

GERMANY. (Cont.)

victims included two American women and an undetermined number of Americans, French, Poles, Yugoslavs, Russians, Danes, Belgians, Dutch, Czechs, citizens of Great Britain and Luxembourg, stateless persons and other non-German nationals.

NOTE: The opening of this trial was officially communicated by the United States Commissioner to the UNWCC at its meeting on June 5th, together with an invitation from the U.S. Army authorities for observers to attend the trial.

Trials for murders of American airmen

The G.N.S. reported from Frankfurt, 6.5.46.: Two men, Hans Tölle and Herbert Langner, formerly a corporal and a lieutenant respectively in the German army, have been referred for trial by the Third Army on charges of murder of an American fighter pilot, it was announced by War Crimes Branch, USFET. Tölle is alleged to have slain the flier near Thanham on orders of Langner, although the American raised his hands and advised the Germans that his gun was on the ground.

"News of Germany" reported (25.5.46.) from Frankfurt: A war crimes case, charging seven Germans with the murder of three American fliers, has been transferred to Third Army for trial. Wilhelm LANG, Albert WEIL, Karl MULLER, Ludwig MULLER, Otto PFLUGER, Heinrich DERN and Otto LECHENS are charged with having mistreated and killed three surrendered fliers who parachuted down near Butzbach. It is alleged that the fliers, who were unarmed and offered no resistance, were beaten and murdered within an hour of their landing.

Albert NINGELGEN, a former German detective police officer, has also been referred to Third Army for trial on a charge of murdering an unarmed, surrendered American flier.

Executions of Dachau Concentration Camp Staff

On May 28th and 29th, 28 of the Dachau camp officials convicted by the United States Military Court on 13th December 1945 were hanged at Landsberg. The Press reports mentioned, among the men executed, the ex-Commandant of the Camp, Weiss; the malaria expert, Dr. Schilling; Kiern; and Forschner.

BRITISH ZONE

Trials

The UNWCC were informed of the following trials and sentences by British Military Courts:

20th May: Before a Military Court at Hamburg on 6th May, three Germans, BOHM, RIEK and LOHRS were charged with ill-treatment of Polish Nationals. BOHM was found guilty and sentenced to 12 months' imprisonment, RIEK to 8 months; LOHRS was found not guilty.

21st May: The following persons ~~convicted in the "Giftgas" trial~~ were executed on May 16th: SCHOENGRATH, KNOP, GERNOTH, HADLER, BEECK, TESCH, and WEINBACHER. (see No. IX of this series, page 12)

GERMANY (Cont.)

21st May: A military court at Bad Lippspringe tried 4 Germans who were concerned in the killing of a British prisoner of war. The accused WOLFERT and HARTLEB were sentenced to death by hanging; Heinrich KRESS was sentenced to 10 years' imprisonment and Phillip NEUSCHAFER was acquitted.

23rd May: Before a military court at Hannover, Karl BESSINGER was charged with ordering evacuation of prisoners of war from OFLAG VII B and refusing to allow the display of emblems necessary to protect them from air attack. He was sentenced to three years' imprisonment.

31st May: Before a military court at Wuppertal, 22-25 May, 1946, a number of German nationals were charged with killing members of No.2 SAS Regt. at St. Die, September, 1944. The following sentences were passed: GREIM, WETZEL and JANTZEN were sentenced to death, ALBRECHT, COLCKEL, PILZ, HOLM, GAEDME, KOCH and GEIGER to terms of 3-13 years; 5 accused were found not guilty.

30th May: At Dusseldorf, Theodor FISCHER was charged with ill-treatment and killing of FILIAK, a Polish airman; he was found guilty of the first charge and sentenced to 8 years' imprisonment.

4th June: A second "Belsen Trial" took place at Celle between 16-30 May, of concentration camp personnel charged with the ill-treatment and killing of Allied nationals. The sentences imposed were: death by hanging for QUAKERNAK, REDDEHASSE, and HEIDMANN. Imprisonment varying from 2-20 years for WAGNER, HEISZE, SCHMIDT, LINKE and KOHLMANN.

4th June: Before a military court at Brunswick, on 20-31 May, six officials of an iron mine were found not guilty, having been charged with employing British prisoners of war on unhealthy and dangerous work.

A British military court at Hamburg, 28-31 May, acquitted Lt.-Gen. Karl von BEHRENDTS, of responsibility for the shooting in Norway of 14 British commandos. Von Behrends was in command of the Stavanger garrison at the time of the shooting in 1942. A Press report adds: The commandos were men of the Royal Engineers who took part in an unsuccessful attempt to destroy a German war plant for atomic research. The prosecution alleged that Von Behrends "permitted the execution of all the 14 prisoners, including the sick and wounded." The counsel for the defence contended that Von Behrends was not aware of the shooting.

The following trial reports emanate from Press and Agency sources:

The Trial of Hospital nurses at Helmstedt.

The G.N.S. reported (20.5.46.) that hospital sisters were among eight defendants appearing that day before a military court near Helmstedt, in the Brunswick area of the British zone of Germany, charged with killing a large number of Polish and Russian children by wilful neglect.

The Trial of SS Wardresses at Celle

Reuter reported (21.5.46.) that two SS women guards from Belsen and Hamburg concentration camps were found guilty by an Allied War Crimes Court at Celle, near Hannover, of beating camp inmates with sticks and truncheons. They are Marta Linke and Anne Kohlman. They were to be sentenced at the end of another case in which six other camp guards are being tried separately for ill-treatment and murder of inmates.



GERMANY (Cont.)

Trial of the murderers of British Parachutists at La Grande Fosse

Reuter reported from Wuppertal (23.5.46.): Eight of the 14 SS men on trial for killing eight British parachutists in 1944 at La Grande Fosse, France, were found guilty to-day after a week's trial by the British military court. Sentences ranged from two to ten years' imprisonment. The remaining six were found not guilty. The parachutists were dropped behind the German lines in France to disrupt communications and were later captured. The accused, members of a German camp staff, were stated by the prosecution to have taken the prisoners to a trench, stripped them, and shot them in the neck. The defence, conducted by 12 German counsel, argued that the parachutists, members of the Special Air Service, had been tried and condemned, that the shooting was carried out on the orders of a higher authority, and that failure of the SS men to carry out their orders would have been punishable by instant death.

These sentences occasioned some criticisms in the British Press. The Observer (2.6.46.) wrote: "It is difficult to understand the comparatively small sentences of from two to ten years' imprisonment recently passed on eight SS men convicted of murdering British soldiers of the Second Special Air Service Regiment captured in uniform while operating in France. A lenient attitude to such abominations is surely as unwise as ill-treatment of ordinary war-prisoners is unworthy."

Trial of Mine Managers at Hannover

The Press of 23.5.46. referred to a trial proceeding before a military court at Hannover of German mine officials for causing the deaths of prisoners of war at Nivka in Upper Silesia. The accused men are Siegfried Merker and Heindrich Hautau. Affidavits were produced showing that British prisoners of war had been cruelly beaten up and ill-used.

The Murder of Four Women Parachutists

Ten Germans from the Natzweiler concentration camp, including HARTJENSTEIN ex-Commandant of the camp, were tried at Wuppertal (30.5.46.) by a British military court for the killing of four women (3 British and 1 French) of the W.A.A.F. and F.A.N.Y. who had been parachuted into France on a special mission. One of the defendants, HERBERG, was discharged at the outset, for lack of evidence against him.

The President of the Court asked that the names of the four women should not be published as details of their deaths would cause pain to their relatives.

The Prosecutor, Major Hunt, described the killing as "sheer brutality unparalleled in the history of civilisation". It was shown that the women were taken, after their capture in France, to Karlsruhe prison and thence to Natzweiler, where they were partly drugged by injections and then burned alive in the crematorium furnace.

Walter Schultz, a police interpreter, deposed: The women were brought into a room adjoining the crematorium. Through a fanlight the drugging of the women by injections was observed. The bodies were dragged along the ground, accompanied by the sound of heavy breathing and low groans. The fourth woman resisted in the corridor, the account of this eye-witness continued. "I heard her say, 'Pourquoi?' and I heard the doctor's voice answer, 'Pour typhus'. We then heard noises of a struggle and the muffled cries of the woman. She was groaning more loudly than the others. From the noise of the oven doors I can state definitely that in each case the groaning women were placed immediately in the cremation oven."

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G E R M A N Y (Cont.)

For the defence, German counsel pleaded that the accused were not in a position to know whether the execution had been preceded by a trial.

Giving evidence in his own defence, one of the accused said that, on an earlier date, 30 women from Oswiecim had been gassed and burned in the crematorium at Natzweiler. Other witnesses said that improvements in these ovens had made it possible for them to be worked three times a week instead of on two half-days a week.

On 1.6.46. the Court delivered judgment: Werner KOHD, camp doctor, was sentenced to death by hanging; Fritz HARTJENSTEIN, camp commandant, to life imprisonment; and Peter STRAUB, crematorium attendant, to 13 years' imprisonment. Three other members of the camp staff received heavy sentences while three were found not guilty. The Times report stated that some of the men accused would appear in further trials in this series arising from the deaths of members of the 2nd Special Air Service Regiment who were parachuted into France in 1944.

The mildness of some of these sentences was criticised in the British Press. The Observer (2.6.46.) described them as "by no means severe considering the gravity of the offence". The Daily Express (3.6.46.) wrote under the heading "Say Why": A Commission spokesman in Hamburg said last night: "The sentences on the six have to be confirmed by the Commander-in-Chief, Marshal of the R.A.F. Sir Sholto Douglas." A legal view put by an expert in military law in London was: "The case can be reviewed. These military tribunals are appointed by the Commander-in-Chief under powers given him by Royal proclamation. The matter could be brought before the King in Council, and an order for a new trial could be sought."

The "Evening Argus" (4.6.46.) wrote in a leader:

"There has been a great deal of fiercely adverse comment, some printed but much more spoken, on the Wuppertal trial. .... The primary object of all these trials, including that at Nuremberg, is not vengeance on ruthless butchers but making of them an example which will impress possible future imitators. We want to give pause in future not only to the principals but to their subordinate minions who may feel disposed to indulge in such sadistic horrors. The Wuppertal sentences hardly encourage that pious hope. Indeed, they come very near to encouraging the sadistic German criminals."

A correspondent, signing himself "M.P.", wrote to the "Northern Daily Mail" (6.6.46.):

"Your short leading article in Tuesday's "Mail" on the outrageously inadequate sentences passed by the Wuppertal military court on the men who half doped four British girls and then put them alive into oven furnaces, is the only protest I have seen or heard on this dreadful occurrence. Why such criminals were not all sentenced to death for such an appalling deed is beyond me. Allow me to thank you for your timely expression of dissent on the judgment."

[NOTE: Three of the men sentenced to imprisonment at this trial, including the camp commandant, Hartjenstein, were sentenced to death in a subsequent trial on another charge (see below).]  
An important letter, published in The Times of June 13, from Lieut.-Col. Marlowe, K.C., M.P., who had acted as Judge-Advocate in the court before which the case was tried, showed that the evidence as to the women having been burned alive was unreliable, and that, of the 4 persons who had acted as executioners, only one was before the court.  
For further particulars see the Legal Supplement to this number.



GERMANY (Cont.)

Trial for the murder of Allied prisoners of war at Natzweiler

An Agency message (1.6.46.) reported: Fifth in the series of seven war crimes trials arising from the killing of British and Allied prisoners of war captured while on a special mission in enemy country, is due to open at Wuppertal on June 5th. Huth Kurt GIEGLING, Peter STRAUB, Fritz HARTJENSENSTEIN, Magnus WOCHNER and Franz BERG are charged with being concerned in killing a R.A.F.V.R. sergeant at Struthof-Natzweiler on or about July 30, 1944.

The British news service in Germany reported (6.6.46.): Three of the men sentenced at Wuppertal last Saturday to imprisonment for their part in burning to death four British women parachutists at the Natzweiler concentration camp, in Alsace, were yesterday sentenced to death by another court at Wuppertal for being concerned in the hanging of an R.A.F. pilot in the summer of 1944. They were Fritz Hartjenstein, former SS group leader and commandant at Natzweiler; Peter Straub, chief executioner at the crematorium; and Franz Berg, his assistant. Hartjenstein was sentenced to be shot, and the other two to be hanged. Kurt Giegling also was sentenced to death by hanging and Joseph Muth to seven years' imprisonment. All five were at the Natzweiler camp.

Forthcoming Trials by British Military Courts.

The UNWCC has been informed of the following forthcoming trials:

At Hamburg on 10.6.46.: HSE KLIEM, nine male and 6 female officials of the Neugraben-Tiefstack Concentration Camp.

At Hamburg on 17.6.46.: Heinrich SPECHT, and four other Germans charged with killing an unknown British airman.

At Bochum on 3.6.46.: Wilhelm SCHMARRE, charged with ill-treating an unidentified British airman.

At Recklinghausen on 19.6.46.: Franz ALBA charged with killing two British prisoners of war.

Arrests

The Arrest of Oswald Pohl

The B.U.P. reported from Herford (28.5.46.): "Obergruppenführer Oswald Pohl, one of Himmler's chief assistants in the SS was arrested by British special investigators a few miles from Bremen yesterday, and is now being interrogated. He will be flown to Nuremberg before the week-end and is expected to be put in the witness-box immediately.

"Pohl was a general in the Waffen SS and chief of the SS central office of administration and economy. As such he was in charge of the whole Nazi organization of concentration camps, and has been accused by several defendants at Nuremberg with responsibility for the policy of mass extermination.

"He was found at a cottage on a farm in the north-west corner of the Hanover plain, where he had been working as a farm labourer under the name of Ludwig Gniss for many months. He was digging his garden when arrested by British officers on a minor police court charge. At first he denied he was Pohl, but within a few minutes, when he put his hand in his pocket, British officers found two phials of cyanide, identical with that with which Himmler committed suicide, in specially manufactured cartridge cases with screw tops.

"Pohl had a huge moustache. Since his arrest this has been shaved off."

GERMANY (Cont.)

"News of Germany" (25.5.46.) reported from Hanover the arrest of FLOHR, ex-commandant of Mohrungen concentration camp. He was working as a farm hand at a village.

Arrest of Ravensbrück Wardresses.

The Sunday Chronicle reported from B.A.O.R. headquarters (1.6.46.) : "The two chief murderesses at the infamous women's concentration camp of Ravensbrück, in Mecklenburg - where thousands of Allied women, including British secret agents were exterminated - have been arrested in the American zone and are now in British hands. They are Thea Binz and Maria Mandi, both SS women.

"In three weeks in March last year 3,000 women were gassed in this camp, an operation which these two women are alleged to have supervised.

"BINZ who has been described as 'another Irma Grese', paraded at Ravensbrück with the standard SS women guards' equipment of pistol, whip, and police dog. She was chief of the SS women guards, and MANDI was her second-in-command."

Suspected War Criminals

In reply to a question in Parliament Mr. Hynd stated (30.5.46.) that among 45,000 Germans in custody in the British zone, there were 4,000 suspected war criminals. The majority could not be tried till the I.M.T. had given its verdict on criminal organisations.

FRENCH ZONE

The Neubrenne Camp Trial

The Paris radio reported (14.5.46.): "The first proceedings before the High Court for the entire French zone will start tomorrow afternoon in the large hall of the Rastatt Schloss. From now on trials will be held at Rastatt of all guilty of war crimes or other grave offences against the occupation Power. This Rastatt Court, presided over by the Director-General for Justice for the zone, Forby, is the highest Court of Appeal and the Supreme Court of Justice in the French zone.

"Thirty-three persons will be brought to trial, all employed at the Neubrenne concentration camp near Saarbrücken. The Commandant was SCHMOLL. It is expected the trial will last a fortnight as 80 witnesses will be called for the prosecution, among them several officers of the British Army. The written testimony of Yvonne Delbos and the present Minister of War, Michelet, will also be submitted. All of them endured ill-treatment in the Neubrenne Camp. President Ausset, Paris Court of Appeal, will be the Presiding Judge. Two representatives of the Rastatt Military Court and representatives of the French Military Government will be among the Judges. A British and a Saar Judge will attend in an advisory capacity. Prosecuting Counsel is Public Prosecutor Deranier." All the defendants pleaded not guilty.

A French witness, Mme. Malhomme, stated that six British and American women who were captured by the Germans, after being parachuted into France near Paris after liberation of the capital in 1944, were kept chained by ankle fetters in Neubrenne prison camp for periods of between 12 and 20 days.



H U N G A R Y.

The Budapest radio reported (16.5.46): The National Council of the People's Court has sentenced to death Gen. Ruzskay-Ranzenberger. He was Horthy's Adjutant, then became President of the National Socialist Party and, though a General, joined the SS. He appealed for a reprieve.

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Agency messages of 2.6.46. announced the execution, by a firing squad, of Laszlo-Sauschek, ex-Chief of Staff of the Hungarian army under the Nazis.

I T A L Y.

Trial of Generals Esposito and Daquino.

The Times reported from Trieste (12.5.46.): General Giovanni Esposito, who with 11 other Italian officers has been on trial since April 24 before a local extraordinary assize court on a charge of handing over Trieste to the Germans after the Italian capitulation on September 8, 1943, and subsequent collaboration with the enemy, was yesterday found guilty on both counts and sentenced to 30 years' imprisonment. General Daquino was sentenced to 12 years' imprisonment for political collaboration, and seven other officers were acquitted.

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Trial of Generals Rossi and Berti.

The Rome radio reported from Florence (25.5.46.): The Assize Court tonight pronounced sentence in the officers' trial; Gen. Adami Rossi and Gen. Berti have been sentenced to death; Capt. Gobbi to 30 years' penal servitude; Capt. Baggio Ducarne, in absentia, to 26 years'; Capt. Ciccarene, in absentia, to 22 years; Capt. Morelli to 16 years and Maj. Benti to six years. Col. de Meda was acquitted.

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Trial of Marshal Graziani.

Rome radio announced (15.5.46.) that the trial of ex-Marshal Graziani had been postponed and would be included in the June term list.

Ferdinando Rossi, former Chief of the Fascist Republican Political Bureau in Milan, who had been sentenced to death, made an attempt to escape from the Via Copenico prison, where he had been held since the San Vittorio riots. He has been sent now to Procida with other convicts, including Carlo Emanuele Basile.

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N O R W A Y.

An A.P. message from Oslo (25.5.46.) reported that Quisling's Minister of Interior, Hagelin, had been executed by a firing squad.

Agency messages from Oslo (1.6.46.) stated that Mrs. Quisling, the Russian-born wife of Quisling, had been arrested and was to be tried.

## P O L A N D

### The Stutthof Concentration Camp Trial

Radio Warsaw stated (22.5.46.) that on the previous day, the Court had pronounced sentence: 11 of the 15 defendants were sentenced to death, 2 to imprisonment; 2 were acquitted.

### The Handing over of War Criminals.

Radio Warsaw (23.5.46.) reported the arrival of more war criminals, handed over by the United States authorities. They included HOSS, ex-commandant of Auschwitz; BUHLER, ex-chief of the Administration of the General Government; and BURGSDORF, ex-Governor of Cracow.

A further broadcast (29.5.46.) announced the arrival of 12 more German war criminals. The included Goeth AMON, ex-camp commandant, who liquidated the Cracow Ghetto and the camps at Tarnow and other places. He became a millionaire with the plunder of his victims.

## R U M A N I A

Marshal Ion Antonescu, ex-dictator of Rumania was sentenced to death for war crimes by a special people's tribunal on May 17th. Twelve others, including Mihail Antonescu, former Vice-Premier, who was convicted with him, also received death sentences. Eleven others received sentences ranging from 10 to 20 years' imprisonment. The death sentences were carried out on June 1st, except 3 which were commuted to imprisonment.

It was announced on 19.5.46. that 30 more former Ministers and Under-Secretaries of State who served under Antonescu, dictator of Rumania - sentenced to death for treason with 12 of his associates - were arrested on 18.5.46. With four generals, they will come up for trial soon before the People's Court.

## S P A I N

### Germans in Spain.

Mr. McNeil, Under Secretary, Foreign Affairs, said in a written reply (21.5.46.) that the Spanish Government had assured our Embassy at Madrid that they would not grant Spanish nationality to any Germans. They had, however, refused to assist in the repatriation of a substantial number of Germans, including former officials and agents whom they regarded as "incorporated in Spanish life".

A Washington message to the Times (29.5.46.) said that the USA was providing a vessel with accommodation for 947 passengers, in which Spain could repatriate a number of Germans obnoxious to the Allies. There were still 2,205 Nazis, exclusive of their families, whose repatriation the United States Government wished to effect as soon as possible. The number included 931 officials, 794 intelligence agents, 450 technicians, scientists, engineers, and business men, and 30 border guards.

### A 'Blue Division' War Criminal.

The Daily Worker, 20.5.46., printed a report stating that the sentences recently passed on Spanish Republicans were to be reviewed by General Munoz Grande, late commander of the Blue Division, who is wanted as a war criminal by the Russians.



YUGOSLAVIA

The Trial of General Mihailovitch

A Tanyug broadcast, 23.5.46., stated: Foreign Minister Simitch declared: "The new US Note, received on 7th May, expressed a desire on the part of the US Government to be informed of the place and date of Mihailovitch trial, and of the measures undertaken by the Yugoslav Government to enable those persons so desirous to testify." . . . . "Our Government stands by its attitude, which is the only correct one: that the defendant himself, that is to say his defence, is competent to call witnesses for him, and that the court alone is competent to decide which witnesses will be called."

In reply to a question in Parliament (22.5.46.) Mr. Bevin said that evidence by four British officers on behalf of General Mihailovitch, former Yugoslav War Minister, now awaiting trial, is being transmitted to the Yugoslav authorities by the British Government. He added that the Government had agreed to this step because collaboration with the enemy, according to the Yugoslav Minister of the Interior, was likely to be one of the charges against Mihailovitch.

The Trial of General Mihailovitch opened at Belgrade on June 10th.

MISCELLANEOUS

THE PARIS CONFERENCE.

The Problem of Wanted War Criminals.

The Times reported from Paris (4.6.46.): The problem of wanted war criminals was discussed to-day at the conference of the Foreign Ministers Deputies without any headway being reached. A British proposal that the Allies should send lists of wanted war criminals to the War Criminals Commission within three months was opposed by the Soviet delegation.

THE FAR EAST ... ..

THE FAR EAST.

J A P A N.

The International Military Tribunal.

The Times (3.6.46.) reported that when the Tribunal reopened on June 1st "its first task was to hear a series of 10 motions, among which were the proposal of the prosecution, headed by the American chief prosecutor, Mr. Joseph B. Keenan, to introduce Japanese Government documents, and the renewal of the request by the defence for the dismissal of the indictment as well as for further delay to permit fuller preparation of the case. Neither group of motions, however, appeared likely to delay the trial long." .....

"Though both prosecution and defence have carefully guarded against revealing cases prematurely, it was understood to-day that both may use as evidence the personal diaries of two of the Emperor Hirohito's closest advisers during the years leading up to the war - the late Prince Konoye and the Marquis Kido, who is one of the defendants.

It was reported (23.5.46.) that both MATSUOKA, ex-Foreign Minister, and OKAWA, (the man who slapped TOJO's head in the court) had been removed from the list of war criminals owing to ill-health.

The Times (5.6.46.) reported that the Allied chief prosecutor Mr. Keenan pointed out that the prosecution of the leading militarists of Japan was "part of the battle to save the world from destruction." The prosecution of these men had nothing to do with retaliation or vengeance, since a war of aggression such as they conducted was a crime under international law.

The Emperor Hirohito

A Reuter despatch (30.5.46.) stated that Russia had protested to the Allied Far Eastern Commission against the lenient treatment given the Japanese emperor. New Zealand and Australia supported the Russian view.

C H I N A   A N D   H O N G   K O N G

British Trial.

The Press reported from Hong Kong (28.5.46.): Inouye Kanao, a Japanese known to British and Canadian prisoners at Shamshuipo camp as "Slap Happy", has been sentenced to death by a military court at Hong Kong. Accused, who had been found guilty of atrocities, was a former civilian interpreter at Shamshuipo camp, Kowloon, and Singapore.

S O U T H   P A C I F I C   A N D   I N D O N E S I A.

The Netherlands East Indies Information Service reported from Batavia that about 1,000 Japanese were to be tried for war crimes committed in the N.E.I.

THE NUREMBERG TRIAL ... ..



III.

THE NUREMBERG TRIAL.

( 16.5.1946 - 11.6.1946.)

THE DEFENCE.

The defence of Donitz closed on May 14th. He was followed by Admiral Raeder (May 15th), Baldur v. Schirach (May 22nd), Sauckel (May 28th), Jodl (June 3rd), Seyss-Inquart (June 10th).

Counsel for Martin Bormann, Hitler's deputy, applied to the Tribunal (May 28th) for permission to call Fräulein Kruger, Bormann's secretary who could swear that Bormann was either dead or in the hands of the Soviet authorities. Lord Justice Lawrence observed that "it is very remotely relevant whether he is dead or alive. The question is whether he is guilty or innocent."

