

GERMANY.

TRIALS BY GERMAN COURTS.

The Hadamar, Kalmenhof and Eichberg Trial.

With reference to the proposed re-trial by a German court of some of the defendants in the Hadamar trial in October 1945 (see No. XXI of the Digest, page 3), a fuller statement appeared in the "Citizen" of 27.11.46, which said: Forty eight German doctors and nurses and other hospital staff will be tried before a German court on December 3rd on charges of "Euthanasia murder" of between 10,000 and 40,000 Germans in the three lunatic asylums of Hadamar, Kalmenhof, and Eichberg. Prince Philip of Hesse, the nephew of Kaiser Wilhelm II., will be among the accused if his release from the Darmstadt internment camp can be effected. He will be charged with handing over the Hadamar lunatic asylum to the alleged murderers. Mr. Franklin J. Potter, chief of the legal department of American Military Government, said that this would be the first mass trial of Germans held before a German court.

Possibly in connection with the same trial the News Chronicle (11.12.46) published a photograph of members of an asylum staff in the dock at Frankfurt. The letterpress said that one of the prisoners was Dr. Walter SCHMIDT, who had just admitted, before the court, killing 30 children as part of the Nazi programme of exterminating ailing or defective young people. Other defendants in the photograph were Helene SCHUERZ, Margarete FISCHER and Andreas SENFT, members of Dr. SCHMIDT's staff at the asylum where euthanasia killings were systematically carried out.

The "Sphere" (14.12.46), which also published photographs of the trial, mentioned among the defendants, Nurse FISHER, and Dr. MENECKE, of the Eichberg asylum. [Dr. MENECKE was sentenced to death and Dr. SCHMIDT to life imprisonment at Frankfurt on 21.12.46.]

Trial of Denouncers at Leipzig.

The Leipzig radio (10.12.46) announced: At the Leipzig Criminal Court (Schwurgericht) the trial took place to-day of MAIBAUER and FALLANT, formerly leading employees of the firm Theodor Althof. They were accused of crimes against humanity. They were both members of the NSDAP and it was alleged that in 1944 they handed the then manager of the firm over to the Gestapo, by whom he was shot. The Public Prosecutor demanded two years' hard labour and loss of civil rights for MAIBAUER, and three years for FALLANT; the defence demanded acquittal for both defendants. The sentence was three years' hard labour and loss of civil rights for MAIBAUER and five years' hard labour and loss of civil rights for FALLANT. This sentence, the report added, showed the recognition by the jury of the political significance of the case.

Rejection of Appeals in the Posen Case.

The Daily Telegraph reported from Berlin (18.12.46) that a special board of five German jurists had rejected an appeal against death by hanging by a woman doctor, Dr. WERNICKE, and Helene WICZOREK, a trained nurse. The women, who were convicted of killing patients at a sanatorium in Posen, said the deaths were caused for "humanitarian reasons."

GERMANY.

TRIALS BY GERMAN COURTS (Cont.)

Attitude of German court towards Court-Martial Convictions.

News of Germany (21.12.46) reported that the German intermediate court at Ansbach had imposed a 10-year sentence on former German air force colonel Ernst MEYER, chief defendant in the trial of four charged with murdering a German resistance movement student, Robert LIMPERT, in April 1945, during the last days of the war. LIMPERT had cut a military telephone wire to avoid useless resistance against approaching American troops. MEYER gave him a court-martial trial, which took only a few minutes, condemned him to death and participated in the hanging. Pointing out that at the time the crime was committed Nazi laws were still valid, the court stated it had to limit its finding to the correctness of MEYER's court martial procedure.

De-Nazification Conference in Berlin: Prosecution of Schacht.

News of Germany reported from Berlin (16.12.46) that the three de-Nazification ministers of the U.S. Zone Länder, Dr. PFEIFFER, Bavaria; KAMM, Württemberg-Baden; and BINDER, Hesse, had been engaged in negotiations with OMGUS officials on the speeding up of de-Nazification. In an interview, Minister KAMM revealed that simplifying measures were under consideration to prevent real Nazis from escaping. Asked about the progress of the de-Nazification case filed against Dr. Hjalmar SCHACHT, the minister said that the financier was still as haughty as ever. SCHACHT maintained he had never been anything other than a democrat. The trial would open about the end of January, at Stuttgart. SCHACHT would be charged as a major offender.

