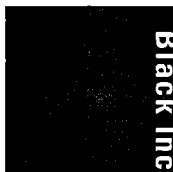


war
CRIMINALS
WELCOME

**AUSTRALIA, A SANCTUARY
FOR FUGITIVE WAR CRIMINALS
SINCE 1945**

Mark Aarons

FOREWORD BY BOB HAWKE



Published by Black Inc., an imprint of Schwartz Publishing
Level 3, 167 Collins St

Melbourne Victoria 3000

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Index by Michael Ramsden

National Library of Australia Cataloguing-in- Publication
entry

Aarons, Mark.

War criminals welcome Australia : a sanctuary for fugitive
war criminals since 1945.

Includes index.

ISBN 1 86395 370 1.

1. War criminals - Australia. 2. War criminals - Asia. 3.
War criminals - Europe. 4. Fascists - Australia. 5.
Australia - Emigration and immigration. I. Title.

364.1380994

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For Esther Fiszman

As a young girl, Esther was swept into the whirlwind of the Nazi's death machinery. As a teenager she underwent indescribable torture and pain, but miraculously survived as the youngest survivor of Auschwitz and emerged to build a new life in Australia with her husband, Sam, and children, Mia and Robert. Her courage, vibrancy, humour and determination to fashion a positive future from the ashes of her past have inspired me and all who know her.

Foreword

The twentieth century was not one in which humankind could take great pride in showing its capacity for civilised behaviour. Wars, great and small, killed tens of millions but barbarity was not confined to the battlefields or the direct civilian suffering of acts of war. Nor was that barbarity in any sense exclusively perpetrated by one country on the populations of another. Dictatorships of the Right and Left tortured and killed millions of their own citizens.

And for no group of people was this dark side of the human spirit more devastating than for the Jews. Six million perished in the Holocaust, i.e. two out of every five Jews on the face of the earth were slaughtered for no other reason than that they were Jews.

Australia played a significant role in the fight against Nazism out of proportion to its numbers and remoteness from the scene of conflict. It is entitled to be proud of that role.

We do not however have the same reason for pride in the way we allowed Nazi killers to enter this country and become Australian citizens in the period after the Second World War.

Mark Aarons in this densely documented and trenchantly argued book establishes the laxity, obfuscation – and worse – which allowed this to happen. There was a genuine reason for concern in this period about the disruptive and hegemonistic intentions of the Soviet Union. But too often the prism of anti-communism distorted and indeed perverted the process of screening out from the immigration programs those who had been guilty of war crimes in the service of the Nazis and their puppet regimes.

It is possible – and I think Aarons does – to attribute more blame to one side of politics than the other for this failure; but the truth is that neither side emerges unblemished or free from legitimate criticism

either in regard to the entry of such people or the failure, once identified, to initiate investigations and, if possible with appropriate evidence, to take them to trial.

Time should be a healing agent but not an obliterator of evil. Australia has been blessed beyond measure by the more than six million immigrants and refugees who have come from 140 different countries to make our nation their new home.

We should continue to welcome such people warmly. This important work by Mark Aarons serves however to warn us that this commitment to pursuing our economic interest and extending our compassion must be accompanied by an effective mechanism to preclude from entry those who have committed or abetted crimes against humanity.

R J L Hawke
2nd April 2001

War Criminals Welcome

Introduction

Few issues in Australia have been debated and reported more frequently, or over a longer period, than the story of war criminals in this country. Since 1947, when the first mass killer stepped off the boat and the post-World War II immigration scheme got into full swing, the Nazi scandal has been almost continuously debated by politicians and reported by the media. Over the years, the official files in the intelligence vaults of the Australian Security Intelligence Organisation and the filing cabinets of the departments of Immigration, Foreign Affairs and the Attorney General have grown unabated.

In fact, few stories in Australian history have been as enduring or as volatile. Relations between the indigenous communities and the white colonists have a history four times as long as war criminals and continue to generate heated debate and polarised reporting. As in the case of the war criminals of the past half-century, the word 'genocide' has frequently been at the centre of this debate. Other major themes in modern Australian history – including the Catholic-Protestant conflict, the 'Red Menace,' conscription, taxation, nationalism and national identity, republicanism, immigration and States' rights – have each, in their way, been long-running issues of public policy or political, religious and cultural debate that have attracted ongoing media reporting.

War criminals sheltering here may not affect the daily lives of Australians in quite the same way, but they leave a stain on our society which needs to be addressed. Indeed, the fact that mass killers and torturers continue to find Australia a welcoming sanctuary indicts not only our governments and bureaucracies, but all of us.

My own involvement with the mass killers living among us spans almost half the time it has been a public issue, as well as half my own lifetime. I stumbled across the story by accident in 1977 when, as a young reporter for the Australian Broadcasting Corporation, I was investigating claims that US intelligence had played a major part in the dismissal of the Whitlam government in November 1975. Since then, it has had a profound effect on my life, outlook and experience. I have broadcast several major investigative documentaries on the subject and written a number of books on related matters. The story has taken me to all corners of the globe and introduced me to cultures that were previously foreign. I have made lifetime friends and colleagues who would otherwise have passed me by. For this I am grateful.

But this has not lessened my despair that successive governments have knowingly allowed hundreds of men responsible for the cruel imprisonment, torture, rape and mass execution of tens of thousands of innocent civilians to make Australia home. The fact that most of these Nazi mass killers are now either dead, or soon will be, is no comfort. Their victims have had no justice. The survivors of their crimes – some of whom also settled in Australia next door to their former tormentors – have had no justice. The widows of the Australian servicemen who died fighting Nazism have had no justice. Nor has the wider community.

This will, however, soon only be a matter of historical interest. Both the criminals and the survivors will soon be dead and their stories will pass from contemporary politics to historical debate.

The issue, though, will remain alive. Indeed, it will emerge into public debate again and again in the next fifty years, not from the resurrection of the Nazi scandal, but because new generations of mass killers have been welcomed to Australia, knowingly, by successive governments over the past twenty-five years. The bureaucrats and politicians who run immigration policy and are responsible for

protecting the nation from the scourge of war criminals are today repeating the mistakes made half a century ago. They are ignoring the evidence that former Khmer Rouge members of the murderous Pol Pot regime, secret police from Afghanistan and Chile, Serbian and Croatian paramilitary forces from the Balkans wars of the 1990s and Stalinist secret police from Central and Eastern Europe are living freely in Australia.

Unless something is done soon, these new generations of war criminals will evade justice, just as the Nazis did before them. If there is one lesson of the past fifty years, it is that war criminals must be investigated and brought to justice as soon as allegations emerge. There is no time to waste. The passing of each year makes it more likely that witnesses will die, memories will fade and the criminals will live out their time peacefully and unpunished in Australia. Like the Nazis before them, these new generations will have found a permanent welcome.



Hundreds of people have helped me over the past twenty-five years since I first began to investigate war criminals in Australia. Many cannot be identified because the information, leads and documents they provided breached their oaths to preserve secrets learned in the course of their official duties as spies, diplomats, law enforcement officers and government bureaucrats. In most cases, they decided to resolve the conflict between telling the truth and preserving secrecy by speaking anonymously. The reason they gave for breaching their duty invariably related to the repugnance they felt towards their political masters, who had turned a blind eye to the mass killers residing in Australia. Although these people cannot be openly acknowledged, they know who they are and that they have my deepest gratitude for sharing their secret world with me.

Robyn Ravlich has been the most important person in supporting my work over the past quarter of a century. Without her love, understanding and forbearance I would never have been able to start, let alone complete, the complex research and writing involved.

Several people have provided sound historical advice, especially Professor Konrad Kwiet, an internationally renowned expert on Hitler's *Final Solution* who has patiently read and re-read the drafts and offered his advice and support. Likewise, Peter Wertheim has contributed his well-established historical and literary expertise. Sam Fiszman read the drafts and provided invaluable historical and political advice.

I am especially indebted to the men and women of Australia's Special Investigations Unit (SIU), the short-lived taskforce established by the Hawke government in 1987 to investigate and prosecute Nazi war criminals. In particular, I thank the two men who headed this unit, Bob Greenwood QC and Graham Blewitt, the latter now the Deputy Prosecutor of the International Tribunal bringing to justice criminals from the recent Balkans wars. Many other members of the unit have also provided friendship and advice over the years, including John Jansen, Bob Reid, Keith Conwell, Bruce Huggett and Anne Brettingham-Moore. Likewise I am grateful for the assistance over many years of American Nazi-hunters, especially John Loftus (whose work helped to ignite the debate that led to the formation of the SIU) and Eli Rosenbaum. Officials of the Simon Wiesenthal Centre have also assisted, especially Sol Littman (Canadian office) and Efraim Zuroff (Israeli office).

This book would never have been written without the assistance of numerous archivists who helped me to locate some extraordinary material. These include: Merylyn Minell, Barbara Berce, Bette O'Brien and Moira Smythe of the National Archives of Australia; Sally Marks and John Taylor of the US National Archives; Josipa Paver of the Croatian Archives; Peter Ribnikar of the Slovenian Archives; Dimitri Kabeljansky of the Ukrainian Archives; Marianne Dacey of the Archives of Australian Judaica; and the staff of the Public Record Office in London. Antun Miletić of the Military History Institute in Belgrade also assisted in obtaining invaluable archival material in Serbia, as did Dušan Biber in Slovenia. Andreja Furlan, Dane Mataić and Amira Smail-Begović of the Slovenian, Croatian and Bosnian Information Committees and Andrey Bezruchenko of the Novosti Press Agency in

Moscow assisted me to obtain access to unique material without which this book would have lacked authenticity. Although I am highly critical of ASIO's policy of withholding information from its files, I am grateful for the assistance of Peter McAlister in helping me to obtain rapid access to a number of intelligence files for this book.

Many journalists have also supported my work over many years. These include: Martin Daly of the *Sunday Age*; Michael Kapel, the former editor of the *Australia-Israel Review*; Mark Corcoran, whose groundbreaking reports on *The 7.30 Report* exposed the presence in Australia of numerous Afghani war criminals; Matthew Carney, formerly of SBS TV, who shared his research on Cambodian mass killers; Colin Rubenstein, the Editorial Chairman of the Australia/Israel and Jewish Affairs Council; David McKnight, who provided significant intelligence documents and leads on further research; and David Hardaker and Quentin McDermott of *Four Corners*. Former ABC colleagues Malcolm Long, Pierre Vicary, Tony Jones, Deborah Richards, Kirsten Garrett and Stan Correy are also owed my gratitude for their support during the early years of my work.

Others have been generous in giving me access to their personal records, especially Lou Jedwab and Walter Lippman, while the late Sam Goldbloom was very helpful in providing a number of leads, as was Jewish historian Suzanne Rutland. Dr John Playford provided access to his massive archive built up during the 1960s and 1970s. Robert Klarner of the New South Wales Jewish Board of Deputies supplied a constant stream of information, publications and leads for over twenty years. Jeremy Jones of the Executive Council of Australian Jewry also assisted with material of this kind.

Paula Gruden started translating Slovenian and Serbo-Croatian documents for me in early 1979 and has continued to do so up until today, despite failing eyesight and health. Her warmth and friendship have been inspiring and her translations have made it possible for me to understand complex historical issues, as well as the details of the crimes of several senior war criminals. Martin Webby has, as usual, provided both original photographs and reproductions of superb quality.

I owe my publisher, Morry Schwartz, a special debt. At the height

of the coverage of the expulsion of Latvian war criminal Konrads Kalejs from Britain to Australia in January 2000, Morry read an article I had written in the *Sunday Age*. He phoned to ask whether he could republish my previous book, *Sanctuary: Nazi Fugitives in Australia*, and I (somewhat brashly) offered to write a new one which incorporated parts of the old work. Over the past year, he has consistently made his time and wise advice available, despite his busy schedule, and I am pleased to count him and Anna Schwartz as friends. Andrew Rutherford edited the manuscript with quiet professionalism and an eye to fine detail, while Silvia Kwon and Chris Feik oversaw its production in a very short period.

My colleagues at my 'day job' as an advisor to the New South Wales Attorney General, Bob Debus, have had to endure my frequent physical and mental absences while I have researched and written this book over the past year. I thank them all for their understanding.

My parents, Laurie and Carol Aarons, have supported me in very special ways over many decades. Part of them is in this book.

Finally, I should acknowledge that parts of this book come from my previous book *Sanctuary*, which was published in 1989. Although these sections have been updated with recently declassified intelligence files and have been rewritten and re-edited, the essence of the earlier work remains. I therefore pay tribute to my previous editor, Norman Rowe, publisher, Louise Adler and legal advisor, Tom Molomby.

I also record with sadness the passing of Ernest Morgan, the Czechoslovakian Jew to whom I dedicated *Sanctuary*. As I wrote in 1989, Dr Morgan was an Auschwitz survivor whose old world had been destroyed by the Nazi takeover of Czechoslovakia in 1938. I first met him in 1979 after my exposé of Ljenko Urbančić – the Slovenian Nazi propagandist who had risen to a senior position in the New South Wales Liberal Party – was broadcast on ABC Radio National (see Chapter Sixteen). Ernest would frequently drop in to my office to gently encourage my work and modestly discuss his own not inconsiderable part in campaigning for justice for Hitler's victims. He is much missed.

Mark Aarons
March 2001

War Criminals Welcome Main Characters and
Organisations

Characters

Nikolai Alferchik – Byelorussian Nazi mass killer, responsible for the murder of hundreds of innocent civilians. Worked for US intelligence after World War II, settled in Australia and became an agent of the Australian Security Intelligence Organisation.

James Jesus Angleton – Head of counter-intelligence for the US Central Intelligence Agency, who played an active role in recruiting Nazi war criminals for Western espionage operations. Worked closely with Australian intelligence and was well-informed about Australia's Nazi scandal.

Viktors Arajs – Led the Arajs Kommando, a Latvian mobile killing squad responsible for the virtual elimination of Latvia's 70,000 Jews. Many members of the squad also served in Byelorussia and later found sanctuary in Australia.

Garfield Barwick – Commonwealth Attorney General in 1961 who declared that the chapter was closed on punishing Nazi war criminals, thereby protecting hundreds of mass killers from justice.

Enver Begović – Member of the Bosnian Muslim SS *Handschar* Division, which carried out atrocities against civilians and partisans. After the war, worked for French intelligence and then became a source for both the Australian Security Intelligence Organisation and the Commonwealth Police after settling in Melbourne in the 1950s.

Mikalay Berezovsky – Ukrainian migrant who was one of the three Nazi war criminals charged by Australia's Nazi-hunters in the early 1990s. His case was dismissed on a technicality by an Adelaide magistrate and never heard by a jury.

Graham Blewitt – Second head of the Australian Nazi-hunting team, the Special Investigations Unit. Became the Deputy Prosecutor of the United Nations Tribunal investigating war crimes committed in the Balkans in the 1990s.

Lionel Bowen – Commonwealth Attorney General who formed the Australian Nazi-hunting team, the Special Investigations Unit in 1987. Oversaw the passage of the *War Crimes Act* in 1988, under which hundreds of Nazi mass killers in Australia were investigated and three charges laid.

Josip Bujanović – Senior official of the Nazi-controlled Croatian government, who carried out numerous mass killings of Serbs, Jews and communists. After the war, was a senior figure in the Ratlines, the Vatican's Nazi escape routes. Settled in Australia in the 1960s and helped organise a terrorist network.

Arthur Calwell – Australia's first Immigration Minister, who introduced the Displaced Persons migration program in 1947. Began the cover-up of Australia's Nazi scandal.

Michael Duffy – Commonwealth Attorney General who oversaw the abandonment of Australia's war crimes investigations in the early 1990s.

Peter Faris – Senior barrister who gave an *Advice* that a *prima facie* case existed against the Latvian mass killer, Karlis Ozols. Recommended further investigations in the Ozols case, but the Keating government abandoned the inquiry.

Argods Fricsons – Latvian mass murderer who after the war worked first for US intelligence and then for the Australian Security Intelligence Organisation.

Fred 'Blackjack' Galleghan – Australian Army general and senior intelligence officer. Oversaw the security screening of migrants under Arthur Calwell's Displaced Persons migration program. Repeatedly lied in assuring Australians that no Nazis were getting through the security net.

John Gorton – Senior Liberal politician who welcomed the establishment in Australia of the Nazi front group, the Anti-Bolshevik Bloc of Nations, when it was launched in the late 1950s. Became Prime Minister a decade later and continued Australia's Nazi cover-up.

Bob Greenwood – Australia's top Nazi-hunter. Appointed head of the Special Investigations Unit by Attorney General Lionel Bowen in 1987 and established close working relations with war crimes investigators around the world. Fought with senior intelligence officials to gain access to dossiers on Nazis who had worked for the Australian Security Intelligence Organisation.

Tasman Heyes – Head of the Immigration Department under both Arthur Calwell and Harold Holt in the late 1940s and early 1950s when Australia's Nazi scandal began. Helped the government to cover up the abundant evidence of mass killers in Australia. Gave the Nazi groups permission to publish fascist newspapers.

Harold Holt – Succeeded Arthur Calwell as Immigration Minister. Carried on Calwell's policy of protecting Nazis, and then blackmailed

the Jewish community to stop its campaign against Nazi migrants. Later became Prime Minister in the mid-1960s.

Branislav Ivanović – Senior Serbian Nazi leader who after the war worked for US intelligence and then settled in Australia. A Yugoslav request for his extradition was rejected by the Australian government in the early 1950s, even though intelligence suggested he was guilty of war crimes.

Konrads Kalejs – Officer in the notorious Latvian Arajs Kommando. Participated in war crimes against Jews and partisans, and then settled in Australia. Went to America in the late 1950s and became Australia's best known Nazi war criminal following his expulsion from America, Canada and Britain. In 2001, extradition proceedings were brought by the Latvian government.

Đujo Krpan – Croatian war criminal who carried out major campaigns against Serbs during World War II. Settled in Australia and became one of the earliest members of an underground terrorist network that carried out violent attacks in Europe and Australia.

Milorad Lukić – Serbian war criminal who worked for US intelligence after the war and then settled in Australia. A Yugoslav government extradition request was refused in the early 1950s, despite substantial evidence.

László Megay – Senior war criminal who set up the Jewish ghetto in Ungvár, Hungary. Personally tortured and mistreated the Jews in the ghetto and supervised their shipment to Auschwitz where thousands were murdered. In the 1950s, became a prominent member of the Liberal Party. Helped to form the Nazi front group the Anti-Bolshevik Bloc of Nations.

Andrew Menzies – Former senior official of the Commonwealth Attorney General's department. Appointed by the Hawke government

in mid-1986 to investigate claims made by the author of this book that hundreds of Nazi war criminals had found sanctuary in Australia. In November 1986, confirmed these charges and recommended they be brought to justice. Covered up the role of Australian intelligence in recruiting known Nazis as agents to fight communism.

Kerry Milte – Former senior Commonwealth Police officer. In the 1960s confirmed that Nazi war criminals were in Australia. Despite the evidence, the federal government took no action, even against the organisers of Croatian fascist terrorist cells that carried out bombings and armed incursions into Yugoslavia.

Lionel Murphy – Commonwealth Attorney General who ‘raided’ ASIO in 1973. Seized damning evidence of a widespread Croatian terrorist network controlled by war criminal Srečko Rover. Tabled the intelligence dossier in the Senate in March 1973.

Karlis Ozols – Senior Latvian Nazi war criminal. Commanded a killing unit which was posted to Byelorussia in 1942 and 1943. Ordered, organised and carried out numerous mass shootings of Jews. Settled in Australia and was investigated by the Special Investigations Unit in the 1980s. His case was abandoned by the Keating government in 1992, despite unequivocal advice that a *prima facie* case had been established.

Lewis Perry – US Army intelligence colonel who worked on the Vatican’s Nazi escape network, the Ratlines. Organised *Operation Headache/Boathill* to spirit America’s Nazi agents out of Europe to new homes in Canada, the United States, Australia and South America. Worked closely with Croatian war criminal Srečko Rover to infiltrate terrorists into Yugoslavia to overthrow communism.

Ivan Polyukhovych – Ukrainian mass killer who was the first Nazi war criminal charged under Australia’s *War Crimes Act*. Committed to stand trial, but acquitted after the judge disallowed almost all the prosecution’s evidence.

Mihailo Rajković – Yugoslav war criminal whose extradition was rejected by the Australian government in the early 1950s. Provided intelligence to the Australian Security Intelligence Organisation.

George (Ron) Richards – Senior Australian intelligence officer who was actively involved in the cover-up of Australia's Nazi scandal.

Srečko Rover – Nazi Security Police officer in Sarajevo who was a member of a mobile killing unit responsible for the murder of many Jews, Serbs and communists. Post-war leader of a Croatian terrorist network which worked with Western intelligence on anti-communist operations. Settled in Australia and organised a world-wide terrorist network. Suspected communist double agent, although he also provided information to the Australian Security Intelligence Organisation.

Charles Spry – First Director General of the Australian Security Intelligence Organisation, the domestic spy service. Spry knowingly recruited many Nazi war criminals and collaborators as intelligence sources and agents and used them in anti-communist operations.

Athol Townley – Immigration Minister from 1956 to 1958, who inherited and continued the Nazi cover-up. Presided over the 'investigation' of László Megay, the mass killer of Ungvár who was a senior member of Townley's Liberal Party.

Keith Turbayne – Military Intelligence officer in Europe. Later recruited by Charles Spry to the Australian Security Intelligence Organisation, in which he was a senior officer. Liaised with US and British intelligence and provided detailed reports to Spry on a number of prominent war criminals in Australia.

Arvids Upmalis – Latvian war criminal who ordered and carried out the mass killing of thousands of Jews and Gypsies in Bauska. Settled in Australia and was a key organiser of Latvian fascists. Investigated by

the Commonwealth Police in the 1960s, but died before the Hawke government initiated investigations to bring Nazis to justice twenty years later.

Ljenko Urbančič – Senior Nazi propagandist and intelligence officer in Slovenia from 1943 to 1945. In the 1960s and 1970s, was the senior fascist organiser in the New South Wales Liberal Party. Organised campaigns in favour of apartheid and Ian Smith's Rhodesia and against his moderate opponents in the Liberal Party.

Amanda Vanstone – Commonwealth Justice Minister under Prime Minister John Howard. Oversaw the continuing cover-up of war criminals in Australia and welcomed notorious Latvian war criminal Konrads Kalejs back to Australia.

Ervin Viks – Senior Estonian war criminal whose extradition was requested by the Soviet Union in the early 1960s. Attorney General Garfield Barwick refused the request and announced an amnesty for Nazi mass killers.

Heinrich Wagner – Ukrainian Nazi war criminal who organised the mass killing of Jews, including many children. Charged under the *War Crimes Act*, committed to stand trial and then no-billed when he had a heart attack in December 1993. Lived a healthy and happy life for the next seven years until he died in December 2000.

Alan Watt – Head of the Department of External (Foreign) Affairs in the 1950s, who oversaw a major part of the Nazi cover-up. Helped the Menzies government to lie to both domestic critics and foreign governments about senior Nazis in Australia.

Ernest Wiggins – Senior ASIO officer. Posted to Europe in the 1950s as a liaison officer with US and British intelligence. Provided detailed intelligence reports on the war crimes of several senior Nazis and on their work for US intelligence after the war.

Organisations

Arajs Kommando – Latvian killing squad led by convicted war criminal Viktors Arajs. Many Latvian war criminals who settled in Australia started their careers as mass killers in the Kommando.

Australian Federal Police – Commonwealth government police force, formerly known as the Commonwealth Police. Used by both the Keating and Howard governments as a screen to hide behind on the issue of war crimes investigations, especially those relating to Latvian mass killers Konrads Kalejs and Karlis Ozols.

Australian Security Intelligence Organisation – Known as ASIO, the domestic spy agency primarily involved in counter-intelligence and counter-subversion operations. The first Director General, Brigadier Spry, was a major player in the Nazi cover-up and recruited a significant number of war criminals as intelligence agents.

B1 – ASIO's counter-subversion section, which in the 1950s and 1960s mainly dealt with communist influence in unions, political parties and international activities.

B2 – ASIO's counter-espionage section, which dealt with active operations to penetrate Australian intelligence, government departments and public institutions.

C – ASIO's vetting section, which checked the 'security risk' of public servants and other citizens.

Q – ASIO's section that ran intelligence agents, often known as Q sources. Known also as the Special Services or S section, it recruited a number of known Nazi war criminals in the 1950s and 1960s to spy on migrant groups, particularly on suspected communists.

Commonwealth Investigation Service – The CIS was the predecessor to ASIO as Australia’s counter-intelligence and counter-subversion agency. Conducted numerous investigations into Nazis in Australia.

Counter Intelligence Corps – US Army’s counter-espionage agency, known as the CIC. A significant number of Nazi war criminals were recruited by the CIC in the 1940s, and many of them later settled in Australia and worked for ASIO.

HNO – The Croatian acronym for the Croatian National Resistance, a revolutionary political front led by war criminal and terrorist leader Srećko Rover. Was the political front behind which Rover hid his terrorist activities.

HOP – The Croatian acronym for the Croatian Liberation Movement, a fascist organisation which infiltrated the Liberal Party in the 1950s and 1960s. Considered the more moderate of the Croatian groups in Australia.

HRB – The Croatian acronym for the Croatian Revolutionary Brotherhood, a terrorist organisation established in the early 1960s under the command of Srećko Rover, a war criminal and terrorist leader who settled in Australia and worked as a source for ASIO. The HRB carried out a campaign of bombings, shooting and violence in Australia and launched two disastrous incursions into communist Yugoslavia in 1963 and 1972.

International Refugee Organisation – The IRO was established after World War II to deal with the millions of refugees in Western Europe who needed to be housed, fed and found new homes. Established a massive immigration program that saw hundreds of thousands of refugees – mainly from Central and Eastern Europe – settled in Australia, America, Canada, Britain and South America. Was used by Western intelligence as the means by which to smuggle its Nazi agents to new homes.

Križari – The ‘Crusaders,’ a Croatian terrorist group which launched incursions into Tito’s Yugoslavia between 1946 and 1948 with the assistance of Western intelligence. One of its senior leaders was Srećko Rover, the Croatian war criminal who settled in Australia and re-established the terrorist network. Rover’s comrades accused him of deliberately betraying dozens of the terrorists to the Yugoslavs and there were suspicions that he was a communist double agent.

NTS – The Russian People’s Labour Alliance (*Narodny Trudovoi Soyuz*, or NTS), an anti-communist *émigré* group which worked for British and American intelligence. Was taken over by Prince Anton Turkul, a Soviet double agent and used by communist intelligence to penetrate Western spy agencies. Nikolai Alferchik, the Byelorussian war criminal and agent for both US and Australian intelligence, was a senior NTS member.

Special Investigations Unit – The SIU was set up by the Hawke government in 1987 following a series of investigative documentaries produced by this author for the ABC and the resultant inquiry conducted by Andrew Menzies. Headed at first by Bob Greenwood and then by Graham Blewitt, it investigated over 800 cases, brought three charges under the *War Crimes Act* and was finally disbanded by the Keating government in a betrayal of the search for justice.

WOSM – The British War Office Screening Mission, sometimes known as the Special Refugee Screening Commission. Its primary task was to screen known war criminals and Nazi collaborators hiding among the millions of legitimate post-war refugees. Only refugees were supposed to be handed on to the International Refugee Organisation and given assistance to emigrate, but under instructions from the British government, WOSM secretly cleared thousands of mass killers and allowed them to settle in new countries, including Australia.

PART ONE

Australia, 2001: Murderers Among Us

The first war criminals to find sanctuary in Australia arrived in 1947. They were hidden among the first shipments of the Displaced Persons immigration scheme. Most of those arriving were genuine refugees from Hitler and Stalin who could not return home, either because there was nothing to go back to or because their very lives would have been at risk.

The government soon gathered evidence that a number of mass killers were among the migrants, but decided to bury the scandal. For the next forty years, nothing was done about the problem – which officially did not even exist. By the time a concerted effort to repair this state of affairs was made in the mid-1980s, in the aftermath of allegations made by this author on ABC Radio National, it was almost too late. Probable defendants in war crimes trials, as well as eyewitnesses, had either died or were too old to be tried or testify. The handful of mass murderers brought to trial escaped justice, largely because of the lapse of time.

In the next few years, the last Nazi in the world may well die peacefully in his bed somewhere in Australia. This will not, however, end Australia's war criminals problem. Over the past twenty-five years, new generations of mass killers have found sanctuary in Australia. Our government is once again denying the problem and refusing to take action, just as it did for forty years concerning the Nazis.

In this first section, we shall canvass the evidence that modern war criminals are living freely in Australia. In particular, case studies will indicate the probability that Serbs and Croats who committed crimes in the Balkans wars of the 1990s have found sanctuary here. Many of these war criminals were Australian citizens travelling back to the homelands of their parents who had settled in Australia over the previous forty years. Others came in the waves of Serbian and Croatian refugees accepted as migrants from the mid-1990s onwards. Mostly, these war criminals joined irregular paramilitary units, carrying out the programs of forced relocations, imprisonment, rape, torture and mass killings that were called, generically, 'ethnic cleansing.'

Similar criminals who made Australia home include former senior officials of Pol Pot's Khmer Rouge, who served in the communist administration between 1975 and 1979 when millions of Cambodians were murdered. There are also a large number of senior officers of the Soviet-controlled Afghan administration in Australia, including members of the dreaded secret police, the armed forces, even high-ranking government ministers. Other torturers and murderers among us include officers of Pinochet's secret police and of the various Stalinist secret police units that operated in Central and Eastern Europe from the 1940s till the late 1980s.

Australian governments have consistently ignored these mass killers and taken no steps to investigate them systematically or legislate to deal with them. A range of measures is urgently required if we are not to repeat the mistakes we made in the case of Nazi mass killers. These include conducting an inquiry to assess the extent of the problem, establishing a small, specialist standing unit to deal with serious claims of war crimes and genocide, and introducing laws consistent with the *Geneva Convention on Genocide* to enable the trial of such people in our own courts, or their extradition to other countries providing a *prima facie* case of their guilt.

War Criminals 'Welcome'

Chapter One

In January 2000, Justice Minister Amanda Vanstone announced that Nazi war criminal Konrads Kalejs was 'welcome' to return to Australia. A week earlier, Kalejs had been discovered in Britain, which followed the lead of America and Canada and immediately moved to deport him. As a result, Vanstone was caught in a maelstrom of media and public criticism about the Australian government's inaction. Many Australians wanted to know why the minister had failed to prosecute our best-known Nazi mass killer, or even take any form of action to sanction him for belonging to the notorious Arajs Kommando. Named after its bloody commander, convicted war criminal Viktors Arajs, this unit had murdered tens of thousands of Jews, Gypsies and other innocent civilians during World War II. To be fair, though, Vanstone's statement was a gaffe of the kind for which the loose-lipped minister is famous. The reporter who described it as 'a grossly insensitive expression to use about a man accused of killing Jews for the Nazis' was, nevertheless, accurate.¹

Sadly, Vanstone's statement also tellingly epitomised the approach of successive federal governments for most of the last half-century. Since the first Nazi mass killer was officially recorded by Australian intelligence agencies in 1947, war criminals have, in effect, been welcome to settle in Australia. As we shall see, many mass killers have also been welcome to take out citizenship with the full knowledge of

immigration and intelligence officers, and to go about their business as though they were lawful Australians with no stain on their characters. Most have died peacefully without facing justice for the organised mass killing of innocent civilians: men and women, including the elderly, and children, even the youngest babies. Technically, of course, Vanstone was correctly applying Australian law. Kalejs is, after all, an Australian citizen. As such, he is free to come and go as he pleases, as are Australia's many other Nazi mass killers. To say nothing of the numerous war criminals from Serbia, Cambodia, Bosnia, Afghanistan, Croatia and Chile who are also Australian citizens. Most of these modern mass killers and torturers have been naturalised in the last twenty years.

As this is written in March 2001, the Latvian government has requested Kalejs's extradition, and the fugitive war criminal has finally been arrested by Australian police and brought before a court. His passport has been seized, and he is on bail pending further hearings later in 2001. It is an experience he has had many times before, in America, Canada and Britain. It is, however, his first time in Australia, the country which should take the most responsibility for dealing with this mass murderer. Kalejs's lawyer has indicated that he will fight extradition with the same determination with which he resisted deportation from America and Canada. Even if he is ordered to be extradited to Latvia, he will undoubtedly appeal, and the case could drag on for several years. After all, time and Kalejs's considerable wealth – made from property deals in the United States – are on his side. By the time he has exhausted all the avenues of appeal, with the best barristers that his fortune can buy, he will be approaching ninety, if he lives that long. Vanstone and her government surely have their fingers crossed behind their backs, desperately hoping that the problem will go away and that sooner rather than later Kalejs will simply die.

For the hard fact is that Kalejs's generation of mass killers is just about to pass on. The statistical probability is that the last Nazi will die peacefully in his bed, somewhere in Australia, in the next few years. He will leave behind a legacy of official deceit, incompetence and indifference. It may be Kalejs himself, who is only a year younger

than his Latvian comrade Karlis Ozols, who died in March 2001 as this book was going to press. It could be the Croatian war criminal Srečko Rover, whose senior post in a mobile killing squad is outlined in Chapter Five. Or perhaps it will be the Lithuanian Leonas Pazusis, who is discussed in Chapter Twenty-Three, or the Byelorussian Nikolai Alferchik, who is dealt with in Chapter Six. Indeed, it could be any one of the several hundred Nazis still living in Australia, only some of whom are discussed due to constraints imposed even on a book of this size.

In a very real sense, it does not matter which of these mass killers is the last to die, or when it happens. The time for justice for Nazis is virtually at an end. Action to bring them to justice is now only of symbolic value, and can never redress the crimes they committed, almost sixty years ago, by killing hundreds of thousands of innocent civilians. Soon the Nazis' policies of mass slaughter of Jews, Gypsies, Slavs and political and religious opponents will pass into history. The stark reality is that there will be no living perpetrators or witnesses left, either to bring to trial or bear witness. The lies told by successive Australian governments to protect Nazis from justice will also pass into history, together with the bureaucratic games played by Immigration and Foreign Affairs officials to implement this policy of amnesty, documented in Chapters Eleven to Seventeen. Even the Nazi agents employed by Australia's spies in clandestine intelligence operations – detailed in Chapters Eight and Nine – are now little more than historical footnotes to one of the most amoral episodes in Australian history. Like the Nazis, most of the political leaders, bureaucrats and spies who perpetrated these crimes against Australia's good name are either dead, or soon will be. Their legacy of moral and legal failure, however, casts a shadow over their commitment to justice and the rule of law.

In other words, every aspect of Australia's Nazi scandal will soon be merely a matter for historical discussion. The question of what to do about these mass killers will, in effect, be a dead letter. Australia's war criminal problem will finally have ceased to exist.

Except for one small problem. Even when the last Nazi is dead there will still be many mass murderers and torturers from other conflicts living freely in Australia. Since the crimes recounted in this

book were carried out almost sixty years ago, many others have copied the Nazis' blueprint for racial, religious and political mass killings. The Cambodian Khmer Rouge, the secret police of Soviet-controlled Afghanistan, the Serbs and Croats who carried out the Balkans genocide of the early-to-mid-1990s and Pinochet's Chilean secret police are just some of the many mass killers of the last thirty years. Each of them has at least three things in common with the Nazi era and its aftermath. First, they have participated in the calculated and planned rounding up of civilians because of their race, religion or political beliefs, usually accompanied by the separation of men from women and children, followed by the systematic torture, rape and mass killing of the victims. Second, the perpetrators of these crimes have found sanctuary – even an official 'welcome' – in Australia, where many have become citizens. Third, the Australian government neither wants to know about these latter-day criminals, nor seems to care about the problem. Indeed, in line with past policies towards Nazi mass killers, the government does nothing. War criminals are 'welcome.' Tragically, history is repeating itself.



The seeds of Australia's modern war crimes problem were, in many ways, planted in the fertile soil of the Nazi scandal that began in 1947 when the first Latvian war criminals arrived among the early shipments of the post-war immigration program. The continuity between the two eras is best illustrated by the Balkans genocide of the 1990s, when the Serb regime of Slobodan Milošević launched aggressive wars on its Yugoslav neighbours, first against the Croats and then against the Bosnians, both Croat and Muslim. According to Graham Blewitt, the Australian Deputy Prosecutor of the United Nations International Tribunal investigating these crimes, there is a sizeable Australian connection that the federal government continues to ignore a decade on. Blewitt also headed the government's Nazi-hunting team, the Special Investigations Unit, established in 1987 in response to a series of ABC radio programs produced by this author the previous year.²

Even before the Balkans wars began in mid-1991, Blewitt had gathered evidence that Australians were being recruited to fight. 'It was apparent that the conflict was going to occur and people were arming and gearing up for it.' By September 1992, the federal government had wound up the Nazi inquiries, despite the abundant evidence that there was plenty of ongoing work investigating modern war crimes. By then, however, Blewitt was certain that Australians were directly implicated in the Balkans genocide. 'It's very clear there are Australian citizens who have gone over there to take up arms and have been involved in fighting. And I've got some authorities who indicate that Australian citizens have been involved in atrocities.' According to Blewitt, this involved both Australian Serbs and Australian Croats.³

Graham Blewitt did not, of course, keep this a secret. 'I've indicated this to the Attorney General's department and the Attorney himself, and the attitude is that the Australian Federal Police can handle that.' At the time, Blewitt had advised Attorney General Michael Duffy that a standing war crimes unit should be established to deal with these and similar claims about other war criminals. Indeed, this was a key recommendation of his final report on the Nazi investigations. Nine years on, nothing has been done. The Australian Federal Police (AFP) has taken no concerted action against these modern Balkans war criminals. To be fair, investigating crimes against humanity is not a mainstream AFP operation. Nor is the AFP adequately funded to undertake war crimes investigations, even if it wanted to give them operational priority. As Blewitt pointed out in 1992, 'it's true that these Serbs and Croats have committed offences against the *Crimes Act* by taking up arms in Yugoslavia.' Nine years on, however, even these lesser offences have not been prosecuted by the AFP. Of course, taking up arms in a foreign war as a mercenary is a serious crime under Australian law. But as Blewitt commented, 'those crimes are one thing, but it's another thing to commit genocide, which these people have been doing.' Then as now, however, they cannot be punished for genocide because Australia has no legal framework to prosecute them. The *War Crimes Act* only covers one group of war criminals in one theatre of one war. Nearly all other war criminals therefore have a permanent sanctuary in Australia.⁴

By early 1994, Blewitt had monitored several cases that confirmed 'that there are Australian citizens who went and participated in the fighting in the former Yugoslavia, that those people have been involved in atrocities and have come back to Australia.' As will be seen, this was, in fact, part of an international movement. By late 1994, Blewitt confidently stated that a 'number of mercenaries from around the world, including Australia,' had joined and fought with the various units carrying out genocide in the Balkans.⁵ Some of these latter-day Balkan war criminals had actually been indoctrinated and trained by the previous generation of Yugoslav Nazi mass killers who had found sanctuary in Australia forty years earlier.

For the first time in history, however, the minute details of this genocide were recorded at the time it occurred, unlike previous mass killing campaigns which happened behind a veil of official secrecy and disinformation. Indeed, the media daily beamed it into our living rooms, and Blewitt's Tribunal subsequently investigated the crimes with meticulous attention to detail. The first intensive campaign of genocide – for which the world came to use the euphemism 'ethnic cleansing' – was carried out in 1991 and 1992 in Krajina, a region of Croatia with a majority Serb population. The aim of this Serbian operation was to kill a significant number of Croats and to force the rest to flee through a campaign of terror and intimidation, thus making the region ethnically pure and preparing it for political union with Serbia. To carry out this program, the Serbs used not only the Yugoslav army and security forces, but also irregular paramilitary units raised from among the local population and from overseas Serbian volunteers. The aggressors followed what came to be a standard five-point plan, used from the 1991 Krajina campaign right through to the Kosovo war of 1999. The first step was to surround the area to be 'cleansed' and intimidate the victims through the use of artillery fire and indiscriminate and arbitrary executions. Once the victims were terrorised and began to leave their homes, the Serb security and militia units followed up with targeted executions of community leaders, especially judges, lawyers, public officials, teachers and professors, journalists and writers. The third phase was to separate women, children and old men from 'fighting age men,'

that is, those between sixteen and sixty years of age. The fourth was to expel the former from the region, and the final stage was to execute the men.⁶ It was, in fact, a classic scheme for genocide closely modelled on similar operations carried out by the Nazis, with one exception: Hitler's mass killers did not spare women, children and the elderly. Nor did the Serbs always spare them, as the 1995 campaign against the Bosnian Muslims of Srebrenica demonstrated.⁷

The Serbs justified their campaign to a certain extent on the basis that they themselves had been previously subjected to Croatian-led genocide, and so their war was purely defensive. Indeed, the Serbs of Croatia and Bosnia had been subjected to similarly brutal genocidal campaigns during the Nazi occupation from 1941 to 1945. Those crimes were planned and carried out by the Croatian fascist movement known as the Ustaše, under the leadership of Ante Pavelić. One of the senior war criminals was a young Ustaše militant based, ironically, in Sarajevo, the scene of one of the bloodiest Serbian campaigns of the Bosnian war fifty years later. As discussed in Chapter Five, in 1941 Srećko Rover became a senior Nazi Security Police official in Sarajevo, who as a member of a mobile killing unit ordered the summary execution of Serbs, Jews and communists in and around the city. After the war, Rover worked with US intelligence and became a senior figure in a terrorist network that sent dozens of militants into Yugoslavia on Western-backed operations, as detailed in Chapter Seven. Having arrived in Australia in 1950, over the next three decades he organised a clandestine network that carried out anti-Yugoslav terrorist operations both in Australia and Europe. Australia's domestic spy agency, the Australian Security Intelligence Organisation (ASIO), for which Rover was an intelligence source, knew full well about these activities.

According to one well-informed Australian law enforcement official, even before the Serbs launched their campaign of genocide in Krajina in mid-1991, Rover was secretly asked by Franjo Tudjman's Croatian government to supply expert advice on 'security matters.' Soon after, money, supplies and highly trained Ustaše militants began to flow from Australia to Croatia.⁸ Indeed, as early as March 1991 one of the major Australian Ustaše newspapers (*Spremnost*, or Readiness) had

carried an appeal from the Croatian government that 'patriots all over the world' should form 'volunteer brigades ready to defend the homeland' in the event of war. By April 1991, several young Australian Croats had answered the call and were 'already in training with the Croatian militia in Yugoslavia.' By then, young Croatian nationalists were flooding from Australia back to their parents' homeland. They had been well trained by Rover's generation of war criminals. Many soon found senior positions in the new administration, in the emerging fascist groups, which suddenly had freedom to organise for the first time in almost fifty years, and in the militias these groups organised and controlled. These younger militants included nineteen-year-old Stjepan Kardum, the secretary of the Sydney branch of the Croatian Party of Rights, which was already forming a number of the units that would carry out some of the worst mass killings of the war. Another was 23-year-old Angela Stojić, who by April 1991 was the Party secretary of the ultra-nationalistic Croatian Democratic Union in Sarajevo in Bosnia. Branko Barić had actually joined the personal staff of Croatian president Franjo Tuđman, the man who was devising and would soon order the Croatian government's murderous response to the Serbs' genocide. This was several months *before* the outbreak of the war, and while there is nothing to suggest that Kardum, Stojić and Barić were personally connected with war crimes, they exemplify the movement of young Australian Croats back to their homeland during this period. By April 1991, the Australian Croatian community had already raised \$5 million and sent it back home to assist in the looming war. Over the following months and years, many more millions of dollars were raised and delivered, both to the Croatian government and to far-right political parties in control of irregular paramilitary and militia units.⁹

This was part of a wider international campaign in which the veteran war criminals of the Ustaše mobilised volunteers from around the world. Some provided technical advice, others established arms-running and money-laundering operations, while the bulk joined paramilitary units which were replying to Serb war crimes with a murderous campaign of their own. By early August 1991, a senior official in the Croatian Defence Ministry openly boasted that hundreds of Croatian volunteers from Australia, Canada, America and Argentina had

already been thrown into battle and many more were expected to arrive in the near future. Indeed, a source close to President Tudjman stated that 1,000 volunteers had by then arrived from overseas, including 250 from Canada alone.¹⁰ This was only a few weeks into the war.

One of the first Australian volunteers was Blaž Kraljević. A 44-year-old veteran of Srečko Rover's clandestine international terrorist network, Kraljević threw himself into the war with considerable skill and enthusiasm. From the very beginning of the war in mid-1991, he was the commanding general directing the operations of the irregular paramilitary Croatian Defence Forces (HOS). Established in 1991 by the pro-Ustaše Croatian Party of Rights in which Stjepan Kardum was a leading militant, HOS wore black uniforms reminiscent of the *Black Legion*, one of the most notorious units to carry out mass killings against Serbs, Jews and Gypsies in World War II. Formed from local and *émigré* Croats, some Bosnian Muslims and a sprinkling of foreign mercenaries, HOS was not an 'official' government unit. There was, however, only a thin veneer 'hiding' HOS as a 'military' force organised behind the 'political' front of the Croatian Party of Rights. HOS was, in fact, both supplied by, and on frequent occasions under orders from, the Tudjman government in Zagreb.

To illustrate the close relationship between these 'unofficial' militias and the Croatian government, HOS also trained official government troops in the fine art of 'ethnic cleansing' Croatian style. HOS also operated a number of concentration camps, where both Serb and Muslim 'civilians were tortured, raped and killed.' In fact, Kraljević's units carried out numerous atrocities and mass killings of civilians, in a campaign aimed at expelling Serbs from Croatian territory as part of Tudjman's anti-Serb policies. 'The HOS reportedly looted, destroyed Serbian property, including 24 Orthodox churches, and killed, raped, and mutilated civilians, including women and children. They also engaged in ethnic cleansing and operated detention facilities where civilians were starved and tortured.' At the major camp operated by HOS at Dretelj in Bosnia, victims 'stated that they were subjected to sexual torture, beaten with truncheons and sticks, burned with cigarettes and candles, and forced to drink urine and eat grass. One

victim reported that she was held in a room with three other professional women for 10 days during which time women in the room were raped repeatedly.' At another HOS-run camp, 'two Serbian civilians were tortured for a month before being killed. One of the victims was impaled and burned to death and the other was killed with a knife.' In another incident on 6 May 1992, 'members of the HOS allegedly stabbed a man over 100 times, severed his head, spilled his brains and intestines onto the ground, and cut off his genitals and placed them in his mouth.'¹¹ As we shall see in Chapter Five, these crimes were reminiscent of the worst campaigns of Ustaše mass killings half a century earlier.

Indeed, under General Kraljević's command HOS carried out its systematic war crimes from mid-1991 until August 1992, when Kraljević was himself killed in somewhat mysterious circumstances in what one well-informed journalist described as a 'liquidation.' There was, of course, a special reason why Kraljević was chosen to head this mass killing unit. He had, in fact, received the best training from the experts of the Nazi genocide of five decades before. Indeed, there was a direct link between the war crimes of his mentor, Srećko Rover, in the early 1940s, and the mass killings of Kraljević fifty years later. After his arrival in Australia in 1967 at the age of nineteen, Kraljević was recruited by Rover into the hothouse of Croatian *émigré* politics. Before long, he was inducted into the clandestine world of the Croatian Revolutionary Brotherhood, an international terrorist organisation whose Australian operations were secretly directed by Rover. As Chapters Eighteen to Twenty elaborate, in the 1960s and 1970s the Brotherhood carried out a number of armed terrorist incursions into Yugoslavia with the aim of assassinating communist leaders, destroying infrastructure and hastening the downfall of Tito's regime. In 1972, Rover's terrorist network chose Kraljević for one of these operations. Luckily for him, however, he was arrested in Melbourne and gaoled for rather mundane liquor offences before he could leave the country. He therefore avoided the ignominious death that awaited most of his comrades. Twenty years later, he was not so lucky. Neither were the thousands of Serbs and Muslims whose torture, rape and killing he ordered his men to carry out

in 1991 and 1992.¹² Some of those carrying out his orders were almost certainly young Australian Croats recruited through the fascist Croatian Party of Rights which, in turn, had organised HOS.

Kraljević was not the only Australian citizen who went to fight with the various paramilitary units that committed war crimes on both the Croatian and Serbian sides of the Balkans wars. A former Australian army reservist, Dragan Vasiljković – better known as ‘Captain Dragan’ – was the commander of a Serb unit which ‘was involved in orchestrating and taking part in “ethnic cleansing” in the former Yugoslavia.’¹³ Prior to the Balkans genocide, Vasiljković was a low-life petty criminal in Melbourne, involved in stand-over rackets in both prostitution and illegal drugs. He reputedly had convictions for handling and receiving stolen goods and unlawful possession, and allegedly still owes large sums of money to underworld figures in Melbourne.¹⁴ His teachers were the racists among the Serb *émigré* Nazi groups, some of whom figure in Chapter Ten. There were, for example, plenty of mentors for Vasiljković among the Nazi collaborators of the Belgrade Special Police, many of whom had found sanctuary in Australia after World War II.¹⁵

Like Kraljević, Vasiljković went to Yugoslavia in the early 1990s with one purpose – to fight in the war. Vasiljković has boasted that he was commissioned by the Yugoslav secret police to train Serbian irregulars. Indeed, there is evidence suggesting that he ‘had returned to Yugoslavia at the behest’ of senior officers of the Serbian State Security Service, who were both issuing him orders and training his men in ‘special warfare’ techniques. These included directions on how to conduct ‘ethnic cleansing’ operations, how to establish and maintain concentration camps and how to effectively loot the enemy’s wealth and share it between his own men and his commanders in the Serbian government. A senior Serbian intelligence officer, Dejan Lučić, allegedly personally escorted Vasiljković to Knin in Croatia in June 1991, where he was introduced to senior ‘security’ officials of the so-called Serbian Republic of Krajina. These were, in fact, the local officials carrying out Slobodan Milošević’s campaign of genocide, in which Vasiljković played such an important part. Indeed, ‘Captain Dragan’ has variously

admitted that at the height of his power he had no fewer than 1,200 and up to 16,000 troops under his direct command. The lower figure seems more probable, in terms of direct command, although he did have a far wider network of indirect influence. Vasiljković's irregular paramilitary forces were known variously as the *Munja* (lightning bolt), the *Kninja* (named after the Croatian town of Knin, which was one of his main bases) and the *Red Berets*. Vasiljković also established the specialist *Alfa* military training centre near the village of Bruška, where irregular and paramilitary units were trained for the brutal conflict with the Croats and Bosnian Muslims.¹⁶

Despite a mountain of evidence to the contrary, 'Captain Dragan' has (implausibly) denied that his units ever carried out war crimes. However, his units were especially active deep inside Croatian territory in the Krajina region and on the Bosnian border, where many of the worst war crimes were committed by Serbian irregular units at exactly the times he was a senior commander. In mid-1991, he first came to public notoriety when his men attacked Glina, and he stated that when 'the Croatian side used hospitals or police stations in their villages as fortified positions, I'm sorry, I just have to massacre them.' In late July 1991, his units attacked the village of Struga, and television footage showed 'the mutilated bodies of nine Croat policemen – one scalped, several with severed limbs.' By late 1991, Vasiljković was an investigator for the so-called People's Court Martial in Vukovar. This was modelled closely on the Ustaše Mobile Court Martial to which Srečko Rover belonged fifty years earlier, which is described in Chapter Five. 'Captain Dragan's' court had the same function of summarily executing civilians on the basis of their race or political beliefs. According to an eyewitness, Vasiljković personally participated in torture in order to extract information from Croatian prisoners. Like Rover, having proved himself as a torturer, Vasiljković was promoted to command a number of units that were involved in the brutal Serb offensive in and around Zvornik in mid-1992, in which the Muslim population was terrorised and forced to flee. It is reliably reported that Vasiljković's units 'participated in the organized expulsion of the Muslim population.' Many Muslims, especially men, were also murdered during and after this offensive. In

January 1993, his units took an active role in the 'ethnic cleansing' of the Knin district, during which large numbers of Croats were killed and forcibly removed.¹⁷

In summary, 'Captain Dragan's' forces stand accused of the mass killing of 'hundreds of civilians' and the organised rape of women and girls. The UN Tribunal investigating war crimes in the former Yugoslavia has almost certainly put Vasiljković on its list of possible defendants. Although speaking cautiously, Deputy Prosecutor Graham Blewitt has stated that the Tribunal has collected statements 'by people who knew there were Australians involved' in these crimes. Blewitt has been careful not to name Vasiljković, presumably to keep the Tribunal's targets guessing. He has, however, identified this particular accused as 'a significant individual, somebody to fear,' who 'was involved in some fairly brutal murders. These were witnessed by a number of people and they nominated him (as the killer). The sort of details were that he was participating himself in murder and rape and he had people under his command who were doing it as well.' The 'evidence indicated that the man's unit selected prominent community leaders for on-the-spot execution and the rape of women in front of their families.'¹⁸

There is no reason to doubt that the man accused by Blewitt's team is Vasiljković, who was also implicated in taking a number of UN officers as hostages and using them as pawns in the Serb game of intimidating the international effort to stop Milošević's genocidal campaign. Vasiljković has also been associated with many ordinary criminal activities during the Balkans wars. Some of these involved Australian Serbs in a number of scams to steal large sums of money and send them to Yugoslavia, where 'Captain Dragan' has used it for both his own criminal enterprises and to fund the Serbian war effort.¹⁹ Vasiljković has revisited his Australian home on at least one occasion since serving in the Balkans wars, but slipped away before Blewitt's team could take action against him. He now lives openly in Belgrade where in early 2000 he had friendly relations with the Australian embassy, especially Ambassador Chris Lamb.²⁰

His case illustrates the ease with which Australian citizens were able to travel back to Yugoslavia, commit war crimes and get away with it.

Only Vasiljković's notoriety and public exposure have prevented him from returning to Australia and settling back down to a normal life, unlike other war criminals who have lesser known profiles. In the absence of a thorough investigation, it is impossible to determine accurately how many Australian Croats and Serbs returned to their homeland during the Balkans wars and actively participated in atrocities and mass killings. Only an official government inquiry with access to official travel records, coupled with documentary and eyewitness evidence, would be likely to reveal the full extent of the problem. Senior law enforcement officials have, however, candidly admitted that probably dozens and perhaps even hundreds of people like Blaž Kraljević and Dragan Vasiljković were involved in these operations.²¹ During the early 1990s, both communities were rife with stories that young men were regularly spending their summer vacations on the front lines, serving in irregular units at the forefront of war crimes. Despite the frequent claims of Justice Minister Vanstone that no one 'can describe Australia as not being proactive when it comes to war crimes,' the fact is that the government has actually done virtually nothing to investigate these claims. Nor has it enacted legislation that would enable such *Australian* war criminals to be tried and sentenced by an *Australian* court for their war crimes. As Graham Blewitt has observed: 'If Captain Dragan turned up in Australia, he couldn't be prosecuted because there is no legislation in place to enable that to happen.'²² In fact, Australia's *War Crimes Act* only applies to the European theatre of World War II. War criminals from all other wars are effectively given sanctuary in Australia, while the government has, in reality, long since abandoned any pretence of pursuing those war criminals who are covered by the *Act*.

This amnesty for mass killers and torturers also extends to newly arrived migrants. Not all war criminals from the Balkans now living in Australia were citizens prior to their involvement in 'ethnic cleansing.' To its credit, the government has taken at least some steps to screen Balkan war criminals from the humanitarian program under which some 35,000 refugees from Yugoslavia have come to Australia in the past ten years. This has not, however, prevented their entry. By checking the

names of applicants under this program against the records of the UN War Crimes Tribunal, as of January 2000 immigration authorities claimed to have prevented just *two* suspected war criminals from entering the country.²³ According to Graham Blewitt, Australia is one of the very few countries that makes any inquiries at the International Tribunal in The Hague investigating war criminals from the Balkans wars. Routinely, Australia runs the names of people applying for immigration past the Tribunal, which in turn checks its databases of known war criminals. Blewitt recalled that the Tribunal had found positive information on many more than *two* of the names submitted by Australian authorities. 'We send back lots of names that we get positive hits on. What Australia does with the information that there are grounds to believe this person may have been involved in war crimes, I don't know.'²⁴

Soon after the government announced that this method of checking had led to the exclusion of *two* suspects, reliable sightings in Australia of Bosnian mass killers from the 1990s genocide were detailed in a major investigation for *Time* magazine, published in April 2000. For example, a Bosnian Muslim woman (who was renamed 'Lejla' in the story) claimed she had confronted one of these killers at a community centre in Sydney a few months earlier. According to 'Lejla,' the man used to regularly come to her village in a 'white car' and had 'put a gun to the head of my daughter, raped my neighbors and made their husbands and sons disappear.' Nermina Komarić, another Bosnian refugee who worked with traumatised survivors, reported hearing 'stories all the time from people who have recognized their torturers on the street, at community centers, even in an English language class.' Another refugee from the Bosnian conflict, Antonio Drojnić, claimed that soon after arriving in Australia he 'met a 19-year-old Serb who was telling stories about how he cleaned out villages – he used to throw bombs into houses without even looking – in the same way as if he was talking about a footy game. It was really frightening.'²⁵

Clearly, there are substantial allegations that mass killers from the Balkans have penetrated Australia's immigration screening system. This has an eerie parallel with claims that Nazis had done the same thing in the 1940s and 1950s. As later chapters show, the federal government

dismissed these claims at the time, but they were subsequently shown to have been correct. There seems little reason to believe that a thorough official investigation into these more recent claims would come to the same conclusion as Andrew Menzies's mid-1980s inquiry into Nazis, which found that numerous Nazi mass killers had found sanctuary in Australia. As the next chapter shows, the experience of the victims from the Balkans wars is by no means unique. There are, in fact, mass killers in Australia from many of the major conflicts of the last thirty years.

The War Criminals Next Door

Chapter Two

Apart from its indigenous communities, Australia is a land of immigrants. In the last half-century, the majority of what were once called 'New Australians' have come from the killing fields of wars and civil conflicts. Many have been the innocent victims of cruelty, mass killing, torture, forced relocation and rape. Others were simply made refugees by the conflicts that ravaged their homelands. In opening Australia's doors to these people, successive Australian governments have both fulfilled humanitarian obligations and helped to build a stronger country, economically, socially and culturally. In each case, however, the victims and refugees have been accompanied on their Australian journey by some of the perpetrators of the crimes. Like the experience of the Bosnian migrants examined in the previous chapter, it is common for the survivors of other instances of genocide and war crimes to be faced with their tormentors in their new homeland. As will be seen in later chapters, this was also a frequent occurrence in the 1940s and 1950s, when victims of Nazi crimes came face-to-face with perpetrators who were often living just a suburb or two away. It has been often repeated in more recent times.

In the mid-1980s, for example, Phiny Ung was at a Cambodian community centre in Sydney when she came face-to-face with the Khmer Rouge official who had ruled the hamlet in which she and her

family had been forced to live under Pol Pot's murderous rule. Prior to the Khmer Rouge takeover in April 1975, Phiny was one of twelve children in a happy family home in Cambodia's capital, Phnom Penh. Her father was a senior public servant and her eldest brother an army officer. This was enough to mark them for execution by the Khmer Rouge. Along with the entire population of Phnom Penh, Phiny's family was forcibly evacuated from their home and marched into the countryside for many arduous days. Here they were forced to live in a primitive hut in the hamlet of Phumandong, part of the village of Me Sor Preacham. Soon after arriving, Phiny first saw Lim Eak Eang, the Khmer Rouge village chief. One of his official tasks was to conduct regular 're-education' sessions in which communist ideology – Khmer Rouge-style – was force-fed to the imprisoned people at the end of a fourteen-hour day of slave labour in the fields. The first time Phiny attended one of these sessions all the people were gathered at an old temple to hear 'comrade Eak' while Khmer Rouge soldiers patrolled with guns. It was a deadly message: 'You are under my control.' The Khmer Rouge had the power of life and death over the enslaved people.¹

In late December 1975, Phiny Ung witnessed the Khmer Rouge take her father for 'interrogation.' This was the euphemism for torture and eventual execution. Regrettably, it was her sister-in-law who had informed 'comrade Eak' about the government position Phiny's father had held before the Khmer Rouge seized power. In a fit of anger after an argument with her husband, she revealed the truth, not only about Phiny's father but about her own husband, who had been in the anti-communist army. Up until that time, the family had successfully hidden its past from the communist officials, but now their lies were exposed. The secret police official arrived in the afternoon and Phiny heard him ask her father to go with him. 'We'd just like to ask you a few questions,' he said. Her father was desperately ill, having lost ten kilos in the previous months of slave labour:

I knew he was a police official, so when he talked to someone I knew that something was terribly wrong. I just thought, 'This is it.' Dad had no choice but to get up and go with him. Dad sat on the

back of the bike and the man rode it. At first all I could see was his fragile frame. Then I saw Dad look at me. I looked at him and he looked at me, but he couldn't speak. And I couldn't say anything to him. He looked at me with a frightened face, and we just exchanged our glance. That was goodbye. The last goodbye.

Phiny's father had become one of Pol Pot's two million victims. That evening she learned that her oldest brother, then just thirty-two, had also been taken to be killed. 'We were scared. We didn't know when it would be our turn,' Phiny recalled. She was only nineteen, and the following weeks were 'hell on earth' for this bright, sensitive young woman. The next morning she had to work in the rice fields and behave normally, chatting with forced cheer about the trivialities of life. 'That was mental torture,' she recalled. 'I couldn't show my emotions. I had to suppress myself. That was the hardest part for me, and that was torture.' The leader of her work detachment drew her aside and warned her not to cry, 'because that would show I was supporting the enemy. To call my father and brother enemies, that was far too much.' 'Enemies of the people' was, in fact, the Khmer Rouge's euphemism for victims of mass murder. Phiny's story was typical of these years. Hardly a family was not touched in some immediate way, with at least one member murdered. Phiny lost two more sisters and two more brothers. When she heard that her pregnant sister had been taken, 'that night I talked to my husband and said: "It will be my turn too." I lived on every hour's strength of surviving.' Later, the family heard that Phiny's pregnant sister had been kicked and bashed, and like the other members of her family who were taken by the Khmer Rouge, she disappeared to become one of Pol Pot's victims.

Phiny Ung's strength and determination pulled her and her young family through. In 1979, Vietnam invaded and deposed Pol Pot's Khmer Rouge. Phiny fled, carrying her baby daughter, and in 1980 arrived in Australia with her husband. 'The first few years were absolutely heaven,' Phiny recalled. 'We learned to put our past behind us. I no longer lived in fear.' In 1984, however, her fear returned, when she discovered that Lim Eak Eang, the man Phiny accuses for her father's

and eldest brother's deaths, was living almost around the corner. By then, she was actively involved in the local Cambodian community. One day she visited the local community centre and came face-to-face with 'comrade Eak':

I recognised that face right away. It didn't just look familiar, but it was a face that I knew. It was him, the person who I'll never forget in my life, who had absolute authority at the time that my father and brother were taken away. I couldn't believe my eyes. I was really shaken. I thought it can't be him. I walked over to the table, and as soon as he saw me he put his face down to hide from me. I'm sure that he recognised me. I just had to sit down to calm myself. I was so shaken. I couldn't go back to work that day. My nightmare had started once again. I sat down and cried. I came home and I couldn't do anything. I just lay down and all of those terrible things came flooding into my head once more. I couldn't stop it. I couldn't function as a mother or family member.

Phiny had come to Australia to escape from the Khmer Rouge, only to meet her tormentor again. He lives a few minutes away, in a nearby suburb in Sydney's outer west. Phiny now lives in a modest red-brick home, cluttered with traditional artefacts and pictures from her Cambodian homeland. She remembers the day her father was taken to be killed as though it happened yesterday. As she spoke, tears ran freely down her gentle face, but she was determined to tell her story. 'I don't know how to describe this terrible experience. That's what makes me so angry. To see this man who's been involved in causing such trauma to human beings, not just to me and my family, but to thousands of others. I couldn't find a word for that kind of treatment. They're just worse than animals.'

In 2001, Lim Eak Eang is a successful businessman, running a restaurant near Phiny's home. He uses the name Eang Eak Tek, and is a wealthy and powerful figure in Sydney's Cambodian community, rising to become vice-president of the New South Wales Cambodian Buddhist Society. He does not even deny that he was a senior Khmer Rouge

official in the 1970s. In a 1993 interview for SBS TV he admitted that he was Khmer Rouge village chief in Me Sor Preacham, the village where Phiny and her family had been herded like animals by Pol Pot's forces. However, he denied responsibility for harming anyone, claiming he 'rarely lay my hand on other people.'² Phiny Ung, however, is not the only eyewitness to accuse Lim Eak Eang over the Khmer Rouge killings in Me Sor Preacham. Kim An Chy now lives in Sydney's eastern suburbs, but in the mid-1970s she also lived in the village he ruled. She is certain that he had the power to 'decide who would live and who would be taken away to their deaths.'³

Phiny Ung does not accuse Lim Eak Eang of personally killing her family members, or anyone else for that matter. Indeed, she acknowledges that he was himself purged at the end of 1976 in one of the never-ending shifts in Khmer Rouge factional politics. He claims that as a result, he too was imprisoned. However, the fact is that he survived prison and then travelled freely through Khmer Rouge territory with his ten children, on his trek out of Cambodia. This suggests that he continued to hold favour with a section of the Khmer Rouge leadership. Furthermore, Phiny concedes that Lim Eak Eang only held his senior post at the time of the deaths of her father and oldest brother, as the other members of her family were killed by the Khmer Rouge after he was purged. She does, however, insist that Lim Eak Eang is guilty in her father's and oldest brother's cases. 'He had absolute power in his position. This proves that he was involved because he would be the one to authorise that this person should be taken for interrogation. He was the chief of the village, and who else would do that? He made decisions about who to accept to live in the village, and who to send away.' In light of the evidence about both the central and regional structures of the Khmer Rouge in this period, there is every reason to conclude that at the very least Lim Eak Eang would have played some role in the local interrogation of suspects, such as Phiny's father and brother. It is likely that he then would have passed them up the chain of command to be dealt with as 'enemies of the people.' In this sense, as a senior local Khmer Rouge official, he shares a large part of the responsibility for the death of people under his control.⁴

Lim Eak Eang is not the only former Khmer Rouge official identified in Australia. Cambodian migrants have pointed quietly at many others, 'but fear of reprisals against relatives living back home, and a lack of confidence in the abilities of the police to handle the complex nature of the allegations has prevented them from going public.' The community has, however, taken the issue up with the government. In 1993, when the charges against Lim Eak Eang were first raised publicly, the Cambodian Advisory Council of Australia wrote to the Attorney General, Michael Lavarch. The Council requested amendments to the *War Crimes Act* to enable the accused to be tried in Australia. 'In practical terms, the accused, the victims (i.e. Mrs Ung and her family) and the main witnesses (i.e. other Cambodians from the same village) are all currently resident in Australia and legal proceedings under the *War Crimes Act* may therefore conveniently be conducted in Australia.' Nothing was done.⁵



The Cambodian community is not alone in identifying war criminals among their number. Nasiba Akram is a leading member of the Australian Afghan community. A sophisticated and highly intelligent woman, she has spent much of the last decade campaigning for mass killers to be brought to justice. She is especially concerned about the large number of communist war criminals from the Soviet occupation of Afghanistan who found sanctuary in Australia. Before the communist coup in 1977, members of Nasiba's family held senior posts in the Afghan administration, including in the police force and the military. She herself had an important position on the staff of the Foreign Affairs Minister. When the Soviet-backed Afghani communists seized power, all the men in Nasiba's extended family were arrested, brutally tortured and many were killed. In the following years, the country lost one-and-a-half million people. Like many in the Australian Afghan community, Akram's family was 'torn into pieces,' and she lost almost forty of her close relatives.⁶

Soon after the coup, Nasiba Akram fled to India with her young son

and later found sanctuary in Australia, where she had previously studied at university. When she had left Australia in 1974 she was so homesick that as she flew over the Sydney Harbour Bridge she told herself, 'I don't hope for a day that I'll see this part of the world again.' But after the horrors of the war and exile in Pakistan and India, her return in 1979 was a moment of elation. When she 'saw the Harbour Bridge again I thanked God for being here, and I was thinking that I would one day try to save the rest of the family who were left alive.' This was the year of the Soviet invasion and the situation in Afghanistan took a turn for the worse. In Australia, however, she devoted herself to the Afghan community. She soon found that others in the tiny community had even more horrific experiences. 'A lot of people in the community have seen worse than me. A lot have been in prison for a long time. I've seen them and I know what they have been through. But when they got to Australia their hope was that they had left everything behind. We hoped that it was all over and thought we were in a safe place.'⁷

Before too long, however, the war caught up with Akram and other members of the Afghan community in Australia. By the mid-1980s, she had become active in the community group that produced SBS Radio's Afghan program. One day, she was reading the news on air when the war in her homeland suddenly hit her personally:

The news item reported that there was heavy fighting going on very close to my grandfather's village. It was reported that a lot of people had been killed and that a new graveyard had been built. About thirty children were amongst those killed. I was reading the news and sort of shaking all over. And I couldn't think for who or what I was shaking. I ran very fast through the rest of the news, and I got out of the newsroom. I called my husband and had to go home immediately. The next day I heard that it was our family members who had been killed. My aunt was one of them, and my cousin too.⁸

Unbelievably, far worse things were just around the corner. Akram had been in Australia for nearly fifteen years when she learned that the man

who commanded this operation was living just across town from her leafy, quiet northern Sydney suburb. In October 1993, a group of Afghans arrived at her home from a funeral in a great state of agitation. They announced that General Abdul Qader Miakhel, a former military commander of the Afghan communist secret police, the KHAD, had shown up at the funeral. The men were in a fury, as Miakhel had been responsible for the torture and killing of the family and friends of many in the Afghan community. As Akram remembered, Miakhel's presence had provoked a violent response and many of the men 'had tried to get to him and sort of torture him with their bare hands. People were very upset.' The community was devastated. Akram could not believe her ears. 'I just looked at the men and said: "Did you let him go? Why? You could have done a lot to that man." I was so aggressive I would have wished anything, the worst for him.'⁹

To most Australians, Nasiba Akram's response might seem rather extreme. However, it has to be understood that nearly everyone in the tiny Australian Afghan community had lost at least one loved one to the KHAD. By way of example, soon after her grandfather's village was attacked the KHAD had launched a series of brutal raids, rounding up and executing civilians. According to Akram, General Miakhel ordered these operations. A known KGB operative and Deputy Defence Minister in the Soviet quisling government, in 1985 he had also ordered KHAD operations in which Akram lost another four cousins, two only sixteen years old. As a result of Miakhel's arrival in Australia, the Afghan community formed the Afghan–Australian Anti-War Criminal Committee, which has conducted detailed inquiries into the background of dozens of accused war criminals, including Miakhel. The group claims that 'Miakhel had headed KHAD in the cities of Jelalabad, Kunar and Herat' and that '25,000 people were shot dead in Herat city while he was in command there.'¹⁰

The ease with which Miakhel managed to find sanctuary in Australia, and the manner in which the Australian government has investigated the claims against him, exemplify official incompetence and disinterest in dealing with war crimes. The government cannot pretend that it was not warned about Miakhel. Indeed, in 1989 the

Afghan community warned the government that Miakhel's wife had settled in Australia and that they believed she would attempt to sponsor him under the family reunion scheme. A few months later, the Minister for Immigration, Senator Robert Ray, assured the community that the information had been 'sent to the relevant overseas posts so they are aware and if required can act on the information provided.' Despite the explicit warning and the government's assurance that action would be taken, General Miakhel arrived in Australia in April 1993, posing as a political refugee. He quickly got permanent resident status and settled down in western Sydney. According to Nasiba Akram, he was given social security benefits and was often protected by a security guard. Despite further protests to the government, nothing was done. The Immigration department admitted to Akram's group that their claims were correct, but stated that no action could be taken because there was insufficient evidence. Eventually, however, the media placed Miakhel and other Afghan war criminals in the spotlight.¹¹

In June 1994, ABC TV's *7.30 Report* ran a detailed segment on Afghan war criminals in Australia, which highlighted Miakhel's case. In a taped interview, he admitted that he had held several senior positions in the Soviet-controlled Afghan government, including commanding the Military Division of the KHAD, the notorious Soviet-controlled secret police. However, he shrugged off claims that he had committed war crimes. Nasiba Akram is not the only member of the Australian Afghan community to have accused Miakhel of murder and torture as a senior KHAD official. In the 1980s, Professor Habib ul Rahman Halla spent six years in KHAD gaols and was severely tortured, permanently losing the hearing in one ear. Now living in Sydney, Professor Halla blames Miakhel for his misery, and for the torture and deaths of countless Afghans. Furthermore, a former senior official of the pre-communist Afghan Ministry of Defence has also pointed his finger directly at Miakhel. Lieutenant Colonel Ghulam Wardak was living in the United States when he made his sworn statement in mid-1995. Colonel Wardak testified that Miakhel had 'played a major role in apprehension, torture and execution' of the anti-communist Afghan resistance.¹²

Professor Halla's account of his six years in a KHAD prison is entirely consistent with known facts. According to Dr William Maley of the Australian Defence Force Academy, the 'KHAD was established after the Soviet invasion of Afghanistan as the key agency for the practice of systematic terror against the civilian population, particularly in urban areas.' It was 'a classic political police force. They tortured people in horrific ways. One has reports of electric shocks being used, of people being thrust into cells containing dismembered body parts, of people having chemicals injected into their veins against their wishes. It was bludgeoning people to death, basically. Thousands of people disappeared, and their relatives to this day don't know what happened to them.'¹³

Miakhel was not the only accused Afghan war criminal who found sanctuary in Australia. In 1994, for example, ABC TV's *Four Corners* broadcast an exposé of Australia's overseas intelligence agency, the Australian Secret Intelligence Service (ASIS, the equivalent of Britain's MI6). Several former ASIS officers were interviewed anonymously for the program, including the former station chief in New Delhi, India. In 1989, this officer had received a surprise visitor who was looking to trade his secrets in the hope of obtaining re-settlement in Australia. Major General Neda Kakar was a Soviet-trained senior Afghan Army officer who had conducted terror campaigns against the anti-communist *mujahadeen* resistance. The Western-backed resistance had various bases in northern Pakistan, some of which were little more than refugee camps. According to this ex-ASIS officer, Kakar masterminded a terror campaign which involved 'the forwarding of bombs using refugee channels' to dissidents and resistance leaders in Pakistan, in which 'people's lives were lost or injuries sustained.' When approached by Kakar, the former Australian spy gave the communist defector short shrift. He interviewed Kakar, rapidly established the truth about his terrorist activities and threw him out of his office. However, Major General Kakar had 'very strong political connections in Australia, and after hunger strikes and some considerable publicity on the part of his relatives in Australia he was allowed to come here.' This was arranged through the ex-spy's bosses, a development that he found so repulsive that he quit ASIS and became a whistle-blower.¹⁴

There is no doubt that Kakar was a senior figure in the communist regime in Afghanistan. In an interview conducted in 2000, he admitted that he had been the 'secretary of the powerful 20-member supreme national defence council in Kabul.' However, like other accused mass killers, Kakar strongly denied any involvement in war crimes or terrorism, and claimed that these allegations stemmed from the Soviets who were angry at his 1989 defection from the communist forces. Indeed, according to Kakar, the ex-ASIS officer 'was himself a member of the KGB,' a claim that seems to have absolutely no foundation.¹⁵

Following the public exposure of this cabal of notorious Afghan war criminals, the government was finally embarrassed into taking some action. In a statement to the ABC in mid-1994, the Minister for Immigration, Senator Nick Bolkus, insisted that he was taking strong action. In order to 'ensure there is a more active and systematic approach to identifying those responsible for major human rights abuses,' he wrote, 'an interdepartmental working group has been established to coordinate the systematic identification of situations involving widespread and gross abuse of human rights and the collection of details for possible inclusion on departmental warning lists of high profile figures thought to be responsible for major human rights violations.' Despite this, Afghan war criminals seemed to have got the message that they were 'welcome' in Australia. They just kept coming. By 2000, the Afghan-Australian Anti-War Criminal Committee had identified seventy 'former members of the regime and Afghanistan's KGB-trained secret police,' most of them living in Melbourne and Sydney. They included two senior ministers and three deputy ministers, eleven senior military officers and six senior members of the secret service.¹⁶

In the wake of these well-researched exposés of Afghan war criminals, the government was subjected to sustained criticism from the Liberal opposition. As a result, Australian intelligence launched an investigation in June 1994. Despite the extensive evidence presented by Akram implicating Miakhel and other Afghan war criminals, no action was taken. In May 1995, the government decided that on 'the basis of the evidence available there are no grounds on which to consider cancellation of residence or deprivation of Australian citizenship of any

of the persons against whom allegations were made.' In fact, no detailed investigation had been carried out at all. The Liberal Party was especially vocal at this time about the Labor government's inaction in the cases of Afghan war criminals. Predictably, however, after it came to office in March 1996 Prime Minister Howard's government also did nothing. After four and a half years in office, all that Howard's Immigration Minister, Phillip Ruddock, could do was mouth the same words as his Labor predecessor. In August 2000, Ruddock was asked to comment on a major investigation into Afghan war criminals by the *Sunday Age*. Ruddock's response was to claim lamely that 'investigations into allegations about Afghan migrants who had come to Australia had not yielded "sufficient evidence on which to act"'. Senior law enforcement officers say no genuine investigations had taken place in the intervening years.¹⁷



Phiny Ung and Nasiba Akram are only two of the many Australian survivors of torture and mass killing who have been forced to live in close proximity to the men they blame for these crimes against humanity. There are many other examples from similar situations. It is ironic, for example, that while the Chilean authorities have now put Augusto Pinochet on trial for his part in the fascist crimes committed between 1973 and 1990, many of his secret police are living freely in Australia. A report in the *Australian* in April 2000 highlighted the case of Victor Marillanca, a survivor of brutal torture at the hands of Pinochet's secret police, the DINA. According to this report, in late 1973 the DINA had tortured Marillanca for a month, 'with beatings, electric shocks, cigarette burns and a mock firing squad that was halted only after the "ready aim" bit.' In 2000, Marillanca was a Canberra resident, and in 'a neighbouring suburb lives an ex-member of Augusto Pinochet's secret police.' Furthermore, many 'Pinochet henchmen breezed through immigration a decade ago under their own names. *Émigré* refugees, led by Marillanca, had warned Canberra some of these people were on their way. The name of Marillanca's neighbour, for example, was passed on to immigration authorities before he left Santiago.'¹⁸

Similarly, there have been claims made over the past twenty years that some members of the Stalinist secret police from Central and Eastern Europe are living cheek-by-jowl with their victims. The best known case is that of Dr Tibor Vajda, a Sydney dentist who has been accused of personally torturing and killing people while he was the deputy commander of the Investigations Section of the communist Hungarian State Security Service, the AVH. Vajda is accused by Magda Bárdy, who lives almost next door to him in Sydney's eastern suburbs. Interestingly, both accuser and accused are Jewish survivors of Hitler's *Final Solution*, and there is some evidence that Vajda may have played a heroic role in saving Jews from the Nazis' Hungarian puppet mass killers, the Arrow Cross, whose crimes are detailed in Chapters Fourteen and Fifteen. Magda Bárdy is certain, however, that Vajda was her torturer in the early 1950s, when the communist government launched a massive purge of wide sections of Hungarian society. According to Bárdy, she recognised Vajda as the man who had repeatedly kicked her, banged her head on a desk and eventually killed her first husband. Vajda admits joining the AVH in 1946 and then attending a special KGB training school in Moscow. He also admits that in 1950 he was appointed to a senior position in the AVH Investigations Section, but denies playing any role in torture or killings. His work consisted merely of processing reports and paperwork. In the twisted world of Stalinist repression in the Cold War, Vajda was himself purged and arrested in 1953 and accused of being a Zionist agent who was spying for the West. Whether he was personally involved in the interrogation and torture of Bárdy or other victims between 1946 and 1953, there seems little doubt that the mere holding of such a senior post would have involved overseeing repressive actions. Of course, once broken the victims were transferred to the notorious 'peoples' courts' for trial, imprisonment and often execution, for which senior AVH officers such as Vajda cannot escape responsibility.¹⁹

In short, it is a statistical certainty that Australia has war criminals, torturers and mass killers from almost every major killing field of the past half-century. If a thorough investigation were to be launched, there is no reason to doubt that mass killers from the Rwandan, East Timor

and Kosovo genocides would be found living among the local Australian communities. The problem with the allegations made against all these people is that they are just that: claims made by victims and survivors, investigated by the media, published in one form or another but never properly tested by the government. It is therefore hard in any individual case to be certain that the evidence presented is accurate and would stand the scrutiny of an official investigation, let alone a trial. Nor is there any evidence that the Australian government has undertaken serious investigation of such cases, although many of them have been highly publicised over many years. Despite repeated assurances by senior government ministers on both sides of the political divide that such allegations can be properly dealt with by the Australian Federal Police (AFP), none has ever been followed through. Phiny Ung, for example, has never been sought out by the AFP, the Immigration department or Australian intelligence. Indeed, outside the Cambodian community, in the last decade the only group to have approached her has been journalists. While her story has been repeatedly publicised on television, in newspapers and magazines, nothing has ever happened at an official level.

A more fundamental problem exists. Australia simply does not have a legislative framework to take action against such people, even if an investigation were to establish that there was substance to the allegations. Following the furore of the mid-1980s over claims that numerous Nazi mass killers were in Australia, the Hawke government amended the forty-year-old *War Crimes Act*. The new *Act* (the *War Crimes Amendment Act*, henceforth referred to as the *War Crimes Act*) is a highly selective and restrictive piece of legislation. It allows Australian courts to try one class of mass killers (Nazis or Soviets) from one theatre (Europe) of one war (World War II) in one defined period (September 1939 to May 1945). If a mass killer or torturer has found sanctuary in Australia from any other conflict, then he/she is safe from prosecution under Australian law. The only exception is for those who have entered since 1997, when the Howard government changed Australian immigration and naturalisation laws. Even these changes, however, only apply to criminal actions in lying about or concealing involvement in crimes against humanity when applying for entry into Australia and

for Australian citizenship. At best they involve denaturalisation and deportation, not punishment for war crimes, genocide or crimes against humanity. These laws are also highly restrictive and selective. If you are a mass killer who entered Australia *before* 1997 then they do not apply to you. You are still safe in your Australian sanctuary.

What then can and should be done about the mass killers living among us? The first thing is to start listening to Australia's war crimes experts. In 1986, the Hawke government conducted an official investigation into allegations made by this author that there were numerous Nazi war criminals living unpunished in Australia. The report by former senior Attorney General's department bureaucrat, Andrew Menzies, led directly to the setting up of the Special Investigations Unit (SIU) to investigate Nazi mass killers. Between 1987 and 1992, the SIU attempted, after forty years of official denial and indifference, to prosecute a handful of these Nazi war criminals. The work of this unit is discussed in some detail in Chapters Twenty-Two and Twenty-Three, and although there were no successful prosecutions, many valuable lessons were learned. Robert Greenwood QC was the SIU's first head, followed by Graham Blewitt who, as discussed earlier, is now a senior member of the UN team prosecuting war criminals from the 1990s Balkans wars. At the end of the SIU's work, it made a comprehensive report to the Attorney General, Michael Lavarch. The key elements of an adequate Australian response to the modern war crimes scandal are outlined in the report's recommendations. The Keating government ignored the findings and the Howard government has completely buried them.

In fact, the Keating government did far worse than ignore the lessons. It did the one thing that guaranteed that Australia would be exposed to an ongoing war crimes scandal. It disbanded the Special Investigations Unit and conducted a surreptitious media campaign to discredit its work. As Bob Greenwood has said:

The general experience built up by the people in the unit – coming from scratch as we did – would have been a very valuable resource in investigating modern war criminals. There is no doubt

that we've got some 'problem children' here from Cambodia, Afghanistan, Bosnia and Chile. And clearly they require to be investigated. That would have been a logical extension of the functions of those personnel and that expertise that we'd managed to build up, which is now lost.

Greenwood has followed the issue closely over the past decade and is certain that 'the anecdotal evidence is strong' that many Khmer Rouge, Afghani, Serb and Croat war criminals are living in Australia. He believes that Australia has first to 'do a preliminary inquiry, a similar sort of thing to the Menzies inquiry, to look at the anecdotal evidence which has been gathered by various people and pull it all together.'²⁰

Both Greenwood and Graham Blewitt are certain that such an inquiry would confirm that mass killers from many recent conflicts are indeed living in Australia, often as citizens. As discussed earlier, Blewitt received information in the early 1990s indicating that Australian Serbs and Croats had participated in war crimes in the Balkans wars. After seven years tracking the perpetrators as a senior member of the UN Tribunal in The Hague, he is more certain than ever. It is a problem, he insists, that must be addressed by Australia under Australian laws. It is a domestic problem which demands a domestic remedy, and is not something to be fobbed off onto the international community.

Blewitt is certain that 'it wouldn't take a lot of hard work to establish' the presence of Australian-based war criminals from the former Yugoslavia:

There have been occasions when I've been interviewed about this, and I've expressed the opinion publicly that Australia should be launching an inquiry to establish whether there are Australian citizens who committed crimes in the former Yugoslavia. But even if that were established, it wouldn't be a matter for the Tribunal to prosecute these people. It should be a case for Australia to do so. I think Australia should set up an inquiry focussed on identifying people who had parents from the former Yugoslavia who are within a certain age group and who travelled between Australia

and Yugoslavia during this time period. Then start interviewing them, and finding out where they were, what they did. You would then end up with an inquiry which would establish that particular people travelled to Yugoslavia in this period of time and cannot account for their movements. And having established that group, well then you would try and make inquiries from the other end to find out what they did when they were there. For example, whether there's any record of them joining paramilitary units. If you've got some names, then you've got the possibility of making inquiries with co-operative governments. If these people were in these paramilitary units, there would have been records of them joining up and being paid, and it could well be that records do exist from which you could identify these people as belonging to certain units. Once you've done that, all you have to do is establish what those units did, and that's relatively easy. It seems to me it would then be possible to launch prosecutions against these people, or to extradite them back.²¹

This is not, though, the usual criminal investigation of an ordinary police service such as the Australian Federal Police. Nor is the AFP funded to undertake such arduous, and of necessity, international work:

You can't expect the local police to receive such an inquiry and to then follow it through with any sort of certainty. They may make some inquiries and may send off some letters, but I think the experience that we've gained is quite clear. This is such a specialised area that you can't expect ordinary police detectives to do these sorts of inquiries. It requires such a concentrated effort, and also a lot of overseas contacts. And you just can't do this remotely. I really think that any progressive country has to take this thing seriously, and set up a specialised unit that has the expertise to do it. And it should be something that people aspire to. It should be an elite unit rather than something that no one ever wants to go near because it's the dregs. And that way you would attract good people. If you can attract good investigators

and it was sufficiently resourced to do it properly, then you'd have to get good results. Anything short of that is just window-dressing and not serious. So if you're not serious about it, well then you're better off not doing it.²²

There would, of course, need to be a legislative basis to prosecute individuals against whom a case of war crimes or genocide was established by such a unit. There are various approaches to this issue. One would be to change Australian immigration and naturalisation laws to make it a crime retrospectively to have lied about participation in war crimes when applying to enter Australia and gain citizenship. Once these crimes have been established by an Australian court, it would follow that citizenship could be revoked and the person deported. This would not, of course, punish the offender for the war crimes, merely remove them from the Australian community. The Australian government has consistently refused to take this course, arguing that retrospective laws are not desirable. Furthermore, in December 1997, Prime Minister Howard stated that he does 'not believe that deprivation of Australian citizenship should be seen as a backdoor way of punishing war criminals.' Although over three years have passed since Howard made this statement, his government has taken no steps to punish war criminals using the 'front door.'²³

Australia has had the solution to this 'backdoor/front door' problem for over fifty years. In the wake of Hitler's *Final Solution*, Australia played a leading role in developing the 1948 *Convention on the Prevention and Punishment of the Crime of Genocide* (the *Geneva Convention on Genocide*), and formally ratified it in October 1958. Ratification was not meant to be a symbolic statement of abhorrence of genocide. It was supposed to give real legal teeth to the pursuit of those who commit war crimes, crimes against humanity and genocide. Indeed, ratification brought with it a specific obligation to enact Australian laws to provide effective penal sanctions for people who commit crimes during war and civil conflicts. These are defined as 'wilful killing, torture or inhuman treatment ... wilfully causing great suffering or serious injury to body or health.' Countries that ratify the *Convention* are explicitly obliged to

'search for persons alleged to have committed' or ordered 'such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts.' Alternatively, they may be handed over to another country that has provided a satisfactory *prima facie* case establishing their crimes.²⁴

Australia has been under this international obligation now for over forty-two years. All of Australia's closest Western allies – the United States, Britain and Canada – have enacted specific statutes to give effect to the *Convention*. By contrast, successive Australian governments – Liberal and Labor alike – have failed to act. As this is written in March 2001, there is still no legislation to give effect to Australia's ratification of the *Geneva Convention on Genocide*. Indeed, the Howard government is specifically on the record dismissing the need to do anything in this regard. In October 1999, the issue was placed in the spotlight when the Senate referred the Australian Democrats' *Anti-Genocide Bill* to the Senate Legal and Constitutional References Committee. This draft legislation would give effect to the *Geneva Convention*, a step which the Attorney General's department has long opposed. Reflecting this bureaucratic opposition, Howard's Attorney General, Daryl Williams, confirmed that the government would not support legislation aimed at implementing the *Convention*. In a letter to Amnesty International, one of Williams's senior advisors claimed it was 'unnecessary to write the convention into domestic law.' According to this disingenuous advice, the 'common law and the criminal codes of the states and territories provide adequate punishment for acts identified by the convention as genocidal, and are sufficient to fulfil our international obligations in relation to the convention.'²⁵

This ignored three embarrassing points. First, the *Convention* explicitly obliges Australia to enact domestic legislation to make it effective. Without this critical first step, Australia simply cannot 'fulfil our international obligations in relation to the convention.' The second embarrassing issue is the fact that in 1999 the Federal Court had ruled that 'genocide was neither a statutory nor common law crime.' In other words, there is no avenue to prosecute genocide as Australian law currently stands.²⁶ Even more embarrassing, however, is the fact that not

one alleged war criminal has been seriously investigated by the government since the Special Investigations Unit was unceremoniously shut down by the Keating government in 1992. In light of the powerful evidence that numerous post-World War II war criminals have taken refuge in Australia, if the government was seriously fulfilling its obligations under the *Convention* then it would have brought a prosecution by 2001. This would have tested whether the current laws are adequate to deal with genocide. The proof, as the saying goes, is in the pudding.

There are, then, four easy steps to finally confront Australia's war crimes scandal:

1. Establish an independent inquiry headed by a senior lawyer or law enforcement officer with experience in war crimes investigations. Its job would be to establish the scope of the problem to be addressed and recommend further action.
2. Re-establish the Special Investigations Unit as a standing force reporting directly to the Australian Attorney General. Its primary job would be to investigate allegations of war crimes, crimes against humanity and genocide, assemble evidence and refer cases to the Director of Public Prosecutions for the final decision on whether to prosecute. Its secondary job would be to assist intelligence and law enforcement agencies and immigration authorities to prevent the entry of war criminals into Australia, liaise with international war crimes agencies and assist them with their investigations.
3. Enact comprehensive legislation to give effect to the *Geneva Convention on Genocide*. This should provide the legal framework to prosecute criminal cases in Australian courts, or to extradite accused war criminals to stand trial in another

country which has established a *prima facie* case. The legislation should cover *all* wars, as well as civil and political conflicts. It must also be retrospective in its coverage of war crimes.

4. Enact legislation to retrospectively make it a criminal offence to have lied about participation in war crimes, crimes against humanity and genocide when applying to enter Australia and gain citizenship. This would provide an alternative to criminal prosecutions for these crimes if the evidence against individuals did not meet the rigorous legal test of 'beyond reasonable doubt.'

These simple measures are what Australia's pre-eminent war crimes investigator, Bob Greenwood, calls the 'anti-vermin' package. To Greenwood, these measures are necessary,

to protect the environment for a start, so that one doesn't live in a country where there's no anti-vermin campaign. And also just on the general principle that people who allegedly have committed crimes should be investigated and prosecuted, very straightforward stuff I would have thought. But I come from two angles, the international angle which is obvious, and also very strongly from the anti-vermin angle. These are very, very fifth-rate type human beings if these allegations are correct, and this country just doesn't deserve them. So let's run them to earth, and get rid of them if we can. If that's not possible, lock them up.²⁷

As of March 2001, Australia's international reputation on war crimes is in tatters. The only official step Australia has done well is to support the creation of a permanent international court to hold war criminals accountable for genocide and other war crimes. While this is laudable, Australia's inaction on all other fronts gives the distinct impression that the problem is somehow located everywhere except within Australia's borders. Indeed, Australia's refusal to cooperate properly with the UN prosecutors investigating Indonesian war crimes in East Timor

demonstrates to the rest of the world that even on a regional level the government lacks seriousness and good will.²⁸ All over the world there is renewed activity on war crimes. International Tribunals exist for both the former Yugoslavia and Rwanda. Recently, agreement was reached to establish a court comprising Cambodian and international judges to try Khmer Rouge criminals living freely in Cambodia. Chile is finally taking action against Pinochet, while American and Canadian war crimes units still investigate and prosecute Nazi war criminals while also looking into modern cases.²⁹ Meanwhile in Australia, the government has entered a deep slumber. Unless it awakes soon, the rest of the world will start to whisper behind Australia's back that we are soft on mass killers. If that goes on for too long, the whisper will reach a crescendo and Australia might gain pariah status among civilised democratic nations.

P A R T T W O

Europe 1939–1949: The West's Nazi Agents

Hitler's invasion of Poland in September 1939 signalled the beginning of the most concerted and systematic campaign of genocide in human history. Although Stalin's victims were more numerous, never in history has one race so determinedly rounded up and killed so many people of other races for one reason only: their race. The Jews of Europe were the principal victims of this genocide, although millions of Gypsies and Slavs were also included. Political and religious groups were also targets, especially communists and church leaders who opposed the Nazis.

The Germans could not have killed millions of innocent civilians in open air shootings and gas chamber operations without the help of volunteer collaborators, especially in Central and Eastern Europe. These men were often pro-fascist by inclination, violently anti-communist and anti-Semitic. When the Wehrmacht swept into the Balkans and the Soviet Union, these people became the armies of Hitler's *Final Solution* and helped the Germans slaughter hundreds of thousands of people – men, women and children.

The Allies knew from the very beginning what was happening, but remained silent. In 1943, they promised to bring these war criminals to justice, whatever and however long it might take. This was soon forgotten in the post-war period, as the Western Allies geared up for the

new battle against Stalin and communism. Instead of hunting down Nazi mass killers, the West's intelligence agencies recruited them for operations against the Red Menace. The men who only yesterday had worn the black uniforms of the SD auxiliary police units were now on the West's payroll. Their part in mass killings was overlooked and they were treated as honourable anti-communists.

In the second part of this book, we shall meet some of the mass killers from Central and Eastern Europe who later became Western intelligence agents before being settled in Australia. They include Argods Fricsons, a Latvian mass killer who helped the Nazis wipe out the Jewish population of Liepaja. He was later recruited by US intelligence to spy on left-wing Jews and Zionists, before his American masters illegally sent him to Australia. They also include Nikolai Alferchik, a Byelorussian (White Russian) mass killer, also later recruited by US intelligence, and Srečko Rover, a Croatian war criminal who worked on terrorist operations for US intelligence. Both were subsequently dispatched to Australia by their American intelligence contacts.

The journey of men such as these from the horrific sites of mass killings to the status of paid agents of various Western intelligence agencies was only one step in their successful flight from justice. Once embraced by the West, they were safe forever. By the time Australia belatedly attempted to bring them to justice forty-five years after their crimes, it was too late. They had been protected, effectively enough, by their friends in Western intelligence. The men, women and children they had murdered would lie in their graves without any semblance of justice.

The lorries trundled along the road out of Minsk with their tightly packed cargo of grim-faced Jewish women. There were elderly grandmothers among them, with their daughters and other close family. Grandchildren clutched their mothers' hands. Some mothers had small babies in their arms. They hoped in desperation that evacuation from the disease-ridden streets of Minsk's Jewish ghetto would bring some slight improvement in their lives. 'Resettlement' was what had been offered by the Nazi police ordering them to pack their few possessions and climb aboard the trucks. Perhaps, they hoped against hope, conditions would be better in a 'work camp.'

They almost certainly knew or sensed that this was not possible. It was 1943, Byelorussia had been a major killing ground of Jews for over a year, and the victims suspected that any transport from the ghetto was a prelude to death. The men had been taken early that morning, when German and Latvian police had brutally smashed their way into the homes of any who refused to leave voluntarily. Random shots had rung out through the ghetto, and bodies lay scattered in the streets. Among the police, some sadists had thrown hand grenades into the houses and a number of Jews were killed or horribly injured as a result. An air of apprehension and terror had gripped the entire ghetto, touching even those who were safe, at least for that day. Now it was the turn of the women and children.

About twenty-five kilometres outside of Minsk, the lorries turned off the road onto a dirt track leading into the forest. A sense of foreboding dawned on those who knew in their hearts that 'resettlement' was only a euphemism for mass murder. The sight of the steely-faced company of Latvian police guarding the perimeter of the site confirmed the worst. This was no 'work camp,' but a killing area secured by heavily armed men from which there was no escape. As the convoy passed the armed police lines guarding the killing site, some of the people in the lorries could glimpse the executioners through the trees about 200 metres away. They were Germans and Latvians wearing the hated uniform of the SD, the security service of Hitler's élite SS. They were nearly at the site when fear began to grip the women and pass itself on to the older children. The lorries lurched to a halt and a cacophony of shouting and wailing filled the forest. The Germans and Latvians screamed at the women to jump down from the lorries. Any who hesitated or showed any sign of resistance felt the sting of a well-aimed whip or the brute force of a rifle butt. As the women hit the ground, police pointed and pushed them to a place about ten metres away where a small group of their colleagues waited to oversee the next stage of this well-oiled mass killing machine.

There, the women were ordered brusquely to strip naked and to help the younger children take off their clothes. The massive pit was clearly in sight some twenty metres further on with two dozen men smoking and swigging occasionally from their vodka bottles. The wailing of the women and children now reached a horrible crescendo as they faced imminent death. Even then, the police subjected them to one last indignity, searching them for hidden valuables to be added to the growing pile of clothes, shoes and jewellery. The women began to implore the police to save their babies and young ones, or to spare their elderly mothers. Their shrieking was to no avail. The Latvian and German officers now herded them the final few steps to the edge of the pit. As they stood and waited their turn, the women saw blood oozing from the layer of dirt which covered those who had gone before them. The ground appeared to heave as the bodies of their men folk – killed only hours earlier – settled in the mass grave.

For the first batch to arrive at the pit, it was over in a matter of minutes. Now silent, as though mesmerised by the hellish sight before them, each woman was pushed in front of the firing squad and dispatched with a single bullet to the back of the head. Some of the babies went into the pit alive, still in the arms of their mothers. The older children were killed with the same efficiency as their mothers. Behind the pits the wailing grew louder and more intense as those waiting their turn heard the death agonies of their friends and relatives. The yelling of the guards and moaning of the victims, punctuated by the killers' firing, filled the usually quiet forest for the rest of the day. By nightfall, the last of the Jews marked out for death in this *Aktion* had made the journey in the lorries from Minsk's ghetto to the pit in the forest.¹



The officer in command of the Latvian Security Detachment conducting this mass execution was Karlis Aleksandrs Ozols, a resident of Melbourne since 25 March 1949 and an Australian citizen since 17 October 1956. In 1943, when this killing took place, Ozols was thirty years old and already a veteran of Nazi mass murder. Between July 1942 and September 1943, he and his men carried out numerous similar operations throughout the immediate regions of Minsk, the capital of Byelorussia in the Soviet Union, today the independent state of Belarus. Sometimes the Germans called them 'anti-partisan operations,' but more often they classified them as what they really were – *Judenaktionen* – the mass killings of civilians because they were Jews.

Ozols was not an ignorant, low-life criminal, a man who could somehow be excused for his actions because of family background, bad education or a poor start in life. By contrast, Karlis Ozols was a well-connected and highly educated citizen of Riga, Latvia's capital. Born on 9 August 1912, he had grown up among his community's élite, studying law at Riga University from 1932 until May 1938 when he was called up for military service in the Latvian Army. After fifteen months training he was placed on the Army Reserve List and promoted to the rank of lieutenant in June 1940, just as the Soviet Union invaded and occupied

Latvia. He finally obtained his law degree in May 1941, a few weeks before Nazi Germany, in its turn, invaded and occupied Latvia.² Ozols was a sophisticated man, an international chess player of extraordinary ability who had travelled throughout Europe to play in major championships even before he became a mass murderer in 1941. It only took a few years after his arrival in Melbourne for him to become Australian chess champion, no small feat for a Baltic migrant who knew very little English in 1949.

How is it possible that a highly intelligent, well-educated man who spent many hours with other sophisticated chess players could so readily become a mass murderer? We will never hear Karlis Ozols explain or defend his actions in a court of law. As outlined in the final chapter of this book, in 1992 a senior Melbourne QC found that a *prima facie* case existed to charge Ozols under the *War Crimes Act*. He recommended that investigations should be rapidly concluded and then charges very probably laid against Ozols. Despite this recommendation, the Australian government dropped the case. Nor will we ever be able to hear directly from Ozols what motivated him to become involved in mass murder, or how he felt about it then or now. Just as this book was going to press in April 2001, Ozols died in Melbourne aged eighty-eight and took his secrets with him. All we are left with are the known facts in the substantial case against Karlis Aleksandrs Ozols.

By the time Hitler and Stalin divided Poland between them in August 1939 and precipitated World War II, Ozols was already a rising star in Latvian nationalist circles in Riga. For a few months after the Soviet Army and Security Service (NKVD) arrived in Latvia in June 1940, Riga University was closed and Ozols could not continue his legal studies. Towards the end of 1940, the University re-opened and he finished his law course. In one interview, Ozols claimed that he then went underground and joined an anti-Soviet guerrilla unit. If true, this was undoubtedly to avoid the fate of many other young nationalists who had either been summarily executed by the Soviets or deported to long years of cruel imprisonment in Stalin's Gulag.³ In another interview, however, Ozols contradicted this story, claiming to have gone underground for six months straight after the Soviets arrived in mid-1940, and then returned

to complete his university studies.⁴ Whatever the truth, it was Hitler's decision to turn on his erstwhile ally, Stalin, that changed Karlis Ozols's life forever. The German Army swept eastwards into the Soviet Union on 22 June 1941, and from the moment that German troops entered Riga in early July, Ozols was a member of the élite. He held the power of life and death over those the Nazis had specifically marked out for extermination – Jews, Gypsies, communists and the mentally and physically disabled. His word could even send fellow Latvians to their graves, especially those regarded as enemies of Nazism.

As the Wehrmacht, the German Army, moved eastwards into Soviet territory, Heinrich Himmler, Reichsführer of the SS, sent the notorious Einsatzgruppen in its wake. These were actually four mobile killing units of Himmler's Security Police and SD. Each Einsatzgruppe had several Kommando units attached to it to carry out the murder of the key target groups. Einsatzgruppe A was responsible for implementing the Nazis' annihilation policies in the northwestern sector of the Eastern front, including Latvia and the other Baltic states.⁵ By 2 July 1941, the Germans had occupied Latvia, including the capital, Riga. As they swept into the Baltic states, they recruited local auxiliary police units to assist them in killing Jews and other 'undesirables.' The initial plan was that these units of irregulars were to be inflamed by Nazi propaganda against the Jewish-Bolsheviks, who had 'oppressed Latvia' and taken away its independence. Whipped into a frenzy of hatred they were then to organise 'spontaneous' groups of locals to carry out pogroms against the Jews. It soon became apparent to the Germans that these 'spontaneous pogroms' were not altogether effective in achieving their aims. The local collaborators were so brutal in their actions against the Jews that they caused fear in the rest of the population. Even worse for the well-ordered Nazi machine, pogroms of this nature would take years to eliminate the Jews and other undesirables completely. It was decided that a more structured organisation was required to implement Hitler's policy to exterminate Latvia's Jews, to be followed by the rest of Europe's Jewish population.

On 25 July 1941, Heinrich Himmler issued an order from his office on Unter den Linden in Berlin to his senior commanders in Eastern Europe.

'The tasks of the police in the occupied Eastern territories cannot be accomplished by the police and SS units alone that are currently or still to be assigned. It is therefore necessary to speed up the organisation of additional security formations from among the elements of the population acceptable to us in the conquered territories.' The 'acceptable' groups included reliable Ukrainians, Latvians, Lithuanians and Estonians, as well as Byelorussians.⁶ Einsatzgruppe A soon busied itself with the task of recruiting locals in Riga and throughout Latvia. They were volunteers, armed by the Germans and organised under the command of both the Security Police and the Order Police (Ordnungspolizei). The Security Police's German commander, Dr Rudolf Lange, called his Latvian recruits the 'Lettische Hilfs-Sicherheitspolizei' (Latvian Auxiliary Security Police) and made them responsible, under close German supervision, for 'cleansing' Latvia of its entire Jewish population.

Over the past fifty years, the Nazi-controlled Latvian Security Police has become known as the 'Arajs Kommando.' It is so named after its commanding officer, Viktors Arajs, who was convicted of war crimes in West Germany in 1980 and sentenced to life imprisonment for his part in the slaughter of tens of thousands of innocent civilians, largely Jews. A number of Latvians who later became Australian citizens started their careers as mass murderers in the Arajs Kommando or similar units, including Karlis Ozols, Konrads Kalejs, Argods Fricsons, Vilis Runka and Arvids Upmalis. When first established, the Arajs Kommando probably consisted of only 100 to 200 members, but later grew to 1,250 men divided into several companies. Throughout its history, the Kommando and the killing units into which it later evolved consisted of volunteers: none of its members was coerced into becoming a mass killer.

Even before Himmler's order to form more organised killing units, Arajs's men had demonstrated their aptitude. By mid-July 1941, some 2,300 people had already been killed by the Arajs Kommando in Riga in just two weeks. Over the following weeks, 3,000 Jews were put to death in the Bikernieki forest just outside Riga. From September 1941, the Arajs Kommando became actively involved in executing women and children, and in November and December 1941 helped liquidate the Riga ghetto at

the Rumbula forest. By the end of 1941, most of Latvia's 70,000 Jews had been killed, with only scattered remnants surviving in three ghettos. As a result, the Arajs Kommando members were given specialist training, re-organised into new units and sent to other countries where large Jewish populations still survived, especially to Minsk in Byelorussia, which was then becoming a major killing centre for Western Europe's Jews.

Karlis Ozols was well placed to rise through the ranks of Latvian collaborators when the Nazis occupied Latvia in early July 1941. He had known the commander of the killing units, Viktor Arajs, since the 1930s.⁷ While denying involvement in mass killings, he almost certainly participated in the mass shootings of Jews in the second half of 1941, notably in the Biernicki forest. Immediately after the Germans invaded, Ozols served under a Colonel Weiss, but claimed it was only in a 'self-defence unit'.⁸ The auxiliary police was divided into the Latvian Security Police and the Order Police. Ozols sought to deflect attention from his true role and place himself in the Order Police. This seems pointless, as both sections were involved in mass killings.⁹

The evidence is that Ozols lied when he placed himself in this 'self-defence' unit. One witness, Gennadij Murnieks, had joined the Arajs Kommando at the beginning of July 1941. He participated in executions in the second half of 1941 and then was a guard at the Jumpravmuizha concentration camp near Riga over the winter of 1941-42. When interviewed in 1987, Murnieks stated that two officers with the name Ozols were in charge of the guards at that camp. It is likely that one of them was the Karlis Ozols who later came to Australia.¹⁰

There is no ambiguity, however, about the fact that on 27 February 1942 Ozols officially became part of the Nazi Security Police and SD in Latvia under Dr Lange. Indeed, in November 1942 he certified that one of his comrades, Konrads Kalejs, had been in the service of the Latvian Security Police since July 1941. It hardly seems likely that Ozols would have been in a position to vouch for Kalejs's service in the Nazi police if he himself had not also been a member since mid-1941.¹¹ As a member of the Riga Security Police, Ozols probably played a significant role in executions during the early months of the German occupation. There were, after all, only two roles for the Nazis' Latvian volunteer police auxiliaries. The

first was to kill Jews, Gypsies and communists, and the second was to undertake savage reprisals against all resistance. Either way, the result was the same and nearly all those who fell into the hands of the Latvian Security Police were killed as Hitler's enemies. There is also no doubt that these units were instrumental in the execution of Riga's Jews at Bikernieki, Rumbula and elsewhere, and that German operational orders dictated that all members of the Arajs Kommando had to participate at least once in mass killings.¹²

Whatever benefit of the doubt Ozols might be given about his role in these events in the second half of 1941, there can be no doubt about what happened in early 1942, and his role in mass murder in and around Minsk. In March 1942, Ozols was awarded the privilege of entry into an élite Nazi police training school at Fürstenberg in Germany, just near Ravensbrück where the Third Reich operated one of its many concentration camps.¹³ It was an appropriate site for the special police academy, as it was adjacent to a fine example of what was expected of Fürstenberg's students. The school's purpose was not only to train police in preventing and solving crimes, but also in organising them on a mass scale. This school was operated by Himmler's Security Police and SD, and was unique among law enforcement training facilities. In fact, Fürstenberg's main role was to teach its students how to commit mass murder on a grand scale. Only those who had already proven themselves to be competent murderers were admitted to this 'school for criminals,' and Ozols's attendance at Fürstenberg is another indication that he had probably already participated in crimes against humanity in and around Riga in the second half of 1941. Ozols remained at Fürstenberg until June 1942, when he graduated from the very first class of Latvian Security Police officers. Following a brief period of home leave in Riga, he was sent to Minsk in July 1942. In organisational terms, he was seconded from the Latvian Security Police and SD to the equivalent force in Byelorussia.

According to Ozols's official SS personnel file, he was formally deployed within the German program known as *Bandenbekämpfung Weissrussland* on 24 July 1942. This was, literally, a force deployed in White Russia (Byelorussia) to fight against the partisans, or in

other words the anti-Nazi Resistance, which had grown into a formidable force, troubling the Germans since the end of 1941. Ozols held the rank of lieutenant and was the commander of the 1st Company in the 4th Battalion of the Latvian Security Detachment based in Minsk. He served in this post until 27 September 1943. His Sergeant Major was Vilis Runka, another mass killer who also later migrated to Australia.¹⁴ Another particularly interesting feature of Karlis Ozols's SS file shows that he actually joined Himmler's SS, to be distinguished from the mainly military units of the Waffen SS. Although Ozols later served in a Latvian Waffen SS Division, very few citizens of the Baltic states were officially inducted into Himmler's elite SS. Ozols and his commanding officer, Viktors Arajs, were accorded this honour. Konrads Kalejs, for instance, was not.

The Company Ozols commanded from July 1942 was part of a Latvian Security Detachment attached to the Commander of the Security Police in Minsk (*Kommandeur der Sicherheitspolizei, Minsk* or KdS, Minsk). SS Lieutenant Colonel Eduard Strauch was the supreme commander of KdS, Minsk, and SS 2nd Lieutenant Kurt Junkers was the German commander of the Latvian Detachment. Junkers was the man who gave Ozols his orders. In mid-1942, Minsk had once again become a key area for mass killings, not only of Russian Jews, but of those now being deported in increasingly large numbers from Germany, Austria, Czechoslovakia and elsewhere in Nazi-occupied Western Europe. The arrival of Ozols and his Latvian Company, fresh from their training at Fürstenberg, coincided with this new operation to exterminate Europe's Jews in the immediate vicinity of Minsk. It was particularly significant because the Germans were then desperately short of trained men to carry out these *Aktionen* against the Jews. During late 1941 and early 1942, there had been a number of mass executions of Jews from the Minsk ghetto, notably on 7 and 18 November 1941 and 2 March 1942. On these occasions, Nazi officials had selected thousands of Jews to be executed, particularly those allegedly incapable of labour. As was usual practice, these *Aktionen* were disguised as 'resettlements,' which meant that the executions took place away from the ghetto itself. Even then, however, there were Latvian police in Minsk who played an

important role in mistreating and guarding the Jews and probably also in the executions themselves.¹⁵

The presence of Ozols and his men in Minsk from July 1942, and their part in the mass extermination of thousands of Jewish civilians, is confirmed by numerous participants in the events, both German and Latvian. German SS Captain Johannes Feder, for example, remembered that Ozols's Company was part of a small anti-partisan unit led by SS Captain Arthur Wilke. In his 1960 interrogation for a West German war crimes trial, Feder gave a detailed account of the structure and personalities of Nazi police authority in Minsk. He also specifically mentioned the existence and activities in Minsk of a Latvian Company under the command of a Lieutenant Ozols.¹⁶ Feder had arrived in Minsk a few days before Ozols commenced his duties on 24 July. At this time, new transports of Jews had started arriving from the West. On 21, 22 and 23 July, 'new graves were dug.' Another transport of 1,000 Jews from Germany arrived on 25 July and more 'new graves were dug' between 25 and 27 July.

On 28 July, four days after Ozols's arrival in Minsk, there was a large killing operation in the ghetto that lasted for the next three days. Like other such *Aktionen*, the mass shootings were preceded by the entry into the ghetto of German and Latvian police, who shot many Jews on site. Men, woman and children lay dead in the streets. Following this initial onslaught, some 6,500 Russian Jews were removed from the Minsk ghetto and brought to the freshly dug graves where they were all shot. The following day, about 3,000 German Jews who been deported to Minsk in November 1941 from Vienna, Brünn, Bremen and Berlin experienced the same fate.¹⁷ Feder was convinced that the men who carried out this *Aktion* were the Latvians under the command of Karlis Ozols. Immediately after his arrival in Minsk a few days earlier, Feder had been ordered to take a Kommando of eight men and join another Latvian unit in an anti-partisan action in the Naliboki forest. During the time he was away, the 10,000 Russian and German Jews from the Minsk ghetto were killed, as he discovered on his return. Feder recalled that there was then no German Security Police unit available in Minsk to carry out this *Aktion*, but that 'at that time there was a Latvian platoon

under the leadership of the Latvian Lieutenant Ozols. I suspect that this unit was utilised in the action against the Jews,' Feder testified.¹⁸

SS Captain Wilke, known for his alcoholic excesses, testified that he came to Minsk in early 1942 and remained until the end of 1943. One of his main tasks, he recalled, was to carry out anti-partisan operations from the summer of 1942 onwards. He also recalled that a Latvian Company was available for this purpose. He, too, recognised the name of Lieutenant Ozols as one of the commanders of this unit.¹⁹ In light of the real nature of much of their work – murdering innocent civilians – it is hardly surprising that Wilke had a reputation for hard drinking.

SS Lieutenant Kurt Junkers was another German officer who had a clear recollection of Karlis Ozols. Junkers was in a good position to know, as he was actually the German officer in charge of the Latvian Company. 'Ozols was the leader of the Latvian Company,' he stated. 'As I remember he was a lieutenant at the time I was leading the Latvian unit.' He also recalled that the Latvians were undisciplined, and when they arrived at a village during anti-partisan operations they had to be restrained by the Germans, 'or they would have shot every inhabitant.'²⁰ SS Captain Wilhelm Madeker was still another German officer who served in Minsk and had clear recollections of Ozols and his men. He recalled that the unit leaders of the Latvian Company were Bagadays, Roland Skambergs and Ozols. 'I am certain that the members of the Latvian unit were deployed for executions,' Madeker testified in 1961.²¹

The 'members of the Latvian unit' were, however, those who provided the most detailed evidence concerning their commander's role in mass murder. They were, naturally, more likely to remember Karlis Ozols than his German superiors, as almost all of them had trained with him at the Fürstenberg SD school and then served under his command for an extended period. Over the years, no fewer than thirty-seven members of Ozols's Latvian Company from Minsk have provided testimony about their activities. It is possible that others could have provided evidence too. Unfortunately, we will never know the full extent of eyewitness testimony about Ozols's Company because the Keating government closed down the investigation into his case in 1992. This occurred just as it seemed likely that a watertight

case would be assembled to establish Ozols's guilt under Australia's *War Crimes Act*. A detailed account of this betrayal of the search for justice can be found in Chapter Twenty-Three. The testimony of these thirty-seven members of Ozols's Company of around 100 men has, however, remained on the official record, and some of their evidence is presented here.

In early 1987, this author travelled to Riga and interviewed a number of Ozols's former comrades, including Janis Prieditis. Like many of the other former Latvian police officers interviewed on that occasion, Prieditis had been punished for his crimes by the Soviet authorities after the war. The years of imprisonment showed clearly on his prematurely aged and lined face, even though he was then only sixty-five years old. By his own admission, Prieditis had joined the Arajs Kommando in February 1942. In April 1942, he had first met Ozols when he arrived at the Fürstenberg SD school. In mid-1942, Private Prieditis finished the special police training course and was sent to Minsk in Byelorussia. He said his Company was commanded by Karlis Ozols and his Sergeant Major was Vilis Runka. Although he claimed to have spent most of his time guarding the Security Police and SD headquarters in Minsk, he confessed to playing a small part in mass killings on at least four or five occasions. According to his evidence, the executions were conducted about twenty kilometres outside the city along the main Minsk–Moscow highway, in a pine forest where big pits had been dug.

Prieditis insisted that he had not directly taken part in the mass shootings at the pits. 'I was relatively far away, about 400 metres,' he said. 'We had to guard the area so that civilians couldn't have access. The Jews were brought from the ghetto in Minsk on lorries, and when they were unloaded they were brought to the edge of the pit and then shot.' According to Prieditis, the executions started in the morning and went on till after dark. 'I know that when I was on guard duty, a total of 10,000 people were shot,' he continued, although he later confessed on tape that 15,000 people could have been killed on these four or five occasions alone. 'Those killed were mainly people of Jewish nationality from the Minsk ghetto,' he recalled. Prieditis was certain that the man

who gave him his orders to guard the sites of these mass executions was Karlis Ozols. He was also certain that Ozols and Vilis Runka were at the mass graves when the killings took place. However, he could not remember whether they personally participated in the shootings. 'There was alcohol there and, of course, afterwards when the Germans came back there was drinking and then, of course, the living went high,' he said. Although there was at least one other Karlis Ozols active in the Latvian killing squads during World War II, Prieditis knew his commanding officer was a champion chess player, just like the Karlis Ozols who moved to Melbourne, Australia, and resumed his playing career. The other Ozols at first held the rank of captain, and was later promoted to major. That Ozols was known as a champion horse rider, not as a chess player.²²

Private Paulius Rudzitis was sixty-six years old when interviewed in Riga in early 1987. He also had been sent to Minsk in mid-1942 after two months at Fürstenberg. 'The course was meant for three months,' he recalled, but 'we stayed there only two months because we were urgently sent to Minsk.' This, of course, was precisely the time that mass shootings resumed in the Minsk area, and the Germans were desperate to obtain trained killers to assist them because they were short of manpower. 'I remember Karlis Ozols well,' Rudzitis said. 'He was Company Commander and his rank was initially lieutenant and then senior lieutenant. At that time Ozols was about thirty years old, rather tall, slim and slender.' He, too, remembered that his Sergeant Major was Vilis Runka. 'I personally served in the Security Police and SD Company commanded by Ozols from the summer of 1942 to the autumn of 1943.' Rudzitis said that on one occasion towards the end of his tour of duty, he was ordered to guard the site of a mass execution about twenty kilometres from Minsk at a former estate. This was, in fact, a former Soviet collective farm known as Maly Trostinec. It was located in the Blagovshchina forest about five kilometres from the village of Maly Trostinec. The farm was turned into a Nazi concentration camp in May 1942, when Russian prisoners of war and Jews from the Minsk ghetto had been used to build barracks capable of holding up to 600 Jewish slave labourers. When the camp became operational, the Jews were put

to work under the harsh supervision of Germans and Ozols's Latvian Detachment. The estate was also a huge storage house for the plundered property of Jews and other Nazi victims. The forest around Maly Trostinec was also frequently used as the site for mass executions.²³

According to Rudzitis's recollections of this mass shooting at Maly Trostinec, 'several covered lorries were bringing people to be shot from morning till night.' Ordered by Vilis Runka to stand guard about 200 to 300 metres from the grave, Rudzitis said that Karlis Ozols and Runka were at the place where the Jews were being shot and that they gave orders to those carrying out the executions. 'Ozols and Runka gave the conunands,' he said. 'Both of them took part in the shooting personally

I'm certain of it I was at a distance of some 300 metres and they were walking there along the side of the pit.' Rudzitis also remembered that there were large quantities of vodka available for the police at the mass executions, 'as a reward for the shootings.'²⁴

Apart from mass shootings, the Nazis also used special gas vans to execute Jews in the Minsk region. For example, on the occasion Rudzitis was involved in this mass killing he saw that some of the victims had already been gassed in these vans before they arrived at the pit in the forest. The vans were known as 'Black Ravens' and they had only one purpose – to poison the victims with carbon monoxide on the way to the mass graves. This method of mass killing was developed as a result of Himmler's visit to Minsk in August 1941. On that occasion, the SS chief insisted on observing the execution of 100 Jews so that he could see what mass executions were really like. A graphic film of this mass shooting shows Himmler standing too close to the action, so that he was spattered with blood and pieces of the victims' brains. The SS commander was so sickened by what had happened to him, and so worried about the effect that such mass shootings would have on his men, that he requested the development of a more efficient and technologically advanced method of mass killing that might also be more 'humane.'²⁵ As a result of Himmler's concern, therefore, lorries that pumped their exhaust fumes into hermetically sealed chambers at the rear were developed in an attempt to satisfy the delicate sensibilities of the Reichsführer SS. The gassing method had, of course, been trialled

earlier during the euthanasia operations in which disabled and handicapped Germans were murdered. Himmler's squeamish reaction to his own orders for mass murder was followed, however, by a still more ghoulish twist of history. The 'Black Raven' gas vans were, in fact, precursors of the gas chambers of Auschwitz, Treblinka, Sobibor and the other death camps which so efficiently murdered at least two million Jews.

According to a 1960s verdict in the West German war crimes trial of a senior German officer of the Security Police and SD in Minsk, there were three of these 'Black Raven' vans at their disposal from early June 1942. They were used for mass executions, initially near the goods platform at Minsk, and later at the Maly Trostinec estate. The vans were supposed to execute Jews 'cleanly' using carbon monoxide and without causing too much distress to the executioners. Jews and Russian prisoners of war were then used to unload the dead from the vans, strip the bodies of their clothes and valuables, and throw them into the same pits that had been dug for mass shootings.²⁶ Frequently, however, the gas hoses of Minsk's vans leaked, lengthening the time required for death and causing the victims to be asphyxiated rather than poisoned. Some of them left nail marks on the steel interior of the mobile gas chamber as they clawed in desperation to get out. Furthermore, three vans were insufficient for the large number of Jews then being shipped into Minsk for 'special treatment,' as the Nazis termed these *Aktionen*. Most of the executions, therefore, had to be carried out using the traditional method of shooting.

Despite the technical problems with the 'Black Ravens,' by August 1942 the Minsk SD was able to use them for large-scale killings. For example, on 4 August a train left the Theresienstadt ghetto in Czechoslovakia with 1,000 Jews packed into cattle cars. Six days later, it reached Maly Trostinec after stopping briefly in Minsk to allow 60 Jews to be taken off to be used as forced labourers. When the train stopped in the open countryside near the estate on 10 August, the remaining 940 Jews were ordered off and herded into the 'Black Ravens.' They were gassed as they were driven into the forest and dumped in a mass grave. Over the next two months, only 25 young, fit Jews out of 7,000

transported from Theresienstadt were spared a similar fate. The others were gassed in the 'Black Ravens' and buried in the forest. These mass gassings, in fact, took place every week and sometimes twice a week. The men guarding the pits and supervising the burials were often Ozols and his Latvian Security Detachment.²⁷

Arnold Zuika also served in Ozols's Detachment in Minsk under the direct orders of Sergeant Major Vilis Runka. At first he merely guarded the SD building in Minsk, but later took part in regular anti-partisan actions, which involved burning down entire villages. 'I took part in many operations to burn villages and arrest inhabitants in the environs of Minsk,' he said. 'I did all that on orders from Karlis Ozols. We later sent the arrested civilians to Minsk. Their further fate is not known to me precisely. Some of them may have been released, but most were shot dead. I can assert this because I myself repeatedly participated in guarding the place of shootings of arrested citizens, some twenty to twenty-five kilometres from Minsk,' he stated in October 1986. These shootings occurred in the forest near Maly Trostinec. In February 1987, Zuika told this author that the victims included 'women and men, young and old,' and that they were often stark naked when they were killed. His role had been to guard the site, while Ozols, Runka and other members of the Latvian Detachment selected by Ozols did the shooting. Private Zuika said that he remembered that Lieutenant Ozols was 'among the persons who executed peaceful Soviet civilians. He was armed with a sub-machine gun. Usually during such actions, Ozols was a little drunk, because he took alcoholic drinks before executions,' he said. 'Mostly he was already drunk when he arrived. He'd had a drop too much already, and I could see he was using alcohol on the spot.'

He was also adamant that 'Ozols and Runka were there, and on those days when they went shooting they always had machine guns with them. I don't know whether they fired them or not, probably they did,' he testified in 1987. 'One thing is clear. They did not go to this execution place to read the newspaper.' Zuika said mass killings took place 'no less than once a week' from autumn 1942 to summer 1943, and that it was Ozols who 'would personally appoint eight to fifteen men

from among his subordinates to take part in the shootings.' He also recalled that the 'usual procedure for shooting civilians' was that:

Ozols would receive a list of citizens to be shot from his superiors. The victims would be taken by lorry to a young pine wood, placed on the edge of a pit that was already dug, and shot down. The task of our guard platoon was to secure the place of shooting, against partisans and so on. Pits were dug by Jewish prisoners, who also back-filled the pits after the shootings.²⁸

In the five years following these interviews in Riga in February 1987, investigators from Australia's war crimes unit – the now disbanded Special Investigations Unit – traced and interviewed a number of additional eyewitnesses to Ozols's crimes. Paulius Rudzitis's brother, Aleksandrs, for example, told a very similar story to those recounted by the other former members of the Latvian Detachment, as did Viktors Bruzitis and Bertuls Buls.²⁹ Buls, too, had first met Karlis Ozols at Fürstenberg and then served under him in Minsk. According to his statement, Ozols received his orders directly from Lieutenant Kurt Junkers, the Security Police and SD officer. Ozols then passed these orders on to his Latvian subordinates. Buls stated that he had witnessed torture and inhuman beatings, and had seen people crippled and with black eyes, especially members of the anti-Nazi underground and partisan fighters. Like the others who served under Ozols, Buls reported that his commander was frequently drunk, and that on one occasion he was reprimanded by his German superiors for his alcoholic excesses. This is consistent with a captured Nazi document signed by Ozols and fourteen other Latvians. In this document they pledged, in writing, to refrain from heavy drinking. From the context of this solemn declaration, it is clear that they had signed the document as a result of a reprimand from the Germans.³⁰ Buls also confirmed that Ozols was a good chess player. He, like most of the others interviewed by the Australian investigators, also identified Ozols's photograph and confirmed it was the same man he had served under in the Latvian Security Detachment in Minsk.³¹

In February 1943, the Nazis launched an *Aktion* that resulted in the murder of between 2,000 and 4,000 Jews incarcerated in the ghetto at Slutsk, a town just to the south of Minsk. This operation confirms the important position Ozols had by then assumed in the Nazis' *Final Solution*. It also confirms that his Latvian Security Detachment had become a vital cog in organised mass murder. The operational order for the Slutsk *Aktion* was issued by SS Major General Kurt von Gottberg, the senior Nazi officer in charge of 'anti-partisan operations' in Byelorussia. This was a euphemism for any *Aktion* against the German's enemies, and von Gottberg had recently conducted a series of brutal campaigns against fugitive Jews who had fled from the towns into the forests to avoid the mass killings. Frequently they also took up arms and joined partisan units. From November 1942 to March 1943, von Gottberg reported that his *Aktionen* had succeeded in killing about 16,000 Jews in operations code-named *Swampfever*, *Nuremberg*, *Hamburg* and *Hornung*.³² There are frequent mentions in the German files of the role played by Latvian units in these campaigns, and it is probable that Ozols and his men were involved in many of them.

There is no doubt, however, that Ozols's unit played a key part in the *Aktion* to liquidate the Slutsk ghetto. Following von Gottberg's order that this operation should take place on 8 and 9 February 1943, Ozols and the Latvian Company were in turn given their orders by SS 2nd Lieutenant Kurt Junkers, the immediate commander of the Latvian Detachment. Slutsk was by that time one of the few remaining Jewish ghettos in Byelorussia, a region which, as we have seen, had been a major collection centre for Jews from Western and Central Europe. The documentary evidence clearly shows that Ozols and all 110 of his men were called in to assist the Germans to liquidate the Slutsk ghetto. On 5 February 1943, SS Lieutenant Colonel Strauch of KdS, Minsk issued a written Command Order (*Kommandobefehl*) from his headquarters in Minsk. His Order outlined in great detail the timing and precise steps to be taken in the murder of Slutsk's surviving Jews, most of whom had been killed in earlier *Aktionen*, especially in a violent incident in October 1941. Strauch sent his Order to all the Commanders of the Security Police and SD in Byelorussia. He appointed an SS officer by the name of

Müller to be in overall command of the operation, and assigned a number of other German officers to particular roles in the *Aktion*.³³

Karlis Ozols is specifically mentioned in this Order. In fact, he is ordered to personally participate in this killing operation. Ozols's rise through the ranks of the Latvian Security Police officers is further indicated by the fact that he is classified as a '*Hilfsbeamte*,' which, translated literally, means 'supernumerary' public servant. In other words, by February 1943, Karlis Ozols was regarded by his Nazi superiors as an honorary German – a rare privilege, indeed, for a Latvian Jew-killer. Under the Nazis, public servants had to be of pure German stock. Since Ozols was a Latvian, his achievement of the status of '*Hilfsbeamte*' shows his special status. Even if Ozols did not have tenure, he was still considered a German public servant. It is noteworthy that the other members of the Latvian Security Police Company are not even mentioned by name in this Order, but are nameless Latvians. Colonel Strauch's 'Killing Order' illustrates further important aspects of the Nazis' methods of mass extermination. One is the use of the term 'resettlement' as a euphemism for 'killing.' As discussed earlier, even the victims on the whole did not believe 'resettlement' literally meant just that, and many suspected or even knew that it meant death. In fact, the Command Order specified that the Jews were to be transported to a 'resettlement site,' not to a named place where they would live and work, even in a 'labour camp.' Moreover, Strauch mentioned that there would be two pits at the site and that the teams involved in the operation would work in shifts of two hours between 8.00 a.m. and 4.00 p.m. Pits were hardly the making of a 'resettlement' camp, and these are the daylight hours in Byelorussia during the late winter month of February.

Then there is the fact that two German officers were made specifically responsible 'for handing out ammunition at the resettlement site.' In other words, 'resettlement' involves a significant amount of shooting at pits. Strauch's Order also made it clear that there would be a significant amount of Jewish property at the 'resettlement' site, which would have to be both valued and then disposed of. Finally, Strauch also singles out 110 unnamed members of the Latvian Volunteer Company to

participate in the 'resettlement' operation. In light of the specific mention of Ozols as a participant in the Slutzk *Aktion*, there is no reason to doubt that this was, in fact, a reference to his own Latvian Detachment, which he had commanded since July 1942. Strauch's Order is a good example of the meticulous planning that characterised German mass killing operations. The role of the Latvians is designated almost down to the last man. Ten were to assist SS Captain Wilhelm Madeker with the 'utilisation of the Jewish property.' Madeker, it should be recalled, made an appearance earlier as one of the many German officers with vivid recollections of Ozols as the commander of the Latvian Security Detachment in Minsk. A further fifty-four (comprising 6 Kommando units, each of nine Latvians) were to be involved in 'the rounding up of the Jews in the ghetto.' Twenty-four were to ride on the trucks as guards when the Jews were transported from Slutzk to the pits (four on each of the 6 trucks). Ten were to secure and guard the pits themselves.

In other words, of the 110 Latvians ordered to participate under Lieutenant Karlis Ozols's command in the murder of the Slutzk Jews, 98 were specifically designated tasks directly related to the killings. Presumably, the remaining dozen would have been unavailable for some reason, illness for example, or have been held in reserve, or been involved directly in the shooting. The command structure operating at this time dictated that Lieutenant Ozols would have received these orders from his immediate German superior, Lieutenant Junkers, who is also specifically named in Strauch's Command Order. In his evidence to a West German war crimes trial in the 1960s, Junkers admitted that he was in Slutzk for this operation. It is almost certain that he was involved with the unit designated to cordon off the killing area to prevent the escape of any of the victims.³⁴ In turn, Ozols would have been directly responsible for assigning his subordinates their particular tasks, as outlined in Strauch's Order. Even taking into account the huge numbers of civilians who were murdered at this time in Byelorussia, the destruction of the Slutzk ghetto was a major operation. The entire ghetto of no less than 2,000 Jews, perhaps twice as many, was liquidated. A force of 194 men was used, including the 110 Latvians and

63 named German officers, non-commissioned officers and men, 9 named interpreters, 6 named supernumeraries (including Ozols) and 6 named auxiliary staff.

Two months after the Slutzk massacre, Lieutenant Karlis Ozols was given significant recognition by his Nazi masters. One of the highlights in the Third Reich's calendar was the annual ceremonial handing-out of medals and awards on Hitler's birthday, 20 April. On this date in 1943, Ozols was awarded the prestigious War Merit Cross 2nd Class with Swords (*Kriegsverdienstkreuz*). It was a further indication of Ozols's special status, especially as this decoration was only very rarely bestowed on non-Germans. Moreover, he received the decoration personally from the German commander of the Security Police and SD in Latvia, Dr Rudolf Lange. This is yet another indication of Ozols's senior status in the Latvian Nazi hierarchy, and underlines that he had distinguished himself in his duties.³⁵ A few months later, on 28 June 1943, a further award was made to Karlis Ozols, the Decoration for Bravery and Merit of the Eastern People, 2nd class in bronze, a medal that indicated that Ozols had also taken part in military operations, most likely against the partisans.³⁶ By this time, Ozols and his Latvian Security Detachment had almost completed their work in Byelorussia. The period of mass, open air killings and gassings in the 'Black Ravens' was almost over. The much larger-scale killings in the death camps of Poland had taken over, and the tide of war was slowly but surely turning. Soon the Soviets would start moving westwards and re-occupy Minsk and the rest of Byelorussia.

A week before Ozols received his medal for Bravery and Merit of the Eastern People, SS Reichsführer Himmler had ordered the final liquidation of all the Jewish ghettos in the occupied countries of Eastern Europe. He exempted only a handful of Jews involved in important work projects in a few concentration camps. Everyone else had to be murdered by the usual methods. In September 1943, the Minsk ghetto, which had kept Ozols and his men so busy for the previous fourteen months, was destroyed completely. On 18 September, 2,000 inmates were deported to the Sobibor death camp in Poland, where all but a dozen were immediately gassed to death.³⁷ Nine

days later, on 27 September 1943, Lieutenant Karlis Ozols completed his tour of duty in Minsk. He returned home to Riga, satisfied in the knowledge that he and his faithful men had served the Nazi cause well. It was not the end, though, of his service for the Third Reich, nor the end of Hitler's gratitude to his loyal servant. Twelve months to the day after he was decorated with the War Merit Cross 2nd Class with Swords, Ozols received promotion to 1st Lieutenant. This was on 20 April 1944, the last birthday Hitler would celebrate before Germany was overrun by the Allied forces. A few months later, on 15 November 1944, with the Allies advancing relentlessly towards victory, Ozols was transferred to the 15th Waffen SS Grenadier Division (Latvian SS Division Number 1). In his new military unit he met up with many of his old comrades from the Arajs Kommando, or with members and commanders of other police units who had served in Latvia, Byelorussia and elsewhere.³⁸

The most appropriate epitaph for 1st Lieutenant Ozols and his Latvian Security Detachment comes, however, not from the Germans who praised and rewarded them for their efficiency in mass murder. Rather, it is the words of Ozols's immediate German superior, who saw his Latvian subordinates at work on a daily basis. SS 2nd Lieutenant Kurt Junkers had arrived in Minsk at the same time as Ozols and his men in late July 1942. He served with them through much of the time they were stationed in Byelorussia and, perhaps, knew them better than almost anyone else. It was Junkers who had described Ozols's Latvians as undisciplined, and recalled that when they arrived at a village during anti-partisan operations they had to be restrained by the Germans, 'or they would have shot every inhabitant.' While his Nazi superiors obviously considered Ozols an exemplary mass killer – as demonstrated by his decorations and promotion – Junkers much more accurately labelled both him and his men 'a wild, almost bestial horde.'³⁹

Latvia, 1941–44

Chapter Four

Karlis Ozols was only one of several dozen Latvian mass murderers who found their way to Australia. Some were fellow members of his 'wild, almost bestial horde' that had carried out mass killings in Byelorussia in 1942 and 1943, such as Vilis Runka, Ozols's Sergeant Major in these actions. Others included Arvids Upmalis, Argods Fricsons, Konrads Kalejs and dozens of others who had served in the Arajs Kommando and other Nazi-controlled Security Police and SD units. Once they found sanctuary in Australia, they formed the Latvian Relief Society, the Australian branch of the *Daugavas Vanagi* (the Hawks of Daugava), named after Latvia's major river. *Daugavas Vanagi* was an international Latvian *émigré* group, established in Belgium in 1945 by officers of the Latvian SS Legion to provide welfare and aid for former members of the two Latvian SS Divisions. It rapidly grew over the next twenty years, boasting a worldwide membership of 8,500 by the mid-1960s. The Australian branch was one of the largest, with 1,200 members, many of whom were also very active in local party politics.¹

Sergeant Major Vilis Runka was one of the prime suspects investigated by the Nazi-hunters of Australia's Special Investigations Unit in the late 1980s and early 1990s. He had arrived in Australia in 1951 and became a citizen in 1956. His case, however, was suspended by the investigators because they discovered that Runka had moved to

West Germany in 1962 and taken citizenship there in 1972.² Like Ozols, Runka was not an ill-educated man who had drifted into the ranks of the Latvian Security Police by accident. He was, in fact, a highly intelligent man who had been a policeman before the war. His entire training and professional life was supposedly devoted to the prevention and detection of crime and the arrest of criminals. As soon as the Germans occupied Latvia in July 1941, however, Runka joined the Arajs Kommando and became a senior guard at the Valmiermujza (Valmiera Manor) concentration camp. Located in the town of Valmiera, this camp was set up on an estate near the regular prison at the same time the Germans occupied the area on 7 July 1941. Survivors recall that Runka was a 'particularly cruel guard' who personally participated in the execution of prisoners.³ Several eyewitnesses have vividly recalled Runka's participation in murder, both at this camp and later under Ozols's command in and around Minsk.

For example, in January 1942, two prisoners by the names of Saulitis and Gulbis were murdered by the Nazi authorities at the Valmiermujza camp. They were suspected of planning an escape attempt, and the guards also found they had a newspaper describing the situation at the front. This was considered such a serious crime that they were summarily condemned and publicly executed in front of their assembled fellow inmates. Voldemars Jakobsons, Anton Glavans, Miervaldis Berzins-Birza and Elmar Gusts were all prisoners in the camp at the time, and forty-five years later they recounted how the inmates were lined up one morning to witness the execution. After a special path had been dug through the snow, and a platform erected from which the local Security Police chief, SS Sergeant Major Werner Gottschalk, gave a speech condemning the prisoners' 'treachery,' Saulitis and Gulbis were put against a wall and shot by a firing squad of camp guards. These witnesses had no doubt that Vilis Runka was a member of the squad, as his face was etched into their memories as one of the most cruel of the camp's guards.⁴ According to Anton Glavans, Runka had a bad reputation among the prisoners, even when compared to the other sadists running the Valmiermujza camp. His reputation extended to 'arranging and taking part in various orgies, where

prisoners were tortured and killed.' It was hardly surprising then, that as a result of his service at the camp Runka followed the familiar path of his fellow Arajs Kommando officers. He was sent to the SD school at Fürstenberg for advanced training, promoted to the rank of sergeant major in the Latvian Security Police and posted to Minsk to serve under Lieutenant Karlis Ozols.

As we have seen, during 1942 and 1943 Ozols and Runka played leading roles in many mass shootings of Jews in and around Minsk. Several of the men who served with Sergeant Major Runka in Byelorussia had vivid recollections of his part in these executions. Arnold Zuika, Janis Prieditis and Paulius Rudzitis were all members of Ozols's Latvian Security Detachment who served under Runka's immediate command. After Ozols received his orders from SS 2nd Lieutenant Kurt Junkers, he would pass them on to his platoon commanders, who in turn instructed Sergeant Majors like Runka on what precise role Zuika, Prieditis, Rudzitis and the other rank and file were to play during *Aktionen*. As already detailed, Zuika, Prieditis and Rudzitis testified that their unit was involved during 1942 and 1943 in the extermination of thousands of Jews who were taken from the Minsk ghetto to sites near Maly Trostinec about twenty-five kilometres outside the city. Here they were forced to undress and shot into huge pits that had been dug especially for the purpose. They agreed to a man that Runka was one of the key officers involved in these massacres, frequently supervising the operations at the pits and overseeing the guarding of the area to prevent the victims from escaping.⁵



Arvids Upmalis was yet another member of the 'wild, almost bestial horde,' although his crimes were committed exclusively in Latvia. Born Arvids-Karlis Hofmanis in November 1909, before the Nazi occupation of Latvia Upmalis had been a police officer in the Seventh Precinct Guard Company in Latvia's capital, Riga. Upmalis also found safe haven in Australia, where he first settled in Ballarat and helped to found the Australian branch of former Latvian Waffen SS members. He is now

buried in the Fawkner cemetery in Melbourne in a memorial garden dedicated to Latvian SS officers, including a number of men who, like Upmalis, were mass murderers. Soon after the Nazi invasion in mid-1941, Upmalis was appointed Senior Lieutenant in the Nazi auxiliary police. A year later, on 22 July 1942, he was promoted by the Chief of the Bauska district of the Latvian Security Police to the post of Assistant Chief of the First Bauska Police Precinct. This was one of the most important posts in the German-controlled repressive regime. His unit's area of operation contained large Jewish and Gypsy populations. One of the main roles of Upmalis's unit was to carry out *Aktionen* to execute these Jews and Gypsies, together with all political opposition, especially communists.⁶

Although he died in 1971, Upmalis was still well remembered by many of his subordinates in the Bauska Security Police interviewed in early 1987. Janis Buda, for example, was a lieutenant between December 1941 and August 1943, serving as commander of a unit of the Bauska Police Precinct. Upmalis was his commanding officer and considered Buda to be something of a 'mama's boy' with a 'yellow streak,' while Buda thought his commanding officer was 'a ruthless person, even a sadist.' Buda recalled several incidents in which Upmalis tried to harden his attitude and acclimatise him to the idea of torture. On one occasion, he was called to Upmalis's office to witness the beating of a young man with a rubber club, 'while Upmalis sneeringly looked at me to see how I would react. That was one of his attempts to try to get me accustomed to what he considered to be normal conditions of work in the police station.'⁷

One of Buda's colleagues, Jekabs Kaucis, had joined the Bauska auxiliary police as a typist in early July 1941, just after the Nazis had occupied Latvia. He was a relatively low-level clerk, responsible for compiling equipment inventories and typing pay lists, but his memories of Upmalis's position as deputy to precinct chief Peteris Samsons were still vivid forty-five years later. Kaucis worked closely with Upmalis on a daily basis, typing orders and lists dictated by his boss. He testified that prior to the start of mass executions, Upmalis had detailed a group under his command to castrate around two dozen Jewish men who were brought to the local hospital under police escort. These brutal actions were stopped soon after the Germans established the Security

Police apparatus. Almost immediately, mass shootings started in the Bauska region. According to Kaucis's evidence, Upmalis took the leading part in organising these *Aktionen* against Jews and Gypsies in Bauska, while Samsons showed considerable reluctance to be involved in the mass executions. Kaucis particularly recalled the day that Upmalis arrived in the office very drunk, informing him 'that they had passed a law about the liquidation of Jews,' which was to be carried out in the Vecsaule forest.

'In August–September 1941, when the Bauska Jews were rounded up the first mass shootings took place,' Kaucis said, adding that the 'execution site for the doomed in the forest of Vecsaule was guarded by policemen under Upmalis's supervision. Without his instructions the Bauska police could not take part in these actions.' Upmalis was also responsible for detailing some of his subordinates to travel to nearby Jelgava where they carried out mass executions of Jews. Upmalis returned a few days after the action, drunk again, telling his typist that, 'Everything is in order now.' Kaucis also remembers with horror the day 'Upmalis entered the office smiling,' and ordered a placard to be made proclaiming that Bauska was '*Judenfrei*,' which Upmalis then hung on the road at the entrance to the town to indicate that no more Jews were left alive in the town.⁸

Jekabs Kairens was another of Upmalis's officers who corroborated Kaucis's testimony. Kairens explained that before the war he had been a driver and mechanic. He had lost his job when the Germans occupied Latvia because the army seized all cars and lorries. At first he worked under Samsons, commandeering old cars, lorries and motorcycles and repairing them for police use. In early September 1941, he joined the Security Police, serving directly under Upmalis. A few days later, Upmalis instructed Kairens to muster his men at the police station. When they were assembled, Upmalis ordered that Bauska's Jews be arrested and confined in a building on the corner of Vienibas and Skurstenslaucitaju streets. Throughout the night the local Jews were rounded up and brought to this building, where they were crammed into a small enclosure. The following morning Upmalis ordered Kairens to go there and 'personally take part in the delivery of the Jews

to the execution site.' When he arrived a bus was already standing by the gate. It had brought the police who were actually to carry out the shootings.

There were around 100 Jews crammed into the yard by then, in an area capable of holding at best a few dozen. Mostly they were women and children, including 'infants whom their mothers were holding in their arms' and older children up to about ten or twelve years of age. Kairens recalled that the doomed people had been lulled into a false sense of security. They were told that they were going to a special camp and 'for this reason they did not resist' being taken to the bus. Upmalis personally supervised this operation while Kairens stood by the door and watched them enter the bus for their final journey. The first load, comprising about thirty-five Jews and ten armed police guards, travelled to the Vecsaule forest about eight kilometres from Bauska where there had once been an old shooting range. Here they were forced off the bus and taken to the execution site and forced to dig pits, which then became their graves. Meanwhile the bus returned to town for another load. It was, in fact, the start of a much wider *Aktion* in which some 800 to 900 Jews from the surrounding districts were also murdered and buried in two pits, both fifty metres long, two and a half wide and three deep. While they were being dug by the younger men, the elderly, women and children were forced to lie down nearby and wait for the executions to begin. The shootings started early in the morning, the police bringing ten to twenty at a time to the pits and murdering them at close range. This went on for many hours. Throughout the executions Kairens was on guard about 100 metres from the pits to prevent escapes. Anyone 'who tried to escape had to be shot,' he remembered. The police, 'both those doing the shooting and those on guard,' were drunk during the executions. According to Kairens, there was plenty of vodka available to strengthen the men's resolve, 'as the screams of the victims were horrendous.' After the operation was completed this drinking bout continued at the police station, when Upmalis 'laughed that the Jews had dug their own ditches and buried themselves.'⁹

On one occasion in mid-1942, Upmalis's typist, Jekabs Kaucis, was personally present at the execution of a large group of Gypsies in the

Jaunsaule forest. Upmalis ordered him to travel to the killing site where he found 'the Gypsies had been herded into a barn' and told that they were to be sent to a labour camp. Kaucis remembered that 'it was a beautiful morning. The sun was rising and nightingales were singing and there were flowers' throughout the forest. When the Gypsy families were brought out of the barn and saw the armed men, they realised they were not being sent for labour and they began to scream and wail. Kaucis testified that their terror was met with pitiless contempt by Upmalis, who cursed them, declaring that they would 'have the same fate as the Jews.' He ordered his men to place the Gypsies in several lorries, and there followed a scene of inhumanity as they were brutally herded into the trucks, driven into the forest and shot, including the women and children.¹⁰

Janis Buda also recalled Upmalis's role in the mass shootings of Gypsies in mid-1942. He remembers that about 150 Gypsies were brought to Jaunsaule forest where Upmalis had ordered his men to guard the killing site, while police from Jelgava carried out the executions. Some of the Security Police were ordered by Upmalis to convoy the Gypsies to the execution site during the night. As soon as they arrived, the 'Gypsies realised what was awaiting them, so there was an unimaginable din,' Buda said. 'The victims were moaning, screaming and cursing us. Most of them were women, and there were also children of different ages.' The doomed people were escorted to the pits under Upmalis's orders, and the executions lasted for about two or three hours, during which Upmalis was present at the mass grave.¹¹



The story of Maly Elinsohn is typical of a number of survivors of genocide and torture who have found safe haven in Australia, not only refugees from the Nazi era but from other conflicts of the last thirty years of the twentieth century. As outlined in Chapters One and Two, some became Australians after surviving the crimes of the Khmer Rouge in Cambodia, or after living through Pinochet's dictatorship in Chile, or the Soviet occupation of Afghanistan, or the ethnic and religious genocide of

the Balkans wars in the 1990s. Maly Elinsohn survived the horrors of the Arajs Kommando in Latvia, life in a ghetto and several concentration camps. She then went through the rigours of selection for migration to Australia and was eventually accepted as a citizen, finally settling in Melbourne. Like other survivors, Maly Elinsohn thought she had left the horror behind until she learned that one of the men who had killed her father and persecuted her entire family and many of her friends was living just a few suburbs away in Melbourne. The criminals had followed her and found sanctuary in her very own safe haven.

Maly Elinsohn was born in 1914 in Liepaja, Latvia. She was raised and educated in a vibrant Jewish community of about 10,000 out of Liepaja's population of 100,000. After finishing school she decided to become a teacher and studied at the nearby Jelgava Teachers' College. She returned to Liepaja in 1937 to serve her community as a teacher. When the Nazis entered Liepaja in July 1941, Elinsohn remembered that almost immediately Latvian collaborators took to the streets terrorising and assaulting Jews, ransacking their homes and looting their property. She recalled that one of the men who took part in this terror campaign was a 26-year-old Latvian by the name of Argods Fricsons. She remembered Fricsons vividly because he had come to her house on several occasions, terrorised her family and friends and extorted property using violence and intimidation. At first Fricsons was dressed in civilian clothes, but later he wore an auxiliary police uniform and was frequently present at the square in Liepaja where Jews had to assemble for forced labour each morning at 6.00 a.m.

Fricsons became a resident of Australia in 1949, and was granted citizenship in 1955. In order to be accepted into the country and obtain citizenship, Fricsons simply lied about his background, claiming that he had only done menial administrative work as a clerk during the war. Over the following thirty years, numerous allegations were made against Fricsons, particularly that he had held a senior position in the Nazi killing apparatus in Liepaja. After the Special Investigations Unit was established in 1987, Fricsons was among the first cases investigated, and soon became a serious candidate for prosecution under Australia's *War Crimes Act*. According to the SIU's final report, the case against him

was substantial and would have been referred to the Director of Public Prosecutions except that Fricsons died, aged seventy-five, in 1990.¹²

When she was interviewed by the SIU investigators in 1988, Maly Elinsohn recalled that the first time she had met Fricsons was soon after the Germans had arrived in Liepaja when he came to the flat she shared with her parents. Fricsons searched the flat and stole a number of items, including a lady's gold watch, towels, tablecloths and other household items. As he left he promised to return and, as good as his word, two days later Fricsons arrived, seized a suitcase and stole more of the family's property. After he left, he then raided the flat of their elderly Jewish neighbours, the Aronsoms, and immediately after that did the same to the local dentist, Dr Dorfman, and his wife. Elinsohn remembered that she heard Fricsons shouting at her neighbours, calling them 'bloody Jews, dirty Jews' and telling them to 'shut your mouth.' When Elinsohn saw her neighbours later in the day, they told her that Fricsons had demanded gold and money and when they had refused he had beaten them. 'I saw that they were both bleeding from the nose and mouth area and were very distressed,' Elinsohn recalled.¹³

Far worse was to come. On 23 July 1941, Fricsons again came to the Elinsohn flat, where Moses Rosenthal, a family friend, was staying because his flat had been seized by a Latvian collaborator. Members of another family, the Stolpers, were also present. This time, however, Fricsons was not after the Jews' property. He wanted them. If he had been brutal before, this time he made his murderous intentions clear from the very beginning, shouting and hitting out at all those in the flat. He ordered the three men, including Maly's father, to leave the flat. As her father moved to go, his wife attempted to hand him something and Fricsons hit her over the head with his rifle. Maly's father tried to shield his wife from this vicious blow, and as he did Fricsons beat him, too. While this commotion was going on, Mr Stolper made good his escape and hid in the cellar.

Elinsohn's father was not so lucky. Fricsons ordered him out of the flat together with Moses Rosenthal. After they left, Elinsohn went to the window and saw everything that happened next. A covered truck was parked in front of the house, and German officers stood nearby together

with Latvian volunteers who had been rounding up other Jewish men from nearby flats. Elinsohn could see that many of the men had been beaten and were bleeding from the nose, mouth and ears. The last image Maly Elinsohn had of her father was of Fricsons waving his rifle at him and Rosenthal. Her father then collapsed onto the pavement and his body was thrown into the truck by Fricsons. After about an hour, Elinsohn went to the local police station where she met a Latvian volunteer, Frickops, whom she had known at the Jelgava Teachers' College in the 1930s. When she asked him what had happened to her father, he replied, 'If your father is in Fricsons's hands no one can help him and you had better go home immediately.'¹⁴

Maly Elinsohn never saw her father again. More than likely he died there in the street outside his own home, shot by Fricsons together with Moses Rosenthal. Her own suffering, however, was not yet over. After 9,000 of Liepaja's 10,000 Jews had been murdered by the Germans, aided by Fricsons and his men, she was taken to the local ghetto. Elinsohn lived there until it was closed in October 1943 and she was transported on a cattle train to another camp near Riga. From there she was sent to Stutthof concentration camp in what was then called 'Greater Germany.' Liberated eventually by the Red Army in 1945, she later emigrated to a new life in Melbourne, Australia where, to her horror, she was confronted again by her tormentor.

What Maly Elinsohn did not know was that Argods Fricsons's career as a murderer was only just beginning on that day in July when her father was shot in front of their house. Fricsons had proved his worth to the Nazis during these early weeks of German killing operations in Latvia. As a result, some time in either late September or early October 1941, he was promoted to head the Political Department of the Latvian Security Police and SD in Liepaja. This was a very significant time for the Nazi killing machine in this area. On 20 September 1941, the local SS and police leader Dr Fritz Dietrich had arrived in Liepaja. The following day, Jewish labourers were forced to clear the streets and remove the rubble of destroyed buildings. On 22 September, sixty-one Jews were executed, the first of a series of mass killings in the city. At first they were limited to older Jews – male and female – considered unsuitable for labour. The

killings were carried out by SS 2nd Lieutenant Kügler who, while subordinate to Dietrich, was Fricsons's direct superior in the Political Department.¹⁵

In December 1941, Laimonis Zarins joined this Department. He remembered Fricsons extremely well, having known him since 1926 when they had been at school together. Zarins's job was to organise a network of agents whose main task was 'to pinpoint people undesirable for the German authorities.' When they were located the victims were handed over to Fricsons and his team, who conducted an 'investigation.' If they did not cooperate by admitting their guilt, 'they were beaten with rubber clubs.' Zarins was certain that these beatings took place on the orders of his commanding officer, Argods Fricsons. Once Fricsons had concluded his work, the cases would be handed over to the Germans. Invariably the end result was that the people were shot. For example, Zarins recalled:

an incident where under Fricsons's direct supervision a group of young people who were preparing to set up an underground organisation was found out. It is precisely to Fricsons's 'merit' that the group was discovered as a result of a ruthless interrogation. A number of these youths were later shot following the investigation of the case.¹⁶

Evidence of Fricsons's role as commander of the SD Political Department is also found in captured Nazi documents. They record, for example, that on 26 January 1942, Fricsons ordered the arrest of Krisjanis-Otto Rosenthal, a local Jew. Fricsons commanded his subordinates to take Rosenthal to the Tukums prison, where he was to be put 'at my disposal.' On the bottom of the Order it is recorded that Rosenthal was detained at the Talsi police detention room at 3.40 p.m. on 31 January 1942.¹⁷ This Order was signed by both Fricsons and one of his subordinates, Martins Meiers, the Deputy Senior Clerk at Political Police headquarters. Although he confirmed to the SIU investigators who interviewed him in 1988 that he had served directly under Fricsons's orders, Meiers insisted that his work consisted of routine

administrative duties. He did confirm, however, that Fricsons was responsible for arresting many local people, including Krisjanis-Otto Rosenthal.¹⁸

Another of Fricsons's men also recalled these activities with some clarity. Karlis Strazds was three years younger than Fricsons, but had known him from when they both attended the same elementary school in the 1920s. Strazds joined the Liepaja SD in February 1942, and immediately discovered that his old schoolmate Argods Fricsons was head of the Political Department. Strazds provided important eyewitness testimony about Fricsons because he admitted that he had twice personally participated in mass executions under the orders of both SS 2nd Lieutenant Kügler and Fricsons. Strazds told Australian investigators that Fricsons was not only personally present when some thirty-five people were murdered in these two *Aktionen*, but that it was Fricsons's Latvian squad that had carried out the shootings. He also recounted his personal knowledge of the torture that Fricsons and his men inflicted on their victims before they were killed, and how he saw the bloodied and bruised prisoners when he escorted them from the cells after 'interrogations.' After the war, the Soviets convicted Strazds of war crimes. He served twenty years in gaol because he admitted to taking part personally in these and other mass shootings. He especially remembered large-scale *Aktionen* that began at the end of 1941, at the beach at Skede near Liepaja after the shooting of a German Army officer on 15 December. In reprisal, 270 Jews were shot that same day, followed by a further 2,500 over the next three days. Although organised and instigated by the Germans under Dietrich and Kügler, the Latvian units commanded by Fricsons took part in every aspect of the operation. Strazds admitted on tape that he had not only been present, but had been a member of the Latvian firing squads that had shot the innocent victims.¹⁹



Karlis Strazds had the distinction of serving under the command of both Argods Fricsons and Konrads Kalejs, two of the many Latvian war criminals who later found sanctuary in Australia. In the late 1990s,

Kalejs became perhaps the best known of the Arajs Kommando officers in Australia due to unprecedented media focus on his case. Although Kalejs did not actually want to live in Australia, the determination of the United States, Canada and Britain to throw him out made it his best option. As an Australian citizen, Kalejs is effectively immune from prosecution under domestic law. In fact, Australia is the only Western nation with a significant Nazi war criminal problem that does not have a law under which to take action to deport him. Furthermore, the Australian government refuses to charge him under the *War Crimes Act*, as the Liberal Party has consistently opposed the very concept of war crimes trials for World War II Nazis.

