

Worldwide Investigation and Prosecution of Nazi War Criminals

(April 1, 2012 – March 31, 2013)

An Annual Status Report

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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 at least ten countries, among them Germany, Austria and Poland, in which the crimes of the Holocaust were committed, as well as the United States and Canada, which afforded a postwar haven to Holocaust perpetrators. Although the number of Nazi war criminals indicted and convicted during the period under review dropped considerably, there was very good news from Germany, where a comprehensive search for Auschwitz guards was initiated, which yielded unusually successful results subsequent to the period reviewed in this report.

2. During the period from April 1, 2012 until March 31, 2013, successful legal action was taken against two individuals, one in Italy, and one in Canada. These convictions bring the number of legal decisions won against Nazi war criminals from January 1, 2001 until March 31, 2013 to one hundred and one, with the majority achieved in Italy (46) and the United States (39).

3. During the period under review, legal proceedings were initiated against three suspected Nazi war criminals, one each in Germany, Italy and Spain, bringing the number of indictments filed since January 1, 2001 against suspects accused of war crimes during World War II to ninety-one. The largest number of cases were filed in the United States (35) and Italy (33).

4. While significant practical legal results were achieved in Hungary, Italy, Germany, and Canada, other countries have 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 unable to prosecute Nazi war criminals [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 and had practical opportunities to do so, but have failed to achieve any positive results during the period under review (Australia, Austria, Estonia, Latvia, Lithuania, and Ukraine). The reasons for the failing grade awarded to each country are explained in the report.

5. The most significant positive result during the period under review was the opening of two dozen new investigations by the Zentrale Stelle in Germany, in the wake of the conviction of Sobibor death camp guard Ivan Demjanjuk in Munich 2011.

The most disappointing legal decision regarding a Nazi war criminal during the period under review was the August 15, 2012 decision of the Australian High Court to reject the extradition of Perth resident Karoly (Charles) Zentai to face charges in Hungary for alleged war crimes.

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 that is not the case. Despite the passage of almost seven 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 at least one thousand and five ongoing investigations as of April 1, 2013.

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 more than 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 publicizing the primary findings of the report is Yom Ha-Shoa (Holocaust Remembrance Day) as designated by the State of Israel, which this past year was observed on April 8, 2013. 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 Holocaust denial and distortion, 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 which 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. This report in its entirety will be posted on our website www.operationlastchance.org

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THE PERIOD UNDER REVIEW: APRIL 1, 2012 – MARCH 31, 2013

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 was a very sharp decline in the number of convictions, and a smaller drop in the number of indictments, but the figures for new and ongoing investigations remained relatively high. There were only three fewer new investigations, and the number of ongoing investigations was still above one thousand.

Unlike the previous period under review, there were no trials on criminal charges, which were conducted with the defendants alive and present in court. One conviction was obtained in Italy in absentia and the other was a denaturalization obtained in Canada in a civil proceeding. The most noteworthy practical legal result achieved was the initiation of a criminal investigation in Hungary against Laszlo Csatory for his role as a ghetto commander in Hungarian-occupied Slovakia and in the deportation of approximately 15,700 Jews to the Auschwitz death camp.

In other respects, the past year was very similar to its predecessor. As usual, the critical importance of political will in bringing Nazi war criminals to justice was 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, all of 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 East European Nazi collaborators.) Unfortunately, relatively few countries have made an effort to exploit the far greater access 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 post-Communist 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. And while the lack of results achieved to some extent 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, and Belarus.

In fact, during the past fifteen years, only five Eastern European post-Communist countries took any legal measures whatsoever against local Nazi war criminals, and most of them were ultimately unsuccessful, in many cases due to a lack of political will. Thus, for example, Lithuania prosecuted three members of the *Saugumas* (Lithuanian Security Police), including the two top commanders of the Vilnius district (Aleksandras Lileikis and Kazys Gimžauskas), but not a single one was ever punished despite two convictions (one defendant died in the middle of his trial), since the proceedings were only conducted after the suspects were medically unfit. A Lithuanian request for the extradition of murder squad officer Antanas Gecevičius (Gecas) from Scotland also failed due to his demise.

The only positive result achieved in Eastern Europe during the period under review was the initiation of a criminal investigation against Laszlo Csatory in Hungary, one of two countries (along with Croatia) which has a mixed record during the past decade. On the one hand, Hungary sought the extradition from Australia of Hungarian soldier Karoly (Charles) Zentai on charges of murder, and put former gendarmerie officer Sandor Kepiro on trial in 2011. More than four years passed, however, before Kepiro was indicted and he was ultimately acquitted despite considerable evidence proving his involvement in the mass murder of Jews and Serbs in and around Novi Sad, in January 1942. In Csatory's case as well, the Hungarians moved relatively slowly despite the defendant's very advanced age.

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 ten 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. The prosecution and conviction of Ivan Demjanjuk in 2011 constitute an important example of the critical role played by political will in the efforts to hold Holocaust perpetrators accountable. Germany could easily have ignored the case of Demjanjuk, who was neither German nor Volksdeutsche, nor had he committed his crimes in Germany, but the prosecutors in Munich nonetheless made the effort to bring him to trial and achieved a landmark decision which paves the way for the prosecution of any person who served in a death camp (Auschwitz-Birkenau, Treblinka, Belzec, Chelmno, Sobibor, Majdanek) or in the Einsatzgruppen. The implementation of this policy has begun and pertinent investigations were carried out during the period under review.