Counsel for Hess and Frank (Dr. Seidl) took advantage (May 21st) of the presence, as a witness, of Baron von Weizsäcker, former Secretary of State in the German Foreign Office, to put to him a copy of the secret Pact, in which the Soviet Union and Germany are alleged to have defined their respective spheres of influence, as an addendum to the Soviet-German Treaty of August 23, 1939. The Soviet Prosecutor, General Rudenko, at once objected on the ground that the Court was investigating the case against the war criminals, not the foreign policy of the Allies, and that moreover this anonymous document having already been rejected by the Tribunal, could have no probative value. After a discussion among the judges, the Court refused to admit the document, but the witness was allowed to speak of the affair from memory.

THE CRIMINAL ORGANIZATIONS.

The Press reported (May 19th) that 92,000 applications had been received by the Tribunal from would-be witnesses for the six Nazi organizations indicted by the Allies. (The German High Command and General Staff, the Reich Cabinet, the SS and SA, the Leadership Corps of the Nazi Party and the Gestapo).

Some were to appear before a 5-man commission headed by Colonel Neave (U.K.) which was to start sifting the evidence on May 20th, and was to sit in secret. The creation of this sub-tribunal was expected to shorten the trial substantially.

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The death was announced on 24.5.46. of General Zorya, Russian assistant prosecutor at the Nuremberg trial, as the result of an accident due to incautious use of firearms.

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The Daily Telegraph (25.5.46.) reported that some former Field Marshals and Generals, including Brauchitsch<sup>+</sup>, Rundstedt<sup>+</sup>, Kleist<sup>+</sup>, Manstein, Halder<sup>+</sup>, Guderian, Falkenhausen<sup>+</sup>, Koller, and Ruoff who are in confinement in Nuremberg prison, have sent a petition to the Tribunal, complaining that they are not being treated in accordance with the Geneva Convention as prisoners of war, (which was the status accorded them before their arrival there). It appears that, on arrival at Nuremberg, their rank badges were removed and they have been kept in cells like other civilian detainees.

Note: Those marked with a + are already listed as war criminals by the UNWCC.

UNITED NATIONS WAR CRIMES COMMISSION

(Research Office)

E R R A T U M

17th June, 1946.

WAR CRIMES NEWS DIGEST No. XIII.

In the last paragraph on page 8 of War Crimes News Digest No. XIII, under the heading BRITISH ZONE - Trials, 21st May, the words "convicted in the 'Giftgas' Trial" should be deleted.

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14th June, 1946.

SUPPLEMENT TO WAR CRIMES NEWS DIGEST No.XIII

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SURVEY OF LEGAL LITERATURE

(Contributed by E. Schwelb, Legal Officer)

"Právo v boji s nacismem"  
("The Law in the Fight against Nazism")  
(In Czech)

by

Dr. Bohuslav Ečer

Printed and Published by Zář, Brno (Czechoslovakia)  
(59 pages)

In this booklet Dr. Bohuslav Ečer, the Czechoslovak Representative on the UNWCC, General of the Czechoslovak Army Judge Advocate Service, and head of the Czechoslovak War Crimes Investigation Team, gives to the Czech public an account of the history of the problem of war crimes during, and after the conclusion of, the second world war. He describes the Allied discussions and preparations for the retributive action which is now being performed in very many international, municipal and occupation courts, an action in which Dr. Ečer personally played so important a part both in his capacity of member of the UNWCC and as a legal writer, lecturer and publicist. The booklet gives a short, but vivid and informative description of what happened in this important aspect of international law and politics. The following translation of the index will give a picture of the scope of the treatise:

- Introduction.
- I. A new fact: criminality organised by the State.
  - II. Bankruptcy of Justice after the first World War.
  - III. The Allies of 1939-1945 declare that they would not repeat the mistake of 1919.
  - IV. Against legal defeatism, against the capitulation of the law to German criminality.
  - V. Preparatory work of the London International Assembly.
  - VI. The United Nations War Crimes Commission.
  - VII. We inform the members of the British House of Commons.
  - VIII. A temporary set-back.
  - IX. The minority report of the Czechoslovak delegate.
  - X. The struggle in the plenary session of the Commission of 10th October, 1944.
  - XI. The Governments' attitude.
  - XII. The Soviet view of the problem of "war crimes".
  - XIII. Crimes against humanity.
  - XIV. Criminal and personal responsibility of Adolf Hitler and the members of his Government.
  - XV. SS, SA, Gestapo.
  - XVI. The law goes over from discussion to action.
  - XVII. The conference of the Four Great Powers deals with the establishment of the International Military Tribunal.
  - XVIII. The agreement of 8th August 1945 and the Charter of the International Military Tribunal.
  - XIX. Indictment and trial of the German major war criminals.

Chapters VIII to XI will be of particular interest to members of the Commission. Here Dr. Eßer describes his contest with Sir Arnold McNair on the question of the scope of the retributive action of the United Nations, particularly the difference of opinion whether the staging of aggressive war is a crime, a contest which seemed rather unequal in its beginning, and which eventually as a consequence, inter alia, of Lord Wright's taking part in it, ended with the acceptance by the Four Great Powers and the United Nations at large of the propositions advocated by Dr. Eßer and his friends.

It is to be regretted that this very interesting pamphlet is at present available only in the Czech language.

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The Trial of William Joyce, edited by C.E. Bechhofer Roberts.  
Old Bailey Trial Series. (Jarrolds)  
The Trial of William Joyce, edited by J.W. Hall, Notable British  
Trials Series (Hodge)

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Two different books on the Trial of William Joyce have appeared recently, one edited by Mr. C.E. Bechhofer Roberts and published by Jarrolds Publishers (London) Ltd., the other edited by Mr. J.W. Hall and published by Wm. Hodge & Co., Ltd.

The following review of the two books by Professor A.L. Goodhart appeared in The Sunday Times on 9th June 1946:

"Each of these books has its special points. Mr. Roberts in his introduction gives an admirable summary of the points at issue which will be of great assistance to the reader, whether lawyer or layman. He has added an appendix in which thirty-one other recent treason and treachery cases are briefly sketched so that a complete picture of the administration of the law can be obtained.

"Mr. Hall's introduction is written in a more popular manner, and contains a number of digressions concerning the verification of passports, the drafting of statutes, and the conduct of inquests which might with advantage have been omitted. His statement that Joyce 'was deliberately kept on the Continent . . . while Parliament quickly passed the Treason Act, 1945,' is misleading, as the Bill had been introduced in the House of Lords eleven days before Joyce had been arrested. In view of the unanimous conclusion reached by the trial judge, the Court of Criminal Appeal, and the House of Lords, that an alien holding a British passport owed allegiance to the Crown (Lord Porter's dissent being on another point), Mr. Hall's statement that he has found an almost 'universal feeling, shared by lawyers and laymen . . . that the decision was all wrong, and that an unmeritorious case has made bad law' is an extraordinary one.

"Such an unjustifiable claim to speak for the legal profession ought not to have been made in a serious book, because it may give an entirely misleading picture to the lay reader. Few lawyers would be prepared to state so glibly that a decision reached by nine distinguished judges, including the Lord Chancellor and the Lord Chief Justice, 'was all wrong'. On the other hand, Mr. Hall has included in his book useful summaries of the arguments of counsel both in the Court of Criminal Appeal and in the House of Lords, and a report of the judgment in the Court of Criminal Appeal which, strange to say, have been omitted by Mr. Roberts. Faced with a choice between these two books the only advice that we can give the reader is that if he is really interested in the case he had better buy both of them."



Letter by Lt. Col. A.A.H. MARLOWE, K.C., M.P.  
to the Editor of "The Times", on  
The Trial for the murder of four women parachutists at Wuppertal.

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In a letter to The Times, published on 13th June, 1946, Lt. Col. Anthony A.H. Marlowe, K.C., M.P., who acted as Judge Advocate in the trial concerning the burning of four women, replied to the Press criticism, which is summarised in the general part of this Digest (page 11). He writes:

"This case attracted considerable Press comment in this country and unfavourable opinion was expressed of the fact that of the nine Germans accused only one was sentenced to death. It appeared to be suggested, on some eye for eye principle, that either the gravity of the charge or the number of the victims demanded more executions. It is important that it should be understood that British justice is not administered in this way. The Press demand for more heads was no doubt actuated by a lurid story that these women were put alive into a burning oven, screaming and kicking to the last.

"This story came from a Pole and had there been any truth in it the Press comment would have been merited. But the very purpose of the court was to investigate the truth, which it did very thoroughly. The Pole emerged as the most unreliable witness I have ever seen in any court. It transpired that he had not been there, knew nothing about it, and was merely drawing on his imagination. The simple facts proved to the satisfaction of the court were that these women were put to death and subsequently cremated. The only issue before the court was whether the unfortunate women had suffered 'judicial execution' after trial and sentence as spies or not. The court being satisfied that there had been no trial or sentence, the executioner or executioners could be condemned for murder.

"The evidence was clear that some four people were the executioners. Only one of these was before the court; he was duly condemned to death. Of the others, one had committed suicide and the other two had not been apprehended. The remaining accused were proved only to have played minor roles of complicity and (except for three who had clearly not been implicated and were therefore acquitted) were sentenced to long terms of imprisonment.

"It would be impossible to imagine a clearer vindication of the purpose of these trials. If these accused had been dealt with on rumour, mob law, or by a Press campaign great injustice would have been done. In the event, the German defence counsel and the German public have been deeply impressed by witnessing an administration of justice which has been unknown in their country for 15 years, and in consequence they quite clearly recognize that Britain is the fount of justice. When, the following day, the same court sentenced to death on a clearly proved charge of murdering a British airman three of the men who had escaped the death penalty in the 'four women' case they manifested their agreement and approval of the sentences.

"I write this letter because the difficult task of administering British justice in a foreign country is being carried out with conspicuous success; great harm will be done if it is to be subject to pressure and to adverse comment from the Press. The members of military courts are serving soldiers who cannot defend themselves. I should be failing in my duty if I did not do so on their behalf, particularly in such a case as this where the senior member, Brigadier the Hon. J.B.G. Hennessy, displayed a breadth of vision, an understanding of justice and a sense of duty which did great credit to the British administration in an occupied country."

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XIV

No. XIV.

July 4th, 1946.

UNITED NATIONS WAR CRIMES COMMISSION

(Research Office)

WAR CRIMES NEWS DIGEST.

[NOTE: The above title replaces that of Press News Summary  
used in the early numbers of this series.- R. O.]

C O N T E N T S.

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S U P P L E M E N T:

LEGAL LITERATURE.

I.

PUBLIC RELATIONS.

(Contributed by the Public Relations Officer)

On June 7th a statement issued on the previous day regarding the list of 450 Japanese War Criminals, approved by the Commission, received its usual publicity. The same statement was also broadcast in the B.B.C. News Bulletin.

As a result of various calls made on different groups of London suburban papers, an amount of publicity in regard to war crimes has been secured in various journals.

On June 6th a handout was made in regard to the women who died after undergoing germ tests in the Ravensbrück Concentration Camp, and this received good notices in the Northern papers.

A replica of the Nazi Crime Exhibition is now ready in Paris for showing in this country. This has unfortunately been held up owing to lack of funds, and the Public Relations Officer was asked to approach UNRRA to see if they could give financial support to the French Government in this regard. No help however is obtainable from UNRRA, as they were not even allowed to stage a small exhibition of their own which they hoped to show a few weeks ago.

On June 9th, Lord Wright's speech in Tokyo, in regard to the percentage of the world's war criminals who will face trial, was announced in the 6 p.m. and 9 p.m. B.B.C. Home News. This announcement also received publicity in the Daily Telegraph, Manchester Guardian, Daily Express, Daily Sketch and other national papers.

Publicity was given in the American Press of May 19th in regard to the Progress Report of war crimes trials issued by the Commission on the previous day.

An account of the trial in regard to the four Parachute girls alleged to have been burnt alive at Wuppertal was given fully in the 1 o'clock news of June 6th. In response to the letter written by the Public Relations Officer to Lord Kemsley, a special feature article written by Candidus, the Daily Sketch star feature writer, appeared on June 17th, across three columns entitled "Homage to Four Girls and all the Unknown Heroines."

In the evening papers of Wednesday, June 19th, good publicity was given in regard to a handout made through the Central Office of Information. It was concerning the courage of an Englishman upon whom fiendish brutality was exercised in Italian Fascist tribunals before he was finally shot in the head.

The Daily Telegraph of June 27th, announcing the return of the Queen Mary to Southampton, included Lord Wright, Chairman of the United Nations War Crimes Commission, in their list of distinguished travellers.

An announcement made by the Commission on the night of June 21st, making it clear that Germans sentenced in connection with the killing and burning of four women parachutists and now being held for a further trial on French soil will face new charges in France, was published in the evening papers of June 21st. The announcement went on to say that the second trial "will not be held in respect of the crime for which they were sentenced at Wuppertal, but in respect of other crimes with which they are charged by the French authorities. Any impression that war criminals can be tried twice on the same charge in different zones or countries would be incorrect."

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II.

SUMMARY OF EVENTS

(Mainly from Press Sources.)

A U S T R I A

Demand for Punishment of Austrian Generals

Radio Vienna of 5.6.46. called for the punishment of Generals LOEHR, BOEHME, and REDULIC, Austrians in the German army, "whose greatest ambition was to prove themselves good Prussian soldiers".

Arrest

The Neues Österreich of 29.5.46. reported the arrest of Robert STOPPE, notorious for his "aryanizations" in Vienna, where he enriched himself with illegally acquired wealth.

A Youthful War Criminal

Agency messages of 5.6.46. reported the trial before the People's Court at Vienna of SCHEER, a youth of 16, for killing 2 political prisoners on the day before the end of the war and boasting of the murders. He was sentenced to 10 years' imprisonment.

B E L G I U M

Sentence on an Informer

The Brussels radio reported on 15.6.46. that the Brussels Court-Martial returned its verdict that day in the case against Louis BERGMAN and Armand SCHOUTEN, both of whom were charged with having been instructed by the Gestapo in 1944, to trace the whereabouts of the Prince Regent who had at that time joined the Belgian Maquis. Bergman was sentenced to imprisonment for life; Schouten was acquitted.

Reported Surrender of Degrelle by Spain Denied

The Brussels radio of 21.6.46. announced that according to Belga, responsible circles in Brussels deny any knowledge of the information given in a foreign report that the Spanish Government had agreed to surrender Degrelle.

C Z E C H O S L O V A K I A

TRIALS

The Protectorate Government Trial

The Prague radio of 11.6.46. reported that the National Court which is trying members of the former Protectorate Government had decided to admit the evidence of 125 witnesses; 100 will be in the form of affidavits while 25 witnesses will be called in person.

The Trial of Emanuel GÖRING

The Daily Telegraph of 19.6.46. reported that Emanuel GÖRING, brother of Hermann, had been handed over by the Americans to Czechoslovak authorities as a war criminal and would be tried in Prague.



CZECHOSLOVAKIA (Cont.)

The Vlájka Trial

The Prague radio of 14.6.46. reported the ending of the trial of the so-called Vlájka organisation. The National Prosecutor demanded the supreme penalty; counsel for defence claimed that the accused's actions were due to political inexperience and mental deficiency. Sentence was to be passed on 27th June.

The Trial of KEIL at Bratislava

The Prague radio of 18.6.46. reported: To-day the Bratislava National Court opened the trial of Sigmund KEIL, Deputy of the German Under-Secretary of State Franz KARMAŠIN, and Inspector of the German Party for Slovakia. The sentence was expected on June 22nd.

The Trial of VASEK

The same agency reported on 24.6.46. the opening of the trial of Dr. Antonin VASEK, "the Slovak Jew-baiter" at Bratislava. Vasek was accused of having, as high official of the Ministry of the Interior in the so-called Slovak State, ordered the confinement in concentration camps of 50,000 persons of Jewish origin. These included women, children and aged persons who were taken from the concentration camps to the extermination camp of Oswiecim. With the exception of 252 persons all the deported were killed in Oswiecim. The accused is the author of several books dealing with the Jewish problem and he gave many lectures in which he appealed for collaboration with the Germans and for the fight against the Soviet Union. Thirty foreign journalists are present at the trial.

The Visit of Lord Justice Lawrence to Prague

Agency messages from Prague of 14.6.46. reported the arrival by air of Lord Justice Lawrence, President of the International Military Tribunal at Nuremberg. He was met by the Minister of Justice and by Dr. Ešer. He was to stay at Prague for 2 days.

DENMARK

The Trial of Danish Gestapo

The Sunday Times 9.6.46. reported from Copenhagen: Eleven Danes accused of 94 murders, 25 attempted murders, 150 acts of sabotage, and many train-wrecking attempts costing 145 lives, all under the leadership of the Gestapo, are being tried in Copenhagen. The gang, reports Reuter, is alleged to have done damage to the value of £5,000,000.

War Crimes Trials Procedure

Kalundborg radio reported on 14.6.46.: In the Lower House the Minister of Justice, moved a resolution concerning the punishment of war crimes. In the first instance, war crimes are to be tried by Extraordinary Courts of Justice, consisting of a Judge of Copenhagen Town Court as President and an officer. It is also proposed to set up a special Court of Appeal.

Death Sentence for Informer

Kalundborg radio reported, 14.6.46.: The sentence of 20 years' imprisonment on Johannes NIELSEN passed by Nordre Birk Court for having informed against two patriots was recently amended to one of life imprisonment by the Court of Appeal. To-day, it was changed by the Supreme Court to sentence of death.



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D E N M A R K (Cont.)

German War Criminals in Denmark

Kalundborg radio reported on 14.6.46.: Whether prominent Germans who have committed war crimes in Denmark should be handed over to a Danish Court of Justice, has lately been a subject of discussion. Judge Jackson, who is at present visiting Copenhagen, says that in his opinion it would be reasonable if such war criminals were to be tried in this country as it would facilitate the taking of local conditions into consideration. A man like Dr. BEST, who has worked both in France and Denmark, could be brought before a Court in both countries.

F R A N C E

Judgment on Raymond CLEMOZ

The Paris radio of 3.6.46. reported: The Riom Court of Justice to-day sentenced to death Raymond CLEMOZ, who was Darnand's Chef de Cabinet. He was charged with intelligence with the enemy and complicity in wilful arson. His property is to be confiscated for the benefit of the nation.

The Trial of Vichy Ministers

The Times of 18.6.46. reported from Paris: The French High Court has decided to commit to trial Admiral AUPHAN, who was Secretary of State for the Navy from April, 1942, to November, 1943; René BONNEFOY, a Vichy Minister of Information; Hubert LAGARDELLE, Minister of Labour from April to November, 1942; Admiral ABRIAL, Secretary of State for the Navy from November, 1942, to March, 1943; Admiral MARQUIS, the Maritime Prefect of Marseilles; and Admiral DELABORDE, who commanded the French Mediterranean Fleet.

All these are accused of intelligence with the enemy. Bonnefoy and Auphan, whose whereabouts are unknown, will be tried in their absence.

The Massacre at Oradour-sur-Glane

M. Benazet, broadcasting from Paris on 20.6.46. said, in part:

"When will the Nazi murderers of Oradour-sur-Glane be brought to justice? For two years their crime has remained unpunished. . . . Why this passive attitude on the part of the judiciary? Those guilty are not unknown: they are the 3rd Company of the SS Regiment Der Führer, a component of the Das Reich Division. They still exist although they have dispersed. Some have returned to Germany; others are prisoners here and there - in Britain, in the USA and even in France. It may be difficult to extradite those guilty ones who are overseas but, at least - 18 months after the event - those who are on our soil should have been turned over to the courts. . . . Their amazing immunity is due not only to the slow working of officialdom but also to its lack of credits. Our State spends a lot of money in a manner which could often be called into question, but the services for the pursuit of war criminals are being starved. To make inquiries in a POW camp is a Herculean task; so many difficulties are encountered. This must stop. . . ."

Escape of the Grand Mufti

The Paris radio of 12.6.46. said: The inquiry into the departure of the Mufti of Jerusalem is being conducted jointly by criminal investigation police and the National Security Service. It is pointed out that the Mufti was entirely free to do as he pleased. The security watch under which he had been placed since his arrival in France had been lifted. The Mufti had given his word of honour that he would inform the French Government if and when he changed his residence. (See Yugoslavia page 14.)



FRANCE (Cont.)

Arrest of Richard CHRISTMAN

An agency message from Cannes of 8.6.46. reported the arrest by the French police of Richard CHRISTMAN, 41 year old Nazi spy and war criminal responsible for the execution of 83 British and Dutch parachutists in Belgium and Holland.

Christman had posed as a Dutch member of the underground movement and went to London, where he registered a false underground organisation. Returning to the Continent in 1944, he used a chain of 22 broadcasting stations to send false code messages to England in order to attract British, Dutch and Belgian secret agents, who were arrested immediately after being parachuted.

Trials of Natzweiler officials and SS General OBERG

Reuter cabled from Wuppertal, 19.6.46.: Scores of former members of concentration camp staffs, the Gestapo and the German security police and army, tried and sentenced or still to be tried in the series of war crimes trials at Wuppertal, will face a second trial in France, a British legal officer said to-day. The crimes of which they are accused are alleged to have been committed on French soil, some against French nationals, chiefly in concentration camps in Alsace.

All the Germans who were accused after the killing and burning of 4 British women parachutists in Natzweiler camp will be tried in France, including the camp doctor who has already been sentenced to death. (+)

The French are waiting to try SS General OBERG, "the butcher of Paris", one of the six Germans now being tried for responsibility for the murder of more than 30 British parachutists captured behind the German lines in the Vosges mountains.

GERMANY

ADMINISTRATION OF JUSTICE BY GERMAN COURTS

Trial of Executioners at Halle

A Reuter message of 14.6.46. reported that two German hangmen are to be charged before a German court at Halle with "crimes against humanity" under a law (presumably Law No.10) issued by the Allied Control Council. They are Andres ROSE of Hamburg, who is alleged to have executed 790 persons, and Johannes KLEIN, of Halle, said to have executed 531. (Both prisoners were condemned to death.)

Treatment of Informers: Statement by Brandenburg Justice Department

The Berlin radio of 13.3.46. reported: Basing its views on the principles of the German Civil Code, the Mark Brandenburg Department for Justice states that a political informer is to be held legally responsible for the damage his anti-fascist victims suffered as a result of being denounced. On principle informers must make compensation for such damage. It had to be assumed that informers were fully aware of the measures the Nazi authorities would take against the persons they denounced. Quite apart from these principles, the Administration holds that any denunciation by political informers must be regarded as an act contrary to law. Provisions which then existed were counter to the principles of humanity and ethics - on the strength of which informers might have considered themselves entitled, or even bound, to act - and cannot be regarded as legally valid. Informers are, therefore, legally responsible for damage caused by them under the criminal and civil codes. The liability under the civil code of persons who appeared as witnesses in cases based on denunciation is not quite so clear. Persons who were sum-

(+) The second trials referred to are in respect of other crimes, for which they were not charged before the British courts, see page 1, last para.

GERMANY (Cont.)

moned to appear as witnesses, possibly against their will, whose evidence was truthful, cannot, in the Department's view, be called upon to make compensation. These witnesses would have incurred the risk of proceedings (Zwangsmittel) being taken against them for unjustified withholding of evidence or for perjury, had they given false evidence under oath. Only witnesses who knowingly gave false evidence against the accused, or abused their position as witness (Zeugnisrecht) by for instance, exaggerating irrelevant trifles to bring about a conviction or more severe verdict, will be legally responsible for damage caused by denunciation.

Crimes against Humanity - Announcement by Public Prosecutor.

The "Kurier" of 23.6.46. quoted some remarks by the Berlin Chief Public Prosecutor on the subject of informers, whose victims were sentenced to heavy penalties under the Nazi régime. He said that soon there would be a number of prosecutions against such informers under the Control Council Ordinance No.10 which makes crimes against humanity a punishable offence. He added: "I am striving by negotiations with Allied quarters to establish a legal framework assuring uniform and equitable treatment of such cases. This is all the more necessary to avoid the impossible situation in which informers would get different treatment in the various sectors of Berlin."

Munich Students' Plot: Informer Sentenced

News of Germany 18.6.46. reported from Munich: Jakob SCHMID 60, former servant at Munich University, who handed over two students to the Gestapo early in 1943, was sentenced to five years' imprisonment in a labour camp by the Munich de-Nazification court in its first meeting here. Albert SCHEITHAMMER, the second defendant was classified as a "follower" and sentenced to pay a fine of 2,000 RM. The trial was attended by Dr. Wilhelm Hogner, Bavarian Prime Minister, Lt. Col. E. Keller, head of Munich Military Government, and Heinrich Schmitt, Bavarian Minister for de-Nazification. The two students handed over to the Gestapo by Schmid and later executed were Hans and Sophie Scholl, brother and sister, who had been handing out anti-Nazi pamphlets at the university at about the time the German Stalingrad army surrendered.

Trial under the Law for Liberation from National Socialism.

