

Chapter I-8

WAR CRIMINALS IN CANADA?

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Chapter I-8

WAR CRIMINALS IN CANADA?

1) Their alleged number

Over the years various sources, more or less closely related to the matter at hand, have thrown out for public consumption figures allegedly representing the number of war criminals who had found refuge in Canada. The high level reached by some of those figures, together with the wide discrepancy between them, contributed to create both revulsion and interrogation. The sensational allegations concerning Dr. Mengele's connection with Canada were the straw that broke the camel's back: the matter had to be clarified once and for all.

This Commission of Inquiry was entrusted with the task, which it was required to perform within a mercilessly short time frame.

The Commission has made an inventory of the statements published in recent years on the number of war criminals in Canada; this has at once shown how ambiguous those figures can be. One example will suffice to illustrate this point.

Both in his brief before the Commission¹ and in his report to the Solicitor General,² Mr. Sol Littman has ventured the figure 3,000. However, care must be taken in reading the text where that figure appears. In both documents, Mr. Littman does not refer simply—and clearly—to war criminals: he speaks of “war criminals and war-time collaborators”. Now, there is more than a slight difference between the two categories: war criminals were collaborators, but surely not all collaborators qualify as war criminals. So a figure which pretends to mix both classes of unsavory characters into a single total may be quite misleading when one rather thinks of war criminals as such. Yet no distinction has been made by Mr. Littman, and the Commission entertains no doubt that his figure of 3,000 applies, in the public mind, to war criminals and war

¹ Exhibit P-18, Part II, p. 1; Part III, p. 1.

² Exhibit P-159, p. 9.

criminals alone. This is the unfortunate result of loose language and somewhat careless public statements.

Now the Commission does not pretend to have carried out an exhaustive review of the figures quoted from time to time as to war criminals in Canada. Nevertheless, a schedule of the relevant statements which it has collected, should help put the problem in focus.

The Commission has compiled 31 statements uttered from 1971 through 1986: by coincidence the earliest and the latest ones come from the same source, Mr. Simon Wiesenthal. The Commission has arranged two different presentations: the first one by order of dates, the second one by increasing numbers of alleged suspects.

1st Schedule

Statements in chronological order

*Alleged number of war
criminals living in Canada*

1971, 19 May	Simon Wiesenthal	<i>Toronto Star</i>	Several hundred
1975, 26 Dec.	Unidentified groups	<i>Montreal Gazette</i>	Over 50
1976, 1 Dec.	Michael Hanusiak	<i>Toronto Star</i>	At least 50
1977, 11 Nov.	Ian Adams	<i>Weekend Magazine</i>	800
1979, 6 March	Robert Kaplan	House of Commons	Over one dozen
1979, 6 March	Maurice Dupras	House of Commons	Some 15
1979, 25 March	Olivia Ward	<i>Toronto Star</i>	Over 1,000
1980, 28 April	Meir Halevi	<i>Globe and Mail</i>	200
1981, January	Interdepartmental Committee	Report to govern- ment	50-100
1981, 24 Feb.	Sabina Citron	<i>Globe and Mail</i>	1,000
1981, 29 May	Abraham Cooper	<i>Regina Leader-Post</i>	1,000
1981, 13 July	Irwin Cotler	<i>Ottawa Citizen</i>	At least 100
1981, 15 Sept.	Adalbert Rueckerl	<i>Vancouver Sun</i>	500-1,000
1982, 18 June	David Matas	<i>Toronto Star</i>	50-60
1982, 12 Oct.	Charles Kremer	<i>Windsor Star</i>	Over 2,000
1982, 6 Nov.	Dept. of Justice	<i>Toronto Star</i>	Handful
1982, 6 Nov.	RCMP	<i>Toronto Star</i>	80-100
1982, 6 Nov.	Irwin Cotler	<i>Toronto Star</i>	75-100
1983, 13 March	Robert Kaplan	<i>Toronto Sun</i>	Over 100
1983, 13 April	Irwin Cotler	<i>La Presse</i>	Maybe 1,000
1983, 5 July	Jewish Defence League	<i>Globe and Mail</i>	Maybe 1,000
1983, 21 July	Adalbert Rueckerl	<i>Globe and Mail</i>	1,000
1983, 21 Nov.	Solicitor General Department	<i>Globe and Mail</i>	100
1983, 21 Nov.	Edward Greenspan	<i>Globe and Mail</i>	2,000

1st Schedule (continued)

Statements in chronological order

			<i>Alleged number of war criminals living in Canada</i>
1984, 24 Jan.	Sol Littman	<i>London Free Press</i>	2,000
1984, 8 Nov.	Sol Littman	<i>Toronto Star</i>	3,000
1985, 16 Jan.	Simon Adler	<i>London Free Press</i>	1,000
1985, 25 Jan.	Sol Littman	<i>Toronto Star</i>	3,000
1985, 7 Feb.	John C. Crosbie	House of Commons	Relatively few
1985, 23 August	Sol Littman	Report to Solicitor General	2-3,000
1986, 16 May	Simon Wiesenthal	<i>New York Daily News</i>	6,000 ³

The above schedule shows that the issue of war criminals really came into the limelight in Canada in the early 1980s and that, since the beginning of 1983, the figures quoted by outside interveners never fell below 1,000.

2nd Schedule

Statements in increasing order of figures

			<i>Alleged number of war criminals living in Canada</i>
1982, 6 Nov.	Dept. of Justice	<i>Toronto Star</i>	Handful
1985, 7 Feb.	John C. Crosbie	House of Commons	Relatively few
1979, 6 March	Robert Kaplan	House of Commons	Over one dozen
1979, 6 March	Maurice Dupras	House of Commons	Some 15
1976, 1 Dec.	Michael Hanusiak	<i>Toronto Star</i>	At least 50
1975, 26 Dec.	Unidentified groups	<i>Montreal Gazette</i>	Over 50
1982, 18 June	David Matas	<i>Toronto Star</i>	50-60
1981, Jan.	Interdepartmental Committee	Report to govern- ment	50-100
1982, 6 Nov.	Irwin Cotler	<i>Toronto Star</i>	75-100
1982, 6 Nov.	RCMP	<i>Toronto Star</i>	80-100
1983, 21 Nov.	Solicitor General Department	<i>Globe and Mail</i>	100
1981, 13 July	Irwin Cotler	<i>Ottawa Citizen</i>	At least 100
1983, 14 March	Robert Kaplan	<i>Toronto Sun</i>	Over 100
1980, 28 April	Meir Halevi	<i>Globe and Mail</i>	200

³ The Commission has ascertained from the *New York Daily News* that this figure is correct and is not the result of a printing error.

2nd Schedule (continued)

Statements in increasing order of figures

*Alleged number of war
criminals living in Canada*

1971, 19 May	Simon Wiesenthal	<i>Toronto Star</i>	Several hundred
1977, 11 Nov.	Ian Adams	<i>Weekend Magazine</i>	800
1981, 15 Sept.	Adalbert Rueckerl	<i>Vancouver Sun</i>	500-1,000
1983, 13 April	Irwin Cotler	<i>La Presse</i>	Maybe 1,000
1983, 5 July	Jewish Defence League	<i>Globe and Mail</i>	Maybe 1,000
1981, 24 Feb.	Sabina Citron	<i>Globe and Mail</i>	1,000
1981, 29 May	Abraham Cooper	<i>Regina Leader-Post</i>	1,000
1983, 21 July	Adalbert Rueckerl	<i>Globe and Mail</i>	1,000
1985, 16 Jan.	Simon Adler	<i>London Free Press</i>	1,000
1979, 25 March	Olivia Ward	<i>Toronto Star</i>	Over 1,000
1983, 21 Nov.	Edward Greenspan	<i>Globe and Mail</i>	2,000
1984, 24 Jan.	Sol Littman	<i>London Free Press</i>	2,000
1982, 12 Oct.	Charles Kremer	<i>Windsor Star</i>	Over 2,000
1985, 23 August	Sol Littman	Report to Solicitor General	2-3,000
1984, 8 Nov.	Sol Littman	<i>Toronto Star</i>	3,000
1985, 25 Jan.	Sol Littman	<i>Toronto Star</i>	3,000
1986, 16 May	Simon Wiesenthal	<i>New York Daily News</i>	6,000 ⁴

Here one sees the dramatic increase in the figures which, in most if not all cases, are only estimates and, more probably, guesses. They fall into two broad categories: 100 and below, 1,000 and over. For the moment, the Commission will not pass judgment on those figures, other than to note that the discrepancies between them are blatant; and so must be their various degrees of reliability.

There the matter rested when this Commission was set up.

The story has been told earlier⁵ of the collection of the names of suspects from various sources and the compilation of the Commission's Master List which reached a total of 774 names. This total falls far below the higher figures asserted publicly from time to time over the years; it shows crudely no less than a 400 per cent exaggeration by the proponents of those figures, even leaving aside Wiesenthal's latest statement of 6,000. Yet a detailed examination of each of those cases was bound to bring about a further dramatic decrease in

⁴ See footnote 3, this chapter.

⁵ See chapter 1-5.

the number of real war criminals; for many of them, the allegations on the surface could not bear scrutiny. A single example: the denunciation as war criminals of a couple bearing a German name, living in a secluded place under the protection of two black dogs and offering old European furniture for sale (cases 179 and 180).

The Commission accordingly *FINDS* that:

- 54- Between 1971 and 1986, public statements by outside interveners concerning alleged war criminals residing in Canada have spread increasingly large and grossly exaggerated figures as to their estimated number.**
- 55- Even leaving aside the figure of 6,000 ventured in 1986 by Mr. Simon Wiesenthal, and before a detailed examination of each of the cases appearing on the Commission's Master List, this list already shows no less than a 400 per cent over-estimate by the proponents of those figures.**

Before turning to the individual examination of all the cases on the Master List, it is worthwhile to pause and examine the blanket accusation brought against the members of the Galicia Division. (This Division is known interchangeably as "Galicia", from its German name, or "Halychyna", from its Ukrainian name. The Commission has decided to use Galicia. This choice has been made for reasons of stylistic convenience only and denotes absolutely no preference of substance.)

2) *The Galicia Division*

In February 1949 one of the grounds for rejection of an immigration applicant was stated as follows:⁶

Member of SS or German Wehrmacht.

Found to bear mark of SS Blood Group (Non Germans).

In June 1949, an Order-in-Council was passed prohibiting all immigration, save certain exceptions. Relevant to this discussion were the following ones: the immediate relatives of a person legally resident in Canada; agriculturists; farm labourers; persons experienced in mining, lumbering or logging.⁷

⁶ Exhibit P-35, document no. 16, 7 February 1949.

⁷ P.C.-2743, 2 June 1949, in exhibit P-14.

There were then living in the United Kingdom several thousand men of Ukrainian origin who had been made prisoners towards the end of the war. In April 1948, Immigration had “decided that favourable consideration cannot be given to the admission to Canada of Ukrainian surrendered enemy personnel held in the United Kingdom as prisoners of war.”⁸

But on 31 May 1950, the Canadian cabinet decided “that Ukrainians, presently residing in the United Kingdom, be admitted to Canada notwithstanding their service in the German army provided they are otherwise admissible. These Ukrainians should be subject to special security screening, but should not be rejected on the grounds of their service in the German army.”⁹

On 9 June 1950, Order-in-Council P.C.-2856 revoked P.C.-2743, liberalized immigration rules and allowed immigration into Canada, amongst others, of:¹⁰

4. A person who satisfies the Minister, whose decision shall be final, that:—
 - (a) he is a suitable immigrant having regard to the climatic, social, educational, industrial, labour, or other conditions or requirements of Canada; and
 - (b) is not undesirable owing to his peculiar customs, habits, modes of life, methods of holding property, or because of his probable inability to become readily adapted and integrated into the life of a Canadian community and to assume the duties of Canadian citizenship within a reasonable time after his entry.

On 15 June 1950, a directive from the Immigration Branch conveyed to the interested services the cabinet’s decision of 31 May, adding that the prospective Ukrainian immigrants should conform to P.C.-2743 (by then, should have read: P.C.-2856), be in good health and be in possession of a proper travel document. It also provided for “full security screening” of both “the applicant in Canada and the proposed immigrant”.¹¹

On the same 15 June, the Honourable Walter Harris, Minister of Citizenship and Immigration, declared in the House of Commons:¹²

When they were taken prisoners of war by our troops in Italy it was recognized by the allied commander that there were special circumstances in connection with that division because they were not treated entirely as other prisoners of war were. They have been in England since the spring or fall of 1945 (*sic*). We have investigated not individuals but the group as a whole, and we are quite prepared to accept them provided they come within the ordinary rules with respect to immigrants; that is, they might be agricultural workers, settlers, and the like.

⁸ Memorandum from Commissioner, Overseas Service, to Superintendent of European Emigration for Canada, London, England, 26 April 1948.

⁹ Memorandum from Deputy Minister of Citizenship and Immigration, 6 June 1950.

¹⁰ P.C.-2856, 9 June 1950, in exhibit P-14.

¹¹ Directive No. 26 by the Acting Director of the Immigration Branch.

¹² *Hansard*, House of Commons Debates, 15 June 1950, p. 3696.

This statement drew the wrath of the Canadian Jewish Congress. On 4 July 1950, the National President of the C.J.C. sent a long telegram to the Minister protesting the decision. Referring to the Division, he said:¹³

Its history would suggest need of extraordinary close scrutiny and an examination into the political creed of its members.

The C.J.C. asked for delay.

On 7 July 1950, upon instructions from the Minister, the London immigration office was instructed: "until further notice hold any action concerning that group".¹⁴

In the meantime the Minister had given to the C.J.C. the assurances it required.¹⁵

The decision which I mentioned in the House of Commons merely was that we would no longer refuse these applications solely on the grounds that the Ukrainians in the United Kingdom had served in this Division. There was no suggestion that we would admit anyone who could not conform to the existing requirements in Canada. On the contrary, we shall apply to each of those persons, the same careful scrutiny to the character which is being applied in all cases.

The C.J.C. then furnished the department with two sworn statements (one of which was bearing on events posterior to the hostilities) as well as, at an indeterminate date, a list of 94 suspects from the Galicia Division. Unfortunately, no witnesses were offered in support of the allegations, and in exactly half the cases not even a first name was given to help identify the suspects (the transliteration of names from the Cyrillic to the Roman alphabet rendered the situation still more treacherous).¹⁶

For its part, Immigration had asked External Affairs on 9 August 1950 to ascertain from the United Kingdom what was the record of the Division. Immigration requested specific information:¹⁷

It would be helpful if we knew when and where the Division was recruited, what war service the Division engaged in and where; if they were employed in combat against the "Western Allies". Further, is there any justification for the intimation that this Division was actively engaged in the elimination of the Jewish population of the Ukraine.

The British Foreign Office answered on 4 September 1950, and its answer was relayed to Canada in a dispatch of the following day. In the main it stated:¹⁸

¹³ Littman Report, exhibit P-159, Appendix B.

¹⁴ Quoted in memorandum from Acting Director, Immigration Branch, 7 July 1950.

¹⁵ Letter from Walter Harris to Samuel Bronfman, 5 July 1950, in Mr. Botiuk's submission, exhibit P-163, p. 63

¹⁶ See original Littman report under heading: The Canadian Jewish Congress List.

¹⁷ Letter from Acting Deputy Minister of Citizenship and Immigration to Under Secretary of State for External Affairs, 9 August 1950, reproduced in Mr. Botiuk's submission, exhibit P-163, at p. 66 ff.

¹⁸ *Ibid.*, p. 74

While in Italy these men were screened by Soviet and British missions and neither then nor subsequently has any evidence been brought to light which would suggest that any of them fought against the Western Allies or engaged in crimes against humanity. Their behaviour since they came to this country has been good and they have never indicated in any way that they are infected with any trace of Nazi ideology.

(...)

From the reports of the special mission set up by the War Office to screen these men, it seems clear that they volunteered to fight against the Red Army from nationalistic motives which were given greater impetus by the behaviour of the Soviet authorities during their earlier occupation of the Western Ukraine after the Nazi-Soviet Pact. Although Communist propaganda has constantly attempted to depict these, like so many other refugees, as “quislings” and “war criminals” it is interesting to note that no specific charges of war crimes have been made by the Soviet or any other Government against any member of this group.

Indeed the Division had been recruited by the Germans in the summer and fall of 1943. According to an author quoted by Mr. Botiuk:¹⁹

They volunteered for the Division not because of a love of the Germans but because of their hatred for the Russians and the Communist tyranny.

In the summer of 1944 the Division was largely destroyed by the Soviet forces in the battle of Brody, in Western Ukraine: 14,000 men went to battle; 3,000 returned. The Division was reorganized and engaged the Red Army in Austria in the spring of 1945. In early May 1945, the Division surrendered to the British forces. In summary, the Unit was then moved to Italy where it stayed at Rimini for about two years. It was then transferred to England in the spring of 1947. This transfer, however, did not take place before screening by the British authorities: see the report of the Refugee Screening Commission, dated 21 February 1947 and signed by the officer in charge, D. Haldane Porter.²⁰ According to this report there were, in 1947, 8,272 officers and men of the Division in the camp.

It is interesting to note that the Division had already been screened by a Soviet Mission in August 1945. The British Commission reported in that connection:²¹

9. The only effect, which the Soviet Mission's visit appears to have had on the Ukrainians, was to convince any waverers there might have been never to return to the Soviet Union, and to cause a great deal of probably justified anxiety to those who still had relatives there. We must, I think, accept as a definite fact, that all those Ukrainians now in Camp 374 who were screened by the Soviet Mission — that is to say the great majority — are now regarded by the Soviet Government as Soviet citizens, and that having failed to secure their voluntary repatriation the Soviet Government will demand their forcible repatriation as War Criminals when the Italian Treaty comes into force.

¹⁹ *Ibid.*, p. 11, quoting from Wasyl Veryha, *Along the Roads of World War II*, New Pathway, Toronto, 1980, p. 184.

²⁰ Reproduced in full in *Heroes of Their Day: The Reminiscences of Bohdan Panchuk*, Multicultural History Society of Ontario, Toronto, 1983, pp. 140-148; also Public Archives of Canada, Ottawa, Citizenship and Immigration Branch, RG-26, vol. 147, file 3-43-1 (copy).

²¹ *Ibid.*, Panchuk pp. 144-145, paragraph 9.

The overall findings of the Screening Commission can be highlighted by the two following quotations:²²

The general impression which we have formed of all the men in the camp is favourable, as they strike us all as being decent, simple minded sort of people. The national emblem of the Ukraine, in the form of a trident, is freely displayed all over the camp, and the inmates clearly regard themselves as a homogeneous unit, unconnected either with Russia or Poland, and do not seem conscious of having done any wrong.

(...)

They probably were not, and certainly do not now seem to be at heart pro-German, and the fact that they did give aid and comfort to the Germans can fairly be considered to have been incidental and not fundamental.

No doubt, largely on the basis of that information and also because no factual information had been produced to incriminate members of the Division, the Minister finally advised the Canadian Jewish Congress on 15 September 1950 that he "intend[ed] to give approval now to applications on hand and to continue the screening process of any applications received in the future."²³

On 25 September 1950, the President of the C.J.C., Mr. Samuel Bronfman, replied at great length to the Minister.²⁴ His was an overall attack:

That each individual who was a member of the Halychina Division ought to be stamped with the stigmata that is attached to the entire body of the SS.

This call, however, went unheeded: on the very same day, the ban was lifted²⁵ and both Immigration and External Affairs advised their London offices accordingly, reinstating generally the terms and conditions of Directive Number 26 of 15 June 1950²⁶ which had opened the door to Ukrainian immigrants from the United Kingdom. Last year, according to Mr. Clay Powell, Q.C., the former members of the Galicia Division living in Canada numbered "approximately six hundred".²⁷

It is now claimed before the Commission that the decision of the Canadian government in 1950 was a "serious error",²⁸ that "the investigation, in any event, appears to have been hasty and ill-informed"²⁹ and that the matter should be examined afresh.

The Commission has refused to embark upon such a collective undertaking, for several reasons:

²² *Ibid.*, p. 143, paragraph 6; p. 147, paragraph 11 (C).

²³ Botiuk's submission, exhibit P-163, p. 76.

²⁴ *Ibid.*, p. 77.

²⁵ Immigration Branch Directive No. 26, revised 25 September 1950; External Affairs Dispatch C-2805, 2 October 1950.

²⁶ See footnote 11, this chapter.

²⁷ Evidence, vol. III, p. 268. Mr. Clay Powell, Q.C., was then acting as counsel to the Brotherhood of Veterans of the 1st Division of the Ukrainian National Army in Canada.

²⁸ See telegram quoted in footnote 13, this chapter.

²⁹ Littman report, footnote 16, this chapter.

- a) The Commission has not been created to indict one or several particular groups of Canadians. The Commissioner stated in the clearest way in Winnipeg:³⁰

Let me say bluntly that this Commission has not been set up in order to start the Second World War all over again. Therefore, the Commission is not sitting here, nor has it been sitting and will it be sitting elsewhere, to stir unkind feelings among various groups of people in this country. This Commission is not directed at any group of people of any ethnic origin whatsoever, and it is not, therefore, to be used as a kind of platform where old wounds would be re-opened.

The purpose of this Commission, as you know from the Order in Council, is to find out if undesirable individuals, otherwise called war criminals, have slipped into this country and, if so, to advise the government as to how they should be dealt with. There should be, therefore, no fear that, through the process of this Commission, any number of people, large or small, be smeared as a group. The Commission is geared otherwise and shall protect groups, as it has announced it would protect individuals.

- b) The Commission has not been created to review government decisions taken by previous generations of public officials. Commission counsel, Mr. Yves Fortier, stated with the approval of the Commission:³¹

It is a matter of public record that in 1951 [should read: 1950] the Government of Canada, pursuant to certain Cabinet Directives, authorized, subject to appropriate security screening the immigration into Canada of surrendered army personnel who were then detained in the United Kingdom, and who had been members of the so-called Galician Division. It is not the mandate of your Commission of Inquiry to inquire as to whether or not that Directive should have been issued.

- c) The Commission has not been created to revive old hatred that once existed abroad between communities which should now live in peace in Canada;
- d) The Commission is only interested in individuals, of whatever ethnic origin, who may be seriously suspected of war crimes. In that connection, Mr. Yves Fortier stated rightly:³²

If the only allegation against a resident of Canada is that he was a member of the Galician Division, that is not an individual which we consider should be made the subject of an investigation by your Commission. If the allegation is that while he was a member of the Division, he committed atrocities at such-and-such a place, if there is evidence of the committing of atrocities alleged in the information which was conveyed us, then that person becomes of interest to your Commission. We have not before, and will not tomorrow, undertake to rewrite history.

- e) A public debate on the Galicia Division would have opened the door to an examination of the whole history of the relations among Ukrainians themselves and between Ukraine and its neighbours, which exceeded by far the time-limits and the human resources of the Commission.

That much being said, a few undeniable facts must nevertheless be faced and dealt with. The so-called Galicia Division had been formed under the name

³⁰ Evidence, vol. XII, pp. 1368-1369.

³¹ Evidence, vol. XIX, p. 2433.

³² *Ibid.*, p. 2432.

“14th SS Volunteer Division Galicia”. When its training was finished and just before it was sent to the Eastern front, in the spring of 1944, the Division received a new name: “14. Waffengrenadierdivision der SS (gal. Nr. 1).”³³

It is an acknowledged fact that the members of the Division were volunteers who had enlisted in the spring and summer of 1943, essentially to combat the “Bolsheviks”; indeed, they were never used against Western allies.