Kalejs arrived in Australia in October 1950, having been accepted under the Displaced Persons' migration scheme three months earlier. He had told the Australian security officers responsible for screening Nazis out of the scheme that he was only a farm labourer during the war. Kalejs maintained that he had no papers to substantiate this account, having lost them, supposedly, in a fire in 1947. He had been questioned earlier by officials of the International Refugee Organisation (IRO), the body charged with ensuring that only victims, not perpetrators, would be permitted to emigrate from Europe to new homes. Kalejs admitted to the IRO that he was a lieutenant in the Latvian army in 1941, yet he was passed on to Australia's immigration team without further investigation. As discussed in later chapters, this was typical of the shoddy screening system, which allowed thousands of Nazis to immigrate to Western nations, including Australia, between 1947 and 1955.

For three years after his arrival, Kalejs occupied the important position of documentation and processing clerk at the Bonegilla migrant camp. In this position he was well placed to help other Nazis, handling many sensitive documents, especially the issuing of identity cards to other migrants with no papers. He later moved to Melbourne, obtained Australian citizenship in August 1957 and shifted to the United States in 1959 where he became a millionaire property owner and businessman. Despite living in the United States for the next thirty-five years, he retained his Australian citizenship. In April 1985, US Marshals arrested Kalejs in St Petersburg, Florida. He had been on the run from the

authorities for over twelve months, having been charged under America's Immigration laws over his Nazi background. Among other charges, the US Justice Department's Nazi-hunting team, the Office of Special Investigations (OSI), claimed that Kalejs had been a key officer at the Salaspils concentration camp, where mass executions of Jews and others were carried out. They further charged that Kalejs was a 1st Lieutenant and unit commander in the Arajs Kommando. Among the OSI charges was one which related to a particularly chilling event in March 1942, when the Latvian village of Sanniki and a number of neighbouring hamlets were wiped off the map. Almost the entire population of the village and surrounding area was said to have been exterminated in this operation, allegedly under Kalejs's command.

The American court that heard the Kalejs case was presented with evidence that his unit aided the Nazis 'in the persecution and murder of those persons considered to be undesirable or enemies of Nazi Germany,' killing 'thousands of Jewish men, women and children.' According to Michael Wolf of the OSI, the Arajs Kommando units 'were shooting upwards of 5,000 people a day.' The American legal proceedings did not address the substance of Kalejs's alleged crimes, however. Rather, he was charged with committing fraud against the American government by claiming in his 1959 entry visa application that he had only been a farm labourer during the war. The case was heard in April, May and August 1988, and the court finally ordered Kalejs to be deported to Australia – his country of citizenship – on 1 November 1988.²⁰ The American judge, Anthony Petrone, found that the prosecution had not satisfactorily established some of the charges. However, he noted that:

[After] careful consideration of the evidence, I find that the Government has shown by clear, convincing and unequivocal evidence that the respondent was a member of the Arajs Kommando under the supervision of the German SD on the eastern front of Latvia from January thru fall of 1942, that persecution against individuals based on race, religion, national origin, and political opinion was committed by the Arajs

Kommando and German SD during this period at the front, and that the respondent assisted and participated in this persecution.

Further on, Petrone also upheld the government's case that Kalejs had been commander of guard units at Porkhov, Salaspils and Sauriesi concentration camps, where forced labour and executions, especially of Jews and Gypsies, had taken place.²¹

Over the following few years, Kalejs fought Judge Petrone's order of deportation through various legal appeals. On 30 April 1992, the Board of Immigration Appeals upheld the order, having found that in all relevant aspects the judge's analysis of the evidence supported the case against Kalejs.²² The case then wound its way through the tortuous appeal processes that a wealthy man like Kalejs can mount in the United States until he was finally deported to Australia in April 1994 after the Supreme Court dismissed his final appeal. He was met with a media furore when he did finally arrive in Australia, only to slip away quietly into the welcoming arms of pro-Nazi sections of the local Latvian community. He did not stay long in his country of citizenship. A few months later, in June 1994, he entered Canada on a visitor's permit where he remained until the following May when his presence was detected and he was 'encouraged' by the Canadian immigration authorities to depart voluntarily and return to Australia, the only country that would accept him. He was back a few months later, in September 1995, when he was interrogated at Pearson International Airport and found to be barred from entry, a decision that he decided to fight through the Canadian courts.²³

The result of the Canadian legal proceedings was little different to the American. Although Anthony Iozzo, the Immigration Adjudicator who heard the case in Toronto, determined some facts differently to Judge Petrone and the other American courts, his judgement was, if anything, more forthright and outspoken than the previous decisions. Iozzo found that Kalejs

was an accomplice to the brutality and criminal acts committed at Salaspils [concentration camp] ... As an accomplice to the acts of murder, forcible confinement, enslavement, torture, and failure to

provide for the necessities of life, Konrads Kalejs violated the laws of war and committed war crimes or crimes against humanity. He violated *The Hague Conventions of 1899 and 1907* and the *Geneva Convention on the Treatment of Prisoners of War of 1929*. Konrads Kalejs by serving as company commander of the external guards at Salaspils in 1942 became an accomplice to the crimes committed at Salaspils. The crimes committed at Salaspils were war crimes or crimes against humanity in that prisoners of war were murdered and ill-treated and enslaved at the camp and the civilian prisoners at Salaspils were murdered, enslaved, tortured and persecuted on political, racial and religious grounds.²⁴

Kalejs's second deportation again ignited a frenzy of media interest in Australia as he bounced back to his country of citizenship in August 1997. Before long, he reinforced his peculiar love-hate relationship with his Australian sanctuary by slipping out once more to an anonymous refuge in Britain. This, too, came to an end in late 1999 when Dr Efraim Zuroff of the Simon Wiesenthal Centre exposed him in an aged care home at the luxurious Catthorpe Manor, near Rugby.²⁵ As a result, the fugitive Nazi war criminal was once more in the media spotlight, this time on an unprecedented international scale. The British government, which had been the slowest of the Western nations to take legal action against Nazis who had settled there, indicated almost immediately that it would commence deportation proceedings against Kalejs. Presumably knowing that the evidence would inescapably result in the courts of a third country finding him liable to deportation owing to his major role in war crimes, in January 2000 Kalejs opted to hop on a plane and fly back to Australia, the country he has done everything possible to avoid living in since 1959, but the only place he could truly call home on account of his citizenship. As outlined in Chapter One, by December 2000 the Latvian government had instituted extradition proceedings in Australia to have Kalejs returned to his original home to face genocide and war crimes charges at last.²⁶

The evidence of Konrads Kalejs's role in the mass killings carried out by the Arajs Kommando has now been considered by judges in

numerous Western courts. All have found against him. The evidence comprises the testimony of men who themselves were former members of the Arajs Kommando and either served directly under Kalejs's orders or witnessed his participation in crimes. There is also a significant amount of documentary evidence, such as Karlis Ozols's November 1942 certification that Kalejs had been in the service of the Latvian Security Police since July 1941, which was discussed in the previous chapter.²⁷ There is also contemporary photographic and newspaper evidence that clearly demonstrates Kalejs's position of influence in the Nazis' machinery of mass murder. The evidence was set out comprehensively in Judge Petrone's 1988 decision and then examined thoroughly in all subsequent legal proceedings. In addition to the statements of other members of the Arajs Kommando, three Jewish survivors of Salaspils gave evidence about conditions during the period that Kalejs was an official of the camp. Alfred Winter, Kurt Servos and Ernest Ilberg had all been deported from Germany to Latvia and were at various times sent to Salaspils and forced into extremely hard labour. They testified to numerous public hangings and shootings which the inmates were lined up to witness, to random killings by camp guards and to the function of the Latvian guards in carrying out the executions and supervising forced labour.²⁸

Seven men who witnessed Kalejs's actions when they were members of the Arajs Kommando were also key to the case in the deportation proceedings. Rudolfs Soms stated that he served directly under 1st Lieutenant Kalejs on Latvia's eastern front in early 1942. He recalled that Kalejs was personally involved in operations which resulted in the extermination of the inhabitants of two villages. One was a largely Gypsy village near Zabolotye and the other was Sanniki, which was believed by the Germans to be infiltrated by the Soviets. The March 1942 operation at Sanniki was carried out by Kalejs's unit under the orders of the Germans, who were particularly enraged by the wounding and subsequent death of their commanding officer, SS General Stahlecker. The commander of Einsatzgruppe A, Stahlecker was wounded during the fighting at Sanniki. Another of Kalejs's men, Viktors Ennitis, identified him as the commander of the guard company

at the Salaspils and Sauriesi concentration camps. Ennitis also stated that both he and Kalejs had been present at the hanging of two Jews at Salaspils. He further testified that members of Kalejs's unit had 'participated in treating the prisoners brutally by making them do exercises to the point of exhaustion.'²⁹

After Karlis Strazds had served under Argods Fricsons in the Liepaja SD in early 1942, he was sent to the Fürstenberg school for mass murderers. After he graduated in November 1942, his very first assignment was at the Salaspils concentration camp where his commanding officer was none other than Konrads Kalejs. The guard company consisted of about 100 to 120 men, and Strazds was certain that it was Kalejs who gave the orders. The inmates were both Jews and political prisoners. About a week after arriving at Salaspils, Strazds was sent to the Sauriesi camp where he was appointed by Kalejs as chief of the guard detachment. Thereafter, Kalejs was a regular visitor to this camp, until his company, including Strazds, was posted to the Porkhov camp in mid-1943. At Porkhov, Strazds witnessed at least one mass shooting, when some twenty to thirty Gypsies were taken to a site about three kilometres outside Krasnaya where they were shot and buried in a pit.³⁰

At all his trials, Konrads Kalejs has consistently lied about his wartime activities on behalf of the Nazis. He has ducked and weaved in order to evade responsibility for his crimes, persisting with extraordinary and unbelievable stories to explain the evidence presented against him. The courts certainly did not believe him, and neither could any fair-minded observer. For example, to rebut the documentary evidence about his membership of the Arajs Kommando, Kalejs has persistently stated that he had asked friends in the unit to 'manufacture' these documents for him. This was supposedly to convince the university authorities that he had been 'helpful in the war effort' and thereby gain entry to various courses, a story never accepted by the American or Canadian courts. Indeed, Canadian Immigration Adjudicator Iozzo not only rejected Kalejs's versions, but found that they were 'contradictory, and are a deliberate falsehood.'³¹

While Konrads Kalejs has lied about almost every important aspect of his activities during the war, he has admitted membership of a Latvian police unit, commanded by SS General Stahlecker, that served on the Eastern front. He also admitted being present with Stahlecker at Sanniki when the general was wounded and later died, but denied any part in the extermination of the villagers. He could hardly deny his presence at Sanniki, as he had written an article about the battle in a Latvian collaborationist newspaper. Moreover, two other members of the unit provided Western investigators with eyewitness testimony on this point. Harijs Svikeris was a war crimes suspect investigated by the British Police War Crimes Unit. In taped interviews conducted in Britain in the early 1990s, Svikeris spontaneously named Kalejs as a member of the same unit of the Arajs Kommando he had served in on the Russian front. Around the same time, Eizens Petersons was investigated by the Australian Special Investigations Unit. He, too, served in the same Arajs Kommando unit that was sent to Russia and told the Australians that Kalejs was both an officer in that unit and a member of the Security Police since the very beginning of the Nazi occupation.³²

At the end of World War II, Konrads Kalejs took the path of most other members of the 'wild, almost bestial horde.' By his own admission, in 1944 he joined the 15th Waffen SS Grenadier Division (Latvian SS Division Number 1) with the rank of lieutenant and finished the war fighting with this unit. This was the same unit that Karlis Ozols joined after he finished his bloody work in Minsk, and was comprised of a significant number of former officers and men of the Arajs Kommando and similar Latvian killing squads. The time for mass murder was over, however, and Ozols, Runka, Upmalis, Fricsons and Kalejs faced only retreat from the Red Army. Retreat, and the hope that their bloody crimes could be hidden from those who captured them.³³



The Latvians who volunteered for duty with the Nazis to exterminate Jews, Gypsies, communists and other target groups were not alone among the conquered peoples of Central and Eastern Europe. Wherever

the German Army subjugated nations they found men and women who were eager to enlist in what was seen as the 'victorious forces of the New Order.' Whether in the neighbouring Baltic countries of Estonia and Lithuania, the Ukraine, Poland, Czechoslovakia or Hungary, there were intelligent, well-educated and sophisticated men who were prepared to be transformed into 'bestial hordes.' Nowhere was this more evident than in the Balkans, especially in Yugoslavia, the land of the South Slavs. In the so-called 'independent' state of Croatia, the bestiality was, if anything, more awful than that carried out elsewhere. Here, many of the victims would have been glad to be shot rather than dismembered alive, as so often was the case. And nowhere in this so-called 'state' were the methods of mass killing more mediaeval and cruel than in the territory of Bosnia and Hercegovina. In the early 1990s, Sarajevo, the capital of Bosnia and Hercegovina, became a symbol of the martyrdom of the Muslims of the region as the Serbs reduced this beautiful multi-ethnic, multi-religious city to ruins. Half a century earlier, Croatian fascists had demonstrated their methods of mass murder during a campaign of carnage that left even hardened Nazi troops sickened and in despair.

Croatia, 1941–45

Chapter Five

The torture sessions had been going on for weeks. Each time it was the same. Savage punching, kicking, prolonged beatings with truncheons, the yelling of the guards, the sneering face of the commanding officer, the bruised and battered faces of fellow inmates and the screams of women being tortured in nearby cells. Amidst the ritual abuse of the 'dirty Jews' and the 'dirty Serbs,' the questioning almost always came back to the underground organisation of the Sarajevo branch of the Communist Party of Yugoslavia. Who were the leaders? Who were the main activists? Who organised the secret printing presses spewing out anti-Nazi propaganda? Who were the recruiters for the growing partisan movement in the hills? Each refusal to answer, every evasion of the question was greeted with a stinging crack of a whip, a crushing punch to the face, skull or neck or merciless beatings with a club or stick.

Mujo Zvizdić had already been in the Serbian Orthodox monastery that Croatian fascists had used as a torture centre since the end of June 1941. He had watched as many of the inmates – mainly Jews and Serbs, some of them fellow communists – were taken away to concentration camps, or worse, to Vraca on Trebjević mountain just outside Sarajevo. Mass shootings had been under way at Vraca since soon after the fascist Ustaše had seized power in the wake of the Nazi invasion in early April 1941. Now it was Zvizdić's turn. The police called out a long list of

names of those to be taken away. His was among them, as was Vaso Miškin Crni's. Luckily for them, their destination was not Vraca and instant death. Unfortunately for them, it was Cemaluša, an advanced torture chamber where only the most recalcitrant prisoners were taken, to be broken by the harshest methods.

The senior police officer who interrogated Zvizdić at Cemaluša was different. He repeated the questioning, but did not personally beat or torture him. Instead, he promised a good job with the new regime if only Zvizdić would reveal the names and hiding places of his comrades. When this did not work, his interrogator appealed to Zvizdić as a Muslim to reject the Jews and Serbs and join the Catholic Croatians in their battle for freedom. Even the promise of a good house that had belonged to a prosperous local Jew could not induce Zvizdić to cooperate. Suddenly, the atmosphere changed, and the officer abruptly ordered that Zvizdić be taken to another room. Here he met Vaso Miškin Crni again, and they were once more ordered to provide information on members of the Communist Party. When they refused, the beatings started immediately. One of the guards delivered a massive blow to the back of Zvizdić's neck and he instantly passed out, only to be immediately revived when cold water was thrown over him.

Then the senior officer ordered his men to tie the prisoners' feet together, and directed them to be hoisted, face down, over either side of the door. Within seconds the blood drained to Zvizdić's and Crni's heads and they quickly passed out. When he came to, Zvizdić was lying on the floor with his friend. The commanding officer leaned down and sneeringly asked him whether he had now thought things over. When this failed to elicit the desired response one of the policemen asked his commander, 'What shall we do with this one?' and was brusquely told to 'Take him away.' Zvizdić was then dragged from this torture chamber to the local police headquarters where the beatings immediately started all over again. This time he was kicked viciously by the Ustaše all over his body, so that by the time he was returned to the monastery he had several broken ribs.

A few weeks later, Zvizdić was transferred to the prison of Beladija in Sarajevo, and in early August was taken in chains before the Ustaše's

Mobile Court Martial. Here, he once again met the man who had overseen his torture at Cemaluša. This time the Ustaše police officer had the power of life and death over his victims. As one of three 'judges,' he could decide who was to be taken immediately to Vraca to be shot and who would be spared. The 'trial' before this 'court' was a farce. Both prosecution and defence were peremptory, and as soon as the 'case' had concluded a verdict was handed down. As the death sentence was pronounced on Mihajlo Popović the 'judge' who had overseen the torture session at Cemaluša left the bench, pounced on the condemned man, grabbed him violently by the beard and abused him at close range. Popović responded defiantly, spitting in his tormentor's face. In the uproar and confusion that followed, Zvizdić and several of the other accused managed to escape. Popović himself was shot and wounded as he, too, tried to escape. This, however, did not save him. Together with another condemned prisoner, Šalom Albahari, he was taken to Vraca soon afterwards where the Mobile Court Martial's sentence was carried out and they were both executed by firing squad.¹



The Ustaše police officer who ordered the torture of Mujo Zvizdić and Vaso Miškin Crni at Cemaluša and then passed the death sentences on Mihajlo Popović and Šalom Albahari at the Mobile Court Martial was Srećko Blaž Rover. A resident of Australia since 8 November 1950 and an Australian citizen since 28 November 1956, Rover's comrades often called him Vučko – the Little Wolf. As we shall see, this was an entirely appropriate nickname, in light of his many brutal actions. Born on 3 February 1920, by the time of these events Rover was a 21-year-old member of the Nazi-controlled Ustaše Security Police in Sarajevo. He was also a 'judge' on the Mobile Court Martial which then roamed throughout the Sarajevo region, dispensing summary death sentences to the Ustaše's ethnic, religious and political enemies. Over the next four years, Rover would rise to prominence in the quisling regime, holding an important post by the end of the war in the élite Security Service of Ante Pavelić, the *Poglavnik* or Führer of fascist Croatia.

Originally a lawyer in Croatia's capital, Zagreb, Pavelić had gone into exile in the early 1930s, formed the Ustaše ('Insurgent') movement and then waged a long campaign of terrorism against the Yugoslav government. He also gained political and financial backing from Yugoslavia's fascist neighbours – Italy, Hungary, Germany and Bulgaria – all of which had territorial ambitions against Croatia.² Pavelić viewed the large population of Serbs in the Lika region south of Zagreb and in the multi-racial and multi-religious regions of Bosnia and Hercegovina as an emblem of Serbian imperialism. Although these territories were not historically part of Croatia, Croatian Franciscans harking back to mediaeval times vigorously fostered hatred of Serbs among Bosnia's Croatian peasantry.³ The Serbs observe the Eastern Orthodox faith, while the Croats are mainly Catholics. Although they essentially speak the same language, the Serbs write in Cyrillic while the Croats use the Western script.⁴

Pavelić's main aim was the dismemberment of Yugoslavia and creation of a 'free and independent Croatian state' under a fascist government. His opportunity came when Germany and Italy invaded Yugoslavia in early April 1941. By 10 April, the Nazis had reached Zagreb and Pavelić was made head of a quisling government, but only when Hitler realised that a more acceptable figurehead would not volunteer for the job.⁵ Soon after, Pavelić formally joined the Axis, declared war on Britain and later the Soviet Union and the United States, and introduced fascism as the official state ideology. He boasted in the quisling parliament that he 'had inculcated National Socialist and Fascist' ideas among his followers, also proclaiming 'his faith in the New Europe and expressing his profound belief in the victory of the Axis arms.'⁶

To appease the Ustaše for the loss of large parts of Croatian territory, especially the highly prized Dalmatian coast, Hitler allowed Pavelić to incorporate Bosnia and Hercegovina into his 'state.' This move was deliberate, as Hitler wanted to use Pavelić's followers to persecute and exterminate the region's large Serbian and Jewish populations. Hitler had also learnt the lesson of World War I, when stubborn Serbian resistance had rendered the Balkan front into a quagmire for the

German Army. In addition to enforcing harsh Nazi racial measures against the Jews and Gypsies, Hitler planned a unique intra-Slavic racial and religious civil war in Yugoslavia. The Serbs and Croats were to be manipulated to dig pits so wide and deep and filled with slaughtered civilians on both sides, that they would never unite to wage a successful guerrilla struggle against the Axis.⁷

Soon after assuming power under Nazi control, bands of Ustaše police commenced systematic mass killings of Serbs, especially in Bosnia and Lika. Lika is the region where the Serbs declared the independent Republic of Krajina in the early 1990s and then carried out their brutal campaign against the Croatian population, as discussed in Chapter One. In part, this was justified as a defensive strike to prevent a repetition of the 1940s Croatian genocide. Indeed, at that time, Pavelić's government had openly proclaimed their intentions, inciting its supporters to massacre. Pavelić's deputy, Milé Budak, speaking at Gospić on 22 June, declared that, 'One part of the Serbs we shall kill, another we shall deport, and the third we shall convert to the Catholic religion, and thus make Croats out of them.' The resulting massacres, deportations and forced conversions to Catholicism drove large numbers of Serbs into the forests, where many joined the communist-led partisans or the royalist Četniks, fuelling the civil war Hitler had intended to ignite. Pavelić's first actions included a series of laws aimed against his racial, religious and political enemies. These were the work of Andrija Artuković, the Minister of the Interior – who many years later was extradited to Yugoslavia from the United States where he had settled after the war – and Mirko Puk, the Minister of Justice and Religion. Beginning on 19 April, decrees confiscated Serbian and Jewish property, Cyrillic was banned, Serbs were forced to wear blue armbands and Jews the yellow Star of David. These were the first steps on the road to the Holocaust, reinforced by vitriolic propaganda to arouse hostility against those singled out for extermination. On Hitler's birthday, 20 April 1941, signs were displayed in official offices, public places, restaurants, hotels and on public transport, declaring 'No Serbs, Jews, Gypsies and dogs allowed.'⁸

At the end of April, Pavelić introduced his own version of Hitler's racial decrees, the so-called Nuremberg Laws. One decree concerned the

'protection of Aryan blood and the honour of the Croatian people,' while another was titled 'Belonging to the Same Race.' These laws were based on the absurd proposition that Croats were of Gothic origin and so related to the Aryan race, not to the Slavs. This claim had no scientific or historical basis, but it justified the promulgation of racial decrees to establish whether people were of Jewish or Serbian descent. Pavelić's definition of a 'Jew' was issued on 30 April, and 'dutifully followed, and even improved upon' the Nazis' Nuremberg decrees.⁹ Mixed marriages were banned, non-Aryans prohibited from working in Aryan households and the framework established for mass killings of 'non-Aryans.' The potential victims included over two million Serbs, around 40,000 Jews who had lived for generations in larger cities such as Sarajevo and Zagreb, and the substantial Gypsy population. All those found to have sullied 'the Honour of the Croatian people' were targets of the *Poglavnik's* Security Police, and were therefore liable to end up either in front of his 'courts' or in a concentration camp. Invariably, the result was death, often after horrible torture. The Ustaše Security Police were not even as sophisticated as their German commanders in the methods used to dispatch their victims. Sometimes they gouged out the eyes of their victims before killing them. In other cases they cut off lips, noses, ears, women's breasts and sometimes even the arms and legs of the victims. The entire population of a Serbian village was frequently herded into the local Orthodox Church, which would then be set alight. Ustaše guards in the concentration camps were notorious for their propensity to kill inmates by smashing their heads with sledgehammers, slitting their throats or cutting open their stomachs.

Persecution and mass killings of Jews had also started soon after Hitler installed Pavelić and his followers in power. Mass arrests, deportations to the network of concentration camps, torture and executions were carried out throughout the country, but especially in the capital, Zagreb, and in Sarajevo in Bosnia, the two cities where the Jewish population was concentrated. So effective was the Ustaše's anti-Jewish campaign that in December 1941, Pavelić boasted that the Jewish population had already decreased by one-third in his first seven months in power. In mid-1942, he deported thousands of Croatian Jews to

Auschwitz, where most were gassed. By the end of the war, only 20 per cent of the 30,000 Jews who lived in the borders of Croatia proper were left alive. Thousands more had been murdered in Bosnia, especially in Sarajevo. In an act of extraordinary boastfulness at a meeting in Berlin, Pavelić even chided Hitler that the Ustaše had solved the 'Jewish question' in Croatia while a number of Jews still remained alive in Germany.¹⁰

The vast majority of Pavelić's victims were, however, Serbs. Hundreds of thousands of civilians were deported to numerous concentration camps where most were killed. The brutal, hands-on methods disgusted even some of the most hardened Nazi troops. In addition to the camps, open-air mass executions occurred in Serbian villages and churches, while the Mobile Courts Martial appointed by Justice and Religion Minister Puk were also efficient mass killing machines. These special 'courts' roamed the countryside implementing the Ustaše's racial, religious and political decrees, sentencing thousands of civilians to death under a system of 'drumhead justice.' Another of Pavelić's key instruments of death was his élite intelligence organisation, the *Poglavnik's* Bodyguard. Among other duties, it was charged with guarding the dictator and taking draconian measures against the régime's opponents. One of Pavelić's senior colleagues later admitted to American intelligence that the Bodyguard performed 'special police functions' and conducted intelligence activities similar to the German army's Abwehr and SS Reichsführer Himmler's Gestapo.¹¹ By the end of their four years in power, Pavelić's followers had slaughtered well over half a million people.



Although only twenty-one when Pavelić came to power in April 1941, Srećko Rover soon became a member of the Ustaše élite. Rover immediately volunteered for the Nazi-controlled Security Police, a position he obtained because of previous loyalty to the then illegal Ustaše cells in Sarajevo. He had joined the underground movement in 1938 when an eighteen-year-old secondary student, although he had

been attracted to it for some years before that. He then came into close contact with local senior Ustaše figures, including Božidar Kavran, who later became Pavelić's Headquarters Commander during the war. Rover was also close to two other important Ustaše leaders in Sarajevo, Drago Jilek and Drago Gregorić, who recognised his talents and assisted his subsequent rapid rise through the terrorists' ranks. Kavran had first met Rover in the summer of 1939, when he introduced him to the Ustaše's clandestine work. Soon after, they were both arrested by the Yugoslav secret police who had infiltrated their illegal cell. The police suspected that Rover was involved with Jilek and Gregorić in a conspiracy to assassinate King Peter. The plot was apparently abandoned when the conspirators' propaganda activities were discovered and they were imprisoned in Belgrade. Three months later, they were released under a political amnesty and Rover returned to Sarajevo to await another opportunity to serve the movement. This came with the Axis invasion. Soon after Pavelić was installed by the Nazis in April 1941, Rover joined the local Security Police. Together with Jilek and Gregorić, he then played a major part in capturing many of the leaders of the Bosnian Communist Party, thus ensuring his further promotion within the quisling administration.¹²

A few days after Rover volunteered for service in the security apparatus, the Nazis launched their first assault on the local Jewish population. On 16 April, the Germans entered Sarajevo and together with local collaborators plundered and then demolished the main synagogue.¹³ 'Spontaneous' Ustaše mass killings of Jews in Sarajevo had, in fact, commenced some days earlier. On 12 April, twelve Jews were picked up on the streets and shot at Vraca. Panic set in among the local Jewish community. A few days later, Iso Papo went to see Srećko Rover at Ustaše headquarters, hoping that he might provide him with a pass to travel to Split on the Dalmatian coast, where the far more benign Italian fascists had taken control. Papo, who later changed his name to Doron after emigrating to Israel, had known Rover since they were both about thirteen years old. Although he knew that Rover was an avid Ustaše member, Papo hoped that Rover would help him in this hour of crisis for Sarajevo's Jews.

In this he was disappointed. When Papo finally was shown into Rover's new office in Nazi Security Police headquarters and made his request, he was simply told: 'Just get lost. It's better if you're not here. You are a Jew. Just get out.' As Papo recalled in an interview in 1988, 'it was a very brutal way that he treated me. I can't remember if Rover said anything else to me but I left him in fear. I was frightened by Rover's words. I felt that I would be picked up and the same thing would happen to me that had happened to the other twelve people.'¹⁴ The fear that gripped Iso Papo and the rest of Sarajevo's Jewish population was well founded. Srećko Rover's treatment of Papo was typical of the new Ustaše administration. In fact, these early pogroms soon turned into a systematic program to dispossess and ultimately slaughter Sarajevo's well-established Jewish community. In the following weeks, thousands of Jews were arrested by the Security Police and either taken to Vraca for execution or transported to concentration camps where conditions were so unbearable that even death was considered a relief by many of the victims.¹⁵

Zlatko Mešić saw these events from the other side from Iso Papo. Mešić had also known Rover since high school and between April and August 1941 had held a significant post in the railways administration in Sarajevo under his brother-in-law, Ante Vokić, a senior Ustaše official. Vokić later became Minister for Transport before Pavelić executed him as a traitor, while Mešić became the head of the Ustaše intelligence service in Sarajevo. In those early months of Nazi rule, Mešić knew everything that happened in Sarajevo because he heard it all directly from his brother-in-law. He recalled that Rover was, in fact, a member of Section II of the Ustaše Security Police (Ustaške Nadzorne Službe, known by its acronym, UNS). Section II was involved in both intelligence and counter-intelligence operations, and the three men who directed operations were the pre-war conspirators, Drago Jilek, Drago Gregorić and Srećko Rover. Mešić testified that one of Rover's main jobs in Section II was the 'cleansing of political enemies in Sarajevo.' Mešić remembered that Rover 'actively participated in compiling lists of people who had to be physically eliminated.'¹⁶

Rover's part in this program of extermination of the Ustaše's political, religious and racial enemies was well known in the wider

Sarajevo community. Dušan Kršić frequently heard Rover's name discussed in his uncle's house. Jovan Kršić was a professor at the university, who was arrested, imprisoned in the Orthodox monastery the Ustaše had converted into a torture centre, and later executed at Vraca after being tried by the Mobile Court Martial. Teachers and intellectuals were among those leading the anti-Nazi struggle; Professor Kršić's arrest was part of a wider crackdown on Sarajevo's intelligentsia. After his uncle's arrest, the family discussed Professor Kršić's plight, and as a consequence Dušan first heard the name Srečko Rover. Even at this early period, Rover's name was well known, and inspired fear in the Sarajevo community. According to Dušan Kršić, Rover had 'the deciding word about arrests of Sarajevo intellectuals. There was a lot of talk about Rover at my uncle's house, and mostly all the stories were that his word was final about what will be done with the intellectuals. And not only intellectuals, but with all those who were not to the liking of the Ustaše. Rover's name was also mentioned in connection with the mass arrests of Jews and Serbs, and that Rover had an important role in those arrests.'¹⁷

The entire Rover family embraced these policies with considerable enthusiasm, including Srečko's sister, Ksenia, and father, Josip. It was certainly a case of 'like father, like son.' Srečko's support for Pavelić's anti-Jewish and anti-Serbian policies was also taken up by his father. Josip Rover had been a customs official before the war. He immediately volunteered his services to the quisling regime in April 1941 and was rapidly promoted to the position of Deputy Director of the State Administration for the Revision of the Economy. This innocuously named department was an important instrument in the Nazis' repressive machinery, responsible for overseeing the confiscation and dispersal of the property of Sarajevo's sizeable Jewish and Serbian communities. Rover senior employed a network of secret agents to spy on local Jews and Serbs and obtain details of their possessions and businesses. This information was then used to strip these doomed communities of their economic assets. Rover senior's department in fact played a key role in preparing Sarajevo's Jews and Serbs for mass killing operations by depriving them of any capacity to resist the Nazis and their Ustaše collaborators.¹⁸

Meanwhile, his son Srećko had assumed two important posts in the administration of 'justice' in Bosnia. In the role of 'policeman,' he was responsible for the arrest and brutal interrogation of suspects. In the role of 'judge,' he would turn up to 'court' to hear the case against those whose torture he had so recently directed personally. This perversion of justice was made official on 14 July 1941, when Pavelić's Minister for Justice and Religion, Mirko Puk, appointed Srećko Rover, 'Ustaša of Sarajevo,' as one of the 'judges' on the local Mobile Court Martial. These 'courts' were being set up throughout the Croatian 'state' at this time. The Sarajevo 'court' had a far-flung jurisdiction, including most of the Bosnian countryside and specifically the towns of Bihać, Banja Luka, Derventa, Travnik, Dolna Tuzla and Mostar.¹⁹ The law establishing these 'courts' had been proclaimed three weeks earlier, on 24 June. Their true nature is revealed starkly in this decree. It specified, for example, that 'the entire proceedings of the Court should be completed in one session, without interruption,' leaving little room for the exploration of the facts of the case. Furthermore, immediately following prosecution and defence submissions at the end of the trial, 'the judges shall retire to consider their verdict in private. They will then return to the Court to announce that verdict in public, and if the accused is found guilty the only sentence the Mobile Courts Martial can hand down is death by shooting.' The verdicts of the 'courts' were final: 'There will be no right of appeal. Also, there can be no commuting of death sentences. Three hours after the Court verdict has been announced, the sentences must be carried out and the carrying out of death sentences shall be either by the local police, or by other armed militia designated by the Presiding Judge.'²⁰

In reality, the Mobile Court Martial to which Srećko Rover was appointed in mid-July 1941 had only one job – to travel widely throughout Bosnia summarily sentencing the Ustaše's racial, religious and political opponents to death after a brief 'trial' in which neither evidence nor justice played any part. This was exactly what the 'court' set about doing with great vigour. As will be seen from the testimony of numerous eyewitnesses, Rover was its most fanatical member. Precisely how many people were murdered by this so-called 'court' during

Rover's seven weeks as a 'judge' will probably never be established. Most of the official records did not survive the war. Those files that were located nearly half a century later detail only a small fraction of the actual death sentences handed down during this period. What is certain is that Rover's Mobile Court Martial immediately started sentencing large numbers of civilians to death, in particular Jews, Serbs, communists and anyone who actively opposed the Nazis.

On 30 July, for example, only two weeks after the 'court' had been formed, Milan Šarić was sentenced to death by Rover's Mobile Court Martial.²¹ This was followed a few days later by a mass killing of forty-one inmates of a nearby concentration camp. On 6 August, a group of seventy desperate prisoners in the Kruščić concentration camp near Travnik attempted to break out after several months of abuse and deprivation. During the escape attempt, twenty-nine of the inmates were killed by the Ustaše guards. However, one of the guards, Jozo Gesler, was killed by the prisoners. Retribution was swift. The remaining forty-one inmates were rounded up, taken straight before the hastily convened Sarajevo Mobile Court Martial, tried, found guilty, sentenced to death and immediately executed.²² This mass killing – ordered by Rover's 'court' – was just the beginning of its bloody work.

Srećko Rover has consistently denied that he was ever a member of Sarajevo's Mobile Court Martial. Since this allegation was first made publicly in a series of programs on ABC radio produced by this author in 1986, Rover has emphatically denied it, despite the unequivocal documentary and eyewitness evidence to the contrary. When interviewed by this author in April 1986, for example, Rover claimed that he was at university during this time, studying electrical engineering in Zagreb.²³ He has stuck to this story ever since. There is no doubt that Rover was enrolled at Zagreb University between 1 October 1940 and 1944, although he was not on the books at all for the 1943 academic year. It is equally clear, however, that he was not seriously studying for most of this period. During the entire time he was supposed to be a university student twenty-five examinations were held for the electrical engineering course. Rover's official university files reveal that he passed just three of them.²⁴ Whatever else may be said about Rover's academic

achievements, it is clear that he spent little, if any, time at Zagreb University between April 1941 and May 1945. There are, however, several matters clearly established in his university records. One is that he enthusiastically signed up to his racial pedigree, a prerequisite for all students wishing to enrol at the university at this time. This made it clear to the fascist authorities that he was not Jewish. Another is his request of 19 April 1943 that his late enrolment be accepted by the university, because 'I am in the field in the service of the Ustaške Nadzorne Službe.' As outlined earlier, UNS was actually the Nazi-controlled Security Police in the 'independent' state of Croatia. In fact, Rover had been a member of UNS since almost the very beginning of the Pavelić regime in April 1941, and the admission in this document on his university file contradicts the versions he has given over the past fifteen years.²⁵ Further, he was given a special exemption from attendance at university in 1944 because he was in the Ustaše armed forces.

There is also testimony from Rover's own comrades that firmly places him in killing units. For example, one of his vocal supporters is on the record claiming that Rover had served in a unit 'under the command of the late Jure Francetić,' the commander the notorious *Black Legion* which carried out some of the worst mass killings.²⁶ Given the significant amount of evidence that directly contradicts Srećko Rover's version of events there is no convincing reason to believe that he was doing anything other than serving on the Mobile Court Martial in Sarajevo between mid-July and early September 1941. This conclusion is bolstered by the lack of evidence indicating that he was a serious student at Zagreb University at any time during the war.²⁷ There is, in fact, an abundance of evidence that far from being in Zagreb studying electrical engineering, Rover was a senior officer of the Nazi Security Police in Sarajevo between April and September 1941, just when the Ustaše's policies of mass murder were beginning to be fully implemented. Mirko Hemen, for example, had known Rover since 1930 when he met him at high school in Sarajevo. In 1939, Rover had recruited Hemen to distribute Ustaše propaganda, and he had been among the group arrested and imprisoned in Belgrade as a consequence. Hemen's version of Rover's wartime career is very different to his friend's.

Far from being in distant Zagreb, well away from the Ustaše's mass killing apparatus in Sarajevo, Hemen recalled that straight after 'the establishment of the Independent State of Croatia in 1941, I remember that he came from Zagreb by bus with students and secondary school students. They came from Zagreb to help with the formation of the Ustaše executive rule.' In other words, Srećko Rover travelled as quickly as he could *from Zagreb to Sarajevo* to help establish Nazi rule. According to Hemen, once he was back in Sarajevo Rover met up with his old friend Drago Jilek, who had been appointed to one of the most senior positions in the Security Police apparatus in Sarajevo.²⁸ Jilek, in turn, promoted his fellow conspirator from the old days into an influential position in the repressive regime. Mirko Hemen could not recall the exact duties his friend Srećko Rover had been assigned by Jilek. He did 'remember that he behaved like a prominent Ustaše functionary. I remember that he could even order a vehicle at any time, issue various orders and similar things.' In mid-1941, Hemen and Rover argued over a girl and parted company for a few years, though later they patched up their differences. Soon afterwards, Hemen was transferred to a tank school in Karlovac. While on leave in nearby Zagreb, he read in the local Ustaše newspaper 'that Srećko Rover was appointed as a member of the Mobile Court Martial.' Although he could not provide any direct testimony about either the activities of this 'court' or his friend's role on it, there were many other witnesses who could.

Drago Maltarić, for example, had a bird's-eye view of Rover's role on the Mobile Court Martial. Unlike Mirko Hemen, Maltarić had not known Rover previously, although they had both grown up in Sarajevo. From mid-July 1941, however, he got to know him extremely well. When Rover was appointed to the 'court' that July, Maltarić was also appointed as a deputy, or alternate member. Soon afterwards, he was promoted to the position of public prosecutor to the 'court,' and hence witnessed everything that went on during its proceedings. When he was interviewed, Maltarić recalled that both Rover and another fanatical Ustaše member, Oktavijan Sviježić, were members of the Mobile Court Martial during this time. This is confirmed, in fact, by Mirko Puk's decree of 14 July 1941, which named both Rover and

Sviježić as 'judges' on the 'court.' According to Maltarić, both Rover and Sviježić would come to 'court' fully armed and dressed in their Ustaše uniforms. Maltarić also recalled that during this period, the president of the 'court had been Franjo Hafner and before that Mehmed Hajrović.' Puk's 14 July decree had, indeed, named Hajrović as the first president. Maltarić stated:

It is known to me that Mehmed Hajrović belonged to the Ustaše movement and that he was particularly strict in passing the sentences. He and Sviježić and Rover were insisting on death sentences. As far as Franjo Hafner is concerned, it is known to me that he was not as strict as Hajrović. I often talked with Hafner after the matter had been before the court, as we were good friends. I remember that Hafner used to complain to me that it was very hard for him to conduct court proceedings when Sviježić and Rover were members of the Mobile Court Martial because the two of them were insisting on death sentences. Hafner used to complain after the court cases that Oktavijan Sviježić and Srećko Rover would outvote him, and that in certain cases the accused was sentenced to death by firing squad although Hafner was against it.²⁹

Maltarić also recounted the details of several cases that had come before the Mobile Court Martial while he was the prosecutor. He recalled that in the main, 'it was members of the communist movement who were brought before these Mobile Courts Martial for distribution of leaflets, carrying guns, antagonism towards the authorities of the time, and because of communist propaganda.' When prominent members of the local Communist Party were brought in front of the 'court' there was a different intensity than during other cases. Undoubtedly this was due to the growing power of the communists' underground organisation, and to their success in uniting anti-Nazi Serbs, Croats, Jews and Muslims to form a particularly effective multi-ethnic and multi-religious partisan army in the Bosnian mountains and forests. This probably explained Rover's savage response to captured

communists like Mujo Zvizdić, both in the period of 'investigation' when confessions were being forcibly extracted and once at 'court.' As Maltarić explained in relation to Srećko Rover, 'I can remember that in cases of more noted opponents of the then regime, he was more strict and he would then be more active, and as Hafner used to complain, was insisting on death sentences.'

One of the few documents of the Mobile Court Martial that has survived is an *Optužnica*, or indictment sheet, from the proceedings against Zvizdić and ten of his comrades in the clandestine communist-led underground. Dated 22 July 1941, this document was written by Drago Maltarić himself, who identified his signature at the end of the three-page indictment when he was shown it in 1988. Apart from Zvizdić, the other accused were Mihajlo Popović, Šalom Albahari, Ibrahim Čengiđ, Staka Popović, Šerif Bjedić, Mehmed Baručić, Ester Romano, Drago Šobot, Jozef Papo and Ester Papo. The first four were accused as senior members of the local communist party committee, while the others were said to be party members. In the main, they were all accused of possessing and distributing communist propaganda, holding party meetings, fund raising and setting up clandestine hiding places for members of the underground. Mihajlo and Stako Popović were accused in particular of operating a printing press in the cellar of their house, which was being used to produce the numerous pamphlets and leaflets that were then flooding Sarajevo.³⁰

A few weeks after the charges were drawn up, the Mobile Court Martial convened on 7 August to consider the case. Maltarić recalled that both Mihajlo Popović and Šalom Albahari were sentenced to death, but could not remember what had happened to the other prisoners. He did recall that 'after the death sentence by firing squad was passed, the execution of this sentence would have been carried out very quickly.' In this case, there can be no doubt that Popović and Albahari were killed, as the contemporary newspaper report of the trial explicitly mentioned that the executions had, indeed, taken place.³¹ As described earlier, this trial broke up in chaos when the sentences were announced and Srećko Rover grabbed Mihajlo Popović by the beard and abused him. Probably realising that he was as good as dead, Popović spat in Rover's face and

Zvizdić made good his escape in the ensuing uproar. He was not the only one to take advantage of the confusion. Drago Šobot also survived the 'trial' to tell his story. Šobot had been arrested at the end of June 1941 at the railway workshop together with six or seven of his comrades. They were then imprisoned for about twenty days in the Beladija gaol in Sarajevo. Here he met many others who had been arrested earlier by the Ustaše police. Šobot recalled that his fellow prisoners were

... of all nationalities, but mostly Serbs. I was in a room in which there were thirty prisoners. An investigation was started against them all and interrogations were conducted individually. We were taken to special rooms where we were interrogated. We were all terribly tortured. We were beaten up, individuals had their nails pulled out of their fingers. We were all blue from blows and beatings. I remember a Muslim who was purple and blue all over his face and body. Only his teeth were white.³²

Šobot remembered that it was not only Communist Party members who were brought before the Mobile Court Martial, but also:

... all patriots, of all nationalities. There were also many priests and clergymen, prominent citizens and professors. They also brought before the Mobile Court Martial all those who didn't accept the Ustaše regime. They brought the Jews, in particular, before this court. Many who were not even sympathisers of the Communist Party were brought before the Mobile Court Martial. When I was in the gaol there were over twenty orthodox priests. I have personally seen those priests. I've seen that all the arrested were beaten up and flogged, full of bruises and stabs.³³

Šobot further recalled that the 'trial' before the Mobile Court Martial was a very peremptory affair, lasting about two hours for all eleven defendants, at the end of which death sentences were immediately announced against Popović and Albahari. As Šobot remembered, after they attempted to escape, the two condemned men were taken to Vraca and shot by firing squad.

Mujo Zvizdić's recollections were very similar, both about the 'trial' itself and the outcome. He also remembered that Srečko Rover was very active during the proceedings, questioning the accused and especially pressing Mihajlo Popović to reveal details of the illegal printing shop. Zvizdić recalled in particular the shocking condition of Mihajlo's sister, Staka Popović. As he said in his 1989 interview, 'I knew her from before. She looked so badly that she hardly held herself. The marks from beatings were clearly visible. I noticed that her mouth was completely turned on the side. Staka was otherwise before a healthy, large woman, but when I saw her then at the trial I was surprised at how badly and pitifully she looked and how much she had been tortured.'³⁴

Josip Albahari was Šalom Albarahi's cousin, and a member of the vibrant and well established Jewish community in Sarajevo. Many of his family and friends were either executed at Vraca just outside the city, or taken to concentration camps from where they never returned. Josip Albahari witnessed, for example, the arrest of his eighty-year-old grandmother, who could not even walk, and her deportation to the concentration camp of Đakovo where she eventually perished. Three of his brothers were also arrested and deported to the notorious Jasenovac concentration camp where they too were killed by the Ustaše. Before the war, Albahari had worked in the District Court, until he was removed by the Ustaše in May 1941. When he was interviewed in 1989, Josip Albahari remembered that:

At the beginning of the war, there were arrests of a large number of Jews and Serbs. Jews were picked up in the streets and in their homes and were taken to the concentration camps. There were no trials and almost none of those taken away returned. As far as the Serbs were concerned, they were also taken to concentration camps without prior trial and some were kept as hostages. I remember that on the evening of 1 August 1941, the more prominent Jews of Sarajevo were taken from their homes. Among them were merchants, a rabbi, a Cantor and many intellectuals. They were simply taken away only because they were Jews. The same night they were shot at Vraca. As far as I can remember now,

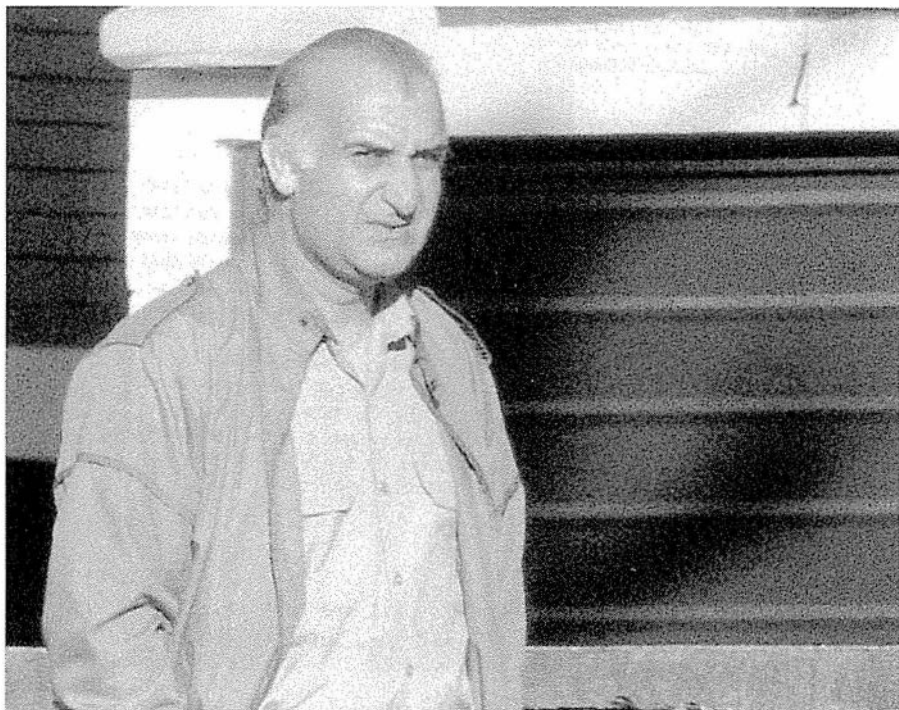
in that group there were approximately 15 to 20 Jews who were shot on 1 August 1941. Then I remember that in September 1941, there was also a mass rounding up of Jews and Serbs and they were taken to the concentration camps, and a larger group of Jews was also taken away on 25 October 1941. On 16 November 1941, Jewish women and children were rounded up and they were also taken to the concentration camp in Đakovo. As far as I know no one out of these Jews returned.³⁵

This was the climate of mass killing and deportations before, during and immediately after the period when Srečko Rover was a 'judge' on Sarajevo's Mobile Court Martial. News of the executions ordered by the Mobile Court Martial spread far and wide throughout the city. Residents did not need to be particularly well informed to know about the work of the 'court,' as it was publicised in the newspapers and on placards pasted up throughout the city. Kažimir Jelenc was another Ustaše officer who knew Srečko Rover extremely well. They had both gone to Saint Vinko's primary school, where Jelenc first met Rover in 1927. After the Nazi occupation of Sarajevo, Jelenc had joined the new administration and although he had not been closely associated with Rover in this period, he knew about his work on the Mobile Court Martial. Jelenc gained his information from readily available public sources, and particularly,

... from placards which were pasted up in the more prominent places in Sarajevo. I remember that the names of the people who were brought before the Mobile Court Martial and sentenced to death by firing squad were on those placards. I remember – and I'm sure about this – that on those placards I've also seen the name of Srečko Rover. As far as I can remember, alongside his name it was stated that he was a judge of the Mobile Court Martial. I remember Srečko's name for the reason that he was my school companion. On these placards there would frequently appear the names of Jews and Serbs. Those people appeared more frequently before the Mobile Court Martial.³⁶

According to Jelenc, these placards bearing Srečko Rover's name as a member of the Sarajevo Mobile Court Martial would often contain the names of up to twenty-five people who had been condemned to death. In the weeks following the trial of the eleven communists before the Mobile Court Martial and the execution of Mihajlo Popović and Šalom Albahari at Vraca, Srečko Rover's activities in the Security Police and on the 'court' continued unabated. On 20 August 1941, David Haverić and Milovan Đurđević were taken before the 'court' accused of communist activities. Both were found guilty and sentenced to death. Haverić, a 21-year-old, was taken to Vraca and shot, while Đurđević was one of the very few victims pardoned by Pavelić and then sentenced to twenty years imprisonment.³⁷ Haverić had been at Cemaluša at the same time as Mujo Zvizdić. While he was being interrogated, Zvizdić recalled that the Ustaše police officers asked Rover what they should do with Haverić. 'Rover did not want to talk with them about that in front of me, so he pointed with his eyes for them to go to the other room with him. Then Rover and those Ustaše went to the other room and I could not hear what they decided for David Haverić. But after that I have heard that he was killed.'³⁸ Drago Maltarić recalled that he had been the prosecutor in this case, and confirmed 'that Haverić was sentenced to death by firing squad and that the death sentence was carried out.'³⁹ A few days later, on 30 and 31 August, Lovro Cesar and Salih Gozo, both thirty-four years old, were also 'tried,' sentenced and executed at Vraca. Gozo had allegedly carried out guerrilla actions, and was convicted of placing 'a mine in the Railway Workshop in Sarajevo, blowing up bridges, destroying telegraph poles' and 'sabotage of all kinds.'⁴⁰ Drago Maltarić recalled the case of Salih Gozo, although he could not remember whether he had personally prosecuted it. He confirmed, however, that Gozo had, indeed, been executed at Vraca.⁴¹

On 9 September, another group of eleven came before the Mobile Court Martial after they were captured following an ambush of a Ustaše unit the previous week. Except for Mihajlo Luburić, the others were convicted and then taken to Vraca and shot, including Velimir Milošević, Branko Đokić, Grujo Ačimović, Vlado Elčić, Ignjat Elčić, Vašo



War criminals then and now: General Abdul Qader Miakhel (top), a former military commander of the Afghan communist secret police, the KHAD, who now lives in Sydney. Lieutenant Karlis Ozols (left), commander of a Latvian Security Police unit that carried out mass killings of Jews in Byelorussia in 1942 and 1943. Ozols avoided justice when the Keating government abandoned his case in 1992. He died in March 2001.

der Kommandeur
der Hilfskommando, Einsatz und. D.
Kriegsverbrechen

Slutzk, den 5. Februar 1943

G. Strauch

Kommandobefehl

Am 8. und 9. Februar 1943 wird in der Stadt Slutzk von dem hierigen Kommando eine Umsiedlung der dortigen Juden vorgenommen. In der Aktion nehmen die unten nachstehend aufgeführten Angehörigen des Kommandos sowie rund 100 Angehörige der lettischen Freiwilligenkomp. teil. Die Leitung der Aktion liegt in den Händen von Obersturmführer H e i l e r.

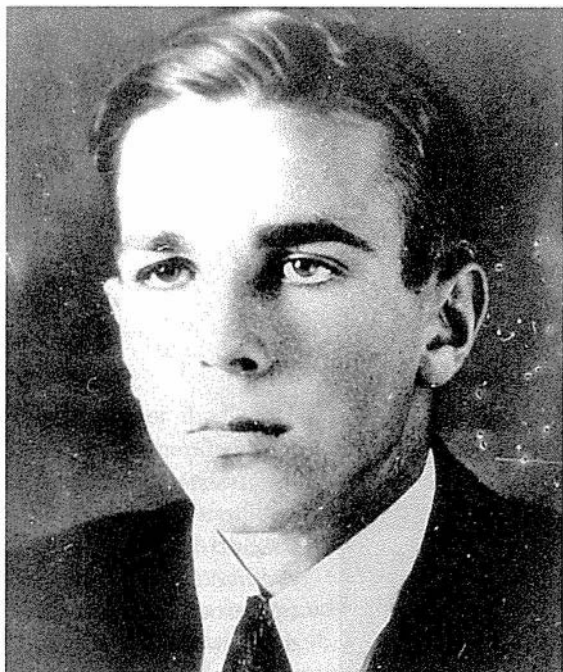
Die Teilnehmer der Aktion treten am 7. Februar 1943 um 11.15 Uhr im unteren Korridor des Dienstgebäude: an. Die Fahrt ab, die um 11.30 Uhr stattfindet. Einzug die Mittagszeit 10.30 Uhr. Die Leitung der Kraftwagenkolonnen übernimmt H-Stabsquartierführer B r e d e r. Von den Abteilungen nehmen folgende Führer, Unterführer und Männer der Aktion teil:

Teilnehmer

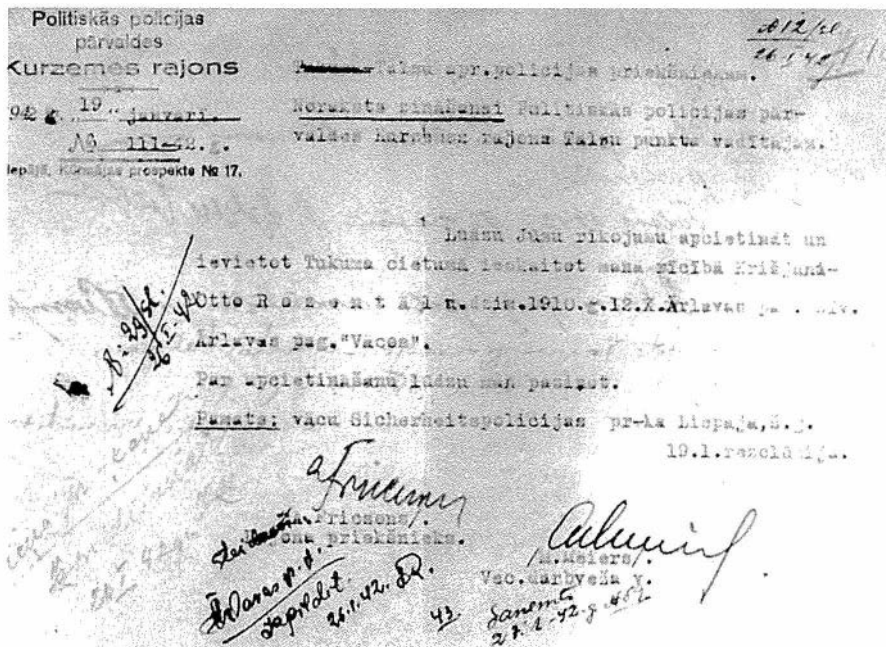
- 1. Hauptcharf. Freimann, Zenschel und Rittner,
- 2. Hauptcharf. Keller, Garberger, Schuth, Beckler,
- 3. Hauptcharf. Bube,
- 4. deutscher Krakowaki und
- 5. Hilfsbedienten Ceals und Plauke.

The infamous Command Order (Kommandobefehl) of 5 February 1943 (top), in which SS Lieutenant Colonel Strauch ordered Karlis Ozols and his men to take part in the murder of the 2,000-strong Jewish ghetto in Slutzk, Byelorussia. A mass execution allegedly carried out on the orders of Karlis Ozols (right).





Argods Fricsons (left), the commander of the Political Department of the Latvian Security Police and SD in Liepaja, who carried out a series of mass killings, especially of the local Jewish population. Fricsons personally shot Maly Elinsohn's father in mid-1941, and both the killer and the survivor migrated to Melbourne and lived in nearby suburbs.



Above, Fricsons's order of 26 January 1942 that Krisjanis-Otto Rosenthal, a local Jew, should be arrested and taken to the Tukums prison. The Order recorded that Rosenthal was detained a few days later.

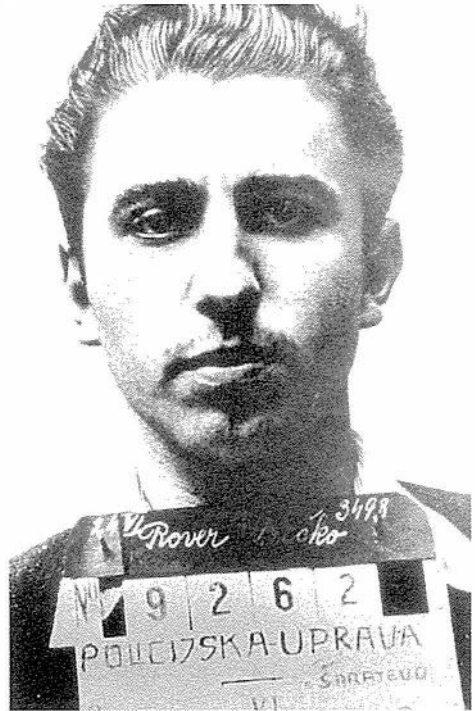


Arvids Upmalis (left), the Assistant Chief of the First Bauska Police Precinct in Latvia, who ordered and carried out numerous mass killings of Jews, Gypsies and communists in 1941 and 1942.

Arvids Kripens (right), one of the most important Latvian war criminals to find sanctuary in Australia. Kripens was a senior official of the Nazi-controlled Interior Ministry, which directed the mass killings, and later an SS Colonel. Upmalis and Kripens were key Australian leaders of the *Daugavas Vanagi*, the international organisation of Latvian SS officers.



Srećko Rover, the Croatian fascist who was a member of a mobile killing unit based in Sarajevo in 1941, which ordered numerous executions of Serbs, Jews and communists. Rover was a member of an underground terrorist cell before the war, and was arrested and photographed in 1939 (right).



By 1941, he had the power of life and death as an officer of the Nazi-controlled Ustaše Security Police (left). After the war, Rover became an agent for US intelligence and a senior officer in the Croatian terrorist network, before coming to Australia and resurrecting his fascist and terrorist cells.

Salih Gozo (right), the 34-year-old partisan who was executed in August 1941 by Srećko Rover's Mobile Court Martial for carrying out anti-Nazi sabotage, including planting mines, blowing up bridges and destroying telegraph poles.



O G L A S

Dana 31. kolovoza 1941. odgovorno je pred senatom Pokretnog priekog suda

SALIH GOZO, 34 godine star

Sudbenom je istragom ustanovljeno, da je Gozo bio član komunističke stranke, te član t. zv. »rušilačkog pokreta«. Ustanovljeno je nadalje, da je postavio padni stroj u željezničkoj radionici u Sarajevu, dizao željezničke mostove, rušio brzoglasne stupove, te vršio sve vrste sabotaze.

Zbog toga ga je senat Pokretnog priekog suda osudio na kaznu smrti strijeljanjem.

Osuda je izvršena u zakonskom roku.

Sarajevo, dne 2. rujna 1941.

**RAVNATELJSTVO
ZA JAVNI RED I SIGURNOST VELIKE ŽUPE VRHBOSNE**

Above, the poster issued by the Bosnian Security Police proclaiming Gozo's trial and execution.

David Haverić (right) and Milovan Đurđević were taken before Srećko Rover's Mobile Court Martial in August 1941 accused of communist activities. Both were found guilty and sentenced to death. Twenty-one-year-old Haverić was taken to Vraca and shot, while Đurđević was one of Rover's few victims pardoned and then sentenced to twenty years imprisonment.



Osudeni komunisti u Sarajevu

PO POKRETNOM PRIJEKOM
SUDU

Jučer poslije podne Ravnateljstvo za javni red i sigurnost Velike župe Vrhbosne izdalo je oglas slijedećeg sadržaja:

O G L A S

Danas su pred senatom Pokretnog prijekog suda odgovarali zbog komunističke promičbe HAVERIĆ DŽAVID, 21 godinu star i ĐURĐEVIĆ MILOVAN, 27 godina star.

Sudskom je raspravom ustanovljeno, da su imenovani organizirali komunističku stranku i da su raspačavali letke komunističkog sadržaja, a Haverić, da je prilikom uhićenja pokušao ubiti organa vlasti, pa ih je stoga senat Pokretnog prijekog suda OSUDIO NA SMRT.

Nad Haverić Džavidom izvršena je u zakonskom roku KAZNA SMRTI STRIJELJANJEM, dok je Đurđeviću Milovanu kazna smrti milošću Poglavnika zamijenjena s 20 godina teške tamnice.

Sarajevo, dne 20. kolovoza 1941.

Ravnateljstvo za javni red
i sigurnost

VELIKE ŽUPE VRHBOSNE

Left, the poster issued by the Bosnian Security Police proclaiming their 'trial' and Haverić's execution.

Victims of the Ustaše. The Croatian Nazi collaborators were notorious for the brutal methods used to kill their Serbian, Jewish and Gypsy victims. Disembowelment was a frequent method used, as demonstrated by the photo (right) taken at Jasenovac concentration camp.



The use of sledgehammers to smash the skull of victims was another favoured technique, as shown by the photo (above) taken at the Stara Gradiška concentration camp.

Jerkić, Veljko Pandurović, Branko Kuković and Stojan Stijepić.⁴² This was followed on 29 and 30 September with yet further 'trials' before the Mobile Court Martial, and the executions of Radojka Lakić and Aleksandar Salzberger. Salzberger was shot at Vraca on about 4 October, and two days later a placard was pasted up around Sarajevo announcing his execution.⁴³ Technically, Srečko Rover had ceased being a member of the Mobile Court Martial prior to these last two 'trials,' although the evidence shows that he was directly involved in the murder of these twelve people. It is recorded, however, that on 8 September 1941, Mirko Puk, the Minister for Justice and Religion, relieved Rover from his duty as a member of Sarajevo's Mobile Court Martial.⁴⁴ Dušan Kršić remembered the cases of both Radojka Lakić and Aleksandar Salzberger. He recalled that Lakić was 'tried by the Court Martial and that she was sentenced to death and executed by firing squad.' He also knew that Salzberger had previously 'worked as an officer of the Jewish bank *Melaha*.' Kršić testified that the Salzberger case directly involved Srečko Rover. According to his evidence, Salzberger had been arrested

near Hadić, near Sarajevo. The Ustaše who arrested him at first didn't know who he was, and they called people to identify him. That's how I found out from my acquaintance Karlo Kužatko that Karlo was called to the Ustaše police by Rover personally to identify someone arrested. Kužatko told me that he recognised the cashier who had been working in the Jewish bank *Melaha*.⁴⁵

Drago Maltarić also recalled these cases vividly:

I remember that during the time I was a public prosecutor at the Mobile Court Martial, Radojka Lakić was brought before the court. I was the prosecutor, and it remained in my mind that Radojka Lakić was very brave during the proceedings and that she was sentenced to death by firing squad. It is known to me that this death sentence was carried out. It is also known to me that at about the same time Aleksandar Salzberger was brought before the

court. I remember that he, too, was sentenced to death by firing squad, but Salzberger escaped while he was being taken from the court house to the gaol. As far as I know, Salzberger was caught and I think that he was executed.⁴⁶

When he was interviewed in May 1988, Ervin Salzberger also vividly remembered the trial and execution of his brother, Aleksandar. He recalled that Aleksandar had been 'caught during a partisan action near Hađić at the end of September 1941.' This involved conducting reconnaissance operations in preparation for a partisan attack on the Sarajevo–Mostar railway line. After his capture, Aleksandar 'was taken to the gendarmes' station in Hađić and from there under escort he was taken, tied up, to Sarajevo, to the jail of the Mobile Court Martial.' According to Ervin, the 'court' dealt with his brother's case on '1 or 2 October 1941, and he was executed on 4 October 1941 at Vraca.' He was convinced that Srečko Rover was a member of the Mobile Court Martial 'which passed the sentence on my brother Aleksandar.'⁴⁷ Technically this was not possible, as Rover had been relieved of his duty as a 'judge' on 8 September. As discussed above, there is no doubt that Rover played a part in investigating the Salzberger case in his capacity as a senior Security Police officer. Given the chaos and utter lawlessness of these times, it is conceivable that he also sat on the Mobile Court Martial that sentenced Aleksandar Salzberger despite having been relieved of this duty three weeks earlier. At this late stage, the facts will probably never be finally established one way or the other.

After serving on Sarajevo's Mobile Court Martial, Srečko Rover rose rapidly through the ranks. It is not possible to determine with accuracy when he left Sarajevo to return to Zagreb, but the prosecutor on the Mobile Court Martial, Drago Maltarić, distinctly recalled that Rover had been recalled to Ustaše headquarters after he ceased to be a member.⁴⁸ One witness was certain that he met Rover in Zagreb in January 1942. His old school friend Mirko Hemen testified that he had met Rover in a bar in Zagreb at this time.⁴⁹ Soon afterwards, Rover was sent to a special officers' training school in Stockerau in Austria. At this time, Stockerau was a military training school, mainly used for the élite of Pavelić's

followers – those who had proven themselves in the early months of mass slaughter after the Nazi invasion. Srečko Rover had reached this élite status.⁵⁰ Later, Stockerau became the key training headquarters for the Muslim SS units organised by the Germans, especially for the Bosnian Muslim *Handschar* and Albanian *Skanderbeg* Divisions, both of which distinguished themselves in brutal anti-partisan operations during which many innocent civilians were murdered and their villages wiped off the map.

Following the training course at Stockerau, Rover was posted back to Sarajevo as commander of the First Tank Brigade. A few months later, he was sent again to Zagreb and by late 1943 had risen to the rank of lieutenant in the Ustaše army, although his university records make it clear that he also continued to serve in the Security Police until at least April of that year.⁵¹ At this time he again met up with his school friend Mirko Hemen, who asked Rover to be the best man at his wedding on 26 December 1943. Soon after, Rover was posted to Zagreb and on 15 May 1944 promoted to the rank of Reserve Ustaše Standard Bearer in the armoured corps of the *Poglavnik's* Bodyguard. This promotion followed his completion of the Stockerau course in Austria.⁵² As discussed earlier, the Bodyguard was an élite security formation that guarded the *Poglavnik*, Ante Pavelić, and performed repressive security functions similar to the Gestapo. From the beginning of Pavelić's rule, his Bodyguard had been viewed by the Nazis as the élite of the regime. As early as the end of 1941, for example, Reinhard Heydrich, the head of the Reich Security Main Office (RSHA), had written to the commander of the SS, Heinrich Himmler. Heydrich reported that approaches had been personally made by Pavelić and one of his senior ministers to the Commander of Einsatzkommando Zagreb, requesting that members of the Bodyguard should be trained by the Waffen SS and then deployed on the Eastern Front. The Commander of the Einsatzkommando had already identified the Bodyguard as the élite of the Ustaše regime, noting that it was comprised of 'hand-picked people whose attitude and ideology cannot be questioned.' Furthermore, as Pavelić continued the reorganisation of his forces, members of the Bodyguard would increasingly fill the major

posts.⁵³ Rover, always a member of the senior ranks of the Ustaše, had now reached the pinnacle.

Two months later, on 27 July 1944, Rover was transferred from the Bodyguard back to the Ustaše armed forces.⁵⁴ By this time, the partisans were already well advanced in their preparations to seize power in Yugoslavia, and a few months later would receive assistance from the advancing Red Army to capture Belgrade. A few months earlier, Rover had received a high honour from Ante Pavelić. On 20 April 1944, Adolf Hitler's birthday, the *Poglavnik* awarded Rover, 'Ustaša in the Ustaše camp Sarajevo,' the prestigious Small Silver Medal 'for courageous and resolute conduct in the battles against the renegades in the year 1941 in Bosnia, but especially near Maglaj.'⁵⁵ When the Australian war crimes investigators gathered evidence about his wartime activities, they uncovered allegations that 'Rover was involved in a "cleansing" operation in the area of Maglaj.'⁵⁶ 'Cleansing' meant brutal actions against civilians in the course of anti-partisan operations. Rover received his medal on the same day that Karlis Ozols received his promotion to the rank of 1st lieutenant for his role in mass killings in Latvia and Byelorussia. As was the case for collaborationist forces throughout Nazi-occupied Europe, Hitler's birthday was an occasion to honour loyal mass killers. Rover was not the only Ustaše officer to receive the Small Silver Medal on this day. Several of his closest comrades were awarded the same decoration at the same time, including Drago Jilek, Mirko Hemen and Drago Gregorić. It was, however, the beginning of the end for these loyal Nazi officers. Like Ozols and his Latvian comrades, Rover spent his last twelve months of the war fighting in the armed forces, ending his career as a 1st Lieutenant. By the end of 1944, Rover was in Zagreb preparing for retreat westwards, and planning his escape from Allied justice. By April 1945, the entire Ustaše administration, Srečko Rover included, was in headlong retreat, marching westwards into the hands of the British, French and American forces in Austria.⁵⁷

In the late 1980s and early 1990s, when the Australian Nazi-hunters of the Special Investigations Unit spent considerable effort and resources in investigating the Rover case, it formed the view that 'the

allegations against Rover appeared to have substance.' They could not, however, obtain the cooperation of the newly independent Croatian government to finalise the case.⁵⁸



One of Srećko Rover's fellow mass murderers also made the trek westwards in April 1945 and made it to Australia ten months before the Little Wolf. In April 1952, Đujo Krpan was discovered in Australia when the Australian Security Intelligence Organisation's Regional Director for Western Australia received information about Krpan, who was using the Christian names Tomo and Jure. According to ASIO's informant, Krpan was 'born 1914 Petrinja. He was [a] Ustaša police investigator. He participated in murdering several hundred persons. He is also able for carrying out and organise [*sic*] all terroristic undertaking. Address – 15, Duke Str. West Australia.'⁵⁹ Krpan was born on 9 December 1914 and had arrived in Fremantle in January 1950, accompanied by his wife and stepdaughter.

A butcher at Petrinja before the war, Krpan had joined the Ustaše as soon as they came to power in April 1941. He had then been involved in mass killings in Petrinja and the surrounding regions. Situated some fifty miles south of Zagreb in the Lika region, this was another area with mixed Croat and Serb populations. Petrinja was the scene of organised massacres of the Serb population as early as mid-1941. Krpan was a member of a Ustaše police unit that roved from village to village in trucks, arrested Serbs and executed them. Among the numerous operations this unit conducted were three in which Krpan personally took part. The first was on 4 May 1941, when five people were killed at Bačuga. Two months later, 2,000 Serbs were executed at Grabovac after being arrested in eighteen nearby small villages. Then in October 1941, thirty-six men were taken from Komogovina to Petrinja and shot in the St Nikola cemetery.⁶⁰ The period during which Krpan was active as a Security Police officer was the pinnacle of Ustaše brutality against the Serbs of Bosnia and Lika. From early May 1941, this campaign extended unchecked until nearly the end of the year. Immediately the partisans

moved into Lika in late 1944, the Yugoslav War Crimes Commission began collecting evidence of the mass killings of three and a half years before. They found many eyewitnesses who identified Đujo Krpan as one of the most bloodthirsty members of the units which exterminated tens of thousands of innocent civilians in Lika at that time.

Among the many incidents documented by the Commission, one stands out from all the others, both for the number of its victims and the ruthless and brutal conduct of the operation. On the morning of 23 July 1941, Krpan's unit began a five-day rampage in and around the village of Grabovac, starting with the tiny hamlet of Begović. It was only a trial run for the main operation, which was launched the next day. According to the testimony given by Žarko Vujaklija, Krpan arrived at Begović with two dozen Ustaše and told the local inhabitants not to be afraid. The police detachment then slaughtered Milja Pavlić straight away, and burned down most of the houses in the village. A number of other Serbs were also murdered, including a baby of only a few months who was thrown into an oven and burned alive.⁶¹

According to Ljubomir Petrović's statement, Krpan came to Grabovac the next day with a group of Ustaše including Stevo Pjesak, Jozo Filjković and Stefo Stajčer. The first action of the Security Police was to throw a ring around the town and set up machine-guns to prevent the population from escaping. The people were told they were only to be interrogated, but Jekip Stojan and Stevan Miljević were immediately shot and the other men taken to a post the Ustaše police had established at the local railway station. Here a system for mass murder had been established involving four groups of police. Petrović witnessed the event at close quarters, and stated that one group 'hit them around the body with their rifle butts, another on top of their heads, the third pierced their stomachs with bayonets so that some of them walked with their intestines hanging out, and the fourth group took them about 25 metres to the pits.' There were three pits, the largest about six metres wide and thirteen metres long. The men were taken in groups of between twenty and thirty, forced to face the pit and then shot from behind. Petrović identified Krpan among the two dozen executioners participating in the mass killing. He also remembered the names of thirty-seven victims.⁶² He

further recalled that the Ustaše stopped passing trains and seized Serbs 'who were tortured and shot.' Many other witnesses corroborated Petrović's testimony. Petrović identified Đuro Steković as one of the victims, whose gruesome fate was also witnessed by Milja Maslovara, a 56-year-old widow. She described seeing Steković:

... lying in the ditch with his hands chopped off up to the elbows, and his legs up to the knees. When an Ustaše was taking me to be interrogated I saw how Đuro talked to the Ustaše passing by, and pleaded with him to kill him and to stop his suffering. But the Ustaše laughed, saying, 'Why should I kill you, why shouldn't you live?'⁶³

Another statement by Lažo Madjarac recounted how Krpan's unit had gathered hundreds of men, women and children from neighbouring villages, including Bačuga, Sušnjava, Lusčani, Vlaovici and Kraljevčani. They were assembled at Grabovac, where they were killed and buried in pits dug by local Gypsies.⁶⁴ Đuro Drljan gave evidence about the killing of Boro Vaktar, who was beaten so severely that the Ustaše broke his spine.⁶⁵ Peter Oblaković of Bačuga remembered that Justice Minister Puk had arrived at Grabovac on the day the slaughter began and ordered the police to carry out the executions.⁶⁶

The Yugoslav War Crimes Commission took evidence over many months from dozens of witnesses who survived the five days of slaughter which started at Begović on 23 July 1941. From their testimony, they identified the name, age and place of residence of 176 men, women and children allegedly killed personally by Đujo Krpan in this action. Of the approximately 2,000 people who died during the operation, Krpan was accused of personally murdering almost 9 per cent of the victims.⁶⁷ Eyewitness accounts of his numerous other crimes listed dozens of further victims. The Yugoslav War Crimes Commission noted the identities of at least 200 others whom Krpan was accused of murdering at Gradac, Koža-Petrovica, Brestika, Trnovac, Nova Glina and other Serbian villages in Lika.⁶⁸

The Yugoslav War Crimes Commission also gathered substantial evidence about the crimes committed by a Catholic priest known as 'Pop Jole.' His real name was Josip Bujanović. During the Ustaše's rule in Lika, Father Jole held several senior posts in the Nazi-controlled administration. As the mayor of the town of Gospić in the mixed Serbian and Croatian region of Lika, Father Bujanović oversaw many of the mass killings in the surrounding area. These had started in the middle of 1941, but the Yugoslav investigators concluded that they had, if anything, got worse towards the end of the war when Bujanović was in charge of the killing operations. Allegations concerning his participation in war crimes included mass executions at Mogorić, Divoselo, Raduč, Lički, Osik, Otočac, Gacka, as well as in Gospić itself. His personal role in the mass killings continued right up until February, March and April 1945 when he ordered mass hangings at Gospić and punitive operations against civilians in Gacka.⁶⁹

There is very little trace of Bujanović's activities in the early period of the Ustaše administration. Presumably he had played an important role, because we do know that he was promoted to the rank of Standard Bearer in the Artillery in late 1942, a position he would not have obtained without first proving himself as a loyal Ustaše member. Soon after receiving this promotion, Bujanović was ordered to serve in an anti-aircraft defence unit in the Croatian Airforce.⁷⁰ By September 1943, however, he had already assumed an important role in the mass killings in the Lika district. For example, when the Italians capitulated early that month about twelve badly wounded partisans were literally slaughtered at the hospital at Otočac. Around 500 armed Security Police had entered Otočac on 14 September, a few days after the Italian surrender. Eyewitnesses identified Bujanović as the senior Ustaše officer directing the operation, and detailed how most of the partisans had been killed with axes and knives, while the rest had been dispatched by shooting. Tomislav Kronja, a doctor at the hospital, described how the walls were covered in blood after the mass killing.⁷¹

Many other eyewitnesses also identified Father Bujanović as the man who ordered and carried out a series of crimes against humanity. For example, in November 1943 he led a Ustaše raiding party on

Divoselo in the Lika region during which a number of villagers were killed, some in the most brutal fashion. Two were burned alive, while Tode Jerković and three young children were publicly hanged.⁷² Six months later, it was the turn of Kurjak. On this occasion, a large number of the villagers were able to escape to the hills and avoid the mass killing, but at least eleven were caught and murdered. They included two-year-old Marija Klaić and seven-year old Dušanka Đukić.⁷³ Gospić was an especially savage area for Bujanović's mass killing operations, and the files are full of long lists of those murdered on his orders between October 1943 and October 1944.⁷⁴ Major killing operations were also launched in Mogorić in May 1944, in Osik in June 1944 and in Raduč in December 1944. The records of the Yugoslav War Crimes Commission contain thick dossiers on these crimes, replete with lists of the villagers killed on Bujanović's orders during these operations.⁷⁵ On 9 October 1944, a similar operation was launched in Gacka, when 100 men and twenty women were arrested and interned in the local gaol. Many were subsequently killed during torture and 'interrogation' sessions, others died of hunger over the coming weeks, while there were also several mass hangings. These were often brutal affairs, in which the victims were strung up with their toes touching the ground so that they were slowly strangled in the struggle to find their footing.⁷⁶

Bujanović's rise through the ranks of the Ustaše accelerated dramatically as a result of his role in these mass killings. He was promoted to the rank of captain and later to major, and ended the war as the *Veliki Župan* of Lika and Gacka, a post he received on Ante Pavelić's direct order at the end of 1944. In effect, he was the district governor of much of the Lika region, the senior regional position in the Ministry of the Interior.⁷⁷ The position was not just a political or administrative post: the regional Security Police structure reported directly to Bujanović who in effect directed the entire machinery of repression in the Lika region together with his police chief, Stipe Stilinović. Together they used this power with ruthless determination, as illustrated by one well-documented mass execution carried out in February 1945. A poster preserved in the Croatian Archives tells the gruesome story. The poster was displayed throughout the town of

Gospić and surrounding areas, following the public hanging of twenty opponents of the Ustaše regime on 14 February. Although signed by the local police chief, Stipe Stilinović, the poster makes it clear that the executions were actually carried out on the orders of the *Veliki Župan* of Lika and Gacka, Josip Bujanović.

The hangings were in reprisal for a partisan action in which a young man had been killed and another captured. The victims were entirely unconnected to the partisan attack, but they were condemned to hang anyway because their 'anti-State activity' had been proven, at least to Bujanović's satisfaction. Those hanged were eight women and twelve men, ranging from boys and girls barely into their teenage years, through to men in their late sixties. They included, for example, three seventeen-year-old girls – Danica Obradović, Manda Bobić and Jovanka Bogić – who had either supposedly distributed communist propaganda or provided information to the partisans. Two young sisters were also hanged in this group. Neda Teslić was nineteen and her sister Sofija twenty-two, and their 'crime' was allegedly to have attended partisan meetings. Some of the boys were even younger. Branko Dobrić, for example, was at most fifteen and may only have been fourteen. His brother, Dušan, was sixteen or seventeen, as was Vojislav Počuča. These three teenage boys were publicly hanged on Bujanović's order merely because they had 'maintained contacts' with the nearby village of Divoselo. So too was Vaso Obradović who was at best sixteen and perhaps only fifteen. The oldest victim of this mass hanging carried out in Bujanović's name in mid-February 1945 was 69-year-old Simo Dimić, who was executed because he had distributed partisan pamphlets.⁷⁸

The Yugoslav War Crimes Commission found that many of the worst atrocities committed in the Lika and Gacka region had in fact taken place during the six months when Bujanović was the *Veliki Župan* in the last months of the war. In April 1945, for example, only a few weeks before Bujanović was forced to retreat with the defeated Ustaše government, he carried out further punitive operations against civilians in Gacka. On 4 April, he personally conducted a raid at Gacka, during which he ordered his police officers to pick up a sick and elderly woman, Mrs Vujnović, and drag her away to be killed despite her

extremely frail state. The same day, one of Bujanović's senior police officers in Gospić carried out a series of mass killings in the local gaol, in which he machine-gunned a number of anti-Nazi prisoners in the cellar.⁷⁹

A few weeks after these mass killings, Bujanović retreated along with other senior officials of the Pavelić regime, including Srećko Rover and Đujo Krpan. Having abandoned his priestly garb in favour of the Ustaše uniform during the war, Bujanović once again donned the collar and black robe and headed first to Austria and then to Italy. Although the Yugoslav War Crimes Commission followed him everywhere he went, he always stayed one step ahead of justice. In October 1946, however, the Yugoslav government tracked Bujanović down to his Italian sanctuary, where he was protected by the Vatican. The Yugoslavs presented just some of the evidence of his crimes against humanity and demanded that the British and American authorities should arrest and hand him over for trial. A few months later, on 18 March 1947, the British government agreed that the evidence against Father Bujanović was so powerful that they would hand him over just as soon as he could be traced.⁸⁰ In making their decision, the British Foreign Office relied, in part, on the testimony of a young army captain by the name of Evelyn Waugh, who had served with the British Military Mission to Tito in the second half of the war. Waugh had investigated Bujanović's activities in Gospić and recorded that 'he is credibly reported to have taken a hand in the massacre of Orthodox peasants.'⁸¹

Father Bujanović was never handed over to face justice for his role in ordering and carrying out mass killings. Instead, he played a crucial part in both the Vatican's Nazi-smuggling network and the Western-backed terrorist network that had been assembled in a futile effort to overthrow communism in Yugoslavia. Under the diplomatic immunity conferred on him by the Vatican, he helped to establish the Catholic Church's Ratlines, as the Nazi escape routes were dubbed by American intelligence.⁸² Along with other Croatian Catholic priests, especially Father Krunoslav Draganović, Bujanović organised the escape of almost the entire cabinet of the Ustaše government. His most important task was to arrange personally the clandestine shipment of Pavelić to Argentina in 1947. He

followed his leader there shortly afterwards, and lived in Argentina until 1964 when he emigrated to Australia and settled in Adelaide.

When the Nazi-hunters of the Special Investigations Unit began their inquiries in 1987, Bujanović was high on the list of suspects. Extensive investigations were carried out by the Australian investigators, including interviews with a number of eyewitnesses. In the unit's final report, it was concluded that inquiries had 'confirmed the positions allegedly held by him,' including his membership of the Ustaše and that he was a former mayor of Gospić. Further, they were 'satisfied that a number of the allegations against [Bujanović] had substance,' but a prosecution could not be launched because insufficient evidence was available fifty years after the crimes had been committed.⁸³



When Srećko Rover, Đujo Krpan and Josip Bujanović fled from the 'independent' state of Croatia in April 1945, there was a real danger that they would be summarily executed if Tito's communist-led partisans were to capture them. Thousands of rank and file Ustaše who fell into the partisans' hands were dispatched with ruthless efficiency in the second half of 1945. These included many who had been forcibly returned by the British forces who apprehended the mass killers at the Austrian frontier. Even surviving this initial cull of the throngs of refugees and fugitive Nazis on the British side of the border did not ensure long-term safety. In the immediate post-war period, the policy of the Western Allies was to return war criminals, quislings and Nazi collaborators to the countries where they had committed their crimes. Whether found in Austria, Germany or Italy, Rover, Krpan, Bujanović, Karlis Ozols, Argods Fricsons and other mass killers were fearful that they would be punished for their crimes against humanity. They had undoubtedly heard the radio broadcasts in which the Allies had promised to pursue Nazi mass murderers to the four corners of the earth. At first, they probably took these threats very seriously indeed. As things panned out, they need not have worried. There was safety in the Western camp, so long as the fugitives knew how to pitch their wares.

**Operation Headache/Boathill:
US Intelligence and the Nazi
Scandal**

Chapter Six

How did men like Karlis Ozols, Argods Fricsons, Srečko Rover and Josip Bujanović escape punishment for their crimes? How did they evade the Allied intelligence teams hunting Nazi war criminals in the immediate post-war period? How did they fool the security screening teams sent to Europe by the Australian government to ensure that only the victims of the Third Reich should be given the privilege of migration? Once they had settled in Australia in the late 1940s and early 1950s, how did they continue to hoodwink the authorities and gain citizenship? Did Australian authorities remain oblivious to their presence in Australia over the next thirty-five years, until they were exposed in a series of investigative reports prepared by this author in 1986?¹

In theory, Ozols, Fricsons, Rover, Bujanović and hundreds more like them who found sanctuary in Australia were on the Allied *Black List* when World War II ended with the unconditional surrender of Hitler's Third Reich in May 1945. This meant that they were liable for automatic arrest and forcible repatriation to the scene of their crimes. More importantly, it also meant that they were explicitly excluded from receiving any assistance to immigrate under the rules established by the International Refugee Organisation (IRO). Yet thousands of war criminals and Nazi collaborators slipped through the allegedly rigorous

screening procedures established to protect the Western countries that were accepting refugees at that time. The vast majority of them found new homes in Australia, the United States, Canada, Great Britain and several South American countries.

Western Europe was in almost complete chaos in the immediate post-war years. Much of the infrastructure of Germany, Italy and Austria had been reduced to rubble, and there were millions of people displaced from their homes in desperate need of shelter, clothes and food. Many of these people had no identification papers, and no means of proving who they were and what they had done over the previous six years. There is no doubt that this contributed greatly to the ability of war criminals to hide themselves among the genuine refugees and pretend that they, too, were victims of either Hitler or Stalin. Furthermore, each of the Nazi groups among the refugees established effective clandestine networks to protect fugitives and aid their escape when the Allied war crimes teams came too close. In this effort they were greatly aided by the Vatican, which under the Pope's direction established a vast network of underground assistance, supposedly 'in the name of Christian charity.' The Allied authorities were also extremely lax, even incompetent. In the main, they did not search diligently for these mass killers, nor trace the eyewitnesses and documentary evidence needed to bring them to justice. These factors certainly assisted the guilty to evade justice, fool the immigration screening teams, find new homes in the Western nations they had so recently fought against and live to ripe old age without answering for their crimes.

There was, however, another powerful factor at work assisting the guilty. While some units of British, American and French intelligence were out actively hunting war criminals, others were searching not to bring them to justice, but rather to recruit them for the battle against communism which had begun even before the war ended. This covert program started in earnest in mid-1945 on the Austrian-Yugoslav and Italian-Yugoslav frontiers where Stalin's new Central European empire met the British and American armies, and quickly spread into the Western occupation zones of Germany. These were natural recruiting grounds for Western spy agencies that were hungry for

agents who had so recently been in the forefront of Hitler's war against communism. Austria, Italy and the British, American and French zones of Germany were, in effect, safe havens for the fleeing fascist armies of Croatia, Hungary, Ukraine, the Baltic states, Byelorussia, Czechoslovakia and other countries that had been occupied by the Third Reich. These fascists knew that if they were caught in areas controlled by the communists, their fate was almost certainly death. In the Western-controlled zones they had at least some chance of survival, and if they could find the right intelligence officers they sensed they might even prosper.

Former members of Nazi-controlled Security Police and SS units were especially prized by British, French and American intelligence. They were considered ideal agents for espionage, disinformation and black propaganda programs, assassination and terrorist operations precisely because they had spent much of their time and effort fighting communist-led partisan forces, serving under Nazi command on the Central and Eastern European fronts. They had studied the West's new enemy at close hand and understood the need for utter ruthlessness in the fight against Stalin and his followers. They had also retained underground cells behind the Soviet lines, and had family and friends who could serve as contacts and potential agents.

Furthermore, many of the senior officers of these ex-Nazi units had worked for French and British intelligence prior to the war. It was easy to resurrect these contacts and reorganise such old intelligence fronts as *Internarium*, the *Prometheus* network, the Organisation of Ukrainian Nationalists, the Russian People's Labour Alliance (*Narodny Trudovoi Soyuz* or NTS) and the *Pan Danubian Federation*. Many of these *émigré* groups were hopelessly factionalised and supported contradictory political platforms. Some strove to dismember the Soviet or Yugoslav empires into separate states. Others wished to overthrow communism but to preserve Russian and Serbian domination over Ukrainians and Croats. Despite these differences, Western intelligence saw their potential as a fighting force against Stalin.²

Groups like these had, in fact, served as anti-communist fronts for British and French intelligence since the 1920s. The NTS, for instance,

had been used by British spymaster, Sir Stewart Menzies, for 'terrorism and sabotage' against the Soviet Union since it was formed as a fascist front in Belgrade in July 1930 by a loyal British agent, Claudius Voss, and an equally loyal Soviet agent, Prince Anton Turkul. Though notionally 'social democratic' at birth, the NTS swiftly moved to the right in the 1930s and before long was little more than a Russian version of the German Nazi party. Menzies was evidently unconcerned by NTS' pro-Nazi stances.³ So long as it was anti-communist, he was happy to use it against Stalin. There were, however, many dangers in this approach. The hothouse atmosphere of *émigré* politics, the highly factionalised and competing political goals of the various groups, the mutual hatreds between Russians and Ukrainians, Serbs and Croats, Czechs and Slovaks made these groups prime targets for penetration by Soviet intelligence.

From the very beginning of White Russian anti-communist emigration in the early 1920s, there had been well-trained Red agents among the groups. These had carried out a series of assassinations and kidnappings against their opponents and ably sowed dissension, ethnic hatred and political disaffection. The anti-communist *émigrés* had been goaded into an endless series of futile splits and the founding of numerous competing and mutually hostile organisations. The *émigrés*' espionage operations were, likewise, also compromised by communist agents. Pre-war efforts to infiltrate NTS agents into the Soviet Union, for example, were invariably disastrous. One British operation led to the capture of no fewer than 150 agents, a disaster that led the Polish secret service to denounce a senior NTS leader as a communist double agent.⁴ Though the *émigré* groups were all anti-communist, they often loathed each other more than they did the common enemy.

In the late 1930s, many of these British and French intelligence fronts defected to German intelligence, and subsequently played key roles in organising the auxiliary Security Police units that carried out the Nazis' mass killings in Central and Eastern Europe. This did not, however, deter British intelligence from renewing ties. When it became certain in the second half of 1944, that the war would end with an Allied victory, feelers were put out to determine whether the cooperative

relationship of the 1930s might be resurrected for mutual benefit. Western intelligence teams contacted old *émigré* agents, and fascist regimes such as Ante Pavelić's in Croatia sent emissaries to the West to appeal for assistance in the fight against Bolshevism. The official policy of both Britain and the United States was that no compromise would be made with Hitler and his collaborators. Unofficially, however, a small cabal of intelligence officials followed a different policy, sometimes with the support of higher authorities, at other times in defiance of explicit orders. By mid-1945, Britain's Secret Intelligence Service (MI6) and France's Deuxième Bureau were actively targeting Eastern and Central European *émigrés* who had recently taken off their Nazi uniforms and were masquerading as victims of Stalin's repression. These British and French officials found support in senior circles of American intelligence, particularly from Allen Dulles and James Jesus Angleton, who were to become senior officers of the Central Intelligence Agency.⁵

In theory, these Western operations were meant to result in spectacular intelligence coups behind the Iron Curtain and build effective anti-communist resistance movements that would challenge Stalin at home. In their most extravagant dreams, Western spy agencies believed their *émigré* Nazis would eventually overthrow communism throughout Europe. In practice, the operations were disastrous. The ex-Nazi agents were, in fact, of a generally poor quality. In the main, they were far more efficient mass killers than they were effective intelligence operatives or popular resistance leaders. Although some of the Central and Eastern European networks established by French, British and American intelligence in the mid-1940s survived for the next ten years, most turned out to be deeply penetrated by communist double agents. Many of these were the best Soviet agents, but frequently were pitted against the worst calibre of Nazi agents that the West could possibly have recruited. As a result, most of the networks were rounded up, and their key agents subjected to highly publicised 'show trials.' The civilian population was thereby 'taught' that Western 'liberation' actually involved a return to Nazism. Almost all of these Western agents were either executed by the Stalinist secret police or condemned to long years of imprisonment. Most of the networks were defunct by late 1948,

although Soviet intelligence maintained a double game for many years in an often successful effort to divert the West's scarce intelligence resources.

The failure of these operations was objectively predictable. Even if the quality of the Nazi agents had been better, their operations were doomed. This was mainly because of two of the cleverest and most effective Soviet double agents. Kim Philby and Prince Anton Turkul effectively controlled the West's Nazi networks from each end. Philby ran these networks from within MI6 and passed on everything he knew to his real masters in the KGB, communist intelligence's civilian wing. Turkul had been a Soviet agent at least since the early 1920s and, slowly but surely, had taken over important sections of the NTS in the late 1930s and during the war. Through a coterie of loyal Red agents, the Prince directed the numerous Soviet agents among the Nazi *émigrés* on a day-to-day basis. Turkul in practice turned the West's Nazi networks into well-controlled fronts for Soviet military intelligence, the GRU.

Those organisations Turkul and Philby could not control were set at each other's throats, embarking on an endlessly destructive factional war that infected not only Nazi groups, but also the democratic anti-communists. By 1948, the West's Nazi operations had ground to a virtual halt and, according to one senior American intelligence officer, the agents had become such a headache that they had to be quickly evacuated from Europe. Thus was born *Operation Headache/Boathill*, in which the Vatican's Nazi escape routes, the Ratlines, served to smuggle many of the Western intelligence services' headaches out of Europe, sending them over the hill on boats to new homes in Australia, Canada and the United States itself. In this operation, the US officer, Colonel Lewis Perry, worked hand-in-glove with Father Krunoslav Draganović, the man charged by the Vatican with running the Nazi-smuggling operation, who was also a key link for Ante Pavelić's post-war Ustaše network.⁶

In order to covertly carry out *Operation Headache/Boathill*, the Western intelligence officers perpetrated massive fraud on the International Refugee Organisation (IRO), as well as their own governments. When the IRO was established by the United Nations to

oversee the huge task of repatriating refugees to their homelands or finding them new homes, its constitution provided that only *victims* of Nazi, fascist or quisling regimes were eligible for assistance in the form of relief and eventual resettlement. The IRO was not to assist in any way 'war criminals, quislings and traitors' or people who had 'voluntarily assisted the enemy in operations against the United Nations or in persecution of civil populations.'⁷ The UN General Assembly had adopted resolutions insisting on proper screening of war criminals and collaborators and for their return to the scene of their crimes. To implement these directives, the IRO set out detailed guidelines in the official *Officers' Eligibility Manual*. This contained the rules establishing three categories, simply known as *Black*, *Grey* and *White*.

Category *Black* consisted of those whose service to the Nazi cause was so substantial that they were subject to automatic arrest. *Blacks* were war criminals, quislings and traitors, although there was a certain amount of cross-over among these categories. War criminals had ordered or carried out mass killings. This included everyone who made the policy, ordered it to be carried out, and then did the shooting and guarding at the mass graves or herded the victims off the cattle trains and into the gas chambers. Quislings were named after the infamous Norwegian Nazi Vidkun Quisling, who headed a collaborationist administration under German occupation. Generally, quislings were volunteers who helped the Nazis administer occupied countries, including senior policy-makers in collaborationist governments, police chiefs, propagandists, mayors and other municipal officers. Traitors were also volunteers, but had not held high official positions. Rather, they aided the Germans militarily or in persecuting their fellow citizens. They may have carried out mass killings and guarded concentration camps or execution sites. By the same token, they might only have fought against the Allies in SS or auxiliary Security Police units, perhaps conducting anti-partisan warfare behind German lines.

Greys were those who had served the Nazis as minor collaborators in quisling municipal administrations, or as personnel and pay clerks in SS and Security Police units. Anyone who had assisted the German

military machine automatically fell in category *Grey*. They were not viewed as harshly as *Blacks*, however, and Western policy in the main stopped short of forcibly surrendering them to communist countries where they would have faced much harsher punishment than in Britain, France or America. Their punishment was exclusion from all international assistance, notably the opportunity of emigration to a new home under IRO auspices. Only *Whites* were eligible for this privilege. This category comprised the millions of Displaced Persons and refugees who had been the *victims* of the Germans and their collaborators. It included survivors of concentration camps, people who had been forcibly deported as slave labourers, as well as genuine political dissidents who could not return to their communist-ruled homelands for fear of persecution and severe punishment on account of their views.

The IRO, however, lacked the resources to conduct the kind of screening necessary to sort *Blacks* and *Greys* from *Whites*. The task fell to the Western intelligence services, particularly the British and Americans, to interrogate the refugees in the IRO-run Displaced Persons camps and exclude *Blacks* and *Greys* from the system. For this purpose, central registers of Nazis were kept by British intelligence at Herford, in the UK-administered zone of Germany, and by the Americans at US Army Counter Intelligence Corps headquarters and at the Berlin Document Centre. While these were based on the United Nations War Crimes Commission lists developed soon after the war, and also on the Central Registry of War Criminals and Security Suspects compiled by Western intelligence, both the British and US spies had their own information on war criminals which was supposed to be shared with their colleagues in Australian agencies. Before a refugee could finally be accepted for migration to Australia a check had to be made with these British and American intelligence headquarters. The Australian immigration selection teams had put in place a procedure to refer all names of prospective migrants to the Australian security officer in Cologne, who then requested information from his British and American colleagues. It was designed as an almost foolproof way of excluding war criminals and senior Nazi officials. The problem was that the foxes were guarding the chicken coop. The very same Western

intelligence officers using war criminals in anti-communist operations were vetting the names of Australia's migrants. It is hardly surprising, then, that they kept giving clean bills of health to men they knew were probably mass killers.



As we shall see, a significant number of the Nazi war criminals who found sanctuary in Australia had been agents for these Western intelligence operations before they were cleared for immigration by their British and American handlers. Some also worked on the Vatican's Ratlines, smuggling out mass murderers as acts of Catholic 'charity.' They were exemplified, in many ways, by Nikolai Vladimir Alferchik, a mass killer who settled in Australia and was never brought to justice for his crimes. During the Nazi occupation of Byelorussia, Alferchik held senior positions in the Nazi death apparatus in both Minsk (where Karlis Ozols also operated) and Smolensk. Alferchik arrived in Australia in 1951 using the assumed name Nikolai Pavlov, and was naturalised in 1958. In the late 1980s, along with Ozols and other killers from the Minsk region, Alferchik became one of the most important suspects investigated by the Nazi-hunters of the Special Investigations Unit. He was never prosecuted under Australia's *War Crimes Act*, however, largely because of the death of most of the eyewitnesses. Further, in 1992 Alferchik was paralysed by a stroke. The Australian investigators were nevertheless convinced that Nikolai Vladimir Alferchik had participated in several mass killings under Nazi command.⁸

Like many of his contemporaries, Alferchik had become a significant player in anti-communist *émigré* politics before the war. In early 1940, he fled Pinsk after the Soviets had occupied the city in the wake of the Hitler–Stalin Pact and the division of Poland between Germany and the Soviet Union. He settled in Warsaw and returned to Pinsk a few months later, only to learn that most of his family had been arrested by the communists. He returned to Warsaw, where he remained until the Nazi invasion of the Soviet Union on 22 June 1941. In Warsaw, Alferchik was 'a reliable and loyal worker for a German company'

which manufactured electrical equipment such as radios. A significant NTS branch operated in Warsaw at this time, and Alferchik quickly became a senior and trusted agent. According to one Western intelligence report, Alferchik 'was briefed for anti-Soviet work by the Nationalist organisation NTS.'⁹ He soon showed talent for the work, and rose to the higher ranks of the NTS Warsaw branch.

When the NTS leadership decided to abandon their British intelligence connections in late 1940 and throw their lot in with the Nazis, it was only natural that Alferchik was selected as a senior operative to work for German intelligence. At this time, Hitler decided to use the NTS 'for propaganda and intelligence work' during the invasion of the Soviet Union. Alferchik was one of the many senior NTS operatives recruited and trained at this time by the SD and Security Police. The training the Nazis provided to Alferchik and other senior NTS agents merely reinforced and refined the virulent anti-Semitism the NTS had adopted in the 1930s. In fact, the 'wartime program of NTS specifically excluded all Jews from citizenship in a future Russia, further providing that they may leave Russia "without exporting their capital" or else settle in a special ghetto region to be assigned to them.'¹⁰ As a result of the decision of the NTS leaders to devote their loyalties to Hitler, they played a significant role in the invasion of the Soviet Union and 'became an integral part of the Nazi propaganda, espionage and extermination apparatus in the East.' The NTS supplied key officers for the German occupation, who obtained senior posts in the Prisoner of War Commissions – the training camps for politically reliable prisoners – and in the propaganda department, which aimed its hate messages principally against Jews and communists. From among the NTS' most skilled propagandists, the Nazis picked the senior officers of the collaborationist administration in Byelorussia and Russia. These Nazi loyalists 'were assigned to positions in German-occupied Russia, such as chiefs of police, deputy mayors, propagandists with army units.'¹¹

Western intelligence recorded that Alferchik was a member of the NTS 'Propaganda Group' and moved into Soviet territory 'in this capacity, behind [the] advancing German Army' in the wake of *Operation Barbarossa*, the invasion of the Soviet Union launched in June

1941. In fact, Alferchik was among the élite of the NTS leaders who went with the Germans into Russia. He was not merely one of the numerous fascist NTS propagandists with the job of instilling anti-Semitism among the Russian peasantry. Rather, he had been recruited by the SD and Security Police well before the Soviet invasion to serve as an intelligence officer and translator in a special SS forward operations group. This unit was known as *Vorkommando Moskau*, and had the task of advancing to Moscow as rapidly as possible. It was, in fact, part of Einsatzgruppe B, one of the principal mobile killing squads which was dispatched in the wake of the main invasion force. This unit's main task was to smash communist rule, especially the Party and security apparatus. One of Alferchik's jobs was to guide the Kommando to key targets, especially major Soviet military and intelligence installations. Naturally, *Vorkommando Moskau* also played a major part in anti-Jewish and anti-partisan operations, and was especially active in mass killings of Jews and communists.¹²

As the Nazis swiftly conquered Soviet territory, they established local administrative structures. These were tightly controlled by the Germans, with the Security Police playing a major role. Prominent Russian and Byelorussian collaborators were, nevertheless, installed in key posts such as police chief or municipal official. The NTS thereby shared the spoils of German victory. Two cities where NTS operatives gained important positions within the Nazi administration were Smolensk and Minsk. These were the very places where Nikolai Alferchik held senior positions within the Nazi killing machine as commander of the local security administration. During this time he held power of life and death over the civilian population. In fact, in the late 1980s the Nazi-hunters of the Special Investigations Unit (SIU) received allegations concerning Alferchik's war crimes in Smolensk and Minsk from both British and Soviet sources. The most serious accusation concerned his activities as head of the 2nd Political Section of the Nazi-controlled Order Service (Ordnungsdienst) in Smolensk. There were also claims that he had been decorated by Hitler for carrying out mass executions of political prisoners in Minsk, and that he had been stationed in Mogilev for a period. The Australian investigators

established from both documentary and eyewitness evidence that Alferchik had, indeed, held the post of head of the 2nd Political Section in the Smolensk Order Service, and that he also had been later promoted to head the Service's regional office.¹³

The July 1942 liquidation of the Sadki Jewish ghetto in Smolensk was probably the largest mass killing in which Alferchik played a major part. This operation involved the murder of hundreds of Jews in the mobile gas vans known as 'Black Ravens' and the shooting of hundreds more at mass pits dug at Mogaleshina on the outskirts of Smolensk. In total, at least 1,000 Jews were killed in this operation. The SIU established that Alferchik was a key participant in the *Aktion*, together with German SD and police officers. The investigators obtained statements from a number of eyewitnesses, including from other police officers who had taken part in this mass killing. By the time the Australians investigated Alferchik in the late 1980s, however, many of these men were already dead or had been executed by Soviet authorities. This made their statements inadmissible in Australian courts, and helped Alferchik evade justice.¹⁴

The investigators also found ample 'direct evidence' of Alferchik's role in the arrest, torture and beating of Jews, Gypsies and partisans. One of Alferchik's men recounted the arrest and execution of seven Gypsies, while another witness outlined how Alferchik had personally shot a prisoner who was trying to escape from Nazi custody. The SIU determined that there was a brief interlude in Alferchik's police career when he moved to Mogilev in September 1943. It was found, however, that he then resumed his post in the political police two months later. From November 1943 to June 1944, he continued to serve in this post and in August 1944 joined the 'Ruthenian Army of Liberation,' one of several 'ethnic armies' Hitler formed in a last-ditch effort to defeat the Red Army at war's end. By this time, the NTS was assisting the Germans to recruit Russian armies to fight the Soviets. The forces came to be generally called the Vlasov Army, named after Andrei Vlasov, the Soviet General who had defected after his capture by the Nazis. The NTS played a key part in the Vlasov operation until German intelligence discovered that Alferchik's old NTS branch in Warsaw had, in fact, been

directed by Soviet intelligence. A purge followed, and many senior NTS officers were sent to concentration camps. Alferchik, however, was not among them. In fact, just when many of his comrades were being purged, Alferchik was promoted and ordered to Berlin where he served in the Army's Security Section until 16 April 1945, just three weeks before Germany's capitulation to the Allies.¹⁵

Soon after, he re-emerged, firstly as an activist in *émigré* politics, then as a consummate intelligence agent. His first task was to help re-organise the NTS and ensure that its offer of cooperation with Western intelligence was accepted. His connections with Prince Anton Turkul, who had been recruited by the Americans to head a major anti-communist network, assisted in this. Alferchik was inducted into Turkul's Soviet-controlled espionage ring, becoming a key figure in the West's anti-Soviet intelligence operations. There is, however, something of a gap in the evidence about Nikolai Alferchik's activities in the immediate post-war months. There are several reasons to believe that he was recruited by British intelligence soon after the war ended in May 1945. This cannot be proved beyond doubt, since virtually no British intelligence records are open for public scrutiny. It is known, however, that the pre-war connection between the British and the NTS had been re-established in March 1945, when many NTS leaders were released from German concentration camps. Although it is not known how it was done, NTS leader Dr Vladimir Poremsky 'managed to contact his former British intelligence sponsors' and the old relation was restored even before the Allies had forced Germany's surrender.¹⁶ The primary reason that MI6 was interested in Alferchik and his comrades was that the NTS had 'left a number of its men behind to work behind Red lines,' thus possessing one of the very few networks capable of providing intelligence about conditions behind the Iron Curtain.¹⁷

Most of the NTS leaders, however, were initially arrested by the Allies as suspected war criminals and Nazi collaborators. Before long, they were freed as both British and American intelligence developed programs to recruit their networks for espionage and subversion operations against the Soviets. The NTS in turn 'made efforts to sell their intelligence networks to the Allies, and with the support of the US

military government set up a "secret operations committee" which established sections for espionage and subversion, internal security and liaison with the western intelligence agencies.' The British Secret Intelligence Service established *Operation Shrapnel*, an expensive covert operation based on NTS efforts in Germany, which apparently convinced the West of NTS' potential by scoring some low-level successes with information gathering among Soviet military and civilian personnel and by inducing a few junior defections.¹⁸

It is probable that Alferchik was thrust into this work from almost the beginning of the post-war period. While precise details of this period are not yet available, there is no doubt at all about Alferchik's recruitment by American intelligence a few years later. In 1948, he went to work for the Americans as a trusted NTS leader, whose prime credential was that he had been a long serving agent of Prince Turkul's network. Whether he was one of Turkul's communist double agents or a genuine fascist anti-communist is still debatable. There are intriguing hints that Turkul may well have turned Alferchik into a double agent, a theory supported by some of his activities on behalf of Australian intelligence after 1951. A final assessment of this awaits full disclosure of the Soviet-era intelligence files, especially those of military intelligence, the GRU.¹⁹

According to the declassified American intelligence files on Prince Turkul's network, Alferchik came to the attention of the US Army's Counter Intelligence Corps (CIC) in Salzburg, Austria in July 1948. A routine investigation of Russian *émigré* activities had uncovered an unusually sophisticated subversive anti-communist operation. The US officers were astounded by the sudden dissemination of well-produced anti-communist Russian-language propaganda leaflets headed 'For the Honour of the Homeland.' This was actually the title of an official Soviet military publication, and the Americans concluded that the 'bogus' propaganda had been produced in 'a clandestine printing shop' run by the local NTS leadership. The leaflets aimed to sow doubt among the Soviet occupation forces and encourage defections and disobedience by comparing conditions in the 'capitalist West' with those in Soviet-controlled areas.²⁰ It was also found that the NTS had set up a

sophisticated distribution network, including the use of children as couriers. The Americans concluded that the operation was so well run that the propaganda enjoyed maximal penetration of Soviet military and civilian personnel in Austria and Germany.²¹ In light of the fact that many of the NTS' operations were controlled from Moscow, it is likely that the communists deliberately assisted in the production of this propaganda to provide Alferchik and his agents with the best possible credentials in Western eyes.

If this was the Soviet game, then it was successful. The American spy agency was apparently very impressed with the effectiveness of Alferchik's anti-communist propaganda campaign. Within a few weeks, it had established firm contact with the local NTS branch. Alferchik's activities immediately bore fruit for the American officers. By mid-August, he started supplying the CIC with tantalising pieces of intelligence about the Soviet military organisation in Austria. For example, one report by CIC Special Agent Jack Heibler detailed the daily schedule of the Third Battalion, 290th Guards Regiment, 95th Guards Division of the Soviet occupation force in Austria. The information had been supplied to Alferchik by a former member of this unit, who laid out in considerable detail the Regiment's activities from reveille at 6.00 a.m. to taps at 11.00 p.m. The agent also supplied minute details of the rations received by the soldiers, their monthly pay, political training, leave provisions, sexual activities, drinking habits and general morale. An analysis was also provided of the political loyalties of the troops, which gave valuable insights into the possibilities of penetration and defection operations. Special Agent Heibler cited the source of the intelligence simply as *Pica*.²²

The American officers were impressed with both the detail and quality of *Pica's* intelligence. A few days later, on 20 August 1948, Alferchik was officially recommended to the head of the US Army's Counter Intelligence Corps by the Salzburg headquarters. John Burkel, the Chief of the 430th CIC Detachment in Salzburg, proposed the formal establishment of the *Pica* network to spy in the Soviet zone of Austria. In fact, *Pica* had already started life at least a week earlier. Now control of the new spy network passed officially to its originator,

Special Agent Heibler. *Pica's* senior agent – described in the files as the 'Number One (Cut Out Man)' – was none other than Nikolai Vladimir Alferchik, the same fugitive war criminal who later migrated to Australia under the assumed name Nikolai Pavlov.

The *Pica* network was officially approved by Burkel's commanding officer a few weeks later, and Alferchik was assigned fifteen sub-operatives to assist his work. *Pica's* main operational goals were described by Burkel as 'Propaganda, Defection, and Espionage,' with an emphasis on the collection of military intelligence. Alferchik and his agents were provided with Austrian identity papers, money, a printing press, paper and other resources to carry on their anti-Soviet espionage and propaganda campaigns.²³ Later reports record that \$US250 a month were allocated to Alferchik's operation, which was given the official name *Project Huntington*. The US intelligence officers, however, mostly filed their agents' reports under the codename *Pica*.²⁴

There is no doubt that the American spies who established the *Pica/Huntington* network were fully aware of Alferchik's history. The CIC Special Projects Section was responsible for analysing the *Pica* intelligence and compiling reports based on the information supplied by Alferchik and his agents. One of their earliest reports recorded that Alferchik was not only a prominent NTS leader, but 'his extradition was requested by the Soviet Union during 1945 as an alleged war criminal.' Indeed, straight after the war he had been interned by the US Military Authorities in Austria but was released a few months later in December 1945. Western knowledge of Alferchik's war crimes was obviously widespread. One Western intelligence report described him as a 'Former Captain and head of the 2nd operations Department of the SIWA in the Smolensk Oblast. An exceptionally competent and energetic Intelligence Officer. For his successful investigations into the assassinations of the High Commissioner for White Ruthenia, Kube, and the Minsk Town Commandant, Ivanovskij, he was decorated with the Gold Medal and Oak Leaves.' It was further reported that Mikhail Solovjev, one of Alferchik's top agents, was also an accused war criminal. Such minor details were ignored by US intelligence in the search for 'exceptionally competent and energetic' penetration agents who could provide

information on communist activities and intentions, engage in black propaganda and induce defections from among Soviet ranks. A previous intelligence report, for example, had explained that the evidence against Alferchik and Solovjev was weak, and that the Soviet war crimes charges were an attempt to 'railroad' good anti-communists.²⁵

The declassified *Pica* files contain numerous examples of why US intelligence mistakenly placed their trust in Alferchik and his network of NTS agents. One report, for example, provided a detailed account of the espionage activities of the Soviet Repatriation Mission in Salzburg for October 1948. It was based on intelligence that had been gathered by a sub-source of the *Pica* network. The report outlined the Soviets' interest in tracking the activities of the NTS, particularly which Western spy agencies were funding it, how it was organised and the role of its leading members. The communists were said to be especially interested in the names and locations of agents sent into Soviet-controlled territory by Nikolai Alferchik, and the identities of NTS couriers, the nature of their travel documents and precise details of their itineraries.²⁶ It was a classic Soviet intelligence operation. In retrospect it seems to have had more to do with lulling the Americans into accepting Alferchik's intelligence credentials than with providing any genuine information.

Over the following year, Alferchik's *Pica* network provided an ongoing stream of intelligence on a wide range of Soviet military, political and economic matters of vital concern to US interests in the rapidly developing Cold War. In December 1948, for example, reports were submitted by Alferchik on the Soviet iron ore industry and 'black metallurgy.' A few weeks later, no fewer than seventeen reports were filed on subjects ranging from the production of coke, manganese, chemicals, narcotics, munitions, sugar, diesel, locomotives and tractors, through to 'Combat and Political Training of Submarine Personnel,' the Black Sea Fleet and high-tension electricity transmission lines.²⁷ The naive Americans suddenly found themselves overwhelmed with the most detailed information they had yet obtained on Soviet military, political and industrial capabilities. It was as though the heavens had opened and disgorged previously unavailable gems.

The flow of information seemed limitless. On 20 January 1949, further reports were received on the activities of a range of key Soviet economic ministries, including those responsible for agricultural machinery, the transportation, aviation and automobile industries and the machine and instrument manufacturing sectors. The reports contained reams of information on individual factories, plants and branches of enterprises, with details of which parts were manufactured in which plants, and how the various ministries coordinated their activities. The intelligence was not restricted to the Soviet Union proper, but covered wide areas of Stalin's new empire, and included the names and coordinates of military aircraft plants in Poland and Russia. This *Pica* report also elaborated on the identity and specialties of dozens of scientists, aerodynamics experts, aircraft designers, components and materials specialists, optical and communications experts, armaments and manufacturing designers, as well as the names and ranks of senior military officers.²⁸

Over the following six months, the reports kept coming. Sometimes they covered heavy industry. At other times they provided significant military information concerning submarine training or tank production. Although there is no indication in the *Pica* file of how these voluminous reports related to overall American analysis of Soviet affairs, the CIC Special Agents of the Special Projects Section invariably graded them highly, both in terms of the reliability of the source and the accuracy of the information.²⁹ Then suddenly, in mid-1949, the *Pica* reports simply stopped. The declassified US intelligence file gives no indication of what happened, nor is there any insight into whether the network ceased to exist, or its information was suddenly deemed unworthy of consideration. An Australian intelligence report provides one clue to the winding up of the *Pica* network. It cites the analysis of either a British or American agency which had obviously dealt closely with Alferchik. In light of the evidence, the original assessment was probably made by US intelligence, and it was not an altogether flattering portrait. According to this 1947 report, Alferchik

... is regarded as flighty, excitable, lacking in judgment and arrives

at conclusions without proper evidence or calculation. He is considered to be a low-level agent who operated without system or security but with zeal. He has been in contact with various allied intelligence agencies and it is believed that the nature of his activities is widely known and to the *émigré* population of the Salzburg area.³⁰

On the other hand, the Western intelligence 'pen portrait' quoted earlier described Alferchik as an 'exceptionally competent and energetic Intelligence Officer.'³¹ Whichever version is correct, it is clear that by the time *Pica's* chief controller, Nikolai Alferchik, left Europe and found sanctuary in Australia in 1951, more sober analysts in Western intelligence had concluded that NTS espionage operations had, in fact, achieved very little of real worth. One respected commentator, who provided expert advice to US State Department Intelligence, commented in 1951 that:

Only one single postwar deserter is known to be an NTS member, and one other is a fellow-traveller of NTS. Such Allied organisations as have tried to capitalise on the NTS claims for widespread contacts with recent defectors – be it governmental agencies or other interview projects – have come to realise that NTS cannot produce the promised bodies. NTS has operated an office in Berlin for whatever purposes it may have there, but it has failed to convince Soviet officers and men to come over and desert.

In fact, the NTS operations produced virtually no results of substance, and although both British and US intelligence went on using NTS agents for operations behind Soviet lines well into the 1950s, the Soviets captured each and every mission.³²

Despite the abject failure of the NTS operations for Western intelligence, agents like Nikolai Alferchik were rewarded by their American and British handlers. When it came time for Alferchik to find a new home, US intelligence simply allowed him to assume the false identity of Nikolai Pavlov, and he was cleared to migrate to Australia in

clear contravention of the IRO's Charter. It is unclear whether the American officers informed their Australian counterpart, the security officer at the Cologne Embassy, about Alferchik's war crimes background or his role in their intelligence operations. The Australian security file on Alferchik-Pavlov has been so severely censored that not even a hint is left for the curious researcher. There is no doubt that the Americans had compiled accurate information on Alferchik's wartime activities as early as 1947. Certainly by 1949 – two years before he migrated to Australia – there was a comprehensive intelligence brief on this matter which accurately listed the posts he had held under the Nazis. There is no doubt that this was available to be passed to the Australian migration security screeners, and it certainly was passed to the Cologne Embassy in the 1950s. It seems probable, however, that Alferchik was identified to Australian intelligence by the Americans as a potential agent once he was in Australia. Very soon after arriving in June 1951, he went to work for the Australian Security Intelligence Organisation (ASIO). This fact, too, has been carefully removed from his ASIO file. Australia, like Britain, prefers to censor the unpalatable fact of its recruitment of Nazis for intelligence work. Alferchik's work as an ASIO source has been confirmed, however, by several former ASIO officers, as well as by other law enforcement officials who were in a position to know from first-hand experience. This aspect of Australia's Nazi scandal is discussed in Chapter Eight.³³

Nikolai Alferchik was not by any means the only Nazi agent Western intelligence recruited for anti-communist operations. Nor was he the only Nazi agent allowed to emigrate to Australia by the British and Americans. As we shall see, others included Argods Fricsons, the mass killer from Liepaja, Latvia, and Srečko Rover, the man who had served on Sarajevo's Mobile Court Martial in 1941.

**Operation Rummage: The
Nazi Scandal Continues**

Chapter Seven

The mediocre results obtained by Nikolai Alferchik and his network were typical of the West's *émigré* Nazi recruits. Far from providing intelligence that would bring Stalin to his knees, in the main the West's fascist networks were either so compromised by communist penetrations or so incompetent that the considerable financial and human effort involved was hardly worthwhile. To be fair, some of the Nazis did provide important information to the Allies. Argods Fricsons, for example, turned over a mountain of intelligence that was recorded in great detail in US intelligence files. Most of it, though, was irrelevant to the war against communism. In fact, Fricsons's obsessive hatred of Jews migrated with him from his senior position as a Nazi SD officer responsible for mass murder in Liepaja, Latvia, to his role as an agent for the 970th CIC Corps in Memmingen, Germany. Rather than providing the sort of detailed intelligence on Soviet military, political and economic matters that Alferchik turned over to his controllers, Fricsons preferred to spy on the Jewish movement and especially the operations of the Zionists who were then illegally sending the survivors of Hitler's death apparatus to Palestine to fight for Israel. In keeping with the growing Cold War atmosphere, most of his reports concluded that there was actually very little difference between the Jews and the communists, a theme

that would have made his former Nazi masters proud of their Latvian protégé.

Fricsons had retreated to Germany towards the end of the war, then found himself in Landsberg, where he served for a time as a 'lawyer' in one of the prisons where Nazi officials were interned pending interrogation and trial. In October 1945, he moved to Memmingen where he first of all became the Latvian leader in the local Displaced Persons Camp, and then was able to have himself appointed as the Camp Leader by the local United Nations Relief and Rehabilitation Administration (UNRRA).¹ By the end of 1945, Fricsons began the process of sanitising his Nazi past. On one official form he filled out at the beginning of December 1945, he lied about several crucial matters concerning his wartime activities. To begin with, Fricsons denied he had ever been in the Nazi-controlled SD, compounding this by lying about his membership of the Waffen (Armed) SS. This was pointless, as the Americans already had obtained a copy of his German *Soldbuch* (army personnel book) recording that he was a lieutenant in the Latvian Police.² In a US intelligence interrogation in August 1946, Fricsons admitted that he had served under 'a high-ranking SS officer' who was also 'head of the police.' The Americans also established that he was almost certainly a member of the Latvian SS Division, due to several incriminating documents they found in his possession and his admission that he had held positions 'under the supervision of the SD.' Despite this, the Americans did not object when UNRRA subsequently offered him the position of Camp Leader in the Displaced Persons Camp at Memmingen.³

It was noticeable that Fricsons went out of his way to hide his own senior position as head of the Political Department of the Security Police and SD in Liepaja, Latvia. As recounted in Chapter Four, while in this post Fricsons had been involved in the arrest and brutal interrogation of Jews and communists, and had personally taken part in several mass killings. In November 1946, however, his attempts to hide his past crimes came to an end, when the CIC received an anonymous letter naming him as the 'SD-Chief of the District Liepaja-Ogre.' Although the spelling is incorrect, the letter accurately accused Fricsons of taking part

‘in the mass executions of Jews in Lepaja and in other towns,’ and that he had ‘robbed Jews, Latvians and Russians before he murdered them.’⁴ This prompted the Americans to pull Fricsons in for a further interrogation on 2 December. This was a lot tougher than previous sessions, and stretched over four hours of rigorous cross-examination. At first he denied everything, but eventually the American interrogator wore him down. Finally, he admitted almost everything, from his post as head of the Political Department of the SD, to his interrogations of prisoners (reporting the results to the local SD Chief) and the dispatch of prisoners to concentration camps. The only thing he continued to hide from the American spies was his role in mass killings of Jews. He claimed ‘to have interrogated only Communists, no Jews.’ This evidently satisfied the Americans as it seemed to them no bad thing that communists had been sent to Nazi concentration camps. Besides, he claimed to have ceased working for the SD after his evacuation from Latvia, so was obviously a reformed character.⁵

Although the same details were confirmed in a further interrogation conducted in early January 1947, this time the CIC Special Agent from the Special Operations section noted that Fricsons ‘was not a member of the German SD and does not fall within the Automatic Arrest category.’ Rather than recommend that Fricsons should be handed over to the war crimes investigators to conduct a proper inquiry, the US intelligence officer closed the case. In a revealing recommendation, he suggested instead that every effort ‘should be made to locate the author of the letter of denunciation ... It is believed by this agent that the letter was written by an inmate of the Memmingen Camp who is envious of Subject’s leading and respected position in the camp.’⁶ The next thing to happen was that Fricsons was put on the CIC payroll. A later report recorded that he was recruited ‘as an informant of CIC after he was denounced as former informant of SD in Latvia.’ As a reward for his work, the CIC paid Fricsons 400 marks and ten packets of cigarettes a month to provide intelligence.⁷ Over the next twelve months, he ‘worked on general DP [Displaced Persons] coverage and on operation Rummage.’⁸

Operation Rummage had as one of its main targets left-wing Jews, particularly the Bundist movement, a socialist group that opposed the

Zionists' policy of creating a homeland in Palestine. The CIC recorded that this operation had the following aims, described in spy language as Expected Elements of Information:

- Extent, location and structure of Bundist groups
- Purpose, aims, policies
- Affiliations with unauthorised groups in the US zone or with subversive organisations or foreign governments.
- Propaganda and effects
- Methods of communication
- Possible information on leading personalities.⁹

Fricsons's intelligence dossier is full of reports on the Jews' activities, describing the Bund as 'a Marxist organisation, pro-Soviet and Non-Zionist,' with policies the 'same as those of Communist Party Palestine.'¹⁰ Fricsons was certainly back in his natural element, targeting his least favourite group, alleged Jewish communists. Over the following months the Americans were inundated with information on this subject. As in the Alferchik case, there was practically no detail that Fricsons could not supply on his targets. Peter Endes of the Jewish Committee in Traunstein, for example, was exposed for his regular contacts with Soviet liaison officers in Munich. One Latvian Jew, who was also a former Red Army officer, had allegedly established a communist cell in the Feldafing Jewish camp, while others were buying weapons from communist Yugoslavia. Another report recorded that a woman was involved in espionage for the Soviets and had recently photographed an airfield at Sonthofen, while a Lithuanian communist cell was distributing propaganda in the Memmingen DP camp. One of Fricsons's earliest reports as an official US informant provided intelligence on a former 'high ranking member' of the Latvian General Staff, Operations Section, who had supposedly defected to the communists when the Soviets invaded in 1940.¹¹

Fricsons's intelligence reports were not only replete with information linking the Jews to communism, but also dwelt frequently on the flow of illegal Jewish immigrants to Palestine that was organised by the Zionist

underground. At that time, Britain was waging an increasingly brutal and futile campaign not only to prevent Hitler's victims from finding safe refuge in Palestine, but to stop the creation of an independent Jewish State there, operations eagerly supported by elements of US intelligence.¹² Fricsons was only too happy to assist by providing information about the flow of Jewish refugees to Palestine. One report disclosed the identity of the Jewish organiser who kept 'the secret card file which has real names of the Jews that emigrated illegally to Palestine.' According to the US intelligence dossier, the cards were 'passed around among the Jews by the Jewish Committee so that one Jew has one name for a period of time and then gets another Index Card and changes his name. The Index Cards are not forged however.' Naturally, many of the Jews involved in illegal border crossing and immigration to Palestine turned out to be communists, at least in Fricsons's reports.¹³

One of the most ironic aspects of Fricsons's work as a US intelligence agent spying on the Jews was that the Jews were, in turn, spying on Fricsons. Although the forces were unequal – Jewish intelligence operations relied almost entirely on the impoverished victims of the Holocaust while Fricsons had US government support – nonetheless Zionist operations successfully tracked his activities. In the immediate post-war years, Zionist intelligence, aided by informal Jewish groups, searched for witnesses against known Latvian war criminals. Argods Fricsons was prominent on the lists. In January 1949, for example, the Yiddish language newspaper *Forward* appealed for information about Fricsons, who was reported – accurately – to be living in the Memmingen DP camp. Several Jewish lists of known Baltic war criminals, which were distributed widely at this time, mentioned Fricsons and called on Latvian Jewish survivors to come forward with testimony to indict him. One Jewish publication called on Baltic survivors, both 'Jews and non-Jews,' to 'fulfil the most sacred of your duties' and 'help punish the murderers!' Among the mass killers listed was Fricsons, 'former Chief of the political police in Libau, until recently clerk with the IRO in Munich, now in Memmingen, US Zone.' Although Jewish intelligence may have had far more limited resources than Fricsons's sponsors in US intelligence, it is clear that they had compiled

basically accurate information. Indeed, it is probable that it was a Jewish intelligence operation that had first passed information to the Americans in 1946 about Fricsons's war crimes background. That information had the opposite effect. Indeed, it had actually led to his recruitment by the US Army CIC.¹⁴

By late 1947, however, even US intelligence was beginning to ask questions about Fricsons. Although his intelligence reports kept coming with regularity, one US intelligence officer decided that Fricsons was little more than a conman, and sacked him in December 1947. 'I found the informant unreliable, spoiled, overpaid and otherwise worthless,' he recorded on 24 February 1948. A few weeks before this report, the British War Crimes Group in Memmingen had attempted to arrest Fricsons. This may have had more to do with British intelligence's knowledge of Fricsons's work for the CIC than with any real desire to apprehend a wanted war criminal.¹⁵ At this time, it was common for British intelligence to arrest American Nazi agents, and vice versa. It was all part of an espionage game in which the two 'allies' competed for information and sources, and sought leverage over each other's agents by arresting them as war criminals. After some initial pressure and threats of forcible repatriation to the Soviets, the agents would then resume work, only this time on behalf of the people who had arrested them as fugitive war criminals.

On this occasion, however, Fricsons escaped the British officers and went underground. This caused a flurry at CIC Headquarters, which asked for urgent reports on a variety of matters, especially whether Fricsons was 'in a position to compromise known or other CIC Informants.' Apparently the fugitive was still on the books as an informant at Headquarters, notwithstanding his supposed dismissal a few months earlier.¹⁶ This caused a certain amount of nervousness on the part of one CIC Special Agent, who defensively claimed that Fricsons 'was used only for general coverage and not given specific "EEI's" [Elements of Expected Information] and it is the thought of this agent that subject is not in a position to compromise other CIC informants or "EEI's" '¹⁷ Despite such re-assurances, CIC Headquarters was falling over itself to get Fricsons off their books. On 19 March 1948, they wrote to their Commanding Officer:

Inasmuch as Subject has not been productive and his background and relationship with British War Crimes is apt to be embarrassing to this organisation, authority is requested to drop Subject from active status.¹⁸

Two weeks later, Major Earl Browning of CIC Headquarters informed all relevant CIC Regions that Fricsons 'has been dismissed as an informant of CIC Region IV,' both because he was wanted as a war criminal by the British and because he 'has been unproductive.' Browning ordered that Fricsons 'be entered in the Master Personality Index of your region as undesirable for future use as an informant.'¹⁹ A few months later, however, Argods Fricsons was accepted for immigration to Australia, and while US intelligence continued to record its embarrassment at his war crimes background, he became an Australian citizen a few years later.²⁰

The British have nothing to be proud of in the Fricsons case. Although it is established that Fricsons was employed as an agent despite American knowledge of his role as an SD officer, the fact is that the British had also officially listed him as a war crimes suspect and had issued orders for his arrest. Yet when Fricsons applied for permission to migrate, neither country, it seemed, warned the Australian immigration screeners of Fricsons's past, nor did they insist that he be automatically classified as 'ineligible for IRO assistance' in line with existing rules. Rather, both British intelligence at Herford in Germany, and the US Army Counter Intelligence Corps reported to the Australian security officer in Cologne that Fricsons was eligible for migration and that they had no derogatory information on their files. This was, of course, a lie, as already demonstrated. Although the main responsibility for this seems to lie with the Americans, the British were not blameless. Indeed, it remains a scandal that Britain completely protects the identity of its Nazi agents, whereas the United States releases large parts of its intelligence files, no matter how embarrassing it may be to Washington's reputation.



It is, however, possible to track the history of Whitehall's Nazi agents by searching the declassified files of the Foreign Office and the War Office. One of these agents was almost certainly a senior colleague of Argods Fricsons in Latvia's collaborationist regime. Arvids Kripens had served the Nazis in many roles during the war. Nevertheless, he found sanctuary in Australia in the early 1950s. Kripens had made his way up the Nazi ladder during the war, ending his career as an SS colonel. He had also been personal assistant to the chief Latvian quisling, General Oskars Dankers. When the Germans arrived in Latvia in mid-1941, Dankers had been appointed as Director General of the quisling administration, a post slightly inferior to head of a 'government.' It was still the most senior office under Nazi rule. Those who had held senior positions in this administration were supposed to be arrested on sight, and handed over for trial as war criminals or quislings after a brief investigation confirmed the positions they had held and the roles they had performed for the Nazis. Both Dankers and Kripens fell into this category.

In fact, Arvids Kripens was one of the first and most prominent Latvian Nazis 'investigated' by British authorities after the war. His case set the tone for what was to become a virtual amnesty for even the worst mass murderers from the Baltic states. In mid-1945, the Soviets requested his extradition, charging that he had been 'a furious Nazi' and had commanded an SS unit which had 'ruthlessly suppressed every anti-Nazi and anti-German tendency and action,' and carried out 'executions of [the] peaceful population.'²¹ Kripens was soon discovered in Zedelghem Displaced Persons camp in Belgium. British military authorities then carried out an investigation, and on 19 November 1945 decided that the Soviets' case against him was so strong that he should be immediately surrendered as a war criminal.²² The Soviet Military Mission was informed and nine days later one of their officers visited the camp to accept Kripens's surrender. Although the British Foreign Office later acknowledged that the Soviet officer had acted completely properly, the transfer did not take place. Kripens apparently had been tipped off, and in an act of desperation born, undoubtedly, from his knowledge of the fate that awaited him in communist hands, attempted

suicide by plunging a knife into his chest. Despite inflicting a serious wound, the former SS colonel survived and was placed in hospital, where he remained under British control for the next seven months.²³

However, Arvids Kripens was not repatriated, as the British had previously promised the Soviets. Instead, he was laundered through the Allied screening system and allowed to emigrate to Australia where he joined Karlis Ozols, Arvids Upmalis, Vilis Runka and Argods Fricsons as senior leaders of the *Daugavas Vanagi*, the worldwide Latvian SS organisation that grew to have 1,200 Australian members.²⁴ A few days before Christmas 1945, the Foreign Office concluded that, 'there was no doubt that a *prima facie* case existed against [Kripens] as a war criminal.' This was consistent with the advice of Major Thomson, the British officer who had conducted the preliminary investigation of the case.²⁵ On 1 January 1946, the Foreign Office's Soviet and Baltic states expert, Thomas Brimelow, wrote to the War Office outlining the British Government's position on the Kripens case. Brimelow advised that 'in view of the nature of the Soviet claim against Kripens and of the promise already given by the Military Authorities to hand him over, his transfer to the Soviet Military Authorities should be effected as soon as possible if it can be confirmed that he was in command of an SS unit in the USSR.'²⁶ As we shall see, this was later completely substantiated, but Kripens was not handed over to face punishment as a war criminal.

Meanwhile, a strange *volte-face* had occurred over at the War Office. By January 1946, the military were in near total denial about Kripens, probably because he was providing intelligence on Soviet military matters. On 22 January, they insisted to Brimelow at the Foreign Office that their intelligence officers had established that Kripens had never been an SS member.²⁷ This news cheered Brimelow immensely, who was none too keen on acceding to the Soviets' request. He was 'anxious that this case be handled with the utmost care' because the Soviets had requested the extradition of a number of Latvians, Estonians and Lithuanians and Kripens's case might set an unfortunate precedent. Therefore Brimelow made it clear to Lieutenant Colonel V. Isham at the War Office that they had to establish which unit he had served in, what rank he had held and where and when he had committed his crimes.²⁸

Unfortunately for Brimelow, the same day that he dispatched this request, Isham had already posted a detailed outline of Kripens's wartime activities. The two letters actually crossed in the mail. Isham turned out to have made extensive inquiries, and his definitive condemnation of Kripens landed on Brimelow's desk a few days later. Isham's report documented Kripens's posting as a senior officer in the Nazi-controlled Latvian Interior Ministry from February 1942 to April 1943. This was during the period when major operations were undertaken against civilian political opposition to German occupation. The War Office's investigation substantially confirmed the Soviet charges, as the German-controlled Latvian Interior Ministry had directed the entire repressive apparatus in Latvia, including the police units which had carried out mass killings of Jews, Gypsies and anti-Nazis. According to Colonel Isham, Kripens then joined the SS Latvian Legion as commander of the Third Regiment, and served on the Eastern front from December 1943 to June 1944, when he was transferred to Danzig (Gdansk) in present-day Poland.²⁹

Colonel Isham had, in fact, uncovered still more damning proof corroborating the allegations. The War Office files contained a cutting from the *Wilnaer Zeitung* of 14 April 1943. This newspaper was one of the Nazis' major propaganda news sheets in the Baltic states during the war. This edition reported that Kripens and other senior Latvian Nazis had formally been 'administered the oath to the Führer by SS Brigadeführer and Major General of the Waffen SS Hansen, in the presence of the SS Obergruppenführer and General of Police Jeckeln and witnessed by the General Kommissar Dr Drechsler and the SS Commander of Latvia, Brigadeführer and Major General of Police Schröder in the office of the Senior SS and Police Commander of the Ostland.'³⁰ As outlined in Chapter Three, these were senior Nazi officers who directed mass killing operations in Latvia. In other words, Kripens had been a senior member of the Latvian collaborationist élite. He had helped to form and then lead the so-called Latvian Legion, comprising the 15th and 19th Waffen SS Divisions.

The War Office cited further damning evidence from British intelligence reports that established the continuity between the Latvian

auxiliary Security Police battalions, which had been formed in 1941 under SS command to 'maintain order' and fight the partisans, and the SS Latvian Legion. In fact, the majority of the members of these police units had voluntarily transferred to the Latvian SS Legion in 1943 and 1944, and those who did not do so were later conscripted as part of a wider forced mobilisation. Naturally, the British made no mention of the bloody role of these police units in massacring tens of thousands of innocent civilians, particularly Jews and Gypsies. The War Office concluded, however, that the newspaper report, taken together with Kripens's own admissions, indicated 'that he undertook to fight for Germany in a formation administered by Himmler and occupied the position of regimental commander,' fighting against the Soviets on the Eastern front.³¹

Subsequently Kripens himself confirmed the charges, admitting in a letter to a former British diplomat who had served in Latvia in the 1930s that he had served under Nazi command during the war, although he claimed to have been 'called up.' This was a lie. When Kripens joined the Latvian SS Legion as a senior and founding officer in April 1943 it was composed entirely of volunteers. He also claimed to have fought only 'against the Communists and not under any circumstances against our old friends the English.'³² This apparently impressed Brimelow at the Foreign Office. Although he reluctantly admitted that the 'case against [Kripens] is beginning to look black,' he found a simple way around the problem.³³ On 20 February 1946, Brimelow wrote again to Colonel Isham at the War Office. Instead of directing that the Army should now surrender Kripens – the action that he had earlier indicated would automatically follow confirmation of his leading role in an SS unit – Brimelow now changed the ground rules. While it was established that Kripens had been an SS officer, he stated that what is 'not established is that he "was a furious Nazi" and that he "ruthlessly suppressed every anti-Nazi and anti-German tendency and action" '³⁴

Having changed the Foreign Office's own rules, Brimelow then directed Isham to ask the Soviets to produce evidence that Kripens had committed 'acts contrary to the laws and usages of war.' It had now

been decided that Britain would not hand Kripens over to the Soviets simply because he had been an SS member, as this may have established a general policy requiring the surrender of all members of Baltic SS divisions, among whom British intelligence had numerous agents. While the Foreign and War Office bureaucrats were playing this deceitful game, the Soviets repeatedly requested that the British honour their original commitment and hand Kripens over to face justice as a war criminal. In the end, the Soviets became totally frustrated, lost interest and finally gave up altogether. The British authorities then released Kripens in July 1946, illegally giving him status as a Displaced Person. Instead of being classified as a war criminal, as the British had originally determined, Kripens joined the throng of refugees as though he, too, were an innocent victim of the Nazis or genuine political dissident from Stalin's tyranny.³⁵ It was a calculated undermining of the principles of the International Refugee Organisation, and of the function of Western spy agencies to provide accurate information to prevent Nazis from illegally gaining assistance. Soon after his release, Kripens was sent to a DP camp near Oldenburg, Germany, and then passed onto an Australian immigration selection team by the unwitting IRO. When the naive Australians requested a vetting check from British and American intelligence, they were told that no derogatory information was held on Kripens.

According to the British War Crimes Group responsible for Latvian investigations, the decision to release Kripens and grant him DP status was 'in accordance with current Wehrmacht disbandment policy.' This treated former members of the Latvian SS Legion as though they had been only nominally under Nazi command and therefore 'not within automatic arrest categories.' Furthermore, Latvians who had been members of the German Army – as distinct from the SS to which Kripens belonged – were 'eligible for conversion to DP status' under prevailing rules. Even colonels were to be freed unless they were 'war criminals' or 'security suspects' – precisely the category into which the British had already placed Kripens, since not only had the Soviets accused him of participating, as a very senior officer, in mass executions of civilians, but the British themselves had confirmed the veracity of the charges.³⁶

In fact, Kripens's case was just one of many examples of a much wider amnesty given to Nazi collaborators and war criminals from Latvia, Estonia and Lithuania. In 1989, the British All-Parliamentary War Crimes Group examined Kripens's case in some detail. They reported that normally 'the fact that a man had been a Waffen-SS officer in charge of a police unit would have been sufficient to merit detention followed by detailed investigations. Here, however, the Foreign Office operated a double standard and demanded a more exhaustive case than would have been required for German officers.' The parliamentarians concluded that British authorities 'were apparently ignorant of or wilfully avoiding information concerning the activity of collaborationists in German occupied Latvia.'³⁷ There is no doubt that this conclusion is justified. British diplomats, military and intelligence officials were certainly aware of the very serious charges against Kripens. Indeed, they possessed substantial evidence to support them. Yet, having released Kripens and given him legitimate DP status – to which he certainly was not entitled – they did nothing further either to investigate or take action against him. Even when he applied for IRO assistance to emigrate, they turned a blind eye and allowed Kripens to resettle in Australia, where he joined old comrades from the Latvian killing fields like Karlis Ozols, Arvids Upmalis, Argods Fricsons, Konrads Kalejs and Vilis Runka.



Byelorussians such as Nikolai Alferchik and Latvians such as Argods Fricsons were not the only Nazi mass killers recruited by Western spy agencies. Both British and American intelligence worked with fascist groups from every corner of Europe. The most active, and in many respects the most aggressive Nazi faction to push themselves forward as allies in the West's anti-communist struggle, was Ante Pavelić's Ustaše. Of all the Nazi *émigré* groups, the Ustaše were probably the best organised, and the most experienced in clandestine warfare and intelligence operations. This was due, in large part, to the decade of underground organisation and terrorism they had carried out from their

exile bases in Italy, Hungary and Germany in the 1930s. The Ustaše's post-war success owed much to the close relations they maintained with senior Vatican officials who, like the *émigré* Nazi groups, had decided to work closely with Western intelligence on anti-Soviet operations. The key figure in the Vatican's operations was the fascist Croatian priest Father Krunoslav Draganović, the Secretary of the Croatian Order based at the Confraternity of San Girolamo at via Tomacelli 132 in Rome.

From this base, and acting on the direct orders of Monsignor Giovanni Montini, Assistant Secretary of the Vatican's Secretariat of State and later Pope Paul VI, Father Draganović built an extensive clandestine operation on behalf of the Ustaše. Draganović's network extended to gold and money laundering, the hiding and smuggling of Nazi fugitives out of Europe, the organisation of military and terrorist operations against Marshall Tito's regime in Yugoslavia, and close cooperation with British and American intelligence on a host of anti-communist operations. A key member of this ring of spy-priests was Josip Bujanović, the Catholic priest discussed in Chapter Five who had ascended the Ustaše ranks to become one of the most senior mass killers in the Nazis' Croatian puppet state. After the war, Bujanović was appointed by Ustaše leader Ante Pavelić to the triumvirate of leaders directing the underground. He then worked with Father Draganović, both on Nazi-smuggling operations and as the contact point within the Church for the Croatian armed resistance against Tito's communist regime. His main claim to fame was that in 1947 he personally arranged Pavelić's escape from Italy to Argentina. In the 1960s, Bujanović settled in Australia and became a key suspect for the Nazi investigators in the 1980s. By contrast, in 1967 Father Draganović dramatically returned to Yugoslavia. Although some of his supporters claim he was kidnapped, there are strong circumstantial indications that he may have defected to the communists, or even have operated as a double agent from a much earlier time.³⁸

Draganović was not the only Ustaše militant against whom persistent claims were made that he had been a secret communist agent. The Little Wolf from Sarajevo, Srećko Rover, rose to the higher ranks of

the post-war Ustaše network in Italy, Austria and Germany. He worked closely with Pavelić and the other senior terrorist leaders, and developed a close relationship with Father Draganović. In later years, many within the Ustaše movement pointed to Rover as a possible communist double agent. They accused him of betraying dozens of his colleagues to certain death at the hands of the Yugoslav secret police. These allegations may, in part at least, be put down to the routine internecine squabbling which beset the competing and often violent factions of the Ustaše from the early 1950s onwards. Certainly, defamation of up-and-coming younger leaders like Rover was routine in the hothouse atmosphere of *émigré* politics, especially as the older leaders who had led the movement in the 1930s lost their drive and became less and less effective in the fight against 'Serbian-communist domination.'³⁹ There were, however, many hints that the allegations against Rover may have had some substance.

After serving as a mass killer in Bosnia during the war and consequently rising up the Ustaše hierarchy, Rover had fled Croatia in April 1945 with his wife and father, amidst the throng of retreating and largely demoralised Ustaše forces. The Rover family withdrew westwards, first to Slovenia and thence to Austria, where they were taken prisoner by the British. Srečko was sent initially to the hastily constructed Displaced Persons' (DP) camp at Krumpendorf, and on 20 May 1945 was transferred to Fermo DP camp, near Ancona in Italy, while his father, Josip, was sent to the Bagnoli camp.⁴⁰ Fermo and Bagnoli were the two most important Italian bases for the post-war Ustaše network, and Rover soon re-established contact with two of his old comrades, Drago Jilek and General Vilko Pečnikar, who were operating from the Ustaše's Rome headquarters. Rover also 'maintained links with Father Draganović,' the senior Ustaše operative in Italy. According to Rover's pre-war comrade from Sarajevo, Božidar Kavran, at the beginning of 1946, Rover was ordered by Jilek, Pečnikar and Draganović to travel from Fermo to Trieste. His orders were 'to organise an intelligence link for the illegal sending of terrorists into Yugoslavia.'⁴¹ US intelligence corroborated Kavran's claim, which he made in 1948 while under interrogation by the Yugoslav secret police. The Americans

recorded that in February 1946, Rover travelled 'to Trieste to establish contacts.'⁴²

Trieste at this time was a hotbed of intelligence and counter-intelligence activities. Tito's partisans had only been narrowly prevented from taking this half-Italian, half-Slav port city by a nasty confrontation with the Western Allies, and by now it was uncomfortably divided between the Free Territory of Trieste – controlled by the British Army – and another section temporarily administered by the Yugoslavs. The communists orchestrated regular demonstrations in an unsuccessful effort to ultimately take the port, while British and American intelligence ran a series of operations out of the city, many using the Ustaše's network of mass killers. In fact, Trieste soon became what one British intelligence officer who served in the city at this time described as the 'meeting point for the resistance forces inside Yugoslavia and the forces who were financing, controlling and directing them in Italy.' The 'resistance forces' went by the name of the Križari (the Crusaders), and were little more than British and American-financed (and armed) terrorist units whose job was to disrupt, and if possible, overthrow Tito's regime. The Križari largely consisted of fugitive Croatian war criminals like Srećko Rover. Through Father Draganović, who maintained close contacts with both British and US intelligence, Rover was put in touch with Colonel Lewis Perry, the American officer who actually ran *Operation Headache/Boathill* in close collaboration with the Vatican's Ratlines. In 1946 and 1947, Colonel Perry ostensibly served with the US Army Counter Intelligence Corps in Trieste, although the British intelligence officer who was based there at the same time maintained that Perry did not wear any distinguishing military insignia on his uniform.⁴³

Perry was impressed with Križari Captain Rover, as he had by then become, and recruited him as an agent on American-financed anti-communist operations. It was yet another case in which a senior US intelligence officer and a fugitive war criminal worked closely together as part of wider Western schemes. Perry obviously had a high regard for Rover, as his first operation for US intelligence was to infiltrate Yugoslavia personally – a highly dangerous action in light of the

number of agents then being captured, tortured and almost always executed by the communist security forces. Rover's orders were to organise a safe route into Croatia for Western-trained Križari agents. Perry and Rover together prepared false identity and travel documents for the operation, and in late February or early March 1946 Rover arrived in Rijeka on the Adriatic coast. For the next four weeks he operated underground in communist Yugoslavia, visiting Zagreb and then returning to Rijeka, before he reported to Perry in Trieste that he had successfully established a route to infiltrate agents and terrorists behind the Iron Curtain. Unfortunately, the very next agent dispatched by Perry and Rover along this route was immediately captured by the communist secret police. This operation sent a young woman by the name of Rajka Visčević into Croatia to contact the Križari fighters in the rugged mountains. While Rover had successfully evaded arrest on his visit to Tito's Yugoslavia and returned safely, Visčević was captured by Yugoslav security soon after crossing the border from Trieste. It was an event which set the tone for most of Rover's operations, both for the Križari and for Colonel Perry. Despite the obvious insecurity of the route he had established, Rover subsequently insisted to his closest comrades in the Križari underground that it was safe to continue sending agents and terrorist fighters into Yugoslavia by the same means.⁴⁴

Rover himself, however, had access to the best clandestine network in Italy at the time – the network run out of the Vatican by Father Krunoslav Draganović under cover of the San Girolamo Institute in Rome. Among other operations, a thriving and sophisticated industry in false identities operated out of San Girolamo. One of the master forgers was Slavko Marjanović, who was detailed to help the most important agents, like rising Križari star, Srečko Rover. According to one US intelligence report, it was Marjanović who forged a Croat Red Cross identity card for Rover under the alias of Mirko Bogdanović. With this paperwork in hand, Rover obtained an alien's sojourn permit from the Questura (Italian police) in Rome. This enabled him in turn to receive a registration certificate, sojourn permit and Italian identity card in Trieste, allowing him to travel freely between his Rome and Trieste

headquarters. Rover's old school friend and fellow Ustaše officer from Sarajevo, Mirko Hemen, arranged the next piece of the complex, but necessary identity paperwork. Hemen obtained a blank Displaced Person's Index Card, number A-00545813, to which the forgers affixed the alias Mirko Bogdanović. This, in turn, allowed Rover to travel undetected between his various bases in the DP camps, especially from Fermo to Bagnoli, the two camps in which the Ustaše and Križari underground were then operating with virtual freedom from Allied scrutiny.⁴⁵

This was only one of several false identities Rover used in the immediate post-war years. Another was Srečko Šarić, an alias that he probably used on his clandestine mission to Yugoslavia. When questioned about this false identity, Rover claimed to US intelligence that he had brought a legitimate sports club membership card from Yugoslavia and affixed the false name of Srečko Šarić. Using this as proof of identity, he obtained yet another blank Displaced Person's form in Fermo and used this second alias on DP Index Card, number 1-3005723. In this way, Rover now had two apparently legitimate, though false, identities to travel around Italy. As a result, he could legally seek refuge in the Allied-run DP camp system, in which he never registered under his own name. Finally, he used the alias Srečko Šarić to obtain a Yugoslav internal passport from one of his comrades in the Križari underground. This enabled him to travel illegally from Zadar to Trieste, probably on his February 1946 mission on behalf of Colonel Perry.⁴⁶ As will be seen, though, Mirko Bogdanović and Srečko Šarić were just two of several false identities Rover used for his illegal operations, both for US intelligence and for his superiors in the Ustaše.

Rover's many aliases were only good for Italy, however, and they would not work in Austria. This caused Rover to spend a few months in a US-run prison in Italy. After returning from his mission to Yugoslavia for Colonel Perry, Rover travelled frequently between Trieste and Rome, again meeting regularly with Draganović, Pečnikar and Jilek. He provided his superiors with the intelligence he had collected in Trieste, and especially what he had learned on his clandestine travels about the situation in Yugoslavia. According to Tito's secret service, most of his

'work in this regard was with Father Draganović,' who passed Rover's information to the US Counter Intelligence Corps in Rome.⁴⁷ Everything went well until Rover was ordered to visit Križari headquarters in Villach, Austria, in July 1946. The officer in charge at Villach was Rover's old comrade from Sarajevo, Božidar Kavran, who later gave a detailed statement to the communists about what happened to Rover on this trip. Rover had been accompanied on this visit by another of the Sarajevo old-timers, Drago Jilek, and their purpose was to report on the development of relations with Western intelligence along with their operations in Italy. But no sooner had the three Ustaše officers gathered together at Villach for the first time in over twelve months than the whole operation came unstuck. As they walked down the street deep in conversation, Rover, Kavran and Jilek unknowingly passed by the local headquarters of the British Army's 62nd Field Security Service unit. Rover, in particular, seemed suspicious to the British military intelligence officers, and all three of them were arrested and taken away for questioning.⁴⁸

Kavran and Jilek were quickly released, as their identity papers were in order. Rover was not released, as it turned out that none of his carefully constructed false identities was valid in Austria. As a result, he was quickly handed over by the British to US intelligence in Italy. On 10 July, he was imprisoned in Udine, the Italian town where many of the Western-backed Križari were then in training for anti-Yugoslav operations.⁴⁹ Interrogation by US Counter Intelligence Corps officers revealed that Rover had been an active Ustaše member since 1939, and had served as a 1st lieutenant in Pavelić's army. Under Western policy of the time, this should have entailed his automatic repatriation to Yugoslavia. But Rover was far too important to US intelligence, and he was released just as soon as news of his arrest reached Colonel Perry in Trieste so that he could continue his work both for the Križari and Western intelligence. Rover then spent some time revitalising his links in both Fermo and Bagnoli, and then returned to Austria to report to Kavran and help organise armed incursions into Yugoslavia. He was, however, arrested once more by the British at the beginning of 1947 when he tried to cross from Italy into Austria. Yet again, he was released on Colonel Perry's intervention.⁵⁰

In the first few months of 1947, Rover travelled to and from Rome and Trieste and widely through the Italian DP Camps, acting as a courier for his Ustaše superiors, recruiting new members for the Croatian intelligence and terrorist network and gathering information for his American sponsor. Rover had by then assumed a rather senior position in the Ustaše network, and was often known to his comrades by various codenames, including *Vučko* (the Little Wolf) and *Bimbo* (Baby). However, he soon ran into trouble with Western authorities once more. In April and May 1947, military intelligence launched a fresh series of operations to arrest war crimes suspects and remove *Blacks* from the DP Camps. In the second half of 1946, the Allies had carried out the ominously named *Operation Keelhaul* as the first stage in this process. In mid-April 1947, they conducted *Operation Backhand* at Fermo, but Rover was lucky enough to be absent the night the troops arrived looking for Ustaše war crimes suspects. A few weeks later, however, his luck deserted him when *Operation Crossline* was launched at Bagnoli. Rover was at the camp visiting his father, Josip, when the Western troops arrived on 3 May and arrested him together with three dozen of his closest comrades. They included Father Stjepan Osvaldi-Toth and Josip Babić, both of whom later worked closely with Rover on Ustaše operations in Australia, as will be discussed in Part Four. Naturally, Rover was not registered at the camp under his own name, but under yet another false identity, Josip Kovačević.⁵¹

This alias did not fool the Western officers for one moment. As the diplomatic messages bounced backwards and forwards between Italy and Washington, Rover was officially listed as Josip Kovačević, but the US officers were sure that this was merely the 'alias of Rover, Srečko, reported as Ustashi officer and close collaborator of Gen. Pecnikar.'⁵² US State Department intelligence obviously did not want to expose a valuable American asset to the risk of extradition to Tito's Yugoslavia. US Army Counter Intelligence Corps and British army intelligence files prove conclusively that Kovačević and Rover were one and the same person. One list, for example, compiled by the CIC with the notation 'Ustasha Bagnoli Camp May 1947,' listed the name 'Kovačević Josip,' and next to the name an intelligence officer had written 'ROVER.'⁵³ Even

State Department intelligence, however, knew of Rover's deep involvement in Križari terrorist incursions into Yugoslavia. One State Department report in July 1947 recorded that Rover was 'in contact with resistance groups inside Croatia,' also noting his regular movements between Ustaše bases in Rome, Trieste and Bagnoli. This was apparently considered to be something in Rover's favour, as he had been released from the US-run Military Prison and Detention Barracks in Rome a month earlier on 20 June and returned to Bagnoli as though he was a legitimate refugee entitled to international assistance. Seemingly, Colonel Perry had come good, yet again, for the Little Wolf from Sarajevo.⁵⁴

In late 1947, Rover again visited Austria to report to Kavran, who had become the commander of the Križari forces that were then being sent into Croatia in significant numbers. Rover's field of operations were broadened, and in January 1948 Kavran dispatched him on the first of several visits to Germany. His orders were to recruit Križari fighters from among the large number of Ustaše who had been classified by the West as *Greys* (that is, Nazi collaborators) and sent to Germany in preparation for emigration as though they were victims of Hitler. He also helped to forge identity and travel papers for senior members of the movement, so they could easily cross various borders, especially from Germany to Austria to Italy, and when appropriate into Tito's Yugoslavia. Following these visits Rover was promoted rapidly up the terrorist hierarchy. Kavran saw him as a future commander of the operations, and provided him with extensive training on the methods of sending terrorist groups into Yugoslavia to wage war against the communists. He was then promoted to the post of Kavran's deputy at the Trofaiach terrorist base in Austria and began to send Križari units into the field on his own orders. Rover now stood at the pinnacle of the Western-backed Croatian resistance network. During Kavran's absence in March 1948, Rover took charge of the entire operation, including the secret radio channels to the units operating inside Yugoslavia, and even guiding new groups across the Austrian-Yugoslav border.⁵⁵ The trouble was that everything Rover touched turned into a disaster. Perhaps it was only a coincidence, but among the senior Križari officers Rover was

one of the very few who repeatedly entered Yugoslavia to avoid detection and arrest by Tito's ruthless and efficient security service. At the very least, Rover seems to have been very lucky, unlike the numerous militants he recruited in Italy, Austria and Germany, whom he sent to torture and death at the communists' hands.

