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October 13, 1983

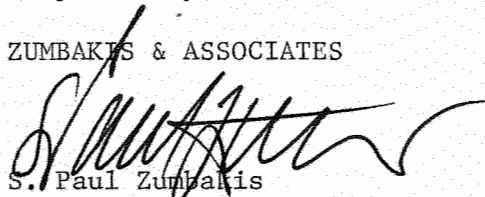
Ms. Sherri Cooksey
Associate Counsel to the President
White House
Washington, D.C.

Dear Ms. Cooksey:

Attached is a brief introductory memorandum with exhibits relating to two issues of the utmost importance to the Lithuanian community and Baltic-Americans pertaining to the Department of Justice, Office of Special Investigations' proceedings against alleged war criminals. Your consideration and review of the matter will be greatly appreciated.

Respectfully,

ZUMBAKIS & ASSOCIATES



S. Paul Zumbakis

SPZ/sma

MEMORANDUM

In addition to the numerous legal problems faced by those accused of being Nazi collaborators and their families, there are several other issues which are of great concern to the Lithuanian community, as well as the American Baltic community at large. This memorandum focuses on two of these issues. Materials to substantiate matters raised in this memorandum are readily available. We are at your disposal to produce additional materials at your request.

NON-RECOGNITION POLICY

Since the occupation of the Baltic countries by the Soviet Union after the Second World War, every president of the United States has repeatedly proclaimed that the United States government views the occupation as unlawful. The United States has never recognized the incorporation of Lithuania, Latvia, and Estonia into the Soviet Union, and continues to maintain relations with the consular corps of the independent Baltic countries.

Contrary to the stated United States policy of non-recognition, the Justice Department, through the Office of Special Investigations, has initiated and maintains contacts with Soviet Union officials in the Baltic countries. Much to the delight of the Soviet government, the United States consulate in Moscow cooperates with Soviet procurators in arranging for the taking of depositions in Lithuania, Latvia, and Estonia. These Soviet procurators, under the auspices of the Lithuanian Soviet Socialist Republic, the Latvian Soviet Socialist Republic, and the Estonian Soviet Socialist Republic, apply their local laws and rules of evidence to the taking of depositions. The Office of Special Investigations attorneys have unanimously acquiesced to Soviet procedure. In each deposition, the procurator makes a point of emphasizing the applicability of Soviet law in the proceedings and the

supremacy of Soviet laws in the occupied Baltic Republics (see attachment #1). While the United States government continues its policy of non-recognition towards the Soviet imposed governments, the Justice Department continues to deal with the Soviet officials of these occupied countries. We fear that the Justice Department's contacts constitute a de facto recognition of the incorporation of the Baltic states into the Union of Soviet Socialist Republics. Also, the United States may find it difficult to argue that these contacts do not constitute a de jure recognition of the Soviet occupation of the Baltic countries. De jure and de facto recognition of Soviet sovereignty has long been the goal of the USSR. The Justice Department's current practice is clearly contrary to President Reagan's public pronouncements and his lifelong commitment of opposing the colonial policies of the Soviet Union. Furthermore, the Justice Department is in conflict with the position taken by United States Ambassador Jeane J. Kirkpatrick in the United Nations General Assembly. (see attachment #2).

The seriousness of the actions taken by the Office of Special Investigations' attorneys can be better understood when one considers that U.S. Ambassador Andrew Young's conversation with representatives of the Palestinian Liberation Organization, at a private dinner, was strongly criticized as government "contact" with a non-recognized organization, and resulted in the ambassador's early resignation. Certainly, if a casual, private conversation between a U.S. Ambassador and an official of the PLO was considered as "significant", then the working relationship of the Justice Department attorneys with Soviet procurators representing the Baltic "Republics" is substantially more critical and may indicate the United States government's intention toward de jure recognition.

The Baltic American communities are shocked by the Office of Special Investigations contacts with Soviet government officials and query the real meaning of U.S. pronouncements of non-recognition.

SOVIET INTIMIDATION

The close and friendly relationship between the Office of Special Investigations' attorneys and the Moscow Procurators' Office does not go unnoticed by those familiar with KGB tactics and the closely controlled Soviet legal system. Nearly every Baltic family in the West has relatives who have suffered at the hands of the Soviet government and its various agencies. Evidence against the interest of the state is simply not tolerated in the USSR, and the people are aware of the dangers of angering the system. Clearly, the proceedings commenced by the Office of Special Investigations in the United States courts are in the Soviet Union's interests. The fact that the Office of Special Investigations' cases stem from investigations conducted and directed by the KGB can be clearly seen from the Izvestia article wherein KGB officials claim credit for the Office of Special Investigations' prosecutions (see attachment #3).

A well-known Soviet tactic has been to intimidate and influence a person through harrassment of his or her family members living within Soviet territories. The punishment inflicted upon the residents of the Soviet-occupied countries for the "unacceptable" behavior of their relatives may result in loss of jobs, suspension or expulsion from schools, denial of access to goods that are already in short supply, or even arrest and punishment for unrelated matters.

Having experienced such intimidation first hand, the Baltic immigrants are sorely aware of the danger, and often forego legal rights and remedies available to them solely for this reason. Many potential witnesses, as a result, are reluctant to testify on behalf of an accused for fear that their testimony may have repercussions on their relatives or acquaintances who continue to live behind the Iron Curtain.

In recognition of the precarious position in which the Baltic immigrants in the United States may be placing their relatives and acquaintances and fearing that the naming of a defense witness residing in a Soviet-occupied country may cause the witness harm, some witnesses and defendants in these cases have decided to accept the harsh consequences of an incomplete defense rather than expose these parties to the danger of KGB persecution and the repressive Soviet judicial system. The Office of Special Investigations is fully aware of this danger and has used the leverage in its favor. Witness the fact that not a single witness has been produced in favor of any defendant, in any of the cases tried to date, from Soviet-occupied territories. Even the alleged witnesses who are produced by the KGB to the Office of Special Investigations have refused or have been denied permission to come to the United States for a number of reasons. The most obvious reason is that the witnesses may defect once they are here in the United States. Secondly, the Office of Special Investigations fears the possibility that the witnesses may not follow the script that the KGB had prescribed for them once they are faced with a true cross examination in United States federal courts.

The intimidation of possible witnesses and lack of investigative possibilities behind the Iron Curtain makes the Office of Special

Investigations collaboration with KGB agencies in the Soviet Union intolerable.

Under such circumstances, cases brought by the Office of Special Investigations cannot be tried in a fair manner.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

Eastern Division

----- X	:	
UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	CA 80-C-4302
	:	(Hon. James B. Moran)
LIUDAS KAIRYS,	:	
	:	
Defendant.	:	
----- X	:	

Riga, Latvia S.S.R.,

Tuesday, November 17, 1981

Videotape deposition of

JUDZAS YANOVICH LATAKAS,

a witness herein, through the Russian-English Interpreter Maya
Yanis Yourkane, called for examination by counsel for the plain-
tiff, pursuant to court order, at the office of the Procuracy
General of Latvia S.S.R., 9 Rainis Boulevard, Riga, Latvia
S.S.R., beginning at 3:48 p.m., when the parties were represented
by the following counsel:

FRIEDLI, WOLFF & PASTORE, INC.
1735 EYE STREET, N.W. SUITE #811
WASHINGTON, D.C. 20006

PHONES: 331-1981
331-1982

Thereupon,

JUDZAS YANOVICH LATAKAS

was called as a witness on behalf of plaintiff and was examined and testified through the interpreter as follows:

THE PROCURATOR: Let us go on with our work in the deposition of witnesses in the Kairys case.

The time is 1548. Today is the 17th of November, 1981.

The deposition is held in the Procurator's Office in the town of Riga.

Please, have you any personal documents, passport?

THE INTERPRETER: He has.

THE PROCURATOR: Show them, please.

THE WITNESS: (Producing.)

THE PROCURATOR: Passport of the citizen of the Union of Social Soviet Republics Latakas, name Judzas, patronymic Yanovich, born 1920, the village of Laukagaliu, the region of Panevezhys, Lithuanian S.S.R., nationality Lithuanian.

The passport registers the owner as registered in the Lithuanian S.S.R., region Svencionys, village Svylionys.

Gentlemen, prosecutors, attorneys, will you have questions according to the passport?

Citizen Latakas, your nationality is Lithuanian?

1 THE WITNESS: Yes.

2 THE PROCURATOR: Will you be able to give your evidence
3 in Russian? Have you had to speak English ever, Russian ever?

4 THE WITNESS: I'll try.

5 THE PROCURATOR: At this moment you understand my ques-
6 tions?

7 THE WITNESS: Yes, I do.

8 THE PROCURATOR: I want to make it clear to you that you
9 have been asked to come here in response to a request from
10 the U.S. Embassy in Moscow about giving legal assistance and on
11 commission of the Procurator General of the U.S.S.R. for depo-
12 sition as witness in Kairys case. I shall lead the deposition.
13 My name is Baccuchonis. I am the Chief Assistant of the
14 Prosecutor of the Lithuanian S.S.R., translated by Yourkane.

15 THE INTERPRETER: My name is Yourkane.

16 THE PROCURATOR: Have you anything against the transla-
17 tion?

18 THE WITNESS: No.

19 THE PROCURATOR: You, the translator, are warned about the
20 responsibility of decline or refusal or wrong interpreting,
21 the Article 176 and 174 of the Trial Code of the Latvian S.S.R.
22 Do you know the contents of these articles? Would you like

1 also Mr. Bartlit, defense lawyer, and Mr. Springer, defense
2 lawyer.

3 The whole deposition in accordance with the Article 85(1)
4 is fixed on audio-video tape. For this aim, videotape Pana-
5 sonic, with microphones Panasonic, and the tape Panasonic, rate
6 of recording 33.35 millimeters per second. Audio-video record-
7 ing is made by Mr. Matney, the operator.

8 Did you understand what I was talking about?

9 MR. WOLF: What did the witness say?

10 THE INTERPRETER: He understood everything.

11 THE PROCURATOR: In accordance with the Article 53 of
12 the Criminal Trial Code of the U.S.S.R., you as a witness have
13 the right to give evidence in your native tongue. However,
14 with your consent we shall carry out the deposition in Russian,
15 and how I understood you are not against that.

16 THE WITNESS: That's right.

17 THE PROCURATOR: After the deposition you have the right
18 to see the protocol of the deposition and in case of, if it
19 is necessary, give additions or corrections to the deposition
20 -- to the protocol.

21 As a witness, you must give only truthful evidence, speak
22 only the truth, without concealing anything from prosecution.



UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA
NEW YORK, N. Y. 10017

PRESS RELEASE

FOR IMMEDIATE RELEASE

July 29, 1983

THE UNITED STATES REAFFIRMS RECOGNITION OF INDEPENDENCE OF ESTONIA, LATVIA AND LITHUANIA

Ambassador Jeane J. Kirkpatrick, United States Permanent Representative to the United Nations has delivered to the Secretary-General of the United Nations, Mr. Javier Perez de Cuellar, the text of a statement issued by President Reagan on the occasion of the anniversary of the recognition, by the United States, of the three independent Baltic republics of Estonia, Latvia and Lithuania. She requested that this statement be made an official document of the United Nations General Assembly and circulated. The 38th General Assembly will consider the importance of the right of peoples to self-determination and of the speedy granting of independence. The following is the text of President Reagan's statement:

On July 26, 1983, we mark the sixty-first anniversary of the de jure recognition of the three Baltic Republics of Lithuania, Latvia, and Estonia by the United States. Each of these states was a full member of the League of Nations and had signed non-aggression treaties with the Soviet Union. Yet all three countries were forcibly incorporated into the Soviet Union more than forty years ago as a result

of the infamous Molotov-Ribbentrop Pact which divided Eastern Europe into Nazi and Soviet spheres of influence.

By continuing the illegal occupation of the Baltic States under the provisions of the Molotov-Ribbentrop Pact, the Soviet Union violates international law, particularly the right to self-determination as set forth in the United Nations Charter and in subsequent resolutions of the General Assembly. Resolution 1541 of the General Assembly, dealing with self-determination, stipulates that the decision to incorporate into another state "should be the result of the freely expressed wishes of the territories' peoples acting with full knowledge of the change in status, their wishes having been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage." Far from respecting such democratic processes, the Soviet Union used brutal force in absorbing the three Baltic States into its empire.

In 1940, the Soviet Union invaded, occupied, and annexed the Baltic States, after which it embarked upon a policy of ruthless Sovietization. Then, on a single night of terror, June 14, 1941, the Soviets deported huge numbers of Baltic peoples to the Gulags where many of them perished.

Following the Nazi occupation of the Baltic States, the Soviets again invaded the Baltic States and reconsolidated their control through killings, repression, and new mass deportations. Between 1944 and 1949, some 600,000 Baltic people, out of a population of just a little over 4,000,000, were deported to Siberia. The resistance to Soviet occupation continued until 1952, eight years after the re-entry of the Red Army.

Since then, the Soviets have pursued a conscious policy of forced Russification aimed at the denationalization of the Baltic States. The religious, cultural, and historical heritage of the Baltic peoples has been denigrated and suppressed. Nevertheless, the Soviet Union has been unable to force the acceptance of an alien life of totalitarian domination.

Today, the Baltic peoples continue to struggle to attain their freedom and their right to self-determination. Broadly based dissent movements have emerged demanding national, political, and religious rights. In Lithuania, for example, where 15 unofficial journals are circulated regularly, some 148,000 people recently submitted a protest petition to Moscow, a figure unprecedented in any place under Soviet control. Typically, the Soviet response to these efforts to restore Baltic freedom has been to deny Baltic national rights and to subject these brave Lithuanians, Latvians, and Estonians to imprisonment, exile, or confinement in psychiatric institutions.

Americans share the just aspirations of the people of the Baltic nations for national independence. We cannot remain silent in the face of the continued refusal of the government of the USSR to allow these people to be free. We uphold their right to determine their own national

destiny, a right contained in the Helsinki Declaration which affirms that "all people always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social, and cultural development."

For this reason, the government of the United States has never recognized the forced incorporation of the Baltic States into the Soviet Union and will not do so in the future.

On this occasion, we wish to reaffirm this policy as we note the anniversary of the 1922 recognition by the United States of the three Baltic Republics. In so doing, we demonstrate our continuing commitment to the principles and purposes of the United Nations Charter and to the cause of peace and liberty in the world.

* * * * *

Moscow, IZVESTIYA in Russian, 25 February 1983, page 3.

Article by L. KORNESHOV: Part I-- "Without a Statute of Limitations"

In the life of mankind and of our people, the past is always intertwined with the present and the future. Often this is a joyful blending of times, the uniting of a feat, to which many generations have devoted their efforts.

But there are also cases where the past does not permit itself to be forgotten because of unending anguish. Those who were shot and tortured to death by fascism cannot make their executioners answer for their deeds--they have gone to eternal rest. We, the living, are obliged to do this...

At the USSR Committee for State Security [KGB] great consideration was given to the request of the editorial board to tell about that work which is being conducted on the investigation of war criminals, who had committed bloody misdeeds during the time of war.

Of course, it is necessary right off to tell why it was the KGB where we had to submit our request. In our country, the investigation of war criminals and the exposure of the crimes of fascism is conducted by the state and its organs of justice based on the aid of all the people.

And it was on this account that our discussion with the responsible workers of the USSR KGB took place. We were given the opportunity to become acquainted with documents, to discuss in detail with the workers who have been occupied, day upon day, year upon year, with this work, that is inconspicuous, but so necessary for the wellbeing of mankind. The desire to give their names was great, however, for fully understandable reasons, it is inexpedient to do this. For the investigation of war criminals has been continuing and will continue until the time when not one of them is any longer on the face of the earth. This is what my partners in conversation told me, and there can be no doubt that such is and will be the case. What is involved here is not revenge, because

our people have never been guided by the feeling of vengeance as concerns anyone. The watchword of those who are investigating former Nazis, traitors, and persons who committed war crimes--is the defense of the interests of our state and justice. It is these very interests of the state that have dictated all of the externally unnoticeable complex work, which, however, is intense in its depths, in the investigation of war criminals.