The cases of Schacht, von Papen and Fritzsche.

The following letter appeared under the title "Contempt of Court in Germany" in the Economist of 7.12.46:

"Sir,-

In your issue of October 12th you stated or implied that the three Nazis acquitted at Nuremberg were exposed to some sort of double jeopardy when the United States authorities in the American Zone allegedly handed them over to German de-Nazification panels for trial. This point of view is based upon a complete misunderstanding of both the Nuremberg verdict and the function of the German de-Nazification panels.

"You will remember that the Nazi defendants at Nuremberg were indicted under four specific counts: the first one concerned the conspiracy to wage war; the second, war crimes; the third, crimes against peace; and the fourth, crimes against humanity. None of them were tried for having been Nazis. The German de-Nazification panels, meanwhile, are organised merely to determine how important a position any given German held in the Nazi hierarchy and to assess a sort of punitive tax against those found to have profited through the Nazi régime, or found to have been responsible for its excesses.

GERMANY (Cont.)

TRIALS BY GERMAN COURTS (Cont.)

The cases of Schacht, von Papen and Fritzsche (cont.)

"The only possible count of the Nuremberg indictment which might be considered to cover crimes similar to those which are investigated by the de-Nazification panels is the fourth count, which concerns crimes against humanity. Since the German people are a part of humanity, one might say that Nazis tried before the panels are being tried for such crimes. However, neither SCHACHT nor Von PAPEN was ever indicted under count four of the Nuremberg indictment. They were indicted merely under the first two counts. Only FRITZSCHE was indicted under the fourth count, and was acquitted of charges thereunder.

"Thus, it is obvious that there cannot be a case of double jeopardy as regards SCHACHT or von PAPEN. As regards FRITZSCHE, the position was made quite clear by the Tribunal when it ruled only those acts against humanity criminal which were connected with the waging of aggressive war. Consequently, even FRITZSCHE will not find himself in double jeopardy if and when he comes up for trial before a de-Nazification court.

"Needless to say, double jeopardy can only exist if the charges drawn up in the second trial are identical with those under which the accused has been tried before. However, as things stand now, there are no possible grounds for your accusation that the United States Army is directly or indirectly implicated in a show of Contempt of Court, and there can be absolutely no basis for your implied charges that a case of double jeopardy will exist when and if the three Nazi leaders are tried again before a German de-Nazification panel.

"Yours faithfully,

(sd.) Peter J. BLAKE,
United States Army,
Frankfurt."

GERMANY (Cont.)

AMERICAN ZONE

FIRST NUREMBERG TRIAL.

President Truman's letter to Justice Jackson.

The text of this letter, dated October 17th, 1946, as published in the American Press, read, in part, as follows:

"... For my own part, I have no hesitancy in declaring that the historic precedent set at Nuremberg abundantly justifies the expenditure of effort, prodigious though it was. This precedent becomes basic in the international law of the future. The principles established and the results achieved place international law on the side of peace as against aggressive warfare.

"I am convinced that the verdict for which you worked will receive the accolade of civilised people everywhere and will stand in history as a beacon to warn international brigands of the fate that awaits them.

"Although your own part in the dispensing of international justice is at an end, there remains, as you emphasise, the task of meting out justice to the German militarists, industrialists, politicians, diplomatists, and police officials whose guilt does not differ from the guilt of the criminals who have already been dealt with, except that these remaining malefactors played their miserable rôles at lower levels. I note what you say concerning the method through which these remaining criminals are to be brought to justice. The recommendations which you make in this regard, coming as they do out of your experience of Nuremberg, will be given careful consideration.

GERMANY (Cont.).

AMERICAN ZONE.

THE SECOND NUREMBERG TRIALS.

The Trial of the 23 Doctors.

As mentioned in No. XXI of this Digest, page 4, the 23 medical defendants were arraigned on 21.11.46 by the United States Military Tribunal, which then adjourned.

On 9.12.46 the trial reopened with an address by Brigadier General Telford TAYLOR, chief American prosecutor, who pointed out the political importance of the trial and showed how the various crimes were connected with the development of German medicine during the 12 years of Nazi government. Judge Walter B. BEALS, President of the court, announced the rules under which the defendants were to be tried. The prosecution would be given one day for its opening speech; the defence would then have two days to introduce its statements. Each document used by the prosecution was to be turned over to the defence 24 hours before it was read in court. Mr. James McHaney and Mr. Alexander Hardy were appointed acting prosecutors.