In June 1948, Rover again visited Germany where he made contact with the US Army Counter Intelligence Corps in Frankfurt. For this trip Rover used yet another false identity, Anton Tundulin, a deceased Croatian refugee who had held legitimate identification papers for the US Zone of Germany. When he contacted the CIC office at the end of June, Rover explained that he had come to Germany to brief trusted Croatians on the resistance struggle inside Yugoslavia, and to recruit them to 'return to Croatia to help coordinate the resistance.' He also wanted 'to establish liaison with a US Intelligence Unit and to request possible "unofficial" US aid and assistance in the Croatian Underground Movement's efforts to wage an effective and successful fight in anticipation of an impending armed revolt against the communists.' Rover also provided the US intelligence officers with copious information on the leadership of the Croatian resistance. The real purpose of his visit, though, was to request aid from the US military authorities 'in training Croatian personnel in the use of signals equipment and communications.' He also asked the Americans to provide sophisticated radio equipment for use in the Križari operations.⁵⁶ By this time, Rover had practically taken over the terrorists' communications channels, and was becoming the movement's expert in radio codes.

When Rover returned from Frankfurt to Trofaiach, the incursions were reaching a climax. Deluded by their own bravado and emboldened by the support they were receiving from British and American intelligence, Kavran and Rover had already decided that they, too, would go to Croatia and join what they believed to be an imminent mass revolt against Tito. Kavran crossed the border while Rover was still in Germany at the end of June 1948, but despite having 'pleaded' with Kavran to be allowed to join personally the struggle in the homeland, Rover never made the trip. It was another lucky break for the

Little Wolf. All the men he ordered to cross the border or personally guided into Yugoslavia were captured or killed, mostly within hours. The stragglers were picked up by the communist security service within days, and in August 1948 a major 'show trial' of the Križari militants was conducted in Zagreb. Rover was one of just a handful of officers who were not there. It is clear from the Yugoslav intelligence files and the record of the 'show trial' that the communist secret police were well informed about all major aspects of Križari plans.⁵⁷

There can be no doubt that Tito's forces had double agents among the groups, nor that they had somehow obtained the secret radio codes used to guide resistance members to safe areas inside Yugoslavia. Unfortunately, the communists knew well in advance the precise details of the Križari operations, including the exact routes the groups were taking, the date and time of their border crossing and the rendezvous points inside the country. With these advantages, it was easy for the communists to lure the unsuspecting Križari into their hands using their own radio codes, the very same ones that Rover had been trained to use as Kavran's second-in-command. Once they were inside the country, the Yugoslav security service picked up the terrorist groups at will. Among the defendants who faced communist 'justice' in Zagreb in August 1948 were Ljubo Miloš, Ante Vrbanić and Nikola Pešarić, all former professional mass killers who had served at the notorious Jasenovac concentration camp. All three had been in British and American custody after the war, but had mysteriously 'escaped' and then volunteered for the Western-backed Križari operations. In his testimony at the trial, Pešarić referred to Rover by one of his codenames, *Bimbo* (Baby). He told the court that *Bimbo* (Rover) had guided his group into Yugoslavia from Austria, and had provided him with a radio transmitter to maintain communications with Križari headquarters. Rover had also ordered Pešarić to destroy railway lines and rolling stock, and assassinate senior Yugoslav officials.⁵⁸

As we now know, Tito was toying with his fascist opponents. The joke, though, was more on the Western intelligence officers who were financing, training and supplying them. It was, in fact, the first complete defeat of Western operations behind the Iron Curtain. The pattern was eerily repeated over the following years, when operations in the

Ukraine, the Baltic states, Byelorussia and other communist countries ended similarly. It would take years before British and American intelligence would admit that they had been fooled by superb penetration and double agent operations. The end result of these shallow and self-defeating operations was to entrench Moscow's and Belgrade's superiority for the next four decades.

Following the complete collapse of the Križari terrorist operations in mid-1948, the Ustaše leadership finally accepted reality and decided that their post-war military effort was now at an end. With the assistance of Western intelligence, their followers were ordered to settle in Germany, or to emigrate to Argentina, Canada, America and Australia. As the Križari trials closed and Rover's comrades were either dispatched to the next world or sentenced to long terms of imprisonment, *Bimbo* simply applied for IRO assistance and was accepted for resettlement in September 1948, despite the large dossier that Western intelligence had compiled that demonstrated that he was ineligible for any form of assistance. Following Rover's exposure in a series of investigations published by this author in April 1986, his case was examined by a former senior officer of the Australian Attorney General's department, Andrew Menzies. Menzies reported that the 'absence of answers to many questions appearing in the IRO form suggests that [Rover's] application received a very cursory examination by IRO officers.'⁵⁹

The next event was, if anything, even more mysterious. Rover was appointed to the position of Chief of Police for the IRO soon after being illegally accepted for IRO assistance to emigrate.⁶⁰ This undoubtedly allowed Rover to help many fellow Ustaše war criminals be accepted for immigration to Australia and other Western nations. Menzies commented that he was 'not in a position' to explain how Rover came to hold this responsible post when Western intelligence had so recently established that he was a Ustaše officer during the war, and therefore automatically excluded from IRO assistance. Menzies in effect ignored the fact that Western intelligence officers were charged with ensuring that people like Rover were denied IRO care and the privilege of emigration to countries like Australia.

As previously discussed, American intelligence actually knew a great deal about Srečko Rover. As early as July 1946, the US Counter Intelligence Corps had established that Rover had joined the Ustaše in 1939 and served in Pavelić's army as a 1st lieutenant between 1943 and 1945. These details had been confirmed by the Frankfurt CIC office in June 1948, which reported that Rover had been a 1st lieutenant serving in armoured and motorised units of the Ustaše army. Another report by the CIC's European Command was compiled in September 1949, just a few months before Rover was accepted as a legitimate migrant under Australia's Displaced Persons scheme. This report recorded that Rover was 'formerly a member of the pro-Nazi Ustacha,' who went under the alias Josip Kovačević. The intelligence report went on to comment that Rover was 'a quisling though not on the [British] Foreign Office list of Yugoslav quislings.' In other words, Srečko Rover was officially ineligible for any form of IRO assistance, especially resettlement in a democratic Western nation like Australia. Yet this intelligence report was made just nine months before Rover was accepted by an Australian immigration selection officer in Italy. As in the case of Nikolai Alferchik and Argods Fricsons, the derogatory information held by the Americans was supposed to be passed to Australia's immigration screening team. It seems it never was.⁶¹

Rover, Alferchik, Fricsons and other Western Nazi agents had good reason to be confident of their futures when they stepped off the ships that brought them to Australia. Their bloody pasts as mass killers had been all but forgotten in the rush to gather intelligence on the communist menace and launch guerrilla operations to roll back the Iron Curtain. Even if they were technically illegal immigrants, they somehow knew that Australia would be a sanctuary which would protect them for the rest of their lives. Although their British and American intelligence handlers had apparently withheld the truth about their pasts from the Australian immigration security screeners, these Nazi agents also knew they had something to offer their new homeland. All they had to do was seek out the right connections. The officers of Australia's new spy agency, ASIO (the Australian Security Intelligence Organisation) were waiting with open arms. Some of the Nazi agents undoubtedly arrived

in Australia with warm recommendations from their former British and American sponsors. Others just naturally gravitated to ASIO, which was then waging a bitter war against international and domestic communist subversion. Any newly arrived 'aliens' showing the slightest signs of siding with the international revolutionary conspiracy and its local wing, the Communist Party of Australia, were special targets. On the other hand, 'aliens' who would fight the 'Red Menace' were welcome allies, even if they had so recently served the Nazis. It was a fertile ground for mass killers who should never have even been admitted, let alone granted Australian citizenship or work as respected agents for the security service of a democratic nation.

P A R T T H R E E

Australia 1947–1967: The Cover-Up

The first Nazi war criminals reached Australia in the second half of 1947, among early shipments of migrants coming under Arthur Calwell's Displaced Persons immigration scheme. Calwell soon learned they had arrived, but decided to cover up the scandal for fear it would ruin the program. His successor, Harold Holt, inherited the scandal and maintained the cover-up, which endured for almost forty years. In November 1986, however, the truth emerged when Andrew Menzies reported to the Hawke government that a significant number of Nazi war criminals had found sanctuary in Australia.

In the meantime, the Nazi groups, especially those from Central and Eastern Europe, had re-formed their fascist cells and cloaked their true identities behind the fashionable obsession of the day – anti-communism. Many were welcomed into the right-wing parties of the 1950s and 1960s, especially the Liberal Party and the Democratic Labor Party. Some became senior and influential figures, with access to government ministers and key bureaucrats. Emboldened by this warm welcome, the Nazis formed a major umbrella front, the Anti-Bolshevik Bloc of Nations, and continued to burrow into mainstream political life.

Andrew Menzies's 1986 report did not reveal all aspects of Australia's Nazi scandal. Indeed, one issue remained too hot, even then, for public exposure. As we have seen, a number of the Nazi mass killers

who settled in Australia had previously been on the payroll of US intelligence. Once in Australia, these same Nazi agents were recruited by the Australian Security Intelligence Organisation (ASIO). These included Argods Fricsons, the Latvian mass killer, Nikolai Alferchik, whose crimes were committed in Byelorussia, and Enver Begović, a Bosnian Muslim who had served in the SS *Handschar* Division.

As we shall see in the third part of this book, Australian intelligence's recruitment of these Nazi agents helped to explain why the federal government consistently refused to grant communist extradition requests concerning war criminals. To be fair, ASIO was not the only Australian agency active in the cover-up of the Nazi scandal. The Immigration Department effectively devised the cover-up for Australia's first Immigration Minister, Arthur Calwell, and perpetuated it for several decades under his successors, particularly Harold Holt and Athol Townley. The Attorney General's and External (Foreign) Affairs departments were also heavily implicated.

The tiny Jewish community campaigned long and hard against Nazi migration, however. From 1947 to 1953, it launched a series of media campaigns and also organised a number of large public meetings. These activities were terminated in 1953, when Immigration Minister Holt blackmailed the Jewish leadership. In effect, he forced them to decide between justice for the killers of their people and the future of Israel, the newly formed and much threatened Jewish state. Their decision to choose the future over the past helped Nazi mass killers to evade justice.

In June 1986, the Australian government appointed Andrew Menzies to investigate allegations that hundreds of Nazi war criminals had found sanctuary in Australia. These claims had been made in *Nazis in Australia*, a series of radio investigations prepared by this author and broadcast in April and May 1986 on the ABC's Radio National network.¹ A former senior official of the Commonwealth Attorney General's department, Menzies worked for the next five months on his report, which finally ended forty years of official denial and deceit. Contradicting the pronouncements of successive Labor and Liberal governments, which are documented in later chapters, he found that there were a substantial number of Nazi war criminals in Australia. In a groundbreaking departure from previous policy, Menzies recommended that the government should finally take action to bring these mass killers to some form of justice, no matter how belated. It was a highly moral response to a longstanding legal and moral problem that had been persistently ignored. It was also courageous, especially in light of the many official cover-ups that his own colleagues in the Attorney General's department had perpetrated over the previous four decades.

There was, however, one part of Australia's Nazi scandal that Andrew Menzies continued to hide. Whether through incompetence or timidity, Menzies refused to lift the veil of secrecy surrounding the

Western intelligence community's policy to use Australia as a dumping ground for Nazi war criminals. This is the last and, in many respects, most important of the Nazi secrets that the Australian government continues to hide in its classified intelligence files. Not that every secret is hidden in Canberra's top secret spy vaults. The complete truth will not, in fact, be revealed until all the British, American, Canadian and Australian intelligence files are declassified in full. As of March 2001, the United States is, to its credit, the only Western government conducting a systematic release of its records under ex-President Clinton's *Nazi War Crimes Act*. The other three Western nations involved in the Nazi conspiracy continue to hide their parts of the jigsaw puzzle, although the extent of their continuing cover-up varies. Britain maintains an almost absolute refusal to release files about its role in Nazi recruitment, while Canada makes some of its files available.

In Australia, the intelligence files of a number of Nazi migrants are publicly available under the provisions of the Commonwealth *Archives Act*. They are, however, censored so systematically that the complicity of the Australian Security Intelligence Organisation (ASIO) and other spy agencies in the Western Nazi scandal is almost erased from history. Of the thousands of pages of ASIO files relating both to individual Nazis and the Australian branches of their fascist movements, many thousands have been withheld completely. Many of the documents released actually look more like Swiss cheese than files because an enormous number of sections have been blacked out under various provisions of the *Archives Act*. Many of these deletions from the Nazi files are intended, supposedly, to protect the identity of the source or agent who originally provided the information to ASIO. Others allegedly protect the existence and nature of ASIO's relations with other Western intelligence agencies, particularly the British and American. Despite the best endeavours of the historical censors at ASIO headquarters in Canberra, it has proved impossible, however, to completely hide every aspect of Australia's Nazi secret.

Nor could Andrew Menzies hide everything, not for want of trying. Menzies forwarded his report to the Special Minister of State at the end of November 1986. One section, however, was not released. This

'Confidential Part of the Report' canvassed the involvement of Western intelligence in the Nazi scandal. The public report contained a two-page, highly censored summary of the confidential section. Just as this book went to press in April 2001, the government released a heavily censored version of the section itself, which is analysed in the Postscript. The cover-up is easy to discern, from what is said in both public and confidential versions, and what is not. The most significant of Menzies's conclusions could not, in fact, be supported even in the mid-1980s in light of extensive documentation already publicly available. In the intervening fourteen years, many more Western intelligence files have been declassified. These files definitively demonstrate either that Menzies was not told the complete truth by ASIO and by Australia's Western allies, whom he consulted on visits to Washington and London, or that Menzies himself deliberately withheld information about this aspect of the Nazi story.

Menzies's two-page summary of the secret section discloses the existence of special arrangements between Australian, British and American intelligence agencies for the relocation of people in Australia. This is code for the acceptance in Australia of former or serving intelligence agents, sources and people with special expertise of interest to the Western Alliance. Menzies claims that no one falling into this category who 'appears to have been the object of charges or allegations as to commission of war crimes' had been relocated to Australia under these arrangements. This is almost certainly untrue, as one American Nazi-hunter has first-hand knowledge of at least one request from US intelligence that resulted in the entry of a Nazi agent into Australia under these arrangements, but Menzies did not bother to interview this source.² This, however, is only a relatively minor part of the intelligence cover-up.

The next revelation of Menzies's two-page summary of the secret section addresses the 'possibility that former agents of U.K. or U.S. intelligence agencies may have entered Australia, particularly before 1956, without the knowledge of Australian authorities.' Indeed, Menzies had discovered as much, for he also reported that the secret section contained the details of 'one instance' which 'has come to notice of a person now in Australia and the subject of allegations of commission of war crimes' who worked for Western intelligence. Menzies further

records his 'suspicion of another like incident.'³ Clearly Menzies thought he was pushing this revelation to its very limits. Even so, it is an unsustainable proposition. As we saw in the previous chapter, the official files – which were available to Menzies as the Australian investigator – contain several examples of ex-Nazi US intelligence agents who passed through the immigration security screening system to make new lives in Australia. Menzies's conclusion that only one definite and one suspected ex-Western Nazi agent settled in Australia was untenable in 1986 and cannot be sustained in 2001. Many of the files available to him at that time have since been declassified and are now publicly available. Indeed, the cases of Nikolai Alferchik, Argods Fricsons and Srečko Rover provide a definitive rebuttal of Menzies's misleading conclusion. As will be discussed in this and later chapters, there are and always were numerous examples of the West's Nazi agents dumped in Australia by our allies, who in practice received immunity from justice as a result. Furthermore, not all of them found sanctuary prior to 1956, as the Menzies report implies.

The two-page summary then makes a still more ludicrous suggestion. According to Menzies, 'contentions that British or U.S. intelligence agents had influenced the selection for migration to Australia of particular persons the subject of allegations as to commission of war crimes by supplying false information to, or withholding information from, Australian selection officers proved to be unsupported on a detailed examination of the facts.'⁴ This conclusion even made a mockery of Menzies's own examination of Australia's immigration selection procedures in the late 1940s and early 1950s. As his own report found, final confirmation of an applicant's eligibility for migration to Australia was the responsibility of British and American intelligence in Germany. The procedure involved a request by Australian security officers to their British, American and, when relevant, French colleagues to determine whether any derogatory information, including war crimes and service for the Nazis, was held in their intelligence files. If such information had been disclosed it would, of course, have placed would-be migrants in category *Black* or *Grey*, making them ineligible for assistance by the International Refugee

Organisation. This would have ensured that they could never have settled in Australia (or any Western country for that matter).⁵

As we have previously seen, however, the cases of Nikolai Alferchik, Argods Fricsons and Srečko Rover demonstrate that American intelligence certainly withheld the detailed information in their official files about their service for the Nazis, as well as allegations that they had committed war crimes. In a sense, US intelligence also supplied false information to Australian immigration security screeners when Alferchik, Fricsons and Rover were cleared for resettlement. The case of Arvids Kripens, also recounted in the previous chapter, shows that British intelligence influenced his acceptance in exactly the same manner. With all four men, there was abundant evidence in British and American intelligence files indicating they were, at the very least, ineligible for migration as known Nazi collaborators and, at the most, liable for trial as war criminals. Yet all were accepted for immigration and found lifelong sanctuary in Australia.

Finally, the two-page summary of the secret section of the Menzies report discloses that ASIO officers made contact with a number of accused Nazi war criminals once they had been resettled in Australia. Indeed, Menzies confirmed a key charge made in the ABC programs that ASIO had 'obtained information from them for ASIO purposes not related to the war crimes allegations.' While Menzies stressed that there was no evidence that ASIO was involved 'in the circumstances of the entry of any of these persons into Australia,' it was the closest his report came to admitting that Australian intelligence had any involvement with the wider Western Nazi scandal.⁶ What Menzies actually meant, of course, was that ASIO had knowingly used ex-Nazis as intelligence sources during the Cold War battle against communism, as the ABC programs had claimed. In other words, Australia's domestic spy agency recruited Nazis, even war criminals, as agents to gather intelligence and, in some cases, to carry out covert operations.

Menzies supposedly had unfettered access to the Australian security files, unlike historians who have extremely limited access. Outsiders, in fact, have to use what ASIO grandiosely calls the 'mosaic' technique to piece together the intelligence jigsaw puzzle. The 'mosaic'

technique is, in fact, ASIO's own method of assembling the intelligence picture from a myriad of seemingly unrelated facts, even from gossip and tidbits, gathered by all methods – agents, sources, mail intercepts, telephone taps and other electronic devices. Historians and other researchers, ASIO argues, use this method for their own diabolical ends. What this means is that they might piece together their own picture of ASIO's often less than successful methods and publish revelations of incompetent and ethically dubious operations. Under Australia's highly restrictive *Archives Act*, ASIO can legitimately refuse to disclose the identity of a source or agent. As a consequence, any information which conceivably might assist in identifying a source or agent can be legally withheld, either in part or total, when ASIO considers a request for access to information. This covers all manner of information, no matter how inconsequential or even trivial it may be in and of itself.

Naturally, this makes piecing the intelligence jigsaw back together an extremely difficult task. Success for those who persevere requires the cooperation of serving or former intelligence officers, who run the risk of severe penalties if caught disclosing classified information. Unsurprisingly, it is difficult to obtain this cooperation, and when it is given it is almost always on condition of strict anonymity. Despite these immense difficulties, it has been possible to re-assemble enough of the intelligence 'mosaic' to make reasonable conclusions about a number of ASIO's Nazi agents. These are based both on what is documented in the public domain, and what a variety of sources – ex-ASIO employees and agents, former and serving Commonwealth and Australian Federal Police officers, foreign affairs bureaucrats, government ministers, politicians and their advisors – have told this author in mostly off-the-record interviews over the past quarter-century. This level of evidence cannot, however, conclusively document Australian intelligence's role in the West's Nazi scandal. In the absence of a government decision simply to release the records, only a full, public inquiry with wide-ranging powers could do this. What is beyond doubt, however, is that ASIO knowingly turned a blind eye to the presence in Australia of a large number of Nazi war criminals, and recruited some of them to

supply intelligence on a wide range of subjects. Even Andrew Menzies has virtually admitted as much.

Moreover, his successor in investigating Nazi mass killers in Australia is unequivocal on this point. Robert Greenwood QC headed the federal government's Special Investigations Unit from 1987 to 1991. Since leaving the post, Greenwood has persistently and publicly claimed that ASIO knowingly recruited Nazi war criminals as agents in the 1950s and 1960s. In a wide-ranging interview with this author about the work of his unit, which is recounted in Chapter Twenty-Two, Greenwood repeated that charge. When he began his work in April 1987, Bob Greenwood had strong support from the Attorney General, Lionel Bowen. This extended right into ASIO's top secret vaults, much to the horror of the spies. In fact, Greenwood and his team gained direct access to a number of the intelligence dossiers on the suspects they were investigating as mass killers. According to Greenwood's account of what they saw, 'those files were not such that these people were being targeted by ASIO as possible enemies of the integrity of the state. The nature of the files was quite different to that.' In fact, the ASIO files that Greenwood and his investigators inspected '*had much more the smell of personnel files about them.*' They were, in other words, files relating to ASIO sources and agents.

These files, of course, concerned particular suspects identified by the Special Investigations Unit as likely Nazi mass killers. The more Greenwood pressed access to this material, the more resentful, and eventually resistant, ASIO became. Having seen enough to convince himself and his senior investigators that ASIO had recruited some of his targets as agents, Greenwood pressed on with his campaign to force full disclosure:

There were confrontations between myself and the top echelons of ASIO itself, in which I had an opportunity to gauge their reactions to these suggestions. Although the suggestions were never specifically admitted, they certainly weren't specifically denied. And then, of course, ASIO closed the blind in respect of a couple of investigations I specifically wanted to make. So when they

denied that they had any further material in respect of a couple of people that we wanted to know a bit more about, I had further discussions with the Attorney General and other people. We decided that if we were going to expend energy on trying to crack ASIO's resistance, it probably, at the end of the day, wouldn't be worth much anyway in terms of advancing our investigations. It was obviously extremely important for other reasons. So somewhat reluctantly, I abandoned my campaign in respect of ASIO.⁸

Greenwood and his team had seen enough of ASIO's Nazi files by then, however, to know that former ASIO Director General Charles Spry had lied when he denied that ASIO knowingly recruited Nazi agents. Some of the cases detailed in this book are based on highly censored versions of the very same files seen by Greenwood's team in the late 1980s. Greenwood and some of the investigators who examined the *uncensored* ASIO files have explicitly confirmed the basic accuracy of the way in which the following pages put the intelligence jigsaw puzzle back together.



The case of Nikolai Alferchik, the mass killer from Smolensk, Byelorussia, starkly illustrates all the major issues surrounding Australia's Nazi scandal. Seven years after this author's initial application for release of his ASIO file, a fraction of the records were released under the *Archives Act* in mid-2000. ASIO said that the file had been indexed under his alias, Nikolai Pavlov, which explained why the request made in 1993 did not result in the release of records ASIO had always held. This is a lie. After discussions with this author, more than one ASIO officer had no problem locating the records using his actual name, Nikolai Alferchik, even before the request was made to obtain them under the *Archives Act*. The material finally released illustrates the secrecy which still surrounds ASIO's recruitment of Nazi agents. For the open period (thirty years before the date of release, i.e. 31 December 1969

in this case) the file contains 190 pages, of which 123 are withheld entirely. In other words, 65 per cent of Alferchik's Australian intelligence file is not available for any form of public scrutiny.

Of the sixty-seven pages on the publicly available file, the only documents that have been released without any significant censorship are magazine clippings, translations of foreign language articles and relatively insignificant letters which ASIO had intercepted. The actual intelligence reports and memos that have been released are all highly censored. Some of these deletions are purely technical, involving secret ASIO symbols and codes, but the vast majority involve the actual intelligence on Alferchik's file. This contrasts with the almost total release of Alferchik's American intelligence dossier under both the US *Archives Act* and the *Freedom of Information Act*. The US dossier was discussed in some detail in the previous chapter. It does not withhold either the actual intelligence the files contained or the secret codes, which are virtually identical to those routinely withheld by ASIO. Even the names of career US agents are released, as well as the identity of paid sub-agents and sources such as Alferchik and his NTS colleagues. In other words, Australians know a great deal about Alferchik's work as a US intelligence agent, and virtually nothing about his work as an ASIO agent, because most of the relevant material has been withheld or deleted from the publicly released file.

It is certain, however, that Alferchik was a significant source for ASIO for a number of years in the 1950s and 1960s. Alferchik's work as an ASIO source has been confirmed by several former ASIO officers, as well as by other law enforcement officials who were in a position to know from first-hand experience. The original information about Alferchik's work for ASIO was received from former Commonwealth and Australian Federal Police officers who had investigated war crimes allegations in the 1960s or specialised in the surveillance of extremist *émigré* political groups during the Cold War. Alferchik's recruitment as an ASIO source was reluctantly confirmed by one ASIO officer who agreed to check the file after this author had made specific claims about his war crimes background, his work for US intelligence and his recruitment by ASIO. Subsequently, Alferchik's work for ASIO was

corroborated by other ASIO officers, most of whom had worked on anti-communist *émigré* operations in the 1950s and 1960s. None of these intelligence and police officials who confirmed that Alferchik was an ASIO agent would agree to be identified by name. Some of the details they provided of his work for ASIO are nevertheless outlined below.

Alferchik had arrived in Australia in June 1951 under the alias Nikolai Pavlov, which he had adopted when he moved to Munich after US intelligence wound up the *Pica* network in 1949. It is certain that his American intelligence handlers were fully aware of this name change, but did not alert their Australian colleagues in Germany of either that fact or the serious claims that he had committed war crimes in Byelorussia under Nazi occupation. Once in Australia, Alferchik settled in Melbourne, and ASIO soon compiled a significant file on his background and activities. The early part of his ASIO file is almost completely censored, with the first useful information appearing on page 17. This means that all relevant material relating to his first two and a half years in Australia is unavailable. We do know, however, that by November 1953 his name had somehow become linked with the intelligence investigation that would soon become known as the Petrov scandal, involving the defection of the Soviet spy Vladimir Petrov, in 1954.⁹ This discovery certainly focussed ASIO's attention on Alferchik, although the details are entirely deleted from his dossier. The only clue remaining in the publicly released papers is that two memos were written on 4 December 1953, one of which related 'to certain security aspects.' These 'aspects,' predictably, are deleted from the memo.¹⁰

By mid-January 1954, ASIO's counter-espionage branch, B2, had alerted their colleagues in S Branch about aspects of the Alferchik case. S Branch was actually the Special Services Section, sometimes also called Q Branch because this was the code for ASIO's paid agents and sources. By this time, ASIO had pieced together some significant parts of Alferchik's career, including his service for the Nazis before and during the German occupation of the Soviet Union. One ASIO intelligence report, for example, recorded Alferchik's 'work with NTS Propaganda Group' when he moved into the Soviet Union in 1941 'behind advancing German Army', and the Soviets' request for his

extradition in 1945. By early 1954, ASIO recorded (inaccurately) that Alferchik had operated 'illegally in USSR on an NTS Partisan Mission' between 1941 and 1944, and then had been active in NTS 'counter-Soviet Propaganda' between 1945 and 1948.¹¹ This latter information apparently piqued ASIO's interest. At the end of January 1954, 'an urgent overseas check' was ordered into Alferchik's background. This is code for a request for information to be obtained by ASIO's overseas officers under the liaison relationship between Australia's spy agencies and their Western colleagues, especially the British and Americans. A week later, Brigadier Charles Spry, ASIO's Director General, passed this request to his security officer at the Australian Embassy in The Hague, noting that it was 'urgent' and ordering that the response be cabled, not sent by diplomatic pouch, as was more common at that time.¹²

The Australian intelligence liaison officer at The Hague was Senior Security Officer D.A. McDermott, who immediately forwarded Spry's request to Germany, where British and American intelligence maintained massive files on former Soviet bloc citizens. Apparently McDermott had some problems with Spry's request, due in large part to the rather dilatory response from E.V. Wiggins, ASIO's officer in Cologne in the British occupied zone of Germany. 'Wiggie,' as Ernest Wiggins was widely known among his fellow ASIO officers, had been dispatched by Spry to Europe in 1949 to oversee the security screening operation for Australia's post-war migration schemes. In the 1960s, when British intelligence was still haunted by the series of double agent scandals that had racked MI6 since the early 1950s, Spry came to suspect Wiggins as a possible Soviet mole. In the 1950s, however, he was a trusted officer who operated under cover of the Australian Migration Office in the Cologne Embassy, attached to the British Army on the Rhine (BAOR).¹³

Instead of the 'urgent' reply Spry had ordered in the Alferchik case, it took the best part of three months before Wiggins dispatched a sketchy interim report, and another four weeks before his substantive report was sent from Cologne to McDermott at The Hague.¹⁴ Unlike the earlier reports from late 1953 and early 1954, it provided a reasonably accurate account of Alferchik's career. ASIO's sister spy agencies had

finally decided to share what they knew with their Australian colleagues. After recounting basically accurate details of his early life, Wiggins reported that in 1941 Alferchik

became head of the II Political Section of the Regional Security Administration (II Politische Abteil bei der Gebiets Sicherheitsverwaltung). This was the Political Security Organisation of the Oblast set up by the German Authorities for occupied White Ruthenia. It was one of four sections of the "Ordnungsdienst" recruited from the local population and came under the control of the Hoherer SS und Polizei Führer (it corresponds to the German GESTAPO).¹⁵

In other words, from mid-1954 ASIO was in possession of the basic facts about Alferchik's position as a commanding officer in the Security Police apparatus in Nazi-occupied Russia. It was known that he had worked under the command of the SS in a senior Security Police post which Western intelligence equated with the Gestapo. At the least this made him an illegal immigrant and certainly made him ineligible to obtain Australian citizenship, which ASIO routinely vetted to ensure that undesirables did not gain the privileges that went with naturalisation. In addition, Wiggins provided further accurate details of his career, noting that Alferchik had briefly been posted to Mogilev in September 1943 and then resumed 'his Political Police rank, which he held until the end of June 1944.' He then recorded that Alferchik had joined the 'Ruthenian Army of Liberation' in August 1944, and served in the 'Security Section' until just a few weeks before the defeat of Hitler's Germany in May 1945. This last point established that Alferchik continued to hold a senior post in the Nazi security apparatus until the very end of the war. Unlike some of his NTS comrades, he did not even bother to distance himself from the Germans when it became obvious that their defeat was inevitable. Finally, the information obtained by Wiggins also detailed Alferchik's arrest by the Americans at the end of the war, the Soviet extradition demand of 1945 and his subsequent release from custody a few months later under cover 'as a Pole.'

ASIO's Director General was less concerned by the substance of this report, however, than with the long delay in receiving the information. His officer at The Hague was somewhat defensive when he finally forwarded Wiggins's report in early June 1954. Senior Security Officer McDermott shifted the blame for the tardy response to the British and American spy organisations whose job it was to supply the information. We 'are completely in the hands of the Agencies through which we operate,' he told Spry and these 'depend on the transmission of their classified information by safe hand channels.' McDermott insisted that the 'enclosed report from Mr. Wiggins of your Cologne office sets out the whole of the information which is available to him.' Furthermore, ASIO's Europe-based officers 'spare no time or trouble to obtain the desired information and despatch it as quickly as possible for transmission to you.'¹⁶

Unfortunately for McDermott, not only was Wiggins's report late, it was not entirely complete, despite his assurances to Brigadier Spry. Four months later, at the end of September 1954, McDermott forwarded a supplementary report by Wiggins, 'received from a delicate source,' revealing another vital aspect of Alferchik's career. The new intelligence Wiggins had gathered from his American colleagues in Germany was actually seven years old, dating from September 1947, but it contained the vital clue that apparently convinced ASIO to recruit Alferchik as an agent. After recounting some basic facts which were already known at ASIO headquarters, the new report revealed that while in Austria after the war, Alferchik was believed 'to be in contact with various Allied intelligence officers.'¹⁷

The Western intelligence report on which Wiggins in turn based his advice to Spry was discussed in the previous chapter. It was almost certainly a US intelligence report of 22 September 1947, for the very next document of any relevance on Alferchik's ASIO file quoted large sections from this report. There was a seventeen-month gap between Wiggins's report of September 1954 and this further ASIO report, dated early March 1956. There is, in other words, a huge gap in our understanding of Alferchik's activities in Australia, especially ASIO's relationship with him. In fact, almost twenty pages are entirely deleted

from the file covering this period, which must contain some very interesting material in light of established subsequent events. In the context of Alferchik's later work as an ASIO source, this section of his file quite possibly records the early details of the information he provided ASIO which ultimately secured his recruitment.

There are, however, several highly censored memos in this section of Alferchik's intelligence file that show that the fugitive war criminal aroused an intense interest at this time. Indeed, memos and reports flew backwards and forwards between ASIO's national and Victorian headquarters at this time. It is difficult to say how thick this traffic was, but there are references on the file to memos and reports about Alferchik of 15 and 22 November 1954, 14 December 1954, as well as 23 and 30 March 1955, 7 April 1955, and 23 and 26 May 1955. It is almost impossible to reconstruct what was going on during this time, as key documents have been censored in their entirety and those that have been released are so thoroughly sanitised as to render them meaningless. What does emerge is that Mr Rodger of S Section at ASIO national headquarters had discussions with other ASIO officers on 12 November 1954 and certain censored 'recommendations' were adopted in the Alferchik case. It is also known that the Senior Field Officer in Victoria's Q branch, which dealt with paid ASIO sources and agents, took a close interest in the case.¹⁸ From the context of the material that has been released, it is likely that at least some of the documents from this time withheld in their entirety are reports from this section.

Whatever the gaps in this crucial period, it is definite that by March 1956 ASIO Director General Spry had obtained two contradictory assessments of Alferchik's worth as a spy. As previously discussed, the US intelligence report of September 1947 contained information that Alferchik was considered to be 'a low-level agent who operated without system or security but with zeal.' Another US intelligence report dated 22 June 1951, however, evaluated Alferchik as an 'exceptionally competent and energetic Intelligence Officer.' ASIO evidently accepted the latter evaluation as the more accurate of the two reports, for there is no doubt that within a few months Brigadier Spry had approved Alferchik being put on the ASIO payroll as a paid Q source, or formal

intelligence agent.¹⁹ In approving this, Spry ignored the damning evidence in the June 1951 US intelligence report about Alferchik's service as a senior officer for the Nazi Security Police in Smolensk, leading to his decoration by the Germans 'with the Gold Medal and Oak Leaves.'²⁰ Perhaps Spry thought his background was an advantage. Indeed, the basic facts of Alferchik's senior police rank in the Nazi administration in occupied Russia had, in fact, been known since at least May 1954, but the more recent assessment of his work as a reputedly successful intelligence officer seemed to have carried more weight with the ASIO boss.

International factors also played their part in ASIO's decision to recruit Alferchik. Of course, we do not know what role, if any, US intelligence had in recommending Alferchik to ASIO, as most references concerning international liaison with Western intelligence are automatically culled from the files under the Australian *Archives Act*. It does seem logical, however, that ASIO would have at least consulted its American contacts before deciding to recruit Alferchik. Indeed, one former ASIO officer has inadvertently confirmed that this occurred. There was, though, another dimension to the international context of ASIO's decision. By the mid-1950s, ASIO had established that there was actually quite a large NTS organisation operating in Australia. One security report on right-wing 'Alien Activities' recorded that the NTS was very active in Australia, and that O. Perekrestov, the Australian representative of the NTS newspaper *Possev*, had been circulating material 'to prominent Australian businessmen requesting funds to be forwarded to the "Revolutionary Headquarters of the NTS" at Verlag "POSSEV", Limburg/Lahn, West Germany.'²¹

Of greater significance to ASIO, however, was the fact that 'an NTS intelligence-collecting or collating agency already exists in Australia.' Such a development, while not without its problems for Australian intelligence, promised ASIO lucrative rewards if a deal could be struck with the local NTS leadership. Indeed, the possibility of such a connection had already been mooted, as approaches 'have been made over the last few months by NTS members to Australian Services authorities to pass intelligence information.' ASIO then busied itself

finding out more about this Russian *émigré* intelligence organisation. They soon discovered that Alferchik was at the centre of the operation. By March 1956, when Brigadier Spry was taking such a close personal interest in the Alferchik case, US intelligence had already confirmed to ASIO that the NTS was still engaged in extensive international espionage operations. Indeed, the same Western spies who had provided the conflicting reports on Alferchik's prowess as an agent also informed ASIO 'that subject [Alferchik] is reporting on certain matters to NTS in Europe.'²²

These were some of the many reasons why ASIO eventually decided to put Nikolai Alferchik on the payroll as a Q source. The detail of ASIO's actual decision is, of course, not publicly available. However, there are many indications, both in the Australian and American intelligence files and from clues provided by various ex-ASIO officers, of what Brigadier Spry's recruiters had in mind. In the first place, there was the knowledge ASIO had obtained of Alferchik's previous role as a security and intelligence operative, both for the Germans during the Nazi occupation of Russia and for US intelligence after the war. In these roles, Alferchik had obtained considerable experience of communism, both its political methods and the *modus operandi* of its intelligence and counter-intelligence operations. Then there was his undoubted and longstanding seniority in the NTS espionage hierarchy. This stretched back to the late 1930s, and by the mid-1950s he was clearly an important and highly experienced cog in the NTS' international spy operations.

Alferchik's established reputation as a senior agent in the NTS apparatus provided Australian intelligence with the opportunity to obtain information on a variety of subjects. These included conditions behind the Iron Curtain where the NTS claimed to have maintained stay-behind networks, which they extravagantly (and inaccurately) boasted had been bolstered by the recruitment of numerous agents in the decade since the end of the war. If ASIO obtained any intelligence jewels from Alferchik through this international espionage connection, then these would obviously be shared with British and American intelligence. Such sharing would, in turn, help the Australians to cement their place in the Western intelligence club, of which they were the

smallest and least competent players. The same applied to any information Alferchik passed on concerning communist penetration operations of *émigré* political and spy groups which might, in turn, put Soviet agents in a position to penetrate their Western intelligence sponsors.

The most important (and immediate) reason for recruiting Alferchik was ASIO's domestic role as a counter-espionage and counter-subversion agency, with its primary task of combating internal security threats. In the mid-1950s, both Prime Minister Robert Menzies and ASIO head Brigadier Spry saw only one internal subversive threat – communism. Indeed, the Red Menace was the only game in town for Australia's spies in the 1950s and 1960s. This extended not only to the membership of the local Communist Party of Australia, but also to communists who had slipped through the immigration security screening system, which of course was far more rigorous for communists than for Nazis. Alferchik and the other Nazis who provided information to ASIO in this period were, in fact, viewed as among the best sources of intelligence on the communists among their own ethnic communities. In helping ASIO to keep an eye on the subversive influences in their communities, these Nazi agents were also 'canaries down the mine' for ASIO. They aided Australia's spies in their constant search for communist agents who had been sent to Australia to gather intelligence for Moscow and to penetrate Australian intelligence, foreign affairs and defence agencies.

Naturally, the evidence of Alferchik's recruitment by ASIO and the details of the operations in which he was engaged as a Q source have been censored from his intelligence dossier. There are, however, several documents providing clues to his activities for ASIO. One is a report of 6 July 1956, some four months after Brigadier Spry had taken such a close personal interest in the Alferchik case. This concerns a suspected pro-Soviet Russian migrant, Jan Delager, and was written by a Senior Field Officer in the Q branch of ASIO's Special Services Section. Often simply called S section, this was in fact the ASIO department responsible, among other things, for running paid agents and other Q sources. S section was the code for this department, and S was the ASIO

department which actually ran Alferchik and other Nazi agents on a day-to-day basis. The 6 July 1956 report on Delager was addressed to 'S. Victoria,' or in other words, the head of S department in that State. Delager, it was reported, was 'regarded by members of the anti-Soviet group in this State as being a highly intelligent and dangerous person.'²³

ASIO suspected that Delager was running communist agents among the Melbourne Russian community. According to this report, he was 'in close contact' with Alexander Ostrowski. Through this connection, Delager allegedly obtained information from various police sources, including from the Victorian Special Branch. Although technically a section of the State police force, Special Branch was in effect ASIO's local investigative wing responsible for carrying out humdrum surveillance of suspected subversives and spies. One of Ostrowski's sources was supposedly his own sister, 'who is believed to be employed in the Police Force.' The other was Edward Konieczny, who claimed to be a Special Branch agent. According to the informant for this Q report, Konieczny was entirely unreliable and 'would peddle his information to any person willing to pay for it.' Of even greater interest to ASIO was the fact that Konieczny was known to be close to George Shevchenko, another 'unreliable' Russian who was 'known to travel in both anti-Soviet and pro-Soviet circles in Melbourne, but he is regarded with suspicion in anti-Soviet circles as they consider he is being paid by Delager.'²⁴

This information caused considerable alarm at ASIO headquarters. Although the source of the information in this report is not on the file, the fact that it is on Nikolai Alferchik's ASIO file suggests that it was connected to his activities, either for the NTS or in his capacity as a Q source. It may only be a coincidence, but the earliest publicly released report of any significance on Alferchik's ASIO file also concerns Jan (Ivan) Delager and Alexander Ostrowski. As discussed earlier, this report of 6 November 1953 seems to have concerned the periphery of the Petrov case. It, too, was most certainly generated by ASIO's S section, although its source is not precisely known because only page 1 has been partially released, while the rest of the memo has been entirely withheld. What we do know for sure is that the document 'was

prepared for conference with Mr Rodger, "S", Headquarters, after discussion with "S" Victoria.²⁵ This was Robert (Bob) Rodger, ASIO's Assistant Director General in charge of Q sources. He had been involved in the Alferchik case since at least November 1954 and had formulated certain 'recommendations' which ASIO had adopted.²⁶

Even twelve months before this, however, Rodger had been directly involved. It is clear from the file that in November 1953 Alferchik was known at the highest levels of both ASIO's Victorian and national headquarters. This was especially true of those ASIO officers whose job was to run Q agents, such as Mr Rodger. ASIO's interest in Delager was obvious, as 'overseas intelligence investigations' had already been instigated, together with a 'subsequent investigation in Victoria.' Ostrowski was reported in 1953 to be in contact with Anatole Gordeev, a former official of the Soviet Embassy in Australia whose main job seemed to have involved the repatriation of Russian citizens.²⁷ This earlier security report on Alferchik's ASIO file has a direct connection to the July 1956 report which also concerns Delager. This strongly supports the suspicion that Alferchik had actually been providing information to ASIO on local Soviet operations from at least 1953, even if his official recruitment as a Q source did not take place until 1956.

The most revealing aspect of Alferchik's declassified ASIO file is not, however, what it contains, but what has been expunged. After the July 1956 report on Jan Delager, there is little information of any worth at all on his security file. Between page 75 and page 166, almost nothing is revealed either about ASIO's inquiries into Alferchik or his work for ASIO. A whole decade of the file is, to all intents and purposes, completely censored. The highly censored documents released during this decade reveal such gems as obscure references to an article in a Soviet publication being 'useful counter-propaganda material.' Since this memo was sent in early August 1956 to the head of ASIO's counter-espionage section by the head of S section, Alferchik may well have been involved in running propaganda operations on behalf of his intelligence employers.²⁸ The next twenty-six pages are withheld from his intelligence dossier altogether, and the very next memo from ASIO head Spry in mid-November 1957 is in the form of an intriguing

question: 'Has he revealed it yet? We are most interested.' Whether Spry was 'most interested' in a revelation by Alferchik or one of his sub-sources is not apparent. What is clear is that Spry was fascinated with the progress of one of his star *Q* agents.²⁹

A revealing insight into Spry's interest in Alferchik's work is provided in the case of the Yugoslav immigrant Dobrivoje Raičević. Interestingly enough, Raičević's case also assumes importance with respect to another of ASIO's Nazi informants, the Bosnian SS officer Enver Begović who figures in the next chapter. ASIO suspected that Raičević was at the least politically unreliable, and perhaps even a communist agent. This suspicion initially arose because of his close connection with Soviet officials during the Melbourne Olympic Games in 1956. By the time Raičević was interviewed by ASIO in early 1958 to determine whether he should receive Australian citizenship, there had obviously been a number of *Q* reports made on his movements and activities. Since at least five significant reports were filed on Raičević in Alferchik's ASIO dossier between March and June 1958, including one by the head of *S* section, it is possible that he played a significant role in the case in his role as an ASIO *Q* agent. One ASIO officer, who had interviewed Raičević in person, was convinced that he was lying about his connections with the Soviets and that 'in the opinion of the interviewing officer, Raicevic would have the ability to carry out illegal activities, by virtue of his intelligence, personality, initiative and linguistic ability.' From this context, it appears that Alferchik may have provided pertinent information to ASIO on a suspected communist agent, but the next five pages of his file are censored entirely. The next memo is dated nine weeks later, when the head of *S* section complained about not receiving a reply from Victorian ASIO headquarters requesting further information about a *Q* agent's report which was required for an urgent 'vetting assessment' (Raičević's citizenship investigation). A week later, ASIO's Victorian Regional Director scurried to supply the information, which apparently involved yet another report filed by a *Q* agent, although this, too, is censored. As all these reports are on Alferchik's file, it is logical to conclude that he was either the source of some or all of these agent reports or at least mentioned in some way.³⁰

The next eighteen months of the Alferchik dossier (fourteen pages) are completely erased from the publicly available file. The following two documents are worthless for any serious analysis. Then there is another large gap broken only by an intriguing memo from ASIO head Spry to his Victorian Regional Director in May 1960.³¹ Although 80 per cent of this document has been deleted, it clearly involves a Russian migrant suspected by ASIO of involvement in communist activities. It is highly likely that the information was provided to ASIO by its Q agent, Nikolai Alferchik. After excising the first paragraph of the memo, the second paragraph is intact:

The identity of 'Jacob' has become of considerable importance since the possibility exists that he is identical with Ruslanov who has been writing scathing comments on local Russians for publication in Russian Repatriation Literature.

The rest of the memo is then blacked out except for a little over one line at the end which simply notes that 'ASIO also considers that "Jacob" or Jacob Harskalep is possibly identical with Ruslanov.'³² Again, this tantalising snippet from Alferchik's intelligence file suggests that he was supplying ASIO with information on the activities of Soviet agents in the Russian *émigré* community. Yet another gap follows in the file, followed by page 2 of a memo from Spry which has one line requesting that a 'matter be given priority attention.' A further gap precedes two highly censored memos from May 1961, which add absolutely nothing to our knowledge of Alferchik's work as an ASIO agent. They both, however, involve ASIO's Special Services S section, and therefore suggest the probability of Alferchik continuing to provide intelligence as a Q source.³³ Then there is a five-year gap in the file.

By the time it resumes in 1966, the next significant document is no insight into Alferchik's political or intelligence activities. Rather, it is a press clipping from a US war veterans' magazine extolling the virtues of the NTS in a tendentious article gravely titled 'The Underground Moscow Fears Most.' It is a piece of largely dishonest Cold War propaganda about the NTS' supposedly well-organised underground

anti-Soviet operations. In reality, by 1966 the NTS was little more than a feeble, overtly Western-backed *émigré* intelligence front which had been almost entirely co-opted by Soviet intelligence. ASIO's release of this US veterans' magazine propaganda article, after censoring the best part of the previous ninety pages of genuine intelligence reports, says more about Alferchik's work as an ASIO agent than about the NTS' effectiveness in the fight against Moscow.³⁴

Although this long gap in Alferchik's file effectively hides nearly all of his previous decade of work as an ASIO Q source, some broad details of his operations are known through information provided by former intelligence and law enforcement officers. For a start, we know that ASIO went to extraordinary lengths to set up elaborate procedures to 'case handle' Alferchik, as it does with all its agents. Clandestine meetings between Alferchik and his ASIO agent handlers were arranged in all manner of places and in 'under cover' circumstances. Indeed, at least part of the missing file concerns the operational procedures used at each meeting to ensure that the conversations between ASIO and their Nazi agent would not be overseen, or more importantly overheard, by anyone, especially Soviet agents. The operations Alferchik performed for ASIO included gathering intelligence on suspected Soviet agents in the *émigré* community and linking suspects to wider communist espionage activities, especially those operating through the local Eastern Bloc diplomatic missions. As with many similar ASIO operations of this era, much of the work simply involved Alferchik providing detailed reports on political developments inside various anti-communist migrant groups, as well as on overtly leftist or pro-Soviet organisations.³⁵

Much of Alferchik's intelligence had been gathered from his sub-sources in various organisations, some of whom were NTS agents and others just *émigrés* who talked to him as a friend or acquaintance. A large part of Alferchik's role, however, was to provide ASIO with information on people and organisations it was particularly interested in, so that it could pursue its patient, time-consuming and mostly futile work of filling the gaps in the 'mosaic'. For the most part, though, this simply meant supplying ASIO with reports of who said what at

various meetings, what factional intrigues were underway between and inside the various anti-communist *émigré* groups and what rumours, gossip and speculation existed about Soviet activities and intentions. Occasionally, Alferchik would also supply information received from his NTS contacts abroad, but this was, in the main, very low-grade and typically involved the recycling of intelligence that British and American spy agencies had already heard from their own NTS sources.

One consequence of Alferchik's work for ASIO, however, was that he and his fellow Nazis among the Russian migrants were given a free hand to re-organise their fascist movement in Australia. This inevitably involved them engaging in their usual brand of extremist political activities. By the mid-1950s, the NTS had branches operating in every capital city and many regional centres. As with the other Nazi groups who found sanctuary in Australia, ASIO overlooked the NTS' fascist outlook and extremist activities because it was, after all, anti-communist. One example of just how extreme Alferchik and the Australian branch of the NTS had become by the 1960s concerned their suspected role in an assassination plot against the Soviet leader, Leonid Brezhnev, during a planned official visit to West Germany.

Information had been passed to Australian intelligence from the West German Security Service, the *Bundesverfassungschutz* (BVS), about Alferchik's personal connection to this plot. Brezhnev was about to make an official State Visit to West Germany, and an international intelligence alert was issued by the Germans to other Western intelligence agencies about the possibility of an assassination attempt by *émigré* anti-communists. West Germany, of course, had more than its fair share of extremists among the Russian, Baltic and Ukrainian communities who had settled there after the war. The BVS' interest was directed, however, to far-off Australia. Apparently, the BVS had received information indicating that Nikolai Alferchik planned to travel to Germany with the express purpose of either organising or personally assassinating Brezhnev. Whatever plot he was hatching seems to have been foiled when his movements, through both Australian and West German airports, were placed under strict control. The whole episode, though,

showed just how easy it was for ASIO's Nazi agent operations to get out of control.³⁶ ASIO's agents in the Croatian Ustaše were even more unruly, as we shall see.

If plotting political assassination were not bad enough, by the mid-1960s Alferchik's Nazi past was also catching up with ASIO's valuable Q source. In fact, the Australian spies' relationship with Alferchik went through something of a crisis at this time, when the Soviet press published a series of propaganda articles charging him with direct involvement in Nazi war crimes. In December 1966, the Soviet magazine *Voice of the Homeland* began a campaign against Alferchik, whom they also identified under his alias, Nikolai Pavlov. Under the headline 'Be Careful Alferchik,' the article accurately described the Nikolai Pavlov living in Melbourne as really being Nikolai Alferchik. The personal details left no doubt that the Soviets had identified the right man. It then provided a basically true account of Alferchik's service in Smolensk 'with the pro-German secret political department,' and his part in 'numerous atrocities' both there and in Minsk. It also published an accurate photo of Alferchik, quoted from a legitimate Nazi document confirming his senior position in the quisling administration and referred to the decorations he had received from the Germans for his loyal work. *Voice of the Homeland* followed up with further coverage of the story in March and June 1967. Both were letters, the first from someone who claimed to have witnessed Alferchik's war crimes, and the second purporting to have been written by a young NTS member in Australia. This correspondent, who signed himself as 'Cherov,' claimed to have recognised Alferchik's photo 'as an electrician named Nicolai Fedorovich Pavlov who is head of the Melbourne branch of the NTS.' The author of the letter claimed to be 'doing his duty by exposing a traitor and an executioner' and then accurately gave Alferchik's address and telephone number in Melbourne.³⁷

These alarming allegations against one of ASIO's star Q sources were immediately passed to Ernest Redford, a veteran ASIO officer who had previously been one of Vladimir Petrov's handlers during the mid-1950s defection and Royal Commission. By 1967, Redford was a senior officer with ASIO's Special Services section, which was

responsible for running agents and sources. Redford discussed the Soviet magazine articles with John Elliott of the Canberra office. An expert linguist, Elliott was viewed with suspicion by ASIO head Spry as a possible Soviet mole, something he shared in common with Ernest Wiggins. Elliott had translated the *Voice of the Homeland* articles and forwarded them to Redford, who in turn dispatched them to ASIO's Assistant Director General in charge of the Counter-Espionage Branch (B2). Redford confirmed that Alferchik and Pavlov were one and the same, but a critical paragraph of his memo has been entirely expunged from the declassified ASIO file. It was, however, obvious to the spies that the Soviet Embassy in Canberra might well exploit the war crimes charges against Alferchik. As we shall see, in the 1960s Moscow made repeated allegations that war crimes had been committed by former Soviet citizens living in Australia, most of them largely accurate. ASIO was concerned that the communists might officially pursue the Alferchik case with the Australian government, and a month later sent a guarded version of the Soviet claim to the Department of External Affairs. This letter, too, has had a key paragraph expunged from the publicly released file.³⁸

By the mid-1960s, it appears that ASIO was having second thoughts about its relationship with Nikolai Alferchik and the NTS. This was not because of the potential embarrassment of his Nazi background, however, but because of the dreadful fear that his NTS organisation in Australia might be heavily penetrated by Soviet intelligence. From 1963, ASIO had begun to intercept letters sent to Europe by a Russian migrant who signed his name as A. Konetskiy. These letters mentioned Alferchik, first by his alias of Pavlov, then by his real name. Even before the series of articles which identified the Pavlov in Australia as the war criminal Alferchik, some ASIO officers had begun to have doubts about the relationship. One of these was apparently the linguist John Elliott, who probably translated this series of mail intercepts. In the commentary appended to one of the letters, the translator commented that NTS had for many years 'been high on the RIS [Russian Intelligence Service] target list and thus is heavily penetrated by the RIS. NTS has branches in every capital city in Australia, including Melbourne.'³⁹

The ASIO translator was hinting at what the agent handlers of Q branch would not admit, even to themselves. Perhaps the whole Alferchik-NTS case had been a Soviet double game all along. Maybe the Soviets had found out more about ASIO's operations through Alferchik's work as a Q source than ASIO had about communist operations. Certainly, the extremism of Alferchik and his NTS comrades – as demonstrated by the counter-productive Brezhnev assassination plot – suggested the possibility of a double game. In light of the successful Soviet penetration and control of the NTS since Prince Turkul's operations in the early 1930s, someone in the Australian branch had to be a communist spy. What if that someone were Nikolai Alferchik himself? The fact that the intercepted letters appear on Alferchik's ASIO file *after* the 1966–67 *Voice of the Homeland* articles does suggest that at least some ASIO officers were backtracking and re-examining the Alferchik-NTS case, particularly as they actually pre-dated the articles.

If such a re-examination did occur it was done very quietly and the conclusions were quickly buried, together with the evidence of Alferchik's service for the Nazis and the growing body of evidence that he was guilty of war crimes in Smolensk and Minsk during the German occupation of Byelorussia. It was not until the establishment of the Special Investigations Unit twenty years later that Alferchik's part in Nazi mass killings again emerged in the official files. By then, the evidence of his role in mass killings was growing very cold indeed. Alferchik himself was then only five years away from a devastating stroke that would save him from further investigation by Australia's Nazi hunters and ensure that he would never be arrested, charged and tried under Australia's *War Crimes Act*. ASIO's indifference to his Nazi background, dating at least from their investigation of 1954 and persisting through his recruitment as an ASIO source in around 1956, had ensured that Nikolai Alferchik would live out his life in his Australian sanctuary. His case, however, was hardly unique.

ASIO's Nazi Agents

Chapter Nine

Nikolai Alferchik was only one of several Nazis who worked as sources for ASIO during the Cold War battle against communism. As with Alferchik's file, the files of other Nazi agents used by ASIO have been extensively censored, through both withholding of sections of the file and significant deletion within those documents that have been released under the *Archives Act*. Alferchik's is a model of openness, in fact, compared to the ASIO file of Argods Fricsons. As discussed in Chapter Four, Fricsons was the mass murderer of Liepaja, Latvia who worked for US intelligence after the war, spying on Jewish activities in Germany. His ASIO file in the open period (i.e. up to 31 December 1969) consists of seventy-five pages, of which fifty-five are withheld totally. Most of the remaining twenty pages on the file have been so heavily censored as to render them worthless for purposes of serious historical research. For example, page 2 of a memo of 30 March 1953 to ASIO headquarters from ASIO's Regional Director, Victoria, consists of the following irrelevancies: a five-line deletion of a paragraph followed by, 'there existed the Latvian Society Club – a Social Club – which was non-political.' Two-and-a half lines are then deleted, followed by: Fricsons wife, Nora, also a Latvian, lives apart from him at Box Hill.' Then follows a twenty-five line deletion, which accounts for two-thirds of the entire page, followed by paragraph 13, the final one of the memo,

which simply says: 'A copy of Fricsons Immigration document is attached hereto.'¹

This information is so obviously worthless that ASIO might just as well have censored the entire page, but there it is in the file, released as though it were a service in the public interest. Despite the massive censorship of Fricsons's file, even the few useful pages that have been released reveal enough clues to give a sense of what happened when he settled in Australia in 1949. For example, page 1 of the ASIO memo referred to above provides enough information to assist in putting the 'mosaic' together. Despite large deletions, it tells us that Fricsons was 'a well-educated Latvian' who practised law in Latvia and after the Nazi occupation of his homeland 'became a member of the Latvian Political Police.' According to ASIO's source – whose identity is censored – 'this was quite a normal thing to do at the time, as most of the Latvian people were only too pleased to "get back on the Russians" after the Russian occupation of their country.' ASIO's source apparently believed it was quite normal for Latvians to help Germans murder Jews in retaliation for Stalin's annexation of Latvia, which had been carried out as part of a deal with Hitler.²

ASIO's interest was aroused, however, not by information about Fricsons's service for the Nazis, but rather by his service for the Americans. The ASIO memo reported intelligence provided by yet another censored source who accurately revealed to the Australian spies the key to Fricsons's post-war career. After recounting earlier details, this source told the Australians that 'finally he [Fricsons] had gone to Germany, and worked for the American Intelligence (CIC) about 1947–48.'³ In early May, Brigadier Spry wrote to the Special Services Section in Victoria reporting that an overseas check had been requested, and this was forwarded, as usual, to the ASIO officer attached to the Australian Embassy at The Hague.⁴ It seems that Fricsons's case closely paralleled that of his fellow Nazi war criminal Nikolai Alferchik. For Fricsons, too, was investigated by Ernest Wiggins, ASIO's officer operating under cover of the Migration Office at the Australian Embassy in Cologne. 'Wiggie' presumably obtained his information about Fricsons by consulting his colleagues in American and British intelligence, as he

had done in the Alferchik case. In late July 1953, Wiggins reported the results of his inquiries about Fricsons to ASIO's senior European officer at the Australian Embassy at The Hague:

In October 1941 subject joined the 'Politische Abteilung' [political department] of the Selbstschutz [forerunner of the Latvian Legion]. Later in 1941 he became head of this department and carried out interrogations on behalf of the German Sicherheitsdiens [*sic*] (S.D. – Security Service of the S.S.). The 'Politische Abteilung' was eventually expanded and became the Latvian political police which was run on similar lines to the Gestapo. With the approach of Russian troops, subject and family were evacuated to Germany.

In April, 1948, Fricsons was wanted by the British War Crimes Group, but details of the case against him are unknown. The tracing and arrest of war criminals has long since been discontinued, therefore we are unable to obtain anything more specific. It is probable, however, that the case against the subject rested on his activities on behalf of the S.D. mentioned in para. 1 above.⁵

Wiggins supplied ASIO with some further information, but this has been deleted from the memo. It is established, however, that by mid-1953 ASIO knew that Fricsons had been a member of the Latvian political police which had operated like the Gestapo on behalf of the German SD, had been wanted by Britain for war crimes and had also worked for US intelligence. All of this intelligence was transmitted direct to S section, which was apparently developing a close interest in the Fricsons case.⁶ The following March, ASIO also learned that Fricsons had been associated with the 'Latvian Information Service,' which operated in Germany after the war 'to protect Latvian Societies against Communist infiltration.' It seems the Latvian Nazis had established a similar intelligence operation to the NTS, for according to ASIO the Information Service 'keeps records, and obtains information from Latvian newspapers and Latvians in Australia.' Most of the rest of this

memo is deleted from Fricsons's file. We do know, however, that when it reached ASIO headquarters from the Victorian branch, the censored information caused great concern. Someone at headquarters scrawled a series of alarmed comments down the left-hand margin. For example, under a heavily underlined heading 'URGENT' is another underlined comment: 'This is dangerous!!' with an arrow drawn precisely to this section of the memo that has been deleted. Parts of the written comments have also been deleted, in which it is said that, 'He might have [section deleted]. Consider we should discuss with Mr [name deleted] and Case Officer.'⁷

Something had excited ASIO headquarters which involved someone running an agent or source, for that is the principal job of a Case Officer. Within the file's context, it is open to speculate that the agent or source was, in fact, Argods Fricsons. There is, however, insufficient evidence to be sure of this. None of the former ASIO officers spoken to about the case could, or would, confirm that Fricsons had been a Q source or agent. Former members of the Commonwealth and Federal Police were, however, certain that Fricsons had worked for ASIO. It is impossible to know anything at all about the kind of work he did, or the type of information he provided to the professional spies. The only clues are contained in fragments of three highly censored documents from later in 1954. The first fragment is page 2 of a memo signed by ASIO's Regional Director for Victoria – and even this page sports large deletions. The only remaining information is the names, addresses and occupations of two migrants, Mr Niteckis and Gunas Piriede, both residents of Melbourne. ASIO must have had some interest in them, and one of their sources had presumably provided intelligence on their activities, but that is censored entirely.⁸

The next document is a report on Vladimir Krasilnikov, a deserter from the Soviet army who had come to ASIO's attention in August 1954 as the result of a Q agent's report. As this report is also in Fricsons's intelligence dossier, the possibility exists that he was the source of the intelligence, a suspicion reinforced by the fact that ASIO head Spry sent it to S section in Victoria. The reason for ASIO's interest is censored from the report, although it is recorded that Krasilnikov 'was not considered

a security risk' at the time of his desertion in 1950 and was therefore permitted to settle in Australia in 1951.⁹ The third document of interest in this sequence is an ASIO Minute addressed to the Director of C branch – which was responsible for vetting checks – from the Controller of S section, the branch which ran Q agents. Again, most of the relevant information has been deleted from this report, other than the comment that 'he is not considered a security risk' together with a request that the file be returned to S section. There is no indication of the identity of the subject of this report, but again there was a direct involvement of the branch responsible for running ASIO agents and sources.¹⁰

Apart from these three fragments, the ASIO memo of March 1954 is the last useful piece of evidence on Fricsons's intelligence file. The next fifty-five pages have either been withheld completely (forty-eight pages) or contain inconsequential information.¹¹ This in itself suggests strongly that Fricsons had been recruited as an ASIO source. Then there is the involvement of a Case Officer disclosed in the March 1954 memo. Taken as a whole, there is enough evidence on record to suggest that yet another Nazi mass killer who had worked for US intelligence was then put on the ASIO payroll, or at the very least had supplied intelligence to the Australians. Presumably, he provided intelligence of a similar nature to that passed on by Alferchik. This would have been primarily about communists and leftists in the Latvian and wider migrant communities, and about the various factions within the Latvian Nazi organisations, with a few tidbits from relatives and friends still living in Latvia thrown in for good measure.



When it came to collecting intelligence from Nazi migrants, ASIO's most prolific sources were among the various Yugoslav factions. The Croatians, in particular, were very active in providing intelligence to ASIO. This included detailed descriptions of the byzantine factions within the burgeoning Ustaše movement that established itself from the late 1940s, as well as spying on the activities of the wider Yugoslav community, especially communists and leftists. One of ASIO's key

sources among the Ustaše factions was Srečko Rover, the mass killer from Sarajevo who had arrived in Australia in 1950. His case is discussed in Chapter Twenty, which also details the evolution of the Australian Ustaše movement into one of the most important and active branches of the international Croatian terrorist network. There were, however, many other Ustaše members who handed information to ASIO. One was Enver Begović, a veteran of the Bosnian Muslim SS *Handschar* Division, who settled in Australia in 1957 after following the familiar pattern of working for Western intelligence in Europe.

Begović has admitted that he voluntarily joined the Ustaše in Sarajevo in 1942. He was then a very young man in his late teens, but was immediately enrolled into the Nazi-controlled Croatian army. Begović has also admitted that he then served in the SS *Handschar* Division from 1943. Although he has denied it, he was definitely awarded Ante Pavelić's Small Silver Medal 'for courageous conduct in the battle against the partisans on 24 and 25 January 1943 near Caparde.'¹² The Bosnian town of Caparde was 'the scene of a bloody massacre of civilians and partisans in 1943,' and the Australian Nazi-hunters who investigated Begović in the 1980s suspected he may have been involved in this mass killing operation.¹³ It should be noted that Pavelić's Small Silver Medal was the same prestigious decoration received by Begović's comrade, Srečko Rover, on Hitler's birthday in 1944. In other words, it was not a minor medal awarded to small-time Nazi collaborators, but a significant award given to very loyal members of the Ustaše who had distinguished themselves in the cause. That Begović was awarded it when he was so young and so soon after joining the Ustaše army is an indication of the high regard he enjoyed among his commanding officers.

Unlike Rover, who was proud of his decoration, Begović has denied that he ever received this medal. The available files, however, indicate that he lied to the Australian Nazi-hunters when he claimed he had never received a medal, nor even heard of Caparde, let alone fought there.¹⁴ Documentary evidence shows that at the time of his decoration, Begović was a Lieutenant in the Ustaše infantry stationed in the *Domdo* regiment at Caparde in Bosnia.¹⁵ A few weeks before being decorated in

March 1943, Begović had been promoted from the Supplementary Command in Tuzla, Bosnia, to the rank of reserve senior lieutenant in the engineering–technical section. Begović has admitted that he was in Tuzla at this time, although he claimed to the Special Investigations Unit that he was still at school when the Caparde massacre was carried out. This claim is directly contradicted by his earlier statement to the Commonwealth Police in 1965 that he had joined the Ustaše in 1942.¹⁶ This account is, however, more plausible than his later version because Begović had no reason to lie in 1965, whereas in 1988 he faced the possibility of prosecution under Australia's *War Crimes Act*. Furthermore, Begović's 1965 account is consistent with the events that actually occurred in Bosnia in 1942 and 1943. For example, his confession that he had joined the Ustaše in 1942 immediately precedes the Caparde massacre and Begović's rise to prominence in the Ustaše in early 1943. This, in turn, coincided with Reichsführer SS Himmler's decision to form the Waffen (Armed) SS *Handschar* Division from volunteers raised among Bosnian Muslims, which Begović has admitted he joined in early 1943. Bosnian Muslims, it should be noted, had been carefully chosen by Himmler because they 'traditionally so hated the Christian Serbs that they would volunteer en masse to fight Tito's partisans if given the opportunity of doing so.'¹⁷

Indeed, Begović was among the first volunteers, although when interviewed by the Nazi-hunters of the Special Investigations Unit in 1988 he insisted that he had been forcibly conscripted from high school together with a number of other teenage boys. According to this account, Begović's unit had been taken to France for training in early 1943, then to Germany where the Division was blessed by the Grand Mufti of Jerusalem, the fanatically anti-Jewish Arab leader, Haj Amin al Husseini. Eventually, the unit returned to Bosnia, where he said he deserted after a rumour that they were to be sent to the Eastern front to fight the Russians. According to this self-serving account, Begović was soon captured by the Germans, sentenced to death by a military court martial and finally sent to Dachau concentration camp. Far from persecuting anyone, according to this version it was Begović who was himself persecuted by the Nazis. He also told the Australian Nazi-hunters

that he was in Dachau at the time the official Ustaše army newspaper reported that he had been transferred back to the army at the end of 1943. Any official Ustaše documents referring to a man named Enver Begović must refer to his cousin, he insisted to the Australian investigators.¹⁸

There may have been an occasional fact in Begović's answers to the questions posed by the Nazi-hunters from the Special Investigations Unit in 1988. In light of the evidence, however, they were few and far between, especially as he had earlier provided several versions to Western intelligence that flatly contradicted this later account. Three decades earlier, for example, Begović had told ASIO that in 1943 'he was enlisted into the German Special Police, formed to seek out partisans.'¹⁹ Coincidentally, this is exactly the same account held in US intelligence files, although it is possible that the Americans actually received this information from their Australian colleagues.²⁰ Nowhere in the Australian or US intelligence dossiers from the 1950s, however, is there any mention that Enver Begović had deserted the SS *Handschar* Division and been imprisoned in Dachau. Begović was actually the source of much of the information in these intelligence dossiers, so the contradictory version he gave to the Australian Nazi-hunters in the late 1980s should be taken with a huge grain of salt. It is much more likely that this account was a desperate attempt to deflect attention from his membership of a unit which had engaged in brutal anti-partisan operations under the command of the SS.

Begović did, however, mention Dachau to the Commonwealth Police when he was interviewed in Melbourne in January 1965. This version was, however, even more damning than his previous accounts to ASIO and US intelligence. It certainly was not the benign account that he gave the Nazi-hunters in 1988. Rather than being 'forcibly conscripted' to the SS *Handschar* Division in 1943, Begović told the Commonwealth Police that he had *voluntarily* joined the Ustaše army in 1942 after hearing the Grand Mufti make a rousing speech in Sarajevo. His motive in volunteering, he explained, was 'to fight the communists and the British.' In other words, Begović explicitly admitted that he was in the Ustaše army in January 1943, and therefore could have

participated in the bloody operation at Caparde for which he received the Small Silver Medal. Begović also told the police that he had then served at Ustaše headquarters before being transferred to France and then Germany where he was sworn into the *Handschar* Division by the Grand Mufti and SS chief Heinrich Himmler. He further admitted that his unit had then returned to Bosnia where it carried out major anti-partisan operations and cleared 'out the Tito partisans and Chetniks in the Tuzla area and then cleared them out of Brcko also.'²¹

The documentary evidence, together with his own account, therefore indicates that Begović was almost certainly an officer in the Ustaše unit that carried out the brutal anti-partisan operation in Caparde in early 1943, and was definitely an officer in the *Handschar* Division which conducted similar campaigns in Tuzla and Brčko in late 1943. By the time the Special Investigations Unit conducted inquiries in communist Yugoslavia in the late 1980s, however, no direct evidence of Begović's role in war crimes could be uncovered, and the 'SIU was not able to take this inquiry any further.'²²

Thirty years earlier, ASIO was not even interested in Begović's self-confessed service for the Nazis. Australia's spies were, however, fascinated by his service for Western intelligence prior to his arrival in Australia in April 1957. When ASIO interviewed Begović in 1958, he not only confessed his service in 'the German Special Police, formed to seek out partisans,' but also claimed to have 'joined an American Intelligence Unit' in Belgrade in 1953, following a period of imprisonment by the communists. According to Begović, the tattoo on his right arm, which he proudly showed to the ASIO officer, had been branded on him by the Soviets during his eight long years in a communist prison in Yugoslavia between 1945 and 1953. This claim was a lie, as he had never been in a communist prison at all. Three decades later, however, he showed the same tattoo to the Australian Nazi-hunters of the SIU and claimed that it was, in fact, his camp number from the Nazi concentration camp of Dachau. Begović's ploy with ASIO had apparently been successful in 1958, but this was presumably due to his claim that in 1953 US intelligence had posted him 'to Vienna, where he worked until 1956 as an Intelligence Officer,

his main duties being the gathering of information regarding Communist agents, and details of persons who were applying to enter the U.S.A. as migrants.'²³

As with so much that Begović has told Western intelligence over the past fifty years, this version of his career should be treated with considerable caution. For example, nowhere in Begović's US intelligence dossier is there any evidence that he was an American agent. On the contrary, he is recorded as an agent of French intelligence. The Americans censored this when his file was originally released in 1986, then disclosed it in 2000 when a further request was made under the US *Freedom of Information Act*.²⁴ Then there is Begović's claim to have been in a Yugoslav communist prison between 1945 and 1953, prior to his alleged work for US intelligence. The US intelligence records demonstrate that this was another lie. In fact, the US intelligence dossier on Enver Begović discloses yet another fascinating aspect to his career. Not only had he served the Nazis in a brutal anti-partisan unit and then spied for French intelligence; he also was a serial fraudster. According to an official Prisoner Record from Bavaria in the US zone of occupied Germany, in August 1945 Begović was convicted of 'unlawful possession of US property' and sentenced to one year in gaol.²⁵

This conviction was actually only the first of at least two prison terms Begović served in these years for fraud. According to another American intelligence report of March 1953, Begović was at that time 'serving a term for fraud' in a Munich gaol. Although a key passage of this report has been censored, it is clear from the context of the file that this followed soon after his work for French intelligence, a fact he disclosed (from his prison cell) to his American interrogators to curry favour. This report also revealed that Begović admitted that in 1952 he had been approached with an offer to work for Soviet intelligence. Despite his insistence that he had declined this offer, there is some suggestion in the US file that he may, indeed, have worked for the communists in some capacity. The conclusion drawn by CIC Special Agent Arthur Fisher, however, was that there was 'very little truth' at all in Begović's account and that his motive was more to damage people who had caused him 'injuries in the past.'²⁶

Even ASIO eventually concluded that Enver Begović was basically a con-artist. At first, however, they were content to take the information he offered when they contacted him eighteen months after he settled in Australia in April 1957. In October 1958, ASIO's C Branch dispatched a Field Officer to interview Begović about his knowledge of communist operations in Australia. C was code for the Protective Security Branch of ASIO, which conducted vetting of public servants and suspected security risks. Begović had come to C Branch's attention because he had offered information about communist repatriation efforts to entice Lithuanian migrants to return home, and even more importantly because he had claimed to know 'the identity of persons assisting the Russians in this work.' The quality of his information turned out to be very low level on close examination, although he impressed the ASIO Field Officer 'as being a competent [*sic*] businessman, who already has a comprehensive filing system and from our conversation it would appear that he has contacts in various places including the Department of Immigration.' The files gathered by Begović were actually for his newly established business, the Inge Detective Agency which specialised in 'divorce and maintenance cases for New Australians.' For a convicted fraudster, he had obviously landed on his feet, and seeing an opportunity, Begović quickly 'offered to assist' ASIO 'in any way, adding that he had many contacts among New Australians and he himself spoke five languages.' The ASIO Field Officer was obviously quite impressed, and assured Begović that he would be contacted later. He was not, however, 'furnished with the Victorian Office private telephone number.'²⁷

It seems that the ASIO officer's reluctance to embrace Begović completely had more to do with the original source of the information about communist repatriation activities. Indeed, Begović's 'sub-source,' who had given him information about these Soviet operations, was 'alleged to have visited the Soviet Embassy and to have Communistic tendencies.' This aroused special interest at ASIO's Victorian headquarters, where it was remembered that the 'sub-source' had been mentioned in 1954 in connection with the Petrov Royal Commission. As a result, ASIO's national headquarters decided that the whole case should be referred to the B2 branch. In other words, the case was of

interest to ASIO from a counter-espionage perspective, although S section, which ran Q sources and agents, was also involved because of the potential information that might be obtained from someone with the intelligence background Begović claimed. Naturally, this aspect of the case is not disclosed in the ASIO file. It is known, however, that S Branch, otherwise called the Special Services Section, continued to have an interest in Begović. In early January 1960, for example, S Branch filed a detailed report on Begović, much of which has been censored. This memo contains hints of the real reasons ASIO dispatched the case to the counter-espionage B2 Branch, including the fact that the Soviet defector Vladimir Petrov had been consulted about one of the figures involved in the communist repatriation operations. From this memo, it is clear that ASIO suspected that someone in Begović's circle had communist contacts that were at the centre of these operations, and might be connected to a Soviet spy ring. This memo, too, was accordingly dispatched by ASIO headquarters to the B2 Branch.²⁸

Like the Alferchik and Fricsons files, Begović's ASIO dossier is highly censored, particularly when there is any suggestion that S Section might be involved in an operation. In Begović's case, almost half his file is withheld completely, and much of what has been released has been so highly censored that many reports are almost incomprehensible. There is, predictably, an especially large gap in the intelligence dossier from October 1958 to October 1959, the twelve months following his initial detailed interrogation by ASIO. Apart from various memos and reports between Director General Spry and his overseas liaison officers to Western intelligence, there is nothing on the publicly released file of any relevance. The reports of the liaison officers are so heavily censored that nothing of use is revealed beyond mundane details such as the date and method of his entry to Australia. Indeed, most of this material is virtually incomprehensible. It is clear from the file, however, that there had been considerable activity in the Begović case in the meantime, both overseas and in Australia, especially on the part of S section, which dealt with running agents and sources.²⁹

Then in November 1959, ASIO received intelligence that led it to question Begović's anti-communist credentials. On a visit by a

communist dance company from Yugoslavia, a group of Ustaše militants invaded the Princess Theatre in Melbourne during a performance. ASIO was shocked to discover that Begović, who was by then known as a significant leader of Ustaše groups, was not with the demonstrators but in the audience. Not only that, during 'the incident, Begovic ... left his seat and announced to the demonstrators that he was a plain clothes police-man. He then escorted several of the demonstrating Croats out of the theatre.' ASIO was evidently puzzled by this development. Begović was, after all, President of the Croatian Soccer Club – effectively a front for the local Ustaše branch – and it was 'hard to understand the behaviour of Begovic. He showed anti-Croatian feeling at the Princess Theatre demonstration, but was recently elected President of the Croatian Soccer Club.'³⁰

ASIO was beginning to get the feeling that things were not entirely as they seemed with Enver Begović. The unease that the spies felt about him was brought into sharp focus by his close relationship with Dobrivoje Raičević, the Yugoslav migrant who also featured prominently in ASIO's Alferchik dossier. ASIO suspected Raičević was a communist agent because of his connections with the Soviets during the 1956 Olympic Games. It turned out that Raičević was both a business partner and employee of Begović, and one of ASIO's sources insisted that he 'only knew these two men by their unsavoury reputation as business men.'³¹ In February 1961, ASIO's unease about Begović must have grown apace when one of their S section officers filed a Q report based on intelligence gathered from Begović. In this report it was recorded that Begović claimed to have been in contact with the Soviet Embassy.³² First he had been on the communist side in a demonstration, then he was in direct contact with the Soviets. ASIO was obviously drawing the conclusion that either Begović was a hostile agent, or simply an opportunistic fraud.

By June 1961, the latter theory gained strength when ASIO discovered that he had teamed up with Frank Manier in a scam to 'help' other 'Yugoslavs to send large sums of money to Yugoslavia.' ASIO had still not worked out how the scam worked, 'but a black market deal is suspected.'³³ A few weeks later, ASIO discovered yet another suspicious

communist connection, when it recorded that Begović's partner in the scam, Frank Manier, was working closely with the Yugoslav Consulate and distributing communist material.³⁴ Apparently, Begović was not too particular about whom he ran his scams with, for the pair's next involvement was the importation of Yugoslav football players for various Ustaše-controlled Croatian Soccer Clubs. Even this was apparently some sort of scam, as ASIO reported that Begović had caused dissension in the Clubs 'when he "sold" several soccer players to a rival team.'³⁵ By the beginning of 1962, one ASIO officer, who knew the case well, had concluded that Manier 'is almost definitely "a tool of the Yugoslav Consulate,"' but that his partner in these scams, Enver Begović 'is a mercenary and will use any situation to his own financial benefit.' A 1968 report by S Section records that at least some of ASIO's Q sources in the Croatian community considered Begović 'to be a businessman of doubtful character. He is the proprietor of the Inge Detective Agency and is viewed by many Croats and Yugoslavs as being unscrupulous in his *modus operandi*.'³⁶

Despite these widespread doubts about Begović's business standards, he continued to hold senior offices, both in various Croatian Soccer Clubs and in the Ustaše front group, the United Croats of Australia.³⁷ None of the extremely derogatory information held on ASIO's files apparently counted against Begović. When he applied for Australian citizenship in mid-1963, the Department of Immigration referred his application to ASIO for a routine check and he was security cleared in a matter of days.³⁸ His admissions of service for the Nazis, his convictions for fraud, his close connections to suspected communists, his scams in partnership with 'a tool of the Yugoslav Consulate,' and his leading positions in the extremist and fascist-oriented Ustaše did not count against him for even a moment at ASIO headquarters. Even the fact that the Australian Ustaše was by then deeply implicated in a campaign of violence and terror in Australia and Europe did not deter ASIO from giving Enver Begović a clean bill of health to become an Australian citizen. It was, in fact, just one instance of a pattern of ASIO's friendly treatment of its Nazi sources.

**Invaluable Assistance to
ASIO**

Chapter Ten

To be fair to ASIO, many other Australian agencies participated in Australia's Nazi scandal and many other European Nazis benefited from the cover-up. Indeed, as will be discussed in detail in the following chapters of this book, the cover-up came from the very top of the Australian government, especially from Labor Immigration Minister Arthur Calwell and his Liberal successor, Harold Holt, who was to become Prime Minister in the mid-1960s. Soon after Holt became Immigration Minister at the end of 1949, Australia received a number of extradition requests from the Yugoslav government concerning alleged Nazi war criminals. The way in which they were handled clearly demonstrated the government's determination to protect Nazis at all costs. ASIO was only one of the government agencies involved in this scandal, with the Departments of External (Foreign) Affairs and Immigration contributing their fair share to the cover-up, in line with official policy.

The Yugoslav government's first extradition request concerned yet another Nazi agent of Western intelligence, Branislav Ivanović. In a formal diplomatic note of 24 March 1950, the Yugoslavs alleged that Ivanović had been in the Nazis' service even before Yugoslavia was occupied in April 1941, and had undertaken a special mission to Berlin in December 1940. From May 1942 to the end of 1944, he was the Understate Secretary for Transport and Communications in the Nazi-controlled

Serbian administration of Milan Nedić, and had organised a spy network for the Germans called the 'Control Service.' As a result, Ludvig Kovac was arrested and executed at the notorious Banjica concentration camp. The Yugoslavs also charged that Ivanović, with the assistance of the Minister of the Interior, Tanasija Dinić, had dismissed a large number of officials from his Ministry. As a consequence, the Gestapo and the Serb Special Police placed them under close surveillance. The case of twenty-seven railway officials from the town of Lajkovac was cited in the Yugoslav diplomatic note. They had been sacked on Ivanović's initiative and then 'were arrested and maltreated' by the Gestapo.¹

The Yugoslavs claimed that Ivanović had not only been one of Nedić's chief associates, but was married to his daughter, Branislava. On 'many occasions he made detailed proposals to Nedić for the strengthening of military-political and economic co-operation' with the Nazis, and had even helped form the notorious Serbian Volunteer Corps. This unit had been raised mainly from members of the fascist Zbor movement of Dimitrije Ljotić, and was responsible for many of the worst mass killings carried out in Serbia under German orders. The Yugoslavs also claimed that Ivanović had worked closely with SS commander Hübisch in constructing fortifications to defend communications lines from attack, and had conducted numerous propaganda meetings in which he spoke 'in favour of the enemy occupation forces.' The note pointed out that the Yugoslav War Crimes Commission had considered Ivanović's case, and decided on 25 June 1945 that he was a traitor and war criminal who should be tried by a Yugoslav court.²

Ivanović had arrived in Australia in June 1949 under the name *Branimir* Ivanović, not *Branislav* Ivanović, the name under which the Yugoslavs had requested his extradition. This minor discrepancy eventually would be used by Australian authorities as the ostensible reason for refusing the request. Ivanović had been cleared to emigrate by the International Refugee Organisation and Allied and Australian intelligence in Germany. After the extradition request, a background report was prepared by the European section of the Department of

External Affairs. This report concluded that the Nedić administration had been formed in August 1941 as 'an instrument of German policy,' and noted that it had drawn much of its support from the ranks of Ljotić's fascist Zbor Party.³ As head of the quisling government, Milan Nedić was the principal Serbian war criminal, and had been returned to Yugoslavia by the Americans after the war. His closest colleagues were also supposed to be automatically handed over for trial. The Serbian Special Police, mentioned so prominently in the Yugoslav extradition note, had been responsible for tens of thousands of deaths, and the concentration camp at Banjica was among the worst in occupied Europe. The Serbian Volunteer Corps had been especially notable for brutal atrocities against civilians, most notably at the town of Kragujevac.⁴

On 19 April 1950, the Department of External Affairs (DEA) acknowledged the Yugoslav note and simultaneously referred it to ASIO and the Immigration Department, asking for information and advice on how the case should be handled. Inside DEA senior officials quickly decided that there was no duty under international agreements to which Australia was a party to hand over war criminals to Yugoslavia.⁵ Justice, let alone morality, were not even secondary considerations for the foreign affairs mandarins.

On 9 May, Immigration Department head Tasman Heyes replied to DEA that Ivanović appeared 'to be identical' with a DP employed as a block supervisor in the Bonegilla migrant camp. Heyes reported that records of the International Refugee Organisation and Australian immigration team that selected Ivanović in Germany had simply noted under the heading 'Security' that he had 'fled from the political regime.' Heyes pointed out that Ivanović was 'cleared by the Allied Security Authorities and our own Security officers,' otherwise he 'would not have been accepted for settlement in Australia.' He therefore recommended that no action be taken and that Ivanović, having passed security screening and 'been accepted for settlement in Australia should be permitted to remain here and should not be handed over to the Yugoslav authorities.'⁶ A week later, ASIO also replied, informing DEA that Ivanović had not come under its notice, but offering to make inquiries about his activities since he entered Australia.⁷

In mid-July, a DEA official drafted a negative response to the Yugoslav request, stating that 'it has not been possible to identify this person in Australia.' The draft stated that a *Branimir* Ivanović had arrived in Australia, but his 'personal particulars do not square with those contained in your Consulate's Note. In any case, the Australian Government would be unable to agree to handing' him over, 'as his past history was thoroughly examined before he was accepted for settlement in Australia and he was cleared in every respect.'⁸ Departmental Secretary Alan Watt, however, altered the draft to say simply that, 'it has not been possible to identify this person in Australia.'⁹ Watt was lying when he told the Yugoslavs this on 24 August 1950. Both the Department of Immigration and ASIO knew that *Branislav* Ivanović and *Branimir* Ivanović of Bonegilla migrant camp were one and the same person.¹⁰ Thirty-six years later, Liberal Senator Peter Baume identified the whole affair for what it was – an official cover-up. 'The draft letter is quite misleading, but by identifying the person at least it offered the Yugoslav Government the opportunity to check him out,' he told the Senate. 'The letter actually sent – not the draft – covers up the matter. It hides the fact that we knew he was in Australia under a different name, so no possibility of further follow-up could arise.'¹¹

The Australian authorities certainly knew the true situation, as the Ivanović living at Bonegilla freely admitted to having held the ministerial position of Understate Secretary for Transport and Communication in the Nedić quisling government. Both the Immigration Department and ASIO's predecessor, the Commonwealth Investigation Service (CIS), had in fact investigated Ivanović three months *before* the Yugoslav request was even received. This inquiry was instigated by the Director of the Office of Education, R.C. Mills. On 8 December 1949, Mills had written to Immigration Secretary Heyes passing on information obtained by Mr J. Gray, who had spent the previous two years teaching at various migrant camps, including Bonegilla. Gray had reported 'an apparent tendency to Fascism among certain groups of his students.' These relatively small groups were actively engaged in political organising among camp residents, and one of those involved was 'a Block Supervisor at Bonegilla Immigration and

Reception Centre, by name Popoff or Popovic, a Yugoslav, who was a Junior Minister in the Yugoslav Quisling Government.' Mills commented that this man allegedly was using his position of influence to disseminate fascist propaganda among other recently arrived migrants.¹²

Two weeks later, Heyes had 'discreet inquiries' made about Popoff/Popović. In early January 1950, the CIS reported that Brana Ivanović, a Block Supervisor at Bonegilla, was the person against whom the allegations had been made. Ivanović admitted to holding the position of Serbian Understate Secretary for Transport and Communications from 1942 to 1944. Ivanović 'is very anti-communist' and 'claims to have worked with the Intelligence Services of England and America whilst domiciled in Austria,' the CIS reported. It went on to acknowledge that 'what Mr Gray reports has at least a basis of truth,' concluding that Ivanović 'by his own admission appears to have held a position of some major importance during the occupation of Yugoslavia by Germany and it is not improbable to believe that he was trusted by the Nazi authorities. The fact that he is very anti-communist does not necessarily mean that he has not [*sic*] fascist leanings.'¹³

This intelligence report on Ivanović was sent to the Immigration Department, which dealt with it in a most curious way. One copy was forwarded to the District Controller in charge of Bonegilla, Major A. Kershaw, so that he at least would know there was a senior Nazi collaborator in a position of authority in the camp. But rather than inform the public servants in Education, a departmental officer, M.J. Thompson, suggested that Education Director Mills be confidentially advised that inquiries 'did not establish anything objectionable' in Ivanović's behaviour. Thompson's more cautious superior countermanded this in true bureaucratic style, directing that the letter simply say that inquiries 'did not elicit any information which would warrant any action being taken.'¹⁴ That was precisely what Heyes told Mills in February 1950.¹⁵ Mills had no reason to doubt the official response, but Heyes knew he was lying. The security report passed across his desk, together with the draft reply. He also knew that as a senior Nazi official, Ivanović should never have been accepted in the first place for IRO assistance, and most certainly was an illegal migrant

under the rules then in force in his own department. He was, after all, the government's most senior immigration official, and was actually in charge of supervising the rules that excluded Nazis from the privilege of settling in Australia.

Ivanović's service in a ministerial position in a Nazi quisling government meant that he was automatically on the Allies' *Black List*, and therefore definitely excluded from IRO assistance. This is illustrated by the case of another minister in the Nedić administration. The former Minister for Agriculture, Ladoslav Veselinović, who had been rejected as ineligible for IRO assistance, had appealed on the ground that he had never been a Nazi and had only volunteered for the position to help feed his people. The appeal was heard in Geneva and dismissed because 'anyone who had served in a Cabinet level post under Nazi occupation had rendered aid and assistance to the Axis.'¹⁶ It therefore might have been expected that the Ivanović case would have alarmed the senior public servant responsible for Australia's mass immigration program. The IRO and Australian screening systems were so lax that a senior Nazi collaborator had slipped through, apparently undetected by Australian, British or American intelligence. Immigration Department head, Tasman Heyes was, however, entirely unperturbed. He did not even recommend Ivanović's deportation to his minister, this being the government's frequently proclaimed remedy for any Nazis found in the country. This would only have sent Ivanović back to Germany, his previous country of residence. Deportation was, in fact, rarely used, even against the worst mass killers. Of the several hundred cases investigated by the authorities in the 1950s and 1960s, only a handful of Nazis were ever expelled from the country.

When the Yugoslav government requested Ivanović's extradition three months later, in March 1950, nothing was done. Heyes merely engaged in a bureaucratic game which ended, predictably, in a bureaucratic lie. At the end of the game, Heyes simply recommended that Ivanović be allowed to stay. His colleagues at External Affairs consulted the British government, which had abandoned any pretence of searching for war criminals two years before.¹⁷ The British should have told their Australian ally about the important role played by the

Ministry of Transport and Communications in the repressive Nazi apparatus in Serbia, and in the German military campaigns that had caused heavy casualties to the partisans and the West. Instead, they rolled out the then current bureaucratic line that had saved hundreds of mass killers already. Ivanović was not on the final list of nineteen Yugoslav war criminals the British were prepared to turn over to Yugoslavia, and they were 'disinclined to surrender' anyone not on this list 'lest the charge should have a political rather than a criminal basis.' Furthermore, 'in any case there must be some limit to the time during which war crimes charges can be preferred.'¹⁸ As will be seen in later chapters, this list of nineteen had been drawn up after the rules had been so substantially altered that thousands of war criminals who were originally on the *Black List* were 'bleached' through the *Grey List* (ineligible for migration) to *Whites* (*bona fide* refugees).

Australia, however, would not even employ Britain's disingenuous excuse. The government simply ignored the facts. Branislav Ivanović was not even in the country, or so Australia said in its note to the Yugoslavs of 24 August 1950.¹⁹ The government's handling of the Ivanović case was symptomatic of the political climate of the early 1950s. Yugoslavia was a communist country, and although Tito had asserted his independence from Stalin in 1948, he was not to be trusted. Certainly, no anti-communist could be returned to a certain death, even if he were actually a Nazi collaborator who had either ordered or carried out mass killings. When he considered the case thirty-six years later, Andrew Menzies found that 'the Australian Government's refusal stemmed from the nature and circumstances of the allegations and general suspicion of the *bona fides* of the charges.'²⁰ Menzies's benign explanation of the government's deceitful position belied the facts. Nor did he stress that the Ivanović case was only the first of a series of extradition requests by communist governments concerning Nazis, all of which were refused. Menzies also failed to mention that Ivanović had himself admitted the substance of the allegations and that the government had other options, including deportation, but refused to exercise them.

Andrew Menzies's explanation for the Ivanović case was implausible to say the least. At that time (1986), however, the file on

ASIO's investigation was not publicly available. In 2000, a heavily censored version of ASIO's Ivanović dossier was released, and it sheds considerable light on Menzies's cover-up. After all, Menzies was able to access the intelligence file, and the fact that he did not even disclose what ASIO has now been forced to reveal (under the *Archives Act*) shows the degree to which he hid the truth of Australia's Nazi intelligence scandal.

When ASIO began to inquire into Ivanović in May 1950, it was rapidly established that he was involved in 'the usual intrigues between Nationals' in Bonegilla camp. In a sad commentary on the racist climate of Australia in the 1950s, however, ASIO reported that these intrigues 'appear to be natural to all those coming from the countries of South-East Europe.' ASIO did not even bother to interrogate Ivanović at this time, but concluded that he could not 'present any risk to the security of the Commonwealth,' although it was conceded that after he left the camp he might 'well warrant attention from this Service, in view of his alleged past.'²¹ The attention Ivanović received from ASIO was most interesting, indeed. A few years later, in 1954, Ivanović applied for naturalisation and ASIO carried out a more thorough investigation than was usual for the average migrant at that time.

By June 1954, ASIO's S Section was taking a close interest in the Ivanović case. As previously discussed, S Section was responsible, among other things, for running ASIO's Q agents and sources. The minute of 7 June by the Victorian S Section has been withheld entirely from the ASIO dossier. It is known, however, that in July an ASIO Field Officer had visited Ivanović and made a personal assessment. His report determined that Ivanović had not only been 'cleared by British Intelligence' to migrate to Australia, but that he had 'a fair knowledge of the machinery of the Intelligence Organizations of the Western Allies.'²² This information undoubtedly aroused further interest at ASIO headquarters, particularly as it tended to confirm Ivanović's claim that he had worked for both British and American intelligence prior to coming to Australia. Most importantly, however, this report concluded that Ivanović was 'a most capable man, accustomed to holding authority.' Altogether, he sounded to ASIO like a perfect intelligence

source. Interestingly, the ASIO field officer who compiled this report was none other than John Elliott, the expert linguist who later worked on the Alferchik case and became one of Spry's suspected Soviet moles.

Both Elliott's recommendation in the Ivanović case and the final section of his report – headed 'Security Information' – have been entirely censored from the ASIO file, together with all of page 1. His assessment of Ivanović was, however, almost certainly accepted by his superiors in ASIO. Before too long, it is probable that Ivanović was recruited by ASIO's S Section as a Q source, although this, of course, has been censored from the publicly available intelligence dossier. On 16 July 1954, the same day that Field Officer Elliott filed his report, ASIO's Victorian Regional Director noted in his memo to the Senior Field Officer that there was no doubt at all that Ivanović was a Nazi collaborator. However, it was also noted that Ivanović 'has noticed the activity of Communists in Australia, both amongst Australians and migrants,' a comment that reveals something of ASIO's real interest in continuing contact with him. Like Elliott's recommendation, the rest of this paragraph of the memo is entirely censored, but the future direction of the Ivanović case is made abundantly clear a few paragraphs later.²³

The Victorian Regional Director of ASIO was precise about what had happened after John Elliott had filed his report. As already noted, the relevant paragraphs of Elliott's report – his recommendation in the Ivanović case and the 'Security Information' – have been censored from the file. They apparently had something to do with the possibility of obtaining information from Ivanović, however, for ASIO's Victorian Regional Director reported that Elliott's recommendation led to immediate discussions 'between S. Section of this Office and S. Section H.Qs.'²⁴ Exactly what happened next is unknown, as the rest of the file is censored. ASIO had, however, concluded that 'an objection to naturalization would not be sustained,' although it was conceded that 'there are a number of political factors involved which will require to be considered.' Among these may well have been the fact that Elliott's report 'confirms the fact that Ivanovich was a Nazi collaborationist.'²⁵ If this was a consideration, it did not prevent Ivanović from obtaining the privileges and benefits of Australian citizenship.

The final decision on Ivanović's naturalisation was delayed several months, due to further overseas checks with Australia's contacts in Western intelligence. The results of these checks are also either withheld entirely or so heavily censored that not one word of Western intelligence's information is publicly available. The only material released is the comment that there was 'no adverse trace,' but the end result was predictable in light of the case's history.²⁶ In August 1955, senior S Section officer, Jack Behm, considered the 'latest overseas information' obtained on Ivanović. Four years later, Behm became head of S Section and was later promoted to the position of Deputy Director General. One of the very few Catholics in a Protestant-dominated organisation, Behm was clear enough about Ivanović's application for citizenship. As he had 'not come to adverse notice' since arriving in 1949, there 'are no grounds to object to this man's naturalization.' Behm, however, directed that the intelligence obtained through ASIO's overseas liaison officers 'should also be sent to the Controller Special Service Section.'²⁷ A few days later, Spry directed his Victorian office to tell the Immigration Department that ASIO had 'no security objection' to Ivanović obtaining Australian citizenship.²⁸



The Yugoslav government was, naturally, unimpressed with Australia's response to the Ivanović extradition request, which they almost certainly knew was a lie. By 1950, it was an open secret that, despite considerable effort by Australian intelligence to prevent this, Yugoslav intelligence agents had arrived disguised as *bona fide* migrants. These communist agents closely monitored the arrival of the various Yugoslav Nazi groups. Their task was made all the easier because they had penetrated the Nazi fronts, and often even held key leadership positions.²⁹ As the intelligence files demonstrate, Australia's security services knew about the Croatian Ustaše and other Yugoslav fascists soon after they began arriving in 1948. Contemporary intelligence reports disclose that security was well aware of the crimes committed by the Croatian Ustaše and the Serbian Zbor during the war. They were

also well informed of their continuing involvement in extremist politics, and especially the Ustaše's role in violence and international terrorism. Yugoslav intelligence was not far behind its Australian counterparts in detecting the Croatian and Serbian war criminals in Australia. It was hardly surprising, then, that on 8 May 1951 the Yugoslav government asked Australia to hand over two more alleged war criminals. Unlike the Ivanović case, which was handled in secrecy, Milorad Lukić and Mihailo Rajković received significant publicity, including vigorous parliamentary debate.

Lukić had arrived in Australia in October 1949. He quickly contacted local anti-communist Yugoslavs in Perth and became a leading figure in the heady atmosphere of *émigré* politics. The Yugoslavs alleged that Lukić had served the Gestapo at a prisoner of war camp in Nuremberg, and also travelled on Gestapo operations to other POW camps in Germany where Yugoslavs were interned. He was accused of spying on and denouncing Yugoslav prisoners sympathetic to the Allied cause, organising fascist groups to oppose Allied war aims, advocating loyalty to the enemy and disseminating hatred towards the Allies. The Yugoslavs also charged that the Gestapo had killed many Yugoslav prisoners after Lukić denounced them as communists. Like Ivanović, the Yugoslav War Crimes Commission had placed Lukić on its list of war criminals.³⁰

Rajković had arrived in Australia in November 1948 and also lived at Bonegilla migrant camp where Ivanović was first housed. He then moved to Western Australia where, like Lukić, he also swiftly became involved in local *émigré* politics. The Yugoslav's allegations concerned his role at an Albanian prisoner of war camp at Klos, and were supported by a number of eyewitness statements. With the assistance of Prelja Djolević, Rajković was accused of drawing up a list of fifty-three prisoners which he submitted to the camp commandant, Korti Feridjo. Two of those on this list, Jove Liška and Ilija Purlija, testified that all these prisoners were then persecuted and subjected to savage ill-treatment. These former inmates further claimed that when the Nazis sent a recruitment mission to the Klos camp, Rajković had successfully suggested halving the rations of prisoners generally in an effort to force

them to join a 'National Movement' to serve the Nazis. Rajković, too, was placed on the Yugoslav list of war criminals in 1945.³¹

Immigration, ASIO and External Affairs duly considered the Lukić and Rajković cases.³² Both men were actually already well known to ASIO in Perth. In fact, they had previously provided ASIO with intelligence on communist activities. Nonetheless, the officer-in-charge of ASIO's Western Australian office conducted an investigation and reported to the Assistant Director on 25 June 1951.³³ His report, however, contained nothing but praise. Lukić and Rajković 'represent a body of Yugoslavs who cause infinitely less trouble to this organisation than the great body of their fellow immigrants. They are unceasing in their campaign against Communism.' The newspaper *Sloga* (Unity), edited by Lukić, was the focus of their anti-communist campaign, which included combating the influence of the Yugoslav Immigrants Association, an organisation consisting mainly of migrants who had settled in Australia before the war. ASIO believed this group took a far too positive view of Tito's regime in Yugoslavia and was, in fact, dominated by communists.³⁴ On the other hand, *Sloga* not only opposed the Yugoslav communists. It also supported the Australian government, with consistent coverage given to the views of Prime Minister Menzies and Immigration Minister Holt. The two main political tests of the day were passed, and the ASIO report concluded that the newspaper 'certainly seems necessary and will fill a useful niche in the community.'³⁵

From ASIO's perspective, the only slightly negative aspect of the Lukić case was that he had lost £250 (\$500), quite a large amount in those days, in a defamation action in the Western Australian Supreme Court. But the ASIO report pointed out that the successful litigant, Frank Bucktenica, was actually one of Lukić's Yugoslav political opponents, who would not have won the case if Lukić had not subsequently aggravated the original defamation. Apart from this minor slip in tactics, nothing adverse was known of Lukić. Certainly nothing was known about the allegation that he had worked for the Gestapo during the war, and ASIO was even less interested in investigating such a claim.³⁶

Rajković was at first a close associate of Lukić, and had sponsored the establishment of *Sloga*. He later broke with Lukić in a move typical of the ever-shifting allegiances of *émigré* politics, claiming that the paper 'often causes more disunity than unity among the anti-communist Yugoslavs.'³⁷ ASIO reported that Rajković held an executive position in the Royal Yugoslav Army Combatants Association, comprising supporters of the Četnik leader Draža Mihailović.³⁸ The report described Rajković and his supporters as loyal subjects of deposed Yugoslav King Peter II, who refused to return to their homeland while it was under communist rule as they wished 'to live in freedom and democracy and to work for the liberation of their fatherland.'³⁹ It failed to mention that many Četniks had at different times collaborated with the Germans and Italians, and had committed war crimes against civilians during the course of the bloody civil war that raged alongside the Nazi occupation.⁴⁰

Nevertheless, on the basis of the Western Australian report, ASIO head Spry wrote to Alan Watt of External Affairs and opposed the Yugoslav extradition request. Spry, a former head of Military Intelligence and ASIO's guiding hand for two decades, made it clear in his letter of 11 July 1951 that Lukić and Rajković were of 'invaluable assistance to ASIO' because of their anti-communist sympathies. 'They are unceasing in their campaign against Communism and can and do assist ASIO to the limit of their ability,' he wrote.⁴¹ In practice, this meant not only combating the influence of 'communists' in the Yugoslav community, but informing on other Yugoslav Nazi and fascist groups opposed to the *Sloga* faction.

For example, Lukić and his followers assisted ASIO in identifying the local wing of Dimitrije Ljotić's Serbian Nazi organisation, Zbor. As discussed earlier, Ljotić's units fought with the Nazis against all other Yugoslav forces – communist and anti-communist alike – and carried out numerous mass killings of innocent civilians.⁴² On 12 February 1953, Section Officer B of ASIO's Western Australian office filed a memo quoting his *Sloga* informant as describing Zbor as a Serbian fascist organisation with about 380 members Australia-wide. They were mainly Serbian Orthodox Church members who were 'anti-Jewish, anti-

Catholic, anti-Communist and anti-democratic in their outlook.' As later investigations demonstrated, it was hardly surprising that Lukić was in a position to pass on intelligence about the local Zbor branch, as he had been a member of this fascist group himself during the war.⁴³ ASIO's original reason for investigating Zbor was to find out more about the Australian arm of the Ustaše, which had been detected in Australia as early as July 1948, when the Commonwealth Investigation Service had noted the arrival of two members, Ivan Harabaić and Peter Krečak.⁴⁴

External Affairs had already decided its position on Lukić and Rajković even before receiving Colonel Spry's letter of 11 July 1951. Noting that *Sloga* was 'hostile to the present Yugoslav Government,' DEA's legal and consular section had concluded on 4 June that the 'political motive behind the Yugoslav request is thus quite apparent.' On this basis, it was recommended that even 'if investigations disclose that there is some truth in the Consulate-General's allegations, it does not appear desirable to accede to its request for the men's extradition.' In support of this position, the memo cited refusals by the British government of similar requests on the grounds that it was 'time to bring to an end the punishment of minor war criminals.' The memo concluded that the evidence advanced against Lukić was weak and unsubstantiated, although a 'rather better *prima facie* case had been made against Rajkovic, but it should not be accepted as true without verification.'⁴⁵

The Immigration Department forwarded the allegations to Vincent Greenhalgh, the Chief Migration Officer in Cologne, and to the head of the Australian Military Mission in Berlin asking them to conduct investigations. On 8 October 1951, Captain K.G. Turbayne in Cologne submitted a report which Heyes sent to Spry a few weeks later. Keith Turbayne was then a Military Intelligence officer who had been dispatched to Europe by Spry in 1948 to devise a system of immigration screening to keep out 'political undesirables.' At that time, Spry was head of Military Intelligence, but after he was appointed Director General of ASIO in 1949, he recruited Turbayne and made him Regional Director for Canberra.⁴⁶ Turbayne and his colleagues did not succeed in devising an effective system to keep Nazis out of Australia, but he did

establish that there was more than a kernel of truth to the Yugoslav charges against Lukić.

Captain Turbayne reported that Lukić had been a lieutenant in the Royal Yugoslav Army. According to a US intelligence report of 14 September 1948, he had been a prisoner of war in a number of camps between 1941 and 1945. The US report linked Lukić with General Radovan Popović, the president of the 'Yugoslav National Committee' in Munich which worked closely with both the Croatian Ustaše and the Serbian Zbor group in the immediate post-war period. According to the intelligence Turbayne had obtained, Lukić himself was 'a former member of the pro-Nazi Ljotic Group.' One of Turbayne's Yugoslav informants claimed that Lukić had actually been a double agent before the war, working simultaneously for Royal Yugoslav intelligence and for the Abwehr, or German Military Intelligence.⁴⁷

Turbayne also reported that after the war Lukić had worked for US intelligence on a number of important operations. According to the information supplied to Turbayne by his US intelligence contacts, Lukić and his close comrade Dušan Nikolić had 'contacted various Yugoslavs' requesting them to work in Czechoslovakia for the Americans 'on obtaining information of intelligence value.' Lukić had offered money to potential agents, claiming to represent the local US intelligence office, and worked closely with Croatian, Slovenian and Ukrainian *émigrés* on various US-sponsored anti-communist operations. These intelligence activities on behalf of the Americans seemed to have considerable influence on Turbayne, who eventually took an exceedingly lenient view of Lukić. In summing up, he noted that Lukić 'may have been pro-Nazi and possibly an Abwehr agent,' but he then discounted these possibilities on the grounds that the Germans had held him prisoner for so long. His membership of the avowedly pro-Nazi Ljotić group in Munich after the war was explained away by his 'aversion to communism,' although Turbayne admitted that the 'aim of the Zbor was to function along the lines of the Nazi Govt.'⁴⁸

Alan Watt at External Affairs forwarded the Yugoslav government's allegations to his officers in London, asking them to ascertain whether Lukić or Rajković were on the final list of nineteen Yugoslav war

criminals whom the British were still prepared to surrender. On 19 July, he received the news that neither was on that list, thus confirming the long-held departmental view that they should not be surrendered.⁴⁹ Immigration officials agreed with External Affairs that the Yugoslav government's request stemmed 'largely from political motives' and in turn also recommended that, as the men had been security screened before they emigrated, nothing should be done.⁵⁰ Watt had previously written to the Yugoslav Consulate on 13 June, advising that the competent Australian authorities were considering the request and that they would be advised in due course of the outcome.⁵¹ There the Lukić and Rajković cases rested. The relevant government services – Immigration, External Affairs and Security – all had recommended that the extradition requests should be refused, but the government did not even bother to do that. Although Watt's officers reiterated their belief that the requests stemmed 'largely from political motives,' and presented him in mid-September with the draft of an official reply which stated that the government was 'unable to accede' to the extradition requests, Watt returned it unsigned and took no further action.⁵² The Yugoslav authorities were told nothing further and, as in the Ivanović case, neither was the Australian public.

However, the prominent Sydney Jewish leader Syd Einfeld publicised the cases five months later, detailing the men's alleged war crimes as set out in a letter from the local Yugoslav Consulate.⁵³ The government still did nothing. On the contrary, Rajković was subsequently treated most favourably. In mid-October, the Western Australian Migration Officer, E.A. Membery, wrote to J. Adams, the Perth Deputy Director of the Commonwealth Investigation Service, after Rajković had applied for naturalisation. Immigration asked whether he had 'come under the adverse notice of the authorities since arrival.' Adams replied three days later that he was 'not adversely recorded in respect of character,' effectively clearing him to receive citizenship.⁵⁴

However, the cases of the accused war criminals still would not die. In November 1951, Tasmanian Labor Senator Justin O'Byrne questioned the government in the Senate about Lukić and Rajković.⁵⁵ His questions

were placed on notice, and the issue was debated heatedly several times in the following weeks. Government senators concentrated on the predictable Cold War theme that Lukić and Rajković were only anti-communists, claiming that the Yugoslav request was merely an attempt to discredit them for their political activities. They roundly condemned O'Byrne for raising the whole matter while an investigation was still under way. They did not mention that the so-called 'investigation' had actually been concluded five months before, when ASIO had reported that the men were useful intelligence informants. On 15 November, Senator Spicer tabled Holt's reply to O'Byrne's questions, and inevitably the government cleared Lukić and Rajković. The previous day, Spry had written to Heyes saying that he did 'not consider Lukic constitutes a threat to Australian security,' but that he would conduct further inquiries as a result of the allegations made in parliament the previous week.⁵⁶ But Holt did not even wait for that investigation to conclude, instead clearing the accused men by using information that was only tangentially relevant to the actual charges. In exonerating Lukić, however, the Minister admitted that he had been a member of the Nazi Ljotić organisation in Munich after the war, something which his officers knew tended to support the Yugoslav charges.⁵⁷ As previously discussed, this information had come to light during Captain Turbayne's investigation and was included in his report of 8 October. It certainly explains why Lukić was later able to provide ASIO with information about the activities of the Ljotić group in Australia.

Holt's statement merely referred to the Ljotić group as being 'anti-communist,' but even then it was widely known in official circles that it had been among the most fanatical and murderous of the Yugoslav quisling formations. Even before the war, its ideology had been completely fascist – anti-Jewish and anti-democratic – as even ASIO knew by 1951. But it was also anti-communist, and hence welcome to the conservative government which wanted to exploit the Cold War atmosphere gripping Australia in 1951. This was enough to explain the government's eventual refusal of the extradition requests, finally conveyed to the Yugoslavs on 22 November 1951. No reasons were given, and the letter was exactly the same as that presented to Watt by

his department two months earlier, which he had returned unsigned at that time.⁵⁸

Two days after the government finally answered the Yugoslav requests, however, ASIO began yet another investigation of the two alleged war criminals. The acting Regional Director for Western Australia asked permission for his officers to interview Lukić and Rajković, and on 26 November Spry agreed.⁵⁹ As a result, some very interesting information was forthcoming when one of ASIO's Perth Field Officers made his report on 7 December. Lukić denied 'that he was ever interested in or a member of any organisation with political leanings,' a claim that even the most sympathetic ASIO officer would have found unbelievable in light of Lukić's known history. He did admit to knowing that his Yugoslav boss had been a double agent before the war, working for both Nazi and Yugoslav intelligence, but denied that he was involved in similar operations. He also admitted that his wife had been able to visit him in the prisoner of war camps on a number of occasions and that as a result of this favoured treatment the Gestapo had asked him to inform on his fellow prisoners. He claimed, however, to have refused this request.⁶⁰

The ASIO Field Officer observed that during 'the interviews conducted no evidence was obtained or any suggestion made that could allow me to promote that there is any foundation to the accusations made against Lukic. All known anti-communist Yugoslavs in this state speak only in his favour. My personal impression of Lukic is that he is fanatically anti-communist.' The ASIO officer concluded by expressing the opinion that some Yugoslavs may have been aware of Mrs Lukić's visits and of the Gestapo's approach to her husband. This might explain the Yugoslav extradition request, the real motive of which was thought to be political as there was 'no doubt that Lukic, through his newspaper, is making great strides in defeating communistic teachings amongst the displaced persons and that that progress is most distasteful to the Yugoslav Government. This, we consider, is the main reason for wanting Lukic's extradition.'⁶¹

However, Lukić's own signed statement of 4 December 1951 throws a different light on ASIO's attitude towards him. While denying that he

had been a member of the Ljotić group, as reported by Captain Turbayne from information supplied by US intelligence, he admitted to having worked for Yugoslav intelligence before the war. This actually confirmed one of the major allegations made by Turbayne's Yugoslav informant. Lukić also confirmed this informant's claim that he had organised an operation for American intelligence after the war, in which two men had been sent into Czechoslovakia 'to obtain information on uranium mines and airfields.' Lukić stated that the 'arrangements for this espionage service was [*sic*] conducted firstly with a Major of the US Intelligence in Munich and then with another Major in Amber.' Lukić claimed that the intelligence gathered in Czechoslovakia had been passed on to the Americans by his associate, Radovan Popović, head of the 'Yugoslav National Committee' in Munich, a group that was known to be heavily penetrated by communist intelligence.⁶²

These admissions confirmed a number of the allegations made by Turbayne's informant, who had also claimed that Lukić was a double agent for both Royalist Yugoslavia and Nazi Germany. Although Lukić denied this allegation, his story underlines one of the major problems confronting Western intelligence agencies in dealing with *émigré* Nazis. Given their own byzantine political factions, their work for both Nazi and Western intelligence and the penetration operations of Soviet agents, it was often impossible to know for sure from their own accounts which side they had really worked for during and after the war.

ASIO's attitude towards Lukić was, however, conditioned by a number of factors which typified Cold War thinking. He was fanatically anti-communist, and therefore politically acceptable. He had carried out apparently successful intelligence operations for the United States, demonstrating his usefulness to the Western cause. He was unceasing in his campaign against communism in Australia, providing a valuable counterbalance to 'Red' influence in the Yugoslav community. Most importantly, he was of 'invaluable assistance to ASIO' in providing intelligence on the activities and outlook of both communists and other pro-Nazi groups among Yugoslav migrants. These factors apparently counted far more in Colonel Spry's final judgement than any doubts

about Lukić's role as a double agent. So in early 1952, Spry again wrote to Heyes saying that 'the allegations made against Milorad Lukic are without foundation, and in fact the evidence shows that he is bitterly opposed to Communism and to the Tito Government in Yugoslavia.'⁶³

When the Lukić/Rajković controversy was revived by Liberal Senator Peter Baume in late 1986, and details of ASIO's role in their cases were published in the *Australian*, former Director General Sir Charles Spry dismissed as 'quite untrue' the claim that ASIO had shielded the men from extradition to Yugoslavia. The former ASIO head denied that his organisation 'had played a significant role in the affair,' and claimed that it was a government decision to refuse the extradition requests. Instead, he pointed his finger at the External Affairs Department as the major culprit.⁶⁴ In retrospect, there is some truth to these claims, as it is clear that both Robert Menzies's government and senior External Affairs officials were extremely reluctant to take any action on the basis of communist accusations. Spry did not point out, however, that ASIO had been using Lukić and Rajković as intelligence sources, nor did he mention that his advice had certainly played a crucial role in the government's decision. After all, it was ASIO's job to advise its political masters about security matters, and his glowing report on the men strongly reinforced the government's own political prejudices.

In his 1986 interview, Spry hinted at the real reasons for his attitude of thirty-five years earlier. He pointed out that it 'was important to remember the political climate which existed in Australia and the Western world at that time. In 1951 the Cold War was at its hottest,' he said, reminding readers of the Berlin airlift and Stalin's occupation of Eastern Europe and concluding that 'there was a real threat that hostilities would break out.' Spry's counter-intelligence head, Michael Thwaites, supported his former boss. 'I know it's been alleged that we were so fixed on opposing communism that we'd seek an ally anywhere,' he stated, 'but my recollection was completely opposite to that.' According to Thwaites, the atmosphere in ASIO, 'and to be fair, on the part of the Menzies Government, which is often accused of being lenient in these matters, was quite categorically hostile. We wouldn't

tolerate for a moment any thought either of admitting and far less of recruiting a war criminal or SS member to work on our behalf because they happened to be anti-communist,' Thwaites firmly declared.⁶⁵

However, the evidence demonstrates that neither Spry nor Thwaites was telling the truth. As we have seen, the declassified ASIO files – highly censored as they are – paint a very different picture to their disingenuous claims. The intelligence dossiers, when read in conjunction with the files released by the Americans and British, show that ASIO was actually eager to recruit *émigré* Nazis for anti-communist operations against leftist migrant groups. In fact, ASIO's use of Lukić and the *Sloga* group was by no means an isolated case. As has been seen in the Alferchik, Fricsons Begović and Ivanović cases, ASIO used numerous *émigré* Nazis to spy on alleged communists in their communities, and for other counter-intelligence operations. Many other cases will be discussed later in this book.

ASIO's Nazi operations did, though, have very real repercussions for Australia's law enforcement agencies. The duties of former Commonwealth Police Superintendent Kerry Milte brought him into close contact with some of the Nazi groups. As head of the Central Crime Intelligence Bureau in the late 1960s, Milte established that there were a significant number of Nazi war criminals in Australia. As will be discussed later, Milte's officers had interviewed many of these accused mass killers, and even penetrated their Nazi front groups. Superintendent Milte knew from first-hand experience that Western intelligence found these *émigrés* 'quite useful', especially during 'the days of the Cold War hysteria and more aggressive anti-communism,' as 'counter-intelligence agents or double agents to gather information back in their home countries.' From his experience in the field, Milte came to believe that ASIO, acting with American security services, used such people 'to assist them in gathering information about left wing groups and also assisting to penetrate the governments in their former home countries because of the long standing contacts they would have there, and a facility to activate agents in these countries.'⁶⁶ As discussed earlier, Milte's experiences in the 1960s and 1970s were later confirmed by the staff of the Special Investigations Unit. The first head of the unit, Robert

Greenwood QC, has repeatedly and unequivocally stated that ASIO knowingly utilised Nazi war criminals for intelligence operations. This was based on both the access his team had to ASIO dossiers on the unit's suspects, and on a series of confrontations he had with senior ASIO staff. In light of the cumulative evidence, the denials of Spry and Thwaites can no longer be treated seriously.

As future chapters will show, there was a price to be paid for ASIO's close links with these Nazi groups, most notably when the militant wing of the Ustaše led by ASIO source Srečko Rover, the mass killer from Sarajevo, embarked on a campaign of local and international terrorism in the 1960s.

A few weeks after Spry had cleared Lukić for a second time, the Yugoslav Consul in Sydney bitterly attacked the government's decision to refuse the Lukić and Rajković extradition requests. The Consul pointed out that 'there were a number of Yugoslav war criminals' in Australia, who were being protected by the government's attitude. Holt replied the following day with the oft-repeated line that the accused war criminals were 'strongly opposed to Communism,' falsely claiming that they had at all times fought for democracy and the Allied cause. Holt compounded this with a further lie. Commenting on the Consul's allegation that the government had refused to extradite Yugoslav war criminals, the Minister stated that in 'the only two alleged cases brought to our notice our security services here and abroad are of the opinion the allegations are without foundation.'⁶⁷ In other words, as Branislav Ivanović's case had not become public, he simply did not exist.



The Ivanović, Lukić and Rajković cases set precedents for the handling of all war crimes allegations against Nazi migrants. If the claims came from communist governments they were disregarded. In the blinkered Cold War view of ASIO, such allegations were obviously politically motivated, and should therefore be entirely ignored. The Australian government, its senior bureaucrats and security advisers, unhesitatingly took the view that the communists' aim in pursuing Nazi war criminals

and collaborators was to undermine, discredit and destroy entire anti-communist *émigré* communities. Unfortunately, this resulted, in effect, in an amnesty for even the worst mass killers. As in the Ivanović, Lukić and Rajković cases, many of those whose extradition was later sought by the Soviet Union were not at all innocent anti-communist *émigrés*. They were mass killers like Karlis Ozols, Arvids Upmalis and Argods Fricsons who had arrived in Australia under the mass immigration scheme established by Arthur Calwell. As Australia's first Immigration Minister, Calwell in many ways can be viewed as the father of multicultural Australia, a title he would undoubtedly have been uncomfortable with in light of his blinkered and racist outlook. He was, however, also the man who started Australia's Nazi cover-up.

Chapter Eleven **Arthur Calwell: The Political
Cover-Up Begins**

Arthur Calwell was appointed as Australia's first Immigration Minister by Prime Minister Ben Chifley in July 1945. It was a radical departure for the government even to have a systematic immigration policy. At this time, mainstream Australia viewed non-English speaking citizens as 'aliens,' and this was exactly how they were categorised in the official files of the Immigration Department and the Australian Security Intelligence Organisation. The very idea of large-scale migration from Europe, let alone Asia, was viewed with deep suspicion by a fundamentally insular society. A gravel-voiced and uncompromising politician, Calwell stood by the Labor Party's traditional policy that Australia was a white bastion in Asia until his dying days. When the war ended in 1945, Calwell was a rising star of Labor's Catholic right, but during the Labor split of the mid-1950s he remained loyal to the party leadership while many fellow Catholics deserted to form the Democratic Labor Party. A man of strong views, Calwell always believed that the country should never take coloured immigrants who would make Australia 'chocolate coloured.' Yet in August 1945 he deployed his forceful personality to launch Australia's first mass immigration scheme, proclaiming 'that we cannot continue to hold our island continent for ourselves and our descendants unless we greatly increase our numbers.'¹

During the war, an Inter-Departmental Committee had developed plans for a significant and rapid post-war expansion of Australia's population. Comprised of representatives of the Departments of the Interior, Post-War Reconstruction, Treasury and the Security Service, the Committee recommended Britain as the first choice for prospective immigrants. It also emphasised that Australia's need for population growth was so great 'that it cannot afford to be too exclusive.'² Arthur Calwell agreed, adopting the slogan 'populate or perish.' As the country painfully returned to a peacetime economy, demand for labour became more pressing. The government wanted a speedy end to wartime restrictions, including the rationing of consumer goods and petrol. There were serious labour shortages, however, in the coal, timber, steel, building and textile industries. There was also an urgent need for upgraded infrastructure, especially transport and power. Skilled migrant labour was needed for hydro-electricity schemes, road and rail construction, as well as manual jobs in remote areas. Furthermore, wartime attacks by the Japanese on the northern coastlines, and even a foray into Sydney Harbour by 'midget' submarines, had highlighted Australia's vulnerability. The Immigration Minister bluntly told Australians 'we must fill the country or lose it.'³

Calwell's policy was to preserve 'White Australia.' He promised that for every 'foreign' migrant, ten would come from Britain. It was an impossible promise, from which the Minister was quickly forced to retreat. The official policy was that Australia should take 70,000 migrants each year, but in 1947 only 6,500 British arrived and he had to look elsewhere to fill the quota.⁴ In July 1947, Calwell introduced the Displaced Persons (DP) Immigration Scheme, which met Western concerns about the humanitarian problems of the refugees of Europe, as well as Australia's self-interest, by boosting economic growth and easing security fears in the unstable post-war world. Soon after the International Refugee Organisation (IRO) commenced operations in mid-1947, Australia agreed to accept refugees from Central and Eastern Europe. In the preceding months, Britain and the United States had exerted pressure to gain Australian participation in IRO programs in order to ease the immense human suffering caused by the millions of

war refugees. The West aimed to relieve the political and economic tensions of Europe's dispossessed, thereby removing one of communism's chief weapons.

In early May 1947, Sir Sholto Douglas, the British Commander-in-Chief in Germany, had drawn attention to the refugee problem, emphasising that 'in his opinion' they 'would be most suitable settlers' for Australia. The British considered refugees from Latvia, Lithuania and Estonia to be 'undoubtedly the elite of the refugees.' Sir Sholto expected 'all the best to be taken within 12 months.' The head of the Australian Military Mission in Berlin, Brigadier T.W. White, concurred that they were, indeed, the 'best material' available. Their high standard of education and their ready potential to assimilate into Australian society placed them a cut above other Displaced Persons (DPs). 'The Baltic refugees are as a whole in a somewhat different category from other races in that they do not consist of depressed classes,' Brigadier White wrote, adding that generally 'speaking they appear to be hard working and law abiding.'⁵

Calwell responded immediately. In June, he flew to Europe to visit a number of DP camps which housed mainly Baltic refugees. They made a deep impression on the Minister, with their blue eyes, blond and red hair, and 'quasi-military discipline.' A few weeks later, he was in Geneva to sign an agreement with the Preparatory Commission of the International Refugee Organisation. He announced that he had come 'on behalf of the Australian Government to arrange for large scale immigration into my distant, but vast and under-populated country.' Australia wanted not only skilled workers, specialists and intellectuals, but also 'large numbers of manual workers' to assist with road building, dam construction and hydro-electricity projects. Calwell emphasised that selection would be non-discriminatory, and that whole families were welcome to settle in Australia.⁶ Over the next four and a half years, nearly 180,000 people left devastated Europe under the DP scheme to make new lives in Australia. Almost all were genuine DPs and refugees and over the last five decades they have made enormous contributions to economic, cultural and political life, enriching hitherto Anglo-Saxon-dominated institutions and outlooks

and initiating the country's development into today's vibrant, multicultural society.

The DP scheme was something of a political gamble for the government, however, as Australians had a well-deserved reputation for hostility to foreigners. Indeed, most preferred the existing, largely homogeneous racial mix, and anything which threatened it provoked dissension. From the beginning Calwell was on the defensive. He promised that the government was 'determined to preserve the predominantly British character of the Australian nation by insisting that the highest possible proportion of our population gain through immigration should be from the United Kingdom and other Empire countries.'⁷ In reality Calwell could not simultaneously deliver on that promise and bring in the annual quota. To ensure the latter, he advocated the DP scheme with great passion, reinforced by what was for those times a sophisticated public relations campaign. This stressed its humanitarian objectives as much as Australia's need for large population increases to bolster the economy and strengthen national defence and security against regional threats. The Minister was wholehearted, personally assisting in the recruitment of staff and the establishment of security and medical screening.⁸ He also directed Australian diplomats in Washington to request the US government to provide American ships, with the result that many migrants arrived on former US Army ships.⁹

Calwell's personal commitment did not satisfy his critics. He was soon embroiled in heated and often bitter debate. From one side, he had to face racist attacks by right-wing extremists, including some leaders of the Returned Services League (RSL) and sections of the press, notably the *Bulletin*. Many critics focussed on the undesirability of all non-Anglo-Saxon migrants. RSL Federal President G. W. Holland commented that the League was 'dismayed' that so many 'aliens' were to be shipped to Australia. Others were hostile over Jewish migration. Before he launched the DP scheme, Calwell had agreed with the tiny Australian Jewish community on a very limited program to admit Jewish refugees who had relatives in Australia. Even this drew stinging criticism, including from Victorian RSL President Ken Bolton. At first,

the minister gained a reputation for championing both Jewish and non-Jewish refugees, describing the attitudes of some Liberal and Country Party politicians as 'anti-Semitic outbursts.'¹⁰

Before long, however, Calwell was caught in the crossfire, at the same time having to fend off charges that Nazi war criminals were arriving under cover of the DP scheme. Not surprisingly, the first claims came from the Jewish community, especially from the Jewish Council to Combat Fascism and Anti-Semitism (the Jewish Council).¹¹ The Council was formed in 1942, and went on to be a lynchpin of the campaign to admit Jewish refugees from Nazism. It counted among its active members prominent community leaders, and had significant influence in the Executive Council of Australian Jewry (ECAJ), the national body of organised Jewry. It also drew members from both major political parties, but especially from Calwell's own Labor Party. Some of its members were communists, however, and this was to prove sadly decisive as the Council strove to draw attention to the arrival of Nazis at the time of the Cold War.

The Council collected huge amounts of largely accurate information about Nazi migrants among the DPs. Through their contacts in Europe and from arriving Jewish migrants, the Council was all too aware of the enormous difficulties which beset Australian intelligence and immigration officers in screening the refugees. One informant, Tadeusz Kuchinka, had worked in the IRO Eligibility Division in Salzburg, Austria, where his fluency in six languages had been invaluable in determining which applicants were entitled to migrate and which were barred. After his arrival in Australia, Kuchinka wrote to the Jewish community about the flawed selection process. He pointed out that many 'war criminals of various nationalities – especially Latvians – have slipped through IRO eligibility screenings' and entered Australia. He also claimed, accurately, that IRO screening for eligibility was not as thorough and efficient as it should be, and that 'Australian immigration authorities accept the results of IRO screening without questions.'¹²

From sources like Kuchinka, the Jewish community pieced together a true picture of Australian immigration and security screening methods. The intelligence and immigration officers who conducted this

screening had to distinguish those who were *bona fide* refugees from the Baltic states, the Ukraine, Yugoslavia, Hungary and so on, from those who had collaborated with the Nazis and were fleeing their homelands to escape retribution. As we have seen, this collaboration often involved voluntary service in SS and auxiliary police units which carried out mass killing operations against the Nazis' political and racial enemies, particularly Jews, Gypsies and Slavs (Serbs, Russians, Ukrainians, Poles). But how could an Australian migration or security screener tell the difference between genuine refugees, political dissidents and concentration camp survivors on the one hand, and Nazi mass killers on the other? Immigration Minister Calwell was at least superficially conscious of these problems. While in Germany in 1947, he read a security report which convinced him of the danger of Nazis slipping through any net and moved to establish proper security screening. He arranged for a military officer to be seconded to conduct the checks. This would have been too little in light of the size of the problem, but actually the officer never took on these duties, being engaged instead with the procedural selection of migrants.¹³

This ambivalence set the tone for the DP scheme, which officially commenced in October 1947 when the first shipload of Baltic migrants left Bremerhaven. Having been advised that the refugees from Latvia, Lithuania and Estonia were 'men and women of good type and many of education,' Calwell agreed to take 4,000 Baltic DPs in 1947, and 12,000 a year thereafter.¹⁴ Competition was fierce, however, especially with the rival migration teams from Canada and America. Before the first refugee ship had even sailed, Calwell had given permission to expand the eligible categories by admitting Ukrainians and Slovenes. Despite an initial preference for single people from the Baltic states, eventually 35,000 Latvians, Lithuanians and Estonians arrived in Australia, accounting for 20 per cent of those benefiting from the scheme.¹⁵ The scheme had been running for barely two months when serious criticisms were expressed over some Latvians on the first ships. The Jewish Council sent an official to a Victorian migrant centre to investigate the new arrivals. Ominously, he reported a high incidence of anti-Semitism and fascist tendencies.¹⁶ While this did not

prove that Nazis were among the DPs, it certainly suggested that it was probable.

Initially, Calwell's policy excluded anyone who had even 'served in the enemy armed forces against the Allies,' including non-combatant roles, because they 'would be likely to jeopardise its successful functioning as public reaction ... would be adverse.'¹⁷ Even at this early stage, however, Australian authorities knew that the Jewish Council's criticisms were well founded. Indeed, Calwell knew that former Latvian SS officers were on the first ship. Despite the supposedly thorough screening process, two SS officers fooled the Australian selection team and reached the pre-embarkation camp at Diepholz. Although detected prior to leaving port, screening of this rigour did not continue for more than a few weeks. As Andrew Menzies commented in his 1986 report, the strict procedures which caught these two Latvian SS officers 'may have been relaxed' for later shipments.¹⁸

Six months into the DP scheme, Australian intelligence received information that former Baltic SS members were among the first shipments.¹⁹ The Commonwealth Investigation Service (CIS) was formed at the end of 1945, and took over the responsibilities of both the Investigation Branch and the Security Service. It was the precursor of the Australian Security Intelligence Organisation which, in turn, absorbed most of the CIS functions and operations in 1949.²⁰ Much to Calwell's chagrin, the CIS of 1947 took the allegations against the Baltic SS men far too seriously. A Military Intelligence officer was dispatched to examine a number of the DPs physically and discovered incriminating scars under their left armpits. To the Australian security officers it was obvious that the scars resulted from surgery to remove the blood group tattoos which the SS placed under the left armpit of most of their officers and men.²¹

The CIS officers wrote a security report informing their political masters that Nazis were arriving under the auspices of the government's mass migration program. Instead of taking this finding seriously, by deporting such illegal migrants and tightening procedures to prevent the arrival of more Nazi collaborators, Calwell angrily dismissed the report as 'a farrago of nonsense.' Subsequently, the head

of his department, Tasman Heyes, wrote a veiled message to the CIS stating that while SS tattoos, or even the existence of scars where they may have once been, were grounds for rejecting DPs, the whole thing was a matter for Immigration, not Security. Moreover, 'hasty conclusions as to the security risk of certain classes of migrants do much harm not only to worthy people but to our immigration plans.'²²

The Labor government had decided that the program's success was more important than preventing Nazis from settling in Australia. Calwell's vehemence apparently cowed the CIS. It did not, however, silence other critics. Within a year of launching the DP scheme, the Minister was inundated with allegations that Nazi collaborators and war criminals were in Australia. By 1949, the annual report of the Jewish Council recorded that it 'is known that, among the large number of Baltic migrants who have landed here in the past year, there are many who, whether voluntarily or under some pressure, assisted the Nazis to kill European Jews.' The Council would not condemn whole groups for the crimes of a few, but pointed out that many minor concentration camp officials had come from the Baltic states. The report warned 'against a type of migrant who is arriving here in substantial numbers and whose outlook may well make him a serious menace to our Australian institutions and democratic way of life in general.'²³

Such claims enraged Calwell, for whom the scheme's success was as much a matter of personal pride as of political and economic policy. He clearly believed that to admit that any of the arriving migrants might be a 'menace' to Australia was tantamount to acknowledging that the whole program was flawed. He frequently deflected criticisms by pointing to the pro-Jewish aspect of his immigration policy. Relatively speaking, however, the total number of Jews involved was not large. In keeping with anti-Jewish feelings sweeping much of the British Empire in response to the increasingly bloody battle for Palestine, there were a number of discriminatory measures limiting Jewish immigration. The feeling among the establishment in countries like Canada and Australia was that no Jewish migration was too much. While Calwell was less blinkered and prejudiced than some of his officials, he was far more concerned about possible negative effects that Jewish immigration

might have on public perceptions of his scheme than with repercussions arising from Nazis. In time, the Minister introduced more severe measures to limit Jewish migration, prompting the International Hebrew Immigration Aid Society to claim, in September 1947, that 'the former collaborators of the Nazis were to be considered priority cases whereas Jews were regarded as undesirables.'²⁴

The Jews, so recently the main victims of Hitler's murderous policies, were again subjected to officially sanctioned discrimination, while their persecutors were able to enter the country by virtue of official indifference. Pressured on all sides, Calwell responded to Jewish complaints with a veiled threat. Boatloads consisting only of Jewish migrants would be 'one of the worst things for Australian Jewry,' because it was inadvisable to claim 'special privileges for special classes.'²⁵ It was a foretaste of the type of blackmail Calwell's successor, Harold Holt, would use more forcefully after the Liberals gained office in 1949. By then, the Jewish community had stepped up its campaign against Nazi migrants.

In defending his immigration program, Calwell claimed that Australia had established the world's best screening system, pointing to the findings of a Returned Services League delegation which had conducted on-the-spot inquiries in Europe. This report stated categorically that 'it would be almost impossible for any Nazi or any other subversive person to get through the security screening net.'²⁶ Future RSL delegations would repeat this claim, backed strongly by government officials and politicians. The new head of the Australian Military Mission in Germany, Brigadier Fred 'Blackjack' Galleghan, was vociferous on the subject. By May 1948, Australian selection teams in Germany and Austria were experiencing difficulties in filling the quotas, so Galleghan decided to expand the DP scheme to include Yugoslavs, Czechs, Ukrainians and 'even' Poles, on a 'more exacting basis' than for other nationalities. Galleghan, who had spent much of the war in the notorious Changi camp, was appointed Deputy Director of the Commonwealth Investigation Service on his return from the war.²⁷ As head of the Military Mission, he oversaw immigration selection and was responsible for security screening. A seasoned

soldier and intelligence officer, he should have been well qualified for the task. In fact, the only rule he rigorously applied was the government's policy that not more than 25 per cent of any one group of migrants could be Jewish.²⁸

Some Jewish refugees who managed to meet Calwell's strict criteria repeatedly made the claim that Galleghan was not telling the truth about the screening system. Many had been Nazi victims and spent years in concentration camps. Some had lost their entire families. A distinct minority among the many thousands of arriving migrants, many Jews complained that they found it impossible to live in migrant reception centres with men whom they regarded as their former tormentors.²⁹ From their own experiences in Europe, they knew that the IRO criteria were being flouted and that there were former Nazis among the DPs, some of them guilty of horrendous crimes. These newly arrived migrants were convinced that the Australian Jewish community had good reason to be worried about these people and they forcefully drew attention to their concerns.

In response, the Jewish community investigated the situation in the migrant reception centres, where they found small Jewish groups housed among mostly Eastern and Central Europeans. In 1949, a Jewish investigator visited the Fairbairn and Eastlake migrant hostels in Canberra. His report on the conditions of the seventeen Jews living among 800 Estonian, Latvian, Lithuanian, Ukrainian and Polish migrants indicated that all was not well.³⁰ Most of this group had arrived on the *Dundalk Bay*, which had left Trieste in March 1949. The Jews reported that immediately after leaving port, anti-Semitic incidents began to occur, with some of the 400 Ukrainians on board said to have been the worst offenders. The British and Danish crew members were often forced to intervene to ensure that Jews could sit in peace at the dinner table, and that other passengers did not attack them. Complaints to the ship's IRO officer were dismissed. He claimed he was too busy to attend to every 'small incident.' More disturbingly, the Jewish DPs claimed that some passengers had SS blood group tattoos under their armpits, while others had had them removed. One was overheard to say that he had been a volunteer in the Gestapo in Cracow, Poland, from

1941 to 1943. Another refused to take off his shirt in public for fear of exposing his SS tattoo, while a Lithuanian, accused by a Pole of serving with the SS, merely replied that it 'doesn't matter.'

One Jewish DP, David Brockman, reported that a Ukrainian passenger carried a photograph of himself in SS uniform hidden in a book. Brockman found the picture by chance and took it to an American IRO official on his ship, the *General Omar Bradley*. The IRO official told him to forget the incident and refused to return the photograph. These newly arrived migrants were sent to Bathurst in April, where the Jewish group said they were once again subjected to anti-Semitic insults and serious assaults. One ended in the knifing of a Polish man who had come to the assistance of two Jews being attacked by two Baltic migrants. The barracks in which Jews slept were attacked and stones thrown through the windows at night. Other Jewish DPs complained that some Ukrainian migrants forcibly removed their skull caps when they wore them to the dinner table, telling them that they could eat like that 'under the Jews,' but if 'you want to eat with us, you can't wear a skull cap.' Attacks continued at the Fairbairn and Eastlake migrant centres in Canberra, with Ukrainian and Lithuanian DPs alleged frequent participants. Joseph Krater, the lone Jew at one centre, was continually harassed and claimed that one night drunken Ukrainians had stuck knives through the door of his hut. Others reported that anti-Semitic slogans were scrawled on the walls and that hostile groups would gather whenever Jewish migrants stood up for themselves. One Lithuanian had stated that it was a pity that any Jews were still alive. 'Don't forget how it was in Europe and it will be the same here,' Moses Berger was told at dinner at Fairbairn hostel. The Jews were clearly intimidated, and genuinely feared for their safety.

Even isolated incidents of this kind should have alerted Australian authorities that real problems existed. While there were undoubted language difficulties, most Australian officials were indifferent to the allegations. Although anti-Semitism in itself did not prove that there were Nazis among the migrants, it was enough to warrant official concern in the circumstances. Anti-Jewish sentiments and violent upheavals against Jewish communities had been deep-rooted in the

social and economic fabrics of many Central and Eastern European countries. The Nazis skilfully exploited this latent and powerful hostility when they occupied these areas. At the very least, Australian officials should have been wary of importing this racial hatred. They should also have been aware that such a significant level of anti-Semitism among sections of the DPs suggested the probability that some were Nazi war criminals. Instead, they not only ignored evidence of racial bigotry, but turned a blind eye to widespread claims that former SS and Nazi police officers were among the migrants. When investigations were launched, they were superficial. The message had reached all levels of the bureaucracy that nothing should disturb the smooth functioning of the DP scheme.

However, the incidents were not isolated. Rather, a definite pattern emerged.³¹ Repeated attacks against Jews, including serious beatings and knifings, were alleged against Nazi migrants. Complaints to authorities often had to be made through Baltic interpreters, who deliberately garbled the stories and threatened the complaining Jews, even in the presence of Australian officials. Authorities at the Bonegilla migrant camp were said to be only nominally in charge, the true power being a Baltic migrant, a former Nazi stormtrooper who allegedly participated in the destruction of the Riga ghetto in which thousands of Jews were killed.³² Australians teaching English at Bonegilla reported that in summer, when the men wore sleeveless singlets while they worked, it was common to see the SS blood group tattoos (or the scars where they had been) under many of their armpits.³³ As discussed in Chapter Ten, one of these Australian teachers provided substantial leads to the authorities about senior Nazis like Branislav Ivanović.

Sam Goldbloom's visit to Bonegilla in 1950 convinced him that the reports were not exaggerated. A young ex-serviceman who joined the Jewish Council immediately after the war, Goldbloom later served on the executive. One of his earliest missions was to visit Bonegilla with a friend. Masquerading as plumbers, they gained access to the shower block in order to observe the migrants while they were washing. As they did, a number raised their arms above their heads, revealing tell-tale plastic surgery marks under their left armpits. Goldbloom took a

few quick snapshots, which were then presented to the government as evidence of the Council's claims.³⁴ Allegations abounded that former Gestapo and SS members were hiding amongst the migrants, including Volksdeutsche who had served in the SS Division *Prinz Eugen*, notorious for horrendous atrocities in Yugoslavia against civilians and partisans alike.

Many of the claims made at this time later turned out to be more or less correct. A number of Nazi war criminals were found to have occupied influential positions in DP camps, among them Konrads Kalejs, whose career as an officer in the Arajs Kommando was examined in Chapter Four. Through an accident of history, Kalejs has become the best known Latvian war criminal to settle in Australia. Kalejs had arrived in Australia in October 1950 after admitting to the IRO that he was a lieutenant in the Latvian army in 1941. Despite this, he proceeded to the Australian selection team without further investigation. He then told the Australian security screeners that he had only been a farm labourer during the war, but had no papers to substantiate his account, having 'lost' them in a fire in a DP camp in 1947. Apparently that made him an expert on identity papers. For three years after his arrival in Australia, Kalejs was the documentation and processing clerk at Bonegilla. In this position he was well placed to help other Nazis, as he handled many sensitive documents, especially the issuing of identity cards, to other migrants who had no papers. He later moved to Melbourne, gained Australian citizenship in August 1957 and then shifted to the United States. As discussed previously, Kalejs retained his Australian citizenship and as this is written in March 2001 the Latvian government has launched extradition proceedings against this 87-year-old mass killer.

Konrads Kalejs was not, however, the only Nazi war criminal to obtain a position of influence at Bonegilla. As outlined in Chapter Ten, Branislav Ivanović was employed as a block supervisor at the same time that Kalejs held his position at Bonegilla. At the time, many Jewish migrants made similar accusations against other migrants and also painted a negative picture of the screening process in Europe. They were adamant that Australian methods compared unfavourably with those used by other Western countries. According to some accounts, the

American and Canadian screening teams at least made some effort to establish the wartime activities of prospective migrants while the Australians made little, if any. Australian interviewers were said to be usually perfunctory, while the Canadians and Americans conducted detailed interrogations, often lasting two or three hours.³⁵

Jewish organisations were by no means the only source for the accumulating evidence of Nazi migrants. IRO officials themselves supplied damning information. In March 1949, for example, 902 migrants arrived in Australia on the IRO-chartered ship the *Mozaffari*. They had embarked in Naples after selection from three DP camps in Germany, and almost one third were from the Baltic states. Many new arrivals spoke with appreciation and relief at their arrival to start new lives in Australia, but an IRO official on board sounded an ominous warning. He asserted that among the Baltic migrants on the *Mozaffari* were some who had fought with the German Army during the war. In keeping with the prevailing Cold War climate, he was quick to point out that 'it was on the Russian front and not against the British or Americans.'³⁶ Clearly this minimised the problem in his mind, but the reality was that they should not have been included in the IRO's resettlement program, as its constitution explicitly excluded Nazi collaborators from assistance to emigrate. It also violated the Australian government's stated policy of excluding former members of Nazi military and police units. The IRO official turned out to have made a correct, if understated, observation. One of those on the ship was, in fact, Karlis Ozols, the Latvian Nazi who had conducted numerous mass killing operations in and around Minsk, whose case was detailed in Chapter Three.

By 1949, Australia's Nazi scandal was no longer a Jewish issue. The media had taken up the story, and begun their own investigations. In July, reporters for the Sydney *Sun* and *Daily Telegraph* were banned from IRO ships because they criticised the Nazi background of some of the arriving DPs. On 21 July, the US army transport ship *General Harry Taylor* arrived in Sydney from Naples with 864 passengers, including Hungarians, Yugoslavs, Ukrainians, Poles, Latvians, Czechs, Estonians, Lithuanians and Byelorussians. Crew members described some of them

as being 'the worst types,' including Nazi collaborators and communists. They claimed that racial fights had broken out during the voyage and alleged there were Germans who had fought against the Allies hiding among the Hungarians on the ship. A Yugoslav passenger stated that several of his fellow passengers were former SS members who had had their blood group tattoos removed in Naples before embarking.

In line with his earlier outbursts, Immigration Minister Calwell angrily dismissed these claims as 'gross and wicked falsehoods.' The IRO chief in Australia, Major General C. E. M. Lloyd, quickly banned reporters of the two newspapers from all IRO ships.³⁷ Despite the ban, in October the shipping reporter of the Sydney *Sun* gained brief access to the IRO ship *Amarapoora*, which had arrived from Naples with 617 migrants. Two uniformed British crew members claimed to the reporter that many former Nazis and German soldiers were amongst the DPs, and six passengers confirmed this. Before he could gather further information, the reporter was unceremoniously ordered off the ship by its chief officer, who explained that the order came directly from General Lloyd.³⁸

Arthur Calwell's cover-up of Australia's Nazi scandal between mid-1947 and late 1949 was a classic case of a senior politician so hell-bent on achieving his well-intentioned policies that he was willing to ignore all evidence of negative consequences. Calwell's rising anger in the closing months of 1949 also probably reflected his government's knowledge that it was about to be swept from power by Robert Menzies and his Liberal-Country Party coalition. In the months after their victory in December 1949, Menzies and his senior ministers perpetuated Calwell's cover-up, adding some extra dimensions of their own. The Nazi scandal was about to become a bipartisan affair.

**Harold Holt: The Political
Cover-Up Continues**

Chapter Twelve

As 1949 drew to a close, both Australian and international affairs were reaching watersheds. The earlier mistrust between the Soviet Union and the Western allies had set into the permafrost of the Cold War, but many Western leaders believed this could easily erupt into armed hostilities while Stalin confronted the West in Berlin. Domestically, the lines of the Cold War had been drawn in the final months of the Chifley Labor government. The rejuvenated Liberal–Country Party coalition under Robert Menzies came to office in December, pledged to support the American and British crusade against international communism and to deal severely with its domestic followers.¹ In the years that followed, his government was entirely unconcerned at the evidence of Nazis in Australia. The ‘communist menace’ was an almost singular focus.

The controversy, however, would not go away. One week after assuming office, the new Minister for Immigration, Harold Holt, was confronted with fresh allegations of Nazi migrants. The Sydney *Sunday Herald* reported that the authorities were examining substantial evidence that Nazis, including SS officers, had arrived as DPs.² The evidence was contained in numerous statutory declarations. These included the admissions of newly arrived migrants, who had openly boasted of their Nazi pasts and their activities during the war. The newspaper, while not disclosing the identities of the individuals,

published complete details of the allegations. The evidence was the result of a massive investigation by the Jewish community.³ Thirty-five years later, the results of the official inquiry by the Commonwealth Investigation Service were released under Australia's *Archives Act*. It was hardly an example of a top-quality security investigation. Rather, it revealed the cynical and lackadaisical approach of Australian intelligence agencies.

This investigation was, in fact, typical of Australian intelligence's attitude towards the numerous allegations against former Nazis. While ASIO's approach was slightly more professional than the CIS, the official records reveal a pattern of incompetence and failure of duty. Obsessed by the communist threat, Australian intelligence officials invariably minimised the seriousness of allegations, deliberately going out of their way to clear suspected Nazis. They failed to follow leads which may well have provided them with enough evidence to support a case. More often than not they took the word of suspects that they were merely 'anti-communists.' Substantial evidence could often have been obtained by simply requesting readily available information from British and American intelligence agencies, with which Australia cooperated closely. As previously seen, this information often revealed that suspects had not only served the Nazis, but also had been on the payroll of Western intelligence. The result was that ASIO was frequently more interested in putting Nazis to work as Q agents than in investigating their war crimes.

The evidence of war crimes provided to the CIS in 1949, while not conclusive, was strong in most instances and certainly suggested the need for thorough inquiries. One allegation made by Andrew Banyasz in a statement of 3 September concerned Leslie Arnoldi, a member of the SS who claimed his blood group tattoo had been removed by an American doctor in Steier, Austria.⁴ George Tyroler and Banyasz signed another statement claiming that a kitchen hand at the Wallgrove migrant hostel had admitted in their presence that he had belonged to the fascist Hungarian Arrow Cross and had worked at its Budapest headquarters. They claimed, accurately, that the Arrow Cross had rounded up innocent men, women and children and herded them to the

banks of the Danube where they were shot 'without any semblance of a trial.' In fact, the Arrow Cross, led by Ferenc Szálasi, had assisted Adolf Eichmann to organise his last large-scale mass killing of Jews in 1944. Arrow Cross members were also the police guards who delivered the consignments of doomed Jews to the Hungarian border on their final journey to Auschwitz and the gas chambers. Arrow Cross headquarters in Budapest had handled the administrative details of pogroms and the machinery of mass murder.⁵ Subsequently, it was alleged that this man also had admitted that he had participated personally in these killings.⁶

Mirko Trebich's statement of 1 September 1949 concerned Charles Keleman, 'who migrated to Australia under the IRO Scheme with a Government contract.' Keleman was a member of the Hungarian country police, or gendarmerie, one of the units which had been responsible for some of the worst mass killings in Hungary, Trebich said. 'He told me that he participated in the round-up of Yugoslavs and Jews from the 19th to the 21st January, 1942,' Trebich declared, and that this 'round-up resulted in the murder of three thousand people.' Trebich also claimed that an informer in the same round-up, a prominent member of the Nazi Volksdeutsche fifth column in Yugoslavia during the war, was employed in the IRO resettlement program at Salzburg in Austria, where 'he was influential in the selection of migrants to Australia.' Later information received by the Jewish community from London's Wiener Library appeared to confirm Trebich's claim, isolating a man with a very similar name who was wanted for murders committed in October 1941 at Kraljevo, a Serbian town north of Kosovo. In March 1951, the Executive Council of Australian Jewry claimed to the government that this man had arrived in the country the previous year.⁷

George Tyroler made a second statement, alleging that Andrew László had been 'a member of the Hungarian Rongyas Garda, the equivalent of the German SA, or Brown Shirts.' Tyroler claimed that László had made anti-Semitic remarks, threatened him and declared that the Hungarians did not want 'foreign elements' among them. The László case will be further examined in Chapter Fourteen. Tyroler also alleged that a carpenter at Wallgrove had admitted that he could not go back to Hungary because he would be tried for the murder of an

anti-Nazi partisan.⁸ Although these claims did not amount to conclusive legal cases against the accused, and while exaggeration and even malice may have been present in some instances, it was nonetheless obvious that all was not well with the DP immigration scheme.

Moreover, these accusations turned out to be only the tip of the iceberg, for other newspapers acted on further serious allegations. The same day in December 1949 that Menzies became Prime Minister, the Melbourne *Truth* published an article about a very different type of Nazi collaborator. Heinrich (Chajim) Bontschek was a Jewish tailor then living in Melbourne.⁹ The attention paid to Bontschek's case both by government officials and the media was symptomatic of 'investigations' into Australia's Nazi scandal. While very many other cases were covered up or treated superficially, Bontschek became a minor *cause célèbre*. Rumours had been circulating for several years that Bontschek had been a notorious KAPO (Jewish foreman) in the Auschwitz concentration camp in Poland.¹⁰ In fact, the Victorian police had received an anonymous letter about Bontschek in August 1947, alleging that he was a 'Jewish traitor,' and had 'punished people most severely' in Nazi concentration camps.¹¹ Bontschek had entered Australia under the Landing Permit scheme, which had allowed refugees from Nazism to enter Australia during the war. After 1945, most of the migrants under this scheme were German or Polish Jews. Reflecting official attitudes towards Jewish migration, the standard of security screening for Landing Permit migrants was considerably tighter than for migrants entering under the DP scheme.¹²

In December 1947, Bontschek was interviewed by Victorian Special Branch officers. He admitted that he had held a position of authority at Auschwitz, as a barracks leader, but denied the charges of his fellow prisoners. A month before this interview, the CIS had cleared him on the basis of a police report 'indicating that nothing had been ascertainable nor discernible which would support the allegations.'¹³ Seven former inmates of the camp had signed statutory declarations claiming that Bontschek had served the Nazis at Auschwitz by mistreating Jews in his charge. Some testified that Bontschek had beaten them with a wooden table leg, which he carried to punish prisoners for even the smallest

misdeemeanour. There were also claims that he had deprived people of food when they were starving, forced them to work when it was not necessary and obtained food for himself while those he controlled starved. Others stated that Bontschek had punished prisoners by hanging them by their arms from the rafters of camp huts and flogging them until they became so weak that they could not work, and consequently were sent to the gas chambers. Others died as a direct result of Bontschek's floggings. Most of the Jewish survivors agreed that Bontschek had treated them worse than the Germans.

The CIS and Immigration Department investigations of Bontschek exemplify the duplicity and incompetence with which such inquiries were conducted. Security and departmental officers were fully aware of substantial allegations that Bontschek 'was responsible for many deaths and vicious cruelty to internees.' But instead of investigating the actual charges made by Jewish survivors of Auschwitz, they concentrated on one allegation in the anonymous August 1947 letter. This claimed that Bontschek was on the Dutch government's list of wanted war criminals.¹⁴ Responding to an Immigration Department request, the Australian Military Mission in Germany rapidly determined that this allegation had no foundation. The new Immigration Minister, Harold Holt, then claimed that the investigations had not substantiated the charges. In closing the Bontschek case, the CIS Director wrote that it was 'difficult to appreciate that a number of people who have made Statutory Declarations have done so in complete error.'¹⁵ Indeed, it would have been difficult to see how they could have done so, except that the investigations had ignored the actual allegations made against Bontschek.

Over three and a half decades later, when the ABC radio series *Nazis in Australia* revived the Bontschek case, a Dutch woman who had migrated to Australia at the time when the initial controversy erupted phoned this author. She had a special interest in the affair, as her former fiancé was one of the brave people who had resisted the Nazi occupation of Holland and aided the Jewish community by sheltering Bontschek from the Gestapo. When Bontschek was subsequently discovered, arrested by the Gestapo and sent to Auschwitz, her fiancé was deported too, never to return. After the war, she heard from

survivors that Bontschek had repaid her fiancé by treating him brutally, contributing significantly to his ultimate death. The dead man's fiancée was surprised to find Bontschek in a Melbourne street soon after her arrival in Australia. Like Maly Elinsohn's encounter with Argods Fricsons (recounted in Chapter Four), victims and perpetrators often lived as near neighbours in the adjoining quiet suburbs of Australian cities. Like Fricsons, Bontschek died unpunished a few years after Holt dishonestly cleared him of all charges.¹⁶

This was, however, only one instance among many. On Christmas Eve 1949, the Melbourne *Truth* published the results of yet another investigation, dealing with some of the cases examined earlier by the Sydney *Sunday Herald*. But new allegations emerged. Alexandrs Dovans was accused of working for the Gestapo in Riga, allegedly informing on Jewish and Latvian partisans who were then shot on the spot.¹⁷ Stanislav Možina, of the Albert Park migrant camp in Melbourne, was accused of serving in an auxiliary SS unit. Wasil Podwysocki, also of Albert Park, was said to have served in the SS at a Polish death camp.¹⁸ Franciszek Sidor was accused of being in an SS unit, while another man was alleged to have a photograph of himself in a Nazi auxiliary police uniform. These were only some of the serious indications of a significant Nazi migration to Australia that confronted Harold Holt in December 1949. Senior officials of his department were, however, adept at fobbing off reporters with claims that major probes were being conducted and that 'a thorough check is being made into the histories of all concerned.' In fact, the Australian authorities had been investigating many of these charges well before Holt became minister, but the checks were hardly thorough. In nearly all cases, they were about as reliable as the investigation into Heinrich Bontschek.

