

# **Worldwide Investigation and Prosecution of Nazi War Criminals**

**(April 1, 2008 – March 31, 2009)**

**An Annual Status Report**

**Dr. Efraim Zuroff**

**Simon Wiesenthal Center – Israel Office**

**Snider Social Action Institute**

**November 2009**



## **TABLE OF CONTENTS**

Executive Summary	5
Introduction	7
The Period Under Review: April 1, 2008 – March 31, 2009	9
Convictions of Nazi War Criminals Obtained During the Period Under Review	15
Convictions of Nazi War Criminals: Comparative Statistics 2001-2009	16
New Cases of Nazi War Criminals Filed During the Period Under Review	17
New Cases of Nazi War Criminals: Comparative Statistics 2001-2009	18
New Investigations of Nazi War Criminals Initiated During the Period Under Review	19
New Investigations of Nazi War Criminals: Comparative Statistics 2001-2009	20
Ongoing Investigations of Nazi War Criminals As of April 1, 2009	22
Ongoing Investigations of Nazi War Criminals: Comparative Statistics 2001-2009	23
Investigation and Prosecution Report Card	25
Investigation and Prosecution Report Card: Comparative Statistics 2001-2009	38
SWC Most Wanted List of Nazi War Criminals	40
About the Simon Wiesenthal Center	43
Index of Countries	47



## EXECUTIVE SUMMARY

1. During the period in question the investigation and prosecution of Nazi war criminals continued in thirteen 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, 2008 until March 31, 2009, successful legal action was taken against six Nazi war criminals. All of those convicted participated in atrocities committed against civilians in Italy and were sentenced in absentia to life imprisonment. This year's results are in contrast to previous years during which the United States usually had the highest number of successful legal actions taken against Nazi war criminals. For the first time since this report has been published, the Americans this year failed to register a single denaturalization or deportation of a Holocaust perpetrator. On the positive side of the ledger, there was a renewed effort by Germany to prosecute cases of Nazi war criminals, among them individuals ordered deported from the United States but for whom the Americans had been unable to find a country willing to admit them.

From January 1, 2001 until March 31, 2009, a total of eighty-two legal decisions have been won against Nazi war criminals and collaborators, almost half of them (37) in the United States. The others were recorded in Italy (32), Canada (6), Germany (3), Lithuania (2), Poland (1) and France (1).

3. During the period under review, legal proceedings were initiated against at least five Nazi war criminals. The number of indictments obtained this was three lower than the figure achieved during the previous year. From January 1, 2001, fifty-seven indictments have been submitted against Nazi war criminals, the majority in the United States.
  
4. This year we have again 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 nine 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, Austria, Estonia, Hungary, Lithuania, and Ukraine). The reasons for the failing grade awarded to each country are explained in the report.

5. 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 organized the mass murder of hundreds of civilians in Novi Sad, Serbia on January 23, 1942. Kepiro was convicted in Budapest in 1944 for violating the code of honor he had sworn to uphold, 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 more than eighty new investigations of Nazi perpetrators initiated during the period under review and more than seven hundred ongoing investigations as of April 1, 2009. And although there was a slight decrease in the number of convictions and indictments during the previous year, primarily due to the less successful results achieved in the United States, the renewed efforts by Germany to prosecute Holocaust perpetrators ordered deported from America augers well for the immediate future.

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 April 21, 2009. 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.

\* \* \*

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](mailto:swcjerus@netvision.net.il). This report in its entirety will be posted on our website [www.operationlastchance.org](http://www.operationlastchance.org)

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



## **THE PERIOD UNDER REVIEW: APRIL 1, 2008 – MARCH 31, 2009**

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.

During the past year there were both positive and negative notable developments in the efforts to hold Nazi war criminals accountable. The most positive achievements during the period under review were the relatively large number of perpetrators convicted in Italy (resuming a trend started in 2005 but halted last year), and the renewed efforts by the German judicial authorities to maximize prosecution of Holocaust perpetrators, the first practical results of which were the indictments against Dutch murder squad operative Heinrich Boere and Sobibor guard Ivan Demjanjuk, both of whom are scheduled to stand trial in Germany in fall 2009. On the negative side of the ledger was the minimal practical results achieved by the American Office of Special Investigations, which for the first time since this annual report was initiated in 2002, failed to obtain a single “conviction” (denaturalization or deportation) and only submitted one indictment. Until this year, the Americans had registered the best and most consistent results by far, averaging more than five convictions and four indictments per year, with only the Italians in 2006 and 2007 recording a higher number of convictions. It appears fairly clear, however, that the sharp decrease in practical successes by the United States does not in any way reflect a loss of political will or professional malfeasance, but rather objective factors and circumstances which make achieving practical success harder as time goes by.