"Be the shield and sword of the revolution", in this extremely laconic and accurate way, the party and V.I. LENIN defined the task of the state security organs, from the first days of their creation. Currently this sword is in the hands of the successors and inheritors of the glorious traditions of the Chekists and the ideals of F.E. DZERZHINSKIY. And they not only repel the blows from the past, but also protect our present and future.

Our discussions with very knowledgeable and competent people lasted many hours. At first I was amazed: the names of executioners are mentioned by memory, such details of the crimes committed by them were cited that could only be remembered and stored in the memories of those who devote themselves to their work with exceptional responsibility, and see in it their lofty duty before the nation. Then, the amazement changed into a feeling of gratitude and I began to understand that it was unimaginably complicated to go back into the past, to investigate a criminal, and to prove his guilt.

Of course, in the punishment of war criminals, all organs of justice of our country participate to one or another degree. When a criminal is found, punishment is meted out in absolutely precise conformity with the law. And I had the desire to compare the work of my partners in conversation with the noble work of a surgeon--at times, he is forced to cut out the tumor with a scalpel.

"How do you feel when you have done your work, when the trial has taken place, and the criminal has received what he deserved", I asked one of my fellow discussants?

"Fatigue," I heard unexpectedly.

"And pain..."

He "is occupied with" former executioners, who had rampaged over territory of one of the Ukrainian oblasts that had been occupied by the Hitlerites. He met thousands of people, he studied hundreds of documents. He saw the remains of victims--mass graves were unearthed.

"The ashes of [word illegible] strikes my heart..." His heart is smitten by the ashes of millions, his memory has gathered within itself the remembrance of all whose lives were cut short by bullets in the ditches, who were suppressed in concentration camps, poisoned in "mobile gas chambers", and burned up together with thousands of cities and villages. And although my partner in conversation had a young heart, it was nevertheless open to the anguish of the past.

Yes, there is anger, pain, and remembrance that do not submit to the passage of time...

Among my fellow discussants, there were also experienced soldiers tempered by the fires of war.

"It means that the war for you has not finished", I asked one of them, a former tank driver?

Instead of an answer, he showed me the documents of those who still had to be investigated.

"Did your father fight in the war," I asked another comrade?

"My grandfather fought in the war, my father did not manage to do so..."

Yes, in the investigation of war criminals, the traitors of the Fatherland, a third generation has already joined in, if we count from the year of victory, 1945. Completely young people have taken up the baton for the fight against evil from the hands of their grandfathers; they already belong to new times, however, the hatred toward the murderers is just as strong in them.

So, there, they together--those who saw much at their age, and completely young people--have achieved enough that the overwhelming majority of the executioners and hangmen have already stood before the court of the people.

We have great esteem also for those honorable and noble people in the West who, with great effort, at their own cost and risk, and ignoring dangers, are exposing the past of executioners who have changed their biographies, their external appearance, and their last names. Conscience and memory make them do the things that the so-called judicial organs of certain countries do not desire to concern themselves with for various reasons. For there is no bloodier label on the face of the earth, in truth, than "war criminal..." One of these inhuman beings, KLAUS BARBIE, was currently put under arrest in Lyons, the place where he was the thief of the Hitlerite Gestapo, where he had tortured and murdered during the occupation years.

I will hope that one more war criminal will receive his just deserts for his bloody deeds. Could the Hitlerite executioner have not received his punishment quite a bit earlier? Of course, practically no one doubts this. The world public, with dismay, learned that special services of the United States had been interested in the concealment of the inveterate Nazi. There should not be a corner of our entire planet where war criminals could find refuge--such is the will of all peaceloving peoples. It was extremely clearly and firmly expressed in a large number of documents, which were unanimously adopted by the international community.

Back in October 1943, when the war was at its peak, and Hitlerism was desperately trying to avert its defeat, the words rang out threateningly and in warning in the Declaration of the three allied powers, which concerned the liability of the Hitlerites for the commission of atrocities: "Let those who have still not stained their hands with innocent blood, take care not to turn up in the number of the guilty, for the three allied states will surely find

them even at the ends of the earth and will turn them over to the hands of their accusers so that justice can be done".

"Even to the ends of the earth,..." so it was promised to the peoples who were torn up by the war. Today, it is necessary to remember this promise, in which the justified anger was concentrated, because it is necessary for all of us to know whether the promise has been completely fulfilled.

Unfortunately, already at the very beginning of this work, so necessary for all of mankind, certain facts came about which caused alarm, and doubt in the sincerity of those who were supposed to find and punish war criminals abroad. Here is one of them: From 8 May 1945 to 31 December 1967, in West Germany, investigation concerning 77,004 Nazi criminals was begun, but during that period, 6,192 persons were tried, which is less than 8 percent.

In connection with this, it is necessary to bring up the lines of still another document. In the "Communique of the Berlin Conference of the Three States in 1945, it was stated unconditionally and firmly:" ...war criminals and those who took part in the planning or implementation of Nazi measures ought to be arrested and put on trial." At the end of this document, also, are the signatures of the leaders of the three states--the Soviet Union, the United States of America, and Great Britain.

The Nuremberg epilogue of Hitlerism remains forever in the memories of the peoples, when during the night of 16 October 1946, the sentence of the International Military Tribunal, which had tried the main war criminals, was carried out.

However, it was clear to everyone that the list of war criminals guilty of the most grievous crimes against humanity had not been exhausted by those who at that time stood before the judgement of the peoples. Many of them hid out, attempted to escape their retribution--executioners of different caliber, but equally dangerous for life on earth.

This is why the investigation of war criminals that had begun already during the time of war, could not be and was not stopped after the war ended. In addition to this, having encountered attempts to whitewash, justify, and conceal war criminals in connection with the so-called statute of limitations, in 1968, the UN General Assembly adopted the International Convention on the Inapplicability of the Statute of Limitations to War Crimes and Crimes against Humanity.

Our country has always carried out this act of high humanitarianism consistently, and has always acted in precise conformity with the standards of international law. Even during the first postwar years, considerable work was done: on the basis of documentation and witness statements, lists of war criminals subject to investigation were compiled. At the beginning, many tens of thousands of surnames, nicknames, and first names were listed. This was in reality an unredeemable account of the people presented to fascism. Even during the study of these lists, one thought of Babiy Yar and Majdanek, Treblinka and "[word illegible] camp", IX Fort of Kaunas, and Khatyn... Even now the bloody trails of the cutthroats of the Einsatzkommando and the Sonderkommando groups, the secret field police, the gendarmerie, the Gebietskommissaren, the security service [SD], the Gestapo, the "SS", and the police formations are visible.

Of course, the foreign organs concerned were given copies of the captured documents about the atrocities perpetrated by various special formations of Fascist Germany, such as the "Wannsee Institute", The "Foreign Armies of the East Department", the "Brandenburg-800" Division, the Sixth Directorate of the RSHA, and others. We did everything to assist help in the investigation of war criminals, wherever they be found.

I was able to converse with people who were acquainted fully, to the finest detail with the bloody path of each of these bands of murderers, the

kinds of facts that even today can cause the heart to seem to burst out in flames. With absolute precision, they named the locations of mass executions by shooting and the number of victims. And they still listed the surnames of the victims--no one has been forgotten. They name the first names, and nicknames of the executioners--no one is left out. And every word of their's is confirmed by documents, for this is the occasion when the very documents are the basis for accusation. Is all of this known in those countries where the criminals have hidden? Unconditionally, because these reports are not kept secret. Of course, the leniency toward some of the executioners is explained by the fact also that some of them were recruited for the use of Western special services, they were fed, trained, and...it was attempted to use them against our country. Well, American intelligence dropped a certain I. I. FILISTOVICH on us, although it was well known to his masters that he was a member of the 13th Battalion of the SD troops engaged in punitive actions on occupied territory of Byelorussia, and right afterwards, he fought against the Anglo-American troops in Italy. And he is not the only one that they dropped.

Year upon year, our organs of justice carried out investigations of war criminals. And their "register" was thinned out--the executioners and murderers answered for their deeds according to the strict letter of the law, and against many, the laconic inscription appeared: "Sentenced to the Maximum Punishment".

I will not specify how many surnames and nicknames remain in the list of those under investigation. There is no need for it, for this is a particular kind of work for which publicity would be an interference. I will only say with absolute responsibility for each word that colossal work has been done in the name of justice. History has seldom seen other examples of such loyalty to the obligations taken upon oneself, such irreconciliability toward the murderers of innocent people.

Of course, it would be nice now, 40 years after the war, to write: justice has been completely victorious, all the murderers, executioners, sadists, maniacs, and turncoats nurtured by Hitlerite Fascism have borne their deserved punishment. And the word investigation, which takes so long and is so difficult, ought to be underlined.

However, regrettably, for the time being, this cannot be done. Retribution has not reached all of those who deserve it.

A feeling of anger overcomes one when one learns of the sentence of the court in the city of Darmstadt [FRG], which freed Nazi criminal RONDHOLZ because after 36 years [the trial took place in 1977], "it was impossible to determine from what kinds of internal motivations" the defendant acted...

The names of the war criminals which will now be named are well known to the governments and the so-called organs of justice of certain countries. And if we remind them one more time, it is only in order for it to be clear that they have not slipped off into oblivion, the years have not lessened our memories.

LINNAS, KARL AUGUSTOVICH-YULISOVICH... This executioner was the head of the Hitlerite concentration camp in Tartu. In 1941-1942, he took a very active and direct part in the extermination of the inmates of the prison. Among his victims were women, old folks, and children. Fleeing from the wrath of the people to the West, he hid out there, and then he moved across the ocean. In 1962, the Collegium on Criminal Procedures of the Supreme Court of the Estonian SSR sentenced him in absentia to the highest degree of punishment. At the current time, he is residing in the United States, New York [Long Island].

Three times has our country sent notes to the U.S. Government [1961, 1962, and 1981] requesting the handing over of this war criminal. A refusal was received...

GRMOLCHIK, ALEKSANDR MIKHAYLOVICH... He is already 68 years old. He has grown old and has lost his former vigor. And this executioner raged about in 1942-1943 on the temporarily occupied territory of Gomel Oblast, where he served as chief of the police of Khoyniki Rayon. The older residents still remember him in the hated uniform of a fascist lackey. He participated in mass executions by shooting of the peaceful inhabitants, people who were totally innocent. Executioner GRMOLCHIK, under the name of ALBERT KRUGER, lived in Zelle [FRG] and possibly blended with his neighbors as an upright person. Why, it is known that upon going into retirement, the executioners are greatly concerned with respectability.

At one time, a note was sent to the FRG Government requesting the handing over of this war criminal, but no response ensued.

In the same Khoyniki police, a certain BAZIL ARTISHENKO served in 1943. He also tortured and murdered in person, he is accountable for participation of the kinds of mass murders of Soviet citizens, that in reading the witness statements, and captured documents, the blood chills in one's veins. That one found refuge in the United States.

ZVARICH, KIRILL STEPANOVICH served as a policeman in the Zabolotye Rayon of Volyn Oblast in 1942-1944. He personally shot to death and tortured many people, and he was distinguished by his absolute lack of compassion.

DIMITRIY YURYEVICH KUPYAK, on whose conscience is his participation in the mass murders of activists of the Soviet government and women, old people, and children, found refuge in Canada. KUPYAK was the head of a band of Ukrainian bourgeois nationalists [OUN], he burned villages, and his cruelty knew no bounds so, is that bandit going to live out his life in peace?

BOLESлав MAYKOVSKIS lives in the United States. The Chekists exerted much effort to reconstruct an accurate biography of MAYKOVSKIS. His participation in the mass executions and execution by shooting of Soviet citizens on the

territory of Latvia during the occupation years is proven with absolute accuracy. The whole world knows about the tragedy of the village of Audrinya of Rezekne Uyezd. It was right there that MAYKOVSKIS, jointly with EIKHELIS and PUNTULIS acted as an executioner. This entire village was sacked and burned down and its 200 inhabitants, including children, were shot to death. On the basis of incontestible evidence, MAYKOVSKIS was sentenced to the maximum punishment in Latvia, the very place where he had rampaged. However, the U.S. Government, which was notified of the real person of MAYKOVSKIS refused to yield to him. EIKHELIS his in the FRG...

A certain SOOBTSOKOV, CHERIM [CHARIM] TUOVICH also fled from justice. This one did not have a less striking criminal past than those who were named above. Before the war, he was tried twice for hooliganism. During the period of the occupation, he served as deputy chief of the military gendarmerie, and then, in the 800th Battalion, i.e. the "North-Caucasus National Legion". He personally arrested and executed by shooting dozens of people, and with his "colleagues" in the banditry trade, he also-participated in mass executions. The bloody trail of this executioner leads to France, and from there to Fascist Berlin, and then into the Hitlerite troops, who were fighting in Prussia against the advancing Soviet Army. SOOBTSOKOV, a declared Vlassovite, even in 1945, as communications officer of the ROA [Russian Liberation Army] traveled about the camps of Soviet war prisoners and tried to recruit "volunteers..."

And there is still another from the black list: IMPULYAVICHUS, ANTANAS. A former major of the Lithuanian bourgeois army, IMPULYAVICHUS commanded the 12th Police Battalion from 1941 to 1944. He attained noteriety in many villages of Lithuania and Byelorussia, where this executioner directed mass executions by shooting of Soviet citizens. The "major" exhibited particular cruelty in those cases when he was exterminating the Jewish inhabitants, when

the ghetto was being "liquidated". Soon after the war, it was established absolutely precisely that IMPULYAVICHUS had found refuge accross the ocean. A refusal was received in response to the demand of our country for the handing over of the criminal for a just trial against him.

It could be possible to continue on this list, because in our country genuine and effective measures for investigating and exposing war criminals were taken. Sometimes, their trails crossed state borders--in the stormy year of 1945, many executioners attempted to hide themselves in the most distant ends of various continents, to disappear, to blend into the millions of persons who had been deprived of their roots by fascism and driven about the world.

Would it be easy to dig up those who have been completely enveloped in artificial mimicry, who may have changed documents, citizenship, and habits more than once--in other words, who would have tried to become completely unnoticeable?

However, it would be necessary to do this.

Moscow, IZVESTIYA in Russian 26 February 1983, p. 3

Article by L. KORNESHOV: Part II-- "In the Name of the Law"

The investigation of war criminals has continued for decades. It is being conducted by people who master high professional habits and knowledge, people, who excell in their irreconcilability toward enemies and sensitivity to people, patriotism, and proletarian internationalism, and their limitless devotion to the Fatherland. Their work is not easy.

I asked one of my partners in conversation:

"How many months did you spend in the investigation of the war criminals OGORODNICHUK, SHPACHUK, and STASIV?"

This trio rampaged over Volyn, many hundreds of lives that were lost are on their consciences. Not long ago, in 1982, an open trial took place in Volyn Oblast, and each of them received what he deserved according to the sentence of his court.

"Do you want to know how many years it took" clarified the Chekist.

Yes, in reality, with time the years go by, before the threatening words resound: "Arise! The court is in session!" and the investigation concludes with the sentence: "In the Name of the Union of Soviet Socialist Republics..." In this concrete case, at the trial, 68 witnesses gave testimony. Do you think that it was easy for them to be questioned after 40 years? For this, it was necessary to question thousands of people--long-time residents who could see... How many exhaustive discussions took place, how many thousands of kilometers were traveled from cottage to cottage from village to village! It is also necessary to add the time of work in the archives, with documents. Also, one should not pass over without mentioning the work of those dozens of organizations and hundreds of people in various ends of the country who had questions levied on them. And still there were dozens of expertises, exhumations of remains--and even the places where the mass executions of peaceful people took place had changed: the earth had smoothed out its wrinkles; on the sites of ditches and ravines, forests and orchards had grown, and grain fields were waving.

We always import lofty connotations to the word "researcher". But here, also, research took place, only research of a particular type. And those who conducted it had to have thorough knowledge of history, psychology, customs of inhabitants, and an ability to work with archival documents--in other words, it was necessary to know enough that the idea of a broader outlook and extreme capability for work came about by itself.

