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OF HEARING IN DEPORTATION PROCEEDINGS (COVER PAGE, PP. 92-95, AND ORDER)


FROM: RICHARD A. MAUSER $C O W$ -
Deputy Counsel to the President


COMMENT
ACTION

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ACTION -
SET UP NEETMK w) AAG CRIMINAL, OR JENGEN.

## KIRKLAND \& ELLIS

MEMORANDUM

TO: Attendees, White House Meeting on Reform of Denaturalization Procedures

FROM: David E. Springer, Kirkland \& Ellis, 200 East Randolph Drive, Chicago, Illinois 60601 (312)861-3256
DATE: October 14, 1983
RE: Reform of Denaturalization Procedures, Discussion Memorandum

Introduction of Participants
I. RIGHT TO COUNSEL.
A. Presently no statutory of judicially-recognized right to counsel.

1. role of the pro bono lawyer
2. difficulties for the pro bono lawyer
B. Importance of the Outcome to the Defendant and his family.
3. deportation to follow
4. statutory exclusion from right to resist deportation on grounds of persecution
5. Government's efforts to deport individuals to the Soviet Union or Israel
C. Massive Resources of the Prosecution
6. Special Congressional funding for O.S.I.
7. O.S.I. draws on other resources of U.S. Government
8. U.S. Government cooperates with foreign governments
D. Limited Resources of the Defendant
9. Defendants are by definition recent citizens without accumulated wealth
10. Because their cause is not a "popular one," many outsiders are unwilling to help
11. "Neighborhood" lawyers are not enough
E. Complexity of the Cases
12. complex statutory provisions
13. multiple legal issues
14. facts from decades ago
15. unusual types of evidence
(a) old and questionable documents
(b) handwriting analysis
(c) photo identifications
F. Proposed Remedy
16. legislation to require appointment of counsel at the Government's expense, as any shoplifter would receive
17. special appropriation for defense counsel fees
18. amend Equal Access to Justice Act to require that Government pays fees whenever defendant wins.
II. RIGHT TO TRIAL BY JURY

A, Defendants uniformly demand a jury trial
B. Government uniformly refuses, although it could agree
-- Government refuses to say why a defendant should not get a jury
C. Rationales by Courts in denying a jury trial

1. The Luria opinion of 1913: "citizenship is like a patent."
2. Schneiderman: Supreme Court expressly rejects the "patent" analogy.
3. Supreme Court: citizenship is "all that makes life worth living," an individual's "most precious possession."
D. Importance of a Jury Trial
4. check on the overzealous prosecutor or the compliant judge
5. jury assessment of credibility of witnesses and authenticity/reliability of documents
6. citizen participation in the system: "I consider trial by jury as the only anchor yet imagined by man by which a government can be held to the
principles of its constitution."
E. Proposed Remedy
7. Policy directive of the Att'y General requiring the Government to agree to a jury trial when the defendant demands it.
8. Statutory change authorizing trial by jury.
III. EQUAL ACCESS TO EVIDENCE
A. Problem:
9. The Government works in concert with foreign powers, particularly the Soviet Union and other Eastern Bloc countries
10. The foreign powers find documents and interview witnesses for the U.S. prosecutors
11. Foreign officials refuse to provide discovery to defense
12. Soviet officials block cross-examination into dealings of witnesses with the Soviets
13. Foreign-produced evidence highly questionable
14. Expense to the defense
B. Proposed Remedies:
15. Statutory provision that the Government pay costs and fees of defense for taking evidence abroad;
16. Statutory bar to use of evidence when:
(a) foreign producing power refuses to accord discovery to the defense;
(b) foreign producing power impedes crossexamination of witnesses;
(c) foreign producing power refuses to provide Brady and Jencks type materials.
IV. OTHER ISSUES:
A. Violation of the Non-Recognition Policy with regard to the Baltic Republics
B. Intimidation of witnesses; form $\operatorname{ly} \quad A \not A G$ ?

