

# **SWC Annual Status Report on the Worldwide Investigation and Prosecution of Nazi War Criminals**

## **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, or submitted an extradition request 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, Hungary (prosecution), Italy,\* Serbia, Spain

C: Netherlands, Poland\*

D: Great Britain\*

E: Bosnia-Herzegovina, Costa Rica, Croatia, Finland, France, Greece, New Zealand, Romania, Slovakia

F-1: Norway, Sweden, Syria

F-2: Australia, Austria, Canada, Estonia, Hungary (judiciary), Latvia, Lithuania, Ukraine

X: Argentina, Belarus, Belgium, Bolivia, Brazil, Chile, Colombia, Czech Republic, Denmark, Luxemburg, Paraguay, Russia, Slovenia, Uruguay

\* tentative grade pending receipt of official statistics

# **MOST WANTED NAZI WAR CRIMINALS**

**As of April 1, 2012**

**\*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 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.

**\*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. During the past year, Heim was not found, nor was his death confirmed.

**1. Ladislaus Csizsik-Csatory – Hungary**

Served as the Commander of the Hungarian police 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: Escaped to Canada after World War II, he was stripped of his Canadian citizenship in 1997, and chose to voluntarily leave the country. His whereabouts were unknown until several months ago when he was discovered in the framework of “Operation: Last Chance.”

**2. Klaas Carl Faber - Germany**

Volunteered for Dutch SS and served in SD as member of the Sonderkommando Feldmeijer execution squad which executed members of Dutch resistance, opponents of the Nazis and those hiding Jews; also alleged to have served in a firing squad at the Westerbork transit camp from which Dutch Jews were deported to death camps.

Status: Sentenced to death in 1947 by a Dutch court for the murder of at least 11 people, his sentence was later commuted to life imprisonment, but he escaped from jail in 1952 to Germany, where he had been granted Germany citizenship which protected him from extradition back to the Netherlands.

All efforts to have him prosecuted in Germany, have hereto been unsuccessful, although the German authorities have indicated a willingness to reexamine the case.

On November 25, 2010, the Dutch government issued a European arrest warrant for the immediate arrest of Faber, and the German prosecutor in Ingolstadt, where he resides, supports his incarceration. A final decision in the case is expected within the next few weeks.

**3. 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.

**4. 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 Germany 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 overturn the decision not to strip Katriuk of his Canadian citizenship.

**5. Karoly (Charles) Zentai – Australia**

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

Status: Discovered in 2004 in the framework of "Operation: Last Chance;" Hungary issued an international arrest warrant against him and asked for his extradition from Australia in March 2005; Zentai appealed against his extradition and on July 2, 2010 a court in Perth ruled in his favor. Australian Minister for Home Affairs, Brendan O'Conner, acting on behalf of the Hungarian government, appealed the decision and the case was heard before the full bench of the Federal court in late March 2012, with a decision expected within the coming months.

**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 limitation. Efforts continue to bring Kam to justice either in Germany or in Denmark.

**7. 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 violent acts of persecution. No such country has been found and he remains in the United States.

**8. 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 for 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.

**9. Mikhail Gorshkow – Estonia**

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

Status: Fled from the United States to Estonia before he was denaturalized for concealing his wartime service with the Nazis; had 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.

**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, and that decision was overturned by a Federal Court of Appeal in November 2009. The case is currently pending again.