By contrast, Austria, which in early 2011 established a working group (Forschungstelle Nachkriegsjustiz), to identify alleged Nazi war criminals and to carry out a comprehensive investigation of 526 public court files which relate to Nazi war crimes, again failed to achieve any positive results. Thus the interim report, which was scheduled to be completed by mid-2011 has still not appeared, let alone the final report scheduled for 2012. Such a comprehensive investigation effort is particularly welcome given Austria’s consistent failure during the past three decades to bring Holocaust perpetrators to justice. 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.

Although statutes of limitations on cases of murder exist in many countries, until recently there were only two countries in the Western world which proscribed the prosecution of crimes related to genocide, war crimes and crimes against humanity. The countries in question were Norway and Sweden, which therefore refused in principle to investigate, let alone prosecute, Nazi war criminals. On March 7, 2008, Norway finally cancelled the statute of limitations on genocide, war crimes, and crimes against humanity and in February 2010, Sweden did so as well. Unfortunately those changes were not made retroactive and thus neither country can prosecute Nazi war criminals.

In other countries of refuge, the only positive result achieved during the period under review was a denaturalization obtained in Canada. Canada (in 1987), Australia (in 1989) and Great Britain (in 1991) all passed special laws to enable criminal prosecution, but the results achieved in recent years have been minimal. Canada, which in 1994 switched to the “American model” of

denaturalization and deportation, initially took successful legal action (denaturalization) against 8 persons (and 2 others voluntarily left the country), 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 is therefore 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 period under review was the decision of the High Court to refuse to allow the extradition to Hungary of Karoly (Charles) Zentai to face an allegation of murder during the Holocaust. Unless any other cases will be successfully prosecuted in Australia, the refusal to extradite Zentai marks the end of the Australian effort to bring Holocaust perpetrators to justice, which can be categorized as a total failure in practical terms, since the Australian judiciary failed to take successful legal action against a single Nazi war criminal living in the country.

A solitary exception to this dismal picture was Spain, where the "Nizkor" group of lawyers was able to convince a Spanish court to indict Waffen-SS Death's Head camp guard Theodor Szebinskyj, a Ukrainian who served in Gross-Rosen, Sachsenhausen and Warsaw concentration camps.

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, 2013, the number of ongoing investigations remains relatively high, which is a cause for guarded optimism, and the number of new investigations launched during the period under review barely decreased.

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. In 2007 it was started in Argentina, Chile, Brazil and Uruguay.

In the wake of the Demjanjuk conviction by a German court in May 2011 and its potential implications for the increased prosecution of Nazi war criminal in Germany, the Wiesenthal Center and Targum Shlishi launched “Operation: Last Chance II” in Berlin on December 16, 2011. This new project seeks to focus on those who served in death camps and in the Einsatzgruppen and who, in the wake of the Demjanjuk precedent, can now almost automatically be successfully prosecuted in Germany, even if there is no evidence that they committed a specific crime against a specific victim. As a result of this new legal situation, the hitherto biggest obstacle to the prosecution of Nazi war criminals in Germany has been eliminated, making it theoretically much easier to bring these Holocaust perpetrators to justice in Germany than it has been during the past almost five decades.

The reward being offered for information on such cases was increased from \$25,000 (US) to 25,000 euros and the conditions for its receipt were made more favorable to the informants. Until now, the rewards in “Operation: Last Chance” were granted only if the suspects brought to our attention were convicted and punished. (Partial rewards of \$5,000 were awarded in the cases of Milivoj Ašner (2004) and Lazslo Csatory (2012) due to exceptional circumstances.) In O:LC II cases, however, an initial reward of 5,000 euros will be awarded if a suspect is indicted, another 5,000 euros will be given if a conviction is obtained, and the informant will receive an additional 100 euros for every day the criminal is incarcerated for the first 150 days of his or her imprisonment.

Prior to the launch of “Operation: Last Chance II,” the Wiesenthal Center had received the names of 605 suspects, 103 of which were submitted to prosecutors, either in the country in which the crime was committed or in the suspect’s country of origin or of current residence. During the period covered by last year's report (April 1, 2011-March 31, 2012) the names of thirty-six additional suspects were received, three of which were submitted to local prosecutors for further investigation and possible prosecution. During the current period under review, we received information regarding thirty-three new suspects, three names of which were submitted to local prosecutors.

In summation, despite numerous obstacles and difficulties, some progress was made during the period under review, and can still be achieved in the efforts to bring the perpetrators of the

Holocaust to the bar of justice. As time goes by, however, the political dimension of these efforts becomes increasingly important, as can clearly be seen in the analysis of the records of the individual countries during the period under review.

CONVICTIONS OF NAZI WAR CRIMINALS OBTAINED
DURING THE PERIOD UNDER REVIEW

April 1, 2012 – March 31, 2013

Canada - 1

Italy – 1

Details of Convictions Obtained During the Period Under Review:

1. Canada

On September 27, 2012, Helmut Oberlander, who served with Einsatzgruppe D, had his Canadian citizenship officially revoked by Order in Council P.C. 2012-1137.