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-4-
$$

C. Ex parte discovery by the Government;
D. A Statute of Limitations

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\end{aligned}
$$

THE WHITE HOUSE
WASHINGTON

October 14, 1983

$$
\text { 10:00 a.m., } 194 \text { EOB }
$$

```
    Rasa Razgaitis
    Coordinator, Americans for Due Process
Alexandra Shwed
    President, Americans Against Defamation of Ukrainians
    Daiva Kezys
    Director, Baltic American Freedom Leaque
/ David E. Springer, Esquire
    Kirkland and Ellis
/S. Paul Zumbakis, Esquire
    Zumbakis and Associates
    Lithuanian American Community Legal Counsel
Linas Kojelis
    Office of Public Liaison
Michael Gale
    Office of Public Liaison
    Paula Dobriansky bm
        L-L<L
    National Security Council
John Roberts
    Office of the General Counsel
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AMERICANS FOR DUE PROCESS
P. O. BOX 85

WOODHAVEN, NEW YORK 11421

## 1) Without a statute of limitation.

In the life of mankind, the past of every nation is always interwoven into the present and the future. Often, this is a joyful merging of times, unity for a cause, to which many generations have devoted themselves.

Sometimes, however, the past, because of its pain, does not allow itself to be forgotten. Those persons who were shot and tortured by fascism cannot make their executioners answer for their crimes - they sleep an eternal sleep. We, the living, must do this...

The Committee for State Security of the USSR (KGB) paid great attention to the request from our editors to speak to them about that work, which is being carried on in searching out war criminals, individuals who during war time committed bloody crimes.

It is definitely necessary to tell (you) at the outset, why we specifically addressed the KGB with such a request. In our country, the search for war criminals, the exposure of the crimes of fascism, is carried out by the state, its organs of justice, operating with the help of the entire nation.

About this was our conversation with responsible employees of the USSR's KGB. I was provided with the opportunity to acquaint myself with documents, have detailed talks with the employees, who from day to day, from year to year, engage in this work which is so hard, but so necessary for the good of humanity. I would want to name their names very much, but for completely understandable reasons it would not be expedient to do so. The search for war criminals continues and will continue while there is even one of them left on earth. So told me those with whom $I$ was conversing and one cannot doubt that that is the way it is and that is the way it will be. And the conversation was not about vengeance, because our nation never and in relation to no one was ever led by a feeling of vengeance. The motto of those who search for former Nazis, traitors, persons who committed war crimes, is - the defense of the interests of our state and justice. These interests of the state dictate all of the in depth, tense and complicated work in the search for war criminals.

Already in the first days of its creation, the party and V.I.

Lenin so laconically and accurately defined the task of the organs of state security - to be a shield and sword of the revolution. This shield is now in the hands of the heirs of the glorious traditions of the Chekists and F.E. Dzerzhinsky. And they ward of $f$ not only the blows from the past, but also defend our present and future.

Our conversations with very knowledgeable, competent people lasted many hours. At first $I$ was surprised: the executioners were named from memory, the crimes committed by them were described in such detail; this can be remembered and retained in the memories only of those who have an attitute of extreme responsibility towards their work and see in it their supreme duty to the nation. Later, my amazement changed to a feeling of gratitude. I began to understand how unimaginably complicated this is - to go back into the past, search out the criminal and prove his guilt.

Of course, all of the organs of justice in our country participate in one way or another in the punishment of war criminals. When the criminal is found - retribution follows which is absolutely in accordance with the law. And I wanted to compare the work of the person $I$ was conversing with with the honorable work of a surgeon - he is compelled to cut out a tumor with his scalpel in order to save a life.

## (Omitted)

Yes, in the search for war criminals, traitors to the Homeland, a third generation already participates, if you count from the victorious 45-th generation. Entirely young people have taken on the fight against evil from the hands of their grandparents, they already belong to new times, but hatred towards the killers among them is still very sharp.

## (Omitted)

We have great respect for those noble and honest people in the West, who with great effort and personal risk, neglecting danger, disclose the pasts of those (who) - changed biographies, family names, appearances. Conscience, memories compel us to do that which the justice organs of many other countries do not.
(Omitted)
L. Korneshov
(To be continued)

## "IZVESTIA" February 26, 1983 Page 3

THE HIGHEST MEASURE OF JUSTICE
2) In the name of the law.

## (Omitted)

During the years of searching, foreign jurists were given evidentiary material in all of its complexity concerning no less than 70,000 Nazis, who served in different punitive formations of Nazi Germany, concentration camps, soviet prisoner of war camps or personally took part in these evil crimes. It is hardly worth mentioning again how much effort was needed by the Chekists in order to assemble undeniable evidence about each criminal!

How was this evidence used by those to whom it was transmitted? The answer to this question is not always satisfactory. Perhaps it is better to resort to figures because they underline facts which are rarely talked about in other countries. During the years 1976 - 1981, the organs of justice of the USA were given evidentiary material concerning 140 war criminals. As we have heard from well-informed sources, decisions were made by the American courts only in connection with seven of them by stripping them of their citizenship. The reason was that they concealed the truth about their committed crimes in punitive organs of Fascist Germany when they entered that country. Does that mean that at least seven executioners were punished? Not at all, because the legal system of the US does not have criminal responsibility for such deeds. That means that these cases were divided into two stages: first - they were denaturalized and denied that right to live in the USA, and then - possibly - the question of deportation in the immigration court.

The American Femida proved to be not only blindfolded, but tied up and clumsy. Is it not because of that that many of the war criminals abroad still hope that they will not be taken to occount for their doings?
(Omitted)

L. Korneshov



Газета выходит с марта 1917 года

з Политбнро ЦК КПСС

тӧюро ДК КПCC Ha оу заседанаи рассیот－ оч заседании россwot－
mpoc о мерах no ооес－ прос о мерах по ооес－
3 выподвевия пданов 3 выпоағевия пданов
нвста ждяых домов
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 －по．7ッイйиик．

кадпстани раблт，недоочентва． ют всей вожности создаяня трудящимсी неоохотиинх 6 w тоsux jc．tognh．Бо．7b山y＇of－ ветствевность аа веудов．าетво－ рительне выдотвение пыавов несут колдега строительных
 рн．которие cлaбo eme tavима．
 строптедыством．Продожается
 строительство промипиенинх
 ально－бытовых о́́нектов，недо－ статочто совершенствуетея слунюа единаго лаказчшга городах．

По．пктйоро notpeǘsaда от


Пррел Cosetant Mинистров сююјньх ресауолик и нсполко－ мами нествнх Cobetos нарид－ Hix дenytaros docrasieha sa－ даэа обеспечить безусловное Анаолвенне п．танов жилишного
 телвства，ритчичность ввода， кочплексппсть застройки горо－ дов и насетенних пункто日． уууиепие качества трало－ стродтельств архитектры． Указано ва веобходимость осу－ ществить дополительвые меро－ приятия по ofecпечен храпност＊ипого фовда．под－ нее испотьзовать возможност no реконструкини п 6 лаго－ устройству андивидуальяого


коялект，$\quad$ новаторов mpo mabogcta
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 леннои XXVI съедям КПСС битовни ооъектов．что пои
 наситабох осуществляется жи－стям в комплектоваями про нииное в культурно－6ытовое водств квалвфиированны етровтепи．тво．C Raчала теку－кадрамп $60 . њ$ mis notep mel пятвлетк введено свыше продукиии．Госпиа с 210 мядтионов квядратйх мет недукегд v

## I． 5 E3 CPOKA

ПАВНОСТИ

Bжизни челопечсства，каж－ даго народа пронлпе всег－ да переплетаптсл с．настолщим и будушим．Часто 3 то радосіныи сппа вренен，единение дегг． которому посващают сяои сми многие поколенип．
Но бывает к так，что про－ шяос ме позноллет забмть а се． бе неизбывной болию．Расстре－ лвнние и замучепные фашиз－ мон не могут ирилечь $к$ ответ－ стиенности своих палачей．－－ они сппт печнын снон．Это обл－ заны глелать мы，диные．．．

ө Комитете государственнои безоласносги СССР п просьбе редакции рассказать $\cap$ той ра－ Gоте．ноторая пропрдитси по до． ззеску воениых фреступникоп， пич，совериииших іо ирема вой－ иы кровавые злодевиия，отиес－ лись с бодышим винанием．

Haдu，наєериое，сразу me сказать о том，почвму иненино KГБ Mы ебротнй $с$ такпй просьбой．в нашеі стрatte po－ звет тениых иреступииоо， разобпачение преступиений фа－ шизма осуществяпится госу－ дарством，его органани право－ сулми，ппнраюиинися на по－ мощь нсег норала

06 3том м шла паша beceдa $c$ ответстаонныни согоудиицами KCL CCCP Ане Gмमа предостал： neHs возМошност：познамонкть． ся с докуиентами，подробмо по－ гошорить с готрудикиами，кото． рме м 30 дия деши，из сола в год занимаютс зтия тяжким， неприметнын，но тамин нпобхо－
 ства трудон очень хотелос －бы назвать ик фзмнаии，но по впопне понатнин причинам па дать это нецегесообразно．Всди pojerer roनfletz，преступниксы пподолмается у будет продоп－ watься до тен пор，пома топчет зенло xors 6 одии из них．Tax мне смазани fon собеседиики，и

ссть н будет И јсчь нлет не о mu（en4n，notory yTo haul hapon ниногда н ни по отиошению ии Dis hому HC DVKamomesmana yувстtion mede．Дeanz tex，nto разыскияает бывщих нацистоп， прелагслей，дии，соверщипинх вонные претуписния，－защита митересов ныего rocyaдpctal и справедяиость．Аменио rocy： дарственннй интересами про． днптована عо онсыие мепри－ Metnan mat feybumax ceorx ma－


дн прмнлли зстафету борьбы со злом мз рук своих дедов，они принадпешат уше новым преме－ нам，но ненависть $к$ уGийцам $y$ них такая me ог：трая．

3 то пни все вместе－м нного поюмданиме на своем веку．исо－ псем молодые пкди－добипись Toro， 470 полавляощec font．
 укс нисдстаии псред супам па． род：

Мы с большим уваженнем от． носимс：к тен благоролным， честиым людлм нз Западе，ко－ торые с огромным трудол，на сной страх п рисн，пренобрегап onachoc1bo，panobinayaw upo－ шпое сиенивиих тиоорарии． внешность．Фамилни палауей． Cobecib，namait zactangant ux делать 10，чен по разным ири－
 7．H．орааны ！пидосуиия нево－
 nf，наверное，более кровапого нистсмои Германии，таких，кdк

прыть．A зеерствоная 3 тот кари－ тель ：1942－1943 годах иа ере． ненно оккупированной террито． рии Томельской бовасти，гди спутшл начапьннком Полицин Xgйннкского paliona．Старомшлы рие поният его в ненапистной рорме фашистспого холуя．Он участаован м массоных расстре－ лах мирного масепенин，нстизал

 Апьберт Крогер вромиеап г．Цепае（ФРГ）и，возиомно， спыл средн соседей добропоря． лочныш человеком．Известио ведь，что палачи，уйдя на покой， песьма забонлтя о респента－ Genьностм．

в ceoc epena бына иапралпе． на нота правитеnьству фpf $C$ просьбой о пыдаме зтого воен． ного престуинмма，ио ответа не поспедонало．．．

в toй we Хойииисной nonи－ ими спушин 1943 roдy нeк．



клеима，чен это，－военный пре－нВанэес институт»，＂Отдеп ступиим．．Олногя из गтих ие． Полей．Кпауга b．apliore，лосіапи лм сейчас под кхраноіі е Лнон， тула，где oн Gыл начавьникол rитдеровского rectann，raе в голы оккупации истязап и у6и． Ban．

Eще олиі военнай преступ－ ник，будем налсятыси，попучит
 ram．Morfa ли настигнуть мара ןгитлероеского палача горазло panbur？Конечно－$\quad$ зrom пуактяесми иикдо нг сомнедя． гіся．тнрияай общественность t नहгодованием узнала，что спецслуибы СЕА быдм заинте－ ресовдй п унрытии отпетого
 －
 вола всех миролюбнвых lıаро－ д0月．Clia fibini nwenenuifo acila я твердо выражена в цепом ря－ де покунеитоя，единодушно прннятых международйым сооб． ниствон

Eще оптабре 1943 rona， могда sofne б̈на－зеінте $и$ гитпериз отчаинно пыталсл предотердтить свой крах，троз－ но и прелостерегающе прозеу． чали слова Декп
＂Киосіраніые армни Востока＂，
 ＊6－e Yиравление PCXAх，и пру－ тих．Мы пелани псе，чтобы по－ мачь розыске поенных прес－ тупиикоп．Iде 6ы они ни нахо－ дились．

Mие приипось беседовать с пюдьми．поторые доскоиальнп， до нельчайших деталей знают кровавый путь каждої из зиих банд убийи，такне фаиты，от ко－ торых н сеголня сердце будто обжнгаст огнрн．C aбсолитно́̆ точностьо пазывали оии места нассовых расстрелов，моличест－ во жертв．И еще они перечислп－ ли фамилии погмбших－ниито

 ，одтиержладм локунентани，мйо 310 тот случай．ногда именin
 обвинения．Известно пи нte गто тех странах，гле ук－ рылись преступникн？Безуспоа－ но．нбо эти сведеиия ие дер－ matca $\boldsymbol{\text { п taйне．Кстати，снисхо－}}$ дитепиность по отиошению $и$ неноторыя nanaчам объпсна． nacs и тен，ч＇о mhax w3 hux пршбрани к рукам западнне спецс月уш6ы，подкорниаи，об̆．

то Бтй Артииенио．Oн томе пично нытаи $М$ убиван，на ero cчety yчactue tanux macco sun ybuncteax conercmux；rpam－ дан，¢то при чтенни похрsanini свидетеней，трофеliных дому－ менто педенеет кровя．Этот нащеп прмбежище соедммен－ нмх Нтатах．
Зварич Кнрннп Степанович п 1942－194才 гr．спушня поамцех－ ским－3аболотьевсной ра һонной попиции ВолыІской области， пнчно расстрепинал $и$ нстmзan нногих нодей，отличанся абсо－ потным отсүтствнем мапости．

В Нанале уирылса Дмнтрий Орьевич Купик，на сопестм мо－


 рнков．Куіям ыыл главарем Uдн－ лы украинских буржуазных на－ monatncton（oyil）mer cena， wectoкacth ero нe знаma mpr： делов．Что we，таи и доwиaer çon ben покое зтот бандит？
－Соединенних Hitavax про． живает Бонеслае Майковскис． чекистм затратилн прмано усм． пмй，нтобы посстановитя пран－ ливур бмографни Майновскиса．
 мо его участне п macconux maz

ниногда н нн，по отношению Ни чувством нести．Деанз тех，кто разыскнвает 6ывиии наимстов， предатсией，Ани，совершининх соенные преступисмия，－ 3 ацита интересов Hawero rocyдapcras и соравеланвость．Мменно госу： Аарственными интересами про－ пммтоианы пся писшне мепри－ метнан，но в ппубннах своих на－ пряженная，сложная рабога no розыску военных пиестипим
Gыте цитоm m mevon greonm： ции－Tan пиелельно ванснично

 суларетвсниой безопасности ушн с перыых днеі mx cosaa． ннп．Этот цит сейчас－руках у иасдсднимоя $\quad$ пресмникои
 лпснаы ф．Э．Длерішинслого．$И$ отрамают пии не топьно удары нз прошлого，но и защмщают наше настодяея $\quad$ будущее．

Наши веседы с очени знаю－ цими，компетентннми вюдини
 yлn\＆Aasc： Аися инена папачей，приводм－ пись такие подробности сонер－ щснных мми преступпенмй，но－ торые могут помиютя，хранитя －памяти тонька те，коо отно． ситса а caоch pabote с пскаю． читеньноі̆ видит ней ce日й macun mont леред народом：llorom yaushe－ ние сменинось чуаством призна． тепьмасти，я начинал понинить， нак то нешообрязнмо сломно－ уйти поошпое，ралнскать пре－ ступннма $\boldsymbol{n}$ домазat：его внну．

Конечмо，наказаиии военных преступннков участвуот той инн иной степени шся ораиыы правосудия нашей страны．Kог－ As преступнию т пует позмезаме－асо月юоно Точноп соответстай С законом． $n$ тие захотелось сравнить ра． боту поих собеседиикон с бла－ городммм тоудон хирурга－он порою вннушлен，чтобы спасти
 no月b．
－4ro am чуacraypte，nota саепали спре депо，миFда состо－日月ся суд $\boldsymbol{\square}$ престүпини попучип 10，что заспушнл？－спросй п одного из сяоих собоседников．
－Устаност！，－усн⿱亠䒑口ая ме－ омиданное．

## － －Gолb．．．

## Он нзамиманспн быншими ка－

 рателами，сомрепст оовавимни is окнупирояанной гитлеровца． ми территории одліой из укранн－ ских областей．Встречался с ты－ сячаши лодей，изучин сотии до－ мументол．Он видел останкм шерте－быдм всмрмты брат． смие могмлы．．．जПenen Knaca cryчirt moe сердцею．．．В его сердце стучит

 рпоп，задушена в концагерях， отрзпиена п＂душегубкадж， соммена оместе с тысянами ro－ posos п дерепень．И xот у mo－ ero собеседника нолодое серд－ не，но оно фтхрнто д月ी болМ npounoro．

A，ECTb rMen，fonn $n$ na． мпть，которые ме подеяа－ стмм Gery премеин．



и твердо виражена п целом рл：
де докунентов，едииодушно прмиятых междуиародным сооб． цеством

Eщe октвбре 1943 rода， когда войа бнла в зените $М$ гитнеризм отчаянно пытался предоторатить свой крах，гроз－ но и предостсрегающе прозву－ чали сповл Декларации трех со－ озных деридв．н которых шла речь аб ооветстненности гитле． puвцев ja coвершаелые зврр． ста：anycto те，мто еце на abapphn caonx pyк mвиннан кроввк，учтут зто，पrofin не
 пбо три союзнық лержапы на－ есрипма найдут нх лаше иa ниан сseta н передадут нк
 4Tobn morno conapanitice npim посудиеш．
＊Даже на мраю светап．．． taк било обецано народам， пстерзаннни оойной．Сегодни прмходмтся напоминать это обе－ щаиме，в которон каи бы скон－ центриронался пранедиый гнея， потому что нан，каждону из нас，надо знать，понностью ам оно осуществлемо．
Н сомалснио，уше т таmom начане 3 той неокходимой всену че повечестиу работы стали из－ вестмы факты，которыс внзыва－ ли тревогу，сомненнл п мснрен－ nости тех，кто за рубрmом non－ шен был найти н наназать иови－ ных преступннков．Bor vaй из ник： $\mathbf{C} 8$ ман 1945 r．no 31 ne－ каб́р 1967 r．и Занадной Геп． маими было науатп pdecnfдова． ние в птнощении 77.004 наиист． ских престуинкков，но осужле－ но за зтот пернод 6.192 челове－ ма，то есть менее п процентов．

Хочется напомиить $\boldsymbol{R}$ салзи＂с зиин строки еще олинго локу－ мента．в＂Сообщении о Берлин－ ской коиференции трех лержадя － 1945 नоду（ezoroворочкв． тверло ооррипось：я．．．вопнные преступникм и те，пто үчаство－ най планировании шни огуще． сталении маиистспих мероприн－ тнй，МАепущих за собкй ини ине－ минд саони резувьтлtom алер－ стаа мли поенные преступлении． долшны быть арестованы и пре－ даны судуш，Пол зтим докумен－ том также столт полписм ру－ новодмтедей трех держая－Co－ нетского Союза，Соедмненных Штатоп Америки и Веянкобрмта－ нии．
－панати народов навсегла остался Норнбсргсним зпилог гитлеризма，когда в нони на 16 октлбря 1946 года бып приведен －нсполиение приговор Межау－ ииродного оенного ррибунала． сүднвыего гпавных ооनиных преступнинов．

ДНАКО ВСем было асНо，что списон повнных преступни－
civnлuमил п перед чenoupчect－七ом，ме мсчерпывается тек：и，кто тогда предстая перед судон на－ родон．Многне из ннх скрыаисы， Пытались уйти от позмеэдия－ палачи рэзного капибра，но одн． наконо оllachbe для мизни на земле．

Вот почему розыск поениых преступннков，начавинйся еци
 Guтb прекрацрен nocne ee 3 － 3то п тех страиах，гле ук－
рылись преступнки？везуслон－ но，ибо зти свсдения не дер． шатся п тайне．Кстати，снисхо－ дитедыность по отмошенио $K$ некоторнм палачам обънсня－ nach н тем， 4 то иннх н3 HHX прмбрай $к$ рукан западные спецсаумбы，подкарнмии，обу－ чили П．．．попмтанись пспользо－ нать протия нашей страны． Ведн забрасьвапа же $к \mathrm{Ham}$ анермкамскан pangegra ．неноего Pмпистопниа И．Н．，котя его xo－
 410 nh a coctabe 13 ro Gatamh．
 тепиIIm акциах на оккуппрован－ ной территории Белоруссин．

 пни． 1 не тонико ero 326 расы－日aan．．

OД उА ТОДОМ наши орани правосуаня вели разыск тпенных преступникоя．И «ре－ ес．тр＂шх редея－карателм $и$ убиіны отеечали за содеянное по всей строности закона，и протие mиormx поmвasпaci naкo． ничиа запись：шПриоворен м


Не Gулен уточиять，смопько сейчас остапосв фамиянй и кпнчек соиске рззыскияае－ мых．Нет зтом необходммости， нбо зто особая работа，моторой излиіняп гласность－пинеха．
 ветствснностыю 32 мамдое сло． п－пролелан молоссальныі̆ труд о мни справеланвости． Вряа пи мстория зндет другне прмнеры такой верности прина． тым на себп＂обязательствам， такої неприниримости \＆үбијнын


Коиечно，вороно бы сейчас． уше почти черел сорон лет nor－ не пойы，иоинсать：справслии－ bость полиостью sосторшество－ вала，tce убмйцы，палачи，садм－ сты，манвякн．оборотии，пскорм－ пениыс гнтьеровскин фашизмом， понрсям دасаумениуо кару．H подесст чrpiy под posuckom， nоторй диитс там долго $M$ труано．

Ho，сомапенмп，зтого сле－ пать пока нельз．Воамеддме на． стигमо не acex，wтo ero zachy－ шин．

पувство ннепа окватмваст， ногда знакоммшься с прнговором суда г．Лармштадта（фРГ），ко－ торый осеободил от намазания нацнстского преступника Ронд－ xanbla потому，тто спустя 36 пет（Суд проходид $-4077 \leq$ ．） ＂невозмошно установить，с ка． них внутренних позмцй̈ пейст－ вопал обпиняемый．．

Правитеиьствам п т．н．орга－ нам правосудмп немоторых стран хорошо изеестны имена поенима престипнияов
сейчас наэыны．И если мы кх напоминаем еце pa3，to топько для того，чтобы быно Асно－ они не канули в забоение，годы He смигчинм нашу память．

Линнас Карл Аугустович－Юли совмч．．．Јтот падач оид ка． чапимиком тнтдеровского монила． Iеря Tapry．$\quad 1941-1942$ гt． принимал самое аитивное $\boldsymbol{\sim}$ ．－ посрелствениое участне уиич． тоженим ууммов пагеря．в чис．
mectonoctr ero Mc 3 mana nipe． делоп．Что ше，таи $и$ домивет сво
в Соедмненных Штатак про－ wивaer Болеслав Mahковснис． Чекисты затратипи ненапо усн． лий，чтобы восстановить прая－ ливую биографию Майкодскнса．
 но сго участие в macconmx каз－ нах $и$ расстрепах сометсних граждаи на территорип Датвин －годн анкуルаини．Bсешy Mmpy matcom Jparanm Iepation Ay－ лриин Pesef́renchoro vpлла．

 －Пунтуписом．Brп зта лергння бына разграбаена и сомшгна， a ce 200 mитеarĩ．Tom tincne

 kasatenbcte Malnoeckmc nat． вии，то естb там，где ои зигр－ стповел，Gun приговорен к пыс． ше мер мере．Оанако праоитепьгт． sо США，поторое быно мзвеце． но о подлннном пмце Майковс． киса，отказанось сго выдать． Эँ̈хенс уирылсп ФPr．

Coeman mbin or mpapocytane ненто Сообионоя पерим（4d－ рмн）Туович，$y$ stoго не Mr． нее ппечатнающее преступиое прошлое，пежели у тех．пто бын назван выше．До сойми дважды бып судим за хулмга⿱亠䒑 ство．в периол онкупаиим слу－ жнп занегтитепем начаньиина Taxтамукайспой вогнной ман－ дарнернн，noinm в 800 me ． таnьonc T．H．нCencpo－Kanals－ ского национального пегmoнан． Лично арестовынан м расстре． ливал десптии полеЙ．а со сво－ нми ш поппегамнн．па бандитско．

 цию，огтуда－фаиистскй Gepпин，потом－rитаерол： ские войсма，сратавииеся Пруссим протм настуланией Conetcкой Армии．Cообионов－ огъ 1945 rоду naк офнцер спnзи POA phasesman no narepan co－

