategy possible to secure his release

The Russians have given to past inquiries regarding his status and location, a series of inconsistent answers. Kati Marton, at page 7 of her informative book Wallenberg published in 1982, suggests that:

"There is not a shred of doubt that [the Soviets] have lied about Wallenberg. They have come up with three versions of The Wallenberg Story: Wallenberg safe and sound under Soviet protective study; Wallenberg the ghost who does not exist in the Soviet Union; Wallenberg dead, the victim of sudden heart failure. Neither a body nor a death certificate has ever been produced by them".

At least we have an official admission by The Soviet Union that Wallenberg was taken into Soviet custody and that his rights and status as a Swedish diplomat were violated by the Soviets. An official note dispatched to Staffan Soderblom, the Swedish envoy in Moscow by Soviet Deputy Foreign Minister Vladimir Dekanosov on January 16, 1945 stated that "First Secretary Raoul Wallenberg of the Swedish Legation in Budapest has gone over to the Russian side. Wallenberg and his belongings have been taken under Soviet protective custody."¹ Wallenberg was held in Soviet prisons for at least two years without a trial, without disclosure of any charges against him, and without the fundamental right to communicate with his family or with an attorney. A second official Soviet admission of custody came on July 17, 1947 in a handwritten

report addressed to the Minister of State Security of The Soviet Union, Viktor Abakumov, and written by the health director of Lubyanka Prison, A.L. Smoltsov. It reads as follows:

I report that the prisoner Walenberg [sic] who is well known to you died suddenly in his cell this night, probably as the result of a heart attack. Pursuant to instructions given by you that I personally have Wallenberg under my care, I request approval to make an autopsy with a view to establishing the cause of death.

Smoltsov, Chief of Prison Sanitary
Ward July 17, 1947
Colonel in Medical Service

On this report the following notation is found in Smoltsov's handwritings:

I have personally notified the Minister and it has been ordered that the body be cremated without an autopsy: [signed] Smoltsov.²

There is strong evidence that Wallenberg may have survived this false report. Various persons released from the Russian prison system have indicated contact and conversations with Wallenberg, as documented with care, in Wallenberg: The Main in The Iron Web by Elenore Lester published in 1982, in the Kati Marton book (1982) and in various other written reports. This committee should ask the Congress to request the Soviet government transfer to this committee, and to the

State Department, Raoul Wallenberg's investigation file and his personal prison records. Wallenberg is a United States citizen, as the result of efforts initiated by members of Congress on this subcommittee and particularly by Congressman Tom Lantos of California who introduced a bill in Congress to obtain citizenship for Wallenberg. That law, conferring United States citizenship on Wallenberg gives him certain rights of protection and gives the United States certain obligations of care, protection and rescue. Even though the law was passed years after the Russians abducted Wallenberg from Hungary, it should be viewed as having retroactive application. This is a particularly valid argument since it was the United States government, through the initiative of the War Refugee Board in 1944, that persuaded Wallenberg to volunteer to go to Hungary and to perform his heroic work in saving thousands of Jewish lives from annihilation. The United States has a legal obligation, a Respondeat Superior obligation of a principal to an agent which started in 1944 and continues to the present day. Except for the intervention of the United States Raoul Wallenberg would never have left the safety and security of his home in Sweden and entered the dangerous Hungarian War Zone on his courageous rescue mission. Therefore, a legal debt is owed by the United States government to Wallenberg, and to the Wallenberg

family, to determine the whereabouts and condition of Raoul Wallenberg and to bring him out of Russia to freedom and a reunification with his family. Specifically, it was United States Ambassador Herschel V. Johnson, who at the request of the American War Refugee Board, persuaded Wallenberg to undertake this dangerous, heroic and humanitarian mission.

Ambassador Johnson, after his meetings with Wallenberg, and his discussion of the mission to save Hungarian Jews from the Eichmann death camps cabled Washington:

"There is no doubt in my mind as to the sincerity of Wallenberg's purpose because I've talked to him myself and was told by Wallenberg he wants to be able to help effectively save lives and that he was not interested in going to Budapest merely to write reports to be sent to the Foreign Office."³

It was work done at the specific request and instigation of the government of the United States and with the approval and support of President Roosevelt.⁴ It becomes therefore the legal obligation of the United States to use its full power and resources to rescue Wallenberg from the position of endangerment and peril which he entered at the request of the government of the United States. There is ample precedent for this obligation of State responsibility for captured persons acting at the request of a government as witnessed by The United States exchange of pharmaceuticals

and money in 1962 for Cuban prisons in the Bay of Pigs incident. The situation is in some ways similar to the Iranian hostage impasse of a few years ago where under international law the United States resorted to acts of reprisal, efforts to rescue, and ultimately substantial financial payments of millions of dollars to achieve the release of persons placed in a position of endangerment and peril while on an official assignment for The United States government. Wallenberg's assignment was no less official; his quality of citizenship, though conferred late in his lifetime, should be considered no less than that of a natural or naturalized citizen. He enjoys the civil right to be liberated from illegal detention through the strong efforts of the United States government. The House of Representatives granted him citizenship by a vote of 396 to 2.⁵ The United States Senate voted unanimously in favor of conferring citizenship.⁶ President Reagan in 1981 signed a resolution by which Wallenberg joins Winston Churchill and the Marquis de Lafayette's descendants as the only persons thus distinguished.⁷ This was more than a symbolic gesture. It was a grant of valid legal rights to a man who sacrificed his freedom and liberty for American interests. The grant represents the assumption of legal obligations by the United States government. That assumption of legal obligation by the U.S. government exists as a

matter of state responsibility under International Law since Wallenberg was acting at the request of our government. The granting of citizenship simply emphasizes our degree of commitment. This committee and the Congress by resolution may wish to reaffirm that the quality of citizenship granted to Wallenberg carries with it the same rights, privileges, and protection granted to any natural or naturalized citizen.