2. Italy

On October 17, 2012, the Military Court in Verona sentenced Ernst Wadenpfehl, who served in the 80th Storm Troop (MEK 80) of the German Navy, to life imprisonment for his role in the murder of Italian civilians in Borgo Ticino (Novara) on August 13, 1944.

CONVICTIONS OF NAZI WAR CRIMINALS:
COMPARATIVE STATISTICS 2001-2013

	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	1.IV.2009 – 31.III.2010	1.IV.2010– 31.III.2011	1.IV.2011 – 31.III.2012	1.IV.2012 – 31.III.2013	Total
United States	6	5	7	5	5	6	3	0	0	2	0	0	39
Italy	0	0	0	0	10	15	1	6	3	0	9	1	45
Canada	3	0	0	0	0	0	3	0	0	0	0	1	7
Germany	2	1	0	0	0	0	0	0	2	0	1	0	6
Lithuania	1	0	0	0	1	0	0	0	0	0	0	0	2
Poland	1	0	0	0	0	0	0	0	0	0	0	0	1
France	1	0	0	0	0	0	0	0	0	0	0	0	1
Total	14	6	7	5	16	21	7	6	5	2	10	2	101

NEW CASES FILED DURING THE PERIOD UNDER REVIEW

Germany - 1
Italy - 1
Spain - 1

1. Germany

In November 2012, the prosecution in North Rhine-Westphalia charged Siert Bruins, who served in the SD (German Security Service, the unit that hunted resistance members and Jews hiding in the Netherlands), with the murder of Dutch resistance fighter Albert Klaas Dijkema in September 1944 near Appingedam in northern Netherlands.

2. Italy

On an unknown date, Ernst Wadenpfehl, who served with the 80th Storm Troop (MEK) of the German Navy, was indicted for his role in the murder of Italian civilians in Borge Ticino (Novara), Italy on August 13, 1944.

3. Spain

On February 26, 2013, Spain's Audencia Nacional court indicted Theodor Szebinskyj for his service as an armed SS Death's Head guard at the Gross-Rosen, Sachsenhausen and Warsaw concentration camps. (This corrects our previous report, which listed this indictment as having been filed between April 1, 2011 and March 31, 2012.)

NEW CASES FILED: COMPARATIVE STATISTICS 2001 – 2013

	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	1.IV.2009 – 31.III.2010	1.IV.2010 – 31.III.2011	1.IV.2011 – 31.III.2012.	1.IV.2012 – 31.III.2013.	Total
United States	4	10	5	3	2	6	2	1	2	0	0	0	35
Italy	0	0	0	0	2	0	5	2	16	2	5	1	33
Germany	1	1	2	0	0	0	1	2	3	1	0	1	12
Canada	1	0	3	0	0	0	0	0	0	0	0	0	4
Hungary	0	0	0	1	0	0	0	0	0	1	0	0	2
Denmark	0	0	0	1	0	0	0	0	0	0	0	0	1
Lithuania	0	0	0	1	0	0	0	0	0	0	0	0	1
Poland	0	0	0	0	1	0	0	0	0	0	0	0	1
Spain ¹	0	0	0	0	0	0	0	0	0	1	0	1	2
Total	6	11	10	6	5	6	8	5	21	5	5	3	91

¹ The figures for Spain were corrected to reflect the correct date of the indictment filed against Theodor Szebinskyj.

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

Germany	30
Austria	13
United States	10
Italy	6 ¹
Hungary	1 ²
Slovakia	1 ²
Canada	? ³
Total	61

1. The number of new investigations in Italy is a minimum figure since the new investigations initiated by the military court in Rome have an unspecified number of suspects.
2. The investigations initiated in Hungary and Slovakia are regarding the same Hungarian police officer, Laszlo Csatory.
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 – 2013

	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	1.IV.2009 – 31.III.2010	1.IV.2010 – 31.III.2011	1.IV.2011 – 31.III.2012	1.IV.2012 – 31.III.2013	Total
Poland	48	8	172	306	141	2	142	230	290	409	0	0	1,748
Germany	9	?	9	27	38	22	31	43	130	161	45	30	545
Austria	10	3	60	272	1	0	2	16	24	6	9	13	416
United States	46	16	40	34	27	30	22	5	5	5	6	10	246
Italy	0	56	18	6	2	2	3	21	4	2*	1	6	121
Argentina	0	0	0	0	0	0	1	0	0	0	1	0	2
Australia	0	9	0	1	3	1	0	0	0	0	0	0	14
Belgium									1	0	0	0	1
Brazil	0	0	0	0	0	0	1	0	0	0	0	0	1
Canada	?	?	?	?	103	?	?	?	?	?	?	?	103
Chile	0	0	0	0	0	0	1	0	0	0	0	0	1
Croatia	0	0	0	1	1	0	0	0	0	0	0	0	2
Denmark	0	0	1	9	0	1	0	0	0	0	0	0	11
Estonia	2	17	1	0	0	0	0	0	0	0	0	0	20
Great Britain	6	1	0	0	0	0	0	0	1	0	0	0	8
Hungary	0	0	0	1	1	1	0	0	0	0	1	1	5
Latvia	0	4	16	0	0	0	0	0	0	0	0	0	20
Lithuania	100	24	18	2	3	1	1	0	1	0	0	0	150
Romania	0	0	0	4	0	0	0	0	0	0	0	0	4
Serbia	0	0	0	0	0	3	0	0	0	0	0	0	3
Slovakia	0	0	0	0	0	0	0	0	0	0	1	1	2
Slovenia	0	0	0	0	1	0	0	0	0	0	0	0	1
Spain	0	0	0	0	1	0	0	0	0	0	0	0	1
Switzerland	0	0	0	0	0	0	1	0	0	0	0	0	1
Total	221	138	335	663	322	63	205	315	456	583	64	61	3,426