 wema．．．．

W ripe один nз чephoro ne－ речня：Аппуявеичус Aнrанас． Быпший пайор питоаской；бyр－ mуазняї прмии，Импуалануус с 1941 no 1944 тод монакдо－宜ал 12－m полниейским батальо－ ион．Ero دапомниям недабро паматью по нмогих селах Литан и Белоруссии，где каратели ру－ коподия массовымн расстрепа－ mи comacmu．Inaxmat．Ocṓyo жестопость
 nяn в 7 нк случаях，могда унич． томалосв еарейсое иасепанше， ＊лммамдмроваписоя тетто．Вско－ ре－после कоіиы быно абсолотио
 ชиपус R＂шеन $\quad$ рит анон．Ha требоядние пашей страны о выдаче преступника для справеапмвого суда над чин бып попучеи отказ．

Можно было 6м продолщить зтот список，нбо п нашей стра－
 зффектианые меры по рознску с обнаруменио воениия прес． тупиимо．Ниorga ux саеды ope．

торые могут помнить，хранитя －памати топько те，кто отмо cитса $x$ своей работе с wскап． читеньной отнетствсиностью，
 дерея народом．ногом удизле－ иие смениапсь чувствон призна－ тельности，начинал понинять， как зто невообразммо спомно－ уйти в прошлое，разшскать пре－ ступнима и доказэть его вину．
Конечно，в наказаини военных преступников участвуют в той ман пной степени все ортайы прапосуамл нашей страны．Kor－
 Аует возмездке а абсопотио точном соотеетствии с законом． ночное эахотепось сравнить ра－ боту монх собесерииков $\mathbf{c}$ бпа． городным трудом хирvрга－он порою＊ннужден，чтобн спасти тизнь，отсекать скальпепем опу－ холь．
－पто an чувctbyete，noraz саелалн свое дено，ногда состо－ нася суд и преступмик понучип ro，что заспушни？－спросия ： одного из сэоив собеседников．
－усталоств，－услшшул не－ омпдаииое．

## －И 60nb．．．

On пзанмансян бшнимми ка－ рателамн，сеирепствовавымими на ок＊упмроианной гттлеровиа－ ни геррктории одной из ушраин－ скмх областей．Встречался с ты－ сячами пюдей，мзучна сотпи до－ мументов．Он видеп останим мерта－бини всмрыты враг－ ские могирин．．．
＂Пाепен Kazaca стyчит moe сердцею．．．в его сердче стучит


 реоп．задушена нонилагерях， отравлена＂нушегубкахр， сожжена пместе с тнсячами ro： родо $n$ деревень．И хоти у мо－ его собесглник нолодое сррд－ не，но оно отиршто пам боли прошлого．
 стим бегу пременн．．
Среди монх собеспаннкоя 6 m － лм п нслытанные，проналемные огмем войны сопдаты．
－Значмт，нойна длп зас не закончилась？－спроска од－ ного $\boldsymbol{m}$ них，бмашего танимста．

Вместо отиета он пошазап мне докушенты на тех，noro eme требуется разыскать．．．
－Bаш отец воеваит－cпро． сма я аругого товармща．
－Boenan mod дед；отеи не ycnen．．．

да，п розшск шоенкмх пре． ступникоп，пзменикков Родины шаюочиось уше третье，гепи
 помомение．Солсем молодме пло－
$K$ сожаденик，yme п самом
 чenoneчеству работы стали и3－ вестны факты，цоторые вызыва пи треяory，capineния п пСкрен ноСти тех，кто ал руGешпм лоп－
 hax npecty HんX：C 8 Mas 1945 r． 31 ne－ Maбpa 1967 r．$\quad 3$ anadnoй ren． Manин Gtand maчaто paccicmoba． HME ПTHOLIPMAR 77.004 HUHBCT скнх престуинкков，но осушле． но 3a 3тот ппрнод 6． 192 чenome－ Ha，To ect mence 8 npouentos． －дочетен наломиить п евпзи с этим строни eule одного локу． Mента， B Сообияенин о Берлии－ сной монференцм трех лержани － 1945 TOLy fejorofopo4Mn， тверля совррипосе：＂．，поениые I口еступинмM in Te．＊To yчactao． ตan ต палимоаании нли ocyute． ствяенни нацнстских meponpun－
 munx caomm pe3ynbtatom nacp－ cтвa м月М поеннме преступиения． долмим 6uтb apectoballa is npe－ даны судуш．Под зтнм покумен Tom тamwe ctont monnuch py－ nosoдмтедеп треп дермая－Co－ петсnoro Consa，Cоединенных Wiato Aмерики 由 Benикобрит－ HHM．
－пандти народов нasceraz ortanca Hорнбергснй з зидог Intnepmina，norдa s woms ua 16 омтября 1946 года быд прнведен （ псполненне прнговор Meway－ иародноाо военного три6уитна．
 преступинков．
 cпMcon gotnanx престyпnи－
 ©OM，we wCuepremaetch тенin，нто toraa nредсtan перед судом на－ родов．Mногне из ния скрыямся．

 наноно онаспме дпА mизни н？


Пот почену розыск поенинж преступннков，начаниийся ene
 бнт пренращен после er 3 － вершенi月．Бопе того，столм－
 oправдат！，yмpstт Boenных пре－ ступмиков с сол3н с так назы－ васмын сроком данногтн．Тене． panbнап Accamблеп OOH ноя6． pe 1968 roda прнняas Mewayna． родную конвенинм о кепрнме＊ ннности Срона ланногти $к$ воен－ ным преступиеиням и преступ． пениям против ченовечества．

Hawa странz всегда посдедо－ Batenbuo ounominna jYot akt
 mana $\quad$ точнupt cootaetctenn $C$ норнани Mеждуиаралиого пра－ иа уме＊перрие послпамеинне голы была пммделаиа пгромиан работа：на основании докумен－

Buruch ricpe ManajduMn
He буमеल yточияtb，cколbко сейчас остаппсь фанилиї н мличек списке разыскнвас－ pib．Het в зтом необходнмости， n60． 370 особая pa6ота，которой

 ветственностыо 3 на наме сло． Rо－пролелаи молоссалиный т甲уд во нн：я справелинвости． Врпд пн история знает другие прннеры такою верностм прння－ тым на себия обязатепьствам， тапой непримнримостм п убиїцан нориыя пилс量，

Конечно，хороно бн сейчас， yme nnчin чepes copon net not－
 bость полностью Boctopmectao tana，вее убийцы，папачи，сади．

 Понсспи Jacaymenuyo кару．M подвгсти чгрту пол posuckom． ноторый дантся tax nonro m трудно．

110，$x$ сомanенми，गToro cде natb noma нenbsm．Bosmesдme na－ стигло ме всех，кто его заслу－ жип

4ysctso nesa oxeatmaner． иогда знакоммиься с прнговором суда r．Пармитадта（ФРГ），ко－ торый освободня от наказаннн наинстского преступнина Роил－ LOAbia notomy，что cnvcta 3G net（суд прододніт－क－4977．） wневзможно Установить．$C$ na－
 －

Прапнтеянстам н т．н．opra－ нam npanocyaun нeкоторых ctpan пороแо М3
 напонннзem eut pa3， 10 толbко
 oни не кanyan зagnetme，roab He CMArчuAM Hawy namgtb．


 1еря Tарту．B 1941 － 1942 rr． приниман саMое амтивное $\boldsymbol{\sim}$ н－ nогрелствеиное yчactue y ym． тожении уэннио ตагеря． 8 чис．月е нro wepts－weнцинм，cra． рнкн м детн．ठеwan от rнesa нa． рода нз Запад，yapunct таM，по． тон nepefpancs 32 ovean． 1962 rony Kолnermen no yro－ повинм депам Bepxothoro суда Зстпncnow CCP 3аочно ocymaen н burueй нере ноназання．в на－ стопдее времи прожияaeт．©


Haw страна трнжян обраща．
 CUA（1961 r． $1962 r .1961 \mathrm{r}$ ）C
 ro nреступинка．Gм月 nonyчен otwa3．

Eомоивчин Anevcanля Mnxan． nosny．．Ceйutc eny yme 6n net oн постарел a yTpatuh fanyo

ркм）Туовмч．У зтого не мс． нее впечатляющее преступное прошлое，нежедм у тех，кто был назван выше．до воіиы двамды бып судим за хупнган－ ство．в период оккупаин сау－ жнл заместнтепен начапьника тахтанукайской вориной жан－ дармернн，иоіон 800 m ба． талноне т．н．＂Сепсро－Кавказ－ ского национального легионам． Аично арестовыпал п расстре－ диеал деслтки пюлеf，а со сап． инн «коллегамнн，па бандитско－ my pesfeny wactnosai $\boldsymbol{n}$ a nacig
 зтого папача ведет по Фран． иию，оттуда－Фашистский Берлин，погон－тит педоп． ские войскд сражавшнеся： пруссин протм настуанией Советской Армин，Сообионая－ от ъпв пенный впасовеи．даже в 1945 году кан офицер спззи POA pasmesman no narepam co－ еетских военноппенныд п пм－ талсः нербощати＂доброволи－ цеіш．．．
H гще один из черного ne－ речмл：Ммпуаявнчус Антанас． Бывшнй манор пмтоасной бур－ жуазной армни，Ммпүаланчусс с 1961 to 1944 год командо． вай $12-\mathrm{m}$ полмиейским батальо－ ном．Ero запомнипм недобрай памлтно во многмх сепах Пмтвы м Бепоруссмм，где каратель ру－ коподни массовыни расгтрера－ mm сонетсяни гоаждан．Ocóyю
 ляп етех спучавх，ногда унич－ томанось еврейсое насевенше， ＊вмлпмамровадись＂гетто．\＆ско－ ре поспе войны било абсолютио

 амом．Ha требопаине машей страны о выдаче преступнипа лия справедливого суда мад мй был получен откав．

Мотно быдо бы иродолмити этот списон，ибо в нашеій стра－ не быпи прчияты действенные и зффектмвные меры по розысиу н обнаруженик соепных прес－ тупнимон．Иногда мх саеды пре－ рмпапись госуларствепнышн гра－ ницами－в бурном 9945 －м нно－ гие каратепи питаямсь укрыть－ ся самых пальник замоулкад разных комтинентов，псчејиуть．
 подріі，которых фашкзм пншмп ирова，товпами погнви no mнду．

Легко ви быно отыскать тех， мто ：совернаистве опладол мс－ кусством миммирри，мто не раз меняд документы，грамданст－ ао，прманчки，－сповом，пмтапt！ стать сопермеимо неузнавае－ мым？
Но сдалать зто бмло необко－ дммо．．．

Л．KOPHELLOR．
（Отонианке споауфт）．

## 2．GMEHEM <br> 3AKOHA

DO3ыCK поенних престуани ног продолжается десити－ петм．Beayr ero moдm．of．

 моам，мотормя отамуают пепрм． пмрниость п врагым и чутиостя н лолан，патриотмам и проле－ тарсхй митернаипонализн，бес－ иределвнан преданность Роди－ －не．Труд у ммх нелегкиі̆．．．
 －cлросша：
－Cnonbra mecsuer en no． tpatman wa posack sorhawx nde－
 чука п стасмеа？

3та тромиа зверстнова на

 дано． 1982 rодy，состоя月ся отярытый судебнні проиесс в
 гонору notoporo maman ma hmx Donyuha caoe．
－Дet，sotite am cпроситв？ －yточинл чехист．
Дa，дelicrentenbio，nopow продоплт rодм，прешде чер про－ пручит пролаоа：wвстаты CyA metis m poatc：vaepuntc： приrotopom：जhmenem Colosa Cоветских Соииапистических Pecny6num．．．Io 3 tony коихрет－ мону aery на проиecce à anam nomasanun 6 cutretp－ hen．गerna AM бHno mx ori． cкdтe vepes 40 nerl ДnА 3roto прминось опроснтю тнспчи лю－ mat－cтapomмnos，которble moran omдетb．．．Cкололо изнури－ TeAtMแX бесед прошво，сконы－

 Cena n cenyl Eue nano noб́anTh
 пументами．He obofituce m Gea упоминания о труде tex necnt． mon oprounsaumín $M$ coten nonde －разнея щонцах странм，noto－ pum noctynamm sanpocm．．．И eme
 маци：остаимо－o sens name：

 нодей зенип paarmaдиа спои мортиин，на mecte peas os． parof ampocam nec a cand，ro－ mocrict hust．

Cnopy wncchenomatene m
 чемные．Но здесь тоm senoct ассдедопание，Tonька особого рода．Н тем，ито его нел，уре－ богались досмонанонше знамия －стории，пспхоногми，обwчаеः насепемип．ушение работать $c$ архмамими допументами－спо－ ом，требовалось знать стопьно， 4 то сама собої напрашиеалася нисає о тирочайиеем кругозоре －преgentho palforocпособно－ CTM．

U BCA ona－JTa ocofian pe： Gora－onnpaetcn na noддершку манего общенородвого rocyas） crea．
 розыск 6мн sarepшeн и собраны неопрозермимыне доказательства вины，могда бмла получена санкиия пронурора на арест， олного $\quad 3 \quad 3 T M X$ yбnйи OH арестовал пнчно－молодой чекмст，которому долг предпи－ can действолato ot шменн убm－ тых $\boldsymbol{\omega}$ замучеиных падачамм．
－Труано 6ыво отыскать ка－ рателей？－еще один мой во－ прос еще олному собесединку． On рассназwвan mне o tom，ham mounи кapoteren̆ Myчaeba r．A． Canгаджнева X．Б．，Caичнрова Б．G．，Нуркдева Т．F．м кан их судмпи на отмрытом сүдебнон проиессе Замсте，поние ми－ нyouero rona．

Очень трудно，ответия мой собеседмик．Прошли годы，a те． кто совершал цазни，уше тогда
 свидетепеи，м от упик，Нечего $ю$ говорить о том，что они лаже самым близкнм сеомм не проро： нмаM ни звука о споем прош：－ пом．А пан юпипни мзворачива－ писю，путалы даты и собнтия．．． Перел арестои Мучаев работан старомм змононмстом yпpasne－ ния топиміноИ пронишленно－ сти．Canтадшиеа－Gухгалте．

мзменой，предупремденне на будущее．

Or строки до строкн прочнтаи п приговоры，ынесенные по тен делам варатеяей，о кото－ рых упоминалось вы山е．Они на－ писаны строго，паконично，по－ рои даже бесстрастио．Понитио поvену：приннманись во вниа－ ние топько неоспоринне домаза－ тепьства，топько то，что состӓ－ пяет acoкое помитие－прая－ да．H все приоворы Gыли $\subset$ удовлетворенисм восариннты об． щественностыи，п6о кет и не может 6 ыт на наней советсnoй jemne mecta，rae mof 6 m yN－ рытвся воениый преступнак．

В дни，ногда читая п зтн прнговоры，МЗ досье извяеп вырезну из запалногерманской газетн Дойче фольисиайтукгю о там，камая обстановка бы－ a－сүमе r．Дoccentдорфа， могда шeq процесс $n \frac{\text { пелу }}{}$ убмйи Маїданека：с．．．обиняе－ мые не пспытмаают пимаммх признамов чувства амны，у них на эаметно нмкамого налета от－ чаяния．Судьм обращаютса к ния：аДамы п тоспода．．．Даже весьма тенленинознан пресга от－ мечала，нто подсудимме н свиде－

органах фашшстспоа repmemin $п$ совершекиых преступланинк． उначкт，хотя 6w 7 каратенеll no－ несии наказанме？Отнодь нет， мбо уголовнои ответственности 3а этй деяния занонодатенистео Cula не прелусматривает．To есть зти дела бым разделены па ana 3rana：chavada－peuewme o вмнении грамданства ним прапа
 уме－воммомно－sопрос о депортаиии нммиграимомипм cyne．

Америианская Фемида ок刀ss． нася не тольно с повязко角 на глазах，но $ч$ крайне предезнтоп н нemoeopornнеоी особой He no． тому пи миотже пз соенных пре－ ступммхое 31 рубемом все еци надептся на то，что не бyдyт приялеченц в отвотстеенности？
Старошилы Одесскої обпасти， переммвние оккупаимр．знамт о массовых расстрелад советсіих граждая епрепскоі̆ нацноняди ности，учинемпых полиие＂спими отридами т．Н．мЗепьбстштуци 1941－1942 roдах．Enpees no－ ставляам омрестности одмога ws noceamos w3 Oдессы груп． пами по 500 человек п сразу те унпчтожаям．ECTb Показаиня самдетелей，уто acero na nec．

##  

рон，Санчиров－cosxозе， Нуриаеп баи чабамои．．．Oми ни－ чен ме обнарушням себп．еели сиронио，разве что иные пьни． ствоваям и нстлзали шен．От до－ пумента п доиуненту，от фак－ та к фанту，от саидетеньстя， menbкнувших apyrne תenax палачеन，шАи розшсминки－ Месяи 3a меспцен，деия за днем．．．Они нашли и свидете－ ле月，и тех，мто саумайно уие． яен，могда маратели выкашмяа－ ли семнцон всех подряд．3аго－ дорили и пертвме－6ыnо yc－ тановлено．ле упрптай вен－ дю канпук－кажлукі－жерт еу паиачм．
И，узнаван псе это，$с$ ог－ роннмм уааженшеш встатриад． boct B mohopoc millo cboero en－ беседника и думаю о том， камие волны подскоाо горя про－ шли перед ко пзорон．

Но чумого горп не бынает， м о6 зтом мне тоже сwaзan один мs чеиистов－он разыскиадл иарателей－попицсйских，звер－ ствовавших оккупированиош Мнагороде．Мменно там нк $\cap$ уллии－тороде．улмцы ко－ оојиго они черные дни окну－ нацин залилм кровьк，－кара－ телей Ксенза II．Гаяриша В． Repermà A．，Пениха ф．Мам

тели 6мим поставлены р разные
 оцрпяи，торм coneanit c толе му．Поразитеньный факт：право－ судню ФРГ помадобннось 30 лет． чтобы н3 387 nодозренаемых преступяениях бнвшнх охрания． ко：Мпйданека предать суду ecrio 13 чenopenl He xorar we－ веаить прошлое？Нет，не только 3то．В мире $\boldsymbol{\square}$ сегодмя соверия－ етсл немало toeнных престуиne－ ниі̆－еспомним хотя $\quad$ н мас сопук резно，учниенную сов－ сем неданно мзрамльской шоен． циной в магерях палестннскмх fемㅇшея й каждый поисояо口
по делу военных преступников． чиниаших злолеяишл тоды вто－ рой мпрової воИны，обращен против тех，hти совериает ноен－ ные преступления сегодня，кто нанерен вх учиниты зантра．

Наша страна всегла стрени－ macs к сотрудничеству с органа． ми правосудип другмх стран розыске и наказанин военинх преступникоя．Ответстениме сотрулвики Комштета государст． จения Gesonachoctи CCCP＝no－ де छеседы привелм немано при－ меров того，как доказательст． венные материалы，собранные у нас и переданные пористам дпу．

наных лоямах 4 полах 6 пиз iroro писеака нашим смерт
 ux pacctpenmean？Bot neworopuer мнена убийи：Браун Р．，Крафт А．， Репих В．，франк Ф．，форер М．， Швени 8．，Шиидт I．，tinифер 3. Вся необходммие матермадм， мобпиขамицме зтих преступни． мон，быяи передамы органам вос－ тицим ФРГ．Сообицния об мд ро－ алмзяцим до сНर пор не посту－ пмдо．Понево月е приходит иа уш
 ных преступнимов，о момеланмш выПолиать СВой долт．те обязан． noctin Momper haneraer npo－
бессия мориста，сиумитепп пра восудип．．．

Mue picchosanm 0 Tom， 4 то conetcnie ropncta onaswam， и оказывапт есестороннюо по－ мошь свомм зарубсшным колле－ ram родысяе военных пре． ступмион，устанолиенин стеие－
 чает с соб розмск и поредачу раличиого рода покументоп，
 ми прн рассмотреним понкрит． ныя yronoshix деп，такме трофеймх покументоя，част． ности тапих，кам фдщистскne приказм оด уничтоменим аю． дсй，ранорты о пронеденных

ниани дame мocta，rae прохо－ ，пилм массомые казнм ммрных
 морщиим，на месте рпов $n$ ои－ paro：anросим леса п сады，ко－
 осегаа прмдаем огтенмм тозпи－ шеиныс．Но здесь тошь вепось псследование，только особого рода．И тем，кто его пен，тре－ Боваамсь доскональнше знания псторин，психологим，обмчаеп паселемми，умение работать с прхнаными дохументами－сло－ цон，требопалогь знать стопьно， тто сама собой напрашиеалась нысль о широчайшет кругозоре －предепином ра́́otocnocoбно－ crn．
И ne＂ома－эта оco6an pa． 6ога－опмрается на поддержиу нашего общенародмого государ－ cria．
$\rightarrow$ Камие чушстіа ош пспиты． Ндпм когда прозаучел пригопор？
 Oecennina，o nofopmm thecono． man hu aray Bumulat m 「upby－ mosa．

3тих каратеней судмам－ 1901 году ：Вктебсие．Урап－ мовешениый сторож из тромц－ по－Печорского района Комм АССР $\boldsymbol{\text { п благообразиии пенсно－}}$ нер из поселка лмозно Ви－ тебскои обдасти подм войны прмимнали аичное участие в ка－ рательных акцнях，уббйст －истпаанимх мирных траждаи． Волкоп убмная из автомата， Горбуноя предпочитал ручной пупенет．．．Омм думалм．что прошаое уше скрыто завесой оренени，обзападись семьпми， жилN в достатке，twxo，mo п по－ столнном стріхе， $\boldsymbol{\square}$ вот шх шсе－ тани разнскапм и застапмим от． sечать перед народмин судом！
－вм представьте себе сае－ дуощес．－сказan ной собе． седник．－во премп работм по розшску п документально под－ теермдаю трагические фактн sеерспого yбиllстиа дстеА．．．Ве－ чером прмхому домоI，и мени acipeyaior mon дети，им столь－ nо же пет，смолиио вмдо тем， убмтим．．．
On подуман п шестио sвеер－ Hing CADO Macm：
－Her，о малости здесь го－ еорить неуместмо．Спраледим－
 пует помнмть．．．
И ецие оаин тои собеседимх rocopin o Ton me：
－Когда они расстреливдли узников гетто，одна девочка， вмдно，надеплась отвупитысп от убиїц，тама дала ей нескодько зопотнх момет．Но ома понмла， что ее псе раано убиют－глубо－ кй ров бып уше наполовину 3а－ лопнен трупамм．И девочкм шаырнупа монеты туда，врог． Cпора поамцеІских ринулась： 3ту общуоо братсмуоо могину－ опи мз мрови вмужмнадм желтме кругпляп．
Он нне расскғанная о прр－ ступленинх карателей Соикого Е．Д．и островского я． $\mathbf{r}$ ：，коло рих суаил открытем судом ： 1982 году п Термололе，прмгоюор
neă，п тех，нто саучайно yue－ нел，когда каратели выкашмва－ mн самнцом Icex подряд．Заго－ пориаи и нертвые－было ус． тановлсно，лде упрятали з зем－ пр кажиуо－кажпуор－жерт－ －y папачи．
И．узнапая все это，$c$ or－ ромным уваженмем псматриад－ tocl monoдoe nицn chaero cn－ беседимк $\quad$ думак 0 том， накие полны подсног о ropa про－ шии неред его взорон．

Но чумого горп не бывает， н 06 ттом mне томе сказan oд， из чекистов－он разыскинал нарателей－полицсйских．$\quad 3 в р р-$ ствовавших окнупнроваинон Миргороде．Мменно там мх М гулиди－rороде，улици ко－ оорого оин \＆черные дин окку－ пачни залшли кровью，－кара－ телей Ксензд II．，Гавриша В．， Деревнино А．，Пепнха Ф．，Мам－ уича Н．，Петрекко Н．Нрнговор Gun，каи поворят taknд ruy．


 роу в пия книометрах от Мир－
города．Их привея туда，nогдо пскрыли уше поросыуо транамм и цветами зенни．Mx јагтавкли снова естать у 3 ооо стращиого pпа，у которого в октпбре 1941 года онм у yор，с 8－10 мет． pon crpensan нодей и lae нанин сsol̆ посаелиий приют целые семин－менщинш，сra－ рики，дети．．．

Meproых не носпресить，но Пусть венки，которые иыне пешат на MX Mormazx，Bnneteren н вести о суровам возмездии убпйцам

Здесь назғаны топько не－ скольно процессов над воениы－ мII преступииками，каратспямн， которые прошли в посасднее ремд．Нх было больие－ибо， поэторяю，нинто нЈ преступни－

 сче расскамем нацей тазры 6олее полрабно．Ведь вге оин Gыли отнрытМMн，на имх आци． сүтстволали тисячи Аодей． предсташтеди обществеинос го． прессы，радио п телеомденмя． Заседанип транслмровапись пи местному радмо，и сотни подей собнрапись $y$ внесениья фойе．на принегающме ниоиади репролукторог．Процессы ииро－ мо осясщаннся в прессе $A$ там， где были безвманные братские ногняы，подиммаамсь памятнмми М обелиски：лоди，разыскивар－ шме преступимкон，вместе с об． щественностыо $\mathbf{3 a 6 о т н л м С ь ~} о$ том，чтобы не канулм веч－ ность ммена их шергв．И моги－月ы переставали бшть безымян－ нМММ．．

Какоп мерои нэмеркть этот труд？Толыко 6лагодарнос гью по самому aысокому $\boldsymbol{\text { пnaro－}}$ родному счету，товвко приана． тепьность уже от ммени ны． нсшних понолений．

Конечно，камдый проиесс над
 тяжние мспитание ц月я изняти многих，кто пережии коuitidןt войны，кто сяомми гАајами ви－ дел 3sepcisa nanayeí．In 370 － и напонинаиие о неотвратммос．
ти наказания тем，кто запптиа

ется немало соенных престуіпе． ний－вспомнин хотя 6 н мас－ совую резно，учмненную cos－ сем недавно израильскон воен－ щиной в яагсрях палестинских Gемамиев．It каждbы пй поиопо口
no депу военных преступинкоп． чкнианих злолеяиии голы вто－ рой мировой войн，обращен и проти tex，кто со月ерыает воен－ ные преступпення сегоднд，ито намерен нх учнннть $32 \theta 1 \rho а$.

Haша страна acera стренн－ вась с сотрудничеству с органа－ ми правосудия аругпх стран－ розыске н намазамми оенных проступнмоо．Orнетстыениме сотрудмнки Конитета государст－ енной безопасиости СССР во－ де беседы привеин нетало прм－ мероs roro，кам доказатепьст． яенные материапы，собранные у нас н переданные пристан дру－ tих страи，помогали ноблмчити ппеступинноп．Вот одии нт них．


 port м раде сел Запорошской об． ластм．（н бын однмн из марате． пеі̆ печадьно известмой зондер． команды IOA и лично убмл ие ме－ нее 260 чепоаеи．On we yчact． вовал уничтожении 214 детей детско ло na $r$ ．ERcke．Hawn чекисты нашли смед зтого пела－ 42，кан он ни пыталса ero зany． гать Киндер бши ерестован н предстан перед омрушнын судом г．Марл－Маркс－Штадта．Ha судебный процесс были пригла－ ниен саидетепи из Cosetcкаго Cоюид．Вину Киилера суд дока－ उdन пониocitio，w Hand 4 6ып при
 ния．Танит фактоs можио быно бы вриаестм немано－органы праносуамм сонмапистических стран без сниспождения отно－ скicя п тен，кто соверий пре．
 3 нипвечности．
In годы ролыгиа sәрубемнии
 Ан переданы домадатедьственныо нगтернаны не менее чен по 70 тыслчан，поuncton，саумноиих рлзииннх паратепьних форжи． рованиях нядистскоһ Гернанин，

 ненно принимавших участие
зподениих．вряд ли стоит 3 нодепиинх．8ряд пи стоит внови наПомНнать，скопьмо уСМПий по－ Hддобкпос чeкnctom，чтобы 40 камдому преступимиу собрать． документальіо офорнить неоп－ ромержимме доказатеныствal

Кам окм 6ыAm nctonьзоваиы томи，кому быни передами？От． вет на зтот sonpoc не всегда вы－ зыаает удовлероренше．Здесь， помалуй，лучше всего обратмтьси н некоторым цифрам，нбо они бесстрастно подчерннванот то，о чем в ниых страмах вслух ro－ －орат редко．В 1976－1981 ir．
 переданы локазательстеенныо Матсрианы на 140 mоснннх пре－ ступнинен．Как сообцили ос． вгдомленине пидд，пмиь в от． ношенин 7 нз нах состо 7 － лись рсшения амерыканских су－ Дов о лнилении нх граждднства CIIA 3а сокрытне прм пвезле страну саушбы парательных
annaaum no chx nop ne nocty－ пино．Поневоде приходят ма уи МнСам об укрывательстве поен－ ных преступннков，о нежеланми выполнять свой далт，те обязан－ ности，коTopre manaract noо－ фессия приста，спушитела пра－ посудид．．．
MHE paccnazanm o tom，tro советские юристы олазынани н оказываm R RCectoponнwo no－ мощь своим зарубешным колпе－ rам розыске шоенных пре． с тупинов，установлении стене－ нн их вины．Зта помоць внло－ vaet себп розыск п передачу рамииного рода докумеитоп， mогуцив бмть дохаsarefictaz－ ни при расснотреним конмрет－ ина уголоанмх дел，талше трофеіимх домументоя，част．
