

---

Student Scholarship

---

2018

# “A Crime without a Name”: In Search of Justice for Genocide Victims

Ina Bartunek

*Mitchell Hamline School of Law*, [ina.bartunek@mitchellhamline.edu](mailto:ina.bartunek@mitchellhamline.edu)

Follow this and additional works at: <https://open.mitchellhamline.edu/stusch>

---

## Recommended Citation

Bartunek, Ina, "A Crime without a Name": In Search of Justice for Genocide Victims" (2018). *Student Scholarship*. 7.  
<https://open.mitchellhamline.edu/stusch/7>

This Article is brought to you for free and open access by Mitchell Hamline Open Access. It has been accepted for inclusion in Student Scholarship by an authorized administrator of Mitchell Hamline Open Access. For more information, please contact [sean.felhofer@mitchellhamline.edu](mailto:sean.felhofer@mitchellhamline.edu).

## “A Crime without a Name”: In Search of Justice for Genocide Victims.

*“We are in the presence of a crime without a name...”*<sup>1</sup> said Prime Minister Winston Churchill on August 24, 1941, during the broadcast to the world about Nazis’ plan to destroy and annihilate Jewish people by using “most senseless of all Nazis offenses...”

It is beyond a simple human mind to grasp or understand the magnitude of the Holocaust to the humanity and even harder to accept the deaths of million innocent victims who were killed by the cruelty of Nazi actions. However, the main question should not be WHY but rather HOW to recognize and prevent such future mistakes. My interest in conducting legal research on the prevention Holocaust and prosecution of Nazi war criminals is based on my personal experience. I feel obligated to be a part of the movement “NEVER AGAIN”.

Growing up in Lithuania during the Soviet Union occupation, I learned the importance of freedom and watched the consequences of fighting against the oppression. However, I can only imagine what people were going through during the Nazi occupation after the WWII. It simply started with discrimination of others by excluding and allegedly protecting German Blood, and German Honor. My grandmother was among the different ones. Her long dark hair and big brown eyes cost her three years of freedom in the work camp in Fulda, Germany. She was only 17 years old when Nazi officers snatched her from the streets on the way from school. She was fortunate to come back home, not like the millions of people who died in Auschwitz-Birkenau, Belzec, Buchenwald, Chelmno, Plaszow... Yes, the use of laws, policies, and practices to treat individuals

---

<sup>1</sup> Churchill and the Jews - Churchill, Zionism, & the Holocaust, The International Churchill Society (2017), <https://www.winstonchurchill.org/publications/finest-hour/finest-hour-170/churchill-and-the-jews/> (last visited Feb 07, 2018).

differently based on their membership in a specific group, having different body features – became a cornerstone of Hitler’s governing strategy.<sup>2</sup>

Unfortunately, we cannot return lives to those who died of cruel Nazi hands, but we can honor their death by educating others about the consequences of inaction and ignorance of discrimination among people. The change should start with us. Little actions, such as tolerance to other cultures, acceptance, and appreciation of different races, respect and understanding of different opinions, can go a long way. Thence, my own first step is fulfilling EEO Counselor duties at US Department of State. I decided to pursue a legal career to make a difference. By practicing EEO Laws and Federal regulations within the government agencies, it will be my first step to NEVER AGAIN. I hope that by learning to recognize unlawful discrimination based on race, religion or identifying harassment based on National Origin, I will contribute to the effort in preventing historical mistakes.

### ***The horror of “racial purity”***

Since September 15, 1935, the life of Jewish people was never the same. The headline in *The New York Times* "Berlin works out anti-Jewish rules"<sup>3</sup> was a beginning for the mass murder of millions of Jews. The introduction of anti-Semitic Nuremberg Laws<sup>4</sup>, allegedly protecting German Blood, and German Honor was an excuse to kill millions of Jews and frighten millions more. The "racial purity" and Nazi expansion was the core of Hitler's plan. By burning synagogues,

---

<sup>2</sup> The Nazis in Power: Discrimination, Obedience, and Opportunism, Facing History and Ourselves, <https://www.facinghistory.org/resource-library/decision-making-times-injustice/nazis-in-power-discrimination-obedience-opportunism> (last visited Apr 23, 2018).

