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Translation from the German language

Certified translation from the Polish language 629
(illegible)

Warsaw, 21 April 1987

To Prof Dr. K. Konkol
Director of the Main Commission for the investigation of hitlerite crimes in Poland--Institute of
National Memory

Service Memo

Regarding: the matter of Ivan Demjanjuk

In my capacity as the responsible worker in the bureau of the Main Commission for the investigation of hitlerite crimes in Poland--Institute of National Memory, who deals with the procedural aspects in the matter of the Ukrainian ss-man Ivan Demjanjuk, who is currently on trial in Israel for participating in the genocide against Jews, I would like to inform you, Mr. Director, regarding the current status as to the search for witnesses and evidence.

In the first ten days of March of this year, the Main Commission made contact with a Swedish journalist accredited in Poland and an employee of the newspaper "Goteborgs posten", Peter Johansen [sp? --AF], who independently was researching the footsteps of "Ivan the Terrible" in Poland.

Johnson was able to find persons who during the German occupation lived in the locale known as Vulka-Okronglik which was not far from the extermination camp and were therefore able to provide information about events which interest the Main Commission.

Shortly after Johansen, I visited two person in this location who were in various ways tied to the matter of John Demjanjuk.

On March 27 of this year I visited Janusz Kobus who lives in Rembertuv, near Warsaw, at vul. Republikanska 5.

This is what I found out from my conversations with Kobus and also what Kobus previously stated to Johansen.

A protocol of the conversation was not taken.

Janusz Kobus hails from the village of Vulka-Okronglik where he lived during the German occupation and the existence of the camp for the extermination of Jews, Treblinka II.

Kobus knew the Ukrainian SS-men well, those who were personnel at Treblinka II, among whom was "Ivan the Terrible" with whom he drank vodka and who once--this was late 1942 or early 1943--during a moment of inebriation showed him his SS passport. Kobus affirmed that he

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clearly read the name Marchenko and the place of birth as Dnipropetrovsk. This "Ivan Grozny" himself told Kobus that his name was Marchenko.

Kobus maintains that this MArchenko--"Ivan Grozny" was about 185 cm tall, had dark hair and a yellowish tint to his face, and would currently be about 78 years old.

Kobus maintains that on the picture of Ivan Demjanjuk, which I showed him and on which is depicted the person on trial in Israel, is not "Ivan the Terrible"

KObus met the ss-man Ivan Demjanjuk during the existence of Treblinka II in the apartment of his friend, Kaspszyk, who died in 1949.

Kobus frequently drank vodka with Kaspszyk and the ss-man Ivan Demjanjuk. Demnjauk's height would have been around 170 cm.

Further, Kobus states with certainty that the man on trial in Israel is Ivan Demjanjuk who during his service at Treblinka II as an ss-man and persecutor of Jews, used the name Vladek Shylo. At that time, that is in 1943, this Shylo lived with a certain woman from the village of Poniatova, Jadwiga Kucharek, currently Bachynska. KObus maintains that this Vladek Shylo--Ivan Demjanjuk--had a son with Kucharek, who now lives on Sokoluv Podliaskyj.

Kobus believes that Kazimierz Dudek, another resident of Vulka-Okronglik is in a position to determine whether the currently charged person in Israel, Ivan Demjanjuk, is Ivan the Terrible.

A quote from Kobus:

"Servicing the gas chamber, in addition to Ivan the Terrible--there worked another Ukrainian with the last name of Shalayev."

"Ivan the Terrible was treated in the medical facility in Ostrov Masowiecki in the spring of 1943, where he was visited by Josef Dudek, brother of Kazimierz Dudek, who has since died."

Kobus made a positive impression on me and it seems to me that he is convinced that he is telling the truth. I do not see any bases why he would lie to the Main Commission.

Jadwiga Kucharek-Bachynska, during my questioning of her, and where I took a protocol in her building in the village of Grondy, not far from Trelinka02 state as follows:
Vladek Shylo--in whom Janusz Kobus saw Ivan Demjamjuk--had a silver tooth in his upper jaw. She would be able to identify Shylo-Demjanjuk if she could see him.