Second, this committee, through appropriate procedures, should request the President and Secretary of State George P. Shultz to intervene and lodge an official protest with the Soviet government. This intervention should cite the 1945 abduction of Wallenberg as violating the sovereignty of Sweden, and that the continuing detention resulting from the abduction now violates the sovereignty and national interests of The United States. Wallenberg was working in Hungary as the result of an official request by The United States at the time of his abduction. His abduction violated international law; the failure of the Soviets to set him free now affects United States interests and should be viewed as damaging to diplomatic ties. What has the State Department done since the signing of the resolution by President Reagan granting citizenship to Wallenberg in 1981, to obtain Wallenberg's release? This committee should request a full report from the State Department of their

efforts to locate and secure the release of Wallenberg since 1981. I note in passing that Secretary Shultz on July 27, 1983 found it "in the interest of The United States" to intervene in the Jaffe case, where a Canadian citizen was abducted from Canada to stand trial in the United States (Florida) for land sales violations and bond jumping.⁸ The Secretary intervened because Jaffe had been abducted by Florida bounty hunters from Canada to stand trial for his crimes in Florida. "Property buyers lost about \$2 million in what they thought were purchases of undeveloped lots in fact they were purchasing worthless paper in Northern Florida's Putnam County."

The principle is the same: abduction of an individual from one nation to another even to stand trial for a crime for which he is properly indicted, prior to fleeing. The abduction is a violation of international law. It is appropriate for our Secretary of State to speak out when such violations occur, whether the violations affect U.S. citizens or not. Secretary Shultz in the Jaffe case has written to the Florida authorities indicating that "the incident has damaged diplomatic ties with Canada."⁹ "It is simply in the national interest that this case no longer be permitted to intrude upon our relations with one of our most important and highly valued neighbors, allies and trading

partners," he wrote in a strongly worded petition to the Florida Parole and Probation Commission. His letter was accompanied by a petition from Attorney General William French Smith. Certainly, if the United States government is prepared to protest and seek to protect the principles of international law and due process in a case involving a convicted criminal who has swindled elderly citizens out of their life savings in a property scam, it should be prepared to speak out when the abduction and violation of international law involves an accredited diplomat, who was busy saving human lives. This committee can communicate to the Executive Branch your request that a "strongly worded" protest to the Soviet government be sent to Moscow citing the violation of international law in the abduction and asking the Soviets to release Wallenberg. His detention started with an abduction which was in violation of international law, Swedish law, and the laws of The United States, and Russian law as well.

The Russians in abducting Wallenberg are not immune to legal action on this matter. No legal basis for the abduction has even been suggested. Nor can the behaviour, be considered as protected from a lawsuit by an assertion of Sovereign Immunity or the Act of Dstate doctrine. That doctrine suggests that sovereign governments may not be held legally accountable in the courts of other nations for

actions taken by that foreign sovereign within its territory. The Russians did not act merely within their own territory. Our government has the affirmative duty to protest the Soviet behaviour officially--even at this late date and to state that sovereign immunity will not apply when violations of International Law are involved. The President and Congress should adopt appropriate sanctions if this continuing violation of international law is not corrected. This committee should urge our government to make this statement and to adopt this approach.

The Soviet government has committed major violations of international law and of international treaties in the assault, abduction and illegal imprisonment of Wallenberg. These violations should be mentioned as part of this subcommittee's request for intervention by the President or Secretary of State.

The first violation was the failure to respect the privileges and immunities of Wallenberg as a foreign diplomatic representative under customary international law. Second, the Soviet behavior violated several explicit Articles of the Universal Declaration of Human Rights which was adopted by the General Assembly on December 10, 1948, at the time the violation of rights was occurring. Assembly Resolutions are normally considered by international law scholars to be

evidence of customary intentional law. Article 9 of The Declaration provides that "no person shall be subjected to arbitrary detention or exile". Wallenberg (by the Russians own admission) was kept in arbitrary detention without having charges brought against him, without being allowed to communicate with his family, and without being brought to trial. Clearly a violation of Article 9 of The Declaration is involved. Article 12 provides that "no person shall be subjected to arbitrary interference nor to attacks upon his honour and reputation. Every one has the right to the protection of the law against such interference or attacks." Article 5 provides that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The conditions existing in the Soviet prisons where Wallenberg has determined involve "cruel, inhuman and degrading treatment."¹⁰ Section 11 deals with penal offenses, the presumption of innocence, the right to due process in criminal cases and that persons shall not be detained without charges (habeas corpus rights).

Perhaps the most profound and serious violation by the Russians of Wallenberg's human rights can be found in Section 6. That provision provides for "The recognition everywhere of the human beings as a PERSON before the law." That means that human beings can not be abducted from one

country, transferred to another and treated like cattle being moved from Gulag to Gulag without reason or purpose, other than to hide them.

Article 8, provides that "everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the consittution or the law."

Raoul Wallenberg has the right to an effective remedy under international law for the injuries he has been forced to endure during 35 years of Soviet imprisonment. But he is not in a position to assert these rights. Therefore his family must accomplish this task. As members of Congress, and as people deeply involved in the development of human rights as a part of the United States law, you can help Raoul Wallenberg obtain an effective remedy.

