



Written by [Alex Newman](#) on April 13, 2011

FBI: Nazi ID in War-crimes Case Likely Soviet Fake

A recently declassified FBI report obtained by the Associated Press claims evidence against John Demjanjuk purporting to show that he was a National Socialist (Nazi) death-camp guard was likely fabricated by the Soviet Union to smear him for speaking out against the communist regime.

The new revelations will further complicate the 90-year-old man's most recent war-crimes trial currently underway in Germany. His defense attorney is now [asking the court](#) for more time to find out if there are any other hidden documents that could help prove his client's innocence.



Demjanjuk, who was born in Ukraine but emigrated to America after World War II, has claimed all along that the supposed ID card linking him to a concentration camp in occupied Poland was a Soviet forgery. And the FBI document now proves U.S. authorities had the same suspicions 25 years ago.

"Justice is ill-served in the prosecution of an American citizen on evidence which is not only normally inadmissible in a court of law, but based on evidence and allegations quite likely fabricated by the KGB," noted the report from the FBI Cleveland office several years after the communist regime showed the potentially fake ID card to American officials.

According to the report, the Soviets had an interest in smearing outspoken anti-communists who opposed their brutal regime. And the FBI's investigation "strongly indicated" a Soviet communist plot to discredit "prominent emigre dissidents speaking out publicly and/or leading emigre groups in opposition to the Soviet leadership in the USSR." Apparently it was a regular tactic employed by communist KGB operatives to frame dissidents.

The ID document allegedly incriminating Demjanjuk that was shown to U.S. investigators was not allowed out of Soviet control. It has since been examined by numerous experts, some of whom concluded that it was likely real while others said it could be a forgery.

The man who led the U.S. Department of Justice's Office of Special Investigations at the time still insists that it is authentic. But his office was rebuked by an American appeals court for withholding evidence and "prosecutorial misconduct that seriously misled the court" in Demjanjuk's case.

The Immigration and Naturalization Service boss in Cleveland at the time when Demjanjuk was first stripped of his citizenship for deportation also expressed concern. He told the AP that the FBI report could have altered the outcome of American litigation. "I never saw that," he told the wire service. "This was the key bit to the trial.... If you take away his ID card as a guard, what's left?"

And it's no trivial matter — the German ID is indeed the crucial piece of evidence allegedly showing that Demjanjuk became a low-level Nazi guard after supposedly being captured by the Germans during World War II. There is not a single known witness against him. He claims he was fighting the Soviets as part of a German-backed militia during that time.



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Demjanjuk is on trial in Munich for almost 30,000 counts of accessory to murder in the National Socialist Sobibor concentration camp in occupied Poland. April 13 was supposed to be a day for closing arguments in the case. But the new evidence has seemingly thrown a wrench into the prosecution's argument.

The German prosecutor still insists that the ID is real. But Demjanjuk's defense attorney in a previous Nazi war crimes trial said the FBI report was critical. "It's an important document in my opinion that would have showed once again that they've got the wrong guy," he told the AP.

And Demjanjuk's new attorney in the current case said the new evidence proves what he's been claiming all along: The Soviet regime set up his client. And he said the way Soviet authorities dealt with the ID card — refusing to let document experts examine it — was the same phenomenon he experienced trying to obtain other evidence more recently.

"The Russians said we could look at them but that we couldn't do anything with them, couldn't examine them, and then they took them away," Demjanjuk's current defense attorney told the AP, referring to other documents related to the case.

Demjanjuk's Nazi-related legal battles have been [going on for decades](#). In the late 1970s, Nazi hunters mistakenly claimed Demjanjuk was the notorious concentration-camp worker known as "Ivan the Terrible." So, he was stripped of his American citizenship, extradited to Israel from the United States, and sentenced to death by hanging.

More than a decade later, it turned out Demjanjuk wasn't really "Ivan." The Israeli Supreme Court overturned the conviction and allowed him to return to Ohio in 1993. His American citizenship was subsequently restored.

But then, German Nazi hunters decided that, while he may not have been Ivan the Terrible, he could have been a lower-level Nazi guard. So the Germans filed charges and Demjanjuk was again extradited, this time to Germany. A verdict in the case was expected soon, but with the new FBI report, that could change. The German judges have not yet ruled on whether to allow more time for the defense.

Demjanjuk's attorney, however, is not hopeful that the judges will grant his request. "The court has long since made up its mind," he [told](#) AFP. German prosecutors are seeking a 6-year jail sentence.

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Photo: Alleged Nazi prison camp guard John Demjanjuk sits in a wheelchair as he arrives in a courtroom in Munich, June 8, 2010.



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