Another notable development which has yet to be officially confirmed is the report issued by the New York Times and German television channel ZDF which claims that Dr. Aribert Heim, the

Center's most wanted Nazi war criminal who committed multiple murders while serving as a medical doctor in the Mauthausen concentration camp in Austria, died in Cairo on August 10, 1992. Given the fact that both the German police and the Wiesenthal Center were fairly convinced that Heim was still alive in 2008 (and most probably living in South America), the revelations concerning his ostensible death in Cairo aroused considerable attention and extensive media coverage.

While there is no doubt that Heim lived in Egypt during the sixties (his name (misspelled) appeared on a June 1967 list of Nazi war criminals who had found refuge in Egypt and Syria compiled by Simon Wiesenthal ) and almost certainly for quite a few years thereafter, the facts surrounding his ostensible death in Cairo are shrouded in uncertainty. According to Heim's son Ruediger, who several months previously had claimed that he had not had any contact with his father for decades and whose testimony is the lynchpin of the narrative presented by the New York Times and ZDF, his father's body was thrown into a mass grave for paupers into which at least hundreds if not thousands of corpses were dumped every year since. Thus there is virtually no possibility of finding Heim's body, which precludes the scientific verification of his identity by forensic examination, leaving an element of serious doubt regarding his demise.

For many months requests by the German police for cooperation from the Egyptian authorities were not responded too positively, but an initial trip by German investigations to Cairo finally took place in mid-2009. As a result, the police were able to confirm that the briefcase discovered in Cairo filled with personal letters, financial documents and medical records of Heim indeed belonged to the fugitive Nazi. They were, however, unable to confirm his death in Egypt in August 1992.

In other respects, the past year was strikingly similar to its predecessor. As usual, 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. This is particularly evident in post-Communist Eastern Europe, where despite 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 which have helped create numerous new opportunities for the prosecution of Holocaust perpetrators in the countries in which the crimes

of the Shoa were committed, little progress has been made. (These developments have also facilitated prosecution in the overseas 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 eight 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 made until now by the special police task force established to locate escaped Nazi war criminal Dr. Aribert Heim.

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 failure to extradite former Ustasha police chief Milivoj Ašner to stand trial in Croatia for his role in the destruction of the Serb, Jewish and Roma communities in Požega was clearly highlighted by an embarrassing series of interviews Ašner gave to the British tabloid The Sun as well as to Austrian and Croatian television stations in June 2008. While Austrian doctors had twice claimed that he was medically unfit to be extradited because of diminished mental capacity, the interviews cast serious doubt on these findings. The court in Klagenfurt refused to accede to a request by the Wiesenthal Center to bring in a foreign expert to examine Ašner, and in a June 2008 meeting with the author of this report, Justice Minister Dr. Maria Berger also turned down a similar request. Several weeks later, however, she decided to invite Dr. Marc Graf, a Swiss expert, to assess Ašner's health, but months went by without the examination taking place, amid reports that financial considerations were the cause for the delay. Given Ašner's advanced age, the manner in which his case had been handled left severe doubts as to the seriousness with which cases of Holocaust perpetrators are treated 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. Although Canada (in 1987), Australia (in 1989) and Great Britain (in 1991), all passed special laws to enable prosecution, no convictions were obtained in any of the three countries nor were any indictments filed. (Canada, in 1994 switched to the "American model" of denaturalization and deportation, but 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 three 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.

\*

\*

\*

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, 2009, the number of ongoing investigations is higher than those being conducted a year previously primarily because we were able to obtain some figures for Canada, which is among the countries with the highest number of investigations, but which refuses to make public up to date figures on ongoing investigations. Although there has been a significant decrease in the number of new investigations launched during the period under review, there are still over seven hundred ongoing investigations which is cause for guarded optimism.

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 previous year, it was started in Argentina, Chile, Brazil and Uruguay. As of April 1, 2009, the Center had received the names of five hundred and twenty suspects, one hundred of which had been submitted to local prosecutors. The names of twenty-four 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 nine 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 four names to the US “Watch List” of suspected Axis persecutors.