You can do this by joining as additional parties plaintiff in a legal action to be filed during the next four to six weeks in the Federal District Court in the District of Columbia. Your support as plaintiffs will add stature to our case. There are no effective human rights without an effective remedy. We must pursue the remedy in the courts of the United States.

You may ask, why here in the United States instead of in the World Court, or the European Court of Human Rights.

at Strasbourg? What will be the nature of the case? The nature of our legal arguments? Our legal objectives? And our goals? Who will we sue? Why? What will be our chances of winning? How important is winning? What does winning really involve? Does it involve the growth of the law or Human Rights? Does it involve financial damages for the injured plaintiff and his family? Will there be a benefit of the family? Can we obtain freedom for Raoul Wallenberg by a lawsuit? With regard to where to sue, we will file suit in the District Court of the District of Columbia for a variety of reasons. First, because the Russian Embassy is here, and the best chance for obtaining service of process and jurisdiction would be here. This will be a federal action against the Soviet government and against the present leadership of the Soviet government to force a disclosure of Wallenberg's location (living or dead) and to secure his release if alive.

The family cannot sue in the World Court at the Hague for two reasons.

First, because it would require the Soviet Union to consent to be sued there under the compulsory jurisdiction rules of the court. Obtaining their consent in this matter is highly unlikely. Second, the United States and not private parties would be obliged to sue pursuant to the

jurisdictional rules of the court which recognize only states as parties. With regard to the European Court of Human Rights or Strasbourg, the Soviet Union has not signed the convention of the European court. Therefore jurisdiction over the USSR would not exist. The suit could be commenced in the Soviet Union, which has not been ruled out as a possibility, but is not considered the most appropriate place for human rights litigation at this time.

Cases involving the violation of international law and the fundamental human rights of aliens as a result of illegal actions taken by government have recently received favorable judicial attention in United States Courts. In Filartiga v. Pena-Irala 630 F. 2d 876 (1980) Joelito Filartiga the son of Dr. Joel Filartiga a Paraguayan physician, opposed to the dictatorial regime, was beaten and tortured by the police in Paraguay. His dead body was dumped on the lawn of his Paraguayan home. The Inspector General of Police, of Ansuncion, Paraguay who lead the torture effort was located in the United States, and was arrested and taken into custody by U.S. authorities. The Filartiga family, on behalf of their murdered son, and in their own right sought damages in a civil action against Inspector General Pene-Irala under the Alien Tort Statute of 1790 (28 U.S. Code 1350). Under that law an alien is given the right to sue an alien or a

U.S. citizen in U.S. Federal Courts for a tort, which rises to the level of "A violation of the Law of Nations." The official torture of young Filartiga by the Paraguayan police was found by the Federal District Court of the Southern District of New York to be a violation of the Law of Nations. The arbitrary detention for 35 years and abduction of a foreign diplomatic representative in the Wallenberg case would also qualify as a violation of the Law of Nations. Secretary Yuri Andropov, or another member of the Soviet government, could be served with a complaint in this case while in the United States for United Nations sessions or other activities. In this way suit could be commenced under this particular law. It is regrettable that Secretary Breshnev is no longer alive and attending U.N. sessions, or visiting U.S. presidents at Camp Daud. Breshnev may have participated in the Russian capture of Wallenberg.¹¹ He served in Budapest in 1945 as chief of the political section of the 18th Army which entered Hungary via Romania. The abduction of a foreign diplomatic representative followed by illegal detention for 38 years would certainly rise to the level of "a violation of the Law of Nations" under the ALIEN TORT Statute as presently interpreted by the U.S. Federal Courts. This specific statute is not the only basis for jurisdiction in a United States Court. As the court stated

in the Filartiga case "Deliberate torture perpetrated under color of official authority violates universally accepted norms of the international law of Human Rights regardless of the nationality of the parties.

Whenever an alleged torturer is found and served with process by an alien within our bounds, Section 1350 of the Alien Tort Statute would provide federal jurisdiction." The Wallenberg treatment qualifies as official torture as well.

The Alien Tort Statute is a useful law in some cases, but is not the only basis for jurisdiction in Wallenberg in the U.S. Courts. Under the U.S. Constitution (Art. I. Section 8 clause 10) Congress has the power "to defend and punish piracies and felonies committed on the high Seas, and offenses against the Law of Nations." The United States must apply the Law of Nations, even in the absence of Congressional enactment. Congress can take further steps in the field of Fundamental Human Rights to enumerate existing "offenses against the Law of Nations" which can be punished with or without enumeration. Perhaps this committee will wish to clarify, in conjunction with the House Judiciary Committee the existing federal power on jurisdiction in our federal courts to punish those who violate international law and fundamental human rights in the United States and elsewhere.

When federal courts have addressed the issue of jurisdictional competence they have referred to various theories or bases for U.S. jurisdiction to exist under international law. These include, inter alia (1) the protective (2) the universality, and (3) the passive personality principles of jurisdiction.