On the 5th day of this month I notified in a conversation with prosecutor Horowits from

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the Israeli prosecutor's office about the silver tooth of Shylo-Demjanjuk, but Horowitz asked me to distance myself from clarifying this matter.

Kucharek knew her partner, with whom she had a child who currently lives in Sololuv Posliaskyj, as Vladek Shylo. At that time he carried out the function of an SS-guard in the Treblinka extermination camp, but he did not tell her about those things and what he did.

Jadwiga Kucharek lived with this Shylo for several months.

Shylo was about 170 cm. tall.

After the armed uprising of the Jewish prisoners on August 2, 1943 she never again saw this Shylo, never heard about him and does not know what happened to him.

Jadwiga Kucharek maintains that she could identify Ivan Demjanjuk who is being tried in Israel if she could see him close up.

This conversation gave the impression that the testimony of Jadwiga Kucharek about her partner, his last name and the silver tooth in his mouth was true.

If there was anything that she would be silent about, then it would sooner be her knowledge about Shylo's (alias Demjanjuk's) activities at Treblinka II.

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I cannot exclude that at the same time at Treblinka II there were two murderers: Ivan Grozny and Ivan DEMjanjuk alias Vladek Shylo or Zhyla--the same one who is currently on trial in Jerusalem.

If that is true, then both of them, as obvious murderers, deserve the death penalty due to their participation in the genocide of the Jewish people and probably also doing harm to Poles.

But this will not happen if:

--there is only one person being tried;

--if it is shown that the accused I. Demjanjuk belonged to the personnel at Treblinka II, but is not the same as Ivan Grozny, then he will be sentenced not to the death penalty but only to long term incarceration.

In a telephone conversation of the 5th of this month, the prosecutor, Mr. Michael Horowitz from the Israeli prosecution told me that the information that I received from Janusz Kobus and Jadwiga Kucharek-Bachynska.....

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might complicate the situation for the Israeli prosecution and asked that I not forward this information officially or in any other ways to the prosecution.

I committed to honoring this request of the prosecution.

Neither a jurist nor a historian can be indifferent who gets sentenced to death and for what.

Everyone should get what he deserves for his activities as intended by the legal principles governing crimes during hitlerism.

In light of the joint political interest of Poland and Israel of the absolute necessity for giving assistance to every country of the world, without exception, and especially to Israel, for the discovery, persecution and convictions of nazi crimes of Germans and of other nationalities, I categorically am of the belief that it is necessary to continue the case against the obvious murdered of Treblinka, the former member of the SS, Ivan Demjanjuk.

However, I do not share the belief as expressed to me by prosecutor M. Horowitz on the 5th of this month that we should abandon the trail first discovered by the Swedish journalist Peter Johansen of the Goteborgs posten, and later to withdraw for further prosecution.

On this question I personally am of a contrary position: I believe that the method of activity of each worker of the institutions and organizations of investigation, and the method of a historian and jurist, such as myself, is to without change and independent of personal feelings to the accused, is to be the discovery of objectively material truth, even if it involves an obvious murderer. No role should be played by the fact that the truth may be convenient to us, or not.

Not the least for the above reasons I will not take any steps which will complicate the situation of the Israeli prosecution.

In conclusion, I cannot exclude that, irrespective of all reservations, the accused in Jerusalem nevertheless can be a worker from the gas chamber or his assistant. This would support the testimony of the Jewish witnesses who survived Treblinka II.

For the internal use of the Main Commission I allow myself the opportunity to express my opinion to the Director.

This note is composed of two copies and is not transcribed or copied or forwarded to any other persons.

(certification omitted)

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I ask you seriously not to leave this note in the Commission's offices, but to take it home, inasmuch as the discovery of its contents from someone outside of the Director, both in this country and abroad, may have fatal political consequences--and not only that.

(signed) Wilczur

(all certifications, etc. omitted)