 прмказы об унмчтоменаи A10－ дсй．рапортм о проледенных каратепьншх ппсрацилх，$н$ дру－


 cnyчac неоходимости прона－ － оснотры Mест злодешнй．snc． гумацим，проводатся змспер－ тизм $\boldsymbol{\sigma}$ опозанмя－все 3 то офорналеля процессуальными дпкументами соответстами с действуоицми нормамп немду－ народного праs．no просьбе мностраннах пористо：－ес．зи 3того требуит конмретные об． стоятельства－им paspeuser． ся присутствопать при допросах свндетелей．осматрниать места пронсшестім（рассірепов）． знаномиться архинах с заяя． лснинми документами и снинат с них мопин．Bырзтали coset－ ские граждане $п 3 а$ рубеш пл⿱ дачи спндстепысмих показпниі на судебных процессах по де－ пан наиистских преступникол． Впрочем， 310 сй статье прюд
 но末 прмдической помощи－на－ стоднно онм тногообразмм．Ска men TOAbNO а тоM，что ни одMи запрос тамого рода ие остеетсп Gez пнмилнмя，а качестео，если
 нения есегда саное тщатеавное

 тенноी работм деспткое и со－ тен гпециядмсто日！

उанимаютс उтои pabotoin ！ начсй стране водн спронния， их имена，иак правнио，не по－ падают на страницн rayet па－ же тоIда．коrда сообщается 06 mтorax ux oco6oro труда．Зто лоди пысокого долга，часопме Crpareдлиаости．Окм еедут po－ 3нск sоенны：преступинков с женезной－с月ово точно отра． maет суть последоватень－ ностьо и непреллоиностьо．При उтом НК длп мих，ни д月月 нас срокм данности，нацнональность ирестулника，его llon $n$ ens－ раст，несто митепьств $м$ т．月． не ниемт उмачении，ныо пре． －иие есего Истина и Cnpaseдан－ BCLTV：damnet bcero－4toбi Te， кто соерриия преступленмя， не ушаи от возмозаин．Мбо шсо Мы ПомНнм селтуи запопель： нмкто не 326 H и миято но 32. fimio．

ค．KOPMEHOH，

# "PRAVDA" March 3, 1983 Page 4 

## WAR CRIMINALS SHOULD BE MADE TO ANSWER

(Omitted)

Our investigative agencies render great assistance to foreign jurists in the assembling of evidence concerning Nazi war criminals, who are located in other countries. On the basis of eye-witness testimony, captured documents and other evidence, turned over to the authorities of other countries, a sizeable number of individuals guilty of the gravest of crimes against humanity were unmasked and convicted.
(omitted)

In particular, therefore, out of more than 140 individuals, about whom organs of justice of the U.S.A. between the years of 1976 and 1982 were given persuasive evidence of extremely grave crimes (committed) on the territory of our country, only seven were stripped of American citizenship, but then not one of them was turned over to the Soviet Union.

## (Omitted)

Light is shed on the true reason for the position of protecting Nazi war criminals by the abundant evidence of their active utilization for the purpose of (creating) anti-Communist hysteria and psychological warfare against the Soviet Union and other Socialist countries. As early as 1945, the U.S.A. received accusatory material about accomplices of the Fascists, who had committed grave crimes in the territory of White Russia during the war years. And still, after some time, they entered the U.S.A., England and Canada as "fighters against the U.S.S.R.". These details became known from documents, located in the National Archives of the U.S.A.

# ВОЕННЫХ ПРЕСТУПНИКОВ－К О <br>  <br>  <br> Xapaктсрио в зтом отиойя 

中panчysском zopode Лnowe Клаусп Варбве，中ряниузском zороде лпоюе клауса варбве， инояирzя $14 \boldsymbol{1}^{2}$


стойчивая борьба прогрессибных сил дала сбои рсзультаты－прапительстто волиаии оыдало Фракции качистского палача дяе то－七о，чтобы оп покес еправедливое накаsaкие sa coou snodermur

Hoyrw copon нет отделямот mac ot okotyaimg второй MH－ ровой поीпи，одвако $\mathrm{m}_{3}$ памя－ III reловетесна пе пвгдади－ нисю п вицогда не пзгладятся тудовимшые преступления гит－ леровnся，Henbsя без боли и невs вспомииатн о зверствах
 коғорие sanутни，расстреля－ пи，задушили в пазовьх камс－ рах Minmионы подех．Освев－ тим е Malдднек，Бухенвальи ne，Daбrt Ip и Хатынь сталн CHMBOHan xposabol cyT：фа－ ниаме в милитаризма．
BegMy Mupy wзвестны нснс－
 né uam иарод， 20 нииінопоя conercknt monelf oraaли cвои знини в воребе с фанизмом， в pүмин обрарились дссятки
 colluac，diyota zecrimh net，He Удалось далетить вссх ран， трн Hhermbx zolinok．

Hиеступнения папистои пель＊ ns saghtr，непвзя простить． Tuse $n$ ходя поїпы странн дітигитнеронскай воалидии дияли на себя обязатсльств \＃Pивлең，scex таких mия кот－ pegcyncuppcth，maxanarb $4 x$ ．

I）Machoncкой
от 30 октирия 1043 деклраиии orectcrnerности 1943 гола оо
 4а coнор пикобрртания，Соепиисшине IITaxh n Coberckni Coros rop ＊сственно sаявилия дица，тко торне Gили отвстствсий зи mиисупомпнутне звсретва убиистдя п казин пли добро
 ctue，бyлут qrocлanh в cтрa Th，is korophix Guni conepute нн их одиратиельиьес дейст Bй，лин zoro，чтобы оии мог пи битя сулимн и наказаин в соотнятстии $\subset$ sаконами отих
 тс，кғо ене ne обагрил своих рук невншю／кровно，－ука－ знвалось в пекларании， УqTyT RF9，ттобн не оказаться B viche minobных，ибо три соmзннх депкавы навсрняка нй пут их naже па краю свста и перепадут их в руки кх об． вииитепе $с$ тем，$\$ т о 6 \mathrm{M}$ смог ло соверинтися правосудиен．

Cтапиед 11 ，Декларапии о поранения，Терманиит 5 uпни 1945 г．тредусмотре－ но， 710 qрест и выдача вост： ннх преступинков должин рроизводиғнся в побое врсмя． Oблваиность ncex rocyдарств прсслепоиать зти орестушл－
 Mc；суииролиом соглашсиии Mсддуиаролиом согдаиения
от 8 пгуста 1945 года，кото－
 восниния прсступлспиі．

Оринизадия Обтсдинсиивх Hauili ic pas в croux докуме1－ тих понтворжлала этот прин－

иип Усилия миролконвнх сил，прогрессивнои общсст веиности，направлениве ния еправсдливое наказавис воен ынх преступииков，напли ви－ ражсние в пркнятои feнераль
иой Ассамблес оOH 26 но ной Ассамблеси ООН 26 но ября 1968 г．Конвсндии о не－ применении сроков давиости к восниьм преступлениям н прс－ ступлсниям против яеловс＇лс－ ства．

Зафиксированные п мсжду наролном праве приниины обя－ зательного наказания военных преступников－важная гаран－ тия обеспетсния мира，препу－ преждсиия вгрессіи．Те，кто повинсн в расправах иал мир
 ним насслсиисм в Соитми
Jияане，кто пытастся прово－ дить политику \＆с позинии си－ лин，созвают，тто кажднй про－ neir нал воениыаи прсстуmии－ ками глубоко пбнажаст иоли－ тичсккю и содиальную подоп． леку таких прсступлсий，на－ нисит улар во люоымм аррессо－ рам，поджигатслям нпвой вой－ ин．Тольке п результате рс－ мительного протсста миролк－ Бивых сия，прогивников фі－ пиизма во всем мире буплес－ тит фРР вынужлсн был 3 ин－ лn 1979 roдa приидть вакои o Ап $197 \%$ тода приидть вакои о ступвикам сроков даниости．
Совстскос государство стро－ то и исуклонно соолюдаст взд－ тые на ссбя международные облзательстна，занимает приин－ пиииалыую позииию по вссм воџросам，свяаанинм с Паказа－ нисм manucreких focmunx пре－ ступиков．Ужс по рреми Ве－ ликой Отетествснпой воййи и некоре после се окоитаиия би．

 тяжсстью соверисииых मрс crynлcwil полавляюitice foль muиств takix лни．Олнако
 лі глуб́ко дамаскировати－ ся，их нелегко было найтт． Hoc aktinmoil nomoni，на седсиия следствсния органы дродолжают выполнять спой долю， 0 тем наглядио спидс－ тсльствуст рид судсбинх про－ тельствуст ряд судсоинх про－
пессоп，проведениых в паный стране в последвие голи．Xод процессов и приговоры сула цироко освепалисв в газстах дпугих срелствах массовоі̆ ии－ формации．Верховннм судом Бслорусской СОР，Волынскім пбластиым судом Украиискои ССР строго наказаны измси－ иики Родинн наңистскис по－ соСиики Дуфанеп I1．，Буб́с－ ла $\Lambda$ ．，Рमйтук $\Phi$ ，Долииіі C ．
 nи yvactuc в naccormx pac－ дн Уастне в waccorнх
стрслах совстских люлеі．
трслах совстских люлси．
Наим слслственис ораин оказнвают большую помпnt тарубсжным юристам в сборс доказатсльственинх матсриа

див И न отношосиии нацистских песиих прсступннков，находя－ आихея в других странах．Ha основании показанин свидетс－ леИ－оченидцсв，трофенынг до－ лси－оченддв，трфених до кумситов и иннх доказа－ тсльств，псрсдапных властям других государств，нзобличс но и осуждено немалое число лид，виновных в тягайшнх преступлснилх против qелове सссти．По этНм вопросам в Совстскам Союзе псполняюття многочислсные обрапения об оказании правовон помоди， поступаюпис из ГДР，ЧССР IHP，ФРГ，Голлаплии，Авст puin，CIIA，других стран，

 иаыими слслствеиными работ ННками присутстнин специ－ ллью присふжадних $к$ нам uипстраниы пристов， $\boldsymbol{B}$ ос новном на собранинд в Corer ском Cowne матерналах был осужлсы в Голландии палач－ ниллионер П．Ментси，который своимі злодсяниями вызвал lifen и возмумение пестиых людсй нсего земного пара．
Нссмотил на прииципнал иую и последовательную пози иин миролюбнннх госуларств І аб́дсствсниости，агрессивине солы，поджигатсли воины не оставляют попиток спасти гит－ леровских преступииков от справелдивого возмезлия，от－ нсети от них каракодук руку правосул！ия．Проявляя исува－ жснис к обиечеловечсскпй мо－ рали，нарушая международине наконы и взятые па себя обяг ыттельства，агресезниые круги， if прсжде всспо в Сослинеииых HIтатах Алсрики，линемсрио питанотся локалать，＂то проб．－ лемы посиыы преступников больит пс супествует，งто acfictaymune в otux ctpanax нормй препа якобы He позво－ ляют пылавать нпеиных пре－ стуиииов иравитслиствам дру－ гіх госуларстн．

Aргумсітация，к котороil ириостают в таких случаях，пе
 правовых и моральных осно－ паний．Какими 6 д формаль－ ваниद．Какими бы формалв－
ными донолами пи прикрыва－ ними донолами пи прикрыва－
ласн подобиая позиция，в се оспове лежат лишь фактиๆе－ скос үкрынатсльство носппых преступинкOH，YКПOHOHIL OT нндолисыия международных обязательств，праявление прс－ нсо́рсжения к памяти милдиа． нов жертв пацизма，Имснио ппэтому из болес чем 140 лиц， нат которых в $1976-1982 \mathrm{rr}$ ． пргаиам юстинин CILA были переланы убедитслыине дока переданы убедитслыные докат
затслиства о сонориенин тдг
 тории наисй страни，лишь се мерых линили американского рражданства， 10 ＂и олин H 3 tux tak if не был ныдан Co betckomy Conozy．

ини лсло К．Линнаса，фс шистского прихвостня，Eин Hero начадьника Тартуско конилагеря，лично ВНновНя го в pacстреле 12 тнеяч челя рек．Советским судом ои зао но приговорен к омертиой ка： ни．Несмотря пи то，тто ами
 поримнй характер улик проти Линваса，вопрос о его вндаи rak $\boldsymbol{r}$ не ренается．
Или другой палач－B．Mat ковскис，бивпий начальни участка полипии в Резекие ском районе Латвийской CCF Ha ero совести 15 тыся расстреляниых и замучеииы людси．Весь мир знает тратс дию дерсвни Аудриии，котг рую постигла та же судьбк рую постинл та же сутенеи Орадура，лй что и Житенеи Орадура， 11
лице и Хатьни 2 лнвари 194 лице и Хатьни． 2 январл 194 года гитлеровцн，в $т$ мм числ н．Манковскис，схватили вес жителей дерсвии，а их был 200 теловек，и сожгли дерев но．Все жители，и срсни m более 50 детси，быни расстре ляны．Этот факт рассматривал ся Нюрно́сргским межпуиарод нНМ трибуналом и прнзна тлгайишм преступлением Майковские по сих пор не не релан в руки прапосудия．He релан в руки правосудия．Hс
 ращсния Cовстскопо Сожоля американскис втасти откнив
вают в сго вндаяе． पсм же ориनหиес
Чсм же придичсски， 4 матн вируктсля такис отказн？От видно на примере матсриало по делу тесно сотрулиичавнс то с титлеровдами н участво нанисго в зверских распра月aX с соВстскими лольми н Льновской области Д．Куияка которого пелавно каиадски мласти откизaлися выдать Co встскому Coюzy，\＆B Канад не суцествуст какого－либо за кона，коториम познолял бн ка надскому правитслиству пы полиить просьбу Coseтског пранитслнствая，таков офи Малныый ответ，И зто песмот ря ин то，тто солетская ноті ссылалась на указаиныс вы＂и лекларацию от 30 октябр 1943 года，соглаппение ot 8 aв густа 1945 гола，резолюाии Гсисралыно甘 Accamолеи OOL от 13 фсрралл 1946 пола н 31 октябDs 1947 nопа．По подоб пым жс \＆причинамя ло сн рор ке выданы фашистский ка ратель Ковальчук д ряд дру rhx．
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# реступнинов－н ответу <br>  <br> Xapaktepin в atom othonic． <br>  

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 cкол Conate Matcpiratax $64 \pi$ псужден В Голландии палат миллионср П．，Мептсп，котпрый спонми злпдепниями вназвл
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Несмотря на ппиприпиаль－ нуп н последоватслниую позн－
 ＂o6mcctвennactw，n＋pecenemite силн，поджигатсли воины не оставляют попнток спасти тит－ леПовскНХ преступииков от справедлиного поамездня，от－ нcets or fux kaparomym pyкy правосудия．Проявляя псува． жсние к обтечсловстеской мо－ ралн，нарушня мсждународннс закоин и алятнс затсльства，агрессивине круги， И преждс вссго п Сосдинсиных गtatax Амсрики，линемерио питантся дпказать，тто прой－


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 ское Укрњтательство восінін прсстушикко，уклоиешие от нннолнсиня межлунаролннх облзатетьтл，прояплсшес ире． псбрежснии к памлти миллно－ 10n sеетт паниама．Именно tinaromy иа болес тем 140 лиг，
ta кпторих п $1976-1982 \mathrm{rr}$ ． прганам юстиичи CLUA были порелаин убсдительиыс лока－ quiluw ano comet
 тории нашсй страин，линия се тсрнх лишнли амсриканского
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тии лело К，Линнася，фа thictekoro mpisx noctis，6ink－ конилагеря то в расстреле 12 тысяч чело－ нек Советским сулом ои заоч． пек．Совстским супом оाt 3a04－ ио прнговорен к омертной каз－ 1н．Несмотря иа то，тто аме． риканскиі сул признал псос－ поримни характер улик против Линнаса，вопрос о его вндаче так и не ренается．
Или лругой палач－Б．Маи． копскमс，бывпий началыпик участка полипии в Резекнси－ ском районе Латвийской ССР． На сro совести 15 тысям пасстреляипых н замучснных лклеі．Веся мmp зwact траге－ лию перспии Аулриии，кото－ рую постигла та же судьба， рую постигла та же сулвба，
что и жителси Пралура，Ли－ ттп и жителси Прадура，Ли－ HиLC и Хатіни， 2 sнпрря 1942 ода гитлеронцн，т том числе и．Майковскис，схватили всех китслсй дсрсвин，а их било 200 ұелопек，и сожгли дерев－ 1ю．Все житсли，п срели ітх болсе 50 летсli．бнли расстре－ ляиы．Этот факт расснатрннал． ся Нюриӧсргским межлуиарод－ ным трибуналом и принан лттайним преступлснисм Майкоаскис по сих пор не пе－ рслан в руки прапосулия．He－ смотря па ноолнократинс об
 амсрнканекпс власти отказы вant н соо вндачс

Ісм жс крндиサсски \＆моти लpyotest takhe drkath？Oto ннлио на примере матсриалон по лелу тссно сотрулиичанын оо с гитлеровдани и Утаство． нанисто в знерских распра． нах C сорстскими людЬMIt m Льмовскон области Д．Купяка， которого псданाо канадскис мласти откалались выдать Со－ пстскому Сокау． 4 В Канаде ис суиествуст какого－либо за． но су которыI познолял бн надскому пранитслиству，вы－ надскому прания просьу Совстского подиитв просвбу Совстского
пранител．
 जn the tп，चto conctckan Hota

 1943 roga，corлanuculte or 8 ap－ густа 1945 гпла，релолююии Геперanbioit Accamблен OOH от 1.3 фспрадя 1946 mла и 31. октиюря 1947 тола．По тпдоб． m，же ппричسнам ло сих пор не вндаиы фаниистский кн－ рате
mх．
Поллиынин свет на познцию покровителе月 напистских Ро－ сІных престVПНиков пролияа－ ют и ММОГОТИСЛСНННС САИЛС тельстия актІвипго иеполкто． нания их пелях аптикомму－ нистическон истерии，пеихо． логичсскай войны против Со．
 пиалистических страи．Eute o 1945 roлу CLILA полуगили o6． пииитслынис матсриалы иa 100 пособиикпн фанистов，со－ псриииних тлжеллн прсступ． ления на территории Веторус－ сии п голн воинн．Однако сии п голы воння．Однако
аерез какпе－то премя пни инсхалн С США，Ашглию п Ка－
occpgr Orf noдробности cra～ ли известин из，документоу： находяпихея \＆Hautoнальнон архиве CIILA．
Платным сотрчдпикоल ame： рикаиской разведки，kak tek пери стало известно，явлилен

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всллиноіи кары．
Іииичнне пнтервьо，torios Dне даст теперь фанйстстй каратель，окивляит 1 tamяти строки франдузсколо nosira
 рол Compotmbierif－nonios－ Нику Фабьену：

Убит человек．
OH 6bn noraa－xo pebetrikent．

## й уходй на бой

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－Aase Mhenb，
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 носнных преступинхов，решн телнне ирессчение л106tx нeo． нацистскнх пролвленй－не толнко норитичсекая npo\％ле． Ma．OTo－Ham дont nepen skep． намй фапиама н matrytapив ма．Sto－прсдостсрежение rem． arдeccopam и рсваинистам，ко． торне нс сделали для себя ноучительных нинодоs и！ypoz ков истории．Это－выраженй Henpeksomuth noti hadonoe слслать всс，षтобн воениате преступлсиия и преступиения протни человечестна никогда большс не повтопились．

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OF HEARING IN DEPORTATION PROCEEDINGS (COVER PAGE, PP. 92-95, AND ORDER)$6 \quad 4 / 28 / 1983$ B6325

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## L.I. Man Is Ordered Deported For Concentration Camp Role

## By JOHN T. MCQUISTON

A 63-year-old Long Island man who was stripped of his United States citizenship because he commanded a Nazi concentratioa camp during World War II has been ordered deported by a judge for the Immigration and Naturalization Service.
Judge Howard Cohen affirmed that the defendant, Karl Linnas of Greenvale, L.I., had been an officer in an Estonian partisan group that collaborated with the German Army, and that he had conducted executions of Jews and Communists at a prison in Tartu, Estonia, in 1941. More than 12,000 Eastern Europeans, including 2,000 Jews, were executed at the camp.
"The respondent ordered, incited, assisted or otherwise participated in the persecution of persons because of race, religion, national origin or political opinion," said Judge Cohen, who observed that his findings were the same as those of three previous tribunals in Mr. Linnas's case.

Mr. Linnas was stripped of his citizenship in a nonjury trial in July 1881 conducted by Judge Jacob Mishler in Federal District Court in Westbury, L.I. Judge Mishler found that Mr. Linnas, an engineering draftsman, had concealed his World War II activities.

## Limas Is Accused of Lying

The charges against Mr. Linnas were initiated in June 1981 by the Federal Justice Department's Office of Special Investigations. The Government accused him of lying to immigration authorities in 1951, when he entered the United States as a displaced person from Germany, and again when he be came a citizen in 1960.

Judge Mishler's ruling was upheld, on appeal, by the Court of Appeals and was
let stand by the United States Supreme Court in October 1982.
Mr. Linnas, who did not appear in court during any of the proceedings against him, now has the right to appeal Judge Cohen's deportation ruling before the Board of Immigration Appeal, the Court of Appeals and the Supreme Court. His attorney, Ivars Berzins, declined to comment and has advised his client to do the same.

Neal Sher, acting director of the office of Special Investigations, said Mr. Linnas had chosen Estonia as the country he wanted to go to should the deportation proceedings go against him.

## Now Part of Soviet Union

However, since Estonia is now part of the Soviet Union, Mr. Sher said Mr. Linnas would be deported to the Soviet Union, which has sentenced Mr. Linnas in absentia for war crimes.
The Soviet Union provided some of the documents placed in evidence against Mr. Linnas at his trial before Judge Mishler.

The documents were notes purportedly signed by Mr. Linnas when he served as an officer in the prison camp in Tartu. His attorney had attempted to prove that any testimony or documents provided by the Soviet Union were untrustworthy.

- The ruling by Judge Cohen, which was signed last Thursday, "brings us a major step closer to our ultimate goal of expelling Linnas from the U.S., where he was never entitled to live in the first place because of his unspeakable actions during World War II,' Mr. Sher said.

He said his special investigations unit, which was formed in 1979, now had 27 immigration cases pending against suspected former Nazt war criminals.


# SOVIET EVIDENCE HAS ALWAYS BEEN FRAUDULENT AND SHOULD NOT BE USED IN AMERICAN COURTS 

May 28, 1981

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. Ashasook) is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, World War II ended 36 years ago but many of us still remember its horrors. We should never forgive and never forget the atrocities committed by the Nazis against the Jews.

The Nazi murders of 6 million Jews and millions of Christians are crimes that require punishment of all who are guilty. At the same time, we must not forget the Communist murders of even greater millions of Christians, Jews, and Moslems. And we cannot forgive these crimes. Hitler and Stalin and most of their top henchmen are dead. But, the present leadership in the Sovict Union were all part of the Stalin murder machine.
They never changed. They never repented. Some of Hitler's criminals still function as Communist leaders in East Germany. A war criminal named Her bert Kroeger served in the SS Security Service. In recent years, he has been a member of the East German puppet parliament, the People's Chamber, and a member of the editorial board of the Socialist Unity (Communist) Party theoretical magazine Einheit.
Another war criminal, Kurt Lange, had served Hitler in the SS Security Service and had brutally interrogated those arrested in the July 20 plot against Hitler. After the war he helped the Communists establish the Fast German State Security Service and became a member of the staff of the Ministry of State Security.
Nazi Ernst Grossman served as an

SS guard at Sachsenhausen concentration carnp. This member of the SS "Deathshead" unit rose to membership in the central committee of the East German Socialist Unity Party. the Communist Party. When his war crimes were revealed by the West Ger mans, the Communists quietly re moved him from the central commit tee and put him in charge of a collective farm. There was no punishment for his crimes.

We cannot forglve the Nazi criminals who threw thousands of Soviet Jews to their deaths in the pit at Baba Yar. Nor can we forgive the Communist criminals who murdered at least 11,000 Polish officers and buried their bodies in Katyn Forest in 1940-41.

Nor can we forgive the Communist murderers who buried between 11.000 and 12,000 Ukrainian victims of their atrocities at Vynnytsia during 1937-38. Nor the Chinese Communists who exterminated more than 20 million of their countrymen.
For the past few years, the U.S. Government has been searching for Nazi war criminals who may have come here after World War II It is right that we should do this. We do not want war criminals in our country. But we must make sure that no innocent persons are wrongly accused Evidence from Soviet sources is tainted by the Communist history of lies and forgeries.
