# Germany 'Unlikely to Prosecute' Nazi Guard Deported from US

By [Kate Connolly](https://www.theguardian.com/profile/kateconnolly), *The Guardian*

German authorities are unlikely to ever bring to trial a 95-year-old former second world war concentration camp guard who was deported from the US earlier this week, the country’s leading Nazi hunter has said.

Jens Rommel, who heads the Central Office for the Investigation of Nazi Crimes in Ludwigsburg, said there was not enough evidence to prosecute Jakiw Palij, whom US authorities accuse of involvement in war crimes.

“Right now there is no investigation into him in [Germany](https://www.theguardian.com/world/germany), which means there is no arrest warrant and as a result it is not very likely that he will ever be convicted,” Rommel told the broadcaster Deutsche Welle on Wednesday.

Palij was taken from his home in Queens, New York City, on Monday, in a wheelchair and wrapped in a white sheet, and flown from New Jersey to Düsseldorf airport in Germany, where an ambulance took him to a retirement home, where he is likely to live out the rest of his days.

US authorities accuse him of participation in the deaths of 6,000 Jewish men, women and children, a charge Palij denies.

The German government has acknowledged its moral responsibility to receive Palij, who could not be prosecuted in the US, and whom other countries such as Poland, where he was born, and Ukraine, where the place of his birth is now located, have refused to take in.

But as Germany fiercely debated the case and the diplomatic wrangling between Berlin and Washington that delayed his deportation for 14 years, some questioned the value of placing him in a German care home.

“Palij will spend the rest of his life here,” an editorial in the left-leaning Taz read. “The Nazi collaborator will now be cared for, receive financial help, a roof, food, clothing, paid for by the state.”

But the paper acknowledged: “Even though there is not enough evidence to prosecute him, nevertheless it is good that Germany has taken him in, because the crimes of national socialism bring with them responsibility ... after all, were it not for the Germans, Palij would never have become a Nazi collaborator.”

While authorities in the southern city of Würzburg had been trying to bring a case against Palij since 2016, Rommel said that investigation had been closed because no evidence was ever found linking Palij to any murders.

“His transfer from the USA doesn’t change anything about the state of evidence,” he added. “In theory, prosecutors in Würzburg could resume their proceedings in case something changed, but for that proof would be necessary in particular, which would bring the person into direct connection with the crimes, and that is what has been missing so far.”

Rommel’s institute continues to actively search for Nazi criminals in Germany and abroad, passing on an average of 30 cases to prosecutors every year.

Palij was trained by the SS, the Nazi elite corps, in the Trawniki concentration camp in Nazi-occupied Poland in 1941. So-called “Trawniki” men like him learned the methods of rounding up Jewish prisoners, and went on to take part in the [Holocaust](https://www.theguardian.com/world/holocaust) in Treblinka, Bełżec and Sobibór concentration camps.

After the war, Palij was given US residency after lying about his status, receiving US citizenship in 1957. That was revoked in 2003 after US investigators discovered Palij had covered up his service in a Nazi camp.

Palij has never possessed German citizenship. It has emerged that his current legal residency status in Germany is based on a clause of the residency law under which non-Germans can be transferred to Germany if “international law or urgent humanitarian reasons” requires it, or “to protect the political interests of Germany”.

The White House and the US ambassador to Germany, Richard Grenell, have called Palij’s deportation a moral victory for the Donald Trump administration, citing months of negotiations with the German government. Protesters have regularly gathered outside Palij’s US home in recent years urging authorities to deport him.

Palij is believed to have been in Germany only once, shortly after the end of the second world war in a camp for displaced persons, before his transfer to the US.

He is believed to have suffered two strokes in recent years. Following his arrival at Düsseldorf airport on Monday, photos showed him emerging from the plane walking unaided to an ambulance flanked by two careworkers.

Journalists were gathering on Wednesday in Ahlen, a town in the western state of North Rhine Westphalia where he is living, in the hope of catching a glimpse of the alleged war criminal. A spokesman for the local district of Warendorf confirmed his presence and said the state would be responsible for the costs of Palij’s accommodation and care.

A state chancellery spokesman told German media that ahead of Palij’s arrival efforts had been made to find accommodation “which took into account the demanding circumstances of this case”.