1. Passive Personality Theory

Under the passive personality theory a state has prescriptive jurisdiction when anyone injures one of its nationals. In this case Wallenberg is a U.S. citizen when the action will be filed. Jurisdiction is based on the nationality of the victim. The United States Courts, until now have been reluctant in recognizing this theory despite its recitation in certain case opinions.¹²

2. The Protective Principle of Jurisdiction

Jurisdiction is possible under the protective principle if a "significant national interest" is at stake and it is not otherwise impermissible under international law to exercise jurisdiction.¹³ Although this principle has been invoked usually to protect national interests covering the sanctity of government documents, this will be a good basis for arguing, as an advocate in the federal courts, that taking steps to locate and secure the release of Wallenberg is part of our "significant national interest." This

is especially true if we expect foreign nations to volunteer in the future for dangerous assignments which are beneficial to U.S. interests. Certainly, Wallenberg, when he was in Hungary working to save 100,000 lives, was also able to gather vital information on the Nazi War effort, and the degree to which their effort was bogging down towards the end of the war. Wallenberg's position as a worker, observer, and source of information from behind enemy lines was vital to our national interest in ending the war as quickly and effectively as possible. It is time now for the United States to assert that a significant national interest is also at stake in taking concrete and automatic steps to protect and care for the liberty of persons who volunteer for missions at the request of our government and which result in personal endangerment and unjust imprisonment. The United States has significant security and protective interests at stake and this principle of jurisdiction is clearly involved.

Wallenberg was also an "internationally protected person" within the meaning of federal criminal legislation. 18 U.S.C. 111b(a) (1976) provides criminal penalties for "[w]hoever kills or attempts to kill a foreign official, official guest or internationally protected person. Wallenberg, while on an explicit mission instigated by the United

States, was not only a member of the Swedish diplomatic corps, but for U.S. work purposes was an "internationally protected person" as well.

Section 116(b)(4) defines "internationally protected person to include: "any . . . agent of the United States Government, a foreign government or international organization who at the time and place concerned is entitled pursuant to international law to special protection against attack upon his person, freedom or dignity. The statute would allow prosecution of a Russian national (and possibly the Russian government) since it applies expressly to any perpetration "irrespective of the place where the offense was committed or the nationality of the victim or alleged offender."¹⁴ If aiding and abetting the murder of a U.S. Congressman in Guyana comes within the jurisdiction and competence of U.S. Federal Court, then the crimes of abduction and arbitrary detention committed against U.S. citizens in Russia. Wallenberg also comes within the prosecutorial power of the statute.

Violations of criminal law give rise to civil liability as well. This will permit the family to sue for civil liability and to seek money damages for Wallenberg's false imprisonment, lost earnings and lost career development opportunities.

3. Universal Jurisdiction.

The Universal principle provides for jurisdiction in U.S. federal courts to enforce sanctions against crimes that have an independent basis in international law. The Principle applies to crimes that affect the international community and are against international law. The Convention on the Prevention and Punishment of Crimes against internationally protected persons, including Diplomatic Agents sets forth crimes in violation of international law which are involved in the abduction of Diplomats and putting them in jail without a trial for 38 years. Universal Jurisdiction is the jurisdiction to enforce; the enforcement is actually made on behalf of the international community.¹⁵ Universal enforcement Jurisdiction has been recognized over "crimes against Mankind" since the beginning of our constitutional history.¹⁶ Violation of ambassadors was declared to be an offense against the law of nations as early as 1826.¹⁷ Violations of international law - such as abduction and imprisonment of an Ambassador or high ranking Diplomatic personnel - are subject to criminal sanction.

Under theories of Universal Jurisdiction, Passive Personality and the Protective Principal of Jurisdiction, the Courts of the United States will have a substantial basis for asserting jurisdiction in this case where a family

sues for a violation of the law of Nations.¹⁸ In Wallenberg we sue for his release from prison and for compensatory and punitive damages of \$38,000,000. These damages are based on the illegal abduction, the imprisonment without trial for 38 years, the deprivation of freedom, liberty and family life, the lost earnings, pain and sufferings and a lost lifetime from age 32 to age 70.

II. NON-IMMUNITY FOR FOREIGN STATE VIOLATORS

1. The General Principle of Non-Immunity.

Jurisdiction in the federal courts exists - A foreign state engaged in acts in violation of international law will not be entitled to immunity when sued in U.S. federal courts. Your committee in a specific Resolution could state that as a matter of Legislative policy and law, your committee can further specify that the Abduction of an accredited diplomat from Hungary to Russia, and holding him there without trial or release represents behavior which is not protected by any claim to immunity from jurisdiction that a foreign state might conceivably raise under claims to sovereign immunity or immunity under the Act of State Doctrine. There is an international law exception to the doctrine of foreign state immunity. U.S. writers¹⁹ and Courts have begun to give greater recognition to this general exception.

It is useful to explore more fully the underlying bases for such an exception to immunity especially as they relate to efforts to implement U.S. Jurisdiction over clear violations of international law. The principle of non-immunity and jurisdiction of U.S. Courts applies to violations of human rights as Filartiga v. Pena-Irala²⁰ and Letelier v. Republic of Chile²¹ have now demonstrated.

The Santissima Trinidad, 20 U.S. (7 Wheat) 283, 352-54 (1822) denied immunity under any theory with regard to foreign state acts in violation of international law. This early recognition by the Supreme Court, of the international law exception to immunity remains valid today. "Absolute" immunity, especially with regard to violators of international law was never intended and was early denied by the Supreme Court.²² The Foreign Sovereign Immunities Act (FSIA) has not changed or limited the exception to Sovereign Immunity where a violation of International Law is involved, and where the human right of persons have been violated. The FSIA has not changed this early expectation; instead it has expressly set forth an international agreements exception to immunity.