As the CIA told the House Intelligence Committee on February 6, 1980:
It is an established Soviet practice to employ forgeries in covert action and psy. chological warfare operations against the United States.

Some 30 years ago the Soviet Gov-
ernment sent witnesses to Paris to perJure themselves at a trial to try to disprove the information on Soviet slave labor camps revealed by Victor Krav. chenko. The French courts believed Kravchenko, not the Soviet perjurers. Forgeries and lies are the usual weapons of the Communists. To them these things are not violations of morality. As Lenin said, Communist morality is anything that advances Communist goals.

On May 10, 1981, the Washington Post printed a lengthy story on the ordeal of Frank Walus, who was falseiy accused of being a Nazi war criminal. After spending $\$ 60,000$ to defend himself, finally documents were found In the West German archives that proved that he could not have taken part on the atrocities. Witnesses who claimed to remember him, after more than 35 years, were clearly mistaken. They saw what they wanted to see. The face of the real criminal buried in the back of their minds became the face of the innocent Frank Walus.

This case ended well. Others may not. Soviet produced forgeries and false witnesses; used against refugees from communism because they are enemies of the Soviet regime would cause severe damage to innocent people.

We cannot condemn anyone based on Soviet evidence but we must make sure that no Nazl or Communist crimlnal should receive sanctuary here. We can be sure of this by using our basic American laws of evidence. Soviet evidence is tainted and should not be utilized in American courts.

We will not forgive Nazl Germany or Soviet Russia for their crimes. The policy of our Government must be based on this moral principle.


Unltad Press Internations
Frank Walus, at the time charges were filed against him.


Frank Walus, as a farm laborer in Germany during World
War II.

## The Nazi Who Never Was

## How a witchhunt by judge, press, and investigators branded an innocent man a war criminal

## By Flora Johnson

T N JANUARY 1977, the United States government accused a Chi1 cagoan named Frank Walus of having committed atrocities in Poland during World War II.
In the following four years, this retired factory worker went into debt in order to raise more than $\$ 60,000$ to defend himself. He sat in a courtroom while 11 Jewish survivors of the Nazi occupation of Poland testified that they saw him murder children, an old woman, a young woman, a hunch back and others. He lost most of his friends. He was vilified by the press citizenship. He seemed about to be deported, probably to a country where he would be tried for war crimes.
But then, two years after he was convicted, a court of appeals said it would be "an intolerable ixjustice" not to retry Walus and that a new trial "almost certainly" would clear him. Nine months after that, charges against Frank Walus were dropped.
Overwhelming evidence shows that Walus was not a Nazi war criminal, that he was not even in Poland during World War II. Mueh of this evidence was available to the US government before Walus was even charged, long before he was brought to court. Yet it was not until after the court of appeals ordered Walus retried that the rovernment actually investigated the evidence favorable to Walus. Incredible as it may seem, neither the povernment nor the judge who heard Walus' denaturalization proceeding seemed to be interested in whether Walus actually was ruilty or not. It seemed enough that he had been accused of having been a Naz:
The Walus case was a kind of witchhunt - though for "witch" substi tute "Nazi" Thi is not to say that there are no former Nazis living in the Unit States ior does it mean that any former Nozis who do live her hid be depted. should not be deported. It means that in an atmosphere of hatred and
loathing verging on hysteria, the government persecuted an innocent loathing verging on hysteria, the government p
man. And we should be concerned about that, tno.

## $\square \square$

frank Walus was born Franz Walus in Germany in 1922. His parents were Polish and thes, under German law, he is a Pole. He lived in Cermany until 1932, when his father died and his mother moved near Kielce in Poland, where Walus was known as Franciszelk
In September 1939, the Germans invaded Poland. On March 2, 1940, Franciszek Walus and a number of other Polish youths were rounded up and sent to Germany where they were anong the 2.5 million Poles who worked virtually as slaves for the Germans during World War II. Walus was 17 years old. He proved too frail to do the work the German farmers demanded of him: although they were fond of the boy, they traded him for lahorers who could do more work. Walus spent most of the war being shifted trom farm to farm in the area around Neu-Ulm, Germany.
While Walus was in Germany, the Nazis established ghettos for Polish Jews in Kielce. These ghettos were under the control of the Nazi Schutzstaffel, or SS - of which the Gestapo, or secret police, was the elite corps. In 1942 and 1943, both ghettos were "liquidated." First women, children and men unable to work were sent to concentration camps. Later the remaining Jews were sent to the camps.
When the war ended in 1945, Franz Waius enrolled in various Allied civilian units in Germany. In 1947, he returned to the area around Kielce and lived there without incident for 10 years. Ulimately, he and his wife came to the United States and to Chicago. Walus Americanized his first name, worked in a factory, bought a neat duplex on Chicago's southwest side. In 1970, he became a naturaized citizen.

See WALUS, Page B5

[^0]ALUS, From Page B1
In 1871, Walus gave lodgning to a Polish
immigrant named Michael Alper, a dew who was raised as a Roman Catholic after his
parente were killed by Nazis. Alper rewisded paronts were killed by Nazis, Alper resided
ith Walus until 1972, then left the Walus mome then returned with lis new wite in
March 1973. In May, Alper and Walus Marchi 1973. In May, Alper and Walus
quarreled because Walus sccused Alper of chaating another man of some money. Walus then threw Alper out of his house. A year later, in 1974, Aper told a Chicago
Jewish agency that, while he lived with Wamius, Walus had told stories of heving col laborated with the Nazis in Poland during
the war. Ultimately Alper would testify to the same thing at Walus' trial, and Alper's wife allo would testify that Walus told sto. would explain why they waited so long to come forward with their allegations. The U.S. Court of Appeals for the Seve tred between the defendant and the Alper was extremely strong,", and it would con clude that he Alpers cestimony was no
credible But by that time it would he very nearly too late.
[] $\square$
In 1974, Simon Wiesenthal, the famous
"Nazi hunter" of Vienna, denouiced Walus as "a Pole in Chicago, who performed hi dutiees with the Gestapo in the ghettos of
Czestochowa and Kielce and handed pver a number of Jews to the Gestapo. Wiesenthal did not say on what basis he Alper was not his source, but he will not name anyone else. Did he check on his source be fore he accused Walus? There is no evtdent
of it No documents ever have ben produc aggainst Walus, and all he witnesses against him ware found offter 1974.
In 1974, Rep. Elizabeth In 1974, Rep. Elizabeth Holtzman (D subcommittee, began a campaign to get the government to investigate ailegations tha there were Nazi war criminals living in the
United States." In a subcommittee hearing in April 1974, Holtzman grilled the immi gration commissioner about charges tha
the Immigration and Naturalization Service knew about Nazi war criminals living in the United States and had done nothing about it. In May 1974, sbe issued a report calling
for an overhaul of efforts againat Nazi war criminals and the creation of a special war crimes task force within the Justice Depar
The INS seems to have given WiesenThe ind seems to have given Wiesen-
and a accusation. the name Frank Walus
and and a photograph of Walus taken in 19959
when he was 37 , to the lsraeli police. The Is reeli polloe apparently then gave Walus promotion: Atthough Wiesenthal had ac

Somehow, a terrible momentum seemed to have huilt un for this case.

The Nazi Who Never Was


Later Gelbhauer would say that he didn't
like to look at "Walus", I the he to look at "Wailus": "I tried not to see
him tried to
Althovod him as one avoids a dog." Although Hoffran him all but refugsed to te let
Korenkiewico cross examine the govern witresses, KKronkieximicinad the govevermmen
record eviderce that the these 11 witneeseses could record evidence that these 11 witnesases could
not readly remember the man who had tor mented them so many yeara before -it, in deed, all 11 even reinembered the same man:. The next witness, who ssid Walus shot a
lawey, said the itiler was of "midde height,
medium height" and "slighty shorter" than $\overline{0}$ feet 10 inches. He allog osid the the man was
"medium built" and had light brown hair "medium built" and had light brown hair, A children into a building whereupon she the murrerer waus a litele shorter than 5 feet 6 ,
and ""road shouldered." and "Throad shouldered." noved to camps - an old woman, a hunch back and an emaciated man. He described
the killer as "middle size, not tall" and "about a head smaller"t than 5 feet tol 10 . He said the man was "approximately $25,28{ }^{26}$ " years old.
Walus would have been 20 in 1942.) This withess said, ""never looked in his eyes. I was None of the witnesses was able to give a dezailed description of the man in question
Their descriptions frequently did not Their deecriptions frequently dir not agree
with one another. let alone with the physical description of Frank Walus, seated in the deendant's chair, Not one, before identifying
Walus as a murderer, asked to see him stand up, move or turn his head. Not one asked to hear him speak. The appeeals court would find
that at least five of the witnesses made their that at least five of the witnesses made their
identifications exclusively on the basis of Walus' face.
Throughout
Throughout this testimony, however, Chi
cago newspapers prominendly featured wigo newspapers prominently featured the
witneses' sensational tostimony. The dis-
repancies revealed by crepancies revealed by Korenkiewicz during his attempta at cross-examinatlon were usu-
ally not noted. Nor was Hoffman's obvious bias against Walus, This was particularly true of the Chicago Sun-Times, which had picked paper, the Daily News folded.
At, the end of the government's case
Korenkiewica made Korenkiewicz made what he knew was
doomed request that Hoffman dismiss the chareses. Hoffest than ruled that that "in the opmisio of the court.. the defendant did opinmin
war atrocities." Hoffman had not heard a sing war atrocities." Hoffman had not heard a ai
gle defense withess when he all but pro
nounced Frank Walus guilty of war crimes.
$0 \square$


In May, no one was very surprised when
Hoffman found agaiust Wralus. Hoffmar said Walus' testimony and that of his wimeseses nd Walus" documents were full of "inconsisisgovernment wituesses "was genesally consis.
tent. . both powerfu and largely unshaken y able cross examination
On the troublesome matter of Walus
height and build. Hoffman had this to sas To several people, a person in unitorm, espelakest one in Gestapo uniform, unavoidah takes on a more imposing, and thus solint
what langer and more mature appearance,". Netither the government nor Hoffman cruld AOK documents. The government had stup. after the par, but not even Hoffman was per. hypothesis to be supported by the evidencot "How the documents were generated why
not established," said Hoffman. "Their origin is, however, of so importance."

Shortly thereater, a French citizen namec in a newspapper. He had been a prisoner op
war in Germany, where he knew Walus be In October 1978 . He came forward. Walus' father-in. law, who lives near Kielco we more Polish witnesses were found. The the ween whered they lareers in Germany during In addition, the German gow
 picture of Watus, showing thati he lived in
Germany from March 1940 to an indefinite date. The new docurnents cororoboraied the
AOK documents "almost perfectly." accord ing to the appeals "almost perfectly." accord
 the additional evidence th Hofifman, asking
that Hoffman vacate the inder that Hoffman vacate the iudgment agains
Walus. Hofman curned him down It took until February appeals to review $W$
retried. The appeals court called the governmen
case against $F$ rank Walus "weak." Te case against Frank Walus "weak." The court
said that the trial reoord "siggeets that the
strenth of the strength of the overmments case is at least
partly the result of the trial partly the result of the trial corirt's [Hoff
man's] frustration of defense attempts to cross examine witnesses." . The court called Walus pelling." "The government has had littice sum
cess in inpeaching Walus' documentry cess in impeaching Walus' documentary evi.
dence w winh ocroborates his testimony
ctosely," said the court. closely," said the courr.
The court said that Hoffmar had accent the statements of government witnessees with

None of the witnesses
was able to give a
detailed description of the

The public had been
cused Walus of coluaborating with the
Nazis, the Israelis decided that Walus had bena a member of the Gestapo

 | Walus height. He is small-boned howd |
| :--- |
| ctands 5 feet 4-too short by two inches to | have been allowed into the Gestapo. Two,

they forgot or dididit know that the Gerthey forgot or didhht know that the Ger
mans oroniderd
not not aluwed do ioin the Gestapo. Three. they
forgot or didnt' realize that Walus had orgot or didn't reaize that walus had
Americanized his name to Frank when he antered the United States. His lawyer
would preaent testimony at Walus' trial

 ti is pronounced "Fronk."
Pinally, it does not seem to have ocurred
onymon - Wiesenthal, the INS, or the ss.
 durining the war and then check hise abibi was
The strati police placed an alvertise. The lisaedi police placed an advertise
ment in an Israel newsapaper seeking witment in an srael newipaper seeking wit.
 This ad. Three more witneseses werer located
 hoo mentioned the name efrank Walus to at
Least two of the witrexses and Czeestcochowa east two of the wite nesses and Crestochowa
nd One other witness was given the name of
Frank Walus and the names of the towns in whinh the war crimes allegedy were com.
witted. Several of these wituesses later said hat they krew Walus as a Gestapo officer alled Frank. None of the witnesses who re-
arred to Walus by name remembered him as "Franz" or "Franciszek."
The Igraeli police showed potential wit-
nesees eight photographs, one of which was enlargement of the photo supplied by he NS, which showed Walus 20 years after he crimes he was accused of were commitphoto as "light and grainy in appearance,
and show ingl little shading of the defendnt's facial features. In fact, the outline of Of 44 potential witnesses to whom the photographs werp, shown in Istrael, eight
would "identfy" Walus at the trial. One of these would testify that, when he could not dientify Walus from the spreac of eight phatographs, the israeli inspector showed him ony Walus photograph, When he still
couldn't identify Walus, the inspector told im that the man in the picture was Walus. The court of appeals would say that the witnesses against Walus were "queationThe" and "suggestive."
nolved in the Walui case until dinuary 976. Still under pressure from Holtzman, gather material to bese used in denaturaliza.
tion and deportation hearings against al. gather material to be used in denaturaiza.
tion and deportation heering againt al
leged Nazis. The investigators do not seemi

Fortunately, Walus askee a Former al
nan for help. The former aldernuan ree mended that he talk to his cousin, a neigh
hood lawyer named Bob Korenkiewicz
]. $\square$
Korenkiewicz did not believe Walus' story
immediately, of course, Indeed, one of Walus many problems throughout the case was that
he did not present bimself well to strangers His unflattering crewcut and his heavy accent
wis first liabilities. In addition. Waius were his first liabilities. In addition, Wasus
tended to become agitated when trying to de tended to become agitated \#hen trying to de-
fend himself-t olittle avail - to reporters.
But Korenkiewict took the case. He went to But Korenkiewicz took the case. He He wert. to
Germany for three weedk to toak for eridene Germany for three weeks 4 look for evidence,
accompanied by John Gubbins from the U.S. attorney's office.
According to $K$

Korenkiewicz, the two attorneys were met at the airport in Cermany by a
U.S. Justice Department official who told them that German records contained no in-
formation on Walus. Gubbins says he be crmation on Walus. Cublins says he be-
lieved this. Kornkiewicz searched the reverds anyway, but initially found nothing.
Korenlye Korenkiewicz also went to the German
farms where Walus had lived during the war The farmers, he says, "were country bump kins. These peopple called Waius 'Franzil.'
which is the diminutive of Franz TTere which is the diminutive of Franz. There were toars in their eyes. They showed me the hed
room he slept in, the farms he worked on. They were small town people, open, honest,
living in the community for generationa living in the community for generations.
Korenkiewice decided that these people could not be lying to protect Walus. From that mo. ment on, he says, he believed Walus innocent. The government apparently never did any
further research in Germany. But Korenkiewict, after finding no documents himself,
hired a Murich lawyer who found documention U.S. goverriment officials sppourently missed.
These were doccuments from the German "AOK," the national heelth insurance systom stablished in the 19 th century by Bismarck,
that showed that Franz Walus was a farm worker in Oermany from 1940 through the Yorker in
war.
By oct
piled the By October 1977, Korenkiewics had com-
pied the following evidence of Wolus inno Tence, which he appendedede of a motion 'innothat the charges against Walus be dlemissed:

- AOK doeuments dating from March 8, - AOK documents dating from March 8 , Where he said he wean during the war.
- A etter from Arolsen the inter - A letter from Arolsen, the international tracing organization established ty the Red
Crooss after the war, corroborating the AOK documents.
- A letter from the Berim Docunent Cen. ter, the repository for masses of Nazi docu-
ments captured by the Allies at the end of the war, stating that the center had no record of a
Frank or Franz or Francised Walus working with or for the Gemapa
- Eleven effidexits from people in Poland who knew Walus before 1940 , who stated that
they had nover they had never Walua in a German uni-
form and had no knowledge of him being a Negii andlatorator.
- An effidavit
- An effidavit from the Rev. Franciszek
Tomcryk gtating that he had beear Walus
teacher before March 1940, and that he knew eacher before March 1940 , and that he knew
nothing about allegation that Walus was in he Gestapo or 85 . Tomecyk, who was the
Kiele parish pritat, added that when Walur
moved beck to moved back to the arree afther the war. Wolith
underground trooppo

dis were in the habit of or creating such been. The such as Walus is alleged Walus precent at the thint the woovernment "he tould that be fakes Also that all the documents showing Wakus to thave
been a war criminal "could" have been dea war criminal "olutid have been de-
stroyed. And that all of Walus' witnesses "could" be lying to protecta fellow Nazi.
This infuriates Korenkiewicz "We. oof at trial," he sayen. "Iff the government proof at tria," he saye. "If the government
hows a doument againt my client, Idon"
say, Judge, that couldve been made last hate. it
have. Th
have be
aid he
any cre
 aid he was. But nobody see
ny credence at all."

By then it was probably too late to glve cre
dence to Walus' evidence. Somehow bence to Walus' evidence. Somehow, a terri
ble momentum semed to have built up for
 Waus might be inniocent. The put
been promised a Nazi. Walus was it.
So in late March igts a So in late March 1978, a little more than a
year after charges were brought against, him, year after charges were brought against him,
Walus came to trial in Chicago. The security

- metal detector at the door armed - metal detector at the door, armed guard at the elevator - was said to be the strictest in
the ihtsory of the federal court. The press had been building toward this sensationanl lrial for months, and now the benches filled with
spectators who were sure of Waius' guilt and pectators who were sure of Walus guit and
loathed him. "This cutroom is full of blood. Thered is no question of his guilt. There is
hlood ail over him," a woman spectatoro told reporter over him," a woman spectatoto to the trial every day.
Now Wh reporter. She came to the trial every day,
Now Wal was about to have his tinal
stroke of almost incredibly bad luck As his. stroke of almost incredibly bad luck. As his
judge of this cans. Walus drew none other
than jultus Hoffman, of Chicago Seven fanme: than Jultus Hofiman, of Chicago Seven fameo
Korenkiexič had heard the stories about
Hoffmit Hoffman. But be had no inkling, until the
first day of trial, of how badly Hoffman can
 came forward to crowse wxamine witness David Geltbhauer, an Ifraeli who testified that, whille
working in Gestapo hoadquarters in Crestoworking in Gestappo haodauartery in Cresto oung, pretty Jexish woman. Then, when two children with the woman began to cry,
Walus" shot them toon Gelbhauer made this dentification in court entirely on the besis of uap. He did not hear Walus' voice.
up. He did not hear Wolus yoice,
Korenkiewwicz moved to crose examine Geibhnuuer on his moblity to identify the man he bad seen 35 yoars before, Korenk,
 height, not too tall and not small. I know he in
