

# German court sentences former Nazi guard to five years in prison

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Former SS Sergeant Reinhold Hanning, 94, who served as a guard at Auschwitz, sits between his lawyers, Andreas Scharmer (left) and Johannes Salmen in the courtroom in Detmold, Germany, June 17, 2016. He was found guilty of more than 170,000 counts of accessory to murder on allegations he helped the Nazi death camp kill 1.1 million Jews and others. Bernd Thissen/Pool Photo via AP

After a four-month trial, a former Auschwitz death camp guard has been convicted of aiding in the murder of 170,000 people. The former guard is now 94 years old and the trial is likely the last of its kind.

A frail Reinhold Hanning was sentenced on Friday to five years in prison. He has been convicted for his role in going along with the slaughter at the Auschwitz death camp in Nazi-occupied Poland. He will remain free awaiting an appeal of the conviction.

The trial, held at a Detmold court in western Germany, was perhaps a last chance for Germany to deal with its Nazi past. It was also an opportunity for justice more than 70 years after the end of the war.

“You were in Auschwitz for 2 1/2 years, performed an important function,” said the judge, Anke Grudda. “You were part of a criminal organization and took part in criminal activity in Auschwitz.”

Grudda said Hanning could have chosen a different path.

“It is not true that you had no choice; you could have asked to be transferred to the war front,” she told him.

Hanning did not respond.

### **Survivors Traveled Long Distances To Appear In Court**

Many Holocaust survivors and historians traveled long distances to give testimony to the court, while Hanning avoided their gaze. Hanning joined the SS when he was 18 and became a junior squadron leader. The prosecution argued that Hanning’s presence at Auschwitz made him part of the Nazi death machine. Therefore, he shared responsibility for the Holocaust in which 6 million people, mostly European Jews, were murdered.

One survivor, Leon Schwarzbaum from Berlin, said he would have liked Hanning to use the trial as an opportunity to speak more about what happened at the camp. He told Hanning directly to speak out before he died.

“Mr. Hanning, we are virtually the same age and soon we will face our final judge. I would like to ask you to tell the historical truth here, just as I am,” he said.

### **Holocaust Prosecutions Have Tricky History**

Until 2011, prosecutions for involvement in the Holocaust only happened if there was evidence that the individual was directly responsible for murder or torture. The Hanning case is different. It has concentrated on the Hungary Operation, when 425,000 Hungarian Jews were deported to Auschwitz in Nazi-occupied Poland in the spring of 1944. Roughly 300,000 of them were gassed to death immediately on arrival.

Prosecutors argued that the Hungary Operation shows the industrialized nature of the Nazi slaughter machine. To work, it depended on the participation of many people carrying out orders, however large or small. They have produced evidence that Hanning was in Auschwitz during the Hungary Operation and is therefore directly implicated.

### **No Doubts About What Occurred**

Initially, Hanning refused to speak, provoking frustration and anger among the survivors in the courtroom and those following the trial around the world. One survivor, Angela Orosz, 71, who traveled from Canada, took to the witness stand to urge him: “You know what happened to all the people. You enabled their murder. Tell us! Tell us!” Orosz went on to say that she wants Hanning to tell the court what happened at Auschwitz so that there could be no doubt about what occurred.

Hanning did not state any of the details of his working life at the camp. However, he made a surprise statement in April asking for forgiveness. “I was silent my whole life,” he told a hushed court. He went on to express his regret at belonging to an organization that caused the death of vast numbers of people, as well as causing pain for the victims and their relatives. “I am ashamed to have stood by and watched those injustices happen and to have done nothing to prevent them,” he said.

### **Defending A Nazi**

His lawyer, Johannes Salmen, read an earlier statement in which Hanning insisted he had been sent to Auschwitz after he was injured in the head by a grenade in Kiev. Salmen also argued that Hanning's young age should be considered. "You can't act today as if the defendant was a fully grown man back then who knew just what he was doing," he said.

However, some of the survivors were angered by the suggestion that he could not have avoided being sent to serve in Auschwitz.

The trial, like others in recent years, gave survivors the chance to speak out for the first time. Many came from all over the world. "This is to do with throwing light on what happened, with ensuring that something like this never happens again," said Marcus Goldbach, a lawyer for one of the victims.

Court proceedings have been reduced to just two hours a day because of Hanning's poor health and age. Hanging over the proceedings is the question of what good it can do to punish people so late in life and in bad health. Hanning's case follows many other trials of elderly concentration camp employees.

Prosecutors had called for a six-year sentence for Hanning. His lawyer had said he should be acquitted because there was "no proof" he was involved in any killings or torture and he had not worked in Birkenau, the part of the camp where the gassings were done.