

Worldwide Investigation and Prosecution of Nazi War Criminals

(April 1, 2007 – March 31, 2008)

An Annual Status Report

Dr. Efraim Zuroff

Simon Wiesenthal Center – Israel Office

Snider Social Action Institute

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EXECUTIVE SUMMARY

1. During the period in question the investigation and prosecution of Nazi war criminals continued in eighteen countries, among them countries such as Germany, Austria and Poland in which the crimes of the Holocaust were committed and others like the United States and Canada, which afforded a postwar haven to Holocaust perpetrators.

2. During the period from April 1, 2007 until March 31, 2008, successful legal action was taken against seven Nazi war criminals. Most of those convicted served as security police or guards in ghettos, concentration camps or death camps in Germany, Poland or the Soviet Union. This year's results are in contrast to the past two years during which the number of "convictions" of Nazi war criminals (including denaturalizations and deportations) increased dramatically from five to twenty-one. The main reason for the decline was the reduction in the number of convictions in Italy which dropped from fifteen last year to one this year. On the positive side of the ledger, for the first time in almost a decade, a Nazi war criminal (ethnic German Michael Seifert who served at the Bolzano concentration camp) was extradited from the country to which he emigrated after World War II (Canada), to the country where he committed his crimes and had been convicted in absentia (Italy).

From January 1, 2001 until March 31, 2008, a total of seventy-six legal decisions have been won against Nazi war criminals and collaborators, almost half of them (34) in the United States. The others were recorded in Italy (26), Canada (6), Germany (3), Lithuania (2), Poland (1) and France (1).

3. During the period under review, legal proceedings were initiated against at least eight Nazi war criminals. The number of indictments obtained this year is higher by two than the figure achieved during the previous year. From January 1, 2001, fifty-two indictments have been submitted against Nazi war criminals, the majority in the United States.

4. This year we have chosen the United States as the country which has achieved the most outstanding record in bringing Nazi war criminals to justice. At the same time, we have singled out ten different countries which failed to achieve the results they should have during the period

under review. These countries which have received a failing grade (F) have been divided into two different categories: F-1 for those countries which in principle are either unwilling or unable to investigate and/or prosecute Nazi war criminals [Syria (ideological reasons), Norway and Sweden (statutes of limitations)] and F-2 for those countries which are able, at least in theory, to take legal action against Holocaust perpetrators, but have failed to achieve significant positive results during the period under review (Australia, Croatia, Estonia, Hungary, Latvia, Lithuania, and Ukraine). The reasons for the failing grade awarded to each country are explained in the report.

5. Among the most important positive developments was the significant increase in the number of new investigations initiated during the period under review which rose from sixty-three last year to over two hundred.
6. The most disappointing result in a specific case during the period under review has been Hungary's failure hereto to bring to justice Dr. Sandor Kepiro, one of the Hungarian officers who carried out the mass murder of hundreds of civilians in Novi Sad, Serbia on January 23, 1942. Kepiro was convicted for his crime in Budapest in 1944 but was never punished due to the Nazi occupation and his subsequent escape to Argentina. He was exposed by the Wiesenthal Center living in Budapest in the summer of 2006.

INTRODUCTION

As time passes since the crimes of the Holocaust were committed, it would appear that the chances of successfully bringing Nazi war criminals to justice are rapidly diminishing, but in fact the opposite is true. Despite the passage of more than six decades since the end of World War II, the efforts to hold Holocaust perpetrators accountable are continuing with a significant measure of success and there is considerable potential for additional achievements in the immediate future. This assessment is firmly reflected in the figures presented in this year's report which point to a significant increase in the number of new investigations of Nazi perpetrators which has more than tripled during the past year. It is true that the number of convictions obtained during the period under review was considerably lower than during the previous year, but the rise in the number of indictments and the large increase in new investigations reflect the considerable potential for successful legal action during the coming year.

The Simon Wiesenthal Center views the facilitation of the investigation and prosecution of Nazi war criminals as an important part of its international agenda. Over the past three decades, the Center has carried out extensive research in numerous countries to identify Nazi war criminals, document their crimes, trace their postwar escape and ascertain their current whereabouts in order to assist in bringing them to justice. It has also energetically lobbied various governments which have been reluctant to prosecute Holocaust perpetrators, and has sought to convince them of the importance of bringing such criminals to trial. The Center has also exposed the rehabilitations granted to Nazi war criminals in several East European countries and has played a role in the cancellation of dozens of these pardons.

The Center's experience has clearly shown that the existence of political will to bring Nazi war criminals to justice is an absolute prerequisite for the successful prosecution of Holocaust perpetrators. In that respect, the results achieved in this field are often just as much a function of the existent political climate, as of the strength of the evidence available against the suspects in question.

Starting in 2002, the Simon Wiesenthal Center has published an annual report to document the investigation and prosecution of Nazi war criminals worldwide as a public service designed to

focus attention on the issue, chronicle its development, and encourage all the governments involved to maximize their efforts to bring as many unprosecuted Holocaust perpetrators as possible to justice. The date chosen for the publication of the report is Yom Ha-Shoa (Holocaust Remembrance Day) as designated by the State of Israel, which this year was observed on May 1, 2008. In that respect, the Center has always believed that the prosecution of the murderers of the Holocaust is one of the most fitting means of commemorating those annihilated by the Nazis. Famed Nazi-hunter Simon Wiesenthal often noted his sense of personal obligation toward the victims of the Holocaust to do his utmost to maximize the number of murderers forced to pay for their crimes. Needless to say, such trials also play an important role in educating the public about the Holocaust, preserving its memory and helping to combat contemporary anti-Semitism, racism, and xenophobia.

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The figures and statistics which appear in this report were primarily provided by the special agencies dealing with this issue in each country, not all of whom were willing to provide the pertinent data. We have tried to the best of our ability to point to various problems and lacunae in the information supplied. The Center welcomes any pertinent information, comments and/or suggestions relating to the contents of the report, which can be mailed or faxed (972-2-563-1276) to our Jerusalem office or sent by email to swcjerus@netvision.net.il

Dr. Efraim Zuroff
Director, SWC-Israel Office
Coordinator, SWC Nazi War Crimes Research

THE PERIOD UNDER REVIEW: APRIL 1, 2007 – MARCH 31, 2008

In attempting to record and analyze the worldwide efforts to investigate and prosecute Nazi war criminals during a specific time period, there are four major criteria which have to be taken into account:

1. the number of “convictions” (including denaturalizations, deportations and extraditions) obtained;
2. the number of indictments filed;
3. the number of investigations initiated;
4. the number of ongoing investigations.

The most notable development during the period under review was the significant decrease in the number of convictions recorded during the past year. From April 1, 2007 until March 31, 2008, only seven Nazi war criminals were convicted for their crimes, whereas twenty-one convictions were recorded during the previous year. This was primarily due to the steep drop in the number of convictions obtained in Italy, which during the two previous years had convicted 25 Germans and Austrians on criminal charges, the largest number of convictions obtained in any country during a two-year period in this century. On the positive side of the ledger, Canada extradited former Bolzano concentration camp guard Micheal Seifert, who had been convicted in absentia, to serve his sentence in Italy, making him the first (and only) Nazi war criminal to be incarcerated during the past year. Another very positive development was the sharp increase in the number of new investigations initiated during the period under review from 63 to at least 202.

In analyzing the results presented in this report, the critical importance of political will in bringing Nazi war criminals to justice is increasingly evident. Once again, the results clearly indicate that the chances of successful prosecutions in countries reluctant to bring Holocaust perpetrators to justice are minimal or nonexistent.

At the same time, the success of the United States in bringing Nazi war criminals to justice continues albeit at a slower pace than in previous years. And while it is true that the method of

denaturalization and deportation employed in the United States does have certain inherent advantages over criminal prosecution in terms of achieving successful convictions, a comparison of the results achieved in America and Canada, both of which level civil, rather than criminal, charges against World War II criminals clearly shows that while there is abundant political will in the United States to bring these criminals to justice, the same cannot be said about Canada. Thus since 2001, the Americans have won 37 cases and the Canadians only 6, and the latter have failed to deport any of the eight Nazi war criminals denaturalized since 1994, when the Canadians switched from criminal to civil prosecution.