As far back as July 1949, the Commonwealth Investigation Service had commenced inquiries into the allegations made against migrants at the Wallgrove camp in Sydney.¹⁹ The investigation was actually conducted by a Hungarian Camp Leader, C. Bolla, and a Latvian, Z. Sebba. Not surprisingly, they found that the statements of many Jewish DPs at Wallgrove could not be substantiated. Indeed, they 'were unable to obtain any evidence or suggestion that there was any ill

feeling towards Jewish migrants.' In fact, four Jewish migrants were said to be on the 'best of terms' with other camp inhabitants.²⁰ The shallowness of this investigation, with its reliance on the accused, was typical of these inquiries. By 30 December 1949, most of the official investigations were almost over and Melbourne Commonwealth Migration Officer, A.H. Priest, stated that only Alexandrs Dovans 'appears to be of a doubtful character.' Even Dovans was eventually cleared by Holt, who later claimed the Security Service could not confirm the allegation.²¹

The Investigation Service had interviewed each of the accused. Wasil Podwysocki denied having been an SS member at a death camp in Poland. His account of the war years placed him as a farm labourer in the Ukraine until 1942, when he said he had been deported to Germany to work on a farm. 'Podwysocki is a good type,' wrote E. Richards, acting Deputy Director of the CIS in Melbourne, 'and the Interviewing Officers are prepared to accept his statements. He cannot ... furnish the names of any persons now domiciled in Australia who can substantiate his statements regarding his places of work and incarceration from 1942 onwards.'²² The CIS also accepted the word of Franciszek Sidor, who likewise denied being an SS member, 'and again there would appear to be no reason to doubt his statements.'²³

The case of Stanislav Možina was more complicated, because he admitted to serving as a volunteer in the Slovenian quisling Domobranci (Home Guard), which operated in Yugoslavia under SS orders. Indeed, these units had sworn allegiance to Hitler and volunteered to obey the orders of their SS masters. They committed atrocities, not only against Tito's communist-led partisans but also against innocent civilians suspected of anti-Nazi sentiments. The CIS did not view this as a major obstacle, clearing Možina because he was 'definitely anti-Communist and anti-Tito, and it is considered that he would have joined any movement to combat Communism.' Having established his political credentials, Richards declared that Možina was 'a reasonably good type, is fast acquiring a knowledge of English, and is described by an executive of Smith, Mitchell & Company, as an excellent worker.' What this had to do with the case is far from clear. Despite the existing policy that anybody

who had served in enemy military formations during the war should be excluded from Australia, Richards concluded Možina's case with the facile observation that the CIS 'officers are of opinion that his service in the Slovenian Army should not be held against him in this instance.'²⁴

The CIS found it harder to clear Alexandrs Dovans, but they found a way in keeping with the mood of the day. Dovans certainly pulled the wool over their eyes with amazing ease, helped by the CIS officers' ignorance of European history. The investigators easily could have exposed the many contradictions and holes in his story by asking the British Foreign Office to provide an official Latvian wartime history, or even by consulting a good book. It should have been an easy task to show he had lied about his wartime activities. In Dovans's case, the CIS even possessed a letter, from Rosa Garfinkel in Riga to Jacob Segal in Melbourne, stating that there were witnesses who confirmed that Dovans and his wife had worked for the Gestapo in Riga, informing on anti-Nazis who were subsequently executed. Instead of following this lead, the CIS spent days interviewing Dovans's former employers in Melbourne, eventually catching up with Jacob Segal, one of the few Jews to have survived the Nazis' mass killing operations in Latvia. Segal immediately aroused the investigator's suspicion with his statement that his brother, Hiam, had served with the Red Army during the war. This suspicion was 'confirmed' when it was found that Segal had handed a copy of the letter about Dovans to the prominent author Judah Waten. Richards reported that Waten was 'a well known Communist' and an official of the Jewish Council, which was 'considered to be under Communist domination. The impression gained during the discussion with Segal was that he too could be inclined to the left, and this may have some bearing on the case, as Dovans is definitely opposed to Communism.'²⁵

Immigration head Heyes soon received a memo from one of his officers based on these security reports. It advised that there appeared to be 'no reason why the results of the interrogation' of the Ukrainians Podwysocki and Sidor 'should be doubted.' It also endorsed the CIS clearance of Možina. The memo reported that the Immigration Department had received similar allegations against Dovans in July 1948, which had been investigated by the head of the Australian

Military Mission in Germany, Brigadier Galleghan. Galleghan had found no evidence to confirm the charges and recommended that no further action be taken. Nor was it. The Immigration Department satisfied itself with the CIS report's recommendation that great significance be placed on Segal's giving Waten the letter in which the allegations against Dovans were made. As Waten was a communist and the Jewish Council was the apparent source for the *Truth* article, there was no point wasting further resources on allegations inspired by a group that included communists and which 'naturally is weighted with Jewish members who have always been very anti-displaced person.'²⁶ The memo ignored the well known fact that Galleghan had no access in Germany to documentary and eyewitness evidence about Dovans, since most of this was behind the Iron Curtain. This was not admitted officially until Andrew Menzies reported in 1986 that Australian intelligence officers had virtually no access to material on the wartime histories of prospective migrants from Central and Eastern Europe. Official files on German and Austrian suspects were reasonably complete and accurate, but contained almost nothing of significance on the activities of Nazis from Eastern Bloc countries.²⁷

The 'sinister' nature of the allegations was confirmed for the CIS when the communist newspaper *Tribune* published a story dealing with a number of the cases.²⁸ *Tribune* did not print the names of the alleged Nazis and most of the information had previously surfaced in other newspapers. Despite this, a CIS informant claimed that an unnamed woman was 'the source of a great deal of publicity regarding the entering into this country of former Nazis and Fascists.' This informant told the CIS that the woman was 'a fanatic on this subject and further that she corresponds with someone in Hungary so as to secure evidence which will support her allegations. It is the informants [*sic*] opinion that she is the person who supplies the Communist *Tribune* with the facts published in that paper concerning ex-Nazis in Immigration Camps.'²⁹ The circle was complete. The whole unsavoury question of Nazis in Australia was just a communist plot. Nothing more needed to be done.

The first year of Robert Menzies's government was a watershed in Australian political life. The major developments that year established the issues that would dominate for the following two decades. The 'communist threat,' already a well-developed theme in public life, became the central focus for Australia's domestic and foreign affairs. The Communist Party of Australia (CPA) still held powerful positions in many key industrial and maritime trade unions. It was part of the international communist movement, with close connections to the Soviet, Chinese and Indonesian communist parties. The guerilla war of Ho Chi Minh's forces in Indo-China and the outbreak of hostilities in Korea in mid-1950 reinforced the widely held view that the West had to prepare for a final military showdown with communism. On his visit to Washington that year, Prime Minister Menzies declared that the West must be ready for war within three years.

The Liberal-Country Party coalition had won the 1949 election pledged to destroy the CPA and to link Australia tightly into the Western alliance's global battle against communism. In the lead-up to the 1949 election, Menzies repeatedly claimed that the Soviets had organised a fifth column in Australia.³⁰ He rapidly moved to fulfil his election promises, introducing a Bill to ban the CPA in April 1950. The move dominated Australian politics for the next eighteen months. Although there was no official, declared war underway, the Defence Powers were used to justify the measure.³¹ The Bill was successfully challenged in the High Court, however, and Menzies was driven to a referendum on the issue in September 1951. The people rejected the proposal by a narrow margin, affirming the CPA's right to exist.

Australia made significant contributions to the anti-communist cause, sending troops to Korea and participating in joint military installations in Asia. However, Menzies's triumphant return from the political wilderness to the Prime Minister's Lodge also saw a resurrection of some of the themes of the 1930s when many on the right, including Menzies, had seen the growing strength of Hitler's Germany as a bulwark against 'atheistic Bolshevism.' Going further than official British and French appeasement, Menzies had openly expressed admiration for the Nazi state. He visited Germany in 1938 as Attorney

General and declared his belief that war in Western Europe was impossible. Menzies strongly advocated joint German-British opposition to Bolshevism, and hoped 'the understanding between Great Britain and Germany will grow. No German wants war. There is a great deal of spiritual quality in the willingness of the young Germans, who are devoted to service to the State,' Menzies declared on his return from Germany.³² He also hoped that, 'we British people will not too easily accept the idea that because personal liberties have been curtailed in Germany the result is necessarily a base materialism.'³³

Menzies, like many of his conservative supporters, regarded the outcome of World War II as unsatisfactory in one major respect. The Red Army was camped on the Elbe river and the West was paying a terrible price for its wartime alliance with Stalin. There existed a sentiment in ultra-conservative circles that the West had fought the wrong war. Instead of joining Germany in the struggle against the Soviets, Britain and America had allied themselves with Stalin to crush Hitler.³⁴ The West now had to turn its attention to defeating communism, and if this meant using ex-Nazis the Menzies government was not about to quibble in the course of such a life-or-death struggle. This explained official indifference to the penetration of Australia's migration program by significant groups of Nazis.

The massive problem of Eastern and Central European Displaced Persons was nearing its end by early 1950. Although Australia would continue to accept significant numbers until 1953, it was clear that the problem was easing as Canada, the United States and South American nations joined Australia in accepting hundreds of thousands of DPs. While the IRO was shifting these refugees, the Western allies were already planning another large-scale emigration. In December 1948, the French, American and British Military Governors of occupied Germany established a Tripartite Working Party on German Refugees, which presented its report in March 1949.³⁵ A month later, the London-based Refugees Defence Committee began an aggressive international campaign, advocating a mass German emigration program. This found fertile ground among Australian politicians and officials. Prime Minister Chifley and Immigration Minister Calwell wanted to help shore up the

West's interests in Germany and to continue their immigration program to aid economic and defence development. The focus of concern were the more than eight million German refugees, including some five and a half million Volksdeutsche, who had crowded into the British, French and American zones of Germany.³⁶

Volksdeutsche were ethnic Germans who had lived, often for generations, in Poland, Romania, Czechoslovakia, the Baltic states and Yugoslavia until they were expelled under the terms of the Potsdam Agreement. Under this deal, Britain, the United States and the Soviet Union had agreed to the transfer to Germany of Volksdeutsche 'in an orderly and humane manner.' Many, of course, had fled their homelands because they would not live under communism, but others had to flee because they had voluntarily served the Nazis, both as a fifth column before the war and in key posts under German occupation. The Refugees Defence Committee saw them as grave threats to the stable political and economic development of West Germany, and 'a deadly weapon for Soviet manipulation.'³⁷ Britain and the US were preparing to restore a sovereign government in West Germany and the Marshall Plan was seen as barely adequate to confront the economic problems of war-devastated Germany, let alone deal with this major influx of refugees.

In February 1949, the Tripartite Working Party on German Refugees approached Brigadier Galleghan who, as head of the Australian Military Mission in Berlin, was responsible for the administration of immigration policy. Galleghan was asked for 'an indication of the attitude of the Australian Government to German immigration.'³⁸ The working party had decided that the long-term problem posed by the German refugees was 'of such magnitude that ... the obvious expedient is large-scale emigration and resettlement abroad.' Galleghan agreed, commenting that 'excellent migrants can be obtained from these Germans.' Calwell spoke with Prime Minister Chifley, who concurred with Galleghan's assessment, although it contradicted official policy which had been to exclude Germans from the immigration program. However, Australia's immigration program was still focussed on the DP scheme, then at its height and absorbing all available resources. It seemed unlikely that there would be sufficient shipping and finance until that program neared its end.³⁹

In September 1949, the government told Galleghan that German migration could not begin while the DP scheme was in full operation. He was instructed to have preliminary discussions with senior British and American officials in Germany before returning home from his tour of duty.⁴⁰ By the end of 1949, the situation in Germany was reaching crisis point, as the Soviets stepped up their campaign to destabilise the Western-occupied zones. In November, Galleghan forwarded a confidential American intelligence report to the Immigration Department. This warned that the 'refugee-expellees constitute an involuntary Soviet weapon' because they were 'an economic embarrassment' and the 'distressing social conditions under which the bulk of the new residents live gives rise to the possible creation of dissident political groups.' Moreover, there were strong irredentist currents among the refugees, many of whom not only agitated for their return to the countries from which they had been expelled, but for the restoration of Germany's old borders, including the Sudetenland in Czechoslovakia, which had been annexed by Hitler in 1938. The American intelligence report commented that it was 'apparent that the very fact of Soviet control' of these areas gave them a distinct advantage, because they could actually promise more to the refugees than the West. It pointed to the 'highly nationalistic' Volksdeutsche leaders who might be willing to cooperate with the Soviets.⁴¹

The American intelligence officer believed that long-range Soviet plans were based partly on their hope that the Volksdeutsche refugee problem would prove insoluble 'so that the ultimate result would be a political "explosion" that could be directed toward Western Europe.' He further commented that the very existence of these uprooted, dispossessed and ill-treated people 'would seriously endanger stabilization of a Western German democracy, and thereby make it a weak spot in the line of defense of the Western democracies against the expansion of communism.' This was all the more dangerous given the tendency of many of the refugees to be attracted towards radical political movements of the extreme right, bolstering the ranks of the still influential Nazi section of German society. Australian files soon mirrored the concerns of this US intelligence report. The official papers

picked up the general theme, especially noting the serious problem posed by the Volksdeutsche refugees. One report commented that 'Russia realises this is beyond doubt and that country's policy appears to hope that the refugee problem will prove too insolvable and cause serious embarrassment to the new German Government as well as the western Occupation Powers.'⁴²

Soon after Harold Holt became Immigration Minister, the West abandoned the last semblance of 'denazification' in West Germany. This policy had aimed at ridding Germany of every vestige of Nazism – from politics, the judiciary, education, the police forces, intelligence agencies, business and economic life. Denazification had been a sham almost from the beginning, as the West found it virtually impossible to administer Germany without using committed Nazis. With the onset of the Cold War, Britain and America actually promoted Nazis within West Germany as a counterforce to communism. Senior Nazis were recruited to run anti-communist intelligence operations, while others were placed into key political and economic positions. By the early 1950s, not only had trials of the tens of thousands of Nazi war criminals halted, but many of the worst offenders had been released after serving only token sentences. Many of those freed were allowed to resume their careers where they had left them at war's end.⁴³

Restoring West Germany's economy was also a major Western concern, in order to create a stable climate in which to defeat communism. Massive investment in housing and industry in Germany and Austria was a partial solution, but even more important was a program of large-scale German emigration. This required a major policy shift by the West, which had previously excluded Volksdeutsche and German Nazis from these programs. When it was proposed that Australia should open its doors to these people, the new government was eager to cooperate. Just to make sure, however, senior figures in the American intelligence and security establishment dispatched a key agent to lobby the government in mid-1950.

**Harold Holt: Blackmailing
the Jews**

Chapter Thirteen

In May 1950, the Minister for National Development, Richard Casey, received a visit from Hans Gisevius, a German who came 'with an introduction from General Donovan in New York.'¹ General William 'Wild Bill' Donovan was the former head of the wartime Office of Strategic Services. Created to confront the unprecedented wartime situation in which the United States found itself, the OSS had gathered intelligence on a grand scale, conducted daring operations with partisans behind enemy lines and helped to organise anti-Nazi groups in Germany. It was the forerunner of the Central Intelligence Agency, providing many of the personnel who were to dominate American intelligence over the next quarter-century. In 1949, Donovan had helped found the Committee for a Free Europe, which soon became a front for many CIA covert operations.² Donovan was the Committee's first Chairman while Allen Dulles, also an OSS veteran and soon to be CIA Deputy Director of Plans (i.e. covert operations), was Vice-Chairman.

Hans Gisevius was an imposing two-metre-tall Prussian whom Dulles had recruited in Switzerland in 1943. A pre-war Gestapo officer, Gisevius had later joined the Abwehr (Military Intelligence) and was stationed in Switzerland. Although politically on the far right, Gisevius came to believe that the Nazis were a threat to Germany's future because the war would end in Hitler's defeat. He therefore wished to

make common cause with the West to prevent a communist takeover of Central and Eastern Europe. He was involved in the string of plots to overthrow Hitler and eventually returned to Germany to join the abortive conspiracy of 20 July 1944. Gisevius was also the link between the German plotters and Allen Dulles, who was building an extensive range of contacts among the increasingly nervous Nazi hierarchy. Gisevius was one of the few to escape the bloodbath following the July plot's failure. He owed his life to Allen Dulles. After hiding out for six months, he was smuggled into Switzerland in early 1945 with a forged Gestapo passport supplied by Dulles.³

After the war, Gisevius moved to America where he maintained his close cooperation with Dulles and US intelligence. His mission to Australia in mid-1950 was to discuss 'the most urgent problem of Western European over-population,' particularly in Germany. In a memo he wrote for Casey, Gisevius deplored the fact that little had been done about the problem of migration, pointing out that no country had expressed interest in receiving more than a few hundred thousand refugees.⁴ Gisevius was well informed on Australian developments, for he referred to official cables received in Washington soon after the 1949 election, which indicated that the possibility existed 'to work out a scheme on a broader scale.' Gisevius also drew attention to the Committee for a Free Europe, and to Donovan's and Dulles's support for a large European emigration program. He further highlighted the support of yet another US intelligence operative, the fabulously wealthy Nelson Rockefeller, and pointed out that the most urgent problems were the Volksdeutsche who had been expelled from Hungary, Czechoslovakia and the Sudetenland. Gisevius requested that Prime Minister Menzies should communicate directly with Donovan about Australia's immigration plans. Casey then arranged for Gisevius to meet Immigration Minister Holt in early June 1950. At this meeting, Gisevius drew the minister's attention to the special interest in the matter of Allen Dulles's brother, John Foster Dulles, already a major force in American politics and later to become US Secretary of State.⁵

In June 1950, the United States began an active program to recruit 30,000 Volksdeutsche migrants, amending the Displaced Persons Act

which had previously excluded them.⁶ The American DP Commission promptly began discussions with the IRO 'to consider the possibility of processing and moving Volksdeutsche immigrants to the USA' on the basis that the IRO's expenses would be reimbursed.⁷ Harold Holt quickly followed this lead, pointing out in a newspaper article that competition for the skilled German migrant was fierce and that the Americans were already in the field.⁸ Plans for relieving Germany's population problems meshed with Australian immigration policy. Official thinking set a 'survival' target of 200,000 migrants a year required to develop the country's natural resources fully, meet the demands of an ever-expanding economy and ensure Australia's security.⁹ With the imminent winding-up of the IRO and the end of the mass DP scheme, the estimated shortfall from the 'survival' target was around 75,000 annually. Migrants from Germany's western zones were seen as the most suitable non-British source.

The government commenced a diplomatic campaign to obtain American support for its German immigration scheme, in the form of free shipping and direct monetary contributions.¹⁰ In September, Holt announced that the government was looking to the Volksdeutsche of West Germany as the 'biggest reservoir for proposed migrants for Australia.'¹¹ While emphasising the economic benefits, the Minister also stressed that 'Australia would be helping ease the strains of the seething occupied zones of Europe. It would be making a humanitarian gesture and a real contribution to the spread of justice and goodwill in the world. That way lies world peace.'¹² Despite the grand rhetoric, Holt's announcement naturally sparked off an extraordinarily bitter political battle between the government and opponents of German mass migration. For example, a former British intelligence officer, George Bergman, intervened in the debate to state that nearly 'all the Volksdeutsche were confirmed Nazis, as I know from my own experience, having interrogated very many of them as a member of the Intelligence Staff of the British troops in Austria.'¹³ Bergman's analysis was confirmed by the government's own Immigration department. An official paper of 23 August 1950 on the problem of German refugees noted that many Volksdeutsche had:

provided strong support both for the Nazi ideology and the invading German armies. The participation of persons of German ethnic origin in sabotage and fifth-column activities, as well as their direct participation in the persecution of the native population of the invaded countries, is a matter of public record.¹⁴

The same report elsewhere indicated that there was still a radical neo-fascist tendency among the Volksdeutsche, and an on-the-spot assessment reported that a 'substantial proportion' were 'still strongly Nazi-minded.'¹⁵

Despite these official warnings, Holt pressed ahead.¹⁶ Well-organised opposition forced the postponement of an official German immigration scheme until August 1952, when the Australian and West German governments agreed on the assisted emigration of a large number of Germans to Australia. Over 50,000 arrived through the German Mass Migration scheme during the next seven years. As will be seen, many others had already come under various 'special workers' programs, including Nazi scientists and senior military officers.¹⁷ Due to uncertain economic conditions and the failure of the government to obtain the level of assistance required from the United States, this was significantly short of the original projected figure. As in the earlier DP scheme, claims of inadequate security screening and persistent allegations of the presence of Nazis among the German migrants plagued the minister over the following months.

Following Calwell's example, Holt answered his critics by pointing to the care with which migrants were chosen. 'Our selection officers have won a reputation for their care in the selection of DP migrants,' he asserted when announcing the government's policy in September 1950, 'and they have already expressed their confidence that they can choose with equal care from the Volksdeutsche.'¹⁸ Only one month later, however, the Chief Migration Officer in Germany, Vincent Greenhalgh, wrote to departmental head Heyes, expressing serious reservations about the effectiveness of screening for the Volksdeutsche. Greenhalgh believed that the indigenous West German was the best prospective migrant, the more so because there were extensive Nazi records against

which they could be checked. The Volksdeutsche were 'a more doubtful quantity from the point of view of records and the recent political history of a good many of them is not much in their favour We could expect about the same degree of effective screening with Volksdeutsche as with DPs.'¹⁹

Heyes, however, was not interested in these assessments. During his fifteen years as Immigration Secretary, his administration routinely used deceit in managing the Nazi scandal. Moreover, he implemented Calwell's policy of restricting Jewish immigration, later endorsed by Holt, and persistently deceived the Jewish community when it asked questions.²⁰ On the other hand, Heyes castigated the Jews severely when three cases came to light of alleged former Nazis arriving under the auspices of the Jewish-sponsored immigration program. Heyes claimed that these incidents indicated 'a lack of careful examination' by the Executive Council of Australian Jewry (ECAJ) of 'the credentials and general suitability' of Jewish-sponsored migrants and a 'failure to respect the confidence placed in your Council's sponsorship.'²¹ It was the worst form of hypocrisy. While Heyes did next to nothing to screen out Nazis and actively protected them once they were in Australia, he attacked the government's Jewish critics over their relatively minor shortcomings.

Unlike the Jews, Heyes had the support of Australia's Army and intelligence agencies, but he still could not effectively screen out Nazis. In retrospect, Heyes was his most effective at playing bureaucratic tricks in support of his political masters. The message was clear from his Labor and Liberal bosses alike: his major tasks were filling quotas and covering up all shortcomings. Holt was no less vigorous in these matters than his predecessor. Commenting on criticisms of Volksdeutsche immigration by Jewish leader Ernest Platz, himself a Nazi concentration camp survivor, the Minister stated that he could well understand the feelings of bitterness that remained. 'But it is not helpful when those feelings spill over and are allowed to interfere with calm and reasoned thinking,' he commented, adding that discussion should be 'divorced from prejudices and emotions.'²² This was a calm and reasoned ministerial statement compared to what Holt would say before the battle was over. For as soon as the Minister announced the government's

intentions, the peak national body of organised Jewry declared its strong opposition. Maurice Ashkanasy, President of the ECAJ, stated that the plan was a threat to Australia's welfare, as most of the Germans would be drawn from people 'continuously and thoroughly indoctrinated with the diabolical Nazi theory of the "Master Race."' ²³ Many in the media and wider community would make the same allegation over the following years.²⁴

Opponents of the German migration scheme in part based their argument on the failure of security screening to detect former Eastern and Central European Nazis among DP migrants. Ashkanasy wrote to Holt that 'the menace of German migration is not met by anything in the nature of a "screening" of migrants.' He pointed out that many of the Volksdeutsche had lived for generations as equal citizens of their adopted homelands only to turn traitor when Hitler came to power. He also drew Holt's attention to the presence in Australia of many Jewish victims of Nazism and stated that mass German migration would be 'an insult to the memory of those who were so near and dear to them and who perished at the hands of the Nazi murderers.'²⁵ These reservations about the screening system were supported by former Western intelligence officers with direct experience. Eric Morgan, for example, had been a British intelligence interrogator of senior war criminals in Germany, England and Belgium. He claimed that the enormous displacement of the population in Germany made 'screening virtually useless as the reliability of statements made by the applicants for migration to Australia cannot in any way be substantiated by documentary evidence.'²⁶

George Bergman, the former intelligence officer already mentioned, stated that it was an open secret that Nazis had taken cover as DPs and that many SS members had obtained false papers. In his experience, it was easy to secure faked identity papers or original documents of missing persons on which the photos had been exchanged. 'I would say that it is extremely difficult, even for the experienced intelligence officer, to detect these tricks.'²⁷ Many migrants backed up such views. One group of self-professed anti-communists urged they be sent back to Europe to detect and exclude communists among the DPs. They claimed

that the screening system used to bring them to Australia under the IRO scheme 'was valueless.'²⁸ Another group at the Northam migrant centre in Western Australia told of a racket in which false DPs were escaping Europe with forged papers.²⁹ According to these newly arrived immigrants, forged identity papers were not hard to get and dishonest officials sold IRO passages over the heads of genuine refugees. Dollars, sterling and antique jewellery were said to be practically the only methods of securing priority berths.³⁰

Even as Hans Gisevius put his plan to the Australian government, evidence had come to light confirming the accuracy of the claims. The Menzies government's stated policy in June 1950 was that 'no person who had fought against the Allies would be allowed to migrate to Australia.'³¹ Yet less than a week after Gisevius met Holt, a major public scandal erupted when it was widely reported that two former Nazis had been located in Melbourne.³² Hans Kosinsky, a Volksdeutsche, had been a Luftwaffe fighter pilot and Jürgen Jedicke a member of the Hitler Youth. Both were deported some months later. They were among the handful ever removed from the country, but not before it was revealed that they possessed IRO identity cards. Kosinsky's papers had been issued on 16 March 1950 at the Naples IRO centre and illustrated the corruption and incompetence that flourished in the organisation.³³ Kosinsky and Jedicke had evaded the formal Australian screening process by stowing away on an IRO ship, with the apparent connivance of IRO officials. Their cases revealed serious problems with the IRO, on which Australian selection and security officers depended so heavily.³⁴

Despite the strong opposition, culminating in a series of mass meetings throughout the country, Holt announced in November that 'the arrangements to admit Western Zone Germans were aimed at ensuring large-scale immigration after the IRO scheme ended.'³⁵ A few weeks before, the Minister had put his views firmly to the Jewish community in a letter to ECAJ President Ashkanasy.³⁶ The Minister's real concern centred on the Jewish community's stated intention to organise a campaign to oppose the German scheme. Conceding that the ECAJ had 'an undisputed right' to protest against German migration, Holt urged sober consideration of 'whether such a campaign, in which racial prejudice

would figure prominently, would be to the ultimate benefit of the Jewish population.³⁷ Other senior government figures would repeat this thinly veiled threat over the next few years, often with the suggestion that Jews might endanger their own position by creating anti-Semitism if they persisted with their opposition. When such veiled threats failed, Holt finally used blackmail to cower the Jewish community.³⁸

Opposition was by no means just a Jewish affair. There was support from many in the Labor opposition, which repeatedly questioned Minister Holt. In a theatrical gesture in parliament, Leslie Haylen waved a Nazi Party badge which had been issued to a Volksdeutsche migrant in 1934 and was discovered when the man's work-clothes were cleaned. Holt shrugged off such charges, explaining that the government had adopted the same screening methods as those used by the previous Labor administration. To bolster his case, the Minister pointed to the on-the-spot investigation conducted in 1949 by senior RSL leaders who had reported favourably on the screening process.³⁹ It was a telling riposte. As recounted earlier, in his last days as Immigration Minister, Calwell had used the same report against his critics.⁴⁰ Indeed, Holt persistently reminded Labor that his policies merely continued their own, though many in Labor's ranks persisted in the face of Holt's embarrassing retort.⁴¹

Meanwhile Holt, engulfed by dissent and political attacks, decided to go on the offensive. Already a rising star in the Liberal Party – he would succeed Menzies as Prime Minister in 1965 – Holt was ambitious to advance his cause. So the Immigration Minister dismissed all allegations with haughty contempt. Increasingly, his statements were distinguished by bitter denunciation, speaking of the 'sectional character of the opposition,' meaning principally the Jewish community, but carping at the Labor Party also for being vocal about Nazis but 'strangely silent' on communists slipping through the net.⁴² It was the inescapable Cold War logic. When the facts were against you, cite the 'Red Menace.' But Holt's attack centred on what he said was 'a small vocal minority' mainly consisting of Jews, whose 'emotional appeal' did not express the will of the Australian people and should not 'be allowed to retard the Government's immigration plans.'⁴³

The Jewish leaders were, however, tenacious in their campaign. They cited new instances of alleged Nazis who had settled in Australia. Jewish Council leader Sam Goldbloom named thirty migrants who had served with the SS in satellite countries or fought against the Allies, including Erich Jakel. According to Goldbloom, a U-boat commander of that name had ordered his men to shell survivors from a British ship sunk in the Atlantic. This claim turned out to have substance, and is covered in Chapter Fourteen.⁴⁴ Another Jewish leader claimed that Henrik Gelsen, who had allegedly been involved in atrocities against Jews in Latvia, was now living in South Australia where he worked as an interpreter at the Port Adelaide police station. The Australian Military Mission in Cologne, Germany established that Gelsen had become a naturalised German in 1940 and a member of the Nazi party in 1941, both of which made him an illegal migrant under government policy. Yet nothing was done to remove him or prevent him from becoming an Australian citizen in 1955.⁴⁵

Holt was unmoved by such specific allegations, claiming once more in a speech in January 1951 that there was no reason to fear that migrants would not be screened adequately. Screening, he said comfortingly, was carried out by Australia's own security organisation in the closest collaboration with American and British intelligence in Germany. As for claims that Nazis had already got through, Holt could 'recollect very few instances in which the allegations could be substantiated.' Such claims, he added, were used by migrants against those with whom they had quarrelled, repeating his by now familiar line that opposition came only 'from sectional groups, and in particular from Jewish organisations.'⁴⁶ A few days before the speech, Holt had written to ECAJ President Ben Green asking him to supply the names and details of Nazis and Nazi collaborators who had come to the community's attention, and promising 'suitable investigations.' Green took up this challenge with great energy, stating publicly that he would send the minister dossiers gathered over the previous eighteen months on forty Nazi migrants. Over a hundred names were involved, he asserted, and irrefutable evidence would be supplied in forty cases. The dossiers, delivered to Holt's department head, Tasman Heyes, on

19 March 1951, contained many cases previously brought to the government's attention, but also some fresh allegations.⁴⁷

Numerous media investigations at the time show that it was by no means a sectarian campaign. An Adelaide newspaper reported that officials at the Bonegilla migrant camp regularly seized Nazi memorabilia from migrants, including statues of Hitler, leather cat-o'-nine-tails, German army bayonets, knives, decorations and swastikas. One statue of Hitler had a flexible arm which could be raised in the Nazi salute, though officials declared, somewhat disingenuously, that there was no evidence that any of the migrants were Nazis. Holt responded to Green's dossiers on alleged Nazis by stating 'that the evidence you have provided is of a sketchy and hearsay nature,' adding that Green was 'over impressed' by the statements of recent migrants, which usually 'stem from national or religious rivalries, or as is the case in many instances, a desire to curry favour with officialdom.' Further, the confiscated bust of Hitler was only a small 'souvenir,' while the whips were used only 'as carpet beaters.'⁴⁸

The Minister excelled in proffering such ludicrous excuses. On one occasion, he addressed himself to the persistent allegations that many Nazi migrants either had SS blood group tattoos under their left armpits, or scars where they had once been. Holt claimed that there had been considerable confusion in the early days of the DP scheme 'because many concentration camp victims bore tattoo marks similar to those of SS guards.'⁴⁹ Ernest Platz suggested that Holt appeared to have some trouble in distinguishing between his wrist and his armpit. As an inmate of a Nazi concentration camp, Platz knew very well that prisoners had their camp numbers tattooed just above the wrist, while members of the SS were tattooed under the armpits with a blood group marking.⁵⁰ The Minister's obfuscation appears comical in retrospect, but in reality it masked his conscious duplicity. Although Holt consistently stated that no allegations concerning Nazis had been substantiated and promised that all specific charges would be thoroughly investigated, the government was engaged in a campaign of systematic deceit.⁵¹



Anti-communism was the screen that masked Holt's disingenuous campaign. Allegations of a Nazi infiltration of Australia by his Labor opponents were dismissed as simply political. These claims clearly stemmed from the fact that many migrants were anti-communist and supported the government because the ALP was 'soft on communism.' If the allegations originated from Jewish organisations, they merely reflected sectional bitterness on the part of a 'vocal minority.' Further, known communists were among the Jewish campaigners, sufficient in itself to prove the government's point. It was time for the government to silence the Jews through blackmail and threat, which was exactly what it proceeded to do.

The extent of the government's duplicity is summed up in a confidential letter from Vincent Greenhalgh, the Chief Migration Officer attached to the Australian Military Mission in Cologne, to Department head Tasman Heyes. In response to Opposition Leader Bert Evatt's criticism of the security screening system, Greenhalgh wrote an indignant defence. Even he had to concede, however, that it was 'silly to pretend that the security screening has ever been fool-proof or ever will be.'⁵² Greenhalgh's letter also candidly admitted that the records for screening German migrants were more complete than for the DPs and much more 'reliable than they were in the early days.' There was more than some truth in this. Greenhalgh knew that there were practically no reliable records for the vast majority of DPs, whereas the German Nazi Party had kept extensive files, many of which still existed. In other words, by the time of Greenhalgh's indignant letter of February 1951, most of the Nazi war criminals to enter Australia had already done so. Greenhalgh reserved his sharpest spleen, though, for the 'sectional' opponents. 'If it ever becomes possible for the Jewish critics to be answered with complete candour,' he wrote, 'I hope someone will point out to them that the very worst candidates for admission to Australia who are presented to us over here are those who are submitted by the Jewish societies. There are some good ones but the dregs are altogether too well represented.' By 'dregs' he meant the emaciated survivors of Nazi concentration camps.

Greenhalgh's mentality was typical of the security investigations conducted in the early 1950s by ASIO and the Commonwealth

Investigation Service. The sad truth is that most of these obsessive and elaborate intelligence operations were directed not against former Nazis busily organising among their fellow migrants, but against Jewish and migrant groups suspected of harbouring communists. As we saw in Chapters Eight and Nine, many security officers and agents were engaged in these operations, infiltrating organisations and attending their meetings, opening mail, tailing suspects, following members' cars, noting their movements and contacts. Simultaneously, ASIO and the CIS were blithely clearing, and often recruiting, former Nazis on the simplistic basis that they were good anti-communists.⁵³ Anti-communism, of course, guaranteed nothing in the way of democratic beliefs. By definition, these Nazi migrants had been members of organisations explicitly hostile to democratic ideals. Such considerations were, it seems, irrelevant.

While exonerating many of its contacts within *émigré* Nazi groups so they could become Australian citizens, ASIO frequently gave adverse reports on migrants who had actually fought against the Nazis, particularly those who had served with leftist partisan formations in Italy, Greece and Yugoslavia. Many faced barriers even entering the country and were frequently refused citizenship for many years. Indeed, some only obtained it after the election of the Whitlam Labor government in 1972.⁵⁴ On the other hand, ASIO's knowledge of a violent or extremist Nazi background was rarely a hindrance to being naturalised. ASIO, CIS and Immigration files are full of damning information about many former Nazis. Indeed, ASIO had often amassed evidence of their involvement in organised terrorism, which was more than enough on its own to exclude them from citizenship. But ASIO almost invariably cleared them when they applied.⁵⁵

Cold War politics also began to have its effects in the Jewish community. Conservatives within the community increasingly expressed concern at the influence of communists in the Jewish Council. As outlined earlier, the Council included members of the major political parties, Labor and Liberal.⁵⁶ However, a small group of communists held some key positions. They were bitterly attacked by former ECAJ President Maurice Ashkanasy and his supporters. Ashkanasy had

resigned from the ECAJ Presidency in October 1950, over his 'fundamental difference' with the decision of the Victorian Board of Deputies 'to conduct the campaign against German migration in conjunction with the Victorian Jewish Council to Combat Fascism and anti-Semitism.'⁵⁷ The Ashkanasy group concentrated their fire on the Council's Victorian Secretary, Judah Waten, a well-known communist author.⁵⁸ Ashkanasy's attack sparked a major faction brawl which ended with the expulsion of the Jewish Council from the Board of Deputies in June 1952. The Council became isolated from the mainstream and gradually lost ground in the community, which rapidly reduced the effectiveness of the anti-Nazi migration campaign.⁵⁹

Mass campaigning against Nazi migrants ended in 1953, when Immigration Minister Holt was emboldened to blackmail the Jewish community outright. Sam Goldbloom recalled that he and other executive members of the Jewish Council were called to an emergency meeting one Sunday morning in a private room of the Australia Hotel in Collins Street, Melbourne. ECAJ President, Syd Einfeld, told them that Harold Holt had warned community leaders to call off the anti-Nazi migration campaign. If it were not, Holt threatened, 'the Australian Government would block the transfer of any funds raised in the Australian Jewish community' to help build the new state of Israel.⁶⁰ Before he died, Einfeld confirmed that Holt had also threatened to continue the government's 'blockade of the IRO subsidy for Jewish refugee migration to Australia,' and implied 'that if the community continued its anti-German migration campaign Zionist funds would also be frozen.'⁶¹

The tiny Australian Jewish community was faced with an agonising choice in 1953. Would it pursue the men who had murdered their families and friends? Or would it make a contribution to the future of Jewish political, cultural and religious life by helping to build Israel? Reluctantly, the Jewish leadership opted for the future, a decision they held to for thirty-five years. It was the beginning of the end for the Melbourne Jewish Council, already weakened and increasingly assaulted as a 'communist front.'⁶² 'We were constantly put under attack,' Sam Goldbloom recalled. 'We lost public support within the

Jewish community, and the organisation went into decline and ultimately demise.⁶³ Despite the end of mass protests after Holt's blackmail, allegations about the arrival of Nazi war criminals under Australia's immigration program did not diminish. If anything, they intensified as large numbers of migrant labourers were sent to build the Snowy Mountains hydro-electricity scheme and to work on other remote infrastructure development projects. Before long, however, these projects were swamped in a wave of persistent criticism as evidence of Nazi infiltration mounted.

**Brigadier Spry: The
Intelligence Cover-Up**

Chapter Fourteen

Australia's post-war immigration program stemmed from the widespread belief that the country needed many more people for its economic development. Both Labor and Liberal governments supported a massive upgrading of the country's infrastructure. This was essential to strengthen defence capabilities and for a rapid expansion of industry, especially manufacturing. Major national projects were launched to generate more electrical power, expand the building industry and improve transport, especially rail links. By 1950, the government desperately needed skilled labour for the Snowy Mountains and Tasmanian Hydro-Electricity schemes, the Victorian Electricity Commission, Commonwealth and South Australian railways, and for State housing authorities. After British migrants, Germans from the Western zones of Allied occupation were thought to fit most closely the skills profiles for the major categories of labour needed for these projects – building tradesmen, technicians and other specialists – all of whom were in short supply.¹

These projects were part of a grand vision. They made significant economic and social contributions and laid the foundation for the longest period of prosperity in Australia's history. They also became the focus for continuing allegations that Nazis had penetrated Australia's immigration screening net. As the various Special Workers schemes

bringing these immigrants gained momentum, they sparked widespread charges in the media and parliament.² The Menzies government worked to soften public opinion on this issue, however. Both it and the preceding Labor government claimed that official policy excluded former Nazi Party members, and anyone who had served with the Axis against the Allies. But no government criteria to exclude these categories were actually laid down until June 1950. In other words, the DP scheme operated for almost three years without any such guidelines. Even when introduced, official guidelines merely excluded former members of the Nazi Party unless they had been cleared by a Denazification Tribunal.³

The declassified intelligence and immigration files disclose that even this rule was regularly breached in the haste to fill quotas for skilled labour. The prevailing mood was epitomised in a statement by John Storey, a leading businessman and chairman of the government's influential Commonwealth Immigration Planning Council.⁴ Contradicting the official guidelines, Storey argued that former Nazi Party members should not be excluded from entering Australia. Membership did not mean that they were Nazis, he said, adding, 'I believe membership of the Nazi Party was a compulsion and that hundreds of thousands were quiescent Nazis.'⁵ It was, of course, true that some Germans only joined the Nazi Party to keep their jobs, advance their careers or avoid official suspicion or even persecution. Storey's style of distortion, however, pervaded the government's public position. Of course, his claim did not bear serious scrutiny. Citing an official American translation of the *Handbook of the Nazi Party*, critics pointed out that Hitler saw the Nazi Party as the élite of the German people. In fact, the *Handbook* was absolutely clear that the 'principle of voluntary entrance into the Party must never be abandoned.'⁶ At least one Australian security screening officer in Europe agreed with this interpretation. He 'almost invariably recommended rejection on the grounds that the Nazi Party was an élite organisation and that all available evidence furnished little support for the deprecations of the "I was forced" or "I did not know" variety of membership disclaimer.' Membership was seen as a 'clear indication of ideological preference,'

and hence grounds for automatic rejection. Immigration officials did not always agree, not infrequently overruling the intelligence officers.⁷

The Chief Migration Officer in Cologne, Vincent Greenhalgh, often overruled security screeners in this way. Yet even he was alarmed at how the Skilled Workers schemes operated, describing the pressures exerted to obtain migrants as 'troublesome.' Writing to his boss back in Australia, he complained that 'matters are not a great deal better when people like Robinson of the Snowy Mountains Authority come charging in with a fixed conviction that all they have to do is ask for carpenters one day and put them on the plane the next.' Greenhalgh pointed out that instantaneous selection was impossible, as it took at least one month to obtain a proper security check from the American-run Berlin Document Centre (BDC), which held extensive records on the Nazi Party, SS and Gestapo. The BDC was, in fact, one of the main sources of information on prospective German migrants, and Greenhalgh believed that the BDC check was 'indispensable.' Under intense pressure to obtain more skilled labour, he reduced the time for security checks on Snowy Mountains project workers from the usual one-month minimum to ten to twelve days.⁸ Clearly, this opened the whole scheme to infiltration of 'skilled' Nazis.

In consideration of both public and bureaucratic criticism, Immigration Minister Holt distanced the government from John Storey's ludicrous statement, claiming that the businessman's views were only personal and did not reflect official policy. While publicly maintaining that no Nazis would be permitted entry, Holt's department secretly admitted them. They included several high-ranking officials and military officers who had actively served against the Allies. When the Jewish community complained, they were told that no German would be admitted if 'in the opinion of the Security Service, he is considered to be a substantial security risk.' They 'need have no uneasiness on this score,' especially in light of 'the very reliable and comprehensive screening facilities' in place in Europe.⁹ This did not satisfy the critics. For example, during a heated parliamentary debate about the Lukić and Rajković cases, Labor Senator Justin O'Byrne claimed that seventeen confirmed Nazis were working on various

hydro-electricity projects. He instanced a man named Kaufmann, who had allegedly served as an SS officer at the Auschwitz death camp, interrogating prisoners of war before they were gassed. Kaufmann, he said, had been identified by surviving Auschwitz prisoners.¹⁰ Lew Wilkes of the Jewish Council claimed that an 'alarming number of German military and air force officers' were working on the Snowy River and Tasmanian hydro-electricity schemes.¹¹ One was Dr Kurt Rohnstock, described as 'a German Air Ministry expert' supervising work on the Snowy Mountains scheme. Another was Erich Jakel. As outlined in Chapter Thirteen, Jakel was said to have been a U-boat commander in the Atlantic during the war. Serious allegations were also made against German migrants employed by the Commonwealth Railways in South Australia.¹²

The Australian Security Intelligence Organisation investigated these allegations, conducting further checks in Germany and interviewing the suspects.¹³ ASIO's Regional Director for New South Wales, George Ronald Richards, handled inquiries concerning Germans working on the Snowy project.¹⁴ Ron Richards had worked for the wartime Security Service, and then had been personally selected by ASIO Director General, Brigadier Charles Spry, to break up suspected Soviet spy rings. Later, Richards was promoted to be Spry's Deputy Director General. In February 1952, however, Richards reported to Spry that about 50 per cent of the Snowy workforce were Germans, among whom there was a 'discontented, almost rebellious' frame of mind caused mainly by economic problems. According to this intelligence report, the Germans had 'the usual "master race" complex' and came from 'a social class superior to that of most of the Balts and other migrants, who are peasants and accustomed to a much lower standard of civilisation.' They also formed 'a solid block which thinks and moves as one,' in contrast to the disunity prevailing among the other migrants.¹⁵

Richards was deeply worried that this was fertile ground for industrial agitators, and he reported that the usually anti-communist Germans had given local communists 'a good hearing.' He was concerned that the situation 'could develop on dangerous lines' and

pointed out that the Snowy Mountains Authority had no security machinery for dealing with 'Soviet Agents.' On the other hand, Nazi Germans working on the Snowy project posed no security threat. Richards readily conceded that the Germans employed by the Authority were all 'fit and comparatively young men.' It therefore followed, he wrote, that they would have been members of the Nazi Party or the Hitler Youth and would have fought against the Allies in the war, but this was of little concern to Richards. 'As far as I am aware it has never been laid down as policy that a history of this kind is a bar against entering Australia as a migrant,' he declared, adding with open contempt for parliament, 'nor has it ever been laid down officially (though I think it has been stated in Parliament) that high office in the Nazi Party, or *proof of "war crimes"*, would act as a bar.' (Emphasis added.) Richards concluded that it was a matter of urgency 'that a definite policy should be stated for guidance.'¹⁶

The policy had in fact already been approved six weeks earlier. On 28 December 1951, ASIO head Spry had directed the exclusion of all members of the Nazi Party and affiliated organisations, members of the civilian and military SS, the Abwehr (Military Intelligence), storm-troopers, Secret Police and Security Service. Spry also decreed that participants in war crimes and crimes against humanity were explicitly barred.¹⁷ In 1986, Spry explained to the government's official investigator, Andrew Menzies, that Richards may have been unaware of the policy. As he 'had not been stationed overseas, nor had he worked at ASIO Headquarters,' his ignorance was explicable.¹⁸ In accepting this shallow explanation, Menzies ignored Spry's reply to Richards's memo in which he commended his New South Wales Regional Director and the other officers concerned with the investigation of the Snowy Mountains allegations. Indeed, Spry failed to correct Richards's erroneous views in any way. In other words, Spry had effectively sanctioned Richards's ignorance and incompetence.¹⁹ Andrew Menzies's acceptance of Spry's explanation demonstrated that the official cover-up of ASIO's Nazi scandal had persisted for thirty-five years into the mid-1980s.

It seems unbelievable that a senior ASIO officer like Ron Richards was ignorant of the security policy in relation to Nazis, or that Spry

failed to correct him. But it was hardly strange in light of prevailing thinking in Australian intelligence, as Spry's report to the Immigration Department on ASIO's investigation of Senator O'Byrne's allegations of Nazis working on the Snowy Mountains project bears witness.²⁰ In February 1952, Spry reported ASIO's findings on six cases which led to the inevitable conclusion that former Nazis were in the country. Yet Spry told Immigration that he had 'no information justifying action by you and I would suggest that the matter be allowed to rest.'²¹ The facts compiled during ASIO's investigation were in stark contrast to Spry's benign conclusion.

Investigation of Dietrich Ortman, for example, had found that allegations against him were 'substantially correct.' He had been a Captain in the Luftwaffe, and been decorated for distinguished service. His membership of the 'élite corps' of the Black Guards rendered implausible his denial of Nazi Party membership, although the Australian Military Mission in Cologne could not definitively establish whether he had actually been a member. The Australian Military Mission in Berlin had, however, known of allegations against Paul Köttig even before he was accepted for immigration. Accused of having served in the German Army on the Western and Eastern fronts and of being a member of the Hitler Youth, Köttig admitted to serving on the Eastern front and to being a Hitler Youth member. Although he denied ever having been a member of the Nazi Party, thirty-five years later the Special Investigations Unit determined he had been officially enrolled in the party on Hitler's birthday in 1943. Predictably, Köttig also denied fighting on the Western front where he would have confronted Australian, British, American and French troops. ASIO considered service against the Soviet armed forces – during the war, allies of the West – in a favourable light. However, Spry warned Heyes that Köttig must be considered of 'security interest' because he had spent a long time in the Soviet zone of Berlin after the war. This was rather suspicious, especially as when he was interviewed by ASIO he had been very evasive about his time there.²² Clear evidence of Nazi connections did not matter, but ASIO was gravely concerned at the slightest suspicion of association with communism.

Kurt Rohnstock was alleged to have been a Lieutenant Colonel in the Luftwaffe and to have served in the Nazi Air Ministry. This turned out to be true. He had worked in this senior position between 1937 and 1945 and had played a major role for the Nazi war effort in navigation and astronomical survey work, and in developing sophisticated scientific instruments for the Luftwaffe.²³ In 1951, Rohnstock had been recruited in Germany to work for the Snowy Mountains Hydro-Electric Authority under the government's Employment of Scientific and Technical Enemy Aliens (ESTEAs) scheme. Established by the Chifley government in December 1946, in the following five years the scheme brought around 130 German scientists to Australia.²⁴ Kurt Rohnstock had come to the attention of the Australian Scientific and Technical Mission in Europe due to his work for the British after the war. Rohnstock had, in fact, been such an important officer in the Nazi Air Ministry that straight after the war he was put to work for a number of British defence agencies. Captured by the British Army the day after the German surrender on 8 May 1945, he was immediately dispatched to London and recruited by the Admiralty. For the next two years he worked for the Ministry of Air, Ministry of Aircraft Production, the Admiralty and the Ministry of Supply.²⁵ Among other things, Rohnstock compiled 'complete reports on German methods of Air Navigation.'²⁶

This information certainly encouraged the Australian scientific recruiting mission in Europe. In December 1950, they drew the attention of the Ministry of National Development to the fact that 'Prof. Rohnstock has co-operated with the British Authorities since the end of the war and from that point of view should be acceptable to Australia, despite the fact that he was employed with the Luftwaffe' from 1937 to 1945.²⁷ By January 1951, the Professor was on the Commonwealth's payroll and had been contracted to the Snowy Mountains Hydro-Electric Authority to supervise a team of Geodetic Surveyors on the not inconsiderable salary of £24 a week.²⁸ He was soon 'politically cleared' by the Allied authorities in Germany, and arrived in Australia in March.²⁹ Rohnstock rapidly proved himself a capable worker, and at the end of 1951 was described by the Snowy Authority as 'an outstanding man who came to Australia with an international reputation and he has

since justified this reputation.³⁰ A few months later, he had secured a permanent position in the New South Wales bureaucracy, as well as a lecturing post at the University of Technology.³¹

In the meantime, Senator O'Byrne's allegations had caused a major intelligence investigation. By early February 1952, ASIO had established the basic facts of Rohnstock's career, including his post-war years of work for British defence agencies. The documentation gathered by ASIO established that after the war Rohnstock had, in fact, worked under the direction of British Military Intelligence. Indeed, all 'enquiries concerning this work were to be directed to Staff Officer (Intelligence) Flag Officer Schleswig Holstein, Eckenforde, Germany.' The ASIO Field Officer who compiled this report bent over backwards to stress the positives in the Rohnstock case. He was at pains to point out his 'high standing' as a scientist, and the fact that his 'book on Astronomical Navigation is now being used by the British Air Force.' Despite these pluses, however, the intelligence officer was forced to admit that his investigation had revealed that 'it would appear that some of the allegations made concerning Rohnstock would, in fact, be substantially correct.'³²

ASIO head Spry ignored this conclusion in his final report to the Immigration Department at the end of February. Instead, he described him as 'a scientist of some standing,' whose book on astronomical navigation was being used by the Royal Air Force. Spry noted that Rohnstock freely admitted that he had held a senior position in the Nazi Air Ministry between 1940 and 1945, but denied having been a member of the Nazi Party. Indeed, he had told Spry's investigator that professional soldiers had not even been permitted to join the Nazi Party until the end of 1944, and he had not done so even after this decree was passed. However, Senator O'Byrne's allegations had indicated that there was substantial evidence that contradicted Rohnstock's claim. ASIO's record of this allegation recorded that Rohnstock had been 'answerable only to the well-known Nazi Air Force General, Udet.' Furthermore, 'the higher personnel of the German Air Ministry, particularly those on the staffs of Goering, Milch and Udet, were members of the Nazi Party and the Black Guards prior to 1933.' According to this note, the Nuremberg war crimes trials had established that all 'appointments to the German

Air Ministry were made not only on account of ability, but also on length of the membership of the Nazi Party. The Gestapo was the final authority in all appointments.³³

ASIO did not, however, investigate these claims. Instead, the New South Wales Regional Director, Ron Richards, argued that O'Byrne's account was 'somewhat confused' and that there 'is no material here to decide whether this position was senior enough to warrant a presumption that he was a long standing member of the Nazi Party.'³⁴ Rather than order a thorough check, Brigadier Spry merely reported to his counterpart at the Immigration Department that Rohnstock possessed a Denazification Certificate and a reference from the Senior British officer at the Hamburg Hydrographic Institute, facts which obviously militated in his favour. But it was a well-known secret, even then, that the British and Americans had established extensive intelligence operations to recruit Nazi scientists for Western defence programs.³⁵ The Employment of Scientific and Technical Enemy Aliens program was merely the Australian component of this operation, and there is no doubt that ASIO was more impressed by Rohnstock's potential contribution to the country's defence needs and industrial development than it was with his high-ranking service for the Nazis. Even under the ESTEA criteria, however, official policy towards Germans who had scientific or technical skills required by the government insisted that their entry into the country was dependent on them having no previous Nazi connections, but ASIO was unconcerned in Rohnstock's case.³⁶

ASIO's reliance on Rohnstock's Denazification Certificate was also another indication of dishonesty. These papers had become virtually worthless by the late 1940s, after serving some limited purpose in the immediate post-war months when investigations did clear many innocent people. The Denazification Tribunals which issued the certificates had rapidly deteriorated into farces, being in fact often dominated by former Nazis. This ensured that even some of the worst war criminals received certificates. This was widely known in Western military and intelligence circles, and it is impossible that by the early 1950s ASIO was unaware of the abject failure of

denazification.³⁷ In any event, it would have taken very little effort to test Rohnstock's claims, but there is no evidence in the publicly released ASIO files that this was done. Indeed, when the Nazi-hunters of the Special Investigations Unit looked at the case thirty-five years later, they carried out 'routine checks' that revealed that Rohnstock was an important middle-ranking official on the staff of 'the wartime Reich Minister of Aviation and Commander-in-Chief of the German Airforce, Air Force Administration Office – a branch of the German Air Ministry.'³⁸ This information was, of course, always available, notwithstanding Ron Richards's deliberate obfuscation and Spry's unwillingness to insist on a thorough investigation.

As is clear from the Rohnstock case, ASIO invariably relied almost entirely on the version of the accused and conducted only the most superficial independent inquiries. Rohnstock's co-accused, Erich Jakel, was another case in point. In June 1951, Sam Goldbloom of the Jewish Council had claimed that a man with the same name had been a U-boat commander who had ordered the shelling of survivors from a British ship sunk in the Atlantic. An Erich Jakel had certainly arrived in Australia in April 1951 and was then working on the Snowy Mountains scheme. ASIO's summary of the allegations against him was that he was 'believed to have been in charge of U-boats operating in the Atlantic and to have been guilty of atrocities against British merchant seamen.'³⁹ Jakel admitted to an ASIO Field Officer that he had served in the U-boat arm of the German navy operating 'against British convoys' in the Atlantic from 1939 to 1943, but claimed he had only been a leading seaman. The ASIO report noted that Jakel was 'not in possession of any papers which would indicate his service during World War II,' but that as he was 'an ordinary stolid type of German, rather backward in comparison with the other German migrants,' the Field Officer concluded that it 'is highly improbable that the subject was ever a commissioned German Naval Officer in charge of a U-boat.'

On the basis of this superficial interview with Jakel, Ron Richards recommended to Spry that he should be cleared as he 'would be too young to be a U-Boat commander. He was only twenty-four, with four years service in the Navy, when war broke out, and only twenty-eight

when he left U-Boats.⁴⁰ So Spry reported to Immigration that Jakel was innocent of the charges, as 'his age would preclude his being a U-boat Commander and he would not appear to be the type (being "stolid and rather backward") to reach that rank.' It is not suggested here that the Erich Jakel who came to Australia was necessarily the same one who committed the atrocity against the British seamen. The incident is cited to show how even such a serious and specific allegation as this received only a superficial investigation by ASIO. When the Special Investigations Unit looked into the case in the 1980s, it concluded that it 'would not have drawn the conclusion that [Jakel's] age had necessarily precluded him from holding the rank of U-boat commander.'⁴¹ In the case of Kurt Mielke, ASIO noted that although 'no proof of Mielke's statements can be obtained in Australia, it would appear that the report is exaggerated.' Mielke had been accused of volunteering for the Air Force 'as a result of Nazi zeal' and of being 'an honoured member of the Hitler Youth.'⁴² Like Jakel, Mielke was exonerated basically on his own version of events and ASIO failed to conduct an independent, thorough investigation.

Gerhard Kaufmann was another of those accused by Senator O'Byrne in November 1951. Kaufmann had been identified by former inmates of the Auschwitz concentration camp as an interrogator of prisoners of war who were subsequently murdered in the camp's gas chambers. Even though this was an allegation with little basis in historical fact, Kaufmann was one of the very few cases ASIO took seriously. Indeed, ASIO head Spry was particularly concerned about the charges against Kaufmann, noting in a secret memo to Ron Richards that 'the information indicates that he may be sufficiently undesirable to warrant deportation.'⁴³ But ASIO cleared Kaufmann on his own word, seemingly without even investigating the former camp inmates' evidence. Spry's report merely asserted that the 'detailed history volunteered by Kaufmann excludes the possibility that he served in the SS at Auschwitz.' Besides, he was only twenty-two when the war ended, 'which would be very young for an SS NCO with the responsible duties alleged.' Like Rohnstock, he had a denazification certificate and ASIO's report concluded that unless 'Kaufmann's history and papers are false,

which does not appear likely, this case appears to be one of mistaken identity.⁴⁴ As in the case of the alleged Auschwitz criminal, Heinrich Bontschek, whose case was discussed in Chapter Twelve, Australian intelligence preferred the word of the accused, and categorised the survivors' testimony as 'mistaken.'

While these intelligence investigations were being conducted in the Snowy Mountains, ASIO's South Australian Regional Director mounted a simultaneous inquiry into allegations that Nazi cells were operating among German migrants working on the Commonwealth Railways at Port Augusta. In statements which appear fantastic in retrospect, several railway employees claimed to have witnessed incidents in which German migrants carried out military-style drills. It was claimed that during these exercises the Germans proclaimed 'that the British race must be broken.'⁴⁵ Some Germans were said to be in the habit of standing to attention and saying 'Heil Hitler' whenever the opportunity arose. Members of a Nazi cell had viciously bashed a migrant named Lankrer with knuckledusters and left him 'almost senseless.' One German migrant, Christian Morganstern, had papers proving that he had been a member of the Hitler Youth, while another report outlined an attack on Alojs Jakopić, a Yugoslav migrant at the Coonalpyn Railway Camp in South Australia.⁴⁶

According to the senior police officer at Taillem Bend, 'the Nazi spirit still remained' among the Germans in the camp. It was suspected that some of this group had doused Jakopić with an inflammable liquid, setting him on fire and almost killing him. The group was described as having sufficient influence at Coonalpyn 'to dissuade others from giving evidence against them.' Certainly Jakopić 'could not or would not give any information' on who was responsible for the attack. Despite these serious occurrences, the police officer concluded that the pro-Nazi activities among Germans in the various railway camps was 'mostly bravado and a desire to draw attention to themselves when under the influence of liquor.'⁴⁷ Subsequent ASIO reports indicate that this assessment had little validity, however. The South Australian Special Branch, which operated as ASIO's State investigative section, confirmed the original allegations of Nazi cells operating in that State.⁴⁸

This was hardly surprising, as ASIO had full knowledge of the arrival of German Nazis. In one case in December 1952, the Senior Security Officer attached to the Chief Migration Officer in Cologne sent Spry a list of 'persons who sailed on s.s. *Nelly* from Bremerhaven on 30th October, 1952, under the German Mass Migration Scheme, who have a Nazi Party record.' The list included Jutta Metthes, Kurt Bachmann, Franz Schreiner, Ernst Ripperger, Max Fricke and Ingeborg Heydrich, and provided details of when they had joined the Nazi Party, their party numbers and the ranks they had held in various Nazi organisations. They were only a sample of the known Nazis who were entering the country. Another memo from ASIO's Regional Director for South Australia noted that several others had arrived in January 1953, including Alfred Brandt, Hermann Clausen and Wolfgang Fiedler. Spry himself drew attention to other former Nazi Party members who had arrived in November 1952, among them Josef Martin. Immigration and ASIO officials were sufficiently concerned about such arrivals that their movements were closely monitored, though no action was taken either against those named in the reports, or to stop others from coming.⁴⁹

Other *émigré* Nazi groups also felt bold enough to emerge publicly, among them Slovakian supporters of the Hlinka Guard. In response to public criticism of their activities, the editor of the *Slovak Shield*, George Gobanov, declared that he and his supporters 'defend the ideals and principles for which the former members of the Hlinka Guard are fighting in the wild mountains of Slovakia.'⁵⁰ Gobanov's group, the Association of Australian Slovaks, demonstrated their true loyalties when they placed a wreath on the Cenotaph to celebrate their so-called 'national day,' which coincided with Hitler's destruction of Czechoslovakia and the declaration of the Nazi puppet state of Slovakia.⁵¹ In fact, the *Slovak Shield* was nothing more than a propaganda sheet for the Hlinka Guard, consistently glorifying its wartime deeds, while the Slovak Association held regular commemorative meetings for Hlinka Guard war criminals.⁵² Gobanov, while vigorously praising the Hlinka Guard, denied that he was ever a member, a claim made by many of the major organisers of *émigré* Nazi groups.⁵³ A number of Nazi Ukrainian groups also emerged from the shadows, including the

Ukrainian Society, the New South Wales Ukrainian Council and the Organisation of Ukrainian Nationalists. Some Ukrainians were accused of collaboration with the Nazis, including Arsenius Slussaruk, whose wife identified him in court as a war criminal during divorce proceedings, saying he had 'collaborated with the Germans in exterminating Jews.' According to her account, Slussaruk was proud of his past and remained a bitter anti-Semite.⁵⁴ Another group of Nazi collaborators formed the Russian Anti-communist Centre, led by Nikolai Harkoff and Georgi Alexieff, who had been a senior commander in the Vlassov army, named after the Soviet general who joined the Nazis and helped them to raise an anti-communist army.⁵⁵

The Byelorussian (White Russian) community also contained a significant Nazi element. Like Nikolai Alferchik, a number of Byelorussians had volunteered to serve the Nazis in political, military and police positions. Some had assisted the Nazi mobile killing units, the Einsatzgruppen, to round up and slaughter Jews and communists.⁵⁶ By the mid-1950s, a number of Byelorussian Nazis had migrated to Australia where they reorganised their groups under the direction of Radoslav Ostrowsky, the wartime President of the Nazi quisling administration, the Byelorussian Central Council. Usevalad Radzevich was one of the most prominent Byelorussian Nazis to come to Australia, having occupied key administrative and military positions under the Germans. He had been a member of the Central Council and also served as Ostrowsky's adjutant. In this position he was involved directly in the daily bureaucratic and political affairs of the Nazi apparatus and was also an officer in the Main Administration of Military Affairs which directed the quisling armed forces, the National Defence Corps. This had been formed from members of the auxiliary police battalions that had assisted the Nazis in their mass killing operations, especially in the early months of occupation. Mikhas Zuy had also been a senior official in the quisling Byelorussian administration who took part in the Nazis' murderous anti-partisan warfare. Syargei Rozmysl, Uladimir Sidlyarovich, Symon Shautsou and Yanka Milevich were other prominent Byelorussians who had served the Nazis and migrated to Australia. All had been members of the puppet Central Council, holding

senior administrative, political or military positions under the Nazis.⁵⁷ Most were active members of one of the Byelorussian Nazi factions formed after the war, such as the Byelorussian Liberation Front.

All the Nazi groups consistently masked their operations behind anti-communism, which naturally found a warm welcome in the Cold War atmosphere dominating 1950s Australian politics. In fact, crusading anti-communists of the Menzies government embraced their fierce denunciations of communism and consistently turned a blind eye to mounting evidence that many of the groups were merely Nazi fronts. A particularly good example of the government's duplicity occurred in the House of Representatives in September 1953. Labor member Eddie Ward had previously asked Immigration Minister Holt whether some migrant clubs were excluding Jews from membership, and whether there was abundant evidence that 'numbers of unrepentant Nazis' had entered Australia. Replying on 25 September, Holt said that his department was not aware of any anti-Semitic migrant groups, and that Australian security screening methods were 'thorough and efficient.'⁵⁸ Of course, by that time Australian intelligence had amassed huge files demonstrating that the opposite was the case, as indeed had Holt's own department.

In fact, a detailed intelligence briefing had been supplied to Holt and the other members of Prime Minister Menzies's cabinet about the activities of the flourishing Hungarian Nazi movement. Australian intelligence had received numerous allegations that Hungarian Nazis were setting up fronts for the Arrow Cross Party, the most extreme of the fascist organisations that had flourished in the 1930s and 1940s. By 1950, the Nazi groups had grown so obvious that many journalists and community leaders demanded that action be taken to curb their extremist activities. The formation of the Hungarian Ex-Officers' Association in March was soon followed by charges that the man behind the group was Andrew László, said to have 'helped the Nazis' and to have been 'an all-round quisling.'⁵⁹ The László case was discussed in Chapter Twelve. László's Hungarian Ex-Officers' Association was notable for its exclusion of Jews, described as 'non-Christians,' and a Sydney *Sunday Sun* reporter attending its inaugural meeting was told by his Hungarian interpreter that former senior Hungarian officers,

including numerous majors and captains, were present.⁶⁰ Indeed, the men involved in this meeting were accused of being 'notorious Nazis and collaborators,' who were re-establishing Arrow Cross cells.⁶¹

László had attracted attention soon after arriving in June 1949, when Jews at the Bathurst migrant centre had charged that he was anti-Semitic (see Chapter Twelve).⁶² Reacting to claims that László was a Nazi collaborator, Holt assured his critics that he had the power to deport subversives and that he would not hesitate to use it. He ordered 'an immediate investigation.' In response to the Jewish community, which had first raised the allegations against László, Holt claimed that the evidence was 'of a sketchy and hearsay nature.' Furthermore, ASIO head Spry had reported that 'no subversive sentiment was discernible in the activities' of László's group.⁶³ Holt's answer deliberately masked established facts about László's activities and those of his fellow Hungarian fascists. Although he claimed that he had been the victim of 'mistaken identity,' the security investigation left no doubt that László had been a Nazi collaborator and that he was working with other Hungarian fascists to reorganise the Arrow Cross Party in Australia.⁶⁴ Indeed, ASIO established that László was 'very anti-Jewish and anti-communist' and that the non-communist Hungarian government had certainly charged him with being a Nazi collaborator immediately after the war. Although there was confusion as to whether he had been convicted, acquitted on appeal, or simply fled before his case was heard, not even ASIO doubted that there was more to László than Holt's disingenuous portrayal. Despite this, ASIO described him as being 'well spoken of,' and emphasised that the allegations came from Jewish sources. Predictably, ASIO concluded that he was not 'considered a security threat.'⁶⁵

One of László's close associates was Father István Ritli, a Catholic priest in Sydney. ASIO reported that Ritli was the editor of the Hungarian language newspaper *Tarogato* and a leader of the Cardinal Josef Mindszenty Society, which also excluded Jews from membership.⁶⁶ Ritli claimed that the allegations against László were 'a Jewish attempt to frighten newly arrived Hungarian nationals,' and to stop them joining his society. The calibre of this group's membership, however, can

be gauged from another ASIO report about factional fights within its ranks. Some members thought that the group was far too moderate and that the society should have been named after someone else, because the Cardinal had hidden 'some Leftist Jews from the Germans.'⁶⁷ Before long, ASIO obtained information that Ritli had been a padre in the Hungarian Army during the war when it fought against the Allies and had also served in Germany. His political views were well known to ASIO, which regularly translated copies of *Tarogato* and placed them on his file. Described by ASIO as a 'pro-Nazi Hungarian newspaper,' its June 1950 issue published an article entitled 'Who Is Hungarian?' This divided Hungarian immigrants into two categories: those who considered that the Nazi puppet government of Ferenc Szálasi was legitimate and those who 'were suffering from a tremendous blindness' and accepted the Soviets as liberators. In this way, Hungarian migrants were presented only with the choices of communism and Nazism, with the author commenting that history 'has proved right those clearer-thinking Hungarians, who in 1944 accepted Szalasi rather than surrender.'⁶⁸

Another article praised the Hungarian gendarmerie as 'the heart and the arm of the nation' which was 'dedicated by Hungary's virgin-clean soil' and 'free of political and city life influence.' The writer admitted that the gendarmerie had been somewhat ruthless in its methods, that there had been 'no bargaining and no softening,' but this was viewed as 'reverence to the law.' In fact, the gendarmerie had carried out numerous atrocities, unswervingly implementing Adolf Eichmann's orders to round up all Hungarian Jews and dispatch them to their fates at Auschwitz. Nonetheless, *Tarogato's* author claimed that the gendarmerie had a 'completely unblemished record.' In December 1950, an ASIO officer observed that *Tarogato* had ceased publication, noting that Catholic authorities in Sydney had brought pressure to bear on Ritli which 'practically forced him to discontinue the issue of the paper.' His report conceded that the various Hungarian organisations investigated 'presented a distinctly Nazi-type exterior,' but exonerated them because most members were anti-communist.⁶⁹ ASIO saw this as a distinct advantage, and soon began to use Nazis in the community to

gather intelligence on suspected Hungarian communists believed to have entered the country.⁷⁰ As far as Ritli was concerned, ASIO came to the conclusion that he was 'definitely "Anti Bolshevistic" and appears to be a sincere Christian worker.'⁷¹ Anti-communism and Christian beliefs were sufficient for ASIO to overlook his clearly pro-Nazi views and activities.

By 1953, Hungarian Nazis had, in fact, become so confident that they did little to hide their activities. Well-known Sydney journalist Edmond Barclay, who investigated the activities of Arrow Cross groups, wrote that migrants 'know that despite official denials, former Nazis are hiding among the masses of decent New Australians.' They had been careful at first not to reveal themselves and their organisations, but subsequently had abandoned caution. He pointed out that Arrow Cross members had printed commemorative stamps in honour of their leader, Ferenc Szálasi, executed by the non-communist Hungarian government in 1946 after he was convicted of war crimes. The stamps were dedicated to 'Our martyred leader' and vowed that Hungarians in Australia would 'live again in your spirit.' The stamps, as well as portraits of Szálasi, were often sold outside Hungarian churches and special memorial services were organised on the date of his execution in Catholic churches in Sydney, Melbourne, Wodonga, Adelaide and Perth.⁷²

Indeed, Arrow Cross members in Australia were so well organised by 1953 that they became active in local politics. While Holt was telling Parliament that there was no evidence to support claims of Nazi groups operating in migrant communities, Viktor Padanyi and his Nazi supporters were infiltrating the New Australian Liberal and Country Movement. Formed in 1952 in Victoria, this movement was the earliest attempt by the conservative parties to woo migrant support. With the help of the Liberal Party, Padanyi obtained a licence to publish a Hungarian-language newspaper, *A Hid* (The Bridge). As the paper's editor, Padanyi wrote an article in the second issue lauding 'the past actions of the "martyr" Szalasi' and whitewashing him of accusations that he had been a Nazi by claiming that 'Szalasi was simply anti-semitic.' According to ASIO's information, Padanyi had joined the Arrow Cross Party on 14 April 1944, just after the Nazis installed a quisling

government in Budapest. Soon after arriving in Australia in December 1951, he became involved in local Hungarian Nazi activities. He was elected President of the Hungarian branch of the New Australian Liberal and Country Movement six months later and was reported to have been 'a constant source of embarrassment' for the conservative parties. ASIO's assessment of Padanyi was that he 'could prove to be a dangerous man' and 'will always be a source of trouble and discontent' among the Hungarian community.⁷³

While investigating Padanyi, ASIO became aware of the international connections of local Hungarian Nazis. It was established that Nazi fronts in Austria and Germany were directing members throughout the world, including Australia. Supporters were ordered to infiltrate and lead Hungarian organisations and disguise their real politics by giving them an anti-communist veneer to attract the support of the Western allies. Contrary to Holt's assertions, ASIO found that a 'fair number of Arrow Cross members have migrated to Australia since the war' and reported that 'membership of the Arrow Cross organisation is Commonwealth-wide, and members have formed small underground groups to renew and strengthen the ties of the old movement.' Members in Australia were in close contact with the European headquarters, corresponding with them and widely distributing their decidedly pro-Nazi literature. The Arrow Cross groups were described as 'indefatigable in their efforts to strengthen the organisation in Australia and overseas.'⁷⁴

Other Hungarian Nazis investigated by the Immigration Department and ASIO included Endre Littay and Count Jenö von Rejtho.⁷⁵ Littay had been a Hungarian Army General and Vice-Minister for Defence in the Hungarian government, who was described as being notoriously pro-Nazi. Littay had arrived in September 1949, but should have been automatically barred from IRO assistance because of the senior political and military positions he held in a pro-Nazi government during the war. As Vice-Minister for Defence he had issued and signed the decree which deprived Jewish officers and soldiers of their rights and had established criteria to decide who was of Jewish origin in dubious cases.⁷⁶

Count von Rejtho was an instructor in Panzer tactics under Nazi command during the war. When ASIO interviewed von Rejtho in October 1952, he readily admitted he had been an instructor in panzer tactics, tanks and armoured cars and had then served in a Tank Battalion during the Nazi invasion of the Soviet Union. He disingenuously denied knowing that Nazi troops had even been in Hungary in 1944, let alone being under their command, although he admitted that he was still a senior army officer at this time. He did, however, readily admit that American authorities had refused his immigration application because of his record. He pointed out, however, that when he was transferred to a DP camp at Dehnenhorst (probably Delmenhorst) and applied for entry into Australia, he had been 'given high priority' due to his 'qualifications and Army rank.' Indeed, he was one of the fortunate few 'selected for air transport to Australia after being in Dehnenhorst for only five or six weeks.' Count von Rejtho declared his staunch anti-communism to ASIO, and readily agreed that he believed that Hungarian communists had penetrated Australia's immigration net, an observation that seemed to cheer the ASIO officers. As the Count had been 'most emphatic that he had never at any time to his knowledge served under German command,' he was 'considered to have given a satisfactory explanation and has impressed the writers with his sincerity and willingness to assist the officers in this inquiry.'⁷⁷

Eventually, von Rejtho was cleared because he 'was a regular career soldier and this should not be held against him.' The worst that could be said about him 'is that he did not oppose the totalitarian regimes at a time when to do so would be considered unpatriotic and extremely dangerous.'⁷⁸ As in the case of most of the Nazis investigated in this book, von Rejtho's ASIO dossier has many documents either withheld entirely, or so heavily censored that it is impossible to gain insights from the publicly released material.⁷⁹ It is known, however, that ASIO took a very different view of von Rejtho and his wife four years later when they simultaneously applied for Australian citizenship and identity papers to allow them to travel home to communist-occupied Hungary. Previously, ASIO had been most understanding about the Count's service for the Nazis, but now there was a suggestion that he might be

returning to Soviet-dominated Hungary it was a very different story. Urgent messages were passed down the line to interview von Rejtho and get to the bottom of this contradiction. It was not until the Count decided not to return home after all that ASIO breathed a sigh of relief and accepted that his naturalisation could proceed.⁸⁰

Yet another senior Hungarian Nazi who entered Australia was Ferenc Szász, who was a close confidant of Nazi leader Ferenc Szálasi. Indeed, Szász had served as one of Szálasi's army generals and was described as his right-hand man, 'guide and philosopher as well as friend.' After the Nazis occupied Hungary in March 1944, Szász was appointed the Deputy Prefect of Kolozs county. In this position he was responsible for rounding up the district's Jews and confining them in a ghetto at Kolovsvár. Here 18,000 people were held under atrocious conditions before being deported to Auschwitz. The victims were shown no pity by the Hungarian authorities who ran the ghetto. Men were beaten on the testicles to force them to confess to hoarding treasure, while many women were given electrical shocks by a device inserted into their vaginas.⁸¹

The Nesz brothers, Béla, Ferenc and Károly, were also senior leaders of the Australian Arrow Cross. Ferenc had been a member of the Szálasi parliament, while Károly was described as 'one of the most senior Hungarian fascists in Australia.' A close personal friend of Viktor Padanyi, Károly had a long record of terrorism stretching back to 1922 with a bomb attack on the French Embassy in Budapest and later a savage attack on a Budapest synagogue in which many Jews were injured in 1939. He was well known in Hungary as a member of the terrorist 'activist' group of the Arrow Cross, and as a result of his role in the 1939 bombing he was forced to flee Hungary and shift his activities to Vienna where he was protected by the local SS.⁸² Padanyi's Hungarian Nazi paper, *A Hid*, was officially published from Nesz's home in Melbourne. This was actually the headquarters for organising Hungarian Nazi activities. In fact, Nesz used his house as a base to collect large sums of money from the Hungarian community to build a 'Hungarian House.' The main organisers of this venture were Zoltán Dobrentey, Zoltán Urmösy and Károly Nesz. According to ASIO, 'Dobrentey and Nesz

have admitted their extreme right-wing or Fascist principals [*sic*],’ while Urmössy was suspected of holding the rank of lieutenant in the Hungarian Army.⁸³

Károly Nesz arrived in Australia in December 1950, and by 1954 was the subject of an extensive intelligence investigation. An ASIO Field Officer reported in February that ‘there is little doubt that he continues to be a National Socialist at heart,’ noting that his personal friendship with Padanyi and ‘his association and collaboration with other suspected extremist Hungarians’ should be taken into account when assessing his security risk. By August, ASIO had established that Nesz ‘was a Fascist long before the last war’ who had been forced to flee to Vienna during Admiral Horthy’s fascist rule ‘on account of his political activities.’ Most revealing, he had only been able to return when Szálasi’s Nazi-controlled regime came to power in 1944 after Horthy was purged by the Germans. ASIO learned that Karoly’s brother, Ferenc, then living in Brisbane, was also ‘a prominent Arrowcrossist in Hungary,’ and the Senior Security Officer attached to the Australian Embassy in The Hague was directed to make inquiries. He replied in February 1955 that ASIO’s Cologne office had conducted checks in Austria and Germany which ‘proved negative.’⁸⁴ This was hardly surprising, though, as virtually all the reliable information on Hungarian Nazis was held by the communists in Budapest.

In the course of investigating the Nesz brothers, however, ASIO stumbled on a piece of information that truly alarmed Brigadier Spry. In mid-1955, a Hungarian source in Europe reported that Károly Nesz ‘corresponds with a well-known Hungarian Communist at present living in Germany.’ Spry quickly ordered that every effort be made to investigate this allegation. He acknowledged that Nesz was involved in groups with ‘pronounced pro-Fascist tendencies,’ but his real concern was that he may have been a double agent, hiding his communist connections behind his Arrow Cross activities. ASIO’s Victorian office duly carried out inquiries, and concluded in October 1955 that Nesz was ‘interested only in politics as a National Socialist ... There is no reason to suppose that Nesz has any interest whatsoever in Communism ... This office has, in fact, no reason to believe that [he] is in any way a Communist sympathiser.’⁸⁵

A few weeks later Károly Nesz and his wife Helene applied for naturalisation and the Immigration Department requested an ASIO security assessment. Despite the report from his Victorian Regional Director reassuring Spry that Nesz was only a Nazi, Spry insisted on further checks in Europe before he would reply. ASIO had discovered the name of Nesz's supposed Hungarian communist contact and Spry asked the Senior Security Officer at The Hague to confirm whether he had been corresponding with the alleged communist, Jenö Seh. He also directed his Victorian Regional Director to make 'further enquiries regarding his political views' among ASIO's Hungarian contacts and also with Special Branch.⁸⁶ Spry was already fully aware of Nesz's Nazi background and his continuing fascist activities in Australia, yet he concentrated considerable intelligence resources to discover whether he might be a secret communist. His Senior Security Officer at The Hague was at a loss to know what further could be done in this case, reiterating that 'there was no trace in Germany, Austria or Budapest' and suggesting that 'the only additional check now possible is one on Jenö Seh.' However, he was loath 'to submit a name only without any other particulars to Agencies and ask them for a check of their records' and advised Spry that 'a request for a check on a name only would not help our liaison' with other Western intelligence agencies. ASIO's senior officer at The Hague was, in fact, concerned that his superior's order might endanger his good relations with Western intelligence services. So he asked Spry for further information, including Seh's date and place of birth and his place of residence in Munich.⁸⁷

This did not deter Spry from continuing investigations into Nesz's alleged communist contact, Jenö Seh. He wrote to his Queensland Regional Director who had originally supplied the information, asking him to check with the original source to find out further details of Seh's background. He also wrote again to his Senior Security Officer at The Hague, supplying particulars 'inadvertently omitted' from his previous correspondence, including that Seh had been appointed to a position in Germany by the Hungarian government, and had then returned to Hungary in 1948, only to reappear mysteriously in Munich soon after. Spry was deeply concerned at the possibility that Károly Nesz might be

in contact with this suspected subversive, and delayed granting him Australian citizenship. The extensive files compiled by ASIO on suspected communists in the Hungarian community contrast with the indifference shown towards the much more substantial charges relating to Nazi affiliations.⁸⁸

For example, ASIO was unconcerned about Ferenc Adorian, another parliamentarian during the Szálasi period, who arrived in January 1951, or about Béla Kántor, a senior Arrow Cross member who settled in Merriden in Western Australia. By the mid-1950s, Kántor was prominent on an ASIO list of 'pro-Nazi migrants in Australia' and it was also noted that he was the 'Chief delegate of [the] European Arrow Cross centre in Australia' and the principal organiser of the requiem masses held in Szálasi's memory. According to ASIO's sources, Kántor was 'reliably stated to be a Hungarian fascist and ex-leader of the Arrow Cross Party,' was the distributor in Australia of the official Arrow Cross newspaper *Ut Es Cel*, and had also made an extensive six-week propaganda tour among Hungarian communities throughout the Commonwealth.⁸⁹

In 1955, Stephen Ládómerly began publishing yet another Hungarian Nazi newspaper, *Beccsulettel* (Per Honesty). An ASIO investigation established that Ládómerly was 'a former Roman Catholic Priest who was dismissed from the priesthood because of scandalous conduct' and that his paper 'expresses extreme right-wing (Nazi) sentiments.' ASIO also recorded that when he was in Hungary Ládómerly 'wore the Arrow Cross, sign of the Hungarian Nazis on his ecclesiastical gown. He also carried a revolver in the belt of his habit.' Intelligence gathered at this time also recorded that his real name was in fact Ládómerszki, and that during the Nazi occupation of Hungary he had 'occupied the highest ecclesiastical position in Hungary.'⁹⁰ When he had applied for permission to publish the paper, Ládómerly had claimed that as 'a Minister of the Orthodox migrants I am strictly non-partisan and exempt from every extremity. The spirit of the paper I intend to publish would be Christian without denominational aggressivity, loyal to our new elected country and all civil authorities.' His only political position, he declared, was anti-communism. The latter claim turned out to be the only honest part of his application.

Indeed, the very first issue of *Becksuletetl* contained strong criticisms of both his adopted country and the United States, while later editions disparaged Australians for their 'petty politics' and concluded 'that the so called free governmental form of democracies is not at all different from those of the dictators.' Far from being non-partisan and 'exempt from every extremity,' an ASIO source reported that the newspaper was 'the official organ of the Hungarian St. Stephen Association. This association has very few members, and represents the extreme right-wing (Nazi) Hungarian society in Sydney.' This claim was supported by the many articles extolling the Hungarian Nazi cause, including one which declared that 'we must all be proud to have fought side by side with our gallant allies, the Germans.'⁹¹ Despite the evidence collected by ASIO from their sources in the anti-Nazi and anti-communist Hungarian community, the counter-subversion section found that Ládómerly did not have 'an adverse record' and cleared him for naturalisation. Instead, the intelligence officer who assessed his application for citizenship concluded that much of the criticism stemmed from sectarian rivalry on the part of ASIO's Hungarian Catholic sources whose 'bias might colour reports.'⁹² Ládómerly was, in effect, free to continue his campaign among the Hungarian community, which is exactly what he proceeded to do, writing and publishing numerous pro-Nazi articles and supporting every fascist cause until he migrated to the Philippines in 1973.⁹³

In the late 1980s, the Nazi-hunters of the Special Investigations Unit established that there was considerable evidence to support the charge that Ládómerly was a senior Hungarian Nazi during the war. For example, they discovered a letter signed by Ládómerly on 26 April 1944. This was in the immediate aftermath of the Nazi military occupation of Hungary and the setting up of the machinery of mass deportation and killing under Adolf Eichmann's direct supervision. Ládómerly reported in this letter that a meeting of the Arrow Cross had decided to impose restrictions on Jews, forcing them to wear the yellow star, prohibiting children from using public bathing places and imposing a curfew between 6.00 p.m. and 8.00 a.m. Although this was five months before the Arrow Cross was installed in power by the Germans, the letter was

signed by Ládómerly in his capacity as 'Commander,' indicating that the priest was already in a senior post in the Nazi bureaucracy. The following day, Ládómerly wrote another letter to the mayor of Szeged on behalf of the local Arrow Cross branch, requesting that the restrictions on Jews should be applied in the town. The mayor referred the request to the local police, and by 9 May it was reported that many of the restrictions were already in place. The restrictions were, of course, the necessary pre-conditions for Eichmann's operations to identify, round up and murder Hungary's Jewish population. As a result of the enthusiasm of the Arrow Cross and other Hungarian fascists, 800,000 Jews were murdered both in pogroms and in the gas chambers at Auschwitz.⁹⁴

Ferenc Megadja was another senior Arrow Cross leader and police official who had been involved in racial and political repression during the Nazi period. In the late 1980s, the Nazi-hunters of the Special Investigations Unit established that Megadja 'had been the head of the Arrow Cross Party in the 12th District of Budapest and the leader of the Defence and Reprisal Unit, its task being to search for deserters and to arrange the deportation and execution of Jews.' The Nazi-hunters reported that Megadja and his officers 'had been involved in torture, acts of cruelty, rape and murders' and that a number of his men – including his own brother – had been tried and executed for war crimes. Megadja also found his way to Australia and became involved in local Nazi activities, hidden behind the seemingly innocent-sounding *Hungarist* movement. This was in fact a front for Arrow Cross members. Szálasi's Nazi movement had adopted this name in the 1930s, but ignorant Australians were unaware of this history.⁹⁵ Emphasising their nationalism and anti-communism, these 'Hungarists' led the way in infiltrating local political organisations and establishing an important role for *émigré* Nazis from Eastern and Central Europe. Obsessed with the threat of communist subversion, ASIO was entirely unconcerned when these pro-Nazis began to obtain influential positions in mainstream politics, particularly within the ruling Liberal Party.

**Athol Townley and the Mass
Killer of Ungvár**

Chapter Fifteen

At the end of 1955, Australian intelligence received the first evidence that a coalition was forming among the burgeoning Nazi fronts that had sprung up all over the country. In October, *Becksulettele* carried an article on the American Friends of the Anti-Bolshevik Bloc of Nations. Soon after, one of ASIO's Q sources in the Hungarian community reported that although this Nazi front had few followers in the local Hungarian community, 'amongst the activists is László Megay, who is also the President of the Hungarists Association in Sydney.' Megay had been identified a few months earlier on ASIO's list of 'pro-Nazi migrants in Australia,' and was, in fact, a senior member of Father Ládó's St Stephen's Association. Indeed, Ládó frequently publicised and promoted various groups controlled by Megay in his newspaper, and Megay himself was frequently featured.¹ At the time ASIO received this information in 1955, a report was dispatched to Prime Minister Menzies and his cabinet indicating serious concerns about the Anti-Bolshevik Bloc of Nations (ABN). According to this report, which was also widely circulated among senior bureaucrats, ABN was 'said to be pro-Nazi and extreme right, but at the same time anti-British and anti-American and working under instructions which enable them to co-operate with the Communist Party.' It was 'also associated with the Arrow Cross Party' and aimed 'to penetrate various Hungarian groups.' László Megay was

prominently listed as one of ABN's leaders in this intelligence report to federal cabinet.²

By the beginning of 1957, the Central and Eastern European Nazi groups felt secure enough to organise a major political convention. The keynote speaker was Jaroslav Stetsko, one of the most senior international *émigré* Nazi leaders. Stetsko arrived in April to establish the Australian Central Delegacy of the Anti-Bolshevik Bloc of Nations. ABN was an international 'peak council' of *émigré* Nazis which had helped Western intelligence to launch what proved to be the disastrous series of military and intelligence operations behind the Iron Curtain, discussed in Chapter Six. Like the NTS, Prometheus and Intermarium, ABN was hopelessly ineffective as an intelligence operation and was thoroughly penetrated by communist agents.³ By 1957, the threat of Soviet military intervention in Western Europe, which many had believed existed in the immediate aftermath of the war, had receded and American intelligence by and large concluded that their use of Nazis was a mistake. By that time, the US Central Intelligence Agency was beginning to withdraw its funding of ABN, which responded with an international campaign to shore up its links with British intelligence and to muster support from ignorant Western politicians like those who welcomed Stetsko to Australia.

Jaroslav Stetsko was a veteran leader of the Organisation of Ukrainian Nationalists (OUN), one of the key British intelligence groups to have spearheaded the failed operations of the late 1940s and early 1950s. The son of a priest, the diminutive Stetsko was an intellectual, a fiery orator who had flourished in the byzantine world of competing factions which had dominated exile Ukrainian politics since the mid-1930s.⁴ Stetsko's visit to Australia was prompted by the growing strength of Nazi *émigré* groups, each of which had re-formed to continue the fight. The groups that met to form the Australian ABN in 1957 included Nazis from the Ukraine, Byelorussia, the Baltic states, Hungary, Slovakia and Croatia. Most masked their true backgrounds and beliefs behind high-sounding nationalism, along with opposition to Russian imperialism and Soviet communism. Some wove fantastic tales of their heroism in fighting both the Nazis and the communists. All told

horrifying stories of repression, brutality and mass murder at the hands of communists, effectively hitting the raw nerve of the Cold War. Mostly they proclaimed their desire to restore their homelands to democracy and to give their peoples freedom by recognising the national sovereignty of countries swallowed by 'artificial states,' particularly the Soviet Union, Yugoslavia and Czechoslovakia.

Who were these 'anti-bolsheviks' who met in 1957 to form the Australian branch of the international ABN? According to its own version of history, this alliance of anti-communist crusaders was born in 1943 when the Organisation of Ukrainian Nationalists was defending 'the honor of the Ukrainian nation during World War II' as the leader of both the anti-Nazi and anti-communist armed struggle for Ukrainian 'independence and freedom.' In the midst of this 'heroic' battle, the representatives of twelve nations supposedly met on the initiative of the OUN and an alliance was forged 'out of the friendship among the subjugated nations.'⁵ The Anti-Bolshevik Bloc of Nations had been formed. However, the true history of ABN is somewhat different. US intelligence supremo Allen Dulles claimed that the ABN was created from three extreme right-wing nationalist organisations.⁶ The most important of these was the OUN, which drew its support from pro-Nazi elements in the Ukraine. The second was the Prometheus League, based mainly in Poland and the Baltic states, but drawing significant support from Byelorussian Nazis. Finally, ABN also absorbed the Intermarium Confederation of fascists from the substantially Catholic Central European states formerly part of the Austro-Hungarian Empire, including Czechoslovakia, Croatia, Slovenia and Hungary.⁷

In spite of the ABN's abject failure as a Western intelligence front and, more strangely, the disillusionment of US spies, the West continued to encourage its activities. At the very time US intelligence abandoned the *émigré* Nazis, mainstream conservative politicians started working closely with them in Australia, America, Britain and Canada. The American Republican Party's extreme right wing forged ties with the ABN, which played a significant role in anti-communist lobbying on Capitol Hill. Its major victory was the declaration of the annual Captive Nations Week, for which ABN had been campaigning for some years.⁸

Inauguration of Captive Nations Weeks in America was more than a symbolic event. It showed that many leading American politicians accepted ABN's Nazis as respectable anti-communists. Senators and Congressmen supported their cause and received in return the support of these 'dedicated foot soldiers in just about every right-wing crusade undertaken in the United States during the 1950s and 1960s.'⁹ The ABN also organised a significant chapter in Britain among the Nazi groups imported by MI6. The Australian government, ever sensitive to the political climate emanating from Washington and London, got the message soon enough. When ABN sought to extend its influence by establishing an Australian base, Robert Menzies's government was only too willing to help.

Many prominent Australians received Stetsko during his 1957 visit, including Victorian Premier Henry Bolte, Sydney's Cardinal Gilroy and Lord Mayor Harry Jensen, Melbourne's Archbishop Mannix and Democratic Labor Party Senator Frank McManus. Most supported Stetsko's anti-communist and nationalist crusade, apparently without inquiring into his deeper background. His major champion, however, was Victorian Liberal Senator John Gorton, then a backbencher but soon to be a cabinet minister, later prime minister. A political maverick, Gorton had first met Stetsko a few weeks earlier in Saigon, at a meeting of the Asian People's Anti-Communist League, an alliance of Asian fascists which later combined with the ABN to form the World Anti-Communist League.¹⁰ Stetsko evidently impressed Gorton, who even spoke from the same platform at an ABN rally in Melbourne. The meeting's rousing response seems to have convinced Gorton that Stetsko was an extremely important anti-communist leader, as he then hosted a dinner in his honour at Parliament House in Canberra, ignorant or unconcerned that he was entertaining a known Nazi war criminal.¹¹

Gorton's embrace of Stetsko was too much for Stephen Dattner, a member of the Jewish Council. A distinguished businessman, Dattner had spent the last year of the war 'catching spies' as commander of a British Army Field Security Service unit in Italy. At war's end, Major Dattner was sent to Klagenfurt on the disputed Austrian-Yugoslav border. He

commanded the 310th Field Security Service (Denazification) unit, responsible for arresting and interrogating suspected Nazi war criminals. By use of the *Black Lists* compiled by British intelligence, Dattner's tasks included unearthing and detaining important Nazi Party officials, SS members and collaborators. These people were in category *Black*, and subject to automatic arrest and trial for their war crimes.¹² After migrating to Australia in late 1946, Dattner soon 'became very certain' that many Nazis had penetrated the immigration screening net in Europe. After investigation, he formed the view that immigration and security officers would not necessarily have recognised Nazis, let alone rejected them. Dattner recalls that he knew Stetsko's reputation, and became 'deeply concerned and astonished' when he learned of his visit to organise the ABN. He was even more astounded when Gorton gave Stetsko 'the red carpet treatment.' Remembering that Stetsko had been on the *Black List*, Dattner assumed that Gorton must have made a mistake in receiving him. At first he put this down to the failure of Gorton's advisors, who obviously had not done their homework. So he wrote to Gorton, politely inquiring whether an error had not been made. On receiving no reply, he wrote to the press, sparking a spirited debate in the columns of several newspapers.¹³ Gorton's main point was that Dattner had not checked his facts 'before launching an attack on a man whose object is to free his people from Communism,' concluding that in 'other circumstances this sort of accusation would raise howls of "McCarthyism."' ¹⁴

Dattner replied that although he, too, was an anti-communist, 'I cannot regard service under this banner as redemption in whole or in part for crimes committed against my people.' He also quoted from evidence given before the Nuremberg War Crimes Tribunal proving that the OUN and Stetsko had been responsible for massacring the Jews of Lvov in western Ukraine.¹⁵ Nearly three decades later, Stephen Dattner remained puzzled by Gorton's behaviour. To someone with the knowledge he had gained as an intelligence officer the situation was obvious. If there was enough support to warrant Stetsko's visit, there must have been many Nazis in Australia.¹⁶ The political lesson was clear, however. Stetsko and the Anti-Bolshevik Bloc of Nations had the

imprimatur of the Australian political establishment and were welcome to pursue their activities. That was exactly what they did.



On Jaroslav Stetsko's arrival in April 1957 to set up the Australian branch of the Anti-Bolshevik Bloc of Nations, he was warmly received by well-organised *émigré* Nazi groups. Indeed, the growing Hungarian Arrow Cross movement supplied the branch's first president, László Megay. A fiery orator and skilful political organiser, Megay had built a prominent name for himself in local politics by the mid-1950s as a member of the Liberal Party's Migrant Advisory Council (MAC), the main vehicle the ABN employed to gain mainstream support for its political agenda. In the months before Stetsko's visit, however, the Jewish Council had compiled a dossier on Megay. On the basis of Australian, British and American sources, the dossier alleged that as mayor of the Hungarian town of Ungvár he had been involved in the deaths of 18,000 Jews. In November 1956, Labor politician Leslie Haylen accused Megay of being a 'mass slaughterer' and subsequently the Melbourne *Argus* investigated the charges. A few weeks later, Ernest Platz of the Jewish Council received further information from the Wiener Library in London, with the result that the matter was raised in parliament again the following May.¹⁷

Megay had arrived in Australia in 1950 and quickly became influential in Hungarian Nazi circles. He was soon president of the Federal Council of Hungarian Associations in Australia and president of one of ABN's influential affiliates, the Hungarian Liberation Movement.¹⁸ He also wrote for notorious Nazi publications such as Father Ládomey's *Beccsulettel*. Megay joined the Liberal Party soon after the 1956 Hungarian uprising, and was soon a prominent leader of the Migrant Advisory Council. As a good anti-communist, Megay was welcomed, speaking before long on the same platform as senior Liberal politicians, including the Minister for the Army, John Cramer, and federal parliamentarians W.C. Wentworth, Bruce Graham and W.J. Aston. His prominence in the Liberal Party, however, was to become an

embarrassment. On 20 May 1957, Labor's Eddie Ward asked Immigration Minister Athol Townley if his department had been informed that Megay had committed 'grave offences' in Hungary during the war. A Liberal politician from Tasmania, Townley had been appointed Immigration Minister in 1956. Like his Labor predecessor, Arthur Calwell, he was obsessed with the virtues of British immigration and had launched the 'Bring out a Briton' scheme to demonstrate that the Liberal Party was just as strong on the White Australia policy as its opponents. Like both Calwell and Holt, Townley was not about to admit the Nazi scandal that lurked within the immigration program. In response to Ward's question, he ordered an inquiry and ASIO investigated Megay. The findings should have caused marked alarm to the minister. Needless to say, he exonerated Megay in spite of the evidence.¹⁹

At the end of the war, the United Nations War Crimes Commission had listed Megay as a wanted war criminal. The charges cited his service as mayor of Komarom in 1944 and 1945, the Commission noting that he was wanted by the Czech government for miscellaneous crimes.²⁰ Substantial evidence soon emerged that he had also committed serious crimes while serving as mayor of Ungvár in Hungary between June 1941 and August 1944. Megay had first been appointed as town clerk, and then deputy mayor. In June 1941, he was made Ungvár's mayor by order of the Department of the Interior. He served in this position until his transfer to Komarom in August 1944.²¹ A few weeks after Hitler occupied Hungary in March 1944, the new puppet government ordered the rounding up of the entire Jewish population in Ungvár and the surrounding area. Because of its large Jewish population, Ungvár was placed under special military rule and a local committee was formed to implement anti-Jewish measures. The round-up of Jews began on 16 April shortly after a special meeting of the senior civilian, police, and gendarmerie officers from the cities, municipalities and counties in the affected areas. Details of the operation in each county were worked out at local conferences attended by the mayors, police chiefs, and gendarmerie commanders in each county. These meetings determined the administration of the ghettos, while town

mayors were authorised to decide where the Jews were to be confined. Over the following days, thousands of men, women and children were arrested and confined in makeshift ghettos established in empty warehouses, abandoned factories and brickyards throughout the region.

At the crack of dawn on 16 April, the Jews in the villages and hamlets surrounding Ungvár were brutally awakened by gendarmes, who gave them a few minutes to pack essential clothes and a little food before marching them to their local synagogues. Here they were robbed of their money, jewellery and other valuables. A few days later, they were marched under armed guard to the Moskovits Brick Works on Minai Street in Ungvár, to be joined by the Jews from the town itself, who were rounded up between 21 and 23 April. This brickyard proved too small to accommodate all the people, who numbered between 18,000 and 25,000, so a second ghetto was established in the Glück Lumber Yard. In both ghettos most of the victims had to live in the open in the absence of sufficient shelter. Cooking, bathing and sanitary facilities were hopelessly inadequate. Food supplies soon ran out, reinforcing the desperate situation of the people. Before long, serious diseases – including dysentery, typhoid and pneumonia – infected many inmates. On 24 April, Adolf Eichmann led a senior delegation to inspect the numerous Jewish ghettos. This group decided the details for the mass killing of the area's Jews. Among the towns they visited was Ungvár, where they reported with pleasure on the wretched condition of the imprisoned Jews.²² In late May, the inhabitants of the ghetto were herded into railway freight cars and sent to Auschwitz, where the vast majority were killed in the gas chambers. László Megay was Ungvár's mayor throughout this period, responsible, with local gendarme officials, for the regime of repression which prepared these people for their final journey. Survivors later testified to his personal brutality against the victims.

Megay was arrested as a war crimes suspect in September 1946 at the Regensburg DP camp, but the Americans released him the following April. The Hungarian government then issued a warrant in mid-1948 asking the US military authorities to extradite Megay, charging that he had directed the imprisonment of Ungvár's Jews in a ghetto in 1944.

However, the American military government in Germany refused the extradition request on the flimsy pretext that requests filed after 31 December 1947 could only be considered if they were well substantiated.²³ The Americans seem to have considered the case against Megay to be weak. Not only did they take no action, but they later employed him as Camp Leader in the Passau DP camp. He was eventually removed not for his war crimes, but because he had engaged in fraud, falsification and drunkenness.²⁴ Genuine refugees in the camp had complained that Megay had used his position to steal parcels which had been sent for the use of all inhabitants and had generally neglected their welfare in favour of his own interests.²⁵

So the Americans removed Megay, but neither his war crimes nor his common criminal behaviour inclined US intelligence to prevent his migration to Australia. Despite Megay's history, he was accepted by Australian immigration officials in January 1950, after the usual Western intelligence check. How he slipped through the security screening system 'must remain a mystery,' according to Andrew Menzies's 1986 investigation. As a check with US intelligence was compulsory, it seems that relevant information was withheld or the Americans deliberately lied to their Australian ally. As US intelligence knew of the charges against Megay, it seems that they decided to pass him on without any qualms. Australian intelligence itself was thoroughly incompetent, as Megay's name appeared on several lists of wanted war criminals subject to automatic arrest and detention. The Australian officer who handled Megay's screening had access to these lists and should have discovered the Czechoslovakian charges against Megay at the very least.²⁶

Just over six years after Megay arrived, Emil Havas wrote an article for the New York-based anti-communist newspaper *Az Ember* (The Man) titled 'László Megay, the Mass Murderer of Ungvár.' A former Jewish newspaper editor from Ungvár, Havas had discovered that Megay had become a leader of right-wing Hungarians in Australia. His May 1956 article alleged that Megay 'was the pitiless murderer of the Jews of Ungvár,' including Havas's own ninety-year-old father. According to Havas, Megay had ordered Ungvár's Jews to be herded into the local brickworks, under what he said were

indescribable conditions. Havas also claimed that Megay had 'mercilessly executed the evacuation of the Jews and their deportation' to Auschwitz in cattle trucks and had gone 'every day to the ghetto where he kicked and with his own hands slapped the victims. He compelled the victims to dig up the grounds of the brickworks looking for hidden gold and diamonds. This bandit even tore the hernia trusses off the Jews, looking for diamonds.' According to Havas's eyewitness account, when Megay left Ungvár in August 1944 he took a large amount of this stolen treasure with him. Havas revealed that he had already placed the matter before Australian authorities. Based on 'official data and affidavits in my hands I submitted an application to the Australian Federal Government, asking them to start an immediate investigation of how this bandit was admitted amongst decent people.'²⁷

This was six months before Leslie Haylen first raised the matter in parliament and a year before Eddie Ward had asked his question.

Havas's account was corroborated a few weeks later by another survivor of Ungvár's ghetto, Dr Lajos Gálan, President of the Assembly of Carpatho-Ruthenian Jews in America. Formerly Ungvár's Chief Economic Councillor, he 'was present in those terrible times there and I can testify under oath that László Megay abused his power – bashed and kicked his innocent victims and staggered even the Nazis by his brutality. Megay appeared in the ghetto every day, mostly rolling drunk and in the company of a group of other Nazis, where he beat and thrashed the Jews whom he met there, whether men or women,' personally robbing many of the wealthier people.²⁸ Another survivor, Martin Foeldi, later claimed that the ghetto would have housed 2,000 people with great difficulty, yet Megay insisted that 18,000 Jews should be packed into the tiny space. Foeldi had been a member of the ghetto's Jewish Council and testified against Adolf Eichmann at his 1961 trial in Israel, describing how the ghetto's inhabitants were deported to their deaths at Auschwitz with between seventy and eighty people packed into each rail car. In this brutal manner, 1,500 innocent people were sent to Auschwitz in every trainload.²⁹

Megay left Ungvár in August 1944, with trunks of money and jewellery stolen from his victims. He then became the German-appointed

Mayor of Komarom in neighbouring Czechoslovakia, where his crimes led the post-war Czechoslovakian government to place him on the UN list of war criminals. Again, he was accused of engaging in acts of pillage, including seizing a large amount of money, six motor vehicles and office equipment.³⁰ Nearly everywhere Megay had been – Ungvár, Komarom and Passau – there was a trail of claims that he was both a mass killer and common thief, who had milked his office to line his own pocket.

Eddie Ward's question in May 1957 forced the government to order an ASIO investigation. In fact, eight months earlier ASIO had already recorded in considerable detail the charges made by Lajos Gálan.³¹ On 12 June 1957, ASIO's officer in Cologne wrote a report based on information gathered from 'our American friends.' This revealed that US authorities were fully aware of the charges against Megay and confirmed that he had been Mayor of Ungvár. The Americans even possessed a signed statement by Megay claiming that he had tried in vain to improve the conditions of the Jews in the brickworks, was demoted as a result and transferred to Komarom. It was hardly a plausible refutation of the charges, even at the time he made the statement ten years earlier. In light of evidence which subsequently emerged one might have expected ASIO to launch a thorough inquiry, including interviews with the many surviving eyewitnesses, at least one of whom had written to the Australian government. It did no such thing. Rather, Immigration Minister Townley, reflecting ASIO's version, cleared Megay in his 27 August answer to Ward's question. Townley's statements that there was 'no evidence to support the allegations' and that Megay 'was cleared by the War Crimes Commission in 1947' were based on ASIO's intelligence³²

Ward was not satisfied with Townley's answer, pursuing the issue further by asking in early November which War Crimes Commission had cleared Megay and where and when his trial had taken place. After further ASIO advice, the Minister replied that he had meant the UN War Crimes Commission, but studiously refrained from disclosing the date and place of the trial. Instead, he asserted blandly that Megay had never belonged to the German Nazi Party, nor had he served in

the armed forces. In fact, no one had made such unlikely claims, which were irrelevant to the actual charges against Megay. Following his predecessors' practice, Townley's answers simply obfuscated and avoided the facts.³³ In reality, Megay was never tried, let alone cleared, by the UN War Crimes Commission. The Americans had cleared him on the basis of his own account of events. Indeed, at 'no time did Megay attempt to deny the allegations made against him by witnesses who had survived the holocaust.'³⁴

When he examined the case in 1986, Andrew Menzies concluded that it was unlikely that the UN War Crimes Commission had even seen the Hungarian government's charges.³⁵ This was hardly surprising, as Menzies had already noted that Hungary did not participate in the Commission's activities.³⁶ In an effort to explain how Townley could have lied to parliament in the Megay case, Menzies concluded that this had occurred due to 'incorrect information having been supplied by US sources to ASIO.'³⁷ In other words, American intelligence were the liars, not ASIO or the minister. If so, it was the second time in seven years that the much-vaunted US-Australian intelligence relationship had slipped up badly in László Megay's case. In 1950, it failed to stop this Nazi war criminal from emigrating to Australia with IRO assistance. In 1957, it covered up Megay's true background by supplying Townley with inaccurate and misleading information. Menzies laid all the blame on American deceit, claiming in effect that the US government had lied to Australia. But this explanation sidestepped the repeated assertions that no Nazis could pierce the Australian screening system, especially in light of our close cooperation with American and British intelligence. The truth is that Megay, like many other Nazis, had been allowed to emigrate to Australia *despite* Western intelligence's knowledge of his Nazi background.

Menzies's explanation also ignored the fact that there had already been a substantial ASIO investigation of Megay, begun over *three years before* Eddie Ward raised the case in Parliament. It is certain that Menzies had access to the relevant files, which reveal that ASIO was fully aware of Megay's involvement in the persecution of Ungvár's Jews. Soon after he arrived in Australia, ASIO learned that Megay was deeply involved

in Arrow Cross activities, and in the course of these investigations uncovered his wartime role as the mass killer of Ungvár. Indeed, ASIO's intelligence detailing Megay's Nazi background was supplied direct to federal cabinet in 1955 in the regular intelligence summary that went to senior politicians and bureaucrats. This report provided a detailed briefing on the extent of Nazi penetration of the Hungarian community. Megay was listed in this report as one of the most important activists in Hungarian Nazi circles, and it was stated (incorrectly) that he was a member of parliament under the Szálasi regime and a 'member of pro-Nazi Army, 1944.' In other words, every member of Prime Minister Menzies's cabinet was aware of Megay's senior role as a Nazi in Hungary, yet he was a valued member of the Liberal Party. In other words, Immigration Minister Townley lied to parliament about the Megay case.³⁸

In fact, Townley's knowledge of Megay went a good deal further. His own officers had approached ASIO in May 1955 when Megay had applied for naturalisation. Immigration officials forwarded his particulars to ASIO, requesting a security assessment. ASIO already knew about Megay's alleged involvement in war crimes, having received information in 1954 which recorded that Megay had graduated in law from Budapest University and made a name for himself as a footballer. ASIO reported that he had then become the mayor of Ungvár and had 'resorted to a type of blackmail on [the] Jewish population of his city.' Indeed, ASIO's Q sources in the Hungarian community frequently mentioned these claims when they provided intelligence on developments in the various Hungarian Nazi front groups. One Q report in August 1955, for example, recorded that in 1944–45 Megay 'was Lord Mayor of the small Hungarian town of Ungvar where he organised a ghetto for the Jews after having robbed them.'³⁹

One of ASIO's Sydney Field Officers assessed this claim in a June 1955 report. He cautioned that 'it would be necessary to establish if the informant is a Hungarian Jew,' because the Sydney Hungarian Jewish community was 'using any type of propaganda available to bring discredit to the pure Hungarian Community.' According to this report, the feud between the groups 'dates back to about 1939 when the Jewish

section of the Hungarian population was subjected to atrocities by a certain portion of the Hungarian Christian population. The latter also assisted the Germans in their policy of the massacre of the European Jews.⁴⁰ The report concluded that the information against Megay should be treated with caution as the Jewish community 'now considers all Christian Hungarians to be ex-Nazis' or members of the Arrow Cross. In this ASIO officer's view, the whole thing was easily explained. Megay had been branded as 'an ex-Nazi' because of his activities in the Christian Hungarian community. The bias is obvious and characteristic. While the ASIO officer considered that statements made by Hungarian Jews should be disregarded, he readily accepted those made by 'Christian' Hungarians. He interviewed a number of his contacts in this community to find out more about Megay and they reported that he was 'violently anti-communist pro-British and a fine type of man.' The ASIO Field Officer accepted these assessments without comment. So, too, did ASIO's New South Wales Regional Director, H. C. (Harley) Wright, who recommended that Megay be 'cleared for Naturalisation.'⁴¹

As already shown, ASIO knew a great deal about Megay from as early as 1954, when he had been elected to the United Council of Migrants from Communist Dominated Europe, representing a small section of the Hungarian community. Others in the community had opposed him, including George de Barcza, a former senior diplomat in Admiral Horthy's fascist regime, who told ASIO that Megay was 'not considered a desirable Hungarian Delegate.' De Barcza, a staunch anti-communist and certainly not a Jew, had previously assisted ASIO to identify other suspected Nazis in his community. Consistent with its handling of those cases, ASIO paid little heed to his warnings about Megay. ASIO has established that Megay was an official of the United Council, an *émigré* organisation with pro-Nazi tendencies which was closely associated with Australia's own fascist League of Rights. It linked Bulgarians, Byelorussians, Slovaks, Estonians, Hungarians, Latvians, Lithuanians, Poles and Ukrainians. Indeed, ASIO reported that Megay had been elected by an 'extreme right Hungarian element' and that 'his behaviour at the meeting shocked many present because of his insulting and provocative statements.'⁴²

ASIO had also uncovered a number of important facts about Megay, including his links with other Hungarian Nazis such as Viktor Padanyi. ASIO further established that when 'working for the Americans in Passau Megay [was] reported for fraud, falsification and drunkenness and lost his position of Camp Leader.' An earlier report had drawn attention to the fact that Megay had been refused 'registration as a DP by IRO because of petty crime,' but ASIO cleared him for naturalisation anyway, claiming that there was no 'real security aspect involved.' ASIO noted that Megay's background was only of 'interest from [a] moral and character point of view' and that there was 'no evidence that he is engaged in extreme right activity.' This directly contradicted the mass of evidence their own files contained. Indeed, only a few days earlier, on 14 June 1955, ASIO had received yet another report from one of its Q sources that Megay was 'said to be a pro-Nazi migrant in Australia.' But in ASIO's eyes the 'worst said of him is that he is a drunkard and immoral both of which are outside our scope,' concluding 'there is no reason to say that Megay is an unfit person for naturalization.' As discussed earlier, on 17 June 1955, ASIO's New South Wales Regional Director therefore recommended that Megay be 'cleared for naturalisation.' A few days later Brigadier Spry concurred. In this dishonest way, the mass killer of Ungvár became an Australian citizen.⁴³

This did not stop ASIO from spying on Megay and his Nazi associates. Six weeks after clearing Megay for citizenship, ASIO received bitter complaints from other anti-communist Hungarians that Megay was 'causing unrest amongst the loyal Hungarian community,' who believed 'that the continuance of the Nazi activities by Megay without interference from the Government is a sign of weakness this is causing migrants to hold the Australian government authority to ridicule and it is suggested that Megay be asked to discontinue his activities.'⁴⁴ Predictably, nothing was done and a few months later intelligence was received from a reliable source that various Hungarian Nazi groups had held 'a secret session' in October 1955 to form yet another front, which Megay was chosen to lead. His deputy was reported to be Ferenc Szász, the senior Hungarian Nazi Army General who had been a close advisor to Szálasi during the war.⁴⁵

By the end of the year, clear evidence had emerged that Megay was actively involved in preventing the assimilation of Hungarian migrants into mainstream Australian life. Indeed, he loudly condemned those who wanted to be assimilated and actively called for them to be ostracised from the Hungarian community. This was in direct contradiction to Harley Wright's positive assessment that Megay was 'active in organisations assisting in the assimilation of migrants' which had led to his naturalisation a few months earlier. Nor did the war crimes allegations cease. Indeed, in December ASIO recorded that when he was mayor of Ungvár Megay 'is stated to have killed and tortured many Jews, and migrated to Australia to escape the consequences of his actions in Hungary.'⁴⁶ This did not cause ASIO to backtrack and reconsider its favourable view of Megay, nor did it prevent the Liberal Party from recruiting him.

When ASIO re-launched its investigation into Megay in the wake of Eddie Ward's questions, the standard line about 'Christian/Jewish intolerances' was still in vogue with Brigadier Spry. Even he had to admit, however, that 'we cannot guarantee that impartial and authoritative information will be available.' Such doubts had not, of course, prevented Spry from clearing Megay for citizenship. In fact, it was only in mid-1957 that Spry ordered a thorough overseas check to be made with ASIO's Western liaison agencies, although he suggested that in the meantime the Immigration Minister should exonerate Megay even before this information came in.⁴⁷ The information provided by both US and British intelligence was entirely censored from Megay's ASIO file before it was declassified. The only thing revealed is that one of ASIO's sister intelligence agencies had provided contradictory information about his date and place of birth. This allowed ASIO some 'wiggle room' when it came to identifying Megay, especially as one of its overseas Liaison Officers reported (untruthfully) that Megay had 'stood trial' on the war crimes charges 'similar to Havas letter' and 'been acquitted.' Even forty-three years later, however, all the intelligence that supposedly supported this dishonest proposition has been entirely censored from the ASIO file.⁴⁸ Eddie Ward was fobbed off with this explanation in 1957. ASIO is still covering up in 2001.

Andrew Menzies's failure to identify ASIO's dishonesty and failure of duty in the Megay case could be explained, perhaps, by his inquiry's narrow terms of reference. These were carefully worded by the Hawke government and prevented Menzies from investigating ASIO's role in protecting Nazis once they were in Australia. But Menzies also neglected to detail both ASIO's extensive knowledge of Megay's Nazi activities and the repeated claims of his involvement in serious war crimes. Further, Menzies failed to examine any of the political circumstances surrounding Megay's case. Townley certainly did not reveal his knowledge of the case to his Labor opponents, obtained directly from ASIO's own reports. After all, Megay was a prominent member of Townley's Liberal Party and a brilliant public speaker who had shared many platforms with his ministerial and parliamentary colleagues. He was also 'bitterly and energetically opposed to Communism,' as his obituary in the *Australian Liberal* noted in its September 1959 edition. The New South Wales Liberal Party's official newspaper also noted that he had been mayor of Ungvár, but did not mention the Jews he had imprisoned in the ghetto and then sent to Auschwitz. The obituary claimed that his death 'has grieved the Hungarian community throughout Australia' and was a loss to the country. It also mentioned that Megay had been President of the Anti-Bolshevik Bloc of Nations.⁴⁹ The ABN's presence in Australia was, in fact, sufficient evidence to alert the government and ASIO to the significant Nazi presence in the country. Yet instead of taking action, many senior politicians warmly welcomed the ABN, hailing both its international leader, Stetsko, and local president, Megay. Soon the *émigré* Nazi groups had achieved an even greater impact on Australian politics through the Liberal Party's Migrant Advisory Council.



After Megay's death in 1959, leadership of the Australian ABN passed to Constantin Untaru, president of the Association of Romanians in Australia.⁵⁰ Untaru denied that he was ever a member of the Romanian Nazi front, the Iron Guard. He did, however, admit that he had been

treasurer in Horia Sima's Iron Guard 'National Government.' Formed by the Nazis in Austria in 1944 after Romania defected to the Allied side, this so-called government was comprised of loyal members and supporters of the Iron Guard who had gone into exile after their abortive coup of 1941, during which large mass killings had been carried out against the Jewish community. The treasurer in this Nazi-controlled government, Constantin Untaru, had arrived in Australia in 1950. A few years later, he joined László Megay as a senior member of the Liberal Party's Migrant Advisory Council (MAC). He also represented the MAC on the party's Philosophy and Platform Committee. ASIO took an interest in Untaru in early 1954 when he applied to the Immigration Department for permission to continue publishing the *Bulletin Di Informatii*, a Romanian-language newspaper started by Nicholas Florescu, the former president of the Association of Romanians in Australia. Subsequently, Florescu and his supporters broke away and informed ASIO that while they were true 'democrats,' Untaru's group were fascists.⁵¹

A few years later, however, ASIO considered using Untaru as an agent in an effort to entrap Romanian communist agents who had approached the ABN leader with an offer that he should be given power of attorney in certain property cases involving migrants. Untaru immediately wrote to one of his best contacts in the Liberal Party, the well-known parliamentarian W.C. (Bill) Wentworth, to offer his services to security on 'the condition that I would not be physically exposed.' Wentworth passed this offer on to the Attorney General, Garfield Barwick, who in turn relayed it to ASIO. However, in light of Untaru's high profile in the Liberal Party and the *émigré* anti-communist movement in Australia, ASIO considered that he was not suitable for active operations, even though they knew how attractive it would be for Soviet intelligence to recruit a fascist agent for this kind of espionage operation in Australia.⁵²

Despite ASIO's knowledge that Untaru was in fact a fascist, he became influential in the Liberal Migrant Advisory Council, which regularly adopted motions sponsored by the ABN. Many prominent Liberals, including government ministers and parliamentarians, shared

platforms with the new ABN president at rallies and meetings. Besides Untaru's own Romanian Association, other bodies affiliated to the ABN in the mid-1960s were the Association of Australian Slovaks, the Organisation of Ukrainian Nationalists, the Hungarian Liberation Movement, the Independent Hungarian Freedom Fighters, the Croatian Association, the Byelorussian Association, the Latvian Relief Society (actually, the Australian branch of the Latvian SS organisation, *Daugavas Vanagi*) and the Lithuanian Community in Australia.⁵³ The ABN's leadership included Fabijan Lovoković, representing the pro-Pavelić faction of the Ustaše, Mikhas Zuy, the former senior official in the Byelorussian quisling administration, and other prominent members of Central and Eastern European Nazi groups. Even the conservative journal *Quadrant* described the ABN's international leadership as consisting of 'a high proportion of leading Nazi collaborators,' and reported that the Australian branch drew support from 'a small minority' of migrants who 'collaborated with the Nazis, some of whom are actually war criminals. These elements still continue to promote fascism, are anti-Semitic, and frequently falsely present themselves as spokesmen for their respective national communities.'⁵⁴

The ABN's Australian branch devoted its energies in its early years to seeking official proclamation of Captive Nations Week, attempting to emulate the Nazis' success in Washington. The ABN waged an international campaign for Captive Nations Week but only the United States and Taiwanese governments officially proclaimed the event. The ABN failed in its 1965 attempt to have the West German government adopt the idea, and Untaru and his colleagues encountered similar difficulties with the Australian government which refused to officially endorse it, despite public support from senior government members. The ABN began to exert pressure for Captive Nations Week on the Liberal Party soon after the United States first proclaimed it in 1959. The Migrant Advisory Council adopted an ABN-sponsored resolution that year calling for official proclamation of Captive Nations Week, and soon gained considerable support from other Liberals. Over the next few years, ABN received further support from many respectable anti-communists. Senior government members spoke at public meetings

together with ABN officials, including Labor and National Service Minister William McMahon (later Prime Minister), Sir Wilfred Kent-Hughes, New South Wales Liberal Minister Eric Willis, DLP Senators G.R. Cole and Frank McManus and a host of Liberal and DLP officials. Another strong supporter was National Civic Council President B.A. (Bob) Santamaria, while some state DLP organisations affiliated to ABN and assisted its campaign for Captive Nations Week.⁵⁵

The ABN eventually established a Captive Nations Week Committee in 1965 with Reginald Bolton, a New South Wales Liberal Party executive member, as president. Two of its four-member Special Executive sub-committee, Constantin Untaru and George Mencinsky, were leading ABN members, the latter being Liaison Officer of the Ukrainian Council of New South Wales. Fabijan Lovoković was another prominent organiser of the event, representing the pro-Pavelić faction of the Ustaše.⁵⁶ The first Australian Captive Nations Week was observed in Sydney in October 1965. Although it did not receive official government endorsement, prominent Liberals addressed the various events, including McMahon and New South Wales Justice Minister John Maddison. Captive Nations Week was held again in July 1966 to coincide with the American observance and it was continued for twenty-five years. McMahon and Maddison were again on the platform that year, along with Army Minister and future Prime Minister Malcolm Fraser, and Byelorussian ABN Executive member Anton Olechnik.

Frank Knopfelmacher, the anti-communist Czech intellectual, injected a discordant note into the 1966 proceedings. He had declined to speak during the 1965 ceremonies because of the dubious pasts of some of the organisers. In 1966 he agreed to speak, but appealed for exclusion of fascists and former Nazis on the ground that they discredited the anti-communist cause. He singled out the Ustaše as an example of the type of organisation which should be excluded. This prompted a leading member of the Captive Nations Week Committee to complain about Knopfelmacher's speech, claiming that the vast majority of Croats supported the Ustaše because it was 'a national movement seeking self determination.' As it happened, Knopfelmacher's appeal failed to convince his comrades, who continued to support and speak at

subsequent Captive Nations Week events, despite the ABN's prominent role. Leading Liberals and DLP members supported Captive Nations Week because the ABN and its followers began taking on roles in anti-communist causes as 'foot soldiers' in right-wing campaigns, as they had in the United States. These included demonstrations in support of Ian Smith's white minority regime in Rhodesia and the Menzies government's decision to send troops to Vietnam.⁵⁷

The ABN's scheme to influence senior Liberal Party members had borne considerable fruit by the mid-1960s. The Nazi backgrounds of ABN's leaders had been sanitised, and their views and activities were legitimised by association with senior mainstream conservatives. They were portrayed as anti-communist freedom fighters, whose noble goal was liberation of the communist states of Central and Eastern Europe. Encouraged by ABN's reception, Stetsko paid a second visit in December 1964 to strengthen the Australian organisation. Australian president Constantin Untaru welcomed Stetsko at a function held in Sydney's Croatian Hall, along with League of Rights leader Eric Butler. Untaru was now prominent in the international ABN, chipping in with the fiery rhetoric which characterised their conferences. For example, Untaru told the 1968 London meeting that ABN 'was never a study group, and it will never be one. ABN is an organization of fighters in the first place. Into it should come only people of courage, men dedicated to the liberation of their countries and ready for sacrifices. We have no time and no room for orators. ABN is for action.'⁵⁸

Despite this militant rhetoric, the ABN's main work was to entrench its influence in conventional political organisations, particularly in the New South Wales Liberal Party. Untaru and his followers succeeded beyond their wildest dreams. Their main theme, naturally, was anti-communism, although it was often broached in tangential ways. For example, Untaru told the Liberal Migrant Advisory Council in 1966 that the government 'should establish a bureau of economic officers' to monitor trends in the economy 'to discover in time any anomalies in the building up of profits and/or capital.' The aim was to 'prevent the Communists from exploiting any abnormal trends through strikes and other disturbances.'⁵⁹ Such sentiments were well received by some

Liberals who encouraged ABN's Nazi supporters to build a powerful base. By the mid-1970s, they had sufficient support to set up their own division of the New South Wales party – the Liberal Ethnic Council – giving them direct representation on the state executive. The man who headed this Council was a Nazi propagandist, Ljenko Urbančić, who is still an influential behind-the-scenes player in Liberal politics, even in 2001.

PART FOUR

Australia 1955-2001: The Consequences

By the mid-1960s, Nazi groups had infiltrated the very heights of the Liberal Party, especially in New South Wales. One of their key leaders was Ljenko Urbančić, a rabidly anti-Semitic Slovenian Nazi propagandist, who in the 1960s led extreme right-wing campaigns in support of apartheid and Ian Smith's white minority regime in Rhodesia. Behind the 'respectable' political front of Liberal Party activities, Nazis had organised a series of paramilitary and terrorist cells.

The Australian Security Intelligence Organisation (ASIO) first noticed these cells among members of Croatian Nazi groups in the mid-1950s. Instead of taking firm action to stamp them out, ASIO permitted them to flourish, even recruiting senior leaders as intelligence sources, among them Srečko Rover, the Croatian war criminal who worked on terrorist operations for US intelligence in the 1940s. By the early 1960s, Rover had established a network of underground terrorist cells that carried out a long campaign of bombings, shootings and beatings against their opponents in the wider Yugoslav community.

The aim of Rover's network was to launch a series of terrorist raids into communist Yugoslavia as the prelude to an uprising that would overthrow communism and put Rover and his supporters in power in an independent Croatian state. Two such incursions were organised from Australia. The first, in 1963, was organised under the auspices of a

Croatian fascist priest and wanted war criminal. The second, launched in 1972, aimed to install Rover as a senior minister in a post-communist government. Both were complete disasters.

Their failure recalled the disasters that had befallen Rover's terrorist operations for US intelligence in the 1940s. Many inside the Croatian fascist movement had long believed that Rover was a double agent for communist intelligence, a view that gained wide currency among Australian law enforcement officials.

Senior officers of the Commonwealth Police (the forerunner of today's Australian Federal Police) certainly had cause to wonder about Rover's true loyalties. They also found it virtually impossible to take action against his cells, because Rover and his followers knew themselves to be protected by their relationship with ASIO and the Liberal government. As a result, the terrorist campaign continued till the end of the 1970s, when the Fraser government launched a clamp-down on the underground cells.

The legacy of Rover's work with terrorist cells has been a long-lasting one, helping to produce a whole new generation of war criminals, trained in Australia for the Balkans wars of the 1990s (as described in Part One of this book). Rover's generation provided the years of training that made possible the recent mass killing of Serbs and Muslims.

**Ljenko Urbančić: The Liberal
Party's Little Goebbels**

Chapter Sixteen

The radio crackled with static in the hot mid-summer night. Suddenly Nazi propaganda boomed out of the tiny radio set and Ljenko Urbančić's voice rang out with a confidence that belied his twenty-two years. This consummate Nazi propagandist had a strident, vicious message for his enemies: the Western Allies fighting desperately to defeat his beloved Third Reich, and the racial targets of Hitler's war, especially the Jews:

We recognise that the English have their place in Europe as a nation with its own culture, even though Europe has created exemplarily more than they have. We recognise their history in the same way that we do not recognise the Americans as a nation, as their cultural creators could be counted on the fingers. The Americans are people without a national history, they are not a nation at all. We do not hate the English, and just because we do not hate them, it is our heartfelt wish for Germany to throw them out from the European continent and into the sea. To throw them out so thoroughly, and so many times, until they come to their senses and recognise that they are leading Jewish politics and communist politics, and not their own nor European politics. That is why we wish that ... they would taste the new German arms so

thoroughly, that they would come to recognise that their place is jointly with the European nations, together with Germany against Asiatic, non-Russian and Jewish Bolshevism. In that instant they would become our real allies because they would in that instant be Europeans, and as such anti-communists and Jew-haters.¹



Even approaching his eightieth year, Ljenko Urbančič cuts a tall, angular figure, with some of the youthful charisma of the Nazi leader still apparent in the way he carries himself. When speaking to even a small group, his steely eyes pierce the audience and he uses well-honed propagandist's skills to manipulate emotions and passions, especially when railing about the dangers of communism and its legacy in his homeland, Slovenia, one of six republics of the former Federation of Yugoslavia. For sixty years, Urbančič has been an imposing and articulate figure with an obvious ability to lead lesser men and women and influence them with forceful and colourful rhetoric. Even Urbančič's body language can hold an audience spellbound, especially in one-on-one conversations as he bends his entire trunk to lean forward almost to his listener's face, punctuating his points with flourishes of the hand and engaging the eye with his fixed gaze.

For almost half a century, Ljenko Urbančič has successfully promoted his extreme right-wing views in the naturally conservative environment of the Australian Liberal Party. Indeed, he has wielded considerable power in mainstream conservative politics since migrating to Australia in 1950, leading numerous right-wing campaigns against his small 'l' liberal opponents in the Liberal Party and boasting of his ability to influence major policy issues. Urbančič was one of the original Nazi organisers of the Anti-Bolshevik Bloc of Nations' Captive Nations Week in Australia. As the previous chapter related, Captive Nations Week was organised by New South Wales Liberal Party executive member Reginald Bolton, who convened the inaugural meeting at his home in Sydney in August 1965. Urbančič was a founding member and

remained committed to the cause until the final collapse of communism in the early 1990s.² The character of his political outlook can be gauged by his well-publicised campaign against prominent Liberal politician Ted St John in the mid-1960s, which centred on St John's 'crime' of supporting black political prisoners under apartheid in South Africa.

From these small beginnings, Urbančič's faction, popularly dubbed the 'Uglies' because of its far-right, pro-fascist tendency, grew to be a major force in the New South Wales Liberal Party in the 1970s. By the mid-1970s, the ABN's Nazi fronts of the late 1950s, which had organised the Liberal Migrant Advisory Council, had formed their own autonomous party division, the Liberal Ethnic Council. As president of this Council, Urbančič served on the state executive, controlling up to one-third of the votes at the 800-member State Council, the supreme policy-making body of the New South Wales Liberal Party. Through his right wing think-tank, Conservative Research, he continued to exercise an important role well into the 1990s, still mustering a minimum of 25 per cent of the votes at State Council and even holding a majority on some issues. Although he remained in the shadows following his exposure as a senior Nazi propagandist in 1979, Urbančič was a significant powerbroker well into the late 1990s when the 'Uglies' continued to flex their muscles in Liberal factional brawls.³

In August 1979, Urbančič's twenty-year campaign to build his fascist base in the Liberal Party was permanently dented when the ABC broadcast a documentary about his wartime activities produced by this author.⁴ This exposed his role as a senior Nazi propagandist in Slovenia during the war, which should have excluded him from the privileges of immigration and naturalisation and prevented him from becoming a major fascist activist in the Liberal Party. Indeed, under the rules operating in 1950, Urbančič was an illegal migrant because he was a known Nazi collaborator. His case sheds fascinating light on a system which allowed thousands of Nazis to escape justice. To understand Ljenko Urbančič's case, however, requires some knowledge of the complex history of his native Slovenia.



The streets of Slovenia's capital, Ljubljana, echoed with the tramp of marching feet. This time the troops were German SS units. A month before, in September 1943, the Italian fascists had thrown down their arms and fled. Throughout the country the communist-led partisans were on the offensive. Using captured Italian weapons, they pounded the positions of the *Belagard* (White Guard), which had assumed political, police and military power after the Axis invasion of April 1941. Now partisan justice was being 'meted out,' and many of the White Guard were executed summarily.⁵ In the weeks following the Italian capitulation, the Nazis moved rapidly to fill the vacuum. In April 1941, Slovenia had been ruthlessly carved up between the Italians, who had occupied the south including the capital, and the Germans who had annexed the northern and western regions.⁶ The Nazis' repression of the Slovenes in the following months had to be seen to be believed. Traditionally linked to the Austro-Hungarian Empire, many Catholic Slovenes supported a clerical form of fascism, manifested in a particularly extreme anti-communism. This did not protect the intelligentsia and the Church, both bastions of Slovene culture which represented serious threats to Hitler's plans to 'Germanise' the country. Hundreds of academics, teachers, priests and nuns were arrested and severely maltreated. There followed an assault on the peasants, who occupied valuable land which Hitler had decreed German farmers were to till. Elaborate and bizarre 'scientific' tests were carried out to measure nose size and shape, determine the slant of the forehead, eye colour and other physical characteristics. The results determined those who were purely Slavic and subject to immediate deportation and slave labour, and those with at least some Germanic heredity who could remain on their farms until Germans could be found to replace them.⁷

To the south, in Italian-occupied Ljubljana the message was not lost on the leaders of the predominantly Catholic Slovene People's Party, headed by Miha Krek, who had fled to London and joined the exiled Royal Yugoslav government as Vice Premier. Even in London, however, Krek was a covert Nazi collaborator, who received strong support from the Bishop of Ljubljana, Gregory Rožman, a bitter opponent of both Western liberalism and Eastern communism.⁸ Although Krek was safely

out of the country and could not be compromised personally, his supporters rapidly came to terms with the invaders. The increasing popularity of the communist-led partisans terrified the clerical-fascist politicians of the People's Party. They openly defied their exiled government's orders and collaborated with the Italians, justifying their traitorous actions as a strategy of avoiding the savage policies pursued by the Germans to the north.⁹ With Krek in London, the leadership of his party effectively moved into the hands of the very political Bishop Rožman. From the beginning of the occupation, Rožman established close ties with the Italians and in mid-1942 visited the Vatican to ask Pope Pius XII to use his influence with the Italian government to provide the White Guard with arms, food, uniforms and other essential equipment. On his return, Rožman formalised an agreement with the Italians to provide these supplies to the White Guard.¹⁰ Rožman and his closest advisors increasingly made major political and even military decisions, while priests and lay Catholic leaders became officers in the White Guard. Italian repression worsened in the following months as thousands were interned in concentration camps and many were executed. The White Guard secret police frequently provided the information for the arrests and served as executioners for the Italians.¹¹

The partisans replied with their own terrorist attacks and in mid-1942 assassinated several senior collaborationist leaders. The Italians responded by appointing Leon Rupnik, a former Divisional General in the Royal Yugoslav Army, as mayor of Ljubljana. Rupnik was stationed in Zagreb when the Axis attacked Yugoslavia in April 1941, and was responsible for establishing a key defensive line on the Italian-Yugoslav frontier. At the first opportunity, he 'had carefully turned over all the plans and details of the line to the Axis,' surrendered and promptly volunteered to collaborate. He then returned to Ljubljana and assisted Italian intelligence to organise the White Guard.¹² Ljenko Urbančič was one of Rupnik's most ardent supporters. The son of a poor customs official, Urbančič was only eighteen when the Italians occupied Ljubljana in 1941. He was, however, already deeply involved in Nazi politics, having joined the Slovenian branch of Dimitrije Ljotić's pro-German Zbor movement. While still only in sixth grade, Urbančič was

expelled from school for this involvement in pro-Nazi activities, and later became politically active at Ljubljana University as a member of the Ljotić group. In the late 1930s, the youthful Urbančić threw himself into the work of the Ljotić movement with great vigour, gaining a reputation as a capable propagandist and organiser.¹³

Zbor was, however, a completely pro-German movement, which was a distinct disadvantage in Italian-ruled Ljubljana. While the Nazis and Italians were allies, they did not trust each other's intentions regarding the ultimate carve-up of Yugoslavia after the expected Axis victory. As a result, the Ljotić group was decidedly out of favour with the Italians and their People's Party collaborators, who drew up lists of those to be arrested and sent to concentration camps. In July 1941, Urbančić helped form the *Petrova garda*, a small group of Ljotić supporters which engaged in an intensive propaganda campaign that almost certainly resulted in his arrest in March 1942. For the next nine months, Urbančić was imprisoned at Gonars in Italy.¹⁴ When the Italians capitulated in September 1943 and the partisans launched an offensive, the Ljotić forces judged the time had come for them to assume power. General Rupnik and Bishop Rožman rapidly switched their loyalties from the Italians to the Germans. Indeed, Rožman had travelled in disguise to Bled, in German-annexed territory, even before Italy capitulated, where he met Nazi representatives and offered to collaborate with them when they occupied Ljubljana.¹⁵

On 12 September, Hitler annexed further chunks of Slovenia, including the area around Ljubljana. Six days later, Hitler dispatched Friedrich Rainer to Ljubljana to take command. As Gauleiter of Carinthia, Rainer had been responsible for the earlier Nazi repression. His first call was on Bishop Rožman, who received him with great warmth. Minutes of the meeting record that Rožman suggested several measures to Rainer, including the formation of a new quisling force to replace the White Guard, to be known as the Slovene *Domobrans* (the Home Guard), and the appointment of General Rupnik as chief of the civil administration.¹⁶ As a result, Rupnik was installed as 'President' of Nazi-occupied Slovenia on 22 September. He was never anything more than a Nazi-controlled figurehead, and the Nazis established a parallel

infrastructure in which Rainer's men issued orders to Rupnik's officials. Supreme power was exercised by SS and Police Lieutenant General, Erwin Rösener. The balance of forces around Rožman and Rupnik now changed dramatically, however. Previously their closest colleagues were members of the Catholic People's Party, but now the Ljotić group assumed the most important positions in the quisling political, police and military apparatus. The formerly pro-Italian clerical leaders were increasingly on the outer.

On 10 October, this new balance was exhibited on the streets of Ljubljana when the first march was staged of the volunteers of the Nazi-controlled Home Guard. The parade was personally organised by Ljenko Urbančič. Two days earlier, Urbančič had launched his career as an official Nazi propagandist in the first of his many articles in the quisling newspaper *Jutro* (Morning). He had proclaimed the formation of the Home Guard from among the 'unspoiled sons of the peasantry.' A short time before, he had complained directly to President Rupnik because a senior Home Guard officer, Colonel Krener, had refused permission for the march. Rupnik listened to this complaint, criticised Krener's attitude and ordered 'Domobran Urbančič that the volunteers set out as soon as possible.'¹⁷ Urbančič was elated at Rupnik's order. In his *Jutro* article he appealed to the 'idealistic and self sacrificing youth' to join the Home Guard, and issued a rousing war cry: 'The fist is firm, the heart is hot; our nation shall not die.'¹⁸

Sunday 10 October was a cold autumn day, but the enthusiastic Nazi volunteers eagerly took the Slovene flag from the army barracks, which was carried proudly at the head of the procession by Vladimir Menart, one of Urbančič's close colleagues who also found his way to Australia. Urbančič quickly demonstrated his leadership abilities to the Nazis, directing the volunteers from the side of the column, his tall military frame and bearing giving the rag-tag band of civilians a disciplined air. As the parade marched from the barracks through the city, the volunteers halted in front of the local cafe *Emona*. Accompanied by two uniformed quisling officers, Urbančič and a senior clerical member, Stanko Kociper, delivered 'fiery' speeches from the cafe's first-floor balcony. This was the first of Urbančič's many speeches as an

official Nazi propagandist. Proclaiming that 'fate ordered' the Home Guard 'to hoist the flag and to carry it in front of the multitudes, never behind,' Urbančič boasted that the Home Guard was not scared of anyone 'because their everyday order is to sweep away the present unhealthy public opinion and establish the new.' Although it mirrored the Nazis' propaganda message about the 'New Order' in Europe, it was a moderate speech compared to his subsequent efforts, which were carbon copies of the most virulent propaganda manufactured by Hitler's master propagandist, Joseph Goebbels. Urbančič concluded by telling the crowd that 'we have to have clean accounts for the future; he who is not with us, is against us.' Urbančič's listeners responded to this exhortation 'with boiling enthusiasm,' according to the official report in *Jutro*.¹⁹

As he spoke to the assembled quisling volunteers, Urbančič saw a Nazi policeman riding by in a motorbike sidecar. As he passed, the German gave the Nazi salute. Urbančič was still 'flattered' by this thirty years later, although he 'knew what had happened to our people' in the German-annexed areas of Slovenia over the previous two and a half years. After the speeches, the Home Guard volunteers marched to the palace housing Rupnik's puppet government, where they cheered for the general who appeared on the balcony to address them. In the following months, Urbančič's '10 October Battalion' became the hard core of the Nazi political, police and military apparatus in Slovenia. Urbančič had rendered a great service to Hitler's Germany by organising this force of volunteer collaborators.²⁰ However, Rupnik's administration had only limited success in appealing to Urbančič's favourite group, the 'unspoiled sons of the peasantry' he had eulogised in his speech. The Germans had planned to form the Home Guard into a Waffen (Armed) SS Division to fight the partisans as they had done in other occupied countries, but their numbers were too small and their calibre was mediocre at best. German officers repeatedly complained about their ill-discipline and frequent lapses into black marketeering and corruption. Indeed, US intelligence, which sent many officers into Slovenia to gather information, reported in December 1943 that the Home Guard was 'of little worth, chiefly boys and some old men,' who

were 'nothing more than ignorant peasants led by priests who cooperate with the Germans.'²¹

The Nazis finally recognised that it was futile to throw Urbančič's followers into serious combat against the now hardened, well-armed and Western-backed partisans. The Home Guard was, however, placed directly under the command of SS General Rösener, who maintained, equipped and paid them. The Germans also issued decorations to officers and men. To celebrate Hitler's birthday on 20 April 1944, Rösener ordered that the Home Guard publicly swear an oath at a ceremony in Ljubljana's stadium. While Rösener and Rupnik stood rigidly at attention giving the Nazi salute, the assembled quislings took a solemn oath 'by almighty God' to:

be faithful and courageous, to obey my superiors in the common fight with the German Armed Forces, under the command of the Führer, SS Troops and Police, against the bandits and against communism and its allies, and that I will fulfil my duties faithfully for my Slovenian country as a part of Free Europe. For this fight I am prepared to sacrifice my own life, so help me God.

A similar ceremony was also held at Trieste, where the parade was reviewed by notorious SS officer Odilo Globocnik, recently arrived from his tour of duty in Poland. As SS and Police Chief in Lublin, Globocnik had overseen *Aktion Reinhard*, the mass killings of Jews, Gypsies, Poles and communists in which almost two million people had been murdered. This oath-swearing ceremony was repeated on 30 January 1945, just three months before the Third Reich totally collapsed.

Although most of Urbančič's men proved to be poor combat troops, the Nazis managed to form six 'encounter' battalions. When they were used to support offensives against the partisans, however, they frequently committed bloody atrocities. British and American intelligence officers had by then been dropped into Yugoslavia to work with the partisans. An American Military Intelligence report of 19 February 1944 recorded that the Home Guard 'were remarkable for their cruelty in the recent German drive ... and they are also maintaining a

reign of terror in the Ljubljana area under the direction of the Gestapo.²² The Home Guard secret police, *Crna Roka* (Black Hand), organised many of these atrocities. It was named Black Hand because its agents left the image of a black palm print whenever they carried out their assassinations and kidnappings. *Crna Roka* took many of its victims to the church of St Uhr, just outside Ljubljana, where they were brutally tortured and eventually executed in most cases. After the war, hundreds of bodies were exhumed from mass graves near the church.

Despite its limited effectiveness, the Nazis accorded a key role to the Home Guard. This was seen at first-hand by two US intelligence officers, Colonel Franklin Lindsay and Captain John Blatnik, who were attached to partisan headquarters in Slovenia. Lindsay later became a senior CIA official and Blatnik a member of the US Congress, but in 1944 their orders were to assist the partisans to disrupt Nazi communication lines through Yugoslavia. At this time, the Balkan front was a major arena for the Allies because the Germans were sending troops, supplies and equipment through Slovenia to the Italian front where an Allied army was fighting desperately to establish a foothold. Captain Blatnik undertook many successful sabotage attacks against railways and bridges, frequently encountering the Home Guard whose job was to guard the communication lines.²³ In other words, but for Urbančič's quisling units the Allies would have had even greater success in disrupting German communications, which would have forced the Nazis to divert troops from the Italian front to keep control of the Slovenian railway lines and bridges. Urbančič's forces therefore contributed significantly to Germany's military effort against the Western Allies, helped to prolong the battle for Italy, and caused larger casualties among the Allied forces than would otherwise have been the case.

Ljenko Urbančič was, however, far too important to be sent for guard duty on the rail lines and road bridges. In the months after the '10 October Battalion' was formed, he became a close confidant of President Rupnik, the head of the puppet administration. The twenty-year-old Ljotić supporter was rapidly promoted through the Nazi ranks, and put to work in the areas for which he had already demonstrated enormous talent – propaganda and intelligence. Together with several other Ljotić

members, Urbančić was placed in the Information Department. This was, in fact, the Nazi-controlled propaganda department. According to the Yugoslav War Crimes Commission, this department also controlled the State Intelligence Service (DOS), which was connected to the Gestapo through the Secret Intelligence Service (TOS). DOS allegedly was involved in gathering information on anti-Nazi Slovenes that TOS then passed on to the Gestapo, which arrested the suspects and sent them to concentration camps where most were tortured and many killed.²⁴

Urbančić earned his title of 'little Goebbels' from the Yugoslav War Crimes Commission precisely because he was one of the most proficient and fanatical propagandists in German-occupied Europe. As the war crimes investigators found, he used 'the same methods and gestures' as Hitler's master propagandist, Joseph Goebbels. Whether writing for Nazi-controlled newspapers, making propaganda speeches on German-run radio or spewing forth his anti-Jewish, anti-Allied messages at mini-Nuremberg-style rallies, Urbančić excelled in his work on behalf of Hitler and the Nazi Party.

Furthermore, he led the Nazi faction in its fight against the pro-Italian clerical group. Prior to the Italian capitulation, most of the People's Party group in Ljubljana had refused any cooperation with Ljotić's supporters, who were considered to be too pro-Nazi and at any rate only represented a tiny minority of the anti-partisan forces. Following Rupnik's promotion to head the German administration, the two quisling groups fought bitterly for influence. Urbančić's group had the distinct advantage because its political position was identical to Rupnik's, but at first the clericals gained many leading positions as a result of their better training and well-organised apparatus. They were, however, now forced to cooperate with Urbančić's group which also held several key posts in the Information Department and the Anti-Communist Committee. A senior clerical leader, Sodja, selected members of the two tendencies. This initially ensured a balance between his own supporters and the Ljotić group. As a result of this deal, Ljenko Urbančić was appointed to a senior post in the Information Department as a special reporter. Despite their key role in establishing and strengthening the new quisling apparatus, the clericals became

disillusioned, particularly when the war turned decisively against the Germans. A bitter internal faction fight developed, with the clericals increasingly supporting the Western Allies, whereas the Urbančič group clung desperately to the Nazis. By the middle of 1944, the well-informed partisan intelligence apparatus reported that Urbančič had recruited Marijan Gorjup, Ivo Vadnjal and Boris Smerdu to assist in the increasingly hostile campaign against the clericals.²⁵

The larger and previously dominant clerical group now found themselves increasingly excluded from Rupnik's small circle of influential advisors. Urbančič and his supporters then launched a vicious campaign claiming the clericals were secretly conducting pro-British underground work and only collaborated with the Germans for tactical reasons until they could switch sides.²⁶ These allegations were not entirely unfounded. The clericals occupied key posts in the propaganda department and in the State Intelligence Service and were controlled by the Gestapo. However, they also provided the British with intelligence about the Germans. As early as April 1944, three clerical leaders had, in fact, been arrested and sent to concentration camps.²⁷

In early 1944, the leader of the Ljotič group, Izidor Cergolj, launched an offensive against the clericals aimed at removing them altogether from significant positions. On 30 May, a major reorganisation was carried out in the Information Department and Cergolj was appointed head of the Active Propaganda section. Notionally the clericals still controlled the department, but real power shifted to Cergolj and his supporters, especially Ljenko Urbančič. An extremely bitter struggle developed, in which Cergolj and Urbančič sought to exert total control. Indeed, Cergolj radically changed the department's direction, producing a marked swing towards a totally pro-Nazi stance in almost all propaganda. The clericals in the department protested to their leaders in late June, claiming that Cergolj 'wants to introduce a disguised, undercover, but still quite obvious movement, which is alien to the political orientation of the Slovene people,' adding that 'at joint meetings, without any justification, and unjustly, our lecturers are being considered as pro-British oriented.'²⁸

In late July 1944, the faction fight came to a head when a clerical

supporter was caught printing illegal literature on Information Department premises. Cergolj informed the Gestapo who arrested the culprit and sent him to a concentration camp. In September, Cergolj demanded a complete reorientation of propaganda work to reflect only the Nazi line. Two senior clericals saw the writing on the wall and promptly defected to the Cergolj-Urbančič camp. Soon after, the Ljotić group discovered further evidence of the clericals' pro-British activities and informed the Gestapo, which sent more clericals to concentration camps. When the clericals complained to Rupnik, he expressed full agreement with the Gestapo's action. The clericals then chose to abandon their cooperation with the Cergolj-Urbančič group and in November Cergolj assumed control of the department. Rupnik then issued a decree reorganising the department, and the Ljotić group assumed all the key propaganda posts.²⁹

This intense struggle caused the clerical group to complain bitterly to their leaders in the Royal Yugoslav government in London. As early as 15 December 1943, for example, senior clerical leaders in Ljubljana had already dispatched an intelligence report to London. Using the code name 'Oljar-Bohinjec,' they claimed they 'never had, and never will have' quislings among them. This was of course a fabrication, aimed at securing a favourable attitude from the West, in the hope that the British and Americans would invade Yugoslavia, defeat the communist-led partisans and hand power to them. The secret intelligence report went on to claim that 'the invader is attempting to fool the Slovenes with the establishment of a Slovene province,' for which work the Nazis were using 'General Rupnik, who long ago fell away from our faith.' The clerical leaders' main complaint was that the Nazis 'use for their henchmen members of the former "Zbor," the Fascist organisation of Ljotić, against which we were fighting in peacetime on the political arena as being a movement strange to our national genius.' The clericals candidly admitted that they had urged the population to join the quisling Home Guard, but only 'because this is the only means by which, in the present conditions, they can defend the lives of the people, and because this is the only way in which they can aspire ever to get a chance to square the accounts of the partisan-killers.'³⁰

'Oljar-Bohinjec' was the underground code-name for the increasingly pro-British clerical group, which was the target of the campaign in the Information Department organised by Urbančič, Cergolj and the other Zbor members. Urbančič now held a very senior position in the Nazi apparatus, responsible for persuading the local population to support the Nazi cause. In this role, he not only viciously attacked all those who were 'enemies' of the Nazis, including communists, freemasons, Jews, Britain, the Soviet Union and America, but also the 'Anglophiles' among the clericals. As the inevitability of an Allied victory became obvious, Urbančič became more strident in his pro-Nazi rhetoric, gaining further promotion up the quisling ladder and eventually becoming editor of the major collaborationist magazine, *Slovensko Domobrantsvo* (Slovenian Home Guard). He wrote numerous articles for this magazine and for other quisling newspapers, including *Jutro*, *Slovenec* and *Slovenski Dom* (Slovenian Home), as well as giving fiery speeches on radio and at public meetings.

American and British intelligence were well aware of the Nazi propaganda spewing out of the Information Department. For example, an American intelligence liaison officer who had served with the partisans since late 1943 reported in August 1944 that:

... quisling newspapers reached me constantly and I could see the kind of press that was circulating in Ljubljana under the influence of the German press bureau. *Slovenski Dom* and *Jutro* were the principal newspapers and they fulminated constantly against "Partisan Communism" and Jewry. Since March 1944 the Allies have been openly attacked in the press.³¹

Ljenko Urbančič was, in fact, the leading exponent of this Nazi propaganda. Soon after Cergolj took control of the direction of propaganda work in June 1944, Urbančič was let loose to launch a full-blown assault on the Nazis' enemies. In one article he proclaimed that 'Jewry, in its mean greediness for profit, pushed millions into the war' in order to profit from weapons production and 'to conquer Europe and all the world.' Mimicking Goebbels's propaganda line, he argued that

the Jews used two weapons to achieve their goals – freemasonry and communism.³²

A few days later, on 20 June, Urbančič followed up with a fiery speech broadcast live on Nazi-run Radio Ljubljana. This demonstrated that he had completely mastered Nazi propaganda techniques. He began with a rhetorical flourish, telling his listeners that it 'is not at all important that I speak to you on radio in these eventful times, that pass us by as with cinematographic speed, each stupidity a sin and a crime, not so much against oneself, but against the whole nation; it is not important that I speak to you as the youngest Slovene journalist.' What was important, however, was that the 'truth' be proclaimed:

The truth which is older than I, which is already centuries old. That is the truth about all the vile intentions of the chosen people, the 15 million Israeli race roaming the world. Rarely is one of their number a tradesman, labourer or farmer, however it is an everyday and common fact that these people are dealers in arms, owners of the film industry, and people who have in their hands practically the whole world press.³³

Having established the main Nazi point that the Jews were the major enemy, Urbančič proceeded to place the entire blame for the war on 'foreign interests,' and 'imaginary allies' (that is, the British): 'We went to war for Jewish interests, for the benefit of international communism', and the responsibility was 'with those "allies," the British, Soviets and Masons, and above all, and I stress the words above all, the Jews – sworn enemies of Christianity and all the non-Jewish world.'

Urbančič directed some of his spleen at his clerical opponents, who he claimed had not offered their services to the Nazis when the Italians capitulated. They 'were waiting for the English, who were expected in a fortnight and it would be therefore unreasonable to dirty their hands by cooperating with the Germans,' he alleged. Openly attacking the 'Anglophiles,' he warned 'that our whole anti-communist

fight would have been in vain if we were to make the fatal mistake now to regard today's Anglo-American invasion troops as anything else but what they are, that is Jewish-Communist tools.' This was the signal for the anti-Western tirade quoted at the beginning of this chapter, in which Urbančič declared his support for the Germans 'to throw' the British out of Europe 'so thoroughly, and so many times, until they come to their senses and recognise that they are leading Jewish politics and communist politics' and 'would taste the new German arms so thoroughly, that they would come to recognise that their place is jointly with the European nations, together with Germany against Asiatic, non-Russian and Jewish Bolshevism.'

Urbančič then posed a rhetorical question: 'Does the American and English soldier know what he is fighting for?' Naturally, he immediately supplied the answer: 'Negroes, Chinese and Indians are fighting against Europe for a free block of land in America, given to them after the performance of 25 terrorist flying missions.' This referred to the Allied bombing campaign then in full swing. This loyal Nazi propagandist and intelligence officer claimed that everyone had failed Slovenia except Rupnik and ended his rousing speech with a rallying cry to all his listeners,

to follow our leader, the experienced and homeland-loving General Rupnik, about whom we can always and everywhere, today and tomorrow, say that God himself has sent him to us ... It is our duty to repeat over and over again, to exhaustion, that there is only one way, the way of General Rupnik.