And all of it--this special work--is based on the support of our common state.

"What kinds of feeling did you experience when the sentence was pronounced? was it the maximum"? I asked one of my partners in conversation with whom I was discussing the case of BOLKOV and GORBUNOV.

These executioners were tried in 1981 in Vitebsk. An even-tempered guard from Troitsko-Pechorskiy Rayon of the Komi ASSR, and a handsome pensioner from the city of Liozno, Vitebsk Oblast, had taken active part during the war years in the punitive actions, in murders, and in the torturing of peaceful citizens. VOLKOV killed with a submachine gun. GORBUNOV preferred a light machine gun... They thought that the past had already been covered by the shades of time, they had settled down to family life, and were fairly well off, and lived quietly, but in constant fear, but nevertheless they were found and were made to answer before the peoples court?

"Just imagine the following", said my fellow conversant, "during the time of the work in investigation, I proved the tragic facts of the bestial murder of children through documents... In the evening I would come home, and I would be greeted by my children, who are of the same age as those children who were killed..."

He thought a while, and abruptly finished his thought.

"No, this is not the place to speak about pity. Justice and the law-- that is what one has to think about..."

And then one more of my co-discussants spoke about the same thing:

"When they were executing the ghetto inmates by shooting, one little girl, apparently hoping to escape the killers, was given several gold coins by her mother. However, she realized that they were killing anyhow--the deep ditch was already half full of corpses. So the little girl flipped the money there, into the ditch. A number of policemen jumped into this common mass grave they fished out the gold pieces from the blood..."

He told me about the crimes of executioners B.D. SOTSKIY and YA. G. OSTROVSKIY, who were tried in an open court in 1982 in Ternopol, and their sentence was the maximum punishment. When the investigation was completed and when the approval was obtained from the procurator for their arrest, he arrested one of

these murderers personally--this young Chekist, whose mission called for him to act in the name of those who had been murdered and tortured by the executioners.

"Was it difficult to find the executioners?" This was one more of my questions to still another partner in conversation. He told me how they found the executioners MUCHAYEV, G.D., SANGADZHIYEV Kh. B., SANCHIROV, B. B., and NURKAYEV, G. G., and how they were tried in an open court process in Eliste at the end of 1982.

It was very difficult, answered my fellow conversant. Years passed, and those who meted out punishment, had already been ridden even of possible witnesses and of evidence. To say nothing also about the fact that they did not utter a peep about their past even to the persons closest to them. And how they cringed and squirmed, confused dates and events... Before his arrest, MUCHAYEV worked as a senior economist of the Administration of the Fuel Industry; SANGADZHIYEV worked as an accountant; SANCHIROV--in a sovkhos [state farm], whereas NURKEYEV was a shepherd. They did not expose themselves in the least, they behaved modestly, possibly others got drunk and tortured their wives. From document to document, from fact to fact, from evidences flushing out other deeds of the executions, the investigations went on--month upon month, day upon day... They even found witnesses, even those who had been spared by chance when the executioners mowed down everyone together. Even the dead spoke out--it was determined where every--every single victim of the executioner had been hidden in the ground.

And, knowing all of this, with great appreciation, looking at the young face of my fellow discussant, I thought how many kinds of waves of human sufferings had passed before his eyes.

However, there is no sorrow for an outsider, and one of the Chekists also told me about this--he investigated policemen who were executioners, who had rampaged in occupied Mirgorod. It was in that very place where they were tried--in the city, in whose streets they had spilled blood during the dark days of

the occupation. The executioners were P. KSENZA, V. GAVRISH, A. DEREVYANKO, F. PELIKH, I. MAMCHICH, and N. PETRENKO. The sentence was harsh, as is said in such cases, but absolutely just. These inhuman creatures had loaded corpses of persons who had not been guilty of anything into antitank ditches five kilometers from Mirgorod. They were brought there when the ground, already overgrown with grass and flowers, was uncovered. They made them stand again in that horrible ditch in which in October 1941, they fired point blank 8-10 meters away at people, and where entire families--women, old persons, and children, had found their last refuge.

The dead cannot rise again, but let the news about the harsh retribution against the killers be woven into the wreathes that are currently lying on their graves.

Here, we are mentioning only a few of the trials of war criminals, executioners, who have passed through in recent times. There were more--for, I repeat, none of the criminals should escape retribution. I will tell about some of our trials in detail in our newspaper. Well, all of them were open, thousands of persons were present at them, representatives of the public, the press, and the radio and television were present. The sessions were transmitted over local radio, and hundreds of people were gathered around loudspeakers that had been brought out into entryways and on adjacent areas. The trials were given broad coverage in the press. And in those cases where there were unmarked mass graves, monuments and obelisks were erected: the people who were investigating the criminals, along with the public, were concerned that the names of the victims would not disappear in eternity. And the graves stopped being unmarked graves...

What kind of measure can be used to measure this work? Only with gratitude on the highest and most noblest plane, only the recognition already in the name of the present day generations.

Of course, every trial of war criminals...is a tough test for the memories of many who experienced the nightmare of war, who, with their own eyes, had seen the atrocities of the executioners. But this--is also the reminder of the irreversibility of the punishment of those who sullied their lives with treason and treachery, a warning for the future.

I read the sentences passed on these previously mentioned executioners for their deeds, line-by-line. They were written strictly, laconically, at times, even impassionately. It is understandable why: they took into account only the indisputable evidence, only what highest understanding consists of--the truth. And all of the sentences were accepted by society with satisfaction, for there is no place nor can there be any place in our Soviet land where a war criminal could hide.

During the days when I read these sentences I drew a clipping from a dossier from a West-German newspaper, "Deutsche Volkszeitung", on what kind of situation occurred in a court in Dusseldorf, where a trial was going on concerning the murderers of Majdanek: "the defendants do not experience any kinds of signs of feelings of guilt. No kind of show of fear is noted. The judges refer to them: 'Ladies and Gentlemen...'" Even the highly biased presses mentioned that the persons on trial and the witnesses were placed in various conditions. The first were actually being encouraged, the second were being thrown off on tangents. A striking fact: the Justice of the FRG required 30 years to put a total of 13 persons of the 387 former guards of Majdanek who were suspected of crimes! They do not want to disturb the past? No, that is not the only thing. Even today, quite a few war crimes are being committed in the world--at least I will recall the mass slaughter recently perpetrated by the Israeli military in the Palestinian refugee camps. And every sentence in the cases of war criminals who had committed misdeeds during the years of World War II is also facing those who are committing war crimes today, and who intend to commit them tomorrow.

Our country always strived for cooperation with the organs of justice of other countries in the investigation and punishment of war criminals. The responsible workers of the USSR Committee for State Security, in the course of the conversations, cited many examples of the fact of how the evidentiary materials collected in our country and turned over to the jurists of other countries had helped to disclose criminals. Here is one of them. Gestapo member KINDER directly participated in the execution by shooting of more than 7,500 peaceful Soviet citizens in the cities of Melitopol, Simferopol, Mariupole, and Taganrog, and a number of villages of Zaporozhye Oblast. He was one of the executioners of the ill-famed Sonderkommando 10A and personally killed at least 260 persons. He also participated in the extermination of 214 children of the orphanage in the city of Yeysk. Our Chekists found the trail of this executioner, irrespective of how he attempted to hide his tracks. KINDER was arrested and stood before the District Court of Karl Marx-Stadt. At the court trial, witnesses from the Soviet Union were brought in. The court proved KINDER's guilt conclusively, and the executioner was sentenced to the maximum punishment. Many such facts could be cited. The organs of justice of socialist countries do not treat with leniency those who committed crimes against humanity and humanitarianism.

During the years of investigation by foreign jurists, in their total complexity, evidentiary materials were turned over on no less than 70,000 Nazis who served in the punitive formations of Nazi Germany, in concentration camps, in Soviet prisoner-of-war camps, or who directly participated in misdeeds. There is no use of again noting how much effort it took for the Chekists to accumulate and document the indisputable evidence on each war criminal!

How were they used, and whom were they given to? The reply to this question does not always cause satisfaction. Here, unfortunately, it is better

to refer to some numbers, because they impassionately emphasize the fact that is seldom mentioned aloud in other countries. In 1976-1981, evidentiary materials on 140 war criminals were turned over to the organs of justice of the United States. As knowledgeable persons have informed us, a decision of the American courts to deprive them of U.S. citizenship because of concealing their service in punitive organs of Fascist Germany and the commission of crimes was made only with respect to seven of them. This means, at least seven of the executioners would be subjected to punishment? Not by a long shot, for the criminal liability for these acts is not covered by the legislation of the United States. In other words, these cases were divided into two stages: at first--the decision on deprivation of citizenship or the right to residence in the United States, and then already--possibly--the question of deportation in the immigration court.

The American Themis turned out not only to have a blindfold on her eyes, but also an extremely biased and awkward personality. Is not that the reason, then, why many of the war criminals abroad continue to hope that they will not be called to account?

The long-time residents of Odessa Oblast who lived through the occupation know about the mass executions by shooting of Soviet citizens of Jewish nationality, committed by the police of the so-called "Selbstschutz" detachments in 1941-1942. The Jews were brought to the outskirts of one of the settlements of Odessa in groups of 500 persons each and were immediately exterminated. There is witness testimony that on the sand dunes and fields near this settlement, a total of no less than 20,000 persons were put to death. Who shot them? Here are some of the names of the murderers: R. BRAUN, A. KRAFT, V. RELICH, F. FRANK, I. FUEHRER, Ja. SCHWENK, P. SCHMIDT, and E. SCHIFER. All of the needed materials to expose these criminals were handed over to the organs of justice of the FRG. No report on their realization has come forth

to date. The thoughts come to mind of themselves concerning the harboring of war criminals, concerning the unwillingness to carry out one's duties, those obligations that are incumbent upon the profession of a jurist, for a servant of justice...

They told me about the fact that Soviet jurists have provided and are providing all-around assistance to their foreign colleagues in the investigation of war criminals, and in establishing the degree of their guilt. This assistance includes investigation and the transmitting of various types of documents that could be evidence in the study of specific criminal cases, and also captured documents, in particular, those such as the fascist orders for the extermination of people, for conducting punitive operations, and other documents. Materials are also sent that were made from the cases of the crimes of Hitlerites and their cohorts that have been investigated and studied in the USSR, and in case of need, witness examinations are conducted, inspections of the scenes of the crimes and exhumations are made, and expertise is provided--all of this is formalized with trial documents in conformity with the standards of international law in effect. By request, foreign jurists, if specific circumstances demand it, are permitted to be present at witness examinations, to examine the scenes of the crimes (executions by shooting), to familiarize themselves with the disclosed documents in the archives, and to make copies of them. Soviet citizens have also traveled abroad to provide witness testimony at court trials of cases of Nazi criminals. Otherwise, in this article, it is hardly possible to list all of the forms of such legal assistance---they are of so many varieties. I can only say that there is not a single question of this type that does not get consideration, and the quality, if it is possible to express it in this way, of the work done is always with the greatest care and of highest quality. Well, also other questions and requests require intense work of dozens and hundreds of specialists!

Humble people are engaged in this work in our country, and their names, as a rule, are not found on the pages of the newspapers, even when the results of their personal work are reported. These people have a high sense of duty, they are the sentries of Justice. They conduct the investigation of war criminals with iron--this word accurately reflects the essence--persistence and inflexibility. In this work, there exists, neither for them nor for us, statutes of limitations. The nationality of the criminal, his sex and age, his place of residence, etc. have no meaning, for it is Truth and Justice above all--so that those who committed crimes would not escape retribution. For all of us remember the sacred commandment: No one is forgotten and nothing is forgotten.

AADU

AMERICANS AGAINST DEFAMATION of UKRAINIANS, Inc.

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October 13, 1983

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Group I - SOVIET PROPAGANDA re: Alleged Nazi Collaboration

Exhibit A

1. "Izvestia" - The Highest Measure of Justice, Feb. 25, 1983

- a) It is stated clearly that the Committee for State Security of the U.S.S.R. (KGB) searches out "Nazi war criminals", "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..."
- b) The author states, "The motto of those who search for former Nazis, traitors, ... is the defense of the interests of our state and justice..." Can we allow the interests of the Soviet state to dictate to us, by supplying us with KGB hand-picked Soviet witnesses against naturalized American citizens?
- c) "Yes in the search for war criminals, traitors to the Homeland..." - The U.S. government should ask itself, "Are the Soviets truly searching for Nazi collaborators or are they looking to punish those who so avidly fought against Russian communism during WWII and still continue to do so in the U.S."
- d) "We have great respect for those noble and honest people in the West ... disclose the pasts of those (who) - changed biographies, family names, appearances ..." Why is it that not one of the naturalized Americans of Ukrainian descent (Osidach, Derkach, Fedorenko, Kowalchuk, Demjanjuk, Koziy), who have either been denaturalized or are facing denaturalization or deportation have not changed their biographies, family names or appearances. On the contrary, in at least one case (Serge Kowalchuk) the defendant named his son after him.

Exhibit B

2. "News from Ukraine" - Punishment Will Come, Sept. 1977, #39 (English language Soviet publication distributed only outside the Soviet Union)

Re: John Demjanjuk

This article was published after Michael Hanusiak, editor of the pro-Soviet Ukrainian Daily (identified by the atty. gen. in the 1950's as a Communist newspaper) published an article in 1975 labelling John Demjanjuk as a Nazi collaborator. The article states that Demjanjuk served as an SS guard and escorted the Jews to the gas chambers. It is interesting to note that according to a half forgotten 1945 Nuremberg document #3311 - PS, which was introduced at the postwar International Military Tribunal by the U.S. prosecution, Jews at Treblinka were not killed by gassing but rather with steam. There is absolutely no mention of a diesel engine, which Demjanjuk was accused of having operated, nor any kind of gassing apparatus. Mr. Demjanjuk has been denaturalized.

SOVIET PROPAGANDA

Page 2

Exhibit C

3. "News from Ukraine" - Last tango in their life, #26,1983

Re: Serge Kowalchuk

This article labels both Kowalchuk brothers as "Nazi collaborators." The Soviets evidently unhappy that the U.S. court had not yet handed down a decision, at that time, in reference to Serge Kowalchuk, published this article. The case against Serge Kowalchuk was initiated after the U.S. Justice Department was alerted by a 1963 Soviet publication called "Trud", which is the (unofficial) organ of the KGB. This article was later picked up by the N.Y Times and published. The Soviets also labelled the younger brother, Mykola Kowalchuk, as a "Nazi collaborator" but the case against him was dismissed after the Soviets could not locate a document which they had previously published in one of their Soviet publications. On July 1, 1983, Judge Fullam handed down his Opinion and Order, "unlike virtually every other reported denaturalization case, there is in this case not one scrap of documentary evidence relating to the pertinent events. The factfinder is relegated entirely to the testimony of witnesses, uncorroborated by any documentary evidence ... For example, none of the Government's witnesses against the defendant is on record with any charges against the defendant until 1975 or 1976... It is extremely difficult to reach a confident conclusion, on the basis of witnesses demeanor, concerning the accuracy and reliability of testimony presented on videotape through an interpreter... Both the Soviet Union and the western allies compiled extensive lists of persons suspected of war crimes; the defendant's name has never appeared on any such list..." Mr. Kowalchuk was found guilty of misrepresentation.

Exhibit D

4. "News from Ukraine" - Nazi butcher lives in the U.S.A. , No. 14,1983

Re: Bohdan Koziy

This article demands the extradition of Bohdan Koziy to the Soviet Union, so that he could be tried there. There is also criticism here of the U.S. government for doing nothing to Koziy but stripping him of his U.S. citizenship. It is quite possible that the Soviets want Koziy because he was a sympathizer of the OUN (Organization of Ukrainian Nationalists) which fought against not only the Nazis but also against the Russian communists.