The positive results achieved in the United States are a continuation of the developments over the past two decades in which the number of trials conducted in countries of refuge (primarily the United States and Canada) have by far surpassed those held in the countries in which Nazi crimes were committed. These results have stemmed primarily from four major factors: the existence of resolute political will to prosecute these cases in the United States; the large number of Nazi collaborators who emigrated to those countries after World War II; the relatively recent (late 1970's) discovery in these countries of the existence and extensive scope of the problem, and the fact that both the United States, and ultimately Canada, have chosen to prosecute Nazi war criminals not for war crimes or genocide, but for immigration and naturalization violations, which are relatively easier to prove.

Additional developments, such as the increased worldwide interest and awareness regarding the Holocaust, the dismemberment of the Soviet Union, and the fall of the Communist regimes in Eastern Europe have helped create numerous new opportunities for the prosecution of Holocaust perpetrators in the countries in which the crimes of the Shoa were committed. (These developments have also facilitated prosecution in the countries which granted a haven to these criminals.) Unfortunately, relatively few countries have made an effort to exploit the far greater access – available for the first time – to Eastern European archives and witnesses and the renewed interest in the crimes of the Shoa to launch a serious effort to maximize the prosecution of Holocaust perpetrators. In fact, even those countries which have initiated programs to bring Nazi war criminals to justice have rarely been able to achieve significant successes.

Thus during the period under review, not a single conviction was obtained in Eastern Europe, despite the fact that numerous post-Communist countries such as Lithuania, Latvia and especially Poland, are currently conducting many such investigations. And while the lack of

results achieved no doubt reflects the objective difficulties involved in the criminal prosecution of crimes committed several decades previously, there is no doubt that the absence of political will to pursue such cases remains a major obstacle to greater success, particularly in the Baltics and in countries like Romania, Ukraine, Russia, and Belarus. This also appears to be true in Hungary in the case of convicted (but unpunished) Holocaust perpetrator Dr. Sandor Kepiro, against whom the prosecutors have hereto failed to take legal action despite the fact that his guilt has already been proven in a Hungarian court. This failure by the Hungarians to prosecute Kepiro is in contrast to their persistence in seeking the extradition from Australia for Holocaust crimes of Karoly (Charles) Zentai. As a general rule, however, the fall of Communism and the dismemberment of the Soviet Union have rarely resulted in serious efforts to locate and bring to trial unprosecuted local Nazi collaborators. Even in those countries such as Croatia and Poland, which have each successfully prosecuted a single Holocaust perpetrator, the results achieved could have been much better.

Elsewhere in Europe, with the exception of Italy, Germany remains the only country in which the crimes of the Holocaust were committed, which is still actively pursuing Nazi war criminals with the requisite political will, which explains why it has achieved the most convictions on criminal charges of suspects able to be punished during the past five years. The existence of a special prosecution agency for Nazi war crimes (the “Zentrale Stelle” in Ludwigsburg) is undoubtedly a major reason for whatever modest success Germany has registered. To Germany’s credit, mention should also be made of the impressive efforts being made by the special police task force established to locate escaped Nazi war criminal Dr. Aribert Heim (number 1 on the SWC “Most Wanted” list).

On the negative side of the ledger, Germany has hereto failed to assume responsibility for those criminals who served under German aegis in security police units or concentration camps, who have been ordered deported by American courts but whose countries of origin are refusing to accept them. In addition, there appears to be a lack of urgency among certain German prosecutors in the handling of World War II cases, a factor which no doubt accounts for the paucity of practical judicial results during the past two years.

In Austria, which has consistently failed to achieve any practical success, the negative effects of the lack of a specialized prosecution agency are particularly evident. Once again it has failed to secure a conviction or file an indictment against a single Nazi war criminal. Despite a large

number of potential suspects, Austria has not convicted anyone for crimes committed against Jews during the Holocaust for more than three decades.

Austria's continued refusal to extradite Milivoj Ašner to Croatia to stand trial is further proof of the scope of the problem, but following the appointment of Dr. Maria Berger as Justice Minister there appears to be a more positive approach to the issue. This was manifested by the decision of the Ministry to post rewards of 50,000 euros for wanted Austrian Nazi war criminals Alois Brunner and Dr. Aribert Heim and to reopen the investigation against Majdanek guard Erna Wallisch who was residing in Vienna. Hopefully, these steps are harbingers of a more active and resolute policy by the Austrian authorities.

In Sweden, local authorities point to an existent statute of limitations as an impassable obstacle to prosecution and a similar situation exists in Norway, which at least finally rescinded the proscription of the prosecution of those accused of genocide, war crimes and crimes against humanity. Unfortunately this step was not made retroactive, so Holocaust perpetrators can still not be prosecuted in Norway.

In other countries of refuge, apart from the United States, the results achieved during the period under review were not particularly encouraging, with the exception of Canada. Although Canada (in 1987), Australia (in 1989) and Great Britain (in 1991), all passed special laws to enable prosecution, no convictions were obtained in the latter two nor were any indictments filed. Canada, which in 1994 switched to the "American model" of denaturalization and deportation, extradited Michael Seifert to serve his in absentia sentence in Italy and obtained two denaturalizations. Unfortunately, to date, not a single person who was stripped of his Canadian citizenship has been successfully deported from the country, a stark contrast to the impressive success achieved by the United States under relatively similar conditions.

As far as Australia and Great Britain are concerned, both countries have closed down their specialized prosecution agencies and it therefore is extremely unlikely that they will be able to obtain any convictions while they continue to insist on prosecuting these suspects on criminal charges. This is particularly true in Australia, where all witnesses in such cases must appear in person, a factor which would make a successful prosecution next to impossible, given the country's geographic distance from the scene of the crimes committed. Another problem encountered in Australia during the past year, is that suspected Holocaust perpetrator Charles Zentai, whose extradition for murder during the Holocaust has been requested by Hungary, has

been able to postpone his appeal for over two years by raising technical challenges totally unrelated to his alleged crimes. The failure of the Australian legal system to expedite this case is another indication of the lack of sufficient political will in Canberra to prosecute Nazi war criminals.

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Besides the figures on convictions and indictments, it is important to assess the statistics on new investigations filed and ongoing cases, which are indicators of the practical results that can possibly be achieved during the coming years. As of April 1, 2008, the number of ongoing investigations is considerably lower than those being conducted a year previously primarily because Canada, which is among the countries with the highest number of investigations, refused to provide the pertinent figures. The good news is the significant increase in the number of new investigations launched during the period under review, which can primarily be attributed to the enormous increase in such cases in Poland from 2 to 142.

With at least several hundred investigations currently underway, there is cause for cautious optimism that additional Holocaust perpetrators will indeed be brought to justice during the coming years. This will no doubt be the case in the United States, but it is important that such trials also be conducted in those countries in which the crimes of the Holocaust were committed, and especially in post-Soviet and post-Communist countries, in which there was extensive collaboration by the local population in the mass murder of Jews. These countries have been particularly reluctant to prosecute local Nazi war criminals since they regained their independence. The importance of such trials cannot be overestimated, not only in achieving justice but also in educating these societies about the crimes of the Holocaust and the complicity of local residents in the atrocities.

In July 2002, the Wiesenthal Center and the Targum Shlishi Foundation of Miami, headed by Aryeh Rubin, launched "Operation: Last Chance," a project designed to assist in the prosecution of Nazi war criminals by offering financial rewards for information which would facilitate their conviction and punishment. The project was originally initiated in Lithuania, Latvia and Estonia, and a year later was expanded to Poland, Romania and Austria. In 2004, it was launched in Croatia and Hungary and in 2005 in Germany. During the period under review, it was started in

Argentina, Chile, Brazil and Uruguay. As of April 1, 2008, the Center had received the names of four hundred and ninety-six suspects, ninety-nine of which had been submitted to local prosecutors. The names of twenty-five new suspects were received during the period under review.

