

THE SWEDISH GOVERNMENT INVESTIGATIVE COMMISSION RECOMMENDS THE WIESENTHAL CENTRE ALLEGATIONS BE DISREGARDED.

The Latvian Central Council in Sweden (ZLCP) has received a copy of a 43 page document compiled by a special investigative commission as a result of allegations by the Wiesenthal Centre.

On 18 November 1986 the Simon Wiesenthal Centre handed a letter to the Swedish embassy in Washington accusing 12 Baltic residents of Sweden of war crimes. The letter, addressed to the Prime Minister, also asks how many Nazi war criminals came to Sweden after the Second World War.

On 20 November the Swedish government appointed an investigative commission consisting of three lawyers, one each from the Chancery, Ministry of Justice and Foreign Ministry. On 11 February 1987 the commission reported its findings to the Swedish government.

The report firstly explains the commission's main task, to establish Sweden's legal position vis a vis war crimes of the Second World War. Describing its working method, the commission said that it had read through the Wiesenthal Centre materials as well as familiarized itself with other available documents. The commission's report stresses that its work did not include direct investigations. The report mentions that on 21 November 1986 the commission received a request from the Latvian Central Council in Sweden to verify the credibility of the documents accusing Baltic persons of war crimes. On 14 December the commission received a communication from the Estonian representation with several informative documents. On 12 January 1987 a note was received from the Baltic Committee inviting the commission to examine the Wiesenthal Centre letter.

The first part of the report deals with the factual history of the Baltic States, the Molotov-Ribbentrop Pact, the formal union with the USSR, the 1941 deportations and the German occupation. The report states that the number of Jews exterminated in the Baltic States has not been precisely determined and that it was not possible to establish the number of local inhabitants that took part in German organized exterminations or deportations. Balts had been forced to work in Germany and conscripted into military units. It was impossible to establish how much participation was motivated by a pro-German and how much by an anti-Soviet stance. Similarly one could not say where, apart from direct military service, these units were involved in other activities. The report describes the escape from the Baltic States to Sweden (25,000 Estonians, 4,000 Latvians and 300 Lithuanians). Mention is also made of the fresh immediate post-war deportations by the Soviets. The report recalls the Swedish Justice Minister's speech in 1944 on the war criminal question in which he pointed out that Sweden had no wish to accept war criminals but

did wish to adopt a humanitarian approach and to refrain from any action in a repatriation case that might result in execution. At the end of the historical review, mention is made, almost in passing, of the repatriation of members of the German army to the Soviet Union, among them 146 Baltic citizens.

The next and longest section (16 pages) of the report looks at the legal aspects of the question. It cites articles of Swedish law, the United Nations Convention of 1948 on the question of genocide, the 1949 Geneva Convention and the Council of Europe recommendations of 1965 and 1974. However the greatest part is taken up by Swedish legislation on the limitations of criminal liability after a certain time (25 years).

The next section examines the Wiesenthal Centre allegations. Eleven of the accused (names are not mentioned) had been questioned on their arrival and had later become Swedish citizens. The twelfth (an Estonian) had arrived from Germany. Of these 12, 8 had died. Of the remaining 4, one was over 90, two were almost 80 and one was 70.

The Wiesenthal Centre has based its allegations on 4 publications, three of which were published in the Soviet Union in the early 60's, namely:

1. Raul Kruus, "People be watchful", Tallinn, 1962.
2. "Kas ir Daugavas Vanagi?" (Who are the Daugava Hawks?)
3. "Politiskie Begli bez Maskas", (Political Refugees Unmasked).

Six of the twelve accused are named in the Latvian language publications. The commission familiarized itself with the testimonies of Imants Lesinskis in which he tells of his KGB work and editorship of propaganda publications in order to compromise Latvians living in the West. In his testimony Lesinskis has denied that either of the publications mentioned could be regarded as objective material.

The fourth source "The Yad Vashem Archives, Kr Latvia, Wiener Library Archives" was published in Israel and has no connection with the Wiesenthal Centre in Vienna. The Swedish embassy official who questioned the "Yad Vashem" archive representative in Israel found that the facts mentioned in the Wiesenthal allegations were inconsistent with the truth. Also the testimonies in the allegations were inadmissible. They do not name any Baltic citizens as war criminals and neither do they address any significant questions in the given context.

The next section deals with the Wiesenthal Centre representations to other governments. It notes that a similar commission in Great Britain has yet to come to a conclusion, that the "Commission of Inquiry on War Criminals" in Canada has presented its final draft to the government on 30 December 1986, that in Australia, the so called "Menzie's Commission" has been given more far reaching tasks. This is not just an inquiry into the Wiesenthal Centre allegations but a wider parliamentary investigative commission. The Swedish commission

notes that the Australian commission recommends that the government address itself to persons against whom guilt could be proven in war crimes. The Simon Wiesenthal Centre in Australia has listed 17 persons. Lastly the Swedish commission notes the Wiesenthal representations to Venezuela and Brazil.

The Swedish report ends by acknowledging that the alleged actions by these persons are proscribed. The commission is of the opinion that Sweden's laws do not permit a fresh investigation. The commission also expresses the view that it would be impossible to obtain legally acceptable proof. It stresses that not only have the Wiesenthal materials been open to exposure for over 20 years but also that they are very widely disputed and regarded as propaganda published with the assistance of the KGB.

As for the demand by the Wiesenthal Centre to clarify how many Nazi war criminals came to Sweden after the Second World War, the commissions view on this investigation is based on the same arguments as the allegations against the above mentioned 12 persons.

The commission recommends that the government disregards the allegations by the Wiesenthal Centre.

Translated from the Latvian by Andris Mellakauls.

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