In Letelier v. Republic of Chile The District Court for the District of Columbia denied Chilean claims to immunity under the FSIA and the Act of State doctrine. The

plaintiffs had alleged, inter alia. that Chilean officers had violated international law by engaging in the assassination of two internationally protected persons, a former Chilean Ambassador and a former Chilean Foreign minister, while the two were working in the United States. The lack of immunity is even greater when the person injured by the foreign government is not a citizen of that foreign nation, but a citizen of a country with a specific right not to suffer unrecompensated injuries, when the foreign sovereign violates his civil rights and also violated international law. In the 38 years that Raoul Wallenberg has been suffering in a Russian jail, no one on his behalf has filed a law suit to secure his release and to obtain monetary damages in order to compensate him for his 38 years of lost life, lost freedom and injuries. Our legal action will seek the release of Wallenberg from the Russian prison system and his reunification with his family. The suit will further seek a Court order that the Soviet authorities be legally obliged to transfer to the plaintiffs, Wallenberg's investigative and personal prison and labor camp records. These prison records may shed light on when Wallenberg was imprisoned and in which prisons or labor camps he has been confined. That would make it possible to search for eye witnesses from these places of imprisonment.

In the event Wallenberg is not located, a wrongful death action will be filed alleging the negligent and criminal mistreatment to which he has been subjected. We ask this subcommittee to assist and to support his legal action in several ways. First, to clarify that the citizenship status granted to Wallenberg in 1981 by President Reagan and the Congress grants the same rights and privileges of citizenship as those granted to any natural or naturalized citizen. Second, to ask Secretary of State Shultz to intervene (as in the Jaffe case) with the Soviet government by whatever action is necessary to cause Soviet officials to set Wallenberg free. Third, to encourage the Legal Advisor's office of the State Department to support our law suit, and to file an amicus brief which is supportive of our position on the violations of international law here involved. Fourth to ask the State Department to turn over to the Wallenbergs family any other Secret Service memoranda in their possession, circa 1944 to 1946, which mention Wallenberg, or his work in Hungary. Fifth, to support the arguments for federal court jurisdiction and non-immunity set forth in this testimony. Sixth, for those members of one committee who are lawyers to join with us on the Complaint as co-counsel, so that the District Court will further appreciate the seriousness of the case, and the support which it has received in the

Congress. Seventh, to recommend to the House Foreign Affairs Committee and to the Congress that a new law be drafted, debated and passed which provides that any Nation which kidnaps and abducts a diplomat from his nation of assignment to another country, shall be considered in violation of international and federal law and shall be subject to prosecution in the U.S. federal Courts. Eighth, to ask the State Department to report to this committee any steps taken by the State Department since 1981 to secure the release of Raoul Wallenberg

"Amongst states as well as among men, justice is a sacred law. . . On states as with as individuals the duties of humanity are strictly incumbent. Henfield's Case, 11 F.Cas. 1099 (C.C.D. Pa. 1793) No. 6,360 (Wilson J. Charge to the grand jury).

1. Marton, Wallenberg (1982) p.160.
2. K. Marton, Wallenberg (1982) p.192
3. Marton, Wallenberg, p.41
4. ibid, p.41
5. E. Lester. Wallenberg: The Man in the Iron Web (1982) p.147
6. Ibid
7. Marton, Wallenberg, p.210
8. Philadelphia Inquirer. Thursday, July 28, 1983, p.6-A
9. Ibid
10. Marton, Wallenberg, (1982) at p. 211; "Prisoners were prescribed liberal doses of a drug known as Amingzine, a common treatment for schizophrenics. For those not suffering from Schizophrenia, it causes symptoms similar to Parkinson's Disease: uncontrollable trembling followed by numbness. Sanity under such care is considered a distinct disadvantage." (describing Blagove - shensk Psychiatric Hospital where Wallenberg was believed to have been sighted in 1978)
11. E. Lesten, Wallenberg: The Man in the Iron Web. (1982) p. 158.
12. Paust, J. "Federal Jurisdiction over ExtraTerritorial Acts of Terrorism", 23 Va. J. Int'l Law 191, 204 (1983)
13. See, e.g. United States v. Pizzarusssd, 388 F.2d 8, 10 (2d Cir. 1968), cert. denied 392 U.S. 936 and other cases cited in Paust, op. cit. supra at p.209.
14. 18 U.S.C. 1116(c); see United States v. Layton, 509 F.Supp. at 221, 223.
15. See M. McDougal and W. Reisman, International Law in Contemporary Perspective - The Public Order of the World Community, 1385-92 (1981)

16. 1 Op. Att'y Gen. 509, 513 (1821). Respublica v. DeLongchamps, 1 U.S. (1 Dall) 109,116 (1784) ("Crimes Against the Whole World").

17. See Lopes v. Reepere, Richard Shroder, 225 F.Supp. 292, 297 (E.D. Pa. 1963) (citing 1 Kent Commentaries 181 (1st ed. 1826)).

18. In the Filartiga case, 630 F.2d 876 (2d Cir. 1980) discussed previously, the Complaint alleged that Pena, the Inspector General of Police in Asuncion, Paraguay had wrongfully caused Joelito's death by torture and sought compensation and punitive damages of \$10,000,000.

19. Note, The Letelier Case: Foreign Sovereign Liability for Acts of Political Assassination, 21 Va. J. Int'l L. 251, 262-64, 266 (1981).

20. 630 F.2d 876, 888-89 (2d Cir. 1980).

21. Letelier v. Republic of Chile, 488 F.Supp. 665, 673 (D.D.C. 1980) See also, E. Borchard, the Diplomatic Protector of Citizens Abused.

22. J. Paust, 23 Va. J. Int'l Law 191, 236.

23. 488 F.Supp. 665 (D.D.C. 1980)

Mr. LANTOS. Finally I would like to call on the co-chairperson of the Free Wallenberg Committee, Ms. Joan Sacarob, who has worked so long and so effectively and so tirelessly in the Washington area on behalf of Raoul Wallenberg.