During the war and in the immediate post-war period, Flight Lieutenant Bohdan Panchuk, originally from Saskatchewan, headed both the Ukrainian-Canadian Servicemen’s Association (U.C.S.A.) and the Central Ukrainian Relief Bureau (C.U.R.B.). On 31 May 1948, he wrote a detailed memorandum designed to help the members of the former Galicia Division achieve, in the United Kingdom or elsewhere, a stable civilian status.³⁴ In paragraph 12 of this memorandum, Panchuk made the following observation (p. 154):

In accordance with the general policy for all non-German “foreign” units, the unit was termed Waffen S.S. This should not, however, be mistaken for the actual German S.S. in which only “pure bred” Germans could serve. The Ukrainians were permitted to have priests in their units, they were not given any S.S. identity marks whatsoever and the terminology of their ranks and titles were those of the Wehrmacht.

The International Military Tribunal in Nürnberg did not see fit, however, to go into those fine distinctions: its pronouncements were all-encompassing. It must be remembered that the Tribunal drew its authority in this respect from art. 9 of its *Charter* (p. 8), the first paragraph of which read:

At the trial of any individual member of any group or organization the Tribunal may declare (in connection with any act of which the individual may be convicted) that the group or organization of which the individual was a member was a criminal organization.

After noting that “Article 10 of the Charter makes clear that the declaration of criminality against an accused organisation is final, and cannot be challenged in any subsequent criminal proceeding against a member of that organisation”,³⁵ the Tribunal added significantly (*ibid.*):

The effect of the declaration of criminality by the Tribunal is well illustrated by Law Number 10 of the Control Council of Germany passed on the 20th day of December, 1945, which provides:

“Each of the following acts is recognised as a crime:

...

(d) Membership in categories of a criminal group or organisation declared criminal by the International Military Tribunal.

...

³³ George H. Stein, *Geschichte der Waffen-SS*, Athenäum/Droste Taschenbücher Geschichte, 1978, p. 167.

³⁴ Reproduced in full in Panchuk’s previously quoted memoirs, pp. 152-166: see footnote 20, this chapter.

³⁵ Judgment of the International Military Tribunal, 30 September—1 October 1946, London, Comd. 6964, p. 66.

(3) Any person found guilty of any of the crimes above mentioned may upon conviction be punished as shall be determined by the Tribunal to be just. Such punishment may consist of one or more of the following:

- (a) Death.
- (b) Imprisonment for life or a term of years, with or without hard labour.
- (c) Fine, and imprisonment with or without hard labour, in lieu thereof.

The Tribunal then devoted a full chapter to the SS. Its main findings can be excerpted as follows (p. 77):

The SS was even a more general participant in the commission of war crimes and crimes against humanity.

(. . .)

The SS played a particularly significant role in the persecution of the Jews.

(. . .)

It is impossible to single out any one portion of the SS which was not involved in these criminal activities.

(. . .)

The Tribunal finds that knowledge of these criminal activities was sufficiently general to justify declaring that the SS was a criminal organisation to the extent hereinafter described.

In concluding, the Tribunal included specifically the “members of the Waffen SS”. The governing paragraph of the conclusions stated (p. 79):

The Tribunal declares to be criminal within the meaning of the Charter the group composed of those persons who had been officially accepted as members of the SS as enumerated in the preceding paragraph who became or remained members of the organisation with knowledge that it was being used for the commission of acts declared criminal by Article 6 of the Charter, or who were personally implicated as members of the organisation in the commission of such crimes, excluding, however, those who were drafted into membership by the State in such a way as to give them no choice in the matter, and who had committed no such crimes. The basis of this finding is the participation of the organisation in war crimes and crimes against humanity connected with the war; this group declared criminal cannot include, therefore, persons who had ceased to belong to the organisations enumerated in the preceding paragraph prior to 1st September 1939.

The Galicia Division, as part of the organization of the Waffen SS, falls under the terms of this blanket condemnation. However, an extremely important aspect of the condemnation must be stressed. In the body of the judgment, the Tribunal observed (p. 78) “that the SS was a criminal organisation *to the extent hereinafter described*” (emphasis added). In its conclusions, the Tribunal described the group it condemned by imposing certain limitations and recognizing certain exceptions. Quite relevant here is the following explicit passage “. . . those persons . . . who became or remained members of the organisation with knowledge that it was being used for the commission of acts declared criminal by Article 6 of the Charter, or who were personally implicated as members of the organisation in the commission of such crimes . . .”.

The condemnation is therefore pronounced against the group of persons who either had knowledge of, or were personally implicated in, the commission of war crimes by the organization. Membership alone in the Waffen SS does not, in itself, amount to a crime under international law; it must be membership as qualified by the Tribunal in Nürnberg. It implies either knowledge or participation.

This important aspect of the Nürnberg Judgment was stressed by Peter Calvocoressi in his 1947 book on *Nuremberg: The Facts, the Law and the Consequences*:³⁶

For those who were genuinely ignorant the judgment of the Tribunal makes provision by condemning only those members of a criminal organisation who became or remained members with knowledge that it was being used for a criminal purpose. Even the condemned members are not subjected *ipso facto* to pains and penalties by the Nuremberg declaration. No individual can be punished without first having specific charges brought against him personally and without being brought before a court of law. In practice there can be no doubt that only a fraction will be prosecuted.

Now, whether on account of actual participation or mere knowledge, evidence is required. As already outlined, evidence of participation had not been forthcoming in 1950. In 1984, Simon Wiesenthal had supplied a list of 217 former members of the Galicia Division who, according to him, "survived the war and [were] not living in Europe". Since then the Commission has tried repeatedly to obtain the incriminating evidence allegedly in Mr. Wiesenthal's possession, through various oral and written communications with Mr. Wiesenthal himself and with his solicitor, Mr. Martin Mendelsohn of Washington, D.C., but to no avail: telephone calls, letters, even a meeting in New York between Mr. Wiesenthal and Commission Counsel on 1 November 1985 followed up by further direct communications, have succeeded in bringing no positive results, outside of promises. This situation is regrettable; the explanation may lie in the following findings of the Commission.

When Mr. Wiesenthal supplied the above-mentioned list of 217 names to the then Solicitor General Robert Kaplan, he wrote in part:

Enclosed please find the list of the Ukrainian SS-Officers, who survived the war and are not living in Europe. According to our experience a great number of them should live in Canada.

(...)

I hope that the emigration authorities in Canada will find out a great number of that list as Canadian inhabitants (citizens or residents).

³⁶ Calvocoressi, Peter. *Nuremberg: The Facts, the Law and the Consequences*, Chatto and Windus, London, 1947, p. 80.

The Commission has investigated the matter and found, as of 22 October 1986, the following results:

never set foot in Canada	187	(i.e., 86 per cent of Wiesenthal's list)
came to Canada and died	11	
came to Canada and left for another country	2	
no <i>prima facie</i> case	16	
not located	<u>1</u>	
Total:	217	

It must be known that the RCMP had received the same list in 1984 from Mr. Wiesenthal through the Solicitor General's office. The RCMP's investigation in 1984-1985 failed to uncover any evidence of war crimes against the 31 individuals on that list who, it appeared, *might* have entered Canada.³⁷

The investigation by the RCMP and the subsequent inquiries by this Commission were carried out quite independently; yet they reached the same results.

It is obvious that the list of 217 officers of the Galicia Division furnished by Mr. Wiesenthal was nearly totally useless and put the Canadian government, through the RCMP and this Commission, to a considerable amount of purposeless work. That additional information be long in coming may not be surprising, under those circumstances. As a result, evidence of participation in war crimes has remained elusive.

As to evidence of knowledge, it is of course more difficult to proffer. Participation is a physical fact liable to have been witnessed; knowledge is a state of mind which, if not admitted, must be inferred. This was indeed the way which the Nürnberg Tribunal adopted with respect to the SS organization *en bloc* (p. 78):

... its criminal programmes were so widespread, and involved slaughter on such a gigantic scale, that its criminal activities must have been widely known.

To draw such an inference with respect to each individual member of the Galicia Division is a much more difficult process, especially since it is acknowledged that the Division was used only in combat on the Eastern front from the middle of 1944.

It is true that a national court seized with a prosecution alleging the crime of membership in a (Nürnberg-declared) criminal organization can adopt one of two alternative courses:³⁸

The first would be to hold the view that the declaration made by the Nuremberg Tribunal creates a presumption of guilt against every member, and that consequently all the

³⁷ Letter from RCMP Commissioner Simmonds to Solicitor General Perrin Beatty, P.C., 12 December 1985.

³⁸ *Law Reports of Trials of War Criminals*: Selected and Prepared by the United Nations War Crimes Commission, vol. 15, p. 151.

prosecution is required to do is to establish that the accused was a member of the organization. In this case it was to be presumed, until proof to the contrary was established by the defendant, that he knew of the criminal purposes or acts of the organization or that, if he did not join the organization on a voluntary basis, he was personally implicated in the commission of crimes. The second course would be to hold the view that no presumption of individual guilt derives from the declaration of the Nuremberg Tribunal, and that consequently, the prosecution is called to prove not only that the accused was a member of the organization declared criminal, but also that he knew the relevant facts or (if an involuntary member) that he was personally implicated in the commission of crimes.

(...)

In the event the courts have in many cases explicitly ruled that the burden of proof remains on the prosecution.

However, everyone knows that, from peripheral facts a presumption may emerge on which the prosecution can rely to discharge the burden under which it must labour. But this is very different from a reversal of the burden of proof, which the *Charter* in any event has not explicitly sanctioned.

The principle itself that the burden of proof rests on the prosecution has been repeatedly acknowledged by various courts which tried alleged war criminals under the above-quoted provisions of the *Charter*. For example:

In the Flick case:³⁹

As we have stated in the beginning, the burden was all the time upon the Prosecution.

In the Krauch case:⁴⁰

This assumption is not in our judgment, a sound basis for shifting the burden of proof to a defendant or for relieving the Prosecution from the obligation of establishing all of the essential ingredients of the crime.

In the Scheide (Pohl) case:⁴¹

The defendant admits membership in the S.S., an organisation declared to be criminal by the Judgment of the International Military Tribunal, but the Prosecution has offered no evidence that the defendant had knowledge of the criminal activities while a member of such organisation.

The courts, however, have also found, on suitable occasions, that the facts established by the prosecution gave rise to a presumption of knowledge on the part of the defendant. In the **I.G. Farben** case,⁴² the court held:

Proof of the requisite knowledge need not, of course be direct, but may be inferred from circumstances duly established.

³⁹ *Ibid.*, p. 152; vol. IX, p. 29.

⁴⁰ *Ibid.*, vol. X, p. 59.

⁴¹ *Ibid.*

⁴² *Ibid.*, vol. X, p. 59.

Yet, the courts have stressed that this did not relieve the prosecution of its burden: it only showed that the Prosecution had successfully met the challenge. For instance, in the **Justice** case:⁴³

... no man ... could possibly have retained membership of the second and third mentioned organizations without knowledge of their criminal character.

(...)

... it would be impossible for a man of the defendant's [Oeschey's] intelligence not to have known of the commission of these crimes, at least in part if not entirely.

On all counts, adducing proof of knowledge by an individual member, of the criminal activities of his organization is necessary; and such is not an easy task, though the accumulation of a number of elements may lead to a presumption, rebuttable, nevertheless, by the member.

Assuming, however, for purposes of discussion, that enough evidence could be marshalled to indict the Galicia Division as a whole, and thus render its members liable to a conviction under Law Number 10 of the Control Council of Germany, a rather obvious observation becomes necessary.

The *Charter* of the International Military Tribunal governs these matters. Article 10 provides:

In cases where a group or organization is declared criminal by the Tribunal, *the competent national authority of any Signatory* shall have the right to bring individuals to trial for membership therein before national, military, or occupation courts. In any such case the criminal nature of the group or organization is considered proved and shall not be questioned.

(emphasis added)

Now, Canada is not a signatory of the *Charter*, nor of the 1945 *London Agreement* (exhibit P-7) under which the *Charter* was adopted. Canada did not adhere either to the *London Agreement*, as it could have under art. 5 of the Agreement and as, indeed, 19 other governments did.

No Canadian court could, therefore, claim to exercise jurisdiction over that particular kind of offence.

Finally, this is not a case for denaturalization and deportation. The members of the Galicia Division have never hidden their membership in the Division, nor indeed could they. Canadian authorities were fully aware, in 1950, of the history of the Division. When they gave the green light to the admission of its members, they knew where these members came from and what they had been through. There was, therefore, neither false representation, nor fraud, nor concealment of material circumstances: admission to Canada and subsequently, citizenship, were not tainted with any irregularity.

⁴³ *Ibid.*, vol. VI, p. 76.

The Commission accordingly *FINDS* that:

- 56- The Galicia Division (14.Waffengrenadierdivision der SS [gal. Nr. 1]) should not be indicted as a group.
- 57- The members of the Galicia Division were individually screened for security purposes before admission to Canada.
- 58- Charges of war crimes against members of the Galicia Division have never been substantiated, either in 1950 when they were first preferred, or in 1984 when they were renewed, or before this Commission.
- 59- Further, in the absence of evidence of participation in or knowledge of specific war crimes, mere membership in the Galicia Division is insufficient to justify prosecution.
- 60- No case can be made against members of the Galicia Division for revocation of citizenship or deportation since the Canadian authorities were fully aware of the relevant facts in 1950 and admission to Canada was not granted them because of any false representation, or fraud, or concealment of material circumstances.
- 61- In any event, of the 217 officers of the Galicia Division denounced by Mr. Simon Wiesenthal to the Canadian government, 187 (i.e., 86 per cent of the list) never set foot in Canada, 11 have died in Canada, 2 have left for another country, no *prima facie* case has been established against 16 and the last one could not be located.

3) *Individual assessment*

This brings us to what may be the central question of this inquiry: are there indeed war criminals residing in Canada? In order to answer that question, each one of the 774 suspects on the Commission's Master List had to be investigated—here and abroad—outside of the few obviously spurious denunciations received by the Commission. A moment of reflection should bring anyone to realize the colossal amount of work which the Commission had been expected to perform during its short life span; or, more accurately, the amount of work the Commission discovered it must complete within the period of time its creators had deemed sufficient.

But the Master List does not tell the whole story. As is already known⁴⁴ two more lists were developed out of necessity: the list called *Addendum* (Appendix II-F) and the list of German scientists and technicians (Appendix

⁴⁴ See Chapter I-5: *Methodology*

II-G). The Commission will report separately on those three lists in this chapter. For the time being, the Commission FINDS that:

62. The Commission has drawn up three lists of suspects: a Master List of 774 names (Appendix II-E); an Addendum of 38 names (Appendix II-F) and a list of 71 German scientists and technicians (Appendix II-G).

a) The Master List

i. *Confidential cases and foreign evidence*

After a preliminary survey of its Master List, the Commission isolated 29 cases where the seriousness of the allegations and the availability of evidence warranted special attention. Those are cases number 15, 28, 42, 57, 87, 100, 114, 145, 175, 187, 276, 282, 283, 287, 289, 317, 341, 349, 392, 434, 454, 459, 466, 497, 533, 646, 689, 726 and 766. The Commission has reported fully on all these cases in Part II of its report (Confidential).

At this point the Commission will make an anonymous summary of its conclusions on those 29 cases before dealing explicitly with the question of foreign evidence which has arisen in the majority of those cases.

The Commission's recommendations in Part II of its report are rather elaborate and do not offer an easy prey to an attempt at classification. Furthermore, a given case may well open on more than one avenue, so that the total number of recommendations exceeds the number of cases involved. That much being said, the confidential recommendations of the Commission may be broadly grouped as follows:

To close without prosecution	9
To consider an extradition request	1
To seek revocation of citizenship only	3
To seek revocation of citizenship and deportation	7
To request foreign assistance to get evidence to support criminal prosecution	18, i.e., from
Czechoslovakia	3
Hungary	1
Poland	2
U.S.A.	1
U.S.S.R.	8
West Germany	3

Now, this last figure, 18, corresponds by pure chance to the number of cases where the question of foreign evidence has arisen. Indeed, in the course of its work the Commission had identified at least 18 cases where, the suspects

residing in Canada, evidence appeared to be available in foreign countries. The countries and cases involved are listed as follows:

	Case Numbers
Austria	145
Czechoslovakia	454, 282, 533
France	222
Hungary	145
Israel	145
Netherlands	392
Poland	459
Romania	87
United Kingdom	287
U.S.A.	287, 533, 497
U.S.S.R.	15, 289, 317, 349, 497, 579, 689, 708 (and 287)
Yugoslavia	175

All but three of those cases are reported on in Part II of this report. The three exceptions, reported on in this Part are the following:

Number 222, where the suspect was acquitted by the French courts;
Number 579, where the suspect died in 1986; Number 708, where the suspect died in 1985.

The Commission now proposes to explain the reasons why it has not travelled abroad in order to gather evidence.

Time, of course, was of the essence. The Canadian government was understandably anxious to get the Commission's report but extended travels were not conducive to a rapid resolution of the issue. The Commission was acutely aware of this situation.

However, the Order-in-Council creating the Commission authorized the Commissioner "to sit at such times and at such places within or outside of Canada as he may decide from time to time". Furthermore the Commission was equally aware of its duty to inquire fairly and thoroughly. It therefore solicited the views of those parties to whom standing had been granted. No problem arose with the possibility of collecting evidence in western democracies, but a great debate ensued in connection with evidence available in Eastern bloc countries. The issues and arguments have all been outlined in the decision "On Foreign Evidence" which the Commission has rendered on 14 November 1985 (Appendix I-M). The Commission decided that "it ought to . . . look for, bring forward or go and listen to all available relevant evidence. This includes evidence which may exist in eastern Europe"⁴⁵. But the Commission stipulated

⁴⁵ Appendix I-M, p. 891.

six conditions which had to be agreed to before it would travel abroad to gather evidence⁴⁶.

The Commission now turns to an examination of the situation in each country, in light of this decision and of the circumstances prevailing in each particular case.

Netherlands—Case No. 392

This case was investigated in depth by the RCMP who took evidence, through the Department of Justice, in Holland. In turn, the Commission heard the suspect and several witnesses in Canada. The Commission has felt that the inquiry was complete and it is now expressing its opinion in Part II of this report.

France—Case No. 222

The suspect was acquitted of all charges by the *Tribunal militaire permanent* of Bordeaux in 1952. In a next section of this chapter, the Commission recommends that the file be closed.

Yugoslavia—Case No. 175

A request for extradition had been submitted by Yugoslavia in June 1951. For various reasons, Canada did not consider the request favourably. In 1983 the matter was revived, but Yugoslavia declared that it had no further interest in the case. The Commission has nevertheless interrogated the suspect and submits its views in Part II of this report.

Czechoslovakia—Cases No. 454, 282 and 533

In December 1985, the Commission requested the co-operation of the Government of Czechoslovakia in Case No. 454 to arrange for the examination of eight witnesses residing in that country. It was only by a note of 14 October 1986 that the Commission received an answer. The Commission has nevertheless interrogated the suspect, and its views appear in Part II of this report.

The Commission's requests for co-operation in Cases No. 282 and 533 have been ignored. The Commission has nevertheless interrogated both suspects, and its conclusions appear in Part II of this report.

Hungary—Case No. 145

This case involves witnesses in several countries. The suspect had, however, taken an action in damages here in Canada, and the witnesses had been examined in Europe by way of Rogatory Commission. The case was set

⁴⁶ *Ibid.*, p. 902.

down for trial in September 1986. The Commission felt it preferable to let the High Court determine the issue rather than duplicating work already done, increasing public expenses and risking an unnecessary interference in the judicial process. The suspect saw fit, however, to desist from his action on the morning of the trial. The Commission then decided to proceed. It obtained the films and transcription of all the evidence taken abroad as well as several relevant documents and it heard the suspect and a witness suggested by him. The Findings and Conclusions of the Commission appear in Part II of this report.

Israel—Case No. 145

In the same case and for the same reasons, the Commission has reached the same decision.

Austria—Case No. 145

In the same case and for the same reasons, the Commission has reached the same decision.

U.S.A.—Cases No. 287, 533 and 497

In case no. 287, a careful analysis has shown that the alleged witnesses were not directly relevant to the case at hand. The Commission has actually interrogated the suspect, and its conclusion appears in Part II of this report.

In case no. 533, the American witnesses agreed to come to Toronto where they were interrogated at the same time as the suspect himself. The Commission's conclusions appear in Part II of this report.

In case no. 497, one witness agreed to come to Toronto where he was interrogated at the same time as the suspect. Another witness refused to come to Canada, but agreed to be interviewed by an investigator of the Commission. The conclusions of the Commission appear in Part II of this report.

United Kingdom—Case No. 287

The same situation has developed as in the U.S.A. concerning the same case.

Romania—Case No. 87

This is one of 17 cases involving alleged former members of the Iron Guard. The Commission has sought the help of the Government of Romania in connection with three suspects; once in September and twice in December 1985. The Commission has received no response. The possibility of obtaining evidence in Romania is still under study. The Commission has interrogated suspect no. 87, and its findings appear in Part II of this report.

U.S.S.R.—Cases No. 15, 289, 317, 349, 497, 579, 689, 708 (and 287)

On 26 November 1985, the Commission, requesting the assistance of the U.S.S.R, sent to the Procurator General of the U.S.S.R. three lists concerning the 43 persons who, over the years, had been alleged by the U.S.S.R. to be war criminals residing in Canada:

List I: 13 of those suspects who were deceased.

List II: 14 of those suspects then residing in Canada, together with names and particulars of 70 possible witnesses living in the U.S.S.R.

List III: 16 of those suspects who had not been found in Canada.

At the same time, the Commission sent a copy of its decision of 14 November 1985 "On Foreign Evidence" (Appendix I-M). This decision had stipulated the six conditions which must be met before the Commission would travel abroad to take evidence:⁴⁷

- i) protection of reputations through confidentiality;
- ii) independent interpreters;
- iii) access to original documents;
- iv) access to witnesses' previous statements;
- v) freedom of examination of witnesses in agreement with Canadian rules of evidence;
- vi) videotaping of such examinations.

On 26 February 1986, an acknowledgement was received from the U.S.S.R.

On 6 March 1986, the Commission drew the U.S.S.R.'s attention to the Commission's deadline (which was then 30 June 1986) as well as to the conditions set out in the Commission's decision of 14 November 1985.

On 30 April 1986, the U.S.S.R. informed the Commission that 34 witnesses concerning two suspects could be examined after 10 June and that the search for others was going on. The message concluded: "The prospects of the mutual work with regard to these war criminals will be agreed upon with the representatives of the commission upon their arrival in the U.S.S.R."⁴⁸

On 7 May 1986, the Commission answered, asking particulars of the 34 witnesses as well as an "assurance that the conditions set out in the Commissioner's decision of November 14, 1985 are acceptable to Soviet authorities and will be observed."

On 26 May 1986, the U.S.S.R. agreed to videotaping and independent interpreters and stenographers. It stated however that the interrogations would

⁴⁷ *Ibid.*

⁴⁸ Last paragraph of unsigned message delivered on 30 April 1986.

proceed "in the framework of the criminal procedure legislation of the Ukrainian SSR. . .".

Immediately, (i.e., on 29 May 1986), the Commission expressed its regrets that the U.S.S.R. had failed to agree to the conditions respecting access to original documents and to witnesses' previous statements as well as freedom of examination in agreement with Canadian rules of evidence. The Commission also pointed out that the condition as to confidentiality had already been breached by officials of the Soviet embassy in Ottawa.

On 9 June 1986, the U.S.S.R. finally agreed to the conditions laid down by the Commission and indicated that the examination of witnesses were "planned to be held in the city of Lvov".

Unfortunately, this answer arrived much too late; the negotiations had lasted nearly seven months. In the meantime, the Commission had oriented its program otherwise and explored other avenues. The planned visit to the U.S.S.R. would have lasted at least a full month, yet dealt with only two suspects. The Commission, however, had already arranged a full schedule of interrogations of suspects and witnesses for the month of July, and it was in duty bound to report by the end of September. Regrettable as the occurrence was, there remained obviously no time for a trip which had been considered much earlier. So it was that no witnesses could be examined in the U.S.S.R.