The Manchester Guardian, 20.6.46. reported from Berlin: A German tribunal at Heidenheim, in Württemberg-Baden, in the American zone, has just tried the first serious case under the American zone law for "liberation from National Socialism and militarism". The accused, Georg STURM, a member of the Nazi party, was found guilty of "active collaboration for personal advantage with the Gestapo", of having ill-treated foreign workers, and of "making a substantial contribution to the establishment, consolidation, and survival of the National Socialist dictatorship by using his personal reputation in political, economic and cultural life". He was sentenced to 3 years' hard labour, confiscation of property, and other restrictions. The American zone "law of liberation", which is administered by German courts, was passed to ensure the "final punishment" of Nazis and to enable Germans in internment to be dealt with.



GERMANY (Cont.)

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G E R M A N Y (Cont.)

AMERICAN OCCUPIED ZONE  
(including American zone of Austria.)

Trials

The Waffen SS Trial at Dachau.

An Associated Press message from Dachau of 18.6.46. reporting the opening of the defence stated: The defence claimed to-day that 74 members of the Waffen SS accused of murdering disarmed American prisoners during the "Battle of the Bulge" showed "every consideration" to their captives. Opening its case, the defence asked that murder charges be dismissed on the grounds of insufficient evidence, maintaining that the maximum sentence should be manslaughter "due to absence of any preconceived murderous plan".

An agency message of 20.6.46. reported that a United States officer, Colonel MacCown, was being flown from America to Dachau, as he wished to give evidence of the fair treatment he had received from the German Colonel PEIPER, one of the defendants.

The Flossenburg Camp Trial at Dachau

The G.N.S. reported on 14.6.46.: Fifty-one former guards and employees of the Flossenburg concentration camp went on trial here Wednesday on charges of mistreating, starving or killing about 25,000 inmates of the camp which was located near the Czechoslovakian border. It is the third concentration camp trial in the Dachau military court, and all defendants pleaded not guilty. The trial of a 52nd defendant, a Ukrainian, was severed and will be handled separately as the man does not understand either German or English and would not have been fully able to protect his rights in the present trial.

A Reuter's message of the previous day reported that the U.S. Prosecutor in opening the case said that when Flossenburg and its 42 auxiliary camps were liberated it was discovered that of 12,000 inmates moved to Dachau under guard, fewer than 1,000 had arrived alive. The camps were built in 1938 for habitual German criminals, but became a centre for political prisoners in January 1940, when Polish captives arrived. The camp contained 36,500 inmates, 40 per cent of whom were women.

Charges for Murders and Ill-treatment of U.S. Airmen

Conviction of Hungarian SS Officers

An agency message of 9.6.46, stated that 4 Hungarian SS officers were sentenced to death by hanging in Salzburg on 8th June, for their part in the killing of five American airmen. Two others were sentenced to life imprisonment.

News of Germany, 18.6.46. reported from Frankfurt: Herman NOACK, former captain in the German army, and Karl Georg BOSS, German civilian, have been referred to trial on charges of murder by shooting of two unarmed, surrendered American airmen in or about September, 1944, in the vicinity of Hattenrod, Germany, it was announced by War Crimes Branch, USFET.

News of Germany, 18.6.46. reported from Frankfurt: Reinhold MOLLER and Gustav ENGELHARDT, German civilians, had been referred for trial as war criminals, it was announced on 15th June, by War Crimes Branch, USFET. The two defendants had confessed to being responsible for the death of an unarmed, surrendered American flier during November, 1944.

The War Crimes Branch announced that Karl Gottlieb CONZMANN, a German civilian, had been referred for trial on charges of beating a U.S. airman near Hebsack in the vicinity of Geradstetten during the summer of 1944.

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GERMANY (Cont.)

Miscellaneous

Suicide of KOEGL

An agency message from Frankfurt of 27.6.46. said that Lt.-Col. Max KOEGL, of the Death Head unit of the Waffen SS and formerly adjutant of the Dachau concentration camp, killed himself early on 26th June, by wrapping a blanket around a door knob in his cell and hanging himself on it. He had been captured on Wednesday in the village of Swabick, five miles from Nuremberg. Two special guards were placed over him, and he was to have been brought to Dachau to face trial as a war criminal.

Former Luxembourg Gestapo Chief Arrested

News of Germany, 18.6.46., reported from Frankfurt: American agents arrested the former Gestapo chief of Luxembourg on Thursday in a village outside Munich where he had been hiding since the German surrender, the provost marshal's office revealed. Officers said Helmuth SCHMIDT was a wanted war criminal who had admitted ordering the deaths of at least 23 victims of Nazism. He was Luxembourg Gestapo chief from 1941 to 1942.

Functions of American Military Courts.

News of Germany, 21.6.46. reported from Berlin: Representatives of churches, trade unions, political parties, schools and other bodies are to be invited to attend the sessions of American military courts under a plan revealed by Lt. Col. McNeil, head of the law division of American MG. In a short speech Col. McNeil said that the military courts were trying all cases without fear or favour. He emphasized that so far no death sentence had been passed by any of the U.S. military courts in Berlin.

Military courts of the U.S. sector of the city are located at Lichterfelde West. The summary court has jurisdiction over minor cases and can pass sentences up to 12 months and fines up to 10,000 marks. The intermediate court has power to pass sentences up to 10 years in jail and 100,000 marks fine. The general court can pass death sentences.

BRITISH OCCUPIED ZONE

Trials.

The Trial of SEEGER, OBERG and others for the murder of 32 parachutists

Agency messages of 17.6.46. reported that this trial opened at Wuppertal on that date before a British military court, presided over by General Playfair.

The accused were General Willi SEEGER, commander of an infantry division in Alsace; SS General OBERG, chief of the secret police in that area; SS Colonel Erich ISSELHORST, chief of the security police in South-West Germany; SS Colonel SCHNEIDER, his deputy; SS Major SCHLIERBACH and Captain GEHRUM, both Gestapo men under Isselhorst.

It was alleged by the prosecution that 32 captured British parachutists and an R.A.F. sergeant had been stripped and shot through the back of the neck by order of the defendants.

The murdered men, who were among 150 parachutists taking part in secret operations "Loyton" and "Pistol" behind the German lines in France 2 years ago, were captured in uniform and not given the semblance of a trial. Their bodies were thrown into bomb craters and some were burned in an attempt to hide the crime. The president asked that the names of the murdered parachutists should not be published to save the relatives pain. Major Hunt, prosecuting counsel, said it was not alleged that the accused actually pulled the trigger and arranged the ropes for killing the parachutists, but they were charged with directing operations resulting in the murders.



GERMANY (Cont.)

Germans accused of Ill-treatment and Murder of Airmen

The UNWCC was informed, 7.6.46. that the Military Court at Bochum, which tried on 3rd June (see Digest No.XIII, p.12) Wilhelm SCHNARRE, accused of ill-treatment and killing 3 unidentified British airmen, found him guilty and sentenced him to one year's imprisonment.

The G.N.S. reported from Iserlohn on 19.6.46. that Josef AXT, a detective, had been sentenced by a military court to be shot for shooting an R.A.F. pilot. His colleague, WEBER, was sentenced to 20 years in prison for participating in the murder.

Following an air raid on Würzburg on March 16th, 1945, the two learned that an R.A.F. pilot was being kept in custody in an arrest cell in Sommerhausen near Würzburg. Acting on a secret order from Himmler according to which enemy pilots were to be shot, the two detectives at night took the prisoner to the Main river, shot him, and threw the body into the river.

An agency message from Iserlohn, 20.6.46., stated that Heinrich SIEMER, a Nazi member of the German Home Guard, who was accused at the Hamburg war crimes trial of murdering Australian airmen, had hanged himself in his cell.

Agency messages from Essen of 27.6.46. said: Four SS men have been sentenced to death by hanging by the War Crimes Court for the murder of 3 airmen of the R.A.F., R.C.A.F. and R.A.A.F. respectively in July 1944, at Tilburg, Holland, in the garden of the home of Frau Koba Pulsken, who was described in court as the "Edith Cavell of the 1939-45 war". "Aunt Koba", as she was known in the Dutch underground movement, was a 61 year old char-woman who gave shelter to numbers of Allied airmen forced to bale out over Holland and who succeeded in passing at least 21 British airmen to England. The SS forced an entrance into her home at Tilburg, shot the three airmen and arrested her. She was taken to Ravensbruck, where she was put in the gas chamber.

A threatening letter purporting to come from women of Essen was received by the president of the court during the trial and consequently the guards were doubled.

The UNWCC was informed, 21.6.46., of the trial by a Military Court at Luneberg, 13-18 June, of Kazimierz CEGIALSKI, who was charged with ill-treatment and killing of Allied Nationals at Belsen concentration camp. He was found guilty and sentenced to death by hanging.



GERMANY (Cont.)

Doctor and Nurse Sentenced to Death

Reuter reported from Herford, 27.6.46.: A British military court at Helmstedt, on the British-Russian border of the occupation zone, today sentenced to death an SS doctor and senior nurse of a children's "home" where 420 infants of Russian and Polish slave workers died through wilful neglect. It was stated in evidence that the children who died were buried in cardboard boxes, in which as many as six were packed. The children, who were aged between ten days and six months, were taken from slave workers in the Volkswagen factory near Brunswick and placed in the "home" run by the accused under a factory welfare scheme.

Life Imprisonment for Concentration Camp Guard

The Manchester Guardian, 26.6.46., reported that a British military court had, on the previous day, sentenced to life imprisonment a camp guard, OLSCHESKI, found guilty of the murder and brutal treatment of Allied nationals in the Stöcken and Ahlem concentration camps.

RUSSIAN OCCUPIED ZONE

The Sachsenhausen Trial

A Reuter message of 6.6.46. reported that about 60 war criminals captured by the British, including the commandant of the notorious Sachsenhausen "death camp", near Berlin and high headquarters officials of the German concentration camp organisation were to be handed over to the Russians next day.

The Sunday Sun reported from British H.Q. in Germany, in this connection, on 16.6.46. that the British and Russian war crimes authorities would co-operate closely in the trial to be held in Berlin in August of between 40 and 50 members of the staff of Sachsenhausen concentration camp, near Berlin. They would be charged with responsibility for about 100,000 murders there.

The original plan, this report stated, was that a joint British-Russian tribunal should try the case, but practical difficulties, including the translation into two other languages, were too great. Now it had been arranged that specially qualified British officers would sit as observers with Russian judges. Most of the victims of Sachsenhausen were Russians. Most of the camp's SS guards, the report continued, were taken by the British last year, and 40 of them had just been handed over to the Russians. The chief accused was Gruppenführer Anton KAINDL, who was commandant of the camp.

G R E E C E

The charges against General Marinov

The Athens radio, 12.6.46., announced that according to reports from official sources, the authorities were continuing their collection of documents relating to the responsibility of the Bulgarian General MARINOV, Bulgarian Minister in Paris, for criminal actions committed during the occupation of Macedonia. Greece intended to ask for his extradition as a war criminal.

G R E E C E (Cont.)

Conviction of Captain RAVALLI and Lieut. KALTCHER

An agency message from Athens, 11.6.46., stated that a tribunal at Athens had on that day sentenced an Italian, Capt. Giovanni RAVALLI, and a Bulgarian, Lieut. KALTCHER, to life imprisonment with hard labour for atrocities in Greece during the war.

I T A L Y

War Crimes Clause in the Revised Armistice

The Manchester Guardian of 11.6.46. reported that the revised draft of the Italian armistice contained a clause providing that the Italian Government is to co-operate in the arrest and trial of war criminals according to the terms of the London agreement on war crimes of August 8, 1945.

British Trial in Italy

The Evening Standard of 19.6.46. reported that the trial was pending, before a war crimes court in Italy of some Italians concerned in the murder of a British R.A.F. officer, who was shot down and subsequently arrested, after having joined up with Italian partisans. It is alleged that he was tortured to make him disclose information about the partisans, and as he refused to talk he was brutally murdered. Four of the Italians concerned have already, the report said, been liquidated by the partisans.

General ROATTA in Hiding

The Daily Worker of 25.6.46. quoted the Italian paper Indipendente as saying that General ROATTA, former chief of Italian Military Intelligence had written in his hideout a book of memoirs entitled "Eight Million Bayonets" which began appearing the previous day in the Italian newspaper Indipendente. He escaped last year, when the Italian High Court was due to pass sentence on him for Fascist crimes and he is wanted as a war criminal by the Yugoslavs.

T H E N E T H E R L A N D S

The Trial of Arnold MEYER

The Hilversum radio reported from The Hague, on 12.6.46., the opening of the trial of Arnold MEYER, ex-leader of the National Front Party, an active collaborator.

Pending Trial of Christian LINDEMANN.

The Daily Express of 21.6.46. reported that Christian LINDEMANN, code name King Kong, a Dutch spy, had been brought from London to The Hague for trial by a Dutch court. He is alleged to be responsible for the deaths of more than 40 Dutch and Allied workers, and for the arrests of hundreds by the Gestapo.

N O R W A Y

Conviction of ex-Minister FRETHEIM

The Oslo radio of 4.6.46. reported that the Court of Assize had sentenced FRETHEIM, former Minister of Agriculture to hard labour for life, loss of civic rights, confiscation of Kr.198,000 Kr.50,000 damages and Kr. 1,000 costs.

The Rinman Gang

Time and Tide of 13.6.46. published an article on the recent trial at Trondheim of the "Rinman Gang". Rinman had formed his gang to collaborate with the German Gestapo. Their task was to spy on the Home Front, and they betrayed numbers of Norwegians to torture and death.

P O L A N D

The Trial of Greiser

Discussing the preparations for this trial "Zycie Warszawy" of 17.6.46. wrote: The indictment was handed to Greiser in German, since he says he does not understand Polish. In 20 pages of typescript Greiser denies all the charges and pleads not guilty. He acknowledges that the theory he previously professed, of the superiority of the German nation, is wrong, and adds that he has greatly changed and would like, since he is an experienced soldier, to join the Red Army. Many material proofs have been prepared for the trial, namely Greiser's decrees, photographs, passports, and so on. His trial will be important first of all as a precedent, as this is the first trial against a high Nazi criminal to be held in the People's Supreme Court. About 20 foreign Press reporters are expected.

The Manchester Guardian's special correspondent thus described the opening of the trial: The trial is taking place in the lecture theatre of Poznan University, which has been arranged to resemble on a smaller scale the Nuremberg courtroom. The tribunal, which is under the chairmanship of Wacław Barcikowski, chairman of the Polish High Court, is composed of six judges. As no German lawyers are permitted in a Polish court, two Polish lawyers have been entrusted with Greiser's defence.

Among the chief crimes of which Greiser is accused is that of planning to deprive Poland of her independence, and responsibility for the mass executions and murder of thousands of Poles and Jews in Lodz, Poznan, and Pomerania, where he was Nazi chief administrator all through the war years.

In a letter to his wife Greiser blames Hitler and Himmler for all the crimes. In an attempt to save himself Greiser flatly denied to-day responsibility for the concentration camps and the extermination of Poles and Jews. While admitting to have been a most sincere Nazi and a faithful follower of Hitler, Greiser disclaimed agreement with Hitler's racial theories. "Had I known the effect of racialism to be what it turned out to be I would have resigned from the party." Greiser had previously claimed that he had been a "friend of the Jews", having a Jewish brother-in-law whom he helped to escape to America.

Conducting the defence, the two Polish lawyers have remained silent for two days, but Greiser is carrying on his own defence rather skilfully and attempting to prove that he was not hostile to the Poles. The Court turned down his request for the appearance of Mr. Eden, Mr. Litvinov, Mr. Strang, Mr. Moscicki, and General Sosnkowski as witnesses, agreeing to send an invitation to Dr. Strasburger, Polish Ambassador in London, to appear. Mr. Burckhardt (Swiss) was also invited.

The trial is expected to last about a fortnight.



P O L A N D (Cont.)

Warsaw radio of 23.6.46. reported that on the third day of the trial the Court examined witnesses who described the Germanisation of Polish children. Polish children of "good racial stock" were taken to camps in Germany, given German names and told to forget their Polish past. Greiser said that although he could not deny what the witnesses had said, he considered the Germanisation of children impracticable and disliked the idea. However, he was soon pinned down by the prosecution which proved that Greiser had willingly done and ordered everything demanded of him on this score by Himmler. In a speech in Kiel in 1942 Greiser had elaborated the thesis that the Germanisation of the Wartheland meant that no other race could live there. Greiser stuck to his tactics of denying all charges and said that his words had been misquoted.

On the fourth day of the trial two experts on International Law, Professors Ehrlich of Cracow and Perotiatkowicz of Poznan were heard. The Prosecutor submitted that the whole German occupation was against the law.

The Trial of HOESS

The Warsaw radio of 19.6.46. reported: In connection with the approaching trial of R. HOESS, former Commandant of Oswiecim Concentration Camp, documents are being prepared proving his criminal activities. The Cracow committee for the Investigation of German war crimes is in possession of documents illustrating Hoess's activities as the inventor of the camp crematoria and gas chamber, and orders signed by Hoess. There are also reports signed by Hoess on executions carried out, and suggestions for further mass murders. Former Oswiecim inmates have written to the authorities asking to be allowed to execute Hoess personally.

Sir Hartley Shawcross at Cracow trials

Warsaw radio of 15.6.46. reported that Sir Hartley Shawcross arrived in Cracow accompanied by the Deputy Minister of Justice. Dr. Gniweski, Chairman of the Appeal Court welcomed the guests in the presence of representatives of the Polish judiciary. Sir Hartley transmitted the greetings of the British Government as well as of British lawyers and the whole British community. Sir Hartley attended trials at the Criminal Court and the District Court of Summary Jurisdiction and showed great interest in the procedure.

German Crimes in Poland

In connection with the publication of the first issue of the Bulletin of the Central War Crimes Commission, "Kurjer Codzienny" of 16.6.46. said that many foreigners would consider the German crimes described could not have been committed. Normal imagination boggles at the German bestiality. But truth must be faced. The Bulletin constituted a documentary evidence which should be translated into all languages. All coming generations should be aware of what deeds the Germans were capable under the influence of National-Socialist ideology.

## SPAIN

Moscow radio of 17.6.46. announced: Haley, correspondent of the Chicago Tribune reports from the French-Spanish frontier that according to French frontier authorities, Franco is sheltering Hitlerite military criminals, among them the former Gestapo chief in Luchon, Hermann FRITSCH, who is staying in Valle de Aran and is helping German POWs to make their way into Spain. According to information derived from French sources these Germans are "willingly" received in the ranks of the so-called Spanish "Foreign Legion".

## SWEDEN

### German Internees' Escapes

Motala radio of 4.6.46. reported: Many escapes have occurred during recent years from Swedish internment camps for Germans. Some of the escapees were caught but the majority disappeared without trace. From investigations made by the Gothenburg Police, it appears that Swedish Nazis in Gothenburg had organised a centre there for smuggling out Germans via Denmark. A Gothenburg report says that at least 20 Nazis in the Gothenburg area are involved, some of whom have been previously convicted.

## YUGOSLAVIA

### Extradition of Yugoslav War Criminals

"Politika" of 23.6.46. carried an article entitled "Why do the Anglo-US authorities not extradite Yugoslav war criminals, Ustashi and Chetniks?" . . . . Yugoslavia, it states, has several times asked the Anglo-US authorities to extradite war criminals living on territory under their control. For example, the extradition of the Chetnik commanders, JEVDJEVITCH and DJUJITCH, was requested; MIHAILOVITCH himself declared that they were loyal collaborators with the Germans and Italians.

### The Grand Mufti

In connection with the escape of the Grand Mufti from France the Daily Telegraph reported from Belgrade, 20.6.46.: Yugoslavia has proclaimed the Mufti a war criminal. During the war he recruited Moslems at Bosnia, at the request of Pavelich, the Croat quisling, into the Moslem SS battalion "Handjar".

THE FAR EAST

JAPAN

The International Military Tribunal.

Death of Matusoka

Reuter cabled from Tokio, 27.6.46. that the death in hospital of Yosuke MATSUOKA, former Japanese Foreign Minister had been announced by the War Crimes Commission. His name had already been removed from the Indictment. The Tribunal ordered that Matsuoka's family should be permitted to take charge of the body "subject to any requirements of General Douglas MacArthur, Supreme Allied Commander in Japan." Matsuoka was Foreign Minister from July 1940 until shortly before the Japanese attack on Pearl Harbour in December 1941.

Tokio Trial Delays

"Izvestia", 29.6.46. published an article by Markov on the trial of war criminals in Tokio, which has now lasted for over two months. "Despite the undoubted guilt of the Japanese war criminals and the undeniable Prosecution evidence, the progress of the trial cannot but cause disappointment to world public opinion which seeks a speedy and just trial of those responsible for the worst crimes of Japanese imperialism." Referring to the repeated efforts of the defence to nullify the trial, Markov writes: "Failing to break up the trial, the Defence tries to prolong it at all costs. The Japanese Defence Counsel makes open attempts to take control. The defendants themselves do not miss an opportunity to discredit the Court in the eyes of public opinion. Particular activity in this respect is displayed by Tojo, who publishes interviews in which, not satisfied with his attempts to whitewash himself, he poses as Prosecutor. His statements in no way differ from the everyday attacks of Japanese propaganda against Allied countries. One is astounded at the readiness with which an American Agency spreads this long-exposed propaganda."

An agency message of 18.6.46. from Tokio said: An Allied War Crimes Commission has found KUNIICHI ARAKI, Japanese medical sergeant at the Hakodate POW Camp in Hokkaido, Japan's northernmost homeland island, guilty of contributing to the death of Ernest Glover, by ill-treatment and refusing medical attention, and sentenced him to be hanged. He was also found guilty of maltreatment of many others.

HONG KONG

British Military Court at Hong Kong

A despatch from Shanghai of 5.6.46. said that 34 Japanese from Formosa left for Hong Kong in two British destroyers, to face trial before the British Military Court, on charges of ill-treating British prisoners in camps in Formosa.

NETHERLANDS EAST INDIES

Allied prisoners of war drowned.

An agency message of 28.6.46. said: Nearly one thousand Allied troops captured in Java were forced by the Japs into small baskets and thrown into the sea between March, 1942, and December, 1943, states a Dutch War Crimes Commission report. Lorries carried the baskets to ships at Surabaya, and the baskets with the live men inside were thrown into the sea.



THE FAR EAST (Cont.)

PHILIPPINES

The Universe of 7.6.46. reported: Bishop GUERRERO, former Auxiliary at Manila, Philippines, is to be tried for treason this month before the People's Court at Manila.

A Filipino and Manila-born, the Bishop is accused on 12 charges of collaboration with the Japanese during their three-year occupation.

Bishop Guerrero was removed last year from the positions of Auxiliary Bishop, Vicar General, and national assistant of Philippine Catholic Action, and deprived of the right to say Mass in public.

SINGAPORE

Trial before the Singapore War Crimes Court

The Yorkshire Observer of 7.6.46. wrote: Tataro MIZUTANI, a Japanese major, was sentenced at Singapore to hang for inhumane treatment and brutalities resulting in the deaths of about 570 British, Dutch and Australian prisoners of war while on railway construction work on the Siam-Burma railway. Another charge was the murder of a Northumberland Fusilier.

Murder of a U.S. Airman

The Times reported, 12.6.46. from Singapore: For killing an unidentified American airman, survivor of a B-25 which crashed near Saigon last year, by injecting novocaine into the jugular vein during an operation three Japanese army doctors and a major of the Japanese military police were sentenced by the Singapore war crimes court to death by hanging.

Executions at Singapore

A Reuter message of 18.6.46. from Singapore said: 8 Japanese were hanged at Changi Gaol, Singapore, for atrocities in the Andaman Islands. One of them was Vice-admiral Teizo HARA, former naval commandant in the Andamans, who was responsible for deporting 236 Indians to Havelock Island, where all but 13 of them died.

A further cable from Singapore, 26.6.46. said that for torturing and killing Asiatic civilians in the Andamans six more Japanese war criminals were hanged at Changi gaol. This made a total of 47 hanged there, with 32 still in the condemned cells and long unfinished lists of cases facing courts at Singapore, Kuala Lumpur, and elsewhere in Malaya.

III.

THE NUREMBERG TRIAL.  
(12 - 30th June, 1946)

THE DEFENCE.

The defence of SEYSS INQUART closed on June 15th. He was followed by von PAPEN (June 15th), von NEURATH (June 24th) and FRITZSCHE (June 26th). This left only Martin BORMANN, who is being tried in absentia. His counsel, Dr. Bergold, maintained (June 29th) that his client had died on May 1st, 1945, while trying to escape from Berlin; but the defence collapsed owing to the flight of Bormann's secretary who was to have given evidence.

The phase of the trial concerned with individual defendants was thus brought to a close, and the Tribunal next proceeded to hear witnesses for the prosecution and defence concerning the massacre of some 11,000 Polish officers in the Katyn Forest.

SPEER and his Co-defendants.

The "Daily Express" correspondent at Nuremberg reported on 24.6.46 that GOERING, leader of the die-hard Nazi group in the dock, had ordered SPEER to be snubbed. This was because Speer, in his defence, said that all the Nazi leaders must share collective responsibility, that Hitler's secret weapons were "bluff", and that Hitler planned to destroy Germany with himself.

His evidence started a violent quarrel in the dock. Goering roundly abused him, and called him a "cowardly traitor to Hitler and Germany." On June 22nd, Kaltenbrunner demanded that his lawyer should protest to the tribunal at this "plot by the prosecution who have bribed Speer". But he got nowhere.