<sup>3</sup> BERLIN WORKS OUT ANTI-JEWISH RULES; No Date Has Yet Been Set for Promulgating Regulations to Enforce Recent Laws., *The New York Times* (1935), <https://www.nytimes.com/1935/10/02/archives/berlin-works-out-antijewish-rules-no-date-has-yet-been-set-for.html> (last visited Feb 04, 2018).

<sup>4</sup> Nuremberg Laws... Swastika as official symbol enforced..., Timothy Hughes Rare & Early Newspapers - Historic Newspapers, <http://www.rarenewspapers.com/view/622999> (last visited Feb 04, 2018).

destroying Jewish businesses and building concentration camps, Nazis' were spreading the horror and death among hundreds of thousands of Jews who were not able to leave Germany in time. Nazis horrific "racial purity" was spreading like the plague. Radio broadcast on August 21, 1941, the "Final Solution"<sup>5</sup> or so-called Euthanasia Program functioned as a pilot for the Holocaust. Many of us are still asking the same questions: What if...? If only we did something to stop the Nazis' horrific plans during the World War II? Whose fault is it? Most importantly, what was the motivation behind the Holocaust?

### ***Behind the motivation of the Holocaust***

According to most scholars, the motivation fell into two categories: *cultural explanation* and *social-psychological motivation*.<sup>6</sup> When Hitler took power in Germany, only a small minority of ordinary people shared Nazi antisemitism that saw the Jews as enemies of the people and a threat to Germany's survival. Moreover, In German-occupied countries, the need to prove loyalty to new German power, provided many individuals with powerful motivation to collaborate. Fear, gain, deference to authority, the pressure to conform and rationalize one's choices was an "excuse" to commit those crimes against humanity then. The history will remain in the past and memories will leave an imprint on our minds and hearts. The only hope is to learn from such mistakes and do not repeat history.

### ***Lessons to be learned***

---

<sup>5</sup> Irving Howe, *The War Against the Jews 1933–1945* The New York Times (1975), <https://www.nytimes.com/1975/04/20/archives/the-war-against-the-jews-19331945-by-lucy-s-dawidowicz-460-pp-new.html?url=http%3A%2F%2Ftimesmachine.nytimes.com%2Ftimesmachine%2F1975%2F04%2F20%2F284530162.html%3Faction%3Dclick%26ion=ArchiveBody&module=LedeAsset&pgtype=article&contentCollection=Archives> (last visited Feb 25, 2018).

<sup>6</sup> United States Holocaust Memorial Museum, <https://www.ushmm.org/learn/introduction-to-the-holocaust/ethical-leaders/background/causes-and-motivations> (last visited Feb 01, 2018).

Maybe we did not have enough resources or experience to stop the Nazis' horrific plans then but what kind of excuse do we have today for Rwanda's genocide in 1994 by killing an estimate from 500,000 to 1,000,000 Rwandans just in 100 days?<sup>7</sup> What about mass murders of Christians in Syria and Iraq?<sup>8</sup> Did we learn anything by losing 6 million of innocent Jews during World War II? The number of innocent deaths that took place during World War II is beyond human comprehension. The fight against genocide is a long and a difficult path.

### *In search of justice*

I was personally touched by the show aired on July 1, 2016, on "Genocide with Impunity,"<sup>9</sup> when an executive director of the Human Rights Center spoke about crimes against humanity. Her statement that "the legal regimes need to apprehend suspected war criminals to justice are largely in place, the political will to make arrests remains elusive," and "until this situation is rectified, murderers will get away with murder and tortures will retire with pensions." Unfortunately, we do not need to look for examples far away. According to an Associated Press review of Justice Department data, 10 suspected Nazi war criminals ordered deported never left the U.S. and were eligible for Social Security.<sup>10</sup>

- **United States of America v. Vldas Zajanckauskas**

---

<sup>7</sup> The Rwandan Genocide, United to End Genocide, <http://endgenocide.org/learn/past-genocides/the-rwandan-genocide/> (last visited Feb 03, 2018).