It should be added that, in their letter of 11 June 1986, Commission counsel pointed out:

This decision would not, however, prevent the Government of Canada, once in receipt of the Commission's findings and recommendations, and if it considers it necessary, from availing itself of an invitation to send representatives to the Soviet Union in order to gather any further information against alleged war criminals in accordance with the conditions to which you have now agreed.

In the meantime the Commission has examined in Canada all the above-mentioned suspects with the exception of No. 708, who died in January 1985, of No. 15 who was ill, and of No. 579 who died in June 1986. The Commission also examined six other suspects appearing on its List II, in connection with whom there did not appear to exist witnesses in the U.S.S.R. The Commission's conclusions on all of them appear in Part II of this report.

Poland—Case No. 459

On 23 December 1985, the Commission requested the assistance of the Polish government in connection with this suspect whose extradition had been sought by Poland in December 1982. The matter followed a course somewhat similar to that described above with the U.S.S.R.

In April 1986, the Polish authorities advised that two witnesses were dead and that five could be examined; four in Lublin and one in Warsaw.

On 7 May, the Commission sought the assurance that the conditions set out in its decision of 14 November 1985 would be observed.

Towards the end of May, the Polish authorities gave their agreement to five of the Commission's conditions; but they stressed that "Polish judge will interrogate and Canadian prosecutors may ask any additional questions they consider necessary".

This of course led the Commission counsel to reply on 29 May 1986:

On the other hand, we note that you have stressed that a Polish judge will control the proceedings and will examine witnesses and we will only have the opportunity to ask additional questions. We regret that you have not agreed to provide the Commission with the freedom of examination of witnesses in agreement with Canadian rules of evidence that we require.

Without your agreement to this last and most important condition, it will be impossible for this Commission to consider travelling to Poland to examine witnesses within the framework outlined by you.

In spite of the failure of those negotiations, the Commission has interrogated the suspect and interviewed several witnesses indicated by him in Canada. The Commission's conclusions appear in Part II of this report.

The Commission has thus dealt with the 12 foreign countries where it appeared, at one time or another, that relevant evidence might be available.

The Commission now takes this opportunity to *RECOMMEND* that:

- 63- Where the evidence at hand raises a serious suspicion of war crimes against an individual residing in Canada, the Government of Canada should obtain, where available, the evidence of witnesses living in a foreign country provided such country agrees, as the U.S.S.R. has done, to all the conditions stipulated by the Commission in its decision "On Foreign Evidence" of 14 November 1985 (Appendix I-M).**

ii. *Cases to be closed*

It must be recalled that Part I of this report is concerned with 745 of the 774 cases appearing on the Master List.

The first category to be considered comprises those cases which should obviously be closed without further ado. It includes five kinds of cases.

The *first kind* of cases to be closed involves those cases where the suspect never set foot in Canada. The Order-in-Council creating the Commission has instructed it to investigate, in law and in fact, the question of war criminals "currently resident in Canada". Others therefore do not fall within the mandate of the Commission.

At first sight, it may appear strange that the Commission be called upon to inquire into an individual who is not residing in Canada and actually never came to this country. But a simple example will illustrate the reality and the magnitude of the problem: Mr. Wiesenthal had supplied the names of 217 former officers of the Galicia Division; the Commission found that no less than 186 had never come to Canada.

The Commission has determined that 341 suspects drawn to its attention have actually never landed and are not residing in Canada.

The Commission accordingly *RECOMMENDS* that:

64- The files of the 341 suspects who never landed and are not residing in Canada should be closed.

The *second kind* of cases which should be closed are those of suspects who landed in Canada, but left for another country. The Commission has found 21 such cases. In the course of those inquiries, the Commission has also ascertained that at least 5 of those suspects have since then died in the following countries:

1970 West Germany
1972 Brazil
1976 France
1977 U.S.S.R.
1983 West Germany

The Commission accordingly *RECOMMENDS* that:

65- The files of the 21 suspects who have landed in Canada, but left for another country (at least five of whom are deceased) should be closed.

The *third kind* of cases which should be closed is comprised of those individuals who have landed in Canada, but have died in this country since then. The Commission has found 86 such cases. Here follow two tables: one shows the provinces where the deaths occurred; the other shows the years when they took place.

Table I: Provinces of death

Alberta	8
British Columbia	3
Manitoba	9
Ontario	48
Quebec	17
Unknown	1

Table II: Years of death

1953	2	1975	1
1956	1	1976	3
1958	1	1977	6
1959	1	1978	2
1960	1	1979	7
1961	3	1980	5
1962	1	1981	4
1963	2	1982	8
1966	1	1983	5
1969	5	1984	5
1970	3	1985	8
1972	4	1986	2
1973	5		

The Commission accordingly *RECOMMENDS* that:

- 66- The files of the 86 suspects who have died in Canada since landing in this country should be closed.**

The *fourth kind* of cases which should be closed is made up of those suspects against whom there exists no *prima facie* evidence of war crimes. Neighbourly animosity, racial prejudice, mistaken belief, etc.: all sorts of reasons may explain the denunciation as war criminals of some obviously innocent individuals. There must also be included in this paragraph those numerous cases where there is simply no evidence available to substantiate an apparently serious allegation. In all, the Commission has found 154 such cases.

The Commission accordingly *RECOMMENDS* that:

- 67- The files of the 154 suspects against whom the Commission could find no *prima facie* evidence of war crimes should be closed.**

The *fifth kind* of cases which should be closed is made up of the 4 suspects whom the Commission has been unable to locate in Canada. After months of searches, it is unlikely that those suspects will be found; all kinds of reasons may explain their disappearance. In the opinion of the Commission, no further energies should be spent on this search.

The Commission accordingly *RECOMMENDS* that:

- 68- The files of the 4 suspects whom the Commission has been unable to find in Canada should be closed.**
- 69- The last five figures for a total of 606 files which should therefore be closed immediately.**

iii. *Cases to be further investigated*

Some may find rather substantial the number of cases where some kind of additional investigation would appear necessary or, at least, useful: 105 in all. A word of explanation is not superfluous.

In chapter I-5: *Methodology*, the Commission has exposed the reasons for its policy decision not to ask an eastern bloc country for available evidence, when this country had not already denounced on its own initiative an individual who has now become a Canadian citizen. Yet, some 97 such cases have arisen where incriminating evidence might well be found, provided the cooperation of the foreign country concerned be requested. This, in the view of the Commission, is a policy decision which had better be left in the hands of the Canadian Government. In all those cases, the Commission has therefore made the following standard recommendations:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the government of ——— or to the appropriate archival centres, the file ought to be closed.
- 2- Should, however, the Government of Canada decide to submit the subject's name to the government of ——— or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.

This problem of further investigations, as well as that of interrogatories of additional suspects, arise in the following numbers:

Cases for investigation in a single country

Hungary	11
Poland	7
Romania	13
U.S.S.R.	49
West Germany	1
Yugoslavia	<u>2</u>
Total	83

Cases for investigation in a single country coupled with interrogation of the suspect in Canada

France	2
Romania	1
U.S.S.R.	4
Yugoslavia	<u>1</u>
Total	8

Case for investigation in several countries

Hungary and U.S.S.R.	1
----------------------	---

Cases for investigation in several countries coupled with interrogation of the suspect in Canada

France and Yugoslavia	1
U.S.A. and Yugoslavia	1
U.S.S.R. and West Germany	1
U.S.S.R. and Israel	1
West Germany, Czechoslovakia, Hungary and Yugoslavia	$\frac{1}{5}$
Total	5

There are, therefore, 97 cases where the opportunity of further investigation abroad must be considered; in 13 of those, the suspects should also be interrogated. In 5 other cases where no additional investigation is necessary, the suspects should be interrogated.

The Commission accordingly *RECOMMENDS* that:

70- The Canadian Government should decide, as a matter of policy, whether to request the cooperation of those foreign governments which have not already denounced, on their own initiative, the 97 suspects, residing in Canada, against whom there may exist incriminating evidence abroad, namely: France, Czechoslovakia, Hungary, Israel, Poland, Romania, U.S.A., U.S.S.R., West Germany, Yugoslavia.

71- The appropriate Canadian authorities should interrogate 13 of those suspects, as well as 5 others in whose connection no further investigation abroad is indicated.

iv. Miscellaneous cases

In 3 cases, the Commission has reached miscellaneous conclusions; for example in case number 01, where the recommendations of the Commission must be tailored according to the possibility of an alteration in the suspect's name.

Finally, 34 cases are still outstanding for various reasons, essentially because answers have not yet been received from foreign agencies.

The Commission accordingly *RECOMMENDS* that:

72- The 3 miscellaneous cases should be pursued according to the Commission's recommendations.

73- In 34 cases which remain outstanding, a decision should be taken as soon as answers from foreign agencies or other missing information are received.

The detailed recommendations of the Commission concerning 711 suspects appear in section d) of this chapter.

b) *the Addendum*

The Master List was closed on 1 October 1986. Names continued, however, to flow into the Commission's offices, nineteen months after the setting up of the Commission. Those names, 38 in all, were channelled to a separate list since it was obvious that the Commission could not investigate them in any manner consonant with its mandate. Nevertheless, some steps were taken which time permitted.

Results of the work of the Commission on the 38 cases appearing on this Addendum are given in section e) of this chapter.

The Commission accordingly *RECOMMENDS* that:

- 74- Work be pursued by the appropriate authorities concerning the 38 suspects appearing on the late Addendum list, in agreement with the relevant recommendations of the Commission.**

c) *the List of German scientists and technicians*

The Commission has explained in chapter I-5: "Methodology" how this list of 71 names came to be drawn up and investigated. It remains to conclude.

Most unfortunately, this particular matter did not come to the attention of the Commission until very late in the course of its mandate; the time constraints severely limited the scope of its efforts to clarify this issue. Nevertheless, the Commission has first been able to ascertain that, out of the 71 names on this particular list:

- 9 entered Canada and have died in this country;
- 4 entered Canada and have left for another country;
- 2 never entered Canada;
- 1 shows no *prima facie* case.

As to the remaining 55, further inquiries are still necessary if one wants to achieve a reasonable degree of certainty:

in 21 cases, the Department of Employment and Immigration has reported that it possesses no evidence of entry into Canada; this must be completed by checks with External Affairs (passport) and Secretary of State (citizenship) before a definite conclusion is reached;

in 7 cases, the departments of Employment and Immigration and External Affairs have both furnished negative responses; here again a further check with Citizenship is necessary;

in 19 cases, entry into Canada has been documented, but the Commission has been unable to locate the individuals concerned in Canada. There are indications that, in at least two of those cases, the individual concerned has left for the U.S.A.;

in 8 cases, the individuals have been located in Canada, but further inquiries are necessary concerning incriminating evidence.

The detailed findings of the Commission on those 71 names appear in section f) of this chapter.

The Commission accordingly *RECOMMENDS* that:

75- Among the 71 files on German scientists and technicians (Appendix II-G) the following cases should be closed:

9 who entered Canada and have died in this country;

4 who entered Canada and left for another country;

2 who never entered Canada;

1 where there is no *prima facie* case.

76- In the 55 remaining files of this particular group, the Government of Canada should carry out the additional inquiries indicated in each individual opinion (see section f) of chapter I-8) and then make a decision accordingly.

d) 711 individual opinions on cases from the
Master List

CASE NO. 01

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it conducted of its files following the establishment of the Commission. There was no allegation of war crimes in the file.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada, or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs forwarded a letter referring to the subject as a defector and stating that a report on his interrogation was "probably of military interest only". The letter also stated that some of the names referred to in the letter had been altered.

The Commission conducted CPIC and MVB searches against the subject and checked with a Provincial Police force, all with negative results.

The Commission confirmed that the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin and the Berlin Sick Book Depository had no record of the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- The question of the alteration of the name of the subject should be clarified with CSIS and the Department of External Affairs.**
- 2- If the subject's name has not been altered, the file should be closed.**
- 3- If the subject's name has been altered, all external checks should be conducted afresh under the subject's name during the war years; depending upon the responses to those checks and the success in attempting to locate the subject, the file should be re-assessed and a final decision taken.**

CASE NO. 02

Name stricken off Master List.

CASE NO. 03

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of suspected war criminals submitted to the Department of External Affairs by the Ministry of Justice of a West European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada, applied for citizenship or obtained a passport. The results of these checks were negative. Further checks with police and motor vehicle registration records were also negative and the Commission was advised by officials of the West European country that they had no evidence that the subject had entered Canada.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 04

This individual was brought to the attention of the Commission by the RCMP, whose source of information was the Canadian Jewish Congress.

The Commission requested the departments of Employment and Immigration, Secretary of State and External Affairs to ascertain whether the subject had entered Canada, applied for citizenship or obtained a passport. The Department of Employment and Immigration advised that the subject entered Canada in 1948. The Department of the Secretary of State advised that the subject was granted Canadian citizenship in 1955. The Department of External Affairs advised that the subject did not obtain a Canadian passport.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record on the subject.

The Commission has also confirmed that the subject died in Canada in 1969. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 05

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS). There was no specific suggestion or evidence that the subject was ever involved in war crimes. Rather, he was being investigated by Canadian authorities in response to a request by foreign authorities that he be allowed to immigrate to Canada.

The Commission reviewed material available from the RCMP and from CSIS and determined that the subject abandoned his application for entry in 1955.

The Commission requested the departments of Employment and Immigration and the Secretary of State to conduct checks to ascertain whether the subject had entered Canada at any time since 1955. These departments reported negative search results.

The Commission also confirmed that the Berlin Document Center in West Germany had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 06

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of alleged war criminals possibly residing in Canada provided by the then Department of Manpower and Immigration. There was no specific allegation or evidence that the subject committed war crimes or entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada, applied for citizenship or obtained a passport. The results of these checks were negative. Further checks with police and motor vehicle registration records were also negative.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 07

This individual was brought to the attention of the Commission by The League for Human Rights of B'nai Brith, Canada, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes made against this individual, who was reported to be living in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain how the subject had entered Canada, and whether he had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1952. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The

Department of External Affairs reported that the subject was granted a Canadian certificate of identity, and subsequently passports on four occasions.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission determined that the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin did have a record of the subject which disclosed only that the subject was a member of the Wehrmacht.

The Commission located the subject in Canada in 1986. However, the Commission was unable to ascertain any allegation or evidence that the subject had been involved in criminal wartime activities.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 08

This individual was brought to the attention of the Commission by an individual, whose source of information was a researcher who has done work for a foreign organization at the Yad Vashem archives in Israel. It was alleged that this individual had murdered Jews in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1958. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject with negative results. Nevertheless, the Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record in respect of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire of the Yad Vashem archives or of Eastern Bloc authorities whether they might possess some evidence of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- **Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the Yad Vashem archives, to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- **Should, however, the Government of Canada decide to submit the subject's name to the Yad Vashem archives, to the relevant government or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 09

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 10

This individual was brought to the attention of the Commission by the RCMP, whose sources of information were certain newspaper publications.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada, applied for citizenship or obtained a passport. The Department of Employment and Immigration advised that the subject entered Canada in 1951. The Department of the Secretary of State advised that the subject did not apply for Canadian citizenship. The Department of External Affairs advised that the subject did not obtain a Canadian passport.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record on the subject.

The Commission has also confirmed that the subject died in Canada in 1979. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 11

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was a foreign publication. It was alleged that as a member in the army of an Eastern European country, this individual was in charge of a specific unit stationed in that country, which engaged in punitive expeditions and mass murder. He was well known as a result of his conviction by a West European country for war crimes. Mr. Littman raised the issue of whether this individual had come to Canada following his conviction. Mr. Littman suggested that this individual may have been resident in a specific Canadian city, though there was no evidence that he had entered or been resident in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches in Canada against the subject, with negative results.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 12

This individual was brought to the attention of the Commission by the RCMP, whose source of information was correspondence addressed to the Honourable Robert Kaplan, P.C., M.P. by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject committed war

crimes apart from Mr. Wiesenthal's assertion that the subject had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that the subject had obtained a Canadian passport.

Further checks with police and motor vehicle registration records and investigations by the Commission's staff revealed that the subject was a resident of Canada in 1986.

The Commission was also advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission also confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record on the subject.

The Commission asked Mr. Wiesenthal to provide additional information with respect to the subject and was advised that he was unable to do so.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 13

This individual was brought to the attention of the Commission by The League for Human Rights of B'nai Brith, Canada, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes made against this individual, who was reported to be living in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain how

the subject had entered Canada, and whether he had applied for citizenship or a passport. The departments of Employment and Immigration and External Affairs reported negative search results. The Department of the Secretary of State reported that the subject had been granted Canadian citizenship in 1961, and had entered Canada in 1955.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission determined that the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin did have a record of the subject which disclosed only that the subject was a member of the Waffen-SS.

The Commission located the subject in Canada in 1986. However, the Commission was unable to ascertain any allegation or evidence that the subject had been involved in criminal wartime activities.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 14

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of suspected war criminals submitted to the Department of External Affairs by the Ministry of Justice of a West European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada, applied for citizenship or obtained a passport. The results of these checks were negative. Further checks with police and motor vehicle registration records were also negative and the Commission was advised by officials of the West European country that they had no evidence that the subject had entered Canada.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 15

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 16

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a foreign article. The article alleged that the subject co-operated with the German forces in Eastern Europe in 1941-1943, had been chief of the local Nazi police force and had murdered civilians. No specific dates or other particulars were given although two individuals reportedly living in an Eastern European country were cited as witnesses.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that a person with a name similar to that of the subject entered Canada in 1947. The Department of the Secretary of State reported that this individual was granted Canadian citizenship in 1955. The Department of External Affairs reported that it had no record of this individual.

Further checks with police and motor vehicle records and investigations by the Commission's staff revealed that the individual with a name similar to the subject's was a resident of Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reason noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire of Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

1. Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to appropriate archival centres in that country, the file should be closed.
2. Should, however, the Government of Canada decide to submit the name of the subject to the relevant government or to appropriate archival centres in that country, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.

CASE NO. 17

This individual was brought to the attention of the Commission by the Canadian Jewish Congress (exhibit C-46). The correspondence contained no specific allegation or evidence that the subject committed war crimes apart from the assertion that the subject had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that it had no record in respect of the subject.

Further checks by the Commission's staff revealed that the subject was a resident of Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record on the subject.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 18

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galician Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galician Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 19

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes made against this individual, beyond membership in the SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1952. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name to the Canadian Jewish Congress, and determined that he had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, nor the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, had any record in respect of the subject. The Berlin Document Center reported it could not conduct a search without further details.

The German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, and the Berlin Sick Book Depository reported that their records indicated that the subject's service was

in the Wehrmacht, quite contrary to the allegation that he had served with the SS.

The Commission reviewed UNWCC files concerning an individual with the same surname as the subject but no given name indicated. It concluded, however, that they were different people. The UN files indicate a person who was a high-ranking SS officer during the time in which the Canadian citizen was in communications with the Wehrmacht.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 20

This individual was brought to the attention of the Commission by the League for Human Rights of B'nai Brith, Canada, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes made against this individual.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name to the League for Human Rights, and determined that he had no additional information relevant to the Commission's inquiries. In fact, his complaint was founded only on the fact that the subject spoke German and was educated in a West European city.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 21

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galician Division of the Waffen-SS. In

addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galician Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 21.1

This individual was brought to the attention of the Commission by a private individual, whose source of information was unspecified. It was alleged that the subject under investigation had been a guard at a specific death camp in an Eastern European country in 1943 and the complainant provided the Commission with a photocopy of what purported to be Nazi documents confirming this. The material also included what purported to be a card containing a thumb print of the subject under investigation.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1950. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Both search responses were negative. Through other investigations, the Commission has determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository had any record of the subject. The Berlin Document Center reported that an individual with the same surname, date and

place of birth but a different first name was granted German citizenship and employment in Germany in 1940.

The Commission interviewed the individual who submitted the subject's name and determined that he had no additional information relevant to the Commission's inquiries.

On the basis of the available evidence, there is no *prima facie* case of the actual commission of war crimes by the subject under investigation, although the documents provided would, if accurate, indicate that the subject's activities during the war ought to be thoroughly investigated. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the authorities of the Eastern European country whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the government of the relevant Eastern European country or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the subject should first be summoned by the appropriate authorities for an interrogation on his wartime activities.**
- 3- The matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiries.**

CASE NO. 22

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it conducted of its files following the establishment of the Commission. There was no allegation of war crimes in the file.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The department of Employment and Immigration reported that the subject entered Canada in 1951. The department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 23

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was a foreign publication. It was alleged that this individual was a police investigator who participated in the torture and execution of civilians and prisoners of war.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 24

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of a paramilitary fascist organization.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a

passport. The Department of Employment and Immigration reported that the subject entered Canada in 1952. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1968. The Department of External Affairs reported that it had issued a passport to the subject.

The Commission conducted an MVB search and determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the authorities of the Eastern European country relevant in this case whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the government of the relevant Eastern European country or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 25

This individual was brought to the attention of the Commission by correspondence addressed to the Department of the Solicitor General by authorities of an Eastern Bloc country. It was alleged that this individual ordered the shooting and hanging of citizens and the burning of their settlement during the war, and was thereafter resident in a certain city in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative.

The Commission's efforts to locate the subject at the address specified in Canada produced negative results.

The Commission contacted the relevant country's officials and requested additional information in respect of the subject's alleged war crimes and entry into Canada. No further information was received in response to the Commission's request.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 26

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was the American Jewish Committee. It was alleged that the subject had committed war crimes in towns in Eastern Europe where he had held posts of civil authority.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that a person with a similar name entered Canada in 1953. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1958. The Department of External Affairs reported that the immigrant was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB Searches against both the subject and the immigrant. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the immigrant to be resident in Canada in 1986.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, that the immigrant had served in the Wehrmacht in 1944. He was not a national of the country where the alleged crimes had occurred, but was from an area far removed from the towns where the subject was alleged to have held posts of civil authority.

The Commission checked United Nations War Crimes Commission files and found no reference to the subject or the immigrant.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, and the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, nor the Berlin Sick Book Depository, had any record of the subject or the immigrant.

On the basis of the available evidence, it can be concluded that the immigrant to Canada is not the subject. He served in the Wehrmacht, but that does not amount to a *prima facie* case of war crimes against him, nor did it operate as a bar to entry at the time he entered Canada.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 27

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it conducted of its files following the establishment of this Commission. There was no allegation of war crimes in the file.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 28

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 29

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private citizen. It was alleged that the subject had volunteered for the SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject had entered Canada or applied for citizenship or a passport.

The Department of Employment and Immigration reported that the subject entered Canada in 1953. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1959. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission reviewed materials available from the RCMP of an interview of the citizen who submitted the subject's name to the RCMP, as well as of other people who knew him. The Commission determined that they had no additional information relevant to the Commission's inquiries, and indeed, they did not suggest he had committed a war crime at all.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the other hand, RCMP records of an interview of the subject indicated he admitted to having served in the SS, in a particular division in an Eastern European country. Inquiries were made of foreign authorities as to whether the Division was somehow notorious for its involvement in committing war crimes. As of 1 October 1986 the results of these inquiries are still outstanding.

Some evidence is available indicating that the subject withheld the fact that he had been a member of the SS upon making application to enter Canada. He used a different name from that which he had used as a soldier, possibly to avoid detection.

On the basis of the evidence available to date, there is no *prima facie* case of war crimes against the subject. However, several inquiries are still outstanding.

The Commission accordingly *RECOMMENDS* that:

- 1- The subject should be summoned by the appropriate authorities for interrogation on his wartime activities as well as on the circumstances leading to his immigration and citizenship.**
- 2- The Canadian government should pursue the inquiries made of the relevant foreign governments on the history of the subject's Division.**

- 3- Should those inquiries bring to light incriminating evidence, the matter should be re-assessed and a decision taken as to a possible prosecution.**
- 4- Should no such evidence become available, the Canadian government should consider the advisability of pursuing revocation of citizenship and deportation of the subject, based on his failure to disclose his SS history.**

CASE NO. 30

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed his membership in the Galician Division of the Waffen-SS and in the military police.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

Finally, the Commission confirmed that the subject died in Canada in 1979. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 31

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes against this individual apart from the fact that he was convicted by a court in a West European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a

passport. The Department of Employment and Immigration reported that the subject entered Canada in 1961. All other search responses were negative.