Speer's evidence and the quarrel have made more obvious the widening split among the men in the dock. On the one hand, Goering and his followers—Hess, Keitel, Sauckel, Rosenberg, Nazi philosopher, Raeder and Doenitz, navy chiefs, want to go down to history as "German martyrs" and to start a new Nazi myth. Ranged against them are the moderates, the non-Nazis—Schacht, von Papen, von Neurath, Speer, Schirach and Fritzsche. They say they were either always against Nazism, or have been converted from it by the horrors of the régime revealed in Court.

Dr. MOSLER, one of Speer's lawyers, informed the correspondent that SPEER had deliberately given his evidence to make the split more obvious, because he was shocked by Goering's success in building up the Nazi myth. He said that already there is a whispering campaign about Germany being "stabbed in the back". The Nazis were spreading the story that the reactionary officers' clique deliberately lost the recent war and sold the fabulous German "secret weapons" and the atom bomb to the Allies, so that the Nazi régime should be overthrown. "That is a great danger for Germany," said Mosler, "So Speer felt he had to say that there were no secret weapons and that we were far behind in atom research."

Duration of the Defence.

Lord Justice Lawrence, President of the International Military Tribunal, announced (13.6.46) the court's decision to limit the concluding speeches of the defence to 14 days. In reply to protests from the defence counsel, he pointed out that the prosecution had volunteered to limit their final speeches to three days, thus giving the defence altogether more than double the time for presenting their case than the prosecution had at their disposal. The President pointed out further that counsel for the defence were addressing a tribunal which would only consider facts at law and would



not be swayed by other considerations. Lord Justice Lawrence declared that the trial was "being prolonged beyond all reason", and even under the new ruling the trial would last well into September. After some discussion, it was agreed that the 14 days allotted to the defence for final speeches would not cover speeches for indicted organisations, but would be devoted exclusively to the accused 22 Nazi leaders.

Future course of the Trial: Justice Jackson's Forecast.

Oslo radio of 13.6.46 reported: Justice Jackson, in an interview with the Oslo Press, said that he personally considered the Nuremberg trial was progressing rapidly. "We must realise that a year ago all authority was in the hands of the Nazis. When one remembers that the legal procedure in Nuremberg is complex, one can be proud that the trial has proceeded so rapidly. About 130,000 war criminals are now U.S. prisoners, in addition to those arrested by the Russians, the British and the French. The Court expects to complete the trial of individual war criminals in July. The cases against organisations such as the SS and the SA are expected to last a month, after which judgment will be pronounced. In some respects the trial has certainly helped to make the German people realise their responsibility. Schirach, Frank and Schacht have all admitted their guilt as regards the methods employed by Nazi Germany."

On being asked the impression the trial was making on the German people, Justice Jackson said that the Germans were so worn out and had endured much. What was important was what the Germans would be thinking when those who were now children reached military age. It would then be revealed whether the trial had attained its objective. Justice Jackson depicted the Quisling trial as an example of calm and just legal procedure.

The "Daily Telegraph" (19. 6.46) quoted Justice Jackson, United States Chief of Counsel, as having categorically denied that he had resigned his post. He was, he said, going to the United States to submit to President Truman his views in a legal dispute and would then return to Nuremberg.

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In answer to the question: What is the degree of interest in the trials of war criminals? the "News Chronicle's Nuremberg correspondent (20.6.46) quotes the answer of a Hamburg tobacco merchant: "I personally read the accounts of the Nuremberg trial daily with interest. But I believe I am in a small minority. Most Germans take the view that if these men are responsible for our present misfortunes the sooner they are disposed of the better. If they are not responsible then what are the British doing here? Most would be glad to hear the last of these men and their doings and, frankly, we think the thing has gone on far too long."

The correspondent added: I have yet to find a German, however anti-Nazi, who goes about repenting for his share in his country's crimes.

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July 4th, 1946.

SUPPLEMENT TO WAR CRIMES NEWS DIGEST No. XIV.

SURVEY OF LEGAL LITERATURE.

THE NUREMBERG TRIAL.

In an article entitled "the delayed action trial" published in the Izvestia of 13.6.46, Professor TRAININ, the Russian jurist, wrote:

The preparatory stage, namely the working out of the Charter of the first World Criminal Court in history and the investigation of the enormous quantity of documentary material and its shaping into an indictment, required three to four months in all. Later, however, the situation changed noticeably. In autumn 1945 the trial of Goering, Hess, and others began at Nuremberg. It is over half a year since then, but at Nuremberg extensive exculpations of the defendants can still be heard, and evidence, documents, witnesses of all kinds follow each other incessantly. As a result, many have acquired a peculiar frame of mind, in which memories of the beginning of the trial tend to have even an encouraging effect. Everything with a beginning has also an end. The Nuremberg trial too will come to an end; but when will this be?

It would be wrong to assume that the Nuremberg trial can develop smoothly along the pattern of legal proceedings in individual countries. The international Tribunal in Nuremberg is following and must follow its own road, which is conditioned by its special task relating to the major war criminals. This special road, of course, to a certain extent explains the rather slow progress of the proceedings. But one must not overlook another fact which, in its turn, does not further speedy progress of the trial. The fate of the major war criminals could be decided either by a political act of the Governments concerned, or by trial. The judicial method is always the slower one; a trial has a logic of its own, its own rules of procedure, a definite course which must be followed. Therefore a tribunal cannot deliberately refuse to allow the defendants and their defence to call witnesses when the questioning of these witnesses is justified, and to submit documents when this is in the interests of justice.

As the Nuremberg trial has been arranged not only to punish the major war criminals, but also to strike a blow against Fascism, the comprehensiveness of the investigations acquires particular significance. It strengthens the moral force which is about to deliver the blow. This makes it abundantly clear that haste would be particularly out of place at Nuremberg. But this is a danger which scarcely threatens the Tribunal. There is no lack of difficulties at Nuremberg. As a matter of fact, the problem of speed at Nuremberg is not a matter of taste or political moods. It is a problem which has been provided for and solved by law, namely the Charter of the Tribunal. According to Article 1 of the Charter signed in London, the International Military Tribunal is established "for the just and prompt trial and punishment of the major war criminals." Again, Article 19 says that the Tribunal should make the greatest possible use of expeditious and non-technical procedure. The authors of the Charter of course fully took into account the peculiarities and difficulties connected with setting up a co-ordinated tribunal on behalf of the Four Powers. They were fully aware of the necessity of an adequate representation of the parties; but they were also fully aware of the true nature of the crimes which had been committed, and therefore resolutely demanded a speedy trial. Thus they did all in their power to make this intention a reality in the Charter.



In this respect the provisions of Article 21 of the Charter are of particular significance. "The Tribunal shall not require proof of facts of common knowledge, but shall take judicial notice thereof." The Tribunal will "also take judicial notice of official Governmental documents and reports of the United Nations, including the acts and documents of the Committees set up in the various Allied countries for the investigation of war crimes, and the records and findings of military or other tribunals of any of the United Nations." The significance of Article 21 is very great. For six years the war raged in the vast spaces of the world and the most atrocious crimes were committed against mankind. Of relevant facts, documents and witnesses there is an enormous number; to conduct the trial through the labyrinth of all this material would mean to fail to bring it to its end and, in a chase after all-embracing comprehensiveness, to lose the triumph of justice and the feeling of reality. It is for this reason that Article 21 of the Charter introduces the category of irrefutable evidence published and confirmed by official Governmental organs.

How are these principles applied at Nuremberg? It cannot be denied that the Tribunal and its President have done much to speed up the trial. It is enough to mention the system of questionnaires, widely used by the Tribunal, which reduces the calling of witnesses. But, together with these measures which accelerate the trial, there are others which direct it towards prolonged legal discussions. In practice the second tendency is expressed as follows:

At Nuremberg the Tribunal was presented by the prosecutors with numerous documents and acts of the Extraordinary Committee for the Investigation of Major War Criminals. All these acts and documents must, in accordance with the above mentioned Article 21 of the Charter, be accepted by the Tribunal without proof. In quite a number of cases the Tribunal followed this practice, but soon another tendency appeared: It became clear that the Tribunal accepted official acts as irrefutable evidence only as long as the defence did not argue against them. Thus "irrefutable evidence" as understood by the Tribunal is evidence which is not disputed. It becomes quite clear that in this sense any evidence is irrefutable and the special provisions of Article 21 become completely meaningless.

If such an interpretation is to be followed, the facts of common knowledge mentioned in Article 21, such as Germany's attack against Poland, could prove not to be authentic if the defendant or the defence stated that these facts were unknown to them. Such an opportunity for the defence to dispute the validity of acts which according to the Charter, do not require proof, has had a deplorable influence on the conduct of the trial. The Tribunal was given notice by the defence of its intention to call witnesses to give evidence against acts and official documents which did not require any proof. This step by the defence was, of course, followed by corresponding measures on the part of the prosecutors; and thus the exhausting process without progress began again and again.

Another definite decision of the Tribunal, which can hardly be regarded as a measure accelerating the trial, relates to the question of responsibility of criminal organisations. As is known, the Tribunal is to sentence not only individuals such as Goering, Hess and others, but also organisations such as the Gestapo, SS, etc. The solution of this second question, the question of criminal organisations, has also proved a hard task, as the Tribunal received tens of thousands of notifications from members of the organisations who wished to appear as witnesses. The Tribunal made considerable efforts to prevent, in one way or another, the invasion of witnesses from the organisations. As a result of a complicated system of measures, the number of such witnesses amounts to only a few dozen. Even 30 members of organisations are a considerable group of witnesses, but they are better than an army of many thousands storming the tribunal.

But, having solved the problem of the numbers of witnesses, the Tribunal made procedural obstacles to dealing with the question of organisations. According to its ruling, the questioning of witnesses from organisations and the calling of the defence and prosecution on the question of criminal organisations will take place only after the conclusion of the proceedings relating to individual cases. Thus the following double book-keeping of the trial can be discerned: After the conclusion of the questioning of all the defendants and their witnesses, the defence will be called, and thereafter the prosecutors. Then, after these legal proceedings, witnesses from the organisations will be questioned, and these again will be followed by the defence for the organisations, and the prosecutors who will deal with the question of the criminal character of these organisations. Naturally, such a complicated and slow procedure gives rise to most serious doubts.

Above all, it must not be forgotten that the whole case was covered by one indictment, which contained accusations against individuals as well as organisations. Thus an unusual judicial situation arises: One indictment, and two sets of separate legal proceedings. In this way, it is not only judicial arithmetics, but also judicial logic which suffers. For not only the indictment, but also the opening speeches of the Chief Prosecutors, equally dealt with individual defendants and criminal organisations. It is difficult to understand how the trial, which began with the opening speeches of the Prosecutors, splits in two, constituting two sets of legal proceedings. Moreover, this will naturally result in loss of time, as the separate proceedings relating to criminal organisations will duplicate the main speeches of the defence and the prosecution—a duplication not foreseen by the Charter of the Tribunal.

Such are some of the doubts which arise as a result of the progress of the Nuremberg trial. Naturally, the only authority competent to make decisions relating to questions of the Nuremberg trial is the Tribunal itself. The International War Tribunal undoubtedly enjoys a well deserved authority and the full confidence of the whole of mankind. The sentences of the Tribunal are awaited by the people of all countries. They are awaited with understandable impatience by the contemporaries of the crimes committed by the major war criminals. They wish to be contemporaries of their punishment too.

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#### BRITISH MILITARY GOVERNMENT COURTS.

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An article on this subject in the Law Journal of June 22nd, 1946, said, in part:

7 See over Readers will remember that Article 43 of the Hague Convention of 1907 imposes on an occupying power the duty to take all measures in his power to restore and ensure, so far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country. To-day German courts have reopened in most areas of the British zone. These courts are concerned only with offences against German law, and, in criminal cases, try only German nationals.

Side by side with these are British Military Government Courts. They have jurisdiction over all civilians, of whatever nationality, and deal not only with offences against German law but also with offences against the laws and ordinances of the Military Government.

Trials of soldiers of Allied countries are carried out by courts-martial in accordance with their national laws, not by Military Government Courts. The Military Government Courts are the Summary Court,



corresponding to petty sessions, the Intermediate Court, corresponding to quarter sessions, and the General Court, corresponding to assizes. A summary court has power to pass sentences up to a year's imprisonment or a fine of 10,000 Rm.: the president is an Allied officer, not necessarily a lawyer. An intermediate court has power to give up to ten years' imprisonment: one of the members of such a court is an officer with legal training. A general court consists of three members, and the president is usually a permanent judge, who is a senior officer with legal qualifications: such a court has power to pass sentence for imprisonment for any period and, in certain cases, sentence of death. These summary courts sit regularly in over 200 towns throughout the British zone: the sittings may vary from once a fortnight to several days in each week.

There are no strict rules. In only about one case in ten will a person be represented by a lawyer, for most cases are not serious. A fair example of twenty cases before a summary court in a big town is that five of them would be concerned with stealing food or coal, five with the black market, three curfew offences, and the remaining seven miscellaneous, probably traffic and property offences. In every case an accused may be represented, and in the serious cases, that the summary courts send before the higher courts, an accused will be granted legal aid if he has not the means to afford a lawyer to defend him. In practice an accused is always represented by defence counsel in the higher courts.

The procedure in general follows that of British courts, and German barristers, of whom a number have been licensed to appear, have expressed surprise at the freedom given to them in the conduct of cases, which exceeds in some respects that given by German courts. Taking January, 1946, as example for the purpose of sentences, in that month out of 635 accused tried by intermediate and general courts, 143 were acquitted; 16 were sentenced to death; 47 sentences were for imprisonment for ten years or more, and 198 sentences were for terms of imprisonment between two and ten years. Decisions of the higher courts are received in every case by the staff of the Legal Division of the Control Commission, and death sentences require to be confirmed by the Commander-in-Chief. There is no appeal from the decision of any court, but an accused may petition against conviction and sentence, and these petitions are considered by legally qualified officers.

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\* (p.iii) The Hague rules are applicable only as far as the period prior to the unconditional surrender of Germany and the Berlin Declaration of 5th June 1945 (Cmd. 6648) is concerned. Under the Declaration of Berlin the Allies have assumed supreme authority in Germany; they have been the local sovereigns since and are not subject to the restrictive provisions regulating the rights and duties of mere belligerent occupants. (See Kelsen, in the American Journal of International Law, Vol. 39 (1945), p. 518, and the Statement by the U.K. Foreign Office, reproduced in Doc. Misc. No. 37).- E. Schwelb.

XV

No. XV.

July 25th, 1946.

UNITED NATIONS WAR CRIMES COMMISSION

(Research Office)

WAR CRIMES NEWS DIGEST.

[NOTE: The above title replaces that of Press News Summary  
used in the early numbers of this series.- R.O.]

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I.

PUBLIC RELATIONS.

(Contributed by the Public Relations Officer)

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Press Releases.

On June 30th, 1946, a story was released describing the brutal ill-treatment by the Japanese of Captain DROWER of the Intelligence Corps, at Kamburi, in 1945.

On July 9th, 1946, a statement was issued, via the Central Office of Information, describing the experiences of a Polish woman doctor in Ravensbrück concentration camp, where women patients were used for "scientific" experiments and then killed.

A story concerning the killing of Allied airmen by men of the Hitlerite Youth Movement received considerable publicity in the London and provincial Press of July 15th.

A story sent out on July 16th regarding General von FALKENHORST, in connection with the deaths of British Commandos in Norway, appeared in The Times, the Daily Mail, Sunday Times, and in several leading provincial papers.

The account of an eye-witness who was present at the execution in Poland of eleven German war criminals, was reproduced by a number of provincial papers (July 18th).

The usual notice went out on July 18th, announcing the issue by the UNWCC of its 38th List of War Criminals, bringing the total to date of persons listed by the Commission up to 16,265.

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II.

SUMMARY OF EVENTS

(Mainly from Press Sources.)

A U S T R I A

War Criminals.

The Salzburger Tagblatt of 22.6.46. reported that the Austrian authorities in Salzburg had published the first list of war criminals of the Salzburg province. Among the 24 Nazis listed, are: Georg BURGGASSNER, Dr. Albert CHRISTMANN, Hermann HOEFLE, Franz KASERER, Karl Heinz RUX, Karl SPRINGENSCHMID, Dr. Gustav Adolf SCHEEL and Anton WINTERSTEIGER.

An agency report of 11.7.46. reported from Vienna that Wilhelm REISZ, who had been sentenced to 15 years' imprisonment as a war criminal, had committed suicide in his cell.

Trial of ILLING

A Press report of 15.7.46. stated that Ernst ILLING, a nerve doctor and two women doctors appeared before an Austrian court at Vienna on a charge of murdering 250 children by poison at Steinhof Hospital, Vienna, in the last two years of the war. The accused pleaded that the murders were ordered by Berlin "to purify the German race".

B E L G I U M

Trial of Frans DAELS

Radio Brussels reported on 26.6.46. that Prof. Frans DAELS had been sentenced to death in absentia by the Ghent Military Court on charges of helping the enemy.

C Z E C H O S L O V A K I A

The Trial of the Protectorate Government

Radio Prague reported 4.7.46. that the trial of the Protectorate Government before the National Court was ended. The verdict would be pronounced in the second half of the month. The trial had opened on 29th April; evidence from 400 witnesses had been heard.

Nazi Crime Exhibition

Radio Prague announced on 10.7.46. that the "Crimes of Nazism" Exhibition, arranged by the French and Czechoslovak Ministries of Information, would be officially opened on July 12th.

Adolf GOERING

Radio Prague, 12.7.46., reported that Hermann Goering's brother, Adolf, was being handed over to the Czech authorities; during the Occupation he was one of the directors of the Skoda Works; in this capacity he had robbed the Czechoslovak State of huge sums.

Radio Prague announced, 20.7.46., that the second part of the Konopist collection, which was taken by the Nazis to Germany, had now been sent back to Czechoslovakia.



## D E N M A R K

### Trial of TORP-MADSEN

Radio Kalundborg of 1.7.46. reported that TORP-MADSEN who had been charged with treason and activities harmful to the country, had been sentenced to 14 years' imprisonment and loss of civil rights.

### War Crimes Trial

The Manchester Guardian of 11.7.46. announced: Denmark's biggest war crimes trial ended on July 10th, when seven persons accused of committing outrages on behalf of the Germans during the war, were sentenced to death. Three others were sentenced to life imprisonment.

### Gestapo Man sentenced

Radio Kalundborg announced, 15.7.46.: Walter FRIBERG, former Gestapo agent was sentenced to life imprisonment for taking part in raids and torture; the prosecutor had demanded the death penalty.

### Danish SS Men

Radio Motala announced that since the German surrender, some 2,500 persons trying to escape to Denmark from Germany had been detained at the frontier and were being held for trial. They were in many cases SS men of Danish origin.

## F R A N C E

### Trials of Vichy Ministers

An agency message from Paris of 9.7.46. reported that a new series of war crimes trials had opened at Versailles; The defendants included Jean BERTHELOT, the Vichy Minister of Transport, ex-Prime Minister Pierre FLANDIN and four Admirals.

### Looted Art Treasures Restored.

News of Germany, 9.7.46., reported that a trainload of 823 looted art objects were returned to France during the first week in July.

### Trials of Traitors and Spies

The Press of 21.7.46. reported that a French court at Dijon had tried 61 persons accused of spying, and denouncing French patriots during the German occupation. Among those sentenced to death was George DACE, an Englishman.

## G E R M A N Y

### German Courts and Legislature.

The News Chronicle of 11.7.46. reported that, according to an announcement by British Control Commission H.Q., preparations for the first war crimes trials to be held by Germans in the British Zone had been completed. A specially formed "War Crimes and Atrocities Branch" of the Commission's Legal Division was preparing the evidence. The first trial scheduled was to take place at Oldenburg on Aug. 6, when 18 German soldiers would be charged with murdering nearly 150 fellow-soldiers in an army penal camp in Westphalia in April, 1945.

GERMANY (Cont.)

News of Germany, 28.6.46., reported from Wiesbaden, that the Greater Hesse Ministry of Finance was preparing a law to repay the 25 p.c. property tax levied on Jews in 1938. Jews now residing in Greater Hesse could register their claims with the Inland Revenue Office.

News of Germany, 11.7.46., reported from Brunswick: The trial of 16 former prison wardens of the Wolfenbüttel prison, accused of ill-treating prisoners, had begun before the Landesgericht. The victims were mostly of foreign nationalities, among them "NN" (+) prisoners who had been arrested for political reasons, and whose names had been removed from all records.

The German News Service, 17.7.46., reported from Karlsruhe that Oskar SCHWEITZER and Otto WACHTER had been sentenced by a German criminal court to terms of three and one year respectively, for setting fire to the Bruchsal synagogue during the Nazi régime.

The same agency reported under dateline 17.7.46.: The Karlsruhe De-Nazification court sentenced Heinrich GERNE to three years' imprisonment and loss of civic rights for having abetted the looting of Jewish shops and having arrested and exposed Jewish persons to the mob. The prosecutor had demanded a five-year sentence.

American Zone

War Crimes Courts

The German Telegraph Agency from Frankfurt announced on 8.7.46: In future all war crimes cases under USFET jurisdiction will be tried by courts drawn from the War Crimes Branch. Previously the courts were appointed by commanding generals in areas in which cases were tried. Most trials for war crimes involving American nationals as victims, and mass atrocities committed in the American Zone, will be tried at Dachau. One permanent Court has already been set up there; others are to follow when the trials now in progress are concluded.

War Criminals not included in Pardon

Associated Press reported from Stuttgart, 2.7.46.: The general pardon, granted by Lieut.-Gen. Lucius Clay, Deputy Military Governor of the U.S. Zone in Germany to Nazis under 27 years old, does not include youths "against whom specific evidence may be found to warrant their trial for war crimes, crimes against peace, and crimes against humanity".

Trials

The Malmedy Trial (see No.XIV of this series, p.7)

The Times correspondent reported 12.7.46: Three generals and 70 other former members of the Waffen SS were found guilty at Dachau on July 11 by an American Military Court of the murder of 900 American prisoners of war and Belgian civilians in the Battle of the Bulge. Among those found guilty were General Sepp DIETRICH, commander of the Sixth Panzer Army; Lieut.Gen. Hermann PRIESS, commander of the First SS Panzer Corps; Brigadier-General Fritz KRAEMER, Chief of Staff of the Sixth Panzer Army, and Col. Joachim PEIPER.

A Press report of 17.7.46, announced that Sepp DIETRICH was sentenced to life imprisonment. Forty-three German officers and men were sentenced to be hanged; 21 others were given life sentences and eight were given terms of imprisonment varying from 10 to 20 years.

(+) "NN" prisoners means "Nacht und Nebel" prisoners.



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GERMANY (Cont.)

Trials of Murderers of Allied Airman

The German Telegraph Service, 12.7.46., reported that the U.S. military court at Dachau had convicted two German civilians of taking part in killing an American airman. One of them, Gustav HEIDEMANN, was sentenced to death; the other, Erich SCHNELLE, received a 20-year prison term. Hermann FUNKE, the man accused of the actual slaying, had not been apprehended.

News of Germany announced, 18.7.46.: A military Court at Dachau sentenced two Germans, Hans STAUDINGER and Max HERMAN to death, for killing two American fliers who had made forced landings. Two others, Johann HEILMEYER and Therese GEBHARDT, received life sentences, while Policeman Franz FRIEDL, Burgomaster Hans LECHNER and Josef von der GRUEN received terms of imprisonment.

Forthcoming trials

News of Germany, 27.6.46. reported from Frankfurt that a former German Army major, Albert WEIM, had been charged with having ordered the murder of three unarmed, surrendered members of the U.S. armed forces, and was committed for trial.

News of Germany, 8.7.46 reported from Frankfurt that a number of Germans were to be tried for ill-treatment and murder of U.S. fliers. A former German army captain, August BARTH, is charged with having ordered the execution of a surrendered American airman near Oberndorf, Austria, in November, 1944; the case has been referred to the Commanding General, U.S. Forces, Austria, for trial.

A former German policeman, Friedrich SCHIETZ, is charged with the deliberate murder of an unarmed American airman near Ideshain, in August 1944.

Ernst HOFFMANN and Johan HETTINGER, civilians, are accused of having beaten and kicked to death a severely wounded American airman near Epplingen in August 1944.

The former SS-Untersturmführer Stefan HAUSER, and a former Landwachtmann, Anton TAURER, are charged with the murder of an unarmed American airman who parachuted from a wrecked plane. HAUSER is accused of having given the order that all parachutists were to be shot.

Charges of having beaten a wounded, unarmed American airman have been preferred against Georg OSTENRIEDER, German farmer; the case was referred to the Third U.S. Army for trial.

Arrest.

According to an Agency message of 13.7.46, the American authorities have captured Konrad GOEBBELS, the brother of Josef Goebbels, former Propaganda Minister of the Reich. Under Hitler, Konrad GOEBBELS was a "little Dictator" of German newspapers in Greater Hesse.

War Crimes Sentences.

A Telegraph Agency message from Berlin (3.7.46) stated that, according to the Military Governor's report of June 1st, 134 death sentences had been awarded in war crimes trials in the U.S. Zone since July 1945. To date, 43 had been executed, while 76 were awaiting review and confirmation by the theatre commander.



