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Wiesenthal Center 2017 Annual Report Praises Renewed Efforts by German Prosecutors

Jerusalem – In conjunction with Holocaust Memorial Day (Yom Hashoa) which was observed in Israel last week, the Simon Wiesenthal Center today released the initial findings of its sixteenth Annual Status Report on the Worldwide Investigation and Prosecution of Nazi War Criminals, which covers the period from April 1, 2016 until March 31, 2017.

Among the report's highlights are the following important developments:

1. The most important positive developments during the period under review were the direct result of the new prosecution policy implemented by the German judicial authorities in the wake of the conviction in Munich of Sobibor SS guard Ivan Demjanjuk as an accessory to murder in May 2011. Based on that decision, the German ZentraleStelle decided to investigate all the hitherto unprosecuted persons who had served in any of the six Nazi death camps (Auschwitz-Birkenau, Treblinka, Belzec, Chelmno, Sobibor and Majdanek) or in the Einsatzgruppe (mobile killing units) A, B, C, and D, which operated in the territories of the Soviet Union.

The results achieved in Germany during the period under review were quite significant. Probably the most important was the rejection by the Federal Court of Justice on November 28, 2016 of the appeal by Auschwitz guard and bookkeeper Oskar Groening, who had been convicted in summer 2015 of accessory to murder. The significance of his case was that there was no evidence that Groening had physically participated in the murder of inmates at the camp, meaning that any person who had served in a death camp, *in any capacity whatsoever*, could be convicted based on service alone. Also of significance in Germany was the conviction on June 17, 2016 of Auschwitz guard Reinhold Hanning, who was sentenced to five years in prison for accessory to murder.

Another important development was the expansion by the ZentraleStelle of the search for Holocaust perpetrators to several additional concentration camps which were not classified as death camps, such as Stutthof, Mauthausen, Ravensbrueck and Buchenwald. These investigations yielded indictments which were submitted after the period under review.

2. The lack of political will to bring Nazi war criminals to justice and/or to punish them continues to be the major obstacle to achieving justice, particularly in post-Communist Eastern Europe. The campaign led by the Baltic countries to distort the history of the Holocaust and obtain official recognition that the crimes of the Communists are equal to those of the Nazis is another obstacle to the prosecution of those responsible for the crimes of the Shoah.

Thus during the period under review, the only achievement obtained in Eastern Europe was an indictment filed in Poland against Michael Karkoc, the commander of a unit of Ukrainian Nazi collaborators, who is currently residing in the United States and whose unit actively participated in the murder of Polish villagers. 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.

The author of the report, Israel director Dr. Efraim Zuroff, who coordinates the Center's research on Nazi war criminals worldwide, noted that the statistics in the report clearly show that a significant measure of justice can still be achieved against Nazi war criminals. "During the past 15 years, at least 104 convictions against Nazi war criminals have been obtained, at least 103 new indictments have been filed, and well over 3,750 new investigations have been initiated. Despite the somewhat prevalent assumption that it is too late to bring Nazi murderers to justice, the figures clearly prove otherwise, and we are trying to ensure that at least several of these criminals will be brought to trial during the coming years. While it is generally assumed that it is the age of the suspects that is the biggest obstacle to prosecution, in many cases it is the lack of political will, more than anything else, that has hindered the efforts to bring Holocaust perpetrators to justice, along with the mistaken notion that it was impossible at this point to locate, identify, and convict these criminals. The success achieved in recent years by dedicated prosecutors, especially in Italy, Germany, and the United States, should encourage governments all over the world to make a serious effort to maximize justice while it can still be obtained."

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LIST OF NAZI WAR CRIMINALS SLATED FOR POSSIBLE PROSECUTION IN 2018

There are six individuals who have been identified as serving with the forces of the Third Reich in units which actively persecuted and murdered innocent civilians and who hopefully will be prosecuted during the coming year.

1. Helmut Oberlander: Canada (Ukraine) – served in Einsatzkommando 10A (part of Einsatzgruppe D) which murdered an estimated 23,000, mostly Jewish civilians; denaturalized for fourth time; facing deportation.
2. Kurt Gosdek: Germany (Ukraine) – served in Einsatzgruppe C which murdered tens of thousands of Jews in Ukraine; identified alive by Simon Wiesenthal Center and German television station ARD.
3. Herbert Wahler: Germany (Ukraine) – served in Einsatzgruppe C which murdered tens of thousands of Jews in Ukraine; identified alive by Simon Wiesenthal Center and German television station ARD.
4. Michael Karkoc: United States (Poland) – served as commander of the 2nd battalion of the Ukrainian Self-Defense Legion (Selbstschutz Legion 31) which is accused of murdering several dozen Polish civilians in Chłaniow, Krasnystawcounty in July 1944. Poland has requested his extradition after the period under review.
5. AlgimantasDailide: Germany (Lithuania) – served in Lithuanian Security Police in Vilnius, sentenced by a Lithuanian court to five years in prison for persecution of Jews and Poles, but judges refused to implement the sentence.
6. Jakiw (Jakob) Palij: United States (Poland) – served in the Trawniki SS training camp – denaturalized and ordered deported from the United States, but no country has agreed to accept him.

In addition, following the period under review, indictments have been submitted against an estimated 17 hitherto unnamed individuals who served in the Auschwitz and Majdanek death camps and in the Stutthof, Mauthausen, Ravensbrueck, and Buchenwald concentration camps.