bit taller than me," Coilbhaurr then toatified bit taller than me," "Gelibhauer then textified When Korenkiewiza asked the witness to

 are than I or how much taller I am than you. 1
don't know that youl are even taller than I am." Korenkie iewicz is six feot
inches taller than Hoftiman.

Gubbing are page za.
 "contradictions" But Walus' attempts to ex. man who repeatedly instructed him to an-
swer only yes or no o poroecotion sure only yes or no to prosecution questions,
If Walus did not. Hoffman said, heo would
make Walus leave the stand and would strile make Walus didete Hothe thand and would strike hise entire tesstimmeny yrom the record.
The court of appeals would dater d The currt of appeels would later determine
"hat the inconsibteccies in Walus' alibi were "not tigneificantis."
Walus had sbout 86,000 left with which to
brling witnesses from abroad. Korenkiewia brong withesses from abroad. Korenkiewica
could afford to bring only six people "If we
 uould have had to find the one best witness
They brought Wilheln Reblo They brought Wilhelm Rethe, an AOK em
ploye since 1956, ,ho testified that AOK
documents substantint playe since 1956 , who testified that AOK
documents substantiate Whalus' story. They
brought Margarita Heichlinger an AoK brought Margarita Heichlinger, an AOK em
ploye sime 1941 , who testified that she ploye since 1941, who testified that she
posted the entries on the AOK cards, usually
within deys of receiving information from within deys of receiving information from an
employer. She recon izzed her own hondwit employer. She recognized her own handwrit.
ing on some of Walus' cards. They brought ing on some of Walus' cards. They brought
three farmers to testify to Walus' presence in Germany from Jure t940 to the ene ene of the the
war and another witness who knew Walus in war and another witness who knew Walus in
194L Another farmer testified by deposition 194. Another farmer lestified by deposition
thar walus had worked on har farm from
March to June 1940, and Fother March to june 1940, and
also testified by deposition.
In cross-examination. Gubbins and his
assistant, William Conlon, made much of in assistant, Filliam Conlon, made much of in
consistenciea that the court of consestencies that the court of appeals woun
later call "imocrasequential" and "minor." Gubbins and Conlon also made much of the
witnesses' Nazi ties The thre umen witnesses' Naxi ties: The three women farm-
ers were widows of Nazi party members. Hei ers, were wid dur of Naxi party members. He
chingeres father had been a member of the
 in ith The appeads court would "emphasize" in its opinion "that the sympathy for Naad
tenett shown by this evidenoe can only be
very 1 light."


## descriptions frequent

## did not agree with one

 another.out question, but had engased in "unre
strained and almost irrecincilet sitraned and almost irreconciliable reliance on
biass in deciding to discount testimony from defense witnessess.
Only now did the
Only now did the Walus case rective a full
investigation from the US. government. The investigation from the US.S. government. Th
investigation was conducted by the Justice
Department's new Office of Spe then Department'n new Office of SSPecial Investige
tions, begun at the instigation of Elizabeth Holtanan and charged with the sole dituty on foliaman and charged with the sole duty on
finited States. For the firs For the first time, the government now oh to chemical and handxriting sumalysis, and
found "that they were genime." found "that they were geniine.
For the first time. the go
copoperation from the active ever criment csm
mission in Poland The Office of Spuwidl

 Czestochowa, and foumd no record of a Wattr
accused of having been associated with the accused of having been associated with the
Gestapo. Nor did they find any evidence
Walus was in Poland during tho Wastapo. Nor did they find any eviclenct
aluation. A search Pold for wint witue the German oc. cupation. A search for wituexsese and a revieu
of regional archives also produced nothing of regional archives also produced nothing,
The offioe also interviewed Walus new wit nesses and examined the new docurnents
showing that Walus lived in Cermany showing that Walus lived in Cermany from
1940 on. In the United States, the office in terviewed "dozens" of former rexidentis of
Kielce and Czestochowa and showed them Kielce and Czastochowa and showed them
photo sporads in which Wah ins pitture was inphoto spreads in which adis pircure wasin
cluded. This time no one ideutified Walus as former war criminal.
The governuent, pow reinterviewed
many" of the witnesses who testified many" of the witnesses who testified
against Walus. But Allan A. Ryan head of
the Office of Special Investigation the Office of Special Investigation, h, read of
to say what those interviews showed. to say what those interviews showed.
This invertigation toon ning monts. On
Now. 26,1989 , Yyan and U.S. Attorney Tmm
 who had inherited the caso. that the
Statee would not retry Frank Walus.

Today, Frank Walus is lare ly at paace but
no entirely so Many people in Chicaso still not entirely so Many people in Chicago still
cling irrationally to the conviction that he is or mizht be guilty. He also must thatht the
government vuer which of his expenses will be governgent nver which of his expenses will he
 by the government as lawyers' fees are never considered currt costs
Ryar's Offioe of Special Investigations has
17 deportation cases now on file against al17 deportation cases now on file egionst al-
leged $N$ azis, with more promised. Ryan, in an interview with the newspaper Chicago LLaw.
yer, said he believes the "professionalisis" of yer, said he believes the "professiona
his new office will prevent a case like
Welle Walus case from happering apain.
And the Walus case can, for the And the walus case can, or the monent,
stand as another monument to the suppidity
of witch- hurthing of any type, hewever leudi-
able the ostensible aim

The WASHINGTON POST is one of the most liberal newspapers in the United States. When it gives front page treatment to an issue which many of us have addressed over the years - unsuccessfully, I might add -- the issue of fraudulent Soviet evidence and the travesty of American courts allowing communist evidence to influence our judicial process, we have made REAL progress. The communists have been notorious for forgeries - passports, evidence or anything which helps their ends. They have had an ongoing "disinformation" campaign for many years to influence our news media. They have had many successes. The Frank Walus case may be a turning point. Let's hope. I have reprinted this story in the hope that it will remind us again and again of the treachery of the communists and the moral question which must be addressed by any non-communist who uses their tainted sources.


## R A

$A M$-NA $Z$ S SKED-10-24
PRO SECUTOR CALLS REFUGEE NAZI "HANDMAIDEN" BY MIKE CASEY
CLEVELAND UPI - - A WAR REFUGEE UHO CAME TO THE UNITED STATES IN THE LATE $1950 S$ WAS IN REALITY A HANDMAIDEN OF NAZI PERSECUTION OF JEWS IN THE SOUIET UNION DURING YORLD UAR II, A GOVERNMENT ATTORNEY SAID MONDAY.

THE REMARKS CAME IN THE FIRST DAY OF A DEPORTATION HEARING FOR ALEXANDER LEHMANN, 65, OF CLEVELAND, WHO IS ACCUSED OF PARTICIPATING IN WAR CRIMES AND LYING ON HIS IMMIGRATION FORMS.

LEHMANN DID NOT ATTEND THE HEARING BEFORE FEDERAL IMMIG RATION JUDGE ADOLPH ANGELILLI BECAUSE HE SUFFERED A HEART ATTACK SATURDAY, SAID JEROME WEISS, ONE OF LE HMANN'S ATTORNEYS.

HE WAS HO SPITALI ED IN STABLE CONDITION.
DESPITE LEHMANN'S ABSENCE, ANGELILLI HEARD OPENING STATEMENTS AND INI TIAL TE STI MONY

THE UNI TED STATES IS ASKING THE COURT TO DEPORT ALEXANDER LEHMANN FROM THIS COUNIRY," SAID BRUCE SOLON, AN ATTORNEY WITH JUSTICE DEPARTMENT'S OFFICE OF SPECIAL PROSECUTION, WHICH IS RESPONSIBLE FOR HUNTING DOWN ALLE GED WAR CRIMINALS:

LI HMANN IS IN THI S COUNTRY IN VIOLATION" OF IMMIGRATI ON LAW, HE SAID INDEED, THAT IS THE ONLY WAY HE COULD HAVE ENIERED THIS COUNTRY.

SOLOU SAID FEDERAL LEGI SLATI ON AL LOWED POST \& AR REFUGEES TO COME TO THE UNITED STATES, BUT BARRED THOSE WHO HAD PARTICIPATED IN WAR CRIMES.

LEHMANN TAS NOT ONE OF THE HAPLESS VICTIMS ... BUT HAD PERSECUTED OTHERS ON BEHALF OF NAZI GERMANY, HE SAID. HE MADE HIMSELF A HANDMAIDEN OF THE GERMANS.

IEHMANN, A RETIRED TOOL-AND-DIE MAKER, CAME TO THE UNITED STATES IN 1957 BUT RETAINED HIS GERMAN CITIZENSAIP.

SOLOW SAID WHEN LEHMANN'S HOME IN ZAPOROZHE IN THE UKRAINE WAS. CAPTURED BY THE GERMANS, HE JOINED THE NAZI-INSTALLED POLICE FORCE AND EVENTUALLY ECAME A DEPUTY CHIEF.

AS MEMBER OF THE FORCE, HE ASSI STED IN PER SECUTING JEWS AS PART OF HITLER'S FINAL SOLUTION "TO ELIMINATE JEWS FROM GERMANY AND CAPTURED TERRITORY, SOLOW SAID.

SOLOW SAID THE GOVERNMENT'S CASE WILL BE BASED ON CONFI SCATED DOCUMENTS, IMMI GATION PAPERS AND TAPE-RECORDED DEPOSITIONS FROM UKRAINIANS.

THE GOVERNMENT'S FIRST WITNES S' WAS RAUL HILBERG, A HOLOCAUST HI STORI AN FROM THE UNIVERSITY OF UERMONT.

HE GAVE AN HI ST ORICAL ACCOUNT OF THE PERIOD FROM 1941 T0 1943, WHEN LEHMANN ALLEGEDLY WAS A URAINIAN POLICE OFFICER. HE TESTIFIED THAT AUXILIARY POLICE FORCES WERE SET UP BY THE NAIIS AND ASSI STED IN ROUNDING UP AND KILLING JEWS.

HILERG SAID THE NAZI S LOOKED FOR ETHNIC GERMANS WHO LIVED IN OCCUPIED TERRORITY TO JOIN THE SECURITY FORCES.

THE GOVERNMENT SAYS LEHMANN WAS AN ETHNIC GERMAN WHO LATER SERV ED IN THE NAZ ARMY WHEN THE UKRAINE WAS RECAPTURED. UPI 10-24-83 08:53 PED

PAGE: $\qquad$
PATRICK BUCHANAN

# Nazi hunting - with guidance from the KGB 

In its publicized campaign to run down Nazi war criminals, who lied their way into the United States, the Department of Justice has apparently not been above fraternal collaboration with the KGB. Evidence is accumulating that this devil's bargain between federal prosecutors and Soviet secret police - may have produced more than one horrible miscarriage of justice.

A pending case is that of John Demjanjuk, 63 -year-old worker at the Ford Motor Co. plant outside Cleveland. Stripped of his citizenship, his reputation, his savings, Mr. Demjanjuk faces deportation to Israel for war crimes against European Jews.
According to the Office of Spacial Investigations at Justice, Mr. Demjanjuk was known at the Treblink death camp as "Ivan the Terrible," the guard who personally operated the gas chambers. If true, and proven, Mr. Demjanjuk deserves what is coming.

According to his attorney, John J. Gill, however, with whom this writer spoke Monday, Mr. Demjanjuk was a Ukrainian soldier, wounded and captured by the Germans in the Crimea and forced into a labor gang building barracks for construction workers. He was never at Treblinka, Mr. Gill contends. The "eyewitnesses" who identified him as Ivan the Terrible did so from a photostat of a Treblink I.D. card that appears a patant forgery produced for U.S. courts by the KGB. One official expert on Nazi records, who has seen hundreds of documents from Treblinka, claims never to have seen one similar to that produced from the official records of the
U.S.S.R. Mr. Dernjanjuk's hearing, in two months, should bring the national press.

What causes concern over the Demjanjuk case is not only the pieotal supporting role of the KGB; it is the less-than-unblemished record of the Nazi-hunting OSI.

One recalls, for example, OSI's airtight case against Frank Walls, said to be the notorious Gestapo trooper who was the beast of Kielce, Poland. According to a dozen "eyewitnesses," produced by the OSI here and in Israel, Mr. Walus took a personal hand in atrocities committed against Jewish men, women and children in his hometown in Poland. Stripped of his savings and citizenship, Mr. Talus was fingered personally as a war criminal by famed Nazi-hunter Simon Wiesenthal; was the target of a press witchhunt . . . "Nazi Jew Killer Living on SW Side," screamed one headline in the Chicago Daily News; was subjected to the almost un-American courtroom behavior of federal Judge Julius Hoffman.

Convicted of war crimes, Mr Walus eventually saw his case guietly thrown out - after six years when his attorney, traveling to Germany, proved: (a) At age 17, Frank Walls had been taken from Poland to Germany as a farm laborer (b) That he had never been back to Poland during the war. (c) That at 5 feet 4 inches he was 2 inches too short for the Gestapo. (d) That, as a Pole, he did not even qualify for the all-German elite SS unit to which he was supposed to belong, (e) That the eyewitnesses remembered him as "Frank Walls,' even though Mr. Walls, who was born Franciszek, did not change his first name to Frank until he arrived in the United States.

Two months ago, New Jersey fedaral Judge Dickinson Debevoise threw out another of the OSI's cases, this one against 67 -year-old Juozas Kungya, a naturalized citizen who had been a Lithuanian resistance fighter against the Nazis. Soviet witnesses upon whom OSI relied to portray Mr. Kungya as a war criminal, were, the judge declared, themselves potential war criminals under the control of the KGB, whose testimony had been "prepared" by the KGB.

According to veteran Washington journalist Warren Rogers, there have been other cases where Justice was provided with KGB fabrications and forgeries, to destroy staunch anti-communist emigres from Eastern Europe by smearing them as war criminals:
"Two famous cases that never went anywhere involved the Ukrainian dissident hero Valentyn Moron, now in U.S. asylum after long imprisonment and torture in the Soviet Union, and George Stinko, another Ukrainian refugee who became a member of the Canadian parliament. At the time the KGB said they were war criminals, Moroz was 11 years old and Shimko was 8.

From Izvestia of last February, we know the Soviet motivation in having "collaborated" with Justice against Mr. Jungya et al.
"The question is not one of vengeance, because our people were never vengeful," Izvestia quoted a Soviet official, explaining why "evidence and material concerning 140 war criminals" was provided to "organs of justice of the U.S.A."
"The purpose of those who search out former Nazis, traitors and persons who he committed war crimes is for the defense of our state interest and for justice. The main purpose is for the state interest ... (Emphasis added).

If incriminating evidence acquired by FBI agents before an
exact warrant has been obtained is automatically "tainted," why is not any evidence produced by the Soviet KGB against naturalized American citizens who are sworn enemies of the Soviet state not equally considered "tainted" by the U.S. Department of Justice?

# THE \#TITL HOUSE <br> WASHINGTON <br> February 10, 1984 

TO: JOHN ROBERTS
FROM: IINAS KOJELIS, OPL
RE: Attached Press Release

John, EYI.

## NEWS RELEASE

## Hiltrainian (Congress Comanitter of America, Jinc.

203 SECOND AVENUE, NEW YORK, N.Y. 10003
TEL: (212) 228-6840, 6841

FROM:
UKRAINIAN NATIONAL INFORMATION SERVICE
(202) 638-0988

FOR RELEASE:
Feb. 7, 1984

DEMOCRATIC PARTY PROMISES ACTION ON O.S.I.

WASHINGTON - UNIS -- At a press conference on February 6 th, Democratic National Chairman Charles $T$. Manatt announced the formation of the Democratic Council on Ethnic-Americans. Arizona Senator Dennis DeConcini and Ohio Congresswoman Marcy Kaptur were named as co-chairmen of the advisory Board of elected officials from the U.S. Senate, the House of Representatives, and state and local officials.
"The purpose of the council will be to strengthen and broaden National Party communication with the millions of Americans who live in the ethnic neighborhoods and communities of our country, men and women who have traditionally been such a large and important part of our Party," said Manatt.

According to a release issued by the DNC, the Council will work with ethnic community leaders, groups and individuals to focus attention on their concerns. Issues of importance to the ethnic communities will then be considered when the platform for the 1984 Democratic Convention is drafted.

During the question and answer period following the press conference, Ukrainian National Information Service Director Katherine Chumachenko brought up the Ukrainian-American community's concerns on the issues of the Office of Special Investigation's procedures, and the importation of goods from the U.S.S.R. which are known to be made with forced labor.

The UNIS Director and other representatives of Americans of East European descent in the audience were assured of the Democratic Party's support on both these issues.

Senator DeConcini, who is a member of the Committee on the Judiciary, promised to arrange oversight hearings on the O.S.I. procedures which are considered controversial. These include the lack of due process for defendents and the use of evidence obtained from the Soviet Union. Such oversight hearings are common for almost all agencies, but have never been held to check the practices of the Justice Department's O.S.I. Representatives Marcy Kaptur, Mary Rose Oakar ( OH ) and Dennis Hertel (MI) also offered their support on this issue.
"I am hoping to finally see action on an issue which is of prime importance to all Americans of Eastern European descent," said Katherine Chumachenko, "It's not a question of the purpose of O.S.I. but the methods that it uses. Not only does it deny the defendent such basic rights as the right to counsel and jury, but it is also accepting evidence from a self-proclaimed adversary. Even if some of the evidence is legitimate, the Soviets are infamous for false accusations and forged documents. This is a very good way to discredit Ukrainians and other Eastern Europeans who actively oppose communism. It also hurts their relations with other communities."

The council's activities will include a series of hearings in cities with large ethnic populations: March 3 for Detroit, March 5 for Philadelphia, March 19 for Boston and April 7 for Cleveland. Specific times and locations will be announced later. The Council will also communicate with ethnic-Americans through ethnic press and radio.

Similar outreach programs exist for women, Hispanics, Blacks and Asian-Facific Americans.

The members of the Ethnic-Americans council advisory board are:

## Sen. Dennis DeConcini and Rep. Marcy Kaptur, Co-Chairs

Rep. Frank Annunzio, Illinois
Rep. Bob Borski, Pennsylvania
Gov. Mario Cuomo, New York
Gov. Michael Dukakis, Massachusetts
Rep. Dennis Eckart, Ohio
Rep. Dennis Hertel, Michigan
Rep. Henry Nowak, New York
Rep. Mary Rose Oakar, Ohio
Mayor Roger Parent, South Bend, Ind.
Rep. Peter Rodino, New Jersey
Sen. Paul Sarbanes, Maryland
Rep. Jim Shannon, Massachusetts
Secretary of State Julia Tashjian, Connecticut
Rep. Doug Walgren, Pennsylvania
Rep. Bill Lipinaki, Illinqis
_ Rep. Tony Coelho, California

The New York Times Tuesday, June 5 , 1984

WASHINGTON - Tomortow, President Reagan will stand with Queen Elizabeth I, Francois Mitterand, Pierre Elliott Trudeau and other Western Allied leaders on the beaches of France to commemorate D-Day. Konstantin U. Chernenko will not be there. And that is the story of a missed opportunity.

Russian troops did not land at Normandy, of course. But the Allies could not have succeeded there without them, for in 1944 Hitler was engaged in a titanic struggle against the Red Army on the Eastern Front. From the Baltic Sea through the Pripet Marshes of Byelorussia to Odessa on the Black Sea, the Russians were pushing the Nazis backward, inch by bloody, inch.
In sheer size, the 1,000 -mile Eastern Front dwarfed the toehold in France. Roughly three-quarters of all German casualties were incurred there. The Soviet counteroffensive thnew more than six million men and 10,000 tanks against a staggering 232 Axis divisions of nearly 5.5 million troops. In July 1943, the battle of Kursk broke Hitler's back in the East - an estimated 70,000 Nazis died and 5,000 tanks, planes and artillery were destroyed. Had the outcome been different, there almost certainly would have been no Allied landing in June 1944 and the swastika might have flown in Europe until 1950. The writer Harrison E. Salisbury called it "the greatest battle of the war," an event that changed history.
The battle of Kursk - indeed the entire struggle on the Eastern Front - is almost minnown in America today except to historians and the military acadernies, and that is unfortunate because in many ways the Soviet Union has never stopped fighting it.

The German invasion of the Soviet Union in June 1941, the sieges at Stalingrad and Leningrad and the brutal counteroffensive touched every Soviet home. Twenty million Russians were killed - of for every American who gave his life in Europe and the Pacific. While Americans at home faced gasoline rationing and meatless meals, Russians fought starvation and heatless winters.

Such a fearsome price does not soon fade from memory. Indeed, World War II might have ended only yesterday in the Soviet Union. There are monuments, eternal flames, bronze plaques wherever one turns. Paperback books devoted to this or that battle are cheap and plentiful. Pensioners taking the sun on a park bench proudly display tiny battle ribbons over the breast pockets of their dark blue suitcoats. Every village, it seems, has a hero it can call its own, cast in bronze, eyes raised, chin set, fresh flowers at its feet.

Allan A. Ryan Jr., a lawyer, is author of the forthcoming book "Quiet Neighbors: Prasecuting Nazi War Criminalén America."

This pride is both natural and aug. mented: It reflects not only the genuine trauma of the war but a political reality of the 1970's and 1980's. Keeping the war alive is part of the way that the Soviet Union explains the world to itself and to others: The motherland must maintain its defenses in a hostile world lest it again be violated by the enemy and pushed to the brink of conquest, or beyond.

Thus, the Great Patriotic War is not only searing history but useful myth, a myth that surrounds the motherland with enemies to justify the policies of a nuclear age. It is difficult enough for a Westerner to understand the Soviet world view, but it is surely impossible if one does not first understand the myth.