Exhibit E

5. "Radyanska Ukrayina" - U.S., West Accused of Tolerating 'War Criminals', July 30, 1982, p.3 (published in Kiev, Soviet Ukraine, in the Ukrainian language)

This article attacks the U.S. government for not punishing "Nazi collaborators" and names Yaroslav Stetsko, Mstyslav Skrypnyk (Head of the Ukrainian Orthodox Church) and the late Constantin Varvarew (a diplomat for the U.S. State Dept.- who died last year of lead, mercury and arsenic poisoning) of Nazi collaboration.

Exhibit F

6. "News from Ukraine" - Sacrilege, #22, 1982

This article attacks Mr. Ivan Stebelsky, who is actively involved in the erection of the Babyn Yar Monument in Denver, Colorado, of being a Nazi collaborator.

It is evident from this article that the Soviets are angered by the fact that the Jewish and Ukrainian communities of Denver, Colorado are working together.

Exhibit G

7. "News from Ukraine" - When Cain Shed Tears, #51, 1981
Again the Ukrainian and Jewish communities are attacked for working together on the Babyn Yar monument. The Svoboda, the N.J. based Ukrainian Daily, together with other American-Ukrainians are also labelled as "Nazi collaborators." The Soviet government cannot allow the Ukrainian and Jewish communities to work together and it is therefore necessary that they publish these articles trying to convince the Jewish communities that all Ukrainians are anti-semites.

Exhibit H

8. "News from Ukraine" - Heirs of Janus
The Philadelphia based Ukrainian Catholic Daily, The America is labelled by the author as a newspaper published by Nazi sympathizers and collaborators. Again Mr. Ivan Stebelsky is mentioned in this piece as a "Nazi collaborator". American-Ukrainian organizations are also mentioned in this article and labelled as "fascists", (eg. OUN - Org. of Ukrainian Nationalists, and the Ukrainian Congress Committee of America.)

Exhibit I

9. "News from Ukraine" - The Stand They Choose, #35, 1982
Ukrainian nationalism is labelled here as a "loyal servant of fascism," and again tries to discredit the cooperation between the Ukrainian and Jewish communities in the erection of the Babyn Yar Monument.

No Exhibit

10. "Zhovten" (October) - Quiet Immigrants, #9, 1982 (Soviet Magazine)
V. Antonenko, the prosecutor of the Lviv region in Soviet Ukraine, writes, "We handed many materials that incontrovertibly witness about the guilt of B.I. Koziy and M.B. Derkach to the American prosecutors... We worked with this group of prosecutors in full contact, having no misunderstandings. Everything was made in full accord. They departed from our country with gratitude..." Our U.S. prosecutors not only didn't question KGB tactics, but on the contrary helped to legalize them. Everyone who is acquainted with the Soviet judicial system knows how the KGB prepares witnesses. Let me quote an excerpt from the memoirs of a Soviet political prisoner, Oksana Meshko, "Between Death and Life," (New York-Toronto-London-Sydney, 1981, pp.94-95); "It is a KGB officer's hunt,... to fabricate a case against a human being who by now is already held behind bars. Interrogations of those bagged witnesses are not always recorded by the interrogators; most of the time discussions are "dry run" and intended only to tire out the interrogee. They look for weak points of a person... The KGB is all powerful..." This was the testimony that was given at this particular deposition, "One spring day in 1943, I was with my friends near the school. We saw the policeman Koziy and three men with him leading along the street the family of Berdholtz, three in number... I remember well that Koziy and the other policemen shot the whole family." We should ask ourselves, "Why did the Soviet witness remember only Koziy and couldn't remember the other three?"

Group II -AMERICAN PUBLICATIONS re: Alleged Nazi Collaboration

Exhibit J

1. "The Bulletin" - Why Did Soviets Cooperate, April 20,1981, by Roman Cybriwsky

Exhibit K

2. "Philadelphia Inquirer" - The Curtain Never Falls, January 19,1982, by Dorothy Storck

Exhibit L

3. "Philadelphia Inquirer" - KGB is getting use out of Nazi hunting, May 29,1983,
by Warren Rogers

Exhibit M

4. "The Ukrainian Weekly" - Soviet Trials in U.S. courts, February 15,1981 (Editorial)

Exhibit N

5. "The Ukrainian Weekly" - Nazi war criminals: time for truth to emerge, July 31,1983,
by Lydia Demjanjuk

"IZVESTIA" February 25, 1983 Page 3

THE HIGHEST MEASURE OF JUSTICE

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 off 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 attitude 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)

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 account for their doings?

(Omitted)

L. Korneshov



№ 39 (465)

SEPTEMBER, 1977

14th YEAR OF
PUBLICATION

NEWS from UKRAINE

Exhibit "B"

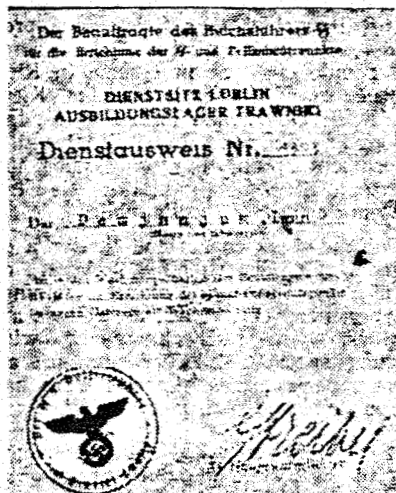
DEFENDANT'S
EXHIBIT

DD

PUNISHMENT WILL COME

By O. MATVIYCHUK

According to American press, the Department of Justice of the United States brought up a criminal case against war criminal Ivan Demyaniuk, who after the war found refuge in the city of Cleveland and avoided just punishment for his murderous services which he obligingly offered to the Nazis.



When Nazi Germany treacherously invaded the Soviet Union, Ivan Demyaniuk, the native of the village of Dubovi Makharintsi in Kozyatin District, Vinnitsya Region, deserted to the enemy and betrayed his Motherland. Incidentally, the traitor's father Mykola Demyaniuk also chose the path of treachery and served as a policeman during the Nazi occupation.

Having voluntarily yielded himself prisoner, Demyaniuk Jr found himself in a camp, but not in a concentration camp for Soviet prisoners of war. He was sent to a camp where Nazis trained commandos for SS forces and security police. Among German documents

captured by the Soviet Army, there is a "Certificate No. 1393" which was issued by Trawniki training camp in Poland to Ivan Demyaniuk, born in 1920, bearing his photograph and certifying that Ivan Demyaniuk as from September 22, 1942, was engaged in active duty at the town of Oksow and then, starting from March 1943, at the death camp of Sobibor in Poland.

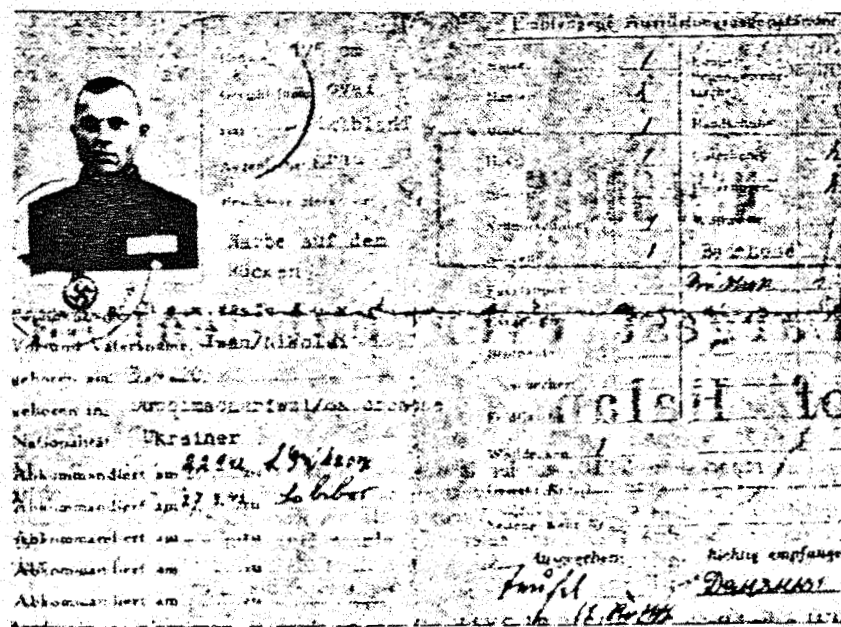
His "colleague" H. Danylchenko said at the preliminary inquest: "I first met and got acquainted with Ivan Demyaniuk in March 1943 at the death camp Sobibor (Poland) where he served as an SS guard. He was wearing SS uniform and was armed accordingly.

"Demyaniuk, as an SS guard took part in mass extermination of Jews at the Sobibor death camp, watched them to prevent their escape and escorted them to gas chambers.

"In spring 1944, Ivan Demyaniuk and I were sent to Flossenburg and then to Regensburg (Germany) where again he was a guard at the concentration camps for Soviet prisoners and people of other nationalities and escorted them to places where they were forced to work."

To the last days of the war, Ivan Demyaniuk served Nazis, and, after they were totally routed, fled overseas. At present, residents of the town of Parma in the United States know Mr. Demyaniuk as an ordinary auto inspector. But they probably don't know when they meet him that they shake hands with a murderer.

These Nazi documents exposing the war criminal never appeared in press before.



(40)

ALEXANDER MISHUHA (HIS PSEUDONYM WAS EVERY WELL KNOWN IN THE HISTORY OF WORLD) JUNE MARKED THE 130th ANNIVERSARY OF HIS

no Ukrainian
But he always
land and peo-

as well-known
singer, patriot
in revolution-
but also as a
solo singing. He
solo voice at
musical-dramatic
breaking an
and paying a
for forfeit. He
earn much less,
his contribu-
of his native
nd: he wanted
to, the founder
music.

1911 and 1914,
ght voice at
higher. Music
dreamt of re-
country and
his own pupils
countries, of
ol.

time, Mishuha
o to Italy for
d War disrupt-
s. In 1920, he
ve he success-
school. Some



time later he had another relapse and went to Germany for treatment. He died there on March 9, 1922.

Fulfilling the bequest of their teacher, Mishuha's pupils in Sweden and public representatives of Lviv transferred his body to the Ukraine in the autumn of that same year. Olexander Mishuha was buried in his native town of Noviy Yuliv.

d to Ivan Fedorov



OTOS: Ivan Fedorov's grave in the yard of the museum, located on the territory of the former St. Onufriy monastery (left); The museum's restorer, Denys Kravchuk, during ancient books.

ed by B. Kryshuk.

around the
top.

people make
course of
sculpture
which had
made of
ground from
the Molochna
rivers nearby.
in a kind of

outdoors
photograph
of the site
of the site
of the site

remodeling of the downtown, a new block of flats is to be constructed in their place.

When excavator operator L. Dasyha was digging a foundation pit for the new building, his eye caught glittering objects to the machine's scoop. Having turned off the engine, he approached the find: it was artillery shells. Sappers who quickly arrived at the scene deactivated the charges. However, the surprises of an old house didn't end with that.

Soon, the earth revealed over 1,000 silver coins minted in pre-revolutionary times. However, they were still only part of the treasure. Beyond the city, where the dug-out dirt was dumped, gold coins and other valuables were found.

Setting things straight

In Issue No. 25, we began a series of articles about Nazi war criminals, Ukrainian bourgeois nationalists, who have so far avoided punishment by finding shelter in the U.S. and other Western countries. Below is the second article in this series.

Last tango in their life

SONGS ARE BORN AND DIE. FEW OF THEM ARE DESTINED TO OUTLIVE THEIR CONTEMPORARIES AND LINGER ON IN PEOPLE'S MEMORY. AS A GROTESQUE CHALLENGE TO EVERYTHING LIVING, AS A RELENTLESS AGONY, THE TANGO OF DEATH WAS BORN AND DIED TOGETHER WITH ITS PERFORMERS.

Its melody accompanied thousands of inmates of the Yanivsky concentration camp in Lviv to their death. In November 1943, to the tango's fading melody, SS-men shot, one by one, all the musicians of the tragic orchestra. The last musician died to his own accompaniment of the tango's refrain: "The cheapest thing is life." That was the end of the Tango of Death, devilishly devised by the Nazis.

However, the tragic orchestra's organizer, Hauptsturmführer SS Richard Rohde, lived many years after the war with impunity. Incidentally, the orchestra's musicians were exploited by him for additional profit: they entertained the executioners, played at parties and weddings.

These terrible 40-year-old events were brought to mind by a story carried by Ukrainian bourgeois nationalist sheets in the United States, describing how merrily weddings are celebrated in Philadelphia and its suburbs when the music is provided by Serhiy Kowalchuk's instrumental group.

New Jersey-based Sotoboda expressed its gratitude and appreciation to Kowalchuk, artistic director of the Burlaky group.

This "Kulturträger", Kowalchuk during the Nazi occupation of the Volyn area used a whip for a baton and put accents with a bullet, dancing on the corpses of the people he had murdered. That was his "musical education".

In 1950, the Kowalchuk brothers, former officers of the so-called "Ukrainian police" created by the Nazis in Lyubomir, Volyn Region, arrived in the United States. The older brother Serhiy, then 30, for his efficiency had been promoted by the Nazis to the post of deputy police chief.

The younger brother Mykola failed to gain as much advancement as his brother, although he went out of his way in this pursuit, herding people to the place of their execution, splitting their skulls open with a rifle butt and killing every Jew he ran into outside of the ghetto boundaries.

During the investigation many eyewitnesses testified that he had shot a Jew near the town's marketplace; on the Jewish religious holiday of Succoth he shot to death a 15-year-old boy because he was Jewish; having found a group of Jews in a basement of a house he shot them all right away.

Serhiy Kowalchuk has a much longer record of bloody crimes described in his dossier:

In the fall of 1942 he personally participated in the execution of residents of the Lyubomir Jewish ghetto. While escorting the people to their last destination—a brickyard near the village of Borky, he shot an old man and a woman who were worn out after a long journey. Then, he came up to the pits, and, taking an accurate aim, shot the victims in the back of their heads: men, women, children and old people.

The facts discovered by the State Commission set up to investigate the crimes perpetrated by the Nazis and their lackeys on the temporarily occupied Soviet territories, and the extermination of the bodies of people killed near the village of Borky, proved that among the Lyubomir Jews massacred on the site were 290 children under 5; 398 children aged between 5 and 10; 516—aged 10-15; 667—aged 15-20; 271 people over 60.

So Kowalchuk got involved in the mass execution of people. Murder and tortures became his constant occupation

beginning from 1941 when he voluntarily joined the Nazi police force.

Says witness Boris Trakhtenberg:

"By Kowalchuk's order, the policeman took me to the police station. There Serhiy Kowalchuk tortured me... That same day Serhiy Kowalchuk personally tortured my brother-in-law Moishe Munik and his son Noah. Kowalchuk's tortures were so brutal that while beating Moishe Munik he broke him two ribs... Later both Moishe and Noah were shot to death near the brickyard." Witness Petro Kotovich tells about the tools of torture Kowalchuk used on him:

"Serhiy Kowalchuk knocked me off the chair and began kicking me with his feet. Then he beat me with a rubber club. His blows were so hard that I fainted, but the policeman brought me around having poured water on my head... Kowalchuk put a small rubber hose into my nostril and poured water from the kettle into my nose which made me pass out again. When I regained consciousness, Kowalchuk and two other police took me to Gestapo."

Executioner Kowalchuk's arsenal also included gallows. Sr.'s witness Olexander Trakhtimovich: "On a November day in 1942, before lunchtime, I saw the Germans and three police, one of whom was deputy police chief Serhiy Kowalchuk, taking a woman to the gallows. The woman looked 35-40 or thereabouts. Kowalchuk ordered her to stand on a stool. One of the policemen was told to put a noose on her neck. This done, Kowalchuk himself kicked the stool from beneath his victim's feet and she was left hanging on the rope."

At the beginning of 1974, the press reported that legal proceedings were started in the United States against Serhiy and Mykola Kowalchuk who were charged with extermination of people. However, the actual investigation began only in early 1977. Mykola never went on trial: American Justice found the "scale" of his crimes insignificant—just a few killings—and the case against him was dropped.