The Commission confirmed that neither the Berlin Document Center, the Berlin Sick Book Depository, nor the Central Information Office of the Federal Archives in Aachen-Kornelimünster had any record in respect of the subject.

The Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, reported that it had no record of the subject nor of his alleged conviction.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin that it had a record of the subject which indicated that he was a pilot in the Luftwaffe until 1942.

After thorough investigation, including the source of the allegation, the Commission determined that the subject returned to a West European country and died there in the early 1970s.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 32

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private individual. It was alleged that the subject under investigation had admitted being involved as a high-ranking SS officer in overseeing labour camps.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1958. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission determined that the subject died in Canada in 1984. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 33

This individual was brought to the attention of the Commission by the Canadian Jewish Congress and the RCMP, whose source of information was

Mr. Sol Littman. It was alleged that this individual, as a policeman, had participated in the execution of the civilian population.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted a CPIC search against the subject with negative results.

The Commission was advised by the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, that the subject was named on a Wiesenthal List.

The Commission confirmed that neither the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin nor the Central Information Office of the Federal Archives in Aachen-Kornelimünster had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 34

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a publication in which it was alleged that this individual was formerly active in the government of an occupied Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1953. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1959. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission found the subject to be resident in Canada in 1986.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of former German Wehrmacht (WASSt) in Berlin that it had a record indicating that the subject had been in the army of an Eastern European country prior to being taken prisoner.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, and the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the army of an Eastern European country is available. Without such evidence, and based upon the reasoning set out in chapter I-8 of this Report (see finding no. 59) pertaining to the Galicia Division, membership in the specific army unit is insufficient to establish a *prima facie* case for the Commission's purposes, nor was it a bar to entry at the time the subject entered Canada.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 35

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a letter from Mr. Simon Wiesenthal to the Honourable Robert Kaplan, P.C., M.P. The letter contained no specific allegation or evidence that the subject committed war crimes other than Mr. Wiesenthal's assertion that the subject had been a member of the Galicia Division of the Waffen-SS. The Commission asked for, but did not receive, further particulars of the subject's alleged war crimes. In addition, the letter contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada, applied for citizenship or obtained a passport. The results of these checks were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only that he may have been a member of the Waffen-SS. The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 36

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it conducted of its files following the establishment of this Commission. There was no allegation of war crimes in the file.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 37

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed his membership in the Galician Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 38

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject had been a member of the Security Police in an Eastern European country, and was responsible "for many deaths". Mr. Littman indicated that the basis of his information was a file in the possession of a foreign authority. Mr. Littman also advised that the subject was thought to be living at an unspecified address in another country and for this reason should not have been included in the names submitted by Mr. Littman to the Commission.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative.

The Commission was advised that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 39

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a foreign newspaper article. It was alleged that the subject had worked for German Intelligence in denouncing persons to the German forces occupying an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1950. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1961. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted CPIC, MVB and other searches against the subject and determined the subject to be resident in Canada in 1986.

The Commission approached a relevant survivor group and determined that it had no information to confirm or deny the allegations against the subject.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 40

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject had been a speech writer for a Nazi puppet leader. Apart from the foregoing, there was no specific allegation or evidence that the subject committed war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration advised that the subject entered Canada in 1951. The Department of the Secretary of State advised that the subject was not granted Canadian citizenship. The Department of External Affairs advised that the subject did not obtain a Canadian passport.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record on the subject.

The Commission has also confirmed that the subject died in Canada in 1961. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 41

This individual was brought to the attention of the Commission by both the Canadian Jewish Congress and Mr. Sol Littman, whose source of information was a newspaper publication. It was alleged that this individual had been involved in the Galicia Division of the Waffen-SS, though there was no specific allegation or evidence that he had otherwise been involved in war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that a

person with a similar name entered Canada in 1949. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1956. The Department of External Affairs reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that the Berlin Document Center did not have a record in respect of the subject.

The immigrant was reported to have been born in 1885. If alive, the immigrant would now be 101 years of age.

In view of the discrepancy between the names of the subject and the immigrant, and the unlikely prospect that the immigrant is still alive, it is recommended that the file on the subject be closed.

CASE NO. 42

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 43

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that it had no record of the subject.

The Commission conducted an MVB search and determined that the subject was resident in Canada in 1986.

The Commission was advised by the Berlin Document Center and by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, that they had records of the subject which confirm his membership in the Galicia Division of the Waffen-SS.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg,

West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any further information on the subject.

The Commission asked Mr. Wiesenthal to provide additional information with respect to the subject and was advised that he was unable to do so.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 44

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 45

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a publication in which it was alleged that this individual had persecuted Jews in a certain Eastern European country as a member of the SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that the subject was subsequently granted Canadian passports on five occasions.

The Commission conducted CPIC and MVB searches against the subject and determined the subject to be resident in Canada in 1986.

The Commission reviewed materials available from the Berlin Document Center, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin and the Berlin Document Sick Book Depository and found that the subject had indeed served in the SS and that he eventually became an officer. It was not clear, however, whether he actually served in the area where the alleged incidents took place or at the time the incidents took place.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record in respect of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The mere fact of subject's former service in the Waffen-SS would have been a major consideration at the time he entered Canada in 1949, but some non-German former Waffen-SS members were being allowed in by then, so his entry would not necessarily have been precluded.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed;**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 46

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a document of unknown origin. It was alleged that this individual had served in the SS and had been employed in the execution of Jewish civilians, on more than one occasion.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with the same surname and similar first name entered Canada in 1948. The Department of the Secretary of State reported that the same individual whose first name now matched that of the subject under investigation was granted Canadian citizenship in 1957. The citizenship application indicated that he arrived in Canada but exactly one year earlier than Immigration had reported. The Department of External Affairs reported that it had no record of the subject.

The Commission conducted Vital Statistics, CPIC and MVB searches on the subject and determined that he was resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject. The Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, reported only that the subject had been named in a Wiesenthal list.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 47

Name stricken off Master List.

CASE NO. 48

This individual was brought to the attention of the Commission by the RCMP, whose source of information was an anonymous letter. It was alleged that the subject had provided unspecified services to the Nazis prior to 1939.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1950. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1960. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission also checked with the Berlin Document Center which provided documentation dealing with the individual's war record but which did not disclose any evidence that the subject had committed any war crimes. In addition, the original anonymous allegation referred to activities prior to 1939, thus before the outbreak of the war; this period falls outside the mandate of the Commission in any event.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 49

This individual was brought to the attention of the Commission by correspondence to the Honourable Robert Kaplan, P.C., M.P. from Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada, or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1968. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1974. The Department of External Affairs reported that it had no record of the subject.

The Commission conducted an MVB search and determined that the subject was resident in Canada in 1986.

The Commission was advised by the Berlin Document Center and by the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, that they have records of the subject which confirm his membership in the Galicia Division of the Waffen-SS.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin and the Berlin Sick Book Depository had no record of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

The records from West Germany also indicate that the subject was a member of a particular military unit prior to joining the Galicia Division. That formation organized under the aegis of the Abwehr, was investigated by the Chief Public Prosecutor's Office in Bonn. This investigation concluded that the unit as a whole did not perpetrate any war crimes although it did not exclude the possibility that individual members of the unit, against instructions and orders received, may have taken part in certain specific atrocities committed in 1941. There is no allegation or evidence that the subject himself was such an individual. Rather, it is his status as a former Galicia Division member that is the alleged war crime.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59). Nor is there evidence available to build a *prima facie* case that membership in the particular military unit concerned amounts to involvement in war crimes or to a bar to entry to Canada.

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 50

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 51

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 52

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had no record with respect to the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 53

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private individual. It was alleged that the subject under investigation had been involved in the Gestapo.

The RCMP interviewed the subject who stated that he entered Canada under another name because he was allegedly under a sentence of death in an Eastern European country. He would not elaborate on this statement. Subsequent to his entry, he legally changed his name back to his birth name.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949 under virtually the same name he had given to the RCMP.

The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955, again under a variant of the name he had given the RCMP. It should be noted that on the citizenship application form, he was asked to give his former name and his response was "same name". Citizenship records also indicated that he changed his name to his current name in 1974.

The Department of External Affairs reported that the subject was granted Canadian passports twice (although the records are virtually indecipherable) and again later under his name of entry into Canada and a fourth time under his name of birth. It should be noted that the date of birth this individual used when he was using the name under which he entered Canada differs from the date of birth used under his current name.

The Commission confirmed that the individual legally changed his name as alleged, giving as the reason that he wished to revert to his true birth name and that of his father. There is no explanation for the different birth dates.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record of the subject under the name he used prior to entry into Canada and that the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin and the Berlin Sick Book Depository, had no record of the subject under either name.

Regarding the alleged death sentence, the Commission requested the Department of External Affairs to obtain from the appropriate authorities of the Eastern European country details of the alleged sentence including specific charges, evidence available and conviction particulars. More than five months later, the Commission was provided with a statement that a person with a name similar to the name the subject used prior to entry into Canada was declared a war criminal in 1946. The statement included allegations of the subject's wartime activities.

Interesting as it was, the response was incomplete. Therefore, the Commission reiterated its request regarding available evidence in the form of witnesses and also requested copies of the documents upon which the above-noted allegations were made. This request was made in April 1986, and at the time of writing, there has been no response.

Due to the lack of available evidence, there is no prima facie case of war crimes against the subject.

However, the Commission *RECOMMENDS* that:

- 1- The Canadian government should pursue the Commission's efforts in order to obtain from the authorities of the Eastern European country the documents supporting allegations against the subject as well as the witnesses who may still be available for examination.**
- 2- In the event that the material and individuals referred to in recommendation 1 are forthcoming, the matter ought to be re-assessed and a final decision taken, depending upon the result of such inquiry.**
- 3- Should the Government of Canada not wish, as a matter of policy, to pursue this matter with the relevant government, the file ought to be closed.**

CASE NO. 54

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it conducted of its files following the establishment of the Commission. There were no allegations of war crimes on the file.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that four individuals having the same name as the subject under investigation entered Canada, one in 1951, and three others in 1957. The Department of the Secretary of State reported that the first individual was granted Canadian citizenship in 1957. There was no record in respect of any of the other individuals. The Department of External Affairs reported that the first individual was subsequently granted Canadian passports five times. All but the first of these passports indicated that the individual's mailing address was in a foreign country.

The Commission conducted MVB, credit and street and name directory searches against the subject. All search responses were negative. A CPIC search revealed that the first individual had been charged with an offence not relevant to the Commission's mandate in 1959 and that the charge had been dismissed. Through other investigations the Commission determined that the first individual was admitted as a permanent resident in a foreign country in 1962.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject under any of the birth dates available to the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 54.1

This individual was brought to the attention of the Commission by a private citizen, who alleges that the subject had been an official in the SS in a West European country and that he boasted of killing Jews and others.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject had entered Canada or applied for citizenship or a passport.

The Department of Employment and Immigration reported that the subject entered Canada in 1950. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The Department of External Affairs reported that the subject was subsequently granted Canadian passports twice.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name and determined that he had no additional information relevant to the Commission's inquiries. He is of an advanced age and for some time has been in a state of confusion.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 55

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS. Further, the Center indicated the subject was reported missing in action in 1944.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 56

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private individual. It was alleged that the subject under investigation had been a Nazi and had been guilty of unspecified cruelty.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission was advised that the Berlin Document Center could not respond to a request for details of a record in respect of the subject without additional information, such as date of birth. As the original complainant subsequently decided not to provide any more information to authorities, this matter could not be pursued.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 57

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 58

This individual was brought to the attention of the Commission by the RCMP, whose source of information was CSIS. The Commission determined that this individual was reputed to have been a Nazi collaborator in a West European country during World War II.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1946. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1952. The Department of External Affairs reported negative search results.

The Commission confirmed that the Berlin Document Center did not have a record in respect of the subject.

The Commission determined that the subject died in Canada in 1953. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 59

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a document of unknown origin which listed a number of individuals alleged to have committed war crimes specified in the document. It was alleged that the subject under investigation had participated in punitive expeditions in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC, MVB and vital statistics searches against the subject under investigation, and as there was an unsubstantiated allegation that the subject lived in a specific part of Canada, the Commission also checked with local police departments. All results were negative.

The Commission confirmed that the Berlin Document Center had no record in respect of the individual and the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, confirmed only that the subject had been named by Mr. Simon Wiesenthal.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 59.1

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was the Documentation Center (Simon Wiesenthal) in Vienna, Austria. There was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Berlin Document Center, had no record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 59.2

Opinion is in abeyance pending results of external checks.

CASE NO. 60

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes made against this individual apart from the citizen's assertion that he was a member of the SS during World War II.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration submitted seven separate landing records on persons with given names similar to the name of the subject under investigation. However, the oldest person would have been only ten years old at the beginning of the war, and it would be therefore almost impossible for this individual to have committed a war crime. All other search responses were negative.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 61

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a newspaper publication. It was alleged that this individual had taken an active part in the execution of prisoners of war.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The

Department of External Affairs reported that it had no record in respect of the subject.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

The Commission determined that the subject died in Canada in 1969. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 62

This individual was brought to the attention of the Commission by the League for Human Rights of B'nai Brith, whose source of information was a private citizen. It was alleged that the subject may have had an SS past.

The Commission requested the departments of Employment and Immigration and the Secretary of State to conduct checks to ascertain when the subject entered Canada and whether he applied for citizenship. The departments reported negative search results.

The Commission interviewed the citizen who submitted the subject's name to B'nai Brith, and determined that he had no additional information relevant to the Commission's inquiries, nor had he any basis for making the allegation.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission confirmed that the subject died in Canada in 1984. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 63

This individual was brought to the attention of the Commission by the RCMP. The individual was named on a list submitted to the Department of External Affairs by the Ministry of Justice of a West European country. The Commission was advised by the Honourable Robert Kaplan, P.C., M.P., that

no information was received from the foreign officials to indicate that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 64

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 64.1

Opinion is in abeyance pending results of external checks.

CASE NO. 65

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private citizen. It was alleged that this individual was somehow connected as a guard or policeman with the German forces when they entered a specific Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1947. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1966. The Department of External Affairs reported that it had no record of the subject.

The Commission conducted CPIC and MVB searches and determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name to the Canadian Jewish Congress, and determined that he had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any further information on the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 66

This individual was brought to the attention of the Commission by the RCMP, whose source was information from the Department of Manpower and Immigration (as it then was). It was alleged that this individual had been responsible for administering the selection of deportees for camps and execution.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that it had no record in respect of the subject.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject and the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, reported that the subject was mentioned in a publication as being responsible for administering the selection of deportees for camps and execution. The Commission notes that an RCMP check with a foreign authority revealed no record of the subject's name.

The Commission determined that the subject died in Canada in 1976. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 67

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 68

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a request for extradition from an Eastern European country. It was alleged that this individual had been responsible for the murder of hundreds of people.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that it had no record in respect of the subject.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had a record in respect of the subject. The Commission notes that an RCMP check with a foreign authority revealed no record of the subject's name.

The Commission determined that the subject died in Canada in 1985. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 68.1

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was the Documentation Center (Simon Wiesenthal) in Vienna, Austria. There was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Berlin Document Center had no record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 69

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS). There was no specific suggestion or evidence that the subject was ever involved in war crimes. Rather, he was being investigated by Canadian authorities in response to a request by foreign authorities that he be allowed to immigrate to Canada.

The Commission reviewed material available from the RCMP and from CSIS and determined that the subject abandoned his application for entry in 1955.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission also confirmed that the Berlin Document Center in West Germany had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 70

This individual was brought to the attention of the Commission by the RCMP and B'nai Brith, whose sources of information were two private individuals. It was alleged that the subject under investigation had been a member of the SS and made anti-Semitic remarks.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a similar surname and identical first name entered Canada in 1980. The Department of the Secretary of State reported that this individual, whose surname by now matched that of the subject under investigation was granted Canadian citizenship in 1980. The Department of External Affairs reported that it had no record in respect of the subject.

Through various investigations the Commission determined that subject was resident in Canada in 1986.

The Commission reviewed the record of the RCMP's interview with its source and also interviewed the individual who submitted the subject's name to B'nai Brith and determined that they had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg,

West Germany, nor the Central Information Office of the Federal Archives in Aachen-Kornelimünster, had any record of the subject.

The German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, and the Berlin Sick Book Depository reported that they had records which indicated that the subject had served in the Waffen-SS, as a member of specified units.

The Berlin Document Center reported that the subject joined the SS in 1941 and provided details of his military record.

The Commission accordingly *RECOMMENDS* that:

- 1- A complete history should be compiled of the units in which the subject served from enlistment to the end of the war, to include the activities of those units while he was assigned to them.**
- 2- The subject should be summoned for interrogation by appropriate authorities to obtain his explanation of his activities during the war.**
- 3- The matter should be re-assessed and a final decision be taken on the basis of the results of those inquiries.**

CASE NO. 71

This individual was brought to the attention of the Commission by the RCMP. This individual was named on a list submitted to the Department of External Affairs by the Ministry of Justice of a West European country. Officials of that country reported that a special court had sentenced this individual to a term of imprisonment for war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative.

The Commission was advised by the foreign officials that they had no evidence that the subject had entered Canada.

The Commission confirmed that both the Berlin Document Center and the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had a record in respect of the subject. However, neither record contained any information to indicate that the subject had entered Canada.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 72

This individual was brought to the attention of the Commission by numerous sources including the RCMP, whose source of information was a letter addressed to the Department of the Solicitor General from Mr. Simon Wiesenthal. Mr. Wiesenthal alleged that this individual was a member of a paramilitary fascist organization, had lived in a West European country during the war and was thereafter resident at a specified address in Canada. Apart from the foregoing, there was no specific allegation or evidence that this individual had been involved in war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1956. The Department of the Secretary of State reported that the Subject was granted Canadian citizenship in 1962. The Department of external Affairs reported negative search results.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1985.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission was advised by Mr. Wiesenthal that he was unable to provide any additional information with respect to the subject.

The Commission received information that the subject may have been tried and sentenced by a military tribunal in an Eastern European country early in the war.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. For the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc**

government or to the appropriate archival centres, the file ought to be closed.

- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 73

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman made no particular allegation against the subject, but referred to information obtained from a particular individual as the source of the subject's name. Mr. Littman further indicated that the subject resided at an unspecified address in Canada and had been the object of an extradition request by the government of an Eastern European country. No particulars of this alleged extradition request were provided.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada, applied for citizenship, or a passport. The results of these checks were negative. Further checks conducted against police and motor vehicle registration records were also negative. The Commission confirmed that an extradition request had not been received by the Canadian government and that the Berlin Document Center had no record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 74

Name stricken off Master List.

CASE NO. 75

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence specified the subject resided at an address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative, except for one immigrant to Canada who fought as a Canadian soldier during the war.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission's efforts to locate the subject at the address specified in Canada produced negative results. It requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 76

This individual was brought to the attention of the Commission by the RCMP, whose source of information was an anonymous letter. It was alleged that the subject under investigation was a war criminal in an Eastern European country in 1941-1945.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1952. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1960. The Department of External Affairs reported that the subject requested a certificate of identity and applied for a Canadian passport.

The Commission conducted an MVB search against the subject. The MVB search produced positive results and the Commission has determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the authorities of the Eastern European country whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly **RECOMMENDS** that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the government of the relevant Eastern European country or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 77

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had no record in respect of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 77.1

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose sources of information were certain newspaper publications. It was alleged that this individual had participated in the shooting of more than 500 persons in a particular death camp.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission was advised that a person with a similar name was residing in Canada in 1986. Further investigation has however shown that this individual is not the subject under investigation.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 78

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative. Furthermore, a foreign publication indicates the subject died in Western Europe in 1972.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 79

This individual was brought to the attention of the Commission by numerous sources, including the RCMP. It was alleged that this individual had been a member of a certain police force and had participated in extermination operations.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an

immigrant with a similar name entered Canada in 1953. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1964. The Department of External Affairs reported negative search results.

The Commission conducted CPIC and MVB searches. The CPIC search response was positive for the immigrant, while the MVB search produced negative results.

The Commission determined that the immigrant died in Canada in 1981. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 80

This individual was brought to the attention of the Commission by the RCMP, in the course of an internal review of its former security service files. It was alleged that the subject under investigation had been a member of a fascist paramilitary organization.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

In addition, in 1985 the Commission wrote to the Centre de documentation juive contemporaine in Paris requesting any information that the centre had on the activities of that fascist paramilitary organization in general and on a number of named individuals, including the subject under investigation. There was no response to that letter.

The Commission confirmed that the Berlin Document Center had no record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 81

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject was responsible for the death of Jews in an Eastern European country. Mr. Littman also indicated that the subject resided at a specific address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a

passport. The Department of Employment and Immigration reported that an individual with a name similar to that of the subject entered Canada in 1947. The Department of the Secretary of State reported that this individual was granted Canadian citizenship in 1958. The Department of External Affairs reported that it had no record of the subject.

Further checks of police and motor vehicle records and investigations by the Commission's staff revealed that the individual, whose name is similar to the subject's, was a resident of Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record on the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reason noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire of Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1. Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to appropriate archival centres in that country, the file should be closed.**
- 2. Should, however, the Government of Canada decide to submit the name of the subject to the relevant government or to appropriate archival centres in that country, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 82

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a foreign authority. It was alleged that the subject under investigation had been accused of activities in an Eastern European country while being a member of a paramilitary organization. The information did not contain any evidence in support of this allegation, and its concern was directed to the activities of the subject and others in the U.S. and Canada after the war.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The departments of the Secretary of State and External Affairs reported that they had no record of the subject.

The Commission conducted an MVB search against the subject which produced positive results. The Commission has determined the subject to be resident in Canada in 1986.

In addition, in 1985 the Commission wrote to the Centre de documentation juive contemporaine in Paris requesting any information that the centre had on the activities of a certain fascist paramilitary organization and on a number of named individuals, including the subject under investigation. There was no response to that letter.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the authorities of the Eastern European country whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the government of the relevant Eastern European country or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 83

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's

assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 84

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 85

This individual was brought to the attention of the Commission by Mr. David Matas, Mr. Ephraim Zuroff from Israel and the Simon Wiesenthal Center in

Los Angeles, California. It was alleged that this individual served with the Gestapo in Eastern Europe.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that a person with a similar name entered Canada in 1949. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1956. The Department of External Affairs reported that the Canadian citizen was subsequently granted a passport.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that neither the Berlin Document Center, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission was advised by the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany that it had a record of a person with a similar name to the subject under investigation, which stated that the individual was a member of the Security Police in an Eastern European country. According to a witness, this person is alleged to have participated in executions.

The Commission was advised by a foreign authority that the subject has now become a naturalized citizen in another country. Also, a reliable source confirmed that the subject is presently residing in that other country.

For this last reason, it is recommended that the file on the subject be closed.

CASE NO. 86

This individual was brought to the attention of the Commission by Mr. David Matas, Mr. Ephraim Zuroff from Israel and the Simon Wiesenthal Center in Los Angeles, California. It was alleged that this individual had participated in the murder of Jews in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. All other search responses were negative.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject.

The Commission determined that the subject died in Canada in 1981. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 87

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 88

This individual was brought to the attention of the Commission by the RCMP, whose source of information was Mr. Sol Littman. It was alleged that the subject under investigation had been a member of a certain fascist paramilitary organization.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of the report: "Methodology", the Commission did not inquire from the authorities of the Eastern European country whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the government of the relevant Eastern European country or to the appropriate archival centres, the file ought to be closed.
- 2- Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.

CASE NO. 89

Name stricken off Master List.