The trial then proceeded. Evidence was given of high altitude experiments performed on inmates of Dachau by Dr. RASCHER (believed dead), and by Dr. ROMBERG, one of the defendants. Dr. RUFF, another defendant, maintained that such experiments were not immoral in war time. Other witnesses described "freezing" experiments and tests with poisons, designed to find "easy suicide" methods for Nazi leaders. (See Summary of Information No. 41 and Major Alexander's report - R/G/23/8.) When a witness from the Strasburg University Anatomical Institute described the appearance of the corpses of 81 Jews who had been gassed to provide specimens, the defence counsel are said to have been so shocked that they could not cross-examine him.

Evidence was also given of Professor HIRT's plans to form a skeleton collection and a collection of skulls by murdering selected prisoners of suitable types. According to the prosecution, 115 inmates of Natzweiler concentration camp, comprising 79 Jews, two Poles, four Asiatics and 30 Jewesses were chosen for gassing, and their bodies were delivered in three "consignments" at Strasbourg for preservation. The "research" was stopped by the Allied advance. At the last moment the Germans tried to cover up their work by giving the impression that the human remains they had to leave behind were anatomical specimens belonging to the French.

[Note: See in this connection the C.I.N.F.O. Report No. 5 (Document Series No. 44). This evidence was also produced at the first Nuremberg trial, when SIEVERS, now one of the defendants, was cross-examined on correspondence found in HIMMLER's files.- R.O.]

GERMANY (Cont.)

AMERICAN ZONE

THE SECOND NUREMBERG TRIALS.

The Trial of the 23 Doctors (cont.)

Controversy in the British medical world about the preservation or destruction of the notes made by German doctors concerning experiments on prisoners is illustrated by the following interviews published in the Daily Telegraph (14/17.12.46): Dr. LAYTON, who took over the Belsen hospital in July 1945, said: "Whatever one may think about useful knowledge to humanity coming from these experiments, it would be quite wrong to use such knowledge." Lord HORDER maintained the opposite view: "It would be a great mistake," he said, "to destroy them (the notes) altogether."

Dr. CLEGG, of the British Medical Journal, said that "if any good can come out of these experiments they should be published." Lord MORAN, President of the Royal College of Physicians, said he "did not feel at liberty to discuss the matter at the present time." Professor LEGROUX, chairman of the committee investigating war crimes, said that the documents of the Nazi doctors showed "no result of any scientific value."

Dr. MELLANBY is proceeding, at the invitation of the British Medical Association, to Germany to investigate the results obtained by the Nazi doctors.

Trial of ex-Air Marshal Erhard Milch.

MILCH was arraigned on 20.12.46 before the second U.S. Military Tribunal. As announced in News of Germany, the court was presided over by Judge Robert TOMS with T. PHILLIPS, Michael MASSMANNO and John SPEIGHT as associate judges. Mr. Clark DENNEY handled the prosecution.

The indictment charged MILCH with participating in the deportation of 5,000,000 enforced labourers from Austria, Czechoslovakia, Italy, Hungary, and other German occupied countries between 1939 and 1945. He was also alleged to have ordered the illegal shooting of 44 Allied prisoners of war who tried to escape, and to have played a part in the Dachau medical experiments now being investigated in the trials of 23 Nazi doctors. (See No. XXI of this Digest, page 4.) The defendant pleaded Not guilty to all the charges.

Other forthcoming trials.

News of Germany (18.12.46) announced that the case of Oswald POHL, head of the WVHA., would be taken after the trial of MILCH. Some 14 of POHL's advisers and assistants are expected to stand trial with him for their alleged part in the concentration camp atrocities. These will include Georg and Hans LOERNER, August FRANK, Hans BAUER, Heinz FANSLAU, Joseph VOGT, Fritz LECHLER, Karl SOMMER, and Karl MULIENTHEY.

GERMANY (Cont).

American Zone.

Other forthcoming trials (cont.)

In the case against the I.G. FARBEN combine, the major defendants would be Georg SCHNITZLER and Ludwig AMBROS.