The American court drags its feet over Serhiy Kowalchuk's case, hearings in which began in Philadelphia in 1981. And now let's behold! Among the charges brought against him prominence is given not to his crimes against humanity, but to the fact that he concealed them when entering the United States.

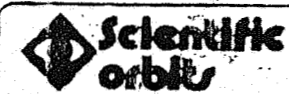
The maximum punishment Kowalchuk faces is denaturalization, that is, stripping him of American citizenship, which might be followed by deportation from the U.S.

On May 7, 1976, the USSR Ministry of Foreign Affairs sent a note to the Government of the United States demanding the extradition of Serhiy Kowalchuk to Soviet authorities. The U.S. response clearly indicated that the American authorities, neglecting their obligation to prosecute Nazi criminals, in fact took Kowalchuk under their protection on the pretext of his being an American citizen.

To this day murderer Kowalchuk is at large, plays at weddings and duty accepts messages of gratitude from the Philadelphia Church of St. Mary the Protectress and even from the metropolitan of the Ukrainian Autocephalous Orthodox Church in the USA for the musical entertainment provided at anti-Soviet rallies.

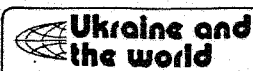
Philadelphia is often referred to as "the city of brotherly love." Does its love extend to murderers too?

LES KYRYK



nal electrical cardiogram enables physicians to closely follow the working processes in a patient.

The method came into being as a result of a research into age-imposed changes



SHEVCHENKO'S PROSE IN ENGLISH

Shevchenko's prose, his stories, "Diary" and autobiography are not only of great artistic importance, but are also a source of studying Shevchenko's sociopolitical and aesthetic views as a thinker, his great creative originality, creative researches and his milieu. Shevchenko's works written in Russian are very close to his poetic works, written in Ukrainian, as they are imbued with revolutionary-democratic ideas and opposition to serfdom. In all his works the poet comes out as the great bard of the Ukrainian people, a singer of their destiny and spokesman of their dreams and aspirations.

Shevchenko's prose was rendered into English for the first time in 1919. The English man of letters Percy Paul Selver (1888-1970) translated Taras Shevchenko's "Autobiography". This translation became part of the *Antology of Modern Slavonic Literature in Prose and Verse*, compiled by P. P. Selver and published in London in 1919.

In 1939, in connection with the 125th anniversary of the birth of Taras Shevchenko, *The International Literature* magazine published excerpts from the story "Princess" and "Diary", translated by Jack Lindsay (b. 1900), a well-known English writer, critic and translator.

In 1960, the progressive Canadian magazine *The Ukrainian Canadian*, a publication of the AUUC, published an excerpt of "Princess" in the interpretation of the talented Canadian translator Mary Skrypnyk (b. 1915). For the translation she chose the beginning of the story, which are Shevchenko's autobiographical reminiscences of his childhood, spent in his native village.

In 1960, *The Ukrainian Canadian* also published a considerable part of the story "The Artist", translated by a well-known Canadian translator, John Weir. It contains almost the whole autobiographical part, which is of great artistic importance and is most informative, for it is devoted mainly

to the description of Shevchenko's life and that of noted personalities of his time—poet Vasily Zhukovsky, artist Karl Bryulov, Ivan Sosnenko and others.

It is but natural that Soviet publishing houses play the most important role in translating Shevchenko's prose into English. Taras Shevchenko's selected works, published in English in Moscow, 1964, and edited by John Weir contain Weir's prose translation of Shevchenko's three works: the story "The Artist", excerpts from the "Diary", and "Autobiography" (in the first editing).

In 1979, "Progress" Publishers in Moscow issued a collection of Shevchenko's works, poetry and prose, which included excerpts from the "Diary" and "The Artist", reprinted from the publication of 1964.

Such is the contribution of translators into English of Shevchenko's prose. Not many of his works have been rendered so far. However, due to the existing translations, an English-speaking reader can get an idea of Shevchenko as a prose writer and, what is no less important, the works translated help understand the personality of the great Ukrainian poet.

If we compare the translations with the originals we will see that the translators succeeded in the main thing: they reproduced to a considerable extent the ideological content and specific stylistic features of Shevchenko's works.

Shevchenko's "Diary" conveys ideas of a staunch revolutionary, full of deep respect for fearless freedom fighters, wrath toward tsarism and hatred for stupid army drills. The style of the "Diary" has also been preserved in the translations: Shevchenko's thoughts and meditations in their English translation sound as natural as in Russian. The same can be said about the translations of his other works. They present the very spirit of the originals and preserve their specific stylistic features.

Today, the level of translation has increased so much that it is time to speak not only about the presentation of the general content of a work and its ideas, but also some microimages, specific features of syntax, the author's inner world, etc. In this respect translators have made a lot of interesting discoveries. Translators of Shevchenko's works managed to give good English equivalents to many realities of the poet's epoch as components of national and cultural content.

Sometimes realities are introduced by combined means: transcription with a descriptive periphrasis. This is one of the most efficient means of presenting a reality, although it needs more words. Thus, translator Mary Skrypnyk reproduced the reality "chumaky" with the transcription "chumaks" and the descriptive periphrasis "oxcart drivers". A transcribed word shows the foreign origin of the word, and a descriptive periphrasis explains the content of a reality.

Translations of Shevchenko's works also contain an apt presentation of a number of original images created by the writer.

In his "Diary", Taras Shevchenko calls the city of Samara "a living specimen of the reign of hard-to-forget Nicholas the Obscure". This Shevchenko's definition of Tsar Nicholas I has its sources in the works by the outstanding Russian revolutionary Alexander Gensin. This definition gives a good idea of the true nature of tsarism which hampers people's progress. John Weir succeeded in giving a very apt English equivalent to it.

Due to the painstaking work of translators, semantic and stylistic functions of many proverbs and some Old Slavic sayings have been preserved in English translations.

Now we can say that a good foundation has been laid for translating into English Taras Shevchenko's prose works.

ROKSOLYANA ZORIVCHAK

Fundamental research is carried out by the Metallophysics Institute of the Ukrainian SSR Academy of Sciences—one of the country's major scientific centers. But the institute does not only generate ideas but also accelerates the ideas being put into practice: every rouble invested in research projects at the institute brings in 6 roubles in the economy.

PHOTOS: (top) Doctor of Technology Lev Khandros (1) and operator of an electric arc furnace Yevhen Vradiy; (bottom) An experiment on strength of metals at high temperatures is carried out by Doctor of Technology Vladislav Kononenko (r) and Candidate of Physics and Mathematics Olexander Dekhtyar.

Photos by Yu. Mosenzhnyuk and A. Pidubny.



HIGH-SPEED TUNNEL DRIFTER

Owing to a new class of drifting complexes which are manufactured at the Yasynuvata machine-building works, Donetsk Region, underground tunnels can now be drifted without traditional explosives.

The giant of a complex comprises dozens of machines and mechanisms which help crush and remove loose rock from the face, set up the props and cement the arch of the 9-meter-wide tunnel—all in the same rhythm without any interruption. The drifting machine outfitted with replaceable working units can operate in various media: from sand to granite. The increased capacity and extra-high toughness of the machine ensure its effective operation under any climatic conditions virtually all year round.

The steel "mole" can drift up to 90 meters of passageways a month, which is thrice as much as with the blast-drilling method. What's more, the new method helps cut the number of workers engaged in tunnel drifting by half.

UNDERWATER OASES

It was quite a surprise for scientists to discover a rich and versatile underwater life at the bottom of the cold Bay of Achinsk near the Kamchatka peninsula. On completing its investigation, the expedition of the Sea Biology Institute of the Far Eastern scientific center under the USSR Academy of Sciences, has registered over 80 varieties of sea organisms some of which are fit for artificial breeding on sea farms.

The expedition has initiated long-term research to be conducted on the peninsula into the shell's hydrobiological resources so as to work out recommendations for breeding the sea invertebrate useful for men. For the time being, there is little information about the sea sections at the depth of 40 meters although they are most productive with an abundance of mussels and urchins good for artificial breeding. As to plants, they are represented by big brown algae that might be used for food and medical purposes.

Setting things straight

● The villagers of Lysets, Ivano-Frankivsk Region, decided at their meeting to demand from the American authorities the extradition of Bohdan Kozly, the nazi who committed crimes against civilians during the fascist occupation of the Ukraine and is presently hiding in the U.S. This was reported by the newspaper *Radnyanska Ukraina* on March 2, 1983. Here is the story by Vasyly Shiyakhtych.

Nazi butcher lives in the USA

The small quiet village of Lysets in Precarpathia. The memory of its elderly and middle-aged inhabitants will for ever retain terrible pictures of the fascist invasion and the crimes committed by Hitlerites and their loyal servants—Ukrainian bourgeois nationalists.

It was then that Bohdan Kozly volunteered for the so-called German-Ukrainian police. This obedient Hitlerite lackey was prominent among other traitors not just for his loppery but also for the quality so valuable to fascists—ruthlessness toward civilians.

Kozly loyally served the swastika, helped Hitlerites exterminate Jews, actively participating in executions. He had quickly acquired a distinctive manner in this bloody business: he willingly shot children and youth.

Hitlerite hiring Kozly has a terrifying "service record". In the summer of 1942 he and his "pals" tracked down and arrested a girl named Lida who had been hiding from transportation to the Jewish ghetto in Stanislaw (now Ivano-Frankivsk). They beat her with their feet and whips, set a German Shepherd on her and then sent her to the police for further torture.

In the autumn of the same year Kozly personally discovered the hideaway of 13-year-old Lyusya Rosiner and shot her in the barn in front of the villagers.

"Break up!", he shouted at the terrified people, "or else you'll follow her..."

Drunk on the blood of innocent people, he was quick to use whip and gun. Here is the blood-curdling testimony of pensioner Anton Vatsaba about Kozly's brutal killing of Doctor Singer's 3-year-old daughter who was hiding in one of the village homes:

"As I was nearing the police station, I saw Kozly who carried a little girl holding her by the hair with his right hand, a rifle in his left hand. The child screamed and cried. I recognized her, our doctor's daughter. Kozly entered the courtyard and made the girl sit on the ground near the well. Then he stepped back and took aim: acting as a photographer he ordered the girl to move her head to the left or to the right or lift it up. Then he fired several times. I watched this from a short distance, hiding behind a hedge..."

Tortures, killings... It wasn't at the Hitlerites' gunpoint that Kozly committed his crimes. No, he did it just for kicks, even trying to outdo his fascist masters.

In 1943, Kozly along with Hitlerites and other policemen arrested and transported to the police station a big family of eight—the Kanders—who were hiding in the village. When one of the boys, Bernard, jumped out of the truck and tried to escape, it was Kozly who chased and killed him.

He did not spare the life of another boy—Lyonya Nagler. Having arrested the boy, Kozly took him to the cemetery and shot him there.

The cemetery was the main "work place" of the zealous policeman and his bunch. There they murdered the Bredholz family. There he and other killers posed for a picture against the background of the dead bodies of the Kanders and Singer's daughter. The rank of senior policeman came to him as a reward for his services.

This can not be forgotten, nor can it be forgiven. That was the firm conviction of all the dwellers of Lysets. At their meeting they branded the traitors with infamy, recalled the terrible crimes committed by Hitlerites and OUNites in wartime.

Nazi butcher, policeman Bohdan Kozly made his contribution to these atrocities.

At that time Kozly managed to get away with it. Having fled this country together with Hitlerites, he soon found shelter overseas in the U.S., where he lives now at 314 Bayshore Drive, Fort Lauderdale, Florida, 33304, U.S.A.

Violating the international agreements on prosecution and punishment of Nazi criminals which were signed by the U.S., the authorities of that country gave shelter to various nazis. By so doing they demonstrated their total disregard for the commitments taken.

Two years ago American lawyers visited this country to investigate the crimes committed by the former Lysets policeman. As a result, he was stripped of U.S. citizenship, that's that.

In their open letter to President Ronald Reagan, the assembly of Lysets villagers unanimously demands the extradition of Hitlerite accomplice and war criminal Bohdan Kozly, guilty of crimes against humanity. He must be tried in the Soviet Union.

Letters with the analogous demand were sent to the UN Human Rights Committee, U.S. Secretary of State, U.S. Attorney General and editorial offices of a number of American newspapers.

Man and nature

THE WATER RESERVE

The Volga is the main source of the Soviet capital's water supplies. If you look at the map, you can see the Vazuza water reserve, next to a new hydroelectric power development, marked in blue, and to the right of it—the Ivankovo reserve. Moscow is surrounded with a whole chain of water reserves, among them the Mozhaisk, the Ruza and the Ozerinsk ones.

The engineers entrusted with the task of building the new Rzhnev hydroelectric power development were supposed to choose a suitable spot for it as far as the local relief and environment were concerned, to ground their choice, to work out a feasibility project and to calculate the economic effect of the hydroelectric power development's exploitation.

The project envisages to build a hydroelectric dam, a water reserve with the volume of 1,000 million cubic meters, a plain earth dam 40 meters high and a shipping lock, to say nothing of the power station building.

The construction is a large-scale enterprise: in order to build a water reserve, the earth dam is to be filled from both river banks to block the river. The total volume of work

will amount to nearly 2.5 million cubic meters. The shipping lock will enable the Volga boats to go further down the river. The two generators of the Rzhnev hydroelectric power station are supposed to produce about 150 million kwh per year.

The hydroelectric power development will be a good additional source of water in dry seasons. Its design ensures that it will supply 20 per cent of the entire amount of drinking water used in Moscow per day.

500 NATURE MONUMENTS

A list of nature monuments in Sverdlovsk Region (the Russian Federation) has been enriched by dozens of new objects. Among them are cedar groves, parts of the English oak woodlands and lime-tree groves and cranberry swamps.

Under protection are individual trees, a 200-year-old larch in Sverdlovsk and three cedars growing in Berzovsk. To be conserved are also river issues, mineral and drinking water springs, several lakes, picturesque cliffs and caves.

Some old mines, pits and quarries, also taken care of, as for instance, digging with impregnations of rare crocodile mineral. Some strips of feather-grass and mountain steppes are preserved. Now Sverdlovsk Region numbers more than 500 nature monuments.

REGIONAL

U.S., WEST ACCUSED OF TOLERATING 'WAR CRIMINALS'

Kiev RADYANS'KA UKRAYINA in Ukrainian 30 Jul 82 p 3

[Article by V. Styrkul: "Statue of Liberty before the Crematory?"]

[Excerpt] The Nazi helper and criminal Ya. Stets'ko was honored with an audience in the Congress of the United States, and President Reagan sent a birthday greeting this May to Mstyslav Skrypnyk, a student of Hitler's "Zonderkomando" [special command] and an "Abwehr" [counter intelligence] agent. Is it not a dispensation of the highest state order to all kinds of criminals?

However, the present U.S. administration only follows the example of their predecessors...

This spring a former official at the Department of Special Investigations, U.S. Department of Justice, D. Loftas, appeared on an American television program. He stated that war criminals from Europe were brought in by United States intelligence services. When lawyers expressed a desire to familiarize themselves with certain materials, stated D. Loftas, "the reports on the entrance into the United States of individuals with a Nazi background disappeared from Congress, from judiciary organs and from immigration services. It was not possible to get at them in the CIA archives either." Among people who could provide an appropriate explanation D. Loftas named U.S. vice-president at the time, R. Nixon, and the program director added that he approached Nixon in this regard and received a reply from his secretary that there "would be no comments." Congressman F. Barney also appeared on this program and speaking about using Hitler's servants in American government service stated: "I thought that this was the fruit of someone's sick phantasy. But it appeared that such accusations were founded on facts."

American Nazi criminal patrons had become so brazen that they stuck E. Varvarit, a member of penal torture operations against Soviet people in the State Department, and sent him to a conference in the USSR as a deputy U.S. representative at UNESCO a few years back. Here, of course, he was recognized as a youth in Gestapo uniform from the Rovno Gebitskomisariat [district commissariat] and so this survivor had to flee.