ONGOING INVESTIGATIONS OF NAZI WAR CRIMINALS AS OF APRIL 1, 2013

Poland	500
Germany	471
Italy	19
Lithuania	6 ¹
Austria	5
Hungary	2
Argentina	1
Slovakia	1
Canada	? ²
USA	? ²
Total	1,005

1. All six cases in Lithuania are currently suspended.
2. The relevant agencies in both Canada and the United States replied that they are forbidden to provide such statistics.

ONGOING INVESTIGATIONS OF NAZI WAR CRIMINALS:

COMPARATIVE STATISTICS 2001 – 2013

	April 1, 2002	April 1, 2003	April 1, 2004	April 1, 2005	April 1, 2006	April 1, 2007	April 1, 2008	April 1, 2009	April 1, 2010	April 1, 2011	April 1, 2012	April 1, 2013
United States ¹	175	275	285	246	236	221	216	150	87	76	74	?
Lithuania	110	108	25	21	26	24	17	13	9	?	6	6
Canada	78	67	194	190	255	255	?	180	180	157	19	?
Poland	48	13	350	450	365	333	305	270	316	471	458	500
Germany	27	13	35	46	28	20	30	27	177	582	528	471
Great Britain	6	2	1	1	1	0	0	0	2	0	0	0
Croatia	3	2	1	2	2	2	1	1	1	0	0	0
Austria	3	4	27	199	131	83	4	5	28	5	22	5
Latvia ²	2	5	5	58	53	55	3	1	0	?	0	0
Netherlands	1	0	0	6	6	0	0	1	0	0	0	0
Estonia	1	2	3	3	1	1	1	1	2	0	0	0
Costa Rica	1	0	0	0	0	0	0	0	0	0	0	0
Denmark	0	1	2	11	1	2	1	0	1	0	0	0
Italy	0	0	12	13	5	17	22	52	43	23	0	19
Romania	0	0	0	4	4	0	0	0	0	0	27	0
Australia	0	0	0	1	2	0	0	0	0	0	0	0
Hungary	0	0	0	1	2	2	1	2	2	2	2	2
Slovenia	0	0	0	0	1	0	0	0	0	0	0	0
Spain	0	0	0	0	1	0	1	0	0	0	0	0
Serbia	0	0	0	0	0	3	3	3	3	2	0	0
France	0	0	0	0	0	1	0	0	0	0	1	0
Argentina	0	0	0	0	0	0	1	0	0	0	1	1
Brazil	0	0	0	0	0	0	1	0	0	0	0	0
Chile	0	0	0	0	0	0	1	0	0	0	0	0
Belgium	0	0	0	0	0	0	0	0	1	0	0	0
Slovakia	0	0	0	0	0	0	0	0	0	0	0	1
Total	455	492	940	1,252	1,130	1,019	608	706	852	1,328	1,138	1,005

1. The figure for April 1, 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.

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/or 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: Germany, United States
- B: Canada, Italy, Spain
- C: Hungary, Poland, Slovakia
- D: --
- E: Argentina, Bosnia-Herzegovina, Croatia, Czech Republic, Denmark, Finland, Greece, New Zealand, Romania
- F-1: Norway, Sweden
- F-2: Australia, Austria, Estonia, Latvia, Lithuania, Ukraine
- X: Belarus, Belgium, Bolivia, Brazil, Chile, Colombia, Costa-Rica, France, Great Britain, Luxemburg, Netherlands, Paraguay, Russia, Serbia, Slovenia, Uruguay

Category A: Highly Successful Proactive Prosecution Program

1. Germany – The decentralization of the German legal system makes it very difficult to give a grade which accurately reflects the legal situation throughout the Federal Republic. Thus there are provinces which have been extremely active in investigating cases of Nazi war criminals (Baden-Wurtemberg, Bavaria, Hesse, and North Rhine-Westphalia), whereas others have investigated as few as a single case (Berlin, Bremen, Hamburg, Lower Saxony, Rhineland-Palatinate, Saxony, Schleswig-Holstein and Thuringia) or none at all (Mecklenburg-Vorpommern, Saarland, and Saxony Anhalt). And while the significant differences between the provinces are obviously affected by the number of suspects in, and the cases assigned to, each area, the figures are also related to the performance of local prosecutors and their determination, or lack thereof, to bring Nazi war criminals to justice.

During the previous period under review, German prosecutors achieved an extremely important conviction, which has significant implications for the prosecution of Holocaust perpetrators in the Federal Republic. The case in question was that of Sobibor SS guard Ivan Demjanjuk, who was convicted on May 12, 2011 in Landgericht Munchen II of accessory to murder in sixteen instances – with a total of 28,060 victims. The importance of the decision, as previously noted, was that it was the first case in more than four decades of a Holocaust perpetrator who was convicted, even though no evidence of a specific crime with a specific victim was presented to the court.

