

Konrad Kalejs given refuge again

Australia a "safe haven" for Nazi war criminals

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The Australian government last week welcomed back a known Nazi war criminal and ensured that he received VIP treatment on arrival.

Konrad Kalejs, now an 86-year-old real estate millionaire, is a former commander of a Latvian killing unit that murdered at least 30,000 Jews, Gypsies and communists between 1941 and 1945. Before he was allowed to leave Britain to avoid deportation on January 5, both he and the British Labour government knew that he would be protected in Australia, where he was given refuge in 1950 and citizenship in 1957.

Reporters had asked Australia's Justice Minister, Senator Amanda Vanstone, on January 3 whether he would be welcome. "Would you expect a situation where any Australian citizen would not be?" she replied.

Vanstone's comment provoked considerable disgust. A death camp survivor, Melbourne academic Harry Redner, said the country was becoming a "haven for war criminals". Jeremy Jones of the Executive Council for Australian Jewry said: "Criminals involved in some of the most horrendous activities of the last century go peacefully to sleep in Australia, believing this country is not interested in bringing them to justice."

When Kalejs arrived at Melbourne airport on January 7, students and other protestors gathered to denounce his return. Security officers, however, escorted him off Singapore Airlines flight SQ-217 and through the terminal, allowing him to flee via a rear valet parking exit. Police prevented reporters and photographers from following his car as it left the terminal, accompanied by a police vehicle.

The authorities seemed anxious to prevent the scenes that surrounded Kalejs' last sojourn in Australia. When he lived in a Latvian retirement village in Wantirna, a Melbourne suburb, for several months in 1998, protestors dogged him and swastikas were daubed on the village's walls. He escaped to a luxury retirement home in Britain, until being discovered by an American TV documentary program, *Buried Secrets*.

On January 8 a grateful Kalejs praised the Howard government. "I have the biggest, greatest respect for the Australian government," he declared in an interview on Special Broadcasting Services (SBS), the government's migrant community radio network. Kalejs said he had a letter from Prime Minister John Howard informing him that there was no evidence to prosecute him for alleged war crimes.

The fact that Kalejs gave the interview—which SBS duly broadcast in full—expressed his confidence in continued official protection. In the interview he admitted for the first time that he had commanded troops from the notorious Arajs Kommando, dispensing with his earlier claims that he had spent the war years as a farm labourer or university student. For the first time as well he confessed to having met Victor Arajs, the unit's commander, who was tried in Germany in 1980 for war crimes and sentenced to life imprisonment.

Arajs' squads were anti-communist volunteers who fought the Soviet regime during World War II, hailed the Nazi occupation of Latvia in late June 1941 and became the Latvian Auxiliary Security Force—the Latvian SS. At the beginning of the war, there had been about 42,000 Jews in Riga, Latvia's capital. By the end of 1942 almost all had been taken away and murdered by the Arajs Kommando.

A 1942 picture of a steely-eyed 29-year-old Kalejs in the uniform of an SS officer appeared on the front pages of some Australian newspapers on January 10. "Final proof—This is Konrad Kalejs wearing the uniform of an officer in Adolf Hitler's death squad" said the headline in the Sydney *Daily Telegraph*. The photograph had been taken from London's *The Mail on Sunday* newspaper, which obtained it from Latvian archives.

Kalejs' portrait was originally published in the Latvian Nazi newsletter *Laikmets*, with an article entitled "Latvian SS troops attack". Based on an interview with Visrleitnants Konrad Kalejs, the article glorified the destruction of three Russian villages. "We are the first to get through the village and we can see the Communists running, crawling through the snow, and now our job is very easy," Kalejs boasted. "In the next village the story is the same ... Behind lie smoking ruins and many dead enemy soldiers."

In the Latvian archives, *The Mail on Sunday* also located testimonies from Latvian soldiers who served with Kalejs, as well as the statements of three former comrades about his role as commander of the Nazi slave-labour camp at Salaspils, south-east of Riga, where some 25,000 Russian Jews, "undesirables" and Soviet soldiers were shot or starved to death. In another document on file in Riga, Arajs himself, believing Kalejs was dead, told United States investigators that Kalejs was a company commander in his unit.