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 eighty-two convictions and fifty-six indictments during the past ninety-nine 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, 2008 – March 31, 2009

1. Italy - 6

Details of Convictions Obtained During the Period Under Review:

1. **Italy**

On June 5, 2008, the following German defendants were sentenced to life imprisonment in absentia in the courts listed next to their names for their participation in the murder of Italian civilians in 1944:

1. Paul Albers (September 3, 1919) – Rome  
Current residence: Steinhube 33, Saarbrücken 66123
  
2. Wilhelm Kusterer (February 8, 1922) – La Spezia  
Current residence: Birknackerstr. 1, Engelsbrand – Salmbach 75331
  
3. Adolf Schneider (April 26, 1920) – La Spezia  
Current residence: Schoenhoverstr. 14, Nuremberg 9409
  
4. Max Schneider (October 1, 1925) – La Spezia  
Current residence: Rheinbergerstr. 22, Berlin 10435
  
5. Heinz Trager (September 9, 1923) – La Spezia  
Current residence: Friedrich Alfred 164, Duisberg 47226
  
6. Helmut Wulf (October 14, 1923) – La Spezia  
Current residence: Ober Muhlstr. 35, Darmstadt 64291

**CONVICTIONS OF NAZI WAR CRIMINALS:**  
**COMPARATIVE STATISTICS 2001-2009**

	<b>1.I. 2001 – 31.III. 2002</b>	<b>1.IV. 2002 – 31.III. 2003</b>	<b>1.IV. 2003 – 31.III. 2004</b>	<b>1.IV. 2004 – 31.III. 2005</b>	<b>1.IV. 2005 – 31.III. 2006</b>	<b>1.IV. 2006 – 31.III. 2007</b>	<b>1.IV. 2007 – 31.III. 2008</b>	<b>1.IV. 2008 – 31.III. 2009</b>	<b>Total</b>
United States	6	5	7	5	5	6	3	0	37
Italy	0	0	0	0	10	15	1	6	32
Canada	3	0	0	0	0	0	3	0	6
Germany	2	1	0	0	0	0	0	0	3
Lithuania	1	0	0	0	1	0	0	0	2
Poland	1	0	0	0	0	0	0	0	1
France	1	0	0	0	0	0	0	0	1
<b>Total</b>	<b>14</b>	<b>6</b>	<b>7</b>	<b>5</b>	<b>16</b>	<b>21</b>	<b>7</b>	<b>6</b>	<b>82</b>



## **NEW CASES FILED DURING THE PERIOD UNDER REVIEW**

Germany - 2  
Italy - 2  
United States - 1

### **1. Germany**

- a. April 15, 2008: Heinrich Boere – murder  
Served in Silbertanne Waffen-SS death squad in the Netherlands; accused of murdering three Dutch civilians
- b. March 11, 2009: Ivan Demjanjuk – accessory to murder  
Served as a guard at the Sobibor (Poland) death camp from March to September 1943, during which time approximately 29,000 Jews were murdered there

### **2. Italy**

According to information received from the Italian Embassy in Tel-Aviv, during the period under review Otmar Muhlhauser was indicted by the military prosecutor of Rome and Manfred Schmidt by the military prosecutor of Verona for the murder of Italian prisoners of war. No date was indicated for the indictments.

### **3. United States**

July 15, 2008: Peter Egner - denaturalization  
Served in Belgrade, Serbia with the German Security Police and Security Service which carried out the murder of more than 17,000 civilians, mostly Jews, during the years 1941-1943

**NEW CASES FILED: COMPARATIVE STATISTICS 2001 – 2009**

	<b>1.I.2001 – 31.III.2002</b>	<b>1.IV.2002 – 31.III.2003</b>	<b>1.IV.2003 – 31.III.2004</b>	<b>1.IV.2004 – 31.III.2005</b>	<b>1.IV.2005 – 31.III.2006</b>	<b>1.IV.2006 – 31.III.2007</b>	<b>1.IV.2007 – 31.III.2008</b>	<b>1.IV.2008 – 31.III.2009</b>	<b>Total</b>
United States	4	10	5	3	2	6	2	1	33
Germany	1	1	2	0	0	0	1	2	7
Canada	1	0	3	0	0	0	0	0	4
Italy	0	0	0	0	2	0	5	2	9
Lithuania	0	0	0	1	0	0	0	0	1
Hungary	0	0	0	1	0	0	0	0	1
Poland	0	0	0	0	1	0	0	0	1
Denmark	0	0	0	1	0	0	0	0	1
<b>Total</b>	<b>6</b>	<b>11</b>	<b>10</b>	<b>6</b>	<b>5</b>	<b>6</b>	<b>8</b>	<b>5</b>	<b>57</b>