This decision has extremely significant implications, since it means that any person who served in a Nazi death camp or in the Einsatzgruppen (mobile killing squads) can be prosecuted in Germany, even if prosecutors have no proof that he or she committed a specific crime. Until now, such cases generally never reached the courts, even though the suspects were active participants in mass murder over extended periods of time.

During the period under review, the Zentrale Stelle (Central Office for the Clarification of Nazi war crimes), headed by Kurt Schrimm, initiated a comprehensive search for death camp guards which bore extensive positive practical results after March 2013.

One blemish on Germany's otherwise positive record, however, continues to be its failure to extradite or incarcerate foreign SS killers who escaped to Germany, having acquired German

citizenship for their SS service, which has, to date, shielded them from punishment. There is no question that more could have been done in this regard, and the lack of success in the cases of Klaas Faber (from Holland – deceased May 24, 2012) and Soeren Kam (from Denmark) undoubtedly constitutes a failure of the judicial authorities, but the overall efforts and the existence of political will to prosecute Holocaust perpetrators outweigh the negative results in these cases.

2. United States – Since its establishment in 1979, the Office of Special Investigations (OSI), renamed the Human Rights and Special Prosecution Section (HRSPS), 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 throughout its existence. Its outstanding performance has earned it unique status, as the only agency to have received the highest possible grade every single year since this 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 hitherto obtained. In fact, during the period from January 1, 2001 until March 31, 2013, 39 of the 101 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 the Americans clearly underscore the professional excellence and dedication of the agency 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 recent years, there has been a decrease in the number of convictions obtained, not due to any lack of effort by the HRSPS, but rather as a function of its unusually-successful program and the obvious increased difficulty of bringing Nazi war criminals to justice, so many years after the crimes were committed. Having said that, the office has played a very important role in helping convince several countries to take legal action against Nazi war criminals and assisted significantly in providing the necessary evidence to prepare successful legal measures, such as the indictment in Spain of SS-Death Head's guard Theodor Szebinskyj, who was denaturalized and ordered deported from the United States for his service in the Gross-Rosen, Sachsenhausen and Warsaw concentration camps.

Category B: Ongoing Prosecution Programs Which Have Achieved Practical Success

1. Canada – For the first time since February 2008, the Canadian Crimes Against Humanity and War Crimes Section of the Ministry of Justice, headed by Terry Beitner, Esq., was able to take successful legal action against a Nazi collaborator. On September 27, 2012, Helmut Oberlander, who served with Einstazkommando 10a of Einstazgruppe D, a German special killing squad, which murdered tens of thousands of Jews in southern Ukraine and the Caucasus, ceased to be a Canadian citizen. This is the third time that Oberlander was stripped of his Canadian citizenship. He initially lost it in August 2001, and later, on May 24, 2007, but in each case his appeals against his denaturalization were successful. To the credit of the Canadian authorities, they persisted in the case and he was again denaturalized during the period under review.

Unfortunately, aside from this success, Canada's recent record in dealing with Nazi war criminals has been quite disappointing, having failed to deport a single person who was denaturalized for concealing their Nazi past. Thus during the past eighteen 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 ten denaturalizations against defendants residing in Canada, who in theory should have then been deported. To date, however, not a single one of the eight persons who appealed against the decision (two of the ten denaturalized voluntarily left the country) has been deported, and seven of the eight have since died in Canada. (In addition, six defendants 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 authorities who also apply civil remedies against Nazi war criminals.

Given the fact that the Holocaust perpetrators who immigrated 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. 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 positive results achieved during the period under review - one conviction and one indictment - continue this important trend. Thus during the years 2005-2013, a total of forty-five Nazi war criminals have been convicted by military prosecutors, by far the highest number achieved anywhere, since the publication of this report was initiated in 2002 to cover the period from January 1, 2001 until March 31, 2002.

It should be noted, however, that unfortunately, all of the cases of Nazi war criminals prosecuted in Italy during past eight 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 hitherto been rejected by the Federal Republic and Austria, which refuse in principle to extradite their citizens. In the wake of this refusal, Italy has requested in at least five cases that those convicted and sentenced to life imprisonment serve their sentences in Germany. Three years ago, one of the officers convicted in Italy, Josef Scheungraber, was 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. Spain - One of the most surprising positive developments in recent years was the initiative of a group of Spanish human rights lawyers named Nizkor (we will remember, in Hebrew), together with Madrid attorney Gloria Trinidad and with the assistance of the Israel Office of the Simon Wiesenthal Center, to solve the problem 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. The group ultimately focused on the cases of four individuals who had served in the Flossenbug (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.

During the period under review another Nazi war criminal, Waffen-SS Death's Head guard Theodor Szebinskyj, who served in the Gross-Rosen, Sachsenhausen and Warsaw concentration camps was indicted by the Spanish authorities, bringing the number of those indicted in Spain to five, none of whom, however, have yet been extradited and prosecuted.

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. Hungary – During the period under review, the Hungarian authorities initiated a criminal investigation against Dr. Laszlo Csatory, who had served as a police officer in the city of Kosice, Slovakia, then under Hungarian occupation. Csatory served as commander of a local ghetto and played an active role in the deportation of approximately 15,700 Jews from Kosice and its environs to the Auschwitz death camp.