Ms. Sacarob.

**STATEMENT OF JOAN SACAROB, COCHAIRPERSON, FREE
WALLENBERG COMMITTEE**

Ms. SACAROB. Thank you.

Mr. Acting Chairman and members of the subcommittee, I welcome the opportunity to testify before this illustrious subcommittee on the Raoul Wallenberg issue. My name is Joan Sacarob, and I am the cochair, along with Mrs. Annette Lantos, of the Free Wallenberg Committee.

The Raoul Wallenberg case is probably one of the most bizarre and unanswered human rights issues since the end of World War II. The silence by the Soviet Union on the health and whereabouts of Wallenberg is deafening. This subcommittee, with its impeccable credentials, can help those of us in the private sector in seeking the truth from the Soviet Union.

The primary purpose of the Free Wallenberg Committee has been to initiate legislation and to work with the executive and the legislative branches of Government.

Since the passage of the legislation granting honorary U.S. citizenship, initiated by the Free Wallenberg Committee and introduced in Congress by Representative Tom Lantos, a member of this subcommittee, almost 2 long years have passed without one word from the Soviet Union. However, let me assure you, sir, we in the Free Wallenberg Committee have not sat back quietly.

We have sought additional honors and recognition for Raoul. We have nominated him for the Nobel Peace Prize. Today throughout this country schools, parks, and streets bear his name. He has been honored by many States and cities and numerous national organizations, as well as through the efforts of this subcommittee.

We have also gone beyond the American borders seeking help and assistance. We have worked with numerous international committees, including ones in Canada, Sweden, and Israel. We have also been in constant contact with the Swedish Government on several occasions seeking Raoul's native land to press the Soviet Union on answering all questions on the Wallenberg case.

As you heard this morning, when in 1982 a Russian submarine was trapped in Swedish waters near a top secret naval base, we tried to get the Swedish Government to use the submarine as a leverage in seeking information from the Soviets. We were not successful with the Swedish Government. Raoul's only hope lies with us.

Under Public Law 97-54, the President, besides granting honorary citizenship, was also mandated to seek information and the freedom of Raoul Wallenberg from the Soviet Union. We have been in touch with members of this administration to insure that they follow through with that aspect of the law.

I am very happy to announce that this administration has brought up the Wallenberg case with the Soviet Union not only in Madrid, for the Helsinki conference, but also at higher diplomatic levels.

I stood in a room with the President before 15,000 holocaust gatherers last April here in Washington, called upon the Soviet Union to give him the answer to Raoul's whereabouts as the first step toward détente.

We in the private sector have worked long hours, and we are here today on the 71st anniversary of the birth of Raoul Wallenberg to appeal to this subcommittee to assist in seeing that Mr. Wallenberg be returned to freedom so that he can celebrate his 72d birthday in freedom.

The Soviet Union needs to have constant reminders that we in America will not forget Raoul Wallenberg and that we volunteers and those in Government will not allow the Soviet Union to continue their long silence on this issue.

A way must be found to convince the Soviet Union that resolving this issue for once and for all will be to their advantage. Therefore, we look to this subcommittee to keep the pressure on both the Soviet Government and to our own administration, present and future. I thank you for this opportunity to go on record for Raoul Wallenberg, a truly righteous gentile.

Thank you.

Mr. YATRON [presiding]. Thank you very much, Ms. Sacarob, for your statement.

I want to thank each of the panel members for taking time out of your busy schedule to come before our subcommittee and for making this excellent contribution to our subcommittee hearing.

Congressman Lantos, did you want to say anything before we close?

Mr. LANTOS. I just want to join you, Mr. Chairman, in expressing my appreciation and Mrs. Lantos' appreciation for the work of

every member of this panel. We want to continue to work with you for a cause that endures.

I want to again express my personal thanks to you, Mr. Chairman, for taking this leadership.

Mr. YATRON. Thank you very much, Mr. Lantos.

Again, we want to thank each and every one of the panel members.

The subcommittee stands adjourned.

[Whereupon, at 12:20 p.m., the subcommittee was adjourned.]

APPENDIX 1

STATEMENT OF REPRESENTATIVE DON BONKER

The case of Raoul Wallenberg is one of the most outstanding examples of courage and personal sacrifice. It is also one of the most tragic examples of the phenomenon of disappearances. Yet, few of us today would recognize the name of this heroic Swedish diplomat were it not for the tireless efforts of Annette and Tom Lantos. They have raised the consciousness of the American public and of people around the world about this extraordinary individual who endangered his own life to save those of some 100,000 Hungarians.

Nearly two years ago the Congress passed H.J. Res. 220, sponsored by Representative Lantos, which conferred honorary U.S. citizenship on Raoul Wallenberg. This was a unique honor and fitting tribute to a person who exemplified what our country stands for. But we should not expect that historic event alone to lead the Soviets to account for Raoul Wallenberg's whereabouts. We must not let the Soviets hope that by prolonging their silence, we will fall silent as well.

I commend you Mr. Chairman for holding this hearing. We are demonstrating that we have not forgotten and will not forget Raoul Wallenberg, and that we in the Congress will continue to press for the use of all diplomatic and other available means until the Russians release Wallenberg.