In the case against Ministry of Justice officials the defendants would include Franz SCHLEGELBERGER and Karl ENGERT. (The chief defendant, THIERACK, Minister of Justice has committed suicide; see No. XXI of this Digest.) They will be charged with murder and other crimes committed by judicial process.

Krupp to be tried.

The Sunday Times (8.12.46) reported from Germany that American legal officers had said that Alfred KRUPP von BOHLEN-HALBACH, son of the head of the German KRUPP industrial empire, would be tried at Nuremberg on war crimes charges by an American Military Tribunal.

Trial of von Rundstedt.

The Daily Mail (13.12.46) reported from Germany: Von RUNDSTEDT, the German commander who launched the Ardennes counter-offensive in 1944, will probably be the first defendant in a series of trials now being prepared by U.S. law officers.

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Death Sentences for Murder of Air-crews.

News of Germany reported from Dachau (20.11.46): Two former German army officers, Major HEIN and Lieut. KUNZE, were sentenced to death by hanging by the general court. Another, SAALMÜLLE, was given a life term. The three were found guilty of slaying two unarmed American fliers forced to land at Wollmatingen near Constance in July, 1944.

On two preceding days a Dachau court sentenced 23 former guards of the Dachau concentration camp to imprisonment with terms ranging from 20 months to two years.

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Releases of civilian internees.

DANA (18.12.46) reported from Munich: A total of 611 civilian internees in Bavaria who are no longer subject to internment will be released shortly at the orders of Bavarian Military Government; they were taken into custody on grounds of "automatic arrest" or "threat to security". They will be allowed to return to their home districts and will be issued with papers confirming their lawful release. Public prosecutors at de-Nazification tribunals will receive the necessary information; 213 will be discharged from Regensburg camp; 336 from Moosburg; 49 from Augsburg and 13 from Nuremberg. There are still 20,000 internees.

GERMANY (Cont).

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GERMANY

BRITISH ZONE

TRIALS

The trial of seven doctors at Hamburg.

This trial before a Military Government Court (see No. XXI of this Digest, p. 9) was concluded on 7.12.46. The Commission was informed that the following sentences had been awarded.

Professor HINSELMANN - chief of the hospital where the sterilisations were carried out - 3 years' imprisonment and a fine of RM. 100,000; Dr. BESSIN - head surgeon of one of the wards - acquitted; Dr. WIRTHS - a surgeon who actually completed some of the sterilisations - 2 years' imprisonment (suspended forthwith); Dr. GÜNTHER - who carried out some of the sterilisations - 2 years' imprisonment; Dr. Frau GOLDBECK, who assisted in the operations but who complained to HINSELMANN that the sterilisations were being carried out on racial grounds - 1 year's imprisonment (suspended forthwith). Two policemen who forced the gypsies to sign statements agreeing to voluntary sterilisation or be sent to a concentration camp - 3 years' imprisonment each.

The above sentences had not yet been confirmed by the Reviewing Authorities.

The Ravensbrück Women's Camp Trial.

(See No. XXI of this Digest, page 9.)

The trial opened on 5.12.46 before a British Military Court presided over by Major-General WESTROPP. Sixteen men and women were arraigned, including the doctors and matron of the camp.

[For list of defendants see Weekly Bulletin No. 66 of November 4th, 1946, - R.O.]

All were Germans except two: Carmen MORY, who is Swiss, and Eugene SKENE, who claims to be British, though this has not been established.

Major Stephen STEWART, who opened the prosecution, said that most of the inmates of the camp were civilians - members of the resistance movement, or labour slaves. The camp was a small compound, yet there were 12,000 persons crowded into it. All told, 100,000 were unaccounted for. The death rate was nearly 100 per cent. a year.

Counsel said that the causes were under-nourishment, overwork, exposure and ill-treatment by the staff. Counsel described regular thrashings, and said that most of the guards carried whips, and dogs were trained to attack the inmates.

Conditions in the camp hospitals were horrible, and women preferred to die on their feet on parade rather than enter the hospital. Those suffering from incurable illnesses were given lethal injections. Experimental operations were carried out on healthy women. Many were

GERMANY

BRITISH ZONE

TRIALS (Cont.).

