



HRSP NEWSLETTER

U.S. Department of Justice, Criminal Division, Human Rights and Special Prosecutions Section

September 2018

FORMER NAZI LABOR CAMP GUARD JAKIW PALIJ REMOVED TO GERMANY

On August 20, Jakiw Palij, a former Nazi labor camp guard in German-occupied Poland and a postwar resident of Queens, New York, was removed by U.S. Immigration and Customs Enforcement (ICE) to Germany. ICE removed Palij based on an order of removal obtained by the Office of Special Investigations, one of HRSP's predecessor components.

“The United States will never be a safe haven for those who have participated in atrocities, war crimes, and human rights abuses,” said Attorney General Jeff Sessions. “Jakiw Palij lied about his Nazi past to immigrate to this country and then fraudulently become an American citizen. He had no right to citizenship or to even be in this country. Today, the Justice Department—led by Eli Rosenbaum and our fabulous team in the Human Rights and Special Prosecutions Section, formerly the Office of Special Investigations—successfully helped remove him from the United States, as we have done with 67 other Nazis in the past. I want to thank our partners at the State Department and the Department of Homeland Security for all of their hard work in removing this Nazi criminal from our country.”

“Nazi war criminals and human rights violators have no safe haven on our shores,” said Secretary Kirstjen M. Nielsen of the U.S. Department of Homeland Security. “We will relentlessly pursue them, wherever they may be found, and bring them to justice. The arrest and removal of Jakiw Palij to Germany is a testament to the dedication and commitment of the men and women of ICE, who faithfully enforce our immigration laws to protect the American people.”

Palij, 95, was born in a part of Poland that is situated in present-day Ukraine, immigrated to the United States in 1949 and became a U.S. citizen in 1957. He concealed his Nazi service by telling U.S. immigration officials that he had spent the war years working until 1944 on his father's farm in his hometown, which was previously a part of Poland and is now in Ukraine, and then in a German factory.

As Palij admitted to Justice Department officials in 2001, he was trained at the SS Training Camp in Trawniki, in Nazi-occupied Poland, in the spring of 1943. Documents subsequently filed in court by the Justice Department showed that men who trained at Trawniki participated in implementing the Third Reich's plan to murder Jews in Poland, code-named “Operation Reinhard.” On Nov. 3, 1943, some 6,000 Jewish men, women and children incarcerated at Trawniki were shot to death in one of the largest single massacres of the Holocaust. By helping to prevent the escape of these prisoners during his service at Trawniki, Palij played an indispensable role in ensuring that they later met their tragic fate at the hands of the Nazis.

On May 9, 2002, the Criminal Division's then-Office of Special Investigations (OSI) and the U.S. Attorney's Office of the Eastern District of New York filed a four-count complaint in the U.S. District Court for the Eastern District of New York, to revoke Palij's citizenship. The complaint was based primarily upon his wartime activities as an armed guard of Jewish prisoners at Trawniki, who were confined there under inhumane conditions. Palij's U.S. citizenship was revoked in August 2003 by a federal judge in the Eastern District of New York based on his wartime activities and postwar immigration fraud. In November 2003, the government placed Palij in immigration removal proceedings.

In decisions issued on June 10 and Aug. 23, 2004, U.S. Immigration Judge Robert Owens ordered Palij's deportation to Ukraine, Poland or Germany, or any other country that would admit him, on the basis of his participation in Nazi-sponsored acts of persecution while serving during World War II as an armed guard at the Trawniki forced-labor camp in Nazi-occupied Poland under the direction of the government of Germany and his subsequent concealment of that service when he immigrated to the United States. As Judge Owens wrote in his decision ordering Palij's deportation, the Jews massacred at Trawniki "had spent at least half a year in camps guarded by Trawniki-trained men, including Jakiw Palij." In December 2005, the Board of Immigration Appeals denied Palij's appeal.

The removal of Palij to Germany was effectuated through close cooperation between the Departments of Justice, Homeland Security and State. For nearly four decades, the Justice Department has vigorously pursued its mission to expel Nazi persecutors from the United States. The Palij case was the product of the Department's longtime efforts to identify, investigate and take legal action against participants in Nazi crimes of persecution who reside in the United States. Since OSI began operations in 1979, that office and its successor, the Human Rights and Special Prosecutions Section (HRSP) of the Justice Department's Criminal Division, have won cases against 108 individuals who participated in Nazi crimes of persecution. Palij is the 68th Nazi removed from the United States. In addition, attempts to enter the United States by more than 180 individuals implicated in wartime Axis crimes have been prevented as a result of the "Watch List" program initiated by OSI and enforced in cooperation with the Departments of State and Homeland Security.

This removal was supported by ICE's Enforcement and Removal Operations and Office of the Principal Legal Advisor as well as the Human Rights Violators and War Crimes Center (HRVWCC). The HRVWCC is comprised of ICE HSI's Human Rights Violators and War Crimes Unit, ICE's Human Rights Law Section, FBI's International Human Rights Unit and HRSP. Established in 2009, the HRVWCC furthers the government's efforts to identify, locate and prosecute human rights abusers in the United States, including those who are known or suspected to have participated in persecution, war crimes, genocide, torture, extrajudicial killings, female genital mutilation and the use or recruitment of child soldiers. The HRVWCC leverages the expertise of a select group of agents, lawyers, intelligence and research specialists, historians and analysts who direct the government's broader enforcement efforts against these offenders.

The case was investigated, litigated and supervised over the years by a host of attorneys and historians in OSI, the U.S. Attorney's Office in the Eastern District of New York, and HRSP, including Director Eli M. Rosenbaum, Senior Trial Attorney Susan L. Siegal and Chief Historian Dr. Jeffrey Richter, all of whom have served with HRSP since its 2010 creation.

Members of the public who have information about former human rights violators in the United States are urged to contact U.S. law enforcement through the Human Rights and Special Prosecutions Section at 1-800-813-5863, or through the HSI tip line at [1-866-DHS-2-ICE](tel:1-866-DHS-2-ICE) or its online tip form at www.ice.gov/exec/forms/hsi-tips/tips.asp.

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