Mention should also be made of various administrative and legal steps besides prosecution, which have been taken by several countries against suspected Holocaust perpetrators. Thus, for example, Lithuania canceled eighteen rehabilitations granted illegally to individuals convicted by the Soviet courts (among them an unknown number of Nazi war criminals), and the American Office of Special Investigations added five names to the US "Watch List" of suspected Axis persecutors and denied one such individual entry into the United States.

In summation, despite numerous obstacles and difficulties, significant progress was made during the period under review. If we combine the figures presented in our last seven reports, we can point to seventy-six convictions and fifty-two indictments during the past eighty-seven months, concrete proof that much can still be achieved in the efforts to bring the perpetrators of the Holocaust to the bar of justice.

CONVICTIONS OF NAZI WAR CRIMINALS OBTAINED
DURING THE PERIOD UNDER REVIEW

April 1, 2007 – March 31, 2008

1. Canada – 3
2. United States of America - 3
3. Italy – 1

Details of Convictions Obtained During the Period Under Review:

1. **Canada**

A. May 24, 2007: Helmut Oberlander – denaturalization

Served in Einsatzkommando (special detachment) 10A of Einstazgruppe (mobile killing unit) D which murdered tens of thousands of Jews and other civilians in southern Ukraine and the Caucasus

B. May 24, 2007: Jacob Fast – denaturalization

Served in the Ukrainian Auxiliary Police in Zaporozhe, Ukraine which participated in the persecution and murder of Jews and other civilians

C. February 15, 2008: Michael Seifert – extradition

Served as an SS guard at Bolzano prison transit camp; convicted in absentia in 2000 by a military court in Verona, Italy of nine counts of murder

2. **United States**

A. September 19, 2007: Martin Hartmann - denaturalization

Served as an armed SS Death's Head guard at Sachsenhausen concentration camp in Germany

B. November 8, 2007: Osyp Firishchak – deportation

Served in Ukrainian Auxiliary Police in Lviv, Poland (now Ukraine)

C. November 17, 2007: Paul Henss – deportation

Served as SS attack dog handler, SS guard trainer and SS guard at the Dachau and Buchenwald concentration camps in Germany

3. **Italy**

A. February 12, 2008: Hans Dietrich Michelsen – criminal conviction

Participated in the murder of four civilians in the Italian village of Grotta di Maona on August 18, 1944.

CONVICTIONS OF NAZI WAR CRIMINALS:
COMPARATIVE STATISTICS 2001-2008

	1.I. 2001 – 31.III. 2002	1.IV. 2002 – 31.III. 2003	1.IV. 2003 – 31.III. 2004	1.IV. 2004 – 31.III. 2005	1.IV. 2005 – 31.III. 2006	1.IV. 2006 – 31.III. 2007	1.IV. 2007 – 31.III. 2008	Total
United States	6	5	7	5	5	6	3	37
Italy	0	0	0	0	10	15	1	26
Canada	3	0	0	0	0	0	3	6
Germany	2	1	0	0	0	0	0	3
Lithuania	1	0	0	0	1	0	0	2
Poland	1	0	0	0	0	0	0	1
France	1	0	0	0	0	0	0	1
Total	14	6	7	5	16	21	7	76

NEW CASES FILED DURING THE PERIOD UNDER REVIEW

Italy - 5
United States - 2
Germany - 1

1. Italy

A-C. On March 3, 2008 the military prosecutor of La Spezia issued arrest warrants against:

1. Karl Gropier
2. Georg Rauch
3. Gerard Sommer

For participation in the murder of civilians in Italy

D. March 12, 2008: Manfred Schmidt

Accused of participation in the murder of civilians in Casalecchio del Reno, Italy

E. Unknown date: Otmar Mühlhauser

Accused of participation in mass murder on the island of Kefalonia, Greece in 1943.

2. United States

A. September 17, 2007: Martin Hartmann - denaturalization

Served as an armed SS Death's Head guard at the Sachsenhausen concentration camp in Germany

B. September 27, 2007: Paul Henss - deportation

Served as an SS attack dog handler, SS guard trainer and SS guard at the Dachau and Buchenwald concentration camps in Germany

3. Germany

A. January 23, 2008: Josef Scheungraber

Accused of participation in a massacre of Italian civilians in the village of Falsano di Cortona in 1944

NEW CASES FILED: COMPARATIVE STATISTICS 2001 – 2008

	1.I.2001 – 31.III.2002	1.IV.2002 – 31.III.2003	1.IV.2003 – 31.III.2004	1.IV.2004 – 31.III.2005	1.IV.2005 – 31.III.2006	1.IV.2006 – 31.III.2007	1.IV.2007 – 31.III.2008	Total
United States	4	10	5	3	2	6	2	32
Germany	1	1	2	0	0	0	1	5
Canada	1	0	3	0	0	0	0	4
Italy	0	0	0	0	2	0	5	7
Lithuania	0	0	0	1	0	0	0	1
Hungary	0	0	0	1	0	0	0	1
Poland	0	0	0	0	1	0	0	1
Denmark	0	0	0	1	0	0	0	1
Total	6	11	10	6	5	6	8	52

**NEW INVESTIGATIONS OF NAZI WAR CRIMINALS
INITIATED DURING THE PERIOD UNDER REVIEW**

Poland	142
Germany ¹	31
United States	22
Italy ²	3
Austria	2
Argentina	1
Brazil	1
Chile	1
Lithuania	1
Switzerland	1
Canada ³	?
Total	205

1. The figure for new investigations in Germany denotes the number of cases, rather than the number of individuals being investigated, and consequently the number of suspects is probably considerably higher.
2. The figure for new investigations in Italy denotes the number of cases, rather than the number of individuals being investigated, and consequently the number of suspects is probably considerably higher.
3. The Canadian Crimes Against Humanity and War Crimes Section of the Department of Justice claims that it is forbidden to provide such information.

NEW INVESTIGATIONS OF NAZI WAR CRIMINALS:
COMPARATIVE STATISTICS 2001 – 2008

	1.I.2001 – 31.III.2002	1.IV.2002 – 31.III.2003	1.IV.2003 – 31.III.2004	1.IV.2004 – 31.III.2005	1.IV.2005 – 31.III.2006	1.IV.2006 – 31.III.2007	1.IV.2007 – 31.III.2008	Total
Poland	48	8	172	306	141	2	142	819
Austria	10	3	60	272	1	0	2	348
United States	46	16	40	34	27	30	22	215
Lithuania	100	24	18	2	3	1	1	149
Germany ¹	9	?	9	27	38	22	31	136
Canada ²	?	?	?	?	103	?	?	103
Italy	0	56	18	6	2	2	3	87
Latvia	0	4	16	0	0	0	0	20
Estonia	2	17	1	0	0	0	0	20
Australia	0	9	0	1	3	1	0	14
Denmark	0	0	1	9	0	1	0	11
Great Britain	6	1	0	0	0	0	0	7
Romania	0	0	0	4	0	0	0	4
Hungary	0	0	0	1	1	1	0	3
Serbia	0	0	0	0	0	3	0	3
Croatia	0	0	0	1	1	0	0	2
Spain	0	0	0	0	1	0	0	1
Slovenia	0	0	0	0	1	0	0	1
Argentina	0	0	0	0	0	0	0	1
Brazil	0	0	0	0	0	0	0	1
Chile	0	0	0	0	0	0	0	1
Switzerland	0	0	0	0	0	0	0	1
Total	221	138	335	663	322	63	205	1,947

1. The figures for Germany are incomplete due to the partial information supplied by the German judicial authorities.
2. The figures for Canada for the years 2001-5 and 2006-8 are incomplete due to the refusal of the pertinent Canadian authorities to provide statistics on the number of new investigations.