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

Germany	43
Italy <sup>1</sup>	21
Austria	16
USA	5
Canada <sup>2</sup>	?
<b>Total</b>	<b>85</b>

1. The number of new investigations in Italy is a minimum figure since in two new cases (in Verona and Naples), the number of suspects was not specified.
2. 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 – 2009**

	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	1.IV.2008 – 31.III.2009	Total
Poland	48	8	172	306	141	2	142	0	819
Austria	10	3	60	272	1	0	2	16	364
United States	46	16	40	34	27	30	22	5	220
Lithuania	100	24	18	2	3	1	1	0	149
Germany <sup>1</sup>	9	?	9	27	38	22	31	43	179
Canada <sup>2</sup>	?	?	?	?	103	?	?	?	103
Italy	0	56	18	6	2	2	3	21	108
Latvia	0	4	16	0	0	0	0	0	20
Estonia	2	17	1	0	0	0	0	0	20
Australia	0	9	0	1	3	1	0	0	14
Denmark	0	0	1	9	0	1	0	0	11
Great Britain	6	1	0	0	0	0	0	0	7
Romania	0	0	0	4	0	0	0	0	4
Hungary	0	0	0	1	1	1	0	0	3
Serbia	0	0	0	0	0	3	0	0	3
Croatia	0	0	0	1	1	0	0	0	2
Spain	0	0	0	0	1	0	0	0	1
Slovenia	0	0	0	0	1	0	0	0	1
Argentina	0	0	0	0	0	0	1	0	1
Brazil	0	0	0	0	0	0	1	0	1
Chile	0	0	0	0	0	0	1	0	1
Switzerland	0	0	0	0	0	0	1	0	1
<b>Total</b>	<b>221</b>	<b>138</b>	<b>335</b>	<b>663</b>	<b>322</b>	<b>63</b>	<b>205</b>	<b>85</b>	<b>2032</b>

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, 2009**

Poland	270
Canada <sup>1</sup>	180
United States <sup>2</sup>	150
Italy	52
Germany	27
Lithuania	13
Austria	5
Serbia	3
Hungary	2
Croatia	1
Estonia	1
Latvia <sup>3</sup>	1
Netherlands	1
<b>Total</b>	<b>706</b>

1. The latest figure for Canada is as of March 31, 2007.
2. The figure for the United States includes 12 cases in litigation, 27 formal investigations and 111 preliminary investigations.
3. The figure for Latvia denotes the number of investigations not the number of suspects.

**ONGOING INVESTIGATIONS OF NAZI WAR CRIMINALS:**  
**COMPARATIVE STATISTICS 2001 – 2009**

	<b>April 1, 2002</b>	<b>April 1, 2003</b>	<b>April 1, 2004</b>	<b>April 1, 2005</b>	<b>April 1, 2006</b>	<b>April 1, 2007</b>	<b>April 1, 2008</b>	<b>April 1, 2009</b>
United States <sup>1</sup>	175	275	285	246	236	221	216	150
Lithuania	110	108	25	21	26	24	17	13
Canada <sup>2</sup>	78	67	194	190	255	255	?	180
Poland	48	13	350	450	365	333	305	270
Germany	27	13	35	46	28	20	30	27
Great Britain	6	2	1	1	1	0	0	0
Croatia	3	2	1	2	2	2	1	1
Austria	3	4	27	199	131	83	4	5
Latvia <sup>3</sup>	2	5	5	58	53	55	3	1
Netherlands	1	0	0	6	6	0	0	1
Estonia	1	2	3	3	1	1	1	1
Costa Rica	1	0	0	0	0	0	0	0
Denmark	0	1	2	11	1	2	1	0
Italy	0	0	12	13	5	17	22	52
Romania	0	0	0	4	4	0	0	0
Australia	0	0	0	1	2	0	0	0
Hungary	0	0	0	1	2	2	1	2
Slovenia	0	0	0	0	1	0	0	0
Spain	0	0	0	0	1	0	1	0
Serbia	0	0	0	0	0	3	3	3
France	0	0	0	0	0	1	0	0
Argentina	0	0	0	0	0	0	1	0
Brazil	0	0	0	0	0	0	1	0
Chile	0	0	0	0	0	0	1	0
<b>Total</b>	<b>455</b>	<b>492</b>	<b>940</b>	<b>1,252</b>	<b>1,130</b>	<b>1,019</b>	<b>608</b>	<b>706</b>

1. The figure for April 1, 2002 includes only formal investigations, while the figures for subsequent years include formal investigations and preliminary inquiries
2. The latest data supplied by the Canadian authorities is as of March 31, 2007.
3. 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.