In the United States, Great Britain, Canada, Germany and some other capitalist countries criminals put together their "brotherhoods", "associations", publish papers, magazines and memoirs, save dear to their hearts fascist crosses and medals, conduct corruptive work among the local population and especially among the young people. They are "invisible" only to some capitalist activists blinded by anti-communism and an anti-Soviet stand who assume the thankless role of Nazi criminal defenders. Such politics by former allies of the anti-Hitler coalition cannot be considered strictly internal affairs of those countries since they are a violation of international agreements, contrary to which Nazi criminals are incompetently released from a just punishment, and, in fact, fascist survivors are encouraged towards new crimes, inciting the most reactionary forces against peace and the basic human right -- the right to live.

0443

CSO: 1811/65

One's heart shudders at the words "Babyn Yar" which have the connotation of over 100,000 innocent victims: women, children, the aged whose bodies filled the ravines in Kiev's former suburb. These people were killed in the fall of 1941, right after the capital city of Soviet Ukraine was invaded by the Nazi troops.

In that horrific autumn thousands of doomed people, flanked by German soldiers and the local *polizei* — traitors of their nation, — were herded to the city's outskirts. Then, near Babyn Yar, big groups of people were separated from the columns and driven to the ravines. Babyn Yar became one of the most terrible places where Hitler's plan of "conquering living space for the German superior race" and "the final solution of the Jewish question" was put into effect.

Decades haven't obliterated from the minds of people the pain and sorrow over the relatives, friends and acquaintances who were killed there.

Today in the place of former Babyn Yar is a memorial park where stands a monument to the victims of the German-fascist invaders and their Ukrainian bourgeois-nationalist thugs. Those who have lived through the grim years of Kiev's occupation, as well as young people, come here to pay homage to the killed and to say to themselves, "We won't let it happen again!"

This is a sacred memory. However, there are people in the world who are going out of their way to defile the memory of Babyn Yar victims.

Some years ago in the city of Denver, Colorado, USA, a group of citizens among whom were, perhaps, relatives of those killed in Babyn Yar, decided to create a memorial complex to commemorate the Babyn Yar victims. Funds were raised and a site allotted. Meanwhile, Ukrainian bourgeois nationalists and some leaders of Jewish organizations residing in Denver and other American cities decided to make selfish use of that event. The former wanted to gain political capital of this and exonerate themselves as former Nazi lackeys in the American public's eyes, while the latter intended to take advantage of the idea in order to whip up an anti-Soviet propaganda hysteria.

Suffice it to recall that originally it was planned to make an inscription on the monument in full conformity with the historical truth which would read that over 100,000 Kievans — Jews, Ukrainians, Russians and Poles, — died in Babyn Yar at the hands of German invaders and their Ukrainian nationalist collaborators. This did not suit the taste of the leaders of the local branch of the so-called Ukrainian Congress Committee of America. A fuss was made about the inscription as "useless" (according to their newspaper *Svoboda*) for the Ukrainian nationalists. For a certain sum donated to the fund of the project they not only had the words they did not want, changed, but also became the co-founders of the memorial complex.

Other facts are also available. The monument was to be unveiled last year, but despite the agreements and the money donated the inauguration was put off until 1982. Apparently something did not work in the noisily advertised alliance of the project's initiators and the Ukrainian bourgeois nationalists. Either the funds were insufficient or they simply failed to see eye to eye — this can just be guessed.

Most probable, one of the reasons was the American public's ever increasing negative attitude toward the Ukrainian bourgeois nationalists in connection with the recent and current trials in the U.S. of the former Nazi collabo-

rators of Ukrainian descent who perpetrated grave crimes in the years of the Second World War. Thus, the trials of V. Osydach and S. Kowalchuk in Philadelphia, I. Demyanyuk in Cleveland and F. Fedorenko in Miami were made public.

No less important was, perhaps, the fact that such an odious person as Ivan Stebelsky was actively involved in this undertaking. It was he who served, under the name "Winter", in the Nazi reconnaissance punitive battalion "Brandenburg-200" which was engaged in the extermination of civilians. It was Stebelsky who trained personnel for the nationalist legions "Nachtigal" and "Roland" which left behind thousands upon thousands of the dead civilians in the Ukraine, Byelorussia and Poland.

Having graduated from the Abwehr intelligence school in Pishchane and Krynytsya, Stebelsky served in the department "Abwehr-stalle-Krakow" and participated in mass executions of the civil population in Drohobych and Boryslav in January 1942. Later, in Boryslav, which was occupied by the Nazis, he, using the looted gold, opened a store for the "Aryans". At present he owns a posh bar-restaurant in Denver.

Among the UCCA leaders, partners in the memorial project, there are many whose record of service to the Nazis is richer than that of Stebelsky.

Although U.S. justice does not seem to be very much opposed to that kind of war criminals, the very fact that some of them have been put on trial proves that there is enough evidence of their crimes, and it does not really matter whether they used a knife, a noose or a machine gun to kill people in Kiev's Babyn Yar or in the Belz ravines of the Lviv ghetto.

All of them are fosterlings of fascism, and war criminals. Today, the Ukrainian bourgeois nationalists are talking big about their "eternal love for and friendship with Jews." However, this is a mere disguise. In "their own" circle they declare other mottoes, something of the type the nationalist magazine *Na Varti* once printed: "Remember, although we are scattered around the world, we have not laid down our arms, we have taken up an alternate position to regroup and get ready for a new battle."

As was mentioned earlier, these leaders of Jewish organizations exploit the topic of the Babyn Yar memorial to cast aspersions on the Soviet people and the nationalities policy of the Soviet Government. Contrary to the hard facts, they keep inventing the "existence" and even "cultivation" of anti-Semitism in the Soviet Union. Meanwhile the majority of Jews, residents of the United States, do not believe in such inventions. Even the official press in the United States, Canada and other countries have admitted those allegations as senseless. Hence the insinuations about "anti-Semitism in the USSR" are as futile as scores of other anti-Soviet campaigns being launched in the USA at present.

As to the Zionists' cooperation with former war criminals in the project "Babyn Yar", it testifies to the cynicism and dubious moral principles of both of them.

VIKTOR CHUMAK



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WHEN CAIN SHED TEARS...

Exhibit "G"

NEWS FROM UKRAINE, No. 51, 1981

Ages have swept over the earth since there appeared a biblical legend about Cain who treacherously killed his brother, Abel, and, incidentally, be disowned the crime. When the enraged god Jehova learned about Cain's despicable act he said to him, "Your brother's blood is speaking to me from the grave... You shall be the damned proscrip, and you will wander the land eternally!"

Since that time fratricide has roamed the world while his name became a symbol of evil, hypocrisy and treachery. But all of a sudden, Cain burst into tears. How come?

Several years ago the Jewish community in Denver, USA, decided to build a memorial dedicated to the victims of nazism who, in 1941, were killed in Babyn Yar — the then suburb of Kiev. Among those victims were tens of thousands of Jews.

Hence, it was a noble desire and the right decision to build such a memorial. Moreover, the memorial with a corresponding inscription had to be installed in the country which hadn't suffered the terrors of WWII.

Everything seemed to be going smoothly until Cain burst into tears and his dirty hands touched the noble cause of commemorating the Babyn Yar victims.

Still in October 1980, the newspaper *Svoboda*, notorious for its "philanthropy"-hungry publications, turned on the alarm hydrant pouring out uncton saying that the memorial in Denver "...for all us is a symbol. We have to make every effort to support the initiative to... make it worthily represent us..."

What made Cain shed a tear? What disturbed that treacherous and insidious soul? It seems, the inscription planned for the memorial did not represent the nationalists in the right way. According to their publications, it was "harmful" for these "mourners" of nazi victims, although it was nobody else but them who, with their "puppet-premier" Stetsko, hullabalooed that the "German methods" of exterminating the Jewry without permitting their assimilation were to be brought to the Ukraine. And the "methods" were brought here.

They exterminated not only Jews, but Russians and Poles and their, so to speak, "dear" Ukrainians not only because the latter were "against the new order", but because they gave shelter to Jewish families. This is why now, at any cost, the children of Cain are trying to disown the crimes they had perpetrated; moreover, to make the covering of their heads with ashes more effective, their publications featured a request to mail them documents on "the nazis crimes in the Ukraine".

The vile crimes perpetrated by the nazis on the temporarily occupied territories left five million people dead in the Ukraine alone.

Had it not been for the endeavors of the Ukrainian bourgeois nationalists, who raced one another to prove their loyalty to the Reich, the victims would have been much fewer. It was the OUN "leader" Bandera and "premier" Stetsko who passed on to Hitler the lists of Lvivites destined to death. These same Ukrainian nationalists were watchmen at the Yaniv concentration camp where from 1941 to 1943 200,000 Jews alone were murdered; these hangers-on of Hitler received additional food ration for each caught or killed Jew. This could have been proved by former polizei M. Sulyma or SS-man S. Fostun (presently residing in Great Britain), had they found themselves facing a court here.

Now, they mark their foul commemorative feast and theatrically shed false tears, meanwhile, generously channelling several pounds from their incomes on the memorial: just the right moment to dissociate from the vile crimes.

But where does the money come from? For instance, Yosyp Yarosh, presently an FRG subject, was resourceful yet not too particular about making his own prosperity. He looted the people he killed: may be he would recall Khaika Sternbach whom he killed in broad daylight in the summer of 1942 on the street to snatch a purse from her as a memento of "love".

This "patriot" is responsible for a long list of such actions. Former

in the Ukraine. Ohloblyn lives in Cleveland, USA, and is a professor at the so-called Ukrainian Free Academy of Sciences (UFAS), also known in the USA as the Ukrainian Academy of Arts and Sciences in the USA. When in September of 1941, the screams and shouts of the first 100,000 of those destined to be killed resounded over the Babyn Yar, Ohloblyn headed the Kiev magistrate. Could that action have been unnoticed by him? Or was he blind and deaf at that moment, and he, poor fellow, till this very day doesn't know what the Ukrainian security police, headed by Anatoly Kabaida, together with the nazis did with his consent? Kabaida, too, could have sent in from Australia some interesting documents about his own and that of his subordinates "love" for Kievans unless he hasn't kicked the bucket.

Cain's successors were more elaborate and inventive than their predecessor in choosing methods of killing. They provided a so-called ideological formula for the mass extermination of people. This could be narrated in detail by Ivan Rohach who, one of the first, began anti-semitic propaganda on the pages of the nationalist publication *Ukrainske Slovo* (Ukrainian Word) which was then published in Kiev; matching Rohach was the publication's editor Kostyantyn Shtepa known in the lists of the SS agents as Kostya. "The Jews' Day of Reckoning Nears", he wrote on June 10, 1942, in an editorial captioned "Jewry and Bolshevism". Such articles were telegraphed in the publications put out from the Ukraine. Yet now, they are requesting to send in testimonies about the nazis' heinous crimes. But who can ever forget your own crimes?

Some may remark that these are the events of the distant past and the criminals are ready to repent of their crimes. Moreover, with their payment of 38,000 dollars (the nationalists themselves worked out the sum) they want to atone for their guilt and buy an indulgence from mankind.

In 1952, in New York, an anti-semitic book by Sydir Zaporozhets, *Kozhen Povynen Znaty* (Everyone Must Know) was published. The book was strewn with obscenities which one would be ashamed to pronounce out loud. The author attacks even his co-thinkers who, in public, try to hide their anti-semitic nature.

A certain Yu. Movchan in his work *Shcho varfo b znaty* (You Should Know This), published in Toronto in 1966, threatens that those who disagree with Ukrainian bourgeois nationalists will be treated as "Moscow agents with all the unpleasant consequences it entails for the Jews."

Meanwhile, Cain's successors make their way to making the memorial and raise funds among the UCCA members, where Hitler's former lackey, Banderite Hnat Bilynsky, plays a leading role and where Mykola Klymyshyn is one of the activists. The latter, in his own time, was put in charge of canteens in Auschwitz (for his loyal service to the nazis), where four million people were murdered.

Don't they know about that in Denver? They do know this: the unveiling of the monument was put off from October 1981 to April 1982 not for technical reasons as the Toronto-based newspaper *Vilne Slovo* (Free Word) informed, but, primarily, because "...there were discrepancies in the inscription and misunderstandings in relationships with the Jewish community in Denver."

At last, "agreement was reached on July 28 this year"... Was it an agreement to defile the memory of the victims? To defile the tombs of the

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Setting
things straight

HEIRS OF JANUS

The ancient god Janus has been traditionally associated with hypocrisy and treachery. He had two faces: one beguiling the other.

However, it seems that few people have heard about the modern challenger of that ancient turncoat. Here it is: the *America* newspaper published by several gentlemen in Philadelphia, American subjects and Ukrainians by birth. These gentlemen can pretty well replace the outdated Janus, because their paper puts on as many as three different faces.

Let the reader judge by himself what kind of the first face they have.

America is published in the USA by nazi sympathizers and collaborators. Its pages constantly advertise the activities of various groups which unite the "veterans" of the SS Division *Galizien*. That division was formed on Hitler's order in 1943 and among other "feats of valor" was notorious for its punitive actions against civilians and manhunt of partisans in Poland, Czechoslovakia and Yugoslavia. Along with these SS groups the newspaper also extolls the former cutthroats from the so-called Ukrainian Insurgent Army which was none other than a terrorist gang serving those same nazis, but disguised as an "independent liberation force". Both criminal gangs were formed by the nazis on the basis of the Organization of Ukrainian Nationalists, OUN.

America's second face beguiles the first one. This mask is put on when the newspaper starts to "defend" the principles of "humanism and justice" in the United States from the Department of Justice and "those brazen Jews".

At present, several court trials of those involved in the nazi genocide of Jews on the occupied territories during WWII are going on in the United States. In the dock there are also people of Ukrainian extraction, either OUN members or their supporters. This explains why *America's* publishers (like their colleagues from other nationalist publications) have started to accuse the U.S. justice of partiality, dishonesty and political untrustworthiness, trying at the same time to whitewash at any cost their own terrorist kin. To divert the attention of the American public and judiciary authorities from the cutthroats of Reichsfuhrer Himmler's killing units, the OUNites recently came out with the following anti-Semitic precept: allegedly, Jews themselves were guilty of the genocide during WWII. This "wise" idea belongs to Ivan Stebelsky, a confirmed "friend" of the U.S. Jewish community. Well, the Philadelphia-based nationalist paper sides with him.

Finally, the third face of *America* is sweet as honey, for it is turned to powers-that-be. This has a responsible task: to list U.S. legislators—congressmen and senators, as well as President Reagan himself—among supporters and friends of the OUN, as well as to propagate the solidarity of these officials with nationalist slogans and activities. Here is but one example.

On February 2, *America* carried an article under a bombastic headline: "Celebrations of the anniversary of Ukrainian state independence in

Washington. President Reagan and Congressmen greet Ukrainians on the anniversary of Ukrainian independence." In this case, by "independence" the paper means an antipopular plot in the Ukraine staged in January, 1918. And by saying "Ukrainians", *America* means a faction of nationalist politicians who call themselves the Ukrainian Congress Committee of America. The UCCA is controlled by the OUN and is constantly glorified by *America*. However, genuine Ukrainians, or Ukrainian Americans of whom there are more than one million in the USA, respect their national dignity and shy away from the OUNite impostors.

Reality has put the OUNite "strategists" face to the wall. They are confronted by hard facts of their collaboration with fascism. They have earned the just hatred of thousands upon thousands of witnesses of the gory crimes, among them Ukrainians, Byelorussians, Poles, Slovaks, Croats and Jews, relatives and friends of those innocent victims who the nationalists had brutally put to death. Who would be on their side, except the ghost of Himmler? Perhaps, covert services of certain Western countries which once helped the criminals to disguise themselves as political refugees and to escape a just punishment. But these, too, are not very enthusiastic to tarnish their image by coming to help the hard-core criminals.

