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ACTION 005-06

1170 001-01 284-10 150-70 9-01 L-01

PA-65 DEPARTMENT OF STATE A/CDC/MR

012204Z 75

REVIEWED BY [Signature] DATE 9/1/75

INDEXED	INDEXED	DATE
TS APPL.	REASON(S)	
ENDORSE EXISTING MARKINGS	<input type="checkbox"/>	
DECLASSIFIED/RELEASABLE	<input checked="" type="checkbox"/>	
RELEASE DENIED	<input type="checkbox"/>	
FOI or FOJ EXEMPTIONS		

011231Z SEP 75
 TO AMEMBASSY GEORGETOWN
 TO SECSTATE WASHDC #149
 LIMITED OFFICIAL USE GEORGETOWN #406
 E.O. 11652: N/A
 TAGS: CASC (STOEN, JOHN VICTOR)
 SUBJECT: M/A JOHN VICTOR STOEN
 REF: (A) STATE 22642. (B) GEORGETOWN #092

1. GOG ALREADY IS ACUTELY AWARE OF INTENSE US AND CONGRESSIONAL INTEREST IN THE JOHN STOEN CUSTODY CASE. IN CONVERSATIONS WITH FOREIGN MINISTERS AND OTHER GOG OFFICIALS, THE AMBASSADOR AND OTHER EMPLOYEES HAVE EXPRESSED THIS INTEREST. WE HAVE EMPHASIZED THAT IN THIS CIVIL DISPUTE BETWEEN TWO GROUPS OF AMERICANS, THE USG WILL NOT TAKE SIDES AS TO THE MERITS OF EITHER SIDE'S ARGUMENTS, AND THAT USG INTEREST IS CONFINED TO ASSURING THAT THE MATTER IS ADJUDICATED IN THE COURTS STRICTLY ON ITS MERITS WITHOUT OUTSIDE INTERFERENCE FROM ANY QUARTER.

2. DECISION OF EVEN A COURT HEARING ON CUSTODY OF JOHN STOEN MAY NOT OCCUR FOR SOME TIME. THE ARREST ORDER AGAINST JOHN, OBTAINED BY THE STOENS' LAWYER IN SEPTEMBER IS WHAT THE COURT IS NOW CONSIDERING. KNOWLEDGEABLE GOG OFFICIALS AND DISTINGUISHED LAWYERS HAVE DOUBTS THAT THE ARREST ORDER WAS SOUNDLY BASED IN LAW AND THEREFORE PROBABLY WILL NOT BE UPHOLD. WHATEVER ITS OUTCOME, THE CUSTODY QUESTION ITSELF WILL BE SCHEDULED FOR A HEARING AFTER THIS SIDE ISSUE IS SETTLED.

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3. ON THE MATTER OF THE GOG ENFORCING ITS LAWS, THE AMBASSY BELIEVES IT WOULD BE PRUDENT TO MAKE A REPRESENTATION AT THIS TIME TO THE GOG TO COMMIT ITSELF TO THE ENFORCEMENT OF AN AS YET UNREVERSED DECISION IN FAVOR OF THE STOENS. GIVEN THE SIVVE-LIKE QUALITY OF THE GOG IT IS HIGHLY POSSIBLE THAT SUCH A DEMARCHE COULD BECOME KNOWN IN LEGAL CIRCLES AND POSSIBLY PREJUDICE THE CASE. UNLESS PROVEN OTHERWISE, WE SHOULD ASSUME THAT THE GOG WILL ENFORCE ANY DECISION OF THE COURT. AS REFERRED REF 2, THE MINISTER OF HOME AFFAIRS PERSONALLY ASSURED TIM STOEN THAT A COURT ORDER ON THE CUSTODY OF JOHN STOEN WILL BE ENFORCED.

4. IN VIEW OF THE ABOVE, THE AMBASSY DOES NOT BELIEVE IT WOULD BE HELPFUL OR PROPER TO IMPLY TO THE GOG THAT WE DO NOT TRUST IT TO ADHERE TO DUE PROCESS OR TO ENFORCE A COURT ORDER, WHEN ONE IS ISSUED. THE AMBASSY WILL REMAIN ALERT FOR ANY INDICATIONS THAT POLITICAL INTERFERENCE IS BEING BROUGHT TO BEAR ON THIS CASE. IF IT

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PLEASE THAT SUCH INFLUENCE IS BEING EXERCISED. THE EMBASSY
WILL BE CONCERNED WITH THE
U. S. GOVERNMENT NOTED THAT THE STOENS AND THEIR LAWYER ON
THE ONE HAND AND THE REPRESENTATIVES OF THE PEOPLE'S
TEMPLE ON THE OTHER ARE EACH ENDEAVORING TO PULL THE
EMBASSY AND THE DEPARTMENT INTO TAKING THEIR SIDES IN
THIS CASE. BY ATTEMPTING TO INFLUENCE THE GOV ON THIS
CASE IN FAVOR OF THE STOENS THE EMBASSY WOULD BECOME
VULNERABLE TO ACCUSATIONS FROM THE PEOPLES' TEMPLE THAT
IT IS ATTEMPTING TO PREJUDGE A MATTER THAT IS STILL
PENDING BEFORE THE COURTS HERE.

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