## **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: Germany, Italy, Serbia, Spain

C: Poland

D: Canada, Denmark, Netherlands

E: Croatia, Finland, Greece, Latvia, New Zealand, Russia

F-1: Norway, Sweden, Syria

F-2: Australia, Austria, Estonia, Hungary, Lithuania, Ukraine

X: Argentina, Belarus, Belgium, Bolivia, Bosnia-Herzegovina, Brazil, Chile, Colombia, Costa Rica, Czech Republic, France, Great Britain, Luxemburg, Paraguay, Romania, Slovakia, Slovenia, 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, and has been a model of proactive investigation and prosecution of Holocaust perpetrators for the past three decades. Its outstanding performance has earned it unique status, as the only agency to have ever been given the highest grade awarded by this report, and to have achieved this honor every single year since the report was launched in 2002.

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 2009, 37 of the 82 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.

This past year, OSI was not particularly successful in practical terms, failing for the first time this decade to obtain a single denaturalization or deportation. Yet the tremendous efforts invested by OSI in arranging the deportation or extradition of several Nazi war criminals ordered to leave the United States, whom no country was willing to accept, let alone bring to justice, were definitely noteworthy. In this regard, the good news is the decision by Germany to prosecute Ivan Demjanjuk for his crimes at Sobibor and the decision of the Spanish judicial authorities to consider seeking the extradition of American residents already denaturalized and ordered deported, who had served in the concentration camps of Flossenbergl, Mauthausen and Sachsenhausen. These initiatives give hope that such cases which for several years were in a legal stalemate, will be successfully resolved by criminal prosecution in Europe.

## Category B - Ongoing Prosecution Program Which Has Achieved Practical Success

1. Germany – One of the most positive developments in recent years has been a renewed effort by German prosecutors to attempt to maximize the prosecution of Nazi war criminals in the Federal Republic, which resulted in the submission of indictments in two cases which most likely would not have been dealt with in the past. The first was that of Heinrich Boere, a Dutch Waffen-SS assassin who escaped from Holland to Germany where he was granted citizenship, which protected him from extradition to the Netherlands. The second was Ukrainian Sobibor guard Ivan Demjanjuk who is currently awaiting trial in Munich. Until this past year, Germany refused in principle to take legal responsibility for the cases of Nazi war criminals who had been denaturalized and ordered deported from the United States but whom no country was willing to admit, unless they were Germans or Volksdeutsche. These changes in German policy, the latter of which had long been supported by Kurt Schrimm, director of the “Zentrale Stelle” which investigates Nazi crimes, constitute a very positive step with important ramifications which should result in additional prosecutions of Holocaust perpetrators, who otherwise would most probably never have faced criminal prosecution for their crimes.

Another noteworthy effort made by the German authorities was their attempts to locate and capture escaped Nazi war criminal Dr. Aribert Heim. Throughout the period under review, this case was a priority for German law enforcement which has invested considerable resources in the search for the world’s most wanted Nazi war criminal.

2. Italy – One of the most positive developments in recent years has been the renewed efforts by Italian military prosecutors to bring to trial German and Austrian perpetrators of crimes against civilians in Italy during World War II. The excellent results achieved during the period under review - six convictions and two indictments – continue this trend which last year declined for the first time. 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 over a two year period 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 during the following year.

It should be noted that, unfortunately, all of the cases of Nazi war criminals prosecuted in Italy during past four years have been conducted 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. Subsequent to the period under review, one of the officers convicted in Italy, Josef Scheungraber, has been convicted in Germany and sentenced to life imprisonment.

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.