Urbančič's radio speech was a particularly good example of the themes that dominated his prolific propaganda work for the Nazis. Six weeks later, he wrote an article proclaiming that the young Yugoslav King Peter, who was with the exiled Royal government in London, was caught in 'the web of the Jewish-Communist spiders.' He reminded readers that this was the second time that the King had been caught in this web. The previous occasion was his government's decision in

March 1941 to reject the Nazi Tripartite Pact. Now the Jews had surrounded King Peter with 'freemasons, dirty masonry, and various bull-finches of various shades of red.' This time, Urbančič was upset that King Peter had ordered all forces loyal to his government to join the partisans, and serve under their command.³⁴ The King's order prompted the Slovene clericals to redouble their efforts to gain recognition and support from the British and Americans. The pro-Nazi Urbančič group replied with a frenzy of vindictive propaganda against the 'Anglophiles,' labelled by Urbančič as 'Judaea-ophiles' whose pro-British sentiments were 'anti-Slovene.' He pronounced that while they insisted they were Slovene nationalists, 'yet in truth they listen to instructions from Jewish London,' which called for them to ready their 'illegal' units to assist the hoped-for British invasion forces. Urbančič insisted that the pro-British faction was 'saying that Germany is completely on the floor; that the English shall come, and we have to join with them, and together fight the Germans.' There was, of course, considerable truth to Urbančič's attack. The clerical leadership was indeed attempting to salvage something from the impending disaster by seeking British assistance. For the convinced Nazi Ljenko Urbančič, this was treason to be rejected and resisted with all his strength.³⁵

The situation was now desperate for the clericals, who were being persecuted by both the Urbančič forces and the Gestapo. They turned to Miha Krek in London, the former minister in the Yugoslav government who had already earlier that year begun to lobby Western intelligence on behalf of the Slovene quislings.³⁶ Following the King's order, Krek stepped up his efforts to gain British and American support. An American intelligence report of 8 February 1945 summarised Krek's opinions. He claimed that Slovenians were 'ready to fight alongside of or as part of Anglo-American troops against Germany. They are prepared to help in any possible way the Anglo-American occupation of their country.' Krek's view was that, as Soviet forces had occupied the eastern part of Yugoslavia, 'there is no political reason why Anglo-Americans should not occupy the western part. Such an occupation would place the Western democracies in possession of a network of communications from the Adriatic Sea across the Slovenian territory

and an important crossroad junction.' Krek's plan involved transferring the Home Guard from German command to 'Allied control for fighting against the Germans. They would have to be reorganised to fit Allied needs.' In fact, the Slovene clerical leaders, especially Bishop Rožman, were depending on Krek to convince the West that something at least could still be salvaged from the impending catastrophe. Their only chance of survival was an Anglo-American landing on the Adriatic coast, when they hoped they could defect and join the West in crushing the partisans.³⁷

Krek's efforts were hopeless because his plan ignored the realities that dictated Allied policy. Both Britain and America were reconciled to, although not happy with, the partisans' impending victory in Yugoslavia. They had already conceded the country to Stalin's sphere of influence. Their acceptance of this outcome was largely based on their intelligence officers' assessment that the partisans were strong enough on their own to enforce their rule. Soviet forces had by then entered Belgrade and were moving westwards. This would ensure a post-war communist government. Official Western policy was that the Slovene Home Guard should be disarmed if captured by their forces and returned home as quislings. While sections of Western intelligence started recruiting them for anti-Tito operations even before the war ended, Krek's plan to take Slovenia into the Western camp came to nothing. Although Churchill had earlier seriously considered an Allied invasion via the Balkans, by early 1945 the West had decided that an attack through Yugoslavia would have precipitated war with the Soviet Union and was therefore impossible.³⁸

Krek and Rožman did not, however, give up. They initiated further contacts with the Vatican and with Western intelligence as the war ended. This time they wanted assistance for their followers, many of whom had fled to Austria and faced forcible repatriation to Yugoslavia. In return they offered the West the means to penetrate their homeland and to provide intelligence and logistical support for operations against the new communist government. But in the first months of peace, the main goal was simply survival.

By the end of March 1945, even the most ardent Nazi supporter could see that Hitler's armies were on the verge of collapse. Evidence of the impending defeat was seen every day in the swelling number of quisling units from further east that had been passing through Ljubljana from late 1944.³⁹ In March 1945, all the Yugoslav quisling forces in Slovenia were unified under the command of General Miodrag Damjanović, a senior Serbian Nazi collaborator whose key advisor was the Zbor commander, Dimitrije Ljotić. Their goal was to concentrate all Serbian and Slovene quisling forces at the Ljubljana Gap for a final stand against the partisans. These units were actually 'serving under and were maintained by the Higher SS and Police Leader General Odilo Globocnik,' the mass murderer of Lublin province in Poland.⁴⁰

The Soviet Army had slowly but surely pushed the Nazis out of Eastern Europe in the previous twelve months, while Anglo-American forces had pushed them back in Western and Southern Europe. By March 1945, the Germans and their Yugoslav quislings were routed and scrambling in disarray through the Slovenian crossroads of Europe. Their flight took them through Ljubljana and westwards through the Loibl Pass in the rugged alps on the border between Austria and Yugoslavia. Once in the Pass they were assured of reaching Austria where they hoped to surrender to British Field Marshal Alexander, whose forces were pushing rapidly eastwards. Alexander aimed to beat the partisans to the prize Austrian cities of Graz and Klagenfurt, long-coveted by Yugoslavia because a significant Slav population lived in the region. The Slovene quislings in Ljubljana knew that the partisans would soon occupy the city and that they must flee for their very lives. Ljenko Urbančič was, however, one of the few who refused to accept the inevitability of Nazi defeat. Instead, he redoubled his propaganda efforts to convince his people that Nazi victory was certain. Urbančič spoke yet again over Nazi-run Ljubljana Radio on 27 March 1945, on the fourth anniversary of the anti-Nazi coup which precipitated the Axis invasion of Yugoslavia. He called on Slovenes to find more stamina to help the Germans and the Home Guard to destroy the partisans and together 'liberate' Yugoslavia.⁴¹

A few weeks later, Urbančič expanded the themes of his speech in

the final edition of the official quisling magazine, *Slovensko Domobranstvo*, published just before Ljubljana fell to the partisans. The article, 'Without Victory, No Peace,' was a rabid reflection on the anniversary of the British-backed anti-Nazi coup and began with a vicious attack on the Western Allies, who had 'helped us to dig' the hole into which Yugoslavia had fallen four years before, and 'now laugh cynically, and it would not enter their minds to offer us a helping hand. On the contrary, they hit us over the head and are still hitting, pushing us into the black depth of the damp hole.' He then turned to those who were longing for peace, for while:

they want peace, regardless of what comes with this peace, they are unaware of the face in the background, the cynical and monstrously grinning face of the one who produced today's bloody drama, in which our bloodied people play such a tragic role. That is the face of the one who revels in blood and ruin, tears and hatred, because he knows that in the blood-soaked earth the red seed will germinate and grow. That is the face of the one who tells the people in all the cunning as well as rough ways, that nationalism is spent, that faith is the business of the monasteries and that family is old-fashioned ... That is the one who teaches the doctrine in which he himself does not believe, because it is destructive to man, and is therefore forcing it upon the rest of mankind with all his might. That is the face of the cynical Jew.⁴²

Emphasising his main propaganda theme, Urbančič explained that the Jews were a 'restless and treacherous people [who] could never be satisfied with the lot of the peaceful, honest and sweating peasant, whose signpost through their eternal wanderings was gold.' As his Nazi masters hastily prepared their retreat and the leading quislings, President Leon Rupnik and Bishop Gregory Rožman, were packing to leave with them, Urbančič ended with another call to arms: 'In the ranks of the Slovene Home Guard with General Rupnik into battle, to gain victory and with it – peace.' Urbančič made his last contribution to the Nazi propaganda machine on Radio Ljubljana with another rousing

speech on 12 April. He saluted 'with youthful enthusiasm and fanaticism our General Rupnik, with words that should be our battle salute from now on "Forward to Victory."'43

It was, of course, a hopeless situation for the Nazis and their ardent supporter. Total collapse for Hitler's Third Reich was only a few weeks away. On 6 May, victory turned to retreat. Ljenko Urbančić took to his heels, and fled from Ljubljana like a hunted wild beast. His only friends were his fellow Nazis.

When the Nazis left Slovenia, Ljenko Urbančič scurried for his very life into the arms of the British Army on the Yugoslav-Austrian border, hoping that he could pretend that he was only an anti-communist dissident who feared for his life in Tito's Yugoslavia. He soon moved on to Trieste and finally settled in Eboli Displaced Persons camp in Italy.¹ At first, he was in grave danger of forcible repatriation to Yugoslavia where he faced almost certain death as a senior Nazi collaborator. Initially, British policy was that the Slovene Home Guard was a hostile enemy force to be disarmed and forcibly returned to Yugoslavia. Thousands of the rank and file were repatriated and many were summarily executed.² After the first wave of forcible repatriations, however, the British and Americans altered this policy and insisted instead that the new Yugoslav government should ask for each individual by name, providing a *prima facie* case to demonstrate the charges had substance.³

On 18 June 1945, the Yugoslav Ambassador in London requested that the British authorities in Austria hand over General Rupnik and eighteen other Slovene collaborators. Rupnik had been captured at Michelstadt, near Spittal, by Field Marshal Alexander's troops. The Yugoslav authorities claimed that these nineteen had 'actively cooperated with the enemy during the German and Italian occupation' and 'directed and executed treasonable actions' against the United Nations. Besides

Rupnik, the list included Bishop Rožman, Mirko Javornik (another quisling propagandist and editor of *Slovenski Dom*), the chief of police in Ljubljana, Lovro Hačin, and Janez Marn, who headed the Home Guard terrorist intelligence organisation, *Crna Roka*. Another was Colonel Krener, the officer who, in October 1943, had refused Urbančič's request for the march of the volunteer Home Guard. The Yugoslav Embassy wrote again on 7 July providing *prima facie* cases against the nineteen accused.⁴ On 17 August, the British Foreign Office dispatched a telegram to its Washington embassy, outlining their conclusions on the Yugoslav requests. They conceded that a satisfactory *prima facie* case had been made out in regard to all the persons on their list except for three.⁵ A few days later, the British decided that any leading personality of Rupnik's administration 'is rightly regarded by the Yugoslav Government as a traitor.' Evidence of participation at that level constituted 'a satisfactory *prima facie* case of treachery which would justify his surrender to the Yugoslav Government.'⁶ Ljenko Urbančič was clearly in this category.

This decision, subsequently endorsed by the United States, was a death sentence for Rupnik and police chief Hačin. Rupnik was arrested within days and 'sent to a camp for recalcitrant Yugoslavs' at Udine in Italy.⁷ The British stalled Rupnik's forcible repatriation for a while, but eventually he was returned in January 1946, tried by the Yugoslavs and executed in September 1946 along with Hačin and SS Lieutenant General Rösener. Among other things, Hačin was accused of organising the Secret Intelligence Service (TOS), which provided information to both the Italians and Germans and resulted in the execution of thousands of people. According to the charges, communists and partisan supporters were handled by TOS, while 'pro-English elements were dealt with by the Gestapo.'⁸

John Colville, of the Foreign Office's Southern Department, was in charge of British policy on the repatriation of Yugoslav Nazis. In his autobiography, Colville admitted that he had refused to allow the repatriation of thousands of quislings, including many 'fanatic' Ustaše.⁹ His attitudes and policies typified the mentality which pervaded British and American handling of Yugoslav war criminals. Indeed, Colville and

his American colleagues played a sophisticated version of the 'pea and thimble' trick. On the one hand, they told the Yugoslavs that they would return all war criminals, quislings and traitors against whom a case had been made out. On the other, they hid many guilty men and laundered them through their own screening system. The British and Americans often blamed each other for their failure to agree to the extradition of people against whom the Yugoslavs had demonstrably proven cases. Simultaneously, both governments maintained the fiction that they were sincere in wanting to cooperate in seeing that justice was done to guilty Nazi collaborators and war criminals. In practice, they were not keen to repatriate anyone to Yugoslavia unless it could be proved that they had committed heinous crimes, although even this did not guarantee Western action.

By mid-1947, Anglo-Yugoslav relations were near breaking point over the vexed question of the repatriation of Yugoslav war criminals. Tito was well aware that the West had recruited some Yugoslav Nazis as intelligence agents and terrorist commanders to carry out hostile acts against his government, and was waging an increasingly strident propaganda campaign against British and American inaction. The British government had sent Brigadier Fitzroy Maclean, former head of the British Military Mission at Tito's headquarters, to Belgrade in June to negotiate an agreement about the future of Yugoslav Displaced Persons. The result was the Lake Bled accord. In fact, the British had no intention of honouring this agreement, but instead used it to buy time to launder the very people whom they were supposedly committed to surrendering.

The case of Ljenko Urbančić is a particularly good example of how Western screening was corrupted to allow Nazi war criminals and collaborators to escape justice, illegally gain assistance from the International Refugee Organisation (IRO) and make new lives in the very countries against which they had fought so stridently. Like his hero Rupnik, Urbančić was in the 'automatic arrest' category, having held a senior position in the Slovene quisling apparatus. His propaganda work alone was enough to place him on the *Black List*. If the Yugoslav War Crimes Commission claim about his role in the State

Intelligence Service (DOS) could be substantiated, then perhaps Urbančić's case fell into an even more serious category. Yet Urbančić was allowed to emigrate to Australia in 1950 under the Displaced Persons scheme. The Hawke government's special investigator, Andrew Menzies, noted in his 1986 report that if the allegations against Urbančić were correct, that 'should have denied him acceptance by the IRO and selection for migration to Australia.' As outlined in Chapter Six, under the IRO's constitution only the victims of Nazi, fascist or quisling regimes were considered eligible for assistance.¹⁰

Urbančić was clearly ineligible. But when Menzies searched for the relevant IRO files on Urbančić he could only establish that he 'was examined by an IRO doctor on 11 November 1949 but there is no other record of any other examination or investigation by IRO of his case.'¹¹ Was the IRO's screening system so lax and incompetent that a man with Urbančić's background could be accepted in total ignorance of his past? In his November 1986 report, Andrew Menzies gave a benign explanation of Urbančić's screening, clearing Western intelligence of any wrong-doing or incompetence. His argument, however, does not bear rigorous scrutiny. The available facts demonstrate beyond doubt that British authorities in Germany were at the very least aware of major aspects of Urbančić's past. He certainly fell into category *Black*. Menzies's tortuous effort to show that there was nothing untoward in Urbančić's screening rested almost entirely on 'missing' and 'destroyed' British and IRO records. As these files were not available, Menzies gave the British officials the benefit of the doubt. However, enough records are publicly available to refute Menzies's surmise. The official files clearly demonstrate that Urbančić's background was *bleached* so that he went from category *Black* through *Grey* to *White*, eventually landing in Australia as just another anti-communist refugee from Tito's tyranny.

On 1 June 1946, Ljubo Leontić, Yugoslav Ambassador to Britain, requested 'that steps may kindly be taken in order that the Yugoslav traitors, named below might be handed over to the Yugoslav authorities for trial.' The second of the nine names was Ljenko Urbančić, 'from Ljubljana; Editor of "Slovensko Domobranstvo" – official organ

for the quisling armed forces in Slovenia; now believed to be in the British zone in Austria, or in Italy.' Leontić continued by noting that during 1944 and 1945:

Urbančič was one of the most ardent propagators of collaboration with Germany in the armed struggle against the Yugoslav National Liberation Army and the Allies. This tone is reflected in all his articles in the 'Slovensko Domobranstvo' ... and in his articles in the quisling paper 'Jutro' of Ljubljana. He also gave several speeches in which he urged cooperation with the Germans in the armed struggle for the preservation of the 'New Order.'¹²

Twelve days later, Miss S. Jackson of the Foreign Office's Research Department noted that they had no 'record either of him or of his paper.' Miss Jackson may not have been able to find anything on Ljenko Urbančič, but the British authorities were well aware of his wartime activities. Twenty months previously, for instance, on 28 September 1944, British intelligence in Stockholm had microfilmed the Nazi newspaper *Slovenec* of five days earlier. The front page carried Urbančič's article 'The King in the Web of the Jewish-Communist Spiders.' As recounted earlier, this had virulently attacked King Peter's order that all forces loyal to his exiled government should join the partisans. It was rife with anti-Jewish and anti-British invective, claiming that England's fate was 'being shaped by the dirty Jews.'¹³ The Foreign Office would have had access to this important evidence of Urbančič's function as a Nazi propagandist in the quisling Slovene administration, which certainly corroborated the Yugoslav charges.

Miss Jackson's failure to uncover the document is perhaps explained by the chaos prevailing in the immediate post-war period. Indeed, the Foreign Office had so much material of that nature that Jackson simply may not have found it among the mountains of quisling newspapers and documents that were used to verify the authenticity of Yugoslav extradition requests. This cannot explain, however, the extraordinary way in which the British and Americans handled the Urbančič case. The Foreign Office wrote to their Washington embassy on

21 June enclosing a copy of the Yugoslav Ambassador's note, saying that they knew nothing about him. However, they would 'be glad to receive any comments from the State Department which may be of assistance in deciding whether or not the Yugoslav evidence should be accepted.'¹⁴

By 11 July 1946, the Foreign Office Political Advisor in Caserta had located Urbančič in Italy. He noted, however, that more evidence was required before his fate could finally be decided.¹⁵ There the case stalled for the next seven months, while the British Consul in Ljubljana, Laurence Scopes, 'investigated' Urbančič in his old home town. Scopes had already shown himself most sympathetic to the plight of Slovene war criminals and collaborators. As early as January 1946, he had reported favourably on a number of people who were then under sentence of death in Ljubljana after receiving information from his local contacts, including family and friends of the accused. His sources described them as 'men of the highest intelligence, upright character and patriotic sentiments, unjustly condemned because of their opposition to Communist ideas.'¹⁶ Janko Köstl, one of those defended by Scopes, was condemned for his activity in the Home Guard intelligence organisations, DOS and TOS. As previously discussed, these were controlled by the Gestapo. They spied on both pro-Western and pro-partisan Slovenes who were arrested by the Gestapo and then tortured, taken to concentration camps and in many cases executed. The Yugoslav War Crimes Commission alleged that Urbančič was named in this connection at the Köstl trial, but although the Slovenian Public Prosecutor was said to possess the evidence, it has never been produced.¹⁷

Just over twelve months later, Scopes also cleared Urbančič. In its 31 January 1947 note, the British embassy in Belgrade reported that 'His Majesty's Consul in Ljubljana has made both direct and indirect enquiries,' and his informants stated that Urbančič was 'known to have been opposed to Communism before the war and that they assumed that this was the real reason' why his surrender was requested. None of Scopes's informants was aware that Urbančič had denounced any of his 'fellow countrymen to fascist execution squads, or in any other way'

laid himself open to a charge of being a war criminal. They added that if he had collaborated with the enemy, 'such collaboration would have been caused by force of circumstances rather than by inclination.'¹⁸

It was a pitiful investigation. Even Andrew Menzies admitted it amounted to 'perfunctory' and 'very limited enquiries.'¹⁹ In fact, Urbančić was cleared by a diplomat who already had a well-established reputation for defending accused war criminals based on the opinions of friends and relatives. His investigation of Urbančić was confined to asking a few unnamed sources about his background, although the most obvious course would have been to locate and translate Urbančić's articles and send them to the Southern Department. According to the publicly available records, even this was not done. The Urbančić investigation was symptomatic of the incompetent and politically blinkered manner in which Western authorities dealt with most war crimes allegations. The British, having handed over thousands of relatively innocent rank-and-file 'small fry' to Tito and Stalin, went to astonishing lengths to protect many of the genuinely guilty. Christopher Warner of the Southern Department was, however, much cheered by Scopes's report, writing, 'Let us then clear [Urbančić] subject to the views of the Maclean Mission.'²⁰ The 'Maclean Mission' was in fact the War Office Screening Mission (WOSM), later re-named the Special Refugee Screening Commission. It was headed by the same Brigadier Fitzroy Maclean who had served at Tito's headquarters during the war, and had signed the Bled agreement.

WOSM had been established in December 1946 to screen potential *Blacks* from the legitimate refugees housed in the DP camps in Austria, Italy and Germany. Major Stephen Clissold and Major Vivian Street had been recruited to WOSM because of their expertise in Serbo-Croatian and knowledge of local conditions during the war, having served with Maclean behind enemy lines in Yugoslavia. Prior to the establishment of WOSM, British and American military intelligence had launched a series of dragnet operations, ominously codenamed *Operation Keelhaul*, to arrest potential *Blacks*. These operations lasted from July to October 1946 and resulted in the arrest of some 4,000 Yugoslavs, who were then passed to Maclean's Mission for screening. While Maclean was busy

reducing this number to between 500 and 1,000, Allied military intelligence carried out another series of operations codenamed *Backhand* and *Crossline*.²¹ The Combined Chiefs of Staff then directed Allied Field Headquarters to establish a joint Anglo-American screening mission in a top-secret instruction, *FAN 757*, of 26 May 1947. This mission was ordered to conduct the next level of screening for suspected *Blacks* among the approximately 1,000 suspects identified by Maclean's team. *FAN 757* ordered that the DPs be divided into four categories, including those 'recommended for involuntary repatriation by US or UK military forces.' Those 'against whom a *prima facie* case can be made to show that they voluntarily rendered aid and comfort to the enemy' were automatically in this category.²² Ljenko Urbančić was definitely in this category, but influential British officials ensured that he was laundered through the screening system, released unconditionally and allowed to emigrate to Australia under IRO auspices.

John Colville had written to the British embassy in Washington two months before the joint screening mission was established, enclosing a copy of Scopes's report exonerating Urbančić. Colville stated that the 'views expressed in this letter coincide with our own, and we propose informing the Yugoslav Embassy that we cannot agree' to Urbančić's surrender. Colville wanted to know whether the US State Department agreed to this proposed course of action.²³ On 18 April 1947, Peter Solly-Flood of the Washington embassy informed B. C. Connelly of the State Department's Southern European Division that Urbančić was 'in no way guilty of collaboration and should not be handed over.' The British diplomat then sought State Department approval in these terms: 'Subject to your concurrence and that of the Maclean mission, the Foreign Office propose to inform the Yugoslav embassy in London that they cannot agree' to surrender Urbančić, and asked Connelly to 'let me have your views urgently.'²⁴

Walworth Barbour, acting chief of the State Department's Southern European Division, replied on 2 May. 'As you were verbally informed, we have no information concerning Ljenko Urbancic,' he told Solly-Flood, confirming his earlier advice that 'we accordingly concur in the Foreign Office proposal ... as the evidence so far available to us does not

satisfactorily establish' that he 'wilfully and actively collaborated with the enemy or committed atrocious crimes' for which he 'should stand trial.'²⁵ Solly-Flood had already conveyed the American government's position to his superiors in London before receiving Barbour's letter.²⁶ Accordingly, on 3 June 1947, almost exactly twelve months to the day since the Yugoslavs had first requested Urbančić's extradition, M.S. Williams of the Foreign Office wrote to Ambassador Leontić. The British government did 'not consider that there is sufficient evidence to establish a *prima facie* case' against Ljenko Urbančić, Williams wrote, adding that 'after obtaining the full agreement of the United States Government therefore regret that they are unable to agree' to his surrender.²⁷ It seemed that Ljubljana's 'little Goebbels' had been totally exonerated. The British had 'investigated' his case and found he was merely an anti-communist, while the American government did not investigate him at all, admitting they knew absolutely nothing about his wartime activities. Nonetheless, they endorsed their ally's decision to refuse the 'politically motivated' Yugoslav request. All necessary diplomatic niceties having been observed, both countries could happily wash their hands of Urbančić.

But the Urbančić case then took a particularly strange turn. Soon after the Foreign Office and State Department declared that Urbančić was completely innocent of any collaboration with the Nazis, the joint Anglo-American mission conducted the penultimate level of screening of the Maclean Mission's approximately 1,000 suspects. The joint teams had selected forty-four especially serious cases that required a final screening under strict legal conditions. Ljenko Urbančić was one of the forty-four. On 9 September 1947, the American Political Adviser in Berlin, Robert Murphy, reported to Washington that the Foreign Office had instructed the British Political Division in Germany to review the cases of these forty-four alleged Yugoslav quislings who were a joint 'Anglo-US responsibility.' The British proposed that the Americans appoint a legal advisor to determine the cases along with their own legal advisor. The cases were to be heard in Herford, the location of the British intelligence centre in the British zone of Germany. Murphy's report noted that his government had already opposed surrendering

Urbančić to the Yugoslavs, but sought the State Department's instructions.²⁸

Eight days later, Murphy received W.B. Lovett's response that the Department did:

... not believe unduly heavy burden or lengthy process would be entailed by review from legal standpoint of 44 alleged quisling cases ... in order [to] obtain recommendations whether there is satisfactory establishment of *prima facie* case of active collaboration with enemy or commission of atrocities which would warrant surrendering individual to [the Yugoslavs] for trial.²⁹

Machinery for the final cull was established when the Office of Military Government, United States (OMGUS) named Ben A. Smith to jointly review the forty-four cases, including Urbančić, with his British colleague Michael Sheehan, the head of the War Crimes Branch of the Legal Division.³⁰ Yet this came four months *after* the British had rejected the Yugoslav request for Urbančić's extradition, and seven months after Warner of the Foreign Office had cleared him of all charges. Why did Urbančić re-emerge at the very last stage of the screening process? The most probable explanation is that an officer in British intelligence or the Maclean Mission had conducted a more thorough investigation than Scopes or had obtained evidence which required his reinstatement to category *Black*. British and American policy was to release detainees from custody once both governments had cleared them and the Yugoslavs had been notified. Those cleared totally were classified *White*, and were therefore eligible for international assistance. *Greys* were released but supposedly were ineligible for any Allied help. The official record concerning Urbančić is somewhat incomplete. Unlike most other cases, his interrogation and screening files are missing from the Foreign Office files in the Public Record Office in London and the State Department files in the National Archives in Washington. According to Andrew Menzies, the Special Refugee Screening Commission 'destroyed all its records in Germany' before returning to Britain 'which helps to explain the lack of records as to this period.'³¹

However, the Mission sent the originals of its interrogation and screening reports to the Foreign Office in London and the State Department in Washington, where all decisions about extradition cases were actually taken. There are dozens of these reports in the British and American archives, and the system for dealing with such cases makes it impossible that the WOSM files disappeared because *copies* held in Germany were destroyed. Furthermore, WOSM was by then based in Herford and its files were supplied to the British intelligence centre there, with which Australian migration teams in Europe made their final security checks *before* accepting candidates for immigration. The cases of the final forty-four Yugoslav suspects were considered in Herford, and it is certain that British intelligence officers there had access to Urbančić's file. It therefore seems more likely that the British either did not want to locate, or simply did not find, the complete records concerning Urbančić when Andrew Menzies made his inquiries in London in 1986.³²

While the absence of Urbančić's screening records makes it difficult to make a final judgement with certainty, some facts are readily available. A 1947 Foreign Office report reveals that Urbančić was discovered in Germany among a group of Yugoslavs loyal to Serbian General Miodrag Damjanović.³³ Urbančić had chosen carefully the group in which to hide. Damjanović and his followers at the camp were among the most notorious Serbian Nazi collaborators. Damjanović had joined the Nedić puppet government as head of the military in the first half of 1944. At the end of the war, Damjanović travelled to Istria, and signed an agreement with Dimitrije Ljotić under which he took command of the fascist leader's Serbian Volunteer Corps, while Ljotić assumed the role of political head in a new quisling coalition that included the Slovene Home Guard. Soon after, the coalition had to flee to Italy where its members settled at Eboli DP camp.³⁴ Western intelligence reported that Damjanović promptly organised his men into military formations along divisional, regimental, battalion and company lines, retaining their command structure and tight discipline and hiding a large quantity of arms at Eboli although they had supposedly been disarmed when they surrendered. While the

intelligence officers believed that many of the rank and file would return to Yugoslavia if separated from their leaders, Damjanović and his officers were 'fanatics who will never give in and would die for their Cause.'³⁵ Damjanović insisted that all the men under his command were innocent Četniks, but investigation by WOSM officer, David Haldane Porter, revealed that the majority were Nazi collaborators. Most had served in police and military units commanded by Nedić, in Ljotić's bloody Volunteer Corps, or in Četnik units notorious for fighting alongside the Germans and Italians from as early as September 1941.³⁶ Others, like Urbančić, were members of the quisling Slovene Home Guard.

Porter noted that Damjanović's military units at Eboli 'were formed not for disciplinary or administrative reasons, but in order to establish a new army to continue the fight against Communism in general and the present Yugoslav Government in particular,' adding that the majority were 'Quisling troops.' He recounted that Damjanović had ordered his troops to collaborate with the Nazis at the end of the war, fighting with them against the partisans until able to surrender to the West. Porter reflected on Damjanović's supposed strategy of preserving his forces for the time when they could be used against the Nazis. He concluded that 'when at last they had an opportunity of proving that they had all the time been only waiting to round on the Germans, as they had so often said in defence for their previous inactivity and their previous collaboration,' Damjanović instead ordered them into action against the partisans. These were 'the only people in that part of Europe who were actively resisting the Germans The fact that most decent people in Europe were in April 1945 combating the Germans with heavy losses does not seem to them to have been worth a moment's consideration.'

The character of most of the Damjanović group should have placed them automatically on the *Black List*, but the British and Americans decided to return only a handful to Yugoslavia. Most of these 'escaped' from custody before they were actually handed over. Porter believed that the British had encouraged and protected Damjanović and his followers, who proclaimed themselves 'ready to take part in the Third World War under the leadership of Great Britain and the United States

of America against Soviet Russia.' He added that most would not be eligible for IRO assistance, having 'engaged in dissident and subversive activities since the end of hostilities,' apparently with the 'blessing of the Allied authorities. These are difficult and embarrassing matters, but they must be faced; and I cannot ... escape from the conclusion that we have at least been guilty of culpable negligence.'

As the Maclean Mission wound down its operations, Damjanović's followers were among the last to be screened and released. At the end of 1947, Major Stephen Clissold was dispatched to Münster Lager (camp) where this group was then interned, and conducted detailed interrogations of some 135 suspects including Urbančić. His 21 November report contained a section on 'Quisling Propagandists and Politicians.' Clissold first dealt with two cases of Serbian propagandists, describing them as 'the intellectual and moral advocates of the policy of collaboration with the Germans' and as 'likely candidates for surrender to the Yugoslav Government.' Clissold reported that Urbančić 'played a similar, if rather less prominent role in the Slovene Quisling Army, the Domobran, and would also seem a possible candidate for hand over.' (Emphasis added.)³⁷

Having interrogated Urbančić, Clissold decided that he was guilty as charged by the Yugoslavs. All that remained was to make a final decision either to repatriate him forcibly to Yugoslavia, or place him on the *Grey* list. British officials in London told Andrew Menzies that they had searched their files, including records to which public access is denied, and these 'indicated that Urbancic's surrender was refused merely because a *prima facie* case had not been made out.'³⁸ Yet Clissold had concluded exactly the opposite: Urbančić had indeed performed the Nazi propaganda tasks alleged in the Yugoslav request, making him 'a possible candidate for hand over.'

What occurred in connection with Ljenko Urbančić's final screening must be seen against the backdrop of constant changes in Western extradition policy. In the process of reducing the 4,000 cases thrown up by *Operation Keelhaul* in 1946 to the forty-four joint cases in 1947, the Western Allies changed the rules at each level of the screening process. In 1946, their policy was that all proven members of the Ustaše should

be returned to Yugoslavia, whether or not the Yugoslavs had requested their return. Pavelić's active followers were considered so reprehensible that there could be no debate about any of them.³⁹ Similarly, any leading figures in the Rupnik or Nedić 'administrations' in Slovenia and Serbia, or in the Ljotić Zbor movement, were to be automatically returned once the Yugoslav government had made a *prima facie* case. When Keelhaul revealed the magnitude of the problem, however, the Allies were alarmed and instituted the Maclean Mission. The Americans then insisted on changing the rules so that all Ustaše were not to be repatriated, only those against whom a *prima facie* case had been made and the Yugoslavs had requested *by name*. But the joint Anglo-American screening teams, established in May 1947, changed the rules yet again. A *prima facie* case of collaboration was not sufficient to ensure surrender. Instead, substantial evidence of 'wilful and active' collaboration was now required.

But the Joint British-American Legal Review, the final level of screening, raised the standards of proof even higher. The new rules were embodied in a secret State Department letter of 30 October 1947 to Robert Murphy, the United States Political Advisor on German Affairs in Berlin. It contained the Secretary of State's 'Terms of Reference for the Guidance of Mr Ben A. Smith,' the US legal advisor on the Joint Legal Review that was supposed to decide the fate of the final forty-four quislings culled from the original 4,000 suspects. The terms of reference were virtually the same as those of Smith's British counterpart, Michael Sheehan, and charged them to determine whether a *prima facie* case had been established against the forty-four accused. Significantly, they were restricted to evidence which had been 'submitted by the Yugoslav Government or by any interested persons and of the reports of interrogation by the British Screening Mission and such other evidence as has been made available by the Department of State No further evidence will be submitted to enable you to reach a decision.'⁴⁰ Naturally, the terms of reference ignored the considerable body of potentially relevant evidence which Western intelligence agencies had collected in the previous two and a half years. The terms of reference went even further, calling for 'the establishment of a *prima facie* case' to

a standard of proof which 'should be considered as similar to those applied by a magistrate in the United States before making an extradition order under extradition statutes in pursuance of a request from a Foreign Government.' This ultimate extension of the full measure of Western law to the cases established an impossible burden of proof which could not be met if the Yugoslavs were kept in the dark and prevented from introducing new evidence. To satisfy this standard of proof, the legal advisors would have required access to documents and properly sworn witness statements from Yugoslavia. But this possibility was ruled out by the previous point in the terms of reference, which stated categorically that no further evidence was to be admitted.

The same day that the terms of reference were dispatched to Smith, Walworth Barbour informed Neville Henderson, the Second Secretary at the British Embassy in Washington, of Smith's appointment. However, Barbour's letter virtually withdrew the United States from thirty-eight of the joint cases, saying that their records showed that only six of them were 'believed to be joint responsibility cases.' Barbour then attempted to draw some fine legal distinctions to explain why this was the case, which baffled his counterparts in the British Foreign Office.⁴¹ On 31 December 1947, the Southern Department replied to Washington that they found 'it a little difficult to understand the State Department's views' for they believed most of the men to be 'a joint responsibility.' Significantly, the note tacitly admitted that Ljenko Urbančić was probably a sole British concern. However, the Foreign Office was by then pleased to simplify matters, accepting that if the State Department only wished to consider six of the cases 'we are quite ready to agree. It will, in fact make it much easier to settle the cases of all the men if we can deal with them as purely a British affair.'⁴² Subsequently, the disputed thirty-eight cases were 'completely turned over to a special British official in Austria,' and by 17 March 1948 the US government confirmed that it was 'only interested in the six cases upon whom agreement has now been reached with the British authorities as constituting such joint responsibility cases.'⁴³ The Americans therefore washed their hands of Ljubljana's 'little Goebbels' and the British government decided his final fate without US assistance. But now the

British changed the rules again before they decided the cases of these thirty-eight alleged Yugoslav quislings. They altered their previous standards of proof requiring 'the establishment of a *prima facie* case' using similar standards to those applied in British and American extradition hearings, which in any case the deliberately misinformed Yugoslavs could not meet. Instead, the Foreign Office decided that the case against Yugoslav traitors 'must be strong enough to justify the presumption that they would, if tried in a British court by British standards of justice, be both sentenced to death and executed.'⁴⁴

The previous changes to the rules violated international agreements to which the British and American governments were party and contradicted explicit promises made to the Yugoslav government. However, the final British position reduced the extradition proceedings against Nazi collaborators to utter absurdity. This ruling raised the standard of proof applied to Urbančić and the other remaining suspects to the level where British officials were effectively making decisions about *capital offences*. By definition, extradition proceedings do not decide a person's guilt, establishing only whether a sufficient *prima facie* case has been furnished to warrant sending the person back to the country where the alleged crimes had been committed. Only the courts of the country making the request can actually judge and sentence such a person. This was, effectively, a policy of amnesty, because the Yugoslavs had not been asked to supply evidence that would convict an accused in a British court, only for an outline that indicated the substance of the case. In a revealing admission, the Foreign Office noted that the 'Yugoslavs, of course, do not know that we have imposed this restrictive criterion, nor do we propose to tell them; the result is that only the really bad men qualify for surrender.'⁴⁵ They went on to say that this impossible rule had been applied for some time and that since November 1947 British forces had stopped searching for wanted Yugoslavs.

The Foreign Office also admitted that the British government was 'ignoring all previous decisions we may have reached,' even those involving known murderers, and that all those 'not handed over are released *unconditionally*, as this is the only alternative to their surrender.' (Emphasis added.) In other words, if the British decided that a Nazi war

criminal or collaborator was not among the 'really bad men,' they automatically gave him *White* status. Under the three-tiered classification system, such people should have been *Greys* at the very least and therefore ineligible for emigration assistance. As a result of this policy of amnesty, Ljenko Urbančić and most of the Damjanović group held at Münster Lager were released. Of the 135 interrogated at Münster by Clissold, the British decided eighteen should be forcibly repatriated, and of these, fourteen 'escaped.' This prompted concern at the Foreign Office that the Yugoslavs would 'naturally think that we connived at, if not actually arranged' this outcome. The Yugoslavs would not have been unreasonable had they drawn this conclusion, for American and British files are replete with examples of 'contrived' escapes of wanted Nazis held by the British. One American report claimed that a group of Ljotić's followers was started towards the Yugoslav border but due 'to careful British planning, all managed to effect an escape during the course of the journey and became widely dispersed throughout the US Zone' of Germany.⁴⁶ As outlined in Chapter Seven, many of the Ustaše war criminals who 'escaped' from British custody later turned up in Yugoslav courts in 1948, after the collapse of the Western-supported Križari operations.

The Foreign Office report quoted above reveals the real attitude of the British towards Yugoslav Nazis, noting that they were reopening the case of one of the four remaining Ljotić supporters who were to be returned to the Yugoslavs. The reason was that 'he claims to have 3 volumes of captured communist documents, hidden in Germany and Italy, which we should not be able to get, if we handed him over.' This was the most important consideration in most decisions made by Western intelligence at this time. If a suspect, even a proven war criminal, could demonstrate his usefulness to Western anti-communist operations, this overrode all other factors, even his participation in the most brutal crimes. Indeed, by mid-1948 Britain wanted to stop all war crimes investigations and even trials. After all, hunting for Yugoslav mass killers 'would involve a great expenditure of time and energy for meagre results.' While the Foreign Office conceded that the 'Yugoslavs have a genuine grievance over the

surrender of traitors,' the British government decided to stop further investigations and prosecutions.⁴⁷

On 13 July 1948, the British government wrote to all Commonwealth member states proposing to cease most trials of alleged war criminals in its zone of Germany by 31 August, after which no new trials would commence. The British said that 'punishment of war criminals is more a matter of discouraging future generations than of meting out retribution to every guilty individual.' More importantly, they concluded that 'future political developments in Germany' made it 'necessary to dispose of the past as soon as possible.' This came less than five years after British Prime Minister Churchill had joined Soviet leader Stalin and American President Roosevelt in proclaiming that guilty war criminals would be pursued 'to the uttermost ends of the earth.' The Moscow Declaration by the three leaders had pledged that 'the three allied Powers will deliver them to their accusers in order that justice may be done.' It was also just short of three years since the same governments had reaffirmed this commitment in the London Agreement, ratified on 5 October 1945 by Australia. The British telegram asked Commonwealth governments to comment on the proposed arrangements by 26 July. Every government did so except Australia, whose 'interest in this matter' was considered by the Commonwealth Relations Office 'to be subsidiary.'⁴⁸

Immediately after 26 July, the British Undersecretary of State for Foreign Affairs, Christopher Mayhew, made a statement in the House of Commons about Yugoslav war criminals and collaborators, effectively closing the entire chapter. While they were prepared to surrender nineteen of the 'really bad men,' no further action would be taken in any other cases, no matter how terrible their crimes had been. In fact, only a few of these nineteen were returned, ostensibly because they could not be located, in reality because most had been allowed to 'escape' often into the protective care of the Vatican, which arranged their emigration from Europe.⁴⁹ This amounted to an almost total amnesty for Yugoslav war criminals and collaborators. All but the final list of nineteen were unconditionally free, able to choose emigration to any country willing to accept them. As seen in Chapter Ten, the Australian government then

used this British policy to protect accused war criminals like Brana Ivanović, Milorad Lukić and Mihailo Rajković when the Yugoslav government requested their extradition in the early 1950s. Robert Menzies's government decided that as they were not on this final British list of nineteen, they were not to be turned over to the Yugoslavs.

Little can be said with certainty about Ljenko Urbančić's movements and activities between his release from British custody some time before 19 May 1948 and his examination by an IRO doctor on 11 November 1949. It is established that Urbančić was interviewed by an Australian selection officer in December, and that he 'gave an incomplete account of his activities in Yugoslavia,' according to Andrew Menzies.⁵⁰ When asked why he had come to Germany, Urbančić had stated his reason as 'Forced labour concentration camp Italy 1942.' When asked when he had come to Germany, he replied, '1947.' Even the dimmest selection officer might have noted that there was no apparent causal connection between the two events, separated as they were by five years. No questions were asked, however. Having told the selection officer that he had been a student and then a factory worker for six months in Yugoslavia, Urbančić was accepted for migration. He had only accounted for six months of the five years between 1942 and 1947, yet no further inquiries were made. Under established procedures, Urbančić's name should have been sent to the Australian Security Officer in Cologne, whose job was to check with both British and American intelligence. This involved requesting any information held by American and British intelligence.

It is uncertain whether even these checks were made. When Andrew Menzies searched for the relevant records, yet again all the files had mysteriously disappeared. Menzies concluded that the 'possibility cannot therefore be excluded that, for one reason or another, a check was not made' in Urbančić's case.⁵¹ The British certainly had a full account of Urbančić's screening and should have provided it to their Commonwealth ally. This would have revealed his past service for the Nazis, and therefore made Urbančić ineligible to enter Australia. Yet it is clear from the official records that the British adopted a totally arrogant attitude towards Australia, completely flouting their

commitment to share such information by deliberately concealing important material from the immigration security screeners. Thirty-five years later, it was particularly convenient for Britain to claim that the Urbančić file had disappeared, but at the time there is no doubt that they knew all about Urbančić's Nazi background. Yet Andrew Menzies believed this ridiculous story, partly relying on the recollections of a former Australian Security Intelligence Organisation officer who worked at the Herford intelligence centre in the British zone of Germany.

According to this version, the Herford centre 'was unlikely to have held information on an alleged Yugoslav collaborator merely as such.' In light of the Herford centre's role this is equally ridiculous, for British intelligence kept voluminous files at Herford on every *émigré* Nazi whose past and present activities came to their notice. The Americans, then considered apprentices compared to the British, compiled massive intelligence files on accused Yugoslavs, including some who subsequently migrated to Australia. Andrew Menzies's easy acceptance of this ASIO officer's account might be put down to naivety. He may simply have failed to understand the screening process, or perhaps he was confused by the virtual lack of records *in nearly all the cases* he studied.

But Menzies also betrayed a fundamental misunderstanding of the screening system when he claimed that the Herford intelligence centre 'may have held information on Mr Urbancic as a person held in custody in the British Zone a year and a half previously, but again it may not, because of the peculiar nature of that custody (by the Special Refugee Commission).'⁵² Even a basic understanding of this system would have alerted Menzies to the fact that the Special Refugee Screening Commission was one of the main vehicles through which Western intelligence was supposed to provide *accurate* information to countries, like Australia, that accepted large numbers of DP migrants. Indeed, one of WOSM's key functions was to determine whether DPs were 'fit for assistance under International Refugee Organisation regulations.' This is precisely why the Screening Commission was eventually located at Herford, so that its files would be immediately

available to British intelligence.⁵³ Furthermore, Urbančić had been handed on by WOSM to the joint Anglo-American screening team and then to a special British officer, and the records of that officer's final decision should automatically have been transferred to the Herford centre.

If the British intelligence centre really had no information on Ljenko Urbančić, then the much-vaunted security screening system is exposed as a total farce. The files prove that the British certainly had relevant information on Urbančić and apparently did not tell their Australian counterparts. This indicates British duplicity consistent with other aspects of intelligence relations between the two countries. But according to Labor Immigration Minister Arthur Calwell and his Liberal successor, Harold Holt, the very integrity of the entire post-war immigration program rested on this screening system and its cooperative arrangements with British and American intelligence. Yet it failed in Urbančić's case and, as we have seen, in many others.

The commonsense explanation for Britain's apparent failure to tell Australia about Urbančić's history is that, having decided that their policy was one of amnesty even for mass killers, they simply 'hid' the relevant files. When people known to be on the *Black* and *Grey* lists applied to emigrate to countries such as Australia, Canada, the United States or even Britain, the information on their Nazi backgrounds was just not produced for Western immigration selection teams. This British policy of turning a 'blind eye' resulted in the entry into Australia of a significant number of the worst Yugoslav Nazi war criminals. In the case of Ljenko Urbančić, Andrew Menzies concluded that his wartime activities 'would not have amounted to war crimes, at least crimes of such a nature to require action now.'⁵⁴ This was not, however, the position taken by the Western allies in the 1940s. The British certainly believed that their own subjects who engaged in similar activities to Urbančić deserved the death penalty, the most notorious example being William Joyce, otherwise known as Lord Haw Haw. Urbančić's propaganda in Nazi-occupied Slovenia against Jews, freemasons, communists, British sympathisers and the Western Allies would have caused some Slovenes, particularly uneducated peasants influenced by their Church's pro-fascist attitude, to hate such people enough to assist

in their murder, especially if ordered to do so. While Slovenia only had a small Jewish population, around 1,000 when World War II commenced, only 100 survived the war. On the same day in 1944 – Hitler’s birthday – that the Slovene Home Guard swore their oath to serve Hitler loyally, those Slovene Jews in Nazi hands who had so far survived were sent to concentration camps where they all perished.⁵⁵

Furthermore, thousands of Slovenes who supported the partisans were arrested, interned, tortured and executed, merely because they fought for, or assisted the anti-Nazi cause. Most of these, it should be noted, were not even communists. Further, a significant number of Slovene collaborators were denounced by the Urbančič group, arrested by the Gestapo and sent to concentration camps as a result of their alleged ‘pro-British’ sympathies. All of these groups – Jews, communists, partisan supporters, ‘Anglophiles’ – were persecuted in Slovenia during the Nazi occupation. There are also authenticated cases of Western pilots shot down over Slovenia being killed by the Home Guard or sent to concentration camps. After studying the Urbančič case, Simon Wiesenthal, the famous Austrian-based Nazi-hunter concluded that the mass killing of the Jews and other ‘enemies’ of Nazism could not have continued without the work of people who propagated the idea that ‘the extermination of the Jews and others was not a crime.’⁵⁶

The US Justice Department’s Office of Special Investigations, which has been prosecuting alleged Nazi war criminals and collaborators since 1979, has examined the cases of propagandists along with those who ordered or participated in the murder of innocent civilians. The first director of the OSI, former Nuremberg War Crimes Prosecutor Walter Rockler, was adamant that propagandists whose work helped create the climate in which mass murder became a part of everyday life should definitely be liable to prosecution.⁵⁷ Andrew Menzies disagreed with this, taking the view that Ljenko Urbančič’s propaganda activities did not ‘require action now.’ Moreover, he discounted the Yugoslav allegations concerning Urbančič’s role in the State Intelligence Service (DOS). These did ‘not appear significant’ to Menzies.⁵⁸ The Nazi-hunters of the Special Investigations Unit – which was established as a result of Menzies’s inquiry – had no doubt that Urbančič’s role as ‘a fascist

propagandist and a collaborationist has been well established,' but this was 'not an offence under the *War Crimes Act*.' Nor had the Yugoslav government supplied information supporting the claim he had been 'an informer for the Gestapo.' The investigators did, however, establish that there had been 'errors' in Urbančić's immigration selection documents, and that he had 'failed to disclose that he had been a broadcaster and journalist in his home country. It was probable that this deception would have rendered him a prohibited immigrant under the *Immigration Act 1901*.' The Nazi-hunters also established that 'there were irregularities' in Urbančić's naturalisation file, and that the 'security clearance essential for his naturalisation' had mysteriously disappeared, like so many of the intelligence records in this case.⁵⁹

However, the Australian intelligence file on Ljenko Urbančić has not been lost. It has only been highly censored, just like the files of most of his fellow Nazis. Two-thirds of the file has been withheld in entirety (twenty-two of the thirty-two pages), while the remaining pages have had significant deletions. The ASIO file reveals that Urbančić rapidly became a militant fascist activist after he arrived in Australia. The exact details of his early Australian career are not recorded, as the file begins with a series of index cards from the early 1960s, over ten years after he arrived in Australia. These record that he had been 'elected to the Action Committee with the Slovene groups with the object of harassing the Yugoslav Consulate.'⁶⁰ This certainly suggested that Urbančić and his supporters were planning illegal actions against the officially accredited diplomatic representatives of a state recognised by the Australian government. This was precisely what they did. In May 1963, ASIO reported that a serious forgery had been perpetrated in the name of the Yugoslav Consul in Sydney when a letter and questionnaire were distributed widely in the local Yugoslav community. As a result, ASIO reported that 'it has been reliably reported that the Consul-General received so many threatening and insulting letters in return that he officially complained to the Department of External Affairs. It is believed that Ljenko Urbančić organised the operation.'⁶¹

The Commonwealth Police also monitored Urbančić's extremist activities and worked closely with the New South Wales Special Branch.

One 1964 report on his activities in the South Slav Democratic Union recorded that Urbančić was the leader of this group and also a member of both the Slovene Revolution Committee and the Yugoslav Freedom Fighters. The Slovene Revolution Committee was formed in 1960 after a split in the mainstream Slovene Association, when 'a small faction' led by Urbančić walked out and formed the new group. Its 'aim was to overthrow the Tito Government,' and presumably the vehicle for this was the Yugoslav Freedom Fighters, formed in 1961. The Commonwealth Police reported that this was 'a revolutionary group' meeting at Urbančić's flat in Kings Cross. Police investigators had some difficulty in their attempts to interview Urbančić and warn him that he was at risk of prosecution for breaches of the *Commonwealth Crimes Act*. At first, he insisted that he had already talked with Special Branch, and then when interviewed in July 1964 was truculent and uncooperative. At first his

behaviour and manner of speech gave the impression of tolerance and indifference to being interviewed, until after he was informed of the Government's attitude to the recent disturbances in the Yugoslav Community and of the provisions of the relevant sections of the *Commonwealth Crimes Act*. He then said that, although he was interested in the Government's views, and in the Laws of the Commonwealth, he would still continue his activities against the Yugoslav Consul-General and against all communists in Australia and overseas until such times as action was taken against some person for a breach of the relevant sections of the *Commonwealth Crimes Act*.⁶²

That was exactly what Urbančić did. A few months later, in September 1964, the Commonwealth Police reported he was both president of the Kings Cross branch of the Liberal Party, and chief suspect in a raid that had been made on a printing company during which damage had been caused to 'equipment used to print "Yugoslav Australian Journal."' ⁶³

By August 1965, ASIO had recorded Urbančić's role in organising the ABN's Captive Nations Week, although it was not recorded that this was being overseen by a senior member of the New South Wales Liberal Party, G.R. Bolton.⁶⁴ The Commonwealth Police received intelligence

indicating that even inside the Captive Nations Week committee Urbančić was viewed as having 'extreme Right wing anti-communist views.' As a result of his activities, the committee was reportedly divided, and an effort was to be made by more moderate members to have him removed from the committee. By early 1966, ASIO had also recorded that Urbančić was a member of the far-right Australian Action Co-ordinating Centre, which was established with the assistance of another significant Liberal, Michael Darby. ASIO reported that the aim of this group was 'to set up a permanent committee to co-ordinate Right Wing groups in Anti-Communist demonstrations.'⁶⁵ The nature of Urbančić's anti-communism can be gauged from the type of demonstrations he organised. In February 1966, for example, ASIO reported that he was instrumental in 'a demonstration opposing British sanctions against Rhodesia which was staged outside the offices of the British Government, 20 Bridge Street, Sydney.'⁶⁶ In effect, this demonstration was in support of Ian Smith's Unilateral Declaration of Independence from Britain which aimed to perpetuate the white supremacist, racist regime that excluded the black majority from democratic elections and deprived them of basic civil rights. Urbančić had certainly maintained a consistent theme. From his anti-Jewish Nazi campaign of the 1940s, through his anti-Ted St John campaign in favour of apartheid in the 1960s, to his support for Ian Smith in Rhodesia, Urbančić did not waver from the fascist cause.



When Andrew Menzies considered the case in 1986, he did not comment on the prominent career Ljenko Urbančić had carved out for himself as the leader of the extreme right-wing faction of the New South Wales Liberal Party, the 'Uglies' as their moderate opponents appropriately dubbed them. Although given restrictive terms of reference by the Hawke government, Menzies presented the case as though it happened in a political vacuum. The Urbančić case had come to prominence seven years earlier, in August 1979, when an ABC Radio documentary produced by this author was broadcast detailing Urbančić's role as

Ljubljana's 'little Goebbels.' The program prompted inquiries by both the New South Wales Attorney General, Frank Walker, and the Liberal Party in which Urbančić then held a very senior position.⁶⁷ The revelations about Urbančić set off a chain of events which were the culmination of twenty years of factional divisions in the New South Wales Liberal Party. Although many on the far right of the party had embraced Central and Eastern European *émigré* Nazis, moderate small 'l' Liberals had opposed their extremist views and domineering, bullying tactics. This opposition crystallised in the mid-1960s when the Urbančić group launched a bitter campaign against Ted St John QC, the endorsed candidate for the safe Liberal seat of Warringah. St John was accused of supporting communism through his connections with international organisations campaigning on behalf of political prisoners in South Africa.⁶⁸

The factional battle intensified over the next decade, and by the late 1970s a substantial and influential section of Liberals was deeply concerned that their party had been infiltrated by right-wing extremists. Among these were senior Liberal politicians, including some who later became ministers in the New South Wales government such as Virginia Chadwick and Tim Moore, and senior members of the establishment which had run the party's affairs for three decades. Urbančić had even been mentioned by a prominent business executive in a case in the Equity Division of the New South Wales Supreme Court. Members of Urbančić's faction had been involved in an attempted takeover of the NSW Permanent Building Society and during the subsequent legal action managing director Alastair Urquhart told the court that Urbančić was extremely right-wing, described by some as a Nazi.⁶⁹ Urbančić's group was, in fact, dubbed the 'Uglies' because of their concerted and often successful efforts to stack party branches and general standover tactics used against their opponents.

When the Liberal Ethnic Council (LEC) was formed as an autonomous division of the New South Wales Liberal Party in May 1977, further internal ructions and unfavourable media comment followed, damaging the party electorally. Urbančić was elected president of this Ethnic Council, which automatically entitled him to a seat on the party's state executive, while other *émigré* Nazis and local

right-wing extremists dominated the Ethnic Council executive. In his inaugural presidential address, Urbančić declared that the Council would not be 'a sort of baby-sitting club for mothers who would like to earn overtime.' It would be actively involved in the major political issues, especially 'the dangers that threaten individual and national freedom,' he promised. Domestically this meant fighting 'creeping socialism' and abroad, 'brutal and aggressive communism.'⁷⁰ These concerns perhaps fell within the ambit of mainstream conservative politics, but they masked the true character of Urbančić and many of his supporters.

One indication of the LEC's outlook was the close relationship between the Urbančić group and the well-organised local Ustaše organisations. For example, the official LEC newspaper, the *Third Division*, recommended that its Croatian readers should only buy Ustaše newspapers, a clear message that the Council supported the Australian followers of Ante Pavelić. This was further demonstrated when Urbančić and other LEC executive members were guests of honour at an official Ustaše function in August 1978 organised by the *General Maks Luburić Club*, named after a notorious mass killer who headed Pavelić's network of concentration camps during the World War II. Other senior Liberals attending the function along with Urbančić included LEC vice president, Geoffrey Ferrow, executive member David Clarke and Fabijan Lovoković of the pro-Pavelić Ustaše faction.⁷¹ The old messages had not been forgotten. Nationalism and anti-communism were emphasised. Not one speaker, however, recalled the Ustaše's bloody past or the continuing close connections between their Australian movement and the Nazi-dominated Anti-Bolshevik Bloc of Nations.

The 1979 revelations about Urbančić's prominent role as a Nazi propagandist abruptly ended his rapid rise in the Liberal Party. He was immediately suspended from the presidency of the Ethnic Council and from his state executive position. The State Council promptly abolished the Council, temporarily depriving Urbančić of his best-organised base of support within the Liberal Party.⁷² The Council went down fighting, though, placing advertisements in ethnic community newspapers, including *Spremnost*, the major Ustaše mouthpiece. 'Now more than

ever the struggle against international communism must be increased,' these advertisements declared, warning that as 'more and more parts of the world fall into communist hands, it must be more than ever evident to everyone that Australia's turn is coming nearer and nearer.' The by-then-disbanded LEC exhorted readers that if 'you believe in the struggle for your own freedom, then you must join the Liberal Party and so enable the struggle against communism to continue.'⁷³

The allegations against Urbančić also precipitated bitter confrontations between the Liberal and Labor parties. The Wran Labor government in New South Wales exploited the situation, launching well-aimed attacks on their already seriously weakened opponents, so recently and resoundingly defeated in the 1978 election. In federal parliament the affair witnessed a series of heated confrontations as the ALP tried to dent the public image of Prime Minister Malcolm Fraser and his government. The Minister for Education and Government Senate leader John Carrick, raised the allegations the day after the ABC broadcast, saying that there 'is no room in my party' for the expression of 'pro-Nazi views and violent anti-Semitic and racial tendencies.'⁷⁴ Carrick's promise to remove Urbančić was not, kept, however. The Liberals' own internal inquiry confirmed that Urbančić had, indeed, been a virulent anti-Jewish Nazi propagandist, but he was not even censured let alone expelled. In fact, he remained a member and continued to wage his bitter factional campaign in the party right up until 2001.

One of Carrick's colleagues, Senator Peter Rae, dared suggest that the translations of Urbančić's Nazi propaganda were not accurate, but the party's own internal inquiry soon concluded that this was not the case.⁷⁵ The state executive immediately appointed a high level committee to investigate the charges against Urbančić. The then state president, David Patten, and metropolitan vice-president, John Spender (later federal member for North Sydney), considered the case for five months. At first Urbančić denied the allegations, dismissing them as 'the work of the KGB and communist sympathisers.' He claimed that the communist Yugoslav government had forged the newspaper articles, doctoring them to add Nazi propaganda against Jews, freemasons and the Western Allies.⁷⁶ Again, this was easily shown to be false. In fact,

copies of the wartime newspapers and magazines are held in numerous libraries and archives around the world, including in London and New York. All the copies are exactly the same as those found in Yugoslav archives. In one case, British intelligence had microfilmed the material only days after it had appeared on the streets of German-occupied Ljubljana, rendering it impossible for the Yugoslav communists to have subsequently forged it.⁷⁷

Foiled in this attempt to show that his communist enemies had elaborately manufactured evidence to link him with the Nazis, Urbančić then tried to shift the entire blame to the Germans by claiming that the Nazi censors had added the Goebbels-style material to his otherwise innocent articles and speeches. He claimed that the transcriptions of his radio speeches were 'altered by the Nazi censors before publication' and that 'the articles as published were not written by me – my original texts were altered in several vital areas by the Nazi censors before they allowed publication.' According to Urbančić, he had never collaborated with the Nazis. Rather, 'my work during the occupation was done on the instructions of the underground,' and he certainly 'did not hold' and 'did not express anti-Semitic or anti-Jewish views.'⁷⁸

Patten and Spender strongly disagreed, finding that 'the anti-Semitic views expressed in these articles' were Urbančić's own words and 'were not added by German censors.' Their report argued that when Urbančić's articles and speeches were originally published he would have seen them and immediately been aware of the supposed anti-Semitic additions made by the Germans. They found that 'if the material was alien to his own views – as he suggests – that very factor would have imprinted even more indelibly on his mind the fact of the alterations, and their anti-Semitic nature.' Their finding on the question of the authenticity of Urbančić's Nazi propaganda was also based on his own response to their direct questioning about whether 'the articles correctly represented the substance or tenor of views held and expressed by him.' Urbančić at first did 'not in terms deny that the articles represented his views,' instead questioning whether the articles 'were in all respects authentic' and suggesting that 'bits may have been added to them.'⁷⁹

In fact, it took two and a half months for Urbančić to deny authorship to the Liberal officials. Even then he only argued, implausibly, that 'German censors could have re-written the material.' To explain why he had not previously denied authorship, he claimed that he was concerned with the possibility 'that communists may have infiltrated the Liberal Party.' Patten and Spender concluded that this was 'entirely irrelevant and no answer to the question,' finding that the articles 'were in all respects written' by Urbančić. They pointed out that the 'anti-Semitic content is not only both virulent and of central importance to what is being said – it is essential to the articles. Remove the anti-Semitic content [and they] would lose continuity and coherence of expression.' Having confirmed that Urbančić had expressed anti-Semitic views, Patten and Spender did not honour Carrick's promise that there was no room in the Liberal Party for such people. Rather their recommendation to the state executive was extremely lenient. Instead of advocating Urbančić's expulsion from the party, they recommended that he be prevented from holding any elected office without the executive's consent. They rationalised this view by saying that a long time had elapsed, and while the community, especially Jews, were 'entitled to feel affronted that the author of such views holds a position of seniority in the Party,' action to expel Urbančić would not be justified.⁶⁰

The state executive, however, disagreed with Patten and Spender. Instead, it upheld Carrick's view and unanimously voted in early February 1980 to recommend to State Council that Urbančić should be expelled because the anti-Semitic views he expressed during the war 'are wholly inimical to Liberal philosophy and offensive to the Australian community.' But the executive could not deliver on its position. In fact, its recommendation was narrowly defeated at a special State Council meeting held in March, again demonstrating the ability of the 'Uglies' to muster votes on important issues. Under party rules a motion to expel a member must obtain 60 per cent of the votes cast, but only 57.4 per cent of the delegates voted for the motion. Ljenko Urbančić therefore escaped expulsion by some thirteen votes out of the 477 cast.⁶¹

The Fraser Liberal government had already decided that no action would be taken in Urbančić's case. The Minister for Immigration and

Ethnic Affairs, Michael MacKellar, stated that he had 'not broken any laws, as far as I am aware, that would bring him into the scope of the Migration Act,' although it should have been clear that Urbančić's background made him an illegal immigrant at the time he entered Australia.⁸² Ljenko Urbančić was free to continue his factional campaign, adopting new tactics to promote his work in the Liberal Party. He soon formed a front company called Liberty Research (later Conservative Research) to propagandise for extreme right-wing causes and raise funds from supporters in the Liberal Party. His aim was openly proclaimed in a pamphlet which surfaced during yet another bout of alleged irregularities and branch stacking in the mid-1980s. The pamphlet declared that, as a result of an eight-year program, we 'will soon be able to substantially influence the philosophies, policies and day-to-day workings of the non-socialist parties. With your help, within 24 months we will be able to influence the next Liberal-National Government.'⁸³

While this might have been an exaggerated claim, the Urbančić faction continued to exert considerable power in the New South Wales Liberal Party through a sophisticated branch-stacking operation, utilising the fact that residence in a particular area is not required for branch membership. The 'Uglies' gained effective control of many local Liberal organisations by targeting particular branches and enrolling their supporters from outside the district. This, in turn, gave them no less than 25 per cent of delegates at State Council (on some issues even more). Indeed, the far right's tactics have been a continuing public scandal. In 1987, the Liberals changed their rules to ensure that 75 per cent of state electoral council members are residents in the local area, but this had only minimal effect in curbing the 'Uglies' branch-stacking activities. Reform of the party's structures was again attempted in 2000, but once again the far right succeeded in thwarting the fundamental changes required to destroy Urbančić's Nazi legacy.

A typical example of Urbančić's successful branch-stacking tactics was a letter sent to a newly recruited supporter in March 1984. Although written on Liberty Research letterhead, it dealt with internal Liberal Party matters, exhorting his new ally to become an activist in the

campaign against his factional opponents. 'I spoke to the treasurer of the Branch Roko Cirjak, a Croat friend of ours,' Urbančić wrote. 'There are enough of good conservatives and anti-communist members in that branch to get rid of those confused types like Col Mayfield.' The letter then outlines the party's structure to assist understanding of the basic rules of the faction game. Urbančić's attitude towards fellow Liberals was not very flattering: 'Remember,' he wrote:

the Party is full of opportunists and ambitious idiots. There is no mileage to work hard if you know that the others are not motivated the same way as we are. Our fight in the nutshell is about freedom ... Here, in Prague, Bratislava, Ljubljana or the world generally. All the rest is of secondary importance.⁶¹

Despite the collapse of communism in Europe in the late 1980s and early 1990s, Urbančić has not stopped his pro-fascist campaigning. In the late 1990s, for example, he was still reported to be actively participating in far-right factional meetings, and to be an *éminence grise* at major Liberal Party meetings, especially at the State Council.⁶⁵ He had, however, 'passed the mantle to a new generation,' in the words of one of his critics from the conservative wing of the Liberal Party. In December 1996, a new far right faction known ironically as the Central Committee emerged. It included two of Urbančić's 'close associates from the 1970s, lawyer Mr David Clarke and Mr Zvonko Pranjic.'⁶⁶ Ljenko Urbančić's legacy is, it seems, safe for the future. In 2001, his faction continues to wield influence over both the policies and administration of the New South Wales Liberal Party, with no sign that it will diminish in the foreseeable future.

Chapter Eighteen

**Brigadier Spry and Croatian
Terrorism**

In late 1943, the Australian government established an Inter-Departmental Committee (IDC) on immigration. As discussed in Chapter Eleven, the IDC easily reached a consensus to give first priority to recruiting 'white British subjects.' It soon concluded, however, that 'alien immigration' would also have to form a major part of the program. The Director General of Security, Brigadier W.B. Simpson, was alarmed at the implications. In May 1944, he recorded serious reservations about the adequacy of existing provisions for excluding undesirable 'aliens.'¹ At that time, Australian authorities made no security checks on European migrants, relying completely on British consular and passport control officials. Although Simpson considered his British colleagues to be 'an alert and highly capable group,' he was worried that they were unaware of security conditions in Australia. Simpson reflected on problems that had emerged during the war because of 'the absence in peacetime of Australian machinery which could have vetted prospective alien migrants in the countries in which they resided.' He concluded that procedures should be tightened for post-war migration, with Australian security officers investigating the background of all European migrants in their countries of residence.

As evidence, Brigadier Simpson cited several security scares. One concerned the recently discovered policy of the Italian government 'to

build up a solid block of pro-Fascist Italians in North Queensland' in the 1930s, by carefully selecting potential emigrants for their known political loyalties. The second was Australian intelligence's recent uncovering of the well-organised local branch of the German Nazi Party, which had been formed as part of the German effort to recruit *Auslandsdeutsche* (Germans living abroad) Germans as a fifth column in their adopted homelands. Simpson pointed out that considerable expense could have been avoided if security checks had been made on German migrants before they had been accepted. Simpson's third example was the growth of a pro-German and pro-Japanese Russian Fascist Party in Australia during the 1930s, 'the existence of which was scarcely suspected until war broke out.' In fact, this group, consisting of Russian *émigrés* from Bolshevism, was only discovered when the Commonwealth Investigation Branch seized a number of documents from interned officials of the local Nazi Party apparatus that revealed 'a strong liaison' between the Germans and Russians. The Russians' policy was almost identical to Hitler's, with an emphasis on 'ideological struggle against liberalism, artificially cultivated formal ideas of freedom, against democracy with its deceptions, the Jewish-Masonic rule over the people.'²

Simpson also recalled that in November 1943 he had warned of the 'necessity for excluding quislings and those who have collaborated with Germany in occupied Europe.' He advocated particularly careful selection of migrants from Yugoslavia 'in order to prevent the transfer to Australia of antagonisms aroused by the civil war which has been going on in that country.' The intelligence chief also pinpointed security issues that he believed would intensify with an increased flow of European migration. These included 'control in Australia of agents and organisers of foreign revolutionary organisations' and difficulties 'caused by the lack of information of foreign movements, either revolutionary or supernationalist, which are in process of being transferred to Australia.' He was extremely worried that the activities of such groups would embarrass the Australian government because it would be difficult to detect 'foreign organisations engaged in plotting against friendly Governments.'

Brigadier Simpson had, in fact, accurately forecast the security problems Australia would face when the Displaced Persons Immigration

Scheme got underway a few years later. Successive governments, however, ignored Simpson's warnings, and failed to establish effective security screening. As a result, many Yugoslav Nazis entered the country. Once here, they quickly fulfilled Simpson's worst fears, organising revolutionary nationalist groups which engaged in long campaigns of terrorist and paramilitary action.

The transfer of the various Yugoslav Nazi factions to Australia was, however, just a small part of a much wider operation run by British intelligence and their American friends, particularly Allen Dulles and James Jesus Angleton. Dulles would later become the head of the Central Intelligence Agency while Angleton spent most of his professional career as the head of the CIA's counter-intelligence section. In the immediate post-war years, Dulles and Angleton had defied presidential orders by protecting wanted Nazis, and recruiting them for intelligence and paramilitary operations. They also worked with the Vatican on a sophisticated underground network to smuggle their Nazi agents out of Europe in order to re-establish their fascist groups in South America, the United States, Canada and Australia. To hide his illegal activities from his superiors and from President Truman, Angleton had even perpetrated massive fraud on his own intelligence agency, through a series of fake intelligence reports purported to emanate from the Vatican. The *Vessel* forgeries, as they became known, hid much more than the illegal Nazi smuggling and the use of groups like the Croatian Ustaše for terrorist operations against Tito's communist government. They masked a treasonous effort by the Dulles–Angleton clique to cooperate with the Vatican and British intelligence on a plan to halt World War II before Stalin had occupied all of Central and Eastern Europe. The idea was to use the defeated Nazi armies as an anti-communist force against the Red Army, hence saving the Catholics of Slovakia, Hungary, Slovenia and Croatia.

Thirty years later, in the early months of the Whitlam Labor government, Attorney General Lionel Murphy threatened to expose the Dulles–Angleton secret by disclosing a tiny corner of their conspiracy. As will be related in Chapter Twenty, in March 1973 Murphy had seized a large number of intelligence reports from the top-secret vaults of the

Australian Security Intelligence Organisation (ASIO) about the Ustaše's Australian terrorist infrastructure. The documents were subsequently tabled in the Australian Senate. Inadvertently, Murphy also released a document that revealed the method by which the Dulles–Angleton group had used *émigré* Nazis as political activists to round up the ethnic vote for the Republican Party at election time. Together with the detailed account of Croatian terrorism contained in the intelligence dossier Murphy tabled, this drove Angleton to rush to ensure that his secret was safe. Indeed, he strongly advocated severing intelligence ties with Australia, and when the scandal threatened to resurface a few years later he launched a vituperative attack on Murphy's actions for threatening the 'jewels' of Western counter-intelligence.³

Murphy's disclosure also threatened another 'jewel.' For the previous twenty years, ASIO had known about Ustaše terrorist cells operating in Australia. Indeed, ASIO had penetrated the terrorist groups, recruiting some of the senior operatives as intelligence sources and agents, or *Q* sources, in the process. One of these was Srečko Rover, the mass killer from Sarajevo who had cut his teeth on the Western-backed Križari terrorist operations in the 1940s. Rover's ASIO file has, of course, been thoroughly censored to remove any hint of his work as an intelligence source. There is, however, enough known about this aspect of Rover's career to leave little doubt. The most revealing indication came in the immediate aftermath of the ABC Radio series *Nazis in Australia*, which was produced by this author in the mid-1980s. As the Hawke government debated its response to these programs, attention focussed directly on Srečko Rover. One of the programs had detailed his career as a member of Sarajevo's Mobile Court Martial which roamed around Bosnia sentencing Jews, Serbs and communists to death. Another had dealt with his post-war career, both for US intelligence and on the Križari terrorist operations.⁴

As the debate raged, a suggestion was informally made to the government by the cross-bench Democrat Party that the simplest way to deal with war criminals would be to extradite them to the countries where they had committed their crimes. A shiver apparently went through the collective ranks of Australian intelligence, and a message

was rapidly sent back to the Democrats by a senior Labor minister. The message was rather blunt: the suggested solution was impossible, as it would hand communist intelligence a coup, as Rover had been loyally working for Australia on several intelligence operations.⁵ This concern was somewhat ironic, as ASIO had actually ended up suspecting Rover may have been a double agent for communist intelligence. Although this allegation was apparently never proven, there was more than enough suspicion to put a cloud over Rover's reputation as a fascist organiser of terrorist cells. As we shall see, Rover himself also used his relationship with ASIO to avoid scrutiny from the law enforcement agencies attempting to close down his terrorist cells. This later prompted former Commonwealth Police Superintendent Kerry Milte to complain that he constantly came up against official obstacles in his efforts to close down Rover's terrorist network. One of the main offenders, according to Milte, was ASIO, since Rover and his group knew how to hide behind their relationship with the intelligence agency to forestall prosecutions. In fact, Milte believed that in the 1960s and early 1970s the police had enough evidence to launch 'hundreds of prosecutions' under the Commonwealth *Crimes Act*, but could never convince successive Attorneys General to proceed.⁶



The seeds of this aspect of Australia's Nazi scandal can be directly traced back to Brigadier Fred 'Blackjack' Galleghan. As outlined earlier, 'Blackjack' was in charge of security screening for much of the four and a half years of the DP immigration scheme. Galleghan was a man with many hats. He was a senior intelligence officer, holding the posts of Deputy Director of the Commonwealth Investigation Service, head of the Australian Military Mission in Germany and chairman of the Council of the International Refugee Organisation. An intelligence officer with Galleghan's military experience should have known that significant numbers of Nazi war criminals were among the Yugoslav DPs. His contacts in Western intelligence should have made him aware of the British government's policy of virtual amnesty for Yugoslav Nazis, which

operated from mid-1947, just as the DP scheme was beginning. His close dealings with IRO officials should have convinced him that a considerable number of DPs were, in fact, ineligible for any form of assistance because of their collaboration with the Nazis. However, when his tour of duty finished in early 1950, Galleghan re-assured Australians that security screening in Europe was absolutely adequate, and that 'not one Nazi has slipped through the mesh into Australia.'⁷ This was a lie. As demonstrated earlier in this book, many Nazis had, in fact, already 'slipped through the mesh' with some ease.

Indeed, many Ustaše war criminals had not only slipped through, but had gone on to resurrect their terrorist cells. Exactly twelve years after wartime intelligence chief, Brigadier Simpson, had warned of the danger of Yugoslav terrorists transferring their activities to Australia, the *Melbourne Age* reported that 'an unofficial military organisation' was operating 'among fascist Yugoslav migrants.' The newspaper charged that several hundred former officers and men 'were now living in Australia and had retained the framework of an army organisation.'⁸ ASIO soon established that the paramilitary formations were, in fact, underground cells of the Croatian Ustaše. As it happened, the Commonwealth Investigation Service had first detected the Ustaše in Australia in July 1948, when it noted the arrival of Ivan Harabaić and Peter Krečak.⁹ Three and a half years before the *Age* revelations, ASIO had already discerned the extensive network of Ustaše terrorist cells in Australia. On 27 January 1953, for example, an ASIO Field Officer had sent a memo to Section Officer B in Western Australia. He reported that:

Dragutin (Charles) Sporish, who had been reported as chairman of the Ustachi movement in Australia, is now reported to be the leader of a group called 'Bojna' which has as its task the preparation of military training for the Ustachi in the event of a revolution in Yugoslavia. The group is small and secret and meets under the guise of the Croatian Welfare Association.¹⁰

'Bojna' is simply the Serbo-Croatian word for battle or combat, and this early intelligence report of Ustaše paramilitary cells marked the

beginning of a long and sometimes byzantine ASIO operation to infiltrate and control their activities. Indeed, in 1955 – a full twelve months before the *Age* exposed their existence – ASIO had compiled partial lists of ‘Yugoslav Terrorists,’ including Ivan Sever, Ilija Bolta, Attilio Serdož, Uroš Vuletić, and Dmtitar Dragišić.¹¹

The leader of these terrorist cells was Srećko Rover, the Little Wolf of Sarajevo. As detailed in Chapter Five, Rover had been a member of a mobile killing squad in and around Sarajevo in 1941, and had then risen through the Ustaše ranks. After the war, he was a senior officer in the Western-sponsored Križari terrorist network, working closely with US intelligence on several operations discussed in Chapter Seven. Indeed, Western intelligence was well aware of Rover’s status on the *Black List* as a senior Ustaše officer. In fact, in May 1947 he had been arrested in Bagnoli DP camp in *Operation Crossline* and gaoled in the British-run Military Prison and Detention Barracks in Rome along with several other Ustaše officers who later were to settle in Australia. British and American intelligence had compiled large dossiers on Rover’s wartime and post-war activities, but passed him on to the IRO regardless, which registered his eligibility for migration in September 1948. In 1986, Andrew Menzies reported that the ‘absence of answers to many questions appearing in the IRO form suggests that his application received a very cursory examination by IRO officers.’¹² Even more mysterious was Rover’s appointment as Chief of Police for the IRO soon afterwards, a position from which he undoubtedly helped many fellow Ustaše.¹³ Menzies also noted that the British government had explicitly denied that Rover ever worked for one of their intelligence organisations. On the other hand, American officials ‘failed to respond’ to his query about whether they had used Rover as an agent. As outlined in Chapter Seven, there can be no dispute that Rover worked for US Colonel Lewis Perry on various intelligence operations. As Menzies knew, Rover has specifically admitted this, claiming Perry as ‘a good friend.’¹⁴ Documents released under the US *Freedom of Information Act* prove beyond doubt that US intelligence should have given Australian officials a mass of information on this senior Ustaše officer. Likewise the British, who held similar files.

Srećko Rover arrived in Australia in November 1950, and immediately threw himself into organising the Ustaše faction among the growing Croatian community.¹⁵ He found many former comrades willing to be recruited, including his old cellmate Josip Babić, who had also been arrested at Bagnoli in *Operation Crossline* in May 1947. Western files on this operation described Babić as a suspected 'Ustachi officer.' Along with Rover, Babić had been sent to the British prison in Rome for interrogation. He was subsequently classified as a *Grey* (that is, not eligible for IRO assistance) and 'transferred to Rimini for disposal to Germany as [a] normal Yugoslav Grey.' But like many of his fellow Ustaše, Josip Babić mysteriously 'escaped' from Allied custody at Rimini. Just over two years later he arrived in Australia after IRO acceptance.¹⁶

Another of Rover's cellmates was also later identified by ASIO as one of the first Ustaše terrorists in Australia. In April 1952, ASIO's Regional Director for Western Australia had received information about Đujo Krpan, the 'butcher of Petrinja' whose role in large-scale mass killings in the Lika area of Croatia was detailed in Chapter Five. ASIO's Yugoslav informant had reported that Krpan had been a 'Ustasa police investigator. He participated in murdering several hundred persons. He is also able for carrying out and organise [*sic*] all terroristic undertaking. Address – 15, Duke Str. West Australia.'¹⁷ Nothing, however, was done by ASIO either to investigate Krpan's war crimes or to curb his role in organising terrorist cells. Three years later, in March 1955, ASIO headquarters circulated a list of suspected Yugoslav terrorists. Krpan's name was prominent on the list. On 1 April, ASIO's Western Australian Regional Director reported back to headquarters that Krpan was born 'at Petrihoa [*sic*], Yugoslavia, on 9th December, 1914,' and had arrived in Australia in January 1950. After a period at the Northam Immigration Centre, he transferred to Albany and was employed as a textile worker. According to this intelligence report, Krpan 'had not previously attracted notice in this State,' revealing the level of ASIO's diligence in investigating the Ustaše's increasingly militant and well-organised operations.¹⁸ In the intervening three years, ASIO's Perth office had not only misplaced Krpan's 1952 file, but had completely ignored serious

allegations that he was a Nazi war criminal involved in the murder of several hundred people. This was typical of the manner in which ASIO 'investigated' such claims. If they had consulted British or American intelligence, with whom ASIO cooperated closely, they would have obtained plenty of evidence of Krpan's bloody wartime activities.

Indeed, Krpan's case was prominent among those raised with Western authorities by the Yugoslav government. The way in which his case was dealt with, however, illustrates Western policies toward Ustaše war criminals. On 15 November 1946, the Yugoslav Embassy in London had written to the British Foreign Office requesting Krpan's extradition. A few weeks later, the Yugoslav Ambassador in Washington repeated the request to the American Secretary of State.¹⁹ Described as about thirty-four years old, Krpan was thought to be in Austria or Italy. The Yugoslavs stated that Krpan had been a butcher at Petrinja before the war and had joined the Ustaše when they assumed power in April 1941. The Yugoslavs noted that Krpan had been 'most active during the massacres which followed at Petrinja and its surroundings.' The extradition request accurately described Krpan's role in a Ustaše police unit, which roved from village to village and carried out mass killings against Serbs.²⁰ The Yugoslav government had, in fact, provided a powerful *prima facie* case against Krpan. As documented in Chapter Five, this was based on numerous eyewitness statements, particularly the Serbian survivors of Krpan's mass killings in mid-1941.

By early 1947, the British Foreign Office had decided that Krpan was to be handed over if interrogation confirmed the allegations. Krpan had by then settled in Fermo DP camp.²¹ On 16 April 1947, the Allies carried out *Operation Backhand* at Fermo and arrested sixteen Ustaše, including Krpan.²² They were sent to the British-run Military Prison and Detention Barracks in Rome where they were soon joined by thirty-six Ustaše arrested in *Operation Crossline*, including Srećko Rover and Josip Babić.²³ Soon afterwards, the Yugoslav government made persistent attempts to force the Western Allies to extradite Krpan.²⁴ On 20 June, the head of the British Directorate of Civil Affairs in Italy, Major E. Dayrell, sent Christopher Warner at the Foreign Office in London a list of alleged Yugoslav quislings and Ustaše held in custody as of 1 June. Krpan's

name appeared on the list,²⁵ but he was released the next day. The War Office Special Refugee Screening Commission simply noted that he was 'definitely not identical' with the man whose surrender the Yugoslavs had requested.²⁶ Krpan's escape from justice was as simple as that. Along with other proven Ustaše murderers, including Srečko Rover, he merely walked out of prison, turning up in Western Australia three years later. Miss Jackson noted that the Foreign Office had not even received a screening report, which was supposed to be an aid to the appropriate officials making such decisions in London and Washington.²⁷

There is no reason to doubt that the Krpan who migrated to Australia was the man arrested by the Allies in 1947. The Krpan who settled in Western Australia was definitely the man accused of carrying out sadistic mass killings in Lika as a Ustaše police officer in the second half of 1941. The place and date of birth given by Krpan on his IRO resettlement documents were exactly the same. Moreover, consistent with the Yugoslav description, he admitted to being a slaughterman and butcher at his home town of Petrinja. Although ASIO had full details of his alleged crimes by 1952, nothing was done either to investigate or prosecute him. Even when ASIO suspected Krpan of involvement in terrorist activities in Australia, no action was taken. Indeed, the opposite obtained. In July 1955, ASIO awarded him a favourable security assessment and he gained Australian citizenship. The ease with which Đujo Krpan slipped through the security screening system in Europe, and the blind eye Australian intelligence turned once he was here, was representative of the West's approach to the Ustaše. He was, however, merely a rank-and-file member of the Ustaše terrorist network established by his old cellmate Srečko Rover. According to the Nazi-hunters of the Special Investigations Unit, Krpan died in 1956, just as Rover began to organise a co-ordinated network of paramilitary cells led by far more senior figures.²⁸

Ljubomir Vuina, for example, was another of Rover's old comrades who directed terrorist operations on behalf of the Little Wolf. Like Rover, he was a Ustaše veteran from Sarajevo, who settled in Adelaide and organised the Croatian Club as a front for militant activities. Vuina

made no secret of the fact that he had served as a Colonel in the Ustaše *Black Legion* between February 1942 and March 1943. Although he denied carrying out any atrocities against Serbs or Jews while a *Black Legion* commander, this seems improbable in light of the fact that this was the most notorious Ustaše mass killing unit. Indeed, it not only carried out numerous open air mass killings, but also 'had the concentration camps under its control.'²⁹ Vuina's loyal service in the *Black Legion* obviously impressed his superiors. In 1944, he was posted to Sarajevo as Director of Posts, Telephones and Telegraphs, a significant position for keeping Ustaše lines of communication open. He must have performed this task with great efficiency, for his next posting was the same position in Croatia's capital, Zagreb, where he kept communications operating until May 1945, when the Third Reich collapsed.³⁰

Soon after arriving in Australia, Vuina resumed his militant activities. In May 1951, he applied for permission to publish a Croatian-language newspaper and Immigration Department head, Tasman Heyes, requested that ASIO conduct a security investigation. By August, ASIO's Regional Director for South Australia had completed inquiries on Vuina's Croatian Club. He reported that the club was 'controlled by militant political members' and that:

It is anti-Communitic, if not, in fact, a fascist group ... A first class informant has advised that the Ustacha is operating on a World wide basis with headquarters in Argentina. The same informant stated that the Croatian Club in Adelaide has about seventy-five members and of these seventy-five per cent are former members of the Ustacha.

A few months later, the pro-Ustaše Croatian newspaper *Caritas Croata* reported that Vuina was 'the representative of the Croatian Army in Australia.' By August 1952, ASIO was firmly convinced that the Croatian Club in Adelaide was 'the headquarters of the Ustachi movement in South Australia.' After a further inquiry, ASIO noted in October the spectacular growth of Vuina's club, reporting that

Hungarian mass killers:
Right, László Megay
the mayor of Ungvár.
In 1944, Megay rounded
up 25,000 local Jews,
interned them in
inhumane ghettos, before
their transportation to
Auschwitz where almost
all died in the gas
chambers. Megay later
became a senior leader
of both Hungarian Nazis
in Australia and of the
Liberal Party.



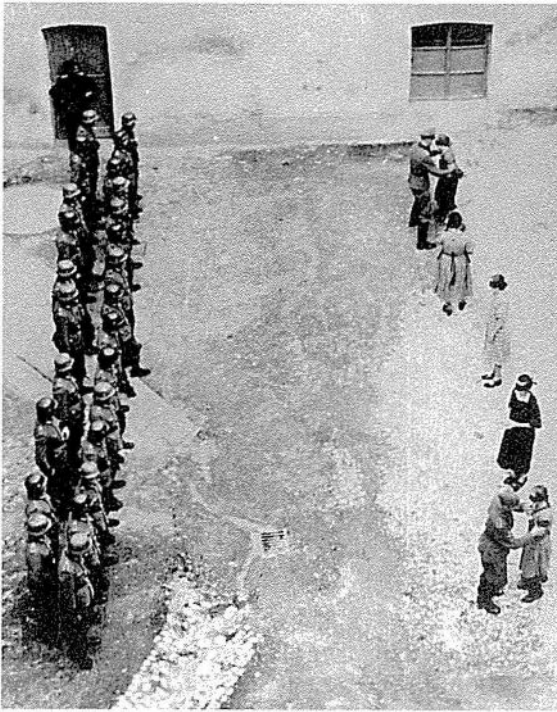
Ferenc Megadja (left) was
a Nazi leader in Budapest
who arranged the
deportation and
execution of Jews, and
was involved in torture,
rape and mass murder.
This photo was taken at
the Australian Nazi
Party's 1971 conference.



Ljenko Urbančič (above, on the right-hand side of the column) leads the first march of Nazi volunteers of the Slovenian Home Guard on 10 October 1943.



Urbančič's hero, General Leon Rupnik (above, in civilian clothes giving the Nazi salute), takes an oath of loyalty to Hitler on the Führer's birthday, 20 April 1944. Rupnik and Urbančič's Home Guard volunteers pledged to serve under the SS and fight for Hitler's New Order. Urbančič was Slovenia's little Goebbels, making virulently anti-Semitic, anti-Allied, pro-Nazi speeches.



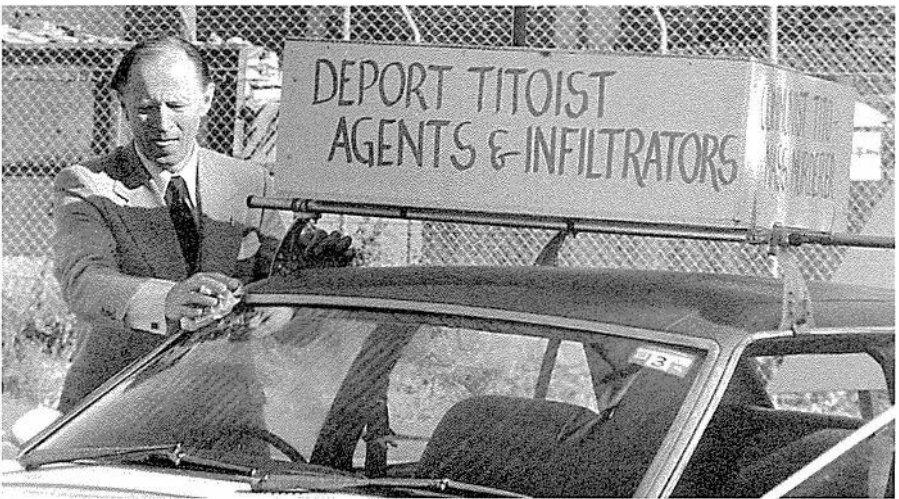
The reality of the Nazis' rule in Slovenia: Women hostages are prepared for execution by the Germans at Celje, 22 July 1942 (left).



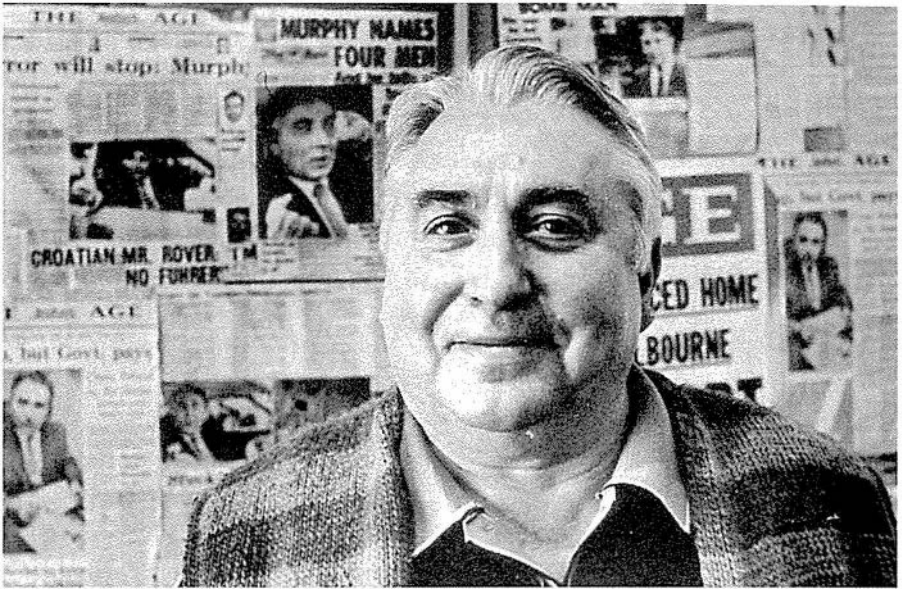
Above, the killings have been carried out. This execution was of innocent civilians in reprisal for a partisan attack against the Nazis. Executions such as these were carried out daily by the Nazi regime so ardently supported by Ljenko Urbančič.



Above, the executive of the Liberal Ethnic Council (LEC), 1978. The LEC was the culmination of a twenty-year campaign by *émigré* Nazis to infiltrate the New South Wales Liberal Party. The LEC's president, Ljenko Urbančić (second from right, front row), was a member of the state executive. Estonian leader, Lia Looveer (far left, front row), protected mass killer, Ervin Viks. In the 1990s, David Clarke (far left, back row) assumed Urbančić's leadership of the extreme-right faction of the party.



Above, Urbančić prepares to celebrate Captive Nations Week in 1979. Organised by the Nazi umbrella group, the Anti-Bolshevik Bloc of Nations, Captive Nations Week was one of the most important events in the *émigré* Nazi calendar.



The faces of terrorism: Srećko Rover (above) poses in front of his collection of newspaper clippings recording the numerous incidents of violence and terrorism he directed as the leader of the Croatian Revolutionary Brotherhood in the 1960s and 1970s. Rover was the mass killer from Sarajevo who went on to become a senior terrorist leader from the mid-1940s to the late 1970s.



Left, Father Rocque Romac. His real identity was wanted Croatian war criminal Father Stjepan Osvaldi-Toth. Romac used the Catholic Church in Sydney as the front for Rover's terrorist cells, and helped to organise the 1963 military incursion into communist Yugoslavia.

Harku koostöödüngriga viibivete neis-
kustivate nimekirj. I.

Handwritten note:
1942.10.27

Jrk.	Perekonna-ees ja lasenimi.	Sünniaeg.
1.	Indus, Selma Peetri tr.	27.03.22.
2.	Mitrovski, Scherlotte Alviina	25 a.
3.	Burkevitš, Aleks Adami tr.	20.12.21.
4.	Silmann, Lotta Peetri tr.	35 a.
5.	Koslovski, Minna Pauline tr.	2.03.06.
6.	Mitrovski, Lilli	
7.	Burkevitš, Emi Susanna tr.	21.03.18.
8.	Aru, Pekka Susanna tr.	29.03.25.
9.	Koslovski, Alma	12.06.20.
10.	Burkevitš, Emi Adami tr.	24.06.25.
11.	Silmann, Tanara Viktori tr.	16.05.20.
12.	Silmann, Susanna Matilde tr.	
13.	Burkevitš, Veronika Jurka tr.	3.03.22.
14.	Pilve, Alma Jurka tr.	4.09.24.
15.	Indus, Helene Jüri tr.	18.08.06.
16.	Indus, Marta Helaine tr.	- 7.00.
17.	Indus, Emi Helaine tr.	1.08.20.
18.	Silmann, Antonie Peetri tr.	17.04.29.
19.	Veisberg, Lenni Matilde tr.	13.09.04.
20.	Koslovski, Aleksandra Mihail tr.	1981 a.
21.	Ivanova, Valentine Mihail tr.	6.09.22.
22.	Silmann, Lenni Fritsu tr.	6.05.18.
23.	Koslovski, Tooni	
24.	Koslovski, Lilli Jaani tr.	12.03.19.
25.	Mitrovski, Lotta Karil tr.	
26.	Indus, Alide Ella tr.	11.05.1919.

Harkus 27. okt. 1942. a. nr. 11

Handwritten signature:
Abidirektor.

Loetletus 1/4-302 vastu
võtnud " " okt. 1942. a.

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K. Soole

A list of twenty-six Estonians (left), mostly Jews, murdered by the Nazi-controlled Estonian Security Police in 1942. At the top of the document, Ervin Viks has casually written that everyone on the list had been executed, 27 October 1942. Below, a death sentence passed by Viks on Solomon Katz in September 1942. Viks's extradition was requested by the Soviet Union in 1961, based on such documents and eyewitness testimony. The Menzies government refused the request, and Attorney General Garfield Barwick effectively made Australia a sanctuary for Nazi war criminals. If he had not died in 1983, Viks would have been among the first prosecutions launched by the Special Investigations Unit established by the Hawke government in 1987.

esti Julgeolekupoliitsiameti

3. IV. osakond
Johann-Harju Prefektuuris
Politilise Politsei

T. salaja

septembr. 1942. a.

Tallinnas

Perekonnaseisumeet

Nr. IV / 130 / 42

Palun registreerida alltähenalud isiku surmajuhatum

1. Perekonna ja eesnimi E. a. t. E. Sulomon
2. Sünniaeg ja -koha 7.04.1894. a. Tallinnas
3. Perekonnaseis abielus
4. Ajaline elukoht Tallinn, Kuru 14-8
5. Elukohale kauduole
6. Rikkondus ja rühvus juut
7. Saksa Julgeolekupoliitise otsusega 4. oktoobr. 1941 a. mõistetud surma ja otsus samal päeval Tallinnas teide viidud

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Juhataja

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Karlis Ozols (above), the Latvian Security Police officer who carried out numerous mass killings in 1942 and 1943, photographed in Melbourne a few years before his death in March 2001. Ozols knew he would never face justice for his crimes, because in 1992 the Keating government decided to abandon the investigation despite advice that a strong *prima facie* case had been assembled by the Special Investigations Unit (SIU).



Above, Mikolay Berezovsky, accused of mass killings in Gnivan, Ukraine, celebrates a wedding in Adelaide in the 1980s by holding a jug of beer. Berezovsky was one of three war crimes prosecutions launched by the SIU. His committal hearing failed because the prosecution made an error, which allowed him to obtain an alibi to which he was not entitled.

'approximately 60 per cent of its membership of 300/400 were said to be ex-members of the Ustachi.' This caused considerable resentment among 'more liberal' members, who strongly objected 'to the fact that the majority of its members were in the past actively associated with the Ustachi who were feared and hated for their ruthless rule of Croatia during the Nazi occupation.' Of even greater interest to ASIO headquarters, this intelligence report drew attention to 'the possibility that amongst their numbers may be "agents provocateurs" who report the sentiments of the reactionaries to the Yugoslav Communist Government.'³¹

Despite this adverse report, ASIO head Spry told the Immigration department that there was 'insufficient evidence available for a security objection to be raised to the publication of the proposed paper.' Spry's decision in practice gave Vuina and the Ustaše official sanction to organise their movement in Australia. Even when ASIO discovered that an underground network of military cells stood behind the political movement, nothing was done. Spry merely directed continuing surveillance, especially of any 'fascist tendencies.' As a result of Spry's lenient assessment, the Ustaše went on to organise a widespread network of terrorist cells which launched several incursions into Yugoslavia and carried out bombings, shootings and other violence in the local community. Ljubomir Vuina was at the centre of these activities and went on to organise 'para-military training for Croats' in the early 1960s.³² Ten years earlier, the pro-Ljotić Serbian-language newspaper *Sloga* – edited by accused war criminal, Milorad Lukić – had published an article exposing 'the existence in Australia of an organised group of the Ustachi, a war-time Fascist organisation.' This launched a bitter feud between the two Nazi groups. ASIO, however, continued to take a benevolent view of the Ustaše despite mounting evidence of its increasingly militant activities, clearing further applications to publish fascist newspapers. One such clearance was given to Dragutin Sporish, the Ustaše officer identified as leader of a group 'which has as its task the preparation of military training for the Ustachi.' ASIO reported that Sporish was 'an ardent fascist and a man who would stop at nothing to gain his own ends.'³³

A few months later, Srećko Rover's faction of the Ustaše applied for permission to publish the newspaper *Hrvat* (The Croat). ASIO soon discovered that Rover was sending money to the Croatian terrorist leader Ante Pavelić in Argentina, and was also 'the man behind the scenes and the person actually receiving instructions from Headquarters overseas,' but it raised no security objections to these activities. ASIO did, however, decide to arrange ongoing penetration operations of Rover's group. In fact, ASIO knew that Rover was already publishing *Hrvat* without official approval and was also aware of its pro-Nazi, anti-democratic and anti-Semitic content. An ASIO translation of the first issue of the newspaper, for example, contained an article entitled 'The Trial of Christ.' This repeated the standard anti-Semitic and Nazi line that the Jews had killed Christ and were 'the false interpreters of the true faith' who 'intended to create only their earthly kingdom as the chosen people.' Another article linked communism and the Jews, saying that they scorned those 'who thought that the communist devil could be appeased, who thought that they could pay income from Jewish assets, which they did not earn, to the red movement to save their own head.'³⁴ However, ASIO ignored this evidence of pro-Nazi views, concentrating its investigation on the Ustaše's anti-communism instead. For example, ASIO interviewed several leading supporters including Rover's old cellmate, Josip Babić. The intelligence assessment described him as 'very anti-Communist in outlook and in political arguments becomes very heated on the subject.' Babić's close colleagues, Ivan Katavić and Michael Kručk were also found to be anti-communist. 'Katavic is a very good type of person and is thought of very highly ... He is definitely antagonistic to Communism ... Kruck is a decent fellow He has not shown any Communistic tendencies.' Anti-communism and perceived 'decency' were sufficient grounds to excuse their involvement in Ustaše activities.³⁵

However, at least one New South Wales ASIO Field Officer had considerable reservations about allowing Rover to launch his Nazi newspaper. His 30 September 1953 memo stressed that Rover's faction did not represent all Croats in Australia. He warned that *Hrvat* would 'become the official organ of Fascist propaganda in Australia.

It will endeavour to influence those persons of Croat origin who have not as yet shown any interest in the fanatical aims' of its publishers, stressing that it was certain

that the paper will retard the efforts of the Commonwealth in the assimilation of Croat settlers. From personal talks with some of these extremists it is more than obvious that they have no intention of remaining in Australia ... no good purpose would be served by officially allowing an extremely pro-Fascist newspaper to cause upheavals in a fairly contented community.³⁶

Unfortunately, this warning was ignored, and while the Director of ASIO section B1 (counter-subversion) briefly raised the possibility of objecting to publication of *Hrvat*, this was rejected and the paper was cleared. It was a historic decision, as it ensured the outbreak of violence in the Yugoslav community. Apparently unsure of what action to take, ASIO's New South Wales Regional Director, Ron Richards, asked his Field Officer to clarify the sources of his information. His reply stressed that it was 'based on the results of at least two years work in the Yugoslav community.' The ASIO officer also reported that the publishers of *Hrvat* were receiving and distributing an overseas publication called *Drina*, whose Spanish representative was 'Max Luburic, a war time henchman of Pavelich.' Luburić had actually commanded Pavelić's *Black Legion*, in which Ljubomir Vuina had served as a Colonel. Richards reported to ASIO headquarters that his field officer had 'made a close study of the Yugoslav Community and its groups and I regard his information as reliable.'³⁷

However, his intelligence assessment was rejected. On 12 April 1954, Spry wrote to Heyes at Immigration. While noting the Australian Croatian Association's pro-Ustaše policies and its contacts 'with the Croatian terrorist Ante Pavelich,' Spry concluded that there was 'no security objection' to the publication of Rover's newspaper. Spry stated that the Ustaše's 'political propaganda would not constitute a security threat to Australia,' but warned that 'it would tend to retard the assimilation of Croats in this country and to perpetuate existing

differences among themselves.' However, Spry believed that these aspects were 'primarily of concern' to Immigration officials, not to security. This was an extraordinary decision, considering ASIO's extensive information that the Ustaše was organising terrorist cells in Australia. The decision reversed Spry's previous instruction that 'members of Ustaschi organisations should be regarded as being of security interest by virtue of their fascist sympathies.'³⁸ Spry's decision ensured that from 1954 the Australian branches of the international Ustaše movement were allowed to pursue their aggressive campaign of propaganda among Croatian migrants, leading inevitably to major outbreaks of violence and to a long terrorist campaign, waged both here and abroad.

For example, a few days before clearing *Hrvat* for official publication the Immigration Department had passed information to ASIO about Geza Pasti, who a few years later became a senior leader of the major terrorist group, the Croatian Revolutionary Brotherhood. Pasti had arrived in early February 1954 and promptly absconded from Bonegilla migrant camp. Božidor Marković, a Yugoslav interpreter at Bonegilla, had informed Immigration that Pasti had received a letter from Ustaše leader Slavko Truchly, ordering him to proceed immediately to Melbourne. ASIO's Regional Director for Victoria investigated, and reported to headquarters that Truchly had admitted 'that he was an Officer of [the] Ustashi.' His report also noted that Pasti's connection with the Ustaše must 'have been made prior' to his arrival. However, he gave Pasti the benefit of the doubt by reporting that he may have absconded from Bonegilla because he wished to obtain employment before the normal release date and not because of 'any particular political motive.'³⁹ As we shall see, this was a very benign explanation, in light of Pasti's subsequent important role in organising Ustaše terrorism. The same New South Wales Field Officer who had earlier recommended that *Hrvat* should be closed down, then drew attention to a letter published in Pavelić's newspaper in Buenos Aires. It had been signed by a number of Australian Ustaše leaders, including Srečko Rover and Josip Babić. Their letter was addressed to 'the Divine One, Dr Ante Pavelic, Leader of the Croatian Revolutionary

Organisation' and pledged loyalty and obedience to Pavelić's commands 'regardless of what they may be.' They also promised they would return to Croatia to fight 'no matter what the odds.' The Field Officer again pointed to the existence in Australia of 'a strong band of Croat fanatics who follow implicitly the orders given by the war time Terrorist leader Dr Pavelich. This group of fanatics are growing stronger' and the 'peaceful Serbian community is becoming disturbed at the steady growth of the Ustase movement in Australia.'⁴⁰

The Serbian community had good cause for apprehension. A few months later, Srećko Rover wrote an open letter to the editor of *Sloga*, Milorad Lukić. As elaborated in Chapter Ten, Lukić was also an accused war criminal, but was by now campaigning against his Ustaše opponents because of their extreme anti-Serbian orientation. Rover's letter proclaimed Ante Pavelić as 'the greatest man the Croatian people ever had, whose place is among the most deserving men in Croatian history.' He then boasted of the Ustaše's record, saying that:

[The] past of not so long ago showed you clearly that we know how to defend ourselves. Bombs are not a 'Yugoslav monopoly,' and we, too, know how to use them. There is no force or power, Mr Lukić, which could keep the Croatian people under the Serbian yoke and in Serbian slavery.⁴¹

Even such threats of violence brought no response from ASIO, Immigration or the government. Rather, Rover was granted Australian citizenship on 28 November 1956 following clearance by ASIO.⁴²

According to Peter Barbour, Spry's successor as ASIO head, migrants who were known to have engaged in 'crimes of violence' should have automatically been denied citizenship. Yet Rover was naturalised despite ASIO's knowledge of his 1940s involvement in the Križari terrorist network. Indeed, Pavelić himself had published an article about this in his official newspaper, *Hrvatska*, on 7 March 1956, nine months before Rover took his citizenship oath. Pavelić's account was part of a bitter international factional brawl; it claimed that while working on the Križari missions, Rover had deliberately betrayed some

Ustaše militants to the communists. For his part, Rover made no secret of his involvement in these actions. Indeed, when he sued one of his factional opponents for defamation in mid-1957, he admitted that he had been a guide for the terrorist incursions. He also bragged about his membership of the Ustaše army, in which he 'rose to the rank of lieutenant, won a medal, and was given a citation for bravery.' If ASIO had previously failed to draw correct conclusions about Rover, his own *public* statements left no doubt about his past. Although by then he held Australian citizenship, ASIO could have recommended that it be revoked. Predictably, nothing was done, although ASIO carefully filed the transcript of the defamation trial in Rover's intelligence dossier.⁴³

Despite ASIO's apparent indifference to claims that Rover had betrayed his own comrades to the communists, allegations that he was a double agent persisted. In April 1960, for example, an ASIO source repeated the story about Rover's betrayal of the Križari missions. This source was well placed to comment, as he 'was a good school friend' of Rover's in Sarajevo before the war. This source insisted that it was Rover who had recommended the use of an allegedly 'safe' route for a Križari mission that had been immediately captured by the communist secret police, the UDBA. His judgement of Rover's ongoing activities was damning: 'I think that Rover is connected with UDBA.'⁴⁴ Indeed, nearly everywhere ASIO turned for information on Rover's terrorist cells, they found sources only too willing to bolster such claims.

The allegations against Rover reflected a much deeper split in the movement. Rover's followers were doubtless encouraged by ASIO's blind eye to their activities, and felt secure enough to turn against more moderate Croatian leaders. They exerted growing pressure on anyone who would not follow their line, first excluding Dragutin Sporish from the inner circle, then expelling the more moderate members from the fronts which Rover and his closest associates dominated.⁴⁵ Such factionalism rapidly tore the Australian Ustaše apart. In the mid-1950s, a decisive split centred on whether to pursue terrorism, or more moderate policies. Of the movement's competing factions, the two most important were Srećko Rover's militant Croatian National Resistance

(HNO) and Fabijan Lovoković's Croatian Liberation Movement (HOP). During the war, Lovoković had been a leader of the Ustaše Youth Movement and then a junior officer in Pavelić's personal bodyguard. ASIO soon established that he was 'the leader of the Ustachi elements in the Yugoslav community in NSW.'⁴⁶

At first, Rover and Lovoković had worked together, establishing the Ustaše's influence throughout the country. However, events in the international and Australian movements soon saw them at loggerheads. This stemmed partly from manoeuvres launched in 1954 by Pavelić, who wished to promote closer relations with exiled Italian, Serbian and Hungarian fascist politicians. According to intelligence gathered by ASIO, Pavelić made several concessions regarding the intended Croatian border, ceding areas that were historically Croatian territory. This led to disagreement within the Ustaše movement, resulting in the formation of a breakaway faction in Spain led by General Maks Luburić, former commander of the *Black Legion*. At the time of this split, Luburić was in charge of the underground Croatian Military Forces in Europe and controlled the key link with Croatia, including a network of underground cells. Luburić resigned his post as Pavelić's commander in Europe in 1955, establishing the Croatian National Resistance (HNO).⁴⁷ Srećko Rover soon became a major player in this brawl. In December 1955, Rover launched his own campaign against Pavelić over the control of funds raised in the local Croatian community. In response Pavelić wrote to his Australian followers demanding that Rover be dismissed from his post as Secretary of the Croatian Association. When this failed, Pavelić claimed that Rover had deliberately led ninety-two men to their deaths in the ill-fated Križari terrorist missions into Croatia in 1947 and 1948, pointing out that Rover was the only one to escape. Ninety-two was the exact number of defendants tried in Zagreb in 1948, and Rover had guided many of them across the border. As earlier related, Rover denied the charges. A few years later, yet another claim emerged alleging that Rover had suggested to a senior Ustaše leader that he should meet a Soviet agent named Hahn in order to betray some Križari leaders to the communists, creating martyrs who would supposedly strengthen the movement.⁴⁸

In reaction to these factional squabbles, Pavelić founded the Croatian Liberation Movement (HOP) in Buenos Aires in June 1956, to rally the faithful and strengthen his European organisation after Luburić's defection. However, on hearing of Pavelić's campaign against Rover, Luburić saw the prospect of a significant ally and encouraged Rover to split the Australian movement. The key leaders of the Australian Croatian Association, Srećko Rover and Fabijan Lovoković, took different sides. Rover left to form a branch of Luburić's Croatian National Resistance (HNO), while Lovoković formed the Australian branch of Pavelić's Croatian Liberation Movement (HOP). Pavelić then appointed Lovoković and his supporters as Australia's official Ustaše representatives, while Luburić touted Rover's group as the movement's legitimate heirs.⁴⁹ These major splits set off a significant upsurge of military training and terrorist activities in Australia, fomented by Srećko Rover's militant wing. Former Commonwealth Police Superintendent Kerry Milte, who specialised in Croatian extremist groups, described Rover's Croatian National Resistance as 'a marked inciter of militant revolution against the State of Yugoslavia,' while even ASIO characterised it 'as revolutionary in its outlook.'⁵⁰

While the HNO was more radical than the HOP and favoured terrorism and military action, both fostered militant youth movements to keep old hatreds alive and replenish ageing militants. Both were fertile ground for recruiting young men willing to join terrorist cells and organise violence. In the early 1960s, Rover organised an overtly terrorist group called the Croatian Revolutionary Brotherhood (HRB), which soon organised a new, Križari-style incursion into Yugoslavia and ignited a campaign of terror in Australia.

The Friar Was A Terrorist

Chapter Nineteen

The Adriatic coast sweltered in the first heatwave of summer in 1963. German and English tourists flocked to Croatian resorts. Across the border in Milan, however, nine sworn terrorists were making final preparations for a trip that would return them to their homeland, to sow destruction and, it was hoped, the seeds of revolution. It would come as a complete surprise to most Australians to learn later that much of the indoctrination and training of the terrorists had taken place at 121 Queen Street in the Sydney suburb of Woollahra, at the Croatian Club run by Father Rocque Romac. It was there they had undertaken their first training in the arts of sabotage and explosives' manufacture, before secretly leaving Australia for Stuttgart in West Germany for advanced lessons in handling arms and explosives. Now, in Milan, they were on their mission's final leg, receiving instructions on crossing the border safely as well as individual briefings. The instructors laid out essential equipment for their trip – fifteen kilos of explosives, 100 detonators, 100 metres of fuse wire, six Beretta pistols with 450 rounds of ammunition, two daggers and four radios. Their orders were distributed. Some were to assassinate Yugoslav political and public figures, others to destroy bridges, factories and public buildings. All were to spread Ustaše propaganda among the villagers of northwestern Croatia.

The night of 6 July 1963 was ideal for their clandestine border

crossing – just enough moon to provide light, but plenty of cloud cover to hide them from the Yugoslav security forces. It was just after midnight on the seventh when the nine men entered the country, splitting into their *troikas* (three-man terrorist cells) and heading in different directions, one to Rijeka, another to Karlovac and the third to Koper. Srećko Rover's Križari again stalked the forests and towns of Croatia.



This new mission proved no more successful than the Western-backed Križari operations. Most of those who crossed the frontier in the 1940s missions were picked up within days, tried and executed or gaoled after show trials. The Australian-organised mission fifteen years later proved just as futile, for the Yugoslav security police, UDBA, was one of the world's more efficient. All nine men were arrested within a fortnight. The Yugoslavs found that seven of them carried travel documents issued in Australia, while the others held Australian passports. Two had attended a secret Ustaše training camp at Wodonga in which the Australian Army had played a not insignificant role. In an official communiqué announcing their capture five weeks later, the Yugoslavs claimed that the Croatian Revolutionary Brotherhood (HRB) had recruited the nine men, who had also admitted that they had been trained in military and terrorist arts at Father Romac's club in Woollahra. Safe in Sydney, Father Romac rejected the charges and 'denied there had been any political meetings at the club.' Indeed, his club was used mainly for reading and chess. 'I'm very much against gambling and drinking on the club premises, and the discussion of politics,' he said. However, the Sydney *Sun* interviewed intelligence officers who 'considered it possible that the plan to return to Yugoslavia was organised' from the Croatian club. Father Romac did, however, admit to knowing one of the arrested men, Josip Oblak, which tended to confirm ASIO's assessment.¹

The Croatian Liberation Movement's newspaper *Spremnost* (Readiness) offered further confirmation by reporting that Oblak had frequently attended Romac's lectures, where he had recited poems

praising Ante Pavelić and the Ustaše. *Spremnost* also reported that Romac had appealed to the audiences at these meetings 'to follow the example of the Ustaše,' adding that HOP leader, Fabijan Lovoković, also lectured at the club.² Lovoković admitted that a Croatian terrorist organisation could be training in Australia, saying it 'wouldn't be hard to find men for such a job. There could easily be a movement that I don't know about.' Lovoković was lying. Josip Oblak, for example, had in fact been active in Ustaše affairs for some years. A September 1955 intelligence report had listed Oblak as a member of the Croatian Club in Fremantle, described as 'the meeting place for the Ustachi.' Another of the captured terrorists, Ilija Tolić, had joined Oblak in donating to a fund raised to assist terrorists arrested in West Germany. Their names and the amounts donated had actually appeared in *Spremnost*. Oblak had in fact organised this fund, as Lovoković well knew.³ While distancing himself from the nine militants, Lovoković proclaimed his organisation's 'object is to return to our homeland and overthrow the Communist regime, but we must wait until we are strong enough,' adding that the arrested men 'were courageous but not sensible.' He then declared proudly that if 'anyone in Australia trained saboteurs it would be our organisation – but we're training no saboteurs yet.' Lovoković then bragged of close relations with ASIO and claimed to have 'reported to the Australian Security Service hundreds of people,' allegedly communists in the Yugoslav community.⁴

Meanwhile ASIO was gathering intelligence on the Croatian terrorist network. The man said by ASIO's sources to be actually training the saboteurs was Srećko Rover. One Q source insisted that Rover was 'busy organising a band of young enthusiasts to go to Austria and from there penetrate the Yugoslav border to carry out sabotage and espionage. He is believed to have several hundred ready to go when the time is right.'⁵ By mid-September 1963, ASIO was convinced that Rover was behind the incursion by the nine Croatian terrorists:

The above facts prove that at least one, if not all the nine arrested alleged Croatian terrorists were known to Rover. There is every reason to believe that Srećko Rover was vitally involved with the nine arrested men and that he was fully aware of their activities in

this country; personal particulars; date of departure for Europe, and their proposed plan for entering etc., into Yugoslavia.⁶

The old suspicions about Rover as a double agent were not far behind. Several ASIO *Q* sources reported that Rover was 'viewed with suspicion as a possible Tito agent by older Croats.' After recounting the story of Rover's role in allegedly betraying the Križari missions, one source stated that it was 'suspected that a similar fate awaits any group that Rover leads into Yugoslavia.' One well-informed ASIO Field Officer certainly concluded that circumstantial evidence supported this contention. Rover's 'known history is a very doubtful one,' he reported, and again recounted the details of the Križari missions. He then recalled that Rover had recently been involved in the transfer of a large sum of money to Yugoslavia, which 'could have been originally intended to assist the returning Croats in their plans in Europe.' On the other hand, 'this is another possible indication as regards Rover's activities being connected with the UDBA.' Taken as a whole, circumstantial 'evidence in this case tends to show that a strong possibility exists of Rover being an agent of the Yugoslav Government.'⁷

While the evidence for this conclusion may have been circumstantial, in ASIO's view there was little doubt that Rover was directly implicated in the actual terrorist incursion. ASIO quickly established that Rover had been working with Croatian Revolutionary Brotherhood (HRB) leader Geza Pasti. Pasti, it will be recalled, had been the Ustaše member given a favourable ASIO assessment when he had absconded from Bonegilla migrant camp a few years earlier. In May 1967, ASIO reported that the HRB was formed following a discussion between five Croatian extremists, Ilija Tolić, Josip Oblak (two of the men arrested in Yugoslavia in July 1963), Geza Pasti, Dražen Tapšanji and Jure Marić, all members of Fabijan Lovoković's Croatian Liberation Movement (HOP). Apparently they were dissatisfied with HOP 'because they thought it was not active enough and did not support the creation of a Croatian State by terrorist and revolutionary means.'⁸ Pasti became the HRB leader in Melbourne, and ASIO reported that Rover and Pasti had been observed together 'on a number of occasions during

early and mid-1963.' It was especially relevant that they had dined together 'on the eve of Pasti's departure from Australia, presumably to take up his position as leader of the HRB members, who had left the Commonwealth with the intention of committing acts of terrorism in Yugoslavia.' Another fascinating aspect of Pasti's career – which especially intrigued ASIO – was the fact that the Soviet intelligence service had tried, supposedly without success, to recruit him as an agent in the 1940s. Like Rover, Pasti had also successfully crossed the Yugoslav frontier while his two companions were captured. Along with the suspicions of Rover being a double agent and the association of the two men since 1954, this made some ASIO officers uncomfortable with the intelligence Rover was by then passing to them as a Q source. This actually included intelligence on Pasti and other senior HRB members.⁹

Rover's factional opponent, Fabijan Lovoković, was also keen to assist ASIO in compiling files on subversives, by which he strictly meant communist subversives, not fascists.¹⁰ While ostensibly the leader of the 'moderate' faction of the Ustaše, he also promoted militant action. In January 1963, for example, the *Bulletin* reported that the Croatian Liberation Movement (HOP) maintained 'a secret army training ground' at Wodonga in Victoria. The magazine demanded an ASIO investigation.¹¹ The existence of this training camp was actually no secret. In fact, *Spremnost* had bragged about it in its January-February 1963 edition. Headlined 'Today on the Murray River – Tomorrow on the Drina' (a river in central Yugoslavia), the article enthused about the conspiratorial and martial spirit at the camp, which had been held in early January. *Spremnost* reported that only those who knew the password were permitted to enter and that there was 'physical culture and military training.' The high point came when 'youth of Australia and youth of enslaved Croatia met on this free territory.' This referred to participation of officers and members of the Army's Citizens Military Forces (CMF) in the training exercise. The article was illustrated by a photograph showing HOP members posing on an Australian Army armoured car. A later edition carried a poem written by one of the 'campers' describing the Wodonga site as 'the nest of the Croatian Ustaše,' a place for young HOP members who 'are prepared to die' for Croatia in order to 'drive out the Serbians.'¹²

ASIO investigated the training camp and obtained a detailed report from its Ustaše sources. According to this report, on the first day of the training camp,

the assembled Croats were lectured by Fabjian [*sic*] Lovokovic on Croatian history and he introduced to the gathering twenty-two members of the Australian Army – one Captain and twenty other ranks. The Captain lectured on various types of arms and equipment and Lovokovic interpreted for him. The members were then allowed to handle the equipment which included rifles and pistols and were instructed in driving tanks and handling the wireless equipment. No live ammunition was fired. Each person attending the camp paid a sum of £5.0.0. towards the cost of the food and the uniform. (The uniforms used in the camp were surplus Australian Army uniforms allegedly purchased by Adolp [*sic*] Jankovic from the Bandiana Army Camp. These were issued to the Croats attending the camp so that each would appear in an identical uniform).

In fact, the Croats had even made a film of the Australian Army's role at the camp, which the Commonwealth Police were forced to seize to avoid embarrassment in case it were given a wide showing.¹³

Publicity about the camp sparked off a long-running political controversy. In answer to questions from Labor Senator Jim Ormonde, Army Minister Jack Cramer admitted that the camp had taken place, and that a CMF commander of an armoured squadron had held 'a minor exercise' with what Cramer described as 'a picnic group' from among whom it was hoped to gain new CMF recruits. The Minister claimed that the CMF officer was unaware of the true nature of the 'picnickers,' and that the whole exercise was aimed only at 'enhancing the prospects of recruitment for the CMF.'¹⁴ However, Cramer's response masked the truth and ignored the close relations between some members of his government and the burgeoning Ustaše front groups. Six weeks earlier, for example, Cramer's colleague, the Minister for Shipping, Hubert Opperman, had helped the Ustaše in Geelong to celebrate the anniversary of the establishment of Pavelić's 'independent' Croatia on

10 April 1941. The Ustaše flag had been prominently displayed along with portraits of Pavelić and the Queen. A few weeks later, Lovoković and other Ustaše leaders wrote to Prime Minister Menzies, informing him 'that it is our moral duty to work towards' the liberation of Croatians suffering under conununist tyranny. Menzies's secretary replied that the Prime Minister appreciated the sentiments expressed.

In fact, many in the Liberal Party welcomed the Ustaše as political allies, and a significant number of leading Liberals attended their functions and gave rousing speeches in praise of their anti-communism and patriotism. Following the example of Hungarian Arrow Cross leaders, many Ustaše joined the Liberal Party. Indeed, Fabijan Lovoković was one of the earliest members of the Liberal Migrant Advisory Council. The New South Wales Liberal Party's official newspaper lauded Lovoković as 'an outstanding example of a public-spirited and ambitious New Australian.' The paper noted that his education had been interrupted during the war by military training.¹⁵ In fact, as outlined previously, Lovoković had been a leader of the Ustaše Youth Movement and had ended the war as a junior officer in Pavelić's personal bodyguard.¹⁶ The parliamentary and media exposure of the true nature of the Wodonga 'picnickers' and the various Ustaše fronts did not dampen the Liberals' warm embrace.¹⁷ Indeed, despite the evidence of secret Ustaše terrorist cells collected over the previous ten years, the government consistently denied knowledge of any illegal activities.

So, too, did the Catholic Church. The evidence against Father Romac and his Melbourne colleague, Father Josip Kasić was, nevertheless, overwhelming. In its January 1963 article on the Wodonga training camp, the *Bulletin* also published an exposé of Father Kasić revealing that he was an Ustaše activist. One of ASIO's Croatian sources had reported that during the war Father Kasić had been 'among a group of students hand-picked to form a Ustashi bodyguard for Dr. Pavelic, the leader of the Croatian State.' According to this source, Kasić had later joined the Križari in the mountains, been captured by the communists and imprisoned. The source

... stated that in his opinion Kasic may have assisted the Yugoslav

authorities after his capture as it was the normal practise for Crusader [Križari] members to be “shot like dogs” after they are captured by the Yugoslav communists. In addition, Kasic has successfully brought members of his family into Australia on Yugoslav Passports and this in itself raises doubts in the minds of many of the Parishioners.

This information must have made ASIO sit back and consider very hard its attitude toward the good Father. It did, after all, fit rather well with the fact that Kasić had cooperated with another suspected communist double agent, Srećko Rover, in sending large sums of money to Yugoslavia where ASIO suspected that it fell into UDBA’s hands. Father Kasić, however, certainly went out of his way to suggest that he was the very opposite of a communist agent. The *Bulletin* article, for example, reported that he had preached from the pulpit against Croats who became naturalised Australians or married outside their race, also telling his congregation they were ‘here in Australia only to be exploited by the capitalists and the Jews.’ Kasić’s outlook is summed up by his description of the nine arrested men ‘as patriots, not terrorists.’¹⁸

The Wodonga camp again became the focus for considerable attention following the July 1963 terrorist incursion into Yugoslavia. The usually conservative Sydney *Daily Mirror* even editorialised that the ‘whole affair shrieks for investigation. Yet we find the Minister for the Army, Mr Cramer, arrogantly refusing to do anything about it.’¹⁹ Cramer repeated his claim that the CMF had only been looking for recruits, saying that no ‘training of any kind whatsoever has been given to anyone at any time except members of the CMF.’²⁰ The *Bulletin* commented that it had drawn public attention to the Ustaše ‘Croatian fascist movement’ the previous January, but that nothing was done ‘until a Communist dictator like Tito laid his charges.’ The ‘most serious aspect’ of the story ‘is the extent to which this fascist group has been able to hide behind fronts associated with the Catholic Church’ and that Croatian Church leaders ‘attack Croats who become naturalised or marry Australians as anglophile traitors, and they mix attacks on Communists with attacks on Jews.’²¹ There was considerable truth to

these claims, as disclosed in a minute on the 'Proposed Prosecution of Croatian Immigrants' written by the Secretary of the Attorney General's Department. Although Father Romac denied any complicity in training the nine terrorists arrested in Yugoslavia, the minute singled out the Franciscan friar as one of those liable for prosecution. The others had immunity, having provided information to the Commonwealth Police, which proposed that this assistance should be taken into account. The memo recalled 'that it was at the home of Father Romac that the persons convicted in Yugoslavia received certain instructions prior to leaving Australia.' It suggested that as 'an alternative to the prosecution of Father Romac, the Church authorities could be advised of his activities and asked to take measures to ensure the future good behaviour of Father Romac.'²²

By this time, the nine Australian-based terrorists had been tried in Yugoslavia and sentenced to prison terms ranging from six to fourteen years.²³ Stanko Zdrilić and Branko Podrug told the court in Rijeka that they had joined the Croatian Revolutionary Brotherhood (HRB) and attended regular courses at Romac's centre in Woollahra where 'we learned of mines and explosives.' Zdrilić claimed that HRB leader Josip Senić had conducted the courses at the Woollahra club. Subsequent investigations by the Commonwealth Police confirmed that Senić was, indeed, one of the organisers of the incursion and that the HRB had made regular use of a room at the club after making special arrangements with Father Romac. According to a 6 March 1968 report of the Crime Intelligence Bureau, Romac had established a library at the club on 15 September 1962, appointing Senić as 'honorary librarian.' The Commonwealth Police identified Senić as HRB member number 161, who operated under the codename of Mirko Slavonac and 'gave lectures secretly at the Library to [HRB] members, on the military sciences, particularly in the use of explosive mining devices.' The report also identified Geza Pasti as one of the major HRB organisers implicated in terrorist preparations.²⁴

That men with such violent tendencies could have found support in the Catholic Church is almost unbelievable, except for the even more extraordinary career of Father Rocque Romac. This Franciscan priest arrived in Australia in August 1955, after eight years at a Croatian

Roman Catholic monastery in Bolivia. Romac then worked in Adelaide and Perth, and finally became chaplain to the New South Wales Croatian community in May 1957.²⁵ The Commonwealth Police suspected that Romac had joined the HRB soon after its founding in October 1961. By the mid-1960s, they were sure that his Woollahra centre was 'used with the sanction of Romac for the purpose of training Croatians in acts of sabotage.' They also established that Romac was not the priest's correct name, having been informed by ASIO's Sydney office that it was really 'Oswald Toth.' According to this information, the Vatican had issued him with an identity card in that name, but he had changed it when he travelled to Bolivia via Argentina in 1947. Indeed, Romac had admitted to a Special Branch officer that he was born on 3 December 1905 at Varaždin in Yugoslavia, where his parents named him Stjepan Toth. His full name was, in fact, Stjepan Osvaldi-Toth. In addition, an ASIO source in the Croatian community who had known Osvaldi-Toth by his real name prior to coming to Australia had identified the priest as both an imposter and a wanted war criminal. A lengthy investigation, both overseas and in Australia, eventually substantiated both claims. In the course of the inquiry, ASIO's contacts in British and US intelligence supplied a large amount of information, but all of this has been censored from Romac's dossier.²⁶

Indeed, the Commonwealth Police believed that Romac had breached the *Immigration Act* by carrying false documents and was also liable for prosecution under the *Nationality and Citizenship Act* for giving a false name, age and birthplace when seeking and obtaining naturalisation in 1962. Despite his vigorous protestations that he was not involved in politics, Romac was extremely active in local Ustaše affairs. One ASIO source in the Croatian community reported that he had at first been heavily involved with the Croatian Liberation Movement (HOP). In fact, he had helped to organise a second HOP training camp at Tumbi-Umbi north of Sydney, where he had regularly attended annual political/military gatherings. Another ASIO source reported that at the 1966 gathering Father Romac had actually chaired the main meeting and 'reminded the assembly of the duties they have to perform.' The first ASIO source also reported that the priest's real

loyalty was to the Croatian Revolutionary Brotherhood (HRB). This was certainly confirmed by the fact that Romac had vouched for Josip Oblak, by signing the certificate which enabled him to gain the identity and travel documents which he used on his trip to Europe that ended in a Yugoslav gaol. This further indicated the priest's deep involvement in the 1963 incursion. Indeed, the Commonwealth Police were convinced that he was directly involved in the incursion, but their views were treated with contempt by the government.²⁷

Despite manifold evidence – that Romac was not his real name, that the friar was actively involved in Ustaše politics and in organising underground terrorist groups – Liberal Attorney General Billy Snedden refused to contemplate prosecution. 'There is a period of public quiescence at present,' he wrote in October 1964. 'I would not want to see the whole issue revived by prosecutions which are not in themselves of great proportions.'²⁸ Snedden's attitude licensed Romac to continue his Ustaše work. Several months later, the Commonwealth Police opposed Father Romac's application for an Australian passport, but again were overruled. With it in hand, he proceeded in 1965 on a lengthy organising tour among *émigré* Croatians in several European countries. One of this trip's stated aims was to 'have a look at the HRB set up overseas' and predictably one of his key meetings was with Rover's boss, Maks Luburić, the former commander of the *Black Legion*. Another was with Geza Pasti, the HRB leader who had left Australia just before the 1963 incursion into Yugoslavia. Indeed, in September 1965, a highly confidential ASIO source confirmed that Romac was still 'actively assisting HRB followers in Sydney' and was close to both Rover and senior HRB leader Jure Marić.²⁹

Another of the meetings Father Romac had on his trip was an audience with the Pope in Rome, showing that his long involvement in extremist politics and terrorist actions had not affected his standing within the Church. Indeed, when Father Romac died in March 1970, the *Catholic Weekly* published an obituary noting that he had worked under Archbishop Stepinac of Zagreb during the war, serving as chaplain to Croatians in German labour camps. According to this semi-official Church version of Romac's life, he had worked with *émigrés* in Modena

and Bagnoli DP camps after the war, escaping from Allied custody after being imprisoned at the request of the communist Yugoslav government. Pope Pius XII was credited with saving Romac from extradition, after personally intervening with British and American authorities. Indeed, so highly was he thought of in senior Church circles that Cardinal Gilroy officiated at his funeral mass.³⁰

ASIO had long since discovered Romac's murky past, having received information in May 1964 that his real name was Toth and that he had used this name at Bagnoli where the British and Americans had placed him on the *Grey* list.³¹ On 3 May, the Allies launched *Operation Crossline* at Bagnoli to remove 'persons believed subject to forcible repatriation.'³² Three senior Ustaše officers who later settled in Australia – Srečko Rover, Josip Babić and Stjepan Osvaldi-Toth – were arrested in the operation. The latter was described as a priest and, according to Western intelligence, Osvaldi-Toth was 'one of the leading Ustachi organisers in Bagnoli Camp. We have had several reports that this man is an Ustachi with a very shady war career.'³³ The Yugoslav communists were also closely monitoring the Western operations and soon learned that Osvaldi-Toth had been apprehended. On 20 May, the Yugoslav representative in Rome sent the British and Americans a list of Yugoslav war criminals and collaborators known to be in British custody, including Osvaldi-Toth, described as a 'well-known Ustasha.'³⁴ On 2 June, Major E. Dayrell of the War Office sent Christopher Warner at the Foreign Office a list of alleged Yugoslav quislings and Ustaše held in custody as of the previous day.³⁵ This noted that Osvaldi-Toth had been screened by WOSM and classified as *Grey*. Instructions were therefore requested for 'his final disposal.' Subsequently he was transferred to Rimini DP camp 'for disposal to Germany as [a] normal Yugoslav Grey.'³⁶

The friar was then dispatched, along with Josip Babić and thirteen fellow *Greys* to Rimini DP camp on the first stage of his journey to Germany and unconditional release. Apparently, the officers at Rimini were very lax and allowed these fifteen Ustaše to 'escape' in what Major V.E. Simcock described as 'gross neglect.' An official investigation found that 'the group arrived at Rimini and were handed over to a Sergeant who stated that the train had already left for Germany. As these persons

did not receive any attention during the day, they just walked out of the place where they were and escaped.³⁷ It was only three weeks later that State Department Secretary George Marshall advised his Political Advisor at Leghorn about US intelligence's knowledge of Osvaldi-Toth. Noting that the friar had been the chaplain of the Croat group at Bagnoli, where he had been employed in the influential position of mail censor, Marshall stated that Osvaldi-Toth had been the 'spiritual leader of Croatian workers in Germany during the war,' and had come to Italy in 1945 and entered Modena camp. Marshall's cable then referred to some fascinating aspects of the priest's recent history, recounting that in October 1946,

he sponsored the return from Bagnoli to Yugoslavia of 15 Croats who intended to join resistance forces there. These 15 persons were later reported in Yugoslavian circles as 'arrested in Trieste.' Toth-Osvaldi is said to have been friendly with a Mrs Pavrlisak [*sic*], wife of a leader in the Anti-Bolshevik Center in Trieste, which was known as an OZNA provocative effort, and to have told the 15 Croats that the Allies had recognized the Croatian State and would provide equipment. OZNA was considered by Croats in Italy as behind Toth-Osvaldi's sponsorship of this movement.³⁸

OZNA was the forerunner of UDBA, the Yugoslav secret police, and even if Osvaldi-Toth was not a double agent in touch with the communists, this information certainly implicated the friar in organising terrorist incursions into Yugoslavia. Fifty years later, it is extremely difficult to account accurately for Osvaldi-Toth's war years. However, official Yugoslav War Crimes Commission documents suggest that he probably had been a member of the Ustaše secret police, involved in Gestapo operations towards the very end of the war that resulted in the arrest and summary execution of many innocent people.³⁹

Whatever the truth about Osvaldi-Toth's wartime career, what happened after he 'escaped' from custody at Rimini is known with some precision. The friar immediately contacted the Vatican's key Nazi-smuggler, Father Krunoslav Draganović, in Rome who arranged a new

identity for him.⁴⁰ This was achieved as a result of the recent death of Father Rocque Romac, another Croatian Franciscan friar about ten years younger than Osvaldi-Toth, who had intended to travel to Bolivia to work in Sacaba at the local Croatian order. Osvaldi-Toth simply assumed Romac's identity, using his passport to travel to Bolivia where he joined the Franciscan community in Sacaba. The new Father Romac then became Draganović's Bolivian operative in the Vatican's Ratline – the escape route used by many Nazi war criminals.⁴¹ One of Romac's fellow priests at Sacaba, Medardo Motsch, recalled that Draganović would warn his Bolivian contact of the arrival of these 'refugees from communism' about a month before they arrived, often cabling the details. One of Romac's 'customers' was Klaus Barbie, the Butcher of Lyons, who was sentenced in the late 1980s to life imprisonment by a French court for ordering and carrying out crimes against humanity during the Nazi occupation.

Having used Barbie in anti-communist intelligence operations, the US Army's 430th Counter Intelligence Corps detachment sought Draganović's help to remove their embarrassing agent from Europe. Father Draganović provided Barbie and his family with false identities for travel to Bolivia. In late February 1951, Draganović cabled Romac informing him 'that a family called Altmann was on its way to Bolivia with his name on their visa application as sponsor.' Of course, Romac had never met Barbie or his family before they arrived in Bolivia as the Altmanns on 23 April 1951, but he looked after them until they had established themselves in the local German community. In the 1980s, Father Romac was still well remembered in the tiny village of Sacaba about twenty kilometres from the regional centre of Cochabamba. Although the Croatian order closed in 1955 just before Romac arrived in Australia, he was recalled as 'a powerful figure in Sacaba' who quickly introduced Barbie to influential elements who helped him launch his Bolivian criminal career of terrorism and drug trafficking.⁴²

If Rocque Romac/Stjepan Osvaldi-Toth had done nothing else, his role in protecting and assisting the Butcher of Lyons would have earned him a special place in history.⁴³

In the wake of the Ustaše's 1963 incursion into Yugoslavia, the Australian government finally started to have doubts about its tolerance of Croatian extremists, with at least some senior cabinet members expressing significant reservations about the drift of official policy. In January 1964, External Affairs Minister Garfield Barwick had written to both the Attorney General and the Immigration Minister after an interdepartmental meeting about the Croatian Revolutionary Brotherhood. Barwick's letter noted that the government had rejected the Yugoslav view that Australia was 'acquainted with the organised activity of the Croatian fascist emigrants and ... to say the least, tolerant towards them.' He then stated that he was 'disturbed at the foreign policy implications of such activity which may embarrass our relations with other governments' and advocated strong action to curb the excesses of Croatian extremists, including close ASIO supervision of their organisations and prosecutions under the *Crimes Act* 'as a further deterrent to uncontrolled extremism' in order to 'prevent any recurrence of behaviour which adversely affects our external relations.' Barwick's concerns echoed Brigadier Simpson's memo of twenty years earlier.¹

Behind the scenes, Barwick's intervention seemed finally to have galvanised ASIO. In June 1964, ASIO wire-tapped both Rover's and Lovoković's telephones. In ASIO's intelligence code, this was termed

placing them 'on Hawke coverage.'² In applying to Attorney General Billy Snedden for this telephone intercept, ASIO head Spry provided a detailed account of Rover's history, including hints of the intelligence Rover had himself supplied to ASIO about the membership of the terrorist cells of the Croatian Revolutionary Brotherhood (HRB). Spry then argued that:

It is clear that Srecko Rover is well versed in the politics and intrigues of the Croatian community in Australia. Interception of his telephone service is likely to assist the Australian Security Intelligence Organisation to obtain intelligence concerning the dangerous Croatian Revolutionary Brotherhood, collection of information on which is difficult because of the cell system under which it is organised and also because of the danger to an informant in revealing information.

Agent penetration, contact development and interviews are being stepped up by the Australian Security Intelligence Organisation in the Croatian field and interception of the telephone service of Srecko Rover is likely to reflect the reaction to these operations by the Organisation and those of the Commonwealth and State Police Forces.³

On 20 June, Snedden approved the wire-tap. Despite Spry's optimism, however, Rover was obviously too clever to fall into ASIO's wire-tap trap. Although none of the intercepts is on the intelligence file, a handwritten note was appended to Snedden's decision eight years later, recording simply that the wire-tap had 'lapsed on due date [15 December 1964]. Product was minimal.'⁴ In the following years, ASIO continued to collect intelligence on Rover's activities until it was ultimately concluded that he was the force behind the HRB and its terrorist actions. At first, various ASIO officers gave Rover the benefit of the doubt, although they did establish that he 'may have some wartime intelligence experience' and was definitely 'an intelligent individual with the background, training and connections to organise a revolutionary type organization should he so desire.'⁵

In February 1965, however, an intelligence source informed ASIO that Rover was, in fact, the most important HRB leader in Australia. By March 1965, ASIO's penetration operations had produced a source who was actually a member of the HRB. This source supplied 'the names of a number of Croatians whom he states are HRB members and who have not previously come to notice.' According to this source, of the sixty-five members of one of Rover's fronts in Sydney, about forty were also HRB members, demonstrating the clever way in which the political fronts were controlled by the organised paramilitary cells.⁶ By May 1965, Rover was becoming concerned at the success of ASIO's 'penetration of extremist groups.'⁷ Although this highly censored, handwritten note on Rover's intelligence dossier is not conclusive, by July 1965 the ASIO Case Officer conducting the operation had changed his assessment and reported 'that Rover may be engaged in HRB activity.' This was bolstered by Rover's outstanding leadership qualities compared to the HRB leaders, and by the fact that most of the key HRB leaders were also members of at least one of Rover's front groups.⁸ In mid-1965, another well placed ASIO source described Rover as 'the most dangerous man in Australia,' and 'the leader of the HRB' who 'leads about 50 boys [and] is also in touch with Geza Pasti in Europe.'⁹

In the first half of 1966, the case against Rover strengthened considerably. In February, information was received suggesting Rover was trying 'to take over the HRB.' In March, intelligence was received proving 'the participation of Srecko Rover in matters affecting the Croatia [*sic*] Revolutionary Brotherhood.' In May, Tomislav Lesić, a senior leader of the Sydney HRB cell, made an extensive tour of Victorian Ustaše groups, and ASIO's 'Agents and Contacts' reported that it was carried out in close co-operation with Rover. Indeed, as a result of the intelligence gathered during this visit, ASIO concluded that it had been proven that the HRB actually controlled one of Rover's front groups. The Commonwealth Police were also investigating Rover's connections with the HRB, and their informants provided similar intelligence on his close relationship with Lesić. Senior Constable D. Farrant led this aspect of the police inquiry and came to a firm conclusion: 'I am of the opinion that Rover is the leader of the

Brotherhood, but when interviewed, Rover denies all knowledge of the organisation.' In October 1966, ASIO established that several more Rover fronts were controlled by senior HRB members.¹⁰ By the beginning of 1967, ASIO had received intelligence from a well placed source – presumably inside the HRB – that the Case Officer described as 'possibly the first definite indication that Rover could be directly involved with the HRB. In the past Rover has been known as an associate of the Brotherhood members but has denied any participation in the HRB organisation.'¹¹ That Rover was at the very least one of the principal leaders of the Croatian Revolutionary Brotherhood was no secret to the Commonwealth Police, who had drawn that conclusion four years earlier. Indeed, the head of the Central Crime Intelligence Bureau, Superintendent Kerry Milte, was unequivocal: it was 'beyond dispute' that Rover had 'a powerful and influential role in the HRB.'¹² For the previous five years, however, ASIO had suspended its judgement on Rover's part in key terrorist infrastructure. Now that evidence of his senior post in the HRB was firmly established, it might have been expected that swift action would follow. Still nothing was done.

Right through the 1960s, a wave of violence had swept the Yugoslav community. This coincided with the formation of the HRB terrorist cells masterminded by Srećko Rover. The Commonwealth Police believed that most of these terrorist acts were carried out by Ustaše militants. Yugoslav migrant groups and leaders were foremost among the targets, with repeated attacks on premises and homes, and stink and pen bombs thrown during pro-Yugoslav functions which seriously injured some of those in attendance. A number of letter bombs were sent to leading anti-Ustaše campaigner Marijan Jurjević, severely damaging his home, while Yugoslav diplomatic and commercial premises were bombed on a number of occasions causing considerable damage and injury to innocent bystanders. Violence at soccer matches between rival Croatian and Yugoslav clubs was also commonplace, as the Ustaše extended the bitter hatreds of the past to Australian sports fields. Serious assaults and knifings also took place, both of Croatian factional opponents and others in the Yugoslav community, including Serbs who had also served on the Nazi side during the war. A Commonwealth Police Central Crime

Intelligence Bureau memo of July 1972 described a number of murders as 'professional' assassinations and detailed over fifty serious incidents over the previous nine years suspected to be the work of Ustaše-controlled organisations or individuals.¹³

In a curious piece of irony, one of the victims was Srećko Rover himself. In October 1966, just as ASIO was compiling its watertight case against Rover, a violent and unstable Croat attacked Rover and his wife with a knife at their television repair shop in Melbourne. Rover was extremely lucky to survive, having fought bravely with his bare hands against the knife and sustained wounds to his neck and head. His wife had shown considerable courage in coming to Rover's assistance, and she too received severe wounds. The strange aspect of the incident was that Mrs Rover did not report the attack to the police, as would have been normal. Rather she rang ASIO direct and the police were called by the intelligence agency.¹⁴ Rover was clearly no ordinary citizen. He had ASIO's direct number immediately to hand, and Mrs Rover knew to ring that number ahead of the police. Another strange aspect of the attack was that it was the HRB which sprang to Rover's side in his hour of need. For example, as soon as news of the attack reached Sydney, HRB leader Tomislav Lesić flew to see Rover in Melbourne.¹⁵ Within days, an inflammatory pamphlet had been produced in Rover's defence and HRB leaders were actively promoting it throughout the other factions of the Ustaše. An ASIO Case Officer commented on the intelligence provided by one Q source that the 'actions of these known HRB members again indicates the strong tie that exists between Rover and these extremists.'¹⁶

Despite the violent attack on Rover and his wife, and despite the mounting evidence that Rover was himself the mastermind of numerous terrorist incidents, the government took no action. Throughout the late 1960s and early 1970s, intelligence and police assessments continued to draw the government's attention to the dangers of Ustaše terrorism. A May 1967 ASIO report, for example, identified the 'main danger from Croatian extremists' as 'breaches of the peace, and violence directed against representatives of the Yugoslav Government and its sympathisers on Australian territory.' Further, the extremists were making 'preparations on Australian territory for violent

action in Europe' that would result in 'consequent embarrassment to the Australian Government in its relations with Yugoslavia.' Indeed, senior government ministers Phillip Lynch (Immigration) and William McMahon (External Affairs) wrote to Attorney General Tom Hughes in December 1969. Lynch stated that he was worried about 'the likely consequences if Croat nationals in Australia are permitted to continue unchecked their terrorist activities and outrages.' He further pointed out that 'the terrorists are endeavouring to create the impression amongst Yugoslav migrants ... that [they] have the support of significant sections of Australian society and even the government.' McMahon was deeply worried that the Croatian extremists had 'come to believe that they can act with impunity and that they can therefore, without risk to themselves, step up the level and frequency of violence.' He wrote that 'the situation is now so serious' that the government had to take whatever actions were required 'to put an end to these incidents.' He suggested that new laws be considered to give the authorities greater power to deal with terrorism and that active security operations should be implemented to apprehend the organisers.¹⁷

By March 1970, the Commonwealth Police had provided detailed comments on Lynch's and McMahon's letters. They reported that it was 'quite clear that Australian Croats are involved in an international conspiracy' against Tito's government and would 'persist in their attempts to attack the people and premises of the Yugoslav government in Australia.' Indeed, the police even recorded Yugoslav fears that Rover's group would try to assassinate President Tito when he visited Italy in 1970.¹⁸ This confirmed the charges made by Major General Vladimir Rolović, a senior Yugoslav intelligence officer who visited Australia in February 1970 and passed information to the government indicating that the terrorist Croatian Revolutionary Brotherhood had actually been formed by Srećko Rover. The consequences for Rolović were severe. In April 1971, he was assassinated in Sweden by members of Rover's Croatian National Resistance.¹⁹

ASIO and Commonwealth Police experts on Croatian activities met soon after Rolović's visit and agreed there was a significant upsurge of terrorist acts and decided on counter-measures.²⁰ It was only then,

nearly twenty years after ASIO had first discovered the embryonic Ustaše terrorist network in Australia, that any serious action was taken. But even this was prompted by a horrifying discovery for ASIO and the Liberal government: Rover's faction had become a front for pro-Soviet activities. This alarming turn of events was outlined in an extensive ASIO report of 2 April 1971. This detailed the development of Srećko Rover's Croatian National Resistance (HNO) and drew attention to the 'considerable change in the HNO' following the murder of its international leader, Maks Luburić, in Spain on 20 April 1969. ASIO noted that 'the tenor of the organisation, particularly in Australia, has altered markedly' since then.²¹ In October 1969, the HNO congress had decided to adopt 'a more revolutionary outlook,' regarding itself as a 'front line organisation' which would support young revolutionary Croats prepared to engage in military actions. Of even greater significance to ASIO, the congress marked a radical departure for the previously strongly pro-Western Ustaše. ASIO noted that:

[The] feeling of the meeting was that [the organisation] should in future be more realistic in its policy and activities, and Rover commented 'Let us advance along the modern road of reality. The enemy of Yugoslavia may be the ally of Croatia.'

This was a reference to an emerging tendency to seek support from the Soviet Union, which was both critical of Tito's brand of communism and also sought to extend its influence in the Balkans. A year later, Rover undertook an extensive overseas trip which ASIO believed was a major step in following 'through with his programme of adopting a "realistic" path to achieve an independent Croatian state.' One major aspect of Rover's trip was his meeting in West Berlin with Dr Branko Jelić, a notorious Ustaše leader with 'allegedly left-wing views in that he has proposed a rapprochement by Croatian separatists with the Soviet Union.' Jelić advocated the 'Finlandisation' of Croatia, in which the 'leftwing' Ustaše would join with nationally-minded Croatian communists under the protection of the Soviet Union, which had harboured designs on Yugoslavia since Tito's break with Stalin in 1948.

In July 1970, following a series of meetings with Soviet officials, Jelić announced that he had reached an agreement giving him a free hand to establish an independent Croatian state in return for the Soviets obtaining port facilities at Pula and Kotor on the Adriatic coast and an air base at Mostar.²²

ASIO operatives had obtained intelligence that Rover was 'in complete agreement with Jelic regarding the methods which should be used to achieve an independent Croatian state,' including cooperation with the Soviet Union. In ASIO's view, this gave new meaning to Rover's statement that 'the enemy of Yugoslavia may be the ally of Croatia' and explained 'his determination ... to pursue a new "realistic" policy,' which they believed entailed negotiations with the Soviet Union about breaking up Yugoslavia. ASIO concluded that 'the minimum result must be an increased risk of civil disturbance and violence within the Croatian *émigré* community of Australia' because of Rover's 'more revolutionary and extremist' outlook. This made Rover and 'the organisation he controls' potential focal points for increased unrest and violence in the Yugoslav community of Australia, and therefore potentially an embarrassment to the Commonwealth government.²³ Rover pursued his new 'leftwing' policies with great vigour in the following months, and even approached the local Communist Party for support. He also appealed to Soviet leader Leonid Brezhnev for assistance to establish an 'independent' Croatia and made contacts with other communist governments in Central Europe that had territorial ambitions over parts of Yugoslavia.

Another major development at this time was the establishment of yet another terrorist front – the Croatian Illegal Revolutionary Organisation (HIRO). HIRO's activities were uncovered when a 'cache of ammunition and explosives' was discovered in the Warburton Ranges in Victoria in 1972. The HIRO constitution provided for a 'Chemical Branch for bomb and explosion production,' as well as a militia whose members were 'to be given military training and preparations for their arming are to be made.' HIRO's headquarters were charged with organising 'special training schools for terrorism and for all "activist" activities – assassinations, raids, sabotage, arson, etc.' Similar detailed terrorist

manuals were discovered in raids on the homes of Jure Marić and Adolf Andrić, leaders of the Croatian Revolutionary Brotherhood.²⁴ At this time, Rover was on yet another extensive overseas trip, and ASIO and the Commonwealth Police advised the government to withdraw his passport because they believed that he intended to organise terrorist acts. The government finally acted, asking the Royal Mounted Police to seize his passport in Canada. This was the first overt action against Rover's terrorist activities in the twenty-two years since he had arrived in Australia in 1950.²⁵

By then, Rover had already finalised his next terrorist incursion into Yugoslavia. In July 1972, the Yugoslav government released the names of nineteen Ustaše terrorists killed or arrested in fierce battles with security and civilian militia forces in Slovenia and Croatia in the previous few weeks. Nine were former residents of Australia, among them six naturalised citizens. Evidence soon emerged proving that the Croatian Revolutionary Brotherhood was the main organiser of this second major incursion from the Ustaše's Australian base. Rover was also heavily implicated but disclaimed knowledge of the terrorists, saying that they were 'idealists and so they wouldn't involve their political leader in trouble.' A few days before the news became public, the Yugoslav Ambassador, Mr Vidović, met Attorney General Senator Ivor Greenwood. Vidović insisted that the the Australian government 'was not doing all that it could to prevent people being prepared in this country to commit terrorist activities in Yugoslavia.' Despite the overwhelming evidence to the contrary, Greenwood told the Ambassador that there was no evidence of organised groups of Ustaše terrorists operating in Australia. However, Greenwood tacitly admitted the opposite by mentioning the cancellation of Srećko Rover's passport because the government believed that 'his statements, activities and associates could be presumed to be fostering terrorist activities.'²⁶

The new incursion into Yugoslavia ignited yet another major public debate. The Labor opposition launched a new assault on the government's indifference to terrorism and the media called on Senator Greenwood to explain why there had been 'such a lack of success in apprehending those responsible for the terror campaign here.' The day

after he met Vidović, Greenwood issued a press release that referred to recent assertions in the media 'about the existence of the Ustasha movement in this country, of secret training camps and of organised terrorist groups.' Greenwood's statement then attacked the opposition: 'Prominent spokesmen of the Labor Party have alleged that such groups and activists are condoned by the Commonwealth Government and by the police forces of this country,' he said, declaring these claims were 'untrue and lack any foundation.' Greenwood stated categorically that Commonwealth Police investigations 'have not revealed any credible evidence that any Croatian revolutionary terrorist organisation exists in Australia.' Despite this deceitful claim, Greenwood conceded that he could not 'positively reject assertions that individuals or groups of individuals may be engaging in terrorist activities directed in some way to achieving Croatian independence.'²⁷

The government was once again deliberately concealing the massive evidence that ASIO and the Commonwealth Police had accumulated about the activities of the Croatian Revolutionary Brotherhood and the Croatian Illegal Revolutionary Organisation. Both were known to be engaged in terrorist activities, and both were actively assisted by Rover's Croatian National Resistance. The government soon learned that Rover himself was deeply implicated in the most recent guerilla incursion into Yugoslavia.²⁸ Commonwealth Police obtained this evidence when they raided Rover's home in Melbourne a few weeks later and seized documents containing irrefutable evidence of Rover's close personal involvement with the terrorist campaign. These included a seal bearing the insignia of the Supreme Headquarters of the Croatian Armed Forces, the military wing of the National Resistance movement, documents detailing the work of secret terrorist *troikas* operating in Australia, as well as ammunition for an illegal firearm. The most significant proof obtained was a map of Yugoslavia clearly marked with the route taken by the nineteen terrorists the previous June. Another document was seized at the home of Jure Marić, a leader of the Croatian Revolutionary Brotherhood, which named Rover as a minister in a future Croatian government.²⁹

These documents confirmed what Rover himself had told

Commonwealth Police Superintendent Milte on 16 February 1970 when he bragged that he would 'do everything in my power to assist' the overthrow of the Yugoslav government 'by means of force.' Milte recalled that Rover had been very calm, even cool, during this interview. Milte suspected that Rover was the leading light of the terrorist activities. Rover admitted that his plans involved actual armed conflict by recruiting men from all over the world and sending them into Yugoslavia through Germany. Rover also had suggested to Milte that he should phone ASIO before talking to him 'because they know all about me,' clearly implying that he had close contacts with the intelligence service. Apparently this was the case, as senior officials of the Hawke government later admitted that Rover had worked closely with ASIO in the 1960s. At this time, in early 1970, there was obvious tension between the ASIO officers involved in running agents among the Ustaše and their colleagues in the Commonwealth Police. One confrontation between the two agencies occurred a few weeks after the Milte-Rover conversation, when two ASIO officers complained bitterly that 'Commonwealth Police Force activities in Victoria, in recent times, had been of some concern to the persons who had been interviewed.' Milte's recent interview with Rover had clearly stirred up his ASIO handlers. During this confrontation, the ASIO officers were most insistent that a 'cautious approach' was required and that 'any action by the Commonwealth Police Force should be of a delicate nature and not one of harassment,' which 'would tend to alienate the Yugoslav Community toward the Commonwealth Police Force and their organisation [ASIO] who were considered by a large number of the community to be one and the same.'³⁰

Despite the overwhelming evidence gathered by Milte and his team, Attorney General Greenwood issued yet another press statement about the nineteen arrested terrorists stating that inquiries 'suggest that these persons may have been recruited in Australia by some overseas Croatian organization for training in Europe with a view to them entering Yugoslavia as guerilla fighters.'³¹ The clear conflict between Greenwood's public statements and the massive files held by law enforcement and intelligence agencies is demonstrated by the 22 August 1972 Commonwealth Police raids on the homes of Rover and other key

Ustaše figures which uncovered indisputable evidence that Rover was deeply involved in terrorism. The next day, answering a question from Labor Senator Justin O'Byrne, Greenwood reiterated that 'there is no credible evidence of any Croatian terrorist groups in Australia' and that the police searches 'were not directed towards obtaining any such evidence.'³² In fact, the police raids had uncovered extensive evidence which, when added to that already in official files, demonstrated that 'credible evidence' existed that highly organised Croatian terrorist groups were extremely active in Australia.