GERMANY (Cont.)

British Zone

Trials (Mainly from Press sources)

Sentence on General STUDENT

The Press announced, 11.7.46., that the sentence of five years' imprisonment passed on General STUDENT, Nazi commander in Crete, for war crimes, had been quashed, as the convening officer, General Galloway, had refused to confirm the sentence.

Acquittal of Ex-Gauleiter LAUTERBACHER

An agency message from Hanover, 6.7.46., reported that Hartmann LAUTERBACHER, former Gauleiter of Hanover was found not guilty by a British Military Court (2.7.46.) of having ordered the liquidation of inmates of Hameln Prison. The Court held that the evidence was insufficient.

Trial of Generals SEEGER, OBERG and others (see No. XIV of this series, page 8)

An agency message from Wuppertal, 11.7.46., reported that the trial of 6 German high-ranking officers and SS officials charged with responsibility for the killing of British and French parachutists in the Vosges mountains in October, 1944, ended after three weeks, with death sentences on Colonel Erich ISSELHORST, Gestapo Commander in Alsace; SS General Karl OBERG, Gestapo Chief for France and Colonel Wilhelm SCHNEIDER, Gestapo Chief at Strasbourg. Major SCHLIERBACH was sentenced to 10 years' imprisonment, General SEEGER, the former Wehrmacht C.-in-C. in Alsace, was sentenced to 3 years' imprisonment. Hauptsturmführer Julius GEHRM was found not guilty.

News of Germany reported from Hamburg, 25.6.46., that the former interpreter of SS General Sepp Dietrich, Lieutenant Junge KACH, was sentenced to 4 years' imprisonment by a Hamburg Military Court.

Trial of Neuengamme Camp officials

The German News Service reported from Hamburg, 17.7.46.: Five members of the staff of the Neuengamme Concentration Camp have been sentenced to death by hanging at a war crimes trial. They were: Albert LETZ, Login BLADOWSKI, Emil HOFFMANN, Edgar KLEMT and Ernst WENDEFÜHRER. A sixth official of the camp received a sentence of 15 years' imprisonment.

Trial of a U-Boat Commander

The Daily Telegraph of 19.7.46. reported that a British Military Court in Hamburg had sentenced Heinrich STEYER, to five years' imprisonment for scuttling his U-boat after Germany's capitulation.

Trials (Communicated)

The UNWCC was informed of the following trials in the British Zone:

The Wolfsburg-Ruehen Trial

A number of Germans, charged with killing by neglect children of Polish & Russian slave workers at Wolfsburg Ruehen, were tried by a British Military Court at Holnstedt (20 May - 24 June); Dr. Hans KORBEL and Sister Ella SCHMIDT were sentenced to death by hanging, Elizabeth BACHOR, Dr. TYROLT, Dr. OHL and Sister PETERS received sentences of 5 years' imprisonment. Two defendants were acquitted.

GERMANY (Cont.)

The Stocken Ahlen Concentration Camp Trial

A British Military Court held at Brunswick, June 19-24, tried officials of the concentration camps at Stocken and Ahlen. The accused were charged with ill-treatment and killing of Allied nationals. One of the defendants, Ludwig KNOOR was sentenced to death by hanging; another, Hans OLCHEWSKI, was sentenced to life imprisonment.

Essen Trial

A British Military Court at Essen, 11-26 June, 1946, tried a number of Germans, accused of killing three British prisoners of war. Four defendants, ROSENBERG, SCHWARZ, ROTSCHOEPPF and CREMER were sentenced to death by hanging. Six others were acquitted.

Bochum Trial

A British Military Court at Bochum, 26-29 June, 1946, tried 6 Germans, accused of ill-treating and killing an unknown British airman. One of the defendants, FISCHER, was sentenced to death by hanging; WEISS to 20 years, KOESTLER and WILLICH to 5 years' imprisonment; two others GAIKA and VOLKMER, were acquitted.

Trial of Neuengraben Officials

A British Military Court at Hamburg, 10 June - 3 July, 1946, tried a number of guards of the Neuengraben Tiefstack Concentration Camp charged with ill-treatment of Allied nationals. Of the accused, KLIEM was sentenced to 15 years' imprisonment; RONKEL to 5 years; HEIDTMAN to 2 years; SUERTH and ZEDERKOPF to 18 months; MULLER, KOOPMAN, Erich SCHULZ to 1 year; and DIBBERN to 6 months. Five other defendants were acquitted.

Forthcoming Trials

The UNWCC were informed that the trial of Peter GOTTLING and 12 other Germans, charged with killing 6 British prisoners of war at Trandum, Norway, would take place at Hamburg on August 6th.

The trial was fixed for July 19th, of Josef EBERT, Heinrich KOSTIDE and Karl ETZRODT, charged with ill-treatment of prisoners of war.

Russian Zone

Trial

News of Germany, 25.6.46., reported from Halle that two executioners of the Nazi régime, Johann KLEIN and Andreas ROSE were sentenced to death for assisting in several thousand executions.

Forthcoming Trial

A Berlin broadcast of 27.6.46. reported that six doctors would be tried in Mecklenburg-Vorpommern for carrying out sterilisations without permission of the patients.

Arrests

Radio Berlin, 27.6.46., announced: The former camp commandant of the Zeithain death camp and his deputy, have been arrested. Both the commandant and Erwin FRIEDEMANN, his deputy, were responsible for the systematic starving to death of tens of thousands of Soviet prisoners of war.



## HUNGARY

### War Criminals surrendered for Trial

Radio Budapest announced, 13.7.46., that the German official VEESENMAIER, Hitler's Plenipotentiary in Hungary, was sent under escort to Salzburg and Nuremberg. He was to appear before the Hungarian People's Court in August.

According to the same source, BEKETEHALMY-CZEYDNER, who was responsible for the massacre at Novi-Sad; SZOMBATHELYI, former Chief of the Hungarian General Staff; Ernő BAJSAJ, Vice-Prefect of Bacs; József VLASSICS and Sándor JANOSSY, notaries in Southern Hungary, were to be handed over to the Yugoslav authorities.

Radio Budapest reported, 5.7.46., that nine Fascists who committed atrocities during the Szalasi Régime in Budapest, had been sentenced to death by the People's Court.

A Radio message from Hungary, 16.7.46., stated that since the liberation of Hungary, 99 persons had been executed.

Radio Budapest announced, 18.7.46.: The US authorities had informed the Hungarian Government that Henrik WERTH, former Chief of Staff; Zoltan KLEIN; Dr. Zoltan MESKO; and three other war criminals had been arrested and were to be handed over to the Hungarian authorities.

## ITALY

### Indictment of TURATI

Radio Rome, 30.6.46., announced that the Deputy Attorney to the Rome Assize Court had asked for the trial of the former Secretary of the Fascist Party, Augusto TURATI. He was charged with having contributed to the destruction of constitutional guarantees and popular liberties and having helped to maintain the Fascist régime in power.

## NETHERLANDS

### Trial of Arnold MEYER

Hilversum radio reported, 26.6.46.: The Special Court of Hertogenbosch sentenced Arnold MEYER, the former leader of the National Front, to 5 years' imprisonment. He was also deprived of civil rights.

## NORWAY

Radio Kalundborg, 29.6.46., announced: There are 1,200 German war criminals in Norwegian prisons who will be tried by Norwegian courts.

### Trial of FALKENHORST

The Oslo radio announced, 15.7.46.: Von FALKENHORST, on whose orders Allied Commandos were killed by the German Police, is to come before a War Crimes Court on July 29th, 1946.

P O L A N D

Trial of GREISER

Radio Warsaw, 7.7.46., announced: The GREISER trial reached its climax when the accused had a final say and spoke for four hours. Giving an outline of his life and strivings, he declared that he had tried to serve his country to the best of his ability as a soldier, politician and citizen. After Greiser's statement the Court went into recess. On July 9th, the judgment was pronounced. It enumerated the crimes committed by Greiser, such as individual and mass murders among the Polish and Jewish populations, compulsory individual and mass eviction of the civilian population, deportation of children, with a view to their complete Germanisation, looting, appropriation of movable property of Polish citizens and all public property on the territory of the "Warthegau", and the degradation of citizens for their national or racial allegiance, the suppression of the free exercise of religion and the ruthless exploitation of Polish manpower in order to raise the war potential of the Third Reich. The judgment also declared Greiser guilty of the destruction of all scientific, cultural and educational institutions, the destruction of the whole Polish educational system and of numerous relics of Polish culture and art. For the above crimes the Supreme National Tribunal condemned Arthur GREISER to death.

A Radio message, 11.7.46., stated that Greiser had appealed for a reprieve, but that President (of the National Council) Bierut had declined to exercise his right of pardon.

On July 20th Greiser was publicly hanged at Posnan in the presence of 15,000 spectators.

The Stutthof Trial

Radio Warsaw, 5.7.46., reported that 11 Nazi war criminals responsible for atrocities in the Stutthof Concentration Camp (see No. XIII of this series, page 15), who had been sentenced to death by a special tribunal, were hanged in Danzig.

Extradition of War Criminals

Radio Warsaw, 4.7.46., reported: As a result of the work of the Polish Mission for the Investigation of German War Crimes, a party of 42 German war criminals were handed over to the Polish authorities. The group includes some former guards of the concentration camps in Oswiecim, Buchenwald and Lublin; the head of the Bureau for Racial Purity and Deportation; SS General Richard HILDEBRANDT, Commander of the Security Police in Warsaw; Josef MEISSINGER, Frank's adjutant; Helmut FASSENREDT, and others. Further extraditions of German war criminals are expected.

According to a Warsaw broadcast, 15.7.46., the Polish Military Mission had established the whereabouts and had asked for the extradition of Albert FORSTER, ex-Gauleiter of Danzig, TUMAN, ex-Camp Commandant of Majdanek and three other prominent war criminals. Forster was reported to have been captured in the British Zone according to an agency message (18.7.46.)

Judge Jackson Honoured

A Radio message from Prague, 4.7.46., announced that Cracow University had awarded an honorary law degree to Judge Jackson of the Nuremberg Military Tribunal.



P O L A N D

According to a Warsaw broadcast message, 14.7.46., evidence concerning the criminal activities of two former Government General dignitaries, BUEHLER and BURGSDORFF, is being sought.

Trial of Fischer postponed

Radio Warsaw broadcast, 16.7.46.: Fischer's trial which was to have begun on August 1st, had to be postponed owing to the large volume of preparatory work involved. It is doubtful whether the trial will begin before September 1st.

R U M A N I A

Arrest of GESRINGER

The Bucharest Radio announced, 4.7.46. : The Rumanian authorities have arrested Josef GESRINGER, founder and leader of the German SS battalions in Rumania. Other members of the SS were also arrested and will appear before a court martial.

Rumanian Volksbund Trial

According to a Bucharest broadcast, 19.7.46., the trial of the leaders of the Rumanian Volksbund has begun. Among the accused are the leader of the Transylvanian Hitlerite assault formations and the President of the German Women's Association of Rumania. This group is the first of a number of German terrorists recently arrested. Sixteen people are to be tried.

S P A I N

Demand for the expulsion of DEGRELLE

1.7.46. - In the House of Commons, Mr. McNeil, Under-Secretary for Foreign Affairs said, in reply to a question, that the British Ambassador in Madrid had made repeated representations to the Spanish Government in support of those made by the Belgian Chargé d'Affaires to secure the expulsion of Leon Degrelle, the Belgian Quisling, from Spain. As Degrelle had arrived in Spain in German uniform he should be sent back to Germany as a member of the German armed forces. If he was deported to the British zone in Germany, the Government would immediately hand him over to the Belgian authorities. Mr. McNeil said also that the Spanish Foreign Ministry had been asked to investigate particular cases of Germans who had joined the Spanish Army, and to furnish a list of German nationals who had joined the Foreign Legion since the end of the war.

Y U G O S L A V I A

Transfer of Neubacher for trial as a war criminal

A notice in the Vienna Press (Arbeiter Zeitung), 4.7.46., reported that Dr. Ernst NEUBACHER, the former National Socialist Mayor of Vienna who was later sent on a mission to the Balkans, had been handed over to Yugoslavia by the American authorities in Austria, with a view to his trial as a war criminal.

THE FAR EAST.

MALAYA.

The Times correspondent reported from Singapore (26.6.46): For torturing and killing Asiatic civilians in the Andamans, six more Japanese war criminals were hanged at Changi gaol. This makes a total of 47 executed there, with 32 still in the condemned cells and long unfinished lists of cases facing courts at Singapore, Kuala Lumpur, and elsewhere in Malaya.

The Times correspondent reported from Singapore (11.7.46): Twelve Japanese war criminals were hanged at Changi gaol. They included Haruzo SUMIDA, the head of the Japanese Military Police in Singapore, and six of his men. They were sentenced for causing the death of 15 Singapore civilians in 1943.

HONG KONG.

An agency message of 11.7.46 announced that at Hong Kong a Japanese sergeant, KAWAMOTO, had been sentenced to death for the murder by torture of a British prisoner of war.



III.

THE NUREMBERG TRIAL.  
(July 1 - 20th, 1946)

THE DEFENCE.

With the hearing of evidence for the defence completed, the Nuremberg trial entered upon a new stage on 5.7.46, when counsel for the defence began their closing addresses. Counsel were heard for Goering (4.7.46); Hess (5.7.46); Ribbentrop (8.7.46); Keitel, Kaltenbrunner, Rosenberg (9/10.7.46); Frank, Frick, Streicher (11/12.7.46); Funk (12.7.46); Schacht (15.7.46); Doenitz and Raeder (16.7.46). Final pleas were also heard for Schirach, Jodl and Sauckel (17/18.7.46).

Estimated Timetable.

The correspondent of the Daily Telegraph wrote that the British prosecuting staff estimated the probable timetable of the trial to be as follows: Three weeks for final speeches by defence counsel; three days for the prosecution's final speeches; three weeks for the defence of organisations followed by one week for the prosecution's reply and last statements by individual defendants. The Court will then adjourn to consider judgment. The prosecution thinks this is likely to be at least a fortnight. One of the judges said they might need a full month.

The President will then sum up publicly, make a long statement on new law arising from the trial, state the Court's findings and pronounce sentence on the individual defendants. This is not likely to take more than two days. If, therefore, the judges take a full month, the trial will last until the end of September.

Miscellaneous.

Radio Paris (8.7.46) announced that seven members of the French Delegation to the Nuremberg Tribunal were attacked in the vicinity of Bayreuth. The windows of their motor cars were smashed, although clearly marked and they were assaulted by the population; some had their clothing torn; it was alleged that the assailants had been incited by the burgomaster of the village.

SUPPLEMENT TO WAR CRIMES NEWS DIGEST No. XV.

SURVEY OF LEGAL LITERATURE.

(Contributed by Egon Schwelb, Legal Officer.)

A considerable amount of legal writing bearing on the problem of war crimes has recently become available in this country.

Professor Sheldon Glück has written an extensive and well-documented article on "The Nürnberg Trial and Aggressive War" in the Harvard Law Review of February, 1946.

A book by the famous Roumanian jurist, Professor Vespasien V. PELLA— "La Guerre-Crime et Les Criminels de Guerre—Réflexions sur la Justice Pénale Internationale - Ce qu'elle est et ce qu'elle devrait être,"— has been published in Geneva and Paris.

Megalos A. CAIOYANNIS, formerly national judge of Greece at the Permanent Court of International Justice, has published an article on "Cour Pénale Internationale et Code repressif des Nations" in No. 4 of 1945 of "La Revue de Droit International de Sciences Diplomatiques et Politiques" — Geneva.

In the same number of this Review, its editor Antoine Sottile, has published a paper on "Les Criminels de Guerre et le Nouveau Droit Pénal International seul moyen efficace pour assurer la paix du monde."

Mr. Milton R. KONVITZ, a member of the faculties of law and public administration of New York University has contributed an article on "Will Nuremberg serve Justice" to "Commentary"—a Jewish Review, published by the American Jewish Committee, of January, 1946.

More detailed reviews of these important contributions to the law of war crimes will be published in later issues of this Digest.

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XV

ADDENDUM TO WAR CRIMES NEWS DIGEST No. XV.

III.

G E R M A N Y.

British Zone.

The UNWCC has been informed of the following judgments by military courts.

Trial of EGERT and others.

The Military Court which tried the above on July 19th for ill-treatment of a Canadian airman, passed the following sentences of imprisonment: EGERT 10 years; KOSTIDE 6 years; ETZRODT 1 year.

Trial of GROSSE.

The trial of Ferdinand GROSSE, former camp guard at Ahlen, took place at Brunswick on July 16th. The accused was sentenced to death by shooting.

The Bochum trial.

The Military Court, sitting at Bochum 15-18th July, passed the following sentences of imprisonment on Germans charged with ill-treatment of R.A.A.F. prisoners: WERNER, SCHLUETTER and GERK three years; SPANEL 2 years.

Forthcoming Trials.

The UNWCC has been informed of the following forthcoming trials by British military courts.

The Neuengamme III Trial.

The trial was fixed for July 23rd of Unterscharführer Johann FRAHM, Oberscharführer Edwald JAUCH and Unterscharführer Wilhelm BRAKE, former members of the Neuengamme camp staff.

Trial of JEPSEN.

Gustav Alfred JEPSEN, a Dane who voluntarily joined the SS; Hauptsturmführer Dr. Joachim FREITAG and Major Otto MULIER are to be tried on August 13th at Lüneburg. They are charged with the killing of Allied nationals.

Trial of MARK and others.

Heinz MARK, Hermann MARK, Artur Heinrich HOFFMANN, Alois LOW and Georg KEIM are to be tried on July 25th for ill-treatment of British prisoners of war.



Trial of GEILING and ERKENBRECHT.

Georg GEILING and Heinz ERKENBRECHT, prison officials at Frankfurt, are to be tried on August 8th, 1946.

Trial of SCHWARZ.

Hans Friedrich SCHWARZ is to be tried as a war criminal on August 7th.

Trial of FLASCHE and others.

August FLASCHE, Konstantin SCHWENKE, Johannes BERGMANN, Johannes WINK, Paul Friedrich Wilhelm KAPPES and Gottfried FIESELER are to be tried on August 12th; they are all charged with ill-treatment of prisoners of war.

Trial of Albert HOFFMANN.

Albert HOFFMANN, former Gauleiter of Westphalia, is to be tried for war crimes on August 22nd.

Trial of SCHULZ.

The trial of Otto Alfred SCHULZ has been fixed for July 30th. He is accused of ill-treatment of prisoners of war.

Trial of ROSENAU.

The trial will take place, on July 25th, of Leo ROSENAU, former member of the Wehrmacht; he is accused of the murder of prisoners of war.

The Trial of DIEGEL and FUNK.

The trial has been fixed for August 8th of Adam DIEGEL and Rudolph FUNK, accused of ill-treatment of prisoners of war.

Trial of BERTRAM.

Karl BERTRAM, Police sergeant, will be tried for war crimes on August 14th.

The Trial of SCHAUENBURG and others.

Gustav SCHAUENBURG, Fritz MERTENS, Adolph KNOBLAUCH, Heinrich MAUER, Heinrich KAISER and Hermann MISOPH will be tried on August 1st.

Trial of HUBNER and KILLIAN.

The trial of Peter HUBNER and Johann KILLIAN, accused of war crimes, has been fixed for July 25th.

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XVI

No. XVI.

August 20th, 1946.

UNITED NATIONS WAR CRIMES COMMISSION

(Research Office)

WAR CRIMES NEWS DIGEST

[NOTE: The above title replaces that of Press News Summary  
used in the early numbers of this series.  
(For internal circulation to the Commission.) R.O.]

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I.

S U M M A R Y   O F   E V E N T S

A U S T R I A

Trials.

Trial of Illing and others (See No.XV, p.2 of this series)

The defendant, who was accused of murdering 250 children in Steinhof Mental Hospital, was sentenced to death by the Vienna People's Court on 19.7.46. Of two women doctors accused, Dr. Marianne Tuerk was sentenced to 10 years' imprisonment with hard labour, while Dr. Margarete Huebsch was acquitted (Reuter).

Trial of Pilz and 14 Nazis

The Neues Österreich, 4.8.46., announced that the trial of Leo Pilz and 14 other National Socialists, accused of the murder of more than 200 political prisoners at the Stein prison, would begin on 5.8.46. and might last a fortnight.

Arrests and Legislation

The Wiener Zeitung reported on 31.7.46. the arrest of the following war criminals or incriminated National Socialists: Rudolf Ramswallner (persecution of Jews); Dr. Norbert Fitzthum (Member of the NSDAP); Anton Walter (turnkey in German military prison); Josef Regelsberger (Jewish section of the Gestapo); Robert Jorsa and his wife (denounced neighbours to the Gestapo); Karl Eder (official of the NSDAP, ill-treated workers); Franz Cihak (ill-treated anti-Nazis and looted in Russia).

Anti-Nazi Legislation

Reuter reported from Vienna (12.8.46.) that under a recent law, Nazis are classified as (a) War Criminals - those who tortured, betrayed and killed; will be dealt with through the courts; (b) Incriminated Nazis - those above the rank of Zellenleiter, members of the SS, high officers of Nazi organisations, and people who received high Nazi medals. These categories will be deprived of civil rights for five years and discharged from public service without pension, and not permitted to work in the printing or entertainment professions. (c) Ordinary Party members: will lose their civil rights until April 30, 1948, and will have to pay a capital levy.

B E L G I U M

Trial of Rexists

Agency messages from Belgium (5.8.46.) reported the trial at Charleroi of 97 Rexists, accused of killing 21 civilians in reprisal for the killing of a Rexist mayor, and fighting against the Allies; 17 of the defendants were absent; 71 death sentences were pronounced.



## C Z E C H O S L O V A K I A

### Arrests and Executions of Germans

Prague radio announced (25.7.46.) that Knaumayer, an SS man who murdered many Jews in the Sereď camp in Slovakia, was executed (24.7.46.) in Bratislava; and that Dr. Ecer had taken over in Nuremberg from the US authorities a group of war criminals for whose extradition he had asked. Among them was the Commander of the SS Units engaged in suppressing the Slovak revolt.

A Reuter message (2.8.46.) announced that SS General Hoeffle, responsible for deaths of many patriots during the Slovak rising, has been taken to Slovakia and would be tried in Bratislava.

### Trials, Arrests and Executions of Traitors

A number of Press messages from Prague refer to the trials of collaborators and traitors, including: Execution at Bratislava on 30.7.46. of Dr. Antonin Vasko, responsible for the mass murder of thousands of Czechoslovak Jews.

Arrest by US authorities (26.7.46.) of Karol Murgas, former Hlinka Guard Chief-of-Staff, in the US zone of Austria, as well as a number of Hlinka Government deputies. The US military authorities will hand these persons over.

The Czechoslovak Press devotes considerable space to the trial at Bratislava (12.8.46.) of Otomar Kubala, C-in-C of the Hlinka Guards, charged with treason, collaboration with the enemy and betrayal of the Slovak National rising;

Also to the trial at Bratislava of Dr. Tuka which opened on 29.7.46; the charges, which cover 67 pages, include the declaration of war on Russia by the puppet Government of Slovakia. Dr. Tuka was sentenced to death on 14.8.46.

The Czech Press publishes many protests against the leniency of the sentences on the members of the "Protectorate Government".

## D E N M A R K

### Refusal of Extradition

The Kalundborg radio (25.7.46.) reported that the Finnish state police had demanded the extradition of a Dane, Thoralf Byrre, accused of collaboration with the Germans after the last Russian-Finnish war. The Danish News Bureau was officially informed that Danish citizens are not extradited for trial by foreign courts. A crime punishable under the Danish criminal code can be judged in Denmark although it was committed abroad. Danish courts decide whether a charge is justified.

### Arrest of Renner, ex-Gestapo Chief

News of Germany (16.7.46.) reported: Rudolf Renner, alias Friedrich Rossmann, Hauptsturmführer and former Gestapo chief in Denmark, has been arrested in Unna, in Arnsberg Regierungsbezirk, British zone. Renner, listed as Danish war criminal No.1, attempted suicide, but was prevented from doing so.

D E N M A R K. (Cont.)

Arrest of Sommer (Danish traitor)

A Reuter message of 20.7.46. announced the arrest of Captain Paul Sommer, Denmark's most dangerous war criminal, after a search lasting 15 months, near Viborg, Jutland. Sommer was the founder of an organisation which collaborated with the Gestapo.

F R A N C E

Arrest of Rickenfelder

The Daily Worker (13.8.46.) reported that Hans Rickenfelder, head of the British controlled German C.I.D. in Hamburg, had been arrested by a French security officer on a French accusation that he was head of the Gestapo in Nancy, and would be charged with committing war crimes there.

Trial of Traitors at Dijon

The trial at Dijon reported in No.XV of this series ended on 20.7.46. with the sentencing to death of 20 defendants, including Dace, who had posed as an agent of the Resistance.

Execution of Robert Wagner

Robert Wagner, ex-Gauleiter of Baden and Alsace, who was sentenced to death by a French military Court on 5.5.46. was executed by a firing squad at Strasbourg on August 14th, together with three of his accomplices.

