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TELEGRAM

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BRUSSELS FOR USEC

E. O. 12356: N/A
TAGS: PHUM, PINR, PGOV, PL
SUBJECT: POLISH SUPREME COURT TO REVIEW
IN ABSENTIA DEATH SENTENCE OF ZDZISLAW NAJDER

1. ZDZISLAW NAJDER, THE FORMER HEAD OF THE POLISH SERVICE OF RADIO FREE EUROPE, MAY HAVE HIS (SECOND) DAY IN COURT. IN 1983 A POLISH COURT SENTENCED NAJDER IN ABSENTIA TO DEATH ON CHARGES OF ESPIONAGE. THIS PAST JULY 28, HOWEVER, THE FIRST PRESIDENT OF THE POLISH SUPREME COURT FILED AN APPEAL ON NAJDER'S BEHALF, NOTING MISAPPLICATION OF THE RULES OF PROCEDURE IN THE 1983 CASE, AS WELL AS GLARING DISPROPORTION BETWEEN THE NATURE OF THE CRIME AND THE SENTENCE IMPOSED. THE JUSTICE HAD EXAMINED THE CASE AT THE REQUEST OF THE POLISH PEN CLUB AND THE EDITORIAL STAFF OF THE MONTHLY "TWORCZOSC," OF WHICH NAJDER HAD BEEN A MEMBER.

2. OPPOSITION DEPUTIES IN THE SEJM HAVE ALSO TAKEN UP NAJDER'S CASE. ON AUGUST 2 DEPUTIES BRONISLAW GEREMEK AND JAN MARIA ROKITA PUT QUESTIONS TO WOJCIECH TOMCZYK, DEPUTY MINISTER FOR JUSTICE, REGARDING THE MATTER. TOMCZYK RESPONDED THAT HE COULD NOT ANSWER MANY OF THE QUESTIONS PUT TO HIM UNTIL THE MILITARY CHAMBER OF THE SUPREME COURT COMPLETED THE APPEAL TRIAL. GEREMEK, IN HIS CAPACITY AS CHAIRMAN OF THE OPPOSITION CITIZENS' PARLIAMENTARY CLUB, SUBSEQUENTLY INFORMED THE GOVERNMENT THAT TOMCZYK'S ANSWERS WERE UNSATISFACTORY, AND THAT THE DEPUTIES WOULD HAVE FURTHER INQUIRIES INTO NAJDER'S CASE.

DAVIS