As this material appeared in the Australian media, the acting Australian Prime Minister, John Anderson, stepped up the government's defence of Kalejs. Previous inquiries had not found sufficient evidence to prosecute Kalejs, he said, and therefore the man was entitled to the presumption of innocence. He challenged those calling for Kalejs' arrest to produce new evidence.

Over the next few days further evidence emerged from Latvia. In 1987 an ex-member of the Kommando, Rudolf Soms, gave Latvian authorities a statement in which he described how Lieutenant Kalejs led an attack on Sannaki (one of the three Russian villages Kalejs earlier boasted of destroying), "burnt it down and annihilated the inhabitants". Another former soldier, Karlis Rozkalns, also gave a 1987 statement, saying: "All the inhabitants (of Sannaki) had been driven into one building and the building had been burnt down".

Both witnesses have since died, as have at least three others who testified of their involvement as guards at Salaspils under Kalejs. On the basis of the Latvian evidence, Canadian authorities deported Kalejs after a

10-month inquiry in 1997, concluding that he “was assisting in the operation of a slave labour camp, where brutality was intrinsic to its purpose. Kalejs is accountable for what happened at Salaspils.”

More incriminating evidence also surfaced from the US, where Kalejs prospered as a Florida developer for 35 years—from 1959 to 1994—before finally being deported. In a 1988 judgment, immigration judge Anthony Petrone ruled that there was “clear, convincing and unequivocal evidence” that Kalejs was a member of the Kommando and had “assisted and participated” in acts of persecution “in association with the Nazi military and civil authorities”. Petrone said the evidence supported allegations of the “murder of thousands of Jews in the forests surrounding Riga”.

The case against Kalejs included the testimony of three survivors of the Salaspils camp: Alfred Winter, Kurt Servos and Ernest Ilberg, documenting the inhuman conditions at the camp, including hundreds of executions by shooting and hanging, as well as forced labour, malnutrition and disease.

The judge said the US government had proven its case that Kalejs was:

- * a member of the Kommando during most of 1942, when villages were burnt and civilians were killed;

- * commander of a guard unit at a concentration camp for Latvian Jews in Porkhov, where members of his company participated in the execution of between 20 and 30 Gypsies in early 1943;

- * commander of an exterior guard unit at the Salaspils and Sauriesi forced labour camps, where Jews and political prisoners were subjected to “incarceration, forced labour and brutal treatment” from late 1943 to May 1945.

Among the exhibits in the case were certificates—one signed by Viktor Arajs—detailing Kalejs' membership of the Arajs Kommando. In one note, dated May 15, 1943, Kalejs wrote: “I hereby inform you that I am in the service of the Commander of the Security Police and SD of Latvia—in the Latvian Security Section as a company commander”.

The Australian authorities have had access to this US information for more than a decade. It proves that Kalejs was allowed to emigrate to Australia in 1950 and later given citizenship on the basis of lies—his application forms listed his wartime occupation as farm labourer. Yet both the Howard government and the Labor Party Opposition still insist that Kalejs has every right to remain free in Australia unless some new evidence comes to light. The government refuses to consider retrospective legislation to strip Kalejs of his citizenship, and Labor backs this stance.

This is the third time that Kalejs has been given refuge in Australia after deportation overseas. The first instance was in 1994, following his removal from the US. After a brief stay, pressure from Jewish groups and anti-Nazi activists caused him to flee to Canada, to be deported from there in 1997. In early 1998, amid protests, Prime Minister Howard personally issued a statement defending the government's decision to take no action against Kalejs, on the grounds that a Federal Police review of his files had failed to produce adequate evidence for a prosecution.

In fact, the only probe into Kalejs and other Nazi war criminals living in Australia, conducted by the federal government's Special Investigations Unit (SIU), was controversially shut down by the previous Keating Labor government in 1992, with the support of Howard's Liberal-National Party. At the time it had 57 cases unresolved and had just applied to send investigators to Latvia to obtain the testimony needed to prosecute another Nazi, Karlis Ozols, one of Kalejs' associates. “The government pulled the pin,” commented Robert Greenwood QC, who headed the SIU. According to the SIU's official historian, Professor Konrad Kwiet, the SIU had gathered “five or six volumes” of material against Kalejs.