As a result, *America* indulges in publishing embellishing articles about the "respect" of American officials toward the nationalists. *America* claims that the legislators and special assistant to the President, Jack Burgess, who were present at the nationalist cocktail, spoke enthusiastically about their appreciation of the OUN representation, the UCCA. Then, the newspaper claims that such busy people as the presidential assistant and his staff were only too glad to spend their precious time hobnobbing with the nazi collaborators. Further on, completely losing sense of reality, the Philadelphian scribblers claim that what the U.S. legislators wanted was to name the nationalists their brothers.

Such face juggling is performed by *America's* masters not for sheer amusement. Without giving up their nazi beliefs and precepts of Hitlerism, they are trying to justify themselves and to present the nationalists as democrats and freedom fighters. In doing so, they want to protect themselves by the names of high-ranking officials, thus getting defense and support from the U.S. authorities.

BORYS RYABCHUK

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THE STAND THEY CHOOSE

NEWS FROM UKRAINE, No. 35, 1982

Exhibit "I

In their attempts to divert the attention of the public in the countries of residence from their criminal past, the Ukrainian bourgeois nationalists are trying hard to prove their being not implicated in the crimes perpetrated by Hitlerites during WWII. But historical documents, the archives of the Third Reich and the nationalist publications of those days testify to the fact that Ukrainian nationalism was a loyal servant of fascism and a sworn enemy of mankind.

After all, man is supposed to take a definite stand in life. As a matter of fact, it ought to be so.

The point is, though, what this stand is like. It so happens sometimes that people may cry and say: "You'd better drive a nail in your coffin than take this stand."

This phrase was often referred to Hitler as well as to OUNite "knights", especially to their "uncompromising" Banderite outfit led by a three-day premiere without a country — Stetsko.

It is not accidental that during the war the following tale was popular in the Ukraine: The son wakes up his father in the middle of the night saying: "Hey, daddy, some devil is trying to break into the house." "Well", the father replies, "let it be even the devil, but not an OUNite."

Whence, then, such "love" for all those "fighters for an independent Ukraine?" The fact remains that all those characters living in different parts of the world as people without a homeland are busy with none other than trying to convince each and every one, both in writing and verbally, that they are ardent patriots.

As regards the unrestrained verbiage of those "patriots in exile", it is nothing else but words, and I might as well provide one more popular saying: "One thing is to use your tongue, and another to pull your plow". The fascist "plow" in this case. And it was not Hitler who put them to that "plow". They did it of their own free will. Now they go out of their way trying to shift the blame on to Adolf, saying that it is through his fault that Stetskos and the like are exposed as butchers.

But at a time when they clung to Hitler, things were quite different.

The OUNite newspaper *Nash Klych* (Our Call) wrote in August, 1938, that Ukrainian nationalism was a variation of fascism: "In one country it may assume the form of fascism, or Hitlerism, but in our case it is just nationalism."

Assuming that Ukrainian bourgeois nationalism is a variation of fascism, where else would they draw inspiration but from *Mein Kampf*, this Bible of racism? And this they did.

Therefore, in their program "The struggle and activities of OUN in wartime", the nationalists stressed that "during confusion and chaos it is permissible to eliminate the undesirable Polish, Russian and Jewish elements."

The thing they liked most about the Hitlerite genocide policy was the resolution of the "Jewish problem". That is why the above-mentioned document instructed: "Jews should be isolated and expelled from the offices. The assimilation of Jews is out of the question. Our power must be terrifying."

In Lviv alone the "independent" Stetsko's associates killed 3,000 Jews and Poles from July 1-6, 1941, to say nothing of the "extraordinary August action" of 1942 aimed at the resolution of the "Jewish problem" in Lviv, plus 200,000 Jews tortured to death in Janivsky concentration camp...

Each butcher was assigned a particular job in the methodical extermination of Jews. Some of them — "hunters", so to say — were killing with knives and guns, burying or burning people alive, getting a kind of bonus (as the documents testify) for each victim — a piece of bacon flour, etc., — so that they will not lose weight from "patriotic" overstrain. The others tried to underpin these actions with a solid theoretical and ideological basis.

For instance, the OUNite paper *Ridna Zemlya* (Native Land), which was published in nazi-occupied Lviv, wrote

the nazis was also duly assessed. The USSR and European countries had just healed the wounds inflicted by war. And all of a sudden, in the USA and Canada there started a campaign of "bruderschaft" of Ukrainian nationalists with Jews. How come? What was behind all that farce? Had those hard-core anti-Semitic "liberators of the Mother-Ukraine" realized what gory crimes were on their conscience and they made up their mind to give up their anti-Semitic stand and to admit their guilt?

Like hell they did! Their anti-Semitic stand remained the same. Take, for example, the book *Everyone Must Know* by Sydir Zaporozhets, published in New York.

So why all those declarations, all those Ukrainian-Jewish associations, committees, unions that grow as mushrooms after the rain?

The answer is very simple. The situation has changed and now they have to disguise their true face.

Secondly, all those *Svoboda*, *Homin Ukrainy*, *America*, *Shlyakh Peremohy*, and other nationalist publications call not for cooperation between the Ukrainians and the Jewish peoples, but between the Ukrainian nationalists and the Zionists, who helped Hitler exterminate Jewish people during the war. In Lviv alone the Judenrat (the Jewish council which included such Jewish capitalists as Adolf Ratfeld, Henrich Landsberg, and others) turned 20,000 Jews over to the nazis in 1943. Or let us recall Stella Krenzbach, the daughter of a rabbi, who was a nurse in the so-called Ukrainian Insurgent Army (OUNite gangs), and then occupied a high position in the Israeli Foreign Ministry.

As to the friendly relations between the Ukrainian and Jewish peoples, they did exist without any recommendations of nationalist instructors. The OUNite "patriots" killed many a thousand Ukrainians who sheltered Jewish families during the war. Instead, the nationalist-Zionist alliance has as much in common with the notion of friendship as, say, a gnat with a jet plane. They are not friends, but just allies for some time. It is not accidental that people say that the friendship of wicked people is not an association but a conspiracy.

And conspiracy always stands next to crime and immorality. This immorality was about to be committed in Denver, USA, where in April 1982, according to the nationalist press, a memorial was to be unveiled to commemorate the 200,000 victims killed in Babyn Yar during the nazi occupation of Kiev. Among them, aside from tens of thousands of Jewish people, there were Russians, Ukrainians, and people of other nationalities as well.

The immorality that was planned in Denver consisted in the following: the criminals, who had participated in genocide and devastation, were allowed to be involved in that commemoration campaign. However, something went wrong in the pathological OUN-Zionist friendship, for there has been no news about the unveiling of the memorial, though it was widely advertised in the nationalist newspapers.

It does not matter so much that this event (which was postponed twice) has not taken place. The trouble is that this immorality is being planned, notwithstanding the resentment of the honest Ukrainian and Jewish communities in America. Incidentally, it is in the USA, in Cleveland, that Mister Ogloblin (once in charge of the so-called Ukrainian Free Academy of Sciences) resides, who was the head of the Kiev City Council in the tragic September of 1941, when the Babyn Yar massacre started. Also, still alive are the thugs from the Kiev Ukrainian police, who shepherded the

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A Monday, April 20, 1981 The Bulletin

OTHER VOICES

Why did Soviets cooperate?

By ROMAN CYBIWSKY

H. Ronald Klasko, chairman of the Committee on Nazi War Criminals of the Jewish Community Relations Council, brought out some valid points in his March 19 article concerning the trial of Wolodymir Osidach. He is absolutely right in asking that the trial not stand in the way of common understanding, mutual projects and good feelings between the Jewish and Ukrainian communities here.

However, in the course of the trial certain aspects were not publicized enough: First, Osidach was charged, and later convicted, of withholding information from immigration officials; he was not convicted of being a war criminal; and second, not enough was reported about the admittance of videotaped testimony supplied by the Soviet Union.

The Soviet system of justice is not held in high regard in the U.S. We know, for example, that false testimony by "witnesses" who are under coercion by the KGB is not uncommon in the Soviet Union. Such testimony has been used often to send innocent Soviet citizens, both Jews and Ukrainians, to Gulag labor camps or to psychiatric wards. Why then would American courts even consider the assistance of Soviet prosecutors? It is this more than anything else that angers Ukrainian-Americans about the trial.

The Soviet Union has great interest in trials such as Osidach's. For one thing, it is an opportunity to get back at the many Ukrainians living in the West who fought the

Soviet army during and shortly after World War II to gain freedom for their country. What better way to discredit a legitimate struggle for independence than to brand participants as Nazis?

The trial was also an opportunity for the Soviet Union to divide Ukrainians and Jews, although this hasn't worked in Philadelphia. Witness the statement signed by the Jewish community and certain leaders of the Ukrainian community, "to work together for the promotion of inter-group harmony, respect and understanding."

History shows clearly that a key ingredient for successful Soviet domination of a complex, multinational state has been to pit one group against another. This tactic was used even back in the time of the Czarist Empire, which covered much of the same territory.

But in recent years, many Ukrainian-Americans, Jewish-Americans, Lithuanian Americans and others have worked together on common interests, not the least of which is justice for political and religious dissidents in the Soviet Union. Again, what better way for the Soviets to break apart a broad coalition of human rights activists than to take advantage of the horrors of World War II?

No other motive for the Soviet participation in the trial can hold true. To be sure, the Soviet Union is not cooperating out of compassion for the Jewish people. The Soviet Union shows no compassion — only mistreatment.

Roman Cybiwsky, of Philadelphia, is a member of Ukrainian Anti-Defamation League.

♦ Tuesday, January 19, 1982

By DOROTHY STORCK



The curtain never falls

It could be a play about another time and another place, except that plays have plot, motivation and ending — and the trial of Serge Kowalchuk has nothing but old resentment and residual hate.

The end, for Kowalchuk, may never come.

Yesterday, in the courtroom of U.S. District Judge John P. Fullam, the attorneys for the prosecution and the defense presented their closing arguments.

According to the U.S. Justice Department, Kowalchuk, the frail 61-year-old Philadelphia tailor who emigrated to the United States in 1950, is actually a Nazi collaborator who wore the uniform of the Ukraine militia organized by the Germans and helped them exterminate 5,000 Jews in the village of Lyuboml during World War II.

According to the defense, Kowalchuk is a much-maligned, kindly man who acted only as a police clerk during the occupation and who was not even present in the town at the time of the massacre, a man who withheld information about his war-time job only to protect his relatives still in the Ukraine from Soviet vengeance. It is a case, contends the defense, of mistaken identity.

News alert

The Justice Department, alerted by a 1963 article in a Soviet magazine that was picked up by the New York Times, waited until 1976 to begin the prosecution of Kowalchuk. Since the Times story, for 18 years, the tailor and his family have been living in silence in the face of innuendo and eventually demonstrations outside his home by members of the Jewish Defense League.

The members of the Ukrainian-American community have supported him and contributed to his defense fund. On Oct. 20, 1981, Serge Kowalchuk was brought to trial. Not a criminal trial for war-time atrocities, but a civil trial to "denaturalize" him, to strip him of his American citizenship on the basis that he withheld information on his entry papers to this country.

There has not been a jury trial. The judge will make the decision.

Ordinarily, a trial on a matter of citizenship would draw few spectators. Fullam's courtroom has been packed each day for the trial of Serge Kowalchuk.

In the second row, behind the Kowalchuk family, sit the Ukrainians, determined to protect the Kowalchuks as much as possible from the calumny directed at them from the members of the Jewish organizations who fill the back rows, many of them wearing the yellow armband of the Holocaust.

The accusers

"Murderer!" shouts one man as Kowalchuk, gray, bespectacled, stoop-shouldered but immaculately groomed, enters the room.

"If they don't get you, we will!" the man shouts, and a bailiff edges close.

The Ukrainians, women mostly, stare back with hatred. "Leave him alone, Jew," one hisses. "There would be none of you left if we hadn't helped you. He didn't do what you say."

Most there are too young to have been in Lyuboml during the terror. But some were children in concentration camps.

You look at the faces shouting with loathing at each other, and so many seem so much alike; middle European faces, with the solid strength of cheekbone and the broad, flat foreheads.

The witnesses who come to the stand are old men with a workman's hands and the lined faces of hard labor. They are machinists and fish-mongers. They speak still with the heavy accent of their native Ukraine. Their hands move heavily on their knees as they remember the long ago time when they were young and the Germans came. They remember the fear. That is still there. They have forgotten the details.

After 40 years

Most of the prosecution witnesses testify on videotape. The tapes were made in the Soviet Union and released to the U.S. Justice Department.

It is startling to watch while the burly men in these tapes, some of them needing translators, accuse a man they haven't seen for 40 years of hideous inhumanity. You have to wonder, along with the Ukrainian Anti-Defamation League, what kind of justice this is, to place Soviet tapes in an American court.

Whatever the decision of the judge, Serge Kowalchuk's life has been scarred once again, after all this time, with the residue of old hatreds. Maybe he is used to it.

A small boy sits by his father in a back row. The father is wearing a yellow armband, and so is the child.

"Look," the father hisses. "There he is, the killer of Jews." And the boy hunches forward to look.

And you wonder when it will ever end.

The Philadelphia Inquirer Op-ed Page

Sunday, May 29, 1983

7-E

Justice's helper

KGB is getting use out of Nazi-hunting

By Warren Rogers

The U.S. government is so big that sometimes, perhaps, the right hand does not know what the left hand is doing, and its various parts unwittingly work at cross-purposes. That could explain why President Reagan writes "the Soviet threat" as the reason for the biggest military buildup in U.S. history, while at the same time the Department of Justice cooperates with the Soviet secret police to brand some naturalized Americans over to the Kremlin on the basis of dubious evidence, including the Joe McCarthy variety.

For four years, the Office of Special Investigations (OSI) in the Justice Department's Criminal Division has been hunting for Nazi collaborators among naturalized Americans who fled Eastern Europe after World War II. The chief hunter is Allen Ryan, director of OSI, who has made a number of speeches in which he vows to pursue his mission with the zeal of a crusader.

Ryan's prime targets have been naturalized Americans of Byelorussian, Estonian, Latvian, Lithuanian, and Ukrainian extraction. Such people no longer have a free and sovereign country to be deported to, as these were taken over years ago by the Soviet Union. If stripped of American citizenship (which is all that would happen here, the charge involved being illegal entry), they would generally be sent to the Soviet Union, to almost certain imprisonment or death. Ryan goes after whomever the Soviets finger.

No decent person, mindful of the unspeakable horrors visited upon the victims of Nazi oppression, would object to such punishment for justly convicted Nazi collaborators.

But suspicion is growing among some Americans — including at least three of the judges in OSI-prosecuted cases — that there may be a lack of justice in some instances, as justice is known in the United States. And recent boasts by the KGB tend to reinforce that uneasiness. The KGB practices guilt by association with a flair.

An Associated Press dispatch from Moscow last Feb. 26 quoted Izvestia, the Soviet government's official newspaper, in reporting: "The KGB will continue to hunt down Nazi war criminals who escaped justice 'until they are left on earth.'" Izvestia's Korneshov said KGB offi-

"Thus, the Soviet secret police and the Soviet public prosecutors, with the help of the U.S. Department of Justice, are deciding who among dissident refugees are to be branded as war criminals."

— Warren Rogers

cials told him that, between 1976 and 1981, they gave "evidence and material concerning 140 war criminals" to "organs of justice of the U.S.A."

"The question is not one of vengeance because our people were never vengeful," the Izvestia article said. "The purpose of those who search out former Nazis, traitors, and persons who have committed war crimes is for the defense of our state interest and for justice. The main purpose is for the state interest, which dictates the very tense and complicated work connected with the search for war criminals. The state interests are at stake."

The Justice Department's Ryan insists that justice, American style, is the main purpose, and not justice, Soviet style, designed to serve "state interests," as Izvestia repeatedly emphasized. Last Oct. 30, addressing the Ukrainian-American bar association in Newark, N.J., Ryan said he had been to Moscow and worked out an agreement under which American rules were observed in taking depositions from Soviet witnesses against American defendants.

"We are not conducting Soviet proceedings," Ryan declared. "We are conducting American proceedings through the cooperation of the Soviet government. My concern is not with what the Soviet law requires, but with what American law requires. So long as the former does not interfere with the latter, it is no concern of mine."