ONGOING INVESTIGATIONS OF NAZI WAR CRIMINALS AS OF APRIL 1, 2008

Poland	305
United States ¹	216
Germany	30
Italy	22
Lithuania	17
Austria ²	4
Latvia ³	3
Serbia	3
Argentina	1
Brazil	1
Chile	1
Croatia ²	1
Denmark	1
Estonia	1
Hungary	1
Spain	1
Canada ⁴	?
Total	608

1. The figure for the United States includes 13 cases in litigation, 33 formal investigations and 170 preliminary investigations.
2. One of the cases being investigated in Austria is also under investigation in Croatia.
3. The figure for Latvia is a minimum figure since all of the investigations are of specific atrocities in which numerous suspects participated.
4. Canada has refused to provide the pertinent information.

ONGOING INVESTIGATIONS OF NAZI WAR CRIMINALS:
COMPARATIVE STATISTICS 2001 – 2008

	April 1, 2002	April 1, 2003	April 1, 2004	April 1, 2005	April 1, 2006	April 1, 2007	April 1, 2008
United States ¹	175	275	285	246	236	221	216
Lithuania	110	108	25	21	26	24	17
Canada ³	78	67	194	190	255	255	?
Poland	48	13	350	450	365	333	305
Germany	27	13	35	46	28	20	30
Great Britain	6	2	1	1	1	0	0
Croatia	3	2	1	2	2	2	1
Austria	3	4	27	199	131	83	4
Latvia ²	2	5	5	58	53	55	3
Netherlands	1	0	0	6	6	0	0
Estonia	1	2	3	3	1	1	1
Costa Rica	1	0	0	0	0	0	0
Denmark	0	1	2	11	1	2	1
Italy	0	0	12	13	5	17	22
Romania	0	0	0	4	4	0	0
Australia	0	0	0	1	2	0	0
Hungary	0	0	0	1	2	2	1
Slovenia	0	0	0	0	1	0	0
Spain	0	0	0	0	1	0	1
Serbia	0	0	0	0	0	3	3
France	0	0	0	0	0	1	0
Argentina	0	0	0	0	0	0	1
Brazil	0	0	0	0	0	0	1
Chile	0	0	0	0	0	0	1
Total	455	492	940	1,252	1,130	1,019	608

1. The figure for January 1, 2001 – March 31, 2002 includes only formal investigations, while the figures for subsequent years include formal investigations and preliminary inquiries.
2. Both cases for January 1, 2001 – March 31, 2002 are of persons already deceased. Two of the five cases for April 1, 2002 – March 31, 2003 are of persons deceased.
3. Canada failed to provide the pertinent data.

INVESTIGATION AND PROSECUTION REPORT CARD

As part of this year's annual status report, we have given grades ranging from A (highest) to F which reflect the Wiesenthal Center's evaluation of the efforts and results achieved by various countries during the period under review.

The grades granted are categorized as follows:

Category A: Highly Successful Investigation and Prosecution Program

Those countries, which have adopted a proactive stance on the issue, have taken all reasonable measures to identify the potential suspected Nazi war criminals in the country in order to maximize investigation and prosecution and have achieved notable results during the period under review.

Category B: Ongoing Investigation and Prosecution Program Which Has Achieved Practical Success

Those countries which have taken the necessary measures to enable the proper investigation and prosecution of Nazi war criminals and have registered at least one conviction and/or filed one indictment during the period under review.

Category C: Minimal Success That Could Have Been Greater, Additional Steps Urgently Required

Those countries which have failed to obtain any convictions or indictments during the period under review but have either advanced ongoing cases currently in litigation or have opened new investigations, which have serious potential for prosecution.

Category D: Insufficient and/or Unsuccessful Efforts

Those countries which have ostensibly made at least a minimal effort to investigate Nazi war criminals but which failed to achieve any practical results during the period under review. In many cases these countries have stopped or reduced their efforts to deal with this issue long before they could have and could achieve important results if they were to change their policy.

Category E: No known suspects

Those countries in which there are no known suspects and no practical steps have been taken to uncover new cases.

Category F-1: Failure in principle

Those countries which refuse in principle to investigate, let alone prosecute, suspected Nazi war criminals because of legal (statute of limitation) or ideological restrictions.

Category F-2: Failure in practice

Those countries in which there are no legal obstacles to the investigation and prosecution of suspected Nazi war criminals, but whose efforts (or lack thereof) have resulted in complete failure during the period under review, primarily due to the absence of political will to proceed and/or a lack of the requisite resources and/or expertise.

Category X: Failure to submit pertinent data

Those countries which did not respond to the questionnaire, but clearly did not take any action whatsoever to investigate suspected Nazi war criminals during the period under review.

A: United States

B: Canada, Germany, Italy

C: Austria, Poland, Serbia

D: Argentina, Brazil, Chile, Denmark, Switzerland

E: Finland, Greece, New Zealand,

F-1: Norway, Sweden, Syria

F-2: Australia, Croatia, Estonia, Hungary, Latvia, Lithuania, Ukraine

X: Belarus, Belgium, Bolivia, Bosnia-Herzegovina, Colombia, Costa Rica, Czech Republic, France, Great Britain, Luxemburg, Netherlands, Paraguay, Romania, Russia, Slovakia, Slovenia, Spain, Uruguay, Venezuela

Category A - Highly Successful Proactive Prosecution Program

1. United States – Since its establishment in 1979, the OSI, currently headed by Eli M. Rosenbaum, Esq., has conducted the most successful program of its kind in the world. During the period under review, OSI continued to achieve very good results obtaining three convictions and filing two new cases. At the moment, OSI has thirteen cases in litigation and is examining an additional two hundred and three cases, among them twenty-two new investigations initiated during the past year. In addition, five names were added to the “Watch List” of those barred from entering the United States (among them more than 70,000 Nazi war criminals and collaborators) and one such individual was denied entry during the period under review.

The scope of the success achieved by the OSI is clearly reflected in the high number of convictions it has hereto obtained. In fact, during the period from 2001, when the Wiesenthal Center began recording statistics on the investigation and prosecution of Nazi war criminals all over the world, until March 2008, 37 of the 76 convictions registered worldwide were recorded in the United States. While acknowledging the lower level of proof required in civil as opposed to criminal cases, the results achieved by OSI clearly underscore the professional excellence and dedication of its director and staff and the critical role played by political will in the prosecution of Holocaust perpetrators. They also clearly demonstrate that, given the right circumstances, successful legal action can be taken against Holocaust perpetrators even decades after they committed their crimes, a fact often purposely ignored by those critical of the contemporary efforts to bring Nazi war criminals to justice.

In assessing the activities of the OSI during the period under review, mention must be made of a serious problem hampering its activities which has become increasingly difficult in recent years. There are currently several cases of Nazi war criminals who have been ordered deported from the United States but whose deportation has been delayed for lack of a county willing to accept them. This is particularly true of individuals born in certain East European countries which have refused to accept individuals deported from the United States for concealing their wartime activities during World War II. During the past three years, at least two such persons - Bronislaw Hajda, who served as an armed guard at the Treblinka and

Trawniki labor camps and participated in the massacre of Jewish inmates at the former, and former Trawniki commander Jack Reimer - have died in the United States after being ordered deported, because no country was willing to admit them. Under these circumstances, a powerful argument could be made that since they served in units under German aegis or in concentration camps built and operated by Nazi Germany, Germany should assume responsibility for them and admit them, but the Federal Republic has hereto consistently refused to do so. It is hoped that some solution can be found soon for this problem which otherwise will only become worse in the future. It would be a travesty of justice if these perpetrators could not be punished to the full extent of the law and that they would be able to stay in the United States until the end of their lives. New developments subsequent to the period under review, however, appear to indicate serious progress in solving this problem.

