

Israeli high court to reopen Demjanjuk case

by Joseph Brewda

Israel's Supreme Court has agreed to hear new evidence in the case of John Demjanjuk, his attorneys reported on Feb. 21. Demjanjuk is a retired Cleveland auto worker who was framed up on Nazi war crimes charges, stripped of his naturalized American citizenship, extradited to Israel, and there convicted on the phony charges. At present, Demjanjuk is sitting in a death cell, waiting to hang for crimes that even his accusers do not believe he committed. The frameup was directed at every stage of the process by the U.S. Justice Department's Office of Special Investigations (OSI), whose assigned function has been to collaborate with the Soviet Union against shared political targets.

The formal, legal reason that the case is being reopened now, is that Demjanjuk's Israeli attorneys, led by Yoram Sheftel, have found new witnesses whose testimony could place Demjanjuk as having been far away from the Nazi concentration camp Treblinka, at the time when, according to the phony charges, he was supposedly a Treblinka guard known as "Ivan the Terrible." A former Ukrainian national, Demjanjuk has insisted throughout that he is a victim of a case of mistaken identity. One witness has been located who can testify that Demjanjuk in fact was at a German prisoner-of-war camp at the time that the prosecution claims he was terrorizing and murdering inmates of Treblinka. Another, the former mistress of the real "Ivan," has also been found, and states that Demjanjuk is not the man.

Yet, since the Israeli government has always known that there never was a basis even for indicting Demjanjuk, let alone convicting him, the reasons for the Supreme Court's abrupt, apparent, change of course must be sought outside of the legal proceedings themselves—perhaps in the complex negotiations now going on among Jerusalem, Moscow, and Washington.

Demjanjuk was sent to Israel for trial back in 1985, after having been stripped of his American citizenship. His first accuser had been an editor of a newspaper of the Communist Party U.S.A., who based his charges solely on purported "Soviet military archives" which had been handed to him by Soviet military intelligence officials in Kiev.

A cynical game

From the beginning, Demjanjuk was the victim of a cynical U.S.-Soviet-Israeli game to depict all Eastern European

anti-communists as fascists—a political targeting operation overseen by the OSI. The OSI was formally created in 1979, as a result of discussions first held between former Secretary of State Henry Kissinger and Soviet Foreign Minister Andrei Gromyko back in 1971, whose aim was to create joint mechanisms to enforce "détente." It is the only U.S. government agency with the formal mandate not only to cooperate with the Soviet state prosecutor's office, but also Soviet intelligence agencies, under the pretext of "Nazi hunting."

Demjanjuk was chosen as a victim precisely because he was a normal immigrant auto worker: a clear message to tens of thousands of other anti-communist immigrants who also had lived in Europe during the war. Another victim was Karl Linnas, an Estonian emigré from Long Island, New York. In 1987, Linnas was illegally deported to Estonia on request from the Soviet Union to stand trial as a Nazi war criminal. He died, just days after he entered a Soviet prison, of "illness."

Other OSI victims have been chosen because they had personal "geo-political" significance. For instance, SDI and rocket scientist Arthur Rudolph, who was driven out of the United States in 1985 after having helped direct the U.S. space program for 30 years. West German investigators have since concluded that the accusations against Rudolph were a hoax. Then there is the case of Austrian President Kurt Waldheim, who has been excluded from the United States based on OSI lies. The OSI charges against Waldheim are partially motivated by the fact that Austria has given fleeing Soviet Jews international refugee status, which allows them to emigrate to the United States. Israel and the U.S. would both prefer forcing these Jews to emigrate to Israel.

An obvious fraud

That the charges against Demjanjuk were always a contemptible fraud is shown by the fact that the prosecution's chief witness had testified, shortly after the war, that he had murdered the guard "Ivan the Terrible" at Treblinka; yet that is the very man he now claims Demjanjuk to be! Of course, even if the witnesses against Demjanjuk were honest, the reliability of 45-year-old memories of events that took place during a cataclysmic war is open to question, especially in the climate of media-induced hysteria which surrounded the trial. The only other government "evidence" against Demjanjuk is a Soviet-produced ID card, which has been repeatedly denounced as a forgery by experts. The ID card was brought to Israel by pro-Soviet businessman Armand Hammer.

Defense attorney Sheftel reports that the Israeli Supreme Court agreed Feb. 21 to hear Demjanjuk's mandatory appeal on May 14, but that the date could be postponed while attorneys gather evidence from the new witness. If his lawyers' efforts fail, Demjanjuk will eventually be hanged, the first such execution since that of Adolf Eichmann in 1962. The difference is, that Eichmann was guilty.