<sup>8</sup> Chloe Valdary, Saving Christians From ISIS Persecution The Wall Street Journal (2015), <https://www.wsj.com/articles/saving-christians-from-isis-persecution-1443739926> (last visited Feb 27, 2018).

<sup>9</sup> Genocide with Impunity, The Open Mind, Hosted by Alexander Heffner (2016), <http://www.thirteen.org/openmind/civil-rights/genocide-with-impunity/5473/> (last visited Feb 03, 2018).

<sup>10</sup> Post Staff Report, Ten suspected Nazi war criminals ordered deported never left the US and were eligible for Social Security New York Post (2013), <https://nypost.com/2013/07/30/ten-suspected-nazi-war-criminals-ordered-deported-never-left-the-us-and-were-eligible-for-social-security/> (last visited Feb 28, 2018).

One of such cases is United States of America v. Vladas Zajanckauskas, 441 F.3d 32 (1<sup>st</sup> Cir. 2006). On June 5, 2002, the United States filed a civil action against Vladas Zajanckauskas ("Zajanckauskas" or "appellant"), a resident of Millbury, Massachusetts and a naturalized citizen of the United States, to revoke Zajanckauskas's citizenship based on his participation in the notorious WWII operation to clear and destroy the Warsaw Ghetto and on certain misrepresentations on his visa application. The complaint alleged that Zajanckauskas's citizenship was illegally procured and therefore had to be revoked pursuant to 8 U.S.C. § 1451(a). Moreover, Zajanckauskas's wartime location and activities were material facts capable of affecting the decision of the vice consul who reviewed Zajanckauskas's Application for Immigration Visa in order to determine whether he was eligible under the DPA for an immigrant visa.<sup>11</sup> He was ordered deported to his native Lithuania in 2007 and ran out of appeals in 2010 but remains in the US because other countries, including Lithuania, won't accept him.

- **United States v. Szehinskyj**

In a similar case United States v. Szehinskyj, 104 F.Supp.2d 480, 500-01 (E.D.Pa.2000), the government filed an action under section 340(a) of the Immigration and Nationality Act of 1952 ("INA"), 8 U.S.C. S 1451(a), seeking revocation of Szehinskyj's citizenship on the ground that he assisted the Nazi government of Germany in persecuting individuals because of their race, religion, and national origin when he served as an armed Nazi concentration camp guard during World War II. The District Court, after a five-day bench trial, that concluded in extensive findings of fact and conclusions of law that Szehinskyj served as a Waffen SS Totenkopf (or "Death's

---

<sup>11</sup> United States of America, Appellee, v. Vladas Zajanckauskas, Defendant, Appellant, 441 F.3d 32 (1st Cir. 2006), Justia Law, <https://law.justia.com/cases/federal/appellate-courts/F3/441/32/593478/> (last visited Feb 23, 2018)

Head") Division concentration camp guard who "assisted in persecution." He was not, therefore, entitled to the immigrant visa he received under the DPA and consequently was not lawfully admitted and eligible for naturalization under 8 U.S.C. S 1427(a)(1). His citizenship was revoked.

<sup>12</sup> On August 30, 2004 Christopher A. Wray, Assistant Attorney General, in charge of the Criminal Division announced that the Board of Immigration Appeals ("BIA") has affirmed an immigration judge's order directing the deportation of former SS concentration camp guard Theodor Szebinskyj of West Chester, Pennsylvania, because he participated in Nazi-sponsored persecution of civilians during World War II.<sup>13</sup> However, Szebinskyj remains in Pennsylvania nearly 14 years after DOJ began a case against him. He was denaturalized and ordered deported to his native Ukraine, Poland or Germany, and exhausted all appeals in 2006. The Department of Justice has said no country is to accept him.