Category B - Ongoing Prosecution Program Which Has Achieved Practical Success

1. Canada – There were several victories achieved this year by the Canadian Crimes Against Humanity and War Crimes Section of the Ministry of Justice, headed by Terry Beitner, Esq. The most important was the extradition of former Bolzano (Italy) camp guard Michael Seifert on February 15, 2008 to Italy to serve a life sentence for his crimes in the concentration camp, where he achieved notoriety for his cruel treatment of the inmates. Additional positive results were the confirmation of the denaturalizations of Helmut Oberlander of Einsatzgruppe D and Jakob Fast of the Ukrainian Auxiliary Police in Zaporozhe.

On the negative side of the Canadian ledger, we must once again point to the continued failure of the Canadian authorities to deport any of the Nazi war criminals and collaborators who have been denaturalized. Thus during the past fourteen years, since the switch was made from prosecution on criminal charges to the application of civil remedies, the Canadian authorities have initiated twenty-one cases and obtained eight denaturalizations against defendants residing in Canada, but not a single one of them has hereto been deported. (Two defendants voluntarily left the country and six died during the course of the proceedings against them. Three won their cases against the government.) These disappointing results contrast sharply with the successes consistently registered year after year by the American Office of Special Investigations which also applies civil remedies against Nazi war criminals.

Given the fact that the Holocaust perpetrators who emigrated to both countries very much fit the same geographic and biographical profile, the large discrepancy between the impressive results achieved in the United States and the minimal progress made in Canada should be cause for serious concern and analysis in Ottawa.

2. Germany – For the first time in four years, Germany filed a new indictment against a suspected Nazi war criminal, in this case Josef Scheungraber who is suspected of participation in a massacre of Italian civilians in the village of Falsano di Cortona in 1944. Another praiseworthy activity has been the intensive ongoing effort by a special task force of the Landeskriminalamt of Baden-Wurttemberg to locate the whereabouts of escaped Nazi war criminal Dr. Aribert Heim.

On the negative side, the small number of cases filed during recent years and the fact that not a single conviction has been obtained since 2002, raises serious questions regarding the overall efforts by the German judiciary to bring Nazi war criminals to justice. On the surface, German prosecutors have two major advantages which should considerably help their efforts – a extremely large number of potential suspects and the existence of political will to prosecute such criminals. Thus the dismal results achieved in recent years appear to stem primarily from a dearth of energetic young prosecutors, and certain legal restrictions which considerably limit the number of cases which can be prosecuted. Thus, for example, World War II crimes have to have been committed on the basis of racial hatred, an element which in the case of Holocaust crimes should not be difficult to prove, but in fact has prevented the prosecution of individual Nazi war criminals.

Another disturbing problem which has arisen in Germany in recent years, concerns the cases of individuals who served in Nazi-sponsored units during World War II, emigrated after the war to the United States, and were subsequently prosecuted there for concealing their wartime activities during the immigration and/or naturalization process. In several of these cases, although the American Office of Special Investigations succeeded in obtaining a court decision ordering the deportation of these individuals from the United States, it was unable to find a country willing to admit them. Thus during the previous three years, at least two criminals died in the United States before their removal could be carried out. The United States has asked Germany to accept such persons in view of their service in Nazi-sponsored units, but during the period covered by this report, the government has categorically refused to do so, despite Germany's ostensible responsibility to assist in the removal of such persons from the United States, and the support for such a policy expressed by Kurt Schrimm, the director of the "Zentrale Stelle," the special office in Germany which is in charge of investigating Nazi crimes. Developments subsequent to the period under review, however, indicate a positive change regarding this issue.

3. Italy – One of the most positive developments in recent years has been the renewed efforts by Italian military prosecutors to bring to trial German perpetrators of crimes against civilians in Italy during World War II. Unfortunately, however, the results achieved during the period under review were much less successful than in previous years. Thus whereas during the years 2005-2007, a total of twenty-five Nazi war criminals were convicted by military prosecutors,

(by far the highest number ever achieved anywhere since the publication of this report was initiated in 2002 to cover the period from January 1, 2001 until March 31, 2002, only one suspect was convicted this past year. On the other hand, the Italian authorities indicted five suspected Nazi war criminals, the highest number of indictments filed by any county in the world.

It should be noted that, unfortunately all of the cases of Nazi war criminals conducted in Italy during past three years were in absentia, with not a single suspect present during the proceedings. Efforts by the Italian judicial authorities to obtain the extradition of the suspects, and/or of those convicted, all of whom with two exceptions were German citizens residing in Germany, have hereto been rejected by the Federal Republic, which refuses in principle to extradite its citizens. In the wake of this refusal, Italy had requested in at least five cases that those convicted and sentenced to life imprisonment serve their sentences in Germany.

Unfortunately, to date, there has been no effort to investigate Holocaust crimes in Italy or to examine the role of Italians in the deportation of Italian Jews to Auschwitz.

The establishment of a specialized agency to investigate and prosecute all World War II cases could probably considerably facilitate the expedition and the expansion of the research effort to uncover additional suspects.

Category C - Minimal Success Which Could Have been Greater; Additional Steps Urgently Required

1. Austria – The establishment of a new government led by the Social Democrats and the appointment of Dr. Maria Berger as Justice Minister, led to a distinct improvement in the attitude of the Austrian authorities to the prosecution of Nazi war criminals, which was manifest in two important developments which took place during the period under review. The first was the decision announced on July 13, 2007 to add the sum of 50,000 euros to the prize being offered for information leading to the arrest of Dr. Aribert Heim, who currently heads the Wiesenthal Center’s “Most Wanted” list and to post a similar reward for the information regarding the whereabouts of Alois Brunner who played a critical role in the deportation to death camps of 128,500 Jews from Austria (47,000); Greece (44,000); France (23,500); and Slovakia (14,000). The original request for the former reward was originally raised by the Wiesenthal Center almost two years prior to the positive decision taken by the new government. The second positive decision by the government was taken in late January 2008, in the case of former Majdanek guard Erna Wallisch (discovered in the framework of “Operation: Last Chance”) which had been closed during the tenure of her predecessor on the grounds of statute of limitations. In the wake of the presentation of new evidence by the Polish Institute of National Memory, the case was reopened, but Wallisch unfortunately died shortly thereafter preventing her prosecution.

Unfortunately, in every other respect, the situation in Austria continues to be extremely negative. Despite a large number of investigations launched during the past several years, not a single Austrian Nazi war criminal has been indicted, let alone prosecuted.

In addition, the Austrian authorities have refused the Wiesenthal Center’s request to allow a foreign medical expert to examine former Požega (Croatia) police chief Milivoj Ašner, whom Austria has refused to extradite to Croatia on the grounds of diminished mental health.

2. Poland – After a drastic drop (from one hundred forty-one to two) in the number of new investigations initiated during the period from April 1, 2006 to March 31, 2007, the good news is that the figure for new investigations launched has risen dramatically to one hundred

and forty two. The number of ongoing investigations also continues to be the highest in the world, for the fifth consecutive year, and as of April 1, 2008 is three hundred and five.

Yet while these statistics compare exceptionally favorably with those of every other country in the world, in practice they are extremely misleading. Thus during the past seven years, Poland has initiated 819 new investigations, the largest number by far of any country, and as of April 1, 2008 also had the largest number by far of ongoing investigations, yet these impressive figures have almost never yielded concrete judicial results. In fact, during the period in which this report has been published, only one Polish Holocaust perpetrator (Henryk Mania) was ever convicted for his crimes and only one additional war criminal (Piotr Wieczorek) was ever indicted. During the period under review, for example, no convictions were obtained nor were any indictments filed.

To Poland's credit, and to the credit of its Institute of National Memory, and the major reason why its grade has improved this year, is the research it carried out, in the wake of an appeal by the Wiesenthal Center, in the case of former Majdanek guard Erna Wallisch which yielded new evidence which convinced the Austrian authorities to reopen the investigation against her.