The Ravensbrück Women's Camp Trial (cont.)

sterilised—including gypsy girls, most of them under the age of 12. Other operations were performed as though the women were guinea pigs. At the beginning of 1945 came the order from HIMMLER that those ill or incapable of marching were to be killed. Two great experts on mass extermination arrived, and started an organised mass slaughter at the Jugend Lager. First shooting was tried. A corporal was sent from Berlin who drew proficiency pay for the way he shot people in the neck. He shot about 200 women, but, in the words of the camp commandant, "it was not going fast enough." A gas chamber therefore was erected to which the prisoners passed in a steady stream, and it is estimated that between 3,000 and 7,000 were murdered in that way. Children were not wanted in the camp, counsel said. They consumed food, produced nothing in return, and kept their mothers from work, so children were killed at birth, or pregnant mothers were given an injection to bring about premature confinement.

Evidence confirming the case for the prosecution was given, among others, by British witnesses, Miss O' Shaughnessy and Mrs. Sanson; and by French witnesses, Mme. Ottelard and Melle. Herail.

The Emsland Penal Camp Case.

The Commission was informed that the first of a series of trials concerning the above-named camp was to be held in the Augusteum, at Oldenburg, on January 15th, 1947. This case concerned French and Belgian nationals, as witnesses and victims, and it was believed that both these countries would send representatives to the trial.

Judicial changes.

The Commission was informed (20.12.46) that authority had been given for the German Ordinary Courts to try any cases of sterilisation or other illegal operations against Germans or stateless persons on racial or political grounds. Authority is also given for the German Ordinary Courts to try cases of any form of persecution by Germans of other Germans or stateless persons on racial grounds, provided that such persecutions are not on grounds of Jewish religion or nationality. The reason for this exception being made in cases in which Jews are involved is that a trial for persecution of Jews is shortly to be held before a Military Government Court at Aachen.

Responsibility for minor War Crimes Trials.

The Commission was informed that, as from 23.12.46, responsibility for minor war crimes trials was being transferred from the Adjutant General's Branch of the War Office to the Office of the Judge Advocate General in London.

GERMANY

BRITISH ZONE

TRIALS (Cont.).

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GERMANY.

BRITISH ZONE

TRIALS (Cont.)

The Times (30.12.46) reported from Berlin: Twenty-seven thousand persons now in civilian internment camps in the British zone are to be put on trial during 1947 as former members of Nazi organisations. The bodies involved are the Leadership Corps, Gestapo, Sicherheitsdienst, and SS. As well as the present 27,000 there are some 1,000 members of criminal organisations awaiting repatriation from the United Kingdom or elsewhere, or who are at large in the British zone. Their trials will come later.

Two forms of tribunals are to be set up—German tribunals of the first instance and a zonal tribunal of the second instance to hear appeals on questions of law by both the prosecution and the accused. Where it is established that the accused were members of convicted organisations on or after September 1st, 1939, and had knowledge of their criminal character and activities, the tribunals are empowered to impose sentences up to a maximum of 10 years' imprisonment, forfeiture of property, and/or a fine. The cost will be borne by the German taxpayer, and a special budget is now being worked out.

The Daily Telegraph (30.12.46), reporting on the same subject, said that the new procedure was being undertaken under Military Government Ordinance No. 69 which was to come into force on 1.1.47.

The Manchester Guardian (30.12.46) wrote that "these trials will probably take place in February, as plans worked out by the German Central Legal Office will not be ready until the end of January. Courts will be established in six main centres in the British zone, including Hamburg, Fallingb., Sandb., Bremen, and Recklinghausen.

"German officials are already selecting premises, but at Recklinghausen damage to surrounding Ruhr towns is so great that trials may have to be held in the existing internment camp. It is estimated that about a thousand German legal civil servants and other officials will be employed, and that a 100 to 150 German tribunals will be needed. Trials will be conducted according to ordinary procedure, and the public will be admitted. Prisoners may enlist their own legal defence.

"The expenses of the trials may be about 15,000,000 marks, which will be borne by the German taxpayer. Each trial will be individual, and it is stressed that both the British Military Government and the German administration are anxious to get through the trials as quickly as possible. German personnel will be hard to find, for their jobs will be difficult, carried out in uncongenial surroundings, and all

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GERMANY

BRITISH ZONE

TRIALS (Contd.)

Trials of Members of Criminal Organisations (cont.).

who held office under the Nazis will be debarred from taking part. Accommodation will be hard to find, transport is necessarily short, and it is intended to give members of tribunals a ration of 3,000 calories a day.