CASE NO. 90

Name stricken off Master List.

CASE NO. 90.1

This individual was brought to the attention of the Commission by a private citizen. It was alleged that a certain publication described the subject as having collaborated with the Germans in locating Jews, confiscating their property and deporting them.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject had entered Canada or applied for citizenship or a passport. The Commission has certain information which indicates that the subject entered Canada in 1949. It has not yet received an official reply from these departments.

The Commission conducted CPIC, MVB and other searches against the subject, and determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name to the Commission, and determined that he had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former

German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository had any record in respect of the subject.

The Commission has been unable thus far to procure a copy of the foreign publication which is alleged to describe the subject's activities. It has, however, found mention of a person with the same surname as the subject in another publication on the holocaust. Names of potential witnesses are available from the text, but the Commission has not had sufficient time to complete its investigation to determine whether the person described in the book is the subject, whether the witnesses are still alive, where they are located and whether their testimony is of any value.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. Also, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the authorities of the Eastern European country whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- The Government of Canada should pursue the inquiries which the Commission has started or has indicated in its report. They cannot however be effectively pursued without the cooperation of the government of the relevant Eastern European country.**
- 2- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant government or to the appropriate archival centres, then there remains no other alternative but to close the file.**
- 3- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 91

This individual was brought to the attention of the Commission by a private citizen. It was alleged that this individual was a war criminal from the Eastern Bloc who entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that it had no record in respect of the subject.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

The Commission determined that the subject died in Canada in 1979. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 92

This individual was brought to the attention of the Commission by the League for Human Rights, B'nai Brith, whose source of information was a private individual. It was alleged that the subject under investigation had participated in rounding up Jews during the German occupation of the Eastern Bloc and that he was in the SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with the same surname and a similar first name entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the individual who entered Canada. Both responses were negative. Further searches revealed that this individual was resident in Canada in 1986. It is to be noted that the information obtained by the Commission indicates that this individual was born in 1930 and would therefore have been between 9 and 15 years of age during the war. It is reasonable to assume therefore, either that the individual who entered Canada is not the subject under investigation or that he gave an incorrect date of birth.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire

from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- **Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- **Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 93

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative. Furthermore, a certain publication indicates that the subject died in another country in 1981.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 94

This individual was brought to the attention of the Commission by numerous sources, including correspondence addressed to the Department of the Solicitor General by the authorities of an Eastern Bloc country. It was alleged that this individual had certain duties in a prisoner of war camp in an Eastern European country and had thereafter served at specific death camps.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1961. The Department of External Affairs reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission determined that the subject died in Canada in 1969. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 95

This individual was brought to the attention of the Commission by the RCMP. In anonymous letters, it was alleged that he had co-operated with the SS and killed Jews in an Eastern European country during the war. The letters did not contain sufficient information to enable the Commission to locate and interview their author.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported negative search results.

The Commission conducted CPIC and MVB searches against the subject. The CPIC search response was negative. The MVB search response was positive. The Commission located the subject in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the authorities

of the Eastern European country whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the government of the relevant Eastern European country or to the appropriate archival centres, the file ought to be closed.**
- 2- Should however the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 96

This individual was brought to the attention of the Commission by the RCMP, whose source of information was an anonymous letter. It alleges that the author's spouse had been shot by the subject, who was an SS helper and a member of the police in the Eastern Bloc at the time. The author maintains the subject killed Jews and others and ordered people to concentration camps.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject had entered Canada and whether he had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1969. The Department of the Secretary of State reported that the subject was subsequently granted Canadian citizenship in 1974. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission made every effort to trace the return address of the citizen who submitted the subject's name without success.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 97

This individual was brought to the attention of the Commission by the RCMP and the Canadian Security Intelligence Service (CSIS). In anonymous letters, it was alleged that he had co-operated with the SS and killed Jews in an Eastern European country during the war. The letters did not contain sufficient information to enable the Commission to locate and interview their author.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1975. The departments of the Secretary of State and External Affairs reported negative search results.

The Commission conducted CPIC and MVB searches against the subject. The CPIC search response was negative. The MVB search response was positive. The Commission located the subject in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not enquire from the authorities

of the Eastern European country whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the government of the relevant Eastern European country or to the appropriate archival centres, the file ought to be closed.**
- 2- Should however the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 98

This individual was brought to the attention of the Commission by the RCMP, whose source of information was the Canadian Jewish Congress. It was alleged that this individual was a member of a police force in the Eastern Bloc and had killed a civilian.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative of the subject and alias names. However, the Department of Employment and Immigration reported that a person with a similar name entered Canada in 1951. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1970. The Department of External Affairs reported negative search results against the immigrant/citizen.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had a record of the subject or the immigrant/citizen.

The Commission determined that the immigrant/citizen died in Canada in 1985. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 99

This individual was brought to the attention of the Commission by the RCMP, who opened a file upon a request from the Department of Employment and

Immigration. It was alleged that this individual was active in a local government in an Eastern European country during World War II.

The Commission requested the Departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no further information than that already known to the Commission.

The Commission was also advised by the authorities of another country that the subject died in that country in 1965.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 100

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 101

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 102

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had no record in respect of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 103

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private individual. It was alleged that the subject under investigation had been a war criminal from a West European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission received negative search results in respect of citizenship and passport. The Department of Employment and Immigration reported that the subject entered Canada in 1946, had subsequently been ordered deported and, during the course of litigation that ensued, had voluntarily left.

Newspaper reports indicate that the subject died in another country in 1972, although the report from the Department of Employment and Immigration indicates that the Department believed that he had died in a different country in that year.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that the Berlin Document Center had no record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 104

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject was a guard at a certain concentration camp but did not allege that the subject ever entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative.

In addition, the subject was extradited from one country to another for alleged war crimes. The extradition proceedings and the trial in that country have been fully publicized and confirm that the subject is not in Canada.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 105

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 106

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 107

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 108

Name stricken off Master List.

CASE NO. 109

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private citizen. It was alleged that this individual had been in the SS. Apart from the foregoing, there was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1952. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record in respect of the subject.

The Commission was advised by the Berlin Document Center that it had a record of a person with a similar name but with a different date of birth which confirmed his membership in the SS. His name also appears on a list which was prepared by the liaison staff of a concentration camp. This list indicates the names of SS soldiers (and not prisoners) who were sent to a certain concentration camp.

The Commission was also advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, that it had material from the Berlin Document Center which indicated that the subject was released as a prisoner of war from East Bloc captivity. The agency also provided information with respect to a person with a similar name as subject (no date or place of birth given) who was transferred from one concentration camp to another. It is most probable that this individual is the same as the SS soldier already referred to in the previous paragraph.

In 1985, the Commission wrote to the Yad Vashem archives and stated that it had located the subject in Canada. In early 1986, the Commission was informed that the police of a foreign country will provide the necessary information in respect to the subject. The Commission subsequently received documentation from that police force which confirmed the above information only in respect to the individual who was an SS soldier transferred to a certain

concentration camp. No information was provided with respect to the subject under investigation.

On the basis of the foregoing, there is *prima facie* evidence against the person with a similar name as the subject who was an SS soldier at the specific concentration camp. However, there is no evidence of participation in or knowledge of specific war crimes in respect to the subject under investigation. Without such evidence no *prima facie* case can be made against the latter.

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 110

This individual was brought to the attention of the Commission by the B'nai B'rith, whose source of information was a private individual. It was alleged that the subject under investigation claimed to have power of life and death over Jewish prisoners of war.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 111

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private citizen. It was alleged that this individual was in the Wehrmacht and stationed in the Eastern Bloc during World War II. Apart from the foregoing, there was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1954. The Department of the Secretary of State

reported that the subject was granted Canadian citizenship in 1975. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject with negative results. Nevertheless, the Commission determined the subject to be resident in Canada in 1986.

The Commission tried to contact the citizen who submitted the subject's name to the Canadian Jewish Congress, but to no avail.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository had any record in respect of the subject.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed his date and place of birth. He emigrated to a West European country and became a citizen of that country, together with his family.

The Commission was also advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, that it had a record of the subject which indicated his membership in the Wehrmacht (regular army).

Due to the lack of any evidence relative to war crimes, it is recommended that the file on the subject be closed.

CASE NO. 112

This individual was brought to the attention of the Commission by correspondence addressed to the Department of the Solicitor General by foreign authorities. It was alleged that this individual had participated in the shooting of Eastern Bloc civilians during the war, and was thereafter resident at a specified address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative.

The Commission contacted Eastern Bloc officials and requested additional information in respect of the subject's alleged war crimes and entry into Canada. No further information was received in response to the Commission's request.

The Commission's efforts to locate the subject at the address specified in Canada produced negative results.

The Commission confirmed that the Berlin Document Center reported it needed more details to complete its name search, and the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no information other than that already known to the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 113

Opinion is in abeyance pending results of external checks.

CASE NO. 114

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 115

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 116

This individual was brought to the attention of the Commission by correspondence addressed to the Department of the Solicitor General by foreign authorities. It was alleged that this individual had participated in the shooting of Eastern Bloc civilians during the war, and was thereafter resident at a specified address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative.

The Commission contacted officials of the relevant Eastern Bloc country and requested additional information in respect of the subject's alleged war crimes and entry into Canada. No further information was received in response to the Commission's request.

The Commission's efforts to locate the subject at the address specified in Canada produced negative results.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 117

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 118

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a foreign authority. It was alleged that this individual was a member of an Eastern European military group convicted for crimes against the Jews.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject.

The Commission was also advised by the foreign authority that the subject is now living in another country.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 118.1

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was a publication. It was alleged that this individual, as a civic authority in Eastern Europe, had helped send people to labour camps.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany had no record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 119

This individual was brought to the attention of the Commission by Mr. Sol Littman and the RCMP, whose source of information was certain newspaper publications. It was alleged that this individual worked for the Gestapo and the counter-intelligence of an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1950. All other search responses were negative.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

The Commission determined that the subject died in Canada in 1973. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 120

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject had murdered Jews in an Eastern European country. There was no specific evidence of war crimes other than a certain article in an Eastern European publication. Mr. Littman indicated that the subject resided at a specified address in Canada, but was unable to provide any information concerning the subject's place and date of birth.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a name similar to that of the subject entered Canada in 1947. The Department of the Secretary of State reported that this individual was granted Canadian citizenship in 1953. The Department of External Affairs reported that this individual had obtained a Canadian passport.

Further checks of police and motor vehicle records and investigations by the Commission's staff revealed that the subject was a resident of Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reason noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire of Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to appropriate archival centres in that country, the file should be closed.**
- 2. Should, however, the Government of Canada decide to submit the name of the subject to the relevant government or to appropriate archival centres in that country, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 121

This individual was brought to the attention of the Commission by the RCMP, whose source of information was the Department of the Solicitor General which, in turn, had received information from a private citizen. It was alleged that this individual may have been a doctor who experimented on concentration camp prisoners.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1957. The Department of External Affairs reported that the subject was subsequently granted Canadian passports on four occasions.

The Commission conducted an MVB search against the subject with positive results. The Commission determined the subject to be residing in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name to the Solicitor General's Office and determined that she had no additional information relevant to the Commission's inquiries. The interview also established that the complainant was not in a position to place the subject in a Nazi war camp nor was she in possession of names of witnesses able to connect the subject with wartime criminal activities.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin that it had a record of the subject which indicated his membership in the Wehrmacht (regular army).

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Wehrmacht is available. Without such evidence, mere membership in the Wehrmacht is insufficient to establish a *prima facie* case for the Commission's purposes. Also, the subject would have been only 15 to 20 years old during the war, hardly an age to have the position suggested by the source.

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 122

This individual was brought to the attention of the Commission by an anonymous note. The only allegation initially made was that the subject was a war criminal and was living at a certain address in Canada.

The Commission investigated the information and is satisfied that the subject is resident at the Canadian address indicated by the source. However, the evidence also indicates the individual has lived all his life in Canada and was drafted into the Canadian army for a short time in 1942.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 123

This individual was brought to the attention of the Commission by the RCMP, which opened a file upon request from a foreign authority which needed assistance regarding the subject under investigation.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that it had no record in respect of the subject. The Department of External Affairs reported that the subject was subsequently granted a certificate of identity.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission was also advised by the relevant foreign authority that the subject is now living in another country.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 124

This individual was brought to the attention of the Commission by the Department of Justice, whose source of information was the Eastern Bloc. No specific war crimes were alleged against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 125

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject was active in the government of an occupied Eastern European country. Mr. Littman also indicated that the subject was dead, although no particulars were provided. Mr. Littman did not allege that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative. Further checks with police and motor vehicle registration records were also negative.

The Commission has also confirmed that the subject died in a West European country in 1974. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 126

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 127

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 128

This individual was brought to the attention of the Commission by the Department of Justice and the RCMP, whose source of information was certain newspaper publications. It was alleged that this individual was a member of the police of an Eastern European country who participated in the shooting of 2000 civilians, more particularly Jewish families in that country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that neither the Berlin Document Center, the Central Information Office of the Federal Archives in Aachen-Kornelimünster nor the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, had any record in respect of the subject.

The Commission was advised by the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, that it had a record of the subject whose name appears in a specific report from an Eastern European country.

In spite of the above information, it is recommended that the file on the subject be closed, since he never entered Canada.

CASE NO. 129

This individual was brought to the attention of the Commission by the RCMP as a result of circumstances during which the individual himself sought the help of RCMP regarding certain criminal activity directed at him.

The Commission reviewed material available from the RCMP to determine whether it gave any evidence that the subject had committed a war crime. These checks were negative.

The Commission also checked with the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist

Crimes in Ludwigsburg, West Germany, the German Military Service Office (WASSt) in Berlin and the Berlin Sick Book Depository, to ascertain whether they had any evidence of possible Nazi war crime activities.

The latter two have records indicating the subject became involved with the air force in 1943. He was captured in 1945 and held in hospital and in the custody of a foreign country for two years. No records indicate evidence of involvement in Nazi war crimes. Rather, the subject spent the war years, once he was of an age to be recruited, in the service of an airborne regiment of the army.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 130

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was a certain publication. It was alleged that this individual had participated in an extermination operation.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1947. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1959. The Department of External Affairs reported negative search results.

The Commission conducted a CPIC search against the subject with negative results.

The Commission confirmed that the Berlin Document Center did not have a record in respect of the subject.

The Commission determined that the subject died in Canada in 1975. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 131

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private citizen. It was alleged that this individual was a member of the SS. Apart from the foregoing, there was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1971. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1977. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject with negative results. Nevertheless, the Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository had any record in respect of the subject.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, that it had a record of a person with a similar name but with a different date of birth, which indicated that he had taken certain training.

Due to lack of any evidence relative to war crimes, it is recommended that the file on the subject be closed.

CASE NO. 131.1

Opinion is in abeyance pending results of external checks.

CASE NO. 132

This individual was brought to the attention of the Commission by the RCMP. The individual's name was submitted to the Department of External Affairs by the Ministry of Justice of a West European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC searches. All search responses were negative.

The Commission was advised by the foreign officials that they had no evidence that the subject had entered Canada.

At the same time, the Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 133

This individual was brought to the attention of the Commission by the RCMP, whose source of information was Mr. Sol Littman. It was alleged that the subject under investigation had been a member of the SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1957. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1964. The Department of External Affairs reported that the subject was subsequently granted Canadian passports. These investigations revealed that the subject was born in 1933 and would therefore have been between 6 and 12 years of age during the war.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 134

This individual was brought to the attention of the Commission by various private individuals, whose sources of information were unspecified. It was alleged that this individual had been involved in killings of Jews in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that it had no record in respect of the subject.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject.

The Commission determined that the subject died in Canada in 1983. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 135

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 136

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS), which made no specific allegation. There was no specific allegation or evidence that the subject was ever a war criminal, or that he ever resided in Canada. Rather, he was born in a foreign country and was under investigation with respect to prospective employment with an international body. The Commission reviewed material available from the RCMP and from CSIS to determine whether they had any evidence that the subject had at any time entered Canada, apart from a short visit to a Canadian city. All these checks were negative.

The Commission also confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 137

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a publication. There was no specific allegation of involvement in war crimes made against this subject.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported entries for two persons with a similar name. One can be eliminated because of his young age; the other entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 138

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 139

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was the American Jewish Committee.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results. However, further investigations of the alleged residence confirmed that the subject resides in Canada in 1986. It is likely he was born in Canada and for that reason the above-named checks were negative.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 140

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so. Further investigation revealed that the individual died in another country in 1984.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 141

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so. Further investigation revealed that the individual died in a West European country in 1954.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 142

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In

addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 143

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS). The only allegation initially made was that the subject was a foreign citizen who sought to defect to Canada in 1957. A review of the CSIS files indicates the subject was allowed to defect to Canada, and that he still resides here.

The Commission reviewed other material available from the CSIS file to determine whether there was any evidence that the subject had committed a war crime. This check was negative. The Commission also checked with the Berlin Document Center, and was advised they had no record in respect of the subject. The date of birth makes involvement in war crimes unlikely in any case.

On the basis of the foregoing, it is recommended that the file on this subject be closed.

CASE NO. 144

Name stricken off Master List.

CASE NO. 145

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 146

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it

conducted of its files following the establishment of the Commission. There was no allegation of war crimes in the file.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 147

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was a newspaper article. There was no specific allegation of involvement in war crimes made against this individual. Mr. Littman advised that this individual was reported to be resident at a specified address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches against the subject. All search responses were negative.

The Commission's efforts to locate the subject at the address specified by Mr. Littman met with negative results.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 148

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a newspaper article. It was alleged that the subject took part in shooting thousands of Eastern Bloc civilians in Eastern Europe in 1942.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1950. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1960. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission determined that neither the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Berlin Document Center reported, however, that its records indicate that the subject served as a low-ranking officer with the SS from 1941. He worked as a translator.

A West European Public Prosecutor's Office reported that it had carried out extensive investigations all over the world with regard to a specific incident in which the subject is alleged to have been involved. Investigations included procuring the subject's evidence both as a witness to one incident, and as an alleged perpetrator of another incident involving the shooting of two men. The subject's statement indicated that he could not remember either incident, and he denied that he would ever have been called upon to shoot anyone. He ran errands and worked as an interpreter in an administrative office. The relevant Public Prosecutor's Office discontinued its investigation for numerous reasons, but generally for lack of evidence.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres with regard to either allegation, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 149

This individual was brought to the attention of the Commission by the RCMP, whose source of information was certain newspaper publications. It was alleged that this individual, as a member of a local militia during the Nazi occupation of the Eastern Bloc, had participated in the killing of Jews.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 150

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was a publication of Mr. Simon Wiesenthal. It was alleged that this individual had been involved in killing members of the resistance in an Eastern Bloc country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada, or applied for citizenship or a passport. All departments reported negative search results.

The Commission interviewed Mr. Littman and was advised that the subject was not in Canada.

The Commission confirmed that the Berlin Document Center did not have a record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 151

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was a specific publication which alleged that this individual had attended an SS school.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Berlin Document Center did not have a record in respect of the subject.

The Commission interviewed Mr. Littman and was advised that the subject was in another country.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 152

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject was a member of a specific unit. Apart from the foregoing, there was no specific allegation or evidence that the subject had been involved in war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Central Information Office of the Federal Archives in Aachen-Kornelimünster, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 153

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was the Documentation Center in Vienna, Austria. It was alleged that this individual was a suspected war criminal from an Eastern European country linked with a neo-Nazi group in Canada. Apart from the foregoing, there was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1956. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1962. The response from the Department of External Affairs was negative.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository had any record in respect of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- **Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed;**
- 2- **Should, however, the Government of Canada decide to submit the subject's name to the relevant government or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 153.1

Opinion is in abeyance pending results of external checks.

CASE NO. 153.2

Opinion is in abeyance pending results of external checks.

CASE NO. 154

This individual was brought to the attention of the Commission by a private citizen. It was alleged that the subject had said it was not safe for him to return to his German homeland.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject had entered Canada and whether he had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1928. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1934. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted investigations and determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name and determined that she had no additional information relevant to the Commission's inquiries. Further, she admitted the third person who had told her of the subject was a little senile.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

Thus, overseas checks as well as local investigations by the Commission produced no evidence of the subject ever having returned to Europe during the war years.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 155

This individual was brought to the attention of the Commission by the RCMP, whose source of information was the Ministry of Justice of a West European country. It was alleged that this individual had committed war crimes as a member of a Wehrmacht unit stationed in a West European country, and that he may have come to Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results, but for one individual with the same surname, who immigrated in 1948. He is not the subject however, because he has different given names, a different date and place of birth, and other evidence available indicates that the subject resides in a West European country.

The Commission contacted the relevant foreign authorities and found they had no further information or interest in pursuing the subject.

The Commission checked the subject's name with UNWCC files and found a file on the subject restating in greater detail the allegations of the West European country and containing evidence which helped to rule out the immigrant to Canada as being the subject.

The Commission confirmed that neither the Berlin Document Center, nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject, beyond the information provided by the West European country.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 155.1

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS), whose source of information was a private citizen. It was alleged that this individual had been an SS corporal in Eastern Europe. Apart from the foregoing, there was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission interviewed the source who submitted the subject's name and determined that he had no additional information relevant to the Commission's inquiries.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 156

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged only that the subject had been a "propagandist for the party." When contacted by the Commission, Mr. Littman indicated that he had no further evidence or information.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a name similar to that of the subject entered Canada in 1954. The Department of the Secretary of State reported that this individual was granted Canadian citizenship in 1959. The Department of External Affairs reported that the individual had obtained a Canadian passport.

Further checks of police and motor vehicle records and investigations by the Commission's staff revealed that the subject was a resident of Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes is available.

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 157

This individual was brought to the attention of the Commission by the RCMP, whose source of information was an article in a newspaper publication. It was alleged that the subject took part in shooting 600 Jews in a Nazi-occupied Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1947. The Department of the Secretary of State

reported that the subject was granted Canadian citizenship in 1954. The Department of External Affairs reported that there was no record of the subject being granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission reviewed materials available from RCMP files and determined that the subject had admitted to having served as a sergeant in the army of the relevant Eastern European country in the district indicated by the newspaper article.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. Checks with West European sources lead to no documentary evidence. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc country's authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.

CASE NO. 158

This individual was brought to the attention of the Commission by a private citizen. The only allegation initially made was that the subject was a war criminal because he was so wealthy and of German background.

The Commission requested the departments of Employment and Immigration, the Secretary of State, and External Affairs to conduct checks to ascertain

when the subject had entered Canada and whether he had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1959. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject and determined the subject to be resident in Canada in 1986.

The Commission reviewed material available from the RCMP to determine whether they had any evidence that the subject had committed a war crime. This check was negative. It also interviewed the citizen who submitted the subject's name and determined that he had no additional information relevant to the Commission's inquiries.

The Commission also confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record in respect of the subject. It reviewed materials received from the Berlin Document Center comprising the subject's registration forms as an ethnic German. They confirmed the subject's rather recent date of birth, but indicated no evidence or reason to suspect that the subject had committed any war crimes.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 159

This individual was brought to the attention of the Commission by numerous sources, including the RCMP and Mr. Sol Littman. It was alleged that this individual was a member of an extermination group which committed mass murders in countries of the Eastern Bloc.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1963. The Department of External Affairs reported that the subject had subsequently been granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission's inquiries indicated that the subject returned to Eastern Europe and was arrested, tried and sentenced to death for war crimes.

Although the subject's death penalty was commuted, he reportedly died in a prison of Eastern Europe in 1977.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 160

This individual was brought to the attention of the Commission by the Canadian Jewish Congress and the RCMP, whose source of information was certain newspaper publications. It was alleged that this individual had participated in the execution of civilians in a certain number of towns in Eastern Europe.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that neither the Berlin Document Center, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 161

Name stricken off Master List.