On August 15, 2012 the High Court of Australia ruled that Karoly (Charles) Zentai could not be extradited to Hungary to face charges of war crimes as per the Hungarian extradition request of March 23, 2005. Zentai was alleged to have murdered Peter Balazs, an eighteen year old Jewish boy, whom he caught in Budapest without the requisite yellow star.

2. 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, over the past decade it has opened far more new investigations than any other equivalent agency and as of April 1, 2013 had the largest number of ongoing investigations being currently conducted. On the other hand, the only practical results achieved during the past thirteen years are relatively disappointing - one conviction (of Chelmno death camp operative Henryk Mania) and one indictment (of Nazi agent Piotr Wiczorek). In that context, it should be noted that an unspecified number of the investigations being carried out by the Institute are against persons who are no longer alive.

3. Slovakia – For the first time since its renewed independence, Slovakia initiated a criminal investigation against a suspected Nazi war criminal, in this case Hungarian police officer Laszlo Csatory, who is alleged to have committed war crimes in the city of Kosice, then under Hungarian occupation. On March 28, 2013, the Slovak county Court in Kosice changed the 1948 verdict in Csatory's case from the death penalty to life imprisonment, in order to be able to apply it against him.

Category D: Insufficient and/or Unsuccessful Efforts

None

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. Argentina
2. Bosnia-Herzegovina
3. Croatia
4. Czech Republic
5. Denmark
6. Finland
7. Greece
8. New Zealand
9. Romania

Category F-1: Failure in Principle

1. Norway – For years, Norway refused in principle to investigate, let alone prosecute, Nazi war criminals due to an existing statute of limitations, which contrary to the situation elsewhere in the Western world with the exception of Sweden, applied not only to murder, but even to genocide, war crimes and crimes against humanity. On March 7, 2008, however, the

Norwegian parliament cancelled the existing statute of limitations on the crimes of genocide, war crimes, crimes against humanity and terrorism. Unfortunately, this development did not 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 – For years, the Swedish government refused in principle to investigate, let alone prosecute, Nazi war criminals due to a statute of limitations on murder, which was instituted in 1926, and which contrary to the situation elsewhere in the Western world with the exception of Norway, applied also to genocide, war crimes, and crimes against humanity. In February 2010, the Swedish parliament cancelled the statute of limitations in cases of genocide, war crimes and crimes against humanity, but that step was not made retroactive and therefore does not allow for the prosecution of Holocaust perpetrators. Thus Sweden, like Norway, remains one of the only countries in the civilized world which cannot in principle prosecute Nazi war criminals.

Category F-2: Failure in Practice

1. Australia – The August 15, 2012 decision by the Australian High Court to reject the Hungarian extradition request for Perth resident Karoly (Charles) Zentai, who was wanted for alleged crimes in Hungary in 1944, apparently marks the end of the Nazi war crimes issue in Australia. The Zentai case was the last one on the Australian judicial agenda and the failure of the local authorities to allow his extradition to face Holocaust-related charges in Budapest means that Australia has completely failed in its efforts to take successful legal action against any of the Nazi war criminals residing in the country.

Following the passage in Canberra, in 1989, of legislation enabling the criminal prosecution of suspected Nazi war criminals resident in Australia, a Special Investigations Unit was established to handle these cases. To date, three cases were brought to trial, those of Ivan Polyukhovich, Mikalay Berezovsky and Heinrich Wagner, all of whom were accused of war crimes committed in the Ukraine, none of which resulted in a conviction. Two extradition requests, those of Latvian murder squad officer Konrad Kalejs and Zentai, also did not lead to prosecutions in their countries of origin. If we add the cases of notable Holocaust perpetrators such as Latvian murder squad office Karlis Ozols, Lithuanian death squad member Leonas Pazusis, and Security police officer Antanas Gudelis, the extent of the failure of Australian

efforts to hold Nazi war criminals resident in the country accountable becomes obvious. The only positive result achieved by the Australians was the conviction in Germany of Ernst Hering, who served in the same Ukrainian auxiliary police unit as Heinrich Wagner (Gendarmerie Ustinova), and whose role came to the attention of the German authorities in the wake of the proceedings in Australia.

2. Austria – Once again, Austria has failed to achieve any practical results against Nazi war criminals during the period under review, continuing its consistently-terrible record of the past three decades, during which not a single Holocaust perpetrator has been punished by an Austrian court. Three years ago, in the wake of the establishment of a working group by the Ministry of Justice to identify any Nazi cases in which legal action might still be possible, and the opening of twenty-four new investigations, it appeared that there might still be hope for meaningful progress. As a result, Austria was given a "D" rather than its usual failing grade, but as the report noted: "Only time will tell whether this step [the establishment of the working group – EZ] was conceived to deflect criticism of Austria's terrible record or will actually facilitate positive practical results for the first time in decades."

In the meantime, there is only bad news. The interim report which was scheduled to be completed by the end of 2011 has not yet appeared, let alone the final version, which was slated for completion in mid-2012, and there is no indication when they will be published, let alone their recommendations implemented. Needless to say, the time that has elapsed will only make it even harder to mount successful prosecutions.