"It will not be possible to try German criminals at present in Britain or elsewhere than in British zone internment camps. British courts have reserved 10,000 security suspects whom they will try. The mass of "little Nazis" will continue to be dealt with by usual de-Nazification panels. The British legal division will direct and assist the forthcoming trials."

FRENCH ZONE

Concentration Camp Trial at Rastatt.

With reference to this trial, which was mentioned in No. XXI of this Digest, page 10, the Commission was informed (Document M.119, p. 8) that the 150 camp officials accused would be dealt with in three consecutive trials, with 50 defendants in each trial. The judges would be: 3 French, 1 Polish, 1 Belgian, 1 Dutch, 1 Luxembourg, those being the only countries whose nationals were involved as victims. All the judges could speak French, so that the language difficulty was not serious. The Control Council Law No. 10 and the SHAEF procedure would be observed.

Arrest of General Stülpnagel.

The B.U.P. reported from Paris (13.12.46): that General STÜLPNAGEL, German Governor of Paris during the war, had been arrested in the French zone of Germany. (He is the uncle of the General von Stülpnagel who was executed in Germany after the attempt on Hitler's life in July, 1944.) He has been charged with murders and massacres, and will be tried in Paris.

G R E E C E.

The Commission was informed (30.12.46) that the German General, Alex. ANDRAE, was being handed over by Great Britain to the Greek authorities with a view to his trial as a war criminal. He is accused of executions of hostages, massacres, and systematic terrorism in Crete, where he was military governor in 1941-42; and of executions of hostages and of six naval officers in June 1942 in Greece, where he was acting as deputy commander-in-chief.

N O R W A Y.

Trial of Walter Kunze.

The "Sphere" (14.12.46) published photographs of the trial at Oslo of Kurt Walter KUNZE, whom it incorrectly described as "former German commander-in-chief" in Norway. The letterpress stated: "KUNZE, the prosecution argues, bears the overall responsibility for the conditions which existed during the years of occupation in Norway at the dreaded Grini concentration camp in the neighbourhood of Oslo. Associated with KUNZE in the charges are Alfred August ZEIDLER, who has been described as the KRAMER of Norway; William HEILMAN and Carl Albert SCHLAEGEL. The trial has aroused the strongest feelings in Norway and the evidence has shown that the atrocities of Grini were comparable to those perpetrated at Belsen and other German camps.

[KUNZE is on the UNWCC List of War Criminals.]

P O L A N D.

The Trial of Fischer and Meisinger.

The trial of Ludwig FISCHER, ex-governor of Warsaw, and of his three assistants, namely: Police Colonel Max DAUME, who was extradited from England, accused of having 700 Poles executed; the former Warsaw suburban Gestapo chief, Joseph MEISINGER, and Stadthauptmann garrison captain, Ludwig KLEIST, opened on 17.12.46 before the Supreme National Tribunal at Warsaw.

The indictment occupied 100 pages of typescript, and included the massacre of 500,000 Jews in the Warsaw Ghetto in 1943, and the destruction of Warsaw itself in 1944.

The Warsaw Press commented on the fact that all four accused pleaded not guilty. It recalled that the prosecution based the indictment on abundant evidence, but, "Kurier Codzienny" pointed out, even if the prosecution could not have produced a single piece of documentary evidence, the Warsaw people would still regard the four accused as criminals, for they were members of a terrible organisation.

G R E E C E.

The Commission was informed (30.12.46) that the German General, Alex. ANDRAE, was being handed over by Great Britain to the Greek authorities with a view to his trial as a war criminal. He is accused of executions of hostages, massacres, and systematic terrorism in Crete, where he was military governor in 1941-42; and of executions of hostages and of six naval officers in June 1942 in Greece, where he was acting as deputy commander-in-chief.

N O R W A Y.

Trial of Walter Kunze.

The "Sphere" (14.12.46) published photographs of the trial at Oslo of Kurt Walter KUNZE, whom it incorrectly described as "former German commander-in-chief" in Norway. The letterpress stated: "KUNZE, the prosecution argues, bears the overall responsibility for the conditions which existed during the years of occupation in Norway at the dreaded Grini concentration camp in the neighbourhood of Oslo. Associated with KUNZE in the charges are Alfred August ZEIDLER, who has been described as the KRAMER of Norway; William HEILMAN and Carl Albert SCHLAEGEL. The trial has aroused the strongest feelings in Norway and the evidence has shown that the atrocities of Grini were comparable to those perpetrated at Belsen and other German camps.