3. Serbia – During the period under review, at the initiative and urging of the Simon Wiesenthal Center, the Serbian war crimes prosecutors carried out extensive research regarding four cases of suspected Holocaust perpetrators - Dr. Sandor Képiró, who is accused of participating in the mass murder of at least 1,200 Jewish, Serb and Gypsy civilians in the city of Novi-Sad on January 23, 1942; former Ustasha police chief of the city of Požega, Croatia Milivoj Ašner, who is accused of orchestrating the persecution and deportation to concentration camps, where they were murdered, of hundreds of Serbs, Jews and Gypsies; former Ustasha governor of Dubrovnik Ivo Rojnica, who is accused of directing the persecution and deportation of Serb, Jewish and Gypsy civilians to Croatian concentration camps where they were murdered; and former Belgrade Gestapo operative Peter Egner, who is accused of participation in the persecution and murder of thousands of civilians. Although this research did not yield any indictments during the period under review, it facilitated subsequent legal measures by the Serbian judicial authorities against the individuals in question, with the exception of Rojnica who died in Buenos Aires in late November 2007.

Category D – Insufficient and/or Unsuccessful Efforts

1. Argentina – At the request of the German police, the Argentinean authorities have, during the period under review, assisted in the hereto unsuccessful efforts to locate escaped war criminal Dr. Aribert Heim who is believed to be hiding in South America.

Unfortunately, despite numerous requests by the Wiesenthal Center and others, the Argentinean government has never conducted a comprehensive investigation to determine the full scope of the postwar immigration to Argentina of Nazi war criminals and which of them are still alive and residing in the country.

2. Brazil – At the request of the German police, the Brazilian authorities have, during the period under review, assisted in the hereto unsuccessful efforts to locate escaped Nazi war criminal Dr. Aribert Heim, who is believed to be hiding in South America.

Unfortunately, the Brazilian government had never conducted a comprehensive investigation to determine the full scope of the postwar immigration to Brazil of Nazi war criminals and which of them are still alive and residing in the country.

3. Chile – At the request of the German police, the Chilean authorities have, during the period under review, assisted in the hereto unsuccessful efforts to locate escaped Nazi war criminal Dr. Aribert Heim, who is believed to be hiding in South America.

Unfortunately, the Chilean government had never conducted a comprehensive investigation to determine the full scope of the postwar immigration to Chile of Nazi war criminals and which of them are still alive and residing in the country.

4. Denmark – The Danish judicial authorities have, during the period under review, continued their investigation into the wartime activities of Danish Nazi war criminal Soeren Kam on the basis of evidence submitted by the author of this report to Danish Justice Minister Lene Espersen regarding the active role played by Soeren Kam in the theft of the community

registry of Danish Jewry, which was carried out in order to facilitate the deportation of the Jews to Nazi concentration camps.

Kam had previously been charged in Denmark with the murder of Danish anti-Nazi newspaper editor Carl Henrik Clemmenson on August 30, 1943, but his extradition from Germany, to which he fled to escape justice, was rejected in February 2007 by a Munich court which ruled that the case fell under a local statute of limitations, since Kam's crime was manslaughter not murder.

5. Switzerland – At the request of the German police, the Swiss authorities have, during the period under review, conducted an investigation regarding the possible presence in Switzerland of escaped Nazi war criminal Dr. Aribert Heim.

Category E – No Known Suspects

During the period under review, there were no suspects known to the Wiesenthal Center or to the local authorities, who were either residing in the following countries or had committed Nazi war crimes there during World War II, nor were any practical steps taken in these countries to uncover such potential suspects:

1. Finland
2. Greece
3. New Zealand

Category F-1: Failure in Principle

1. Norway – During the period under review, the Norwegian authorities cancelled the existing statute of limitations on the crimes of genocide, war crimes, crimes against humanity and terrorism. This positive development does not, however, change the situation regarding Holocaust crimes which still cannot be prosecuted, since the amendment to the penal code ratified on March 7, 2008 does not allow for the prosecution of those cases which had already been under statute of limitations when the law was changed. Thus, in principle, Norway cannot bring Nazi war criminals to justice.

5. Sweden –The Swedish government refuses in principle to investigate, let alone prosecute, Swedish Nazi war criminals and/or Nazi war criminals (mostly from the Baltics) who found refuge in Sweden after World War II, due to a statute of limitations on murder, which was instituted in 1926. Thus despite extensive evidence regarding the crimes committed by these individuals during the Holocaust, and in direct contradiction to its highly-positive role in Holocaust education worldwide, Sweden remains among the few countries which in principle refuse to take legal action against Holocaust perpetrators. Several years ago, the Swedish government indicated to the Wiesenthal Center that it planned to cancel the statute of limitations in cases of genocide, war crimes and crimes against humanity, but that such a step would not be retroactive and would therefore not allow for the prosecution of Holocaust perpetrators. Unlike Norway, Sweden has hereto failed to change its statute of limitations.

3. Syria – Despite abundant convincing evidence to the contrary, Syria has consistently denied that Alois Brunner, who bears direct responsibility for the deportation to Nazi death camps of 128,500 Jews from Austria, Greece, France, and Slovakia is living in Damascus. In March 2001, Brunner was sentenced in absentia to life imprisonment (for the third time) in France. Germany, Austria, Slovakia, France, Greece and Poland all have issued warrants for his arrest, but the Syrians have been totally uncooperative regarding this case.

Category F-2: Failure in Practice

1. Australia – During the period under review, the Australian judicial authorities dealt with the case of former Hungarian Army officer Karoly (Charles) Zentai, who was discovered residing in Perth by the Simon Wiesenthal Center in the framework of its “Operation: Last Chance” project. Zentai has been charged with the murder of a Jewish teenager in Budapest in November 1944 and the Hungarian authorities sought his extradition from Australia in March 2005.

In July 2005, Australian Justice Minister Chris Ellison signed the extradition request for Zentai submitted by the Hungarian authorities, which ostensibly paved the way for his removal to Budapest to stand trial, pending his appeal. That proceeding did not commence, however, during the period under review due to a legal challenge related to the extradition of suspects living in Western Australia, which was initiated by a fraud suspect wanted in Ireland and which Zentai joined. As a result, Zentai’s extradition appeal has been postponed for more than two years. In the past, the Wiesenthal Center appealed to Australian Minister of Justice Ellison and Attorney-General Ruddock to prevent this abuse of the legal system, but during the entire period under review Zentai’s lawyer was able to postpone his appeal time after time.

The extradition of Zentai will almost certainly be the final opportunity for Australia to take successful legal action against a Nazi war criminal resident in the country. Despite amending existing laws to facilitate the extradition of suspected Nazi war criminals to Lithuania and Latvia, Australia remains the only major Western country of refuge which admitted at least several hundred Nazi war criminals and collaborators, which has hereto failed to take successful legal action against a single one.

In recent years, numerous attempts have been made by the Australia-Israel Jewish Affairs Committee and the Simon Wiesenthal Center to convince the Australian authorities to adopt civil remedies (denaturalization and/or deportation) to deal with the Holocaust perpetrators living in the country, but the government has hereto refused to do so. This policy is in contrast to the 1997 decision by the Australian government to denaturalize and deport criminals who

entered the country under false pretenses from the date of the change in the law. The refusal to make this policy retroactive has spared those who entered Australia prior to 1997 from such prosecution, among them practically all of the Nazi war criminals and collaborators in the country.

2. Croatia – There was ostensibly much reason for optimism regarding Croatia’s efforts to prosecute Nazi war criminals during this past year, but in practice no progress whatsoever was achieved on either one of the two major cases dealt with by the Croatian judicial authorities.

The case in which the blame for the lack of progress can be directly attributed to the Croatian authorities is that of Ivo Rojnica, who served as Ustashe governor of Dubrovnik during the initial months of Croatian independence and was residing in Buenos Aires, Argentina. Thanks to the research efforts of Alen Budaj of Zagreb who uncovered hereto-unknown documents regarding the wartime activities of Rojnica and his possible implication in the persecution of Serbs, Jews, and Gypsies, the office of Attorney-General Mladen Bajić renewed its investigation of the former governor and promised a decision in his case by January 2007. Unfortunately, no decision was made and Rojnica died unprosecuted in Argentina in late November 2007.