The SIU had been established in 1987, largely in response to the public outcry generated by *Nazis in Australia*, an Australian Broadcasting Corporation radio program. The program revealed that Australian authorities had allowed between 150 and 200 Nazi collaborators into the

country in the late 1940s and 1950s and that a number, including Kalejs, had occupied influential posts in displaced persons camps and migrant centres.

In these positions, Kalejs and others were able to facilitate the entry of other fascists into the country. In his thoroughly-documented 1989 book *Sanctuary! Nazi Fugitives in Australia*, one of the producers of the ABC series, Mark Aarons, revealed that Kalejs was recruited by the immigration authorities at the largest Australian migrant barracks, the Bonegilla Immigration and Reception Centre near Albury.

“For three years after his arrival in Australia, Kalejs occupied the important position of documentation and processing clerk at the Bonegilla camp. In this position he was well placed to help other ex-Nazis, handling many sensitive documents, especially the issuing of identity cards to other migrants who had no papers.”

In 1987 the Hawke Labor government refused to hold a Royal Commission or any other sort of public inquiry into the material unearthed by Aarons and the ABC. Instead it asked Andrew Menzies QC, a former senior official of the federal Attorney-General's Department, to conduct a behind-closed-doors review of official files. Six months later, Menzies' report concluded that between July 1947 and December 1951: “It is more likely than not that a significant number of persons who committed serious war crimes in World War II have entered Australia”. Menzies gave the government the names of 70 suspects.

By the end of 1988 the SIU, set up on Menzies' recommendation, had extended the list to 500. Yet when the SIU was shut down, just four years later, it had only initiated prosecutions in three cases. A combination of severe financial restrictions, weak legislation and the deaths of elderly eye-witnesses meant that of the three cases, one was dismissed by the Director of Public Prosecutions, one was abandoned because of the accused's ill-health, and one resulted in an acquittal.

Parallel processes occurred in the US, Britain and Canada. They were, with Australia, among the main destinations of Nazi collaborators from Eastern Europe after World War II. In the US, Congressional hearings in the 1970s led to the establishment of the Office of Special Investigations in 1979. It examined hundreds of cases, leading to some deportations of alleged Nazis. Public pressure in Canada led to a 1987 Commission of Enquiry report that reached similar conclusions to the Australian Menzies report. The British Labour government headed off agitation for a public inquiry by setting up an investigation headed by a former Director of Public Prosecutions who “uncovered some 250 possible cases of war criminals living in Britain”.

Yet in all these jurisdictions, few Nazis were prosecuted. Some, like Kalejs, were deported, but without trials that could have provided public forums for witnesses and documents to come forward or be subpoenaed. By then, some 40 years after the mass executions, massacres and torture, the authorities were able to argue that few witnesses would have survived.

The real reasons for this official reticence were, however, hinted at when the British All-Party Parliamentary War Crimes Group reported in 1988. It found evidence in official records showing that “the British government opened its doors and closed its eyes to the immigration of thousands of alleged war criminals” because it wanted to “recruit scientists, sources of intelligence and labourers for its mines and farms”.

A closer examination of the Kalejs case shows that his escape to Australia in 1950 and subsequent employment by the immigration service was part of a wider political pattern. Particularly after the onset of the Cold War in 1947, and facing rising working class militancy at home, the Western powers provided safe haven for Eastern European fascists via the International Refugee Organisation. In return, these ex-Nazis worked as anti-communist intelligence and immigration agents, specialising in the location, official harassment and deportation of migrant socialists and working class militants.

Among Kalejs' colleagues at Bonegilla was Brana Ivanovic, employed

as a Block Supervisor. When in 1950 the Yugoslav government requested his extradition as a war criminal, the Australian government refused to hand him over. The Australian intelligence agency, then called the Commonwealth Investigation Service (CIS), informed the government that Ivanovic had admitted being the Understate Secretary for Transport and Communication in the Nazi-controlled Serbian administration of Milan Nedic from May 1942 to the end of 1944. The CIS report emphasised that Ivanovic “is very anti-communist” and “claims to have worked with the Intelligence Services of England and America while domiciled in Austria”.