For example, on 16 August the Yugoslavs had presented a detailed *aide-mémoire* to the Australian government about the involvement of Australian Croatians in terrorist acts, including the recent incursion. This impressed ASIO and the Commonwealth Police with both its scope and basic accuracy. Commonwealth Police commissioner Jack Davis commented that 'care should be taken not to denigrate the document merely because of the fabric of political fiction which is woven around the facts.' Davis pointed out that the Yugoslavs had made a detailed study of leading Croatian nationalists in Australia and 'may well be in possession of credible evidence which would support their allegations.' Even ASIO's Director General was forced to admit that many of the claims were 'well-based.'³³ To underline the point, two further serious bomb attacks occurred on Yugoslav properties in Sydney just a few weeks later. One wrecked an official Yugoslav travel agency and injured sixteen bystanders, one of whom had to have a leg amputated. The attacks indicated a new and dangerous turn in the campaign, as they were timed to occur at peak Saturday morning shopping time and so ensured that innocent people were injured. This still did not sway the Attorney General, who repeated his claim that there were no Ustaše activities in Australia. Police officials were, however, 'certain the bombs were planted by Croatian extremists known as Ustasha.'³⁴ These two bombings brought to six the number of attacks linked to Croatian extremists during 1972, and the total for the previous nine years to twenty. The New South Wales police established a special bomb squad after the September attacks, which soon uncovered evidence that Australian Croatians also had 'directed terrorist outbreaks in several countries.'³⁵

In December 1972, Australians elected Gough Whitlam as Prime Minister. The new Attorney General, Senator Lionel Murphy, met with US law enforcement officials in Washington in February 1973. The Americans expressed concern that Australia had become a prime training centre for Croatian extremists and criticised the lack of official action. The Australian embassy in Washington had received a similar message from a senior State Department official six months earlier. This US official stressed Yugoslavia's importance to American foreign relations. This was motivated primarily by the fear that the country's disintegration would likely result in Soviet gains in the Balkans. The State Department official also pointed to his government's efforts to chip away at the roots of Croatian extremism in the United States, implying strongly that Australia should pursue the same course. As a result of US pressure, Murphy decided that he would make a major statement in the Senate about Croatian extremism in Australia, and ordered ASIO and the Commonwealth Police to supply him with relevant information. Murphy was also worried that Ustaše terrorists might make an attempt on the life of Yugoslav Prime Minister Djemal Bijedić, who was soon to visit Australia. Murphy also ordered the Commonwealth Police to step up investigations to determine the level of security threat. Within days the police reported that they had evidence that the Ustaše had trained the men sent on the raids into Yugoslavia and had used 'terrorism and intimidation of Yugoslavs in Australia.'³⁶

A few days before Bijedić was due to arrive, Murphy visited ASIO's Canberra office accompanied by former Commonwealth Police Superintendent, Kerry Milte, an expert on Croatian affairs. Alarmed at what he interpreted as a bureaucratic attempt to frustrate the new government's policy, Murphy visited ASIO headquarters in Melbourne the next day together with senior Commonwealth Police officers. He studied a number of ASIO reports on Croatian extremism, which he then tabled in the Senate on 27 March, together with Immigration and Commonwealth Police files.³⁷ It was an unprecedented action, reflecting Labor's long-held belief that ASIO was only concerned with security threats from the left while turning a blind eye to the subversive and violent proclivities of the far right. Murphy's 'raid,' as it became

popularly known, was a political disaster for his government. It found itself under attack both from its political opponent, and from the media, which in the main uncritically accepted the view that the Attorney General had damaged ASIO's international reputation by insisting that it be responsive to the elected government's policies. In that sense, the ASIO 'raid' was the first in a long series of media and public relations disasters which characterised the new government's stormy three-year rule. As a result, Whitlam found himself on the defensive, fending off claims that Murphy had placed at risk Australia's intelligence relations with the United States and Britain. It was an issue that plagued Whitlam throughout his term. Indeed, powerful figures in American intelligence viewed his government as dangerously left-wing and likely to oppose important US policies. Over the previous two decades, American policy-makers had become used to dealing with Liberals who agreed readily with almost all US positions.³⁸

Then in mid-1977 a major controversy erupted about alleged US involvement in the 1975 toppling of Whitlam, during which a former top CIA official shed fascinating light on Murphy's 1973 'raid' on ASIO. James Jesus Angleton headed the CIA's counter-intelligence section until he was unceremoniously sacked in 1974 under a cloud of suspicion, including suggestions that he may have been a Soviet mole. Interviewed by an Australian reporter in June 1977, Angleton revealed that Murphy's action had nearly ended Australian-US intelligence relations. Angleton was also candid about the thinking prevailing in senior ranks of US intelligence, making no secret of his belief that Australians had made a serious mistake in electing Whitlam in the first place. Angleton said that Murphy's 'raid' on ASIO was a turning point for US intelligence:

Our attitude towards Whitlam was at two levels. Number one, he was elected by Australians for better or worse, in my own view for worse. But it did not affect our relationship until his Attorney General Murphy barged in and tried to destroy the delicate mechanism of internal security.

He went on to emphasise that ASIO had been given some of the West's

major counter-intelligence secrets, including 'penetrations' (meaning sending agents into other countries or rival security services) and 'the internal security of Australia and their well-being.' Angleton claimed to be especially concerned that Murphy's 'raid' would threaten 'the sanctity of the information which would compromise sources and methods and compromise human life.'³⁹

It was an extraordinary admission by a senior intelligence officer who in the 1940s had worked on covert intelligence operations that had utilised the Ustaše. He had also worked closely with Soviet mole Kim Philby, who was co-ordinating the British end of these anti-communist operations. Angleton had now confirmed that Australian intelligence had at the very least been informed about these operations and perhaps co-opted to assist. As previously seen, ASIO was definitely utilising Nazis who had settled in this country to gather intelligence on suspected left-wing activists – and even other fascists – in their communities. Angleton had also charged Murphy's actions with jeopardising 'the jewels of counter-intelligence' which the Americans had shared with ASIO.

Yet the ASIO files publicly released by Murphy dealt only with the political and terrorist activities of the extremist Ustaše movement. It therefore followed that Angleton was concerned that Murphy's 'raid' would disclose his use of this group for Cold War intelligence operations. As discussed earlier, Angleton had much to cover up, from his defiance of explicit presidential orders to his forgery of entire intelligence files dealing with the Vatican's role in various operations. The whole affair took place against the backdrop of extensive investigation of American intelligence actions, culminating in congressional inquiries in Washington. Angleton's forced departure from the CIA was one indication of the new broom that was sweeping away the Cold War mentality that had previously dominated official thinking. In Australia, Murphy's 'raid' led directly to the first major inquiry into ASIO's operations and role. In August 1974, Whitlam appointed Justice Hope of the New South Wales Supreme Court to conduct a Royal Commission into the security services. In this sense, Murphy's action was the first step on the long road to reforming and modernising Australia's security and intelligence services.⁴⁰

On 27 March 1973, Murphy delivered a stinging attack on the previous government's handling of the Ustaše, particularly singling out his immediate predecessor, Senator Greenwood. Murphy referred to the many questions Labor Senators had asked during the last days of the previous government, and to Greenwood's repeated statements that 'there was no credible evidence that any Croatian revolutionary terrorist organisation existed in Australia.' After recalling the numerous violent incidents which occurred in 1972, Murphy declared that he could 'state categorically' that Greenwood's 'oft-repeated assertion cannot be sustained. The contrary is true and was true at the time he made such statements.' The Attorney General then claimed there were five extremist Croatian organisations operating in Australia that either carried out terrorist acts or were the recruiting grounds for terrorism. Further, there were 'two umbrella type general organisations which by their publications, training camps, discussion groups, funds and close links with their national organisations provide the climate' which inspired the extreme terrorist organisations. The 'umbrella organisations' were Fabijan Lovoković's Croatian Liberation Movement (HOP), and Srećko Rover's Croatian National Resistance (HNO) and its Croatian Armed Forces.⁴¹ Murphy had finally told the truth two decades after these two Ustaše officers had re-launched their movement in Australia. The Ustaše not only existed, but through a complex web of interconnected organisations the political movements led by Rover and Lovoković provided the cover under which their most extreme and violent followers planned and carried out terrorist acts. Murphy then named Rover as one of the four ringleaders of the terrorist groups and directly linked him to the 1972 terrorist incursion, stating that some of the documents he had tabled 'prove conclusively his personal involvement' in that operation.⁴²

Both intelligence and law enforcement agencies continued to closely monitor Ustaše terrorist activity in Australia after 1973, and while bombings and other violent incidents occurred from time to time, they gradually became less frequent. Official pressure became so effective that the movement's militant wing transferred their paramilitary cells to safer bases in Europe, particularly West Germany.⁴³

Organised Ustaše military training ended soon after the Fraser government's *Foreign Incursions and Recruitment Crimes Act* was passed in April 1978. This finally gave law enforcement agencies real teeth to combat Ustaše terrorism, and within a few months two groups of Croatian extremists were arrested and charged with serious offences.

In September 1978, Commonwealth and New South Wales police apprehended nineteen Croatian Revolutionary Brotherhood members, including long-time leader Jure Marić, just south of Eden on the New South Wales south coast. When arrested the group was engaged in military training and police seized a large quantity of weapons, among them rifles, bayonets, silencers, a Luger pistol, explosives and detonators. Documents found either at the training camp or during raids on the arrested men's homes included detailed instructions on bomb and landmine construction and maps of Yugoslavia showing planned incursion routes. They were charged with 'training in military exercises to promote the overthrow' of the Yugoslav government.⁴⁴ The following February, another major operation netted seven members of the Croatian Republican Party in Sydney and Lithgow, a mining town west of Sydney. They were charged with conspiring to bomb a number of buildings, blow up a major pipeline connecting the city to its main water supply and murder two prominent leaders of less extreme Ustaše factions.⁴⁵

Lengthy trials followed, resulting in the conviction of Marić and six of the Croatian Republican Party group. It was the dramatic conclusion to three decades of Ustaše extremism in Australia. Predictably, there was considerable controversy about ASIO's role, especially in the case against the six Republicans. These men were convicted largely on the evidence of another of their group, Vico Virkez, whose confession allegedly averted the conspiracy only hours before the bombing campaign was to have started. Enough doubt remained about Virkez's role, however, to suggest that he may have been an *agent provocateur* for either Yugoslav or Australian intelligence, perhaps both. Having pleaded guilty to the charges and been sentenced to gaol, and after giving evidence against the others, Virkez was suddenly returned to Yugoslavia. This prompted basically accurate allegations that the entire

incident was a deliberate set-up. The six men were sentenced to fifteen years imprisonment in February 1981.⁴⁶

The Fraser government's determination to stamp out Ustaše terrorism was further indicated in 1982 when Srečko Rover was again denied an Australian passport 'after ASIO reported that he could be a security risk to a foreign country.' In August, the Minister for Foreign Affairs, Tony Street, wrote to Rover that he had

... formed the opinion that, if an Australian passport were issued to him, he would be likely to engage in conduct outside Australia that might prejudice the security of or disrupt public order in a country other than Australia, or would endanger the health or welfare of persons in a country other than Australia.

This, too, helped to convince the militants that the time had come to abandon their overtly violent campaign, at least in Australia.⁴⁷ Between the early 1980s and the collapse of Yugoslavia in the early 1990s, ASIO maintained that Croatian separatists remained 'committed to violence to achieve their aims.' The various Ustaše factions continued to glorify the 'independent' Croatian state led by their 'dearly beloved' Ante Pavelić, and to justify acts of terror committed overseas. They also openly raised money for the legal defences of those who carried out these acts.⁴⁸ Although their newspapers sometimes resorted to militant calls to form 'storm troop liberation cells' to carry out assassinations and diversions in Yugoslavia, they concentrated mainly on infiltrating Australian political parties. A younger generation replaced Srečko Rover and his wartime comrades in the pro-Soviet wing of the movement, adopting a 'left-wing' position, and courting socialists and even joining the Labor Party. Fabijan Lovoković remained the key leader of the right-wing group, occasionally exhibiting pro-Soviet tendencies but mainly receiving support from some elements in the Liberal Party.⁴⁹

As recently as 1999, Prime Minister John Howard sent a message of support 'to the Croatian Intercommittee Council for New South Wales on the occasion of the anniversary of the restoration of Croatian independence.' This celebration did not mark Croatia's break from

Yugoslavia in 1991. Rather, it was yet another glorification of 10 April 1941, the day Hitler installed Ante Pavelić and the Ustaše into power as Nazi puppets. Howard could hardly have been unaware of this, as the Liberals' support for such celebrations had been hotly debated over the previous forty years. The event was organised by the president of the Croatian Intercommittee, Tom Beram, who had recently received a letter from notorious mass killer Dinko Sakić, which was published in the local Croatian press. Sakić was then on trial in Croatia following his extradition from Argentina on war crimes charges. These related to the period when he had been the commandant of the Jasenovac concentration camp, where Sakić had directed the mass killing of tens of thousands of Jews, Serbs, Gypsies and anti-Ustaše Croats. His letter was to pass on his thanks for the support Beram had organised during his trial, demonstrating yet again the continuity between the war crimes of World War II and the political movement of the Ustaše in Australia sixty years later. To the credit of the modern independent Croatian state, Sakić was convicted of war crimes and sentenced to a lengthy term of imprisonment.⁵⁰

The continuity between the mass killers of World War II and the younger generation of Ustaše supporters was illustrated when Serbian dictator, Slobodan Milošević launched the Bosnian and Croatian wars in the early 1990s. Indeed, many Australian Ustaše militants welcomed this opportunity to settle scores with the Serbs and help build a new fascist Croatian state. The younger generation showed that it, too, could display fanatical support for Ustaše principles. As discussed in Chapter One, there is strong evidence that some of these younger militants travelled to Croatia in the 1990s and joined paramilitary units that carried out war crimes against both Serbs and Bosnian Muslims. Like their fathers and grandfathers before them, they appear to have found sanctuary from investigation, let alone justice, following their return to Australia. This is, of course, the legacy bequeathed by successive Australian governments – both Labor and Liberal – in admitting and then protecting Croatian Nazis against the best advice of the Director General of Security, W.B. Simpson, who in 1944 predicted with remarkable foresight the events which would unfold over the next fifty years.

PART FIVE

Australia 1961–2001: The Search for Justice

In 1961, the Australian government publicly declared a policy of amnesty for Nazi mass killers. In response to a Soviet extradition request for Estonian war criminal Ervin Viks, Attorney General Garfield Barwick announced that the government had decided to 'close the chapter.' As a result, Viks was never brought to justice for his part in the mass killing of thousands of Jews. It would take another twenty-five years before the Hawke government reversed the Barwick policy, belatedly commencing official investigations which established that the evidence against Viks was so strong that he would have been one of the first prosecutions under Australia's *War Crimes Act*.

In the 1960s, Soviet intelligence launched a concerted propaganda campaign against many other war criminals sheltering in Australia. These included Latvian mass killers Karlis Ozols, Argods Fricsons and Arvids Upmalis, as well as several Ukrainians. The Commonwealth Police investigated these claims and established that they had more than a grain of truth. Their findings were buried.

Over the following two decades, the story of Nazi mass killers regularly emerged into public debate and the media, only to be buried by the federal government. In 1986, the series *Nazis in Australia* was broadcast on ABC Radio National. Produced by the author of this book, these programs prompted Andrew Menzies's inquiry and led to the

establishment of the Special Investigations Unit (SIU), which spent five years investigating more than 800 suspected war criminals.

In the last part of this book, the work of the SIU is detailed, together with the extraordinary political and media debate that ultimately led the Keating government to abandon the search for justice. The SIU's work is presented first-hand, through the eyes of the two men who ran it – Bob Greenwood QC and Graham Blewitt, who now prosecutes war criminals from the Balkans conflict of the 1990s. They chronicle the enormous successes of the SIU's investigations, especially the dogged tracking of witnesses and documents implicating war criminals in Australia. To the government's surprise, three criminal prosecutions were launched, but these belated efforts at justice were doomed to failure by the lapse of time and the weaknesses of the justice system.

Finally, the case of Latvian mass killer, Karlis Ozols, is examined in detail. Called the 'fourth case' because the SIU unsuccessfully recommended Ozols's prosecution, the closing chapter of the book reveals for the first time the story of the Keating government's abandonment of the search for justice.

The book closes where it began: although the last Nazis will die in the next few years, Australia's modern war crimes problem will not thereby disappear. Serbs and Croats who killed during the 1990s Balkans wars still live in Australia, as do members of the Khmer Rouge and the Afghan, Chilean and Stalinist secret police. Without legislation to pursue these suspects, and a standing, specialist unit to investigate them, Australia will continue to be a safe haven for war criminals well into the future.

Chapter Twenty-One **Garfield Barwick: Justice
Abandoned**

In the early 1960s, the Australian government publicly announced an amnesty for Nazi mass killers. In effect, the government decided that the Holocaust was a permanently closed chapter. The first law officer of the land – Attorney General Garfield Barwick – declared that the rule of law in Australia meant that Nazi mass murderers should be given sanctuary, not brought to justice. In the twisted Cold War logic of the 1960s, abandoning the search for justice was presented as a triumph of democracy over communism. This came about as the result of a request made by the Soviet Union on 24 February 1961 for the extradition of Ervin Richard Adolf Petrovich Viks, accused of serious war crimes while serving in a number of senior Security Police posts during the Nazi occupation of Estonia.¹ Despite the fact that senior Australian diplomats accepted that the case against Viks was probably damning, nothing was done. He was neither returned to the scene of his crimes nor prosecuted here. Instead, the Soviet request prompted the government's announcement that Nazi mass murderers would not be pursued at all. It was a decision that stood for the next twenty-five years, until Bob Hawke's government overturned it in 1986. As the next two chapters will show, this long period of inaction contributed significantly to the serious obstacles encountered by the Australian Nazi-hunters of the Special Investigations Unit, who only began their inquiries long after

the evidence had gone cold and many of the worst mass killers had died or were too old to pursue.

Viks was one of several Estonians whose extradition the Soviets requested in the early 1960s. They had also located Ain Mere in Leicester and Karl Linnas in New York, and asked the British and American governments to extradite them for trials which occurred in March 1961 and January 1962. Mere was the head of the German-controlled Estonian Security Police, while Linnas had been head of the Tartu concentration camp where thousands of Jews, Gypsies and communists had been executed. Viks had worked closely with both Linnas and Mere, serving at the Tartu camp as deputy chief of the 'Special Department' where he sentenced hundreds of people to death. Viks was later promoted to the post of Mere's deputy in the Security Police and head of Gestapo Department IV-B in charge of anti-Jewish operations.²

Ervin Viks had arrived in Australia under the Displaced Persons immigration scheme in 1950. News of the Soviet extradition request became public in late February 1961. Viks immediately disappeared, issuing a public statement through Lia Looever of the Estonian Association. Looever was also a prominent member of the Liberal Party's Migrant Advisory Council, which included László Megay, the mass killer of Ungvár, Constantin Untaru, the Romanian Iron Guard leader, and Ustaše leader Fabijan Lovoković. According to Looever, Viks admitted to having served in 'the police in Estonia, but not the political police' and denied the charges of involvement in war crimes. This was a lie. In fact, Looever had already written to a senior contact in the Liberal Party admitting Viks had been a 'very high police officer of the political police.' A spokesman for the Adelaide Estonian Society confirmed that he had known Viks as 'an officer in the Estonian Security Service' prior to the Soviet occupation in 1940, which was confirmed to ASIO when it made inquiries a few days after the Soviet extradition request. Although these statements, in fact, tended to confirm the Soviet allegations, Liberal parliamentarian W.C. Wentworth immediately took up Viks's cause, meeting with him and then publicly stating that he was 'wronged by being charged with war crimes.'³

On 13 March, the Soviet note reached Australia's Attorney General

and acting External Affairs Minister Garfield Barwick, who rapidly decided to refuse the request. Two days later, a reply was given to the Soviets which noted that no extradition treaty existed between the two countries, and also rejected Moscow's claim that international agreements and UN resolutions on the prosecution of war criminals applied to Viks. While Australia 'fully shared in the common desire of the United Nations to bring to justice' war criminals, 'these instruments have no application to the present matter, and ... Australia is under no obligation to surrender Mr Viks.' Further, Australia did not recognise that the country where the alleged offences took place was legally part of the Soviet Union.⁴ A week later, Barwick made a lengthy and historically infamous speech in the House of Representatives. It not only determined Viks's fate, but also set the official policy under which all Nazis were given amnesty. Barwick outlined the Soviet charges that Viks had 'personally participated in the mass shooting' of many people at the Tartu camp where 12,000 people had been murdered, had then been promoted to a senior post in the Security Police in the Tallinn-Harju prefecture where he organised mass executions of 2,499 civilians, and finally served as head of Department IV-B where he 'guided punitive activities, personally passed death sentences and participated in executions.' Barwick then noted that while the Soviets offered no concrete evidence with their request, they claimed that they possessed signed documents that 'testify to Mr. Viks's complicity in annihilating hundreds of people,' and that many witnesses could corroborate the charges.⁵

In explaining the government's decision to refuse the extradition request, Barwick stated that 'some nations know nothing of the rule of law which protects the liberty of the people.' He then argued that extradition could only be carried out where a specific treaty existed, and only after 'an impartial tribunal' was 'satisfied that a *prima facie* case of guilt' had been established. As no such treaty existed between the Soviet and Australian governments, 'there is no legal authority under which the Australian Government could interfere with the liberty of Mr. Viks at the request of the Soviet Government.' Barwick did not, however, propose any alternative course of action, instead telling parliament that

‘the time has come to close the chapter.’ The rationale for this position was that two ‘deep-seated human interests’ were in conflict:

[On the] one hand, there is the utter abhorrence felt by Australians for those offences against humanity to which we give the generic name of war crimes. On the other hand, there is the right of this nation, by receiving people into its country, to enable men to turn their backs on past bitternesses and to make a new life for themselves and for their families in a happier community.

Few would disagree that Australia should have offered sanctuary to the victims of Nazi or communist oppression, but Barwick’s comments concerned Nazi mass murderers. For the Attorney General left no doubt that the government had decided that these illegal immigrants should also be given sanctuary, saying that in Viks’s case ‘all legal obligation apart’ Australia’s ‘right of asylum must have prevailed.’ Barwick went on to claim that ‘Australia has established a thorough, though of course not infallible system for sifting and screening’ migrants, saying that ‘these, who have been allowed to make their homes here, must be able to live in security new lives under the rule of law.’ This was an unambiguous amnesty for war criminals, extending protection even to those who had carried out the most fundamental violations of the rule of law. In failing to propose any action in such cases, the government also turned its back on Australia’s international obligations. A few years earlier, in October 1958, Australia had finally ratified the 1948 *Convention on the Prevention and Punishment of the Crime of Genocide* (the *Geneva Convention on Genocide*), under which the government was obliged to enact legislation to provide effective sanctions for those who had committed crimes during war. These were defined as ‘wilful killing, torture or inhuman treatment wilfully causing great suffering or serious injury to body or health.’ Parties to the *Convention* are obliged to ‘search for persons alleged to have committed’ or ordered ‘such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts,’ or hand them over to a party which has provided a satisfactory *prima facie* case.⁶

Ratification of this *Convention* legally bound Australia to take action against Nazi war criminals. Nothing, however, was done.

Nor did the opposition raise its voice in response to Barwick's policy statement, with only the Labor member for Hunter, Bert James, expressing dissent. The Soviets did not, however, accept the government's decision, and wrote again on 27 April expressing their disappointment with the refusal, disputing the stated grounds and reiterating their request. No further reply was given. The government was aware, however, that the charges more likely than not had considerable weight. Five days *before* Barwick even made his statement, the Australian Embassy in Moscow had sent a cablegram which noted that the Soviets 'are likely to have amassed a great deal of convincing and probably accurate reports of what actually occurred since they are pains-taking and efficient in this respect.'⁷ The government, however, ignored this advice and did not even request that the Soviets should forward the documentation they had gathered implicating Viks.

It was hardly surprising, then, that the Soviets pressed ahead with Viks's trial in the Supreme Court of Estonia in January 1962, along with co-defendants Karl Linna and Juhan Jüriste. Only the latter appeared in person. Viks and Linna were tried *in absentia*, as the Soviet request to the United States for Linna's extradition was also refused, as was the request to Britain for Ain Mere's return.⁸ At the trial the Soviets produced many eyewitnesses and documents. The indictment outlined Viks's role as Deputy Chief of the Special Department of the Tartu concentration camp. Conditions at the camp were said to have been inhuman: the prisoners' barracks were so crowded that many had nowhere to lie down, forcing them to sleep outside. Sanitary arrangements were practically non-existent and food inadequate, often consisting of rancid horsemeat. Viks had held his position at the camp from July to September 1941, during which he summarily sentenced many inmates to death. He also drew up lists of those to be executed and organised their transportation to an anti-tank ditch just outside Tartu, where they were forced to undress and then shot. According to the indictment, Viks personally interrogated prisoners, assaulted them and often supervised executions.

On 27 September 1941, Viks was transferred to Tallinn and promoted to the post of Chief of the Political Police. Clearly, he had demonstrated his political reliability and his abilities as a mass killer. In his new position, Viks directed punitive operations in the city and neighbouring district of Harju. This included large-scale executions of Jews, Gypsies and anti-Nazis. Viks was also a member of the 'Commission for Prescribing Penalties,' described as 'one of the leading death tribunals of the Nazi occupation.' This was, in effect, a 'kangaroo court,' summarily trying victims who were invariably sentenced to death and shot on the flimsiest of pretexts. In early 1942, the Political Police were re-organised and Viks was appointed as head of Department IV-B of the newly named Security Police which continued the mass slaughter. Viks served in this post until 1944, and then retreated with the Germans when the Soviets re-occupied Estonia.

Hans Laats, a former officer at the Tartu camp, was one of the most important witnesses who testified about Viks's role in the Special Department. He stated that many of the victims were elderly people, as well as women, children and even small babies.⁹ Voldemar Rajalo corroborated Laats's evidence. He was certainly in a position to observe Viks from close quarters, having been a senior administrator at the Tartu concentration camp. Rajalo stated that he had personally seen Viks drawing up long lists of those to be shot. The only defendant present at the trial, Juhan Jüriste, also identified Viks as one of the officials of the Special Department who had passed and carried out death sentences, along with Artur Paal, the Chief of the Tartu Political Police. A former prosecutor in the 1930s, Paal was responsible for directing the mass executions, and according to the prosecution he, too, had emigrated to Australia after the war. As will be seen, Paal later turned up as an intelligence source for ASIO, supplying information on suspected Estonian communists.

Among the documents produced was a 19 February 1942 Political Police report which stated that 5,053 people had been arrested in the Tallin-Harju district, of which 1,599 had already been executed. A 16 April 1942 document signed by Viks was addressed to the head of the German Security Police. It contained a list of sixty-seven people shot

that day, while records of the 'Commission for Prescribing Penalties' showed that Viks had participated in sentencing many people to death, including A. Roller, F. Kluust, I. Smaktalin, S. Skuridin, H. Ulenomm and many others. Other documents included several long lists of names with Viks's annotation 'Ex-EV,' recording that these people had been killed on the orders of Ervin Viks. Another was a request from the doctor of one Johannes Ruven, a well known Estonian writer who was sick in hospital. His doctor maintained that he was too sick even to be moved, but Viks had written, 'Arrest immediately, 26 Oct. 41 – E. Viks.' Still another Viks report of 27 October 1942 authorised the execution of 243 Gypsies. According to surviving Nazi records, some 12,000 people had been executed at the Tartu concentration camp, 8,000 during the first six months. Up to 21 May 1943, 2,134 people had been killed in the Tallinn-Harju police district where Viks served as head of Department IV-B of the Estonian Security Police.

On 20 January 1962, the Estonian court handed down its verdict, and sentenced Viks, Jüriste and Linnas to death.¹⁰ A Soviet note conveyed the court's decision to the Australian government and again asked for Viks's return. No reply was sent. There the case rested, only to be revived twenty years later when the Nazi-hunters of the US Justice Department caught up with his co-accused, Karl Linnas. As already seen, Linnas's extradition had been requested by the Soviets at the same time as Viks's, and at the 1962 trial they were both accused of many of the same crimes.¹¹ The American Nazi-hunters eventually put Linnas before the American courts, which stripped him of his American citizenship and deported him to the Soviet Union.¹² Viks, however, lived the rest of his days in relative peace in Australia. The Australian Nazi-hunters of the Special Investigations Unit finally examined the evidence a few years after Viks had died in 1983. They obtained the documents that had been presented in the 1962 trial and concluded that, 'if Viks had been alive he would have been one of the SIU's major investigations.'¹³

The Viks case also illustrated another major aspect of Australia's Nazi scandal. In early 1966, Australian intelligence took a further look at the Viks case. This was not because of a renewed interest in Nazi mass killers, but reflected ASIO's ongoing obsession with communist

intelligence penetrations to the almost total exclusion of the dangers posed by the far right. The case concerned Eerik Heine, an Estonian Nazi collaborator who had settled in north America. In early 1966, US intelligence apparently informed ASIO that Heine was 'a suspect Soviet agent.' At that time, Heine had launched a defamation action against a US Army officer who had alleged that Heine was actually a communist spy. Western intelligence was alarmed about Heine, as during the war he allegedly passed information to a group in London which in turn passed it to the Soviets. ASIO's job was to gather information from Estonian Nazis in Australia and feed it back to US intelligence for use by the US Army officer in the court case. As a result of this investigation, ASIO obtained information on Heine, either directly or indirectly, from Viks himself.¹⁴

In the course of this inquiry, ASIO's B2 (counter-espionage) section discovered that there was an entire colony of Estonian Nazi Security Police officers in Australia. These included Raivo Kallasmaa, who had 'worked in the section dealing with communism' and then settled in Adelaide in South Australia; Arnold Eisma, who worked in the Political Police in Tartu and settled in either Adelaide or Melbourne; and Alexander Maerdi, a 'Lieutenant in the Estonian Political Police who now lives in Burwood in Sydney.'¹⁵ The B2 investigation also confirmed the Soviet charges against Viks. According to one ASIO report: 'It is now advised that Viks ... had been the Chief of the Political Police in Tallinn, Estonia, during the 1941-1942 period. Viks is now 69 years of age.'¹⁶

ASIO, however, had received information that Viks may have also been a communist spy as well as a senior Nazi Security Police official. This, in turn, led them to Artur Paal, the head of the German-controlled Political Police at Tartu when Viks had served in the local concentration camp. Although ASIO decided to censor all identifying biographical data about Paal from Viks's file, one reference was missed in the declassification process.¹⁷ From the context of the rest of the file, it is clear that the Paal interviewed by ASIO in Perth in November 1966 was the same Paal who had served in a senior post in the Nazi Security Police in Tartu, Estonia from July 1941. In November 1966, Paal confirmed to ASIO that Viks had been an official in the Nazi-controlled police in both Tartu

and Tallinn. He also said that he had investigated claims that Viks had actually been a Soviet agent, but concluded that he 'was not a communist.' The ASIO officer was impressed with Paal, reporting that he 'is obviously a very intelligent man.' When asked whether he would be willing to cooperate in providing further information on 'certain personalities of whom he may have had knowledge,' Paal was 'only too willing to co-operate to the best of his ability.'¹⁸

On 8 November 1966, Western Australian Regional Director Jack Gilmour, a veteran intelligence officer who had worked for ASIO on the Petrov case in the 1950s, reported that Paal 'will be interviewed again in the near future with a view to development as [censored] contact.' This almost certainly referred to Gilmour's plans to use Paal as a Q source, despite his known Nazi background.¹⁹ This was almost four years since the Soviets had published Paal's name as an accused mass killer in an account of Viks's trial *in absentia*. The booklet in which this charge was made had been widely distributed in the Australian Estonian community and had been debated in parliament two and a half years before ASIO's decision to recruit Paal as a Q source.²⁰ Nor can there be any doubt that the Artur Paal providing information to ASIO was the same Artur Paal who was the accused Nazi mass killer who had been Ervin Viks's commanding officer in Tartu, Estonia in 1941. The only immigration records held by the National Archives in Canberra in the name of Artur Paal reveal that he was a lawyer and judge prior to the war, consistent with the description given by the Soviets in their account of the Viks trial.²¹

This was apparently irrelevant to ASIO head Spry. No sooner had he received the report from his Western Australian office than he dispatched an urgent memo back to Gilmour. Virtually the entire memo has been censored, almost certainly to hide the fact that US intelligence had passed a significant amount of information on the troublesome Erik Heine to ASIO. All that is left of this declassified memo is enough context to be sure that a foreign intelligence agency had supplied information on Heine, together with Spry's direction to Gilmour to give his 'urgent attention to this enquiry.'²² On 8 December 1966, Gilmour sent another memo to Spry in which he reported a further interview

with Paal, and appended a one page 'biographical data' sheet based on information Paal had supplied. This is entirely censored, except for the headings. What these reveal is that Paal was a highly educated man, who had obviously written widely on scientific matters and had served in the Estonian military. All of his employment details – in Estonia, Germany and Australia – have also been censored, but enough is revealed to be sure that it matches the details given by Paal in his immigration application.²³ Spry had by then forwarded the information ASIO had gathered to US intelligence, and their reply prompted him to direct his NSW office to give further 'urgent attention to this matter.' Vik's ASIO dossier comes to an abrupt halt at this point, but enough intelligence had by then been revealed to be confident that ASIO had achieved two ends from the Viks operation. It had both served its US colleagues well in the Heine case, and had also picked up yet another well-qualified Nazi Security Police intelligence source in Artur Paal.²⁴



The Soviet government was not easily turned from its campaign about Nazi war criminals in Australia. It is certain that their own agents among the *émigré* communities in Australia watched ASIO's recruitment of mass killers and passed the information back to their communist intelligence controllers in Moscow. This, too, was part of a wider international trend. As discussed earlier, Soviet agents had penetrated Western intelligence by posing as fascists who had intelligence networks behind the Iron Curtain. Former Commonwealth Police Superintendent Kerry Milte worked in several of the *émigré* communities and was convinced that the Soviet KGB used its best agents against ASIO's worst Nazi agents and were sucking them dry of intelligence about ASIO's operations.²⁵ As discussed earlier, at least some of ASIO's Nazi recruits were almost certainly communist double agents. There is therefore little reason to doubt that Soviet extradition requests were partly based on intelligence gathered by their agents inside both the local *émigré* communities and Western intelligence agencies. Indeed, in 1966 the Commonwealth Police conducted inquiries into Latvian war criminals

and concluded that 'it is evident that there are persons of Latvian origin in Australia whose duty appears to be the reporting of the movements of former members of the Latvian Legion to communist authorities overseas.'²⁶

Following the refusal of the extradition requests for Ervin Viks, Ain Mere and Karl Linnas, the Soviets turned the whole issue over to the KGB's propaganda section. From 1963 onwards, Soviet intelligence turned out a tidal wave of propaganda detailing with considerable precision and basic accuracy the names, war crimes and locations in Western countries of hundreds of Nazi mass killers from Latvia, Lithuania, Estonia, Ukraine, Byelorussia and other parts of the communist empire.²⁷ The main aim of this propaganda was to embarrass the West over its protection of mass killers and to turn the spotlight on the role they played for intelligence agencies such as ASIO. In this sense, it was a not insignificant part of the Cold War battle for moral ascendancy, and an issue that has haunted Western governments ever since in light of the basic accuracy of the Soviet allegations.

The communist propaganda war was accompanied by further extradition requests. For example, following the Viks case the Soviets made further extradition requests to Canberra concerning two Ukrainians, Filip Kapitula and Petro Hrushchewskij.²⁸ In 1966, the Soviets requested the extradition of Arvids Upmalis, the mass killer from Bauska, Latvia, whose case was discussed in Chapter Four. Upmalis had by then become an important leader in *émigré* politics. Settling in Ballarat, he helped form the Latvian Society in Victoria. He then worked closely with many old colleagues to build the Latvian Relief Society, the Australian branch of the *Daugavas Vanagi* (the Hawks of Daugava), named after Latvia's major river. As previously discussed, this international Latvian organisation was established in Belgium in 1945 by officers of the Latvian SS Legion, and Upmalis was one of its early members. It rapidly grew over the next twenty years, claiming a worldwide membership of 8,500 by the mid-1960s, including 1,200 in Australia where it was a major affiliate of the Nazi front group, the Anti-Bolshevik Bloc of Nations (ABN).²⁹ As discussed earlier, ABN had grown to be a considerable force in domestic Australian politics by the

mid-1960s, and enjoyed the support of senior members of the federal government.

This was one of the reasons why well-intentioned official investigations into people like Viks, Upmalis and Kapitula foundered. According to Kerry Milte, there was widespread knowledge about war criminals in Australia among law enforcement and security agencies at this time. Milte headed the Commonwealth Police's Central Crime Intelligence Bureau (CCIB) in the 1960s, and had a bird's eye view of the political response to his inquiries. His brief included conducting intelligence operations against the Italian Mafia, anti-Vietnam war agitators, drug dealers, fascists and far-right groups. Milte later came to some prominence when he accompanied Attorney General Lionel Murphy on his famous 'raid' on ASIO headquarters in 1973, during Murphy's investigations into the security threat posed by Srečko Rover's Ustaše terrorist cells. In the mid-1960s, however, one of Milte's 'responsibilities was to conduct inquiries into the activities of Nazi groups in Australia.' His major targets were the Croatian Ustaše, Hungarian fascist groups, Poles, Slovaks and former members of the various Baltic SS legions from Latvia, Lithuania and Estonia. Based on the CCIB's extensive intelligence gathering operations, Milte soon concluded 'that it is highly likely that there was a considerable number of former war criminals in Australia.'³⁰

However, Milte and his colleagues came up against a brick wall when they attempted to take any action against mass killers who were identified during their investigations. The Liberal government, supported by the Bob Santamaria-inspired Democratic Labor Party, put a screen of protection around accused war criminals and assured that nothing would be done. For example, Milte believed that hundreds of charges could have been brought against Rover's terrorist cells, but not one was ever proceeded with by any federal Attorney General, 'notwithstanding very good evidence submitted on numerous individuals.' This climate of protection from the most senior levels of the government was exacerbated by ASIO's recruitment of Nazi agents. According to Superintendent Milte, this recruitment 'created serious problems for the law enforcement agencies' involved in anti-fascist and anti-terrorist operations:

We had grave trouble – despite our widespread and sophisticated network of informers, intelligence analysts and translators – because the people we had to deal with knew they would be protected and could manipulate the system to keep the police at bay.

Milte's interview with Rover, reported in Chapter Twenty, was a classic example of the problem. Milte had attempted to convince Rover at least to quieten down the more violent and extreme elements of his terrorist network, but Rover was 'quite confident, quite cool, and simply said "you go and talk to ASIO and see where you stand then."' This dismissive attitude extended right to the senior echelons of ASIO, which refused to cooperate with Milte and his officers who were trying 'to clean the whole mess up.'³¹

This climate of protection meant that the Commonwealth Police's inquiries into Nazi war criminals went nowhere. They did, however, gather significant intelligence confirming the presence in Australia of mass killers. In 1970, for example, Milte's team obtained major leads about Rover's comrade, Josip Bujanović, the Catholic priest known as 'Pop Jole' who had committed numerous war crimes as a senior official in the Lika and Gacka region of Croatia, as recounted in Chapter Five. In November 1970, one of Milte's officers interviewed a source within the Croatian community who recounted that during

the period of the existence of Croatia as a Free State, during the war, Bujanovic held a high position as an Administrator of a Province of Croatia, where he exercised considerable power and authority. My information is that during this time he was also a priest in the Roman Catholic Church and that he was allegedly responsible for certain atrocities which were committed in Yugoslavia during that period. It is further alleged that Bujanovic was known as 'Pop Jole' and that he appears on a list of War Criminals whose whereabouts are sought by the present Government of Yugoslavia.

The informant also observed, accurately, that Bujanović was heavily implicated in the terrorist operations organised by his comrade, Srečko Rover.³²

Five years earlier, in 1965, a major Commonwealth Police investigation had been launched into Arvids Upmalis, the Latvian mass killer whose extradition had been recently sought by the Soviet government. This followed the publication of several articles in Soviet newspapers and a KGB propaganda book, *Political Refugees Unmasked*, which detailed Upmalis's role in the mass killing of Jews and Gypsies in Bauska, Latvia. These publications had been widely distributed in the Latvian community in Australia, and had prompted death threats against Upmalis in letters posted in South Africa and Israel. When interviewed by Commonwealth Police Crime Intelligence officers in October 1965, Upmalis insisted that he was innocent of war crimes, but admitted he had held the position of Chief of Police in Bauska 'during the German occupation,' which tended to confirm the charges. Upmalis told the police that he 'was living in fear and expressed concern about his safety. He wanted to know if some kind of protection could be made available.' The officers took the threats seriously, especially as one of Upmalis's fellow Latvian mass killers had been recently assassinated in Uruguay. As a result, the police informed ASIO that he 'may have good reason to fear a similar fate.' In fact, the threat to Upmalis was taken so seriously that the police spent considerable time and resources on trying to track down the member of the local Latvian community who was passing information and photographs of Upmalis to the Soviets.³³

By January 1966, the Commonwealth Police had compiled a large dossier on accused Latvian war criminals. It contained minute details of the structure and activities of the Latvian SS organisation, *Daugavas Vanagi*. A senior officer dispatched the dossier to the Department of External Affairs with a warning note that 'allegations of this nature against migrant organizations in Australia could possibly be a source of embarrassment to the Government.' He requested assistance with any information held on suspected war criminals, especially on Arvids Upmalis. The dossier contained an accurate history of the Latvian SS Legion, the formation and international structure of *Daugavas Vanagi*

and its extensive Australian operations, including long lists of officer bearers, among which were several prominent war criminals. Arnolds Bagun-Berzins, for example, was listed as the Information Officer of the Australian branch's Central Council. He was also prominently mentioned in Soviet propaganda for his role in the mass killing of Jews in and around Minsk at the same time as his close colleague Karlis Ozols, whose case was outlined in Chapter Three. The dossier conceded 'that there may be some degree of truth in the allegations' and recorded

that Bagun-Berzins was a member of the Latvian 'Volunteer Police Force' when the Germans advanced into Latvia, although he claims to have resigned when ordered by the Germans to round up the jews. He admits having later joined the 26th Latvian Police Battalion under German administration and serving as interpreter for German Intelligence.

He also admitted to the police that he had served in this unit at Minsk, and taken as a whole his own account of his wartime activities confirmed the basis of the Soviet allegations.³⁴

In March 1966, the Upmalis case became public when the *Australian Jewish Herald* published an article outlining the Soviet allegations of war crimes. This was soon picked up by the Melbourne *Truth*, which extended the claims to include Argods Fricsons, the Latvian mass killer of Liepaja whose crimes were detailed in Chapter Four.³⁵ After the war, Fricsons had worked as an agent for US intelligence, and soon after arriving in Australia had been recruited as an agent by ASIO, as discussed in Chapters Seven and Nine. A few days after the Melbourne *Truth* article, the Commonwealth Police reported that Fricsons had admitted holding senior police positions in Latvia under Nazi occupation. Like Upmalis and Bagun-Berzins he 'vehemently denied to have ever committed the crimes and furthermore stated that the arrests and rounding up of Jews were completely out of his jurisdiction.' He did, however, concede that he had investigated communists and passed information to both the Abwehr (Nazi Military Intelligence) and the SD, or Nazi Security Service.³⁶

Around the same time that the Soviets launched their campaign against Latvian war criminals a similar operation began against several Ukrainians. Two cases were especially significant, and led to extradition requests concerning Filip Kapitula and Petro Hrushchewskij. Although Australian police investigated the claims, nothing was done about the cases until the Special Investigations Unit inquiries in the late 1980s, which confirmed the basic accuracy of the charges. Allegations against Hrushchewskij had, in fact, begun to appear in the West in 1963, and were followed up by a detailed account in a Soviet magazine in 1965. Hrushchewskij had in the meantime been ordained as a priest, and been recognised on the streets of Melbourne in 1956 by a former Cossack Captain, H. Bosyj. A survivor of Hrushchewskij's reign of terror as Nazi police chief of Rovno, Bosyj had known Hrushchewskij since they were at school together and had then been arrested by him in December 1941. His claims about Hrushchewskij were subsequently passed to the police, and over the following few years further witnesses came forward to provide Australian authorities with details of Hrushchewskij's part in the mass killing and deportation of Jews, Ukrainians and Cossacks. In all, he was said to have been involved in either the killing or deportation of over 100,000 people while serving under Nazi command. When the Nazi-hunters of the Special Investigations Unit (SIU) made inquiries about Hrushchewskij in the late 1980s, it was discovered that he was on the so-called *Liibbecke List*, which was an Allied list of 'individuals who should be removed from camps and handed over to the Soviet authorities as war criminals.' The SIU investigation did not proceed, however, because Hrushchewskij was already unfit to stand trial. He subsequently died in 1992.³⁷

When the Soviets published their allegations against Hrushchewskij in 1965, they also made similar claims against Filip Kapitula, then a resident of Adelaide, where he was located by the investigators of the Commonwealth Police. Subsequent material gathered by the Soviets from eyewitnesses implicated Kapitula in the rounding up and mass killing of thousands of Jews in the region around Vladmirets near Rovno. This included the shooting of a baby of just ten months, a three-year-old girl, a twelve-year-old boy and a man

of seventy. The Special Investigations Unit interviewed Kapitula in June 1989, when he admitted

that he had been in the village when the massacre occurred and that he had served with the police at the time in question. He conceded that he had assisted in moving the Jews to the place where they were executed but he had not shot at anyone. He believed his role in this was justified because the Jews had killed his mother and sister.

When the investigators returned to interview Kapitula a few months later, they discovered that 'his health had deteriorated since the first interview. He was not in full command of his faculties.' Despite the Nazi-hunters' belief that there was 'substance in the allegations,' the inquiry did not proceed as Kapitula's 'state of health made it most unlikely that he would ever be fit to stand trial.'³⁸



Despite the clear evidence gathered in the 1960s by Kerry Milte and his team of Commonwealth Police investigators, nothing was done against these Nazi mass killers. The whole effort was actually wound down, and by the early 1970s there seemed little chance that it would ever be revived. This indifference was briefly broken in March 1973 by Attorney General Lionel Murphy's 'raid' on ASIO, which revealed the extent of Ustaše terrorist operations. In the wake of the bitter debate that followed, the Whitlam government quietly dropped the issue. Three events in 1979, however, revived the issue of Nazi war criminals in Australia. As discussed in Chapter Seventeen, in August 1979, Ljenko Urbančić's role as Ljubljana's 'little Goebbels' was exposed in an ABC documentary produced by this author. This prompted official inquiries by both the New South Wales Attorney General, Frank Walker, and the New South Wales Liberal Party in which Urbančić then held a senior position.

A few days later, Vienna-based Nazi-hunter Simon Wiesenthal alleged that he had traced a Lithuanian mass killer in Australia.

Wiesenthal claimed that Arnoldus Pabresha had been a German spy and then a member of a notorious Lithuanian death squad. 'He personally killed 1,300 people,' Wiesenthal said, adding that he believed that up to a hundred war criminals were hiding in the country.³⁹ Pabresha was charged with having ordered and carried out the mass killing of the Jewish population of Plunge, in Lithuania, and in fact, Wiesenthal had been investigating Pabresha since 1964. He had enlisted the help of a local Jewish organisation, Research Services. On the basis of extensive inquiries, this group believed that Pabresha may have left Australia and resettled in the United States, although there was also a suspicion that this had been staged and that he was actually still in the country under a false name. In fact, Research Services was extremely active in the 1960s and 1970s in investigating a number of war criminals. As the key figures in the group later recorded, 'our findings were progressively disclosed (as we unearthed relevant material) to the appropriate Australian security instrumentalities, to the Department of Immigration and Ethnic Affairs, and the Ministry of Foreign Affairs.' In 1979, the group wrote repeatedly to the Minister for Foreign Affairs, Andrew Peacock, and to senior bureaucrats in a futile effort to force the government to take some action.⁴⁰

The third event that focussed attention on the issue was the November 1979 announcement by the US Attorney General, Benjamin Civiletti, that intensified efforts were underway to detect and deport accused war criminals from America. Six months earlier, Civiletti had established the Office of Special Investigations to conduct inquiries. The Australian government, however, did not follow the US lead. No action was taken in the Urbančić case, nor was any investigation launched into Simon Wiesenthal's claim that 100 war criminals were living in Australia. The whole issue of Nazis was again quietly allowed to die, just as America stepped up efforts to deal with the same problem. Over the next few years the US Justice Department's Office of Special Investigations made numerous requests to Australian authorities for assistance to prepare cases against Nazis in America, but official indifference extended even here. Nothing was done to assist the American investigators.⁴¹

In April 1985, the Americans pointed the finger directly at Australia as a safe haven for Nazis. The US Justice Department announced the arrest of Latvian war criminal Konrads Kalejs and launched deportation proceedings which would inevitably lead to his return to Australia, where he maintained citizenship. As recounted in Chapter Four, Kalejs is accused of participating in mass killings while a member of the infamous Kommando led by convicted war criminal Viktors Arajs. Clearly, if Kalejs was forced to return to Australia, then the government would be faced with the issue of what to do with him. Still there was no movement by the government. In early 1986, the Australian Jewish community began to press the government to take action.⁴² In April and May 1986, the five-part documentary series *Nazis in Australia* – produced by this author – was broadcast on ABC Radio National.⁴³ Pressure for a thorough inquiry grew rapidly. In early June, the Hawke government decided to hold an ‘informal enquiry into Nazi war criminals.’ Government Senate Leader John Button admitted that ‘former Nazis and, perhaps, Nazi war criminals’ had indeed come to Australia. It was the first official acknowledgement of the problem since the first Latvian SS officers had stepped off the ship forty years earlier, in 1947. Soon after, the government appointed Andrew Menzies to conduct what was termed a ‘review of material relating to the entry of suspected war criminals into Australia.’⁴⁴ At Menzies’s request, the author of this book provided a large number of documents to the inquiry, and also made a detailed submission.⁴⁵

Andrew Menzies handed his report to the Hawke government on 28 November 1986. It vindicated those who had campaigned for so long against Nazi immigration to Australia, and for justice for the victims and survivors of the Holocaust. But as is clear from earlier criticisms in this book, it also contained some serious deficiencies. Some of these were caused by the narrow terms of reference under which the government established the inquiry, restricting Menzies to considering only whether breaches of law, duty or impropriety occurred in the *entry* of Nazis into Australia, not once they were in the country. Menzies answered this in the negative. He further decided that:

no evidence was found to establish that in any instance a UK or US intelligence officer had withheld information from, or otherwise misled, Australian officers as to commission of war crimes by applicants for migration to Australia ... if any instances occurred where information as to war crimes was withheld by US or UK intelligence officers from Australian officers, these instances would have been very limited in number and Australian officers would not have been a party to the deception.⁴⁶

As discussed earlier, there are numerous instances in which British and American intelligence possessed extensive information about Nazis that was not provided to Australian immigration security screeners. While Menzies found elaborate reasons to explain these serious lapses, he was far too willing to accept at face value British denials. Moreover, two years later Menzies's high opinion of the British was seriously undermined by the All-Party British parliamentary investigation headed by Merlyn Rees, which concluded that 'the British government opened its doors and closed its eyes to the immigration of thousands of alleged war criminals immediately after World War II.' The report found that 'the British government encouraged their immigration and deliberately ignored their backgrounds in its anxiety to recruit scientists, sources of intelligence and labourers for its mines and farms.'⁴⁷ Clearly, if Britain encouraged Nazis to enter their *own country* they would have little compunction in deceiving far-off Australia.

Menzies did, however, concede what governments on both sides had denied for the previous four decades. His finding on the key term of reference was that 'it is more likely than not that a significant number of persons who committed serious war crimes in World War II entered Australia; certainly the likelihood of this is such that some action needs to be taken.' In effect, Menzies had completely overturned previous policy by recommending the re-opening of the issue of war criminals, which had been officially closed by Attorney General Barwick in 1961.⁴⁸ The government tabled the Menzies report on 5 December 1986, and Attorney General Lionel Bowen made a submission to cabinet in early 1987, adopting the thrust of Menzies's recommendations.⁴⁹ Bob Hawke

became the only Australian Prime Minister of the last fifty-five years to face up to the moral and legal issues of our war criminals problem. Hawke moved rapidly to take action. The government decided to amend the 1945 *War Crimes Act* to allow accused war criminals to be tried in Australian criminal courts under the normal rules, procedures and standards of justice. In February, cabinet decided to establish the Special Investigations Unit within the Attorney General's Department to conduct ongoing investigations and to recommend possible prosecutions to the Director of Public Prosecutions and the Attorney General. Robert Greenwood QC, a distinguished criminal barrister, former Deputy Director of Public Prosecutions and National Crime Authority Member, was appointed to head the unit.⁵⁰ It was an appointment that would change Greenwood's outlook in dramatic ways, as it opened his eyes to a world that he had never dreamed existed.

Bob Hawke: The Search for Belated Justice Chapter Twenty-Two

When he took up the job of Australia's top Nazi-hunter in April 1987, Bob Greenwood was very much the product of a life spent at the Bar, practising in the rugged area of criminal law. His clients had included the worst a society can produce, and he had also investigated and prosecuted some of them from the other side of the legal fence. Tough and resilient, with a no-nonsense approach, he exudes leadership ability and commands the respect of those who work with him. At the same time, he has a classic Australian larrikin streak, which would prove handy in the very different world of Soviet 'diplomacy.' Approached by the Attorney General, Lionel Bowen, in early 1987 to take on the job of Director of the Special Investigations Unit (SIU), Greenwood

... at first thought the argument that the trail was just too cold was a strong one. I also learnt from looking at some material that Andrew Menzies had put together in his report that many of the more serious offenders that we may have had here were dead. But having thought it through, I decided to accept the challenge, because it certainly was a very interesting professional challenge. I came to the view that in respect of the allegations made against people in this country, they were sufficiently serious – being allegations of multiple and mass murder – to warrant at least

investigation with a view to prosecution if that was going to be possible.¹

It was a job that was to change Greenwood's outlook irrevocably, and open his horizons beyond the narrow confines of the Bar and the law. It took him to nearly every point on the globe in the search for evidence and witnesses, a broadening experience for a man who had only been out of Australia once before:

I started work on the project quite cold. I knew very, very little about the detail of the history of the Second World War from the point of view of crimes against humanity and war crimes. It was an extraordinary impact and experience because it manifestly changed a lot of my attitudes, a lot of my prejudices, a lot of my narrowness because I'd not known any professional life other than the law, and more conventional investigations.²

The impact that his four years as head of the SIU had on Greenwood can be gauged from the highly emotional account he gave of his first visit to the Yad Vashem Holocaust memorial in Israel. As he talked, this tough-as-nails criminal lawyer who had seen the best and worst in people could barely prevent involuntary tears welling in his eyes:

There's this monument to the children. They're represented by what appear to be stars in this totally black environment, and intoning – look, I can't even speak about it now without choking up – and intoning is this mild voice just announcing the names and ages of the Jewish children who perished. That was real hairs-standing-up-on-the-back-of-your-neck stuff. I quickly came to realise that there was no city or town that I visited in Eastern Europe that didn't have a mass grave, or graves somewhere in the immediate vicinity, in which the Nazis had buried the innocent civilians they'd murdered. Just as there's no city or town of any size in this country that doesn't have a war memorial. Putting those two things together led me very passionately to the

conclusion that the war criminals have no right to live next door to the widows of our former soldiers.³

Greenwood started work on 1 April 1987,

which some wags thought was rather amusing – being April Fool’s Day – because of the apparent hopelessness of the task that lay ahead of investigating crimes which were committed in the early 1940s. We went to Canberra and took possession of Andrew Menzies’s material, and me and my then one employee hired a truck, brought it all back to Sydney and walked into empty premises where we started to sort the material out. It was very much starting from absolute scratch.

Over the following weeks, Greenwood reviewed the Menzies files, and then asked for a meeting with Lionel Bowen. The Attorney General ‘was convinced that the Menzies material was of such a nature that the government really had no alternative but to do what it did, and set up a unit to investigate these allegations, and to set it up properly with such resources as I asked for.’ At this meeting they canvassed the option of giving Greenwood the status of a Royal Commissioner, and rather than launching such belated prosecutions merely putting the evidence on the historical record. Greenwood, however, argued that such serious crimes required a proper legal airing, not just ‘putting the blood on the floor’ in the way Royal Commissions so often do. ‘I pointed out to him that if the investigation was going to realistically lead to trials, then it would be futile to attempt that unless we could get the cooperation of the then Soviet Union to allow their citizens to come to Australia to give direct evidence.’⁴

It was to prove the first of many radical departures from the West’s approach to working with the Soviets. Although Western nations, notably West Germany and the United States, had previously used numerous Soviet witnesses in war crimes trials, none had ever been allowed to travel abroad to give testimony in a Western court. It took Greenwood very little time to realise that many allegations against war

criminals in the West 'had been brought by the KGB, and were used as a political tool by the Soviets vis-a-vis particularly the United States as being a place which harboured Nazi war criminals.' Only the actual appearance of Soviet witnesses in front of the jury would effectively counter the perception that the KGB had manufactured war crimes cases for political propaganda.⁵

For the first four months, however, Greenwood directed his attention to establishing the framework of the operational unit, interviewing police officers and historians and seeking advice from the Office of Special Investigations, the American Nazi-hunting unit set up by Attorney General Civiletti in 1979. In August 1987, he made the first of many grinding and demanding international tours, travelling first to the United States, then the United Kingdom, Germany and Israel, finally ending up in Moscow. Here the real battle was joined. All the advice from the Foreign Affairs department was that the communists would never allow Soviet citizens to travel to the West to give evidence in war crimes trials. 'I was hopeful that when I got to Moscow the local ambassador there would be a bit more optimistic, but if anything he was more pessimistic than anyone else, indicating to me that I wouldn't have Buckley's chance in hell of getting cooperation from the Soviets.' Despite this less than rosy picture, Greenwood went into a wearying round of meetings with the Chief Procurator's department in Moscow. 'They were, of course, very enthusiastic in their stated support for what we were doing, in general terms, but after some days of talks and negotiations I then broached the subject of Soviet citizens coming to Australia.'⁶ The Soviet reaction was precisely as had been forecast:

It was then that I realised I just had to pull something out of the hat to try and clinch that understanding, otherwise you might as well pull up stumps and forget about any trials. So I put the cards honestly on the table with the Soviet officials, saying that 'I would have to go back and advise my government that due to the lack of cooperation of the Soviet officials we would not be able to bring witnesses to Australia, and the whole project would have to be aborted. This would receive wide publicity in Australia, and

certainly in the United States as well and throughout the interested world, including Israel, to the effect that the Soviet Union's stated concern to see that Nazi war criminals received their just deserts was just a lot of hot air.' So that particular conference wound up in a fairly tense atmosphere, but I just walked out and said, 'Well you can reach me through the Australian Embassy.' Some days went by and I initiated a further meeting with them. And so we got the first piece of paper which was formally drawn up and which stated a general cooperative arrangement, including the facilitating of providing Soviet citizens as witnesses to come to Australia. That was all wrapped up on that first visit. So we came back at least with a fair amount of confidence that if we were able to get enough evidence then we could at least get those witnesses out here, and we then concentrated on the brief we had, which was to investigate with a view to prosecuting here.⁷

Back in Australia, after his successful negotiation with the Soviets that had rewritten the international war crimes rule book, Greenwood set about recruiting what would eventually become a team of fifty investigators, analysts, linguists, historians and researchers, and assigning them to various teams on a regional basis. One was assigned to the Latvian suspects, others to Lithuanians, Yugoslavs, Hungarians, Ukrainians, and so on. His choice of personnel was also a departure from the norm. Most Western war crimes units had a core of Jewish specialists with existing expertise relevant to the inquiries. Greenwood was determined

to do it from scratch and do it with people who were intelligent enough to take advice and listen and learn, but didn't come with any preconceived axes to grind or attitudes. So it was quite some time before we employed our first Jewish employee. We'd already formed our own philosophical approach, our own mental approach, and gone through this process of realisation of what we had on our hands before that happened. It was a deliberate policy at first to staff the place with people who, like me, came to the problem without any preconceptions.⁸

Graham Blewitt was typical of the Australians selected by Greenwood to join the Special Investigations Unit. Later, he would replace Greenwood as director. After the unit was unceremoniously wound up by the Keating government in 1992, he was made Deputy Prosecutor of the United Nations War Crimes Tribunal bringing Serbs, Croats and Bosnian Muslims to justice for crimes committed during the 1990s Balkans wars. Like Greenwood and most of the team, Blewitt knew very little about war crimes before he started, but the experience has changed him in a powerful way. Investigating war crimes has become not only his professional life, but a defining centre to his values and beliefs. It all started, however, more or less by accident:

I really got involved by mistake. When Bob was put in charge, he said, 'I'd like you to come and join me as my senior legal advisor,' and I said, 'You've got to be joking, there's no future in chasing 70-year-old, 80-year-old war criminals. How are you ever going to prove identification?' So I said, 'Bob, I'm just not interested. Thanks, but no thanks.' And life went on.⁹

The following year, however, Blewitt was unjustly passed over for a promotion at the National Crime Authority, where he had first met Greenwood:

Bob phoned me up and said, 'Well I can make you a deal. I'm prepared to take you on at the SIU at the level you would have been had you got the NCA job.' So I said, 'Well, I'll take it' because I was rather annoyed at the NCA at the time.

A few weeks later, he joined Greenwood 'on one of his around-the-world journeys, meeting the various players. And in doing that and meeting people, I was extremely impressed with the whole show. I got very enthusiastic about it and basically took over when we came back writing all the requests for international assistance.'¹⁰

By the time Blewitt came on board in the second half of 1988, the SIU was already highly organised:

The domestic team was trying to locate the individuals who were suspects in Australia. So there was a lot of effort in going through Births, Deaths and Marriage records, Immigration records, whatever they could find, trying to find a trace. They used to check all the phone books for leads on names. That was a fairly systematic approach to things. And I didn't have a lot to do with it. It was only when someone had been located and inquiries were made that led us to believe that it was probably the accused that I got involved. I guess we traced about two hundred of those guys still alive in Australia. So where we had someone still alive and assessed to be in good health, we would concentrate on that individual. Once someone had been identified that's when these requests would go out to the country where the crimes had been committed. A lot of them went to the Soviet Union, and the Yugoslavs, of course. I think they themselves had identified liaison officers, who we referred our requests to, and they had the responsibility of following them up. And we then asked, 'Have you got any witnesses, any records? Please check your archives to see if you have any reference, or any material that might help identify these people.' And I don't think we got many positive responses to that.¹¹

Despite the mounting hysteria then being generated by opponents of the war crimes effort that it was a Soviet plot to manufacture evidence against anti-communist *émigrés*, the SIU actually received very little active cooperation from communist countries to track down relevant documents in archives and libraries. Most of the successful work was done by the Australian teams themselves:

When we got down to that level, we were looking for any documents that would register the name of the accused in any capacity. Or if we knew the unit that the guy was working in, asking for anything in relation to that unit. If we knew the area of operations, or even the chain of command, we were again asking for any information that might relate to the units, or the incidents

that they had been involved in. And quite often we would then get some sort of response back to that. But by and large, we found more in the archives ourselves. Konrad and his assistants would go to an archive, sit down and meticulously go through all of the indexes looking for information.¹²

'Konrad' was Konrad Kwiet, the SIU's Chief Historian. An internationally renowned scholar of the Nazis' *Final Solution*, Kwiet has testified in several war crimes trials, including the Canadian deportation trial of Konrads Kalejs, whose case was examined in Chapter Four. One of the handful of Jewish employees of the unit (although not a practising religious Jew), Kwiet came to Australia in the mid-1970s and still speaks with a heavy German accent. He has a playful, sometimes even wicked sense of humour that often masks his profound knowledge of the Nazis' machinery of death. His induction into the SIU had something of the cloak-and-dagger about it. He was sitting in his office one day, getting on with the humdrum of students' essays, when he received

... a very surprising visit by two people from the SIU to my office at the University of New South Wales. They simply knocked at the door and asked me whether I'm interested in joining the SIU as a historian. Then I was asked to come to see Robert Greenwood and we had a lengthy discussion and after that I think he was pleased, and he offered me a job and I accepted. At the beginning I was only working part-time, then I got a contract and later I was fully seconded from the university, and worked then for three years on secondment.¹³

Kwiet's job was to collect the relevant background historical material, especially original documents:

There was a clear-cut demarcation between testimonies, in other words evidence, and historical records. Evidence in terms of testimonies was up to the investigators, to the various teams

operating within the SIU. So I got the names of suspects, in accordance with the priorities made by Robert Greenwood, and then approached the various archives which might have records on this particular unit and asked for material. If it turned out that they had records then we went to these archives and systematically went through all the relevant record collections in order to get the documentation.

This also involved checking in the various specialist war crimes archives and with other investigation teams. These included the major repository of official Nazi documentation, the Berlin Document Centre, as well as the US Office of Special Investigations, the Canadian war crimes unit, various Soviet archives and the KGB, which controlled access to many of the files relating to individual suspects. If a case produced results from these overseas checks, then it was placed on the top priority list. 'Then an intensive search started in terms of finding all the historical records as well as all the judicial records, which was of utmost importance to locate witnesses.' It was yet another area in which Australia's war crimes investigations broke new ground. As charges were laid against three suspects and trials commenced, Kwiet's job was 'to bring the original documents to Australia for the court cases, which was something very unique, what the Australians did.'¹⁴ It was, in fact, Kwiet's dream job:

I loved the job because for the first time I got a kind of *carte blanche* to suddenly move not only into archives but also into areas which I have never touched before. And my impression was that the unit – Robert and all the others – were unbelievably committed to the task which they had to fulfil. One of the most remarkable aspects of the SIU was the fact that there was never, ever any leak, which for an Australian organisation is a quite remarkable thing. So it became a group of people who felt unbelievably committed and dedicated to the job, and most of them, if not all, had never had any dealing with the *Final Solution*. So it was something which I found quite remarkable, the extent to which these ordinary Australians, from

legal and police or from some other administrative backgrounds, came together and under comparatively strong leadership, from Robert, managed to get this moving.¹⁵

In fact, Greenwood's leadership was so admired by his senior staff that his deputy, Graham Blewitt, has frequently said that 'he's one of those people you would follow to hell and back, without asking questions.' Indeed, Greenwood's leadership, especially its impact on the communist world, became something of a legend, not only among his own team but among some of the toughest Soviet operatives:

A lot of my effort was negotiating, getting agreements to do this, that and the other. But it's absolutely fascinating to be doing business with people most of whom had never seen a citizen of a Western country. And there were some very colourful and interesting personal things that happened on the way through, including having my ribs broken by a KGB colonel in an act of affection after a particularly boozy dinner at about half-past-two in the morning.

This incident occurred on the steps of Greenwood's hotel in Rovno, Ukraine during a visit connected with one of the unit's major cases. At the end of 'a very, very heavily laden vodka-drinking dinner,' in which twenty-three toasts had been proposed, the local Soviet Procurator, Colonel Poluvoy of the KGB, 'decided that he would do everything to assist me.' The first thing he did was give Greenwood

... a big bear hug round my rib cage. I heard these ribs go 'crack!' They took me to this hospital and this fearsome group of medicos decided that what I needed was electric shock treatment. So they put these electrodes all over me and ran how many volts, I don't know, through me, which I thought was a fairly quaint way of treating broken ribs.¹⁶



By 1989, however, Greenwood's very Australian form of diplomacy was paying off. The first case to emerge as a significant prospect for prosecution involved Ivan Polyukhovych, a resident of Adelaide who had played a major role in the mass killing of Jews in his home village of Sernicki, Ukraine. This author had collected a significant amount of eyewitness evidence about Polyukhovych during a private visit to Rovno in January 1987, and the material had been handed to Greenwood soon after he commenced his duties as SIU head. By the end of 1989, the team investigating Ukrainian cases had assembled a powerful case against Polyukhovych. Blewitt and the team – Chief Investigator Bruce Huggett, Bob Reid and Anne Dowd – had sat through a series of demanding sessions in Rovno during which all of the major witnesses were interviewed and assessed. It was soon established that one of the most critical witnesses was Fyodor Polyukhovych, a villager from Sernicki who, despite having the same surname, was unrelated to the suspect. Fyodor had known his namesake before the War, and witnessed his role in a major round-up and mass killing of about 850 Jews in 1942. As Blewitt recalled:

Fyodor Polyukhovych said he recognised Ivan Polyukhovych as one of the people marching the Jews down the road, and then later saw him after the shooting. So we asked him whether he knew where the grave was, and he said, 'Yes, sure,' and he took us half a kilometre down the road and he said, 'It's here.' I thought 'well this is a bit bizarre, I don't know how you could find a spot in the middle of a forest,' because all you could see was the trees. No landmarks, or anything. It was only much later though that I realised that this was not a huge forest, because when you approach it from the road, all you can see is a line of trees, and you've got no idea how big it is. All it was, in fact, was just a clump of trees that had been grown in this area, I guess a couple of acres. So it wasn't such a huge feat for Fyodor to be able to walk into this forest and pick the spot.¹⁷

Blewitt returned to Sydney in early 1990, contacted Greenwood and said, 'Bob, I think we've got a case.' They immediately went to see the Director of Public Prosecutions, Mark Weinberg, who agreed that the case against Polyukhovych was very strong. However, he asked the SIU to provide corroboration that there was, in fact, a grave where Fyodor Polykhovych said there was one. It was a moment to test Greenwood's rapport with his new friend Colonel Poluvoy, the Soviet Procurator in Rovno. A call was made and Poluvoy was asked to send a team and to dig a hole to establish if there were actually human remains located at the site identified by Fyodor. Poluvoy agreed to this bizarre request and within a few days confirmed they had gone with Fyodor, 'dug a hole and three metres down found human bones.' Greenwood and Blewitt conveyed the news to Weinberg, and Polyukhovych was charged on Australia Day, 1990. The SIU had its first live case, which was soon to provide yet 'another first for the Soviet Union.' This was 'the first foreign-led exhumation' of a Nazi mass grave in the Soviet Union, and involved persuading 'the Soviets to knock the forest over, so we could conduct the exhumation.' It was a fitting tribute to Greenwood's hard work, broken ribs and unique diplomatic skills. It had a profound impact on the SIU head. 'That was probably one of the most moving experiences of my life, the actual exhumation,' as the skeletal remains of the men, women and children were slowly and painstakingly uncovered, together with the bullet cases and fragments of personal belongings that were all that remained of 850 lives.¹⁸



Things were not, however, going anywhere near as well in the political and media arenas. When Attorney General Lionel Bowen introduced the *War Crimes Bill* into parliament in October 1987 to give effect to the government's decision to investigate and prosecute Nazi mass killers, there was at first bipartisan political support. Indeed, the opposition's shadow Attorney General, Peter Reith, stated that the 'starting point must be that time should be no bar to the prosecution of such atrocious crimes against mankind. There is no statute of limitations to bar the

prosecution of war criminals, nor should there be,' noting also that the Canadian parliament had passed similar legislation. Reith added that when 'this Bill is passed, Australia will join Canada in sending a firm, strong message that serious war crimes can never be tolerated.' In an unequivocal statement of support for the government's legislation, Reith also endorsed the retrospective elements of the Bill. 'Let those who take a different view say which of the alternatives they advocate – turning a blind eye or extradition to Russia.'¹⁹ Within weeks, however, the bipartisan support evaporated and some of Reith's colleagues in the Senate began a vicious campaign against war crimes investigations. First, it was sent off to bitterly contested hearings before the Senate Standing Committee on Legal and Constitutional Affairs, and then it was opposed in what amounted to hand-to-hand fighting in the Senate debate in December 1988. Eventually, the Bill passed with the barest of majorities.

In the meantime, a hysterical campaign against the government's initiative was being waged in the media, which began to poison the debate and divide the community. Typical of the hysteria was a letter by Liberal Senator David Hamer, published in the *Melbourne Age* on the eve of the Senate debate on the *War Crimes Bill*. Hamer declared that it 'is not by chance this new campaign to try war criminals has arisen, after a period of nearly 30 years when everyone thought the issue was dead.' In his view it was simply connected

with the bad press Israel has been getting over Lebanon and the occupied Palestinian territories. Supporters of Israel are anxious to counteract this by reminding everyone of the horrors suffered by the Jews in World War II. This is entirely understandable and reasonable from their point of view, but we must consider very carefully what benefits the new war crimes bill will achieve for us, and what harm it will do to the fabric of our society, before we permit ourselves to become pawns in an international propaganda campaign.²⁰

It was, of course, utter rubbish, but it became a major theme for many media commentators and reporters. Other criticisms included reliance

on Soviet-source evidence, the alleged injustice of retrospective aspects of the legislation and its selective targeting of one group of war criminals from one war.

The atmosphere created had a considerable impact when Ivan Polyukhovych was brought to trial, first for committal in late 1991 and then to a jury trial on murder charges in 1992 and 1993.²¹ Soon after Polyukhovych, charges were also laid against two other Ukrainians, also living in Adelaide: Heinrich Wagner (an ethnic German) and Mikalay Berezovsky. As Graham Blewitt recalled, 'it was only after the first prosecutions were launched and the accused started to appear in court that we got the impression that the media thought this was just all a bit unfair on these poor old law-abiding grandfathers of Adelaide.' The prosecutions ran into yet another major obstacle. The legal establishment, ever conservative – especially in Adelaide – was largely hostile to the war crimes prosecutions:

I also think it was probably unfortunate that the three people that we did charge came from Adelaide. I'm sure there was an element at the Bar and the legal profession in Adelaide which thought we were being very cynical, that we picked on Adelaide as being an easy jurisdiction to come and pick on and dominate. But, of course, the fact that we charged those three people and they all came from Adelaide was sheer coincidence, but they can never accept that. And I believe that probably had something to do with Justice Cox's rulings in the Polyukhovych trial.²²

Even seven years later, Blewitt is still angry at the way in which Justice Brian Cox of the South Australian Supreme Court dealt with the evidence in the Polyukhovych trial:

I thought we didn't get a fair deal at the trial. I thought the judge had examined the prosecution case, identified its strengths and disallowed those strengths, leaving the jury with insufficient evidence to convict. So I was very angry and disappointed at the judiciary in South Australia, and I don't think we had a fair trial.

I'm sure that had the jury known all of the evidence that we had to lead, the result would have been different. It should have been different. Whether it would have been, we'll never know.²³

Bob Greenwood agreed. He was particularly appalled when Justice Cox disallowed the photo identification board that had been carefully compiled to show to the witnesses in order to establish whether they could identify Polyukhovych as he looked at the time of his crimes. As a result, the jury never heard the powerful identifications made of Polyukhovych by nearly all the witnesses who had lived in Sernicki. As Greenwood recalled, the defence argued:

that Polyukhovych was the only one in the photo boards from that particular village – Sernicki. He was the only immigrant who'd come from Sernicki on the identification boards, and that was the basis for the objection by the defence, who argued that it was thereby in some way rendered unfair. The counter-argument, of course, is completely obvious. That is, that even if we had photographs of other citizens of Sernicki from that time, which of course we didn't, we were interviewing Sernicki residents to see if they recognised anybody on that board. When you put other Sernicki residents on that board, they would have said, 'Yes, I recognise him, but he's not Polyukhovych, that's my brother. I recognise him, yes, that's Uncle Joe,' and so forth, which would have been unfair in a very real way.²⁴

Justice Cox's ruling to disallow the identification evidence left a major hole in the prosecution case. Far worse was to come. One of the key eyewitnesses, a former partisan leader Dmitry Kostyukhovych, had his testimony disallowed before the jury could hear it. This effectively removed from the jury's consideration the most powerful element of the prosecution case. As Blewitt recounted:

The evidence we had clearly put Polyukhovych there in this Forestry unit. We had him there on the day that the mass murder

took place, and we had a lot of other evidence that he had been involved in the mopping up operation rounding up the Jews that had fled to the forests just before the mass killing. One of the most important incidents we had was when two boys broke from the column and were fleeing down the river and Polyukhovych killed them. Our main witness for that was Kostyukhovych, the resistance leader, who was hiding in a shack very close to the river, observing what was happening. He said he knew Polyukhovych and saw the boys break from the column, and as they were running down the river Polyukhovych lifted his rifle and shot them both and killed them. He knew the boys, so we had the victims. That was probably our strongest piece of evidence, because it put Polyukhovych there in the round-up. But in any event, the judge took the view that all of that was just too unreliable, that the witness' memory was too faded. And my recollection now is that his reason for rejecting this evidence didn't satisfy me. I thought he was stretching things too far. So that got rid of probably the most important part of the evidence.²⁵

Even the historical evidence was highly diluted by the time the jury heard it. As Chief Historian for the SIU, it was Konrad Kwiet's job to prepare a detailed historical report for the trial, and then present it as an expert witness:

When giving evidence in the Polyukhovych case before cross-examination started, I got constantly involved with Cox, the Supreme Court Judge, because I constantly said something he didn't like. At a certain point he said to me, 'Professor Kwiet, you are not here to tell us the historical truth, or what you perceive as historical truth, you are here to express an opinion, and an opinion which has to comply with the rules of evidence operating in South Australia.' Now at the end of that, my answers were reduced, when the jury then came in, to 'Yes' or 'No,' and approximately one-third of my report was simply declared as not admissible. And there were certain sections saying that foresters participated in the

Final Solution. We found plenty of evidence that in certain remote areas, forest wardens were called in to shoot Jews and liquidate ghettos. I was not allowed to say that. The argument being that this is a pre-judgemental opinion and it would have meant that Polyukhovych, being a forest warden, was more or less a part of the killing machinery.²⁶

In the end, the major part of the case against Polyukhovych that Blewitt, SIU Chief Investigator Bruce Huggett and Ukrainian team leader Bob Reid had so carefully and meticulously assembled simply did not come before the jury. As a result, it took just one hour for the jury to acquit him.



By the time of the Polyukhovych trial, the political sands had also shifted against Bob Greenwood and the Special Investigations Unit. Support for the war crimes effort had always been somewhat brittle in the ranks of the Hawke Labor government. Beyond Prime Minister Bob Hawke, Attorney General Lionel Bowen and a handful of mainly left-wing members of the ministry and caucus there was very little enthusiasm for the project. As media criticism grew, as the cost of the effort climbed into millions of dollars and as the evidence at the Polyukhovych trial was struck out by Justice Cox, the level of support sank, if that were possible, even lower. The leadership struggle between Hawke and aspiring prime minister Paul Keating also proved to be a harmful distraction. Keating's ultimate victory in 1991 sealed what had already become an extremely difficult battle against powerful voices within the government who wanted the whole thing closed down as quickly as possible. The departure of Lionel Bowen at the 1990 election, though, was the initial signal for the powerful forces of opposition – both within the government and the bureaucracy – to launch an assault on the Special Investigations Unit. Bowen had been the driving force, the centre of government support, and when Michael Duffy replaced him as Attorney General, everything 'just changed.' Before that, Greenwood 'had complete access to Lionel Bowen,' and could see him anytime he wanted:

I kept in constant touch with Lionel, bringing him up to date on how we were going and what we were doing, and he became very interested, and was always available. When I ran into money problems with his department, he just cut through the situation and gave me what I wanted. And I said, 'I know it's expensive, but this is what's required.' There was a hell of a lot of that sort of argy bargy going on in the department, too, because Lionel gave me the status of junior departmental head, which meant that nobody in the Public Service could tell me what to do. I was directly answerable to Lionel, and that gave them the shits, the Foreign Affairs people and the Attorney General's people, and so I had quite a few skirmishes with the bureaucrats. But as long as Lionel was there I was as right as rain.²⁷

The change after Duffy replaced Bowen was stark. As Greenwood recalled:

I couldn't even get in to see Duffy, let alone have an opportunity to brief him on what all this was about. So then I tried to make contact with the Prime Minister, and similarly, I never got to meet Hawke in my role as head of the unit. I wanted to get to him to have a word in Duffy's ear to talk to me. It was by then a political football and everyone was talking about the cost of this and the cost of that. I was in the press defending the initiative on behalf of the government, and I thought, 'well at least the Attorney to whom I'm answerable would have the decency to see me.' Because I was carrying it by this stage, it had become a political football. Eventually, of course, I got to see Duffy and the pressure really started to mount for me to wind the thing up. 'When will you have it finished?' Eventually, I did in fact say that I thought I'd have it done by the middle of 1992.²⁸

As a result of the pressure exerted on Greenwood to nominate an end date for the unit's work, federal cabinet decided in mid-1990 that funding for the unit would not be extended beyond 30 June 1992. The

withdrawal of political support and the endless pressure from the bureaucracy began to have its toll on Greenwood. In the second half of 1990, his closest colleagues noticed a restlessness in him that had not been there previously, as he defended the work without any political support, even behind the scenes. At the beginning of 1991, he decided to call it a day, and retired as head of the unit on 1 April, exactly four years after he had launched the project from scratch.

Greenwood's deputy, Graham Blewitt, was appointed the new director of the SIU. The relentless pressure from both political and bureaucratic circles did not diminish. If anything, it grew stronger, as a belief grew that the unit had been mortally wounded by Greenwood's departure. Blewitt found that 'there was a progressive building of a brick wall' between him and Attorney General Duffy. As time went on, the Attorney General's department grew 'bloody-minded' in its determination 'that come what may, the thirtieth of June 1992 was the deadline' for the winding up of the SIU:

There was a point of time when I had to fight for months for our continued existence merely to support the three prosecutions. There was a period when they were determined that come the thirtieth of June we would shut up shop, lock, stock and barrel, and that some other agency such as the Australian Federal Police could provide the logistical support to the Director of Public Prosecutions for any prosecutions that were still going.

At this stage, all three prosecutions – Polyukhovych, Wagner and Berezovsky – were still underway, and it was a crazy idea to contemplate handing such complex legal and historical cases over to an agency that had not been involved in gathering the evidence, and had very little interest in the issue. In February 1992, Michael Rozenes had replaced Mark Weinberg as the Director of Public Prosecutions. As we shall see, there would later be considerable tension between Blewitt and Rozenes. But on this issue, the new DPP proved himself to be an ally:

In the end it took Rozenes sort of banging his fist on the table and saying, 'if any of these cases fail for want of support, you're going to wear it, not me.' And then, lo and behold, the tone from Duffy and the Department changed, and the correspondence started saying that it has always been recognised that there would be a need for support, so that then led to the creation of the War Crimes Prosecution Support Unit.²⁹

As the end date of the Special Investigations Unit drew near, Blewitt came to the view that the government now lacked the 'political will to carry on with the cases.' Blewitt did not blame Attorney General Duffy entirely for this lack of political will, as by then it was clear that the knives were out in federal cabinet.³⁰ Indeed, Blewitt was certain that the main push against him and the unit was coming from the senior bureaucrats in the Attorney General's department:

They had made up their minds that this war crimes issue was just going to be put away, and they were advising Duffy to wind it up. Of course, the Attorney General's Department had the good fortune – from their point of view – of having all the anti-war crimes publicity that was taking place in the cases in Adelaide. The media were just against it, and as each case went on, the public opinion against the cases was just getting stronger and stronger, and they came to the view that this is just not going to get anybody anywhere. And of course, Keating and Duffy realised there were no votes in war crimes, so they were quite happy to kill the initiative.³¹

As 1992 opened, the Keating government was confident that the war crimes investigations had finally been 'put to bed.' The government had not bargained, however, on the last-minute reappearance of the commanding officer of Latvia's 'bestial hordes.'

**The Keating Government:
Justice Betrayed**

Chapter Twenty-
Three

Just when the government thought that the war crimes issue was a dead letter, Graham Blewitt and his team at the Special Investigations Unit put forward a fourth case for prosecution – Karlis Ozols. Ozols was the Latvian mass killer who had played such an important role in the open air shootings and gas van operations in and around Minsk, Byelorussia in 1942 and 1943, when tens of thousands of Jews were murdered. The extensive case against him is detailed in Chapter Three. A few days before this book went to press in early April 2001, Ozols's recent death was made public, prompting intense media interest. Ozols' case had been relegated from the final list of possible SIU prosecutions in 1990–91 because several members of Ozols's unit in Byelorussia who 'could have convicted him' refused to testify against their commander. This was the time of the confrontation between hard-line Stalinists in Moscow and the reformist Mikhail Gorbachev, which eventually saw the Baltic republics, including Latvia, regain their independence. Many of the men who had served in Ozols's killing unit suddenly became reluctant to testify against him as they saw the newly emerging mood of Latvian nationalism, reminiscent of their own wartime outlook four decades earlier.

In early 1992, however, Blewitt and his team began to review several dozen files of suspects who had almost been charged but whose cases had been shelved because a crucial, final piece of evidence could not be obtained:

And Ozols did emerge. We thought, 'it was a pity we couldn't get this bastard, let's have another look at it.' So we re-read the file, and we went back and checked with some of the key witnesses and they had changed their minds and would agree to testify.¹

By April 1992, the SIU Deputy Director, Keith Conwell, had assembled the Ozols file and submitted it to Blewitt, with the recommendation that a prosecution should be launched 'for a serious war crime.' Blewitt hurriedly brought the matter to the attention of the Attorney General's department and had discussions with the Deputy Secretary, Norman Reaburn. He was assured that the department would make funding available to conclude the Ozols case, an undertaking that was later repeated to the recently appointed Director of Public Prosecutions, Michael Rozenes QC. As we shall see, it was an assurance that the government ultimately repudiated when it decided to kill the investigation and prevent a fourth war crimes prosecution.²

Nevertheless, armed with Reaburn's assurance, Blewitt wrote to Rozenes a few weeks later. Although he admitted that the case was not without its problems, he unequivocally advised that 'the evidence, in my submission, does implicate Ozols in activity amounting to war crimes under the *War Crimes Act*, in that he was aiding, abetting, counselling or procuring acts of murder committed by Germans pursuant to a policy of racial or religious persecution.' On the basis of the massive file submitted by the SIU, Rozenes 'confirmed that there was certainly enough evidence to issue a search warrant and to interview Ozols by way of putting the allegations to him.' A search warrant was quickly drawn up. A key piece of information outlined in the warrant was a detailed interview conducted by the Commonwealth Police in December 1965, at the time that investigations had been launched into a number of Latvian mass killers, including Arvids Upmalis and Argods Fricsons. In this interview, Ozols admitted that he had 'joined the Latvian Police Force towards the end of 1942. He was engaged in the guarding of buildings and bridges until 1943. Then his Latvian Police Battalion was sent to Minsk where he was in charge of "A" Company. This company operated from Minsk and was responsible

for the guarding of German convoys, supply depots and searching for guerillas.' It was an essentially truthful account of this part of his wartime activities, although it changed the date of his Minsk posting from July 1942 to 1943 and hid his role in the rounding up and mass killing of Jews.³

Despite the evidence the Commonwealth Police collected of Ozols's involvement in units that carried out war crimes, nothing was done in the mid-1960s to investigate the allegations further. A quarter of a century passed before the SIU conducted a search of Ozols's Melbourne house, on 3 June 1992. Blewitt remembered the occasion very well, as Ozols

was waiting for us to turn up, because we hadn't even come out with our introductory spiel and he said, 'I want to talk to my solicitor.' And we hadn't even cautioned him at that stage. He said, 'I don't want to talk to you. I want my solicitor.'⁴

In spite of this response, incriminating evidence was gathered at Ozols's home and the case formally submitted to Rozenes, with a recommendation that charges be laid. The DPP staff who worked on it agreed and within a few weeks a massive *Memorandum to Counsel* had been prepared by the Melbourne office, outlining the case in great detail and defining the legal issues to be considered. Rozenes dispatched this to Peter Faris QC, the former Chairman of the National Crime Authority, requesting urgent advice.⁵

The SIU was now in a hurry. In a few weeks, on 30 June 1992, the government would achieve its goal of closing down the SIU and halting further investigations. Blewitt and his team knew that they had to get the work done by then or risk the possibility that the case would be removed from the investigators and lawyers and decided instead by the politicians, who were implacably opposed to continuing the search for justice. Faris dropped everything. He spent about a week closeted at the SIU's Sydney headquarters going through the evidence and on 28 June 1992 provided a lengthy written *Advice*. The message was not what the government or the Attorney General's department wanted to hear. His opening summary laid the matter out with precision and brevity:

The evidence establishes a strong *prima facie* case of guilt of war crimes against Karlis Ozols (born in Latvia on 9 August 1912) a naturalised Australian citizen, resident in the State of Victoria.

The evidence establishes four counts of genocide. Genocide is a crime against humanity.

The victims of the crimes were mostly Jewish men, women and children. They numbered thousands.

All the crimes were committed in and around Minsk, Belorussia, between 24 July 1942 and 27 September 1943.

At the time, Ozols was a Lieutenant in charge of a Company of about 100 Latvian men. He is the highest ranking alleged war criminal living in Australia. A number of his men will give evidence against him.

In the course of committing these crimes he has murdered people. Upon his orders, the men under his command have murdered people. He and his Company have been directly or indirectly involved in the mass murder of thousands of people.

These are serious offences carrying a possible penalty of imprisonment for life.

Despite there being a *prima facie* case, charges cannot presently be laid because the matter needs further investigation. The evidence needs to be put in proper order before there could be a prosecution. That would take three months. A final decision could then be made as whether he should be charged or the investigation closed down.

Australia has an international duty to properly investigate, prosecute and punish war criminals like Ozols.

In my opinion, it would be wrong to end this matter without further investigation.⁶

To the chagrin of the government and its senior advisors in the Attorney General's department, Faris had unequivocally recommended that the Ozols case needed to be pursued to the very end. The conclusion to his *Advice* was about as strong as any senior barrister could be in a serious criminal matter:

It seems to me that there is no reason why the further investigations that I have outlined cannot be completed within three months. The matter must be treated as one of the greatest urgency. I believe it would then take 3-4 weeks to collate the evidence. Once this was done, a final decision would be made to either lay charges or to end the investigation.

I believe that the evidence establishes a *prima facie* case of a number of counts of war crimes. That evidence is not in a form which would presently allow charges to be laid and a Handup Brief prepared.

It would be wrong to shut the investigation down now. *Justice demands that the investigation be completed.* [Emphasis added].

Faris's *Advice*, though unequivocal, caused as many problems for the investigators and prosecutors pressing the Ozols case as it did for the government and the bureaucrats who wanted it killed. The SIU was due to wind up in just two days, and although the Deputy Secretary of the Attorney General's department, Norman Reaburn, had previously assured both Blewitt and Rozenes that funding for the case would be available, in effect it would be in 'no man's land' after 30 June. Would the promised funding be made available to conclude the investigation in the manner in which Faris had recommended, or would the closure of the SIU be used as the excuse to end the case? If there were no specialist investigative unit to complete the inquiry, then the case could be buried.

The government, however, did not want to be seen to have abandoned the search for justice. It was one thing for the government to decide that there were no votes in old Nazis. It was quite another to be exposed to criticism by the Jewish community and sections of the media, which would want to know why the investigation had not been pursued and a prosecution launched. What was required from the government's point of view was to find a suitable 'shield' to hide its own culpability. As we shall see, this is exactly what it did.

Faris's recommendation on the completion of the investigation was in two parts. The first were technical legal issues. The evidence he had seen had not been assembled in accordance with the rules of evidence in

force in the Victorian jurisdiction in which charges would have to be laid. His advice was that it should be prepared as a 'hand-up brief' conforming to these rules before charges were laid. This involved preparing 'detailed proofs of evidence' from each of the witnesses likely to be called in a trial and other relatively minor technical work.

The second area concerned further lines of inquiry that Faris believed should be pursued before a final decision to charge Ozols was made by Rozenes. This included searching for further witnesses, especially those referred to in the files of the Riga archives of the KGB. It was an irony of the Cold War that these records had only recently become available with the disintegration of the Soviet Union and the restoration of Latvian independence. In May 1992, a team of Canadian investigators had examined the war crimes files held in the archives and discovered material relevant to the Ozols case. In particular, there were leads to further witnesses, which both Blewitt and Faris believed should be pursued in order to finalise the investigation. Indeed, it was already established that there were at least two additional witnesses 'still alive and living in Riga,' so it was known that there were 'fresh witnesses to be interviewed.' In fact, information received by Blewitt indicated that the KGB archives might produce as many as twenty-five additional witnesses, although it was probable that at least some of these would have died by mid-1992. Indeed, a few had almost certainly been executed by the Soviets for their own part in war crimes.⁷

The irony of the opening of the Riga KGB archives had a significant Australian dimension. The government's determination to close down the SIU and keep Bob Greenwood away from further inquiries probably prevented the opening up of the KGB files in 1991, a full year before the Canadians. Although he had left the unit officially in April 1991, Greenwood 'kept up an association with them as a consultant from time to time.' In mid-1991, he and Blewitt travelled to Europe for a number of tasks. The most important was to finish Greenwood's work on negotiating direct access to Soviet intelligence files on war criminals. Greenwood believed that the trip to the Soviet Union would lead to 'the final agreement to get us into the regional KGB records.' As Greenwood recalled, 'one of the crunch times was when Duffy wouldn't let me go to

Moscow' to clinch this hitherto elusive goal. Blewitt and Greenwood were in London when Blewitt had a telephone conversation with Duffy. 'We were all ready to fly to Moscow within a couple of days and as a result of this conversation between Duffy and Blewitt, Graham had to tell me that I was staying in London because the Attorney had withdrawn my permission to represent the Australian government.'⁸

Duffy did, however, approve Blewitt's trip to Moscow, where he met with a senior Soviet intelligence officer named Kandarov at KGB headquarters. Blewitt requested 'archival assistance in locating material relating to the remaining fourteen live SIU investigations.' Although 'Kandarov promised his full cooperation,' the Riga files remained as elusive as ever until the Canadian war crimes investigators obtained access almost twelve months later. Duffy's decision to exclude Greenwood from the mission frustrated the attempt to open up the Riga KGB archives. Greenwood's well-established relations with the Soviets, together with his unique diplomatic skills, might have proved crucial in producing action to match Kandarov's words. Had the Riga KGB files been made available to the Australian Nazi-hunters at that time, then the fresh evidence would have been available *before* Faris wrote his *Advice* on the Ozols case, and perhaps the further investigations he subsequently recommended would have been completed many months earlier. Greenwood's judgement on Duffy's decision remained harsh nine years later. 'I think Duffy took the political decision that this bloody Special Investigations Unit had caused enough angst to the government, and the less I had to do with it personally the quicker it would go away. It was as simple as that.'⁹

Duffy's direction to Blewitt that Greenwood was not to travel to Moscow to assist in opening up the Riga KGB archives certainly frustrated the Ozols investigation, *before* Faris even looked at the case. The files remained hidden for a further twelve months, and ultimately were never inspected by the Australian investigators. However, what happened *after* Faris gave his *Advice* in June 1992 was a travesty of justice. The relevant files are not due for release until 2023, so a final judgement on the abandonment of the Ozols case may have to be postponed till then. A final judgement is further complicated because

those directly involved disagree on several key issues. This indicates that self-interest may be involved in the peddling of particular versions of what really happened. This is a major problem for any historian, but is especially difficult in an area as volatile and sensitive as war crimes. There are, however, enough established facts to conclude that the decision to abandon the search for justice in the Ozols case was ultimately made by the politicians. This does not necessarily exculpate the bureaucrats and lawyers from all responsibility.

Straight after receiving it on 28 June 1992, Rozenes dispatched the *Faris Advice* to Blewitt, Attorney General Duffy and his department.¹⁰ Blewitt immediately informed the Attorney General and his bureaucrats that he intended to proceed with Faris's recommendations. In the next few weeks, Blewitt made careful plans to continue the Ozols investigation. It was not to be. Towards the end of July 1992, Duffy wrote to Blewitt and ordered him to cease the investigation, stating unequivocally that the government would not fund it. As a result, on 30 July Blewitt wrote to Rozenes, enclosing a copy of Duffy's undated letter. As far as Blewitt was concerned, the matter now rested with the Director of Public Prosecutions (the independent prosecutor) and Australia's first law officer (the Attorney General), who between them had to decide whether war crimes charges would be laid against Ozols.

The first version of what happened next comes from the investigator, Graham Blewitt. This was a contemporaneous account, recorded just a few days after the official decision had been made by the Keating cabinet to abandon the case. In early September 1992, Blewitt told this author that he believed there had been

an exchange between Duffy and Rozenes. I haven't seen the correspondence which passed between them, but I understand that the correspondence was interpreted by Duffy's office and his department as a reluctance on Rozenes's part to proceed with the Ozols case. I know that there were then some qualifications sought from Rozenes as to whether that's what he actually meant. I think he again wrote back in terms which enabled Duffy to draw the conclusion that Rozenes wouldn't get too annoyed if the case

didn't proceed, and I think that's what happened. The case was sitting in this 'no man's land,' halfway between Duffy and Rozenes and I think if Rozenes would have been a bit firmer in his advice to Duffy then the result would have been different.¹¹

Blewitt's information also suggested that Rozenes was receiving contradictory advice from his Canberra and Melbourne offices, with the former opposing prosecution and the latter – which had actually examined the case and prepared the brief for Faris – in favour. If this were correct, then Rozenes was faced with both subtle political pressure and dissent from within his own ranks.¹²

The second version comes from the prosecutor, Michael Rozenes. The Commonwealth Director of Public Prosecutions occupies a powerful and independent statutory position in the federal legal system. The position is at arm's length from the Attorney General and the government of the day, although some residual powers are retained by the Attorney General. In an interview recorded in March 2001, Michael Rozenes insisted that he had pursued the Ozols case with vigour. According to his version, Attorney General Duffy ignored his strong recommendation that the investigation should be both continued and properly funded. In early August 1992, a few days after receiving Blewitt's letter of 30 July, Rozenes wrote to the Secretary of the Attorney General's department, Alan Rose:

I am concerned about the status of the Ozols investigation and the position of the [War Crimes Prosecutions Support Unit] in relation to it and to this office.

As you are aware, the DPP became significantly involved in the Ozols matter in May of this year. My office was advised by Mr Blewitt that the unit had your department's assurance that funding for the continuation for this investigation was available.

My office briefed Counsel and received advice that in his opinion there was a *prima facie* case and that further investigation was required before decision whether to prosecute could be made. A copy of that advice has been provided to you.

In subsequent discussions with your Mr Reaburn it was confirmed that the Ozols case was one of the matters currently with this office for which funding was available. Accordingly, it is with some surprise that I have received from Mr Blewitt a copy of a letter sent to him by the Attorney, the terms of which effectively prohibit any further inquiry in the Ozols investigation.

I have previously expressed the opinion that the Ozols matter should be further investigated. I remain firmly of that view. It is clear that if the allegations have substance, Ozols is the most significant war criminal living in Australia. These allegations are well known in the community. If this investigation is not concluded there is potential for significant embarrassment to DPP, your department and to the Government.

A further matter which gives rise to some concern is the terms of Mr Blewitt's engagement. He has sent me a copy of schedule one to his agreement which, *inter alia*, provides:

- (ii) to investigate and report to the DPP upon any other matter relating to allegations of serious war crimes or proceedings arising therefrom as requested by the DPP. The consultant shall only undertake an investigation or other work pursuant to the requirements of clause 1(ii) of this schedule upon receipt of a written request from the DPP.

It is by this means that I have learned for the first time that my office is said to have the power to request an investigation into a matter other than the Polyukhovych, Berezowski and Wagner matters. Presumably, Mr Blewitt would expect that this office will request him to continue the investigation of the Ozols matter. As I have said, in my view the matter should be further investigated and funds should be made available for that purpose.

I understand that we are to meet this coming Wednesday when this matter will be further discussed. I thought it of assistance to advise you in advance of what I perceived to be the significant issues.¹³

In this letter, Michael Rozenes outlined the apparent contradiction of his role in the Ozols case. On the one hand, Blewitt had been ordered by Attorney General Duffy to cease his investigation. On the other, Rozenes now learned that he ostensibly had the power to direct that the investigation proceed. From the DPP's viewpoint, this was not only an entirely unexpected, new power, but required financial and human resources he did not have. In any case, in order to *independently* carry out this power explicitly given to him in Blewitt's contract, Rozenes would have to countermand Duffy's instruction to Blewitt. On one view, the DPP was being made the 'meat in the sandwich.' The way Rozenes jumped would determine the outcome of one of the most important criminal investigations of modern Australian legal and political history.

Unfortunately, Michael Rozenes has no specific recollection of his discussion with the head of the Attorney General's department, Alan Rose, at the meeting the day after he sent his letter of 4 August 1992. In his interview with this author, however, he insisted that he would have forcefully repeated his recommendation that the Ozols case should be pursued to finality. It is established that some time in the following ten days a draft *Cabinet Submission* on the case was distributed for comment within the bureaucracy. Rozenes became concerned that his views were still being ignored. It is not certain what happened in the behind-the-scenes bureaucratic politics, but it is recorded that Rozenes requested that his views should be accurately reflected by including the following sentence in the *Cabinet Submission*:

The DPP advises that a *prima facie* case could not be prosecuted on the evidence in its present form and strongly recommends further investigation.¹⁴

It is not known whether this request was acted on, as the cabinet papers remain closed for thirty years (i.e. they will become available on 1 January 2023). By mid-August 1992, the government's intention to abandon the Ozols case started to leak out. This was two weeks before the Keating cabinet even considered the *Cabinet Submission* in the first week of September. According to one well-informed reporter, someone

in Rozenes's office began to reveal the behind-the-scenes manoeuvres. 'Sources in the office of the Director of Public Prosecutions (DPP) believe there is a strong movement within the minister's office to dissociate the minister from the war crimes trials.' The Jewish community suddenly started to exert as much pressure as it could muster. Isi Leibler, a senior figure in the Jewish community, began to ask persistent questions about what was by then becoming known as the scandal of the 'fourth case.' Leibler twice spoke directly to Duffy, who listened sympathetically, but in reality had already closed his mind. The Canberra-based reporter of the *Australian Jewish News* reported that 'Mr Duffy is being advised by senior members of his staff not to proceed with further investigations' of the Ozols case. Duffy's spokesman, John Ellis, had by then repeatedly insisted that 'the investigation has been abandoned.'¹⁵

It is also clear that someone in either Duffy's office or the Attorney General's department had decided that the position taken by Rozenes provided enough scope to allow him to be used as a 'shield' for what was an essentially political decision. For example, in mid-August 1992 Ellis stated that Duffy had received 'submissions from officers of the Attorney-General's Department and the Director of Public Prosecutions and Mr Duffy has come to the conclusion that we are not pursuing the matter.' Yet the case had not even been to cabinet, and Rozenes had recommended that he wanted the matter to be properly investigated. Presumably, the advice on which Duffy and his staff based the decision to kill the investigation had therefore come from the Attorney General's department.¹⁶

The third version of the decision to drop the Ozols case is largely based on the publicly available records detailing the Attorney General's stance. When approached for an on-the-record interview in March 2001, Michael Duffy declined to comment formally. While stressing that he held a high opinion of Michael Rozenes's professional abilities, Duffy agreed with Graham Blewitt's version of the Ozols case. As we have seen, Blewitt's judgement – made at the time of the events in 1992 – was that the Ozols 'case was sitting in this "no man's land," halfway between Duffy and Rozenes and I think if Rozenes would have been a bit firmer in his advice to Duffy then the result would have been different.' Duffy

insisted that at no stage did he receive advice that there was anything more than a strong *prima facie* case, which required further investigation. He maintained that if Rozenes's advice had been stronger than this, the outcome would probably have been different.¹⁷

Furthermore, Duffy recalled that he had accepted Rozenes's advice that successful war crimes prosecutions would be difficult to achieve. This, too, influenced the Attorney General's thinking, both about the investigations in general and the Ozols case in particular. Nevertheless, Duffy admitted his part as the final decision-maker in the Ozols case, but insisted that he had 'analysed it as closely and as objectively as I could.' He further admitted that he had formed the view that the case 'did not stand a chance' of being prosecuted successfully 'beyond a reasonable doubt, which was the burden of proof required.' Duffy stated that he had 'been horrified' by the difficulties posed by such belated war crimes trials. He was particularly concerned because of the likelihood that elderly witnesses and defendants would supply unreliable recollections. Although conceding that the government had made the final decision in the Ozols case, he rejected Michael Rozenes's version of events. He also emphatically repudiated any suggestion that the failure of war crimes prosecutions could be laid at his feet. He pointed out that by the time the Hawke government commenced inquiries in 1987 it was far too late for prosecutions, in his view.¹⁸

As we shall see in the concluding section of this chapter, there was more than a grain of truth to Michael Duffy's claim. The lapse of time had, indeed, made war crimes investigations extremely difficult to pursue. Numerous cases could not be prosecuted because either the defendant or the witnesses had died, or were too old or frail to stand trial or testify. Duffy also criticised successive governments' failure to take action earlier, which is also an accurate assessment, as the evidence compiled in this book amply demonstrates. On the other hand, successful Nazi war crimes trials were brought throughout the 1990s in the United States, Britain, France, Italy and Croatia, demonstrating that the lapse of time is not a complete bar to bringing elderly mass killers to justice. The real issue to be considered, however, is the actual stance taken by Duffy and the Keating government at the time of the Ozols case.

On this score, the following facts indicate at the least a reluctance to record truthfully the basis of the government's decision to abandon the investigation. At the most, they indicate that the decision was made primarily on a political, rather than a legal, basis.

In early September 1992, cabinet endorsed Duffy's *Cabinet Submission* and the Ozols case was abandoned. Duffy immediately laid the main responsibility for the decision directly at the feet of the independent Director of Public Prosecutions, Michael Rozenes. In a letter to Isi Leibler, Duffy hid his and the Keating government's responsibility for the decision. After confirming cabinet's decision that the recently formed War Crimes Prosecution Support Unit (established to support the Polyukhovych, Berezovsky and Wagner prosecutions) would not undertake further 'investigations or inquiries not connected with those prosecutions,' Duffy made the government's position on the Ozols case crystal clear:

As you were advised by my Departmental Adviser, Mr Meaney, the Director of Public Prosecutions did not regard the material available in the 'fourth case' as sufficient to justify the laying of charges, and Counsel's report, while recommending that a prosecution be brought, had concluded that further investigations were required before the material available could be regarded as suitable for a brief. Of course, it was not possible to predict with any certainty that further investigations would produce material providing a sufficient basis for the laying of charges. In the light of the Cabinet decision, it will not be possible for the Prosecution Support Unit to conduct any further inquiries into this matter.¹⁹

The Ozols case was now in the classic 'Catch 22' position. On the one hand, cabinet had decided that the Nazi-hunters could not investigate cases other than the three already before the courts. On the other, the DPP's position was that he could not lay charges against Ozols without further investigations, which the government had banned. It is reasonable to conclude from Duffy's letter of 3 September 1992 that the government was now hiding behind Rozenes. Indeed, it had signalled

its intention to use him as a 'shield' to deflect criticism from its own abandonment of justice. The only danger for the government was that Rozenes might refuse to allow himself to be used in this manner.

In March 2001, Rozenes had no idea where the version of his position given by Duffy in his letter to Leibler could have come from. 'It was not one I held and not one that the Commonwealth DPP held.'²⁰ It was also an incomplete account of Faris's *Advice*, to say the least. For example, Duffy failed to mention that Faris had found that a *prima facie* case existed on the basis of evidence already available. Further investigations were primarily recommended to *strengthen* the case and ensure that every avenue – the KGB archives, additional witnesses and further historical documents – was explored in preparing the 'hand-up brief.' Duffy distorted Faris's recommendation concerning these further investigations, which were not directly connected to the preparation of a brief, except inasmuch as any new evidence would, of course, form part of the brief. Clearly, Faris intended that preparation of the brief should continue *while* additional investigations took place because he had concluded that a *prima facie* case had already been established against Ozols. Thus, the 'proofs of evidence' needed from each of the *existing* witnesses could be taken while the search for *additional* witnesses was going on. This was precisely Faris's point in stating that it would take three months to complete the investigations *and* prepare the material in the form needed for a hand-up brief suitable for prosecution in Victoria. Then it would take an extra three to four weeks of final collation before the decision whether to charge Ozols was made.

Finally, Duffy's statement about the uncertainty of the eventual outcome completely stood the investigative process on its head. Taken literally, it would mean that complex criminal cases should never be investigated because it is almost never 'possible to predict with any certainty that further investigations would produce material providing a sufficient basis for the laying of charges.' It was an absurdity from the pen of Australia's first law officer ranking with Barwick's twisted argument that the rule of law in Australia meant that Nazi mass murderers should be given sanctuary, not brought to justice. Although, in fairness to Duffy, Barwick's abandonment of justice was taken more

than thirty years earlier, when investigations would almost certainly have produced dozens of successful prosecutions against Nazi mass killers like Ozols.) Duffy defended himself by pointing to the mid-1990 decision not to fund further investigations after 30 June 1992. Cabinet's decision at that time made it impossible, in Duffy's view, for the Ozols investigation to proceed into the second half of 1992.

The effect of Duffy's letter, however, was to mislead Leibler on both Faris's *Advice* and Rozenes's recommendation that further investigations should be both funded and completed.

It was therefore inevitable that the quashing of the Ozols case would not be confined to polite letters to senior Jewish leaders. It was bound to become a public scandal. Indeed, just a few days after Duffy's letter to Leibler, the government's decision to kill the Ozols case – despite the Faris *Advice* and the Rozenes recommendation – was splashed on the front pages of several influential newspapers. The first shot was fired on 4 September, when Leibler issued a stinging media release, headed 'Leibler Slams "Political" War Crimes Decision.' Someone had apparently told Leibler that Duffy's letter had inaccurately blamed Rozenes for the decision:

It is even more riling to learn that the Government has decided to capitulate and pull the plug on further investigation into a major alleged war criminal *despite the recommendation* of the Director of Public Prosecutions that a prosecution be brought. [Emphasis added].²¹

Although Leibler's statement misrepresented Rozenes's actual position in suggesting that he supported a prosecution, it was too close to the truth for comfort. The government's cover-story was in danger of unravelling before it had even started to work. Duffy's office went into overdrive. Two days later, several major reports appeared on the decision to abandon the Ozols case. Two reports quoted a spokesperson for Duffy that Rozenes had recommended that the case should not be prosecuted because of the 'limited prospects of success.' It should be noted that this was consistent with Blewitt's and Duffy's judgement that Rozenes had not provided firm advice to proceed with the case. Eight years later, however, Rozenes

claimed that he was 'fairly annoyed about that.' As proof of his anger, he cited the letter he had written a few days later to Alan Rose, the head of the Attorney General's department, in which he repudiated Duffy's statement in unequivocal terms: 'As you know, that is not so.'²²

In 2001, Rozenes was, if anything, even angrier as he contemplated the possibility that history would record that he was responsible for the abandonment of the Ozols case:

I could not see how the Attorney would say that or could say that. No one knew whether there were prospects of success or not. That was the purpose of the further investigation. Our advice was, and our assessment of the matter was, that there was a *prima facie* case that if we could get the evidence to support it, it may have been a great case. But no one was going to be in a position to know that until that exercise had been done.²³

As Rozenes recalled, there was not a great deal needed to finalise the matter, 'only a few months of inquiry. The cost of finishing the Ozols case would have been peanuts. It could not have been said at any stage, and particularly at the stage that it was said, that there were limited prospects of success.'²⁴

Rozenes's anger at the Attorney General's public statement was conveyed directly to the head of Duffy's department within a few days. On 9 September 1992, Rozenes requested that steps be taken 'to ensure that the public record is corrected in relation to this matter.' Twelve days passed before Deputy Secretary Reaburn replied on Rose's behalf on 21 September. The answer was disingenuous, especially in light of subsequent public comments by Duffy and his successors. According to Reaburn, the media must have got the story wrong. The Attorney General, however, would not issue a further media statement, but would deal with the matter on a question-by-question basis, if and when questions were asked. Reaburn also attached the department's proposed answer that Duffy would make if the Opposition asked him a question in parliament. The answer still did not incorporate Rozenes's actual position, merely noting that the DPP and Peter Faris agreed that

the evidence was not in a form which would allow charges to be laid, and the DPP was not prepared to lay charges on the basis of that material. As Rozenes observed in 2001, this was an accurate, but incomplete version of his position. It still did not contain his recommendation that the matter required full investigation.²⁵

The ball was now clearly in Rozenes's court. Would he accept this bureaucratic brush-off, or insist that both the public record and the Attorney's proposed parliamentary answer should be corrected?

It took only a few weeks before this choice was explicitly posed to Rozenes. In early October 1992, Duffy publicly repeated his original claim. In response to Isi Leibler's continuing allegations that the Ozols decision was 'political,' Duffy told the *Australian Jewish News* that the 'DPP did not believe that the prospects of a prosecution were extremely good.' When confronted with this second example of public misrepresentation, Rozenes did not, however, repeat his demand for a public correction. He did not respond, either inside the bureaucracy or publicly. In 2001, he pointed out that he was not in Australia when Duffy made his second statement, and claimed that it had not been drawn to his attention until this author did so in March 2001. He also insisted that if he had known about Duffy's statement to the Jewish press then he would have taken it up directly with the Attorney:

It was convenient for Duffy to say this was all a DPP issue. It wasn't. The fact is that the DPP was never in a position to make that assessment and could not on the material at hand. At no stage did I ever give the government any cause to believe that there was no value in pursuing the Ozols investigation. On the contrary, everything I said to them, whether it was orally stated or in writing, was that this was a most serious matter which should have been investigated.²⁶

Questions, however, remain. Why did the holder of probably the most powerful independent prosecutor's office in the country remain silent in the face of the Attorney General's bureaucratic and public misrepresentations of his true position? Could it not be inferred that his

silence was, in effect, acquiescence to the government's determination to shelve the Ozols case and shut down war crimes investigations? Is it not reasonable to conclude that this silence tends to support Graham Blewitt's judgement that a firmer stand by Rozenes may well have produced a different decision by Duffy? Was the initial silence not compounded by Rozenes's failure to even mention the Ozols case in his *Annual Report* for 1992–93, which provided a forum to correct the misrepresentations? In 2001, Rozenes insisted that such inferences should not be drawn. 'Silence is rarely a good basis for the drawing of positive inferences and never when it cannot be established that there was a legitimate opportunity presented for comment. There was no such opportunity presented in my case.' Rozenes, however, clearly regretted his silence:

I wish I had made a public statement. I didn't and maybe I should have. It was not my practice to go publicly into battle with the Attorney General. I said very little about cases that were either before the courts or pending. I believed it was not appropriate for DPPs to publicly speak about particular cases. I should have been more sensitive about this and I wasn't, to my regret, because I have a feeling that the community takes the view that somehow I was responsible for burying this case.²⁷

The public debate was, however, further muted by the official gag applied by Attorney General Duffy to the Director of the Special Investigations Unit, Graham Blewitt. When interviewed by this author in early September 1992, Blewitt was extremely nervous about his future as a federal public servant and most insistent that everything he said was to be treated as 'off-the-record.' By this time, Duffy had written to Blewitt and informed him of his decision to kill the Ozols prosecution. As Blewitt said:

My gagging was done in relation to the Ozols case, and it was done specifically I think to stop me from doing anything about Ozols, because I had been agitating a bit. When Duffy wrote to me

to say that the Ozols case was not going ahead, he also wrote and said that he advised me not to make any public comment about anything to do with the unit, its work, or war crimes generally. This was on the basis that it could prejudice the prosecutions taking place in Adelaide. And in addition, I should not speak to anybody about such things if those persons would be likely to make public comments. So it tended to be a fairly effective gag.²⁸

The bureaucrats in the Attorney General's department had exercised their ultimate sanction. If Blewitt wanted a career in the federal public service then he had better shut up. It was a metaphor for the whole sorry conclusion of the war crimes effort, which had begun with such promise five years earlier.

Duffy's version that the decision to abandon the Ozols case had been made by the DPP was allowed to remain uncorrected, despite a widespread belief in the Jewish community and sections of the media that it was the government which had taken the ultimate decision. Even so, the government was desperate to divert attention from the shabby reality of the Ozols decision. The government decided to sow confusion. The next tactic involved a different public spin. According to the government's media advisors, the case was really still alive and had merely been handed from the SIU's specialist war crimes investigators to the Australian Federal Police (AFP) to determine whether or not to pursue Ozols, or for that matter any other cases that emerged. It was another disingenuous line, masking the actual decision to abandon the search for justice. Within days, senior AFP officials had already conceded that there would be no 'special treatment' for war crimes investigations, even for a mass killer like Ozols whose case was almost ready for prosecution. This was underlined on 9 September by Senator Michael Tate, the Minister for Justice, who told a Senate Estimates Committee hearing that 'the AFP did not have the resources to allow its commissioner to make an easy decision to undertake such an expensive investigation.' The government was clearly indicating that the resources required for the case were so large that the investigation would have to be permanently abandoned.²⁹

The Ozols case then sat in this technical 'no man's land' for the next twelve months, as the AFP pretended to examine it and decide whether to continue the investigation. During this time, Blewitt harboured what was, by then, a fundamentally unrealistic hope that the government would see that justice would be best served by proceeding with the investigation and ultimately a prosecution. This was duly shattered in July 1993, when Norman Reaburn, Deputy Secretary of the Attorney General's department, wrote a 'Dear Graham' letter to Blewitt to report that the Australian Federal Police

... have now advised that they do not intend to continue with the investigation. They have come to this decision after reviewing the material available and holding discussions with officers of the Commonwealth Director of Public Prosecutions, your Unit, and Mr Faris QC. They have also considered the likely cost of investigating the matter to finalisation.³⁰

In fact, none of those allegedly consulted by the AFP had changed their mind. The government and its senior bureaucrats had killed off the last case that should have been prosecuted under Australia's *War Crimes Act*, not because the evidence was weak, but because it would cost too much to finalise.

Even then, the case would not lie down and die completely. The whole issue of Nazi war criminals was revived in April 1994, when Ozols's comrade and fellow war criminal Konrads Kalejs was deported to Australia from the United States. Once again, the spotlight on Nazis sheltering in Australia emerged from the dark corner to which the Keating government had tried to consign it. In yet another twist of irony, significant sections of the media switched from hostility to war crimes investigations to criticism of the government for failing to act against Nazi mass killers like Kalejs and Ozols. It was an extreme example of the capriciousness for which the Australian media is rightly famous. Suddenly, the pressure was back on the government to be seen to be doing something. The Ozols case publicly re-emerged and as a result was referred back to the Australian Federal Police for yet another examination.

Advice duly arrived on the desk of Justice Minister Duncan Kerr in January 1995. Although a significant slab of the 'Operations-in-Confidence' ministerial briefing note has been withheld under the *Freedom of Information Act*, enough has been released to demonstrate the ongoing farce of the government's policy on war crimes:

ISSUE

The Australian Federal Police (AFP) review of investigations into war crimes allegations against Mr Karlis Ozols.

BACKGROUND

[The entire first half of this section has been deleted, leaving the following three paragraphs.]

While it is difficult to accurately assess the cost of any further investigation, the AFP estimates it is likely to be in excess of \$300,000 and by finalisation of the investigative processes close to \$500,000.

While I accept the underlying intention of the war crimes legislation and recognise the feeling of concern shared among sections of the Australian community, because of the complexities of the law as it applies in these particular circumstances and the growing demand everywhere in Australia which necessitates the constant prioritisation of the AFP workload, I consider that to investigate this matter to finality will impose an unreasonable financial burden. It most certainly would significantly diminish the AFP's capacity to investigate other current major criminal matters.

Accordingly, in the face of today's competition for law enforcement funds I do not intend to have the AFP continue with the investigation.

RECOMMENDATION

That you note the preceding information.

D J Schramm

Acting Assistant Commissioner

INVESTIGATIONS

for M J Palmer, Commissioner of Police, 27 January 1995³¹

There was, of course, no active investigation to continue. It had been officially abandoned in 1992, reconfirmed as abandoned in 1993, resurrected from its coffin in 1994 under weight of public pressure and once again buried in 1995. Not, it should be noted, because the case did not 'justify the laying of charges,' as Duffy had claimed in 1992, but because the investigation would be too costly and would divert resources from other criminal inquiries. It would, of course, be perverse to argue that the Australian Federal Police should not investigate any major criminal matter, whether drug smuggling, tax evasion, international fraud or war crimes. Indeed, its failure to do so would constitute a grave breach of its charter to protect Australia. At the same time, the question should be asked as to why *operational* police should have to decide which alleged crimes require investigation. If the police need resources to undertake adequate investigations of crimes under federal laws, then it is surely a matter for the government to provide those resources.

It is impossible to escape the conclusion that the government had decided that no more resources were to be provided for the Ozols case. Cabinet had decided to abandon all war crimes investigations and Attorney General Michael Duffy in 1992 and Justice Minister Duncan Kerr in 1995 were left to put the best spin on it they could. They were left with few options, other than to hide as much as possible behind the Director of Public Prosecutions and the Australian Federal Police.

Michael Rozenes was conscripted as the 'shield' for what was an essentially political decision taken by the Keating government. Rozenes, it should be recorded, did little, either at the time or since, to correct the 'spin' put on the case by Duffy and his colleagues. It was only when the matter was put to him directly in March 2001 that he firmly repudiated that version. It is clear, however, that his bureaucratic response at the time considerably reduces his part and places the final responsibility for the abandonment of the search for justice on the politicians.

Unfortunately, Rozenes's decision not to respond publicly in 1992 has generated a false history, which successive governments have peddled to exculpate themselves from blame over the Ozols case. Over the period from 1996 to 2001, the Howard government has frequently repeated the

false history constructed by its predecessor. In 1998, for example, two senior cabinet members wrote to Efraim Zuroff, the Director of the Simon Wiesenthal Centre's Jerusalem office. Foreign Minister Alexander Downer repeated the standard Duffy line that the Director of Public Prosecutions 'decided that the material provided was insufficient to mount a prosecution.'³² His colleague, Justice Minister Amanda Vanstone, went much further and peddled a dishonest version of events:

The Government of the day would have provided more resources to enable the SIU to continue to pursue the investigation against Karlis Ozols if the material available had been sufficient to justify the laying of charges. However, in the DPP's view, the existing material was not sufficient.³³

As Michael Rozenes observed in 2001, the Duffy version of history had been 'repeated and embellished' by Vanstone. As we have seen, the truth was the reverse of Vanstone's claim. The DPP had, in fact, advised the government that a *prima facie* case existed and advocated that the Ozols investigation should be both finalised and funded by the Keating government. The government, however, explicitly directed that Blewitt cease the investigation and refused to fund it. Until now, Rozenes has been the lone villain for this unsatisfactory result. A significantly different version has, however, finally emerged.

We are left, though, to ponder what really happened in the Ozols case. As Rozenes insisted in 2001, Duffy was a very decent and professional Attorney General, a view widely shared by both the legal profession generally and by many in the wider community. Rozenes believed that in retrospect he felt a twinge in his back in 1992, which was in reality a bureaucratic knife being deftly plunged into his reputation by the Attorney General's department. Why, though, would the decent Attorney General allow his bureaucrats to engage in such character assassination? If Rozenes had been so forceful in opposing the government's decision to close down the Ozols investigation, then how did the slur on his character remain uncorrected for almost nine years? In the absence of a full public disclosure of the files, a final judgement

must be suspended until the cabinet papers, and the Attorney General's department and Special Investigations Unit files are released under the *Archives Act* in 2023.³⁴



There were, of course, two other war crimes cases to reach the prosecution stage. As we have already seen, the case against Ivan Polyukhovych failed in large part because of the shortcomings of the legal system. The other two cases also failed, but for different reasons.

Charges had been laid against Mikolay Berezovsky in September 1991 for his involvement in the murder of 102 Jews in the village of Gnivan in Ukraine. Berezovsky went to committal in Adelaide in June 1992, but proceedings disintegrated due to a blunder by the prosecution. Berezovsky was able to obtain an alibi to which he was not entitled because a key question was not asked on re-examination to the historian appearing for the prosecution. This allowed the defence to argue that it was possible that the killings had occurred at a time when Berezovsky claimed to have been absent from Gnivan. It was a blunder for which Graham Blewitt cannot forgive himself even nine years later. It allowed Berezovsky to avoid going to a jury trial where the evidence would be properly tested.³⁵ It was, however, nothing in comparison to the way in which the other defendant, Heinrich Wagner, was allowed to avoid a jury trial *despite* a committal hearing having decided that he had a case to answer.

Wagner was among the war criminals targeted by the KGB's propaganda campaign in the wake of the failed extradition request concerning Ervin Viks. In April 1964, the Soviets had published an article recounting evidence of some of Wagner's crimes as a member of the Nazi-controlled Gendarmerie. The allegations were forwarded to the Immigration Department, which in turn sent them on to the Prime Minister's department and ASIO. In line with the existing policy of the Menzies government, there the case rested until the SIU investigation of the late 1980s.³⁶ The unit soon established that Wagner had lived in the ethnic German village of Springfield in Ukraine, right next door to the

Jewish village of Izraylovska. In September 1991, he was charged with involvement in the murder of 104 of the Izraylovska Jews in mid-1942, including three sisters aged nine months, and four and six years. He was also charged with the murder of an additional nineteen children, including an eight-month-old baby. As Blewitt recalled:

Wagner had said he'd been off training for a couple of years in Austria or somewhere. And we knew that to be rubbish. We had a number of witnesses who had put him in the Gendarmerie and present at the killings. We had Nikolai Davyborsch, the cart driver, who first of all knew Wagner, and when the adults had been brought to the pitsite – the killing site – in the morning, Wagner was there and Davyborsch was instructed to go back and pick up the *Mischlinge* children, which he did.

These *Mischlinge* children were part-Jewish, part-Ukrainian, usually born to a Jewish father and a Ukrainian mother. Under the Nazis' racial policies, they were to be killed along with other Jews. 'When Davyborsch came back to the killing site Wagner was still there, and Davyborsch had him shooting one of the kids in mid-air. So we were fairly satisfied that he was there.'³⁷

The committal hearing began in June 1992. In November, Wagner was found to have a case to answer and his trial set down for 11 January 1993. Soon after the committal, however, a significant number of new witnesses emerged. 'We'd been looking for residents from Springfield, and we couldn't find them. And while we were waiting for the trial to commence we got a message from Germany to say that they'd located the records of a woman who originated from Springfield in the Ukraine.'³⁸ Blewitt immediately dispatched a team to Germany where the woman was eventually found and interviewed. She vividly recalled Wagner, where he had lived in Springfield and confirmed that 'he was there when the war was on, and when the Jews were killed.' Most importantly, she knew the whereabouts of many other former inhabitants of Springfield:

So we located a community of ex-Springfield residents scattered all around the world. And we contacted them and took statements from them and, of course, this just took what was a good case and just brought it right up. It destroyed Wagner's alibi, and whilst none of them had him there at the killing, they had him in the Gendarmerie which just made him out to be a complete liar. So, an accused telling lies, and with the other evidence, it was a strong case, probably the strongest of them all I would say.³⁹

The SIU promptly informed Wagner's legal team that they were going to call these additional witnesses. The defence properly requested the opportunity to cross-examine them prior to the jury trial. Leave was rapidly granted to convene a special hearing to take the new evidence. The witnesses were then assembled from around the world at the Australian Embassy in Bonn, Germany in December 1993, and their evidence was heard by way of videoconference link to the court in Adelaide. Witness after witness demolished Wagner's alibi. In the middle of this hearing, Wagner suddenly had a heart attack. As a result, the hearing was suspended, witnesses who had not yet given their evidence were sent home, and Blewitt flew to be with his family unexpectedly in time for Christmas. It was not, however, the happiest of festive seasons for Blewitt. When he returned it was to the news that that the Director of Public Prosecutions, Michael Rozenes, had no-billed the case. It would not go to trial. The evidence would never be heard by a jury. This decision was based on the medical evidence, which suggested that if Wagner had gone to trial the stress could have killed him. Blewitt remained furious at the decision even seven years later:

I think the case was no-billed with obscene haste. It wouldn't have hurt to just wait and see. The government of the day just couldn't do it quickly enough. It was Rozenes. I thought he was a weakling to do that. He didn't have the guts to wait for me to come back from Germany. I was in mid-air when they pulled the case, and when I arrived back it was a *fait accompli*. It was all over, and I think that was a tragedy.⁴⁰

Rozenes hotly rejected the suggestion that the government placed any pressure on him over the Wagner case, let alone that it would have influenced his decision. Although he said he could understand Blewitt's anger at not being personally consulted, he insisted that he had to make such decisions all the time. He also maintained that such tension between prosecutors and investigators was inevitable, especially when DPPs take a different view of the inquiries to which investigators have committed themselves so whole-heartedly. As far as the Wagner no-billing was concerned, the decision was made 'on the most careful of considerations,' although it caused considerable 'anguish.' The matter was conducted in court, independent medical advice was obtained and cross-examinations took place of the expert witnesses. 'Medical witnesses on both sides claimed that Wagner was at real risk ... of dying in the courtroom. No prosecution should be allowed to proceed if that is a real possibility.' At the end of the day, Rozenes maintained that he made the decision based on the best evidence available, 'which I believe was right.' In 2001, he said that it 'is regrettable that Wagner lived on for some years, not because I wish that he had died but because it retrospectively undermined the decision to discontinue.'⁴¹

Bob Greenwood, however, remained as angry as Blewitt with Rozenes's decision. 'I mean the case was there. The man had been committed for trial. Nobody ever said there wasn't a case against him.' Furthermore, Greenwood pointed to several high-profile cases involving public figures who were either elderly or extremely sick, but which proceeded anyway:

The no-bill was entered on the basis that if he stood trial he might have another heart attack. Put that alongside the state of Lionel Murphy's health at the time and Murray Farquhar's health at the time. Then there was Joh Bjelke-Petersen standing trial at the age of 82 in a piddling bloody perjury trial. None of those people killed nineteen children, and nobody would even think for one moment that they shouldn't stand trial because of their health. It was absolutely disgraceful.⁴²

Heinrich Wagner lived for another seven years. During that time he led an active life and was even filmed, in late 1999, by the US TV current affairs program *20/20*, and again by German TV in September 2000 during the Olympic Games. As a result, millions of Americans and Germans saw him lifting heavy bags of shopping, doing the gardening and behaving like a reasonably healthy if elderly citizen of Adelaide. The children he had killed were never able to do any of these things, let alone to have the peaceful death that Wagner did just before Christmas, 2000.

Michael Rozenes is both hurt and angry at Blewitt's and Greenwood's criticisms of the Wagner no-billing. A child of Holocaust survivors born immediately after the war, Rozenes counts his family members who survived Hitler on one hand. The war crimes investigations and prosecutions were 'a very significant event in my life both professionally and personally.' He pointed out that he had to keep a cool and dispassionate view of the whole thing, especially as he knew his decisions would be closely scrutinised. He insisted that he was both 'very careful' and 'fought desperately hard for the war crimes cases.'⁴³



The War Crimes Prosecution Support Unit – successor to the original Special Investigations Unit – closed its doors finally in early 1994. Without drawing breath, Graham Blewitt packed up the massive files the unit had compiled in the previous six-and-a-half years, shipped them off to the National Archives or the Australian Federal Police, hopped on a plane and flew to The Hague. Here he took up his new job of prosecuting war criminals from the Balkans genocide of the early-to-mid-1990s. He and a few other veterans of the SIU – Bob Reid, John Ralston and prosecutor Grant Niemann, to name just some – have kept the Australian flag flying honourably in the international movement to prosecute war criminals. The closure of Australia's war crimes unit remains, however, a major international embarrassment. Twenty-one years after the Americans began their effort, the Office of Special Investigations is still chasing Nazi mass killers, as well as branching out

into modern war crimes investigations. The Canadian war crimes unit, which was established at the same time as the SIU in the mid-1980s, is doing the same thing. Canada initially took the same path as Australia, prosecuting Nazi mass killers in criminal trials. When, as in Australia, the Canadian legal system could not cope with such belated criminal cases, the government changed course, amended its immigration and citizenship laws and started stripping Nazis of their Canadian citizenship and throwing them out of the country. This followed the American lead, which has seen dozens of war criminals stripped of their US citizenship and forced to leave the country. The Canadian change required retrospective laws, of course, which the Australian government has refused to enact, despite persistent suggestions to take its cue from the Canadians.

This leaves Australia with a major war crimes problem. There are still dozens of Nazis living in Australia. As discussed in Chapters One and Two, there are also perhaps hundreds of war criminals from Cambodia, Afghanistan, Bosnia, Croatia, Chile and elsewhere who are living free and easy without fear of criminal prosecution, or even denaturalisation or deportation. In 1997, the government changed Australian immigration and citizenship laws to make it possible to denaturalise and deport war criminals, but this applies only to such people who came here *after* those changes were enacted. The others can rest easy in their beds. They are surely comforted by the knowledge that successive governments over the past half-century have turned a blind eye to mass killers and torturers. They undoubtedly sleep easier having seen the betrayal of the effort to track down and prosecute Nazi war criminals begun by Prime Minister Hawke and Attorney General Bowen in 1987. It is a sad indictment of Australia's flawed political and legal system that mass murderers can be so easily tolerated as our next-door neighbours.

The achievements of the Special Investigations Unit should, however, be celebrated by those who support universal human rights and the rule of law. Behind the three failed prosecutions there is a story of extraordinary achievements and groundbreaking initiatives that should make Australians proud to have had such a unit, staffed by such

a remarkable group of otherwise ordinary citizens. In September 1992, when Graham Blewitt was in the depths of despair about the abandonment of the Ozols case, this author asked him how he saw the work of the SIU. In his quiet, characteristically optimistic way he affirmed his team's achievements and gave a lawyer's summary:

^ I think we're all disappointed that we didn't get more prosecutions than we did, but I think we also got a lot more prosecutions than anybody ever really expected. We got very close to quite a number of people, but just couldn't get enough evidence to bring a criminal prosecution. And we also had some people who would have been prosecuted but they died during the course of the investigation. So the *Final Report*, when it's published, will be very telling when the statistics come out and they're examined. But there are a lot of cases that were very close to prosecution, and had the exercise been carried out any earlier than it was, there would have been a lot more than has been achieved.⁴⁴

A year later, in September 1993, Blewitt submitted the unit's *Final Report* to the Secretary of the Attorney General's department. The government, ever-keen to keep war crimes out of the headlines, released it on a day when the media were distracted by other major stories. The 600-page report has been drawn on heavily in this book, and certainly fulfilled Blewitt's predictions for those who have read it. It demonstrated just how close the SIU had come to prosecuting at least eighteen suspects *fifty years after* they had committed their crimes. These included Argods Fricsons, the Latvian mass killer from Liepaja whose case is discussed in Chapter Four. Fricsons died in 1990, just when the case looked set to be among the first prosecutions. Also among those who only just managed to escape justice was Srečko Rover, the Little Wolf who carried out his killing spree as a member of Sarajevo's Mobile Court Martial (see Chapter Five). Rover was not referred to the Director of Public Prosecutions because the case lacked final eyewitness corroboration, especially as some of his former comrades would not testify against him. Then there was Rover's former comrade, Father Josip Bujanović,

the mayor of Gospić in the mixed Serbian-Croatian region of Lika, who had ordered mass killings and hangings as a senior Ustaše official. Bujanović's crimes were also detailed in Chapter Five, but his case was not referred to the Director of Public Prosecutions because of the absence of substantial eyewitnesses. Another was Nikolai Alferchik, the ASIO agent whose career as a mass murderer in Byelorussia was detailed in Chapter Six. Alferchik evaded justice when he had a stroke in 1991.⁴⁵

There were, however, many dozens of similar cases that have not been dealt with in this book. Both space, and a relentless recounting of the details of mass murder that could both numb the senses and inure readers to the horrors of the crimes, have meant that only a few of the more prominent cases have been documented here. There are, though, four others that require brief summary. These cases demonstrate just how close the SIU came to a large number of prosecutions despite the disadvantages of the passage of time and a lack of cooperation from a number of governments and individuals, especially the suspects' fellow war criminals.

The first case is that of Vladimir Stankiewicz, who rapidly emerged as the suspect most likely to be the first charged until he suddenly died aged only sixty-three in September 1988. This was before the *War Crimes Act* had even been debated in the Senate. Stankiewicz had first been drawn to Australia's attention in 1982, when the US Nazi-hunters requested assistance in locating him for one of their cases. The US diplomatic note also outlined in some detail the charges against Stankiewicz, alleging that he had been a member of a Forest Guard Unit in and around his home village of Turenets, Byelorussia. 'He was said to have personally participated in the persecution and shooting of civilian men, women and children when he retreated with the Germans.' In response to the US request, Australian authorities made incompetent inquiries and then told the Americans they could not find Stankiewicz. When Andrew Menzies re-examined the file again in 1986, however, he had no trouble locating Stankiewicz 'in suburban Sydney.' By 1988, the SIU had compiled a massive dossier on the case, including one witness who 'saw Stankiewicz at the execution of a group of fifty where he was

“finishing off” people who were wounded and lying in the pit by hitting them with a shovel. The witness himself was wounded in his escape from the execution site.’ Another witness saw Stankiewicz throw a young girl alive into a burning barn in which Stankiewicz was disposing of the bodies of other Jewish victims. He then saw Stankiewicz ‘chase after an eighteen or nineteen year old girl named Mendel, catch her and then take her to the place of execution where she was shot by one of the police.’⁴⁶

Karlis Metra escaped justice because the SIU could not assemble enough evidence to recommend a criminal trial, although the case against him was powerful. Metra was among the senior Latvian war criminals investigated by the Commonwealth Police in the mid-1960s. On 15 June 1965, the police issued a report which alleged that Metra ‘had been a high ranking officer in the Sicherheitsdienst, the Latvian Security Police.’ In 1970, ‘an ASIO informant provided a second allegation against Metra, that he had been the head of the Sicherheitsdienst in Jelgava and had engaged in the murder of several thousand Jews in that town.’ Eyewitnesses interviewed by the SIU in Latvia, Germany and New Zealand confirmed that Metra had, indeed, held this position in Jelgava. Metra was interviewed by the SIU in 1992, when he admitted that he had been the head of the Jelgava Security Police, a post which also took in several surrounding districts. He denied, however, any involvement in the mass killing of Jews, and insisted that he only worked against communists. This was a common defence of Latvian mass killers. As we have seen, it was also used by Argods Fricsons to deflect attention from his role in the murder of Liepaja’s Jews. The SIU assembled a massive dossier of historical documents on the killings of Jews, Gypsies, political prisoners, asylum inmates and other ‘unreliable elements’ in and around Jelgava. The Nazi-hunters also established ‘the fact that members of the Latvian Political/Security Police played a prominent role in the liquidation process’ in this region. The eyewitnesses interviewed could place Metra at the head of the mass killing process in the region. By early 1989, however, the strongest that the SIU could say was that in ‘the opinion of the investigator in charge of this suspect Metra would no doubt have been responsible for causing the executions of many Jews.

But at this stage there is no evidence to directly connect him.’ The SIU concluded that after

... a thorough investigation into this case and taking into account the position of authority held by Metra, namely leader of the Political Police in Jelgava ... the SIU was satisfied that there was a strong likelihood that a person in that position and those under his command would have been involved in the commission of war crimes. However the SIU was not able to gather sufficient evidence to refer this matter to the DPP.⁴⁷

Leonas Pazusis was the most prominent of a large group of Lithuanian suspects investigated by the SIU. Pazusis escaped prosecution under the *War Crimes Act* because the witnesses who could testify about his personal role in mass shootings of Jews, Gypsies and others had died by the time the investigation commenced in the late 1980s. The SIU did, however, establish beyond doubt that Pazusis was a member of the Lithuanian *Sonderkommando* (Special Commando) known as the *Ypatinga Buras* which helped to murder about 100,000 people in and around Lithuania’s capital Vilnius from July 1941 onwards. Documentary evidence collected suggested that Pazusis had joined this unit as early as 10 July 1941, and surviving members of the unit confirmed that he had been a member and identified his photograph. At least one witness had named Pazusis as a participant in mass shootings at his own war crimes trial in Poland. When he was interviewed by the SIU, however, this witness refused to repeat this evidence and became truculent and uncooperative. In March 1992, the SIU interviewed Pazusis and put the allegations to him. At first he denied ever being a member of the *Sonderkommando*, but when shown documents that listed him as a member the following exchange took place:

Pazusis: Well, I, I, I said if, to you before, I said if they put me in, well I am in.

SIU: Can you tell me what your duties were as a member of the *Ypatinga Buras*?

- Pazusis: A lot of things. Supposed to I'm (silence) fight with Russian partisans.
- SIU: Did you have to do guard duty?
- Pazusis: (Silence) That was very seldom. (Silence) Sometimes, very, very seldom There was ghe, ghet, Jewish ghetto in, in Vilnius.
- SIU: Yeah.
- Pazusis: Well they used to put us on the gates.
- SIU: What would happen if somebody got out?
- Pazusis: Well, we nobody allowed to do, it's order.
- SIU: And what was that?
- Pazusis: Well, you, if you, like there was Jews and all other, other so many different people they kept and that's it, he is not allow to run away, if he run away I have to shoot him. Or try to shoot him, yes that's

Eventually, Pazusis admitted to the SIU that he had actually guarded the Jewish ghetto 'maybe once a month or every six weeks' and even confessed that he was present when other members of the *Sonderkommando* shot people. The SIU, however,

was unable to establish exact details of Pazusis's role and which particular executions he may have been involved in, at whatever level. The SIU is satisfied that there is evidence that Pazusis was a member of the *Sonderkommando* and in this role was likely to have been involved in the commission of war crimes. However the evidence as to identification of Pazusis and his role in any specific crime is tenuous and not sufficient to refer the case to the DPP.

The SIU *Final Report* did, however, record another detail in the Pazusis case that underlines just how corrupt the government's decision was to wind up war crimes investigations. The close of SIU operations, it will be recalled, occurred on 30 June 1992. The day before, 29 June 1992, the Canadian war crimes unit advised the SIU that it 'had located a file in an archive in Lodz, Poland specifically relating to Pazusis and

his war crimes.' The report icily noted that the 'SIU ceased being an investigative unit on 30 June 1992 and was therefore unable to investigate this file.'⁴⁸

The last case to be outlined from the SIU's *Final Report* concerns a very senior Ukrainian war criminal, Anatole Kabaida. This case also illustrates one of the recurring themes dealt with in this book – the role of intelligence agencies, particularly ASIO, in Australia's Nazi scandal. ASIO began to monitor Kabaida's activities in the early 1960s, when he was using his alias of Anatole Zhukiwskij. ASIO's sources identified Kabaida as a supporter of the Organisation of Ukrainian Nationalists, one of the main Nazi groups that had carried out the *Final Solution* for the Germans during the occupation. He was also a key figure in the Canberra branch of the Ukrainian Revolutionary Democratic Party (URDP), a shadowy fascist group then active in taking over the Ukrainian Association. ASIO became especially interested in Kabaida, but not, however, because of his involvement in fascist politics. Rather, it was because of the active interest taken in Kabaida by a suspected communist agent, Agnes Glemkowski, 'who may have been acting on behalf of the Soviet Consul.' Glemkowski was undoubtedly passing information to the Soviets about Kabaida's activities, and as a result the KGB targeted Kabaida's war crimes in several publications and articles. One of ASIO's sources on the Kabaida case was an ex-member of the Soviet Communist Party, who drew the spies' attention to allegations against Kabaida in a communist newspaper circulating in Australia. This article 'reported him as dealing harshly with Jews and Partisans during the war.' Subsequently, ASIO recorded that Kabaida had been in the 'Police Force in Kiev.' In keeping with ASIO's policy of turning a 'blind eye to Nazis,' these allegations were ignored and instead the claims about communist agents were the focus of ongoing inquiries.⁴⁹

Allegations that Kabaida was a senior member of the Nazi-controlled Security Police in Kiev, who had been involved in serious war crimes, had been passed to this author by the Canadian branch of the Simon Wiesenthal Centre in the mid-1980s. During a private visit to Ukraine in January 1987, this author recorded interviews with several eyewitnesses in the Kabaida case and collected documents and photos

that were relevant to this inquiry. This material was handed to Bob Greenwood to assist in the SIU's ongoing investigation. The SIU established that Kabaida had commanded the Kiev Guard Police during the war. When interviewed by the Nazi-hunters, Kabaida admitted holding this post, but denied involvement in war crimes. The investigators located a large number of relevant documents, and interviewed several witnesses. His units were certainly involved in assisting to round up Jews, but the SIU could not link Kabaida directly to any specific crimes. The SIU *Final Report* concluded that after

a thorough investigation into this case the SIU was satisfied that Kabaida might have been implicated in the commission of war crimes. In coming to this conclusion the Unit took into account the position of authority held by Kabaida, namely chief of staff of the Ukrainian Guard Police in Kiev, and the likelihood that those under his command would have been involved in the commission of war crimes. However the Unit was not able to gather sufficient evidence to refer this matter to the DPP.⁵⁰



These four cases from the SIU *Final Report* – together with dozens more documented both in that report and in this book – illustrate graphically the most important lesson learned from the Nazi war crimes effort of the late 1980s and early 1990s. Allegations concerning serious crimes against humanity, genocide, war crimes and torture need to be investigated thoroughly at the time they are made. Delay will inevitably frustrate, if not defeat, later efforts to establish the truth and bring the perpetrators to justice. They also illustrate a second major lesson. No matter how professional and well-intentioned ordinary law enforcement and intelligence agencies may be, they are not adequately equipped to deal with these kinds of cases. At any rate, their statutory obligations lie elsewhere and they are, not unnaturally, loath to divert resources from their core duties. A small, professional and properly

resourced standing unit is necessary to undertake investigations of war criminals. As Chapters One and Two demonstrate, Australia has an ongoing problem to overcome in this regard. In eight years, the federal government has only implemented a handful of the major recommendations made in the SIU *Final Report*. These are, from a domestic point of view, the relatively less-important recommendations, and do not include the following actions, which still need to be urgently taken:

Amend the *War Crimes Act* to make it applicable to all wars and all war criminals.

Establish a standing war crimes unit to enforce the expanded provisions of the *War Crimes Act*.

- Honour Australia's obligations under the *Geneva Convention on Genocide* by making genocide a punishable crime in Australia.

Unless these actions are taken Australia's policies on crimes against humanity, war crimes and genocide will be weak and ineffective. The government's rhetoric will be just that – empty words with no substance, disingenuous commitment exhibiting little morality and no justice.

Postscript

The government's determination to close the Special Investigations Unit (SIU) on 30 June 1992 effectively ended official war crimes investigations in Australia. Although both the Keating and Howard governments have maintained the charade that the Australian Federal Police (AFP) would continue to investigate any new cases that emerged, in reality nothing has been done in the nine years following the SIU's closure. This did not prevent the issue from becoming the focus of major public debate, as shown by the coverage given to Konrads Kalejs's deportations, first from the United States (1994), then Canada (1997), and his expulsion from Britain ahead of a deportation order in early 2000. Nor has it stopped ongoing private investigations of war criminals, both World War II Nazis and other mass killers from the many conflicts of the past fifty years.

Although many Australian journalists have continued to pursue the issue with vigour, the most persistent unofficial investigator has undoubtedly been Dr Efraim Zuroff, the Director of the Simon Wiesenthal Centre's Jerusalem office. A figure of controversy among some prominent leaders of the Jewish community, whom he has trenchantly criticised on occasions, Zuroff has waged an ongoing campaign both to embarrass the federal government for abandoning justice for known war criminals and to bring to light new suspects. He has also visited Australia on several

occasions and kept up a constant barrage of media interviews, which have helped to keep the spotlight on the issue. Over the past seven years, Zuroff has supplied names, basic charges, evidence and suggested leads concerning a further 190 suspected Nazi war criminals who probably found sanctuary in Australia after the war. He has also supplied important additional evidence and leads for several existing cases that the SIU had not been able to complete, often due to ignorance of new material that became available in the post-communist era. Despite repeated correspondence with both the responsible federal government ministers and the AFP, no action has been taken either to complete outstanding investigations or to commence new inquiries into the additional names.¹

The best illustration of Zuroff's work is the case of Antanas Gudelis, a member of the Lithuanian Auxiliary Police who carried out several mass killings of Jews in 1941 and 1942. A resident of Adelaide, the SIU investigated Gudelis in the late 1980s and early 1990s and established that he had probably been involved in mass killings in Kupiskis, a town about 150 kilometres from Kaunas, in mid-1941. The Nazi-hunters also established that Gudelis had been appointed as commander of the 7th Company of the Auxiliary Police battalion in Kaunas on 25 August 1941. Over the following fifteen months, a series of mass killings occurred in the Kaunas region, including one *Aktion* involving the murder of 10,000 Jews at the end of October 1942. The SIU was convinced that Gudelis was involved in some or all of these crimes, but the investigators could not 'obtain evidence which would prove the commission of a war crime. Although the SIU held the view that this allegation had substance, it was unable to gather enough admissible evidence to refer this case to the DPP.'²

In November 1994, Zuroff wrote to AFP Commissioner, Mick Palmer, providing the names of twelve new Lithuanian suspects and outlining significant new evidence against three Lithuanians previously investigated. The most important was Antanas Gudelis; Zuroff provided significant new material implicating him in mass killings of Jews in Simnas, Seirijai, Merkine, Varena and Leipalingis between 11 and 13 September 1941. Among the material Zuroff had located were

several official documents of the Lithuanian Auxiliary Police indicating that Gudelis and the unit he commanded had been dispatched on a series of 'special' and 'secret' missions in August and September 1941. These undoubtedly related to the murder of Jews in these towns, as reported by Einsatzgruppe commander SS Colonel Kurt Jäger in his report of mass killings carried out by Lithuanian units under his command up to 1 December 1941. By March 1995, Zuroff had dispatched a large dossier of evidence to the AFP mounting a powerful case against Gudelis that built upon the work of the SIU. This included the recently released Soviet KGB file of Matas Lekavicius, one of Gudelis's subordinates who named his commanding officer as an active participant in mass killings. Other material sent to the AFP had been prepared by the US Nazi-hunters of the Office of Special Investigations (OSI) in the American trial of another of Gudelis's subordinates, Jonas Stelmokas, who also participated in the 'special' and 'secret' missions. The US courts ultimately accepted the OSI's contention that these were merely code words for the murder of civilians, particularly Jews, by the unit commanded by Gudelis. Stelmokas was stripped of his US citizenship in 1995 and a US court ordered that he should be deported from America in April 1998.³

In late 1998, however, Dr Zuroff realised that all his hard work had fallen on barren ground at AFP headquarters in Canberra. The meticulous research he and his team had conducted, the voluminous reports and collections of documents, and the compilation of numerous leads to eyewitnesses had simply been ignored. This was despite repeated assurances from both Keating and Howard governments that the AFP would devote time and resources to investigate new war crimes allegations. In fact, these assurances were revealed as so many empty words in the AFP's *Annual Report 1997/98*. In dealing with war crimes inquiries, the AFP reported that it had recommended to the Director of Public Prosecutions that 'there was insufficient evidence to warrant charges' against Latvian mass killer Konrads Kalejs. The report then noted of its other so-called 'investigations' of war crimes, which were 'based on information provided from an overseas source' (i.e. Zuroff), that:

The indications are that given these events occurred more than 50 years ago the chances of securing a conviction for this type of crime are slim.⁴

This was despite the fact that Gudelis's subordinate, Stelmokas, had been convicted in a US court only a few months earlier, and had been ordered to be deported. It also ignored the continuing investigations and successful trials of war criminals in many other countries, including France, Britain, Italy and Croatia. Zuroff concluded, correctly, that neither the Howard government nor the AFP was actually serious about pursuing his evidence in an effort to bring to justice mass killers such as Gudelis.

As it seemed that the courts would never hear the evidence, Zuroff decided to pursue the Gudelis case before the bar of public opinion. In early 1999, he put the case to the media, with calls for the Lithuanian government to act by seeking Gudelis's extradition in order to place him before the courts of the country where his crimes had been committed. It was the start of yet another campaign by the relentless Nazi-hunter; this time, to force the Australian government to follow the leads given by the United States and Canada to denaturalise and deport, or extradite, Nazi war criminals. Gudelis was to be Zuroff's 'peak test case,' a decision supported by several senior leaders of the Australian Jewish community who had started to demand that the government pursue this course a few years earlier.⁵ Zuroff's actions sent both the Australian and Lithuanian governments scurrying to prove that they were not indifferent to claims of genocide. The Lithuanians reluctantly launched genocide investigations a few months later. The Australians were pressured to assist the Lithuanian inquiry when war criminals once again became a major story in December 1999 after Zuroff located Konrads Kalejs in Britain, sparking an international media furore. Nothing, however, was done to launch either extradition proceedings to send Gudelis back to Lithuania or to try him *in absentia*, as Zuroff had also proposed. Even when the SBS television program *Dateline* ran a major exposé of Gudelis in March 2000, in which several eyewitnesses living in Lithuania were interviewed, neither government acted.⁶

Nor has the Australian government acted to follow the Canadian lead and replace criminal prosecution of war criminals with denaturalisation and deportation proceedings. Despite persistent lobbying by Zuroff and the Australian Jewish community, the Howard government refuses to take this course, with the result being that almost nothing is being done to take action against mass murderers who have found sanctuary in Australia. As this Postscript is written in early April 2001, the only war criminal currently before an Australian court is Konrads Kalejs. Kalejs is facing extradition hearings in May 2001, following a long campaign by Zuroff, the Australian Jewish community and intense international media and diplomatic criticism of the government's inaction. Following Britain's decision to throw Kalejs out after he was exposed there by Zuroff in December 1999, the Latvian and Australian governments were embarrassed by the international community into signing an extradition treaty, specifically aimed at this Nazi mass killer. Under intense pressure from the United States, Latvia finally investigated Kalejs's crimes and he at last faces an Australian court. On the evidence of past inaction by the Australian government, Zuroff and his supporters will face considerable obstacles in getting other Nazi mass killers to face even this limited and belated form of justice.

Despite this, Zuroff continues his work, and as this is written is compiling yet another list of suspected war criminals who have found sanctuary in Australia. The government has not heard the last of Dr Efraim Zuroff.



Ten days before this book was due to go to press, the Commonwealth Attorney General's department finally responded to this author's request of September 2000 under the *Freedom of Information Act* for access to the 'Confidential Part' of Andrew Menzies's November 1986 report on Nazi war criminals in Australia. As we have seen in Chapter Eight, this dealt with Western intelligence's role in Australia's Nazi scandal. The version of the 'Confidential Part' of the report released on 30 March 2001 was, predictably, highly censored, and therefore requires

the use of ASIO's favoured 'mosaic' technique to make any sense of it at all. In general terms, however, the censored version confirms the overall thesis of this book: Andrew Menzies engaged in a cover-up of the role of both Australian intelligence and other Western intelligence agencies in recruiting Nazi mass murderers in the Cold War battle against communism. As has been repeatedly demonstrated, ASIO and its colleagues in Britain and the United States are culpable for a significant part of the Nazi scandal.

The section of his report that Menzies hid from Australians in 1986 was headed 'Divergences from Standard Practices to Meet Requests of Overseas Intelligence Agencies.' This, in itself, is revealing. Even more revealing, however, is the fact that the first five paragraphs of the section have been censored completely (in line with ASIO's obsessive censorship of the Nazi intelligence files), as well as the first part of the sixth paragraph and all of the seventh. Indeed, all that remains of page 1 of the six-page section is four lines indicating that some arrangement had been entered into between Australian and British and American intelligence to settle in Australia 'defectors from the Russian Army.' Page 2 of the confidential section is notable for Menzies's attention to the cross-referencing of lists of Western intelligence agents who were settled in Australia against his own (incomplete) list of suspected war criminals. According to Menzies: 'No names appeared in both lists.' In other words, our Western allies did not settle Nazi agents in Australia through the cooperative intelligence relationship. As discussed in Chapter Eight, this is a lie. Menzies did not even investigate the lead specifically provided by this author which would have led him to an American Nazi agent who was settled in Australia under bilateral arrangements. It is revealing, however, that in the secret section Menzies conceded a major contention made by this author in the 1986 ABC Radio National programs that prompted his own inquiry. Despite his failure to identify any war criminals settled in Australia under bilateral arrangements, this did not prevent 'an ex-agent from applying directly to the Australian authorities for migration.' Even more revealing, he conceded that it would not have stopped Australia's Western intelligence allies 'from encouraging ex-agents to do so.'

After further heavy censoring of pages 2 and 3 of the secret section, Menzies can be seen to concede that he came across 'several cases where ex-agents were believed to have come to Australia.' Two such instances are referred to in particular, although the details are entirely censored. Menzies then recorded the views of several intelligence officers about what may have happened in such cases – views which remain classified even after more than half a century has elapsed since the incidents described, and almost fifteen years since Menzies wrote his report. Menzies recorded in the secret section that, 'it is not surprising that it is not possible to establish that no [censored, i.e. British or American] ex-agent with a war criminal background entered Australia without the knowledge of Australian authorities.' Following further deletions from this section, Menzies claimed that 'no instance is recorded by ASIO of the actual admission of a former [censored, i.e. British or American] agent.' In other words, Menzies went out of his way to exonerate British and American intelligence from an active role in Australia's Nazi scandal. In particular, he argued that there was no conspiracy between Australian intelligence officers and their Western counterparts. Menzies did, however, concede that Australia's allies could well have settled their Nazi agents in Australia 'without notifying Australian authorities.'⁸ As discussed in Chapter Eight, Menzies conceded at least one such case, maybe two. He concluded:

However, in the final result, it must be said that only one positive instance has come to notice of a person now in Australia, the subject of allegations of commission of war crimes, having been employed by [censored, i.e. British or American] intelligence agency in Europe. Further, as discussed in the public portion of the report, contentions that British or US intelligence officers had influenced the selection for migration to Australia of particular persons the subject of allegations of commission of war crimes by providing false information to, or withholding information from, Australian selection officers proved on examination to be unsupported by the evidence.⁹

It is still difficult to make a final judgement on Andrew Menzies's cover-up of Australia's Nazi intelligence scandal. Unfortunately, the recently released confidential section of his report is so highly censored that there is still some doubt about the fine details. The main thrust is, however, crystal clear. As we have seen repeatedly, Menzies was either so incompetent that he did not get to the bottom of the intelligence scandal, or he deliberately covered it up. There is no other explanation. The facts presented in this book make the case so overwhelmingly that Menzies's disingenuous conclusions can no longer be taken seriously. Nikolai Alferchik, Argods Fricsons, Srečko Rover, Enver Begović, Branislav Ivanović, Milorad Lukić and Arvids Kripens, to name just a few of the many Nazi Western intelligence agents who were settled in Australia, give the lie to the 'Confidential Part' of Andrew Menzies's 1986 report.

In fact, many Nazis who were provided with an Australian sanctuary had been Western intelligence agents. As we have seen, many also became agents for Australian intelligence, especially for ASIO. The highly censored version of the secret section of Andrew Menzies's report released in March 2001 shows that the cover-up continues. Until there is unrestricted access to the raw files, Australians are entitled to conclude that their intelligence services have hoodwinked them about the protection provided to men who murdered tens of thousands of innocent civilians – men, women and children.

Mark Aarons
9 April 2001

Endnotes

Explanation of Primary Sources

A number of archives and libraries have been consulted in preparing this book. Most are cited in full in the endnotes, but the four major Western archives are abbreviated in these forms:

Public Record Office, London – PRO

United States National Archives, Washington – USNA

National Archives of Australia (unless otherwise specifically noted, these files are located in the Canberra Regional Office) – AA

Archive of Australian Judaica, Sydney University – AAJ

Other Archives and Libraries

Military History Archives, and Jewish Museum, Belgrade.

Archives of Bosnia and Hercegovina, Museum of the Revolution, and University Library, Sarajevo.

Archives of Croatia, Museum of the Revolution, and Institute of Labour Movement History, Zagreb.

Archives of Slovenia, Museum of the Revolution and Institute of Labour Movement History, Ljubljana.

Library of Congress, Washington.

British Library London.

Library of Columbia University, New York.

State Library of New South Wales, Sydney.

Ukrainian Archives, Kiev.

Latvian Archives, Riga.

Photographic collections Imperial War Museum, London; Museum of the Revolution, Belgrade, Zagreb, Sarajevo and Ljubljana; and Jewish Museum, Belgrade.

Chapter One

War Criminals 'Welcome'

1 Richard McGregor, 'Canberra has history of mishandling war crimes,' *Australian*, 11 January 2000.

2 *Nazis in Australia*, broadcast on ABC Radio National's *Background Briefing*, 13, 20, 27 April and 4 and 11 May 1986.

3 Interview with Graham Blewitt, 9 September 1992.

4 Interview with Graham Blewitt, 9 September 1992. In 1997, the government changed Australian immigration and citizenship laws to make it possible to denaturalise and deport war criminals, but this applies only to such people who came here *after* those changes were enacted. The others can rest easy in their beds.