3. Estonia – During the period under review there has been no practical progress in the investigation and prosecution of Estonian Nazi war criminals.
4. Latvia – During the period under review there has been no practical progress in the prosecution of Latvian Nazi war criminals.
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.

During the period under review, there has been no practical progress in the prosecution of Lithuanian Nazi war criminals.

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 hitherto 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 2001-2013

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
	2000/1 -	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11	2011/12	2012/13
Argentina	C	X	D	D	X	X	X	D	X	E	X	D	E
Australia	D	D	D	D	C	C	F-2	F-2	F-2	F-2	C	F-2	F-2
Austria	D	D	D	C	D	F	F-2	C	F-2	D	F-2	F-2	F-2
Belarus		X	X	X	X	X	X	X	X	X	X	X	X
Belgium		X	X	X	X	X	X	X	X	D	X	X	X
Bolivia		X	X	X	X	X	X	X	X	X	X	X	X
Bosnia-Herzegovina		X	X	X	D	D	E	X	X	X	E	X	E
Brazil		X	X	X	X	X	X	D	X	X	X	E	X
Canada	B	B	C	B	C	C	F-2	B	D	F-2	F-2	F-2	B
Chile		X	X	X	X	D	X	D	X	X	X	X	X
Colombia		F	F	F	D	D	X	X	X	X	X	X	X
Costa Rica	C	D	C	X	X	D	X	X	X	X	E	X	X
Croatia	C	D	D	D	D	B	F-2	F-2	E	E	E	E	E
Czech Republic		D	X	X	X	X	X	X	X	X	X	X	E
Denmark		D	D	D	B	D	C	D	D	D	D	E	E
Estonia	D	D	D	D	D	F	F-2	F-2	F-2	F-2	F-2	F-2	F-2
Finland		D	D	D	D	D	E	E	E	E	E	E	E
France	B	C	D	D	X	D	D	X	X	X	X	D	X
Germany	B	B	B	B	C	C	F-2	B	B	A	B	A	A
Great Britain	C	D	D	D	D	D	F-2	X	X	D	X	X	X
Greece		X	X	X	X	X	X	E	E	E	E	X	E
Hungary		X	D	D	B	C	C	F-2	F-2	F-2	B	B/F-2	C
Italy	B	C	C	C	C	B	B	B	B	B	B	A	B

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

MOST WANTED NAZI WAR CRIMINALS

As of April 1, 2013

***A. 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 – Lived in Syria for decades; Syrian refusal to cooperate stymied prosecution efforts; convicted in absentia by France and Germany

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.

***B. Dr. Aribert Heim - ?**

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

Murdered dozens of camp inmates by lethal injection in Mauthausen

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

New evidence revealed in February 2009 suggests that he may have died in Cairo in 1992, but questions regarding these findings and the fact that there is no corpse to examine, raise doubts as to the veracity of this information. In September 2012, a court in Baden-Baden, Germany closed the case without forensic confirmation of Heim's death.

1. **Ladislau Csizsik - Csatary – Hungary**

Served as a senior Hungarian police officer in Kosice (Hungarian-occupied Slovakia) and was in charge of the ghetto of “privileged” Jews; helped organize the deportation to Auschwitz of approximately 15,700 Jews from Kosice and vicinity in spring 1944.

Status: Convicted in absentia and sentenced to death in 1948 in Czechoslovakia for torturing Jews and his role in the mass deportation to Auschwitz. Escaped to Canada after World War II, but was stripped of his Canadian citizenship in 1997, and chose to voluntarily leave the country. His whereabouts were unknown until fall 2011, when he was discovered living in Budapest by the Wiesenthal Center in the framework of “Operation: Last Chance.” On July 17, 2012, Csatary was accused of torturing Jews in the Kosice Ghetto, was placed under house arrest, and had his passport confiscated. Currently under house arrest in Hungary, where he awaits possible prosecution. In late March 2013, a Slovak court commuted his death sentence to life imprisonment to enable Slovakia to seek Csatary's extradition to stand trial for his crimes in Kosice.

After the period under review: On June 18, 2013, Csatary was indicted for "unlawful execution and torture" of civilians and was scheduled to go on trial within three months. He died, however, on August 10, 2013, before the trial commenced.

2. **Gerhard Sommer-Germany**

Former SS-Untersturmfuehrer in the 16th Panzergrenadier Division Reichsfuehrer-SS; participated in the massacre of 560 civilians in the Italian village of Sant' Anna di Stazzema

Status: On June 25, 2005, Sommer was convicted in absentia by a military court in La Spezia, Italy for committing "murder with special cruelty" in Sant' Anna di Stazzema. Since 2002, he has been under investigation in Germany, but no criminal charges have yet been brought against him.

3. **Vladimir Katriuk - Canada**

Served as a platoon commander of the first company of Ukrainian Schutzmannschaft Battalion 118 which carried out the murder of Jews and innocent civilians in various places in Belarus.

Status: Escaped to Canada after World War II but was stripped of his Canadian citizenship in January 1999, after his service as a Nazi collaborator was revealed. In May 2007, the Canadian authorities decided to overturn his denaturalization, a decision confirmed by the Federal Court of Appeal in November 2010. New research by Swedish historian Per Anders Rudling revealed Katriuk's active role in the mass murder of the residents of the village of Khatyn, Belarus and provides a firm basis to strip him of his Canadian citizenship and deport him from Canada.

