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## The Attempted Defection from the Soviet Union by the Lithuanian Seaman Simas Kudirka



**SIMAS KUDIRKA**

*This photograph of Simas Kudirka was taken from his Soviet Identification card.*

This issue of LITUANUS presents material on the attempted defection from the Soviet Union by the Lithuanian seaman Simas Kudirka and the refusal of asylum by the U. S. Coast Guard on 23 November 1970. The editors have devoted the entire issue to this topic.

The article by Anatole Shub of the *Washington Post* reports on the trial testimony of Kudirka. In this article we find the motivation behind the attempted defection revealed through the words of Kudirka. In essence Kudirka makes one request: "I ask that you grant my homeland, Lithuania, independence."

Two articles from the School of Naval Warfare are also presented. The first, by COL Clyde Mann, presents a detailed examination of the facts and events surrounding the denial of asylum, the official and public reaction thereto, and the manner in which the decision to deny the requested asylum was reached. The second article, by Professor Louis F. E. Goldie, discusses the legal aspects of the refusal of asylum from the standpoint of international law.

The Documents Section presents the eyewitness report of BM3 Richard Maresca in the form of his official statement to the Coast Guard. Following this statement the editors have included the transcriptions of conversations between various Coast Guard officers, including Rear Admiral Ellis and Commander Eustis, the Commanding officer of the "Vigilant." The documents were reproduced from the transcriptions of the Hearings before the Subcommittee on State Department Organization and Foreign Operations of the Committee on Foreign Affairs, U. S. House of Representatives (December 3-29, 1970).

The United Nations Protocol Relating to the Status of Refugees; the 1951 Convention Relating to the Status of Refugees the United Nations Universal Declaration of Human Rights; and the United Nations Declaration on Territorial Asylum were violated in this incident. As a direct result the United States Department of State has now adopted and disseminated a clear procedure for the handling of requests for political asylum by foreign nationals to all agencies of the U.S. Government.