The question remains what the United States should do as the country in support of prosecuting war criminals and fighting the war of genocide. Is it enough to deport people over evidence of involvement in Nazi war crimes rather than putting such people on trial? Should the U.S. turn its back on the alleged crimes just because it did not take place on American soil? The fight against genocide is not a fight of one country, and there are necessary steps that need to be taken in order to keep the promise of "never again."

### *Steps for Genocide prevention*

---

<sup>12</sup> United States Court Of Appeals For The Third Circuit, Home 277 F3d 331 United States of America v. Theodor Szebinskyj | OpenJurist, <https://openjurist.org/277/f3d/331/united-states-of-america-v-theodor-szebinskyj#fn1> (last visited Feb 24, 2018).

<sup>13</sup> #590: 08-30-04 DEPORTATION ORDER UPHeld IN CASE OF FORMER NAZI CONCENTRATION CAMP GUARD, [https://www.justice.gov/archive/opa/pr/2004/August/04\\_crm\\_590.htm](https://www.justice.gov/archive/opa/pr/2004/August/04_crm_590.htm) (last visited Feb 24, 2018).

The tragic history of the World War II and deaths of million innocent people was a stepping stone in defining the “genocide.” Under the international law Article 2 of the U.N. Convention on the Prevention and Punishment of the Crime of Genocide (1948), any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; [and] forcibly transferring children of the group to another group<sup>14</sup> falls under the genocide definition. We cannot turn the clock back and reverse the past, but we can take steps to stop repeating history. It shouldn’t be Afghanistan’s, Sudan’s, Somalia’s or other countries single fight against the threat of genocide but rather the strength of union should prevent the horror of mass murder. The Founding Fathers, who believed that America would be stronger and create a perfect Union if it stands and fights for its beliefs together, knew the meaning of “WE THE PEOPLE of the United States.” In the last 400 years, this country united people in the fight against poverty, injustice, and well-being of innocents. Therefore, by standing together as one, we have a chance to prevent prior mistakes and save lives of innocent.

### ***The first step – WATCH and LEARN***

The question of why no one stopped the Nazis’ remains unanswered. There are many speculations. However, the historian Raul Hilbert believes that “many people...saw or heard something of the event. Those who lived in Adolf Hitler’s Europe would have described

---

<sup>14</sup> Treaties, States parties, and Commentaries - Convention on the Prevention and Punishment of Genocide, 1948 - 2 -, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=2F091964230EADECC12563F700550817> (last visited Feb 20, 2018).

themselves, with few exceptions, as bystanders. They were not “involved,” not willing to hurt the victims and not wishing to be hurt by the perpetrators....The Dutch were worried about their bicycles, the French about shortages, the Ukrainians about food, the Germans (or the British?) about air raids. All of these people thought of themselves as victims, be it of war, or oppression, or "fate."<sup>15</sup>“How is it possible that the extermination of millions of human beings could have been carried out in the heart of Europe without anyone’s knowledge?”<sup>16</sup> Bystanders can exert powerful influences and affirm the perpetrators by their passivity,<sup>17</sup> said the historian Ervin Straub. Today we have an Alliance against genocide called “Genocide Watch.” The Alliance was founded in 1999, and it is made up of over 50 organizations from around the world. The goal of this coalition of organizations is focused completely on preventing genocide.<sup>18</sup> As an Alliance against genocide, it watches the countries at risk of genocide and prepares an annual report of their observations. As an example, according to Genocide Watch Report (2016) on countries at risk using its new *ten stages* of genocide model of the genocide process, the most critical countries are listed below:<sup>19</sup>