5 Interview with Graham Blewitt, 9 September 1992. For further coverage of these matters, see Mark Aarons, 'Crusade against war crimes,' *Bulletin*, 22 February 1994, and Martin Daly, 'UN says Australian is a war criminal,' *Age*, 19 December 1994.

6 A good account of the Serbs' operating procedure for 'ethnic cleansing' operations is given by Mark Danner, 'Endgame in Kosovo,' *New York Review of Books*, 6 May 1999.

7 Days after Srebrenica was conquered by the Serbs in July 1995, thousands of desperate Muslims attempted to break out of the Serb encirclement. The Serb leadership ordered them to be killed. 'Rewards were offered for each Muslim killed. Even babies were slaughtered. The capture of each pocket of prisoners was reported up the chain of command and always the order came back to "kill them".' Jon Swain, 'How Bosnia's butchers have escaped the war crimes tribunal,' *Australian*, 27 May 1996.

8 Interview with former senior officer of the Australian Federal Police, April 1991.

9 Paul McGeough and Wanda Jamrozik, 'Australians Preparing For Civil War,' *Sydney Morning Herald*, 6 April 1991, and Sigrid Kirk, 'Croats raise \$3m for war effort,' *Sydney Morning Herald*, 27 September 1991.

10 Alan Ferguson, '250 Canadians among volunteers flocking to join Croat armed forces,' *Toronto Star*, 7 August 1991. The presence of Australian Croats in the Balkans war was also confirmed by the UN Special Rapporteur of the Commission on Human Rights in his report on the use of mercenaries, 21 December 1994.

11 'Final report of the United Nations Commission of Experts established pursuant to security council resolution 780 (1992),' Annex III.A, 28 December 1994.

12 One account suggests that Kraljević's death was actually a 'mysterious and never fully covered liquidation.' See Vladimir Jovanović, 'Dossier: Paramilitary units,' in *Balkan Media & Policy Monitor*, 1 May 1995, originally published in *Podgorica*, 14 April 1995. For details of Kraljević's early career in Australia, see the voluminous documents tabled in the Senate by Attorney General Murphy on 27 March 1973, especially document B21, records of interview with Kraljević by the Victorian Special Branch and Commonwealth Police, 8 August 1972.

13 'Australian Justice Cornered,' *Australia-Israel Review*, April 2000, p.27.

14 *Sydney Morning Herald*, 8 July and 7 August 1991, and *Daily Telegraph*, 13 August 1991. Other details were provided by law enforcement officials who preferred to remain anonymous.

15 For details of the investigations conducted by the Nazi-hunters of the Special Investigations Unit into these

suspects, see Attorney-General's Department, *Report of the Investigations of War Criminals in Australia*, Australian Government Publishing Service, Canberra, 1993 (SIU Final Report), pp.150–164.

16 In an interview with Vasiljković conducted in Belgrade for the ABC TV current affairs program *Four Corners* in February 2000, he claimed to have had 16,000 troops under his command, but he used the figure 1,200 in a 1991 interview. See Aleksandar Popović, 'I Am Not a Rebel,' *Pogledi*, 29 November 1991, as quoted in endnote 13, 'New England Center for International Law and Policy: The Balkan Institute, War Crimes and Individual Responsibility, part 4,' 1997. An account of 'Captain Dragan's' activities was given by an American Serb who volunteered and served with him for some time. See Rob Krott, 'Yank Pulls Three Combat Tours With Chetniks,' *Soldier of Fortune*, April 1994. On the role of Serb intelligence in giving instructions to Vasiljković, see Roger Cohen, 'Serb Ex-Police Official Offers Documents Linking Milosevic To War Crimes,' *New York Times News Service*, April 1995. Another account has it that Vasiljković was in the employ of the Yugoslav secret service during the 1980s and was used to intimidate and even attack political émigrés. This account also refers to the close relation between Serbian intelligence and Vasiljković in the so-called Serb Republic of Krajina from 1991 onwards. See Vladimir Jovanović, 'Dossier: Paramilitary units,' in *Balkan Media & Policy Monitor*, 1 May 1995, originally published in *Podgorica*, 14 April 1995.

17 Some details of these atrocities can be found in Cherif Bassiouni et al., 'Final report of the United Nations Commission of Experts established pursuant to security council resolution 780 (1992),' Annex III.A,

28 December 1994. The quote from the Glina offensive comes from Paul McGeogh, 'Dragan: Hero Who Spits Fire And Speaks Strine,' *Sydney Morning Herald*, 30 July 1991, and the details about the attack on Struga from Paul McGeogh, 'Captain Mysterious, scourge of the Croats,' *Sydney Morning Herald*, 5 August 1991. On the role of Vasiljković's units in the expulsion of the Muslims from Zvornik, see Hannes Tretter, Stephan Müller, Roswitha Schwanke, Paul Angeli and Andreas Richter, '*Ethnic Cleansing Operations' in the northeast-Bosnian City of Zvornik from April through June 1992* (Ludwig Boltzmann Institute of Human Rights, 1994, 1998) section 4.2.6. On the role of Serb intelligence in his career, see letter from Dr Mate Granić, Croatian Deputy Prime Minister and Minister for Foreign Affairs, to the UN Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries, 30 June 1995, and endnote 203, 'New England Center for International Law and Policy: The Balkan Institute, War Crimes and Individual Responsibility, part 4,' 1997.

18 Martin Daly, 'UN says Australian is a war criminal,' *Age*, 19 December 1994.

19 These details were provided by law enforcement officials who preferred to remain anonymous.

20 The ABC TV program *Four Corners* investigated Vasiljković in early 2000 and discovered that he had easy access right up to the Australian Ambassador in Belgrade. The Australian diplomats apparently found him useful in solving problems with the Milošević regime. Some sources have indicated that he was especially useful in delicate negotiations, such as those involving the gaoled Australian aid workers Steve Pratt and Peter Wallace.

21 These admissions were made by well placed and senior law enforcement officials

who also stated that to the best of their knowledge neither their superiors nor the senior government ministers responsible was interested in launching an official inquiry.

22 'Australian Justice Cornered,' *Australia-Israel Review*, April 2000, p.27.

23 Richard McGregor, 'Two war crimes suspects refused entry,' *Australian*, 20 January 2000.

24 Interview with Graham Blewitt, 21 December 2000.

25 Leora Moldofsky, 'Fugitives from Justice,' *Time*, 10 April 2000.

Chapter Two

The War Criminals Next Door

1 Unless otherwise noted, this account is taken from an interview conducted by the author with Phiny Ung at her home in Sydney's western suburbs, 30 August 1997. This interview is supported by the

interview conducted by SBS TV in 1993.

2 Interview with Lim Eak Eang, SBS TV, 16 February 1993.

3 Author interview, September 1997.

4 Details of Khmer Rouge policies and structures are taken from the SBS TV interview with Professor Chandler, 1993.

5 *7.30 Report*, 1 June 1994, and letter from Cambodian Advisory Council of Australia to Attorney General Michael Lavarch, 21 May 1993.

6 One of Akram's brothers was even dragged from the hospital operating table during surgery; her uncle was summarily executed. Author interview with Nasiba Akram, 26 August 1997.

7 Author interview with Nasiba Akram, 26 August 1997.

8 Author interview with Nasiba Akram, 26 August 1997.

9 Author interview with Nasiba Akram, 26 August 1997, and letter from Hassen Besodi, Afghanistan Freedom League, to the Minister for Immigration and Ethnic Affairs, 25 October 1993.

10 Akram said claims against Miakhel were outlined in a recent book by General Mohammad Nabi Azimi. Larry Schwartz, 'The Torturers,' *Melbourne Sunday Age*, 13 August 2000.

11 Letter from Hassen Besodi, Afghanistan Freedom League, to Senator Robert Ray, the Minister for Immigration and Ethnic Affairs, 27 January 1989, and reply of 17 May 1989. See also letter from Besodi to Keith Owen, State Director, Department of Immigration and Ethnic Affairs, circa July–August 1993, letter to Senator Nick Bolkus, the Minister for Immigration and Ethnic Affairs, 21 April 1994, and interview with Nasiba Akram, 26 August 1997.

12 Interview with Miakhel conducted by Mark Corcoran, *7.30 Report*, 20 June 1994, and author interview with Professor Halla, September 1997. See also notarised statement by Lieutenant Colonel Wardak, 31 July 1995.

13 *7.30 Report*, 20 June 1994. See also Fazel Haq Saikal and William Maley, *Afghanistan: Socialism in One Graveyard* (University College: The University of NSW, ADFA, Department of Politics, June 1989) and Amnesty International report, 'Afghanistan. Reports of Torture and Long-term Detention Without Trial,' March 1991.

14 *Four Corners*, 21 February 1994.

15 Larry Schwartz, 'The Torturers,' *Melbourne Sunday Age*, 13 August 2000.

16 Responses by Senator Bolkus to questions asked by Mark Corcoran of the *7.30 Report*, June 1994, and Larry Schwartz, 'The Torturers,' *Melbourne Sunday Age*, 13 August 2000.

17 See proceedings of Senate Estimates Committee F, *Hansard*, 23 June 1994, and letter to Nasiba Akram, from Bronwyn McNaughton, Senior Advisor to the Minister for Immigration and Ethnic Affairs, 16 May 1995. The Opposition's campaign on the issue was given widespread media coverage at the time. See for example *Australian*, 21 June 1994, *Canberra Times*, 24 June 1994, *Sydney Morning Herald*, 21, 24 and 29 June 1994. On Ruddock's comment, see Larry Schwartz, 'The Torturers,' *Melbourne Sunday Age*, 13 August 2000.

18 Brian Woodley, 'Home free,' *Weekend Australian*, 1–2 April 2000. Pinochet was ordered to stand trial in January 2001. *Australian*, 31 January 2001.

19 Channel Nine's *60 Minutes* program devoted two segments to this case, the first on 30 May 1993 and the second on 15 November 1998. The case was also the subject of a film documentary, *Seasons of Revenge*, produced by Janet Bell.

20 Interview with Bob Greenwood, 22 December 2000.

21 Interview with Graham Blewitt, 21 December 2000.

22 Interview with Graham Blewitt, 21 December 2000.

23 Letter from Howard to Diane Shteinman, President, Executive Council of Australian Jewry, 23 December 1997.

24 See articles 49 and 50 of the *Geneva Conventions Act 1957–1973*, Commonwealth Statutes, p.836 for details of Australia's obligations concerning war criminals.

25 Quoted in Brian Woodley, 'Home free,' *Weekend Australian*, 1–2 April 2000.

26 The Federal Court's judgements are contained in the 'Information Package' distributed by the Senate Legal and Constitutional References Committee's Inquiry Into Anti-Genocide Bill 1999.

27 Interview with Bob Greenwood, 22 December 2000.

28 In December 2000, Australian intelligence expert, Professor Desmond Ball, revealed that Australia had 'withheld from United Nations prosecutors hundreds of hours of secret communication intercepts, which implicate dozens of people, including the former armed forces chief General Wiranto, in last year's violence in East Timor.' See Lindsay Murdoch, 'Australia denies UN its secret files of Timor terror,' *Sydney Morning Herald*, 20 December 2000.

29 Details of the court to try the Khmer Rouge can be found in an Associated Press article, 'Khmer Rouge court formula approved,' *Australian*, 3 January 2001, and a Reuters story, 'Tribunal to chase down Khmer Rouge leaders,' *Sydney Morning Herald*, 16 January 2001.

Chapter Three

Latvia's Auxiliary Police

1 This description is based on the historical record of German killing methods together with numerous interviews by the author and the Nazi-hunters of the Special Investigations Unit with Latvian Auxiliary Security Police participants in mass shootings of Jews in Byelorussia. See Raul Hilberg, *The Destruction of the European Jews* (Holmes and Meier: New York, 1985), pp. 318 and 380 for general descriptions of mass shootings of Jews in Eastern Europe and Byelorussia in particular. For details of interviews with former Latvian security police officers see below. The Nazis' policies of mass killings are also detailed in Andrew Ezergailis, *The Holocaust in Latvia 1941–1944* (Latvijas Vestures Indituts: Riga and Washington, 1996).

2 See Ozols's official SS personnel file, once held at the US-administered Berlin Document Centre and after German unification transferred to the German Federal Archives. The Centre contains the files of tens of thousands of Nazis, recording the personal data of their service on behalf of the Third Reich in the SS. Also, see summary of Commonwealth Police Record of Interview with Karlis Aleksandrs Ozols, 16 December 1965, in Memorandum to Counsel from Alexandra Papadopoulos, Senior Assistant Director, Commonwealth Director of Public Prosecutions, 22 June 1992 (MCAP). On Ozols's career as a chess champion in both Europe and Australia, see Ian Rogers, 'Ozols case closed,' *Sun Herald*, 23 March 1997.

3 See summary of Commonwealth Police Record of Interview with Karlis Aleksandrs Ozols conducted 16 December 1965, MCAP.

4 See summary of interview with Karlis Ozols, 8 October 1979, in MCAP. This interview was conducted at the request of Defence Counsel acting for Viktors Arajs, then on trial in West Germany for war crimes.

5 A good account of the formation, structure and operations of the Einsatzgruppen can be found in Hilberg (1985), Chapter Seven.

6 Order of 25 July 1941 from Himmler to Prützmann, Jeckeln, von dem Bach, Korsemann and Globocnik, USNA, Captured Nazi Records.

7 Report by Richard Breitman, *The Karlis Ozols Case*, 26 February 1989 (with additions on 29 September 1989, 6 October 1989 and 11 October 1989), SIU File 1550. Also see summary of interview with Karlis Ozols, 8 October 1979, in MCAP. Ozols had in fact known Arajs at Riga University when he was studying law in the 1930s.

8 See summary of interview with Karlis Ozols of 8 October 1979 in MCAP. In fact, documentary evidence strongly suggests that Ozols committed war crimes in the Riga area in the second half of 1941. Ozols has admitted his service under Colonel Weiss, but put himself in the so-called 'Harbour Police' allegedly guarding weapons stored at the Riga harbour. This was an effort to place as much distance as possible between him and the mass killings of the auxiliary police.

9 See statement by Gennadij Murnieks, 18 September 1987, cited in Report by Jürgen Matthäus, Working Paper (II) on PU 38 – Ozols, 22 June 1990, SIU File 4483. In fact, the Germans found that many of the members of the so-called 'self-defence' force were 'tainted,' and the Nazi Security Police accordingly plucked out the most reliable members and converted them into auxiliary police units. Ozols's later emergence as a senior officer of the Latvian Security Police indicates he was one of these 'reliable members.'

10 Statement by Gennadij Murnieks, 18 September 1987, cited in Report by Jürgen Matthäus, Working Paper (II) on PU 38 – Ozols, 22 June 1990, SIU File 4483.

11 See Ozols's official German file held at the Berlin Document Centre, and also Judgement of Immigration Judge Anthony D. Petrone, Chicago, 1 November 1988, File A11655361, In the Matter of Konrads Kalejs, p.29.

12 Details of SIU Suspect Karlis Ozols, SIU File PU38.

13 Ozols himself has admitted his training at Fürstenberg. See summary of interview with Karlis Ozols of 8 October 1979 in MCAP.

14 Cited in the Report by Richard Breitman, *The Karlis Ozols Case*, 26 February 1989 (with additions on

29 September 1989, 6 October 1989 and 11 October 1989), SIU File 1550. Ozols himself has admitted his posting to Minsk to serve in the Security Police and SD. See summary of interview with Karlis Ozols of 8 October 1979 in MCAP. Sergeant Major Runka was remembered by a number of the eyewitnesses to the Ozols case. See below.

15 Breitman, *The Karlis Ozols Case*.

16 The citations for German officers in the Ozols case are taken from Breitman, *The Karlis Ozols Case*. I have left them in the form cited in Professor Breitman's paper. In this case, interrogation of 30 Oct. 1973, ZSL 202 AR 509/70: 147 Js 1/71, Band III, 646, and CZSL 2 AR-Z 94/1959, Band II, 280-300, interrogation of 21 Jan. 1960. Also interrogation of Arthur Much, 29 Sept. 1972, 147 Js 11/71 U, Band II, 288.

17 See also Report of 3 August 1942, Minsk, from *Group Arlt*, cited in Raul Hilberg (ed.), *Documents of Destruction: Germany and Jewry 1933-1945* (Quadrangle Books: Chicago, 1971) pp.57-59.

18 Interrogation of 21 January 1960, CZSL 2 AR-Z 94/1959, Band II, 280-300.

19 Interrogation of 5 June 1974, 147 Js 11/71 U, p. 629

20 Testimony of 26 Oct. 1960, and 29 June 1961, Erlinger case, p. 12 of interrogation, pp.1207 and 1734 of volume 3.

21 Statement of Wilhelm Madeker, 7 February 1961, pp.4-13, Heuser Trial, SIU File 336.

22 Statement of Janis Prieditis, Riga, 23 October 1986 and author interview 3 February 1987, and letter to Commonwealth DPP from Graham Blewitt, 13 May 1992.

23 For an account of the establishment of Maly Trostinec, see Martin Gilbert, *The Holocaust: The Jewish Tragedy* (Collins: London, 1986) p.351.

24 Statement of Paulius Rudzitis, Riga, 23 October 1986 and author interview, 3 February 1987. When I interviewed Rudzitis in February 1987, he was certain that both Ozols and Runka took part personally in the mass shootings, but in his earlier signed statement he was more equivocal: 'I did not personally see those who did the shooting, for it was impossible to see them from the place where I did guard duty,' he said in his statement. 'So I cannot assert that Runka and Ozols personally shot Jews who were brought there.' Rudzitis was also interviewed by Australian investigators of the Special Investigations Unit on 1 July 1988 and 23 January 1992, when he confirmed the previous statements and identified a photograph of Karlis Ozols.

25 For a description of this event see Hilberg (1985) pp. 332-33.

26 Verdict, Heuser Trial, pp.71-75, SIU File 373.

27 Gilbert (1986) pp.406 and 471. Many of the witnesses interviewed between 1987 and 1992 by the Australian investigators of the Federal Government's Special Investigations Unit testified about repeated instances of gas van mass killings. See below for details of these witnesses.

28 Statement of Arnold Zuika, Riga, 23 October 1986 and author interview 2 February 1987. Zuika had met his Company Commander, Karlis Ozols, when he arrived at the Fürstenberg SD school in May 1942. In the autumn of 1942, Zuika was sent to Minsk where the SD had 'a special Latvian department, which was commanded by Senior Lieutenant Karlis Ozols.' Zuika was also interviewed by Australian investigators of the Special Investigations Unit on 29 June 1988, 6 November 1990 and 27 January 1992, when he confirmed the previous statements.

Another of Ozols's men whom I interviewed in 1987 was Reinis Libietis. He was the youngest of the former Nazi Security Police officers I met during my 1987 visit to Riga, having just turned sixty-four. He had also been at the Fürstenberg SD school near Ravensbrück, and from the autumn of 1942 served in Minsk under Ozols for about one year. Unlike the others, Libietis denied that he had taken any part in mass executions, and said that he had never witnessed Ozols's involvement in actions of this kind. He confirmed that Ozols was the Company Commander, held the rank of lieutenant and wore a German uniform. In his signed statement, Libietis recalled that 'I was ordered to guard the Security Police and SD building in Minsk, and also sent to guard warehouses outside the city of Minsk, approximately twenty kilometres away, which contained the stolen belongings of Jews.' This was the former collective farm at Maly Trostinec, where many of the mass killings took place. 'I do know that a number of people from the Company under Ozols's command took part in the extermination of Soviet citizens outside Minsk, not far from the warehouse,' Libietis stated. Those involved were volunteers, and vodka was provided during and after the operations. Afterwards, they were also given 'an opportunity to steal gold belongings of Soviet citizens who had been shot.' Reinis Libietis showed genuine signs of contrition for his actions. While refusing to acknowledge any direct involvement in the mass killings, he was the only one of the many Latvian perpetrators I interviewed in early 1987 who admitted any wrongdoing. 'I was then a young lad,' he said in a matter of fact voice. 'It was a stupid thing to do. That was a very difficult time, and now for the rash and stupid mistakes of

my youth I have received punishment which I deserved. I understand that we are speaking about war criminals and that they should be punished.' Statement of Reinis Libietis, Riga, 20 November 1986 and author interview 2 February 1987.

29 Interviews with Aleksandrs Rudzitis, Riga, April 1988 and 27 June 1988. Rudzitis, too, had been trained at Fürstenberg and then dispatched to Minsk where he served under Lieutenant Karlis Ozols. He described weekly *Aktionen* in which Jews from the Minsk ghetto were loaded into the 'Black Ravens' and then gassed on their way to mass graves outside the city. Rudzitis recalled that SS Lieutenant Kurt Junkers was the German officer who gave Ozols his orders to organise the Latvian Company to guard the mass graves on these occasions. He stated that he himself had been present on two occasions when the dead Jews were unloaded from the gas wagons. Like many of his comrades tracked down by the Special Investigations Unit, Aleksandrs Rudzitis was able to identify Karlis Ozols from a photospread specially prepared by the Australian investigators. He confirmed that the man in one of the twelve photographs was Ozols, and that he had been his commander in the Latvian Company in Minsk. See also interview with Viktors Bruzitis, Riga, 6 February 1990. Viktors Bruzitis also trained at Fürstenberg and later also served under Lieutenant Ozols in Minsk. On several occasions he guarded a mass grave at the Maly Trostinec estate just outside Minsk when Jews who had been gassed in the 'Black Ravens' were buried in a pit. He performed this duty on Ozols's direct orders, and Ozols was present as civilians unloaded the dead Jews.

30 This document, dated 3 January 1943,

was captured by the Soviets and then microfilmed by the West Germans in 1968 and deposited in the Zentrale Stelle in Ludwigsburg.

31 Statements of Bertuls Buls, Riga, 24 May 1988 and 28 June 1988. The Australian investigators of the Special Investigations Unit also interviewed several other Latvian eyewitnesses: Varels Emsins, Riga, 1 June 1988 and 25 June 1988; Harold Leja, Riga, 24 May 1988, 28 June 1988 and 8 July 1988; Edgars Teodors Mikhelsons, Riga, 27 June 1988; Edmund Prozis, Riga, 28 June 1988; Arnis Upmalis, Riga, p.7 July 1988 and 22 January 1992. Most of these witnesses confirmed the testimony of the other witnesses and identified Ozols's photograph and that this was the man who commanded them in Minsk. Numerous other witnesses have given evidence about Ozols over the past fifty years, but most were never interviewed by the Australian Nazi-hunters for reasons discussed in Chapter Twenty-Three.

32 Hilberg (1985), pp.383–84

33 Eduard Strauch, Command Order (*Kommandobe fehl*) to the Commanders of the Security Police and SD in Byelorussia, Minsk, 5 February 1942. Accounts of the October 1941 mass killings in Slutsk can be found in Gilbert (1986), p.222, Hilberg (1985), p.376 and Phillip Friedman, *Roads to Extinction: Essays on the Holocaust* (Conference on Jewish Social Studies, The Jewish Publication Society of America: New York and Philadelphia, 1980), p.226.

34 Statement of Untersturmführer Kurt Junker, 29 June 1961, pp.5–9, Heuser Trial, SIU File 339.

35 Breitman, *The Karlis Ozols Case*.

36 See Ozols's official German file held at the Berlin Document Centre, and Breitman, *The Karlis Ozols Case*.

37 See Lucy S. Dawidowicz, *The War*

Against the Jews 1933–45 (Penguin: Harmondsworth, 1987), p.181 and Gilbert (1986), p.611.

38 Draft Search Warrant for Ozols, attached to letter to Commonwealth DPP from Graham Blewitt, 21 May 1992. See also 'Berlin Document Centre file on Ozols, quoted in Konrad Kwiet's comments in Details of SIU Suspect Karlis Ozols, SIU File PU38 and Report by Konrad Kwiet, Working Paper on PU38 – Ozols, 24 November 1989, SIU File 1045

39 Statement by Kurt Junkers, 31 August 1961, p.65, cited in Report by Jürgen Matthäus, Working Paper (II) on PU 38 – Ozols, 22 June 1990, SIU File 4483.

Chapter Four

Latvia, 1941–44

1 See *Outlook* magazine, February 1964.

2 Report by Jürgen Matthäus, Working Paper (II) on PU 38 – Ozols, 22 June 1990, SIU File 4483.

3 SIU Final Report, p.113. Runka is cited in this report as PU80. I am grateful to Professor Konrad Kwiet for access to his paper on Nazi policies in Latvia which has a section on the Valmiera concentration camp. Professor Kwiet's paper was prepared for a Canadian war crimes case.

4 Statement of Voldemars Jakobsons, Riga, 29 September 1986; statement of Anton Glavans, Riga 19 January 1987 and author interview of 2 February 1987; statement of Miervaldis Berzins-Birza, Riga, 11 November 1986 and author interview of 2 February 1987; and statement of Elmar Gusts, Riga, 25 September 1986. This execution is also dealt with in Professor Kwiet's paper, which cites an earlier statement by another eyewitness, a Mr

Skrastinjsch. This statement was made in 1968, and corroborates the testimony of the witnesses I interviewed in February 1987.

5 Statement of Janis Frieditis, Riga, 23 October 1986 and author interview, 3 February 1987; statement of Paulius Rudzitis, Riga, 23 October 1986 and author interview, 3 February 1987; and statement of Arnold Zuika, Riga, 23 October 1986 and author interview, 2 February 1987.

6 Document PV 0659, 24 February 1940, authorised Hofmanis's change of name to Upmalis. See Order Number 13 by K. Niedra, Chief of Bauska District police, 22 July 1942, Latvian Archives.

7 Statement by Janis Buda, Riga, 2 February 1987, and author interview, 3 February 1987.

8 Statement by Jekabs Kaucis, Riga, 28 January 1987, and author interview, 3 February 1987.

9 Statement by Jekabs Kairens, Riga, 27 January 1987, and author interview, 2 February 1987.

10 Statement by Jekabs Kaucis, Riga, 28 January 1987, and author interview, 3 February 1987.

11 Statement by Janis Buda, Riga, 2 February 1987, and author interview, 3 February 1987. Augusts Kristins was another of Upmalis's men who corroborated Buda's and Kaucis's accounts of the murder of the Gypsies in the Jaunsaule forest. A private from September 1941 to August 1944, Kristins served in the police station on Pludonja Street. According to him, his unit consisted of around 100 men mainly involved in guard duties on 'bridges, ammunition depots and petrol storages' in and around Bauska. Political prisoners were also detained at the police station and most were subsequently executed. Kristins remembered Lieutenant Upmalis as 'a

strict and demanding person who was zealous in his work.' He particularly recalled the extermination of a large number of Gypsies near Jaunsaule in mid-1942. Kristins was ordered to guard the site where the shootings took place so that 'none of the Gypsies escaped,' recalling that 'Upmalis personally detailed the guards, and then went to the Gypsies' execution site' armed with a pistol. Statement by Augusts Kristins, Riga, 28 January 1987, and author interview, 3 February 1987.

12 SIU Final Report, pp.84-87. Fricsons is cited in this report as PU74.

13 SIU interview with Maly Elinsohn, Melbourne, 6 June 1988.

14 SIU interview with Maly Elinsohn, Melbourne, 24 November 1988. Like Maly Elinsohn, Moisei Itrov was another Jewish survivor of Liepaja who remembered the activities of Fricsons and his men. Arrested soon after the Nazi invasion in July 1941, Itrov was used as a forced labourer until he was sent to the ghetto in mid-1942. Itrov met Fricsons in February 1942, when he and his family were part of a Jewish work gang constructing a wine cellar for the German commander of the Security Police and SD. One evening at about 11.00, Fricsons arrived with a group of his men and arrested the entire work gang. They were surrounded by the police and marched off to prison. 'In the street Fricsons ordered us to sing songs in Russian, but none of us fulfilled Fricsons's order,' Itrov stated. 'Fricsons was very furious that we hadn't executed his instructions, and began beating the prisoners with a rubber club. Fricsons's blows with the rubber club struck the arrested men and women in the head and chest. Fricsons also struck my wife and sister several times. In prison, I saw that

the men whom Fricsons beat with a rubber club had bruises on their face, shoulders and chest. My wife and sister also had visible bruises on their bodies – the result of Fricsons’s beatings.’ Statement by Moisei Itrov, Riga, 12 March 1987.

15 Richard Breitman, *The Fricsons Case: Killings of the Jews of Liepaja. Abstract of Argument*, 12 January 1989.

16 Statement by Laimonis Zarins, Riga, 30 January 1987. Zarins’s testimony was corroborated by Karlis Ulpe, who served with Fricsons at the Liepaja prison where he witnessed events at first hand. ‘Inmates were brought for questioning from the Liepaja City Prison to 17 Kurmajas Prospekt, to the department of the Latvian Department of the German security police, whose chief Fricsons was,’ Ulpe stated. ‘The Latvian Political Department would conduct the investigation. When all the questions were cleared up, the cases would be handed over to Kūgler [the chief of the German security police, to whom Fricsons was directly subordinated], who would then decide the inmates’ fate.’ Statement by Karlis Ulpe, Riga, 17 February 1987.

17 Order number 111-42, 19 January 1942, from A. Fricsons, Chief of the Kurzeme District Political Police department to the Chief of Police, Talsi District, Latvian Archives.

18 SIU interview with Martins Meiers, Riga, 2 July 1988. See also interview conducted by the Latvian authorities, 23 November 1970.

19 SIU interview with Karlis Strazds, Riga, 10 July 1988. See also Richard Breitman, *The Fricsons Case: Killings of the Jews of Liepaja. Abstract of Argument*, 12 January 1989.

20 For accounts of the early period of the Kalejs case in the United States see the *Miami News*, 23 April 1985; US Justice

Department press release, 29 March 1985; Justice Department ‘Order to Show Cause,’ 29 October 1985; *Sunday Telegraph*, Sydney, 28 April and 5 May 1985; *National Times*, 3–9 May 1985; *Australian*, 29 April 1985; *Age*, 29 April 1985; *The Washington Post*, 30 March and 21 April 1985; United Press International, 26 April 1985; the Associated Press, 16 May 1985; and Andrew Menzies, *Review of Material Relating to the Entry of Suspected War Criminals into Australia* (Menzies Report), Canberra, 28 November 1986, pp. 102–3 and 138. Some details concerning Kalejs were also outlined by the NSW Attorney General Frank Walker in his speech in the NSW Parliament on 16 April 1986, NSW *Hansard*, pp. 1975–76.

21 Judgement of Immigration Judge Anthony D. Petrone, Chicago, 1 November 1988, File A11655361, In the Matter of Konrads Kalejs. See also the ‘Government’s Brief in Support of Affirmance of the November 12, 1986 Order of the Immigration Court,’ 4 February 1987.

22 See the decision of the US Board of Immigration Appeals, Falls Church, Virginia, 30 April 1992.

23 The US Court of Appeals, Seventh Circuit, upheld the previous findings against Kalejs in a majority verdict of 17 November 1993, which was followed by his last appeal to the Supreme Court. See report of the US Supreme Court decision, *Australian*, 23 March 1994. A sketch history of the peripatetic international movements of Kalejs up to 1997 can be found in the decision of Canadian Immigration Adjudicator, Anthony Iozzo, Immigration and Refugee Board, Adjudication Division, Toronto, 18 August 1997.

24 Decision of Canadian Immigration Adjudicator, Anthony Iozzo, Immigration and Refugee Board, Adjudication Division, Toronto, 18 August 1997.

25 *Sydney Morning Herald*, 30 December 1999.

26 *Australian*, 14 December 2000.

27 See Ozols's official German file held at the Berlin Document Centre, and also Judgement of Immigration Judge Anthony D. Petrone, Chicago, 1 November 1988, File A11655361, In the Matter of Konrads Kalejs, p.29. Petrone also cited a document signed by Viktors Arajs and a man known as E. Ruda, which 'states that Kalejs was a member of the Latvian Security Auxiliary Police from July 29 to the date of the certificate, November 8, 1941.' See p.29. Details of other documents presented at the trial before Judge Petrone are given on p.33 of the Judgement. Another significant document presented at the trial was a copy of the collaborationist newspaper, *Laikmets*, of 10 April 1942. This contains an article by First Lieutenant Konrads Kalejs about the attack on Sanniki, together with a photograph of him in his Security Police and SD uniform. See the decision of the US Board of Immigration Appeals, Falls Church, Virginia, 30 April 1992, pp.9–10.

28 Judgement of Immigration Judge Anthony D. Petrone, Chicago, 1 November 1988, File A11655361, In the Matter of Konrads Kalejs, pp.7–9.

29 Judgement of Immigration Judge Anthony D. Petrone, Chicago, 1 November 1988, File A11655361, In the Matter of Konrads Kalejs, pp.9–11 and pp.16–17. Soms's account is supported by that given by Karlis Rozkalns, pp.17–18. See also the transcript of the Viktors Arajs trial in West Germany, pp.440–443, 1979.

30 Judgement of Immigration Judge Anthony D. Petrone, Chicago, 1 November 1988, File A11655361, In the Matter of Konrads Kalejs, pp.11–13. Other witnesses who testified for the government in the case were former Arajs Kommando officers

who also served under Kalejs, including Alfred Putnins, p.14, Rolands Bahsteins, pp.15–16 and Georgs Pimanis, p.18. One of the members of the Arajs Kommando who gave evidence on Kalejs's behalf was Gennadij Murnieks, who as reported in the previous chapter had served as a guard at the Jumpravmuizha concentration camp near Riga over the winter of 1941 and 1942 with two officers who had the surname of Ozols. In the Kalejs's trial, Murnieks gave a detailed account of his role in both the mass shootings at the Bikernieki forest and the liquidation of the Riga ghetto at Rumbula. See Petrone Judgement, pp.19–21.

31 Decision of Canadian Immigration Adjudicator, Anthony Iozzo, Immigration and Refugee Board, Adjudication Division, Toronto, 18 August 1997.

32 Interviews with Harijs Svikeris, 25 June 1993 and 20 October 1993, and interviews with Eizens Petersons, 2 March 1992 and 21 January 1993, cited in decision of Canadian Immigration Adjudicator, Anthony Iozzo, Immigration and Refugee Board, Adjudication Division, Toronto, 18 August 1997.

33 See decision of the US Board of Immigration Appeals, Falls Church, Virginia, 30 April 1992, pp.11–13.

Chapter Five

Croatia, 1941–45

1 This account is based on a number of interviews with eyewitnesses to Rover's role as a Security Police official in Sarajevo at this time, and as a member of the Ustaše Mobile Court Martial. In particular, see Special Investigations Unit interviews with Mujo Zvizdić, Sarajevo, 3 February 1989

and 11 May 1989. For further accounts, see cites to other eyewitnesses below.

2 Stephen Clissold, *Croat Separatism: Nationalism, Dissidence and Terrorism* (Institute for the Study of Conflict: London, 1979), p.3.

3 For aspects of this background see Stella Alexander, *Church and State in Yugoslavia since 1945* (Cambridge University Press: London, 1979).

4 In September 1932, small Ustaše groups infiltrated Lika, a poor and backward region in the Velebit Mountains, south of Zagreb. The Yugoslavs easily crushed the Ustaše incursion into Lika, having infiltrated their agents into Pavelić's organisation. The Ustaše then turned to international terrorism, planting bombs on trains running between Vienna and Belgrade and assassinating King Alexander and French Foreign Minister, Louis Barthou, in Marseilles in 1934. One of Pavelić's right-hand men, Andrija Artuković, another lawyer and fanatical Croat nationalist, helped organise the Marseilles assassinations. Artuković had contact with British intelligence and took refuge in England after the murders, but eventually Scotland Yard handed him over to the French police. The French delivered him to the Yugoslav government on condition that Italian involvement in the assassinations should not be mentioned in court or publicised, thus ensuring Artuković's acquittal. See James Sadkovich, *Italian Support for Croatian Separatism 1927–1937*, postgraduate thesis, Library of Congress, Washington, pp.400–1, and American Office of Strategic Services intelligence manual, *Jugoslavia: Basic Handbook*, August 1943, USNA RG 226, 45155.

5 The German Foreign Office troubleshooter, Edmund Veesenmayer,

discussed with Croatian leaders an 'exact plan for the assumption of power.' Veesenmayer searched for a figure with some local support to put into power as puppet head of an 'independent' Croatian state. The Nazis' first choice was Vladko Maček, Vice Premier in the Royal Yugoslav government and leader of the electorally popular Croatian Peasant Party. A week before, Hitler had sent a special emissary to Maček, promising to respect Croatia's historical borders against Hungarian and especially Italian claims, if Maček agreed to accept the post. However, Maček remained loyal to the Yugoslav government, broadcasting an appeal to his countrymen for unity and discipline against the invaders. He maintained his position even when the Nazis entered Zagreb, refusing all cooperation with the occupiers who first invited him to assume 'power' in the country, then confined him under strict house arrest at Kupinec. See Clissold, *Croat Separatism*, p.3, and author interview with Clissold of 28 July 1978, Hilberg, *The Destruction of the European Jews*, p.709, and *Jugoslavia: Basic Handbook*, p.3, USNA RG 226, 45155. With Maček refusing all blandishments to assume the role of chief Croatian quisling, Hitler consulted Mussolini and they decided that Pavelić would have to do instead. At that time, Pavelić was at Italian military headquarters, only reaching Karlovac, just south of Zagreb, on 10 April. That same day, the new Croatian state was proclaimed in Zagreb by Colonel Slavko Kvaternik, a former Austro-Hungarian officer who Pavelić later promoted to Field Marshal. The *Poglavnik* (or Führer) finally arrived on the scene a few days later, with some 200 hastily mustered Ustaše militants.

6 As reported in the Nazi newspaper,

Völkische Beobachter, Office of Strategic Services intelligence report, USNA RG 226, 18572. See also OSS report, RG 226, 18842, and for detailed accounts of the situation in Croatia during the war, Edmond Paris, *Genocide in Satellite Croatia 1941–1945* (The American Institute for Balkan Affairs: Chicago, 1961); Carlo Falconi, *The Silence of Pius XII* (Faber and Faber: London, 1970); and Avro Manhattan, *Terror over Yugoslavia* (Watts and Co., London, 1953). At the very beginning the Pavelić ‘government’ received some support, especially from ultra-nationalists, which was bolstered by the favourable attitude shown by many sections of the Roman Catholic Church. The Archbishop of Zagreb, Alojzije Stepinac, publicly urged loyalty to the new regime, and other senior Church figures, such as Bishop Ivan Šarić of Sarajevo, went further in defending every action of their *Poglavnik*. Many priests and friars actually joined Ustaše military and police units, some serving in concentration camps and joining in the bloody actions against Serbs, Jews, Gypsies and Croatian opposition figures that followed Pavelić’s assumption to power.

It rapidly became clear to the majority of Croats, however, that Pavelić was a mere tool in the hands of the Germans and Italians. Three days after arriving in Zagreb, his Axis allies confronted the *Poglavnik* with their demands. They insisted that a significant part of Croatian territory be returned to ‘former owners’ and that the new state should conform to the needs of the ‘New Economic Order.’ It was a polite way of telling the Croats that Italy would take their most prized jewel, the largest share of Dalmatia, the Adriatic coastline, together with most of the off-shore islands. Key ports in the Ustaše state, including Šibenik and Kotor,

were forced into the Italian Customs and Currency Union, while Pavelić promised to maintain no coastal fortifications in return for Italian guarantees of the integrity of Croatia’s borders.

Truly patriotic Croats realised that Pavelić had given an integral part of their territory to their traditional enemy Italy, and that Mussolini would attempt the complete annexation of the country should the Axis ultimately be victorious. As a result, the quisling state was ‘irredeemably compromised’ in the eyes of almost all Croats; support for Pavelić was limited to a few thousand Ustaše faithful and some right-wing opportunists who defected from Maček’s Peasant Party. Pavelić’s popular appeal was further eroded after the Hungarians occupied Medjumurje in the north the next July and Italy reneged on its earlier pledge to protect Croatian borders. See *Jugoslavia: Basic Handbook*, p. 4, USNA RG 226, 45155.

7 Author interview with John Blatnik, June 1979. Blatnik served in the American Military Mission to Tito during the war, and observed events at first hand. He later was elected to the US Congress.

8 Real power was in the hands of Siegfried Kasche, the German Minister in Zagreb, who countersigned all government decrees and controlled most of the *Poglavnik*’s actions. Accounts of these policies are given in Office of Strategic Services intelligence reports, USNA RG 226, 71463, and 18842.

9 Hilberg (1985) p.711. The new government wasted no time in displaying its anti-Jewish hostility. Jewish public servants and religious leaders were arrested within hours of the arrival of the Germans, and the first 300 Jews were detained in May. On 7 June, they were ordered to register their property and

ancestry, and a further 400 Jews were drafted to a 'labour camp' in mid-July. In October, provision was made for expropriation of Jewish businesses and land, and thousands were interned under terrible conditions on the Adriatic island of Pag. Together with thousands of Serbs and Gypsies, the remaining Jews were sent to concentration camps, including Jasenovac, Loborgrad, Krušćić, Danica, Jadovno and Stara Gradiška, where most were killed in the most barbaric ways. See Zdenko Löwenthal (ed.), *The Crimes of the Fascist Occupiers and their Collaborators Against Jews in Yugoslavia* (Federation of Jewish Communities of Yugoslavia: Belgrade, 1957), pp.10-20.

10 Hilberg (1985) pp.708-18. The network of concentration camps established by Artuković was controlled by Maks Luburić, who personally participated in torturing and slaughtering the inmates. Ljubo Miloš was one of the most bloodthirsty of the Jasenovac guards, reported as having practiced gruesome 'ritual killings' of Jews. After the arrival of a transport of Jews, Miloš 'would put on a physician's gown, send the guard to bring him all those who had applied for hospital, take them to the "ambulance", put them along the wall and with a strike of the knife cut the victim's throat, shear his ribs and slit open his belly.' Survivors of the camp described incidents of the utmost brutality, including groups of prisoners thrown naked into the furnace of the brick factory, others tied together and beaten to death with clubs and hammers. See Löwenthal, p.17; Office of Strategic Services intelligence reports, 'Jasenovac Martyrdom of the Serbian People,' 'The Situation of the Jews in Croatian "Independent" State,' and

'Situation in Croatia,' 10 June 1942, USNA RG 226, 76117, 61139, and 21782.

11 See US Military Intelligence Service in Austria 'Special Investigation and Interrogation Report,' 9 April 1946, released under Freedom of Information, 29 January 1986. The Ustaše officer who made this confession was Slavko Kvaternik, the man who proclaimed the Croatian 'state' in Pavelić's absence. See also 'Situation in Croatia,' USNA RG 226, 21782.

12 Details of Rover's early career were given by Božidar Kavran in a statement he made after he was captured by the Yugoslav security forces in 1948. See especially Kavran's statement of August 1948, Yugoslav High Court, Croatian Archives. On Rover's service in the Security Police in April 1941, see Yugoslav secret police report, undated, obtained in Zagreb, April 1979. Rover denies involvement in any plot to assassinate King Peter, while admitting his membership of the Ustaše at this time and his imprisonment in Belgrade. He told the author that he was in gaol for distributing propaganda, which was certainly true, at least in part. See interview with Rover by the author, 4 April 1986. Rover also admitted the early period of his career during the defamation case *Rover v. Ivanković*, 26 June 1957, before Judge Prior in the Sydney District Court. See transcript, p.38, AA CRS A6119/90, item 2737, ROVER, Srećko Blaz. For another account of this early period of Rover's career, see also memo to ASIO Senior Field Officer, 13 May 1964, AA CRS A6119/90, item 2737, ROVER, Srećko Blaz.

13 On these early actions against Sarajevo's Jewish population see Gilbert (1986) p.148.

14 Special Investigations Unit interview with Iso Papo-Doron, Jerusalem, 28 November 1988.

- 15 One eyewitness, Nisim Albahari, recalled that in May and June 1941, dozens of Jews were taken to Vraca and executed. 'Six or seven groups of about 10 Jews each time were shot only because they were Jews.' Special Investigations Unit interview with Nisim Albahari, Dubrovnik, 30 April 1988.
- 16 Special Investigations Unit interview with Zlatko Mešić, Dubrovnik, 8 May 1989.
- 17 Special Investigations Unit interview with Dušan Kršić, Sarajevo, 12 May 1989. See also Special Investigations Unit interview with Ervin Salzberger, Belgrade, 4 May 1988.
- 18 Details of Josip Rover's wartime activities can be found in the collaborationist newspaper *Sarajevski Novi List*, the major Ustaše newspaper in Sarajevo at this time. See, for example, the editions of 18 and 30 September 1941, National University Library of Bosnia and Hercegovina, Sarajevo. The role played by Josip Rover is also confirmed by one of his son's best friends. See Special Investigations Unit interview with Mirko Hemen, Sarajevo, 28 April 1988. On Srečko's sister, Ksenia, see Special Investigations Unit interview with Gonda Israel, Kityat-Tivon, 4 April 1989.
- 19 Rover's appointment to the Sarajevo Mobile Court Martial was published in *Narodne Novine*, 15 July 1941, Croatian Archives. This newspaper was the 'official organ of the Independent State of Croatia,' published in Zagreb. Puk's decree appointing Rover was republished in *Sarajevski Novi List*, 19 July 1941, Museum of the Revolution, Sarajevo.
- 20 *Narodne Novine*, 24 June 1941, Croatian Archives.
- 21 Special Investigations Unit interview with Drago Maltarić, Sarajevo, 28 April 1988, citing letter from the Mobile Court Martial of 30 July 1941 concerning the death sentence passed on Milan Šaric.
- 22 See report in *Sarajevski Novi List*, 12 August 1941, Museum of the Revolution, Sarajevo and National University Library of Bosnia and Hercegovina, Sarajevo.
- 23 Author interview of 4 April 1986. Rover was subsequently interviewed on 14 April 1986 by Tony Jones of ABC TV's *Four Corners* and repeated his claim. See also interview conducted by Graham Davis of Channel Nine's *Sunday* program, 1988. In a confidential self-portrait written for the Commonwealth Police in 1963, Rover claimed to have 'left university in 1943 at Zagreb when I was called up for Army Service with the Croatian Army, 2nd BOJNA, USTASKE VOJNICE. I joined as a private, and in June, 1944, was promoted to Lieutenant.' See undated confidential biography supplied by Rover to the Commonwealth Police, circa September–October 1963, AA CRS A11822, X61, Part One.
- 24 Letter from Professor Dušan Jeras, Deacon of the Faculty of Engineering and Shipbuilding, University of Zagreb, 16 May 1986. It is interesting to note that ASIO, which collected a great deal of biographical material on Rover, recorded that he did not complete his education to a university level, 'which he had ambitions of reaching.' For another account of this early period of Rover's career, see memo to ASIO Senior Field Officer, 13 May 1964, AA CRS A6119/90, item 2737, ROVER, Srečko Blaz. Rover also gave an account of his war activities in a written statement provided to ASIO, in which he claimed to have been at university until 1943. See Attachment to Victorian Memo number 2356, 25 June 1964, AA CRS A6119/90, item 2737, ROVER, Srečko Blaz. The allegation that Rover was a member of the Mobile

Court Martial was first made on ABC Radio National's program *Background Briefing*, 13 April 1986, which was produced and presented by the author. 25 Document cited in SIU Final Report, p.68.

26 On Rover's alleged service in the Francetić unit, see letter from I. Prušac, 'Srećko Rover's Part in the Movement "10 April"', AA CRS A11822, X61, Part Two. Another of Rover's comrades, Enver Begović, told the Victorian police that 'Rover was Ustashi lieutenant 1941–1945,' again confirming that this was the story widely understood among his closest colleagues. Interview with Begović, AA CRS A11822, item X186.

27 Rover's university records were obtained from the University of Zagreb in 1986.

28 Special Investigations Unit interview with Mirko Hemen, Sarajevo, 28 April 1988.

29 Special Investigations Unit interview with Drago Maltarić, Sarajevo, 28 April 1988. Maltarić described the proceedings of the Mobile Court Martial in this way: 'I would read the charge which I as the Mobile Court Martial prosecutor would prepare. Sometimes one person was brought before the court and sometimes a greater number of people. After the charge was read, the accused were allowed to state their defence. The accused could engage a defender and if they didn't engage one, a defender was appointed officially. The court was always composed of three members and they were the president and two members. I've already said that it was insisted on that the members of the Mobile Court Martial be without failure, members of the Ustaše movement. Actually, that's how I can explain the fact that these courts were

more strict in relation to the ordinary courts. I, as a public prosecutor, would stick to the charge which I would read, as I have already said. After the accused would state their defence, I remember that the president of the court would ask the members of the Mobile Court Martial whether they have anything to say or ask the accused. When the hearing was completed the president of the court with the members would withdraw for deliberation. The deliberation was attended by the three of them only. I, as a prosecutor, could not attend the deliberation, for that reason it is not known to me what type of dialogue was conducted amongst the members of the council.'

This description of the operations of the Mobile Court Martial was confirmed by Davorin Sanković, who was appointed to the Sarajevo 'court' a few months after Rover left it in September 1941. Sanković had known Rover since childhood. He confirmed that Rover had been a 'judge' on the Mobile Court Martial, and had the reputation as a strict member, who 'insisted, wherever that was possible, on death sentences.' Special Investigations Unit interview with Davorin Sanković, Sarajevo, 28 April 1988.

30 *Optužnica*, 22 July 1941, Museum of the Revolution, Sarajevo.

31 Special Investigations Unit interview with Drago Maltarić, Sarajevo, 28 April 1988. The death sentences on Popović and Albahari were reported in *Sarajevski Novi List*, 12 August 1941, National University Library of Bosnia and Hercegovina, Sarajevo, and Museum of the Revolution, Sarajevo.

32 Special Investigations Unit interview with Drago Šobot, Belgrade, 4 May 1988.

33 Šobot's account of the arrest and

imprisonment of priests is supported by Dušan Kršić. See Special Investigations Unit interview, Sarajevo, 12 May 1989.

34 Special Investigations Unit interview with Mujo Zvizdić, Sarajevo, 3 February 1989.

35 Special Investigations Unit interview with Josip Albahari, Sarajevo, 11 May 1989. Some details of the anti-Jewish campaign in Sarajevo can be found in Hilberg (1985) pp.708–18.

36 Special Investigations Unit interview with Kažimir Jelenc, Sarajevo, 29 April 1988. Jelenc also remembered that in 1941 Drago Maltarić was a public prosecutor with the Mobile Court Martial. He remembered reading about his appointment to the position in the newspapers.

37 This trial was reported in *Sarajevski Novi List*, 24 August 1941, National University Library of Bosnia and Hercegovina, Sarajevo and Museum of the Revolution, Sarajevo.

38 Special Investigations Unit interview with Mujo Zvizdić, Sarajevo. 11 May 1989.

39 Special Investigations Unit interview with Drago Maltarić, Sarajevo, 28 April 1988.

40 This trial was reported in *Sarajevski Novi List*, 5 September 1941, National University Library of Bosnia and Hercegovina, Sarajevo.

41 Special Investigations Unit interview with Drago Maltarić, Sarajevo, 28 April 1988.

42 This trial was reported in *Sarajevski Novi List*, 11 September 1941, National University Library of Bosnia and Hercegovina, Sarajevo.

43 These trials were reported in *Sarajevski Novi List*, 9 October 1941, National University Library of Bosnia and Hercegovina, Sarajevo. On the placard

announcing his execution, see Special Investigations Unit interview with Ervin Salzberger, Belgrade, 4 May 1988.

44 *Narodne Novine*, 9 September 1941, Croatian Archives and *Sarajevski Novi List*, 16 September 1941, National University Library of Bosnia and Hercegovina, Sarajevo.

45 Special Investigations Unit interview with Dušan Kršić, Sarajevo, 12 May 1989.

46 Special Investigations Unit interview with Drago Maltarić, Sarajevo, 28 April 1988.

47 Special Investigations Unit interview with Ervin Salzberger, Belgrade, 4 May 1988.

48 Special Investigations Unit interview with Drago Maltarić, Sarajevo, 28 April 1988.

49 Special Investigations Unit interview with Mirko Hemen, Sarajevo, 28 April 1988.

50 Yugoslav secret police report, undated, obtained in Zagreb, April 1979. One of Rover's comrades in the Ustaše identified Rover in the uniform of a Stockerau trainee. See Special Investigations Unit interview with Davorin Sanković, Sarajevo, 28 April 1988.

51 Special Investigations Unit interview with Mirko Hemen, Sarajevo, 28 April 1988. See also Rover's signed statement of 19 April 1943 in his university file that he was still serving with UNS at that time. Document cited in SIU Final Report, p.68.

52 As reported in *Vjestnik*, official newspaper of the Ministry of the Armed Forces, Zagreb, 6 July 1944, Croatian Archives. Rover denies ever being a member of the Bodyguard, although he states that he was training to become a member. He also denies ever having been to Stockerau, although the Australian Nazi-hunters found both movie footage and still

photographs of him at the training camp. See interview with Rover by the author; 4 April 1986, and also interview of 14 April 1986 by Tony Jones of ABC TV's *Four Corners*.

53 Secret memo, *Training of members of the Poglavnik's Bodyguard within the Waffen SS*, from Heydrich to Himmler, 14 November 1941, Political Archive, German Foreign Affairs, Nachlass Kasche, 6/5, Bonn.

54 As reported in *Vjestnik*, official newspaper of the Ministry of the Armed Forces, Zagreb, 27 July 1944, Croatian Archives.

55 As reported in *Vjestnik*, official newspaper of the Ministry of the Armed Forces, Zagreb, 20 April 1944, Croatian Archives. Rover has tried to distance himself from Maglaj in 1941 by stating that he received the medal for defusing a mine on a bridge in 1944, thus saving many lives. See interview with Rover by the author, 4 April 1986. Rover also admitted receiving the medal during the defamation case Rover v. Ivanković, 26 June 1957, before Judge Prior in the Sydney District Court. See transcript, p.38, AA CRS A6119/90, item 2737, ROVER, Srećko Blaz. 56 SIU Final Report, p.67.

57 Zlatko Mešić met Rover in Zagreb in the winter of 1944–45, and remembered that he was in the uniform of one of Pavelić's élite units, probably the *Poglavnik's* Bodyguard. Special Investigations Unit interview with Zlatko Mešić, Dubrovnik, 8 May 1989.

58 SIU Final Report, p.69.

59 Memo to the Perth Commissioner of Police, 4 April 1952, AA CRS A6122XRI, item 180.

60 Letter from the Yugoslav Embassy, London, to the British Foreign Office, 15 November 1946, PRO FO 371 59422.

61 Statement of Žarko Vujaklija, 16 February 1945, Croatian Archives.

62 Statement of Ljubomir Petrović, 30 November 1944. See also statement of Đuro Drljan, 4 December 1944, Croatian Archives.

63 Statement of Milja Maslovara, 25 December 1944, Croatian Archives.

64 Statement of Lažo Madjarac, 30 December 1944, Croatian Archives.

65 Statement of Đuro Drljan, 28 December 1944, Croatian Archives.

66 Statement of Peter Oblaković, 6 December 1944, Croatian Archives.

67 Yugoslav War Crimes Commission decision of 29 December 1945, Croatian Archives.

68 Yugoslav War Crimes Commission document, 22 August 1945, Croatian Archives.

69 An overview of Bujanović's wartime career is found in SIU Final Report, pp.89–90. Bujanović is listed in the report as PU99.

70 See *Vjestnik*, 31 December 1942, Croatian Archives.

71 Statement of Dr Tomislav Kronja, Zagreb, 5 July 1945, Croatian Archives. See also the extensive material in the Yugoslav War Crimes Commission file on the Otočac hospital massacre of 14 September 1943, Croatian Archives.

72 Yugoslav War Crimes Commission document number 47830, 31 May 1945, Croatian Archives.

73 Yugoslav War Crimes Commission document number 118-6, 31 May 1945, Croatian Archives.

74 See Yugoslav War Crimes Commission file on Gospić, Croatian Archives.

75 See Yugoslav War Crimes Commission file on Mogorič, Osik and Raduč, Croatian Archives.

76 Yugoslav War Crimes Commission document number 2938, 2 February 1946, Croatian Archives.

77 See Pavelić's order of 16 December 1944, published in *Narodne Novine*, 22 December 1944, Croatian Archives. See also order by the Ministry of the Interior, 16 December 1944, Croatian Archives.

78 Poster published by the Independent State of Croatia, Veliki Župan of Lika and Gacka, Gospić, 15 February 1945, Croatian Archives. The other victims named on the poster were 43-year-old Tihomir Oklobdžija, 50-year-old Rade Čupurdija, 44-year-old Dmitar Obradović, 38-year-old Blaž Đukić, 49-year-old Petar Radaković, 46-year-old Jovo Banjeglav, 46-year-old Jovo Pjevač, 27-year-old Anka Plečaš, and 27-year-old Desanka Kekić. Their 'crimes' were, like their comrades, trivial and hardly worthy of a death sentence even in a civil war like that going on in occupied Yugoslavia.

79 Yugoslav War Crimes Commission document number 2938, 2 February 1946, Croatian Archives.

80 Diplomatic note from John Colville, British Foreign Office, to Lubo Ljeontić, Yugoslav Ambassador to Britain, 18 March 1947, Croatian Archives.

81 As quoted in Alexander (1979) p.28, and Stella Alexander, *The Triple Myth. A Life of Archbishop Alojzije Stepinac* (East European Monographs: Boulder, 1987), p.76

82 For a detailed account of these escape networks see Mark Aarons and John Loftus, *Ratlines. How the Vatican's Nazi Networks Betrayed Western Intelligence to the Soviets* (Heinemann, London and Melbourne: 1991). This book was also published in the United States under the title *Unholy Trinity* (St Martin's Press, New York: 1992).

83 SIU Final Report, p.90.

Chapter Six

Operation Headache/Boathill: US Intelligence and the Nazi Scandal

1 *Nazis in Australia*, broadcast on ABC Radio National's *Background Briefing*, 13, 20, 27 April and 4 and 11 May 1986.

2 For detailed accounts of these Western intelligence fronts, the post-war recruitment of Nazis and communist penetration of their networks, see Aarons and Loftus, *Ratlines*, Stephen Dorril, *MI6: Inside the Covert World of Her Majesty's Secret Intelligence Service* (The Free Press: New York, 2000) and Peter Grose, *Operation Rollback: America's Secret War Behind the Iron Curtain* (Houghton Mifflin: Boston, 2000).

3 Dorril, p.405. The pro-Nazi and pro-fascist policies of the NTS are discussed in the US Department of State External Research Paper, *NTS – The Russian Solidarist Movement*, External Research Staff, Office of Intelligence Research, Series 3, No. 76, 10 December 1951, USNA. This paper was prepared for State Department intelligence by an academic who was well informed on the subject through numerous interviews with *émigrés* and by studying their various publications. This study observed that the only group with which the NTS forged lasting ties was the openly Nazi Russian Fascist Union, to whose Congresses the NTS sent delegates. This study quoted a greeting sent from the Russian Fascist Union to the NTS which 'noted the similarity of the ideology of the NTS and the RFS, the likeness of their programs, and has instructed its elected Central Representation to continue working for cooperation.'

4 Dorril, p.407.

5 For a full discussion of Dulles's and Angleton's roles in these operations, see

John Loftus and Mark Aarons, *The Secret War Against the Jews: How Western Espionage Betrayed the Jewish People* (St Martin's Press: New York, 1994 and Heinemann: Melbourne, 1994).

6 Turkul's network of communist infiltrators is discussed in detail in the second half of Aarons and Loftus, *Ratlines*. On *Operation Headache/Boathill*, see Top Secret Incoming Cable, Number P 4232, 13 December 1949, Department of the Army, Staff Message Centre, AFHQ Record Group, USNA.

7 On the IRO see Alti Rodal, *Nazi War Criminals in Canada: The Historical and Policy Settings from the 1940s to the Present*, prepared for Justice Jules Deschenes's Canadian Committee of Inquiry on war Criminals, September 1986, pp.73-75, and *The Facts about Refugees*, pp.6-7, AA CRS A1086, item IC47/31/14.

8 Alferchik is cited as PU62 in the SIU's Final Report, pp.83-4.

9 ASIO Minute to 'S. Victoria' from 'B.2. Victoria,' 12 January 1954, AA CRS A6119/90, item 2723, Nikolay PAVLOV, and German identification certificate dated 1941, referred to in Special Investigations Unit report by K. Kwiet, *Trip to the CSSR (11 July-14 July 1988)*, SIU File 1045.

10 In 1946, the NTS leadership justified its decision to side with the Nazis on the basis that, 'It would have been "criminal" not to make use of this opportunity and "fail to throw its cadres to that side where fate was being settled".' See US Department of State External Research Paper, *NTS - The Russian Solidarist Movement*, External Research Staff, Office of Intelligence Research, Series 3, No. 76, 10 December 1951, USNA. This paper also contains an extensive exposition of the anti-Semitic policies and propaganda pursued before, during and after World War II. For example: 'All through the

'thirties, NTS propaganda attacked the rulers of Moscow - "the six Kaganoviches and Litvinov-Finkelstein"; or "Wallakh-Finkelstein-Litvinov and Lazar Moiseevich Kaganovich" were singled out as traitors to Russian national interests for having sold the Chinese Eastern railway to Japan; [NTS leader] Baidalakov invariably spoke of "Bronstein-Trotsky and Rosenfeld-Kamenev" in good Nazi parlance. NTS attacked Marxism as a typical product of a "German Jew".'

11 Dorril, pp.408-09. See also US Department of State External Research Paper, *NTS - The Russian Solidarist Movement*, External Research Staff, Office of Intelligence Research, Series 3, No. 76, 10 December 1951, USNA.

12 Undated ASIO biographical note on Alferchik and letter from E.V. Wiggins, Migration Office, Australian Embassy, Köln to D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague, citing a 1949 intelligence note on Alferchik, AA CRS A6119/90, item 2723, Nikolay PAVLOV. On Alferchik's role in Vorkommando Moskau, see SIU Suspect Report, 'Alfertschik, N aka Pavlov.' On Vorkommando Moskau generally, see John Loftus, *The Belarus Secret* (Alfred A. Knopf: New York, 1982) pp.19-21.

13 SIU Final Report, pp.83-4. See also letter from E.V. Wiggins, Migration Office, Australian Embassy, Köln to D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague, citing a 1949 intelligence note on Alferchik, AA CRS A6119/90, item 2723, Nikolay PAVLOV, and US Department of State External Research Paper, *NTS - The Russian Solidarist Movement*, External Research Staff, Office of Intelligence Research, Series 3, No. 76, 10 December 1951, USNA..

14 SIU Final Report, pp.83-4.

15 Dorril, p.412. SIU Final Report, pp.83–4.

16 Dorril, p.413.

17 One of the senior NTS leaders, Khomutov, was among those left behind. 'He appears to have been active behind the Red lines, but according to reports reaching Western Germany, was executed by the Soviets in 1947.' US Department of State External Research Paper, *NTS – The Russian Solidarist Movement*, External Research Staff, Office of Intelligence Research, Series 3, No. 76, 10 December 1951, USNA.

18 Dorril, *MI6*, pp.415–16.

19 Alferchik and Turkul were not the only senior NTS operatives recruited by US intelligence. Roman Redlich, for example, ended up teaching at the American intelligence school in Regensburg, Germany, after the war, having served in Alfred Rosenberg's *Ostministerium* under Nazi occupation during the war. Other NTS officers ended up in US Army schools in Oberammergau, Germany and Monterey, California, America, while one of the senior political leaders, Constantine Boldyreff, was at the Georgetown University Foreign Service School in Washington. See US Department of State External Research Paper, *NTS – The Russian Solidarist Movement*, External Research Staff, Office of Intelligence Research, Series 3, No. 76, 10 December 1951, USNA. See Chapter Eight for an account of Alferchik's activities on behalf of Australian intelligence after he arrived in 1951.

20 CIC Memo of 22 July 1948 from Greene to Officer in Charge, 'New Anti-Soviet Campaign in Salzburg,' and translation of NTS propaganda leaflet, *For the Honour of the Homeland*, attached to CIC Memo of 22 July 1948 from Greene to Officer in Charge, 'New Anti-Soviet Campaign in Salzburg,' obtained under Freedom of Information, 1

May 1992, Alferchik file. A copy of the original Russian-language leaflet is also contained in this file.

21 CIC Memo of 22 July 1948 from Greene to Officer in Charge, 'New Anti-Soviet Campaign in Salzburg,' obtained under Freedom of Information, 1 May 1992, Alferchik file.

22 CIC Memo of 13 August 1948 from Jack Heibler, Special Agent CIC, *Pica* network dossier, USNA.

23 CIC Memo of 20 August 1948 from John Burkel, Chief CIC Land Salzburg Section to Chief, CIC, USFA, *Pica* network dossier, USNA.

24 Memo of 29 October 1948 by Lieutenant Colonel George Schrantz, Chief, CIC, USFA; memo of 5 November 1948 by Lieutenant Colonel J. J. Irvin, Chief IB; and memo of 8 November 1948 by Lieutenant Colonel George Schrantz, *Pica* network dossier, USNA.

25 ASIO memo from Director-General to Regional Director, Victoria, 2 March 1956, citing Allied intelligence report of 22 June 1951, letter from E.V. Wiggins, Migration Office, Australian Embassy, Köln to D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague, citing a 1949 intelligence note on Alferchik, undated ASIO biographical note on Alferchik, AA CRS A6119/90, item 2723, Nikolay PAVLOV, and CIC Memo of 19 October 1948 from Jack Heibler, Special Agent CIC to John Burkel, Chief CIC Land Salzburg Section, *Pica* network dossier, USNA. On US intelligence knowledge of NTS leaders' war crimes background see also CIC Memo of 22 July 1948 from Greene to Officer in Charge, 'New Anti-Soviet Campaign in Salzburg,' obtained under Freedom of Information, 1 May 1992, Alferchik file. Although the precise historical details of the command structure

in Byelorussia are not correct in the Western intelligence files, the basic information is correct.

26 CIC Memo of 19 October 1948 from Jack Heibler, Special Agent CIC to John Burkel, Chief CIC Land Salzburg Section, *Pica* network dossier, USNA.

27 CIC Memo of 7 December 1948, Subject 'Reports Supplied by "Pica" Net,' and CIC Memo of 4 January 1949, 'White Russian Net – Intelligence Reports,' to Major Milano from John Burkel, Chief CIC Land Salzburg Section, *Pica* network dossier, USNA.

28 CIC Memo of 20 January 1949, 'USSR – Ministry of Aviation Industries,' to John Burkel, Chief CIC Land Salzburg Section from CIC Special Agents John Iwanowski, James Forestell and Feodor Harkovich, *Pica* network dossier, USNA.

29 See, for example, CIC Memos of 14 February 1949 by John Burkel, Chief CIC Land Salzburg Section covering 'War and Post war Problems of the Soviet Coke-Chemical Industry,' and 'Coke-Chemical Industry, USSR,' 7 March 1949 by CIC Special Agent George Hodges on 'USSR – Submarine School at Leningrad, RSFSR,' 7 March 1949 by CIC Special Agent James Dobbins on 'USSR – "Excavator Plant" in Kovrov, RSFSR,' 10 March 1949 by CIC Special Agent George Hodges on 'USSR – Soviet Tank Industry, 1948,' 14 March 1949 by CIC Special Agent James Dobbins on 'USSR – "Kirkish" Ordnance Plant in Kovrov, Vladimirskaia Oblast, RSFSR,' 15 March 1949 by John Burkel, Chief CIC Land Salzburg Section on 'Soviet Oil and Coal Research,' 17 March 1949 by CIC Special Agent George Hodges on 'USSR – Black Sea Tanker Fleet,' 25 March 1949 by CIC Special Agent George Hodges on 'USSR – Chemical Combine No. 101 at Kemensk-Shaktinski, RSFSR,' 4 April 1949

by CIC Special Agent George Hodges on 'USSR – Manufacture of Steam Power Forging Hammers,' 11 April 1949 by CIC Special Agent George Hodges on 'USSR – Diesel Locomotive, Series D,' 14 April 1949 by CIC Special Agent George Hodges on 'USSR – Full Track Tractors,' 27 May 1949 by CIC Special Agent George Hodges on 'USSR – Coke Industry in the Don Basin, 1948,' 7 June 1949 by CIC Special Agent George Hodges on 'USSR – Sugar Beet Factory at Beli Kolodez,' 15 June 1949 by CIC Special Agent George Hodges on 'USSR – Progress of Ferrous Metallurgy,' 16 June 1949 by CIC Special Agent George Hodges on 'Poland – Power Line Construction from Bedzin to Lodz,' *Pica* network dossier, USNA.

30 ASIO memo from Director-General to Regional Director, Victoria, 2 March 1956, citing Allied intelligence report of 22 September 1947, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

31 ASIO memo from Director-General to Regional Director, Victoria, 2 March 1956, citing Allied intelligence report of 22 June 1951, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

32 US Department of State External Research Paper, NTS – *The Russian Solidarist Movement*, External Research Staff, Office of Intelligence Research, Series 3, No. 76, 10 December 1951, USNA. See also Dorril, pp.415, 421–23, 502, 513–17, Aarons and Loftus, *Ratlines*, pp.257–58, Grose, *Operation Rollback*, pp.49, 130 and 186, and E.H. Cookridge, Gehlen, *Spy of the Century* (Random House: New York, 1972), Chapter XVII.

33 Alferchik's recruitment as an ASIO source was reluctantly confirmed by one ASIO officer who agreed to check the file after I had made specific claims about his war crimes background, his work for US

intelligence and my information that he had then gone to work for ASIO. Subsequently, this was also confirmed by several other ASIO officers who had worked on anti-communist *émigré* operations in the 1950s and 1960s. The original information about Alferchik's work for ASIO was received from former Commonwealth Police and Australian Federal Police officers. None of my sources would agree to be identified by name. On Alferchik's change of name to Pavlov see ASIO Minute to 'S. Victoria' from 'B.2. Victoria,' 12 January 1954, AA CRS A6119/90, item 2723, Nikolay PAVLOV. The 1949 intelligence profile of Alferchik is summarised in a report from E.V. Wiggins, Migration Office, Australian Embassy, Köln to D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague, citing a 1949 intelligence note on Alferchik, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

Chapter Seven

Operation Rummage: The Nazi Scandal Continues

1 UNRRA identity paper, Headquarters Memmingen, DP Centre Fliegerhofen, UNRRA Team 155, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000. On Fricsons's time at Landsberg see CIC Memmingen Field Office report to UNRRA Team 155, Fliegerhorst, Memmingen, 27 August 1946, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
2 Memmingen Area Form, number 674 and *Soldbuch*, Fricsons CIC File, Dossier XE138198, released under the US Freedom

of Information Act, 31 May 2000.
3 Interrogation Report, 'FRICSONS, Argods,' 26 August 1946, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
4 Anonymous letter of 19 November 1946, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
5 CIC Interrogation Report, 'FRICSONS, Argods, Latvian, residing DP-CAMP (Memmingen Airport), Block 4, Room No 17,' 2 December 1946, and CIC Memmingen Field Office report to UNRRA Team 155, Fliegerhorst, Memmingen, 27 August 1946, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
6 CIC Memo, 'FRICSONS, Argods – Latvian – Reported SD Chief LEEPJA,' 6 January 1947, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
7 See CIC intelligence report, 24 April 1947, Kämtzen, Germany. Fricsons was apparently recruited straight after his interrogation in January 1947, worked for one CIC Special Agent until September 1947, was then turned over to another agent who kept him until November 1947 when he was again given a new handler. See CIC Memo, 'FRICSONS, Argods,' 16 March 1948. On his recruitment as a CIC informant 'after he was denounced as former informant of SD in Latvia,' see CIC Memo by Major Earl Browning, 'FRICSONS, Elmars Argods,' 1 April 1948, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
8 CIC Memo, 'FRICSONS, Argods,' 16 March 1948, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.

- 9 Undated CIC Memo, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
- 10 Undated CIC Memo, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
- 11 CIC Memos, 16 January 1947, 2 February 1947, 5 May 1947, 1 June 1947, 23 June 1947, 3 July 1947, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
- 12 See Aarons and Loftus, *The Secret War Against the Jews*, for details of this aspect of Western policy.
- 13 CIC Memos, 21 April 1947, 29 April 1947, 5 May 1947, undated (sometime in June 1947), 3 July 1947, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
- 14 'Testimony Against Latvian Murderers of Jews,' *Forward*, 18 January 1949, lists of suspected Baltic war criminals, 20 August 1948 (Yad Vashem Archives, M-21/III/8), November 1948 (Tel Aviv University, 539/22), Appendix A, undated list (Wiener Library, 539/27), and publication of a Group of Baltic Survivors in Great Britain (Wiener Library, 539/24).
- 15 CIC Memo, 'Informant FRICSONS,' 24 February 1948, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
- 16 CIC Memo, 'FRICSONS, Argods,' 4 March 1948, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
- 17 CIC Memo, 'FRICSONS, Argods,' 16 March 1948, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
- 18 CIC Memo, 'FRICSONS, Argods,' 19 March 1948, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
- 19 CIC Memo by Major Earl Browning, 'FRICSONS, Elmars Argods,' 1 April 1948, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000.
- 20 See CIC Index Card, 'File Case 138198, FRICSONS, Elmars Argods,' 17 April 1951, Fricsons CIC File, Dossier XE138198, released under the US Freedom of Information Act, 31 May 2000. As discussed in Chapter Four, Fricsons entered Australia in 1949 and became a citizen in 1955.
- 21 See undated telegram 'From Exfor to Forcely Three VW,' PRO FO 371 47053, War Office letter by Lieutenant Colonel V. Isham, 22 January 1946, FO 371 55974, and note by Thomas Brimelow, 10 April 1947, PRO FO 371 65762. Details of Kripens' wartime activities are contained in statements by Anton Jercitis, Reinhold Purins and Nikolai Peterson, of 24 and 25, September, and 1 October 1986, and author interviews conducted with Peterson and Jercitis, Riga, 2 February 1987.
- 22 British Army on the Rhine letter BAOR/37711/604/A(PS4), 19 November 1945, quoted in telegram 'From Exfor to Troopers,' 16 December 1945, PRO FO 371 47053.
- 23 See note by John Galsworthy, 30 December 1945, PRO FO 371 47053, letter from Charles Zarine, Latvian Legation, London to C.F.A. Warner, the Foreign Office, 29 November 1945, PRO FO 371 47053, and telegram from War Crimes Group (NWE) to Judge Advocate, 15 July 1947, PRO FO 371 65762.
- 24 The day after Kripens attempted suicide, the former Latvian Minister in London, Charles Zarine, intervened on his behalf with the British. Zarine had represented independent Latvia in London prior to the Soviet invasion of 1940. After

the war, he waged a n aggressive and dishonest campaign at the Foreign Office to save all Latvian Nazi collaborators and war criminals. For example, he falsely claimed that none of his countrymen had volunteered to serve in SS formations, but had been forcibly conscripted by the Germans. According to Zarine, Kripens was considered by the other Latvians at Zedelghem 'as the senior officer and is known to be an honest and good man.' The facts, however, were totally against Zarine. Letter from Charles Zarine, Latvian Legation, London to C.F.A. Warner, the Foreign Office, 29 November 1945, PRO FO 371 47053.

25 Note by John Galsworthy, 20 December 1945, PRO FO 371 47053.

26 Letter to Lieutenant Colonel V.A.R. Isham, War Office, 1 January 1946, PRO FO 371 47053.

27 Letter by Lieutenant Colonel V.A.R. Isham, War Office, 22 January 1946, PRO FO 371 55974. Isham claimed that information 'received that all Latvian units were volunteers and members of Waffen SS but not confirmed.'

28 Letter to Colonel V.A.R. Isham, War Office, 6 February 1946, PRO FO 371 55974.

29 Letter from Colonel Isham to Thomas Brimelow, 6 February 1946, PRO FO 371 55974.

30 Letter from Colonel Isham to Thomas Brimelow, 6 February 1946, PRO FO 371 55974.

31 Letter from Colonel Isham to Thomas Brimelow, 6 February 1946, PRO FO 371 55974.

32 Letter from Arvids Kripens to Mr and Mrs Madge, attached to letter from Charles Zarine, Latvian Legation, London, to Thomas Brimelow, 28 March 1947, PRO FO 371 65762.

33 Note by Thomas Brimelow, 12 February

1946, PRO FO 371 55974.

34 Letter from Brimelow to Lieutenant Colonel Isham, 20 February 1946, PRO FO 371 55974.

35 Telegram from War Crimes Group (NWE) to Judge Advocate, 15 July 1947, PRO FO 371 65762.

36 Telegram from War Crimes Group (NWE) to Judge Advocate, 15 July 1947, PRO FO 371 65762.

37 The Kripens case is examined in some detail in the report of the All-Party Parliamentary War Crimes Group, *Report on the Entry of Nazi War Criminals and Collaborators into the UK, 1945-1950* (House of Commons: London, November 1988), pp.39-42.

38 Draganović's career is detailed in Aarons and Loftus, *Ratlines*, chapters three to six inclusive. On Bujanović's role in the anti-conununist terrorist operations in Yugoslavia, see Draganović's statement to the communist Yugoslav authorities, 26 September 1967. On his appointment to the triumvirate of post-war Ustaše leaders, see letter from I. Prušac, 'Srečko Rover's Part in the Movement "10 April",' AA CRS A11822, X61, Part Two.

39 A good account of the allegations against Rover is contained in the transcript of the defamation case Rover v. Ivanković, 26 June 1957, before Judge Prior in the Sydney District Court. This contains a very full account of the Križari operations and Rover's part in the disasters that befell the Ustaše militants whom he guided into Yugoslavia in 1948. This includes Rover's admission of using the codenames Bimbo and Vučko, of guiding groups of Križari into Yugoslavia and travelling illegally into Yugoslavia using both his codenames. See transcript, p.4 and pp.6-10, AA CRS A6119/90, item 2737, ROVER, Srečko Blaz. Rover also gave an account of his post-war

activities in a written statement provided to ASIO. See Attachment to Victorian Memo number 2356, 25 June 1964, AA CRS A6119/90, item 2737, ROVER, Srecko Blaz. For a spirited defence of Rover, see letter from I. Prušac, 'Srećko Rover's Part in the Movement "10 April",' AA CRS A11822, X61, Part Two.

40 CIC *Summary of Information* compiled by CIC Special Agent Daniel Taidoka, 22 July 1946, Case Number A-14, and report of 29 June 1948 by Special Agent Henry Krese, CIC Sub-Region Frankfurt, held in private collection.

41 Statement by Božidar Kavran, August 1948, Yugoslav High Court, Croatian Archives.

42 CIC *Summary of Information* compiled by CIC Special Agent Daniel Taidoka, 22 July 1946, Case Number A-14, held in private collection.

43 Interview with a former British intelligence officer, recorded on the condition that it would not be attributed, London, 5 May 1989. This interview was originally conducted for an earlier book, Aarons and Loftus, *Ratlines*, in which an account of the Trieste operations can be found on pp.134–36. See also document on Rover prepared for the mass trial of Križari members, August 1948, Yugoslav High Court, Croatian Archives. This document was based on Yugoslav secret police interrogations of numerous of Rover's comrades who had been captured on terrorist missions which Rover had organised in 1947 and 1948. The document states that: 'In Trieste, Rover established contact with a person called Zubrinic – a former District Head in the Independent State of Croatia – and thanks to this contact, and the contact made by Drago Jilek, he approached and made contact with the Head of the American Counter

Intelligence organisation in Trieste, Captain Perry. In Trieste, he also made contact with the members of the intelligence organisation of Father Draganović and Pečnikar, especially with Anton Jakaš and Karlo Mirt who already had an intelligence organisation with the aim of collecting various information about the situation in Yugoslavia, and after further assessment, all this information was sent to Father Draganović and to General Pečnikar. This information was especially used by Father Draganović, and after he had commented on it, he sent all this information to the American Counter Intelligence organisation in Rome, with which Father Draganović maintained very close connections. Apart from the above-mentioned people, Rover succeeded in making connections with Colonel Kolarac, who also very closely cooperated with American Counter Intelligence in Italy and also had close links with Božidar Kavran in Austria.' Rover has admitted his work with Perry, interview with author, 4 April 1986.

44 Document on Rover prepared for the mass trial of Križari members, and statement by Božidar Kavran, August 1948, Yugoslav High Court, Croatian Archives. Rover admitted to entering Yugoslavia at this time, although he refused to discuss his trip to Zagreb. He also admitted that he sent Rajka Višćević into Yugoslavia at this time. See interview with Rover by the author, 4 April 1986. In 1988, Rover told Graham Davis of Channel Nine's *Sunday* program that he had illegally gone into Yugoslavia in both 1946 and 1948.

45 CIC *Summary of Information* compiled by CIC Special Agent Daniel Taidoka, 22 July 1946, Case Number A-14, held in private collection.

46 CIC *Summary of Information* compiled by CIC Special Agent Daniel Taidoka, 22 July

- 1946, Case Number A-14, held in private collection.
- 47 Document on Rover prepared for the mass trial of Križari members, August 1948, Yugoslav High Court, Croatian Archives.
- 48 Statement by Božidar Kavran, August 1948, Yugoslav High Court, Croatian Archives.
- 49 Undated CIC Activity Report (probably late July–early August 1946), released under US Freedom of Information, 1986, document on Rover prepared for the mass trial of Križari members, and statement by Božidar Kavran, August 1948, Yugoslav High Court, Croatian Archives. On the Western intelligence base at Udine used by the Križari, see CIC report of 25 April 1947, CIC Križari file, released under US Freedom of Information, 1986.
- 50 Document on Rover prepared for the mass trial of Križari members, and statement by Božidar Kavran, August 1948, Yugoslav High Court, Croatian Archives.
- 51 US Army CIC HQ 7970th CIC Group European Command report, 24 September 1949 and CIC *Summary of Information* compiled by CIC Special Agent Daniel Taidoka, 22 July 1946, Case Number A-14, held in private collection, and 'Fermo Nominal Roll,' USNA RG 331, 10000/164/3323, Box 67. Rover denies ever being arrested at Bagnoli, or ever using the alias Josip Kovačević. See interview with Rover by the author, 4 April 1986.
- 52 Airgram of 20 May 1947 to the US Secretary of State, from Greene, Leghorn, USNA RG 59, 740.00116EW/5-2047, Box 106, and letter of 9 May 1947 from WOSM to Foreign Office, PRO FO 371 67378.
- 53 CIC document, *Ustasha Bagnoli Camp May 1947*, released under US FOI Act, 1986.
- 54 22 July 1947 airgram from American Secretary of State George Marshall to Joseph Greene in Leghorn, USNA RG 59, 740.00116EW/7-347, Box 106, US Army CIC document released under Freedom of Information, and airgram of 16 September 1947 from Greene to Washington, USNA RG 59, 740.00116 EW/9-3047, Box 106.
- 55 Statement by Božidar Kavran, August 1948, Yugoslav High Court, Croatian Archives. Rover admitted guiding three terrorist groups into Yugoslavia from March to May 1948, and said that he received his orders for these operations from Kavran. See interview with Rover by the author, 4 April 1986. However, in this account and that he gave the Commonwealth Police in 1963, Rover hid his earlier work with Kavran in 1946 and 1947, pretending only to have become involved in the terrorist operations in March 1948 when he became a guide. See undated confidential biography supplied by Rover to the Commonwealth Police, circa September–October 1963, AA CRS A11822, X61, Part One.
- 56 Report of 29 June 1948 by Special Agent Henry Krese, CIC Sub-Region Frankfurt, held in private collection.
- 57 Document on Rover prepared for the mass trial of Križari members, and statement by Božidar Kavran, August 1948, Yugoslav High Court, Croatian Archives. This issue is also discussed in some detail in Aarons and Loftus, *Ratlines*, pp.138–39.
- 58 Report of 4 August 1948 from US Consulate in Zagreb to Secretary of State, USNA RG 59, 860H.00/8-448, Box 6432.
- 59 Menzies Report, p.89.
- 60 Rover has admitted that he held the post of Chief of Police for the IRO. See also interview conducted by Graham Davis of Channel Nine's *Sunday* program, 1988.
- 61 Menzies Report, p. 90, report of 29 June 1948 by Special Agent Henry Krese, CIC Sub-Region Frankfurt, and US Army CIC

HQ 7970th CIC Group European Command report, 24 September 1949, held in private collection.

Chapter Eight

Charles Spry's Nazi Agent

1 *Nazis in Australia*, broadcast on ABC Radio National's *Background Briefing*, 13, 20, 27 April and 4 and 11 May 1986.

2 Menzies Report, p.107. The information about the ex-Nazi agent settled in Australia at the request of the United States would have been provided to Menzies if he had interviewed former US Justice Department official, John Loftus. Loftus was a member of the Office of Special Investigations between 1979 and 1981, during which time he reviewed a large number of US intelligence files concerning Nazis. In mid-1986, the author of this book specifically asked Menzies to interview Loftus about what he had learned during his time at the US Justice Department concerning the Australian role in the Western Nazi scandal. Menzies never made contact with Loftus, despite being provided with all his contact details.

3 Menzies Report, p.107.

4 Menzies Report, p.107.

5 For an account of this procedure, see Menzies Report, p.71.

6 Menzies Report, p.107.

7 Interview with Bob Greenwood, 22 December 2000.

8 Interview with Bob Greenwood, 22 December 2000.

9 Memo to ASIO Regional Director, Victoria, 6 November 1953, AA CRS A6119/90, item 2723, Nikolay PAVLOV. On Alferchik's change of name to Pavlov see ASIO Minute to 'S. Victoria' from 'B.2.

Victoria,' 12 January 1954, A A CRS A6119/90, item 2723, Nikolay PAVLOV. 10 Memo for ASIO Headquarters from Regional Director, Victoria, 16 December 1953, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

11 Undated ASIO biographical note on Alferchik, ASIO Minute to 'S. Victoria' from 'B.2. Victoria,' 12 January 1954, AA CRS A6119/90, item 2723, Nikolay PAVLOV. The biographical note was apparently prepared sometime between early November 1953 and mid-January 1954.

12 Minute to C Section from Special Services Section, 28 January 1954, and memo to the Australian Embassy, The Hague, 5 February 1954, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

13 Wiggins's background is discussed in David McKnight, *Australia's Spies and their Secrets* (Allen and Unwin: Sydney, 1994), p.240.

14 Wiggins's interim report merely recorded that the communist press in Vienna had named a man called Alfertschik 'as one of the leaders of the anti-Soviet group in the DP camp at Parsch (U.S. Zone of Austria).' Wiggins was not even sure whether this man was identical with the 'subject of your enquiry.' Memo from E.V. Wiggins, Migration Office, Australian Embassy, Köln, to D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague ('Nikolaj Federowitsch ALFERTSCHIK), 22 April 1954, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

15 Memo from E.V. Wiggins, Migration Office, Australian Embassy, Köln, to D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague ('Nikolaj Federowitsch ALFERTSCHIK b. 31.12.1917 at GOMEL/U.S.S.R. Alias PAVLOV), 22

- May 1954, and memo from D.A. McDermott to Director General of Security, Australia, 8 June 1954, AA CRS A6119/90, item 2723, Nikolay PAVLOV. The details recorded about the command structure in Byelorussia are not completely accurate, but the basic thrust of the information about Alferchik is correct.
- 16 Memo from E. V. Wiggins, Migration Office, Australian Embassy, Köln, to D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague ('Nikolaj Federowitsch ALFERTSCHIK b. 31.12.1917 at GOMEL/U.S.S.R. Alias PAVLOV), 22 May 1954, and memo from D.A. McDermott to Director General of Security, Australia, 8 June 1954, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 17 Memo from E. V. Wiggins, Migration Office, Australian Embassy, Köln, to D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague ('Nikolaj Federowitsch ALFERTSCHIK), 14 September 1954, and memo from D.A. McDermott to Director General of Security, Australia, 28 September 1954, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 18 Memos to ASIO Headquarters from Regional Director, Victoria, 22 November 1954, 23 March 1955, 7 April 1955, and 26 May 1955, and page 2 of a memo by the Senior Field Officer, Special Services Section (S.F.O. 'Q,' S.S.S.), AA CRS A6119/90, item 2723, Nikolay PAVLOV. The latter cannot be accurately dated because page 1 has been censored entirely, but from the context of the file is somewhere between 23 March and 7 April 1955.
- 19 Not all Q sources were paid by ASIO, only those formally inducted as intelligence providers.
- 20 ASIO memo from Director-General to Regional Director, Victoria, 2 March 1956, citing Allied intelligence reports of 22 September 1947 and 22 June 1951, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 21 ASIO Monthly Summary, Number 1/51 (on information up to 1st November 1951), M1508/1, item 32.
- 22 ASIO Monthly Summary, Number 1/51 (on information up to 1st November 1951), M1508/1, item 32, and ASIO memo from Director-General to Regional Director, Victoria, 2 March 1956, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 23 Minute to S. Victoria from SFO 'Q,' SSS, 6 July 1956, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 24 Minute to S. Victoria from SFO 'Q,' SSS, 6 July 1956, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 25 Memo to ASIO Regional Director, Victoria, 6 November 1953, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 26 Memo to ASIO Headquarters from Regional Director, Victoria, 22 November 1954, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 27 Memo to ASIO Regional Director, Victoria, 6 November 1953, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 28 Memo to Director, B2, from Controller, Special Services Branch, 6 August 1956, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 29 Memo to Regional Director, Victoria, from Director General, 14 November 1957, AA CRS A6119/90, item 2723, Nikolay PAVLOV.
- 30 Page two of a memo from ASIO Director General, no date, no recipient revealed, memo for Regional Director, Victoria, no originator revealed, 26 March 1958, memo to Director B2 from Controller Special Services Branch, 5 June 1958, memo from ASIO Director General to Regional Director, Victoria, 5 June 1958, memo for

ASIO Headquarters from Regional Director, Victoria, 12 June 1958, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

31 See highly censored memos for ASIO Headquarters from Regional Director, Victoria, 11 November 1959 and 20 January 1960, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

32 Memo to Regional Director, Victoria, from ASIO Director General, 7 March 1960, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

33 Page two of a memo from ASIO Director General, no date, no recipient revealed, memo for ASIO Headquarters (Special Services Branch) from Regional Director, Victoria, 22 May 1961, memo to Director B2 from Controller Special Services Branch, 5 June 1958, memo from ASIO Director General to Regional Director, Victoria, 30 May 1961, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

34 Eugene Lyons, 'The Underground Moscow Fears Most,' in *The American Legion Magazine*, April 1966, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

35 An example is provided in the very first ASIO report of any significance on Alferchik's file. In addition to details on Delager, Ostrowski and Gordeev, this report names one Jonas Yakaveev as being associated 'with pro-Soviet suspects,' and reports that Yakaveev's son was 'employed at department of Immigration and applicant for R.A.A.F. Intelligence.' This reference confirms the general pattern of intelligence-gathering used by ASIO at this time. Anti-communist *émigrés* were useful to provide information on ASIO's suspects, which in turn led to investigations of their families and friends to determine possible penetration operations against Western intelligence, in this case involving the Australian Airforce. See memo to ASIO

Regional Director, Victoria, 6 November 1953, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

36 Details on this assassination plot are contained in SIU Suspect Report, 'Alfertschik, N aka Pavlov.' The literal translation of *Bundesverfassungschutz* is 'Office for the Protection of the Constitution.' The BVS was one of several West German intelligence agencies.

37 Memo from Keith Turbayne, ASIO Regional Director ACT to Headquarters ASIO, 23 August 1967, providing translations of articles from *Voice of the Homeland*, December 1966 and March and June 1967, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

38 Memo from E.O. Redford, Special Services Branch, to Assistant Director General, B2, 30 August 1967, and letter from ASIO Director General to the secretary, Department of External Affairs, 29 September 1967, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

39 Translation of intercepted letter from A. Konetskiy to the 'Berlin Committee,' 16 November 1965, cross referenced to ASIO memo from ACT of 1 February 1966. See also, translation of intercepted letter from A. Konetskiy addressed to the 'Dear Compatriots,' 26 March 1963, cross referenced to ASIO memo from ACT of 12 October 1965, AA CRS A6119/90, item 2723, Nikolay PAVLOV.

Chapter Nine

ASIO's Nazi Agents

1 Memorandum for ASIO Headquarters, 30 March 1953, AA CRS A6119/90, item 2725, FRICSONS, Argods.

2 Memorandum for ASIO Headquarters,

30 March 1953, A A CRS A6119/90, item 2725, FRICSONS, Argods.

3 Memorandum for ASIO Headquarters, 30 March 1953, AA CRS A6119/90, item 2725, FRICSONS, Argods.

4 Memo from ASIO Director General to Regional Director, Victoria, Attention Special Services Section, 5 May 1953, and memo from ASIO Director General to censored recipient, Australian Embassy, The Hague, 5 May 1953, AA CRS A6119/90, item 2725, FRICSONS, Argods. There is no doubt that this recipient was the Senior Security Officer at the Embassy, as demonstrated by the next document on the file.

5 Memo from E.V. Wiggins, Migration Office, Australian Embassy, Köln, to Senior Security Officer, Australian Embassy, The Hague, 28 July 1953, AA CRS A6119/90, item 2725, FRICSONS, Argods.

6 Memo for ASIO Director General from Senior Security Officer, Australian Embassy, The Hague, 7 August 1953, AA CRS A6119/90, item 2725, FRICSONS, Argods. There is no doubt that S section saw the overseas report, as this is noted in handwriting on this memo. Furthermore, on 31 August 1953, the report was forwarded to the Regional Director, Victoria, Attention Special Services Section, AA CRS A6119/90, item 2725, FRICSONS, Argods.

7 Memorandum for ASIO Headquarters, from Regional Director, Victoria, 19 March 1954, AA CRS A6119/90, item 2725, FRICSONS, Argods.

8 Page two of a memo from the ASIO Regional Director for Victoria, AA CRS A6119/90, item 2725, FRICSONS, Argods.

9 Memo from ASIO Director General to Regional Director, Victoria, Attention Special Services Section, 7 October 1954, AA CRS A6119/90, item 2725, FRICSONS, Argods.

10 Minute for Director C from Controller Special Services Section, 24 November 1954, AA CRS A6119/90, item 2725, FRICSONS, Argods.

11 An example of the inconsequential nature of the few pages released in the rest of the Fricsons file is a memo of 1 September 1958 from the ASIO Director General to the Regional Director, Victoria in reply to a memo of 30 July 1958. The subject of this memo is censored, and the only substantive passages released are as follows: 'We agree with your inclination expressed in paragraph four. Your paragraph five is being dealt with separately.' AA CRS A6119/90, item 2725, FRICSONS, Argods.

12 As reported in *Vjestnik*, official newspaper of the Ministry of the Armed Forces, Zagreb, 24 March 1943, Croatian Archives. Begović's admissions about his wartime career were made in an interview with the Commonwealth Police, 8 January 1965, AA CRS A11822, item X186.

13 SIU Final Report, p.256. Begović is cited in this report as PU98.

14 Special Investigations Unit interview with Enver Begović, Melbourne, 13 September 1988. Although he refused to be interviewed by the Special Investigations Unit, Rover admitted to being decorated with the Small Silver Medal. See interview conducted by the author, 4 April 1986.

15 As reported in *Vjestnik*, official newspaper of the Ministry of the Armed Forces, Zagreb, 24 March 1943, Croatian Archives.

16 As reported in *Vjestnik*, official newspaper of the Ministry of the Armed Forces, Zagreb, 3 March 1943, Croatian Archives. Also see Special Investigations Unit interview with Enver Begović, Melbourne, 13 September 1988, and Commonwealth Police interview with

Enver Begović, 8 January 1965, AA CRS A11822, item X186.

17 A somewhat deficient and rather biased history of the Handschar Division can be found in Roger James Bender and Hugh Page Taylor, *Uniforms, Organization and History of the Waffen SS* (Volume Three) (R. James Bender Publishing: 1978)pp.135–161.

18 Special Investigations Unit interview with Enver Begović, Melbourne, 13 September 1988. See also SIU Final Report, p.257. Begović's transfer back to the standing army was reported in *Vjestnik*, official newspaper of the Ministry of the Armed Forces, Zagreb, 15 December 1943, Croatian Archives. A request to the Dachau concentration camp archive did not turn up any record of an Enver Begović, or a similar named person, ever having been in the camp. Email of 7 November 2000.

19 Minute from Field Officer to Senior Field Officer, C1 Branch, Melbourne, 17 October 1958, AA CRS A6119/79, item 987, BEGOVIC, Enver.

20 The US intelligence report is dated 28 January 1959, three months after ASIO recorded the information on 17 October 1958. It is difficult to be certain about the sequence, but the two intelligence reports are virtually word-for-word duplicates. The US document is actually a diplomatic record of The Foreign Service of the United States of America, originating from the American Embassy in Vienna, Austria. The information, however, was provided to the American diplomats by the 66th CIC Group in Stuttgart, Germany. The document is actually a Request for Records Check, and in light of the sequence it is possible that ASIO had supplied the information to US intelligence some months earlier and by early 1959 the Begović case had reached diplomatic circles and the Australian information was re-circulated to the US

State Department. This document was released under the US Freedom of Information Act, 14 August 1986.

21 Commonwealth Police interview with Enver Begović, 8 January 1965, AA CRS A11822, item X186.

22 SIU Final Report, p.257.

23 Minute from Field Officer to Senior Field Officer, C1 Branch, Melbourne, 17 October 1958, AA CRS A6119/79, item 987, BEGOVIC, Enver, and Special Investigations Unit interview with Enver Begović, Melbourne, 13 September 1988. See also US intelligence report, 28 January 1959, released under the US Freedom of Information Act, 14 August 1986.

24 US Army CIC Index Card, 16 March 1954, released under the US Freedom of Information Act, 22 May 2000. The earlier file also released under the US Freedom of Information Act on 14 August 1986, censored the fact of Begović's service for French intelligence, although it is possible to read this through the blacked out portion of the relevant document. Apart from the US intelligence report of 28 January 1959, which is actually a State Department memo relying on US Army CIC information, there is no evidence in Begović's US intelligence dossier that he worked for the Americans. Indeed, as discussed earlier, the 28 January 1959 report is virtually a word-for-word copy of the ASIO report of 17 October 1958, with the notable exception that the word '(sic)' has been inserted after Begović's claim that 'he joined an American Intelligence Unit.' This had first been inserted by an ASIO officer in a report of 19 December 1958 and was repeated in the US intelligence document. Taken as a whole, the evidence certainly suggests that the CIC did not believe that Begović had ever worked for US intelligence, although this possibility

cannot be entirely discounted. See memorandum for Liaison Officer, (city/country censored), 19 December 1958, AA CRS A6119/79, item 987, BEGOVIC, Enver.

25 Prisons Division, Prisoner Record, Summary Military Government, Bavaria, 13 August 1945, released under the US Freedom of Information Act, 14 August 1986.

26 CIC report of 17 March 1953, and CIC Index Card, February 1959, citing an 'investigative report dated March 1953 on file,' released under the US Freedom of Information Act, 14 August 1986.

27 Minute from Field Officer to Senior Field Officer, C1 Branch, Melbourne, 17 October 1958, AA CRS A6119/79, item 987, BEGOVIC, Enver. See also ASIO Minute Paper of 18 January 1960 to Controller Special Services Branch from Special Services Branch, AA CRS A6119/90, item 2741, BEGOVIC, Enver.

28 Minute from Field Officer to Senior Field Officer, C1 Branch, Melbourne, 17 October 1958, Memorandum for Headquarters ASIO from Regional Director, Victoria, 30 October 1958, Memorandum for Liaison Officer, (city/country censored), 19 December 1958, AA CRS A6119/79, item 987, BEGOVIC, Enver. See also memo to Headquarters ASIO from Liaison Officer, (city/country censored), 20 October 1959, and ASIO Minute Paper of 18 January 1960 to Controller Special Services Branch from Special Services Branch, AA CRS A6119/90, item 2741, BEGOVIC, Enver.

29 Request from Controller Special Services Branch to Director C, 11 December 1958, memorandum from ASIO Director General to Senior Liaison Officer, (city/country censored), and Liaison Officer, (city/country censored), 17 December

1958, report to ASIO Director General from Liaison Officer (city/country censored), 24 February 1959, report to ASIO Director General from Liaison Officer (city/country censored), but probably a Liaison Officer to a branch of US intelligence, as the reference in this document to 'an extra "S"' in Begović's name is consistent with a number of the CIC documents released under US Freedom of Information), 10 March 1959, report to ASIO Director General from Senior Liaison Officer (city/country censored), 4 May 1959, handwritten notes as draft for a memo to Regional Director, Victoria, memorandum from ASIO Director General to Liaison Officer, (city/country censored), 23 September 1959, international telegram to ASIO Headquarters from Liaison Officer (city/country censored) and ASIO Minute Paper of 18 January 1960 to Controller Special Services Branch from Special Services Branch (which mentions the overseas check carried out by ASIO), AA CRS A6119/90, item 2741, BEGOVIC, Enver. See also memorandum from ASIO Director General to Liaison Officer, (city/country censored), 19 December 1958, and memorandum for ASIO Headquarters from Liaison Officer (city/country censored), 16 April 1959, AA CRS A6119/79, item 987, BEGOVIC, Enver.

30 ASIO Contact Report, 29 March 1960, AA CRS A6119/79, item 987, BEGOVIC, Enver. A Contact Report is simply the report of an ASIO officer of the details provided during a direct contact with a Q source.

31 ASIO Contact Report, 22 June 1960, and extract from report on Macedonian Activities, 15 September 1960, AA CRS A6119/79, item 987, BEGOVIC, Enver.

32 ASIO Contact Report, 14 February 1961, AA CRS A6119/79, item 987, BEGOVIC, Enver.

33 ASIO Contact Report, 21 June 1961, AA CRS A6119/79, item 987, BEGOVIC, Enver.

34 ASIO Contact Report, 11 August 1961, AA CRS A6119/79, item 987, BEGOVIC, Enver.

35 ASIO Contact Reports, 14 February 1961 and 17 October 1961, AA CRS A6119/79, item 987, BEGOVIC, Enver.

36 Memo to ASIO headquarters from Regional Director, Victoria, 18 January 1962, quoting report by an ASIO officer who had interviewed a source about the Manier-Begović partnership, and memo from S Section to Regional Director, Victoria, 9 May 1968, AA CRS A6119/79, item 987, BEGOVIC, Enver. The Commonwealth Police had also received derogatory information about Begović's business ethics. One report of 19 June 1964 noted that neither Begović nor his detective agency enjoyed 'a good reputation with other members of their profession. It is considered that they charge exorbitant prices, and are taking advantage of the ignorance of certain New Australians.' AA CRS A11822, item X186.

37 ASIO Contact Report, 22 May 1962, AA CRS A6119/79, item 987, BEGOVIC, Enver.

38 Department of Immigration Precis of Application for Naturalisation, 3 June 1963, and memo to ASIO headquarters from Regional Director, Victoria, 10 May 1968, AA CRS A6119/79, item 987, BEGOVIC, Enver.

Chapter Ten

Invaluable Assistance to ASIO

1 Yugoslav note of 24 March 1950, AA CRS A1838/2, item 1550/18, and Menzies Report, Attachment D, p.1.

2 Yugoslav note of 24 March 1950, AA CRS

A1838/2, item 1550/18, and Menzies Report, Attachment D, p.1. The note also claimed that Ivanović had assisted the Nazis to establish a punishment camp from which prisoners were released on his initiative, after he had received bribes from their families.

3 'Who's Who in Yugoslav Note,' AA CRS A1838/2, item 1550/18.

4 Note by John Colville, 29 January 1946, PRO FO 371 59400; telegram from Belgrade Embassy of 20 June 1945, PRO FO 371 48890; Yugoslav Note no. 1515 of 16 June 1945, PRO FO 371 48891; cable of 22 July 1945 from Foreign Office to Washington, PRO FO 371 48890; US Office of Strategic Services reports of 13 September 1944, and 'Personalities and Political Groups in Yugoslavia,' USNA RG 226, 103099 and 60375; and Yugoslav Note of 10 September 1946, USNA RG 59, 740.00116 EW/9-1046, Box 3683.

5 Handwritten notes, AA CRS A1838/2, item 1550/18.

6 AA CRS A1838/2, item 1550/18; and *Hansard*, 5 December 1986, p.3533.

7 Memo of 16 May 1950 from G. Reed to DEA, AA CRS A1838/2, item 1550/18.

8 Draft of 17 July 1950, AA CRS A1838/2, item 1550/18; and Department of Foreign Affairs memos, 'War Crimes Identification of Records of Likely Interest to the Menzies Inquiry,' 'Supplementary Report 2,' 25 June 1986 and 'Assessment of Security Classified Documents with a View to their Release for Public Access,' 24 June 1986; and *Hansard*, 5 December 1986, p.3535.

9 Letter of 24 August 1950 from Watt to Yugoslav Consulate, AA CRS A1838/2, item 1550/18.

10 Menzies Report, Appendix D, p.1.

11 *Hansard*, 5 December 1986, p.3535.

12 Letter of 8 December 1949 from the Director of the Office of Education, R.C.

- Mills, to the Secretary of the Immigration Department, AA CRS A445, item 271.2.11.
- 13 Letter from acting CIS Deputy Director, H.S.D. Hay to Commonwealth Migration Officer, Hobart, 13 January 1950, AA CRS A445, item 271.2.11.
- 14 Written comments on letter of 16 January 1950 from the acting Commonwealth Migration Officer, Hobart, to Secretary Department of Immigration, AA CRS A445, item 271.2.11.
- 15 Letter of 8 February 1950, AA CRS A445, item 271.2.11.
- 16 John Loftus, *Nazis in Australia*, ABC Radio National *Background Briefing*, 27 April 1986.
- 17 Letter of 19 April 1950 from Watt to DEA Officer London, AA CRS A1838/2, item 1550/18.
- 18 Letter of 15 May 1950 from acting DEA Officer London to Watt, and cablegram to DEA and Prime Minister's Department of 21 June 1950, AA CRS A1838/2, item 1550/18.
- 19 Letter of 24 August 1950 from Watt to Yugoslav Consulate, AA CRS A1838/2, item 1550/18; Department of Foreign Affairs memos, 'War Crimes: Identification of Records of Likely Interest to the Menzies Inquiry,' 'Supplementary Report 2,' 25 June 1986 and 'Assessment of Security Classified Documents with a View to their Release for Public Access,' 24 June 1986; Menzies Report, Attachment D, p.1; and *Hansard*, 5 December 1986, p.3535.
- 20 Menzies Report, p.151.
- 21 Memo to Director General ASIO from Director, Melbourne, 7 June 1950, AA CRS A6126/27, item 1126, IVANOVIC, Branislav.
- 22 Victorian S Section Minute, 7 June 1954, reported in Memo for ASIO Headquarters, 11 November 1954, and report by ASIO Field Officer J.C. Elliott, 16 July 1954, AA CRS A6126/27, item 1126, IVANOVIC, Branislav. The former Minute has been withheld from the ASIO dossier altogether, and the latter memo has been highly censored, with only page two publicly released, but it does reveal a great deal about ASIO's attitude towards Ivanović. The date of the latter report is revealed in a later ASIO memo on the same file.
- 23 Report by ASIO Field Officer J.C. Elliott, 16 July 1954, and memo to Senior Field Officer from Regional Director, Victoria, 16 July 1954, AA CRS A6126/27, item 1126, IVANOVIC, Branislav.
- 24 Memo to Senior Field Officer from Regional Director, Victoria, 16 July 1954, AA CRS A6126/27, item 1126, IVANOVIC, Branislav.
- 25 Memo to ASIO Headquarters from Victorian Headquarters, 11 November 1954, AA CRS A6126/27, item 1126, IVANOVIC, Branislav.
- 26 Memorandum for ASIO Director General from D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague, 16 June 1955, report to D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague from E.V. Wiggins, Australian Embassy, Köln, 16 June 1955 (all relevant information censored), memorandum for ASIO Director General from D.A. McDermott, Senior Security Officer, Australian Embassy, The Hague, 5 July 1955, memo to ASIO Regional Director, Victoria from acting Commonwealth Migration Officer, 7 July 1955, ASIO Assessment Form (all relevant information censored), AA CRS A6126/27, item 1126, IVANOVIC, Branislav.
- 27 ASIO Minute Paper, to Director B1, from J.C. Behm, 18 August 1955, AA CRS A6126/27, item 1126, IVANOVIC, Branislav.

28 Memo for Regional Director, Victoria, from Director General, 23 August 1955, AA CRS A6126/27, item 1126, IVANOVIC, Branislav.

29 An example of this communist penetration of Yugoslav *émigré* groups is provided in one of the main intelligence reports prepared on the Lukić and Rajković cases, which details Western intelligence's assessment that the Yugoslav National Committee in Munich led by Radovan Popović, was thoroughly compromised by communist intelligence agents. This was the group Lukić was conducting intelligence operations for on behalf of US intelligence. See report of 8 October 1951, by Captain K. G. Turbayne, AA CRS A6119/XR1, item 255 and A1838, item 1550/20.

30 Letter of 8 May 1951, AA CRS A6119/XR1, item 255 and AA CRS A1838, item 1550/20; Menzies Report, Attachment D, p.2; and *Hansard*, 14 and 15 November 1951, pp.1981 and 2053.

31 Letter of 8 May 1951, AA CRS A6119/XR1, item 255 and AA CRS A1838, item 1550/20; Menzies Report, Attachment D, p.2; and *Hansard*, 14 and 15 November 1951, pp.1981 and 2054.

32 Letters of 13 June 1951 from DEA to ASIO Director General and to Heyes, AA CRS A6119/XR1, item 255 and A1838, item 1550/20; and *The Australian*, 3 October 1986.

33 AA CRS A6122XR1, item 180, and A6119/XR1, item 255.

34 AA CRS A6122XR1, items 179 and 182.

35 AA CRS A6122XR1, item 180, and A6119/XR1, item 255.

36 AA CRS A6122XR1, item 183, and A6119/XR1, item 255.

37 Letter of 12 October 1951 from Mihailo Rajković to Attorney General's Department, AA Western Australian

Regional Office, CRS PP302/1, item Mihailo Rajkovic.

38 AA CRS A6122XR1, item 183.

39 AA CRS A6122XR1, item 180.

40 For a comprehensive account of this, see Jozo Tomasevich, *War and Revolution in Yugoslavia 1941–1945: The Chetniks* (Stanford University Press: Stanford, 1975).

41 Letter from Spry to Watt, 11 July 1951, AA CRS A1838, item 1550/20; and *The Australian*, 3 October 1986. For a further account of these cases see also Department of Foreign Affairs memos, 'War Crimes: Identification of Records of Likely Interest to the Menzies Inquiry,' 'Supplementary Report 2,' 25 June 1986 and 'Assessment of Security Classified Documents with a View to their Release for Public Access,' 24 June 1986; and *Hansard*, 5 December 1986, p.3531.

42 See Tomasevich for details of Zbor's war crimes.

43 AA CRS A6122XR1, item 167.

44 AA CRS A6122XR1, item 182.

45 Memo to Watt from Legal and Consular, 4 June 1951, AA CRS A1838, item 1550/20, and *Hansard*, 5 December 1986, p.3534.

46 Turbayne's career is discussed in McKnight, p.137.

47 Memo of 2 August 1951 from ASIO Immigration Liaison Officer to OIC Canberra, letter of 2 November 1951 from Heyes to Spry attaching Turbayne's report of 8 October 1951, AA CRS A6119/XR1, item 255 and A1838, item 1550/20.

48 Memo of 2 August 1951 from ASIO Immigration Liaison Officer to OIC Canberra, letter of 2 November 1951 from Heyes to Spry attaching Turbayne's report of 8 October 1951, AA CRS A6119/XR1, item 255 and A1838, item 1550/20.

49 Memos from Watt to London, and Legge to Watt, 13 June 1951, and 19 July 1951, AA CRS A1838, item 1550/20.

50 *The Australian*, 3 October 1986.

51 Letter from Watt to Yugoslav Consulate, 13 June 1951, AA CRS A1838, item 1550/20; and *Hansard*, 22 and 23 November 1951, p.2545.

52 Minute to Watt and unsent letter over Watt's name to Yugoslav Consulate, 14 September 1951, AA CRS A1838, item 1550/20.

53 Letter to W.S. Matsdorf from V. Cvrlje, 12 September 1951, AAJ, ECAJ Files, Box E7; and *Australian Jewish News*, 21 September 1951.

54 Memos of 16 and 19 October 1951, AA Western Australian Regional Office, CRS PP302/1, item Mihailo Rajkovic.

55 *Hansard*, 7 November 1951, p.1599.

56 Memo from Spry to Heyes, 14 November 1951, AA CRS A6119/XRI, item 255.

57 *Hansard*, 15 November 1951, p.2054.

58 Letter from Watt to Yugoslav Consulate, of 22 November 1951, AA CRS A1838, item 1550/20; and Menzies Report, Attachment D, p.3.

59 Memo from WA Regional Director to Spry of 24 November 1951, and from Spry to WA Regional Director of 26 November 1951, AA CRS A6119/XR1, item 255.

60 Report to WA Regional Director of 7 December 1951, memo from WA Regional Director to Spry of 7 December 1951, and statement of Lukić to ASIO of 4 December 1951, AA CRS A6119/XR1, item 255.

61 Report to WA Regional Director of 7 December 1951, and memo from WA Regional Director to Spry of 7 December 1951, AA CRS A6119/XRI, item 255.

62 Statement of Lukić to ASIO of 4 December 1951, AA CRS A6119/XR1, item 255. On communist penetration of this group, see report of 8 October 1951, by Captain K. G. Turbayne, AA CRS A6119/XR1, item 255 and A1838, item 1550/20.

63 Memo from Spry to Heyes, January 1952, AA CRS A6119/XRI, item 255.

64 *The Australian*, 7 October 1986.

65 *The Australian*, 7 October 1986, and interview with Michael Thwaites by Graham Davis of Channel Nine's *Sunday*, 2 February 1989.

66 Interview with Kerry Milte, 3 April 1986.

67 *Canberra Times*, 22 February 1951, and *Sydney Morning Herald*, 23 February 1951.

Chapter Eleven

Arthur Calwell: The Political Cover-Up Begins

1 Quoted in Colm Kiernan, *Calwell* (Nelson: Melbourne, 1978) p.115.

2 Suzanne Rutland, *Edge of the Diaspora* (Collins: Sydney, 1988) p.226; Kiernan, *Calwell*, p.115.

3 Rutland, *Diaspora*, p.226; Jock Collins, *Migrant Hands in a Distant Land* (Pluto Press, Sydney, 1988) pp.10 and 22.

4 Collins, *Migrant Hands*, p.21.

5 Cablegram from Australian Legation, The Hague, to Immigration Department, 7 May 1947, AA CRS A1068, item IC47/31/14, and *The Australian*, 23 November 1988.

6 Calwell statement to PCIRO of 22 July 1947, Agreement between the PCIRO and the Australian government of the same date, IRO, *The Facts about Refugees*, pp.14 and 15, AA CRS A1068, item IC47/31/14; Kiernan, *Calwell*, p.127; and Arthur Calwell, *Be Just and Fear Not* (Rigby: Melbourne, 1978) p.103. While in Europe, Calwell also visited London where he warned that Australia would be lost to the Empire unless more British migrants, and the ships to carry them, were made available.

- 7 Letters from A.E. Leno to Calwell of 17 October 1949, and from Calwell to A.E. Leno of 10 November 1949, AA CRS A1068, item IC47/31/14.
- 8 Menzies Report, pp.33–34.
- 9 For examples of these negotiations see cablegrams from Australian Embassy Washington to Calwell of 8 December 1947, and to Chifley of 16 July 1948, AA CRS A1068, item IC47/31/14.
- 10 Rutland, *Diaspora*, pp.229–31; Kiernan, *Calwell*, pp.123–24 and 127; *Clarion*, March 1952. For examples of parliamentary debates on this issue, see *Hansard*, House of Representatives, 24 February and 2 March 1949, pp.645–47 and 833–34.
- 11 The tiny Jewish community, although well organised, was still struggling to find its identity in a somewhat hostile environment. Among those taking up the case of Nazi migrants were the Boards of Deputies (the State umbrella organisations of Australian Jewry).
- 12 Letter of 15 September 1949, AAJ, ECAJ Files, Box E40
- 13 Menzies Report, p.37.
- 14 Cablegram from the Australian Legation at The Hague to Minister of Immigration, 7 May 1947, AA CRS A1068, item IC47/31/14.
- 15 Menzies Report, p.36; Rodal, 'Nazi War Criminals in Canada,' p.84; cablegram from the Australian Military Mission, Berlin, to Minister of Immigration, 25 September 1947, AA CRS A1068, item IC47/31/14.
- 16 Jewish Council, *Annual Report*, 1949/50.
- 17 Cablegram from Calwell to Brigadier White, head of the Australian Military Mission in Berlin of 18 September 1947, AA CRS A1068, item IC47/31/14.
- 18 Menzies Report, pp.69–70.
- 19 Menzies Report, p.70.
- 20 Richard Hall, *The Secret State* (Cassell: Australia, 1978) pp.36 and 39.
- 21 Menzies Report, p.70. There was a thriving business in the removal of the SS and blood group tattoos after the war. Western intelligence recorded that Baltic state Nazis were active in organising this trade and that those wanting to remove the tattoos had little trouble procuring the necessary medical treatment. See, e.g., report of 14 December 1949 by an ASIO Liaison Officer, Köln, attached to a memo from Captain K.G. Turbayne to the Senior Security Officer, Australian Embassy, The Hague, 8 January 1952, AA CRS A6119/90, item 2743, Verner Hans PUURAND.
- 22 Menzies Report, p.70.
- 23 Jewish Council, *Annual Report*, 1948/49.
- 24 Rutland, *Diaspora*, pp.232–35. Jews were allowed to migrate under the DP scheme, as well as using Landing Permits, a method by which the Australian Jewish community sponsored many of Hitler's victims.
- 25 Rutland, *Diaspora*, p. 235.
- 26 *New Citizen*, 15 December 1949, and *Clarion*, March 1952.
- 27 Rutland, *Diaspora*, p.238.
- 28 Menzies Report, p.40; Janis Wilton and Richard Bosworth, *Old Worlds and New Australia: The Post War Migrant Experience* (Penguin: Melbourne, 1984), p.19; Rutland, *Diaspora*, pp.399–404.
- 29 Jewish Council, *Annual Report*, 1949/50.
- 30 'A Report on Jewish DPs in Canberra,' from the personal records of former ECAJ Secretary, Walter Lippman.
- 31 Jewish Council *News Letter*, Melbourne, September 1949. Indeed, there were numerous Jewish community investigations of conditions in migrant centres at this time, and they established beyond doubt that anti-Jewish sentiment and violence was common among a Nazi element of the DPs.

- 32 Dossier of alleged Nazis prepared by the ECAJ, March 1951, AAJ, ECAJ Files, Box E40.
- 33 'A Report on Jewish DPs in Canberra.'
- 34 Interview with Sam Goldbloom, 17 December 1985.
- 35 'A Report on Jewish DPs in Canberra.'
- 36 *Sunday Times*, 20 March 1949.
- 37 *Sydney Sun*, 21 and 22 July 1949, and *Sydney Daily Telegraph*, 22 July 1949.
- 38 *Sydney Sun*, 21 October 1949, quoted in *Jewish Council News Letter*, November 1949.

Chapter Twelve

Harold Holt: The Political Cover-Up Continues

- 1 Menzies had received the help of the High Court, which had frustrated Labor's program, especially plans for nationalisation of the banks. While Chifley and his supporters showed they could be tough on communism by cracking down on communist-led trade unions, this was not enough to forestall Australia's swing to the right. On 10 December 1949, Australian electors gave the Prime Ministership to Robert Menzies, and he kept it for the next fifteen years, while his Coalition government remained in office for 23 years.
- 2 *Sydney Sunday Herald*, 18 December 1949.
- 3 For example, see material in AAJ, ECAJ Files, Box E40.
- 4 CIS records, AA CRS A445, item 271.2.4. Arnoldi's case is discussed in the SIU's Final Report, p.184. He is listed as PU247.
- 5 CIS records, AA CRS A445, item 271.2.4.
- 6 Dossier of alleged Nazis, AAJ, ECAJ Files, Box E40.
- 7 CIS records, AA CRS A445, item 271.2.4, and letter of 16 April 1951, AAJ, ECAJ Files, Box E2, and dossier of alleged Nazis, AAJ, ECAJ Files, Box E40. Keleman's case is discussed in the SIU's Final Report, p.180. He is listed as PU66.
- 8 CIS records, AA CRS A445, item 271.2.4. László's case is discussed in the SIU's Final Report, pp.177–178. He is listed as PU14.
- 9 *Melbourne Truth*, 10 December 1949. Bontschek's case is discussed in the SIU's Final Report, pp.173–176. He is listed as PU26.
- 10 *Melbourne Truth*, 6 March 1948, and *Melbourne Herald*, 9 April 1948.
- 11 Letter of 1 August 1947, AA CRS A6126/XRI, item 81.
- 12 Menzies Report, pp.43–45.
- 13 CIS reports of 12 November 1947 and 25 November 1949, AA CRS A6126/XRI, item 81.
- 14 CIS report of 25 November 1947, AA CRS A6126/XR1, item 81.
- 15 See anonymous letter of 1 August 1947 to the Victorian Police, memo of CIS Director of 10 March 1950, and *Melbourne Herald* of 20 March 1950, AA CRS A367, item C84814.
- 16 Phone conversation, May 1986.
- 17 *Melbourne Truth*, 24 December 1949. See also 'Material on DP's and Anti-Semitism,' 23 September 1949, AAJ, Dr Max Joseph Collection.
- 18 1949 draft letter, and 'Material on DP's and Anti-Semitism,' AAJ, Dr Max Joseph Collection.
- 19 Also see *Australian Jewish News*, 22 July 1949 for coverage of the allegations.
- 20 Letter of Deputy CIS Director R. Williams to Commonwealth Migration Officer in Sydney of 13 October 1949, AA CRS SP 1714/1, item N53384.
- 21 Letter of 28 March 1951, from Holt to ECAJ President Ben Green, AAJ, ECAJ Files, Box E2.

22 Letter of 30 December 1949, A A CRS A445, item 271.2.4. Podwysocki's case is discussed in the SIU's Final Report, pp.181-182. He is listed as PU68.

23 Letter of 30 December 1949, AA CRS A445, item 271.2.4. Sidor's case is discussed in the SIU's Final Report, pp.182. He is listed as PU69.

24 Letter of 30 December 1949, A A CRS A445, item 271.2.4. Možina's case is discussed in the SIU's Final Report, pp.178-179. He is listed as PU36.

25 Letter of 30 December 1949, AA CRS A445, item 271.2.4. Dovans's case is discussed in the SIU's Final Report, pp.179-180. He is listed as PU64.

26 Memo of 12 January 1950 and Note for Minister by T.H.E. Heyes, Secretary of the Immigration Department, of 18 January 1950, AA CRS A445, item 271.2.4.

27 Menzies Report, p.74.

28 *Tribune*, 25 January 1950, AA CRS A6122 XRI, item 163.

29 Memo of 14 February 1950, A A CRS A6122 XRI, item 163. Besides, many of the refugees were strongly anti-communist and might prove themselves useful in the looming fight against communist influence in the trade unions, an issue with which the Labor Party was just coming to terms as the DP scheme got into full swing. That Calwell regarded such political considerations as important is perhaps shown by his prejudice against the mainly left-wing Spanish refugees from Franco. The IRO constitution specifically mentioned that these Spaniards were eligible for resettlement, but Calwell expressly ruled them out of Australia's DP scheme. The mentality which pervaded the Immigration Department at this time is perhaps best summed up by a draft letter presented for Holt's signature in response to correspondence from E.W. Renouf, a

solicitor in the Legal Service Bureau of the Federal Attorney General's Department. Renouf's letter concerned some of the allegations detailed above and in response the Department proposed that Holt's reply include the following paragraph: 'I must inform you that charges and counter charges of the nature of those in your correspondence are not unusual among these people. On investigation it is generally found that the informant is actuated by religious or national bias and that the charges cannot be substantiated.' While this paragraph was eventually excised from Holt's reply, it was a commentary that set the whole tone for his years as Immigration Minister, furnishing what later became one of his standard lines. Inheriting the problems associated with Calwell's immigration scheme, he adopted the same stubborn refusal to deal with the mounting evidence that the screening methods were so lax that numerous Nazis were slipping through. As the anti-communist hysteria of the early 1950s developed, this stance hardened into repeated and deliberate lies. Successive conservative administrations reiterated these lies, which were only overturned in 1986, long after the initial heat had gone out of the debate. Many of the potential witnesses were by then dead or extremely old, prompting some to argue that it was too late for justice and that Nazi war criminals in Australia should be allowed to die in peace. Hindsight suggests that it was inevitable that Arthur Calwell and Harold Holt would turn a blind eye to the entry of Nazis. For Calwell, the issues at stake were far too important to let a few 'bad apples' disrupt a program which could secure the very existence of a prosperous and basically 'white' Australia. However,

Calwell had major problems in selling the DP migrants to the Australian public. Having promised that the vast bulk would be British, the Minister had to convince Australians to accept the Central and Eastern European refugees. They were not what the public was expecting, or accustomed to. Narrow-minded Australians greeted the new arrivals with considerable derision, even contempt, labelling them 'reffos' and 'Balts.' Some were concerned that they would take Australians' jobs and out of this fear grew special provisions to indenture migrants for two years, often on remote rural-based projects. This wave of migrants was the 'factory fodder' of an economic revolution in Australia, filling more than 70 percent of the new jobs created in the steel industry, and about half the new jobs in the Snowy Mountains construction project. Others worked on building and maintaining roads and railways, water storage and reticulation, and electricity projects. In this way the DP scheme fuelled Australian economic expansion, providing the conditions for a rapid improvement in the general standard of living. Too much was at stake, therefore, to deter Arthur Calwell from his policies merely because of allegations that a few Nazis were mixed in with the *bona fide* refugees. The same considerations applied to Harold Holt's tenure of the Immigration portfolio. By 1950, the economic imperatives were even greater for the Liberals as they strove to demonstrate that they could achieve lasting prosperity while their 'socialist' opponents could not. Incoming Prime Minister Robert Menzies also wished to exploit the rising tide of anti-communist hysteria, which reached a crescendo in the early 1950s as the Cold War turned hot in Korea. As will be seen, this was an

important additional reason for the new Liberal government's attitude to arriving Nazis, for many of them were to prove useful political allies in the public relations battle against the 'Red Menace.' See also draft letter of 19 January 1950, AA CRSA445, item 271.2.4, and Collins, *Migrant Hands*, pp.22, 23, 53 and 56.

30 For example, see *Sydney Morning Herald*, 21 January 1949.

31 Menzies claimed that Australian communists were so pro-Soviet they would endanger national security when the inevitable war with international communism began.

32 *Sydney Morning Herald*, 9 August 1938.

33 Francis James, 'How Menzies Misjudged Hitler's Threat,' *Bulletin*, 27 July 1982.

34 Interview with Sam Goldbloom, October 1977. This theme was also seen by critics of the post-war immigration program as being linked to the politics of the Menzies government over Nazi migrants. Both Calwell and Holt justified the program on humanitarian, economic and defence grounds, but others believed that the large numbers of right-wing anti-communists among the migrants were intended to be a political counterforce to the Australian left. The immediate post-war environment saw many Australians looking for real changes from the economic and social set-up which had led to the Great Depression and the political upheavals of the 1930s. These critics were not surprised when the Liberal Party and the right wing of the Labor Party warmly embraced these anti-communist refugees and actively took up their causes. Interview with Sam Goldbloom, 17 December 1985.

35 Report of 26 March 1949, AA CRS A445, item 194/2/4.

36 Notes for Keith Mattingley, 'German Refugees in Germany: Who Are the Volksdeutsche?', AA CRSA445, item 194/2/4.

37 Refugees Defence Committee paper, 'Proposal for a New Era of Emigration,' by Sir Clifford-Heathcote Smith, 7 April 1949; and Notes for Keith Mattingley, 'German Refugees in Germany: Who Are the Volksdeutsche?', AA CRS A445, item 194/2/3. Technically, the term 'Volksdeutsche' applied only to ethnic Germans living outside Germany who had been specifically granted citizenship by the Third Reich. In practice, it came to be applied to all Germans who had been expelled from their original homelands at the end of the war and had become refugees. This was not strictly accurate, as there were many Germans who were actually citizens of the Reich who had fled from the communist-dominated eastern sectors of Germany proper who often were confused for Volksdeutsche.

38 Cablegram from Galleghan to Departments of Immigration and External Affairs, 18 February 1949, AA CRS A445, item 194/2/4.

39 Cablegram from Nutt, Department of Immigration, to Galleghan, 2 March 1949, AA CRS A445, item 194/2/4.

40 'German Volksdeutsche and German Refugees from East Prussia,' AA CRS A445, item 194/2/4. Among those Galleghan consulted were the officer in charge of expellee/refugee issues in the British zone, Colonel D. Logan-Gray, Major General George Hays, the American Deputy High Commissioner and his British counterpart, Mr C.E. Steel.

41 Letter from Galleghan to Heyes, 9 November 1949, and Office of Military Government for Germany (US) 'Weekly Intelligence Report,' 24 September 1949,

AA CRS A445, item 194/2/4.

42 'Suggested Mass Migration of German Refugees,' AA CRS A445, item 194/2/4.

43 For aspects of Western denazification policies, and use of Nazis in anti-communist operations, see Tom Bower, *The Pledge Betrayed*, and Cookridge, *Gehlen*.

Chapter Thirteen

Harold Holt: Blackmailing the Jews

1 Casey letter of 2 June 1950 to Immigration Minister Holt, AA CRS A445, Item 194/2/3 P3.

2 John Loftus in *Nazis in Australia*, ABC Radio National, 27 April 1986.

3 For details of Gisevius see Ranelagh, *The Agency*, pp.76–78; Leonard Mosley, *Dulles* (Dial Press: New York, 1978), pp.138–40, 148, 162–64; Joseph Persico, *Piercing the Reich* (Viking Press: New York, 1979); Höhne, *Canaris*; Robert Wistrich, *Who's Who in Nazi Germany* (Weidenfeld and Nicolson: London, 1982); Joachim Fest, *Hitler* (Weidenfeld and Nicolson: London, 1973); and Anthony Cave Brown, *Bodyguard of Lies* (W.H. Allen: London, 1977).

4 AA CRS A445, Item 194/2/3 P3.

5 Memo to Holt from Heyes, March 1951, AA CRS A445, item 194/2/4. Gisevius did not mention that many of the Volksdeutsche had been expelled in retribution for their roles as fifth columnists before the war, or for their brutal actions during the Nazi occupation. The distinction Gisevius drew between Czechoslovakia and the Sudetenland shows that he shared the Nazi belief that this part of Czechoslovakia rightfully belonged to Germany. He did not mention the Volksdeutsche's role in the dismemberment of that country in 1938.

- 6 Cablegram from Australian Mission Berlin to Immigration and Prime Minister's Departments of 11 September 1950, AA CRS A445, item 194/2/4.
- 7 Aide-Mémoire of 27 September 1950, AA CRS A445, item 194/2/4.
- 8 Newspaper article by Holt, AA CRS A445, item 194/2/4.
- 9 Department of Immigration papers, 'German Migration,' AA CRS A445, item 194/2/4 P4, and 'Talking Points for a Discussion on: "The Emigration of German Nationals to Australia";' AA CRS A445, item 194/2/3 P3.
- 10 Memo of October 1950 from Heyes to Secretary of External Affairs, AA CRS A445, item 194/2/4. They also wanted help with housing construction, proposing that prefabricated houses and hostel units should be made available to be imported into Australia.
- 11 Melbourne *Argus*, 12 September 1950.
- 12 Newspaper article by Holt, AA CRS A445, item 194/2/4.
- 13 Quoted in 'The Case against German Migration,' from the personal records of Walter Lippman, former Secretary of the ECAJ. At this time, the Jewish leader, Ernest Platz, provoked a sharp response from Holt when he accused the Minister of claiming that the Volksdeutsche were not Nazis. Holt replied that he had never said 'that no Volksdeutsche were at any stage Nazis. To do so would be folly. It would be just as foolish to say that no Australian is a communist. But it would be as equally wrong to generalise and say that *all* Volksdeutsche were Nazis because some were as to generalise and say that *all* Australians are communists because some are.' Holt statement, 12 September 1950, AA CRS A445, item 194/2/3 P3.
- 14 Department of Immigration paper, 'German Refugees in Germany,' 23 August 1950, AA CRS A445, item 194/2/3 P3.
- 15 Report by Dr C.A. MacCartney, AA CRS A445, item 194/2/3.
- 16 Holt apparently took more notice of the views of Dr S.C. Michelfelder, Executive Secretary of the Lutheran World Federation who visited Australia in September 1950. The purpose of his trip was to lobby in favour of German, especially Volksdeutsche, immigration. At a meeting with acting Immigration Department secretary, A. L. Nutt, Michelfelder spoke 'glowingly of the calibre and qualities of the very large numbers of Volksdeutsche known to his organisation who would be keen to settle in Australia.' The Lutheran World Federation was part of an international Church effort involving Mennonite, Catholic and Lutheran organisations, the main focus of which was the Volksdeutsche, on whose behalf they waged an effective international campaign, especially in the countries taking large numbers of migrants. Ironically, on one occasion in February 1950, they complained to Canadian Immigration Minister Harris that he was rejecting on security grounds German migrants who were subsequently admitted to Australia. See Sol Littman, Simon Wiesenthal Centre, 'Report on the Presence of War Criminals in Canada,' submission to the Deschenes Commission of Inquiry, 24 April 1985, Toronto.
- 17 Menzies Report, pp.42–43.
- 18 Melbourne *Argus*, 14 September 1950.
- 19 Letter from Greenhalgh to Heyes, 12 October 1950, AA CRS A445, item 194/2/3 P3.
- 20 Heyes was a former director of the Australian War Memorial and an official of the Defence Department. He reacted to his appointment as Immigration Department head in 1946 by admitting that he knew

nothing about immigration. Arthur Calwell ranked Heyes's performance 'with the best and most highly successful departmental heads' in Australian history. A recent study has described him and his senior colleagues in the Department as 'honest and hardworking; blinkered, conservative.' Calwell, *Be Just and Fear Not*, p.97; and Wilton and Bosworth, *Old Worlds*, pp.19–20.

21 One case involved a former commander of the SS guard at an Austrian concentration camp who had been inadvertently accepted by the Australian Jewish Welfare Society when he adopted a sophisticated cover. Most of the 18,000 post-war Jewish immigrants came under the auspices of the Jewish Welfare Society, yet Heyes singled out these three cases. In fact, they represented a tiny fraction of the Nazis who made it through official screening. See material relating to the cases of Egon Karl Lerch, Herbert Bandmann and Edith Tomasi, AAJ, ECAJ Files, Box E27, for example, the letter from Heyes to Saul Symonds of the ECAJ of 24 June 1947. Also, *Australian Jewish Times*, 30 September 1988 and Matthew Ricketson in *Weekend Australian*, 26–27 November 1988 cover aspects of these cases.

22 Statement by Holt, 12 September 1950, AA CRS A445, item 194/2/3 P3.

23 *Sydney Morning Herald*, 2 September 1950.

24 See, for example, Melbourne *Argus* editorials of 5 September and 23 November 1950, Clive Turnbull's article 'Can Australia Risk a German Fifth Column?,' *Argus*, 9 September 1950, and the statement of ECAJ President, Ben Green, *Argus*, 4 November 1950.

25 Letter from Ashkanasy to Holt, of 30 August 1950, AAJ, ECAJ Files, Box E2.

26 Melbourne *Herald*, 23 November 1950,

as quoted in *New Citizen*, 15 December 1950, and ECAJ document, AAJ, ECAJ Files, Box E40.

27 *New Citizen*, 15 July 1950, as quoted in the *Jewish Council News Letter*, August 1950.

28 *Sydney Morning Herald*, 17 September 1950.

29 *Perth Daily News*, 4 January 1951.

30 *Jewish Council News Letter*, June 1951.

31 *New Citizen*, 15 July 1950, as quoted in the *Jewish Council News Letter*, August 1950; and *Sydney Daily Telegraph*, 8 June 1950.

32 *Argus*, 8 and 9 June 1950; *Sydney Daily Telegraph*, 8 June 1950; and correspondence between Holt and the ECAJ, 14 and 31 August 1950, AAJ, ECAJ Files, Box E2.

33 *Sydney Daily Telegraph*, 8 June 1950, and Melbourne *Argus*, 25 November 1950.

34 This disclosure prompted C.W. Joyce, Victorian State Secretary of the Returned Services League, to ask whether Australia's door was wide open to 'enemy agents.' Melbourne *Argus*, 10 June 1950. The RSL's senior national officials were then supporting Mr Holt's policy, but there was little rank-and-file support at this stage, as shown in the clear majority against German mass migration at the August New South Wales RSL Congress. NSW Association of Jewish Ex-Servicemen and Women pamphlet, 'Why Let Them Do it to Us,' undated, circa late 1950.

35 *Sydney Morning Herald*, 3 November 1950.

36 Holt stated that he fully understood 'the feelings of those who suffered so cruelly at the hands of our former enemies, and they have my utmost sympathy,' but these feelings could not be allowed to influence government policy. The issue of German migration 'cannot be judged on an emotional basis.' Holt continued by

emphasising that it 'must be approached realistically from the point of view of this country's particular needs.' He then reiterated the familiar economic arguments for the immigration program, pointing out that with 'comparatively few exceptions, German migrants and their descendants have proved themselves loyal and law abiding citizens.' Letter from Holt to Ashkanasy, 17 October 1950, AAJ, ECAJ Files, Boxes E2 and E13. Holt did not refer to the sophisticated Nazi Party organisation which had developed in Australia in the 1930s that had involved hundreds of German migrants, or to the trouble they had caused the Security Service during the war. See Nazi Party membership lists, AA CRS A6122, item 161; External Affairs and CIS memos of 25 July, 9 and 21 August 1946, AA CRS A1067/1, item E46/15/19; and memo of W.B. Simpson, Director General of Security, AA CRS A373, item 7786/89.

37 Letter from Holt to Ashkanasy, 17 October 1950, AAJ, ECAJ Files, Box E2.

38 See, for example, the letter reporting a meeting with Paul Hasluck, Minister for Territories, from Rubin Zacks to ECAJ President Ben Green, 7 February 1951, AAJ, ECAJ Files, Box E3.

39 Extract from *Hansard*, 7 November 1951, AA CRS A6122XRI, item 163.

40 Headed by Sir Eric Millhouse, the RSL group had visited DP camps where migrants were selected and reported that 'it would be almost impossible for any Nazi or any other subversive person to get through the security screening net.' *New Citizen*, 15 December 1949. See also letter from Holt to Labor parliamentarian Eddie Ward of 20 June 1951, AA CRS A445, item 194/2/10 P11, and 'Talking Points for a Discussion on "The Emigration of German Nationals to Australia"', AA CRS A445, item 194/2/3 P3.

41 The campaign was by then well organised, attracting considerable public support and packing big protest meetings in a number of capital cities. The Sydney Town Hall meeting of 26 February 1951 was chaired by Leslie Haylen and addressed by Dr Evatt and Labor Senator Justin O'Byrne. *Sydney Daily Mirror*, 20 February 1951.

42 *West Australian*, 28 February 1951.

43 Ministerial cabinet submission on 'Proposals re German Migration to Australia,' AA CRS A445, item 194/2/3 P3. The government began to put considerable pressure on the Jewish community, and by the end of 1951 community leaders were fully aware of what they were up against. Ashkanasy's successor as ECAJ President, Ben Green, outlined his understanding of the government's German Mass Migration scheme in a confidential report. He stated that many among the Western allies feared that the vast pool of displaced ethnic Germans in West Germany would not be absorbed, and would turn to communism if their problems were not dealt with. To alleviate the situation, every effort was being made to enable them to emigrate to South America, Australia and Canada, whose governments were 'undoubtedly under strong "diplomatic" pressure to cooperate with America and Britain by accepting as many of these Germans as they can absorb.' Green had written to Holt almost a year earlier to express the ECAJ's complete lack of confidence in the screening process, 'confirmed by our knowledge of the number of Nazis and Nazi collaborators who, in the guise of displaced persons, have already entered Australia through the security screen.' Green told Holt that 'no system of screening, selection, or examination can see into the hearts and minds of the present

generation of Nazi-indoctrinated Germans,' but pointed out that the community stood 'four square' behind all other aspects of the government's immigration program. See 'Confidential Report' by Green to the Committee of Management and Interstate Vice Presidents of ECAJ, 30 November 1951, AAJ, ECAJ Files, Box E13, and letter of 5 January 1951 from Green to Holt, AAJ, ECAJ Files, Box E2.

44 Jewish Council *News Letter*, June 1951.

45 Letter of 13 February 1951 from ECAJ Secretary Lippman to M. Adelson, South Australian Jewish Board of Deputies, AAJ, ECAJ Files, Box E3; and dossier of Nazis prepared by the ECAJ, March 1951, AAJ, ECAJ Files, Box E40. Gelsen's case is discussed in the SIU's Final Report, pp.194-195. He is listed in the report as PU48. Other claims originated from foreign sources, such as the World Jewish Congress Press Survey and the *Information Bulletin* of the Jewish community in Düsseldorf. One concerned a member of the Nazi police in the Tarnopol District in the Ukraine who allegedly was involved in the killing of a large number of Jews before he fled to Australia. His assistant in the crimes allegedly also came to Australia after being refused entry into America. According to the Jewish Central Committee in Belsen, both men had entered the country under assumed names. Ernest Platz in Jewish Council *News Letter*, November 1950; letter of 19 March 1951 from K. Baum of the World Jewish Congress Information Department; WJC *Press Survey* of 21 December 1950, AAJ, ECAJ Files, Box E3; and dossier of Nazis prepared by the ECAJ, March 1951, AAJ, ECAJ Files, Box E40. Nothing was done, but thirty-five years later the Soviet authorities indicated that there could have been some truth to

the charges made against one of these men. They claimed that a man of the same name had joined the Organisation of Ukrainian Nationalists in 1935 and participated in mass killings during the Nazi occupation. See Soviet document, Ukrainian Archives. No further trace has been found of the other accused war criminal.

46 Holt's speech to the Australian Citizenship Convention, 22 January 1951, AAJ, ECAJ Files, Box E13.

47 Green also attacked Holt's continued depiction of Jewish opposition to German migration as 'sectarian bitterness,' insisting that it was a distortion of the real level of public support for the campaign. See Sydney *Daily News*, 1 March 1951; 'The Case against German Migration'; letters from Holt to Green, 18 January 1951; Sam Cohen to H. Wolfensohn of 16 March 1951 and Green to Holt of 19 March 1951, AAJ, ECAJ Files, Boxes E2 and E40; and Dossier of Nazis prepared by the ECAJ, March 1951, AAJ, ECAJ Files, Box E40.

48 Adelaide *News*, as quoted in the Jewish Council *News Letter*, February 1951; Melbourne University Labor Club leaflet, 'Nazi Germans for Australia,' 1951; letter from Holt to Green of 28 March 1951, AAJ, ECAJ Files, Boxes E2 and E40; and Department of Immigration Report on German Migration, AA CRS A445, item 194/2/4 P4.

49 *Argus*, 23 November 1950.

50 *Argus*, 24 November 1950.

51 *Argus*, 23 November 1950.

52 Carlton Youth Committee leaflet, 1951, and letter of 8 February 1951, AA CRS A445, item 194/2/3 P3. Greenhalgh's candid admission was, of course, in sharp contrast to the repeated assurances given by Holt, Heyes and the other officials responsible for immigration screening. Indeed, the Minister claimed to be so confident of the screening

system's efficiency that he declared that he was 'quite satisfied that the screening methods' were 'as adequate as we can make them' and that it was highly improbable that Nazis, or more importantly, communists, would succeed in getting through them. See, for example, Holt's reply to a question asked by Leslie Haylen on 7 November 1951.

53 For examples of security interest in communist influence on Jewish and Yugoslav organisations see AA CRS A6122XRI, items 169, 179 and 182.

54 Interview with Sam Goldbloom, 17 December 1985. One such example is cited in McKnight, *Australia's Spies and their Secrets*, pp.140–142.

55 For information on ASIO'S role in the naturalisation process see the statements of former Director General Peter Barbour, *Hansard*, Select Committee on Civil Rights of Migrant Australians, 8 August 1973, p. 332.

56 Rutland, *Diaspora*, p. 327.

57 Letter from Ashkanasy to Green, 1 October 1950, AAJ, ECAJ Files, Box E2.

58 In December 1950, Ashkanasy claimed that Waten's 'real affiliations lay elsewhere' and that the 'Council does a good job in the detailed work of defence, but since Mr Waten – that cunning and brilliant diplomat – has been in power, accidents have begun to happen. Our youth have become mixed up with communists.' Report of the 1950 Annual General Meeting of the Victorian Jewish Board of Deputies, *Australian Jewish Herald*, 22 December 1950

59 Leading members of the Council played into the hands of the Ashkanasy group, by defending the indefensible, denying the re-emergence of anti-Semitism in communist Eastern Europe and even supporting the communist purges in Czechoslovakia. Although many able leaders continued to

support the Council, including future Labor Senator Sam Cohen, as well as some Liberal Party members, the writing was on the wall. Interview with Sam Goldbloom, 17 December 1985. For reports of this factional battle see *Australian Jewish Herald*, 20 and 27 June 1952, 4 and 25 July 1952; and *Australian Jewish News*, 27 June 1952 and 4 July 1952. The Sydney branch of the Jewish Council continued to be affiliated with the New South Wales Board of Deputies, which remained more liberal in its outlook.

60 Interviews with Syd Einfeld, Lew Wilkes, Norman Rothfield and Lou Jedwab, 24 April 1986. When asked about this incident in 1986, Einfeld did not remember that particular meeting. He did, however, confirm that Holt put considerable pressure on him to curtail the Council's activities. A slightly different, but nonetheless basically similar account, is given by one of the participants, Norman Rothfield, in his article 'Melbourne Jewry's Cold War: My Years with the Jewish Council to Combat Fascism and Anti-Semitism,' *Australian Jewish Historical Society Journal*, Volume XI, Part 6, June 1993, p.968.

61 Rutland, *Diaspora*, pp. 334–35.

62 For an example of this, see *Bulletin*, 19 April 1961. The official Jewish leadership, concerned with the vital issues of helping to build Israel and lobbying to support it against its enemies, henceforth opted for a lower key, diplomatic approach to government over Nazi immigration. The friendly relations between the ECAJ, the community's peak body, and the Jewish Council came to an abrupt end. After the Council's expulsion from the Victorian Board of Deputies, the ECAJ refused to give any status to communications from the Council, adopting an increasingly

hostile tone in dealing with approaches from its leaders. Suggestions made by Council officials to convene a conference to discuss the division were rebuffed by the ECAJ, which went to considerable lengths to discredit it in the eyes of politicians and officials, urging that the Council should be accorded no official status. See letters from ECAJ to Jewish Council of 16 October 1952, 11 and 24 September 1952, 15 December 1953, AAJ, ECAJ Files, Boxes E1, E14 and E24; and ECAJ letters to Holt, Casey, Evatt, Calwell and others of 24 July 1952, AAJ, ECAJ Files, Box E24.

63 Interview with Sam Goldbloom, 17 December 1985

Chapter Fourteen

Brigadier Spry: The Intelligence Cover-Up

1 Immigration Department memo, 'Talking Points for a Discussion on: The Emigration of German Nationals to Australia,' AA CRS A445, item 194/2/3 P3; and Menzies Report, p.46.

2 For examples see Melbourne *Argus*, 17 November 1951, and *Hansard*, 7 November 1951 and 14 November 1951, p. 1980.

3 Menzies Report, p.50.

4 Wilton and Bosworth, *Old Worlds*, p.21.

5 *New Citizen*, 15 November 1950, and Rutland, *Diaspora*, p.330.

6 *Handbook of the Nazi Party*, published by the US State Department, as cited in, 'The Case against German Migration.'

7 Menzies Report, pp.49–50.

8 Letter to Tasman Heyes of 8 February 1951, AA CRS A445, item 194/2/3 P3.

9 Letter from Holt to Green, 23 June 1952, and letter from acting Immigration Minister Howard Beale to Einfeld,

8 August 1952, AAJ, ECAJ Files, Box E24. 10 *Hansard*, 14 November 1951, pp.1980–81.

These allegations are reported in the SIU Final Report as 'The Haylen List' because the Labor Member for Parkes, Leslie Haylen, forwarded the list of names to Holt on 12 October 1951. See SIU Final Report, pp.189–198.

11 Melbourne *Herald* and *Argus*, 12 July 1951.

12 Letter from Judah Waten to Sam Cohen of 11 July 1951, AAJ, ECAJ Files, Box E13.

13 Melbourne *Argus*, 17 November 1951.

14 Memo to ASIO Director General of 24 January 1952, AA CRS A6122XRI, item 163.

15 Memo of 14 February 1952 from ASIO Regional Director for NSW to ASIO Director General, AA CRS A6122XRI, item 163. On aspects of Richards's career, see McKnight, *Australia's Spies and Their Secrets*, p.48.

16 Memo of 14 February 1952 from ASIO Regional Director for NSW to ASIO Director General, AA CRS A6122XRI, item 163.

17 Menzies Report, pp.51–52.

18 Menzies Report, p.63.

19 Memo from ASIO Director General to Regional Director NSW, February 1952, AA CRS A6122XRI, item 163.

20 Letter from Immigration Secretary Heyes to ASIO Director General of 25 October 1951, AA CRS A6122XRI, item 163.

21 Memo of 29 February 1952 from ASIO Director General to Immigration Department Secretary, AA CRS A6122XRI, item 163.

22 Memo of 29 February 1952 from ASIO Director General to Immigration Department Secretary, AA CRS A6122XRI, item 163, and SIU Final report, p.190. Köttig is listed in the report as PU 29.

23 'Record of Employment and Studies,' Rohnstock dossier, AA CRS MT105/8/1, item 1/6/6851.

- 24 A detailed discussion of ESTEA can be found in the series of articles by Gerard Ryle and Gary Hughes, 'Secret Science: Importing the Nazis,' *The Sydney Morning Herald*, 16 and 17 August 1999. On Rohnstock's recruitment to work in Australia, see his letter (Attention Mr Harris), 28 April 1950 (and attached Biography), memos from M.A. Brooke, Officer-in-Charge, Australian Scientific and Technical Mission, London to the Director, Division of Industrial Development, Ministry of National Development, Melbourne, 8 and 31 May and 27 June 1950 and 12 January 1951, and contract of employment, 10 January 1951, AA CRS MT105/8/1, item 1/6/6851.
- 25 'Record of Employment and Studies,' Rohnstock dossier, AA CRS MT105/8/1, item 1/6/6851, and memo from ASIO Field Officer to PSO B1, 5 February 1952, AA CRS A6126/27, item 1125, ROHNSTOCK, Kurt.
- 26 Letter from H.L.P. Jolly, Regional Scientific Research Officer to Scientific Research Branch (Attention Mr Adair), 20 November 1950, AA CRS MT105/8/1, item 1/6/6851.
- 27 Memo from M.A. Brooke, Officer-in-Charge, Australian Scientific and Technical Mission, London to the Director, Division of Industrial Development, Ministry of National Development, Melbourne, 12 December 1950, AA CRS MT105/8/1, item 1/6/6851.
- 28 Contract of employment, 10 January 1951, AA CRS MT105/8/1, item 1/6/6851.
- 29 Memo from J.E.S. Stevens, Secretary Department of National Development to the Minister for National Development, 12 February 1951, AA CRS MT105/8/1, item 1/6/6851.
- 30 Letter from R.F. Archer, Secretary, Snowy Mountains Hydro-Electric Authority to the Director, Division of Industrial Development, 3 December 1951, AA CRS MT105/8/1, item 1/6/6851.
- 31 Letter from Rohnstock to G. W. Sharwood, Division of Industrial Development, 12 May 1952, AA CRS MT105/8/1, item 1/6/6851.
- 32 Memo from ASIO Field Officer to PSO B1, 5 February 1952, AA CRS A6126/27, item 1125, ROHNSTOCK, Kurt.
- 33 Memo of 29 February 1952 from ASIO Director General to Immigration Department Secretary, AA CRS A6122XRI, item 163, memo from ASIO Field Officer to PSO B1, 5 February 1952 and undated summary of O'Byrne's allegations, AA CRS A6126/27, item 1125, ROHNSTOCK, Kurt.
- 34 Memo for ASIO Director General from Ron Richards, NSW Regional Director, 12 February 1952, AA CRS A6126/27, item 1125, ROHNSTOCK, Kurt.
- 35 For accounts of this, see Tom Bower, *The Paperclip Conspiracy* (Michael Joseph: London, 1987); and Linda Hunt, 'US Coverup of Nazi Scientists,' *Bulletin of the Atomic Scientist*, April 1985.
- 36 Menzies Report, p.46.
- 37 For an account of the failure of denazification, see Tom Bower, *The Pledge Betrayed*.
- 38 SIU Final Report, p.191. Rohnstock is listed in this report as PU 302.
- 39 Undated memo, AA CRS A6126XRI, item 82.
- 40 Memos of 5 and 14 February 1952 to Spry, AA CRS A6126XRI, item 82.
- 41 SIU Final Report, pp.191-192. Jakel is listed in the report as PU303.
- 42 Memo of 29 February 1952 from ASIO Director General to Immigration Department Secretary, AA CRS A6122XRI, item 163.
- 43 Memo of 9 November 1951, AA CRS A6126XRI, item 82.

- 44 Memo of 29 February 1952 from ASIO Director General to Immigration Department Secretary, AA CRS A6122XRI, item 163.
- 45 Memo to ASIO Director General from South Australian Regional Director of 19 February 1952, AA CRS A6122XR1, item 163.
- 46 Memo to ASIO Director General from South Australian Regional Director of 12 March 1952, and to ASIO Headquarters of 10 August 1953, AA CRS A6122XRI, item 163.
- 47 Memo from ASIO South Australian Regional Director to ASIO Headquarters of 10 September 1953, AA CRS A6122XRI, item 163.
- 48 Memos from ASIO Acting South Australian Regional Director to ASIO Headquarters of 11 March and 2 April 1954, AA CRS A6122XRI, item 163.
- 49 Letter of 8 December 1952 to Spry, memo of 18 March 1953 to ASIO Headquarters from SA Regional Director, and memo from Spry to all Regional Directors, 1 April 1953, AA CRS A6119XRI, item 262. Newly arrived migrants supported the findings of the official investigations and their claims were featured prominently in the media. In September 1953, one migrant group gave Labor leader Dr Evatt evidence of Nazi organisations operating in Australia. It claimed that fifteen recently arrived Germans were war criminals who had changed their names and were reorganising Nazi cells, especially among the German community in the Barossa Valley. The group provided Evatt with declarations signed by migrants who said that they had been invited to attend meetings of groups disseminating Nazi propaganda, naming clubs in Sydney and Melbourne where Nazi groups were meeting. Reported in the *Adelaide Truth*, 12 September 1953.
- 50 *Sydney Daily Telegraph*, 2 February 1953.
- 51 *Sydney Jewish Council Bulletin*, September 1953.
- 52 Ernest Platz, *The Integration of Migrants in the Australian Community*, Jewish Council, October 1954; and the *Adelaide Truth*, 12 September 1953.
- 53 *Sydney Daily Telegraph*, 2 February 1953.
- 54 *Sydney Sunday Telegraph*, 4 October 1953.
- 55 Platz, *Integration of Migrants in the Australian Community; and People*, 2 June 1954.
- 56 For accounts of the Byelorussian situation see Dallin, *German Rule in Russia* (Macmillan: London, 1957); and Gerald Reitlinger, *House Built on Sand* (Weidenfeld and Nicolson: London, 1960) and *The SS: Alibi of a Nation 1922–1945* (Arms and Armour Press: London, 1981). Loftus, *Belarus Secret*, also deals with the recruitment of Byelorussian war criminals by Western intelligence after the war.
- 57 Radoslav Ostrowsky, *The Second All-Byelorussian Congress* (Cicero: Munich, 1954); Ivan Kosiak, *For the National Independence of Byelorussia* (London, 1960); and *Proceedings of the Fourteenth Plenum of the Byelorussian Central Council, South River, New Jersey, 4 and 5 September 1954* (New York, 1959).
- 58 *Hansard* 25 September 1953, pp. 715–16.
- 59 *Sydney Jewish News*, 10 and 24 March 1950, and ASIO Quarterly Report, circa early-to-mid-1955, cited in McKnight, *Australia's Spies and their Secrets*, p.142. Although this report is in the author's possession, McKnight's citation is incorrect, and to date it has not been possible to trace the document to its actual location in the National Archives of Australia. László's case is discussed in the

SIU's Final Report, pp.177–178. He is listed as PU14.

60 Sydney *Sunday Sun*, 19 March 1950.

61 *New Citizen*, 5 April 1950.

62 ASIO memo of 18 September 1950, AA CRS A6126XRI, item 41.

63 Letter from Holt to Green, of 28 March 1951, AAJ, ECAJ Files, Box E2.

64 Sydney *Sunday Sun*, 26 March 1950.

65 ASIO memos of 17 April, 18 September and 15 December 1950, AA CRS A6126XRI, item 41.

66 ASIO memo of 19 April 1950, AA CRS A6122XRI, item 163. Ritli's case is discussed in the SIU's Final Report, p.233. He is listed as PU40

67 ASIO memo of 16 May 1950, AA CRS A6122XRI, item 163.

68 ASIO translation of *Tarogato*, and ASIO memo of 20 September 1950, AA CRS A6122XRI, item 163.

69 ASIO memo of 15 December 1950, AA CRS A6122XRI, item 163.

70 ASIO memo of 20 September 1950, AA CRS A6126XRI, item 41.

71 Letter from ASIO Director General to Secretary Immigration Department of 10 January 1951, AA CRS A6122XRI, item 163.

72 Sydney *Daily Telegraph*, 24 June 1953, memo from ASIO Regional Director for Tasmania to the Tasmanian Deputy Commissioner of Police of 28 July 1953, and memo from ASIO Regional Director for Tasmania to the Regional Director for Victoria of 30 July 1953, AA CRS A6119XRI, item 171.

73 Richard Arnold was described as a friend and contact of Padanyi, and an 'enthusiastic Arrow-Cross member ... at present living in Adelaide.' Memo from ASIO Director General to Regional Directors for Tasmania and Victoria of 17 July 1953, memo from ASIO Regional Director for Tasmania to the State's Deputy

Commissioner of Police of 28 July 1953, memo of Senior Field Officer of 12 March 1954, and ASIO file cards on Victor Padanyi, AA CRS A6119XRI, item 171.