3. Serbia – During the period under review, the Serbian judicial authorities formally announced that they would seek the extradition of three suspected Holocaust perpetrators: Dr. Sandor Képiró, who is accused of helping organize the mass murder of at least 1,200 Jewish, Serb and Roma civilians in the city of Novi Sad on January 23, 1942 and is currently living in Budapest; 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 and is presently residing in Klagenfurt, Austria; and former Belgrade Gestapo operative Peter Egner, who is accused of participation in the persecution and murder of thousands of civilians and is facing denaturalization in the United States.
4. Spain – Perhaps the most surprising positive development during the period under review was an initiative launched by a group of Spanish human rights lawyers named Nizkor (we will remember in Hebrew), together with Madrid attorney Gloria Trinidad and the Israel Office of the Simon Wiesenthal Center to convince the Spanish authorities to seek the extradition of Holocaust perpetrators who for legal reasons either cannot be prosecuted or

will not be prosecuted in their countries of residence or in the countries in which they committed their crimes. The project was originally intended to solve the problem of those cases of Nazi war criminals who had been denaturalized and ordered deported from the United States, but who were stuck in America for lack of a country willing to accept them. It was subsequently reduced to the cases of four individuals who had served in the Flossenburg (Ivan Demjanjuk), Mauthausen (Johann Leprich and Anton Tittjung), and Sachsenhausen (Josias Kumpf) concentration camps, in which Spanish Republicans had been incarcerated and persecuted during World War II. Initial testimony was heard in Madrid in late March 2009 after the court accepted the legal basis for the initiative.

It is important to note that the willingness to attempt to bring Nazi war criminals to justice is a radical departure from previous Spanish policy, which turned a blind eye to the presence of numerous Holocaust perpetrators in Spain, who were initially able to gain refuge there during the Franco era but who continued to enjoy protection even after his demise and the transition to democracy.

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

1. Poland – The record of the Institute of National Memory, the Polish agency entrusted with the prosecution of the crimes committed under the Nazi occupation and Communist rule, is somewhat enigmatic. On the one hand, it has opened far more new investigations than any other equivalent agency and continues to have the largest number by far of ongoing investigations being currently conducted. On the other hand, the practical results achieved during the past decade are negligible – one conviction (of Chelmno death camp operative Henryk Mania) and one indictment (of Nazi agent Piotr Wiczorek) since 2001, an extremely disappointing record.

## Category D – Insufficient and/or Unsuccessful Efforts

1. Canada – During the period under review, the Canadian Crimes Against Humanity and War Crimes Section of the Ministry of Justice, headed by Terry Beitner, Esq. failed to obtain any convictions or file any indictments. In addition, 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 fifteen 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. Denmark – During the period under review the Danish judicial authorities closed their investigation into the role played by Danish Nazi war criminal Soeren Kam (currently residing in Germany) 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. This decision eliminated the possibility that Kam, who had previously been charged with the murder of Danish anti-Nazi newspaper editor Carl Henrik Clemmenson on August 30, 1943, would face prosecution for his crimes during World War II. The murder charges were dropped by a Munich court in 2007 due to a statute of limitations
3. Netherlands –In December 2008, a Dutch resident lodged a complaint against Ivan Demjanjuk in connection with the murder of approximately 25,000 Jews from the Netherlands in the Sobibor death camp during his service there from March to September 1943.

No progress had been made in the case of Claas Karl Faber who was sentenced to death by a Dutch court for the murder of inmates of the Westerbork transit camp and Groningen prison, but escaped in December 1952 to Germany where he continues to reside unpunished for his crimes.

#### **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. Croatia
2. Finland
3. Greece
4. Latvia
5. New Zealand
6. Russia



## Category F-1: Failure in Principle

1. Norway – For years, Norway refused in principle to investigate, let alone prosecute, Nazi war criminals due to the existing statute of limitations, which contrary to the situation elsewhere in the world with the exception of Sweden, applied even to genocide, war crimes and crimes against humanity. On March 7, 2008, however, 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 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.
2. 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.

Two years ago, the Wiesenthal Center received information from a reliable source that Brunner had died in Syria, but to date his demise has not yet been officially confirmed.

## 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 was postponed for more than three years, however, 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. 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 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. Austria – During the period under review, there were numerous developments in the case of Milivoj Ašner (or Georg Aschner as he is known in Austria), the former Ustasha police chief of Slavenska Požega, whose extradition to stand trial for his wartime crimes has been sought by the Croats since September 2005. In June 2008, reporters from the British tabloid The Sun filmed Ašner and interviewed him at length, seemingly proving that in contradiction to the assessment of the court-appointed doctors in Klagenfurt, he was sufficiently fit and mentally lucid to face trial in Croatia. Subsequent interviews by Austrian and Croatian television stations reinforced the initial assessment by Brian Flynn of The Sun that Ašner was capable of facing prosecution.

