

Garand with a senior Nazi SS official named Otto Horn in 1979. At that time, Horn had stated unequivocally that he could not identify Demjanjuk as Ivan. Later, however, in October 1986, Horn contradicted himself, and claimed that Demjanjuk was Ivan. That 1986 statement was entered into evidence by the prosecution, while the previous interview ended up in the garbage dumpster of a McDonald's hamburger restaurant across the street from the OSI's original office on K Street in Washington, D.C., and was only discovered because the janitor happened to be a Demjanjuk sympathizer!

3) The OSI never bothered to keep written records of testimony from senior SS operative Kurt Frantz, described by the OSI itself as the number-two man at Treblinka, with special responsibility for overseeing the work of Ukrainian concentration camp guards. In 1979, during questioning from the OSI, Frantz said he had never heard of Demjanjuk, nor did he know anything about him. Mysteriously, the OSI claims "no records were kept" of these statements. Ryan pleaded that he could not recall the Frantz affirmations.

4) The OSI sat for 10 years on evidence from a Soviet witness named Ignat Danilchenko, that would have placed Demjanjuk at another concentration camp, Sobibor, during the time that he was supposed to have been at Treblinka. Ryan, asked about this, stared incredulously and said, "The Danilchenko memorandum? As far as I am aware, everything was turned over." Danilchenko later died, in 1985, conveniently *before* the Demjanjuk trial in Israel began.

5) The OSI, immediately upon being founded in 1979, established the precedent of using information provided by the Soviets' chief legal officer, Roman Rodenko, who was notorious for fabricating evidence, including at the Nuremberg trials, where he concocted material to claim that the Nazis were behind the Katyn Forest murder of Polish officers. In the ITV broadcast, Rodenko is harshly denounced by a leading Polish archivist on Nazi war crimes, Jacek Wilczur, as "a murderer from his desk, like Hitler and his henchmen."

This OSI-Soviet cooperation gets to the heart of the what is particularly devious about the case against Demjanjuk. There is, for example, the matter of the Soviet-supplied "Trawniki ID card," which supposedly proves Demjanjuk's presence at Treblinka. A U.S. expert on forgeries, William Flynn, told ITV that he was forcibly prevented by the prosecution from carrying out a normal procedure that might have shown the card to be a forgery.

Also astonishing, is that the Demjanjuk case began in the first place when he was fingered by a pro-Soviet Ukrainian living in the United States named Michael Hanusiak, after Hanusiak returned to the U.S. from a visit to the Soviet Union. While in the U.S.S.R., he had been given a list of names by the Soviets, of Ukrainians living in the U.S. whom the Soviets claimed were "war criminals taking refuge." Hanusiak piously told the ITV interviewer that he had felt duty-bound to report this information to the authorities. Unfortu-

nately, Ryan and his ilk were all too eager to listen to such a tainted source.

Beyond the matter of the OSI, the show makes several other critical points.

Chief prosecution witness Eliahu Rosenberg, a survivor of Treblinka who swore in the Jerusalem court that Demjanjuk was the infamous Ivan, had signed a statement back in 1945, much closer in time to the actual events, strongly implying that Ivan had been killed in Treblinka, by a Jewish concentration camp Kapo.

Also, the photo-identification procedure used by the Israeli authorities is called into question by Willem A. Wagenaar, a professor of experimental psychology at the University of Leyden, Holland, who is a renowned specialist in this field (Wagenaar's 1988 book, *Identifying Ivan*, is a devastatingly thorough account of the shoddy methods by which Demjanjuk was "identified"). Wagenaar told ITV that the procedure used by the Israeli police was "the poorest I've ever seen." Former Attorney General Haim Cohen expressed his doubts about the reliability of testimony provided by eyewitnesses to extremely emotional events, so many years after the events occurred.

'Nazi hunters' set their sights on New Zealand

The Simon Wiesenthal Center of Los Angeles, a self-defined "Nazi-hunting" organization closely associated with Canadian liquor baron Edgar Bronfman, president of the World Jewish Congress, has launched a new hoax designed to force New Zealand to change its criminal code, which functions under the common law system of the British Commonwealth.

On May 16, the center (which is not run by the Vienna-based Simon Wiesenthal, and is often at odds with his views) announced that it had sent a list of 10 alleged fugitive Nazi war criminals to the New Zealand government. These "fugitives," it claimed, had been hiding out in New Zealand all these years. No evidence whatsoever was released to prove the accusations.