On the other hand, the Croatian authorities are not responsible for the failure to achieve any progress on the second case involving crimes committed during World War II, since Austria (see above) has hereto refused to accede to Croatia’s request for the extradition of Milivoj Ašner, the Ustashe police chief of Požega during the years 1941-1942.

3. Estonia – During the period under review, Estonia has not made any progress whatsoever in bringing local Holocaust perpetrators to justice. More specifically, legal action has still not been taken against Gestapo operative Michael Gorshkow, who returned to his native Estonia after he was successfully prosecuted in the United States for concealing his wartime collaboration with the Nazis and his active participation in Holocaust crimes in Slutsk, Belarus.
4. Hungary – The primary reason for the negative assessment of Hungary’s record during the period under review, in distinction to the past three years, is its failure to bring to justice

former gendarmerie captain Dr. Sandor Kepiro, who was among the officers responsible for the January 23, 1942 mass murder of civilians (mostly Jews, the others Serbs and Gypsies) in the city of Novi-Sad, then part of Hungarian-occupied Voivodina. Kepiro was convicted for his role in this atrocity (together with 14 other Hungarian gendarmerie and army officers) in January 1944, but due to the Nazi occupation of Hungary on March 19 of the same year, none of those convicted served their sentences. After World War II, Kepiro escaped to Austria and in 1948 fled to Argentina, where he remained until 1996, when he returned to Budapest. His current whereabouts were discovered by the Wiesenthal Center in July 2006 in the course of the investigation of a fellow gendarme currently living in Scotland, who was suspected of participation in the deportation of Jews from Miskolc to Auschwitz.

On August 1, 2006, the author of this report submitted documentation regarding Kepiro's role in the murders at Novi Sad and his current residence in Budapest to Hungarian prosecutors and asked that his original sentence of ten years' imprisonment be immediately implemented. On February 19, 2007, however, the Budapest Municipal Court decided that Kepiro's original sentence could not be automatically implemented, since it had been annulled by the Hungarian judicial authorities in 1944 (following the Nazi occupation of Hungary). In early March 2007, however, Hungarian prosecutors opened a criminal investigation to clarify Kepiro's role in the mass murder of civilians in Novi Sad in January 1942, but no decision was taken to prosecute Kepiro despite the abundant evidence of his involvement in organizing the mass murder of numerous civilians.

5. Latvia – During the period under review, there has been no practical progress in the investigation of suspected Latvian Nazi war criminals.
6. Lithuania – Lithuania is another country where statistics can be very misleading. Thus Lithuania has achieved the largest number of convictions of Nazi war criminals in post-Communist Europe (two), but not a single Lithuanian Holocaust perpetrator has ever been punished for these crimes since the country regained its independence in 1991.

The most recent case to come to court clearly reflects the lack of political will in Vilnius to hold local Nazi war criminals accountable for their crimes. On March 27, 2006, Lithuanian Security Police operative Algimantas Dailide was convicted in Vilnius for his role in the

persecution of civilian Jews and Poles under the Nazi occupation and sentenced to five years' imprisonment. (What made this decision particularly noteworthy is the fact that it was the only conviction on criminal charges during the past four years in which the defendant was present at the trial and, at least in theory, faced punishment if convicted. All the other defendants who were convicted on criminal charges were tried in absentia.)

Unfortunately, the judges in this case decided that the sentence meted out to Dailide should not be implemented because he was old, no longer a threat to society and had to care for his ill wife. Following protests by the United States, Israel and the Simon Wiesenthal Center, this decision was appealed by the Lithuanian prosecution, as well as by Dailide's lawyers who sought his acquittal. On June 8, 2006, the court decided to appoint a medical board to review Dailide's health in order to respond to the appeals by both sides. During the period under review, however, this panel never met and thus no action was taken to implement the sentence.

The failure to date of the Lithuanian authorities to implement the verdict against Dailide is symptomatic, in the view of this author, of the deeply-rooted difficulty of Lithuanian society to acknowledge the extensive scope of local complicity in the crimes of the Holocaust. A practical reflection of this attitude is the fact that not a single one of the three Lithuanian Nazi war criminals prosecuted in the country since it regained its independence in 1991, (Aleksandras Lileikis in 2000, Kazys Gimzauskas in 2001, and Dailide in 2006) was ever incarcerated at any point before, during, or after their trial.

7. Ukraine – Since it obtained independence from the Soviet Union, Ukraine has to the best of our knowledge never conducted a single investigation of a local Nazi war criminal, let alone prosecuted a Holocaust perpetrator. It has also hereto refused to admit Ukrainian Nazi war criminals who were ordered deported from the United States for concealing their wartime activities during the immigration and/or naturalization process.

INVESTIGATION AND PROSECUTION REPORT CARD: COMPARATIVE

STATISTICS 2001-2008

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
	2000/1 -	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8
Argentina	C	X	D	D	X	X	X	D
Australia	D	D	D	D	C	C	F-2	F-2
Austria	D	D	D	C	D	F	F-2	C
Belarus		X	X	X	X	X	X	X
Belgium		X	X	X	X	X	X	X
Bolivia		X	X	X	X	X	X	X
Bosnia-Herzegovina		X	X	X	D	D	E	X
Brazil		X	X	X	X	X	X	D
Canada	B	B	C	B	C	C	F-2	B
Chile		X	X	X	X	D	X	D
Colombia		F	F	F	D	D	X	X
Costa Rica	C	D	C	X	X	D	X	X
Croatia	C	D	D	D	D	B	F-2	F-2
Czech Republic		D	X	X	X	X	X	X
Denmark		D	D	D	B	D	C	D
Estonia	D	D	D	D	D	F	F-2	F-2
Finland		D	D	D	D	D	E	E
France	B	C	D	D	X	D	D	X
Germany	B	B	B	B	C	C	F-2	B
Great Britain	C	D	D	D	D	D	F-2	X
Greece		X	X	X	X	X	X	E
Hungary		X	D	D	B	C	C	F-2

Italy	B	C	C	C	C	B	B	B
Latvia	C	D	C	C	C	C	F-2	F-2
Lithuania	C	C	C	C	C	B/F	F-2	F-2
Luxemburg		X		X	X	X	X	X
Netherlands		D	X	D	C	D	X	X
New Zealand	D	D		D	D	D	X	E
Norway		D	F	F	F	F	F-1	F-1
Paraguay		X		X	X	X	X	X
Poland		B	C	C	C	B	F-2	C
Romania		X	D	F	D	F	D	X
Russia		X	X	X	X	X	E	X
Scotland	D	D	-	-	-	-	-	
Serbia		X	X	X	X	X	C	C
Slovakia		X	D	D	D	D	E	X
Slovenia				D	D	D	X	X
Spain			D	D	X	D	X	X
Sweden	F	F	F	F	F	F	F-1	F-1
Switzerland								D
Syria	F	F	F	F	F	F	F-1	F-1
Ukraine		X	X	X	X	F	F-2	F-2
United States	A	A	A	A	A	A	A	A
Uruguay		X	X	X	X	X	E	X
Venezuela		F	X	F	X	X	X	X

MOST WANTED NAZI WAR CRIMINALS

As of April 1, 2008

*. **Alois Brunner – Syria**

Key operative of Adolf Eichmann

Responsible for deportation of Jews from Austria (47,000), Greece (44,000), France (23,500), and Slovakia (14,000) to Nazi death camps

Status – living in Syria for decades; Syrian refusal to cooperate stymies prosecution efforts; convicted in absentia by France

Alois Brunner is the most important unpunished Nazi war criminal who may still be alive, but the likelihood that he is already deceased increases with each passing year. Born in 1912 and last seen in 2001, the chances of his being alive are relatively slim, but until conclusive evidence of his demise is obtained, he should still be mentioned on any Most Wanted List of Holocaust perpetrators.