Another blocked Yugoslav extradition request, in 1951, provided documentary evidence that the ex-Nazis were of invaluable assistance to the CIS's successor, the Australian Security Intelligence Organisation (ASIO). On July 11, 1951 ASIO's Director General, Brigadier Charles Spry advised the federal government not to hand over two well-known Yugoslav fascists, Milorad Lukic and Mihailo Rajkovic, because of their work against left-wing Yugoslav migrants. “They are unceasing in their campaign against Communism and can and do assist ASIO to the limit of their ability,” Spry wrote. An internal ASIO report praised the pair as representing “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”.

Last week Greenwood, the former head of SUI, stated that many alleged ex-Nazis were used by ASIO to spy on immigrant communities. “Quite a few of these people worked for ASIO—we know that,” he said. “ASIO had activity files on a significant number of the people I investigated.”

Former fascist leaders also helped supervise mass labour forces on construction projects such as the Australian Snowy Mountains hydro-electricity and irrigation project. In some cases, they later became prominent scientists, business figures and politicians. For example, Ljenko Urbancic, a Slovenian Nazi collaborator, was protected by the British authorities from Yugoslav government requests for his extradition in 1946. Released from British custody in May 1948, he was accepted for migration under Australia's Displaced Persons scheme just 18 months later. By the mid-1970s, he was a major force in the ruling Liberal Party, heading the Liberal Ethnic Council in New South Wales and controlling one-third of the votes in the party's state council.

Although Urbancic made his way up through the Liberal Party, it was the post-war Labor Party government that originally established the Australian safe haven for Nazi fugitives. Immigration Minister, Arthur Calwell, received bitter complaints from working class refugees—who included liberated slave labourers—that they had discovered Nazis on their refugee ships and in their migrant camps. When the CIS reported to him that some Displaced Persons were indeed former SS men, he described it as “a farrago of nonsense”. His Head of Department wrote to the CIS instructing it that SS tattoos, or the existence of scars where they had been erased, were not grounds for rejecting asylum-seekers. 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”.

Calwell was an ardent champion of Labor's “White Australia” immigration policy. Labor's leaders were determined to populate the continent with European stock, particularly those who would undertake or supervise arduous labour in remote locations. Calwell's slogan was “populate or perish”—deliberately invoking fears of an Asian invasion. He was also a hardened anti-communist who simultaneously refused entry to mainly left-wing refugees from the Franco fascist dictatorship in Spain.

The Labor government's national requirements dovetailed with a sharp shift in post-war policy in Britain and the US with the advent of the Cold War. After initially placing prominent Nazis and their leading collaborators on trial for their crimes, the victorious Allies changed course from 1947. Anti-communists and anti-Semites who had experience in Nazi-backed regimes became crucial agents in the struggle against both

the Soviet bloc and the resurgent working class.

On July 13, 1948 the British Labour government wrote to all member states of the British Commonwealth proposing to cease most trials of alleged war criminals in its zone of Germany by August 31, after which no new trials would commence. It stated that “future political developments in Germany” made it “necessary to dispose of the past as soon as possible”.

This, in essence, has remained the policy of Western governments and their intelligence services since. Whatever lip service is paid to hunting down war criminals, their record of service became too valuable—and incriminating—to be laid bare in criminal prosecutions.

In providing sanctuary to Kalejs, the Australian government has enjoyed the support of the media owners. While some prominence has been given to the furore surrounding his return, the newspaper editorials have been unwavering. Thus, according to the *Sydney Morning Herald*, Justice Minister Vanstone “hit all the right buttons” in insisting that Kalejs had the right to remain free in Australia. “Unless and until it can be proved otherwise, he is entitled to be treated as an innocent man.” Not to do so, would be to subject Kalejs to “the same contempt for the rule of law that he himself is accused of demonstrating in the past”.

This “rule of law” is a euphemism for a political and legal system that formally abhors the methods of fascist dictatorship but secretly employs the services of ex-Nazis, grants them citizenship, enacts legislation that effectively protects them and waits for the surviving witnesses to their crimes to die off.

In an effort to defuse the issue, Senator Vanstone has suggested that recent amendments to the War Crimes Act make it easier for Latvia to request Kalejs' extradition. But the leaders of the current Latvian government have taken a similar stance to their Australian counterparts, saying that eye-witnesses no longer exist to sustain a prosecution.

In preparing this article, the author used Mark Aarons' book, Sanctuary! Nazi Fugitives in Australia (William Heinemann, Melbourne, 1989) and recommends it for further reading.



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