For such reasons, New Zealand Prime Minister Geoffrey Palmer said that the Wiesenthal Center's action had made "the law enforcement job in New Zealand much more difficult." He warned against "witchhunts," and called for an "atmosphere of calmness and deliberation which ensures that justice be done."

Other Israelis raised doubts about the court's verdict of guilty—for example, the Israeli writer Tom Segev, author of the book *The Commandants of the Nazi Concentration Camps*. Related to this, is the disturbing matter of the strange death of chief defense lawyer Dov Eytan, who was found dead after having supposedly jumped out of a 14th-story window in 1988, only days before the appeal was originally to have been heard. Eytan was a prominent member of the Israeli legal community. His wife informed the interviewers that Eytan, as well as herself and their children, were repeatedly targets of threatening phone calls, death threats, etc. Demjanjuk's son-in-law Edward Nishnic told ITV that he believes Eytan was killed.

'Hitler will have had the last laugh'

The show has drawn positive commentary in Britain.

A reviewer for the British daily the *Independent* May 16 commented that, in the face of the evidence provided by ITV, "It is hard not to bend before a conspiracy theory. . . . If I were a member of the prosecution, I would be strongly considering an early bath."

On May 18, British Jewish writer Barbara Amiel com-

mented in her column in the *Times*: "When the Demjanjuk case first surfaced in the United States, Office of Special Investigations officials made two statements: first, that the OSI had total confidence in Soviet evidence and, secondly, that if the Soviets ever forged a document, the OSI would be able to detect it. Both statements were individually untrue and mutually exclusive. . . . Those two statements told me almost everything one needs to know about the prosecution. When the ITV program revealed the extent to which the OSI had tried to withhold evidence helpful to Demjanjuk's defense team, I was not surprised.

"The second problem I had with the case was based on my understanding of the character of Ivan the Terrible. As a guard, he had stood out at the Treblinka death camp for his wickedness. That is like standing out in hell for your evil. Among other things, Ivan was an alcoholic, a psychotic and a compulsive sadist who quite literally cut off ears and mutilated bodies of gassed Jews. If Ivan the Terrible had made the transition overnight into churchgoer and sober family man John Demjanjuk, he would make psychiatric history. The high degree of unlikelihood raises a *prima facie* doubt not put at rest by the incomplete case against Demjanjuk.

The announcement of the existence of the list has been timed with an international campaign, based in Moscow, London, Jerusalem, and Washington, which is demanding that New Zealand create its own version of the U.S. Justice Department's Office of Special Investigation (OSI), its "Nazi-hunting" arm.

What the witchhunters demand

What do the forces behind the Wiesenthal Center smear want? First of all, New Zealand law does not provide for prosecuting its naturalized citizens for crimes allegedly committed in another country prior to the point that they became citizens. To do otherwise would be to violate the principle of sovereignty—but that is what the center and its patrons are demanding.

Then there is the question of the admissibility of evidence originating in Soviet courts—the source for almost all the recent accusations against "Nazi fugitives." Soviet documents are notoriously forged. Soviet witnesses are usually either professional liars, or forced to lie to evade torture. To even admit such "evidence," as the United States now does, is itself a violation of international law.

Then there is the question of extraditing alleged Nazis to the Soviet Union. One such alleged "war criminal," the Latvian-American Karl Linnas, was illegally extradited by the OSI and sent to a Russian jail in 1987. He died of a "heart attack" in prison a few months later. Ukrainian-

American John Demjanjuk is currently appealing a death sentence in Israel—for crimes he never committed.

The Wiesenthal Center propaganda campaign has had its effects. Solicitor General John McGrath has announced that he will provide the New Zealand government with an "urgent legal opinion" in respect to the charges. At issue, the government admits, is whether there is a need to change New Zealand law either to extradite war criminals or try them in New Zealand.

Smearing Lithuania

That the two New Zealanders on the hit-list who are most cited by the center are of Lithuanian origin, is no surprise. Ever since the new government of Lithuania repudiated Russian rule, the professional "Nazi hunters" have begun an international campaign of vilification, claiming that the Lithuanian independence movement has Nazi origins.

For example, on April 6, the *Jewish Heritage* of Los Angeles, a paper closely affiliated with the Wiesenthal Center, ran an editorial entitled "Amnesia in Lithuania: History of Nazi collaboration ignored." The editorial demands that Lithuanian President Vytautas Landsbergis "dissociate himself from Lithuanian Nazi collaborators." It lies that no Lithuanian nationalists ever fought the Germans, and claims—as do the Soviets—that the only resistance came from Jews and Soviet partisans.

—Joseph Brewda