In a meeting held by the author of this report with Austrian Justice Minister Maria Berger shortly thereafter in late June 2008, she rejected the Center's request to have Ašner examined by a foreign expert, but two months later changed her decision. Swiss expert Dr. Marc Graf was invited to examine Ašner, but months went by without any progress, apparently because of financial matters. It was only eight months later in April 2009 that German forensic psychiatrist Norbert Nedopil examined Ašner and declared him unfit to stand trial. The fact that there was such a lengthy delay in the examination is a clear indication of the lack of importance attributed to this case by the Austrian authorities, a clear reflection of the lack of political will in Vienna to hold Nazi war criminals accountable of their crimes.

Besides the failure to extradite Ašner to Croatia, there was no practical progress whatsoever on any of the other cases under investigation, none of which have resulted in an indictment, let alone a trial. In this respect, the abysmal results of the Austrian judicial authorities over the past three decades, in which not a single Holocaust perpetrator has been convicted, continued unchanged during the period under review.

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 Slutzk, Belarus.

4. Hungary – The primary reason for the negative assessment of Hungary’s record during the period under review, in distinction to previous 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 in January 1944 (together with 14 other Hungarian gendarmerie and army officers) in connection with this atrocity, 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 has yet been taken to prosecute him despite the abundant evidence of his involvement in organizing the mass murder of numerous civilians, and his own admission that he was present in Novi Sad with the Hungarian forces on that day.

5. 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 five 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. Only more than two years later, on July 4, 2008, did a Vilnius court decide that Dailide was medically-unfit to serve his sentence, although it is almost certain that he did appear personally before the doctors who submitted their expert opinion to the court.

The failure 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.

6. 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 2001-2009**

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
	2000/1 -	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9
Argentina	C	X	D	D	X	X	X	D	X
Australia	D	D	D	D	C	C	F-2	F-2	F-2
Austria	D	D	D	C	D	F	F-2	C	F-2
Belarus		X	X	X	X	X	X	X	X
Belgium		X	X	X	X	X	X	X	X
Bolivia		X	X	X	X	X	X	X	X
Bosnia-Herzegovina		X	X	X	D	D	E	X	X
Brazil		X	X	X	X	X	X	D	X
Canada	B	B	C	B	C	C	F-2	B	D
Chile		X	X	X	X	D	X	D	X
Colombia		F	F	F	D	D	X	X	X
Costa Rica	C	D	C	X	X	D	X	X	X
Croatia	C	D	D	D	D	B	F-2	F-2	E
Czech Republic		D	X	X	X	X	X	X	X
Denmark		D	D	D	B	D	C	D	D
Estonia	D	D	D	D	D	F	F-2	F-2	F-2
Finland		D	D	D	D	D	E	E	E
France	B	C	D	D	X	D	D	X	X
Germany	B	B	B	B	C	C	F-2	B	B
Great Britain	C	D	D	D	D	D	F-2	X	X
Greece		X	X	X	X	X	X	E	E
Hungary		X	D	D	B	C	C	F-2	F-2
Italy	B	C	C	C	C	B	B	B	B

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

## MOST WANTED NAZI WAR CRIMINALS

As of April 1, 2009

\*. **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.

\*. **Dr. Aribert Heim - ?**

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

Murdered numerous camp inmates in Mauthausen, many by lethal injection to the heart

Status – disappeared in 1962 prior to planned prosecution; wanted in Germany and Austria

New evidence suggests that he may have died in Cairo in 1992, but serious doubts regarding these findings and the fact that there is no corpse to examine, raises doubts as to the veracity of this information.

1. **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 additional concentration camps

Status – denaturalized in USA; ordered deported from USA; recently indicted in Germany for role in mass murder in Sobibor; currently awaiting trial in Munich, Germany



**2. Dr. Sandor Kepiro - Hungary**

Hungarian gendarmerie officer; participated in organizing 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 two years after its initiation.

**3. Milivoj Ašner – Austria**

Police chief of Slavonska 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. Extensive media interviews by Ašner aroused serious doubts as to results of his medical examinations and prompted a decision to invite a foreign expert who confirmed that Ašner was unfit for prosecution.

**4. Soeren Kam - Germany**

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

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. During the period under review, the Danish judicial authorities closed their investigation of his role in the deportation of the Jews which they claimed proved inconclusive.