Padanyi's case is discussed in the SIU's Final Report, p.264. He is listed as PU15.

74 Memo from ASIO Regional Director for Tasmania to the Tasmanian Deputy Commissioner of Police of 28 July 1953, AA CRS A6119XRI, item 171.

75 Letter from Immigration Department Secretary to ASIO Director General of 25 October 1951, and dossiers on Littay and von Rejtho, AA CRS A6122XRI, item 163.

76 Letters to John Playford from Hungarian *émigré* Dezső Repaiacs of 18 July 1963, and from Robert Major of 20 September 1963, and December 1953

Sydney Jewish Council report, AAJ, ECAJ Files, Box E1. See also ASIO memo from the Director General to Regional Director, NSW, 9 April 1952, reporting information passed to the Department of Immigration by 'a Member of the House of Representatives,' AA CRS, A6119/90, item 2735, VON REJTHO, Eugen. The member of parliament was Leslie Haylen.

77 Memo from two ASIO Field Officers to Senior Field Officer, 23 October 1952, AA CRS, A6119/90, item 2735, VON REJTHO, Eugen.

78 SIU Final Report, p.193. Von Rejtho is listed in this report as PU 39.

79 For example, see memo from Travel Officer 'C' Section to 'C,' 4 April 1956, which, apart from the names of von Rejtho and his wife, has four of its five paragraphs entirely blacked out, while the fifth paragraph contains only their address. Another memo from the same author to the same addressee is entirely censored except for the names of von Rejtho and his wife. AA CRS, A6119/90, item 2735, VON REJTHO, Eugen.

80 See memo from ASIO Regional Director, NSW to headquarters (Attention: Director B2), 12 April 1956, telephone message for J. Gilmour, 3 May 1956, memo from Director General to Regional Director, NSW, 9 May 1956, memo from Field Officer to B2, 14 May 1956, memo from Director General to (addressee censored), 17 July 1956, memo from Director General to Regional Director, NSW, 27 July 1956 and memo from Field Officer and Senior Section Officer to B2, 13 December 1956, AA CRS, A6119/90, item 2735, VON REJTHO, Eugen.

81 Braham, *The Politics of Genocide: The Holocaust in Hungary* (Columbia University Press: New York, 1981) p. 572, and letters to John Playford from Hungarian *émigré* Dezső Repaics of 18 July 1963 and 12 August 1963 and from Robert Major of 20 September 1963. In my previous book, I cited a US CIC file on a man named Ferenc Szász, number 85353 3286. This reported that the 430th Detachment of the US army's Counter Intelligence Corps in Austria had investigated Szász before he emigrated to Australia. These CIC files record that Szász had been gaoled in Hernau, Germany, between January 1952 and May 1953, on a charge of indecent assault. The SIU Final Report records, however, that this was not the same man who entered Australia, although their names are identical. Szász is recorded in this report as PU 43, pp.268–269.

82 Letter to the author of 8 March 1979 from Hungarian Consul in Sydney quoting the diary of Ferenc Szálasi. Károly Nesz's case is discussed in the SIU's Final Report, pp.267–268. He is listed as PU37KN.

83 ASIO file cards on Viktor Padanyi and Charles Nesz, AA CRS A6119XRI, items 171 and 254, and Jewish Community 'List of Suspected Leaders of Hungarian Nazis in Australia.' Urmössy's case is discussed

in the SIU's Final Report, p.272. He is listed as PU480.

84 Memo for ASIO Headquarters from Victorian Regional Director of 11 May 1954, Field Officer's report on Charles Nesz of 2 February 1954, memo from Spry to Senior Security Officer in the Australian Embassy, The Hague, of 31 August 1954, and reply from the Hague to Spry, 8 February 1955, AA CRS A6119XRI, item 254. Ferenc Nesz's case is discussed in the SIU's Final Report, p.268. He is listed as PU474.

85 Memo from Spry to Victorian Regional Director of 29 July 1955, and memo from Victorian District Headquarters of 7 October 1955, AA CRS A6119XRI, item 254.

86 Memo from Victorian Regional Director to ASIO Headquarters of 18 October 1955, letters from Spry to the Senior Security Officer, Australian Embassy, the Hague, of 18 October and 20 December 1955, and memo from Spry to Victorian Regional Director of 18 October 1955, AA CRS A6119XRI, item 254.

87 Letter from the Senior Security Officer, Australian Embassy, The Hague, to Spry of 30 November 1955, AA CRS A6119XRI, item 254.

88 Memo from Spry to Queensland Regional Director of 20 December 1955, memo from Spry to the Senior Security Officer, Australian Embassy, The Hague, of 20 December 1955, AA CRS A6119XRI, item 254. For some examples of ASIO's interest in suspected Hungarian communists, see AA CRS A6119XRI, item 253, and ASIO memo of 20 September 1950, AA CRS A6126XRI, item 41.

89 Kántor was assisted by Béla Kovács in Sydney, Stefan Urbán in Melbourne and Dr Ernest Flock in Adelaide, and one of his close associates was Ferenc Antal. *Q* Report, 'Pro-Nazi Migrants,' 14 June 1955, ASIO file cards on Béla Kántor, AA CRS

A6119XRI, item 256. The SIU's Final Report examines the cases of Adorian, pp.264–265 under PU24, Kántor, pp.266–267 under PU28 and Antal, pp.265–266 under PU25. 90 Q Reports, 4 May 1955, 14 November 1955 and 29 May 1956 (recorded on ASIO Index Card), AA CRS A6119/90, item 2734, LADOMERY, Stephen Bela.

91 Assessment by Acting Principal Section Officer, B1 of Naturalisation Application by Ládomey, 12 August 1955, AA CRS A6119/90, item 2734, LADOMERY, Stephen Bela. This report quotes a series of Q Reports collected by ASIO from sources in the Hungarian community.

92 Assessment by Acting Principal Section Officer, B1 of Naturalisation Application by Ládomey, 12 August 1955, AA CRS A6119/90, item 2734, LADOMERY, Stephen Bela.

93 See, e.g., Q Reports of 14 November 1955, 12 December 1955, AA CRS A6119/90, item 2734, LADOMERY, Stephen Bela.

94 SIU Final Report, p.274. Ládomey is listed in this report as PU31.

95 Memo of George De Barcza to Immigration Department, attached to Heyes's memo to CIS Director of 10 December 1953, AA Tasmanian Regional Office, CRS TCI/KVI, item T5834; Dennis Eisenberg, *The Re-emergence of Fascism* (MacGibbon and Kee: London, 1967) pp. 252–55; and Jewish Community 'List of Suspected Leaders of Hungarian Nazis in Australia.' Megadja's case is discussed in the SIU's Final Report, p.273. He is listed as PU517.

Chapter Fifteen

Athol Townley and the Mass Killer of Ungvár

1 Q Reports, 10 August 1955, 14 November 1955 and 12 December 1955, and memo to Deputy Director, Sydney, from Senior Investigator, 24 January 1955 (this is almost certainly a Commonwealth Investigation Service report), AA CRS A6119/90, item 2734, LADOMERY, Stephen Bela, and Q Report, 'Pro-Nazi Migrants,' 14 June 1955, AA CRS A6119XRI, item 256.

2 ASIO Quarterly Report, circa early-to-mid-1955, cited in McKnight, *Australia's Spies and their Secrets*, p.142. Although this report is in the author's possession, McKnight's citation is incorrect, and to date it has not been possible to trace the document to its actual location in the National Archives of Australia.

3 For a recent account of the ABN, see Dorril, *MI6*, chapter fourteen.

4 Some insight into Stetsko is available in Armstrong, *Ukrainian Nationalism: 1939-1945* (Columbia University Press: New York, 1955), p.54.

5 *ABN Correspondence*, September–October 1979.

6 State Department report quoted in John Loftus, 'British-Nazi Secrets Linked to Red Spy Coverup,' unpublished manuscript, 18 November 1987, p.7.

7 For aspects of these groups see Dallin, *German Rule*, and Cookridge, *Gehlen*. See also Chapter Six of this book.

8 Proclaimed jointly by the US Senate and House of Representatives in July 1959, the Captive Nations Week resolution condemned 'the imperialistic and aggressive policies of Russian Communism,' which had since 1918 created 'a vast empire which poses a dire

threat to the security of the United States' and the 'Free World.' The Congressional resolution in effect called for redrawing the map of Europe, freeing the communist subjugated nations and dismembering the Soviet Union, Yugoslavia and Czechoslovakia into a large number of individual nations. Some, like Cossackia and Idel-Ural, were purely artificial concepts, owing much to Nazi ideas of a divided Eastern Europe effectively ruled by Germany. For accounts of this, see John Playford, *The Truth Behind 'Captive Nations Week,' Outlook*, Sydney, April 1968, pp.1-3; Simpson, *Blowback*, pp.269-70.

9 Simpson, *Blowback*, p.271.

10 The League united old European Nazis and fascists with neo-fascist and right-wing terrorist groups in Italy, Spain, Korea, Japan and Latin America. One of WACL's World Chairmen, retired US General John Singlaub, was later implicated in some notorious so-called 'private' covert operations, including Contragate. Singlaub was accused of laundering arms to the Nicaraguan Contras on behalf of the Reagan administration, and of helping to establish paramilitary squads in the Philippines. Scott and Jon Lee Anderson, *Inside the League* (Dodd, Mead & Co.: New York, 1986); and 'The Dogs of War,' Part 3, *Background Briefing*, ABC Radio National, 20 September 1987.

11 Jewish Council on Combat Fascism and Anti-Semitism, 'Speaking Notes,' 1960, and John Playford, 'The Anti-Bolshevik Bloc of Nations,' unpublished manuscript, and the *Melbourne Age*, 28 May 1957.

12 Interview with Stephen Dattner, 17 December 1985.

13 Dattner was particularly outraged by Stetsko's claim to have been Prime Minister of the Ukraine in 1941. He pointed out that this 'so-called government

was in fact no more than a Quisling police administration,' whose functions included the crushing of the partisan movement and destruction of the Jewish population. Gorton responded by alleging that Stetsko had headed a Ukrainian government in the period between the end of communist tyranny and the beginning of Nazi rule, a glib answer obscuring more than it revealed. *Australian Jewish News*, 14 June 1957.

14 *Australian Jewish News*, 28 June 1957.

15 *Australian Jewish News*, 12 July 1957.

With the facts against him, Gorton could do little except make an even more absurd claim. Not only was Stetsko Prime Minister of the Ukraine in 1941 between the Soviet and Nazi periods, Gorton replied, he had 'been so elected by Ukrainians on June 30, 1941.' Of course, no such election had taken place. Stetsko was only in the Ukraine on that date because he had arrived with the invading Nazi forces.

Apparently revelling in the image, Gorton again accused Dattner of having made his charges with 'McCarthy-like irresponsibility.' Perhaps unconscious of the irony, he proceeded to use McCarthy's own tactic, charging that Dattner 'by unjustly smearing the activities of an anti-communist leader, [is] doing the Communists' work for them.' *Australian Jewish News*, 26 July 1957.

16 Interview with Stephen Dattner, 17 December 1985.

17 *Jewish Council Annual Reports*, 1956/57 and 1957/58; *Hansard*, 8 November 1956, p.2148; and letter from C. Aronsfeld to Platz of 4 December 1956.

18 A comprehensive account of Megay's activities, both during the war and in Australia, is given in Playford, *Truth Behind Captive Nations*.

19 Details of the 'Bring out a Briton'

- program can be found in Wilton and Bosworth, *Old Worlds*, p.27.
- 20 'The Central Registry of War Criminals and Security Suspects, Final Consolidated Wanted List, Part 2, June 1948,' USNA RG 319, Box 41.
- 21 Letters to John Playford of 19 February 1966 from Miklos Szinaï of the National Archives of Hungary, and 29 May 1964 from Peter Abel of the Hungarian Information Bureau.
- 22 Braham, *Politics of Genocide*, pp.533, 538–42 and 550–58.
- 23 US Department of State Airgram from the American Legation, Budapest, Hungary, 8 March 1949, USNA RG 59, 740.00116 EW/3-849, Box 106.
- 24 Menzies Report, p.102.
- 25 Letter to John Playford from Hungarian émigré Dezső Repács of 26 August 1963.
- 26 Menzies Report, p.101.
- 27 *Az Ember*, 5 May 1956.
- 28 *Az Ember*, 2 June 1956.
- 29 Transcript of evidence at the Eichmann trial, Session 53, 25 May 1961.
- 30 Menzies Report, p.100.
- 31 Q Reports, 13 September 1956, and 15 November 1956, AA CRS A6119/90, item 2803.
- 32 Menzies Report, pp.97–98, file note by Michael Thwaites, Director B1, 26 August 1958, and memo to Acting Secretary, Immigration Department, from ASIO Director General, 6 June 1957, AA CRS A6119/90, item 2803.
- 33 Menzies Report, pp.98–99, and ASIO file note, 8 November 1957, AA CRS A6119/90, item 2803.
- 34 Letter of 23 December 1964 from Marjan Stoper-Babsek, UN Archivist, to John Playford; and Playford, *Truth Behind Captive Nations*, p.21.
- 35 Menzies Report, p.100.
- 36 Menzies Report, p.23.
- 37 Menzies Report, p.101.
- 38 ASIO Quarterly Report, cited in McKnight, *Australia's Spies and their Secrets*, p.142. Although this report is in the author's possession, McKnight's citation is incorrect, and to date it has not been possible to trace the document to its actual location in the National Archives of Australia.
- 39 ASIO index cards, and memo from Immigration to ASIO of 31 May 1955, AA CRS A6126XR1, item 85. See also Q Report, 17 August 1955, AA CRS A6119/90, item 2803. For another report detailing Megay's wartime career see, Q Report, 30 May 1955, AA CRS A6119/90, item 2734, LADOMERY, Stephen Bela.
- 40 ASIO index cards, memo from Immigration to ASIO of 31 May 1955, and memo to Senior Field Officer of 16 June 1955, AA CRS A6126XR1, item 85. On reports by ASIO's Q sources, see, e.g., Q Report, 30 May 1955, AA CRS A6119/90, item 2734, LADOMERY, Stephen Bela.
- 41 Memo to Senior Field Officer of 16 June 1955, AA CRS A6126XR1, item 85, and memo for ASIO Headquarters from H.C. Wright, NSW Regional Director, 17 June 1955, AA CRS A6119/90, item 2803.
- 42 ASIO index cards on László Megay, AA CRS A6126XR1, item 85; attachment to letter from Ernest Platz to Syd Einfeld of 7 December 1953; and Sydney Jewish Council report of December 1953, AAJ, ECAJ Files, Box E1.
- 43 ASIO index cards on László Megay, memo of 17 June 1955 from NSW Regional Director to ASIO Headquarters, and handwritten report of 21 June 1955, AA CRS A6126XR1, item 85, and ASIO index card reporting Q Report of 14 June 1955, AA CRS A6119/90, item 2803.
- 44 Memo to Director B1 from Controller Special Services Branch, 6 August 1956, AA

CRS A6119/90, item 2803.

45 Q Report, 25 October 1955, AA CRS A6119/90, item 2803.

46 ASIO index card reporting Q Report of 16 December 1955, and memo for ASIO Headquarters from H.C. Wright, NSW Regional Director, 17 June 1955, AA CRS A6119/90, item 2803.

47 Memo to Acting Secretary, Immigration Department, from ASIO Director General, 6 June 1957, AA CRS A6119/90, item 2803.

48 Memo to ASIO Director General from Australian Embassy Migration Office (place censored), 12 June 1957, Inward Cable, received 15 July 1957 from (source censored), memo from ASIO Director General to Secretary Department of Immigration, 31 July 1957, and memo to ASIO Director General from Australian Embassy Migration Office (place censored), 27 August 1957, AA CRS A6119/90, item 2803.

49 *Australian Liberal*, September 1959.

50 Many details about Untaru can be found in Playford, *Truth Behind Captive Nations*. Other details concerning Untaru's wartime and postwar activities were outlined by Frank Walker in his speech in the NSW Parliament on 16 April 1986, NSW *Hansard*, p.1973. See also Senator John Carrick's speech, *Hansard*, 29 May 1986, pp.2969-74 for details of Untaru's own account of these events.

51 ASIO index cards on Constantin Untaru, AA CRS A6119XRI, item 194.

52 Letter from the State Bank of the Roumanian People [sic] Republic to Untaru, 7 May 1962, letter from Untaru to Wentworth, 21 May 1962, letter from Wentworth to Barwick, 24 May 1962, ASIO Minute Paper to E.V. Wiggins, 19 June 1962, and ASIO Minute Paper to Acting Director B2, from E.V. Wiggins, 20 June 1962, AA CRS A6119/90, item 2804.

53 Letter from Untaru to Playford, 12 April 1965.

54 *ABN Correspondence*, March-April 1964, p.49; and Isi Leibler, 'Australia's Radical Right,' *Quadrant*, March-April 1966. On Lovoković's role in ABN, see Commonwealth Police index cards, AA CRS A11822, item X1, Part Two.

55 Liberal politician Jim Killen gave notice of motion in the House of Representatives in August 1959, calling for observance of Captive Nations Week. Significantly, the motion languished on the notice paper, never to be debated. Apparently the government, while supporting the concept in principle, was not prepared to formally condone the idea. Playford, *Truth Behind Captive Nations*, pp.7-11, and letter to Playford from B.A. Peachey, DLP Western Australian State Secretary, of 10 July 1962.

56 On Lovoković, see report by Commonwealth Police Sergeant 2nd Class P.V. West and Senior Constable W.L. Roach, 21 October 1965, AA CRS A11822, item X1, Part One.

57 Anderson, *Inside the League*, pp.41-42.

58 Anderson, *Inside the League*, p.30. Some details concerning Untaru's wartime and postwar activities were outlined by Frank Walker in his speech in the NSW Parliament on 16 April 1986, NSW *Hansard*, p.1973. See also Senator John Carrick's speech, *Hansard*, 29 May 1986, pp.2969-74, for the details of Untaru's own account of these events. The International ABN went on to coalesce with European, Asian and South American fascists and terrorists to form the World Anti-Communist League (WACL). Many Australians – *émigré* Nazis and mainstream political figures – participated in the League's activities. Australians who have supported WACL, and its associated Asian Peoples' Anti-Communist League, include Eric Butler,

former New South Wales Liberal parliamentarian Douglas Darby, Byelorussian leader Anton Olechnik, Ustaše leader Fabijan Lovoković, Paul Pearson of the World Freedom League and former Liberal Senator Peter Sim. WACL Conference documents of 15 February 1974 and 20–23 September 1983. While there are no grounds for believing that most of these Australians knew of, let alone endorsed it, the ugly reality is that WACL's main 'action' consisted of advocating the most extreme pro-fascist form of anti-communism, linked with a well organised campaign of international terrorism. WACL is implicated in assassinations of diplomats and political opponents in Sweden, Italy, the United States and South America, where it also has been active in recruiting and training death squads. See Anderson, *Inside the League*, for details of this. One Australian group allied with the ABN was particularly successful in building a terrorist infrastructure. By the mid-1950s, the most militant factions of the Ustaše movement were already organising underground paramilitary cells in Australia to prepare for action in Yugoslavia. See Chapters Eighteen, Nineteen and Twenty.

59 *Australian Liberal*, September 1966.

Chapter Sixteen

Ljanko Urbančič: The Liberal Party's Little Goebbels

1 As reported in *Jutro* number 147, 29 June 1944, Slovenian Archives, tabled as documents G1 and H1 in the NSW Parliament by Attorney General Frank Walker, 29 November 1979.

2 ASIO Q report, 20 August 1965, AA CRS,

A6119/89, item 2332, Lyenko URBANCHICH. In the capricious process of declassification of ASIO files, Urbančič's name was censored from this document, although it can have had no other meaning in the context of his file than being his name. The same document was, however, released in declassifying the ASIO file of another Nazi leader, Ustaše faction boss, Fabijan Lovoković. In this file Urbančič's name is released. See AA CRS A6119/90, item 2793.

3 Urbančič's continuing activism in the Liberal Party was seen in his key role in organising a far-right meeting in August 1997. See *The Daily Telegraph*, 13 and 14 August 1997, and *The Sydney Morning Herald*, 14 and 16 August 1997.

4 ABC Radio National, *Broadband*, 27 August 1979.

5 For example, at the massive mediaeval castle at Turjak, twenty-five kilometres south-east of Ljubljana in the picturesque Slovenian countryside, the partisans had captured hundreds of these anti-communist fascist collaborators. Many were 'tried' and, in keeping with the savagery of Yugoslavia's civil war, executed by Tito's partisans. See Stephen Clissold, *Whirlwind* (The Cresset Press: London, 1949), p.174.

6 American Office of Strategic Services intelligence manual, *Jugoslavia: Basic Handbook*, August 1943, USNA RG 226, 45155. Hitler himself had visited the country soon after the invasion, stopping at Maribor near the Yugoslav-Austrian frontier and telling his loyal followers to 'make this land German once again.' Indeed, Hitler considered Slovenia to be not only historically Aryan, but one of the most important strategic crossroads of Europe. The Slovenian Nazi collaborators had first started to work with the

Slovenian Volksdeutsche, the German ethnic minority organised in the *Kulturbund*, a Nazi-controlled organisation which organised fifth-column activities in many countries before the war. Through these connections, the clerical leaders contacted the Nazis and carried out clandestine activities on their behalf. Thus began a long and tragic period of collaboration with the German Nazis and Italian fascists.

7 Some 250,000 Slovene peasants were forcibly uprooted and deported immediately, their farms seized and occupied by 'Aryans.' Thousands more followed over the next two years. The Nazis met any resistance, even token acts of defiance, with severe repression, including mass shootings of hostages, public hangings and floggings, to try to cower the population. The Nazi scheme of annexation ruled out any softness towards the local population.

8 Even those Slovenians who had enthusiastically embraced fascism in the 1930s were shocked by what happened in the months after Hitler's pronouncement. In fact, the Nazis had no time for these would-be Slavic collaborators, and in the first flush of their easy victory over Yugoslavia in April 1941, they brutally suppressed the conquered Slovenes. Krek, Kulovec and the other leaders of the Slovene clerical party had actually entertained the idea of collaboration with Nazism before the war broke out, favouring establishment of a separate 'independent' Slovenian state, based on the Slovak model where another Catholic, Monsignor Jozef Tiso, was a loyal Nazi puppet. Before invading Yugoslavia, Hitler had exerted considerable pressure to force the Yugoslav government to join the Nazi Tripartite Pact and side with the Axis

powers. The Slovene clerical leaders in the central government in Belgrade were among the main supporters of the Pact, ultimately signed in late March 1941. As soon as Prime Minister Cvetković signed, however, a popular revolt broke out which overthrew the government. A new pro-British government was installed and the agreement repudiated. The new Prime Minister, Dušan Simović, appointed Miha Krek as a minister in the new government, whereupon the Slovene leader pressured him to honour the Pact. The Nazis invaded a few days later, bombing Belgrade and other cities. Krek secretly tried to establish himself as a viable tool of the Germans, but was forced to flee with the retreating Yugoslav government and found himself in London with the exiled Royal government.

9 The communists attracted support from left-wing Christian socialists, members of the Socialist Party, liberal intellectuals and artists and even a number of priests. The clerical-fascists preserved an underground organisation allegedly striving to keep alive the independent Slovene spirit; should the Allies defeat the Nazis they believed this 'illegal' organisation would prove that they had always been secretly pro-Western. But many in the leadership actually believed strongly in the inevitability of Nazi victory. Some leading clericals assumed important political positions in the Italian quisling administration. Others joined the quisling armed forces, the Italian-controlled Voluntary Anti-Communist Militia, also known as the *Belagardisti*, or White Guard, whose job was to assist the Italians in suppressing the rising tide of guerrilla warfare waged by the Liberation Front. For a general discussion of these events, see Jozo Tomasevich, *War and Revolution in Yugoslavia 1941–1945: The Chetniks* (Stanford University Press: Stanford, 1975), p.221.

10 Rožman's contacts with the Italians were primarily with the military commander, General Mario Robotti, and the political Commissioner, Emilio Grazioli. Interview with Slovene historian, Francek Saje, 1 April 1979.

11 On Rožman's suggestion, the Italians freed many former Yugoslav army officers so they could join the quisling forces, and established a special anti-communist secret police force in Ljubljana to fight the common enemy. Tomasevich, *War and Revolution*, p.224.

12 Rupnik was a product of the Austro-Hungarian Empire, whose traditions and culture he hankered after, having served as a major in the Austro-Hungarian army in World War I in which he earned important medals and honours. USNA RG 226, 91044, report of 14 August 1944.

13 One of the major tasks of the Ljotić group at the university was to penetrate and take over the *Edinstvo* (Unity) Club and turn it into a Nazi front. Yugoslav War Crimes Commission document, Z 360, Slovenian Archives, tabled as documents A and B in the NSW Parliament by Attorney General Frank Walker, 29 November 1979; and Slavko Kremensek, *Slovensko Studentovsko Gibanje*. Many details concerning Urbančič's wartime and post-war activities were outlined by Frank Walker in his speech in the NSW Parliament on 16 April 1986, NSW *Hansard*, pp.1969–72 and 1976–79.

14 Interview with Ljenko Urbančič, March 1979; Ljenko Urbančič, 'The Birth of the Slovene Domobrans,' in the Slovene-language magazine, *Slovenski Obzorik v Australiji*, Sydney, September 1975; Ljenko Urbančič, *The Whole Truth*, Sydney, January 1980; and statement by Dušan Pleničar in *The Whole Truth*.

15 Rožman's action was incomprehensible,

for he well knew that the Germans had destroyed the Slovenian Church in the zone under their control – half of the Bishop's pastoral territory.

16 The area incorporated into the Third Reich stretched down towards the Adriatic coast, but the decision was never implemented fully due to the political and military instability caused by the partisans' activities. Rupnik was an especially good choice as head of the quisling administration, later writing in his autobiography that he was extremely happy to hear the sounds of Nazi troops marching in Ljubljana's streets as they entered the formerly Italian-held area in September 1943. He also confessed that he had always considered himself to be German, and had automatically embraced Nazism as the German national movement. The ceremony to install him as President was conducted with great pomp at Celovec. Interview with Slovene historian, Francek Saje, 1 April 1979.

17 Urbančič, 'The Birth of the Slovene Domobrans.'

18 *Jutro*, Number 226, 8 October 1943, Slovenian Archives.

19 The Home Guard were truly 'patriotic traitors,' as one historian has described many Central and Eastern European ultra-nationalist Nazi collaborators. David Littlejohn *The Patriotic Traitors* (Heinemann, London: 1972). The account of Urbančič's speech is in *Jutro*, 12 October 1943, Slovenian Archives, and further details of this event are found in the Yugoslav War Crimes Commission document Z 360, tabled as documents A and B in the NSW Parliament by Attorney General Frank Walker, 29 November 1979.

20 Urbančič, 'The Birth of the Slovene Domobrans.'

21 Office of Strategic Services (OSS) report,

9 December 1943, USNA RG 226, OB6321.

22 USNA RG 226, 63632

23 Author interviews with Franklin Lindsay and John Blatnik, June 1979.

24 Yugoslav War Crimes Commission document Z 360, tabled as documents A and B in the NSW Parliament by Attorney General Frank Walker, 29 November 1979.

25 Urbančič initially cooperated with the clericals in this work. His close comrade, Ivo Vadnjal, worked in the Department of Propaganda (a subsection of the Information Department) under the clerical leader, Ludvik Puš. Another Ljotić group member, Miloš Abram, initially worked in the department, later transferring to the Anti-Communism Committee. The clerical group in the faction fight was led by Ludvik Puš, Stanko Kociper and Niko Jeločnik. See Partisan intelligence documents, number 1500 and 1583, Summer 1944 and 30 July 1944, Slovenian Archives.

26 Partisan intelligence assessment, 'Brief Information about the Activities of the Ljotić Group,' Slovenian Archives.

27 USNA RG 226, 89658.

28 'Brief Information about the Activities of the Ljotić Group.'

29 The first clerical sent to a concentration camp was Bogomir Metalko, while Stanko Kociper and Niko Jeločnik were the two clericals whose defection from Puš's cause led to the assumption of total power by the Cergolj-Urbančič faction. 'Brief Information about the Activities of the Ljotić Group.'

30 USNA RG 226, 58702.

31 Report of 14 August 1944, USNA RG 226, 91044.

32 *Jutro* number 139, 20 June 1944, Slovenian Archives.

33 As reported in *Jutro* number 147, 29 June 1944, Slovenian Archives, tabled as documents G1 and H1 in the NSW

Parliament by Attorney General Frank Walker, 29 November 1979.

34 *Slovenec* number 211, 15 September 1944, British Library, London, and Slovenian Archives, tabled as documents G2 and H2 in the NSW Parliament by Attorney General Frank Walker, 29 November 1979. The King's order caused great consternation among many Yugoslav quislings actively collaborating with the Germans while pretending to be loyal to the London government. Although their exiled leaders consistently forbade any collaboration with the enemy, many had openly served under German and Italian command. The White and Home Guards in Slovenia, the forces organised by Serbian quisling, Milan Nedić, and even many of Draža Mihailović's Četniks (official Royalist guerrilla forces) were among those who had joined the enemy. Some had done so to further their cause in the civil war against communism, but many collaborated because they were convinced Nazis who wanted a German victory. Their exiled government was now ordering that they hand themselves over to their deadly enemy. Many rank-and-file collaborators obeyed the Royal government and joined the partisans in the following months but their leaders, who included the principal Yugoslav war criminals, could not do so. Had they been so foolish they undoubtedly would have been dispatched by the partisans.

35 *Slovensko Domobranstvo*, number 8, 16 November 1944, Slovenian Archives and Columbia University Library.

36 In mid-1944, Krek forwarded a report to Colonel Torrielli and Wayne Vucinich, US intelligence officers active in Yugoslav matters. Krek's report claimed that the Slovene Home Guard had only been formed in response to communist actions

at the time of the Italian capitulation. They were in no way collaborating with the Nazis, who merely 'gave them a barracks with an autonomous command and named them the "Slovene Home-Army" without any arrangement with associated Slovene political parties, which had decided not to collaborate with the Germans in any way.' In an endeavour to explain his supporters' traitorous actions, Krek pointed to the partisans' execution of many White Guard officers soon after Italy's capitulation:

'It is not difficult to understand the frame of mind of these who so escaped death at the hand of the Trotskyists. They would have seized in that moment any arm of deliverance, should it be offered to them by the devil himself ... Slovene underground leaders, after having pondered the new situation created absolutely independently of their will, immediately and secretly began to arrange for the introduction of trustworthy and pledged Slovene officers into the new home police force to ensure its effective military contribution to the freeing of Slovenia when the due time would come.' Krek's report was an effort to convince American intelligence that the Home Guard was not really under the direct command of the Germans, and was secretly controlled by people loyal to Krek and the West. His version claimed that 'the Germans in occupied Ljubljana could not secure the political collaboration of any of the democratic politicians; they had to content themselves ... with an unpolitical figure like the old and unpopular General Rupnik, who does not represent any of the Slovene political groups and has no influence on the men of the "Home-Army," which is not under his command.' Krek was beginning a long and tortuous

campaign to whitewash his followers, and present them as a viable political and military alternative to the communist-led partisans. USNA RG 226, 89658.

37 Krek tried to bolster this hopeless effort by revealing that he had transmitted a message to Pope Pius XII from Ljubljana's Bishop Rožman via Anton Preseren, a member of the Slovene colony in Rome and Assistant General of the Jesuits. This was a cry for help from the spiritual leader and principal organiser of the Slovene quislings, who realised that only death or flight awaited if the partisans came to power. 'In this moment of urgent danger and necessity, we appeal to Your Holiness and most humbly beg for your intervention,' Rožman wrote, asking 'Your Holiness to transmit and advocate to Anglo-American authorities our humble request that they should occupy Slovenian territory and the Littoral and establish a temporary regime of justice and peace without the collaboration of the terroristic Communist partisan Liberation Front.' Ljubljana's Bishop concluded that only 'such a measure would prevent a new repetition of the unnecessary and tragic shedding of innocent blood.' Pius received Krek and Preseren in private audience on 26 November 1944, assuring them of his interest in the fate of the Catholic People's Party supporters and promising to do what he could on their behalf. USNA RG 226, 113566.

38 In fact, the West was more concerned to ensure that Tito did not seize parts of Austria and Italy, especially the port of Trieste. In the end, all they could do was prevent him from occupying Trieste and a significant area in Austria around Graz and Klagenfurt.

39 This foreshadowed the military and political catastrophe about to overwhelm

the Slovene collaborators. In the following months, tens of thousands fled before the Red Army and Tito's partisans through Slovenia to sanctuary in Austria. They included notorious collaborators and war criminals from Ante Pavelić's 'independent' Croatian state, from Milan Nedić's quisling Serbian regime, as well as members of Dimitrije Ljotić's Zbor movement. Also fleeing were Yugoslav Volksdeutsche from the SS Prinz Eugen Division and members of special mounted Cossack regiments, which had fought with exceptional cruelty in German counter-insurgency campaigns against the Yugoslav partisans.

40 Report of D.L. Haldane Porter of the Special Refugee Screening Commission of 12 April 1947, PRO FO 371 67376; and Tomasevich, *War and Revolution*, pp.440–49.

41 On 27 March 1941, the Simović government repudiated the Tripartite Pact, which had previously been embraced by a pro-German government, and this decision effectively meant that Yugoslavia had joined the anti-Nazi alliance. A few days later, the Axis invaded Yugoslavia.

Urbančić's speech was reported in *Jutro*, number 71, 29 March 1945, Slovenian Archives, tabled as documents G4 and H4 in the NSW Parliament by Attorney General Frank Walker, 29 November 1979.

42 *Slovensko Domobranstvo*, number 16, April 1945, Slovenian Archives, tabled as documents G3 and H3 in the NSW Parliament by Attorney General Frank Walker, 29 November 1979.

43 As reported in *Jutro* number 83, 13 April 1945, Slovenian Archives.

Chapter Seventeen

British Intelligence and the Laundering of Ljenko

1 Trieste had been reached almost simultaneously by the British Army and some of Tito's units. The Yugoslavs were eager to seize this prosperous shipbuilding port, which contained a large Slovene population. The West was equally determined it should remain Italian, but because of the partisans' military strength, they temporarily conceded the city's northern sector to the Yugoslavs. Urbančić found sanctuary in the British-controlled sector, which operated as a virtually independent state under British military rule until the entire city was returned to Italy some years later. His mother visited him there on a few occasions before he moved to Eboli.

2 Accounts of this aspect of British policy are contained in Nikolai Tolstoy, *Victims of Yalta* (Corgi, London: 1979), and *The Minister and the Massacres* (Century Hutchinson: London, 1986).

3 The requests were then turned over to British Military Intelligence Field Security Service units and the US army Counter Intelligence Corps, which were searching for Nazis on the *Black List*. The status of senior collaborationist leaders was beyond doubt. The British Foreign Office was quickly convinced by their diplomats in Belgrade, and by the evidence collected by their Research Department, that *prima facie* cases existed against many Yugoslav collaborators. These included members of the Serbian quisling administration of Milan Nedić, the Croatian apparatus of Ante Pavelić and the Slovene administration of Leon Rupnik. Others in this category included Zbor leader

Dimitrije Ljotić. See, for example, telegram from Belgrade Embassy of 20 June 1945, PRO FO 371 48890.

4 Yugoslav diplomatic notes, 18 June and 7 July 1945, to British Foreign Office, PRO FO 371 48891. The second note accurately summarised Rupnik's role under both the Italian fascists and the German Nazis, concluding that he 'gave orders that all active members of the National Liberation Army ... should be shot ... Under his direction, the people were tortured in a cruel manner in the police stations; inhabitants were killed en masse, and twice monthly people were deported to camps for forced labour in Germany. Without any reservation he belonged entirely to Hitler.' The case against Rožman also accurately recounted his traitorous role, stating that he convened 'a meeting in his palace on 16 February 1942, when it was agreed to form the White Guards, from which was formed the Voluntary Anti-Communist Militia (MVAC) attached to the Italian Army. He participated by blessing the flags and the men when the quisling Territorial Army took the oath ... He was in close touch with Rosener and Rupnik. He was the intellectual responsible for everything carried on by Rupnik's quisling territorial army, doctrinaires and propagandists.'

5 One of those exonerated was Rožman, of whom the Foreign Office said that 'we do not think we should agree to the surrender of Bishop Rozman unless the Yugoslav Government can provide more effective evidence than this.' This telegram initiated a long and ultimately successful campaign by influential British and American political, bureaucratic and church officials to sanitise and save the quisling Bishop of Ljubljana. Foreign Office letter to Washington Embassy, 17 August 1945, PRO

FO 371 48891. The Vatican, for instance, immediately intervened on Rožman's behalf, first asking that he be given safe conduct from Austria to refuge in the Vatican, where he would be safe from the Yugoslavs. J.M. Addis of the Foreign Office Southern Department, responsible for Balkan affairs, was adamant that the Vatican's request should be refused. He pointed out that by agreement with the American government the quisling Slovene Home Guard were 'being treated as "disarmed hostile troops" and held in custody ... It would be consistent that the political leaders ... should be treated in the same way.' Note by J.M. Addis of 16 July 1945, PRO FO 371 48890.

6 Cable of 22 July 1945 from Foreign Office to Washington, PRO FO 371 48890.

7 Cables of 30 July and 22 August 1945 from Caserta to Foreign Office, from Washington to Foreign Office of 22 September 1945, and from Vienna to Foreign Office of 25 November 1945, PRO FO 371 48890, 48892 and 48893, and USNA RG 331, 10000/109/534, Box 14.

8 Note by John Colville of 29 January 1946, PRO FO 371 59400; British Consul's report of 1 September 1946, PRO FO 371 59419; and Nikola Milovanović (*Generali Izdaje: Slobada, Belgrade, 1977*). Bishop Rožman was treated much more favourably, despite his 'automatic arrest' category. He was not detained, merely placed under surveillance while living in comparative luxury in the Bishop of Klagenfurt's Palace. PRO FO 371 67388. The British claimed they were not yet convinced of his culpability and, after consulting the US State Department requested that the Yugoslav government 'state the evidence of guilt.' Cable of 4 August 1945 from Foreign Office to Washington Embassy, PRO FO 371 48890. Subsequently the Yugoslavs provided a

damning indictment of Rožman which convinced the British that they had no alternative than to agree to extradite the Bishop. Note from Ljubo Leontić, Yugoslav Ambassador to Britain, of 15 November 1945 to Ernest Bevin, Secretary of State for Foreign Affairs, PRO FO 371 48893. John Colville, of the Foreign Office's Southern Department, wrote to the British Ambassador, Lord Halifax, at his Washington Embassy in November 1945, expressing the view that Rožman had 'collaborated with the enemy' and was no less guilty than other quislings whose surrender had already been agreed to by Britain and the United States. However, the US government would not agree to Colville's proposal to surrender Rožman because 'of the probable repercussions amongst Catholics in this country and elsewhere.' Letter from Colville to Lord Halifax of 28 November 1945, PRO FO 371 48893; Halifax's reply of 25 January 1946, PRO FO 371 59400; note by Colville, 27 February 1946, PRO FO 371 59401; telegram from British Embassy Washington of 27 February 1946; and note of Colville of 4 March 1946, PRO FO 371 59401. In the case of the quisling Bishop of Ljubljana, if the Americans wanted to provide an excuse for British inaction, then the Foreign Office was only too willing to play the game. In Rožman's case a number of factors combined to give the British a way out of their dilemma. Richard Stokes, a Labor member of the House of Commons who was spearheading a campaign against continued Allied trials of German Nazi war criminals, took up the Bishop's cause in August 1947. For an account of Stokes's campaign, see Tom Bower, *The Pledge Betrayed* (Doubleday: New York, 1982), pp.233, 238 and 285. Stokes was closely connected with *émigré* groups actively and

aggressively intervening on behalf of Yugoslav war criminals and collaborators. Miha Krek, former leader of the Slovene People's Party and Vice Premier of the Royal Yugoslav government in London for part of the war, was one of many who influenced Stokes. Other organisations, including Ustaše and Četnik groups, worked through Stokes, who regularly took up their cases with British cabinet Ministers and Foreign Office officials. Cold War lines were sharply drawn by now, and eventually a deal was struck with the Vatican to hand the Bishop over to the Holy Father's care, but before the final arrangements could be made Rožman 'escaped.' American military intelligence officers in Switzerland discovered later that Rožman was laundering the Ustaše's stolen treasure by changing it from dollars to Austrian schillings on the black market, and then using the huge profit to finance ongoing Ustaše political and terrorist activities. Memo of 9 March 1948, 'Activity of Bishops Rozman and Saric,' released on 19 February 1986 under Freedom of Information; and US Army CIC report of 12 September 1947, released under Freedom of Information, 31 December 1985.

9 John Colville, *Footprints in Time* (Michael Russell: Salisbury, 1984), pp.212–13.

10 Rodal, 'Nazi War Criminals in Canada,' p.78; IRO, *The Facts about Refugees*, pp.6 and 7, AA CRSA1068, item IC47/31/14. The IRO constitution also spelled out the categories of people it was not to assist. Consistent with international obligations such as the 1943 Moscow Declaration and the 1945 London Agreement, the IRO was not to help war criminals, quislings and traitors, or people who had 'voluntarily assisted the enemy in operations against the United Nations or in persecution of

civil populations, or adherents of organisations seeking 'the violent overthrow' of UN members.

Volksdeutsche, or ethnic Germans living in countries such as Yugoslavia, Romania, Czechoslovakia and Poland, were also barred from IRO assistance. IRO, *The Facts about Refugees*, p. 7, AA CRS A1068, item IC47/31/14. As discussed in Chapter Six, the United Nations General Assembly had adopted resolutions calling for proper screening of war criminals and collaborators and for their surrender to countries where their crimes were committed. To implement these resolutions, the IRO developed detailed guidelines for assessing the eligibility of Displaced Persons for international assistance.

The final stage in the eligibility process was to either certify a person as *bona fide*, and therefore under IRO care, or ineligible, and therefore not to be assisted in any way. The IRO screening system had the assistance of Western security organisations, particularly British and American military intelligence. While this should have ensured an efficient system, it was an open secret that IRO screening for Nazi war criminals and collaborators was at best superficial. The IRO candidly admitted that it was not equipped to effectively screen ex-Nazis, its official *Officers' Eligibility Manual* observing that hundreds of thousands of crimes had been committed and 'it was beyond the IRO's capacity to maintain track of them.' Daunted by the overwhelming problem, the IRO concentrated almost exclusively on searching for German war criminals, ignoring the Central and Eastern Europeans who had taken part in the Nazis' crimes. In fact, the *Eligibility Manual* 'made clear that the IRO was not

particularly enthusiastic about screening for war criminals,' handing over the whole problem to the Western occupation authorities. Identification of traitors and quislings, defined by the IRO as 'key persons of governments or semi-governmental organisations which were in sympathy with and actually helped the Nazis,' was the responsibility of their countries of origin, and little effort was made to apprehend them. In fact, many ex-Nazis obtained influential positions in the IRO apparatus and then assisted their comrades to emigrate. Rodal, 'Nazi War Criminals in Canada,' pp. 94–99. At worst, then, the IRO screening system was a deliberate circumvention of the rules in which thousands of ineligible people gained certification, and eventually assistance to emigrate.

11 Menzies Report, p.92.

12 PRO FO 371 59408.

13 *Slovenec*, 15 September 1944, British Library, London, tabled as document I in the NSW Parliament by Attorney General Frank Walker, 29 November 1979.

14 PRO FO 371 59408.

15 PRO FO 371 59413.

16 Scopes conceded that the information on which he based his assessment had been given him 'by friends or relatives,' but was adamant that the men did not deserve the death penalty. PRO FO 371 59400.

17 Yugoslav War Crimes Commission, document Z 360, tabled as documents A and B in the NSW Parliament by Attorney General Frank Walker, 29 November 1979.

18 FO 371 67371.

19 Menzies Report, pp.91–92.

20 Warner note of 28 February 1947, PRO FO 371 67371.

21 See, for example, PRO FO 371 67382.

22 PRO FO 371 67395.

- 23 Telegram to the Political Adviser's Office, Caserta, of 2 April 1947, PRO FO 371 67371.
- 24 USNA RG 59, 860H.00/4-1847, Box 652.
- 25 USNA RG 59, 860H.00/4-1847, Box 652, and PRO FO 371 67377.
- 26 Letter of 26 April 1947 from British Embassy Washington to Southern Department, PRO FO 371 67371.
- 27 PRO FO 371 67377.
- 28 USNA RG 59, 740.00116EW/9-947, Box 106.
- 29 Telegram of 17 September 1947, USNA RG 59, 740.00116EW/9-947, Box 106.
- 30 Telegram from Murphy to US Secretary of State, of 30 September 1947, USNA RG 59, 740.00116EW/9-3047, Box 106.
- 31 Menzies Report, p.93.
- 32 According to indexes at the Public Record Office, many relevant British files on Yugoslav cases are classified for seventy-five years. Perhaps the final story of the laundering of Ljenko Urbančić will be revealed only in 2023, when the records become publicly available.
- 33 PRO FO 371 67396.
- 34 Attachment to letter from H.M. Sichel of the British Embassy in Washington to B.C. Connelly of the State Department of 11 February 1947, USNA RG 59, 860H.00/2-1147, Box 6430.
- 35 Report of Captain MacRae attached to the letter of US Political Adviser Caserta to the State Department of 26 February 1946, USNA RG 59, 860H.00/2-2646, Box 6427.
- 36 Letter of 12 April 1947, PRO FO 371 67376.
- 37 PRO FO 371 67403.
- 38 Menzies Report, p.94.
- 39 See, for example, US Division of Policy Research paper, 'United States Policy Toward the Ustashi,' Research Project No. 61, 15 April 1948, USNA RG 59, 740.00116EW/4-148, Box 106.
- 40 USNA RG 59, 740.00116EW/9-3047, Box 106, and letter from Foreign Office to Political Adviser's Office at Leghorn of 12 June 1947, PRO FO 371 67380.
- 41 USNA RG 59, 740.00116EW/10-3047, Box 106, and PRO FO 371 67401.
- 42 PRO FO 371 67401
- 43 Letter from USPOLAD Murphy in Berlin to Secretary of State, of 14 January 1948, USNA RG 59, 740.00116EW/1-1448, Box 106; letter to USPOLAD Murphy in Berlin from Department of State, of 17 March 1948, and letter from Barbour to Henderson of 15 March 1948, USNA RG 59, 740.00116EW/1-1448, Box 106.
- 44 Letter from Southern Department to Belgrade Embassy 19 May 1948, PRO FO 371 72562B.
- 45 Letter from Southern Department to Belgrade Embassy, 19 May 1948, PRO FO 371 72562B.
- 46 As quoted in Captain K.G. Turbayne's report to the Chief Migration Officer, Cologne, 9 October 1951, AA CRS A1838, item 1550/20. For another example see US Army CIC file on Ferenc Vajta, released under Freedom of Information, especially dealing with the case of Oliver Virtschologi-Rupprecht.
- 47 Letter from Southern Department to Belgrade Embassy 19 May 1948, PRO FO 371 72562B.
- 48 Canadian Commission of Inquiry on War Criminals, Exhibit P.100.
- 49 AA CRS A1838, item 1550/18; letter from British Embassy Washington to State Department of 2 August 1948, USNA RG 59, 740.00116EW/8-248, Box 106; cable from us Embassy London to State Department of 3 August 1948, USNA RG 59, 860H.00/8-348, Box 6432; and Menzies Report, p.93. The Vatican's role in protecting wanted war criminals and smuggling them out of Europe to safety is

dealt with extensively in Aarons and Loftus, *Ratlines*.

50 Menzies Report, pp.94–95.

51 Menzies Report, p.95.

52 Menzies Report, p.95.

53 See USNA RG 331, 10000/164/3316, Box 67.

54 Menzies Report, p.92.

55 For details, see Zdenko Löwenthal (ed.), *The Crimes of the Fascist Occupiers and their Collaborators Against Jews in Yugoslavia* (Federation of Jewish Communities of Yugoslavia: Belgrade, 1957).

56 Author interview with Simon Wiesenthal, May 1979.

57 Author interview of August 1979.

58 Menzies Report, p.97.

59 SIU Final Report, pp.251–253.

60 ASIO Index Card, summarising report of 9 January 1962, AA CRS, A6119/89, item 2332, Lyenko URBANCHICH.

61 ASIO Filed Officer report to Senior Field Officer, 9 May 1963, AA CRS, A6119/89, item 2332, Lyenko URBANCHICH.

62 Extract from Commonwealth Police report, circa July–August 1964, and extract from Commonwealth Police report, 29 July 1964, AA CRS A11870, item 40265/86.

63 Commonwealth Police Personal Particulars sheet on Urbančić, AA CRS A11870, item 40265/86.

64 ASIO Q report, 20 August 1965, AA CRS, A6119/89, item 2332, Lyenko URBANCHICH.

65 ASIO Contact report, 14 March 1966, AA CRS, A6119/89, item 2332, Lyenko URBANCHICH. See also report of Sergeant 2nd Class P.V. West and Senior Constable W.L. Roach, 6 June 1966, AA CRS A11870, item 40265/86.

66 Report to ASIO Headquarters from Deputy Director General (NSW Operations), 31 March 1966, AA CRS, A6119/89, item 2332, Lyenko URBANCHICH.

67 *Broadband*, ABC Radio National, 27 August 1979. Many details concerning Urbančić's wartime and post-war activities were also outlined by Frank Walker in his speech in the NSW Parliament on 16 April 1986, NSW *Hansard*, pp.1969–72 and 1976–79.

68 Accounts of these events can be found in R.W. Connell and Florence Gould, *The Politics of the Extreme Right Warringah 1966* (Sydney University Press: Sydney, 1967); Edward St John, *A Time To Speak* (Sun Books, Melbourne: 1969); and Brian Buckley and Sam Lipski in *The Bulletin* of 15 October and 26 November 1966.

69 See evidence of Alastair Urquhart, Christmas & Anor v. NSW Permanent Building Society & Ors, 11 June 1979.

70 *The Third Division*, official LEC newspaper, July 1978.

71 The occasion was in honour of Mario Despoja, the self-styled charge d'affaires of a 'Croatian Embassy' which the various Ustaše factions had established in Canberra. Liberal Prime Minister Malcolm Fraser was then in the process of forcing the 'Embassy's' closure through special legislation effectively banning anyone from masquerading as consular officials. Despoja was greeted enthusiastically by his fellow Ustaše supporters, telling them that his 'Embassy' was 'the positive expression of Croats' wishes for a free Croatian state' and criticising the government for moving to close it down. Urbančić was also well received, telling the faithful that he supported the 'Croatian Embassy' as well as their struggle to achieve independence 'because each nation has the right to freedom and its own state.' *Spremnost*, 22 August 1978.

72 *Canberra Times*, 25 November 1979.

73 As reported in *National Times*, 29 December 1979.

74 *Hansard*, 28 August 1979, p.271.

75 *Hansard*, 29 August 1979, p.351.

76 ABC Radio News, 28 August 1979; *Melbourne Age*, 31 August 1979; and *Challenge*, January 1980.

77 See, for example, *Slovenec*, 15 September 1944, British Library, London, and various issues of *Slovensko Domobranstvo* held in Columbia University Library, New York, tabled as documents 1, J, G2, G3, H2 and H3 in the NSW Parliament by Attorney General Frank Walker, 29 November 1979.

78 Letter by Ljenko Urbančič of 15 January 1980 as quoted in the Patten/Spender report of 30 January 1980.

79 Patten/Spender report of 30 January 1980.

80 Other aspects of Patten and Spender's report were also curiously lenient. For example, they decided that membership of the SS-controlled Slovenian Home Guard – in which Urbančič had been a senior official – of itself 'must be regarded ... as a neutral circumstance.' This was certainly not the official policy of the British and American governments after the war, as Patten and Spender well knew. Australia's Western allies had, in fact, decided that any senior member of the Rupnik administration was a Nazi collaborator, liable for forcible repatriation. The only evidence to support the Patten–Spender contention came from five statements by Slovenian *émigrés* who claimed that the pro-British 'underground' had infiltrated the Home Guard for its own ends. Some claimed to have heard that Urbančič was actually working for this 'underground,' but of the five statements only one witness claimed to have even personally known Urbančič during the war. This was Vladimir Menart, a Sydney solicitor and close associate of Urbančič. Menart was himself a voluntary member of the

Slovenian Home Guard, and had carried the flag on their first march organised by Urbančič in October 1943. The Patten–Spender report displayed a remarkable continuity with Western Cold War policies of the late 1940s as a result of which numerous Nazi war criminals and collaborators were given amnesty and allowed to settle in America, Canada, Britain and Australia. These policies also determined the attitude of successive Liberal governments in the 1950s and 1960s. For example, referring to the Yugoslav War Crimes Commission indictment of Urbančič, Patten and Spender noted that it 'is notorious that the Yugoslav authorities have adopted the political expedient of declaring to be war criminals any one who – for whatever reasons – opposed the Communists' during the war, adding that 'we have placed no reliance on documents that have come from Communist sources.' No effort was, however, made to subject the Yugoslav charges to rigorous scrutiny or to attempt to corroborate or disprove them. As they came from a communist government they were dismissed out of hand. Yet Patten and Spender actually found that one of the Yugoslav's major allegations was substantially correct: they had no doubt that Urbančič had written and spoken the virulent anti-Semitic propaganda outlined by the War Crimes Commission. Had they bothered to really investigate the charges they could have discovered Western corroboration which would have put a quite different light on his wartime activities.

81 *Sydney Daily Telegraph*, 2 February and 29 March 1980.

82 *Sydney Morning Herald*, 1 December 1979.

83 *Sydney Morning Herald*, 5 June 1985.

84 *Weekend Australian*, 6–7 June 1987, and letter of 13 March 1984.

85 Urbančić's continuing activism in the Liberal party was seen in his key role in organising a far-right meeting in August 1997. See *The Daily Telegraph*, 13 and 14 and August 1997, and *The Sydney Morning Herald*, 14 and 16 August 1997. His continuing role in Liberal party meetings such as the State Council has been recounted by several Liberal members who wish to remain anonymous.

86 David Humphries, 'Lib factions turn ugly as far right re-emerges,' *Sydney Morning Herald*, 11 December 1996.

Chapter Eighteen

Brigadier Spry and Croatian Terrorism

1 Wilton and Bosworth, *Old Worlds*, p.7; and letter of 5 May 1944, AA CRS A373, item 7786/89.

2 Commonwealth Investigation Branch memo of 4 June 1940, AA CRS A6122/1, item 18.

3 For further details on this aspect of the Nazi scandal see Aarons and Loftus, *The Secret War Against the Jews*, and Aarons and Loftus, *Ratlines*. The document detailing the US Nazi scandal was document B26, memo of 31 July 1972, from David Sadleir, Washington, to Foreign Affairs Department, tabled in the Senate by Attorney General Murphy on 27 March 1973. Sadleir later became head of ASIO.

4 *Nazis in Australia*, ABC Radio National's *Background Briefing*, 13 and 20, April 1986.

5 This information was provided by someone who was present at this discussion, and has been confirmed by a senior political source.

6 Interview with Kerry Milte, 3 April 1986.

7 See, for example, *New Citizen*, 15 February 1950.

8 As reported in the Jewish Council bulletin, the *Jewish Advocate*, May 1956. Soon after, the Jewish Council officially raised the matter in a letter to the federal government. Jewish Council *Annual Report*, 1956/57.

9 AA CRS A6122XRI, item 182.

10 AA CRS A6122XRI, item 313.

11 Memo to ASIO Headquarters from NSW Regional Director of 29 July 1955, and report to Senior Field Officer from Field Officer B1 of 28 June 1955, AA CRS A6122XRI, item 303.

12 Menzies Report, p.89.

13 To make matters worse, the time allowed for selection of migrants at Bagnoli was extremely short as Australian authorities strove to fill quotas, and paid little attention to the details of their backgrounds. Indeed, there was virtually no infrastructure available to assist selection in Italy. In fact, there was no Australian security presence in Italy at all. Menzies commented that he was 'not in a position' to explain how Rover came to hold the post of Chief of Police for the IRO when Western intelligence had so recently documented that he was a Ustaše officer. This completely ignored the fact that British and US intelligence were the very organisations charged with ensuring that people like Rover were denied IRO care. It is impossible to believe that Western intelligence was so incompetent that the information held on Rover was accidentally withheld from both the IRO and the Australians. It is far more likely that, having decided on a policy of amnesty for the Ustaše, Western intelligence deliberately avoided providing this material, ensuring that the entire Rover family was allowed to emigrate.

Indeed, an Australian migration selection officer at Bagnoli accepted them after an interview on 18 July 1950, recording under the heading of 'Security' that Srečko had been a student during the war and had fled to Austria because he believed that he had no future in Yugoslavia. The former immigration selection officer who interviewed Rover told Menzies that in 1950 'no security checks' were carried out by Australian officials at Bagnoli, 'it being expected that the IRO would have made adequate checks before presenting the person for selection.' While he could not remember Rover's case, this selection officer admitted that he 'would probably have been influenced' by the fact that Rover had been an IRO Chief of Police. This might explain how Rover slipped through the security screening system in Italy, as it is now clear that this was non-existent. But why did the much proclaimed cooperative arrangements with British and American intelligence fail to provide Australia with the information held on Srečko Rover? Andrew Menzies actually concluded that it was impossible to obtain information on Rover's wartime activities. In drawing this conclusion he relied on the recollections of a former Chief Migration Officer and a former Security Officer then stationed in Europe. They claimed that a check on Rover should have been made with Western intelligence in Germany, but doubted if any information would have been held there. As demonstrated in great detail in Chapter Seven, the US Army Counter Intelligence Corps in Germany actually held several files on Rover which should have turned up if the check had been requested. Likewise, the British Foreign and War Offices had compiled a number of documents relevant to Rover's background. On the other hand, these

Australian immigration and intelligence officials believed that a security check in Italy would 'have been far more likely to have produced a positive result.' This was a convenient explanation in hindsight, as no security checks were made there at that time. In keeping with many of his conclusions, Menzies simply deplored the fact that 'the security control net' in Italy 'was not fully effective,' concluding that neither British nor American intelligence had 'withheld relevant information' from Australian officers. Menzies Report, pp.89-90. This conclusion was not credible, especially considering the mass of material held on Rover by the British Foreign Office, the War Office Special Refugee Mission, the US State Department and the American Army's Counter Intelligence Corps. This information was certainly withheld from the Australians.

14 Interview with Rover, 4 April 1986.

15 Department of Immigration letter of 24 February 1954, AA CRS A6119XRI, item 172, and memo of 18 August 1955 from an ASIO Field Officer to the Victorian Senior Field Officer, AA CRS A6122XRI, item 312.

16 Airgram of May 20 1947 to the us Secretary of State, USNA RG 59, 740.00116 EW/5-2047, Box 106; letter of 9 May 1947 from WOSM to Foreign Office, PRO FO 371 67378; airgram of 3 June 1947 from Greene, Leghorn, to State Department, Washington, USNA RG 59, 740.00116 EW/6-347, Box 106; letter of 8 June 1947 from the British General Officer Commander in Chief in Italy to the War Office, London, PRO FO 371 67382; enclosure to despatch of 16 September 1947 from Joseph Greene, Leghorn, to US State Department, USNA RG 59, 740.00116 EW/9-3047, Box 106; letters of 12 and 15 July 1947, undated letter to Notestein, USNA RG 331, 10000/164/3321, Box 67;

and ASIO Field Officer's report of 21 August 1953 to Regional Director Queensland, AA CRS A6122XRI, item 304.
 17 Memo to the Perth Commissioner of Police, 4 April 1952, AA CRS A6122XRI, item 180.

18 AA CRS A6122XRI, item 303, see also memo from Field Officer to WA Regional Director of 29 March 1955.

19 Diplomatic Note of 5 December 1946, USNA RG 59, 860H.00/12-546, Box 6429, Letter of 17 January 1947, USNA RG 59, 740.00116 EW/1-1747, Box 3684.

20 As discussed in Chapter Five, the first of these mass killings occurred on 4 May 1941 when five people were killed at Bačuga; the second in July when 2,000 Serbs were executed at Grabovac and eighteen nearby villages; the third in October of the same year at Komogovina, when thirty-six men were taken to Petrinja and shot in the St Nikola cemetery. PRO FO 371 59422. The Yugoslavs had provided an even more detailed and graphic account of Krpan's crimes in mid-1947. Though the English is clumsy, this diplomatic note gave a graphic account of Krpan's crimes, saying that the principal duty of his unit was 'the wholesale imprisonment of Serbians, whose houses they used to burn down ... [they] looted their property, tortured incredibly men and women and killed them.' The account of the slaughter of 2,000 Serbs at Grabovac from 24 to 28 July 1941 captured the horrors which the Ustaše had inflicted on their Serbian neighbours that summer.

Krpan and a Ustaše battalion had arrived on lorries, placed machine guns round the village so that the inhabitants could not escape, and rounded them up on the pretext that they were to be taken for interrogation on the promise 'that no harm would happen to them.' However, two of

the captured Serbian peasants were shot almost immediately near the municipal building. While the women and children were released soon after, 'the Ustashi had barbarously beaten by gun-butts the male population and have stabbed them by their bayonets so that their intestines were coming out. By forming the groups of 20-30 of the victims they brought them to the dug ditches where they shot all of them in the back. This shooting lasted for about four days ... In all there were executed about 2,000 Serbians.' The Yugoslav note also accused Krpan's unit of stopping passing trains, dragging out any Serbs and taking them away to prison where 'they perpetrated the most barbarous crimes; cutting off of arms and legs, breaking of bones and spines etc.' It also elaborated on the events at Bačuga, saying that Krpan and his unit, having caught and shot three Serbian peasants, had robbed another and 'then cut his throat.' It also recounted an occasion in September 1941 when Krpan and some twenty-five Ustaše broke into the village of Begović, where they burned down many houses, and 'cut the throats of everyone whom they could catch.' The note named six villagers who had fallen victim to this sadistic method of mass murder practised all too frequently by roving Ustashi bands in the summer and autumn of that year, and by Ustaše guards in concentration camps throughout Ante Pavelić's 'independent' Croatian state. Note from M.S. Nesić to Mr Stewart of the British Embassy in Belgrade, 21 June 1947, PRO FO 371 67385.

21 'List of Yugoslavs Requested by the Yugoslav Government November 1946-January 1947,' PRO FO 371 67371, 'Fermo Nominal Roll,' USNA RG 331, 10000/164/3323, Box 67. In the weeks immediately after the war, the British

commander in Austria, Field Marshal Alexander, initially disarmed the Ustaše and surrendered many of the rank and file to the partisans who executed thousands without trial. As the situation settled down, the Western Allies established a network of Displaced Persons camps in Germany, Austria and Italy, and the Ustaše dispersed among the tens of thousands of Yugoslav DPs. However, the threat to the Ustaše hiding in the DP camps had not disappeared altogether. From October 1945 to June 1946, the United States and British governments insisted that the Yugoslavs establish 'a prima facie case of collaboration with the enemy or of war criminality' against every alleged Ustaše member. In mid-1946, the British Foreign Office proposed to the Americans that all proven members of the Ustaše found in camps in Italy be surrendered to the Yugoslav authorities, whether or not their surrender had been requested. The 'basis for this British proposal was that the Ustashi deserved no sympathy and that their surrender to the Yugoslav Government would give that Government less ground for complaining that Chetniks [Royalist guerrillas] were not being surrendered.' The British proposed that Ustaše in DP camps in Italy be removed to prisoner-of-war camps, where they were supposed to be screened carefully. Those whose membership in the Ustaše organisation was established beyond doubt were to be automatically handed over to the Yugoslav authorities. On 25 June, the Americans approved this British plan, the US Department of State concurring in various British communications to the Yugoslav government to that effect. But in May 1947, the US withdrew their agreement to the surrender of the Ustaše as a group, because the it believed 'that the

Yugoslav Government was meting out unduly harsh treatment to political opponents and using charges of collaboration, which the individual was not permitted to refute in open court, as a weapon in an increasingly severe campaign of repression against opposition elements.' A few weeks later, the British Foreign Office accepted the American decision, which effectively gave amnesty to even the worst mass murderers. As real screening of the Ustaše had begun only a few months earlier, the policy of group surrender was therefore never actually implemented. 'United States Policy Toward the Ustashi,' Research Project No. 61, Division of Historical Policy Research, Department of State, April 1948, USNA RG 59, 740.00116EW/4-148, Box 106. British and American plans to return Italy to civilian rule were well advanced by March 1947. An integral element of these plans was the Allies' desire to turn over all DP camps to the International Refugee Organisation. However, the IRO insisted on at least a notional Allied effort to remove suspected Nazi war criminals and collaborators before they would assume full control of the camps. The British and Americans conducted joint operations in the camps over the next few months, arresting scores of suspects and incarcerating them in the British-run Military Prison and Detention Barracks in Rome (known as 32 MP and DB).
 22 Telegram from Brigadier Maclean to British Embassy Belgrade, 25 April 1947, PRO FO 371 67376, and telegram from USPOLAD Joseph Greene, Leghorn, to US Secretary of State, 30 April 1947, USNA RG 59, 740.00116EW/4-3047, Box 106.
 23 Memo from USPOLAD Joseph Greene, Leghorn, to US Secretary of State, 15 May 1947, enclosing an instruction of the

General Headquarters, Central Mediterranean of 7 May 1947, USNA RG 59, 740.00116EW/5-1547, Box 106.

24 It seems that their network of agents in the DP camps kept them very well informed about the arrests made in the Allied operations, and a few weeks later, on 20 May, the Yugoslav Charge d'Affaires in Rome wrote to the British and American embassies. The communist note informed the Allies that Yugoslavia knew that Krpan was 'being held under Allied (British) arrest. It is herewith requested that this may be confirmed to us and that necessary steps may be taken' for his surrender as soon as possible. Another note followed the next day to Britain's Foreign Office, which replied saying that the government was 'confident that in consultation with the US Government they will be able to reach a decision' about Krpan before 1 August. This was the date by which they optimistically hoped to finally resolve all outstanding extradition requests. Letter of 10 June 1947 from P.W. Scarlett, British Political Adviser to the Supreme Allied Commander, Leghorn, to the Foreign Office Southern Department, letter of 12 June from British Foreign Office to Yugoslav Embassy, PRO FO 371 67379 and 67381, and telegram from USPOLAD Joseph Greene, Leghorn, to US Secretary of State, 3 June 1947, USNA RG 59, 740.00116EW/6-347, Box 106. Miss Jackson of the Foreign Office Research Department noted that 'more personal information' about Krpan had been requested 'to assist in establishing his identity' and that an interrogation report was required before any decision could be made on his fate. Note of 6 June, PRO FO 371 67379. By then, the Vatican was actively campaigning for the Ustaše, interceding on numerous occasions with the Allied authorities on

behalf of those arrested. In April, the Vatican's Secretariat of State sent the Americans a request 'in pursuance of its humanitarian mission' pleading for some of the guilty Ustaše politicians and commanders. They included military officers, local officials, propagandists, and 'highly esteemed and honoured' persons. This list reads more like a who's who of Ustaše thugs, including General Ante Moškov, the commander of Pavelić's personal bodyguard, General Vladimir Kren, in charge of the Ustaše airforce, former high officials of the Foreign Office and even cabinet ministers. Telegram from Dunn, US Embassy Rome, to US Secretary of State, 30 April 1947, USNA RG 59, 740.00116EW/4-3047, Box 106. Three weeks later the American Embassy received a letter from Father Krunoslav Draganović, who identified himself as professor of Zagreb University and Secretary of the Croatian Confraternity of San Girolamo in Rome. Draganović discussed the 'legal position of Croatian War Criminals in Italy,' with particular reference to a list compiled by British military authorities in Italy which had mysteriously fallen into the priest's hands. He argued that many on this list 'are unjustly accused of being traitors or war criminals and that association with the Ustashi movement, even as a high official, need not signify that an individual is a war criminal.' While claiming that nobody 'wants to diminish the responsibility of those who have committed war crimes,' Draganović used every possible deceit to save the guilty. He sought to convince the Western Allies that either the accused were totally innocent and merely good patriots, or had been mistaken for some really guilty person. The leader of the Ustaše movement in Italy then resorted to a political argument that

by handing Ustaše to the Yugoslavs the British were 'inevitably strengthening the position of Tito's Government in a country where 90 per cent of the liberty-loving and Christian population is unanimously opposed to Communism.' Among the cases Father Draganović pursued was Đujo Krpan's, whom he described as 'driver, taken for Col. Krpan Mijo, head of the personal [sic] section' of Pavelić's bodyguard. Letter from Embassy Counselor, Homer M. Byington Jun. US Embassy Rome, to US Secretary of State, 28 May 1947, USNA RG 59, 740.00116 EW/5-2847, Box 106. On 19 June, Walworth Barbour of the US State Department's Southern European Division wrote to Peter Solly-Flood at the British Embassy in Washington. The American position was that 'we generally lack confirmation of the allegations' against Krpan and had 'requested more data' before concurring in his surrender. PRO FO 371 67382. The previous day, the State Department had wired Joseph Greene, US Political Adviser at Leghorn in Italy, making it clear that they had 'no information about Krpan.' They requested that Greene obtain 'pertinent data' about Krpan from 'independent and non-Yugoslav Government sources' and from his interrogation. Telegram from Marshall, 18 June 1947, USNA RG 59, 740.00116 EW/4-3047, Box 106, and PRO FO 371 67382.

25 PRO FO 371 67382.

26 Letter of 21 June 1947, PRO FO 371 67382.

27 Note of 2 July 1947, PRO FO 371 67382. In fact, it was only six weeks *later*, on 17 July, that the United States government agreed to Krpan's release, telling Solly-Flood that Krpan 'should not be handed over to the Yugoslav authorities.' Letter of 17 July 1947, USNA RG 59,

740.00116EW/7-1747, Box 106, and PRO FO 371 67387. The Americans had obtained no further information on him, and merely accepted the British decision that the man was not the wanted war criminal, Đujo Krpan. They should not have relied on their ally's decision. First, Krpan had registered under *his own name* at Fermo DP camp, where he had been picked up in *Operation Backhand* in April 1947. 'Fermo Nominal Roll,' USNA RG 331, 10000/164/3323, Box 67. Secondly, the British officers in Rome who interrogated Krpan did not follow normal procedures. They should have forwarded their interrogation report to London and Washington, where Foreign Office and State Department officials should have made the final decision. Instead, they simply released Krpan. Finally, when he emerged two and a half years later as a *bona fide* refugee under IRO care, intelligence files should have revealed that he was barred from international assistance. But he was passed onto an Australian immigration selection team, and arrived in 1950.

28 SIU Final Report, pp.231-232, where Krpan is listed as PU30.

29 CIS memo of South Australian Deputy Director, E. Hattam, to CIS Director, AA CRS A6122XRI, item 304, 'Summary of the Documents,' and document A6, ASIO Position Paper of 1 October 1967, tabled in the Senate by Attorney General Murphy on 27 March 1973 and in *Hansard*, p. 542, item 28, document B5. See also the account of Vuina's wartime career in SIU Final Report, p.237, where he is listed as PU95.

30 ASIO memo from Sydney office to Senior Section Officer F, 21 May 1964, AA CRS A6119XRI, item 258, VUINA, Ljubomir.

31 Letter of 23 May 1951, memo of

- 15 August 1951 to ASIO Headquarters, AA CRS A6122XRI, item 304; handwritten report on the Croatian Club, 19 August 1952, memo and report of 21 October 1952 from South Australian Regional Director to ASIO Headquarters, AA CRS A6122XRI, item 310; and ASIO cards of 31 January 1952 and 21 October 1952, AA CRS A6119XRI, item 258, VUJINA, Ljubomir.
- 32 Memo by ASIO Victorian Regional Director, 2 July 1963, as reported in ASIO Index Card, AA CRS A6119XRI, item 258, VUJINA, Ljubomir.
- 33 Memos of 12 October 1951 to the Immigration Department and South Australian ASIO office, memo from Spry to ASIO's Western Australian office of 5 September 1952, memo of 10 December 1952 to ASIO Headquarters from Regional Director for NSW, memo of October 1952 to Regional Director for Western Australia, memo of 27 January 1953 to Section Officer 'B' Western Australia from an ASIO Field Officer, memo from Spry to Heyes of 14 July 1953, AA CRS A6122XRI, item 304, and memo of 10 December 1952 from NSW Regional Director to ASIO Headquarters, AA CRS A6122XRI, item 306.
- 34 ASIO translation of *Hrvat* of April 1953, AA CRS A6119XRI, item 172.
- 35 Memo of 23 April 1953 to the Senior Field Officer from an ASIO Field Officer, and memo of 21 August 1953 to Regional Director for Queensland from an ASIO held officer, AA CRS A6122XRI, item 304.
- 36 Memo of 30 September 1953 to the Senior Field Officer from an ASIO Field Officer, AA CRS A6122XRI, item 304.
- 37 Memo of 19 November 1953 to the Senior Field Officer from an ASIO Field Officer, and memo to ASIO Headquarters from NSW Regional Director of 25 November 1953, AA CRS A6122XRI, item 304.
- 38 Memo of 12 April 1954, AA CRS A6122XRI, item 304, and memo of 10 December 1952 from Spry to the Victorian Regional Director, AA CRS A6122XRI, item 313.
- 39 Memo of 30 April 1954 from Immigration Department to ASIO, letter of 8 March 1954 from Marković to N. Reeves, officer in charge of Bonegilla, and memo of Victorian Regional Director of 21 October 1954, AA CRS A6122XRI, item 313. Indeed, Special Branch believed Truchly was the Secretary of the Melbourne Branch of the Australian Croatian Association.
- 40 Memo of 13 May 1954 from an ASIO Field Officer to the Senior Field Officer, AA CRS A6122XRI, item 313.
- 41 Memo of 11 February 1955 from an ASIO Field Officer to the Queensland Regional Director, and 'Open Letter to the Editor of Serbo-Yugoslav paper "Sloga" Perth,' AA CRS A6122XRI, item 312.
- 42 Andrew Menzies commented that this decision 'can be explained by the limited information then held on him.' This, too, is not credible as ASIO was by then completely aware of his fanatical devotion to the Ustaše terrorist and wanted war criminal, Ante Pavelić, to whom Rover was sending Australian currency. They also knew that he was the person actually receiving orders from the terrorist leaders abroad and had established a major Ustaše network in Australia. Further, the aggressive threats Rover made against the Serbian community should have alerted ASIO to the potential for violence to erupt, a fear that should have been reinforced by ASIO's knowledge of Rover's senior role in past terrorist activities on behalf of the post-war Križari.
- 43 Menzies Report, p.91, *Hansard*, Select Committee on Civil Rights of Migrant Australians, 8 August 1973, p.332; *Sunday*

Truth, 30 June 1957; and *Sydney Daily Telegraph*, 27 June 1957. The transcript of the defamation case before Judge Prior in the Sydney District Court contains a very full account of the Križari operations and Rover's part in the disasters that befell the Ustaše militants whom he guided into Yugoslavia in 1948. See transcript of Rover v. Ivanković, 26 June 1957, p.4 and pp.6–10, AA CRS A6119/90, item 2737, ROVER, Srečko Blaz.

44 Extract from Sydney Field Officer's Report, 22 April 1960, AA CRS A6119/90, item 2737, ROVER, Srečko Blaz.

45 Some examples of the divisions within the Ustaše and Croatian nationalist circles are found in AA CRS A6122XRI, item 310 and AA CRS A6119XRI, item 172.

46 Some details concerning Lovoković's wartime and postwar activities were outlined by Frank Walker in his speech in the NSW Parliament on 16 April 1986, NSW *Hansard*, pp.1973–75. In 1966, Lovoković admitted to the Commonwealth Police that he had been a member of the Ustaše Youth Movement and had undergone two periods of military training of three months each in 1943 and 1944. AA CRS A11822, X1. See also memo to ASIO Headquarters from Deputy Director General (NSW Operations, 11 June 1964, AA CRS A6119/90, item 2792.

47 Document A6, ASIO Position Paper of 1 October 1967, tabled in the Senate by Attorney General Murphy on 27 March 1973.

48 Rover alleged that the money collected in Australia was finding its way into Yugoslavia instead of promoting the welfare of Croats abroad. The senior leader allegedly approached by Rover to betray militants to the Soviets was Ivo Herencić. Document A6, tabled in the Senate by Attorney General Murphy on 27

March 1973; *Hrvatska*, 7 March 1956, and *Obrana*, February–March 1972, quoted in *Farrago*, 23 June 1972. Rover gave an account of his post-war activities in a written statement provided to ASIO. See Attachment to Victorian Memo number 2356, 25 June 1964, AA CRS A6119/90, item 2737, ROVER, Srečko Blaz.

49 Document A6, tabled in the Senate by Attorney General Murphy on 27 March 1973; translation of Luburić newspaper, AA CRS A6122XRI, item 303; and *Melbourne Truth*, 23 May 1964.

50 Kerry Milte, 'Report on Croatian Terrorist Activities in Australia,' Owen Dixon Chambers, Melbourne, 22 March 1973; and Document A5 tabled in the Senate by Attorney General Murphy on 27 March 1973.

Chapter Nineteen

The Friar Was A Terrorist

1 Accounts of these events are given in document A5, ASIO Position Paper of 1 May 1967, 'The Croatian Revolutionary Brotherhood,' tabled in the Senate by Attorney General Lionel Murphy, 27 March 1973, *Melbourne Herald*, *Sydney Daily Mirror*, *Sydney Sun* and *Borba*, 5 September 1963, and *Sydney Morning Herald*, *Canberra Times*, *Melbourne Age*, *London Times* and *Melbourne Sun*, 6 September 1963. On the Wodonga training camp, see Commonwealth Police Personal Particular Form for Fabijan Lovoković, AA CRS A11822, item X1, Part Two.

2 *Spremnost*, July–August 1962. When ASIO interviewed a Croat by the name of Franjić who had been a member of the HRB, he reported that Oblak had taken him to Romac's Woollahra headquarters in 1962

where he took the HRB oath. Another HRB member also recounted to ASIO that he, too, had taken the HRB oath at the Woollahra headquarters. ASIO report on 'Applicant for Naturalisation,' 29 August 1969, AA CRS A6119/90, item 2795.

3 Memos by WA Regional Director of 4 February 1953 and 30 September 1955, AA CRS A6122XRI, item 309, and *Spremnost*, July–August 1962.

4 Lovoković readily admitted that his own organisation, the HOP, followed the principles of Ante Pavelić while denying that this amounted to Nazi or fascist activity. *Sydney Daily Mirror*, 6 September 1963, and *Wiener Library Bulletin*, April 1964.

5 ASIO Contact (Q) Report, 23 August 1963, AA CRS A6119/90, item 2737, ROVER, Srecko Blaz.

6 Memo to Senior Field Officer from Field Officer, Victorian ASIO Office, 11 September 1963, AA CRS A6119/90, item 2737, ROVER, Srecko Blaz.

7 ASIO Contact (Q) Report, 23 August 1963, and memo to Senior Field Officer from Field Officer, Victorian ASIO Office, 11 September 1963, AA CRS A6119/90, item 2737, ROVER, Srecko Blaz. The transfer of funds was on behalf of the Melbourne Croatian priest Josip Kasić. See also memo to Victorian Senior Field Officer from Field Officer, 2 July 1963, AA CRS A6119/90, item 2790. The allegation that Rover was a communist double agent comes up time and again in his ASIO dossier. Another example is found in a memo from Spry to ASIO overseas Liaison Officers, 9 June 1964, AA CRS A6119/90, item 2737, ROVER, Srecko Blaz.

8 Document A5, tabled in the Senate by Attorney General Lionel Murphy, 27 March 1973.

9 Memo to ASIO Senior Field Officer,

13 May 1964, citing Q source information in report of 11 October 1963, AA CRS A6119/90, item 2737, ROVER, Srecko Blaz. The memo of 13 May 1964 makes it clear that Rover was the source of much of the intelligence on Pasti. See also Spry's request to Attorney General Billy Snedden to place a wire-tap on Rover's telephone, 18 June 1964, AA CRS A6122/48, item 2029, Telephone Intercept, ROVER, Srecko. In October 1963, ASIO head Spry ordered that Rover should be formally interviewed by ASIO officers. This followed Rover's approach to his barrister in the 1957 defamation case, R.J. (Bob) Ellicott, later a senior Liberal member of federal cabinet. Ellicott in turn sent the request to Attorney General Garfield Barwick who referred it to Spry. Spry ordered that Rover 'should not be given the opportunity to exploit the interview as "a connection with Security" and should be told to keep the matter on a strictly confidential basis.' See Rover letter to Ellicott, 20 September 1963, Ellicott letter to Barwick ('Dear Gar'), Spry memo to Regional Director for Victoria, 3 October 1963, Spry letter to Barwick, 4 October 1963, AA CRS A6119/90, item 2737, ROVER, Srecko Blaz. Rover denied any connection with Pasti to the Commonwealth Police, explicitly refuting the claim that he had taken Pasti to the airport. He also disclaimed knowledge of the nine terrorists arrested in Yugoslavia. See undated confidential biography supplied by Rover to the Commonwealth Police, circa September–October 1963, AA CRS A11822, X61, Part One.

10 *Sydney Daily Mirror*, 6 September 1963.

11 *The Bulletin*, 26 January 1963.

12 *Spremnost*, January–February and May–June 1963.

13 ASIO 'Summary of Information' on Fabijan Lovoković, 11 June 1964, AA CRS

A6119/90, item 2792. On the film, see report by Commonwealth Police acting Sergeant 2nd Class P.V. West, 22 July 1964, AA CRS A11822, item X1, Part One.

14 *Hansard*, 23 May 1963.

15 *Australian Liberal*, October 1959.

16 Some details concerning Lovoković's wartime and postwar activities were outlined by Frank Walker in his speech in the NSW Parliament on 16 April 1986, NSW *Hansard*, pp.1973–75.

17 After Lovoković admitted on the ABC program *Four Corners* that the Ustaše was active in Australia and that he looked to another world war to provide the opportunity to seize power in Yugoslavia, the matter was raised in Parliament once again. The government Senate leader, W.H. Spooner, replied merely that his 'reaction was that these people were patriots who wanted to see former conditions restored in their own country,' apparently unaware that former conditions had involved the slaughter of over half a million innocent people, *Hansard*, 10 October 1963. The Labor opposition mounted a concerted parliamentary attack on the government, repeatedly directing questions about the Ustaše's activities to Menzies government ministers. A week after Spooner's comments, Labor Senators aimed a barrage at Senator John Gorton, representing the Minister for External Affairs. Gorton initially responded by glibly stating that some Croats in Australia believed their country had been forcibly incorporated into Yugoslavia, while others wished to retain it as part of that country. Gorton noted that 'this is the basis of the complaints between the Yugoslav sections in Australia, and I doubt very much whether it is one in which the Australian Government ought to interfere. I think that the Croats, or anybody else in Australia

having views of this sort, have a perfect right to expound those views by legal means and to band together to try to propagate their views by legal means,' the future Prime Minister declared. Labor Senator Sam Cohen, a former leader of the Jewish Council to Combat Fascism and Anti-Semitism, immediately asked another question relating to the activities of 'members of the terrorist Ustaši' in Australia who 'pledge loyalty to that movement on a world-wide basis.' Gorton had to admit that there had been attacks by one section of Yugoslav migrants on others but merely expressed 'great regret because as I said before, the ideas of people should be propagated by legal means and not by force.' Apparently oblivious to the real meaning of his words, Gorton challenged the Labor Senators to give 'instances of illegal activities' involving the Ustaše, saying the government would examine them if evidence were produced. Other Labor Senators then referred to the training of terrorists in Australia 'to enable them to forcibly carry out their beliefs,' pointing to the recent arrest in Yugoslavia of the nine Ustaše militants, *Hansard*, 17 October 1963, pp.1027–29. Gorton replied that the government did not support such terrorist training 'because that would be an illegal activity whether it were carried out by anti-Communist or Communist organisations.' He admitted that 'the reason for the arrests was an indication of illegal activity and therefore not one that could be supported in any way by this government.' But in a rhetorical flourish typical of these debates, he implied that his questioners were less than democratic, declaring that 'this has been a most extraordinary series of questions. Am I to understand that those who have asked them take the view that people have no

right to express opinions in a legal way in Australia?' Gorton's obfuscation set the tone for what became one of the most bitter debates between successive Liberal governments and the ALP opposition, which was raised in almost every parliamentary session over the following decade.

Many others joined the ALP in condemning the ideology and activities of this well-organised movement tracing its origins back to the Nazi-controlled 'independent' Croatian state. They pointed to suspected war criminals among its leadership and to its increasing propensity to use violence to achieve its ends, but the government repeatedly claimed that it was not even operating in Australia. These official statements ignored the massive evidence presented by the Labor opposition, Church and migrant groups. They also contradicted the government's own official files compiled by ASIO, the Immigration Department and the Commonwealth Police. Despite this, many on the government side continued to support the Ustaše, following Shipping Minister Opperman's lead by attending functions to mark Pavelić's assumption of power on 10 April 1941. Liberal leaders, especially in New South Wales, continued to legitimise the Ustaše's Nazi past by attending these events into the mid-1980s. Then Upper House leader of the NSW opposition, later Police Minister in the Greiner government, Ted Pickering, attended the 1986 celebration at the Sydney Town Hall. The breakaway from the ALP, the Democratic Labor Party (DLP) and its associated National Civic Council (NCC), joined senior government members in extending their considerable influence to defend and encourage the movement. Commenting on the July 1963 terrorist

incursion into Yugoslavia, an official DLP article in the Melbourne *Herald* declared that the nine 'young men, who against all advice of their friends, offered their lives in a hopeless enterprise of protest' against the communist system in Yugoslavia 'will not be condemned by the Democratic Labor Party. They were right in believing the world cannot exist half slave and half free.' Melbourne *Herald*, 10 September 1963. When the Labor Party pressed the Menzies government to hold an inquiry into fascist groups in the Croatian community the NCC jumped to their defence. Their official magazine *Newsweekly* described a series of parliamentary questions by Labor's Jim Cairns as 'obviously a smear for election purposes ... an insult to Australian Croats.' *Newsweekly* sought to whitewash the Ustaše by saying that Serbs had committed atrocities against Croats as well as vice versa, simply noting that in 1941 'some Croats under Ante Pavelic, joined the German-Italian side, hoping for freedom.' The NCC then defended the Ustaše's 'right to form a Liberation Front' in Australia 'in the hope of one day freeing their country, apparently justifying use of terrorism or any other means to overthrow Tito's government.' *Newsweekly*, 6 November 1963. See also the edition of 13 February 1964. When the nine terrorists went on trial in Yugoslavia early in 1964, the DLP proclaimed them as 'patriotic fighters for freedom' and rejected 'the Communist view' that they were engaged in terrorism. In fact, the Ustaše encouraged their followers to support the DLP, seeing it as a militantly anti-communist Catholic party and therefore close to some of its own ideals. The Ustaše hoped to receive support from the DLP for their cause and in this they were rewarded, in turn supporting the DLP's fight against

international and Australian communism. This perhaps explains the DLP's eagerness to whitewash the Ustaše's past and present activities. Melbourne *Herald*, 17 March 1964, and James Jupp, 'Yugoslavs and Australian Politics' in *Politics*, vol. 23, no. 2, November 1988, pp.22 and 25–26.

18 *Newsweekly*, 21 May 1964, *Bulletin*, 26 January 1963, and Melbourne *Age*, 6 September 1963. See also Victorian Field Officer's reports to Senior Field Officer, 11 September 1963 and 23 August 1965, AA CRS A6119/90, item 2790.

19 Sydney *Daily Mirror*, 9 September 1963.

20 Sydney *Morning Herald*, Melbourne *Age* and Canberra *Times*, 12 September 1963.

21 *Bulletin*, 14 September 1963. See also the edition of 26 January 1963.

22 Document A4, memorandum of 25 September 1964, tabled in the Senate by Attorney General Lionel Murphy, 27 March 1973.

23 *Borba*, 19 April 1964.

24 *Borba*, 13 April 1964; Melbourne *Herald*, 14 and 15 April 1964; and documents A7 and B19, Commonwealth Police report on the Croatian Revolutionary Brotherhood of 6 March 1968; and record of Commonwealth Police interview with HRB leader Jure Marić tabled in the Senate by Attorney General Murphy, 27 March 1973. ASIO also confirmed that Romac had turned the 'library' over to the HRB. Josip Stefulj, who was interviewed by ASIO in October 1966, had worked at the Woollahra premises in 1961, and reported that Josip Oblak had approached Romac and asked for the use of the premises, which the priest agreed to. He also reported that Josip Senić had been given permission by Romac to live at the premises for six months in 1961–62. See interview with Stefulj, report to Principal Section Officer B1 from Senior Section Officer B1, 12

October 1966, AA CRS A6119/90, item 2798. Romac's active assistance to Jure Marić is also reported in a summary of a Victorian ASIO report number 3982, 17 September 1965, AA CRS A6119/90, item 2799.

25 Obituary in *Catholic Weekly*, 19 March 1970.

26 Commonwealth Police report of 10 November 1965, and Australian Federal Police Personal Particulars Form. The Commonwealth Police had first received information that Romac's real name might be Toth in mid-1964. See report by Sergeant L.F. Dunn, AA CRS A11822, item X34/1. ASIO had begun investigating Romac in May 1964, when one of its sources reported that Labor member of parliament, Jim Cairns, was about to expose his true background. See reports by Victorian Field Officer to Senior Field Officer, 21 May 1964, and memo to Senior Liaison Officer (location censored) and Liaison Officer (location censored, presumably Cologne), from Spry, 25 May 1964, memo to ASIO Headquarters from Liaison Officer (location censored, presumably Cologne), 6 November 1964, handwritten notes on Romac, memo to Liaison Officer (location censored, presumably Cologne), 3 December 1964, memo from Liaison Officer (location censored, presumably Cologne), 13 April 1965, memo from Spry to Deputy Director General (NSW Operations), 27 October 1965, memo to Senior Section Officer Field from Field Officer, 26 October 1965, AA CRS A6119/90, item 2798. See also memo by Section Officer Aliens to Officer in Charge Aliens, 19 November 1968, AA CRS A6119/90, item 2799. Romac's change of name from Osvaldi-Toth was further confirmed by the Commonwealth Police in an interview with Fabijan Lovoković. See report by

Commonwealth Police Sergeant 2nd Class P.V. West and Senior Constable W.L. Roach, 20 November 1965, AA CRS A11822, item X1, Part One.

27 Commonwealth Police report of 10 November 1965, and Australian Federal Police Personal Particulars Form. See also memo to Victorian Senior Field Officer from Field Officer, 21 June 1965, and Contact (Q) report, 28 March 1966, AA CRS A6119/90, item 2798. On the Commonwealth Police view, see letter of Jack Davis, acting Commissioner of the Commonwealth Police, to the Secretary of the Immigration Department 23 March 1965, AA CRS A11822, item X34/1. The Personal Particulars Form concerning Romac in this last file also confirms that the priest signed the 'certificate in respect of travel documents for OBLAK one of the terrorists arrested in Yugoslavia.'

28 Handwritten note of 22 October 1964 on document A4, memorandum of 25 September 1964, tabled in the Senate by Attorney General Lionel Murphy, 27 March 1973.

29 Memo to ASIO Headquarters from Deputy Director General (NSW Operations), 17 September 1965, AA CRS A6119/90, item 2798. The acting Commissioner of the Commonwealth Police wrote directly to the Secretary of the Immigration Department to oppose the granting of Romac's passport. See letter of Jack Davis, 23 March 1965, AA CRS A11822, item X34/1. The HRB's links with the Luburić group in Spain were detailed in a special report attached to a memo to ASIO Headquarters from Deputy Director General (NSW Operations), 25 September 1968, and his meeting with Pasti was reported in a memo by Section Officer Aliens to Officer in Charge Aliens, 19 November 1968, AA CRS A6119/90, item

2799. Romac's obvious loyalty to Luburić personally was confirmed when he attended a memorial service following Luburić's assassination in Spain in 1969. See memo detailing the owners of cars present at the service on 10 May 1969, AA CRS A6119/90, item 2799.

30 *Catholic Weekly*, 19 March 1970. On Gilroy's role at the mass, see report by Commonwealth Police Sergeant 2nd Class P.V. West, 19 March 1970, AA CRS A11822, item X34/1.

31 ASIO Victorian Office report of 25 May 1964. As recounted in Chapter Eighteen, the Western allies had launched *Operation Backhand* at Fermo DP camp on 16 April 1947, arresting Đujo Krpan and fifteen other Ustashi members. According to the camp commander, Fermo's administrative staff had controlled it most effectively, protecting fugitive Ustaše war criminals from Allied detection. The staff 'were all Croats until mid 1946. They deliberately sabotaged, falsified, misrepresented, returns, records, registration under orders ... In fact there is no certain authentic record of DPs at this centre prior to July 1946,' the camp commander wrote. Memo of 1 April 1947, USNA RG 331, 10000/164/3319, Box 67. In fact, the Ustaše had developed a clever trick. When the first Western Recording Commission visited Fermo in June and July 1946 to begin screening, some DPs were registered under false names, others not at all. When they went before the Recording Commission they were added to the last page of the camp's Nominal Roll and new DP cards were made out for them 'in their correct names but showing false professions, so that they might at some future date be able to take advantage of any facilities for immigration that might be offered.' These cards were subsequently

removed from the files and the page of the Nominal Roll retyped, leaving off the names of the fugitive Ustaše. 'In this way some of those hiding at Fermo camp were registered by the Recording Commission under names that do not appear in our registration,' Fermo's camp commander concluded. Ustaše officers who registered in the camp under false names were thereby 'hidden' from Western officials, but simultaneously recorded as prospective emigrants if the opportunity should arise. Memo of 1 April 1947, USNA RG 331, 10000/164/3319, Box 67. Western authorities were concerned that this was also the situation at other camps, particularly Bagnoli. A fortnight after the Fermo operation had netted Krpan and his comrades, the US Political Adviser at Leghorn, Joseph Greene, reported the position at Bagnoli to the State Department. He said that Professor Roysse of the Inter-Governmental Committee on Refugees (IGCR) believed that a 'military operation similar to that at Fermo' was essential to remove about forty Ustaše from Bagnoli before the IGCR could take over the camp, an essential pre-condition for the return of the country to Italian rule. Cablegram of 30 April 1947, USNA RG 59, 740.00116EW/4-3047, Box 106.

32 Cablegram of 16 September 1947 from Greene, Leghorn, USNA RG 59, 740.00116EW/9-3047, Box 106. Six days later, Major Vivian Street of the War Office Special Refugee Commission (WOSM) dispatched a list of thirty six alleged Ustaše who were arrested in that operation to the British Foreign Office, and soon after Greene sent Washington the same information. Letter of 9 May 1947, PRO FO 371 67378, and cablegram of 20 May 1947, USNA RG 59, 740.00116EW/5-2047, Box 106.

33 The Fermo and Bagnoli operations had scarcely concluded before the Catholic Church began a concerted campaign to defend those arrested. Professor T. Kolaković of the Holy Name College in Washington wrote to Hector McNeil at the British Foreign Office describing heart-rending scenes in which those detained were horribly mistreated. Kolaković said that *Operation Backhand* at Fermo involved 'about 900 British soldiers' who 'came with tanks and lorries' and surrounded the camp. After occupying the surrounding hills and setting up their machine guns at the camp entrance they arrested a number of people, tying their hands with wires and putting them in lorries 'with great brutality, ordering them to lie on the floor face down. When requested to loosen the wires,' Kolakovic claimed, 'the British soldiers beat them pitilessly.' His description of *Operation Crossline* at Bagnoli was no less dramatic: 'about a thousand British soldiers proceeded in the same way' there, arresting forty to fifty Croats 'hand shackled and lead [sic] to prison. Among them also shackled at the hands and shoulders, was the Chaplain of the Camp, Father Osvaldi-Toth. This very dignified franciscan priest was especially accused of publishing a little magazine in the Camp "Velebit", wherein was described the communistic regime in Yugoslavia and Croatia. This magazine was published with the approval of the British Commander of the Camp.' Letter of 22 May 1947, PRO FO 371 67380. Father Draganović followed up Kolaković's letter with his own a few days later, describing the Rome Military Prison and Detention Barracks operated by the British as 'this house of sighs' which 'got even more depressing' after the arrests at Bagnoli and Fermo camps. 'It looked as if the most

dangerous enemies of humanity were hunted,' Draganović wrote, 'when, for example, in the middle of the night 60 trucks and jeeps with 1000 British soldiers in full war equipment penetrated into the Bagnoli Camp. All these persons, and among them the Franciscan p[riest] Oswald Tot [Toth-Osvaldi], were taken handcuffed to Caserta, and subsequently to Rome.' Draganović stated that Osvaldi-Toth was among a group of accused police officials and agents and was a 'Franciscan and priest in the Croatian Camp in Bagnoli. During the war p[riest] Stjepan was the clergyman of numerous Croatian workmen in Germany. Although he is perhaps not very sensible, p[riest] Osvald was always a good priest and a hard-working and unselfish servant of the people.' Both Kolaković and Draganović strongly defended Father Stjepan Osvaldi-Toth and his co-accused, arguing that they were either completely innocent of any wrongdoing or had been mistaken for others who were real war criminals. Letter from Embassy Counselor, Homer M. Byington Jun., US Embassy Rome, to US Secretary of State, of 28 May 1947, USNA RG 59, 740.00116EW/5-2847, Box 106. 34 PRO FO 371 67381, and USNA RG 319, Box 101. 35 PRO FO 371 67382. 36 Enclosure to dispatch of 16 September 1947 from Joseph Greene, Leghorn, to US State Department, USNA RG 59, 740.00116EW/9-3047, Box 106. With the impending return of Italy to a sovereign government the Western allies decided to remove all Yugoslav quislings and war criminals in their hands to the British zone of Germany. Those screened *Black* were to be held in detention and passed onto the final level of screening, while *Greys* were supposed to be refused refugee status and hence assistance

from the IRO. In practice *Greys* were released *unconditionally* and allowed to gain international assistance, including emigration to other countries. A sometimes heated debate began between various American officials, with John Cabot at the US Embassy in Belgrade accusing Western military authorities of 'culpable negligence' for their failure to arrest and return guilty war criminals to Yugoslavia. US Political Adviser Dunn in Rome revealed bitter feuding between the British and American allies, reporting that 'although British authorities have seldom if ever arrested or consented to the handover of a Yugoslav who may have served them during and after war, they have not shown similar solicitude for former or present American agents.' Dunn believed that 'in many cases British interrogation of arrestees has centred more around American intelligence plans and operations than around patriotism or otherwise of the individual concerned.' Cablegram from Dunn, Rome, to US State Department, of 29 May 1947, USNA RG 59, 740.00116EW/5-2947, Box 106. Cabot in Belgrade was apparently well informed, telling US Secretary of State George Marshall 'that some arrangement has been worked out with [the] Vatican and Argentina by which collaborationist Yugoslavs will be helped to emigrate to Argentina.' Cabot went on to say that it was 'crystal clear even on basis of material available in this Embassy's files that we have flouted our own commitments and that by our attitude we are protecting not only Quislings but also [those] guilty of terrible crimes committed in Yugoslavia.' Cabot concluded that: 'I presume we must protect our agents even though it disgusts me to think that we may be using the same men we so strongly criticized [the] Fascists for using. But so far as I can ascertain [the]

record now is, despite our commitments and moral obligations (1) we have failed to take effective action, (2) we have prevented [the] British from taking effective action, (3) we have not insisted that Italy take effective action, (4) we are apparently conniving with [the] Vatican and Argentina to get guilty people to haven in latter country. I sincerely hope I am mistaken, particularly regarding latter point.'

Cablegram from Cabot, Belgrade, to US State Department, of 11 June 1947, USNA RG 59, 740.00116 EW/6-1147, Box 106. Cabot was not mistaken. Both Britain and the United States had secretly asked the Vatican to smuggle so-called *Greys* to Argentina, Australia, Canada and America. But back in Washington it was decided that 'Mr. Cabot in Belgrade has not received all of the telegrams on the subject of Yugoslavs being resettled by Argentina and consequently has not estimated the situation correctly.' According to the convoluted logic then prevailing in the State Department, the US 'is not giving Argentina persons who have committed crimes, or who have given aid and comfort to the enemy ... Such persons would be "blacks" and are subject to be returned to their homeland, to a certain death, it seems.' The State Department then referred to those in category *Grey* as: 'Chetniks - or, perhaps, [those] who enlisted in the German army or otherwise disqualified themselves for IGC-IRO care ... but are not bad enough, in our opinion, to go back to Yugoslavia as "blacks." True enough, the Yugoslav gov't would like to see returned to it even "greys," but this is where the US has taken a strong stand. We will not hand over people we do not really think are guilty. Thus, Argentina, in taking some of the "greys," takes persons whom Yugoslavia would like to have, but takes

them with the approval of US authorities and after full screening to be sure no really guilty individuals are among them.

Apparently subversives as defined in Res. V11 are not among the "greys". Note to Mr Martin of 13 June 1947, USNA RG 59, 740.00116 EW/6-1147, Box 106. Even this defence was a lie. As previously seen many of those removed from the *Black* list and placed on the *Grey* were known war criminals who had participated in mass murder. Most were also still active in organised Ustaše political and terrorist campaigns, additional reasons to exclude them from IRO assistance as these were subversive acts against a member of the United Nations. The 'full screening' claimed by the State Department was virtually non-existent. The Americans made little, if any, effort to investigate suspects' backgrounds, frequently indicating their attitude in particular cases months after the British had released the accused. Father Osvaldi-Toth was dispatched to Germany following WOSM's decision that he had 'been classified by us as *Grey*, i.e. ineligible for IRO assistance but not liable for forcible repatriation.' Letter of 20 June 1947, USNA RG 331, 10000/164/3321, Box 67.

37 Letters of 12 and 15 July 1947, and undated letter to Notestein, USNA RG 331, 10000/164/3321, Box 67.

38 Cablegram of 22 July 1947, USNA RG 59, 740.00116 EW/7-347, Box 106, and PRO FO 371 67387. The State Department was unaware that Osvaldi-Toth had been screened *Grey* two months earlier and escaped en route to Germany. It noted that 'on the basis of our present information we cannot concur' in his surrender, indicating they might reconsider the case if an interrogation report was 'submitted for our study.' His case was one of those classified

as 'joint responsibility which must have the concurrence of both the US and UK Governments' before he could be 'turned over to the Yugoslavs.' Western military and intelligence officials apparently took no action to ascertain the truth about Osvaldi-Toth's activities, despite his shady wartime career, close involvement with the Ustaše leadership in Italy and implication in continuing subversive acts against Yugoslavia. The Yugoslav War Crimes Commission certainly closely monitored his movements in the Modena and Bagnoli camps, noting his arrest by Western authorities and seeking further information from their secret police. Yugoslav War Crimes Commission document, Croatian Archives.

39 See Yugoslav War Crimes Commission documents about Stjepan Toth, Croatian Archives, and Yugoslav notes of 14 March 1947 and 10 June 1947, PRO FO 371 67374 and 67381.

40 Details of this aspect of Osvaldi-Toth's life are taken from Magnus Linklater, Isabel Hilton and Neal Ascherson, *The Fourth Reich* (Hodder and Stoughton: London, 1984), pp. 192 and 219–20, from Hilton's research report compiled in Bolivia and an interview of Father Medardo Motsch by one of the authors in Austria on 27 August 1983.

41 For details of the *Ratline*, see Aarons and Loftus, *Ratlines*.

42 Motsch stated that about twenty families were received in this way, helped to find housing and employment among the local Croatian community. Linklater, Hilton and Ascherson, *The Fourth Reich* pp.219–20. For other aspects of the Barbie case see Allan Ryan, *Klaus Barbie and the United States Government*, report to the US Attorney General (US Department of Justice: Washington, 1983); Tom Bower,

Klaus Barbie Butcher of Lyons (Michael Joseph: London, 1984); Brendan Murphy, *Butcher of Lyon* (Empire Books, New York: 1983); and Erhard Dabringhaus, *Klaus Barbie* (Acropolis Books: Washington, 1984).

43 Once in Australia, the militant Croatian priest was reunited with many former colleagues of the Ustaše underground and played a major role in organising the HRB's terrorist network. In resurrecting the Ustaše program, Osvaldi-Toth worked with many who had belonged to his terrorist cell in Bagnoli, with others who had been in Fermo and with still others who organised the Križari terrorist operations from their Austrian and German bases. Most were hardened fanatics, while others were wanted for their part in brutal mass killings during the Nazi-controlled Pavelić regime. Osvaldi-Toth had worked particularly closely in Italy with Josip Rover and his son Srećko, with Josip Babić, Rudolf Gabron and Jure Hrvat, each of whom became important figures in the Australian terrorist movement. By the time Osvaldi-Toth assumed a leading role in Ustaše affairs in Sydney in the late 1950s, all these Ustaše militants were either members of the Pavelić faction in Argentina or the group headed by Maks Luburić, the former head of concentration camps, who led the most militant terrorist wing from the safety of Franco's Spain. The US State Department's Bureau of Intelligence and Research noted in 1960 that the Ustaše groups in Australia had become almost as important as those in Argentina and America, and were remitting large amounts of money to their terrorist comrades in Yugoslavia and Western Europe. State Department Intelligence Report of 25 February 1960, USNA RG 59, Research and Analysis

Report, IR 8230. Osvaldi-Toth's colleagues from Bagnoli and Fermo had done their jobs well. The ground was prepared for an organiser of his skill and experience. But many of them had plenty of experience themselves, both during the Pavelić regime and as organisers of the post-war Ustaše revival. It was truly a reunion of old comrades who had transferred their hatreds and violence to their new homeland. The Franciscan friar soon began to work in Australia with the two senior Ustaše leaders – Srećko Rover and Fabijan Lovoković. Indeed, Lovoković seemed to spend a considerable amount of time at Romac's Woollahra headquarter's. See, for example, telephone intercept report, 2–3 July 1964, AA CRS A6119/90, item 2792. But despite the massive evidence of organised Ustaše terrorism operating in Australia, the federal government persisted in its benign attitude. Following the publicity surrounding events in 1963, the Yugoslav government complained officially to the Australian Department of External Affairs, noting in particular the guerrilla incursion by the nine Ustaše militants and the discovery of the political and military training camp near Wodonga.

Chapter Twenty

ASIO's Terrorist

1 On 27 August 1964, Prime Minister Menzies made a statement to Parliament on 'Yugoslav Immigrant Organisations.' Menzies stated that 'it is wholly understandable that immigrants should establish organisations amongst themselves for a variety of social and cultural purposes,' completely ignoring the evidence gathered by intelligence and

police agencies that some groups existed only for fascist and terrorist purposes. The Prime Minister then claimed that it also was 'understandable that some Yugoslav migrants of Croatian origin should continue to hope for the establishment of an independent Croatia and within a democracy like Australia they have a right to advocate their views so long as they do so by legitimate means.' Menzies then deliberately misled in claiming that 'investigations so far have not produced any evidence which would warrant legal proceedings.' The Menzies statement was tabled in the Senate as Document A1 by Attorney General Murphy on 27 March 1973. However, ALP leader Athur Calwell described Menzies's statement as 'wholly unsatisfactory' and a 'whitewash.' His colleague Jim Cairns expressed disbelief that 'the Prime Minister continued to take a view biased in favour of this Croatian national movement' and identifying the government with 'the most extreme Fascist-type body in Australia.' Letter of 6 January 1964, tabled in the Senate as Document A3 by Attorney General Murphy on 27 March 1973; *Melbourne Herald*, 27 August 1964; and *Melbourne Sun*, 28 August 1964.

2 Undated ASIO report, circa June–November 1964, AA CRS A6119/90, item 2792.

3 Spry's request to Attorney General Billy Snedden to place a wiretap on Rover's telephone, 18 June 1964, AA CRS A6122/48, item 2029, Telephone Intercept, ROVER, Srećko. The paperwork for the wiretap on Lovoković's phone is in AA CRS A6119/90, item 2797.

4 Handwritten note of 4 May 1972 on Snedden's decision of 20 June 1964, AA CRS A6122/48, item 2029, Telephone Intercept, ROVER, Srećko.

5 One Victorian Field Officer reported that many 'allegations have been made linking ROVER with the CROATIAN REVOLUTIONARY BROTHERHOOD (H.R.B.) however, despite endless enquiries and allegations there has been no evidence to support this charge.' Report to Victorian Senior Field Officer from Field Officer, 23 April 1965, and page 2 of Field Officer report (no date), attached to memo to ASIO Headquarters, from Regional Director, Victoria, 6 May 1965, AA CRS A6119/90, item 2738, ROVER, Srecko.

6 Memo for ASIO Headquarters from Deputy Director General (NSW Operations), 30 March 1965, and Q report, 30 March 1965, AA CRS A6119/90, item 2793.

7 Report to ASIO Headquarters, from Regional Director, Queensland, 15 February 1964, , AA CRS A6119/90, item 2792, and handwritten note to Deputy Director General (Operations), 11 May 1965, AA CRS A6119/90, item 2738, ROVER, Srecko.

8 Memo to ASIO Headquarters from Regional Director, Victoria, 2 July 1965, and Q report, 17 November 1965, AA CRS A6119/90, item 2738, ROVER, Srecko.

9 Memo to Senior Section Officer Field from Field Officer, 8 September 1965, AA CRS A6119/90, item 2791. This report concerned a factional dispute in the Croatian community in which ASIO had established that Rover had 'used two known members of the H.R.B. to cause disturbances at KASIC's Church services and must therefore be responsible for their briefing in this matter.'

10 Memo by Regional Director, Victoria, 17 February 1966, memo to ASIO Headquarters from Regional Director, Victoria, 4 March 1966, memo to Senior Section Officer Field, 3 May 1966 on the

trip to Victoria of Sydney HRB leader, Tomislav Lesić, and memo to Senior Section Officer Field, from Field Officer, 28 October 1966, AA CRS A6119/90, item 2738, ROVER, Srecko. ASIO's Queensland Regional Director also reported that a small group of Croatian militants were trying to form a branch of Rover's Croatian National Resistance (HNO) as 'a cover for H.R.B. activity in this State.' Memo to Regional Director Victoria, 25 May 1965, AA CRS A6119/90, item 2793. See also, reports by Senior Constable D. Farrant, 24 May 1966 and 27 July 1966, AA CRS A11822, X61, Part One.

11 ASIO Q report, 24 January 1967, AA CRS A6119/90, item 2739, ROVER, Srecko.

12 Interview with Kerry Milte, 3 April 1986.

13 Memo of 21 July 1972, 'Incidents within the Yugoslav Community, 1963-1972,' tabled in the Senate with the Ministerial Statement by Attorney General Murphy on 27 March 1973.

14 Report to Senior Section Officer Field from Field Officer, 20 October 1966, AA CRS A6119/90, item 2738, ROVER, Srecko.

15 Memo to ASIO Headquarters from Deputy Director General (NSW Operations), 31 October 1966, AA CRS A6119/90, item 2738, ROVER, Srecko.

16 ASIO Q report, 6 November 1966, AA CRS A6119/90, item 2739, ROVER, Srecko.

17 A year before, however, McMahon had taken a completely different attitude. While still Treasurer in John Gorton's government, he had arrived at the scene of a violent demonstration outside the Yugoslav Consulate in Sydney where a group of about thirty militants had stormed the building, hurling rocks through the front windows, climbing onto the roof, and seizing and burning the Yugoslav flag. Surveying the scene

McMahon told the press that the demonstrators seemed 'a good bunch, commenting that they 'have a good cause. We have to keep the spirit of independence alive, you know.' Perhaps this explains why McMahon took no action when he became Prime Minister fifteen months later. ASIO Position Paper on 'The Croatian Revolutionary Brotherhood,' 1 May 1967, letters of 3 and 16 December 1969, tabled in the Senate as Documents A5, A8 and A9, by Attorney General Murphy on 27 March 1973.

18 Document A10, tabled in the Senate by Attorney General Murphy on 27 March 1973, and extract from report by Sergeant West, 3 April 1970, AA CRS A11822, X61, Part Two.

19 *Nation Review*, 23–29 March 1973.

20 Document A12, memo by J.M. Davis, Commissioner Commonwealth Police Force, of 20 February 1970, tabled in the Senate by Attorney General Murphy on 27 March 1973.

21 The change had occurred following a further split between Rover and Stjepan Brbić, another long-time Ustaše activist who had come under ASIO's notice in Western Australia in the early 1950s. Document A13, 'The Croatian National Resistance (HNO) – Recent Developments,' tabled in the Senate by Attorney General Murphy on 27 March 1973. This ASIO report also made the bizarre claim that the HNO recently 'has generally been regarded as a relatively moderate organisation.' ASIO considered that it had been unlikely to 'resort to violence, at least outside Yugoslavia, in order to achieve its ultimate aim of establishing an independent Croatian state.' In ASIO's eyes, Rover's group was to be considered moderate so long as its terrorism was confined to Yugoslavia. One of the main suspects in

the Luburić assassination was an Australian Croat and HRB member, Josip Orec, who had also been charged with the shooting of a senior HRB leader, Ambroz Andrić in 1965. Orec was said by other Croats to be a Yugoslav communist agent. See telex to ASIO Headquarters from Sydney office, Q report, 7 May 1969, and undated report outlining Fabijan Lovoković's views on the assassination, AA CRS A6119/90, item 2795.

22 Document A13, tabled in the Senate by Attorney General Murphy on 27 March 1973; and Clissold, *Croat Separatism*, p.7.

23 Document A13, tabled in the Senate by Attorney General Murphy on 27 March 1973.

24 Document A14, memo to Attorney General of 10 June 1972, documents B14, B17, B18 and B20, tabled in the Senate by Attorney General Murphy on 27 March 1973, and special edition of the *Review*.
25 Melbourne *Herald*, 18 May 1972, and *Tribune*, 5 September 1972.

26 Document A15, record of interview by the then Attorney General with the Yugoslav Ambassador on 19 July 1972, tabled in the Senate by Attorney General Murphy on 27 March 1973; Milte, 'Report on Croatian Terrorist Activities in Australia'; Melbourne *Herald*, 4 July 1972; and Melbourne *Age*, 5 July 1972. See also Adelaide *Advertiser* of 8 July and 18 August 1972, and Melbourne *Herald* and *Age* of 14 August 1972.

27 Melbourne *Age* editorial, 6 July 1972.

28 Document A16, press release of 20 July 1972, tabled in the Senate by Attorney General Murphy on 27 March 1973.

29 Documents B10, B20, and Commonwealth Police memos of 12 September and 23 November 1972, tabled in the Senate by Attorney General Murphy on 27 March 1973, and Murphy's speech of

the same day, *Hansard*, pp.528–47.

30 Document B9, record of interview tabled in the Senate by Attorney General Murphy on 27 March 1973. Rover's role as an ASIO source was admitted to a senior cross-bench politician by a senior Hawke government minister in May 1986. On the ASIO-Commonwealth Police confrontation, see Commonwealth Police report number N63/6336 to the Officer in Charge, Central Crime Intelligence Bureau, from the Sydney office, circa early March 1970, AA CRS A11822, item X1.

31 Document A17, press release of 11 August 1972, tabled in the Senate by Attorney General Murphy on 27 March 1973.

32 Milte, 'Report on Croatian Terrorist Activities in Australia.'

33 ASIO and Commonwealth Police memos to the Secretary of the Attorney General's Department of 17 August and 7 September 1972, tabled in the Senate as part of Murphy's speech, 27 March 1973.

34 *Adelaide Sunday Mail*, 16 September 1972; and *Adelaide Advertiser* and *Australian*, 18 September 1972.

35 *National Times*, 30 October 1972, *Sun*, 18 August 1972, and *Adelaide News*, 23 November 1972.

36 *Adelaide News*, 2 March 1973; and document B26, memo of 31 July 1972, from David Sadleir, Washington, to Foreign Affairs Department, tabled in the Senate by Attorney General Murphy on 27 March 1973.

37 See *Hansard*, Select Committee on Civil Rights of Migrant Australians, 8 August 1973, pp.294, 313, 324, 340, 342; and *Adelaide Sunday Mail* and *Sydney Sunday Telegraph*, 18 March 1972.

38 Things came to a crisis point in November 1975 when Whitlam appeared to question continued Australian

cooperation in allowing America to maintain its electronic spy installation at Pine Gap in the Northern Territory. The CIA passed a secret message to the Whitlam government through the ASIO representative at the Washington Embassy threatening to break the intelligence relationship.

39 *Correspondent's Report*, ABC Radio National, 12 June 1977.

40 For an account of this see Hall, *Secret State*. The dramatic events of early 1973 were really the culmination of more than twenty years of highly charged debate about the presence of Nazis in Australia. There would have been no controversy but for the web of lies spun by successive Liberal governments, their tacit political support for these unrepresentative minority groups and their benign view of growing evidence of the violent campaign organised by secret paramilitary cells. Whitlam was keen to exploit this background now that Labor was back in government, telling Bijedić at a dinner in honour of the visiting Yugoslav Prime Minister 'that Croat extremists had been tolerated in the past.' *Adelaide Advertiser*, 23 March 1973.

41 Speech by Murphy, Senate, 27 March 1973.

42 *Adelaide Advertiser*, 28 March 1973. The affair then trailed off into a series of rebuttals, attacks and counter-attacks by politicians on all sides. Greenwood denied Murphy's charges, producing his own set of ASIO and Commonwealth Police files, and claimed that these demonstrated that his Labor successor had been highly selective in the material he had tabled. See Greenwood's statement to the Senate, 4 April 1973; *Adelaide Advertiser* and *Australian*, 5 April 1973; and *Melbourne Age*, 18 July 1973. Spry's replacement as

ASIO Director General, Peter Barbour, later told a special Senate Committee that there definitely were Croatian terrorist organisations operating in Australia. While the precise form and level of organisation constantly changed, Barbour was certain that extremists were engaged in violence. He also made it clear that previous Liberal governments had been informed by ASIO of 'organised extremist activity in Australia.' Commonwealth Police head Jack Davis went even further in telling the same Select Committee that Croatian revolutionary training existed in Australia and that he had repeatedly conveyed his apprehension about an upsurge of Croatian Revolutionary Brotherhood terrorist actions to the Attorney General's Department throughout 1972. Davis later testified that Rover's Croatian National Resistance was 'prepared to carry out violence to achieve its aims,' and that at least two other organisations 'were prepared to carry out terrorist activities.' New South Wales police testified that they had evidence indicating the involvement of Australian Croats in terrorist acts abroad, including the hijacking of a Swedish airliner. *Hansard*, Select Committee on Civil Rights of Migrant Australians, 8 August 1973, pp.308–10, 325–26; *Melbourne Age*, 9 August 1973; *Adelaide Advertiser* and *Australian*, 25 August 1973; *Australian*, 7 September 1973; and *Australian*, 26 September 1973.

43 An example of a bombing incident occurred in May 1975 in Melbourne. See *Adelaide Advertiser* and *Australian*, 26 May 1975.

44 The group was also filming their exercise, allegedly for distribution among supporters overseas, which they later claimed was the sole purpose of the training camp. See *Canberra Times*, 3

September 1978; *Melbourne Age*, *Australian* and *Sydney Morning Herald*, 4 September 1978; and *Sydney Morning Herald*, 5 September 1978 and 24 February 1979.

45 *Sydney Sun*, 9 February 1979; *Daily Telegraph* and *Australian*, 10 February 1979; and *Sydney Morning Herald*, 14 February 1979.

46 *Daily Telegraph* and *Australian*, 26 March 1980; *Sydney Morning Herald*, 26 March and 16 April 1980; *Weekend Australian*, 7–8 February 1981; *Sydney Morning Herald*, 24 January and 18 February 1981; *Daily Telegraph* and *Sydney Morning Herald*, 10 October 1981; *Weekend Australian*, 10–11 October 1981; and *Sydney Morning Herald*, 26 September 1985.

47 *Sydney Morning Herald*, 19 April 1986.

48 *Sydney Morning Herald*, 10 May 1984.

49 *Hrvatski Tjednik*, 18 March 1986.

50 The Labor Opposition leader, Kim Beazley, also sent a brief message to the Intercommittee. See *Spremnost*, 13 April 1999, and *Nova Hrvatska – New Croatia*, 13–19 April 1999, and invitation issued by Beram.

Chapter Twenty-One

Garfield Barwick: The Abandonment of Justice

1 Translation of Soviet Ministry of Foreign Affairs Note, 24 February 1961, AA CRS A432/79, item 61/2105, and Statement by Attorney General and acting Minister of External Affairs Garfield Barwick in the House of Representatives, 22 March 1961, in *Current Notes on International Affairs*, no. 2, 1961. This is also reproduced in a statement 'For the Press,' AA CRS A432/79, item 61/2105.

2 Detailed accounts of these trials are

contained in Raul Kruus, *People Be Watchful* (Estonian State Publishing House: Tallinn, 1962); and K. Lemmik and E. Martinson, *12,000: Materials from the Trial of the Mass Murders Juhan Jüriste, Karl Linnas and Ervin Viks, Held at Tartu on January 16–20 1962* (Estonian State Publishing House: Tallinn, 1963).

3 Wentworth's view was echoed by DLP Senator Frank McManus. *Sydney Morning Herald* and *Adelaide Advertiser*, 28 February 1961; *Maritime Worker and Tribune*, 8 March 1961. On Loopeer's role in the Liberal Party's Migrant Advisory Council, see letter from Liberal official Eileen Furley, to Garfield Barwick, 31 March 1961, and for her admission of Viks's post in the political police see her letter to Furley, 28 February 1961, AA CRS A432/79, item 61/2105. On ASIO's investigation, see memo to ASIO Headquarters, from Regional Director, South Australia, 1 March 1961, AA CRS A6119/90, item 2800.

4 Statement by Attorney General and acting Minister of External Affairs Garfield Barwick in the House of Representatives, 22 March 1961, in *Current Notes on International Affairs*, no. 2, 1961.

5 Statement by Attorney General and acting Minister of External Affairs Garfield Barwick in the House of Representatives, 22 March 1961, in *Current Notes on International Affairs*, no. 2, 1961; and Menzies Report, Attachment D, p.5.

6 See articles 49 and 50 of the 'Geneva Conventions Act 1957–1973,' Commonwealth Statutes, p.836 for details of Australia's obligations concerning war criminals.

7 Menzies Report, p.9 and Department of External Affairs Inward Cablegram, from Waller, Australian Embassy, Moscow, 17 March 1961, AA CRS A1838/275, Item 1519/3/8. James felt very strongly about

the issue, and raised the case again in the Adjournment Debate in 1964. See *Hansard*, 16 April 1964, pp.1221–1225.

8 Indeed, none of the Western nations agreed to Soviet extradition requests at this time, although the US did eventually send Linnas back in the 1980s. For an account of the trial, see Lemmik and Martinson, *12,000*, Russian language edition, pp.11–13. Details of the trial are taken from the abridged English language edition.

9 Laats told the court that he had personally seen Viks beating prisoners during interrogations, and also recounted Viks's part in the transportation of prisoners to the anti-tank ditch where he had seen Viks at executions on two or three occasions. According to Laats, Viks had issued arrest warrants, drawn up lists of those to be executed, and personally passed many death sentences. Those sentenced were taken away to be shot 'twice or three times during the course of the day. They were loaded into one or two vans, or covered lorries, with about 15 to 20 people in each.' After the Special Department had selected the condemned, the commander of the armed escort was informed when the prisoners were to be taken away, and the guards formed up in a semi-circle round the entrance of the shed where they were held. 'Then the Commandant of the camp, accompanied by Viks ... arrived with the lists of the persons condemned to be shot,' and the 'prisoners were then brought one by one ... their hands were bound and they were roped together by means of a long rope at intervals of about one and a half metres. Then they were herded up the foot-ladder into the van or lorry, and made to sit down facing one another in two rows along the sides.' According to Laats, this procedure was frequently accompanied by

the use of violence. The prisoners were often kicked or struck with rifle butts. The executions themselves were usually supervised by Viks or another senior officer. Laats also described how the prisoners were finally executed at the ditch, forced to kneel at its edge while their sentences were read out and then shot from behind by the guards.

Arnold Jaksa was one of the few prisoners who survived the camp to give evidence at the trial. He had good reason to remember Viks, who had beaten him so severely that many of his teeth were knocked out. A number of Viks's comrades also testified about his role as head of Department IV-B of the Estonian Security Police. Priit Toone, for example, had been a member of this section, and had also served on the 'Commission for Prescribing Penalties' in the Tallinn-Harju district. According to Toone, the Commission would usually meet in Tallinn's central prison where Viks would consider cases on the basis of flimsy documents which had been drawn up by Department IV-B. These consisted of little more than the victim's name and date of birth, together with a short summary of the charges. A blank space was left for the verdict. Toone described the Commission's operations in detail. It was very similar to the Sarajevo Mobile Court Martial on which Srečko Rover served in 1941. The accused would be brought before the members who rarely asked any questions let alone considered any evidence. Usually the sentence was passed after a few minutes. Almost always this was death by shooting. Another Commission member, Riho Sammalkivi, testified that Viks had commanded Department IV-B, and also was chairman of the central 'Commission for Prescribing Penalties.' He confirmed Toone's account of the summary

proceedings of these bodies, and added that no appeals were permitted from the sentences. Sammalkivi had worked closely with Viks in the Department, and when a document was produced in court he identified Viks's signature. This was a list of sixty people which also bore Viks's notation 'Ex.' The witness confirmed the meaning of Viks's casual comment – these sixty people had been executed the same day. Details of the charges and evidence against Viks used at the trial and related matters see Lemmik and Martinson, *12,000*, pp.7, 12, 13–16, 18–20, 23–24, 28–31, 35, 40, 51, 59–64, 70, 73, 76, 81–82, 91–94, 96–101, 104, 107–8, and Kruus, *People Be Watchful*, pp.45–49, 165–66, 231, 249 and 255.

10 Translation of Sentence of Estonian High Court, 20 January 1962, AA CRS A432/79, item 61/2105.

11 Details of the Linnas extradition request can be found in *New York Times*, 23 May and 13 October 1961 and 21 January 1962.

12 *Sydney Morning Herald*, 4 December 1986; *Courier Mail and Canberra Times*, 22 April 1987; and *Weekend Australian*, 4–5 July 1987. When Jimmy Carter's administration established the Office of Special Investigations in 1979, Karl Linnas's case was one of the first investigated and prosecuted. In July 1981, a New York District Court judge ordered that his citizenship be revoked and although Linnas appealed, the decision was upheld. He was subsequently deported from the United States to the Soviet Union in April 1987 where he died a few months later of natural causes. Linnas was found by the courts to have served in a senior position in the Tartu concentration camp where he was guilty of persecuting innocent civilians. One of the eyewitnesses who gave videotaped evidence in the American proceedings had testified twenty

years earlier at the trial in Estonia. Consistent with his previous evidence, Hans Laats again testified that he had served at the Tartu camp, identifying Linnas as a guard and later camp head who had personally ordered and participated in the mass executions at the anti-tank ditch just outside of town. The US court found Laats's evidence to be credible. Previously, Laats had claimed that Ervin Viks was involved in these same crimes. Further, the Soviets provided a number of documents signed by Linnas as 'Chief of Tartu Concentration Camp' which the US court found 'were signed by Linnas and are authentic and unaltered,' thus corroborating Laats's evidence and a number of other eyewitnesses used in the American trial. These documents came from the same archives that hold many documents signed by Viks. The Office of Special Investigations also called Professor Raul Hilberg as an expert witness to testify about the Nazis' actions after they occupied Estonia in 1941. One of the leading scholars of Holocaust history, the court found Hilberg 'eminently qualified to testify on these matters' noting his reliance on 'captured German documents for the purpose of reconstructing the situation in Eastern Europe' during the war. Hilberg's account of events in Estonia confirmed the thrust of the Soviets' allegations against Linnas at his 1961 trial. Their case was in fact proven to be substantially correct by American courts. Linnas appealed the decision in one of his final actions to stave off deportation, but the Court of Appeals found that Linnas had 'ordered the extermination of innocent men, women and children.' See judgement of 30 July 1981, 527 Federal Supplement 426 (1981), and judgement of US Court of Appeals of 8 May 1986. Ervin Viks, however, escaped

any form of legal process, although the case against him was at least as strong. In Raul Hilberg's view, anyone holding Viks's position at the Tartu concentration camp 'would have been involved, hands on, in the daily affairs of guarding people and having them shot, as was the policy.' Hilberg pointed out that Department IV was the German designation for the Gestapo, while 'B' referred to religious sects, especially Jews and others who 'might be subjected to persecution for some reason or another.' Department IV-B in fact implemented the Nazi Holocaust and Viks was a key official in the Estonian apparatus of mass murder. But as seen in Chapters Three and Four, Viks was only one of a number of Nazi war criminals from the Baltic states who avoided justice by coming to Australia. Interview of 19 March 1986.

13 The Viks case is dealt with at length in the SIU Final Report, pp.209–216.

14 See ASIO memo of 11 January 1966, memo to Regional Director, Western Australia from Spry, 9 November 1966, and memo to ASIO Headquarters from Jack Gilmour, Western Australian Regional Director, 8 December 1966, AA CRS A6119/90, item 2801.

15 Note for File by Field Officer B2, circa 19 October 1966, AA CRS A6119/90, memo from Senior Section Officer B, to Regional Director, Western Australia, 8 November 1966, and memo from Field Officer B2, Sydney to B2, 9 January 1967, item 2801.

16 ASIO memo, 21 October 1966, AA CRS A6119/90, item 2801.

17 Paal's name is inadvertently revealed in a memo to ASIO Headquarters from Jack Gilmour, Regional Director, Western Australia, 8 December 1966, AA CRS A6119/90, item 2801.

18 Memo from Senior Section Officer B, to

Regional Director, Western Australia, 8 November 1966, AA CRS A6119/90, item 2801.

19 Memo to ASIO Headquarters from Gilmour, 8 November 1966, AA CRS A6119/90, item 2801.

20 On the Soviet allegations against Paal, see Lemmik and Martinson, *12,000*, p.23. This book was debated in federal parliament in April 1964. See Bert James's speech in the Adjournment Debate and Attorney General Bill Snedden's reply, *Hansard*, 16 April 1964, pp.1221–1225.

21 Immigration documents of Artur Paal, AA CRS A11675/1, item 530-533.

22 Memo to Regional Director, Western Australia from Spry, 9 November 1966, AA CRS A6119/90, item 2801.

23 For example, the date sheet reveals that Paal had served in the Estonian army, something which is also recorded on his immigration application. See ASIO 'biographical data' sheet, attached to memo to ASIO Headquarters from Jack Gilmour, Regional Director, Western Australia, 8 December 1966, and ASIO memo on Eerik Heine, 19 December 1966, AA CRS A6119/90, item 2801. Also see immigration documents of Artur Paal, AA CRS A11675/1, item 530-533.

24 Memo to Deputy Director General (NSW Operations) from Spry, 9 January 1967, AA CRS A6119/90, item 2801.

25 Interview with Kerry Milte, 3 April 1986.

26 Report by Sergeant First Class E. H. George, 'Latvian Organisations in Australia. "Daugavas Vanagi" and Others,' AA CRS A1838/2, item 1550/26.

27 Among the better known of these are two dealing with Latvian mass killers: E. Avotins, J. Dzirkalis and V. Petersons, *Daugavas Vanagi. Who Are They?* (Latvian State Publishing House: Riga, 1963); and J.

Silabriedis and B. Arklans, *Political Refugees Unmasked* (Latvian State Publishing House: Riga, 1965). During my trip to Riga in February 1987, the Soviet Latvian Procurator candidly admitted that these and similar publications were, in fact, KGB-controlled. Although he confirmed the basic accuracy of the war crimes charges, he warned me against uncritical reliance on the publications as they were especially slanted to achieve the KGB's political and intelligence ends. No reliance has therefore been placed on these publications in this book.

28 Department of Foreign Affairs memos, 'War Crimes Identification of Records of Likely Interest to the Menzies Inquiry, Supplementary Search,' 23 June 1986, and 'Assessment of Security Classified Documents with a View to their Release for Public Access,' 24 June 1986.

29 *Outlook*, February 1964, and Commonwealth police biography of Upmalis, AA CRS A11822, item X154.

30 Interview with Kerry Milte, 3 April 1986.

31 Interview with Kerry Milte, 3 April 1986.

32 Report by Sergeant 2nd Class R.J. Parsons, to the Officer in Charge, Crime Intelligence Bureau, 11 November 1970, AA CRS A11822, item X569.

33 Anonymous letter from Johannesburg, 3 June 1964, addressed to Upmalis, report by Senior Constable R. Rozenbachs, 14 October 1965, letter to ASIO Director General from Commonwealth Police Commissioner Ray Whitrod, October 1965, and Commonwealth police biography of Upmalis, AA CRS A11822, item X154. The Latvian mass killer who was assassinated in Uruguay was Herberts Cukurs. The chief police suspect as the Soviets' source was one of

Upmalis's friends, Janis Murnieks. See report by Senior Constable R. Rozenbachs, 7 December 1965, and letter to ASIO Director General, from Deputy Commonwealth police Commissioner, Jack Davis, 13 January 1966, AA CRS A11822, item X154.

34 Letter to the Secretary, Department of External Affairs, from Deputy Commonwealth Police Commissioner, Jack Davis, 12 January 1966, and report by Sergeant First Class E. H. George, 'Latvian Organisations in Australia. "Daugavas Vanagi" and Others,' AA CRS A1838/2, item 1550/26. See also SIU Final Report, p.248 where Bagun-Berzins is listed as PU93. The Soviet allegations were made in *Daugavas Vanagi*, p.107.

35 *Australian Jewish Herald*, 18 March 1966, and *Melbourne Truth*, 16 April 1966.

36 Report by Senior Constable R. Rozenbachs, 19 April 1966, and Commonwealth Police biography of Fricsons, AA CRS A11822, item X1163. For a further report of Fricsons's interview with the Commonwealth Police, see SIU Final Report, pp.84–87, which also contains accounts of his admissions to ASIO as well as US and German authorities.

37 Letter by H. Bosyj, 29 December 1956, and letter to the Secretary, Department of External Affairs, from Jack Davis, Acting Commissioner Commonwealth Police, 2 June 1965, AA CRS A1838, item 1550/25, War Crimes – Hrushezkiy Petro. See also the SIU Final Report, pp.280–283 for a detailed account of the Hrushchewskij case. He is recorded as PU76.

38 Letter to ASIO Director General Spry from G. Hartley for the Secretary of the Department of External Affairs, attaching a report from H.S. North, Second Secretary, Australian Embassy, Moscow and a translation of an article entitled 'Are the Executioners Really Alive? Yes, They are!

They Live in Philadelphia, Los Angeles and Adelaide,' *Sovietskaya Rossia*, 26 June 1963, AA CRS A1838, item 1550/24, War Crimes – F. Kapitula. See also the SIU Final Report, pp.91–94 for a detailed account of the Kapitula case. He is recorded as PU104.

39 *Sun-Herald*, 2 September 1979, and the *Canberra Times*, 3 September 1979.

40 Research Services letters, 1 September, 26 November 1964, 15 November 1965 and 15 May 1971, and handwritten notes on the Pabresha case, July 1964. See also memo from Sam Kliger to Alan Benjamin, 26 June 1986, and letter to Leslie Caplan from the Australian Federation of Jewish Ex-Service Associations, circa mid-1986, for further details of the Pabresha case. See also letters from Alan Benjamin to the Secretary of the Department of Immigration and Ethnic Affairs, 6 April, 2 August, 5 September and 25 October 1979, and letters from Benjamin to Foreign Affairs Minister Andrew Peacock, 4 December 1979, 14 January, 8 February and 14 March 1980. Pabresha was investigated as PU6 by the SIU, which could not find a trace of him either in Australia or America. SIU Final Report, p.286.

41 *National Times*, 3–9 May 1985; OSI Director Eli Rosenbaum, on *Background Briefing*, 11 May 1986; and Menzies Report, pp.133–39. The SIU also looked into this issue. See SIU Final report, pp.287–290.

42 In mid-February Executive Council of Australian Jewry President Leslie Caplan led a delegation to meet Prime Minister Bob Hawke. Among the topics raised were the plight of Soviet Jews and Australia's role in punishing war criminals. 'The growing impetus from Canada, the US and West Germany to make sure the perpetrators of the Holocaust are exposed and charged will inevitably involve Australia,' Caplan declared, 'and it is

important our government is aware of the history of this issue in this country, and also of current events.' Caplan's statement marked the beginning of a new campaign for justice more than thirty years after the first had disintegrated during the Cold War. Although Caplan knew of no specific war criminals who had come to Australia other than Kalejs, he was 'almost certain that many Nazis had fled to Australia' after the war. 'If Australia is harbouring war criminals then it is time the Government did something about it ... [They] should be making enquires and I believe they will do it,' Caplan said. *Sydney Daily Telegraph*, 28 February 1986, and *Australian Jewish Times*, 27 February 1987.

43 Immigration Minister Chris Hurford initially resisted calls for an official investigation, saying that enquiries were underway 'into records which might hold information relevant to the entry of Nazi war criminals into Australia, adding that 'insufficient justification existed' for the setting up of a Royal Commission as proposed by the New South Wales Parliament on 16 April. *Background Briefing*, 27 April 1986. A question by Democrats leader Don Chipp at the end of May elicited a similar response from Don Grimes, representing Hurford in the Senate. There was no evidence to support claims that 'there was a conspiracy to admit ... known war criminals' nor was there 'any evidence of war criminality of persons who figured prominently in recent Australian media programs,' Grimes claimed. He added that no investigation would be launched unless there were indications that it would result in criminal charges being laid, and rejected allegations that Australian authorities had not cooperated with the American OSI, saying

that he doubted 'that the allegations referred to by Senator Chipp are in fact valid.' In the final analysis the government's own official inquiry conducted by Andrew Menzies would find against Hurford and Grimes on many of the points they made. *Hansard*, 27 May 1986, pp.2727-28.

44 A former senior official of the Attorney General's Department, Menzies was charged with reviewing all relevant files and reporting on 'whether war criminals are now or have been resident in Australia and, if so, when and how they obtained entry to Australia'; 'whether the material reveals any breach of law, breach of duty or impropriety by any person or persons in relation to the entry into Australia' of such war criminals; 'whether there was any policy by any Government of Australia to allow or assist the entry of known or suspected war criminals into Australia'; and 'whether further investigations were required.' *Canberra Times*, 5 and 6 June 1986.

45 Submission of 12 August 1986. Large excerpts of this submission were published in Mark Aarons, *Sanctuary: Nazi Fugitives in Australia* (Heinemann: Melbourne, 1989), pp.280-285. A full account of the mid-1980s debate about the presence of Nazis in Australia is also contained in *Sanctuary*, Chapter Eleven.

46 Menzies Report, pp.113-15, and 127-31.

47 The report found that its examination of 'British labour recruitment policy has revealed an often wilful neglect of elementary political and security checks.' In coming to these conclusions the group had access to declassified cabinet documents, parliamentary reports and official letters and memoranda. *Australian*, 23 November 1988, All-Party Parliamentary War Crimes report,

November 1988, p.83. As senior British politicians have admitted their government's complicity in assisting Nazis to emigrate from Europe, absolutely no weight can be placed on British disclaimers to Andrew Menzies. In fact no confidence can be placed on their protestations of innocence unless they are prepared to declassify forty-year-old secret intelligence files, something which the government shows little willingness to do. The full extent of Western culpability in the transfer of Nazis from Europe to Australia, America, Canada and Britain can only be determined by a proper enquiry. This would need wide ranging terms of reference, access to all official records and powers to interview officials who decided and implemented immigration screening policies and practices.

48 Menzies Report, p.125.

49 *Hansard*, 5 December 1986, p.3521.

50 *Melbourne Age*, 20 February 1987, and *Weekend Australian*, 25–26 June 1988. The legislative basis for Greenwood's work was contained in a Bill to amend the *War Crimes Act* which Attorney General Lionel Bowen introduced into the House of Representatives in October 1987. Bowen explained that this involved 'the hypothetical transfer of the act alleged to constitute the offence from outside Australia to some part of Australia.' In other words, the jurisdiction in which the trials were to occur had been retrospectively altered. However, nearly all the offences themselves were not retrospective, having existed for many years. These included murder, manslaughter, causing grievous bodily harm, wounding and rape, although Bowen pointed out that it would also 'extend to persons in national or local puppet governments under Nazi direction

at an executive level who had direct responsibility for the deportation, ill-treatment or murder of persons on racial or political grounds.' *Hansard*, 28 October 1987, pp.1612–13. The Liberal opposition adopted an essentially bipartisan approach when the Bill was debated in late November. Shadow Attorney General Peter Reith stated that the 'starting point must be that time should be no bar to the prosecution of such atrocious crimes against mankind. There is no statute of limitations to bar the prosecution of war criminals, nor should there be,' he said, noting that the Canadian Parliament had passed similar legislation. Reith added that when 'this Bill is passed, Australia will join Canada in sending a firm, strong message that serious war crimes can never be tolerated.' Reith commended the government for having decided to create a jurisdiction in Australia to hear the cases because Menzies had reported that a number of the alleged war criminals came from the Soviet-controlled Baltic states. Addressing the question of retrospectivity, Reith said on behalf of the opposition that bringing war criminals to justice must predominate. 'Let those who take a different view say which of the two alternatives they advocate – turning a blind eye or extradition to Russia,' he said. *Hansard*, 26 November 1987, pp.2731–33. However, when the Bill came before the Senate in mid-December, Liberal leader Fred Chaney moved that the Senate Standing Committee on Legal and Constitutional Affairs investigate the nature of evidence likely to come from communist countries. The government agreed to the proposal and public submissions were called for, hearings taking place in early February 1988. It was, in fact, the first step on the road to making

the war crimes issue one of the most acrimonious and heated party political debates of the 1980s. *Hansard*, 26 November 1987, p.2795, and 15 December 1987, pp.2967 and 3035.

Chapter Twenty-Two

Bob Hawke: The Search for Belated Justice

- 1 Interview with Bob Greenwood, 22 December 2000.
- 2 Interview with Bob Greenwood, 22 December 2000.
- 3 Interview with Bob Greenwood, 22 December 2000.
- 4 Interview with Bob Greenwood, 22 December 2000.
- 5 Interview with Bob Greenwood, 22 December 2000.
- 6 Interview with Bob Greenwood, 22 December 2000.
- 7 Interview with Bob Greenwood, 22 December 2000.
- 8 Interview with Bob Greenwood, 22 December 2000.
- 9 Interview with Graham Blewitt, 21 December 2000.
- 10 Interview with Graham Blewitt, 21 December 2000.
- 11 Interview with Graham Blewitt, 21 December 2000.
- 12 Interview with Graham Blewitt, 21 December 2000.
- 13 Interview with Konrad Kwiet, 19 November 2000.
- 14 Interview with Konrad Kwiet, 19 November 2000.
- 15 Interview with Konrad Kwiet, 19 November 2000, and comments by Graham Blewitt, 28 January 2001.
- 16 Interview with Bob Greenwood, 22 December 2000.
- 17 Interview with Graham Blewitt, 21 December 2000.
- 18 Interview with Bob Greenwood, 22 December 2000, and interview with Graham Blewitt, 21 December 2000. For a detailed account of the exhumation, see Konrad Kwiet, 'Unearthing the Holocaust. The Exhumation of a Mass Grave,' a Video Presentation. This is available on a CD-ROM produced by the Yad Vashem Institute under the title 'The Memory of the Holocaust in the 21st Century,' and was originally given at the second International Conference of the Holocaust and Education, 6–14 October 1999.
- 19 *Hansard*, 26 November 1987, pp.2731–2733.
- 20 *Melbourne Age*, 17 November 1988. A detailed account of the Senate and media debates can be found in Aarons, *Sanctuary*, Chapter Eleven.
- 21 A detailed account of the Polyukhovych trial is contained in David Bevan, *A Case to Answer. The story of Australia's first European war crimes prosecution* (Wakefield Press: Kent Town, 1994).
- 22 Interview with Graham Blewitt, 21 December 2000.
- 23 Interview with Graham Blewitt, 21 December 2000.
- 24 Interview with Bob Greenwood, 22 December 2000.
- 25 Interview with Graham Blewitt, 21 December 2000.
- 26 Interview with Konrad Kwiet, 19 November 2000.
- 27 Interview with Bob Greenwood, 22 December 2000. This change was also noted at lower levels in the SIU. Ukrainians team leader, Bob Reid, for example, noted how quickly the level of support sank after Bowen left and was replaced by Duffy. Interview with Bob Reid, 8 September 1992.

- 28 Interview with Bob Greenwood, 22 December 2000.
- 29 Interviews with Graham Blewitt, 9 September 1992 and 21 December 2000. Rozenes believed the government was 'trying to find all sorts of ways to tie this thing down a bit.' He wanted the people who'd done the investigations to continue to support the prosecutions, and not be scattered back into their previous jobs in various police forces. Interview with Michael Rozenes, 9 March 2001.
- 30 The climate in cabinet is captured by Peter Walsh, then the Finance Minister, in his autobiography, *Confessions of a Failed Finance Minister* (Random House Australia, 1995), pp.188-189.
- 31 Interviews with Graham Blewitt, 9 September 1992 and 21 December 2000.

Chapter Twenty Three

The Keating Government: Justice Betrayed

- 1 Interview with Graham Blewitt, 21 December 2000. Greenwood and his Chief Investigator, Bruce Huggett, had conducted an 'audit and review' of all the enquiries being conducted by the Unit' between 4 September and 2 October 1990. This was prompted by the federal cabinet decision to enforce a sunset clause on the SIU's investigations and funding, and Greenwood was narrowing down the suspects who were capable of prosecution and concentrating resources on those with the likely highest probability of success. It was at this stage that Ozols was dropped from the priority list, although this did not entirely remove him from the list of 'live files.' See Greenwood report on the 'audit and review,' circa October 1990.
- 2 Memo from Conwell to Blewitt, 23 April 1992, and letter from Rozenes to Alan Rose, Secretary, Attorney General's department, 4 August 1992.
- 3 Interview with Graham Blewitt, 9 September 1992. See also letter from Blewitt to Rozenes, 13 May 1992. The report of the Commonwealth Police's interview with Ozols on 16 December 1965 is contained in the Information for Search Warrant, attached to Blewitt's letter to the DPP, attention Alex Papadopoulos, 21 May 1992. The warrant also contains the details of Ozols's 1979 interview with West German authorities which was used in defence of Viktors Arajs who was on trial for his war crimes in Latvia. He was convicted and sentenced to life imprisonment despite the assistance from his old friend, Karlis Ozols. In this 1979 interview, Ozols reconfirmed his post in the Latvian Police unit stationed in Minsk.
- 4 Interview with Graham Blewitt, 9 September 1992.
- 5 Interview with Graham Blewitt, 9 September 1992, and Memorandum to Counsel from Alexandra Papadopoulos, Senior Assistant Director, Commonwealth Director of Public Prosecutions, 22 June 1992.
- 6 Peter Faris, 'Advice re Karlis Ozols,' Latham Chambers, 28 June 1992.
- 7 Interview with Graham Blewitt, 9 September 1992. The possible twenty-five additional witnesses are detailed in a report by Latvian historian, Indulis Ronis, after his research on the Ozols case in the KGB archive, June 1992, and in a report by historian, Martin Dean, providing relevant information on the Ozols case following the Canadian visit to the KGB archive in May 1992.
- 8 Interview with Bob Greenwood, 22 December 2000.

- 9 Interview with Bob Greenwood, 22 December 2000, and 'Report by Graham Blewitt Regarding Visit to Yugoslavia, United Kingdom and USSR During June and July 1991,' 17 August 1991.
- 10 Letter from Peter Wood, Deputy Director, Commonwealth DPP, Melbourne Office, to Blewitt, 29 June 1992.
- 11 Interview with Graham Blewitt, 9 September 1992.
- 12 Interview with Graham Blewitt, 9 September 1992.
- 13 Letter from Rozenes to Rose, 4 August 1992.
- 14 Letter from Rozenes to Rose, 14 August 1992.
- 15 Bernard Freedman, 'War crimes concern,' *The Australian Jewish News*, 21 August 1992.
- 16 Bernard Freedman, 'War crimes concern,' *The Australian Jewish News*, 21 August 1992.
- 17 Conversations with Michael Duffy, 16 and 27 March 2001.
- 18 Conversations with Michael Duffy, 16 and 27 March 2001.
- 19 Letter from Duffy to Leibler, 3 September 1992.
- 20 Interview with Michael Rozenes, 9 March 2001.
- 21 Media Release, 'Leibler Slams "Political" War Crimes Decision,' 4 September 1992.
- 22 *Sunday Herald Sun* and *Canberra Times*, 6 September 1992. For other reports, see Tony Stephens, 'Govt Pulls Plug on War Crimes Prosecutions,' *The Sydney Morning Herald*, 5 September 1992, which quoted a 'spokesman for Mr Duffy' that 'the Director of Public Prosecutions did not regard the material on the fourth case as sufficient to justify the laying of charges and a lot of work needed to be done,' and AAP report in *The Weekend Australian*, 5-6 September 1992. See also, letter from Rozenes to Rose, 9 September 1992, letter from Reaburn to Rozenes, 21 September 1992, and interview with Michael Rozenes, 9 March 2001.
- 23 Interview with Michael Rozenes, 9 March 2001.
- 24 Interview with Michael Rozenes, 9 March 2001.
- 25 Letter from Rozenes to Rose, 9 September 1992, letter from Reaburn to Rozenes, 21 September 1992 (attaching Possible Parliamentary Question with the Attorney General department's proposed answer dated 8 September 1992), and interview with Michael Rozenes, 9 March 2001.
- 26 Bernard Freedman, 'Duffy says war crimes decision not political,' *Australian Jewish News*, 9 October 1992, interview with Michael Rozenes, 9 March 2001, and Memo from Rozenes to the author, 22 March 2001.
- 27 Interview with Michael Rozenes, 9 March 2001, Memo from Rozenes to the author, 22 March 2001, and *Commonwealth Director of Public Prosecutions Annual Report 1992-93*, (Australian Government Publishing Service: Canberra, 1993), p.17. While Rozenes reported on the Polyukhovych and Wagner cases, no mention is made of the Ozols case.
- 28 Interview with Graham Blewitt, 9 September 1992. The media also reported the official gag on Blewitt at the time. 'Mr Graham Blewitt, director of the unit, said: "I have been advised by the Attorney-General not to make any public comments about any aspects of the unit's work or any other matter to do with war crimes".' See Tony Stephens, 'Govt Pulls Plug on War Crimes Prosecutions,' *The Sydney Morning Herald*, 5 September 1992.
- 29 For a report of Duffy's decision to hand the Ozols case to the AFP, see Bernard Freedman, 'War crimes now low priority

- for police,' *The Australian Jewish News*, 11 September 1992. On Tate's appearance before the Senate Estimates Committee, see AAP report, 11 September 1992.
- 30 Letter from Norman S. Reaburn, Deputy Secretary, Attorney General's department to Graham Blewitt, Director SIU, 25 July 1993.
- 31 Ministerial Briefing Note, 'War Crimes Investigation – Ozols,' 27 January 1995, released under the *Freedom of Information Act*.
- 32 Letter from Downer to Zuroff, 10 August 1998.
- 33 Letter from Vanstone to Zuroff, 26 November 1998. Vanstone apparently realised she had provided untruthful information, for in a subsequent letter to Zuroff on 6 April 1999 she returned to the standard Duffy line that: 'The DPP advised that a final decision on prosecution could not be made until further investigations were undertaken. Additional investigations would have required a heavy commitment of AFP resources and there was no guarantee that a prosecution would be successful.' In 1997, Attorney General Darryl Williams had put a similar version to Downer's in a statement which said: 'In the Department of Public Prosecutions' view, the existing material was insufficient and the incomplete case was referred to the Australian Federal Police (AFP). The AFP concluded there was little chance of success in pursuing the case to finality.' Ian Rogers, 'Ozols case closed,' *Sun Herald*, 23 March 1997.
- 34 Interview with Michael Rozenes, 9 March 2001.
- 35 Interview with Graham Blewitt, 21 December 2000.
- 36 Letter from the Australian Embassy, Moscow to the Secretary, Department of External Affairs, 29 April 1964, providing a translation of the article 'Wild Animals Disguised as Human Beings. Traitors Shall Not Go Unpunished,' which appeared in *Trud*, 20 April 1964, memo to the Secretary, Department of Immigration from the Secretary, Department of External Affairs, 12 May 1964, enclosing a copy of the Embassy letter of 29 April 1964, and letter to ASIO Director General from the Secretary, Department of Immigration, 7 August 1964, enclosing a copy of the Embassy letter of 29 April 1964, AA CRS A6126/27, item 1128, WAGNER, Heinrich.
- 37 Interview with Graham Blewitt, 21 December 2000. Details of the Wagner charges can be found in the SIU Final Report, pp.60–61. See also, 'Summary of Evidence for Prosecution In the Matter of Director of Public Prosecutions and Heinrich Wagner,' South Australia, In the Supreme Court, Criminal Jurisdiction, SCCRM-92-790, 'SIU Working Paper on PU44 – Wagner,' 15 November 1989, and SIU document 'Analysis of Evidence. Henrich [sic] Vagner.'
- 38 Interview with Graham Blewitt, 21 December 2000.
- 39 Interview with Graham Blewitt, 21 December 2000.
- 40 Interview with Graham Blewitt, 21 December 2000.
- 41 Interview with Michael Rozenes, 9 March 2001, and Memo from Rozenes to the author, 22 March 2001. For a contemporary report of the no-billing of the Wagner case, see Maryann Stenberg, 'End to war crimes trials,' *The Age*, 11 December 1993. This report quoted Ian Bermingham of the DPP's office that 'a decision was made not to proceed with Mr Wagner's trial after taking into account substantial medical evidence.'
- 42 Interview with Bob Greenwood, 22 December 2000.

- 43 Interview with Michael Rozenes, 9 March 2001.
- 44 Interview with Graham Blewitt, 9 September 1992.
- 45 Fricsons is listed as PU74 in the SIU Final Report, pp.84–87. Rover is listed under his own name, pp.66–69. Alferchik is listed as PU62, pp.83–84, and Bujanović as PU99, pp.89–90.
- 46 Stankiewicz is listed in the SIU Final Report as PU21, pp.81–83.
- 47 Metra is listed in the SIU Final Report as PU100, pp.90–91. See also, 'Working paper on PU100 – Metra,' Konrad Kwiet, 21 November 1989, 'Details re SIU Suspects: PU100, Metra, Karlis,' and interview with former Latvian Security Police and SD officer Bergs, who worked in the Tukums headquarters from July 1941 to August 1942, Riga, 9 June 1988.
- 48 Pazusis is listed as PU8 in the SIU Final Report, pp.70–80. See also, SIU 'Computer Information Sheet, Pazusis, Leonas.'
- 49 ASIO Q Reports, 28 March 1963, 5 November 1963, 10 September 1964, and 11 March 1965, extracts from undated ASIO report on Ukrainian affairs, circa August 1963, extract from ASIO report, Canberra, 28 August 1963, AA CRS A6119/90, item 2724, KABAYDA, Anatole. The SIU Final Report contains a detailed account of the various Soviet publications and articles in which Kabaida was mentioned, pp.94–100.
- 50 Kabaida is listed as PU107 in the SIU Final Report, pp.94–100. See also, reports to SIU by Dr Ruth Birn, report of telephone conversation between Konrad Kwiet and Richard Breitman, Report to Greenwood by Breitman, 3 June 1990, SIU File Note by Julie Laycock, 21 June 1991, 'Details re SIU Suspects, PU107, Kabaida/Kubaida, Anatoli,' and 'Working Paper on PU107 – Kabaida,' Konrad Kwiet, 6 November 1989.

Postscript

- 1 Email to the author from Dr Efraim Zuroff, 28 March 2001. For an example of Zuroff's campaign to supply both the names of new suspects and new leads on existing suspects, see his letter to AFP Commissioner Mick Palmer, 21 November 1994.
- 2 SIU Final Report, pp.123–124. Gudelis is listed in the report as PU562.
- 3 Zuroff letter to AFP Commissioner Mick Palmer, 21 November 1994, and attachment outlining the case against the fifteen suspects. See also Zuroff letter to Acting Commander E. Tyrie, AFP Headquarters, Fraud and General Crime, ACT, 19 December 1994 (sending a list of ninety-three additional suspects) and of 22 March 1995, four-page summary of Gudelis's wartime career, abstract of evidence concerning the list of suspects, and Hilberg (1985), p.294. On Stelmokas's denaturalisation and deportation order, see Office of Special Investigations consolidated list of active cases from 1979–1999, 18 November 1999.
- 4 Australian Federal Police, *Annual Report 1997/98*, 8 October 1998.
- 5 ABC Radio News and ABC current affairs program *AM*, 10 February 1999, the *Adelaide Advertiser*, 11 February 1999, Martin Daly and Penelope Debelles, 'Wartime killer or kindly family man?', the *Melbourne Sunday Age*, 14 February 1999, letter from Zuroff to Lithuanian Ambassador to Israel, Romas Misiunas, 25 February 1999, and three-page abstract of evidence against Gudelis prepared by Zuroff, 25 February 1999. Sections of the Jewish community had begun exploring the deportation option in early 1995. See the *Australia/Israel Review*, 15 February–7 March 1995. On the Jewish community

response to Zuroff's 1999 campaign, see Media Release issued by Dr Colin Rubenstein, 'Australia has a Moral Imperative to Deport Nazis,' Australia/Israel & Jewish Affairs Council, 12 February 1999.

6 For reports of the Lithuanian response see the Melbourne *Sunday Age*, 28 February 1999, the Adelaide *Advertiser*, 21 July 1999, the *Australian*, 21 July 1999, the *Sydney Morning Herald*, 21 July 1999, the Melbourne *Age*, 21 July 1999, and the Melbourne *Herald Sun*, 21 July 1999. For the Australian role, see the *Australian*, 22 July 1999, the Melbourne *Age*, 23 July 1999, the *Australian Jewish News*, 30 July 1999 (reporting that the Lithuanians had formally asked for Australian assistance in the Gudelis case), and the Melbourne *Age*, 7 January 2000 (reporting that Australian police had sent Lithuania a dossier on Gudelis). The *Dateline* program by Rod Freedman was run on 28 March 2000.

7 Menzies Report, 'Confidential Part of Report,' released under Freedom of Information, 30 March 2001, pp.1-2.

8 Menzies Report, 'Confidential Part of Report,' released under Freedom of Information, 30 March 2001, pp.3-5.

9 Menzies Report, 'Confidential Part of Report,' released under Freedom of Information, 30 March 2001, p.6

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