---

<sup>15</sup> Perpetrators Victims Bystanders - Raul Hilberg - Paperback,  
[https://www.bing.com/cr?IG=441707BEC74A452FB54E298D24B90A70&CID=3551DA04C9C667943944D1A7C86966FA&rd=1&h=NkecmbgMmV9XtmzknAi2QZSmrskGM03yrDPwnlZX6s&v=1&r=https%3a%2f%2fwww HarperCollins.com%2fbooks%2f9780060995072%2fPerpetrators\\_Victims\\_Bystanders%2findex.aspx&p=DevEx\\_5065.1](https://www.bing.com/cr?IG=441707BEC74A452FB54E298D24B90A70&CID=3551DA04C9C667943944D1A7C86966FA&rd=1&h=NkecmbgMmV9XtmzknAi2QZSmrskGM03yrDPwnlZX6s&v=1&r=https%3a%2f%2fwww HarperCollins.com%2fbooks%2f9780060995072%2fPerpetrators_Victims_Bystanders%2findex.aspx&p=DevEx_5065.1) (last visited Feb 21, 2018).

<sup>16</sup> Survival in Auschwitz and The Reawakening, Two Memoirs ..., ,  
[https://www.bing.com/cr?IG=CCFE1AA65D6E4BFB80F53C7BB4454CD5&CID=3E45805C35CF6BAF1F068BF34606AEF&rd=1&h=T45f9hMMbfnuhfulPWGT502zR7j9liFsMF54WZw0-zw&v=1&r=https%3a%2f%2fwww.amazon.com%2fSurvival-Auschwitz-Reawakening-Two-Memoirs%2fdp%2f0671605410&p=DevEx\\_5081.1](https://www.bing.com/cr?IG=CCFE1AA65D6E4BFB80F53C7BB4454CD5&CID=3E45805C35CF6BAF1F068BF34606AEF&rd=1&h=T45f9hMMbfnuhfulPWGT502zR7j9liFsMF54WZw0-zw&v=1&r=https%3a%2f%2fwww.amazon.com%2fSurvival-Auschwitz-Reawakening-Two-Memoirs%2fdp%2f0671605410&p=DevEx_5081.1) (last visited Feb 21, 2018).

<sup>17</sup> Ervin Straub, *The Roots of Evil: The Origins of Genocide and Other Group Violence* (Oxford: Cambridge University Press, 1992), 87. [https://www.amazon.com/Roots-Evil-Origins-Genocide-Violence-ebook/dp/B00IE6MPD2/ref=mt\\_kindle?encoding=UTF8&me=](https://www.amazon.com/Roots-Evil-Origins-Genocide-Violence-ebook/dp/B00IE6MPD2/ref=mt_kindle?encoding=UTF8&me=) (last visited Feb 21, 2018).

<sup>18</sup> Contact Us, Genocide Watch, <http://genocidewatch.net/contact-us/> (last visited Feb 20, 2018).

<sup>19</sup> Countries at Risk, Genocide Watch, <http://genocidewatch.net/alerts-2/new-alerts/> (last visited Feb 21, 2018).

Country	2016 Genocide Stage	Victims	Killers
Afghanistan	9	Government supporters	Taliban, Al Qaeda
Burma/Myanmar	9	Shan, Kachin, Karen, Rohingya, democrats	Army, Buddhist extremists, Rakhine
Cameroon	9	Christians, Govt officials, Schools	Boko Haram
Democratic Republic of Congo	9	Women, Banyamulenge	Hutu militia, Various rapists
Iraq	9	Yazidis, Christians, Kurds, Shia	ISIS
Nigeria	9	Christians in Borno, Govt officials, Schools	Boko Haram
North Korea	9	Government opponents	Korean Army, Police
Pakistan	9	Government supporters	Taliban, Al Qaeda
Somalia	9	Opposing clans	Al Shabaab
South Sudan	9	Civilians, women, children	Dinka army, Nuer rebels
Sudan	9	Darfurese, Abyei, Nuba	Sudan army, Arab militias
Syria	9	Anti Sunni rebels, Christians, Shia	Assad, Alawite loyalists, Army, ISIS, Al-Nusra
Turkey	9	Kurds	Turkish army police
Yemen	9	Elected government, Houthi	Al Qaeda, Saudi Air force, Houthi