G E R M A N Y

German Courts and Legislature

Lenient Sentences for War Crimes

News of Germany (29.7.46.) reported the result of a trial before the Landgericht at Stuttgart, the first German court to deal with war crimes in the US Zone. "Hesse, former German air force major, was sentenced to four years in prison, and his adjutant, Rautenbusch, to six months, for the execution of three air force men accused of attempting an aerial desertion four days before Germany's surrender. This court decided Hesse's 'youth' was a mitigating circumstance in his case, although records show he is 35."

A radio message from Leipzig (3.8.46.) said that after a number of proceedings for crimes against humanity had been transferred to German courts in Saxony, courts sitting with a jury would be set up in all Regional Courts in the Saxony State in the course of August, 1946, to decide whether informers should be punished.

News of Germany (17.7.46.) reported that, for setting fire to the Bruchsal synagogue during the Nazi régime, Oskar Schweitzer, 45, of that city, and Otto Wachter, 47, of Untergrombach, near there, had been sentenced by a criminal court at Karlsruhe to prison terms of three years and one year respectively.

GERMANY (Cont.)

U.S. Nationals as witnesses in German Courts

The DANA News Agency reported from Berlin (20.7.46.): According to Ordinance No.2 to Law No.2, promulgated by MG on Saturday, all persons who come under MG laws, or who are on MG staff, may now be called as witnesses by a German Court of Law, with the consent of the competent MG officer. This new Ordinance follows the MG policy to entrust the Germans with more administrative responsibility, and gives the German Courts of Law greater power. Hitherto, no U.S. soldier could be called as witness before a German court. Cases which required the evidence of a U.S. national had to be transferred to a U.S. military court. The Ordinance stipulates that, if a German Court wishes to hear evidence from a U.S. national, a written application, giving details of the case, must be submitted to the superior officer concerned. ....

Civilians employed by MG, provided they are U.S. nationals, may give their evidence before the officer in charge of the MG detachment or his deputy. The evidence may be of a general character, but must not run counter to the interests of MG or the US Forces. Courts are not authorized to request the production of official documents. No member or employee of US Forces or of MG may give evidence before a German court on matters relating to his service or employment with them, except with the written consent of the superior officer of his former unit or office. ....

Persons under the jurisdiction of MG laws, who are non-German MG employees, cannot be proceeded against for Contempt of Court.

American Zone

The Flossenburg Trial

The Manchester Guardian (31.7.46.) reported that evidence given at the trial showed that out of 400 women who marched out of the Wolkenburg concentration camp, 284 were shot because they were too weak to walk. Wilhelm Brosch, commandant of the Flossenburg concentration camp, of which Wolkenburg formed a part, and two guards, were named as responsible for the murder.

Trials for Murders of Airmen

News of Germany (9.8.46.) reported from Dachau that Max Hermann and Hans Staudinger, two Nazis had been sentenced to death by an American military court for killing two unarmed American fliers while they were transported to a PW camp at Mossburg. It was the second death sentence for both, as they had been found guilty of a similar crime in a trial at Appenkirchen a month ago. Josef Huber, a member of the SA, was sentenced to life imprisonment for participation in the double murder. Former Lt. Walter Kaiser was acquitted.

Rumours concerning Bormann

Agency messages of 31.7.46. reported that, as a consequence of rumours that Bormann had been seen in Munich, American intelligence officers made a new search of the city.



GERMANY (Cont.)

British Zone

Trials.

The UNWCC has been informed of the following judgments by military courts.

Trial of Axt and Webe

The Military Court which tried the above at Iserlohn on 11-13 June for killing RAF prisoners of war, sentenced Joseph Axt to death by shooting and Johann Webe to 20 years' imprisonment

Trial of Hubner and Killian (see also W.C.N.D. XV, Addendum, p.2)

A Military Court at Essen tried the above for ill-treatment of Allied Air Force members, 26-29 July; Hubner was sentenced to 5 years' imprisonment and Killian to 10 years.

Trial of Schulz (see also W.C.N.D. XV, Addendum, p.2)

A Military Court which tried the above at Lubeck on July 30, found him not guilty of ill-treatment of a Canadian airman and acquitted him.

Trial of General Falkenhorst

The accused was tried by a Military Court at Brunswick, 29 July - 2 August. He was charged with being responsible for ill-treatment and killing of British and Norwegian nationals in Norway. The court sentenced him to death by shooting (see below).

Trial of Diegel and Funk (see also W.C.N.D. XV, Addendum, p.2)

The trial of the above took place at Hannover on 8,9 August; they were charged with ill-treatment of British prisoners of war. Diegel was sentenced to 5 years in prison, and Funk was acquitted.

Trial of Hans Schwarz (see also W.C.N.D. XV, Addendum, p.2.)

The above was tried at Bochum by a Military Court, 7-9 August; he was charged with ill-treatment of a Canadian airman and was found guilty; he received a sentence of 3 years' imprisonment.

With reference to the trial of General Falkenhorst mentioned above, the Times and Manchester Guardian gave the following details: Colonel-General Nikolaus von Falkenhorst, formerly commander-in-chief of the German Forces in Norway, was brought to trial before a military court under the presidency of General I.S.O. Playfair, on nine charges concerning the death of 38 British soldiers serving in a commando, and eight Norwegian sailors, most of whom, it is alleged, were handed over on his orders to the German security service, by whom they were subsequently killed. Pleading "Not Guilty", Falkenhorst based his defence on the claim that in surrendering the prisoners to the Sicherheitsdienst he was fulfilling Hitler's orders. Among the victims were men who took part in the attacks on the Tirpitz and the heavy-water laboratories.

(31.7.46.) Replying to individual charges, Falkenhorst said he did not hear of the shootings until the day after they had taken place. He did not take any disciplinary action against those responsible for the shooting, as that was the job of the divisional

GERMANY (Cont.)

commander. Falkenhorst condemned the shooting of wounded British Commandos whose glider crashed at Egersund in November 1942, saying they should have been taken to hospital. After this incident he called a conference of his generals and told them there must be no repetition of the shooting.

And 3.8.46. Colonel R.C. Halse, the prosecutor, declared, "The United Nations ask you to ensure that justice is done and that in future belligerent nations will realise that soldiers who break rules of international law will be called to account. In this case there have been undoubted breaches of international law. A great deal has been said about the Hitler Commando order, especially at the Nuremberg trial, where men have said, 'I acted under Hitler's orders and therefore cannot be convicted'. But this order must have been even to the very meanest intelligence an illegal order."

Dr. Müller, counsel for the defence, declared that it had always been the custom for German people to treat foreigners more decently than their own people. "Handing British and Norwegian Service men over to the security police was not tantamount to committing them to death. "Justice certainly demands severe punishment for Nazi criminals," he said. "The question is whether the accused, who is an important representative of the German Army, deserves to be treated as a criminal without military honour on account of the Hitler order."

Concentration Camp Trials

News of Germany reported from Brunswick: Ferdinand Grosse former warden of the concentration camps Stoecken and Ahlen, near Hanover, was sentenced to death by shooting on Friday by a military court in Brunswick after a trial which lasted several days. He was convicted of having assisted at medical experiments on inmates of the two camps in the years 1944-45 and having mistreated them so severely that they died from the injuries. (see also No.XV of this series, page 7)

News of Germany, 1.8.46., reports from Hamburg: Two former SS attendants of the Neuengamme concentration camp on Monday were sentenced to death by hanging by the British military court. Johannes Frahm was convicted of hanging children, while Ewald Jauch acted as the guard to prevent interference. (see also No.XV of this series, page 6)

Forthcoming Trial

News of Germany (22.7.46.) reported: About 20 members of the former Hitler Youth will be charged with slaying four Allied airmen as the result of an incident near Pforzheim on March, 17, 1945.

The United Nations War Crimes Commission announced at its London headquarters that the trial will be held at Recklinghausen in the British Zone about August 14th.

Seven captured fliers were placed in a school basements, the announcement said, and later marched to a cemetery, where three escaped and four were shot to death. One of the three was recaptured and slain the next day. The two escaped airmen will testify at the trial.

GERMANY (Cont.)

French Zone

Result of the Neue Brünne Concentration Camp Trial  
(see No. XIII of this series, page 13.)

A B.A.O.R. Press release, dated 6.6.46., gave the results of this trial as follows: 15 defendants were sentenced to death; 1 was acquitted; 20, including 5 women, received varying terms of imprisonment.

The Press of 30.7.46. reported that the 15 men condemned were executed at Baden-Baden on that day.

ITALY

(British Troops in Italy)

Trial of Field Marshal Kesselring

The Daily Telegraph (11.8.46.) reported from Nuremberg: "Field Marshal Kesselring, C-in-C of the German armies in Italy and the man accused by the Allies as the principal Nazi war criminal of the Italian campaign, is to be flown to Rome to stand trial for crimes committed by troops under his command."

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The principal crimes charged against Kesselring are already set forth in count three of the Nuremberg indictment. This states that "Between March, 1944, and April, 1945, in Italy, at least 7,500 men, women and children, ranging in years from infancy to extreme old age, were murdered by the German soldiery at Civitella, in the Ardeatine caves in Rome, and other places".

POLAND

Ex-Governor Fischer awaiting trial

"Polska Zbrojna", 27.7.46., published an interview with Fischer, ex-governor of Warsaw, whose trial has been postponed. He denied responsibility for any cruelties committed during the rising. This he threw on to the Duerlwaenger and Kaminski's bands. "Did you know about the fate of Jews in Poland?" asked the interviewer. "At the beginning I did not know anything; only during the deportation of Jews from Warsaw I learned accidentally from my employees about Majdanek and Treblinka." According to Fischer, Himmler was the grave-digger of the German nation, when he carried out the annihilation of the Jews, before the end of the war. "You said 'before the end of the war,'" pointed out the journalist, "which means that this 'action' should have been delayed until the end of the war?". Fischer was embarrassed.

Ex-Gauleiter Forster

10.8.46. A Polish aircraft brought Albert Forster, former Gauleiter and President of Gdansk (Danzig) Senate, to Poland. He had been interned in Germany at Fallingbomel before being handed over to the Polish authorities by the British.



P O L A N D (Cont.)

Other Forthcoming Trials announced by the Warsaw Radio

Goeth, the hangman of Cracow and the Tarnow Ghetto will be tried at the end of August. According to the Nuremberg definition he is guilty of genocide. There will be some 40 witnesses from Poland and several statements made to Allied authorities in the British and US Zones. The trial will last about a week, with two sessions a day.

(5.8.46.) The trial of Höss, the former Commander of the Oswiecim camp, will take place in Katowice probably not later than September. The investigations, which are taking place both in Katowice and Cracow, are almost complete. Cyprian, public prosecutor at the Supreme National Court is in charge of all the trial arrangements. The accused is still in the Mokotow prison in Warsaw.

While in British hands, Höss made a "confession" (see Appendix).

(12.8.46.) The arrest was announced of Joseph Zagorza, ex-deputy Commander of the Oswiecim camp, under Rudolf Höss. After a preliminary interrogation he will be transferred to Cracow. The case will come before the Supreme Court, and he may be tried together with Höss.

Demands for Extradition

Radio Warsaw reported (10.8.46.): The notorious Fritz Bracht, at one time Gauleiter of Silesia and later of Upper Silesia, is staying in Spain under Franco's protection. The Polish authorities will demand his extradition. The Prosecution of the Katowice Special Tribunal is making an investigation against Bracht and collecting evidence of his crimes. The data gathered will furnish the basis for the extradition demand.

Warsaw Radio reported (2.8.46.): The Polish Mission for the investigation of German war crimes has discovered in the camp at Ludwigsburg, 26 senior Gestapo officials, who were using false names, and applied for their extradition. Proceedings have also been started for the extradition of the following war criminals: Dr. Brandel, Counsellor in the Government-General, responsible for German looting in Poland; General Kraushaar, chief of Internal Affairs of the Government-General; Frederick Siebert, Oberführer SS, responsible for mass shootings of Poles; Kirsch, Gestapo Inspector in Lodz, Warsaw and Cracow.

(12.8.46.) The Polish Military Commission for the investigation of war crimes in Germany, has applied for the extradition of 62 war criminals who were on the staff of the Radom concentration camp. They include Wilhelm Iantenschlager, the CO of the camp, and his subordinates.

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## SPAIN

### Repatriation of Germans

The Madrid Radio reported (10.8.46.) from San Sebastian: At a Press conference the Minister of Education commented on the decisions taken at yesterday's cabinet meeting. "The Foreign Minister," he said, "brought up the question of Germans in Spain because of the insistent requests by the British and US Embassies for the repatriation of all German nationals in Spain, whose continued presence there is considered prejudicial to good relations between the United Nations and Spain. It was agreed that Germans in Spain should again be asked to return to their country provided they are given guarantees that they will not be sent to Soviet occupied territory against their will and will not be subject to arrest."

## U. S. S. R.

### Soviet War Crimes Policy

In his speech at the Paris Conference on 31.7.46., M. Molotov was reported as saying: "The Soviet Union is firmly determined to support its Allies in their just demands for punishment of war criminals, indemnification of damage, and the establishment of a just peace. . . ."

### Execution of General Vlasov

Moscow radio reported (1.8.46.): The Military Collegium of the USSR Supreme Court recently examined the case of A. A. Vlasov (and 11 others, by name,) on a charge of treason and for acting as agents of the German Intelligence Service in carrying out espionage, and diversionary and terrorist activities against the Soviet Union, as defined by Articles 58(1)(b), 58(8), 58(9), 58(10) and 58(11) of the RSFSR Criminal Code. All the accused pleaded guilty. In conformity with the Decree of the USSR Supreme Council Praesidium, dated 19th April, 1946, the Military Collegium of the USSR Supreme Court sentenced Vlasov (and the 11 others) to death by hanging. The sentences have been carried out.

A Reuter message added the following information: Among 11 others also hanged for treason was V.F. Malyshkin, Vlasov's chief of staff. Vlasov, who was regarded as Russia's number one war criminal, was captured by the Germans before March, 1943, and later toured German-occupied Russia to obtain volunteers for his anti-Soviet army.

### Hitler's Archives

The Pravda (11.8.46.) published an article by Viktorov, stating: "As a result of the rout of Hitler's armies and their hasty retreat, much booty, including the secret archives of the German High Command and Foreign Ministry, fell into Red Army hands. These archives were placed at the disposal of the Soviet Government. The Archive Administration of the USSR Foreign Ministry selected and classified the documents of the German Foreign Ministry and has now started publishing a series of volumes of these documents in chronological order. The publication of documents of such irrefutable authenticity is destined to unmask the criminal diplomacy of Hitler's Germany. The first volume deals with German policy in Hungary and covers the period 1937-42; the second deals with German policy in Turkey and covers the period 1941-43."



THE FAR EAST.

J A P A N.

The Tokyo I.M.T.

The Ex-Emperor as a Witness.

An agency message from Tokyo (7.8.46.) reported: "Henry Pu Yi, last Emperor of China and Japanese puppet 'Emperor of Manchukuo', will give evidence before the International Military Tribunal here. The Russians have agreed to bring him from Vladivostok with four others ..... It has been reported that China was negotiating for him to be handed over as a war criminal."

Agency messages from Tokyo (6.8.46) reported that evidence intended to prove that the Mukden "incident" of 1931—when an explosion on the railway led to the Japanese crossing into Manchuria—was inspired by the Japanese themselves, was given in Tokyo by an American newspaper correspondent, John B. Powell, at the Japanese War Crimes Trial.

Powell's testimony drew such heated defence objections that Sir William Webb, president of the tribunal, sharply reprimanded counsel for the 27 accused. "We won't allow you to say another word," he told them at one point.

Under the heading "Impudent Tactics", the Moscow radio (3.8.46) commented as follows: "Day after day the International Tribunal in Tokyo is registering facts which cry out for retribution. Yet its work progresses extremely slowly. As the result of the obvious sabotage and the impudent sallies of the defence, the Tribunal has already repeatedly adjourned for considerable periods. From the start the defence has been trying to break up the trial. It succeeded once in stopping it for a whole month. Then it resorted to delay tactics. The Japanese and U.S. lawyers defending Tojo are using every means to complicate the proceedings. They demand that superfluous documents be produced, and are trying to cast a slur on the prosecution witnesses. They do not miss a single opportunity of representing their defendants as innocent victims, and the fact of their being in the dock as a simple misunderstanding. A lawyer from the U.S.A. has gone to the length of asserting that Japan did not carry out any aggressive actions against China, and that the reason for the presence of Japanese troops in North China was their desire to protect the property of Chinese citizens. One of the Japanese lawyers defending the leader of the Japanese Youth League declared without batting an eyelid that the Chinese-Japanese War started through the fault of the Chinese. These masterpieces of juridical casuistry are hampering the progress of the trial. They compel the Tribunal to deviate constantly from the straight course. Yet, whatever obstacles may obstruct the proceedings, the Tokyo trial must play its part to the end in revealing the conspiracy of the Japanese imperialists. The freedom-loving peoples are confident that TOJO, ARAKI and the whole clique will not escape well-deserved punishment."

S I N G A P O R E.

Death Sentences and Executions.

An A.P. message from Singapore (30.7.46) reported that nine more Japanese had been hanged on that day for atrocities on the Burma-Siam railway.

Reuter reported from Singapore (7.8.46) that three Japanese—Major YATORI, Captain KAMOI, and Lieutenant WATANABE—were sentenced to death by a Singapore war crimes court for being concerned in the death by vivisection of an Indonesian labourer in French Indo-China.

The Times (31.7.46) published a long article on "Far East War Crimes", outlining the war crimes organisation for SEAC.—the co-ordination section, central registry, and legal section at Singapore and the seventeen investigation teams scattered over the whole area—and describing the procedure at the trial. Since January last 239 war criminals had been tried by British military courts, and 98 had been sentenced to death.

As regards the 17 investigating teams the article gives the following particulars:

"The investigation teams operate all over the area as required, sometimes in areas of comparative civilization and at others hundreds of miles out in the jungle. Their cases are built up in the following way. At the time of the Japanese surrender all the Japanese forces in South-East Asia passed entirely into the control of the Allies. As a result the P.O.W. camp staffs, who were notorious for their brutality and were wanted more than anyone else, fell more or less intact into Allied hands. All these men were photographed and prints were circulated. This enabled ex-prisoners who made statements and affidavits at home to identify individuals whom they knew to be responsible for crimes. About six photographs were usually produced to the deponent, one of which was of the person whom he had named in his statement, so that a small photographic 'identification parade' was held. Naturally, the names on the prints were blacked out.

These affidavits with the photographs attached were then sent to the Registry at Singapore and registered against the names of the individual Japanese and also by areas and camps. From here they went to the investigation teams, who built up the case with the help of other affidavits, evidence obtained from local inhabitants, and from voluntary statements made by the accused. The complete case was then returned to the registry for examination before being sent to the legal section. At the trial the prosecution produce these affidavits in court and in many cases support them with 'live' witnesses. The latter are usually former P.O.W. officers who were repatriated to the United Kingdom and have since returned to the Far East to help in the work of bringing the guilty to justice. Naturally, all cases are not so simple as the example quoted above. A number of suspects remain untraced owing to their having been transferred to different theatres before the capitulation, but efforts to round them up are proceeding successfully.

The trials are conducted with the fairness for which British justice is renowned. The court consists of a lieutenant-colonel as president and two other members. Usually the president or one of the members is legally qualified. The accused is defended by Japanese counsel, who has a British officer to assist him when necessary. In some cases as many as 15 or 20 accused are tried at the same time when they are all implicated in the same crime. Accommodation is invariably provided for the public and plenty of interest is shown in the trials, especially in cases that have achieved local notoriety. ....

The Japanese overran many countries during the war and caused untold hardship and suffering wherever they went. The inhabitants of these countries do not easily forget their dreadful experiences and watch with considerable interest the degree of justice meted out to the invaders. The war crimes organisation in SEAC is going ahead speedily with its work of investigating cases and bringing the Japanese to trial. The results do not get much publicity, but the public may be assured that those who were responsible for so many shocking atrocities against our men are now receiving their due punishment."



II.

THE NUREMBERG TRIAL

(July 20th - August 13th)

THE DEFENCE

Hearing of evidence for the defence was continued for Jodl (20.7.46.), von Papen (22.7.46.), Neurath and Speer (23.7.46.) and Fritzsche (24.7.46.).

With the consideration by the Tribunal of the written arguments of Dr. Seidl on behalf of Rudolf Hess, the defence of the accused leaders of Nazi Germany was closed.

Final addresses for the prosecution were delivered by Justice Jackson (U.S.A.) and Sir Hartley Shawcross (26.7.46.). Lord Wright was present in the court. General Rudenko (USSR) and M. Dubost (France) followed (29.7.46.); both demanded the death penalty for the accused.

The Nazi Organisations

The Tribunal then went on (30.7.46.) to consider the cases against six Nazi and militarist organisations: the Political Leadership Corps, the Gestapo and SD, the SS, the General Staff and High Command, the Reich Cabinet and the SA. The evidence in regard to these organisations had already been sifted by a special commission, and the defence was allowed to bring before the Tribunal only a few representative witnesses for each organisation. Dr. Sievers was heard (8.8.46.) in connection with medical crimes by the SS and confronted with his own letter (see Doc. Series No.44): Brauchitsch (9.8.46.), Maustein (10.8.46.) and Rundstedt (12.8.46.) were heard for the High Command. The Daily Telegraph (5.8.46.) gave the numbers of people who might be affected by the Tribunal's verdict on the six organisations, as 4,000,000; namely: Political Leadership 1,000,000; storm troops 2,000,000; SS, including Waffen SS, 1,000,000; Gestapo and Security Service 45,000; General Staff and High Command, 130; Reich Cabinet (after 1933), 40.

Justice Jackson

Justice Jackson, chief United States prosecutor left Nuremberg for the United States (31st July). He was expected to return to Nuremberg early in September in time for the announcement of the verdicts.

Forthcoming "Nuremberg" Trials

The Liverpool Daily Post (14.8.46.) reported from Berlin that the Allied war crimes authorities were preparing a series of Nuremberg trials, to commence in October, 1946, for the prosecution of some 80 German industrialists scientists and bankers. The message states: "The accused in the first trial will probably include two directors of Krupps, two directors of the I.G. Farbenindustrie and possibly Kurt Daluege, leading figure in Nazi slave labour plan and in both Krupps and the I.G. Farben concern.

"Other leading figures who are on the Allied lists and who are expected to appear in the dock later include Herbert Goering (the Reichsmarshal's brother), Willy Messerschmitt (famous aircraft designer who was taken to London after the German surrender), heads of the Famous Blohm and Voss shipbuilding concern, Schroeder, the



THE NUREMBERG TRIAL (Cont.)

Forthcoming Nuremberg Trials (cont.)

great international banker in Cologne, Alfred Krupp junior, and most of his co-directors, Dorpsche, Germany's great racing car designer and the man who helped to build the "volkswagen". Most of the directors of the I.G. Farbe, Krupps, the Gerstel Trust and the Vereinigte Stahlwerke are also expected to face trial in this series.

"Men who financed Hitler in the early days of Nazism and later made vast fortunes from Nazi rearmament and war production are expected to be charged under law 10 in the Four Power agreement which deals with war crimes on the grounds that they plotted aggressive war with the Nazis. Most of Germany's leading lawyers are expected to be briefed to defend the millionaires.

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The Times, in a leader (29.7.46.) after commenting on the final speeches for the prosecution, wrote: "It would be an unreal affectation of impartiality to pretend that the main lines of the ghastly picture of German crimes were ever disputable. It is still, however, necessary to remember that the guilt or innocence of each individual in the dock, on each count with which he is charged, remains in doubt until the Judges have pronounced upon his case. . . . It is moreover to be expected that, as in other tribunals of exalted jurisdiction so in this tribunal, representative of four nations, more than one member will wish to pronounce upon the great matters that have been submitted to the Court. At the same time it is much to be desired, upon grounds that will affect the future of world peace, justice, and civilization, that the main judgment will be delivered by one of their number authorized to speak in terms representative of them all.

The News Chronicle reported (16.8.46.) that, after eight surveys of public opinion conducted by the US Military Government, seven of every ten Germans consider the guilt of all the 22 Nazi war leaders proved. Nearly half those interviewed expect the death sentence to be passed; two in ten believe those found guilty will get life imprisonment or forced labour.

Heavier penalties are expected for Goering, Streicher, Ribbentrop, Kaltenbrunner, Sauckel, Rosenberg and Frank - in that order.

Relatively lighter sentences are expected for the military and naval leaders (Keitel, Jodl, Raeder and Doenitz) and for von Papen, Schacht and Fritzsche. Rudolf Hess, in the eyes of the Germans, is the least guilty of all the defendants: one in a hundred believe none is guilty.

Soviet and Polish Press Comments

As the end of the trial approaches the Soviet and Polish Press have renewed their demands for the death sentence on all the defendants. Moscow (30.7.46.) said: "Rudenko proved to the hilt that it is impossible to differentiate between individual Nazi chiefs in determining the measure of punishment. It would be dangerous for the future of peace and for public morality if even one of the criminals was acknowledged deserving of mercy. The acquittal of one criminal would mean the justification of certain crimes."