**5. Klaas Carl Faber - Germany**

Served in German SD in the Netherlands;

Status – sentenced to death in Holland for murders of prisoners of Westerbork transit camp and Groningen prison in the Netherlands in fall 1944; sentence commuted to life imprisonment in 1948; escaped from prison to Germany on December 26, 1952. No action hereto taken by German authorities despite appeals by Dutch officials.

**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. Indicted in Germany in April 2008 for his crimes, he was initially declared medically unfit to be tried, but that decision was recently overturned and he is scheduled to go to trial in fall 2009.

**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 refused to implement his sentence of imprisonment; upon appeal. sentence cancelled on medical grounds without Dailide being personally examined by the doctors

**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](mailto:information@wiesenthal.com)

Website: [www.wiesenthal.com](http://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 three 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 42<sup>nd</sup> St., 16<sup>th</sup> Floor  
New York, NY 10017  
UNITED STATES  
Tel: 212/370-0320  
Fax: 212/883-0895  
Email: swcny@swcny.com

SWC – Florida  
Director – Linda Slavin  
2300 Glades Road SE 308E  
Boca Raton, Fl. 33431  
UNITED STATES  
Tel: 561/367-0722  
Fax: 561/367-0556  
Email: lslavin@wiesenthal.com

SWC – Toronto

Director – Avi Benlolo

5075 Yonge St., Suite 902

Toronto, Ontario M2N 6C6

CANADA

Tel: 416/864-9735

Fax: 416/864-1083

Email: [swcmain@fswc.ca](mailto: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](mailto:csweurope@gmail.com)

Website: [www.wiesenthal-europe.com](http://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](mailto:cswlatin@satlink.com)

## Index of Countries

Argentina	6, 13, 20, 23, 26, 36, 38, 46
Australia	6, 11, 12, 13, 20, 23, 26, 34, 35, 38, 42, 44
Austria	5, 6, 10, 12, 13, 19, 20, 22, 23, 26, 28, 29, 33, 35, 36, 38, 40, 41, 47
Belarus	11, 26, 36, 38, 42
Belgium	26, 38
Bolivia	26, 38
Bosnia-Herzegovina	26, 38
Brazil	13, 20, 23, 26, 38
Canada	5, 12, 13, 16, 18, 19, 20, 21, 22, 23, 26, 31, 38, 44, 46
Chile	13, 20, 23, 26, 38
Colombia	26, 38
Costa Rica	23, 26, 38
Croatia	11, 12, 13, 20, 22, 23, 26, 29, 32, 35, 38, 41
Czech Republic	26, 38
Denmark	18, 20, 23, 26, 31, 38, 41
Estonia	6, 13, 20, 22, 23, 26, 35, 38, 42
Finland	26, 32, 38
France	5, 16, 23, 26, 33, 38, 40, 46
Germany	5, 7, 9, 11, 13, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 31, 32, 33, 38, 40, 41, 42
Great Britain	12, 13, 20, 23, 26, 38, 44
Greece	26, 32, 33, 38, 40
Hungary	6, 11, 13, 18, 20, 22, 23, 26, 36, 38, 41, 42
Italy	5, 9, 11, 15, 16, 17, 18, 19, 20, 22, 23, 26, 28, 29, 38
Latvia	11, 13, 20, 22, 23, 26, 32, 34, 39, 44
Lithuania	5, 6, 11, 13, 14, 16, 18, 20, 22, 23, 26, 34, 36, 37, 39, 42, 44
Luxemburg	26, 39
Netherlands	17, 22, 23, 26, 28, 31, 39, 42
New Zealand	26, 32, 39
Norway	5, 12, 26, 33, 39
Paraguay	26, 39

Poland	5, 11, 13, 16, 17, 18, 20, 22, 23, 26, 30, 33, 39
Romania	11, 13, 20, 23, 26, 39
Russia	11, 26, 32, 39
Serbia	6, 17, 20, 22, 23, 26, 29, 39, 41
Slovakia	26, 33, 39, 40
Slovenia	20, 23, 26, 39
Spain	20, 23, 26, 29, 30, 39
Sweden	6, 12, 26, 33, 39
Switzerland	20, 39
Syria	5, 10, 26, 33, 39, 40
Ukraine	6, 11, 26, 37, 39
United States	5, 7, 9, 12, 16, 17, 18, 20, 22, 23, 26, 27, 28, 29, 30, 31, 35, 36, 39, 43, 45
Uruguay	13, 26, 39
Venezuela	26, 39, 42