Country-Risk-Report-2016-updated-pdf-Sheet1.pdf ([https://www.google.com/search?q=Country-Risk-Report-2016-updated-pdf-Sheet1.pdf&rlz=1C1GCEA\\_enUS747US747&oq=Country-Risk-Report-2016-updated-pdf-Sheet1.pdf&aqs=chrome..69i57j0j7&sourceid=chrome&ie=UTF-8#](https://www.google.com/search?q=Country-Risk-Report-2016-updated-pdf-Sheet1.pdf&rlz=1C1GCEA_enUS747US747&oq=Country-Risk-Report-2016-updated-pdf-Sheet1.pdf&aqs=chrome..69i57j0j7&sourceid=chrome&ie=UTF-8#))

However, the question remains, does the “Genocide Watch” play the role of a bystander? The answer is no. The organization educates people across the globe on genocide and genocide prevention by encouraging being an upstander during the genocide awareness month of April.

***The second step – GET INVOLVED***

- ***As a Government***

Abraham Lincoln was right saying that “actions speak louder than words.” Once again, "WE THE PEOPLE" with the different cultural background, educational degrees, hopes, and beliefs set an example to others who try to embrace their democratic ideas we had built throughout the history by launching the Genocide Prevention Task Force in November 2007. The purpose of this task was to spotlight genocide prevention as a national priority and to develop practical policy recommendations to enhance the capacity of the US government to respond to emerging threats of genocide and mass atrocities.<sup>20</sup> Statement of former Secretary of State Madeline K. Albright and former Secretary of Defense William S. Cohen on the Presidential initiative to prevent and respond

<sup>20</sup> United States Holocaust Memorial Museum, <https://www.ushmm.org/confront-genocide/about/initiatives/genocide-prevention-task-force> (last visited Feb 22, 2018).

to mass atrocities gave hope that taken steps in making genocide prevention a priority increases the possibility that “we, as a country, finally succeed in making the promise of ‘never again’ a reality.”<sup>21</sup>

- *As a Citizen*

Yes, the prevention of genocide plays an important role among leaders. However, the prevention mechanism should start with every human being. The power of speaking up and demanding that government makes the right decisions to prevent and stop atrocities plays a tremendous role in the prevention of genocide. The First Amendment to the Constitution gave a fundamental right of free speech to people in exchanging ideas even if the ideas are unpopular. The First Amendment also protects the freedom of assembly, which can mean physically gathering with a group of people to picket or protest; or associating with one another in groups for economic, political or religious purposes.<sup>22</sup> Therefore, standing up and speaking out against atrocities makes the difference in fighting genocide and stopping perpetrators on time.

*The third step – SUPPORT the effort*

The biggest challenge in the prevention of genocide is getting financial support. Many organizations that fight against genocide rely on the generous contributions of public and private donors and supporters. There are different ways to get involved. As a society, we are obligated to join the prevention forces by volunteering with different nonprofit organizations. As Albert Einstein once said, “the world will not be destroyed by those who do evil, but by those who watch them without doing anything.” Therefore, as a nation who believes that America would be

---

<sup>21</sup> Madeleine K. Albright and William S. Cohen on Presidential Study Directive on Mass Atrocities, United States Institute of Peace (2011), <https://www.usip.org/joint-statement-mass-atrocities> (last visited Feb 22, 2018).

<sup>22</sup> First Amendment: Freedom of Expression and Religion, National Constitution Center – [constitutioncenter.org](https://constitutioncenter.org), <https://constitutioncenter.org/blog/first-amendment-freedom-of-expression-and-religion/> (last visited Feb 22, 2018).

stronger, perfect Union if stands, and fights for its beliefs together, we must be united to end genocide. A tremendous involvement of Human Rights organizations such as “The World without Genocide” sets an example that education and awareness of genocide is a key element to Holocaust prevention. By visiting the United States Holocaust Memorial Museum, which serves as this country’s memorial to the millions of people murdered during the Holocaust; speaking with Naseem Kourosch, Human Rights officer at US Baha’i Office of Public Affairs and American Society of International Law (ASIL), who is in charge with defending the rights of Baha’is, facing religious persecution in Iran, and advancing the processes towards world peace in several areas of action, including the promotion of human rights, the advancement of women, and sustainable development and global prosperity – it supports the effort to prevent future genocides and mass atrocities, which remains a challenge.