CASE NO. 162

This individual was brought to the attention of the Commission by the RCMP, whose sources of information were certain newspaper publications. Apart from the fact that he may be a neo-Nazi, there was no specific allegation or evidence that the subject had been involved in war crimes.

After studying the RCMP file, the Commission determined that the subject entered Canada in 1949 and that he was granted Canadian citizenship in 1956.

No checks were conducted at the Department of External Affairs in respect to passports. The subject, located by the RCMP, was living in Canada in 1983.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin had any record in respect of the subject.

The Commission was advised by the Berlin Document Center that it had a record of a person with an identical name *but* with a different date and place of birth, who served in a Waffen-SS Division in Eastern Europe.

The Commission was also advised by the Berlin Sick Book Depository that it had a record of a person having the same name as the individual already referred to in the previous paragraph, which confirmed his membership in the Waffen-SS.

The subject under investigation was born on a different date than the other individual with the same name who was a former member of a military organization in Eastern Europe. There is approximately a difference of 9 years between the latter and the subject. Also, their respective places of birth are not the same.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc country's authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc country's government or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 163

This individual was brought to the attention of the Commission by a private individual. The only allegation initially made was that the subject was a member of the SS and that he had been involved in a special mission in Eastern Europe.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs, to conduct checks to ascertain when the subject had entered Canada and whether he had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The Department of External Affairs reported that the subject was subsequently granted Canadian passports, on six occasions. The Commission determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name and determined that he had no additional information relevant to the Commission's inquiries.

The Commission also checked with the Berlin Document Center and the CROWCASS List and found that there was no evidence that the subject's activities constituted any war crimes. The relevant program was a propaganda, rather than an action, program. The subject was an academic.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 164

This individual was brought to the attention of the Commission by the RCMP, whose source of information was the Department of the Solicitor General which, in turn, received the information from a private citizen. It was alleged that this individual was personally responsible for sending a great number of Jews and other minorities into gas chambers in Eastern Europe.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1953. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1958. A replacement certificate was issued in 1960. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject with negative results. Nevertheless, the Commission determined the subject to be resident in Canada in 1986.

The Commission contacted the citizen who submitted the subject's name to the Department of the Solicitor General and was informed that he never submitted the above allegation of the subject.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-

Socialist Crimes in Ludwigsburg, West Germany, nor the Central Information Office of the Federal Archives in Aachen-Kornelimünster, had any record of the subject.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin and the Berlin Sick Book Depository that they had a record of the subject which indicated his membership in the Wehrmacht (regular army).

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities or the police of another relevant foreign country whether they might possess some evidence of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government, to the police of the other relevant foreign country or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, to the police of the other relevant foreign country or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 165

Opinion is in abeyance pending results of external checks.

CASE NO. 166

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS). There was no evidence, or specific allegation, of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1956. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 167

Name stricken off Master List.

CASE NO. 168

This individual was brought to the attention of the Commission by the RCMP. The individual was named on a list submitted to the Department of External Affairs by the Ministry of Justice of a West European country. The Commission was advised by the Honourable Robert Kaplan, P.C., M.P., that no information was received from the relevant officials to indicate that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was informed by the Berlin Document Center that it needed more details to complete its name search. The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 169

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private citizen. It was alleged that this individual had committed crimes in an Eastern and a West European country during World War II. Apart from the foregoing, there was no specific allegation, or evidence, that the subject had been involved in war crimes.

After studying the RCMP file, the Commission determined that the subject entered Canada in 1956. This individual was granted Canadian citizenship in 1962 and a Canadian passport subsequently.

The subject, located by the RCMP, was living in Canada in 1978.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record of the subject.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, and the Berlin Sick Book Depository that it had a record of the subject which indicated his membership in the Luftwaffe (air force).

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 170

This individual was brought to the attention of the Commission by the B'nai Brith, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The departments of the Secretary of State and External Affairs reported that they had no record of the subject.

The Commission interviewed the individual who submitted the subject's name to B'nai Brith, who provided certain hearsay information.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Berlin Document Center, and the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, provided specific information about the subject's pre-war and wartime military activities.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations against the subject.

Furthermore, time constraints did not permit the Commission to take various other steps which are indicated by the information already at hand.

The Commission accordingly *RECOMMENDS* that:

- 1- The subject should be summoned for interrogation by the appropriate authorities.**
- 2- Historical research should be conducted into the activities of the companies to which the subject was attached throughout the war.**
- 3- The Canadian government should inquire from the relevant Eastern Bloc authorities whether they possess any evidence in support of the allegations against the subject.**
- 4- Depending upon the results brought about by those various steps, the file should be re-assessed and a decision taken on the procedures to be initiated, if any, against the subject.**

CASE NO. 171

This individual was brought to the attention of the Commission by the RCMP, whose source of information was the Department of Justice and the Canadian Jewish Congress, whose source of information was the Jewish Documentation Centre in Vienna. There was no specific allegation of involvement in war crimes made against this individual, apart from the allegation that he was a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1972. The Department of External Affairs reported that the subject was granted a certificate of identity in 1963.

The Commission reviewed material available from the RCMP and determined that it would be impossible for the individual who landed in Canada to have committed a war crime. According to the year of birth, this person would have been only five or six years old at the end of World War II.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 172

Name stricken off Master List.

CASE NO. 173

This individual was brought to the attention of the Commission by the RCMP, whose source of information was certain foreign newspaper publications. It was alleged that this individual was associated with the Gestapo and specified Eastern European "storm troops".

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 174

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration advised that a person with a similar name, but with a different date and place of birth, entered Canada in 1948. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1956. The response from the Department of External Affairs was negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed his membership in the Galicia Division of the Waffen-SS and that the subject was killed in action during the war. The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had the same information as above in respect of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 175

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 175.1

Opinion is in abeyance pending results of external checks.

CASE NO. 176

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was Mr. Simon Wiesenthal and the Documentation Center in Vienna, Austria. It was alleged that this individual was a suspected Eastern Bloc war criminal linked with neo-Nazi activities in Canada. Apart from the foregoing, there was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The response from the Department of External Affairs was negative.

The Commission conducted CPIC and MVB searches against the subject with negative results. Nevertheless, the Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record in respect of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed;**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 176.1

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private individual. It was alleged that the source had overheard the subject under investigation admit to his wife that he had been a member of the SS and "had killed many men".

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1957. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1967. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject. The CPIC response indicated that the subject had been charged with three offences not relevant to the Commission's investigation. The first charge was dismissed, the second charge withdrawn and the third charge is pending. The MVB search indicated that the subject was resident in Canada in 1986.

The Commission interviewed the individual who submitted the subject's name to the Canadian Jewish Congress, and determined that she had no additional information relevant to the Commission's inquiries.

The allegations against the subject under investigation were brought to the Commission's attention in mid-1986. In view of the time required to conduct the necessary local checks to ascertain that the subject was indeed resident in Canada and had entered the country after the war, there was insufficient time remaining in the Commission's mandate to conduct any foreign checks.

Accordingly, the Commission *RECOMMENDS* that:

- 1- All foreign checks should be conducted on the subject.**

2- The matter should be re-assessed upon receipt of the results of such checks.

CASE NO. 177

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of unknown origin provided by the Canadian Jewish Congress. It was alleged that as a policeman in Eastern Europe, this individual participated in executions and murder. In addition, the Canadian Security Intelligence Service (CSIS) brought to the attention of the Commission an individual with a similar name who was resident in Canada in 1971.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches against the subject. All search responses were negative.

Inquiries conducted by the Commission in an effort to locate the subject in Canada met with negative results.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 178

This individual was brought to the attention of the Commission by the RCMP. This individual was named on a list submitted to the Department of External Affairs by the Ministry of Justice of a West European country. It was alleged that this individual had been an offender in that country during World War II. Apart from the foregoing, there was no specific allegation or evidence that the subject had been involved in war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. The search responses received from all departments were negative.

The Commission was advised by West European officials that they had no evidence that the subject had entered Canada.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 179

This individual was brought to the attention of the Commission by an anonymous letter. The only allegation initially made was that the subject was the owner of a shop who behaved curiously regarding the sources of the store's goods.

The subject is the spouse of the individual who is reported on in Case No. 180. Both were denounced in the same anonymous letter.

The Commission followed up information from the source and from the Department of Employment and Immigration and determined that the subject is presently resident in Canada. The Department of Employment and Immigration also reported that the subject entered Canada in 1951.

The Commission checked the shop itself and concluded that the complaint is entirely spurious and unfounded.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 180

This individual was brought to the attention of the Commission by an anonymous letter. The only allegation initially made was that the subject was the owner of a shop who behaved curiously regarding the sources of the store's goods.

The Commission requested the departments of Employment and Immigration and the Secretary of State to conduct checks to ascertain when the subject had entered Canada and whether the subject had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1958.

At the same time the Commission confirmed that the Berlin Document Center in West Germany had no record in respect of the subject.

The Commission also checked the shop itself and concluded that the complaint is entirely spurious and unfounded.

Finally, the Commission determined that the subject died in Canada in 1977. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 181

This individual was brought to the attention of the Commission by a private individual, whose source of information was unspecified. It was alleged that the subject under investigation had been a member of the SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that neither the Berlin Document Center, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 182

Opinion is in abeyance pending results of external checks.

CASE NO. 183

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it conducted of its files following the establishment of this Commission. There was no allegation of war crimes in the file.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 184

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 184.1

Opinion is in abeyance pending results of external checks.

CASE NO. 185

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 186

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private individual. It was alleged that the subject under investigation had admitted in the course of a treatment of the source that he had been a doctor in a Nazi war camp.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported the subject entered Canada in 1972. The Department of the Secretary of State provided an almost indecipherable record of correspondence which appears to indicate that the subject was attempting at a certain time to have his Canadian citizenship reinstated. The Department of External Affairs reported that it had no record of the subject.

Subsequent discussions with the Department of the Secretary of State revealed information surrounding the subject's citizenship status, which had been straightened out.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined that the subject was resident in Canada in 1986. Further investigations revealed no evidence that the subject was a medical doctor, indeed it would not be reasonable to believe that an individual born in 1928 could have been a doctor between 1939 and 1945.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 187

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 188

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 189

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a foreign authority. At the time of reporting the subject to the RCMP, the foreign authority believed that he was permanently resident in another country. It was alleged that the subject under investigation had been a member of the Hitler Youth, the SA and the SS. It was further alleged that he served in the Reich Labour Service and the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported the subject entered Canada in 1954. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1961. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined that the subject was resident in Canada in 1986.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, advised only that the Berlin Document Center had a record of the subject.

The Berlin Document Center confirmed that the subject had been a member of the Hitler Youth, the Nazi SA and the SS. He fled to Germany in 1933 and lived in a specified complex from 1933 to 1938. He served in the Reich Labour Service between 1938 and 1943 and in the Waffen-SS from 1943 to 1945.

The Commission checked with the United Nations War Crimes Commission and determined that the relevant Eastern Bloc government alleged that an individual with the same surname but no recorded first name was sought as being guilty of torture of civilians, ill-treatment and activities at a specified camp. Sufficient information is not available to connect the suspect directly with this particular charge.

It is clear, however, that the subject was an active supporter of national socialism and was involved in various Nazi organizations for over a decade. Although there is no evidence of war crimes on the face of the available reports, the subject's involvement is too prolonged and extensive merely to close the file.

The Commission accordingly *RECOMMENDS* that:

- 1. A complete history should be compiled of the activities of all the organizations to which the subject belonged while he was a member of such organizations.**
- 2. The subject should be summoned for interrogation by the appropriate authorities to determine what his actual job functions were in the various positions he held from 1933 to 1945.**
- 3. The matter should be re-assessed and a final decision taken on the basis of the results of those inquiries.**

CASE NO. 190

This family's surname was brought to the attention of the Commission by Mr. David Matas, whose source of information was an anonymous letter claiming the family came from a foreign country and deserved investigation because they were "recluses". There was no specific allegation of involvement in war crimes made against this family. Mr. Matas advised that this family was reportedly residing in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether a person with a similar name had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches against the family's surname. All of the above searches produced negative responses.

After a thorough investigation of the address submitted to the Commission and of the family residing there, the Commission found no persons of an age that could conceivably have participated in World War II war crimes. The mother and father were born in 1942 and 1940 respectively, their children obviously some time later, and both sets of grandparents reside in a foreign country and have never entered Canada.

The Commission confirmed that the Berlin Document Center needed more details to complete its name search.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 191

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC, MVB and vital statistics searches. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 192

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 193

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 193.1

This individual was brought to the attention of the Commission by the RCMP, which was acting in response to a warrant of arrest sent by a West European government. The relevant government alleged that this individual had committed gruesome murders at a prison camp, and requested to ascertain whether he entered Canada.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had an extensive record of its investigation in respect of the subject.

The Commission reviewed material available from the RCMP and was able to conclude from recent reports from the departments of Employment and Immigration, the Secretary of State and External Affairs, and from CPIC, MVB and other search results, that this individual never entered Canada or applied for citizenship or a passport.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 194

Opinion is in abeyance pending results of external checks.

CASE NO. 195

This individual was brought to the attention of the Commission by the RCMP, whose source of information was Mr. Simon Wiesenthal. There was no specific allegation or evidence that the subject had been involved in war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches against the subject. All search responses were negative.

The Commission confirmed that both the Berlin Document Center and the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had a record in respect of the subject. However, neither record contained any information to indicate that the subject had entered Canada.

The Commission was advised by Mr. Wiesenthal that he was unable to provide any additional information with respect to the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 196

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a certain publication. It was alleged that this individual had been an officer in the SS and a Nazi collaborator in an Eastern European country. Apart from the foregoing, there was no specific allegation, or evidence, that this individual had been involved in war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities whether they might possess some evidence in support of an allegation of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.
- 2- Should however the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.

CASE NO. 197

This individual was brought to the attention of the Commission by the RCMP. The individual was named on a list submitted to the Department of External Affairs by the Ministry of Justice of a West European country. The Commission was advised by the Honourable Robert Kaplan, P.C., M.P., that no information was received from the foreign officials to indicate that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 198

This individual was brought to the attention of the Commission by the RCMP and the Canadian Jewish Congress, whose source of information was unspecified. There was no specific allegation of involvement in war crimes made against the subject under investigation, other than the general statement that he was believed to be a war criminal living in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1953. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1961. The Department of External Affairs reported that it had no record of the subject.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

In light of the absence of any allegation by the Canadian Jewish Congress and the absence of any individual complainants, the Commission could not obtain any further information on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 199

Opinion is in abeyance pending results of external checks.

CASE NO. 200

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private individual and the Canadian Jewish Congress. It was alleged that this individual had been a member of the Nazi Party, possibly profited during the war, may have used slave labour and participated in reprisals against an underground movement in Eastern Europe.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that the subject was subsequently granted Canadian passports, on four occasions.

The Commission conducted CPIC, MVB, Vital Statistics and telephone searches against the subject. All search responses were negative. Through other investigations the Commission determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name to the Canadian Jewish Congress, and determined that he had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission also checked with the United Nations War Crimes Commission and ascertained that an individual with the same surname, but no recorded first name or date or place of birth was alleged by the Eastern Bloc

government to be a political leader wanted for ill-treatment of workers. Ill-treatment consisted of beating and torturing individuals in forced labour camps, employing women in very heavy work or forcing ill and weak workers to continue working. This individual, together with others, also stole food which was intended for the workers.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- **Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- **Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 201

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 202

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes made against this individual, and the information received was irrational.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported entries for two persons with a similar name. One was eliminated because he was born in a particular foreign country; the other, born in Europe, entered Canada in 1952. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1958. The Department of External Affairs reported that the subject was subsequently granted Canadian passports, on four occasions.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission contacted the wife of the subject, who stated that she did not know the citizen (who made the allegation) and that her husband never had any business dealings with a person by that name. The Commission also tried to locate the complainant but to no avail.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission was advised by the Berlin Document Center that it needed more details to complete its name search.

The Commission also reviewed the United Nations War Crimes Commission files which contained charges against persons having the same surname as the subject. However, the files did not contain sufficient information to permit the Commission to conclude whether or not they related to the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 203

This individual was brought to the attention of the Commission by the RCMP. The individual was named on a list submitted to the Department of External Affairs by the Ministry of Justice of a West European country. The Commission was advised by the Honourable Robert Kaplan, P.C., M.P., that no information was received from the foreign officials to indicate that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission also checked with the United Nations War Crimes Commission and ascertained that the foreign government alleged that an individual with the same surname but no recorded first name or place or date of birth was suspected of having participated as an SS officer in the murder of a large number of prisoners of war and others in a specified concentration camp.

In the absence of any evidence that the subject ever set foot in Canada, it is recommended that the file on the subject be closed.

CASE NO. 204

Opinion is in abeyance pending results of external checks.

CASE NO. 205

This individual was brought to the attention of the Commission by the RCMP, whose source of information was Mr. Simon Wiesenthal. It was alleged that the subject under investigation had been a member of a paramilitary fascist organization and had been sentenced and imprisoned in an Eastern European country during the war.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted Vital Statistics and MVB searches against the subject. Both search responses were negative. Through other investigations the Commission has determined the subject to be resident in Canada in 1986.

The Commission wrote to the Department of External Affairs in 1985 requesting it to obtain any information on the public record in the relevant country of the alleged conviction of the subject under investigation. Despite repeated requests by the Department of External Affairs, at the time of writing there has been no response to that request from the government of that country.

In addition, in 1985 the Commission wrote to the Centre de documentation juive contemporaine in Paris requesting any information that the centre had on the activities of the particular paramilitary organization in general and a number of named individuals, including the subject under investigation. There was no response to that letter.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject (other than the specific request relating to the alleged conviction noted above).

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 206

This individual was brought to the attention of the Commission by the B'nai Brith, whose source of information was a private individual. There was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1957. The Department of the Secretary of State

reported that the subject was granted Canadian citizenship in 1963. The Department of External Affairs reported that the subject was subsequently granted Canadian passports, on four occasions.

The Commission interviewed the individual who submitted the subject's name to the B'nai Brith, and determined that he had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository had any record of the subject.

The German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, reported that it had a record which indicated only that the subject was a member of the Wehrmacht.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 207

This individual was brought to the attention of the Commission by the RCMP, through a copy of a letter addressed to the Honourable Elmer MacKay, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a former SS officer.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1950. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that it had no record of the subject.

The Commission conducted an MVB search and determined that the subject was resident in Canada in 1986 at the address provided by Mr. Wiesenthal.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any further information on the subject.

The Commission asked Mr. Wiesenthal to provide additional information with respect to the subject and was advised that he was unable to do so.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 208

This individual was brought to the attention of the Commission by the RCMP. The individual was named on a list submitted to the Department of External Affairs by the Ministry of Justice of a West European country. The Commission was advised by the Honourable Robert Kaplan, P.C., M.P., that no information was received from the foreign officials to indicate that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 209

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of unknown origin which consisted of allegations of various war crimes against named individuals, and correspondence addressed to the Department of the Solicitor General from foreign authorities. It was alleged that this individual had killed several civilians in Eastern Europe.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1954. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject, although Ludwigsburg indicated that an individual with a similar surname and year and place of birth was named by Mr. Simon Wiesenthal.

The Commission determined that the subject died in Canada in 1970. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 210

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 211

Name stricken off Master List.

CASE NO. 212

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In

addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 213

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS and in the Wehrmacht.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 214

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's

assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 214.1

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private citizen. It was alleged that this individual was a member of the SS in Europe during World War II. Apart from the foregoing, there was no specific allegation or evidence that the subject had been involved in war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin that it had a record of the subject which indicated his membership in the Waffen-SS. Also, the subject was reported missing in 1945.

The Commission also reviewed the United Nations War Crimes Commission files which contained charges against persons with a similar surname as the subject. However, the files did not contain sufficient information to permit the Commission to conclude whether or not they related to the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 215

This individual was brought to the attention of the Commission by the RCMP, which was acting on correspondence addressed to the Honourable Robert Kaplan, P.C., M.P. by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with the same surname but a slightly different first name entered Canada in 1948. The Department of the Secretary of State reported that this same individual was granted Canadian citizenship in 1960. The Department of External Affairs reported that it had no record of the subject. The information obtained from these sources indicated that the individual who entered Canada was born about one month earlier and in a different part of Eastern Europe than the subject of the complaint.

The Commission conducted CPIC and MVB searches against the subject and the individual who entered Canada. Both search responses were negative. Telephone searches revealed that the individual who entered Canada was residing in Canada in 1986.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject. The Berlin Document Center advised that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 216

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence

that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 217

This individual was brought to the attention of the Commission by the RCMP, whose source of information was Mr. Simon Wiesenthal. It was alleged that this individual had been an SS officer.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that a person with the same surname but a different first name and different date of birth entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1954. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission determined that the person who entered Canada died in Canada in 1982. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 218

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 219

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 220

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject served with a specific police force and participated in executions of the civilian population in 1943-1944. Mr. Littman indicated that the subject's criminal activities had been attested to by witnesses, and that the subject resided at an unspecified address in Canada, but Mr. Littman provided no evidence of war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative. Further checks with police and motor vehicle records were also negative.

The Commission also confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 221

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of suspected war criminals, which was submitted to the Department of External Affairs by the Ministry of Justice of a West European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative. Further checks with police and motor vehicle registration records were also negative, and the Commission was advised by the foreign officials that they had no evidence that the subject had entered Canada.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 222

This individual was brought to the attention of the Commission by the RCMP. It was alleged that the subject had been condemned *in absentia* by courts in a certain West European country to a term of imprisonment for acts against that country's interests.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration advised that the subject entered Canada in 1946. The Department of the Secretary of State advised that the subject was not granted Canadian citizenship. The Department of External Affairs advised that the subject did not obtain a Canadian passport. The Commission has been unable to locate the subject in Canada.

Further investigations by the Commission revealed that the *in absentia* judgement against the subject was subsequently reversed and that the subject was acquitted of all charges. The Commission obtained a copy of the latter judgement.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 223

This individual was brought to the attention of the Commission by the RCMP, who reported that the subject, a resident of Canada and a Canadian citizen, had received an anonymous letter threatening retribution for unspecified crimes and that the subject's place of business had been vandalized with Nazi symbols. No allegations of war crimes were ever made.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain when the subject had entered Canada and whether the subject had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1955. The Department of the Secretary of State reported that the subject was granted citizenship in 1981. The Department of External Affairs reported that the subject had obtained a passport.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission also reviewed the United Nations War Crimes Commission file on an individual whose family name is similar to that of the subject. The subject of the UNWCC file was a member of a German Paratrooper Unit stationed in a West European country. Upon consideration, and in light of the negative results to the five checks conducted in German archives, the Commission is of the view that this file probably does not pertain to the subject.

On the basis of the foregoing, no allegation and no evidence of participation in or knowledge of specific war crimes is available. Yet there remains a lingering suspicion that something untoward may have happened, especially since the Commission has no knowledge of the actual activities of the suspect during the war. The suspect himself is the only person who could shed light on that particular period of his life.

The Commission accordingly *RECOMMENDS* that:

- 1- The suspect should be summoned by the appropriate authorities for interrogation on his wartime activities.**
- 2- Depending upon the results of such interrogation, the file should be re-assessed and a decision taken as to the opportunity of further inquiries.**

CASE NO. 224

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 225

This individual was brought to the attention of the Commission by the RCMP, whose source of information was correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject committed war crimes apart from Mr. Wiesenthal's assertion that the subject had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that the subject had obtained a Canadian passport.

Further checks of police and motor vehicle records and investigations by the Commission staff revealed that the subject was a resident of Canada in 1986.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record on the subject.