APPENDIX 2

PRESIDENT REAGAN'S REMARKS ON SIGNING A BILL PROCLAIMING HONORARY U.S. CITIZENSHIP FOR RAOUL WALLENBERG OF SWEDEN

Not only a distinguished gathering here on the platform but a distinguished audience out here. Today we're here for—I'm signing the bill to make Raoul Wallenberg an honorary citizen of the United States. But in making him a United States citizen, I think we're the ones that are being honored.

Raoul Wallenberg is the Swedish savior of almost 100,000 Jewish men, women, and children. What he did, what he accomplished was of biblical proportions. Sir Winston Churchill, another man of force and fortitude, is the only other person who has received honorary United States citizenship. And as John F. Kennedy said at the signing ceremony, "Indifferent himself to danger, he wept over the sorrows of others."

That compassion also exemplifies the man we are gathered here for today. In 1944 the United States requested Sweden's cooperation in protecting the lives of Hungarian Jews facing extermination at the hands of the Nazis. In the months that followed, the United States supplied the funds and the directives, and Raoul Wallenberg supplied the courage and the passion. How can we comprehend the moral worth of a man who saved tens and tens of thousands of lives, including those of Congressmen and Mrs. Lantos?

In 1945, in violation of diplomatic immunity and international law, he was seized by the Soviet Union. The Nazis were gone, and the Soviets had come in as an ally. And yet today, there is evidence that he is still imprisoned by the Soviets. Wherever he is, his humanity burns like a torch.

I heard someone say that a man has made at least a start on understanding the meaning of human life when he plants shade trees under which he knows he will never sit. Raoul Wallenberg is just such a man. He nurtured the lives of those he never knew at the risk of his own. And then just recently, I was told that in a special area behind the Holocaust Memorial in Israel, Hungarian Jews, now living in Sweden, planted 10,000 trees in Raoul's honor.

Mrs. Lagergren, Mr. von Dardel, we're going to do everything in our power so that your brother can sit beneath the shade of those trees and enjoy the respect and love that so many hold for him.

Note: The President spoke at 2:35 p.m. at the signing ceremony in the Rose Garden at the White House. Participants in the ceremony included the Swedish Ambassador and Mrs. Wilhelm Wachtmeister, Members of the Senate and House of Representatives, representatives of the Jewish community, and Mr. Wallenberg's sister and brother, Nina Lagergren and Guy von Dardel, who came from Sweden for the ceremony. Also in attendance were Representative Tom Lantos of California, the principal sponsor of the resolution in the House of Representatives, and his wife. While a 16-year-old youth working for the Hungarian Underground, Representative Lantos was saved in Budapest by Mr. Wallenberg.

As enacted, S.J. Res. 65 is Public Law 97-54, approved October 5.

APPENDIX 3

STATEMENT OF FRANK J. VAJDA, HEAD OF THE FREE WALLENBERG COMMITTEE, MELBOURNE, AUSTRALIA

I was saved from the Nazi murderers in Budapest by the action of Raoul Wallenberg. My family and I were living in a protected house the Alice Weiss Hospital, Bokay Square in Budapest. And, on two occasions Arrow Cross gangs broke into the hospital and on the first occasion, took a group of women and myself, aged nine, to the Albrecht barracks, lined us up in front of the machine guns, and discussed finishing us off. Our "crime" was removing the yellow star the day before on the basis of the Regent's proclamation that Hungary wanted to end the war. We were not shot, but were taken back to the protected house; and the fact that there was such protection is entirely the work of Raoul Wallenberg.

On the second occasion, Arrow Cross terrorists from Ujpest broke into the hospital on December 28, 1944, terrorized patients, staff, and refugees hiding in the hospital. The gunmen of the Arrow Cross ordered everyone to line up for a march to their party house. The director of the hospital negotiated with them, and as a result they decided on a selection of intended victims on the basis of their documents. We did not wait to be selected, but hid in a bathroom and waited for several hours while the selection was made. Thirty-five people were taken away, including three relatives, my teacher, and friends. Only one person survived who returned battered and spoke of torture and execution in the Danube.

My cousin, absolutely distraught, contacted Wallenberg the next morning. Wallenberg was tremendously sympathetic and compassionate, and was bitterly sorry that he could not help any longer because, as he explained, there was already absolute anarchy and people were murdered soon after abduction. My cousin, who spoke of Wallenberg, and told me this story about his contact, was quite overcome mentioning his name. And he said, that in 1981 when he told me this story in detail, this was the first time in 37 years he could ever bear to talk about it. The name of Raoul Wallenberg, among the people of Budapest, was truly legendary. After the war, walking down the street named after him, I regularly felt an immense sadness about his disappearance and although it was said that the Russians took him, it was too painful even to imagine that he was not the victim of our common enemies, the Nazis.

In 1982, the Australian Committee to Free Wallenberg was founded with three aims: (1) to work for the release of Raoul Wallenberg, whom we believe to be alive; (2) to honor his deeds and disseminate information about his heroism and plight, and (3) to promote Holocaust education.

We have contacted the Prime Minister and cabinet ministers of Australia, leaders of political parties and politicians at the State level to try to get recognition of the humanitarian deeds of Wallenberg. The Australian government is sympathetic to the issue, and the matter of honorary citizenship has been referred to the appropriate ministry for further study.

The issue of a commemorative postage stamp was rejected on the basis that it is a policy of the government not to honor a living person in this manner.