Besides the importance of the financial support, personal involvement and educational efforts to prevent the genocide, the participation of other countries plays a significant role. As a native Lithuanian, I am happy to see that my country cares about the perpetrators and is finally standing up and fighting against genocide.

- **United States v. Lileikis**

Lithuanian authorities forwarded genocide charges against the former Massachusetts resident Aleksandras Lileikis on February 9, 1998, to the district court in Vilnius, initiating the first prosecution for World War II crimes in any of the successor states to the former Soviet Union, where nearly one million Jews were murdered during the war.<sup>23</sup>The Office of Special

---

<sup>23</sup> #054: 02-09-98 - ATTORNEY GENERAL COMMENDS LITHUANIAN DECISION TO PROSECUTE FORMER U.S. CITIZEN FOR WORLD WAR II GENOCIDE, <https://www.justice.gov/archive/opa/pr/1998/February/054.htm.html> (last visited Feb 05, 2018).

Investigations (OSI) of the Justice Department's Criminal Division and the U.S. Attorney's office Acting Director Eli M. Rosenbaum described the Lileikis case as "one of the most important Nazi cases brought anywhere in recent world history." Captured records preserved at the Lithuanian State Archives quoted in the complaint show that Lileikis repeatedly signed and issued orders directing that arrested Jews, among them a six-year-old girl, be held at his disposition in the Vilnius Hard Labor Prison and then turned over to the infamous "Special Detachment" (Ypatingas Burys) killing squad and the German Security Police for execution. Most of the victims were executed by gunfire at the killing pits in the nearby Paneriai woods.<sup>24</sup> Rosenbaum expressed gratitude to the Government of the Republic of Lithuania for the archival access it authorized for OSI personnel during the Lileikis investigation.

### **United States v. Dailide**

Therefore, the partnership and cooperation between the countries helped to fight genocide and bring to justice those who committed the crime against the humanity. As Judge Hanson wrote in his court decision Unites States v. Dailide, 953 F. Supp. 192 (1997), "Although sixty years have passed, it is important that [Dailide] be held accountable for his actions. His participation in these crimes against humanity and the suffering of his innocent victims will not be ignored or forgotten." This is a message to future perpetrators that those who might seek to repeat such crimes, that they will be pursued and brought to justice.

---

<sup>24</sup> Justice Department Seeks to Revoke Citizenship of Former Nazi Police Chief, [https://www.justice.gov/archive/opa/pr/Pre\\_96/September94/537.txt.html](https://www.justice.gov/archive/opa/pr/Pre_96/September94/537.txt.html) (last visited Feb 26, 2018).

These cases are an example of the “unit’s ongoing efforts to identify and take legal action against former participants in Nazi persecution residing in this country,”<sup>25</sup> said the OCI Director Eli M. Rosenbaum. To date, 67 Nazi persecutors have been stripped of U.S. citizenship, and 55 have been removed from the United States since OSI began operations in 1979. More than 170 persons are currently under investigation by the unit.

---

<sup>25</sup> #312: 05-23-02 COURT ORDERS DEPORTATION OF FLORIDA MAN FOR ROLE IN NAZI CRIMES AGAINST JEWS IN WARTIME LITHUANIA, [https://www.justice.gov/archive/opa/pr/2002/May/02\\_crm\\_312.htm](https://www.justice.gov/archive/opa/pr/2002/May/02_crm_312.htm) (last visited Feb 27, 2018).