The Commission asked Mr. Wiesenthal to provide additional information with respect to the subject and was advised that he was unable to do so.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purpose, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 226

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a letter from Simon Wiesenthal to the Honourable Robert Kaplan, P.C., M.P. This letter contained no specific allegation or evidence that the subject committed war crimes, other than Mr. Wiesenthal's assertion that the subject was a member of the Galicia Division of the Waffen-SS. The Commission asked for, but did not receive, further particulars of the subject's alleged war crimes. In addition, the letter contained no evidence that the subject entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State, and External Affairs to ascertain whether the subject had entered Canada, applied for citizenship or obtained a passport. The

Department of Employment and Immigration advised that the subject entered Canada in 1957. The Department of the Secretary of State advised that the subject was granted Canadian citizenship in 1962. The Department of External Affairs advised that the subject did not obtain a Canadian passport.

The Commission was advised by the Berlin Document Center and the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) that their records on the subject confirm only that he may have been a member of the Waffen-SS.

The Commission has also confirmed that the subject died in Canada in 1985. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 226.1

Opinion is in abeyance pending results of external checks.

CASE NO. 227

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. In addition, as the Commission had been provided with a possible address in Canada, it conducted motor vehicle, CPIC, vital statistics, credit, telephone and street directory checks. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS, which was preceded by membership in an Eastern Bloc army.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 228

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject committed war crimes as a member of a police battalion in an Eastern European country and was promoted to an officer post in the German Army. Mr. Littman provided no evidence in support of these allegations but indicated that the subject was a resident of Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative. Further checks with police and motor vehicle registration records and at the address provided by Mr. Littman were also negative.

The Commission also confirmed that the Berlin Document Center has no record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 229

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private citizen. It was alleged that the subject had been a member of the SS but no specific allegation of war crimes was made. The source of the allegation provided particulars of the subject's place and date of birth, as well as a current address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to determine when the subject had entered Canada, and whether the subject had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The Department of External Affairs reported that the subject had obtained a Canadian passport.

Further checks of police and motor vehicle records and investigations by the Commission's staff revealed that the subject was a resident of Canada in 1986.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg,

the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes is available.

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 230

This individual was brought to the attention of the Commission by the RCMP, whose sources of information were certain newspaper publications. It was alleged that this individual had participated in punitive expeditions in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

In the interim, the Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 231

This individual was brought to the attention of the Commission by the RCMP, whose sources of information were certain newspaper publications. It was alleged that this individual had participated in punitive expeditions in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

In the interim, the Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central

Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 232

This individual was brought to the attention of the Commission by the RCMP, whose source of information was certain newspaper publications. It was alleged that this individual had participated in punitive expeditions in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative results.

In the interim, the Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 233

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had no record in respect of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 234

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 234.1

This individual was brought to the attention of the Commission by the Canadian Holocaust Remembrance Association, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1954. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1959. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted an MVB search and determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name to the Canadian Holocaust Remembrance Association and determined that he had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 235

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS). There was no specific suggestion or evidence that the subject was ever involved in war crimes. Rather, he was being investigated by Canadian authorities in response to a request by foreign authorities that he be allowed to immigrate to Canada.

The Commission reviewed material available from the RCMP and from CSIS and determined that the subject abandoned his application for entry in 1955.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada at anytime since 1955. These departments reported negative search results.

In the interim, the Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 236

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of suspected war criminals submitted to the Department of External Affairs by the Ministry of Justice of a West European country. It was alleged that the subject had been an SS officer in that country and had participated in the murder of 80 prisoners of war.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada, or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a name similar to that of the subject entered Canada in 1949. The departments of the Secretary of State and External Affairs reported that they had no records on the subject.

The investigation has now revealed that the immigrant and the subject are not one and the same person. Vital data show a clear difference. It thus appears that the subject has never landed in Canada. Furthermore, two judicial inquiries abroad on the subject have been brought to a halt and no charges have ensued.

One of those inquiries was held in a West European country in 1948-1949, after the subject's arrest in that country. The investigation was dropped and the subject was released in 1949.

The other inquiry was held by the Public Prosecutor's Office in a West European country. The subject was interrogated by the relevant authorities in 1960. The Public Prosecutor stopped the proceedings on several grounds.

Nevertheless, the Commission undertook fresh inquiries with the departments of Employment and Immigration, the Secretary of State and External Affairs based on the slightly different spelling of the subject's name found in the Public Prosecutor's file. The results of these additional checks were also negative.

The Commission also reviewed the file of the United Nations War Crimes Commission on the subject. The commission does not know whether this file came to the attention of the relevant Public Prosecutor at the time of the Preliminary Inquiry. In any event, the file contains neither new evidence nor indication that the subject ever entered Canada.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository had any record on the subject.

On the basis of the foregoing, essentially:

- a) that the subject never landed in Canada;**
- b) that the subject has been cleared twice of all charges in the West European countries;**

- c) that it is highly unlikely that Canada could now find fresh incriminating evidence against the subject, even if he were found in Canada;**

the Commission recommends that the file on the subject be closed.

CASE NO. 237

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private individual. It was alleged that the subject executed Jews in an Eastern European country as a member of the SS. The source provided no further evidence of war crimes but referred the Commission to a photograph of the subject in SS uniform which reportedly appeared in a certain newspaper. The source also provided a specific address for the subject which was confirmed by the Commission's staff.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject entered Canada and whether the subject had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1953. The Department of External Affairs reported that the subject had obtained a Canadian passport.

The Commission was advised by the Berlin Document Center that it had no record on the subject.

The Commission also conducted a search of the records compiled by the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg. These records indicate that an individual with a name similar to the subject's was a member of a German unit which was stationed in an area where war crimes were allegedly committed. The file indicates that the subject was not personally accused of war crimes, and that a preliminary inquiry commenced by the Public Prosecutor's office of a West European country into the activities of the unit was suspended in 1980. The file does not contain information sufficient to link the individual residing in Canada with the former member of the German unit, whose date of birth is not given.

The Commission also confirmed that neither the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

This is clearly a case where further inquiries must be conducted and the subject must be interrogated. Time limits imposed on the Commission have not, however, permitted it to complete those tasks.

The Commission accordingly *RECOMMENDS* that:

- 1- Furthe inquiries should be conducted to obtain the date and place of birth of the individual identified as a member of the relevant unit and to determine the status of the West European country's investigation into the activities of that unit.**
- 2- The subject should be interrogated by the appropriate authorities.**
- 3- The matter should be re-assessed and a final decision taken when the results of those investigations are known.**

CASE NO. 238

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 239

This individual was brought to the attention of the Commission by the RCMP, whose source of information was correspondence addressed to the Honourable Robert Kaplan, P.C., M.P. by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject committed war crimes, apart from Mr. Wiesenthal's assertion that the subject had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a

passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was not granted Canadian citizenship. The Department of External Affairs reported that it had no record of the subject.

Further checks with police and motor vehicle registration records and investigations by the Commission's staff failed to locate the subject in 1986.

The Commission was also advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission also confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 240

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was anonymous. There was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1962. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1968. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject with negative results. Nevertheless, the Commission determined the subject to be resident in Canada in 1986.

The Commission contacted a representative of the Canadian Jewish Congress and determined that he had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, that it had a record of the subject which indicated his membership in the Galicia Division of the Waffen-SS.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 241

Name stricken off Master List.

CASE NO. 242

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative. However, notwithstanding these negative responses, further investigation revealed that the individual died in

Canada in 1981. A copy of the death certificate has been obtained by the Commission.

The Commission was advised by the Berlin Document Center that it had a record in respect of the subject which confirmed only his membership in the Galician Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 243

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was anonymous. It was alleged that this individual was a colonel in a fascist paramilitary organization. The informant probably meant a different particular military group. Apart from the foregoing, there was no specific allegation or evidence that the subject had been involved in war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1964. The response from the Department of External Affairs was negative.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository had any record in respect of the subject.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin that it had a record of the subject which indicated he was an officer in an Eastern European army. Also, no documentation on service in the Wehrmacht or in the Waffen-SS with regard to the subject could be traced.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 244

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain when the subject had entered Canada and whether the subject had applied for citizenship or a passport. The results of these checks were negative. Further checks with police and motor vehicle records were also negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed his membership in the Galicia Division of the Waffen-SS.

The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, had no record in respect of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

Mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 245

This individual was brought to the attention of the Commission by the RCMP, whose source of information was correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject committed war crimes, apart from Mr. Wiesenthal's assertion that the subject had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1960. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1965. The Department of External Affairs reported that the subject had obtained a Canadian passport.

Further checks with police and motor vehicle registration records and investigations by the Commission's staff revealed that the subject was a resident of Canada in 1986.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only that he was with a specific police force and subsequently, a member of the Galicia Division.

The Commission also confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission asked Mr. Wiesenthal to provide additional information with respect to the subject and was advised that he was unable to do so.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 245.1

Name stricken off Master List.

CASE NO. 246

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 247

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private citizen. There was no specific allegation of involvement in war crimes made against the individual.

The Commission requested the departments of Employment and Immigration and the Secretary of State to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship. The Commission also conducted CPIC and MVB searches. The Department of Employment and Immigration submitted seven separate landing records of seven persons with the same surname and similar given names as the subject under investigation. Among the seven entries, one was retained for investigation purposes because the individual's age corresponded with that of a person with the same name living in Canada, as indicated by the source. All other search responses with regard to this individual were negative.

After a thorough investigation, the Commission determined that the individual under investigation and the subject were the same person and that he was residing in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository had any record in respect of the subject.

The Commission was advised by the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin that it had a record of a person with the same name as the subject, which indicated that he was a pilot in the Allied Air Force and had been taken prisoner by the Germans.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 248

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was anonymous. There was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration advised that a person with a similar name entered Canada in 1950. Because of his age and place of birth, this individual is not believed to be the subject of our file. The Department of External Affairs reported that another person, having the same name as the subject and born in Canada, was subsequently granted a Canadian passport. The response from the Secretary of State was negative.

The Commission conducted CPIC and MVB searches against the person born in Canada. Though the CPIC search response was negative, the MVB search produced positive results. The Commission received sufficient information to conclude that it is more than likely that the individual born in Canada and the subject under investigation, are the same person. The Commission determined that the latter was residing in Canada in 1986.

The Commission interviewed a representative of the Canadian Jewish Congress, and determined that she had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Berlin Document Center, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 249

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that this individual had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a

passport. The Department of Employment and Immigration reported that the subject entered Canada in 1957. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1962. The Department of External Affairs reported negative search results.

The Commission was advised by the RCMP that the subject emigrated from Canada to a foreign country in 1963 and was naturalized as a citizen of that country in 1969. The RCMP also advised that the subject was a resident of that foreign country in 1985.

The Commission was advised by Mr. Simon Wiesenthal that he was unable to provide any additional information with respect to the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 250

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative. However, notwithstanding these negative responses, further investigation has revealed that the individual died in Canada in 1979. A copy of the death certificate has been obtained by the Commission.

The Commission was advised by the Berlin Document Center that it had no record in respect of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 251

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's

assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 252

This individual was brought to the attention of the Commission by the RCMP which was acting on correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1954. The Department of External Affairs reported that it had no record on the subject.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined that subject was resident in Canada in 1986.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository had any record of the subject.

The Commission determined that the Berlin Document Center and the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin had records of the subject which confirmed his membership in the Galicia Division of the Waffen-SS.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 252.1

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was a certain book. It was alleged that this individual had been in an SS unit that killed 45,000 Jews.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

In the interim, the Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 253

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P. by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that this individual had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a

passport. The Department of Employment and Immigration reported that the subject entered Canada in 1947. The departments of the Secretary of State and External Affairs reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results. Inquiries conducted by the Commission were unsuccessful in locating the subject.

The Commission determined that neither the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission determined that the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, and the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin had records of the subject. While the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, indicated only that the subject was named on a Wiesenthal list, the Berlin Document Center and the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin reported that the subject was a member of the Galicia Division of the Waffen-SS.

The Commission asked Mr. Wiesenthal to provide additional information with respect to the subject and was advised that he was unable to do so.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division of the Waffen-SS is available against the subject. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 254

This individual was brought to the attention of the Commission by the RCMP, whose sources of information were a certain newspaper publication and a 1967 telegram forwarded to the Department of External Affairs by an Eastern Bloc country. It was alleged that this individual was a Nazi collaborator and a police commissioner in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported positive search results. The Department of

Employment and Immigration reported that the subject entered Canada in 1950. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1958. The Department of External Affairs reported that the subject was subsequently granted Canadian passports, on four occasions.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that the subject died in Canada in 1982. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 255

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it conducted of its files following the establishment of the Commission. It was alleged, on the basis of a newspaper article, that the subject under investigation had collaborated with the Germans in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada (the location on the landing record is indecipherable) in 1956. The departments of the Secretary of State and External Affairs reported that they had no record in respect of the subject.

The Commission conducted vital statistics and MVB searches on the subject. Both search responses were negative. Through other investigations the Commission determined that the subject was resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 256

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a foreign authority. It was alleged that, as a member of a specific unit, this individual participated in the persecution and murder of Jews in an Eastern European country, and was also in authority at a concentration camp.

The Commission was advised by the RCMP that the subject had been located in Canada and was arrested by authorities in another country a year later.

The Commission was advised that the subject was currently engaged in certain proceedings brought against him by the government in that other country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had recently entered Canada or applied at any time for citizenship or a passport. All departments reported negative search results in respect of the subject. In addition, the Commission conducted CPIC and MVB searches against the subject with negative results.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 257

This individual was brought to the attention of the Commission by a private individual, whose hearsay information via a newspaper article was that the subject may have some involvement with another individual allegedly involved in the shooting of 1,800 Jews.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC, MVB and several other searches against the subject, but was unable to locate him in Canada.

The Commission interviewed a source related to the newspaper who seemed to indicate that he knew that the subject resides either in Canada or in another country, but he refused to divulge the information.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, the Central Information Office of the Federal

Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission has not pursued all the evidentiary aspects because it remains to be established that the subject is in Canada.

The Commission accordingly *RECOMMENDS* that:

- 1- **Should the subject be located in Canada, historical research should be conducted into the circumstances of the killing of the Jews as reported in this case and the involvement of the subject.**
- 2- **Depending on the results from this research, and should the Government of Canada decide to submit the subject's name to the relevant Eastern Bloc government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 258

This individual was brought to the attention of the Commission by private individuals. There was no specific allegation of involvement in war crimes made against this subject.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual having a similar surname and identical first name entered Canada in 1948. The Department of the Secretary of State reported that the immigrant was granted Canadian citizenship in 1955. The Department of External Affairs reported that in 1965, the name of the person who had landed in Canada had been mentioned in a newspaper in connection with the trial of Nazi collaborators. No department had any record of an individual whose name was identical to that of the subject under investigation.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the individual who landed in Canada was resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire of relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- **Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres in that country, the file should be closed.**
- 2- **Should, however, the Government of Canada decide to submit the name of the subject to the relevant government, or to the appropriate archival centres in that country, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 259

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS). There was no allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1953. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1971.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

The Commission confirmed that the subject died in Canada in 1979. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 260

This individual was brought to the attention of the Commission by the RCMP, whose sources of information were a newspaper and the subject himself who contacted the RCMP after receiving an anonymous letter. It was alleged that this individual had participated in the killings of foreign civilians in a West European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1952. The subject entered under a different name, and subsequently admitted this to the RCMP. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1958. The Department of External Affairs reported that it had no record of the subject.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined that subject was resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject under either his allegedly real name or the name under which he entered Canada.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against this subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the relevant**

Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.

- 2- Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 260.1

This individual was brought to the attention of the Commission by way of an anonymous letter from a private citizen. It was alleged that the subject joined the SS when the German army captured an Eastern European country in about 1942.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that it had no record of the subject. However, citizenship documents indicate he landed in Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that it had no record of the subject.

The Commission followed up on information provided in the letter and determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 261

This individual was brought to the attention of the Commission by a private individual. It was alleged that the subject was a war criminal and had entered Canada, but no particulars were provided, nor was any information concerning the subject's place and date of birth given by the source.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a name similar to that of the subject entered Canada in 1949. The departments of the Secretary of State and External Affairs reported that this individual was not granted Canadian citizenship and did not obtain a Canadian passport.

Further checks with police and motor vehicle registration records and investigations by the Commission's staff failed to reveal a current address for the subject or the individual with a similar name.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes is available, and it could not be established that the subject is residing in Canada.

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 262

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman made no specific allegation against the subject and provided no evidence of war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative. Further checks with police and motor vehicle registration records were also negative.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 263

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 264

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 265

Opinion is in abeyance pending results of external checks.

CASE NO. 266

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a report filed by one of its local detachments in a specific province. While there was no specific allegation of involvement in war crimes made against this individual, he was suspected of being a former member of the SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain how the subject had entered Canada, and whether he had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1973. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1978. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. The CPIC search response was negative, while the MVB search response was positive. The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission confirmed that the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin had a record of the subject indicating only that he had served in a specified SS battalion, and had been a prisoner of war in 1946. WASt reported that it had no documentation on the subject's period of service in the SS, and the Commission received no information to support an allegation of war crimes against the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 266.1

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a request for assistance from a foreign government. It was alleged that the subject under investigation had been a member of the Waffen-SS and was suspected of having committed war crimes.

The foreign government confirmed that the subject had entered that country in 1954 and was resident there.

The Commission confirmed that the subject entered Canada in 1951. However, as the foreign government confirmed that the subject was resident in that country and as no assistance was requested from the Commission, further searches were not undertaken.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 267

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a certain newspaper publication. There was no specific allegation or evidence that this individual had been involved in war crimes.

The RCMP reported the subject to be resident at a specified address in Canada. The Commission confirmed the subject to be resident at the address specified.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 268

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was Mr. Simon Wiesenthal. It was alleged that this individual had committed war crimes against Jewish people in an Eastern European country. It was also alleged that he had been responsible for the death of a private citizen in 1944.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1957. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1968. The

Department of External Affairs reported that two persons with a similar name were subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject with negative results. Nevertheless, the Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission was advised by the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, that it had a record of a person with a similar name but with a different date and place of birth, which indicated he had been a prisoner in a specific concentration camp and its neighbouring camp.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc country's authorities whether they might possess some evidence of war crimes against the subject.

The Commission accordingly RECOMMENDS that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 269

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was a private citizen. It was alleged that this individual is a physician whose physical description resembles that of the notorious war criminal Dr. Mengele.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship. The Commission also conducted CPIC and MVB searches. The Department of External Affairs reported that the subject was subsequently granted Canadian

passports on four occasions. According to his passport applications received by the Department of External Affairs, the subject, who was born abroad in 1913, entered Canada in 1954. He was granted Canadian citizenship in 1959. Personal data of the subject taken from various documentation reveal the following in comparison with the information contained in the Commission file with respect to Dr. Mengele:

	<i>Subject</i>	<i>Dr. Mengele</i>
Year of Birth	1913	1911
Height	6'3" +	5'8" +
Weight	195-215 lbs	Medium build
Eyes	Blue	Brown
Face	Oval (from Photo)	Round
Chin	—	Round

In addition, the picture of the subject appearing in the various documents received, does not suggest that he resembles Dr. Mengele.

All other search responses were negative. Nevertheless, the Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 270

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private individual. It was alleged that the subject under investigation had admitted to the complainant that he had been a member of the Gestapo and had personally participated in the Jewish genocide.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1952. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1963. The Department of External Affairs reported that it had no record in respect of the subject.

Through various investigations the Commission determined that the subject was resident in Canada in 1986.

The Commission confirmed that neither the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository had any record of the subject.

The German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, reported that it had a record which confirmed only that the subject was a member of the Wehrmacht.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 271

This individual was brought to the attention of the Commission by a private individual and by the Simon Wiesenthal Center in California. It was alleged that the subject under investigation had been the head of the police and that he had been active in the murder of 8,000 Jews of an Eastern European country in 1941.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The departments of the Secretary of State and External Affairs reported that they had no record of the subject.

Although an MVB search against the subject produced negative results, through other investigations, the Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that the neither Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly **RECOMMENDS THAT:**

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the relevant**

Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.

- 2- Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 272

Name stricken off Master List.

CASE NO. 273

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private citizen. It was alleged that this individual had admitted working in gas chambers that exterminated Jews.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1956. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1961. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search provided positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

However, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, reported that it had a record which indicated that the subject had been captured when Germany surrendered and had signed prisoner of war forms indicating that he had served in a specific unit, which was formed in 1945. This form indicates that he had been a member of the Hitler Youth from 1941 to 1943, that he joined the Waffen-SS in December 1943 at 17 years of age, and that he was captured in 1945. There is no evidence that the subject was ever a member of a certain unit, to which he probably would have belonged if he ever worked in a

death camp; furthermore, there are no records indicating that he ever served as a concentration camp guard.

The Commission also checked with the United Nations War Crimes Commission and ascertained that an individual with a similar surname, but no recorded first name or date or place of birth, was alleged by a West European government to be an SS official involved in a meeting in a West European country in 1944 which allegedly took certain measures against foreign women.

The Commission made numerous attempts to contact the individual who submitted the subject's name to the RCMP but was advised that the complainant wished to remain anonymous and was not prepared to provide any additional information.

The Commission accordingly *RECOMMENDS* that:

- 1- A complete history should be compiled of the units in which the subject served from enlistment to capture, to include the activities of those units while he was assigned to them. In this regard, all external checks should be conducted again under an alternative spelling of the subject's surname that the Commission's research revealed and which was provided to it on a confidential basis.**
- 2- The subject should be interviewed by the appropriate authorities to obtain his explanation of his activities during the war.**
- 3- The matter should be re-assessed and a final decision taken depending upon the results of those inquiries.**

CASE NO. 274

Name stricken off Master List.

CASE NO. 274.1

Opinion is in abeyance pending results of external checks.

CASE NO. 275

This individual was brought to the attention of the Commission by the RCMP. The individual was named on a list submitted to the Department of External Affairs by the Ministry of Justice of a West European country. The Commission was advised by the Honourable Robert Kaplan, P.C., M.P., that no information was received from the foreign officials to indicate that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 276

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 277

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was an anonymous letter. It was alleged that the subject under investigation had been a member of the SS and had participated in the elimination of Jews in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1958. The departments of the Secretary of State and External Affairs reported that they had no record of the subject.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The date and month of birth on the subject's driver's licence differed from those recorded on the landing information. However, when the month was expressed as a number, the date and month on one record was the reverse of the date and month on the other record. The Commission is satisfied that the subject was resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject. The German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, reported that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of the report: "Methodology", the Commission did not inquire

from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- **Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**
- 2- **Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 278

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 279

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private individual. There was no specific allegation of involvement in war crimes made against the subject under investigation.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1966. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission interviewed the citizen who submitted the subject's name to the RCMP, and determined that he had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject. The German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, reported that it had a record of the subject which confirmed only his membership in the Wehrmacht.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 280

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a private individual. It was alleged that the subject under investigation had been a member of the SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1959. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission interviewed the individual who submitted the subject's name to the RCMP and determined that he had no additional information relevant to the Commission's inquiries.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had a record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 281

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS), which opened its file on the subject because he was a defector from an Eastern Bloc country who wished to come to Canada. The CSIS investigation monitored his resettlement and his information on military matters. There was no specific allegation of involvement in war crimes made against this individual.

The Commission reviewed material available from the CSIS file and is satisfied that the subject entered Canada. The Department of Employment and Immigration reported that the subject landed in Canada in 1951. CSIS then monitored and assisted his resettlement until 1964.

The Commission's review of material from CSIS indicated that there was no evidence to suspect the subject had committed Nazi war crimes. The Commission also checked with the Berlin Document Center and was advised it had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 282

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 283

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 284

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 285

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had no record in respect of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 286

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS), which opened its file because the subject was a defector from an Eastern Bloc country who wished to come to Canada. The CSIS investigation monitored his resettlement. There was no specific allegation of involvement in war crimes made against this individual.

The Commission reviewed materials available from CSIS files and is satisfied that the subject had entered Canada in 1957. However, information on file indicates he left the country after two years and has not returned since.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had re-entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. All search responses were negative.

The Commission reviewed other material available from CSIS and determined that they had no evidence indicating the subject might have committed a war crime.