Yet there is a more immediate reason that makes Mr. Chernenko's absence from Normandy a missed opportunity on both sides. World War II was the only great venture that America and the Soviet Union pursued together. It remains today one of the very few subjects that Americans and Russians can discuss with a measure of genuine respect and with relative freedom from tensions and mutual recriminations.

In 1980, when relations were speedily going to hell, United States and Soviet negotiators met in Moscow and quietly fashioned an agreement to document the extent of Nazi war crimes and to seek witnesses to testify in American judicial proceedings. That effort has proceeded, effec tively and fairly and without propaganda, in the four years since.

Mr. Chernenko's presence at Normandy with Mr. Reagan would have given both leaders reason enough to stand side by side in simple tribute to the fallen Allies of a generation ago, Whether they died at Kursk or at Ste. Mere-Eglise. It would have given them a decent opportunity to lift a solemn toast and to remember battles past, not to threaten battles furure. At a time when neither man will take the first step toward conciliation, Normandy would have given them hallowed ground on which to meet with heads high, recalling a time when Washington and Moscow were joined in common purpose:

Eleven months after D-Day, on May 3, 1945, the Red Army reached the Elbe River and made contact with the United States' First and Ninth, Armies. The Great Patriotic War World War II - was over. Americans and Russians reached out and shook hands. At Torgau, in a scene repeated in scores of other towns, the Russian soldiers hung up a sign: "Our greetings to the brave troops of the First Amerikan Army" and they draped a photograph of Franklin Delano Roosevelt with black crepe.
The 40 th anniversary of that victorious day is 11 months away. The President of the United States should go to the Elbe. And this time, so should MP. Chernenko.

## U.S. Department of Justice

## Criminal Division

## Assistant Attorney General

## Washington, D.C. 20530

June 21, 1984

Mr. Richard Hawser
Deputy Counsel to the
President
The White House 1600 Pennsylvania Avenue, N.W. Washington, D.C. 20500

Dear Dick:
Thanks for your time on the OSI issue. It is not a matter that lends itself to a simple solution.

Enclosed is a report that $I$ pass along not as a criticism of State but to let you appreciate some of the steam behind this program.

Again, we are grateful for your time and consideration.


Stephen S. Prot
Enclosure
cc: Mark Richard
Deputy Assistant Attorney
General
Criminal Division
Neal Sher, Director Office of Special

Investigations
Criminal Division


# DEPARTMENT OF JUSTICE APPROPRIATION AUTHORIZATION ACT, FISCAL YEAR 1985 

May 15, 1984.-Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. Rodino, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H.R 5468]
[Including cost estimate of the Congressional Budget Office]
The Committee on the Judiciary to whom was referred the bill (H.R. 5468) to authorize appropriations to carry out the activities of the Department of Justice for fiscal year 1985, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all after the enacting clause of the bill and inserts a new text which appears in italic type in the reported bill.

## Purpose

H.R. 5468 authorizes appropriations for the purpose of carrying out most activities of the Department of Justice for fiscal year beginning October 1, 1984.

## Bacrground

Since 1837 the Rules of the House of Representatives have included the provision now found at clause 2 of rule XXI:
[ $N$ ]o appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.
The Department of Justice was created by act of Congress in 1870, more than 30 years following the adoption of the rule. Iregislative jurisdiction over almost every activity within the Department re-31-006 0

In the only school desegregation case initiated by the Department since 1981-Bakersfield, California-the Department has negotiated a voluntary magnet school plan which the Assistant Attorney General acknowledges would permit the school district to continue a segregated system so long as it provides "an even-handed opportunity to every child in the system." The Committee finds that not only is this in direct conflict with the Attorney General's Title IV mandate to further desegregaton, it smacks of the repudiated doctrine of "separage but equal."

The Attorney General's statutory right to initiate school desegregation litigation is based upon a written complaint from parents who believe their children's rights have been denied, and a certification by the Attorney General that the parents are unable to maintain the action themselves. The Assistant Attorney General for Civil Rights has unequivocally stated his refusal to seek all of the remedies allowed in law to facilitate school desegregation. Concerned therefore that their children's rights would not be fully vindicated, parents in Charleston, S.C. sought intervention in a case first initiated by the Carter Administration. The Department first sought to oppose their intervention.

The Committee is deeply troubled by the civil rights enforcement record of this Administration. Our disagreement is not merely one of philosophical differences over which remedies are most appropriate. The less than exemplary record of this Department represents a dramatic change in both the quantity and quality of civil rights enforcement. When comparing the first three years of this Administration to the preceding one the record shows an $83 \%$ drop in the number of new civil complaints filed. The Committee notes there has been no decrease in Division staff. The Committee must wonder whether allegations that "enforcement" is being conducted from the Assistant Attorney's office and that line-attorneys have little to do are accurate.

The Department's record clearly establishes that there has been a qualitative change in the Division's advocacy role. The Committee finds growing evidence that some courts are sc concerned with the Division's role that, as one judge observed in dismissing the $\mathrm{De}-$ partment from continued participation in a prisoners' rights case, the "interests of the United States * * are no longer co-existent with or common to the interest of the plaintiff class," Gates v. Collier, No. GC 71-6-k (N.D. Miss. Greenville Division) Order, June 6, 1983, pp. 2-3.

The Committee hopes the Department appreciates the seriousness of these findings, and admonishes the Department to take steps to fully comply with the letter and spirit of its statutory mandate. Although an amendment was not offered at this time, the Committee wishes to make clear that the Division's continued disregard for its statutory mandate will most surely result in legislative action in the upcoming year.

## Office of Special Investigations

For the seventh consecutive year, the Committee has specifically earmarked funds in the authorization bill for the Office of Special Investigations (OSD) in the Criminal Division, which is responsible
for investigating and prosecuting denaturalization and deportation actions against alleged Nazi war criminals living in the United States. In once again employing a line itern to set aside funding for OSI, the Committee is restating its intention that this money only be used for OSI and not be diverted to other activities within the Department.

For fiscal year 1985, the bill authorizes $\$ 3.275$ million for OSI, $\$ 196,000$ more than requested by the Department. In setting this figure, the Committee has taken two interrelated facts into consideration: first, in specifically earmarking money for OSI, the Committee is setting a funding ceiling, not a floor, and sufficient flexibility must be allowed to account for any supplemental requests above the initially requested amount; and second, the Department has in past years underestimated OSI's budgetary needs.

In fiscal year 1983, for example, the Committee earmarked $\$ 2.753$ million for OSI in the authorization bill. Last year, when the Department sent the Committee its fiscal year 1984 request, it sought only $\$ 2.676$ million, approximately $\$ 77,000$ less than the previous year. At that time, the Committee was advised by Department (not OSI) officials that the unit was not spending the full amount the Committee was earmarking, and there was no need to set aside a higher amount. Despite this the Committee refused to cut OSI's budget, added back the $\$ 77,000$, and again earmarked $\$ 2.753$ million. The Appropriations Committee subsequently followed suit, and the full amount was set aside in their legislation. Significantly, however, the Department's fiscal 1985 request indicates that the Department in fact is now seeking a supplemental appropriation for fiscal year 1984 for OSI in the amount of $\$ 105,000$. This supplemental request is in addition to the $\$ 77,000$ the Committee already put back into the OSI budget, and means the total request for fiscal year 1984 will be $\$ 2.858$ million, or $\$ 182,000$ more than the Department originally requested for last year. By inaccurately representing OSI's needs, the Department could have caused serious problems, since, if the Committee's authorization bill had been enacted with a $\$ 2.753$ line item for OSI, no supplemental appropriation above that amount would have been possible without a corresponding supplemental authorization.

The $\$ 196,000$ increase authorized by the Committee in this bill is approximately the amount by which the Department underestimated OSI's needs last year, and should provide a sufficient cushion if a supplemental appropriation is again necessary.

The OSI funding level adopted by the Committee is clearly warranted as a substantive matter. Litigation activity has continued to increase at a substantial pace, and the Committee believes the added trial work will appreciably raise expenditures, especially for travel and associated costs. Forty cases have now been filed against suspected war criminals, more than double the number that had been brought to court in 1981. Twenty-ight cases remain pending, 13 denaturalization proceedings and 15 deportation actions. (Twelve cases are no longer active; six denaturalization and two deportation actions were terminated after the defendants died, three denaturalization actions were closed at the request of OSI for evidentiary reasons, and one case, that of Hans Lipschis, was ended in April 1983 when he became the first alleged war criminal in over
thirty years to be deported from the United States.) Several longterm investigative projects into Nazi-affiliated units known to be involved in committing atrocities are due to be concluded shortly, and a significant increase in filed cases is likely by later this year. As part of this effort, OSI has already been authorized by the De partment to file complaints in approximately a half dozen cases in the immediate future. Importantly, these cases were developed completely by OSI based on more efficient historical research and investigative techniques, and did not result from allegations received from outside sources.

Although OSI has continued to make strides in reducing its investigative workload, the Committee notes that over 80 new allegations were received by the unit in the past year, and some 274 matters remain pending (not including those cases in litigation). Most of the older cases have been closed, however; of the 350 cases inherited by OSI when it was established in 1979, 276 have been closed. Of the 382 which have been referred to, or discovered by, the unit since its creation, 182 have been closed.

Despite the excellent work of OSI, the Committee remains deeply concerned about efforts of the Department of State to assist the Justice Department and OSI in arranging the deportation of war criminals ordered to leave the United States. Although, at the re quest of OSI, the State Department has made routine inquiries to foreign governments about accepting these individuals, it seems unwilling to pursue the subject aggressively. Much of the burden, therefore, has fallen to OSI to locate countries where these criminals can be sent. This must not continue to be the case. Only with the State Department's active and strenuous participation will those foreign governments with a moral or legal obligation to accept war criminals understand that the United States is fully committed to this effort and expects cooperation from other nations. The State Department's apparent failure to recognize this fact seriously undermines the work of OSI and tarnishes its numerous victories in court.

## U.S. Trustees in Bankruptcy Program

The United States Trustees are charged with supervising the administration of cases filed pursuant to chapters 7, 11, and 13 of title 11 in the eighteen judicial districts set forth in 11 U.S.C. § 1501. In general, among many other duties, the U.S. Trustees are responsible for policing the bankruptcy system, for ensuring that bankruptcy cases are carefully and correctly administered, and for ensuring that debtors do not improperly dispose of or waste assets to which creditors are entitled. The U.S. Trustees monitor the process of appointments, the hiring of attorneys and experts, fees, expenses, and the day-to-day operations of reorganizing businesses to avoid favoritism and excessive costs of case administration and attempt to eliminate any actual dishonesty or impropriety. In a chapter 11 business reorganization case, the U.S. Trustees, or a creditors' committee functioning under the supervision of the U.S. Trustee, ensure that a case is not collapsing, that taxes and insurance are being paid, that the public health is not being threatened,


THE WHITE HOUSE WASHINGTON

Date: $12 / 4 / 89$

TO:


FROM:
LINA KOJELIS
Associate Director
Office of Public Liaison
Room 438 OEOB, Ext. 2741

## SUBJECT:

The attached is for your:Information
Appropriate Action
$\square$ Draft Letter
$\square$ FileSignature


Comments:


December 4, 1984

## MEMORANDUM FOR GEORGE SHULTZ, SECRETARY OF STATE

FROM: FAITH WHITTLESEY, ASSISTANT TO THE PRESIDENT FOR PUBLIC LIAISON

SUBJECT: East European-Americans' Concern Regarding the Pending Deportation by the USG to the Soviet Union of Baltic Nationals Accused of War Crimes

The East European-American communities have contacted the white House over the past month to express grave concern regarding the pending forced deportation by the USG to the Soviet Union of an Estonian national accused of committing "war crimes" in the Baltic States during World War II. The issues of concern are not specific to this individual case, but rather transcend it, and are applicable to all cases in which Americans of East European origin are under investigation.

It is my understanding that the pending case will set several precedents. The U.S. has never before been faced with the dilemma of involuntarily deporting a person accused of "war crimes" to the Soviet Union or Eastern Europe.

I have been informed that a report is currently being prepared for your signature which will make recommendations as to whether or not persons of Baltic origin should be deported to the Soviet Union by the USG. The purpose of this memorandum is to summarize the salient issues surrounding this case as expressed to my office by representatives of Baltic and other East EuropeanAmerican organizations.

There are two main issues:

1. The rendering of justice on those accused of "war crimes."
2. The effects of deportation on the U.S. policy of not recognizing the annexation of the Baltic States by the Soviet Union.

## 1. Rendering of Justice

The Justice Department's Office of special Investigations (OSI) was established to find persons who either illegally entered the United States by falsifying their immigration papers by denying participation in "war crimes" during World War II, or who were consciously harbored by the USG for national security
purposes despite their participation in those crimes. Once found, OSI seeks to have these individuals stripped of their citizenship and have them deported.

Unfortunately, no thought has been given to the rendering of justice to those accused of war crimes. Clearly, those accused of committing crimes in the nations of Western Europe, when and if they are deported and taken into custody by West European governments are tried in free and open judicial systems which afford defendants basic human, civil and legal rights. A serious problem arises, however, in the event that a nation with an unsound judicial system expresses interest in these individuals. The pending case is just such an example.

## Soviet Justice

In the establishment of OSI, no thought was given to the problem of rendering justice to those accused of crimes in the Soviet Union and Eastern Europe. For many years, the U.S. government has recognized that the judicial systems in those countries deny, in varying degrees, basic civil and human rights. Moreover, in cases which would be considered by them to be "political crimes" there is no question but that the court systems in the U.S.S.R. and Eastern Europe are not independent of the ruling political authorities (i.e. the Communist Party).

The State Department's Office of Human Rights and Humanitarian Affairs has done extensive research and many case studies on the nature of the Soviet judicial system and its practices in political cases. In fact, many times the victims of Soviet justice are Soviet Jews who are persecuted for their religious beliefs and nationality. The East European-American communities argue that it is illogical to hand over to the same Soviet authorities who are currently persecuting Jews persons who are accused by the Soviet Union of anti-Semitic crimes committed in the past.

Historical Inconsistency
A related argument is based on the Soviet Union's collaboration with Nazi Germany before June 1941. Nazi persecution of Jews and other minorities flourished during the period of SovietNazi cooperation. Questions have been raised as to the Soviet Union's moral authority to try persons accused of collaborating with Nazi authorities, when the Soviet Union itself was a chief collaborator and ally of Germany during much of the period of Nazi rule. In fact, it was this Soviet-Nazi collaboration that doomed the Baltic States to Soviet domination and opened the path to the Nazi occupation of Poland, where the worst anti-Semitic violence occurred. To allow the Soviet Union to try those accused of "Nazi war crimes" would bestow upon the U.S.S.R. civil and moral authority which would be a travesty.

The East European-American communities further argue that it is naive to assume that Soviet interest in alleged "war criminals" stems from a desire to right the wrongs of World War II. Rather, one must assume a political motive on the Soviets' part that has little, if any, relationship to our political or humanitarian goals.

## DRAFT

Yet another related issue is the East European-Americans' concern regarding U.S./Soviet collaboration against East European diplaced persons as a class. They point out that in a recently released book by former OSI director Allan Ryan, Mr. Ryan expressed his personal concerns regarding the Displaced Persons Act which allowed many displaced persons to come to the U.S., arguing that, perhaps, it was a misguided piece of legislation. The East European Americans are wary of the revival of an Operation Keelhaul-type of mentality by the U.S. in which anyone who fled advancing Soviet forces was assumed to be a Nazi collaborator and was fit for deportation to Eastern Europe.

And finally, East European-Americans are appalled that citizens of East European origin (Baltic, Ukrainian and other) should be deported to the same government which, since its inception, has persecuted the citizenry of those nations, at times for arguably genocidal purposes.

## Options

The resulting situation is one which calls for creative solutions if justice is to be rendered. If no country in the world is willing to accept those accused of collaboration, and if it is decided that it would be unfair to deport them to the Soviet Union or Eastern Europe, new solutions must be considered.

Possible options might include:
a. trial by an international tribunal (reconstitution of a form of the Nuremburg tribunal.) The city of west Berlin remains under the formal control of the western Allies. It is my understanding that there is at least one precendent (an air hijacking involving East German citizens defecting to West Berlin) in which a special tribunal was formed. Also, Rudolf Hess, the last surviving man convicted at the Nuremburg Trials, continues to be incarcerated in West Berlin.
b. trial in the U.S. for actual war crimes. Currently, those accused have been stripped of their citizenship for giving incorrect information on their immigration applications. They are being tried under civil procedure, and are not granted trials by jury or court appointed lawyers. There are precedents in which "crimes against humanity" have been tried outside of the countries in which they occurred. This option, too, should be investigated.

## 2. Non-Recognition

The United States has never recognized the Soviet annexation of the Baltic States. The concept of "non-recognition" is neither a precise nor legal one. It is defined at the discretion of the Executive Branch of the Federal Government. In most cases, the determination is made by the Department of State. The

## DRAFT

policy of "non-recognition" of Soviet annexation of the Baltic States has been implemented in a flexible manner. For example, while senior U.S. diplomats in Moscow and Leningrad are prohibited from visiting the Baltic States, junior FSO's travel to the Baltic States periodically on consular and humanitarian missions. The policy of non-recognition is, in fact, defined and affected by many factors, including:

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1. Statements and acts of the Executive Branch of the USG
2. Domestic U.S public perception
3. Perception of the Congress
4. Statements and acts of the Soviet Government
5. Perception of other foreign governments and the interna-
        tional community
6. Legal restrictions
```