In actual practice, however, Ryan had ample opportunity for concern. Two famous cases that never went anywhere involved the Ukrainian dissident hero Valentyn Moroz, now in U.S. asylum after long imprisonment and torture in the Soviet Union, and George Shimko, 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 eight.

At denaturalization proceedings in Chicago in 1982 against Liudas Kairys, one witness testified the KGB was the source of the information for Soviet depositions involved. The witness, a defector in U.S. asylum named Imants Lesinkis, said the KGB routinely supplied materials for depositions and fabricated accusations and "facts" to support them.

Fred Bartlitt Jr., a pro bono lawyer for Kairys, ran headlong into Soviet justice while in Moscow participating in the taking of a deposition from a Soviet-supplied witness named Ivan Zvezdun, on Nov. 14, 1980. As usual, the Soviet public prosecutor questioned the witness first, the OSI prosecutor next, and the defense counsel last. The proceedings were videotaped and a written transcript produced later.

The videotape showed that, when Bartlitt questioned Zvezdun about an earlier meeting with the Soviet authorities, the Soviet prosecutor interrupted. Bartlitt had asked who delivered a subpoena ordering Zvezdun to that meeting, and Zvezdun had replied, "KGB." The Soviet public prosecutor lectured Bartlitt that his questioning was "of no relevance."

"Under our law," Bartlitt argued, "the circumstances under which a meeting like this was set up and what was said are relevant. That is why I pursue it, respectfully."

"Under our law," the Soviet prosecutor responded, "these questions are of no relevance, and that is why we come to the conclusion to be guided by the Soviet law."

The question and answer about the KGB's delivering the subpoena did not appear in the transcript. But it remains on videotape.

In another 1982 case brought by the OSI, involving deportation proceedings against Edgar E. Laipenieks in San Diego, Immigration Court Judge John C. Williams faulted depo-

sitions obtained in the Soviet Union on three counts.

"In evaluating the weight to be given to the deposition testimony," Judge Williams observed, "we have been mindful of the prejudicial language used by the Soviet officials, the restricted right of cross-examination which limited the opportunity to expose faults in the perception and memory of the witnesses, and the intimidating atmosphere."

And, in a more recent case, a denaturalization action against a refugee from Lithuania named Juozas Kungys, Judge Dickenson R. DeBevoise of Newark, N.J., raised similar objections. Judge DeBevoise complained about the Soviet public prosecutor's opening remarks, dominating position in questioning, and interruption of the questioning by Imants Berzins, the American defense lawyer, with "You are not allowed to ask questions about a citizen's relationship with his government."

"This is not consistent with procedures and techniques," Judge DeBevoise said. "Cross-examination was limited in significant areas. Berzins would have been permitted to go much further into prior dealings and relationships of this witness with the government over here."

Thus the Soviet secret police, Soviet public prosecutors, with the help of the U.S. Department of Justice, are deciding who among dissident refugees are to be branded as war criminals. There are 2 million Ukrainian ethnics alone in this country and many are vocal and effective critics of the Soviet Union. How can they reach out and pluck a few, then silencing hundreds of thousands of others who, should they speak out, could be next.

OSI Director Ryan, under questioning by members of the Ukrainian American Bar Association last week, was asked how closely his agency monitored Soviet journals, and replied, "We do not read the Soviet press."

Maybe he should. Izvestia, at least, might give him a clue as to what the KGB thinks of the work that they are doing together. And the tunes lost in legal fees, and the reputations. And, finally, the lives of innocent Americans.

(Warren Rogers, a veteran Washington journalist, is editor of Washington House Weekly, an independent newsletter on the presidency.)

THE UKRAINIAN WEEKLY

Soviet trials in U.S. courts?

Derkacz, Fedorenko — and now Demjanjuk — are certainly not household names. But they are key players in a tense and complex legal drama with potentially dire consequences for the Ukrainian community.

Within the past six months, all three have been accused of war crimes by the Office of Special Investigations, a branch of the Justice Department expressly created to ferret out Nazi war criminals hiding in the United States. It is inarguably a just mission.

We Ukrainians, who felt the terrible brunt of Hitler's anti-Slav obsessions, naturally applaud any legal actions taken to bring legitimate Nazi thugs to justice. There should be no statute of limitations on genocide. But here's the rub.

In their zeal to blow the whistle on suspected Nazi collaborators, the federal task force made the unpardonable and dimwitted blunder of striking a deal with the Soviets, whereby Moscow would supply evidence to assist the unit in its investigations. Needless to say, the Soviets were more than willing to "lend a hand."

Ukrainian attorneys in the United States immediately realized the absurdity of having the Kremlin anywhere near an investigation involving Ukrainian immigrants. A delegation led by John Flis and Askold Losynskyj met with then Attorney General Benjamin Civiletti in 1979 and told him that using Soviet-supplied evidence was injudicious, if not outrightly irresponsible, and that the Soviets would like nothing more than to paralyze the Ukrainian community by screaming Nazi.

So what happened? The Justice Department went ahead and accused Michael Derkacz, a 71-year-old Queens native, of war crimes allegedly perpetrated when he was a member of a Ukrainian police unit. The grounds: statements made by concentration-camp survivors living in the Soviet Union. Plainly, the Ukrainian message was ignored.

The Fedorenko case is yet another example of zeal beclouding judgement and common sense. Even though he was absolved of committing any wrongdoing by a lower court when government witnesses failed to convince a jury that Mr. Fedorenko was responsible for war crimes, the government appealed on the grounds that the defendant failed to disclose his involuntary service as a camp guard when applying for an entrance visa. The case went all the way to the Supreme Court, which ruled that although there was no proof of war crimes, lying to immigration officials was grounds enough for revocation of citizenship.

When it failed to convict Mr. Fedorenko of war crimes, the Justice Department got him on a technicality. Stripping a man, innocent of war crimes, of his citizenship for what is at worse a misfeasance, is surely an example of the punishment far exceeding the offense. The reasoning involved is tantamount to sentencing a man — innocent of murder but guilty of a traffic violation — to life.

Moreover, the Supreme Court set a dangerous precedent, opening the door for the prosecution and punishment of individuals who were forced to serve the Germans, even though these individuals were never convicted of war crimes. Dissenting Justice Stevens wrote that the ruling "may jeopardize the citizenship of countless survivors of Nazi concentration camps." Clearly, the Justice Department has no time for extenuating circumstances.

The Demjanjuk case, which went to trial this week in Cleveland, bears a similarity to the Derkacz affair. Documents pertaining to the defendant were also supplied by the obliging Soviets. This time, some 150 Ukrainians, including Valentyn Moroz, marched in front of the courthouse to protest the use of information provided by proven Ukrainian-haters.

All three cases raise a number of legal and moral issues arising from the complexity of the Ukrainian situation during World War II. In the Demjanjuk case, for example, the defendant has claimed that he failed to disclose service as a camp guard because, as a Soviet citizen and former member of the Soviet Army, he feared being forcibly repatriated to the Soviet Union.

We suggest that the Office of Special Investigations temper its Nazi-hunting fever with a better understanding of World War II Ukrainian history, particularly the areas of Soviet-Ukrainian relations and German forced-labor and concentration-camp policies. In addition, it should re-evaluate its stand on accepting Soviet-supplied testimony. We feel that such evidence, for obvious reasons, should be inadmissible, and that courts should not overrule defense attempts to impeach Soviet witnesses as prejudicial.

The issue: are these men getting a fair trial? Based on the fact that Soviet evidence is being used, we doubt it. If Ukrainians are brought to trial on cases built on Soviet finger-pointing, then the trials may as well be moved to Moscow. Lastly, the federal Nazi-hunters should concentrate on rooting out and then punishing convicted war criminals, and not immigration-law offenders.

Letters to the editor

Re: U.S. rights poli

Dear Editor:

I do not know to what extent your editorial "Which way human rights?" (The Ukrainian Weekly, February 1, 1981) reflects the views of your staff, the UNA, or even the Ukrainian community which you purport to represent, but in view of the rhetoric of the piece and its implications I think you owe at least a part of your readership some explaining.

In your criticism of Mr. Reagan's shift to a "politically selective" human-rights policy, you state that America's chronic support of petty dictators has served to undermine its credibility in the third world and has made its reproaches against the USSR hollow and morally flimsy. Aside from merely listings several names from Latin America, the editorial does not elaborate on this rather sweeping standard-bare pronouncement of the ideological left but, instead, suggests that Mr. Reagan's policy is hypocritical, launches into a tirade against so-called traditional American imperialist policies, and calls for a return to the "equitable" human-rights principles of Jimmy Carter.

One could perhaps write off such statements as the residual gasps of a now discredited American foreign-policy establishment, if it were not for the implications that they have for the Ukrainian problem, for the editorial voices a great fear that America's policies might be concerned with "just" the USSR and its satellites and that America's rebukes might slip into the "same tired and time-worn Red-baiting" of past decades.

Now perhaps the editor will correct me, but the situation seems to be just the reverse, for over the last 20 years or so I have not been aware that America has been engaged in Red-baiting or re-

Remember self-det

Dear Editor:

Your otherwise good editorial in the January 25 edition about the release of the American hostages contained a passage that was so shocking I had to read it repeatedly in order to convince myself that it was actually there. The two sentences in question, part of a paragraph that sizes up the situation in the Persian Gulf area, state that Iran's national minorities, among other factors, are threatening Iran's survival and that such may work against American interests in the Gulf area. Although factually correct, the editorial may seem to imply that the national minorities should be denied in their quest for something called national rights and self-determination.

We have heard these terms before, and very often at that. These are not just terms, but principles which are loaded with foundation and honor. Perhaps because we use them ceaselessly, their substance has been eroded and their importance taken for granted. Within the Ukrainian community, I have heard

"Nazi war criminals": time for truth to emerge

THE UKRAINIAN WEEKLY

SUNDAY, JULY 31, 1983

by Lydia Demjanjuk

Between 1961 and 1965, the Soviet Union conducted 24 known trials of alleged Nazi collaborators (three in Estonia, three in Ukraine, four in Byelorussia, two in Latvia, six in Lithuania, six in Russia). In all, 127 persons were tried and convicted, eight of them in absentia. Contrary to existing opinion, the Soviet Union applied to West Germany, the United States and Canada for extradition of these emigres, but was met with universal refusal. During this same time, West Germany also was conducting war crimes trials in conjunction with assistance from the government of Israel.

The hunt for "war criminals" was picked up, on the basis of these Soviet claims, in the United States in 1963 by a vocal minority of "Nazi hunters." According to government publications in my possession, as of June 6, 1974, the Immigration and Naturalization Service (INS) was investigating a "public list" of war crimes allegations against 37 individuals, 25 of whom were naturalized American citizens. Sources of these allegations included the World Jewish Congress, the B'nai B'rith, The Morning Freiheit (identified by the attorney general in the 1940s and 1950s as a "Communist Yiddish daily"), The Center for Russian Jewry, Society of the Survivors of the Riga Ghetto and Simon Wiesenthal.

The usefulness of the list was soon proved doubtful. For example, though the name of Estonian Karl Linnas appeared on the list, the INS conceded that it had "no derogatory information to support the allegations" despite "extensive domestic and overseas in-

quiries with sources of information and war document centers."

A State Department report supports this finding. After noting that it had sought information from the West German government on more than 50 individuals, the State Department said:

"It is significant to note that FRG [West German] officials have observed generally that the evidence of which they are aware is insufficient to connect the suspects with war crimes which, in several instances, are known to have been committed..."

Although the Kowalczyk brothers, Sergei and Mykola, were also under active investigation, their situation was decidedly different, as indicated in two other State Department letters, dated July 5, 1974, and August 1, 1974:

"...there is no agreement between the U.S. and the USSR permitting investigations or the taking of testimony or statements of Soviet citizens by U.S. officials in the USSR. Our only practical recourse would be to request the Soviet Ministry of Foreign Affairs to locate alleged eyewitnesses and make them available to our officers. While this may be possible, we would have no way to verify the credibility, or, indeed, the identity of the Soviet authorities. This caveat would seem particularly applicable to the sensitive issue of alleged war crimes upon which the Soviets have taken a public position, such as that of the Kowalczyks. A similar situation exists with respect to questioning or taking testimony of witnesses obtained in Rumania..."

"...With respect to the case of the Kowalczyks, the Soviet government has publicly charged them with war crimes. In these circumstances, it is predictable that the only evidence or witnesses that will be made available by the Soviets to any requests that we might make will be those that will support this public position..."

In 1975, a relatively obscure book titled "Lest We Forget" was published

Lydia Demjanjuk is the oldest daughter of John Demjanjuk, who is facing possible deportation for allegedly concealing his wartime activities as a concentration camp guard.

Readers who are interested in contacting Ms. Demjanjuk may do so by writing to her at P.O. Box 31424, Cleveland, Ohio 44131.

with financial assistance from the pro-Communist Ukrainian American League, the Jewish Cultural Clubs and Societies, and the American Association to Combat Fascism, Racism and Anti-Semitism. Authored by Michael Hanusiak, editor of the pro-Soviet Ukrainian Daily News (identified by the attorney general in the 1950s as a "Communist" newspaper), the book contained documents, photographs and information purportedly originating from the Regional State Archives in Lviv that denounced 132 Ukrainians (and Boleslav Maikovskis, the only non-Ukrainian) as "Nazi collaborators" and "emigre war criminals."

Strong circumstantial evidence exists that this "Hanusiak list" (which included Feodor Fedorenko, the Kowalczyk brothers and Yaroslav Stetsko) became the INS "Ukrainian list" of those to be investigated for wartime criminality. Of particular interest to me was the fact that the name of my father, John Demjanjuk, did not appear on the "Hanusiak list."

Why was my father one of the people chosen for INS investigation? Only Michael Hanusiak can answer that question. It was Hanusiak's 1975 article in the Ukrainian Daily News that labeled my father, for the first time, as a "Nazi collaborator." This allegation was pursued by the English-language Soviet publication News from Ukraine, which is distributed only outside the USSR, in an article titled "Retribution Will Come."

Retribution will come, but not in the manner envisioned by Hanusiak, who, through his deeds, his affiliations, witness testimony and signed documents, had been identified by the House Un-American Activities Committee as a faithful member of the Communist Party of the U.S.A. since at least 1944.

The crucial question that must be answered is: how and why did Hanusiak manage to obtain documents and photographs from Soviet archives while reputable Western scholars and historians were denied access?

Origins of the OSI

On October 30, 1978, Congress enacted an amendment to the Immigration and Naturalization Act (Public Law 95-549) which defines as "excludable aliens" anyone who: "from March 23, 1933, to May 8, 1945, ordered, incited, assisted or otherwise participated in the persecution of any person because of race, religion, national origin or political opinion." The Office of Special Investigations (OSI) was specifically created within the criminal division of the Justice Department to implement this civil law. The creation of the OSI has produced considerable controversy, confusion and speculation in ethnic communities that must be clarified once and for all.

First of all, it was not the OSI that initiated contacts with the Soviet Union for the purpose of obtaining witness testimony and documentation. It was the State Department. According to the department's own records, "a formal approach" had been made to the Soviet Union for that purpose as early as February 10, 1976.

Second, even before the creation of the OSI, the State Department, acting on behalf of the INS, referred 110 cases to the Soviet Union under certain procedures as early as April 1978. Such foreign involvement in the internal affairs of the United States should not be surprising when one realizes that Israel was quietly assisting the INS with 73 cases as early as May 26, 1976.

Finally, the State Department had provided the Soviet Union with "status reports" on what it was doing with the information already provided since the Soviets had indicated that "...they would like to see positive action in the cases where the work has already been completed before they invested their resources in additional work. ..."

It is time for the truth to emerge about the activity of certain officials of the U.S. government in seeking out "Nazi collaborators." Only an investigation by the U.S. Congress — spurred by the demands of informed citizens — will stop the OSI from acting as if it has carte blanche and force it to respond to critical questions concerning its function and methodology.