4. Hans (Antanas) Lipschis

Served in the SS-Totenkopf Sturmabteilung (Death's Head Battalion) from October 1941 until 1945 at the Auschwitz-Birkenau death camp, where he participated in the mass murder and persecution of innocent civilians, primarily Jews.

Status: Escaped to the United States after World War II, but was deported by the American Office of Special Investigations to Germany in April 1983. Currently under investigation by the German authorities for his role in the Nazi death camp.

After the period under review: On May 6, 2013 Lipschis was arrested and incarcerated in Stuttgart. In December 2013, he was released from prison on the grounds that he was medically unfit for trial. In February 2014, his case was suspended by the court in Ellwangen.

5. Ivan (John) Kalymon – United States

Served in Nazi-controlled Ukrainian Auxiliary Police in Lvov (then German-occupied Poland, today Ukraine) during the years 1941-1944, during which time he participated in the murder, roundups and deportation of Jews living in the Lvov Ghetto.

Status: On January 31, 2011, Kalymon was ordered deported from the United States to Germany, Ukraine, Poland, or any country willing to admit him, for concealing his wartime service with forces in collaboration with Nazi Germany and his participation in violent acts of persecution. No such country has yet been found and he therefore remains in the United States.

6. Soeren Kam - Germany

Volunteered for SS-Viking Division, where he served as an officer; participated in the murder of Danish anti-Nazi newspaper editor Carl Henrik Clemmensen.

Status: In 1999 Denmark requested the extradition of Kam, which Germany refused due to his German citizenship. A subsequent extradition request was refused in early 2007 on the grounds that Clemmensen's death was not murder but manslaughter, which was under a statute of limitations. Subsequent efforts to bring Kam to justice either in Germany or in Denmark have as yet been unsuccessful.

7. Algimantas Dailide – Germany

Served in the Vilnius District of the *Saugumas* (Lithuanian Security Police); arrested Jews and Poles executed by the Nazis and local Lithuanian collaborators.

Status: His American citizenship was revoked in 1997 and he was deported from the United States in 2004 for concealing his wartime activities with the *Saugumas*. In 2006, he was convicted by a Lithuanian court of arresting 12 Jews trying to escape from the Vilnius Ghetto (and 2 Poles), who were subsequently executed by the Nazis, and was sentenced to five years imprisonment. The judges, however, refused to implement his sentence because he was old and was caring for his ill wife and “did not pose a danger to society.” In July 2008, in response to an appeal against the refusal to implement his sentence, Dailide was ruled medically unfit to be punished, without being personally examined by the doctors who provided the expertise.

8. Mikhail Gorshkow – Estonia

Served as interpreter for the Gestapo in Belarus and is alleged to have participated in the mass murder of Jews in Slutsk.

Status: Fled from the United States to Estonia before he was denaturalized for concealing his wartime service with the Nazis; has been under investigation in Estonia since his arrival several years ago, but in October 2011 the Estonian authorities closed the investigation against Gorshkow, claiming the case was one of “mistaken identity,” a decision which was severely criticized by the United States, Russia, and the Simon Wiesenthal Center.

After the period under review: Gorshkow died unprosecuted in the fall of 2013.

9. Theodor Szebinskyj – United States

Served as an armed SS Death's Head guard at the Gross Rosen (Poland), Sachsenhausen (Germany) and Warsaw (Poland) concentration camps where he actively participated in the persecution of civilian prisoners.

Status: Escaped to the United States after World War II, but was stripped of his American citizenship in 2000 by the Office of Special Investigations and was ordered deported in 2003. Until recently, no country was willing to admit him, but during the period under review, he was indicted in Spain, which has yet to seek his extradition.

10. Helmut Oberlander – Canada

Served in Einsatzkommando 10a (part of Einstazgruppe D) which operated in southern Ukraine and Crimea and is estimated to have murdered more than 23,000 people, mostly Jews.

Status: Escaped to Canada after World War II, but was stripped of his Canadian citizenship in August 2001, after his wartime service with the Nazis was revealed. In May 2004 his citizenship was restored but it was revoked a second time in May 2007, a decision which was overturned by a Federal Court of Appeal in November 2009. On September 27, 2012, Oberlander's citizenship was revoked again by Order in Council P.C. 2012-1137. He is currently appealing the decision before the Federal Court of Canada.

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, Chicago, 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.

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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 seven years, the office has carried out extensive 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, "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 local collaborators in the mass murder of Jews in virtually every country in Eastern Europe.

In December 2011, in the wake of the conviction in Munich of Sobibor death camp guard Ivan Demjanjuk (see above in section on Germany), the Israel Office and Targum Shlishi launched "Operation: Last Chance II" at the Bundestag in Berlin. The new project focuses on death camp operatives and members of the Einsatzgruppen (mobile killing squads), whose prosecution in Germany has become much easier in the aftermath of the Demjanjuk decision.

The Israel Office has also played a major role during the past several years in the fight against Holocaust distortion, a phenomenon which has become particularly dangerous in post-Communist Eastern Europe, where there is governmental support for efforts to hide or minimize the very important role played in Holocaust crimes by local Nazi collaborators and for the promotion of the canard of equivalency between Nazi and Communist crimes.

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