THE NUREMBERG TRIAL (Cont.)

The Izvestia (31.7.46.) censures people "who dare to speak of extenuating circumstances" and concludes "let justice be done".

The Pravda (2.8.46.) in a leader wrote: "The Nuremberg trial approaches its final stages. 'Death to the Fascist executioners' - such is the unanimous will of the Soviet and Freedom-loving peoples. Let justice be done. Let the fascist plotters answer for every murder carried out by their orders."

In the Moscow "New Times" (6.8.46.) Michael Gus wrote that: Public opinion in the democratic countries will tolerate no indulgence towards Schacht. He must fully share responsibility with his accomplices and undergo well deserved punishment. There can be only one verdict in the case of Schacht - guilty, and only one sentence - death. This is what justice demands.

In Poland the "Zycie Warszawy" (31.7.46.) wrote: "Poland follows the closing stage of the Nuremberg trial with special interest and trusts that all the accused there will receive the same punishment for their crimes. Death is the only price - though indeed a small one - which the murderers of 20,000,000 people can pay."

Broadcasting from Warsaw (31.7.46.) Edward Serwanski said, in part: "Most Anglo-Saxons appear to imagine that the collective German guilt began only with the advent of Hitler. The German nation wants to prove that Hitler's régime was imposed upon it, that the guilty should be punished, but that the nation as a whole is innocent. In fact, the Hitler régime ruled for only 15 years, but the Wehrmacht is a 200 year-old tradition of continuity of the same principles, political ideas and methods of warfare. German science worked with the Hitlerites, the Wehrmacht and industry in mobilising Germany for aggression, and gave doctrinary support, founded on its several centuries old tradition, to the German aggressive ideology. These three elements constitute the foundation on which Hitler's ideology thrived and the hitherto unheard-of human mass destruction began. All shades of German political opinion contributed to the inspiration of Hitlerite evil, which was the expression of the thousand-year-old political ideology of the German nation. ...

"It is the German nation which is in the dock at Nuremberg, ever the same - now, yesterday, and centuries ago. This fact is appreciated better by the Polish nation, which has suffered martyrdom and humiliation at the hands of the Germans for a thousand years, than it is at Nuremberg."



APPENDIX

CONFESSION OF RUDOLF HOESS.

A BAOR hand-out contained a confession made by Rudolf HOESS while still in British custody. It stated in part:

"He was first at Dachau and then at Sachsenhausen, where he was adjutant to the commandant Baranowski who died in 1941, and also held the position of chief of the internment camp. On 1st May 1941 he was transferred to Auschwitz which was then only a Polish artillery barracks and which he was then to convert into a Concentration Camp for political internees from the eastern areas. His first adjutant was Josef KRAMER of Belsen notoriety. About this time he had a personal conversation with Himmler in which he was ordered to carry out the gassing of internees who were incapable of work, this being assessed entirely on a medical basis.

On his return to the camp he ordered three small peasant houses near the camp (at Birkenau) to be completely cleared internally. They were made airtight and were used for the first of the gassings. The bodies were disposed of by cremation which was carried out in pits near the gas chamber. Approximately one hundred bodies were thrown into the pits which were lined with wood, benzine was thrown over the bodies and the fire was lit. Once the fire was under way other bodies were thrown in and were completely burned. Remains such as bones were taken out, crushed by other internees with wooden sawn-off tree trunks, put into bins and thrown into the River Vistula. At a later stage, in the beginning of 1942, gas chambers were built properly, the new chambers being largely underground and made to look as if they were shower baths. Next to them were erected 5 crematoria which Hoess stated were capable of coping with 2,500 bodies every 24 hours. This process continued all the time Hoess was at the camp. He left on 1st December, 1943, and during the period a total of two million "pieces" were liquidated.

Hoess described the system adopted as follows: Transports arrived, in the early days of 1941 and 1942 entirely from Warsaw, and Budapest and other large towns in the east and to a lesser extent in 1942 and 1943 from Belgium, Holland and France. The people concerned were largely Jews. They arrived at the station in goods waggons. They were taken off the train, selected on the spot for "special handling" (gassing) or for work. Approximately 65% to 70% were taken for gassing and the remainder for work. Hoess stated that when the gassing first started he was simply acting on orders received verbally from Himmler. Later he had misgivings, saw Himmler again and the latter stated that the gassing was necessary because if these people were not exterminated and Germany lost the war then these people would exterminate the German people. When asked in the course of interrogation if he believed in God, Hoess answered "Most emphatically no." When he left Auschwitz Hoess became a staff officer on the Concentration Camp Control Service known as the Wirtschaft Verwaltung Haupt Amt (literally Economic Administration Head Office—an all embracing title). In that capacity he relayed Himmler's orders for the further gassing of what Hoess claims to have been about half a million persons. (In fact evidence given at Belsen and other trials shows clearly that this figure was nearer a further two million.)

Hoess stated that over and above the extermination of Jews there was a systematic extermination on the same lines of all gypsies on the grounds that they were anti-social and did not fit in to the German economic war effort. Orders had been given to him regarding the extermination of gypsies in 1942. As the term "gypsy" itself was considered at that time to be somewhat wide and Hoess's first commandant did not know exactly which



people it included, the order was delayed for a period of time and was eventually carried out in 1943, when it was decided that full-blooded gypsies and such people as could be considered to have a preponderance of gypsy blood in them were to be destroyed. Execution of this order led to confusion, said Hoess, as soldiers were even recalled from the front line for extermination under this order. Hoess continued as a Concentration Camp staff officer at Oranienburg, north of Berlin, until the evacuation of the organization to Flensburg on 24th April, 1945, since which time he has been "missing". He was the subject of a search, the final clue in which was obtained on 8th March and he was arrested at 23.00 hours the same day near Flensburg where he had been working on a farm under the name of Franz Lang. Hoess mentioned that as commandant of Auschwitz he controlled the activity in the crematorium of Otto MOELL, known as the "man of action" who was considered to have done to death more people than any other man and is now under sentence of death in the American Zone."

XVII

No. XVII.

September 23rd, 1946.

UNITED NATIONS WAR CRIMES COMMISSION

(Research Office)

WAR CRIMES NEWS DIGEST.

[NOTE: The above title replaces that of Press News Summary  
used in the early numbers of this series.  
(For internal circulation to the Commission.) R.O.]

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S U P P L E M E N T:

LEGAL LITERATURE

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I.

S U M M A R Y   O F   E V E N T S .

A U S T R I A .

People's Courts.

"Neues Oesterreich" (14.8.46) reviewing one year's activity of the Austrian People's Courts, says: Nobody could say that the proceedings of the Austrian People's Court are too slow and cumbersome. Sentence would have been passed long ago on Seyss-Inquart, Kaltenbrunner and Schirach had they been in our hands. As it is, our People's Courts have had to be satisfied with less prominent but no less guilty Nazis. We must draw attention to one important fact. Nothing has been heard so far of any prosecutions against the Austrian traitor generals, LOEHR, RENDULIC, von BOEHME and others. This restraint towards military war criminals is deplorable, because it is because of them more than anybody else that so many Austrians had to pay with their lives for the Hitlerite war. The Austrian people would be only too happy to know those great losers of battles among the 2,300 persons at present in the prison of the Landesgericht, over two-thirds of whom are Nazis. . . . . The verdicts so far pronounced have met with a ready response in the popular sense of right and wrong. During their year's work the Austrian People's Courts have restored the reputation of Austrian justice in Austria and abroad, and shown the Allies that Austria is determined to extirpate the spirit of National Socialism.

The Trial of Pilz (Stein Murders).

Radio Vienna (24.8.46 and 31.8.46) announced the ending of the Stein trial at which PILZ and 14 Nazi officials were accused before the People's Court of the murder and torture of 200 prisoners in April 1945. On 24.8.46 the Public Prosecutor demanded the severest penalty. On 30.8.46 the President, Dr. HOFMANN, delivered judgment. Leo PILZ, Inspector Alois BAUMGARTNER, Administrator Eduard AMBROS, Anton POMASSL, and Franz HEIMISCH (guards) were sentenced to death. Six other defendants were sentenced to imprisonment, and four were acquitted. Karl ROSENKRANZ was sentenced to three years' penal servitude; Johann SEITNER, Heinrich KEYZEL, Franz JAEGER and Adolf BIER were acquitted.

Trial of Doppelreiter, of Mauthausen.

"Neues Oesterreich" (24.8.46) reported: Franz DOPPELREITER, SS-Unterscharführer and former head of the "Political Division" of the Mauthausen concentration camp, was sentenced to death by hanging on August 23rd, after a trial lasting several days before a People's Court, for torture and ill-treatment of inmates of the camp.

Frauenfeld Trial: Indictment.

Radio Linz (27.8.46) reported: The Public Prosecutor's Office of the Vienna People's Court announces that the former Head of the Vienna Office of the Reich Propaganda Ministry, Eduard FRAUENFELD, has been charged with being a war criminal. FRAUENFELD, whose name was on the first Austrian war criminals' list, was arrested in Tyrol.



Requested Extradition of Sepp Dietrich.

"Arbeiter-Zeitung" (3.9.46): The Austrian Government has asked the American authorities in Germany for the extradition of the SS-General Sepp DIETRICH, who was sentenced to life-long imprisonment by an American court in Dachau last July. Dietrich is charged with committing various crimes, including the destruction of Vienna and the death by shooting of Austrian patriots. If the request for extradition is granted, he will come before the People's Court.

[Note: Sepp Dietrich was sentenced to life imprisonment in July 1946 by a United States Military Commission, at Dachau, for his part in the Malmédy murders. See No. XV of this series, page 4.]

Arrest of Rauscher.

"Wiener Zeitung" (6.9.46): Karl RAUSCHER, former Gauleiter of Lower Austria has been arrested at Kitzbushel by the Austrian Police.

[Rauscher had been a member of the National Socialist Party since 1931 and even before the Anschluss; he was a Gauleiter in the prohibited National Socialist movement.]

Arrest of Stuschka, ex-Commandant of Wulkow.

"Oesterreichische Volksstimme" (3.9.46): Franz STUSCHKA, a former SS-Obersturmführer and Commandant of the Wulkow concentration camp and born at Liesing, has been arrested at Weinberg near St. Gilgen. He is accused of having taken part in the murder of 20 concentration camp inmates.

C Z E C H O S L O V A K I A.

Forthcoming Trials.

Kurt Daluege for trial.

An Agency message of 26.8.46 said: Kurt DALUEGE, former SS. general, and "protector" of Bohemia and Moravia, is to be tried as a war criminal by the Czech People's Court in September.

Albert Goering and Toussaint for trial.

Prague radio (31.8.46) reported: Members of the Czechoslovak War Crimes Commission escorted to-day to Pilsen 16 war criminals handed over to Czechoslovakia by the Supreme Command of the U.S. Forces in Germany. Among the criminals are the former Director-General of the Skoda Works, Albert GOERING, and Rudolf TOUSSAINT, the former German General and Commander of the Prague Garrison during the Revolution.

Dr. Schwab on trial.

The Prague radio (4.9.46) reported: The trial of Dr. SCHWAB, former Provincial Vice-President of Moravia and SS. Hauptsturmführer, began before the People's Court in Brno.

[Schwab is a prominent Czech Nazi, who became Vice-President of Moravia.]

D E N M A R K

Interrogation of General Lindemann.

The Oslo radio (29.8.46) reported: The Danish representative at Nuremberg has now interrogated General von LINDEMANN, Chief of the German occupation forces in Denmark at the time of the liberation. The latter explained that in 1944 he received orders from Hitler to carry out a scorched earth policy in Denmark. Three days before the capitulation he received orders from Germany to fortify the frontier and to offer the utmost resistance to British forces. He was further told to send troops to the Eastern Front, but the Danish Resistance Movement prevented this. He also allocated troops to SS. General Pancke to guard industrial installations. Lindemann realised however that it was useless to continue the struggle and surrendered.

G E R M A N Y.

Trials by German Courts.

The Aschendorfer Camp Trial (Herold and others).

With reference to this trial, which took place before a German court at Oldenburg (see No. XV of this series, page 3), some further details were given in BAOR. Press releases (15.8.46 and onwards).

Aschendorfer Moor, in Westphalia, was a penal camp, mostly for German soldiers; HEROLD an ex-lance-corporal, stole a dead Luftwaffe officer's uniform and posed as a captain. He appeared at the camp one day, with the other defendants, one of whom posed as a doctor, and ordered the shooting of a number of the inmates; after a mock trial he also ordered the execution of five Dutchmen, and appropriated their valuables for himself. The Public Prosecutor, summing up, maintained that the mass executions were undoubtedly illegal, and that the defendants were all guilty of murder.

[A Reuter message from Herford (31.8.46) stated that Herold and six other defendants were found guilty and sentenced to death.]

Trial of Gähler.

"News of Germany" reported (26.8.46) from Mannheim: In its first session, the de-Nazification court here tried Friedrich GÄHLER, 55, Nazi party member and commissar in German-occupied Poland, classifying him as a major offender. He was given a three-year labour camp penalty combined with confiscation of all property.

The Obrawaldo Murders: Appeals rejected.

The Berlin radio (26.8.46) reported: The Berlin Court of Appeal has rejected appeals of Dr. Hilde WERNICKE and Nurse Helene WIECZREZ against death sentence passed by Berlin Court on March 26th. They were held responsible by court for murder of 600 mental patients by poison injections at Obrawaldo, near Meseritz.

G E R M A N Y (Cont.)

American Zone.

Declaration by Mr. Byrnes.

Mr. Byrnes, U.S. Secretary of State, in his speech at Stuttgart on September 6th, said: "The Nazi war criminals are to be punished for the suffering they brought to the world."

Death Sentences on Hermann Noack and Boehs.

"News of Germany" (15.8.46) reported from Dachau: Hermann NOACK, accused of having shot grounded American fliers, has been sentenced to hang by an American military court here. Karl Georg BOEHS who participated in the shootings has been sentenced to eight years' jail. Noack, airport commandant, was convicted of the actual killing; Boehs, his driver, was found guilty of aiding him.

Arrest of Leideritz.

"News of Germany" (15.8.46) reported from Darmstadt: Peter LEIDERITZ, former Gestapo chief of Kolomea in Poland, and his wife have been arrested by police here. He was hiding in the Odenwald mountains. Leideritz is accused of the murder of thousands of Jews in Kolomea; his wife is suspected of being his accomplice."

Arrest of Hackmann.

"News of Germany" (3.9.46) reported from Kassel: Former adjutant of Buchenwald concentration camp, Hermann HACKMANN, has been arrested here, and is being held for trial as a war criminal. Hackmann, who carried out the brutal orders of the infamous camp commandant, Karl KOCH, had escaped capture through an error. He was discovered in a prison cell at Dachau, under death sentence; assuming that a condemned man in Dachau must be an anti-Nazi, the liberators gave Hackmann his freedom.

Arrest of Puntzengruber.

The American News Service reported on 8.2.46: Dr. Rolf PUNTZENGRUBER, stated to be former assistant of Dr. RASCHKE, who carried out experiments on prisoners in Dachau concentration camp to find out how long people could live in ice-cold water, is now in prison. He was arrested by American C.I.D. men.

[See Summary of Information No. 41 for prisoner's complicity in Dr. Rascher's crimes.]

Gestapo Chiefs for Trial.

An Associated Press message from Berlin reported, on the authority of the U.S. Military Government: "Nine more Germans, including several notorious Gestapo leaders, have been delivered to the British, French and Czechoslovak authorities for trial on charges of committing war crimes. Britain gets two of them. They are: Max MUNCH, former criminal secretary of the Gestapo in Dresden, who is charged with the murder of 50 R.A.F. officers from Stalag Luft 3, and Vincent KLOSE, a former Waffen SS. leader.

[See also under British Zone below; neither MUNCH nor KLOSE is on the UNWCC. lists.]



GERMANY (Cont.)

U.S. Black List of Nazis.

An Agency message from Frankfurt (13.9.46) stated: "The U.S. Army in Europe has issued a new 'Rogues' Gallery' of 165 Germans wanted by the American authorities for questioning or arrest. The list includes Nazi SS. leaders, scientists and former officials. They include a close friend of Goering, men at the head of the Nazi Economic and Finance Ministry in Holland, three special envoys on Himmler's Gestapo staff, and a rocket scientist.

British Zone.

T r i a l s

The UNWCC has been informed of the following results of trials:

(a) Press releases.

Beendorf Camp Trial.

A BAOR Press release (14.8.46) stated: Sentence of death was imposed at the War Crimes Court in the Curio House, Hamburg, on 13.8.46, on SS. Rottenführer BRUNKEN, one of the four members of the staff of BEENDORF Concentration Camp, who have been facing trial there. He and the camp commander, POGGENHAGEN, were found guilty of killing and mis-handling subjects of Allied nations. The latter was sentenced to fifteen years' imprisonment. BRETTSCHEIDER was sentenced to five years for ill-treating subjects of Allied nations, while the fourth accused, BLOECHER, was found not guilty.

The Trandum Trial: (27.8.46).

Some particulars of this trial, in which Peter GOTTLING and 13 other German security police, members of an execution commando, were accused of killing six British prisoners of war at Trandum in Norway, in January 1943, were given in BAOR handouts. (See No. XV of this Series, page 7.)

The trial was held in the Curio House, Hamburg. The prosecution showed that the British prisoners of war, who were all in uniform, were members of two commandos, one of which was engaged in the operation ("Frashman") directed against a "heavy-water" factory in Norway, while the other was seeking to destroy the battleship "Tirpitz". In January 1943 the six British prisoners of war captured during these operations were confined in a prison at Oslo, where the Gestapo maintained a special detachment for executing prisoners. The six British prisoners of war were taken one night, manacled, to a wood near Trandum, and were shot next morning by the execution commando. The prosecution contended that the defendants knew that this was a murder, and not a lawful execution.

Defence counsel argued, on the other hand, that the execution was carried out in pursuance of the Führer Decree—which he admitted was a breach of International Law—but that the defendants had not taken part in it voluntarily, having acted under military orders. He relied also on clauses of the British Military Code, which, he said, laid down that soldiers who commit acts violating the laws of war by order of their commanders are not themselves war criminals. The defendants could not, he maintained, have refused to obey without being guilty of mutiny.

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G E R M A N Y (Cont.)  
(British Zone)

A B.A.O.R. Press release (27.8.46) said that nine of the defendants, (PEUKER, MUELLER, PENNING, SCHNEIDER, BOELK, BÄHLINGER, BAULDAUF, ENGEL, RONNEFELD) were sentenced to fourteen years' imprisonment; the three drivers (GOTTLING, EITLING and KORNEFELD) and DICKER, who was shown not to have been present, were acquitted.

(b) Cabled summary of trials.

29.8.46.- Trial of Georg STUTZ.

STUTZ was tried at Recklinghausen on the 22nd August for ill-treating and killing British prisoners of war, and was sentenced to be shot.

29.8.46.- Trial of Wilhelm Leers.

LEERS, a former KAPO, was tried at Hamburg on August 23rd for ill-treatment and killing of Allied nationals, and was sentenced to be hanged.

[Leers was described by witnesses as a brutal and ruthless man; he had beaten a Czech with a cudgel so severely that he died next day. A Russian, who was hanging from a beam by his hands tied behind his back, was beaten by Leers so severely that he died in the following night. Leers, in his defence, denied that he had ever used a stick, and said that the Russian died from taking poison. Leers had been in the witness-box during the first Neuengamme trial.]

4.9.46. - Trial of Albert Ernst.

ERNST was tried at Hamburg on August 29th for ill-treatment and killing at Neuengamme; he was sentenced to be hanged.

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Trial Notices in the Press.

Sachsenberg and Loewenberg Hospital Trials.

The Times reported (18.8.46) from Hamburg: "A woman nurse and three male nurses accused of being responsible for the death of between 500 and 700 people have been sentenced to death at Schwerin (Mecklenburg) for 'crimes against humanity.' They were alleged to have given overdoses of drugs to adult patients in Sachsenberg hospital and children in Loewenberg hospital with intent to murder them. They admitted killing between 20 and 40 people, but said they had acted on the orders of a doctor now missing. Six other accused persons were acquitted.

Forthcoming Trial at Bochum.

An Agency message of 9.9.46 stated: Five Germans, accused of the torture and murder of three British R.A.F. prisoners in March, 1945, will be tried by a British military court in Bochum, Ruhr, on September 17th.



G E R M A N Y (Cont.)

A r r e s t s.

Mauthausen Camp Leader, Bunke, arrested.

Reuter reported from Hamburg (27.8.46): Fritz BULKE, former leader of the Labour Camp in the concentration camp at Mauthausen, has been arrested. He was recognised in Berlin by a former camp inmate.

Himmler's former Adjutant arrested.

B.U.P. reported (31.8.46) from British H.Q.: General Werner von ALVENSLEBEN-SCHOCHWITZ, Himmler's chief adjutant from 1938 to 1940, has been arrested in Hamburg by British Security officers. The general, who is high on the British "wanted men" list, was disguised as a farm labourer, and was captured while trying to get ration and identity cards from a police station. He is 46 and 6ft. 3ins. in height. In a statement he admitted he had been a "fanatical Nazi" from 1919 to 1929.

Arrest of Gauleiter Grohe.

The Sunday Times (8.9.46) reported from British H.Q.: Joseph GROHE, one of the first 15 members of the Nazi Party, who rose to great power as Gauleiter for the Cologne-Aachen area, and Reichskommissar for Northern France and Belgium, has been arrested by British Intelligence Agents. Grohe, who is wanted for many war crimes committed under his jurisdiction, was the last Nazi Gauleiter at liberty. He was arrested in a small farmhouse at Warburg, near the British-American border. One of his last war acts was to order the blowing up of the five Rhine bridges at Cologne, when the Americans were hammering at the city gates. One was destroyed while refugees were streaming across it, and many lost their lives.

Arrest of Bruchsein.

The Daily Telegraph (11.9.46) reported the arrest of Fritz BRUCHSEIN, an SS. Chief, in the British zone of Germany. It was expected that this arrest would bring to light details of the shooting of 100 prisoners of war of the Royal Warwickshire Regiment.

Arrest of Munch.

In connection with the arrest of MUNCH, a former high official of the Gestapo in Dresden (see above under American zone), A Reuter message of 13.9.46 said that this man would be sent to Britain for trial (sic; ? interrogation) on a charge of being responsible for the murder of R.A.F. officers at Stalag Luft 3, in May, 1944.

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GERMANY (Cont.)

Russian Zone.

The Oranienburg Trial.

Reuter reported from Berlin (27.8.46): Fifty former guards of Oranienburg (Sachsenburg) concentration camp near Berlin will be charged with the murder of more than 100,000 inmates before a war crimes court, opening in Berlin this week. As most of the victims were Russian there will be no British judges at the trial. British observers will attend.

G R E E C E.

In a debate in the Paris Conference (14.8.46), M. TSALDARIS (Greece), replying to an attack by M. KOULICHEV (Bulgaria) declared, as reported in the Daily Telegraph, that M. KOULICHEV was a war criminal, and that he was "listed in decision No. 307 of the War Crimes Commission."

General Marinov.

The Daily Graphic (29.8.46) published a photograph of the UNWCC certificate, dated July 31st, relating to General MARINOV, formerly commanding the 15th Bulgarian Division at Monastir, now Bulgarian Minister in Paris (see in this connection No. XII of this Series, pp.8, 9). The newspaper described the certificate as an "open letter, released on July 31st." This error was, however, corrected in the next issue of the paper on 30.8.46.

I T A L Y.

British troops in Italy.

The Times (30.8.46) reported the opening of a trial, before a British military court, of ten Italians, two of them women, and two Germans on a charge of torturing a flight sergeant, Royal Air Force, who crashed in Northern Italy in August, 1944.

L U X E M B O U R G.

An Agency message reported the arrest, about 3.9.46 of HARTMANN, former Gestapo chief in Luxembourg, accused of illegal executions of strikers in 1941.

N O R W A Y.

Wagner Trial postponed.

Oslo radio reported 13.8.46 that the trial of the German police officer Wilhelm WAGNER had opened. He is charged with being responsible for the arrest of 531 Norwegian Jews and their deportation to Germany. They were all interned in an extermination camp and only ten returned to Norway. Wagner pleaded not guilty. His defence counsel having requested that the case be postponed till the Nuremberg sentences had been pronounced, it was adjourned until 1st October.

N O R W A Y (Cont)

Trial of Arndt and Weimann.

14.9.46. A Reuter message from Oslo stated that two Gestapo officers, Johann ARNDT and Dr. WEIMANN, had been sentenced to death for war crimes by the Bergen Assize Court.

P O L A N D.

T r i a l s.

Trial of Amon Goeth, ex-commandant of Plaszow.

Warsaw radio (28.8.46 - 3.9.46) reported that the trial of GOETH opened at Cracow on 27.8.46 before the Supreme National Tribunal. Dr. CYPRIAN was one of the two public prosecutors. The prisoner was charged with personally exterminating whole groups of the Polish population, and torturing Polish and other Jews. Altogether, GOETH caused the death of some 8,000 people at Plaszow and an unknown number in the Tarnow ghetto. He had also misappropriated valuables and personal belongings of internees amounting to many millions of zloty.

