

April 11, 2010

**Wiesenthal Center Annual Report Points to Lack of Political Will and  
Holocaust Distortion as Major Obstacles to Prosecution of Nazi War  
Criminals; Praises Germany for Renewed Efforts to Hold Holocaust  
Perpetrators Accountable;  
Three New Names on Center's "Most Wanted" List**

Jerusalem - The Simon Wiesenthal Center today released the initial findings of its ninth Annual Status Report on the Worldwide Investigation and Prosecution of Nazi War Criminals, which covers the period from April 1, 2009 until March 31, 2010 and awarded grades ranging from A (highest) to F to evaluate the efforts and results achieved by more than three dozen countries which were either the site of Nazi crimes or admitted Holocaust perpetrators after World War II.

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

1. A major change in Germany's prosecution policy has led to renewed efforts to bring Nazi war criminals to justice which during the past year led to the initiation of two new trials, an indictment, and numerous new investigations, the best results ever achieved by Germany in the 21<sup>st</sup> century.
2. The lack of political will to bring Nazis 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 Communist are equal to those of the Nazis is another major obstacle to the prosecution of those responsible for the crimes of the Shoa.

3. 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 officers who organized the mass murder of at least 1,200 of civilians in Novi Sad, Serbia on January 23, 1942. Kepiro, who in 1944 in Hungary was convicted but never punished for the crime, escaped to Argentina after the war but was exposed by the Wiesenthal Center living in Budapest in the summer of 2006.
4. Three new names appear in this year's list of "Most Wanted" Nazi war criminals, replacing Ivan Demjanjuk (#1) and Heinrich Boere (#6), both of whom were brought to trial in Germany during the period under review, and Estonian Harry Mannil (#10) who died three months ago in Costa Rica.

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. "Since January 2001, at least seventy-seven convictions against Nazi war criminals have been obtained, at least fifty-one new indictments have been filed, and hundreds of 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 it is clear that at least several such criminals will to 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 by dedicated prosecution agencies, and especially in the US and Germany, should be a catalyst for governments all over the world to make a serious effort to maximize justice while it can still be obtained."

Zuroff went on to explain that the Report's purpose was to focus public attention on the issue and thereby "encourage all the governments involved to maximize their efforts to ensure that as many as possible of the unprosecuted Holocaust perpetrators will be held accountable for their crimes. In that respect, we seek to highlight both the positive results achieved by countries like Germany and the United States, as well as the failures of countries like Hungary (Kepiro) and Australia (Zentai) in specific cases and those of Lithuania, Latvia, Estonia and the Ukraine

which have consistently failed to hold any Holocaust perpetrators accountable, as well as Sweden which in principle refuses to investigate, let alone prosecute (due to a statute of limitations), and others who have either chosen to ignore the issue (Syria) or which have consistently failed to deal with it effectively primarily due to a lack of the requisite political will.”

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## **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: Germany, United States

B:, Serbia

C: Italy\*, Poland\*

D: Austria, Croatia\*, Denmark, Great Britain, Netherlands

E: Argentina, Finland, Greece, Latvia\*, Slovenia

F-1: Norway, Sweden, Syria

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

X: Belarus, Belgium, Bolivia, Bosnia-Herzegovina, Brazil, Chile, Colombia, Costa Rica, Czech Republic, France, Luxemburg, New Zealand, Paraguay, Romania, Russia, Slovakia, Spain, Uruguay

\* tentative grade pending receipt of official statistics

## MOST WANTED NAZI WAR CRIMINALS

**As of April 1, 2010**

**\*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 – 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.

**\*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. Dr. Sandor Kepiro - Hungary**

Hungarian gendarmerie officer; participated in organizing the mass murder of at least 1,200 civilians in Novi Sad, Serbia on January 23, 1942

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 three years after its initiation.

**2. 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. Media interviews with Ašner raised serious doubts about the decision of the Austrian doctors that he was medically unfit to stand trial and prompted a request by the Wiesenthal Center that he be examined by a foreign expert. In April 2009 a German expert confirmed the original assessment that he was suffering from dementia, but subsequent media interviews by Ašner again cast doubt on the veracity of the evaluation.

**3. Samuel Kunz – Germany**

participated in the mass murder of Jews in the Belzec death camp; also served in the Trawniki-SS training camp.

Status: Discovered in the search for evidence in the case of Sobibor guard Ivan Demjanjuk currently on trial in Germany; currently under investigation by the German authorities.

**4. Adolf Storms – Germany**

SS sergeant accused of participation in the mass murder of 58 Jewish forced laborers in the Austrian village of Deutsch Schuetzen on March 29-30, 1945.

Status: Discovered by an Austrian student researching the massacre, he has been charged in 2009 by a German court for his alleged participation in the massacre.

**5. Klaas Carl Faber - Germany**

Volunteered for Dutch SS and served in SD as member of Sonderkommando Feldmeijer execution squad which executed members of Dutch resistance, Nazi opponents 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 was 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.

**6. 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’s final appeal against his extradition to Hungary is currently being heard in a court in Perth.

**7. 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. 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.

**8. Peter Egner – United States**

Served in Nazi-controlled Security Police in Belgrade, Serbia from April 1941 until September 1943, during which time the unit participated in the execution of 17,444

civilians, mostly Serbian Jews along with Communists, suspected communists, Roma, and Sinti (Gypsies).

Status: In July 2008 the United States Office of Special Investigations filed a request for the revocation of Egner's American citizenship on the grounds that he concealed his service with the Nazis when he applied for immigration to the US and to obtain American citizenship. The case will be heard during the coming months.

This week Serbia filed a request for Egner's extradition to stand trial in Belgrade for his crimes during World War II.

#### **9. Algimantas Dailde – 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 Lithuania for capturing Jews and Poles trying to escape from the Vilnius Ghetto, who were 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, Dailde was ruled medically unfit to be punished without being personally examined by the doctors who provided the expertise.

#### **10. 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 no legal action has ever been taken against him.

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