The Commission also checked with the Berlin Document Center in West Germany and was advised that it had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 286.1

This individual was brought to the attention of the Commission by the Canadian Jewish Congress and by the Canadian Security Intelligence Service (CSIS). It was alleged that the subject was responsible for deporting Jews during the Nazi regime.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The Department of External Affairs reported that it had no record of the subject.

The Commission reviewed extensive materials available from CSIS files indicating that the subject may have had some involvement in an Eastern Bloc country as alleged, but the investigations had ceased by 1968 and in the interim, the subject has died.

The Commission confirmed that the subject died in Canada in 1973. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 287

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 288

This individual was brought to the attention of the Commission by correspondence addressed to the Department of the Solicitor General by the authorities of an Eastern Bloc country. It was alleged that this individual had participated in the shooting of citizens during the war.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a similar surname and first name entered Canada in 1949. The Department of the Secretary of State reported that this same individual, whose first name was by now anglicized, was granted Canadian citizenship in 1955. The Department of External Affairs reported that this individual was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search provided positive results. The Commission determined that the individual who landed in Canada was resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, reported that the subject had been named in a Wiesenthal List.

The Commission forwarded the subject's name to an Eastern Bloc country in its letter of 1985 and requested that it make available any witnesses or documents relevant to the allegations it had made against the subject. As of the date of writing there has been no response in connection with the subject, although the Eastern Bloc country has provided such information in connection with other individuals under investigation.

On the basis of the foregoing, it is recommended that in the absence of any further response from the Eastern Bloc country the file on the subject be closed.

CASE NO. 289

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 290

This individual was brought to the attention of the Commission by the RCMP, acting on correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a similar surname and first name and identical date of birth visited Canada in 1980. Terms of entry required this individual to leave Canada by a certain date in 1980. As Canada does not maintain exit control records, there is no evidence that the individual did leave as required. Conversely, there is no record that his country of origin, an Eastern Bloc country, had requested his return. A department official advised that the Eastern Bloc country might not request the return of an individual 65 years of age and over but that it would be most unusual to let any individual visit Canada if there was any suspicion that he was a Nazi war criminal.

The departments of the Secretary of State and External Affairs reported negative search results. The Commission also conducted CPIC and MVB searches, which produced nothing.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the German Military Service Office for notifying the next of kin of member of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject. The Berlin Document Center and the Central Information Office of the Federal Archives in Aachen-Kornelimünster reported that they had records of the subject under investigation which confirmed only his membership in the Galicia Division of the Waffen-SS.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 291

This individual was brought to the attention of the Commission by the RCMP, whose source of information was the Canadian Jewish Congress. It was alleged that this individual had admitted to the complainant to the Congress that he had been a member of the Nazi Party, had run a concentration camp and had killed many Jews.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1953. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1960. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search provided positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission interviewed the complainant who had submitted the subject's name to the Canadian Jewish Congress. She indicated that she had no recollection of the complaint that she was alleged to have reported to the Congress.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, nor the Central Information Office of the Federal Archives in Aachen-Kornelimünster, had any record of the subject. The German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, and the Berlin Sick Book Depository reported that they had records which confirmed only that the subject was a member of the Wehrmacht.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 292

This individual was brought to the attention of the Commission by the RCMP, whose source of information was anonymous correspondence forwarded by the Canadian Jewish Congress. It was alleged that this individual had been a member of the SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1954. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1960. The Department of External Affairs reported that the subject was subsequently granted Canadian passports, on four occasions.

The Commission conducted CPIC and MVB searches against the subject and determined that the subject is resident in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject.

The German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin reported that it had a reference to a person with a similar name on a list of a West European country, but could not confirm whether it was the subject, nor was the list of a West European country an SS list.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 293

This individual was brought to the attention of the Commission by Mr. Sol Littman, whose source of information was a publication of Mr. Simon Wiesenthal. It was alleged that this individual had been responsible for a pogrom against the Jewish inhabitants of an Eastern European country in 1941.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Berlin Document Center did not have a record in respect of the subject.

The Commission interviewed Mr. Littman and was advised that the subject was in a West European country.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 294

This individual was brought to the attention of the Commission by the RCMP, whose source of information was Mr. Sol Littman. It was alleged that this individual, as a member of a specific unit carried out punitive expeditions in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that neither the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Central Information Office of the Federal Archives in Aachen-Kornelimünster, had a record in respect of the subject.

The Commission was advised by the the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, that the subject was named on the Wiesenthal List.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 295

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that it had no record in respect of the subject. The information received from the sources indicated that the subject changed his name after the war and did not return to his place of birth because he feared reprisals against himself or his relatives.

The Commission conducted CPIC and MVB searches on the subject. Both search responses were negative. Further investigations with local police forces revealed that the subject under investigation was resident in Canada in 1986.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record in respect of the subject under the name he used throughout the war. The Berlin Document Center and the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, reported that they had a record of the subject under the name he used

throughout the war, which confirmed only his membership in the Galicia Division of the Waffen-SS.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 296

This individual was brought to the attention of the Commission by a private individual, whose source of information was unspecified. It was alleged that the subject under investigation had been involved in killings of Jews in an Eastern European country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a somewhat similar surname and similar first name entered Canada in 1948. The Department of the Secretary of State reported that this same individual using a slight variant of his surname was granted Canadian citizenship in 1955. The Department of External Affairs reported that this same individual was subsequently granted Canadian passports. No department had a record that matched the name of the subject.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search provided positive results. The Commission determined that the individual who landed in Canada was resident in Canada in 1986 using another variant of his surname. Telephone checks revealed yet another variant of the surname.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the German Military Service Office for notifying the next of kin of member of the former German Wehrmacht (WASSt) in Berlin, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the Berlin Sick Book Depository, had any record of the subject under the name submitted to the Commission.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject under investigation. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject under investigation to the relevant**

Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.

- 2- Should, however, the Government of Canada decide to submit the name of the subject under investigation to the relevant government, or to the appropriate archival centres, the matter ought then be re-assessed and a final decision taken, depending upon the result of such inquiry.**

CASE NO. 297

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 298

Name stricken off Master List.

CASE NO. 299

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a similar surname and first name and an identical birth date to that provided by Mr. Wiesenthal entered Canada in 1955. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1960. The Department of External Affairs reported it had no record of the subject.

The Commission conducted an MVB search and determined the subject to be resident in Canada in 1986 at the address provided by Mr. Wiesenthal.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS and that he was an interpreter in the Wehrmacht.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

The Commission asked Mr. Wiesenthal to provide additional information with respect to the subject and was advised that he was unable to do so.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report (see finding no. 59).

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 300

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject was a member of a specific group when that body was formed in 1929, but made no specific allegation against the subject and provided no evidence of war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative. The Commission has also confirmed that the subject died in a West European country in 1938. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 301

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 302

This individual was brought to the attention of the Commission by the RCMP, whose source of information was articles in certain newspaper publications. It was alleged that this individual had been a police official in an Eastern European country and that he had collaborated with the Nazis.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that a person with the same name but a different date of birth entered Canada in 1948. The Department of the Secretary of State reported that this person was granted Canadian citizenship in 1956. The Department of External Affairs reported that it had no relevant records.

The Commission reviewed material available from the RCMP and determined they had no evidence in support of the allegation. It confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities

for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

The Commission also determined that the person who entered Canada and who may have been the subject, died in Canada in 1972. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 303

This individual was brought to the attention of the Commission by the RCMP, whose source of information was an extensive article in a newspaper publication. Grave allegations were made therein, relating to numerous executions in a town in an Eastern European country. There was a specific suggestion that the individual was resident in Canada.

The Commission reviewed material available from the RCMP to determine if it had any evidence that the subject had at any time entered Canada. The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. As a result, two possibilities surfaced.

Both possibilities were ruled out for several reasons. For example, the person residing in Canada entered in 1926 at the age of 1½ years; the other has a different given name and is not of Eastern European origin.

At the same time, the Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 304

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it conducted of its files following the establishment of the Commission. There was no allegation of war crimes in the file.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the

subject entered Canada in 1955. The departments of the Secretary of State and External Affairs reported that they had no record in respect of the subject.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WAS_t) in Berlin, nor the Berlin Sick Book Depository, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 305

This individual was brought to the attention of the Commission by the RCMP, whose source of information was an anonymous phone call made to the Canadian Jewish Congress. It was alleged that this individual had bragged of being in the SS during World War II.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject had entered Canada and whether he had applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted MVB and other searches against the subject and determined the subject to be resident in Canada in 1986.

The Commission reviewed RCMP reports of their interview of the subject during which he admitted having been recruited into a German army regiment which was eventually converted into the Waffen-SS. He denied having committed atrocities. His unit fared badly and in 1945 he deserted. The general conduct of the subject's unit during the war has been historically validated and is somewhat analogous to that of the Galicia Division.

The Commission found that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WAS_t) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the SS is available. Without such evidence, and based upon the reasoning set out in chapter I-8 of this Report (see finding no. 59) pertaining to the Galicia Division, membership in the Waffen-SS is insufficient to establish a *prima facie* case for the Commission's purposes.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 306

This individual was brought to the attention of the Commission by a private individual, who was passing along information received from another private individual. The allegation made was that the subject committed crimes against the Jews in an Eastern European country. There was no specific suggestion or evidence that the subject was ever resident in Canada; rather, there was some indication that he lives in a foreign country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

At the same time, the Commission confirmed that the Berlin Document Center in West Germany had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on this subject be closed.

CASE NO. 307

This individual was brought to the attention of the Commission by the Canadian Jewish Congress, whose source of information was Mr. Simon Wiesenthal. There was no specific allegation of involvement in war crimes made against this individual.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with the same first name and a slightly different surname entered Canada in 1929. The Department of the Secretary of State reported that this individual, whose surname was by this time identical to that of the individual under investigation, was granted Canadian citizenship in 1951. The Department of External Affairs reported that this same individual was subsequently granted a Canadian passport.

The Commission confirmed that neither the Berlin Document Center, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, nor the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, had any record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 308

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that a person with a similar name entered Canada in 1951. The departments of the Secretary of State and External Affairs reported that they had no record of either the subject or the immigrant.

The Commission reviewed materials available from the Berlin Document Center indicating that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASSt) in Berlin, nor the Berlin Sick Book Depository, had any further information on the subject.

The Commission asked Mr. Wiesenthal to provide additional information with respect to the subject and was advised that he was unable to do so.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes beyond membership in the Galicia Division is available. Without such evidence, mere membership in the Galicia Division is insufficient to establish a *prima facie* case for the Commission's purposes, as discussed in chapter I-8 of this Report, (see finding no. 59), nor is it at all evident that the immigrant in Canada is indeed the subject.

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 309

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 310

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual having a similar surname and identical first name entered Canada in 1948. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1954. The Department of External Affairs reported that it had no record of the subject.

The Commission was advised by the Berlin Document Center, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, and the Central Information Office of the Federal Archives in Aachen-Kornelimünster, that they had records of the

subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Berlin Sick Book Depository advised that the subject was wounded in action, and the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record of the subject.

The Commission determined that the individual who entered Canada died in Canada in 1970. A copy of the death certificate has been obtained by the Commission.

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 311

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 312

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 313

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 313.1

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a foreign authority and a certain book. It was alleged that this individual had participated in punitive actions in an Eastern European country and that he might have moved to Canada subsequent to being denaturalized in a foreign country.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission investigated the alleged Canadian residence and found the person with a similar name living there is not the subject.

In the interim, the Commission confirmed that neither the Berlin Document Center, nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 314

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 315

This individual was brought to the attention of the Commission by the RCMP, whose source of information was Mr. Simon Wiesenthal. It was alleged that this individual was involved in executing civilians while he was assistant police chief in an Eastern Bloc country and later came to be resident in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Commission also conducted CPIC and MVB searches. One possibility surfaced. The Department of Employment and Immigration reported that a person with a similar name but a different place of birth entered Canada in 1951.

The Commission confirmed that this immigrant died in Canada in 1979. A copy of the death certificate has been obtained by the Commission.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed his membership in the Galicia Division of the Waffen-SS. The Commission confirmed that the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had no record in respect of the subject.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 316

This individual was brought to the attention of the Commission by Mr. Sol Littman and the Canadian Jewish Congress. It was alleged that this individual, who was reported to be living in Canada, may have been involved in the evacuation of Jews from an Eastern European country during the war. No additional information with respect to this individual's alleged participation in war crimes was available from either Mr. Littman or the Canadian Jewish Congress.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain how the subject had entered Canada, and whether he had applied for citizenship or a passport. All searches produced positive responses. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that the subject had been subsequently granted a Certificate of Identity, and Canadian passports on five occasions.

The Commission conducted CPIC and MVB searches against the subject. The CPIC search response was negative. The MVB search response was positive. The Commission located the subject in Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-

Socialist Crimes in Ludwigsburg, West Germany, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, the file ought to be closed.**

- 2- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 317

Opinion is in Part II, (Confidential), of this Report.

CASE NO. 318

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a newspaper publication. The allegation made therein was that the subject tortured and murdered political opponents in a displaced persons camp, which is not a war crime within the Commission's terms of reference.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1949. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1956. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced

positive results. The Commission determined the subject to be resident in Canada in 1986.

The Commission reviewed material available from the RCMP and from the Canadian Security Intelligence Service (CSIS) to determine whether they had evidence to support any suspicion of war crime. These checks were negative. They indicated only that the subject is still actively involved with a specific movement in Canada.

The Commission also confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record in respect of the subject. His recent date of birth makes involvement in war crimes unlikely in any case.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 319

This individual was brought to the attention of the Commission by the RCMP, whose principal source of information was a foreign publication. It was alleged that the subject participated in the liquidation of civilians in 1941-1943, while acting as an investigator in the Nazi police. The foreign publication listed the names of several potential witnesses and claimed that the subject was residing at a specified address in Canada. The foreign source provided no information regarding the subject's place and date of birth.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1951. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1957. The Department of External Affairs reported that the subject had obtained a Canadian passport.

Further checks of police and motor vehicle registration records and investigations by Commission's staff revealed that the subject was a resident of Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record on the subject.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reason noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire of Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- **Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to appropriate archival centres in that country, the file should be closed.**
- 2- **Should, however, the Government of Canada decide to submit the name of the subject to the relevant government or to appropriate archival centres in that country, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 320

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he had been a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission asked Mr. Wiesenthal to provide additional information with respect to the subject and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 321

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS), whose source of information

was unknown. There was no allegation against the subject nor was there any evidence that the subject committed war crimes or entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative.

The Commission confirmed that the Berlin Document Center had no record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 322

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 323

This individual was brought to the attention of the Commission by the Canadian Security Intelligence Service (CSIS) in the course of a review it conducted of its files following the establishment of this Commission. There was no allegation of war crimes in the file.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain

whether the subject had entered Canada or applied for citizenship or a passport. All departments reported negative search results.

The Commission confirmed that the Berlin Document Center had no record in respect of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 324

Name stricken off Master List.

CASE NO. 325

This individual was brought to the attention of the Commission by Mr. Sol Littman. There was no specific allegation or evidence that this individual had been involved in war crimes.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1928. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1965. The Department of External Affairs reported that the subject was subsequently granted a Canadian passport.

The Commission conducted CPIC and MVB searches against the subject with negative results.

The Commission confirmed that the Berlin Document Center did not have a record in respect of the subject.

The Commission determined that the subject died in Canada in 1973. A copy of the death certificate has been obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 326

Opinion is in abeyance pending results of external checks.

CASE NO. 327

This individual was brought to the attention of the Commission by the RCMP, whose source of information was an anonymous telephone informant. The

allegation made against the subject was that he had been a member of the Nazi Party in 1943-1944. No further allegations were made against the subject by the informant.

Checks with the departments of Employment and Immigration, the Secretary of State and External Affairs indicated that the subject entered Canada in 1952, was granted Canadian citizenship in 1958 and obtained a Canadian passport.

The Commission was advised by the Berlin Document Center that it has a record of the subject which confirms only that he may have been a member of the Nazi Party. The Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, advised the Commission that it had no record of the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 328

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 329

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's

assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 330

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of alleged war criminals submitted to the Department of External Affairs by the authorities of an Eastern Bloc country. It was alleged that the subject "served in the police" and "shot two Soviet officers". No specific evidence of the alleged war crimes was provided, but the subject was reported to be living at an unspecified address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration advised that the subject entered Canada in 1951 from a West European country. The Department of the Secretary of State advised that the subject was granted Canadian citizenship in 1957. The Department of External Affairs advised that the subject obtained a Canadian passport but resides permanently in a foreign country.

The Commission confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 331

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of alleged war criminals submitted to

the Department of External Affairs by the authorities of an Eastern Bloc country. It was alleged that the subject participated in the shooting of civilians while he was chief of police in a village of an Eastern European country. The subject was alleged to be living at an unspecified address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration advised that the subject entered Canada in 1951 from a West European country. The Department of the Secretary of State advised that the subject was granted Canadian citizenship in 1957. The Department of External Affairs advised that the subject did not obtain a Canadian passport.

The Berlin Document Center advised that it had no record on the subject. The Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, advised that its record on the subject indicates only that the subject has been named as an alleged war criminal by Simon Wiesenthal. The Commission asked for, but did not receive, further particulars of this allegation from Mr. Wiesenthal.

The Commission also confirmed that the subject died in Canada in 1982. A copy of the death certificate was obtained by the Commission.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 332

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of alleged war criminals submitted to the Department of External Affairs by the authorities of an Eastern Bloc country. It was alleged that the subject served in the "police" during the "Nazi occupation" and shot three escaped prisoners of war, but no evidence in support of this allegation was provided. The subject was alleged to be living at an unspecified address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative. Further checks with police and motor vehicle records were also negative.

The Commission also confirmed that neither the Berlin Document Center nor the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, had any record on the subject.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 333

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a foreign authority which had requested the assistance of the RCMP in contacting the subject.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain when the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that the subject entered Canada in 1950. The Department of the Secretary of State reported that the subject was granted Canadian citizenship in 1955. The Department of External Affairs reported that the subject was subsequently granted Canadian passports.

The Commission conducted CPIC and MVB searches against the subject. Though the CPIC search response was negative, the MVB search produced positive results. The Commission determined the subject to be resident in Canada in 1986.

The RCMP interviewed the subject on behalf of the foreign authority.

The Commission confirmed that neither the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, nor the Central Information Office of the Federal Archives in Aachen-Kornelimünster, had any record of the subject.

Documents from the Berlin Document Center, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, and the Berlin Sick Book Depository indicated that the subject had been a member of the Waffen-SS. Prior to volunteering, he had served with the Schutzmannschaft and with the police. His curriculum vitae indicates that he had served with a national army after high school, but subsequently deserted.

On the basis of the foregoing, no evidence of participation in war crimes beyond membership in the relevant Waffen-SS is available. Without such evidence, and without even an allegation of a specific war crime having been committed as an SS member, or prior thereto, mere membership in the Waffen-SS is insufficient to establish a *prima facie* case for the Commission's purposes, according to the same reasoning as discussed in chapter I-8 of this Report (see finding no. 59) pertaining to the Galicia Division.

On the other hand, there is clear evidence the subject was admitted to Canada when voluntary Waffen-SS members should still have been precluded from

entry. Furthermore for the reasons noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire from the relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- The subject should be summoned by the appropriate authorities for interrogation on his wartime activities as well as on the circumstances leading to his immigration and citizenship.**
- 2- Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to the appropriate archival centres, then there remains no other alternative but to close the file.**
- 3- Should, however, the Government of Canada decide to submit the subject's name to the relevant government, or to the appropriate archival centres, the matter ought then to be re-assessed and a decision taken as to a possible prosecution.**
- 4- Should no incriminating evidence become available, the Canadian government should consider the advisability of pursuing revocation of citizenship and deportation of the subject, based on his failure to disclose his SS history.**

CASE NO. 334

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a certain publication. It was alleged that the subject had been a member of the SD police in an Eastern European country and as such had murdered civilians. The source claimed that the subject was residing in Canada but provided no particulars and no information concerning the subject's date and place of birth.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The Department of Employment and Immigration reported that an individual with a name similar to that of the subject entered Canada in 1956. The Department of the Secretary of State reported that another individual with a similar name was granted Canadian citizenship in 1956. The Department of External Affairs reported that this last named individual had obtained a Canadian passport.

Further checks of police and motor vehicle records and investigations by Commission's staff revealed that the individuals with similar names were residents of Canada in 1986.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject or of the individuals with similar names.

On the basis of the available evidence, there is no *prima facie* case of war crimes against the subject. However, for the reason noted in chapter I-5 of this Report: "Methodology", the Commission did not inquire of relevant Eastern Bloc authorities whether they might possess some evidence in support of the allegations of war crimes against the subject.

The Commission accordingly *RECOMMENDS* that:

- 1- **Should the Government of Canada not wish, as a matter of policy, to submit the name of the subject to the relevant Eastern Bloc government or to appropriate archival centres, the file should be closed.**
- 2- **Should, however, the Government of Canada decide to submit the name of the subject to the relevant government or to appropriate archival centres, the matter ought then to be re-assessed and a final decision taken, depending upon the results of such inquiry.**

CASE NO. 335

Name stricken off Master List.

CASE NO. 336

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 337

This individual was brought to the attention of the Commission by Mr. Sol Littman. Mr. Littman alleged that the subject was a member of a political committee and had written a newspaper article in 1943 welcoming the formation of the Galicia Division. Mr. Littman made no further allegations of war crimes, and when contacted by the Commission, advised that he did not think that the subject was in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative.

Further checks with police and motor vehicle registration records were also negative.

The Commission confirmed that neither the Berlin Document Center, the Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, the Central Information Office of the Federal Archives in Aachen-Kornelimünster, West Germany, the German Military Service Office for notifying the next of kin of members of the former German Wehrmacht (WASt) in Berlin, nor the Berlin Sick Book Depository, had any record of the subject.

On the basis of the foregoing, no evidence of participation in or knowledge of specific war crimes is available.

The Commission was also advised that the subject died in a West European country in 1985. A copy of the death certificate has been obtained by the Commission.

The Commission accordingly recommends that the file on the subject be closed.

CASE NO. 338

This individual was brought to the attention of the Commission by correspondence addressed to the Honourable Robert Kaplan, P.C., M.P., by Mr. Simon Wiesenthal. The correspondence contained no specific allegation or evidence that the subject had been involved in war crimes, apart from Mr. Wiesenthal's assertion that he was a member of the Galicia Division of the Waffen-SS. In

addition, the correspondence contained no evidence that the subject had entered Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to conduct checks to ascertain whether the subject had entered Canada or applied for citizenship or a passport. All search responses were negative.

The Commission was advised by the Berlin Document Center that it had a record of the subject which confirmed only his membership in the Galicia Division of the Waffen-SS.

The Commission requested Mr. Wiesenthal to provide additional information with respect to the subject, and was advised that he was unable to do so.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 339

This individual was brought to the attention of the Commission by the RCMP, whose source of information was a list of alleged war criminals submitted by the Canadian Jewish Congress. It was alleged that the subject committed war crimes while a member of the police in an Eastern Bloc country, but no specific evidence was provided. The subject was also alleged to be living at an unspecified address in Canada.

The Commission requested the departments of Employment and Immigration, the Secretary of State and External Affairs to ascertain whether the subject had entered Canada or applied for citizenship or a passport. The results of these checks were negative. Further checks with police and motor vehicle registration records were also negative.

The Berlin Document Center advised that it has no record on the subject. The Central Office of Land Judicial Authorities for the Investigation of National-Socialist Crimes in Ludwigsburg, West Germany, advised that its record on the subject indicates only that the subject has been named as an alleged war criminal by Simon Wiesenthal. The Commission asked for, but did not receive, further particulars of this allegation from Mr. Wiesenthal.

On the basis of the foregoing, it is recommended that the file on the subject be closed.

CASE NO. 340

Name stricken off Master List.