Legal Arguments
As regards the legal restrictions, the Department of State's General Counsel's (DOS GC) office has determined that the deportation of a Baltic national to the Baltic States would violate the policy of "non-recognition." Because the U.S. does not recognize the Soviet governments in the Baltic States, Baltic nationals must be deported to a third country.

However, in the pending case, no country, save the U.S.S.R., is willing to accept the Baltic national. According to the guidelines set forth in Section 1253 (a) of Title 8 of the Immigration and Nationality Act, the U.S. must deport the individual to "any country which is willing" to accept such alien into its territory." Thus, DOS GC argues that the U.S. could transfer a Baltic national to Soviet authorities not on the basis of Soviet claims of authority over that individual, but only because no other third country is willing to accept him.

Baltic Americans argue, with some reason, that such a determination would deny an obvious direct relationship between the government of the U.S.S.R. and the Soviet imposed governments in the Baltic States. They further argue, that it is ludicrous to deny that relationship as it is precisely because of that relationship that the U.S. does not recognize the governments in the Baltic States. The issue which the State Department must resolve is not whether or not simply whether or not a Baltic national is technically deportable to the Soviet Union, but whether or not such a deportation would violate our policy of "non-recognition."

## Public Perceptions

While such a determination might make legal sense to DOS GC, the Baltic American communities argue that this formal legal distinction would not hold up against all of the other factors which determine the concept and policy of "non-recognition." In short, they believe that, if the state Department relies solely on what a legal argument the Baltic American groups would consider it a technicality) to define the U.S. policy of "nonrecognition," then the secretary of state is abdicating his

## DRAFT

executive authority, thereby reducing the policy of "nonrecognition" to little more than words on paper.

International Perceptions
Our policy of "non-recognition" is also dependent on perceptions held by the international community. At a meeting called by the NSC on November 16 , the representative of the Office of the Counselor to the Secretary of State suggested that foreign governments would interpret the deportation of a Baltic national to the Soviet Union as the gutting of the U.S. policy of "nonrecognition."

## Soviet Perceptions

The Soviet government has claimed that the Baltic States voluntarily joined the Soviet Union and that it has legal jurisdiction over the citizens and affairs of the Baltic States. The Soviet government would not accept Baltic nationals under the assumption that it is a third country, but rather, that such nationals are its rightful citizens.

In fact, the Soviet government has indicated that unless it receives custody of the Baltic national in the pending case, it may refuse to cooperate with the Justice Department in future cases. This could be an indication of soviet interest in "breaking" or at least severely weakening our non-recognition policy.
cc: Robert McFarlane


# A CURIOUS CREW Pat Buchanan and The Émigré Nazis 

LUCETTE LAGNADO

W
hen the White House announced that on his visit to West Germany next month President Reagan would lay a wreath on the grave of a German soldier killed in World War II, Jewish and veterans groups were outraged. A hasty decision to include a concentration camp on his itinerary after all did not placate them. Washington commentators declared that the President had committed a major public relations blunder. But the President isn't the only one in the Administration who has shown insensitivity to the memory of the Holocaust. His communications director, Patrick Buchanan, is under fire for his strident campaign, while a newspaper columnist, against the Justice Department's Offie of Special Investigations, which tracks down Nazi war criminals in the United States.
In 1982, appearing on the Washington television talk
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show After Hours, Buchanan called for the O.S.I.'s abolition and asked what the purpose was of "going after people who are about 70 years old now" and whose crimes were committed "thirty-five, forty-five years ago." More recently, his ire has been focused on O.S.I. denaturalization actions against Eastern European immigrants. These "staunch anti-Communist émigrés," he contends, are being deprived of their citizenship on the basis of dubious evidence obtained from the Soviet Union.

In a syndicated column published this past February, Buchanan called the O.S.I. the "dim-witted instrument" of the Soviet K.G.B. and stated that "in its zealotry to punish naturalized Americans who collaborated in the Holocaust, forty years ago," the office 'is relying upon 'evidence' produce by the secret police of a neo-Stalinist state."

In another column, written the previous December, he championed John Demjanjuk, a Ukrainian immigrant who was stripped of his citizenship by a Federal judge in 1981, after a long trial. O.S.I. lawyers presented voluminous evidence, including a Nazi identification card, establishing that Demjanjuk had served as a guard at the Treblinka death camp in Poland, where he operated the gas chamber and was known to inmates as "Ivan the Terrible." Buchanan wrote that if the charges were true, Demjanjuk had deserved
deportation, but he claimed that a "horrible miscarriage of justice" had been committed because the Treblinka identification card was a K.G.B. forgery.

In a letter to The Washington Times, where Buchanan's column regularly appeared, Stephen Trots, head of the Justice Department's Criminal Division, of which the O.S.I. is a part, defended the use of Soviet evidence, saying it had been tested under American rules. He pointed out that the O.S.I. had not relied solely on Soviet archives: "The critical evidence placing Demjanjuk at Treblinka came from five surviving witnesses of the camp who now live in Israel, . . . The credibility of these witnesses has already been tested under our rules of evidence and procedure." (The governmont of Israel has been granted its request to extradite Demjanjuk for trial as a war criminal.) Prot criticized Buchanan for ignoring that and other "relevant and conclusive evidence simply because of preconceived ideological bias."

Buchanan fired back in his February 22 column, renewing charges that the office had collaborated with the K.G.B. and dropping a morsel of new evidence into the hopper. He revealed that the book Treblinka, by Jean-François Steiner, reports that Ivan the Terrible was knifed by a Jewish prisoner in 1943. Buchanan failed to mention, however, that Treblinka is a novel and that Steiner presented an affidavit to the court at Demjanjuk's trial stating that he had invented the incident.

In hammering away at the O.S.I.'s purported reliance on tainted Soviet evidence, Buchanan faithfully echoes the views of right-wing Eastern European émigré groupsthe Joint Baltic American Committee, Americans for Due Process and others -that have long called for the abolition of the office. Sources at the O.S.I. say that those groups wish to halt the prosecutions of their countrymen and that the complaint about evidence is a ploy to win the support of American conservatives. In Buchanan's case, at least, that approach seems to have worked. In a speech on May 31, 1984, O.S.I. director Neal Sher warned of "a concerted and extremely vigorous campaign by segments of the Eastern European émigré community questioning the appropriateness of our methods." Such groups, he said, "would like very much to see O.S.I. disappear."

Eli Rosenbaum, formerly a lawyer with the O.S.I. and now in private practice, has followed the activities of the émigré groups for several years. He explains their motivaton this way:

They are deeply embarrassed by the extent of the collatoration in their native land with the Germans during World War II. Until O.S.I. was established, most Americans believed the Holocaust had been perpetrated by the Germans. It was not known, for example, that large numbers of Ukrainians were guards at the Nazi death camps.

Now that the right-wing emigrés' most vociferous champion is in the White House, O.S.I. Nazi-hunters fear he will carry on his vendetta behind the scenes. It is worth noting that in his February 22 column, Buchanan dismissed Trott's charge of ideological bias with these words: "Surely such an attitude should disqualify its bureaucrat author from service in the administration of a president who professes a similar 'ideological bias.'"
Given Buchanan's past efforts, can we expect him to criticize the O.S.I.'s current investigation of the ties between the U.S. government and Dr. Josef Mengele? Buchanan and his boss should reread the words Trott wrote in his letter to The Washington Times:

Those who willingly participated in the savage and systematic program of murder, persecution and genocide have no busi-
ness living in this country. That many years have passed does not diminish the enormity of the catastrophe, nor does it absolve the participants.


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