1. **Dr. Aribert Heim - ?**

Doctor in Sachsenhausen (1940), Buchenwald (1941) and Mauthausen (1941) concentration camps

Murdered hundreds of camp inmates by lethal injection in Mauthausen

Status – disappeared in 1962 prior to planned prosecution; current whereabouts unknown but strong evidence that he is still alive

2. **Ivan Demjanjuk – USA**

Participated in mass murder of Jews in Sobibor death camp; also served in Majdanek death camp and Trawniki SS-training camp and other concentration camps

Status – denaturalized in USA; ordered deported from USA

3. Dr. Sandor Kepiro - Hungary

Hungarian gendarmerie officer; participated in mass murder of over 1,200 civilians in Novi Sad, Serbia

Status – discovered in 2006 in framework of “Operation: Last Chance;” was originally convicted but never punished in Hungary in 1944 and apparently in absentia in 1946; Hungary refused to implement his original sentence but has opened a new criminal investigation against him which has not yet been completed more than a year after its initiation.

4. Milivoj Ašner – Austria

Police chief of Slavenska Požega, Croatia

Active role in persecution and deportation to death of hundreds of Serbs, Jews, and Gypsies

Status – discovered in 2004 in framework of “Operation: Last Chance;” indicted by Croatia which in 2005 requested his extradition from Austria which initially refused the request because he ostensibly held Austrian citizenship; when it emerged that he had lost his Austrian citizenship, his extradition was refused on medical grounds.

5. Soeren Kam - Germany

Participated in the murder of anti-Nazi Danish newspaper editor Carl Henrik Clemmensen; stole the population registry of the Danish Jewish Community to facilitate the roundup and subsequent deportation of Danish Jews to Nazi concentration camps, where dozens perished.

Status – Kam was indicted in Denmark for the murder of Clemmensen, but a German court refused to approve his extradition to stand trial in Copenhagen. The Danish judicial authorities are conducting an investigation of his role in the deportation of the Jews at the request of the Wiesenthal Center.

6. Heinrich Boere – Germany

Murdered three Dutch civilians as a member of the Silbertanne Waffen-SS death squad

Status - sentenced to death in absentia in Holland in 1949 after his escape to Germany, which until recently refused to extradite him or prosecute him; in April 2008 indicted in Germany for his crimes.

7. Karoly (Charles) Zentai – Australia

Participated in manhunts, persecution, and murder of Jews in Budapest in 1944

Status – discovered in 2004 by “Operation: Last Chance;” Hungary issued an international arrest warrant against him and has asked for his extradition from Australia in 2005; Zentai is currently appealing his extradition to Hungary

8. Mikhail Gorshkow – Estonia

Participated in murder of Jews in Belarus

Status: denaturalized in USA, under investigation in Estonia

9. Algimantas Dailide – Germany

Arrested Jews murdered by Nazis and Lithuanian collaborators

Status: deported from USA; convicted by Lithuania, which has hereto refused to implement his sentence of imprisonment

10. Harry Mannil – Venezuela

Arrested Jews and Communists executed by Nazis and Estonian collaborators

Status: cleared by investigation in Estonia; barred from entry to US

Simon Wiesenthal Center
Snider Social Action Institute

The Simon Wiesenthal Center is an international Jewish human rights organization dedicated to preserving the memory of the Holocaust by fostering tolerance and understanding through community involvement, educational outreach and social action. The Center confronts important contemporary issues including racism, anti-Semitism, terrorism and genocide and is accredited as an NGO both at the United Nations and UNESCO. With a membership of over 400,000 families, the Center is headquartered in Los Angeles and maintains offices in New York, Toronto, Miami, Jerusalem, Paris and Buenos Aires.

Established in 1977, the Center closely interacts on an ongoing basis with a variety of public and private agencies, meeting with elected officials, the U.S and foreign governments, diplomats and heads of state. Other issues that the Center deals with include: the prosecution of Nazi war criminals; Holocaust and tolerance education; Middle East Affairs; and extremist groups, neo-Nazism, and hate on the Internet.

The Center is headed by Rabbi Marvin Hier, its Dean and Founder. Rabbi Abraham Cooper is its Associate Dean and Rabbi Meyer May its Executive Director.

International headquarters:

1399 South Roxbury Drive

Los Angeles, California 90035

UNITED STATES

Tel: 310/553-9036 or (toll-free from within the U.S.) 800/900-9036

Fax: 310/553-4521

Email: information@wiesenthal.com

Website: www.wiesenthal.com

Simon Wiesenthal Center - Israel Office

Since its establishment in Jerusalem in 1986, the Simon Wiesenthal Center's Israel Office has made the efforts to help bring Nazi war criminals to justice the primary focus of its activities. Founded by Holocaust historian Dr. Efraim Zuroff, who also coordinates the Center's Nazi war crimes research worldwide, the office has played an important role in tracking down and exposing escaped Nazi war criminals and in helping to facilitate their prosecution. During the past twenty years, the office has carried out innovative research which has helped identify close to three thousand suspected Nazi war criminals, most of whom escaped to Western democracies after World War II. It also played an important role in helping to convince countries of refuge such as Canada (in 1987), Australia (in 1989), and Great Britain (in 1991) to pass special legislation to enable the prosecution of Nazi war criminals residing in those countries.

Following the dismemberment of the Soviet Union and the fall of Communism, the Israel Office has been particularly active in Eastern Europe, and especially in the Baltics and the Balkans, in helping to identify Holocaust perpetrators and convince often-reluctant governments to bring local Nazi war criminals to justice. It has also exposed the illegal rehabilitations granted in independent Lithuania and Latvia to dozens of individuals convicted by Soviet courts who had actively participated in the mass murder of Jews during the Holocaust.

During the past decade these efforts have intensified and have been expanded to include the fight for historical truth in many of the countries in which the Holocaust took place, as well as the struggle against contemporary anti-Semitism. These three objectives are the goals which in 2002 prompted the Israel Office to launch, together with the Targum Shlishi Foundation of Miami, Florida, founded and headed by Aryeh Rubin, of "Operation: Last Chance," which offers financial rewards for information which will facilitate the conviction and punishment of Nazi war criminals. Utilizing special ads created for the project, "Operation: Last Chance" has not only helped identify numerous Holocaust perpetrators, but has also focused public attention on the important role played by the locals in the mass murder of Jews in virtually every country in Eastern Europe.

Contact Information

Israel Office

Director: Dr. Efraim Zuroff

Office Manager: Talma Hurvitz

1 Mendele St.

Jerusalem 92147

ISRAEL

Tel: 972-2-563-1273/4/5

Fax: 972-2-563-1276

Email: swcjerus@netvision.net.il

Website: www.operationlastchance.org

International offices:

SWC – New York

Director - Rhonda Barad

50 East 42nd St., 16th Floor

New York, NY 10017

UNITED STATES

Tel: 212/370-0320

Fax: 212/883-0895

Email: swcny@swcny.com

SWC – Florida

Director - Mark W. Glickman

2300 Glades Road SE 308E

Boca Raton, Fl. 33431

UNITED STATES

Tel: 561/367-0722

Fax: 561/367-0556

Email: mglickman@wiesenthal.com

SWC – Toronto

Director of National Affairs - Leo Adler

5075 Yonge St., Suite 902

Toronto, Ontario M2N 6C6

CANADA

Tel: 416/864-9735

Fax: 416/864-1083

Email: swcmain@fswc.ca

SWC – Paris

Director – Dr. Shimon Samuels

66 Rue Laugier

75017 Paris

FRANCE

Tel: 33/1/4723-7637

Fax: 33/1/4720-8401

Email: csweurope@gmail.com

Website: www.wiesenthal-europe.com

SWC – Buenos Aires

Director - Sergio Widder

Cabello 3872 - PB "C"

(C1425APR) - Buenos Aires

ARGENTINA

Tel 54/11 4802-1744

Fax 54/11 4802-1774

Email: cswlatin@satlink.com

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