Numerous newspaper articles and radio programmes have contained reviews of the Wallenberg mission and his imprisonment. The television film, "The Lost Hero," made by the British Broadcasting Corporation was shown twice on the National Network and John Bierman's book, "The Righteous Gentile," was 2d on the best-seller list in 1982. Parks have been named, plaques unveiled, trees planted, and rallies have been held. In March 1983, in Sydney, Australia the Wallenberg Committee welcomed Per Anger, Wallenberg's former colleague from Sweden who worked with Raoul Wallenberg in Budapest in 1944. A large rally was held, chaired by Senator Chipp, leader of Australia Democrats, and organized by Erwin Forrester, another man personally saved by Raoul Wallenberg from execution.

A Parliamentary delegation in 1982 on Raoul Wallenberg's birthday accompanied our committee to the Soviet Embassy in Canberra where a petition with 4,000 signa-

tures was presented. I made an appeal demanding to know Wallenberg's whereabouts. The answer was, "We have no such man." Later, the USSR official phoned to say "It was an error, he died in 1947."

Senator Gareth Evans, Attorney General, in January 1983 received a reply from the USSR saying "There is no Mr. Raoul Wallenberg in the Soviet Union."

A third Wallenberg Committee formed in Perth, Western Australia in June 1983, and our Committee has been in close touch with similar groups in the United States, England, and Sweden. We support in the strongest possible way any approach that may be made to bear pressure on the Soviet Union so they will rectify a mistake which is becoming a factor in seriously disrupting international relations. We believe very strongly Raoul Wallenberg is alive and will continue to fight for his release. We opposed any move which aims only at honoring him. We want him released in the interest of peace and justice.

APPENDIX 4

TEXT OF PUBLIC LAW 97-54 PROCLAIMING RAOUL WALLENBERG TO BE AN HONORARY CITIZEN OF THE UNITED STATES

JOINT RESOLUTION

Proclaiming Raoul Wallenberg to be an honorary citizen of the United States, and requesting the President to ascertain from the Soviet Union the whereabouts of Raoul Wallenberg and to secure his return to freedom.

Whereas the United States has conferred honorary citizenship on only one occasion in its more than two hundred years, and honorary citizenship is and should remain an extraordinary honor not lightly conferred nor frequently granted;

Whereas during World War II the United States was at war with Hungary, and had no diplomatic relations with that country;

Whereas in 1944 the United States Government through Secretary of State Cordell Hull requested the cooperation of Sweden, as a neutral nation, in protecting the lives of Hungarian Jews facing extermination at the hands of the Nazis;

Whereas Raoul Wallenberg agreed to act at the behest of the United States in Hungary, and went to Hungary in the summer of 1944 as Secretary of the Swedish Legation;

Whereas Raoul Wallenberg, with extraordinary courage and with total disregard for the constant danger to himself, saved the lives of almost one hundred thousand innocent men, women, and children;

Whereas Raoul Wallenberg, with funds and directives supplied by the United States, provided food, shelter, and medical care to those whom he had rescued;

Whereas the Soviet Union, in violation of Wallenberg's Swedish diplomatic immunity and of international law, seized him on January 17, 1945, with no explanation ever given for his detention and subsequent imprisonment;

Whereas Raoul Wallenberg has been a prisoner in the Soviet Union since 1945;

Whereas reports from former prisoners in the Soviet Union, as recent as January 1981, suggest that Raoul Wallenberg is alive;

Whereas history has revealed that heroic acts of salvation were tragically rare during the massacre of millions of innocent human beings during World War II; and

Whereas the significance of this symbol of man's concern for his fellow man has been tainted by the wall of silence that surrounds the fate of Wallenberg: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Raoul Wallenberg is proclaimed to be an honorary citizen of the United States of America.

SEC. 2. The President is requested to take all possible steps to ascertain from the Soviet Union the whereabouts of Raoul Wallenberg and to secure his return to freedom.

Approved October 5, 1981.

Legislation History—S.J. Res. 65 (H.J. Res. 220):

House Report No. 97-152, pt. 1, accompanying H.J. Res. 220 (Comm. on Foreign Affairs).

Senate Report No. 97-169 (Comm. on Foreign Relations) and (Comm. on the Judiciary).

Congressional Record, Vol. 127 (1981):

Aug. 3, considered and passed Senate.

Sept. 22, H.J. Res. 220 considered and passed House; proceedings vacated and S.J. Res. 65 passed in lieu.

Weekly Compilation of Presidential Documents, Vol. 17, No. 41 (1981): Oct. 5, Presidential statement.

APPENDIX 5

RESOLUTION OF RAOUL WALLENBERG ADOPTED ON JULY 17, 1983 BY THE NEW YORK STATE FEDERATION OF REPUBLICAN WOMEN, SUB- MITTED BY REPRESENTATIVE GERALD SOLOMON

RESOLUTION

Whereas on October 5, 1981, President Ronald Reagan signed an Act of Congress granting Honorary Citizenship to Raoul Wallenberg—an honor previously given only to Prime Minister Winston Churchill of Great Britain;

Whereas this extraordinary measure was taken in recognition that during World War II, Raoul Wallenberg, a Swedish Citizen, with assistance from the American War Refugee Board, saved the lives of over 100,000 people who would otherwise have had a similar fate to the millions who were murdered by the Nazis;

Whereas at the end of World War II, Raoul Wallenberg was imprisoned in the Soviet Union, has not been charged with any crime, and is still in some unknown prison cell; Now, therefore, be it

Resolved, The New York State Federation of Republican Women expresses its recognition of Raoul Wallenberg, Hero of the Holocaust and its pride that Raoul Wallenberg is a United States Citizen, and further

Resolved, The New York State Federation of Republican Women supports all efforts to expose the truth about Raoul Wallenberg to the International Community and calls upon the Government of the United States of America to re-double its efforts to free Raoul Wallenberg.