## *Conclusion*

The United Nations Genocide Convention defines genocide as "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group"<sup>26</sup> According to data, total of 11-17 million people were killed in all Nazi genocide and war crimes<sup>27</sup>; genocide of Ukrainians through artificial starvation by the USSR killed at least 10% of Ukraine's population<sup>28</sup>; during the Rwandan genocide 70% of Tutsis were killed<sup>29</sup>. These are only a few examples of a long and difficult road of genocide prevention. Because "the world will not be destroyed by those who do evil, but by those who watch them without doing anything," as a society, we are obligated to join the prevention forces by volunteering with different nonprofit organizations. Therefore, as a nation who believes that America would be a stronger, perfect Union if it stands, and fights for its beliefs together, we have to be united to end the genocide. The partnership and cooperation between the countries help to fight the genocide and bring to justice those who committed the crime against the humanity. By prosecuting the ones who committed the war crimes against the humanity, we will send the message to future perpetrators who might seek to repeat such crimes, that they will be pursued and brought to justice. Only by standing as one we will be able to prevent

---

<sup>26</sup> OFFICE OF THE UN SPECIAL ADVISER ON THE PREVENTION OF ..., ,  
[http://www.bing.com/cr?IG=800A327C3DA34839A0FF82B6C40AAA7E&CID=09F60606D0EE6B4C2D320DA2D1416A84&rd=1&h=DGA4QIA858aFS0cFQJnPk28B5ho3vheAuRgouEF4bz8&v=1&r=http%3a%2f%2fwww.un.org%2far%2fpreventgenocide%2fadviser%2fpdf%2fosapg\\_analysis\\_framework.pdf&p=DevEx.5066.1](http://www.bing.com/cr?IG=800A327C3DA34839A0FF82B6C40AAA7E&CID=09F60606D0EE6B4C2D320DA2D1416A84&rd=1&h=DGA4QIA858aFS0cFQJnPk28B5ho3vheAuRgouEF4bz8&v=1&r=http%3a%2f%2fwww.un.org%2far%2fpreventgenocide%2fadviser%2fpdf%2fosapg_analysis_framework.pdf&p=DevEx.5066.1) (last visited Feb 28, 2018).

<sup>27</sup> Christian Gerlach, *The Extermination of the European Jews* by Christian Gerlach Cambridge Core, <https://www.cambridge.org/core/books/extermination-of-the-european-jews/578363CD7065FB145C7C13E20ADC4591> (last visited Feb 28, 2018).

<sup>28</sup> *Modern Genocide*, 4 Volumes: Paul Bartrop: Q146057438: <http://www.booksamillion.com/p/Modern-Genocide-Volumes/Paul-Bartrop/Q146057438>, <http://www.booksamillion.com/p/Modern-Genocide-Volumes/Paul-Bartrop/Q146057438> (last visited Feb 28, 2018).

<sup>29</sup> *Family Politics: Domestic Life, Devastation and Survival* ..., ,  
<https://www.bing.com/cr?IG=C2F42577691B4D95A8F1547C40811D91&CID=15C9CF99BE9368AB1680C43DBF3C69FD&rd=1&h=mezjk-oFnrKukluJCB2t3cMESgyE5FfoPZwMg0smm7Q&v=1&r=https%3a%2f%2fwww.barnesandnoble.com%2fw%2ffamily-politics-paul-ginsborg%2f1119056256%3ftype%3deBook&p=DevEx.5062.1> (last visited Feb 28, 2018).

and respond to mass atrocities and give hope to those who believe that “we, as a country, finally succeed in making the promise of ‘never again’ a reality.”<sup>30</sup> Once again, the change should start with us. Little actions, such as tolerance to other cultures, acceptance, and appreciation of different race, respect and understanding of different opinions, can go a long way. We are the key to NEVER AGAIN.

---

<sup>30</sup> Madeleine K. Albright and William S. Cohen on Presidential Study Directive on Mass Atrocities, United States Institute of Peace (2011), <https://www.usip.org/joint-statement-mass-atrocities> (last visited Feb 22, 2018).