In the first five days of the trial, witnesses gave evidence of cruelties and executions in which GOETH personally took part. GOETH pleaded in defence that, in war, all measures, however, inhuman, were permissible.

Dr. CYPRIAN, summing up for the prosecution, said that the Germans had planned to exterminate 30,000,000 Slavs, the Poles being first on the list. He demanded the death-penalty.

Warsaw radio (5.9.46) reported that GOETH was sentenced to death on that day.

Two Women Prison Camp Officials sentenced.

Warsaw radio reported (5.9.46): The special court in Wroclaw (Breslau) passed sentence of death on Elsa HEIM and Elfrieda ZELENKER, both of the Nazi Labour Camp for Women in Piotroles. The former had, as Camp Commandant, ill-treated women inmates and in many cases sent them to their deaths in the Oswiecim Crematorium. ZELENKER deputised for her in her absence and was equally cruel.

Trial of Maidanek Officers.

Warsaw radio (29.8.46) reported: The Special Court in Lublin will shortly try these former executioners of the Maidanek camp: General Hilmar MOSER, Major Hans WAGNER and Willy REINARTZ. Moser was Military Commander in Lublin; on his orders war prisoners were shot at Maidanek. Reinartz, who was in the medical service at Maidanek, chose the weakest of the inmates every day and personally took part in their execution. Major Wagner was in charge of the bloody tyranny in the Sobidor camp.

Demand for Forster to be tried in Torun.

Radio Warsaw (30.8.46) reported: The Torun National Council has appointed a special delegation which will go to Warsaw to demand that FORSTER should be tried at Torun.



P O L A N D (Cont.)

T r i a l s.

Appeals rejected.

Warsaw radio (2.9.46) reported: President Bierut has refused a reprieve to three Hitlerite criminals sentenced to death by Special Courts. The following have accordingly been executed: Herman MENDEL, Adam KALARUS and K. GRUDZINSKI

A r r e s t s.

Dalecki, Maidanek executioner, arrested.

Warsaw radio (10.9.46) reported: The security authorities in Gliwice (Gleiwitz) have arrested P. DALECKI, who was a special executioner, and at one time head of the crematorium in Maidanek. He will be tried by a special court.

War Criminals brought to Stettin from Germany.

Stettin announced (6.9.46): A party of war criminals extradited to the Polish authorities by the Occupation Powers has arrived in Stettin. They are mostly Gestapo and SS. officials, but include a number of Polish renegades, who had maltreated their compatriots in concentration camps. There are at the moment 43 German war criminals in Stettin prison awaiting charges

Arrests and Surrenders.

War Criminals handed over by U.S.

The Warsaw radio reported (24.8.46) that two German war criminals Arthur FIEBEHEN, former head of the concentration camps in Oswiecim (Auschwitz), Lublin and Budzyn, and Herbert ZAECKER, police chief of the former Government-General, are to be handed over to the Polish authorities in the near future by the U.S. occupation authorities in Germany.

The same source reported (29.8.46) that the chief of the Polish Military Mission for War Crimes in Paris said the U.S. Authorities had handed over 100 war criminals to Poland.

S P A I N.

Repatriation of Nazis.

The Associated Press reported from Spain (21.8.46): The Spanish Foreign Office to-night publicly called on 110 important German refugees in Spain, whose repatriation has been sought by the Allies for more than a year, to present themselves at Bilbao on September 1st for return to Germany in the United States vessel Marine Marlin.

The Germans include: Captain Kurt DOEHNER, former naval attaché, General Eckh KRAMER, air attaché, Hans LOVEL, assistant naval attaché, Bernhard MET, a prominent engineer, Basil WILHELM, chief of the Nazi party in North Spain, Ernest SCHEMANN, head of the German News Agency, and Hans DENCKER, a prominent Gestapo agent in North Spain.

S P A I N (Cont.)

Escape of Degrelle.

According to a statement broadcast by the Brussels radio (26.8.46) the Belgian chargé d'affaires in Madrid learned on 21.8.46 that Degrelle was about to be given conditional freedom (liberté surveillée) and ordered to leave Spain within a week. On August 24th, the Spanish Ministry of Foreign Affairs announced officially that DEGRELLE had left Spanish territory during the night of 21st-22nd August, in accordance with the expulsion order. The Belgian representative immediately asked for details, but in vain.

On 31.8.46, the Spanish Government issued a statement, which said, in part: Since the arrival of Degrelle on national territory, in abnormal international circumstances, the Spanish Government, serving the general interests of the nation affected by his presence, decided to refuse a formal authorisation to reside in Spanish territory to the Belgian exile, then in hospital owing to wounds suffered when his aircraft landed. When the Belgian Government claimed his extradition, on the basis of international agreement, the de jure question was submitted to the State Council, whose report disagreed with the conclusions of the Belgian Government. The Council ruled that, in accordance with the clauses of the Spanish-Belgian Agreement on the extradition of criminals of 17th June, 1870, and the Supplementary Declaration of 28th January, 1876, those accused of political crimes were exempt from extradition. It was the requested country's business to determine when in doubt, whether the offences on which the request for extradition was based were or were not included in the Agreement. The State Council judged that the charges against Degrelle were of a political character. .... Lately, Degrelle having recovered and pressing demands for his expulsion having been made by the British and U.S. Governments, the Spanish Government agreed on his expulsion within eight days. Degrelle left Spanish soil before this period expired.

Alleged disappearance of Nazi female agents..

An Agency message (2.9.46) reported that three women—Elizabeth ADAMEK, Countess PODEWILS, and Hildegard LINDENBERG—described as Nazi agents "in the Allied list of war criminals" (+) disappeared after being rounded up for deportation from Spain.

LINDENBERG was stated in the message, to be the head of the women's organisation in Spain.

U N I T E D K I N G D O M.

Generals returning from Nuremberg.

The press of 20.8.46 reported the arrival in England of the following German generals returning from Nuremberg: Field-Marshal RUNDSTEDT, General WOLFF, General EEBERBACH, Lt.-General BOURQUIN, Lt.-General TRETTNER, General ROETTIG, Lt.-General BEEREN, Vice-Admiral HOHNHORST, Vice-Admiral MACHENS, General PETCH, Major-General MENNY, Major-General STENGLEIN and General TITTEL.

Escape of Lenzel, alleged war criminal.

The Press of 10.9.46 reported the escape, from a prisoner of war camp in Essen, of Rudolf LENZEL, said to be awaiting trial for war crimes committed while in the Gestapo.

YUGOSLAVIA.

Death sentence on SS. General Erwin Roesener.

The Tanyag Agency reported (17.8.46) the opening of the trial of six traitors and war criminals, including the German SS. Police General Erwin ROESENER, former chief of SS. Police in Slovenia, who was accused of deportations of 60,000 peasants for slave labour in Germany, mass-executions of hostages, and murders of British and United States parachutists.

It was announced on 30.8.46 that General ROESENER was sentenced to death on that day; the Tanyag Agency reported that he was hanged on 4.9.46.

Von Kleist to be tried in Yugoslavia.

The Daily Telegraph (4.9.46) reported: Field-Marshal von KLEIST, commander of the German troops who occupied Belgrade on April 13th, 1941, is to be handed over by Britain to Yugoslavia, at the request of the Yugoslav Government, for trial as a war criminal. Kleist, who is in the United Nations War Crimes Commission list of persons suspected of war crimes, has been brought to London from a prisoner of war camp at Bridgend, Glamorgan.

Transfer of War Criminals.

The Yugoslav "Borba" (28.8.46) published the following complaint against the British and French authorities: By an agreement with the British Government the Yugoslav State Commission asked for the arrest and handing over to Yugoslavia of 13 war criminals located in Borghorst. On the 10th August these war criminals were arrested and then transferred to Osnabruck. The British Military administration there, instead of extending facilities to Yugoslavia to continue the transport of the criminals, released them all. The U.S. Command in Wiesbaden refused to hand over to the Yugoslav authorities 17 war criminals registered as such in the Supreme International Commission in London although the Commission had decided they should be handed over. Similar steps were taken by the French occupation authorities. .... The article contends that such behaviour by the Allied authorities is in direct contradiction with the Moscow and Crimea declarations as well as with Article 29 of the Peace Treaty with Italy.

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THE FAR EAST .....



THE FAR EAST

THE INTERNATIONAL MILITARY TRIBUNAL  
AT TOKIO

The Ex-Emperor Puyi

An Associated Press Cable from Tokio (19.8.46.) reported the appearance of Puyi in the witness box. He maintained that he had become a "puppet" of the Japanese in order to await the day when China was ready to strike back. Refusal to co-operate with them would have endangered his life.

To this the Chief Judge, Sir W. Webb replied that fear of death did not constitute an excuse for treason.

In reply to the Chief Prosecutor, Mr. Keenan, the ex-emperor asserted that none of the ordinances governing the Manchurian people were issued by himself. In regard to a particular treaty with Japan, he said he had not known of its existence till the Japanese ambassador went to the Manchukuo Prime Minister and said "Here is a treaty: sign it".

Arrest of Puppet Government Officials

An Associated Press cable from Tokio reported (19.8.46.): Allied Headquarters ordered the Japanese Government to apprehend four Chinese puppet government officials and deliver them to Sugamo Prison by midnight, August 25th.

The Daily Telegraph reported (6.9.46.) that recordings of certain interrogations of the major criminals now on trial at Nuremberg are to be flown to Japan for use as evidence in the trial of Japanese war criminals.

Pearl Harbour Documents Demanded.

The Tokio radio announced on 6.9.46. that the S.C.A.P. had ordered the Japanese Government to produce all secret orders on the Pearl Harbour attack and related operations to the Prosecution Section by Monday 9th September. The order specifies Order No.1, dated 5th November, 1941, including the secret radio messages sent by the Japanese navy and Gaimusho to the Japanese Consul-General in Honolulu 90 days before Pearl Harbour.

Threat to Kill Stalin

An Exchange telegram, 11.9.46. said that on September 10th it was admitted at the Japanese war criminal trial, that in 1938 the Japanese diplomatic service sent agents to Russia to assassinate Stalin.

J A P A N

Suicide of Admiral Shiro Sato

An Associated Press message from Yokosuka, Japan, reported: Rear-Admiral Shiro Sato, ex-commander of the Japanese naval forces in the New Guinea area, killed his wife and two children while they slept at Yokosuka, Japan, and then took his own life with the same pistol. He left a note expressing a feeling of degradation at Japan's defeat.

## C H I N A   A N D   H O N G K O N G

### Trial of 23 Germans at Shanghai

The Times reported from Shanghai (27.8.46.): The trial has opened in Shanghai of Ludwig Ehrhardt and 22 other Germans, former members of the German military intelligence network in the Far East, known as Bureau Ehrhardt, before a United States military commission sitting at Ward Road gaol. The general charge is that, while residing in China, they violated the terms of the German unconditional surrender by continuing military activities against the United States. The accused pleaded Not Guilty, and the trial was postponed three weeks to allow the defence to prepare their case.

Reuter reported from Hongkong (28.8.46.): Lieutenant-General Tanaka, Governor of Hongkong during the last phase of the Japanese occupation, has been taken to Shanghai from Canton to face a war crimes trial. General Tanaka is wanted by the United States military authorities in Shanghai in connection with the killing of American airmen in South China, including Hongkong.

The Times reported from Shanghai (3.9.46.): The war crimes trial, before a United States military commission, of members of the Japanese court-martial and others who were responsible for the illegal trial and execution of the American airman Major David Hauck has ended. Lieutenant-General Tanaka, former governor-general of Hongkong, and Major-General Fukuchi, chief of the staff, were sentenced to death by hanging and three members received life sentences.

### The Lisbon-Maru Trial at Hongkong

A Reuter message from Hongkong (28.8.46.): The story of the sinking of the s.s. Lisbon Maru on October 1, 1942, in which 846 British and Canadian prisoners of war lost their lives, was told at a War Crimes Court here to-day, when Ninimori, Japanese interpreter in Hongkong, faced eight counts of committing atrocities against P.O.W.s. Genichiro, it was said, ordered the prisoners to be battened down in the holds whilst the vessel was sinking, and, when they burst open the hatch covers, he ordered the Japanese guards to fire. Ninimori was also accused of brutal assaults on prisoners and thefts of Red Cross parcels.

## S I N G A P O R E   A N D   P A C I F I C

### Statistics of Trials

A Press message from Singapore (25.8.46.) gave the following data regarding war crimes trials: To date, war crimes courts have dealt with 317 accused Japanese in 110 trials. Death sentences have been passed on 130 Japanese, of whom 83 have been hanged. There have been 16 suicides of Japanese awaiting trial.

### Executions at Singapore

Reuter reported from Singapore (12.9.46.): Fourteen Japanese, condemned for war atrocities, were executed at the Changi Jail, Singapore, yesterday. Lieutenant Kokubo, commander of a prisoner of war camp on the Siam-Burma "death railway" - who was also to be hanged yesterday - had his fate postponed at the request of war crimes investigators. He is wanted as a witness in another "death railway"

SINGAPORE AND PACIFIC (Cont.)

trial beginning on Monday. He will go to the gallows as soon as he has given evidence.

Three more Japanese were sentenced to death by Singapore War Crimes Tribunal (11.9.46.) on charges of ill-treating and causing the death of British, Dutch, and American civilian internees at Singapore's Sime Road Camp.

Australian War Crimes Data

The Press of 2.9.46. gave the following data, issued by the Directorate of prisoners of war in Australia: Australia arrested 2,200 of 3,800 Japanese hunted by her as war criminals and executed 60 of them. Of those executed, 35 were hanged and 25 shot. Sentences of from five years to life imprisonment were confirmed on 226 other Japanese. About 70 per cent of the Japanese responsible for thousands of deaths along the Burma-Siam railway had been arrested.

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THE NUREMBERG TRIAL  
AND "SUBSEQUENT PROCEEDINGS"

End of the Hearings

Counsel for the defence having concluded their statements the closing speeches for the prosecution began on 29.8.46.

Indictment of the High Command and General Staff.

Sir D. Maxwell Fyfe appealed to the Court to condemn the six indicted organisations. In regard to the High Command and General Staff he said, in part, that: The men involved had joined in wars which they knew were unjust wars of aggression, and had borne essential parts in deeds which, in the hands of their immediate perpetrators, were undeniably war crimes and crimes against humanity. ... They knew that they were doing what was wrong, but they now say Befehl ist Befehl - an order is an order.

After citing the examples of great soldiers who had obeyed the voice of conscience, Sir D. Maxwell Fyfe continued: These men of all men knew their leader to be a callous murderer, yet for years they had met in conference after conference to sit at his feet and listen to his words. They had fed his lust for power and enslavement with the best of their military skill. ... When their own cities were bombed they had called it murder. Only in July, 1944, when Hitler's star was dimmed, did three field-m Marshals and five colonel-generals recognize that he was murdering also their country and take action.

General Telford Taylor, U.S. prosecutor, said: There was no doubt that the task of these men had been the direction of the armed forces, and they had aided and abetted murder. They had not only taken part in plans of aggression against Czechoslovakia, Poland, and other countries, but they had also shown their delight with the results. They had supported Hitler because they wanted a big army and they wanted strategic and military advantages. On essential objectives of national unity and armed might there had been complete agreement between the Nazi Party and the Wehrmacht. The Wehrmacht had not been led by reluctant men, but by men who worshipped armed might.

M. Champetier de Ribes, the French chief prosecutor, declared it was not the prosecution's intention to demand severe verdicts against all members of indicted organisations when they were brought to subsequent trial; it had nowhere been stated that all members would be arraigned, but in his view only those should be brought to trial who were aware of their organisation's criminal activity and yet continued to share in its membership.

Indictment of the "S.A."

In his closing speech on 30.8.46., Sir D. Maxwell Fyfe recommended to the tribunal that modification should be made in the branches of the S.A. it was desired to declare criminal. All members of the Stahlhelm who resigned or were ejected from the S.A. before December 31, 1945, might also be excluded; with other exclusions, the number that could not be absolved from major responsibility for crimes committed by the S.A. and by the Nazi Government of which the S.A. was one of the essential bulwarks was thereby reduced to 2,500,000.

THE NUREMBERG TRIAL (Cont.)

On the conclusion of the proceedings, after 217 days hearings, Lord Lawrence expressed the appreciation of the Tribunal both to the counsel for the defence and the prosecution. The Tribunal then adjourned, at first till September 23rd, by which date it was then expected that judgment could be delivered. On September 17th, however, it was announced that, owing to the mass of evidence which had to be examined, the judgment must be postponed until September 30th.

The Press (22.8.46.) noted the presence in the court of Lord Wright, Chairman of the U.N.W.C.C., Mr. Tom Clark, American Attorney General, and Mr. McKenzie King, Canadian Prime Minister.

The Daily Telegraph reported from Nuremberg (3.9.46.): During recess, most of the judges will work on documents in their quarters, assembling from time to time for the joint discussion of issues. Only during the latter part of the recess will they meet in consecutive joint sessions for the drafting of judgments. ... Many of the defence counsel, who were thanked by Lord Justice Lawrence at the conclusion of the hearing, are remaining at work during the recess. Some are preparing clemency pleas for submission to the Control Council in the event of their clients being found guilty.

The same paper reported on 13.9.46.: Under the tribunal's charter a vote of three to one is necessary for a death sentence, but on all other issues Lord Justice Lawrence, the President, has a casting vote.

The Times, 17.9.46., reported from Berlin: By unanimous decision of the Allied Control Council there will be no announcement of the exact time or place of any executions resulting from the Nuremberg trial until after the executions have taken place. The Allied Control Council has also decided that after sentences have been pronounced, an announcement agreed on by the four Powers - Britain, the United States, France, and Soviet Russia - will be issued.

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Some idea of the large quantities of stationery and other supplies consumed during the trial can now be obtained. It is estimated that the production of a daily transcript of the court proceedings in four languages has used 50,000 duplicator stencils and 25,000,000 sheets of duplicating paper in foolscap size.

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Dr. Ecer's Lecture on the Nuremberg Trial

(Prague Radio, 4.9.46.): Gen. Dr. Ecer gave a lecture in Prague to-day on the Nuremberg trial. He said that from the trial it could be seen clearly that the last chance of averting war was in autumn 1938. Nuremberg proved that the way to Munich was the road to war. Had Daladier and Chamberlain at that time chosen the road to Moscow instead of Munich, the war could have been prevented. The trial also showed that the German "Drang nach Osten"



THE NUREMBERG TRIAL (Cont.)

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THE NUREMBERG TRIAL (Cont.)

was directed against the Slavs. For this reason the Czechs would help whole-heartedly in rebuilding world security and would pursue a policy of Slav solidarity. The trial also showed the moral value of a humanitarian ideology. The most important aspect of the trial was the unity of all the Allies. It would be of the greatest importance if similar unity prevailed elsewhere.

SUBSEQUENT PROCEEDINGS

The Daily Telegraph correspondent reported from Nuremberg (5.9.46.) that the 21 accused Nazi leaders awaiting their fate in the Nuremberg gaol would be further interrogated by special officers of the International Tribunal. The questioning was intended to get information which would be of use in subsequent war crimes trials.

The same correspondent reported, 7.9.46.: The question of whether or not to conduct a trial of the Nazi industrialists in four parts is now, I understand, under consideration at Cabinet level in London, Washington, Moscow and Paris. I learn here that even if the project of the international trial should be abandoned . . . the trials of the industrialists will still take place in each zone. The special team of 13 American interrogators continued their task in the court house here to-day. . . . Evidence collected will not be used solely for the trials of industrialists, but also for criminal proceedings in the United States zone against Nazis accused of war crimes and pre-war delicts. Document-searching teams are at work in Berlin, Washington and other centres, preparing evidence for these proceedings.

The Moscow radio, 11.9.46., broadcast a commentary by Chernyavsky, who said, in part: "The Nuremberg tribunal is considering the sentence, and the peoples that underwent the horrors of Nazi invasion await it, confident that the punishment will be made to fit the crime, if any punishment can ever fit those unspeakable crimes.

"Ordinary people everywhere surely look on the Nuremberg trial as only the first act of international justice regarding German war criminals. Anyone present may have seen on the folders containing the records, the inscription "Case No.1"; this symbolises the victor nations' pledge not to leave a single German war criminal without the punishment that is due. As far back as the spring reports in the world Press said that new lists of German war criminals were being drawn up in the US. It is a question of putting before an international court the big German industrialists and financiers, men who put the Nazis in power, who laid the industrial basis of Hitler's brigand aggression, who were guilty of the monstrous looting of whole countries. There was no doubt in US leading circles then that this category of German war criminals must be brought to trial. Preparations for the new trial were entrusted to the American prosecutor, General Taylor. The Nuremberg proceedings, as you know, brought out in even more lurid relief the major part German monopolies played in the conspiracy against peace. Eloquent documents were

SUBSEQUENT PROCEEDINGS (Cont.)

made public regarding the large sums contributed by German bankers to the Himmler Special Fund, the purpose of which surely calls for no explanation. Another document produced in court was a letter German industrial and financial magnates sent to Hindenburg as far back as 1932 demanding that Hitler be given power. These and many other documents provide ample evidence for preparing the list of defendants in Case No.2.

"Several months have passed and it would be trifling with the truth to say the matter has made any headway, in fact, it is rather the other way about. Industrial and financial chiefs of Nazi Germany in the Western zones certainly do not feel like men expecting to be overtaken by the avenging hand of justice."

M. Chernyavsky went on to complain that in the American and British zones Nazi industrialists were being given leading posts.

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September 23rd, 1946.

SUPPLEMENT TO WAR CRIMES NEWS DIGEST No. XVII.

SURVEY OF LEGAL LITERATURE.

(Contributed by Egon Schwelb, Legal Officer)

The list of legal writings which have recently become available in this country, given in the Supplement to the War Crimes News Digest No. XV of July 25th, 1946, page 13, made mention of treatises by Professor Sheldon GLUCK, Professor V.V. PELLA, Judge MEGALOS, A. CALOYANNI, A. SOTTILE, and M. R. KONVITZ. This list may now be supplemented by the following preliminary review.

Professor H.A. SMITH, Professor of International Law in the University of London, strongly criticises the legal basis of the trial of the major war criminals in an article "The Nuremberg Trials", published in the Monthly Review, "Free Europe". Volume 13, No. 162, of July, 1946.

In the "New York Times" of June 30th, 1946, there appeared, as a reply to a letter by the editor of the American Journal of International Law, Pitman B. POTTER, which had been published on June 2nd, a letter from Lord WRIGHT on the legal basis of the Nuremberg and Tokyo trials.

The "Law Quarterly Review" (Vol. 62 of July, 1946) contains a "Note on the Nuremberg Trials" by P.D., replying to recent criticisms of the trial in letters to the Press and elsewhere.

Professor Albert de LA PRADELLE, analyses the significance of the establishment of the International Military Tribunal for the development of International Criminal Law in an article entitled "Une Révolution dans Le Droit Pénal International", published in the "Nouvelle Revue de Droit International Privé", No. 2, of 1946.

In the same issue of the "Nouvelle Revue de Droit International Privé", M. Eugène ARONEANU investigates the notion of Crime against Humanity in a paper entitled "Le Crime contre l'Humanité".

M. ARONEANU's treatise is divided into the following chapters:

I.

The Peace and the Crime against Humanity.

The War and the Crime against Humanity.

The Doctrine in the making.

Mr. Justice Jackson.

The Charter.

The Indictment.

II.

The Juristic Independence of the Crime against Humanity.

The Crime against Humanity and the Common Law.

The Crime against Humanity and International Law.



The Legal Basis of the Allied Indictment.

The Legal Order and the Definition of the Crime against Humanity.

The Future International Law.

Conclusions.

The book "Répertoire Méthodique de la Jurisprudence Militaire (Cour de Cassation et Tribunaux Militaires de Cassation) by Michel de JUGLART, Professor of Law in the University of Bordeaux deals with War Crimes, inter alia, on pp. 232 to 256, particularly in the light of French law and judicial practice.

Dr. Antonín HOBZA, professor of International Law in the Charles University of Prague, published in July, 1946, a book entitled: "Přehled Mezinárodního Práva Válečného" ("Survey of the International Law of War"). It contains, at pp. 149-171, a Supplement "Trestání Válečných Zločinců" (The Punishment of War Criminals).

The Prague publishing firm "Svět & Obrazech s.s.r.o.", publishers to the Czechoslovak Ministry of Information, have produced an illustrated booklet on the Nuremberg Trial under the title "Norimberk, zločin a soud" (Nuremberg, Crime and Trial). The booklet is a popular publication and does not contain legal literature in the technical sense. It includes, however, a number of articles by Czechoslovak jurists on legal questions connected with the trial, inter alia:

Dr. B. Ečer: An historic trial.

Dr. František Tomsa, President of the Czechoslovak National Court: I.M.T. - International Military Tribunal."

Dr. František Tržický, Prosecutor of the National Court: "The Nuremberg Trial".

Dr. Zdeněk Marjanko, Senior Departmental Councillor of the Czechoslovak Ministry of Justice: "Nuremberg and Czechoslovakia."

Dr. Vladimír Kozák, President of the Extraordinary People's Court, Prague: "Nuremberg".

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