[KUNZE is on the UNWCC List of War Criminals.]

P O L A N D.

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P O L A N D.

Collective Responsibility.

In connection with the FISCHER trial Public Prosecutor CYPRIAN of the Supreme National Court broadcast on 16.12.46 on the subject of collective responsibility. He argued that collective bodies play an ever-increasing rôle in social life, and this demands the introduction of new legal notions and forms, including that of the "responsibility of collective bodies." This notion must not be mixed up with collective responsibility as applied by the Germans, who held all people who by accident were found near the scene of a crime as responsible for it. "Responsibility of collective bodies" was based on the idea that all who belong to a criminal organisation, whether or not they have directly committed criminal acts, are responsible for the criminal activities of that organisation, being cognisant of its activities and not having dissociated themselves from them in time. This concept was submitted by the Polish delegation at the Nuremberg trial, but the Tribunal did not accept it for reasons of opportunism and expediency. It would be applied in the trials of the German war criminals in Poland, and in the coming trial of FISCHER and his associates.

Re-education by Force.

In connection with the Hamburg and Nuremberg trials of German war criminals, the Polish "Rzeczpospolita" observes: "The Nuremberg trial of the main war criminals has by no means solved the problem of Hitlerite Germany. HITLER said that the life of a single German soldier mattered more to him than that of millions of other nationalities. GOERING said that the Germans would starve out all the occupied countries before they themselves began to feel hungry. The Germans have become so impressed with these words that they now ask for more food, no matter what the circumstances. In view of all this, the paper submits that the trials now taking place will help to expose the true aspect and morality of Germany. The European nations which experienced the effects of this German morality must not forget the facts. They know well that the Germans surrendered only to force, and only by force can they be educated and denazified. The shattering defeat of 1945 has not brought forth from the Germans any condemnation of Nazi war ideals or methods.

German War Criminals from U.S. Zone.

Warsaw radio (12.12.46) reported from Katowice: A further group of German war criminals from the U.S. zone will arrive at the frontier point of Dziedzice in the next few days. They come from Dachau and include several generals and high SS. officers who held high positions in the "Government-General". Some were recently arrested in the British zone, where they were hiding under false names.

P O L A N D.
(Cont.)

General Telford Taylor's visit to Warsaw.

The Warsaw radio (14.12.46) announced: General Taylor, chief U.S. prosecutor in Germany, will arrive in Poland with his staff on December 15th. He will take part in a ceremony to mark the completion of the codification of Polish civil law and will attend the FISCHER trial.

Y U G O S L A V I A.

Trial of SS. General Meyssner (Meissner) at Belgrade.

The "Tanyug" radio service on 11.12.46 and following days reported the trial of SS. General MEYSSNER and his assistants, TEICHMANN, WEIMANN and Fritz MUELLER at Belgrade. The report said in part: August MEISSNER, one of the chief defendants in the group of accused who during the occupation headed the Gestapo in Serbia, came to Yugoslavia from Norway with HIMMLER's directives to organise a firm police system in Serbia and Banat. MEISSNER founded 12 new police departments in the interior of Serbia. He organised many punitive expeditions in the course of which villages and districts were destroyed and populations massacred. In accordance with his orders, thousands of innocent men, women and children were murdered only because they loved their country.

During the occupation MEISSNER signed numerous posters announcing shootings of Serbs. Before the Court he contended that he signed only one such poster. In addition to his other activities, MEISSNER worked on the formation of the SS. Prinz Eugen Division, which carried out several punitive expeditions in Serbia. Under MEISSNER's orders, 4,200 Serbs were sent to labour camps in Norway, of whom 2,400 were later killed.

MEISSNER declared that he was guilty in so far as he personally issued orders. "There were punitive expeditions," he declared, "but only where resistance arose. I admit villages were burned, but only if fighting took place. We did not, he said, round up people for death camps."

The Court then examined Ludwig TEICHMANN, Ernst WEIMANN, and Fritz MUELLER. Cornered by the evidence, they admitted the charges in the indictment but tried to throw the blame on others. MEISSNER declared that he had committed all these crimes as a National Socialist and did all "as it should be done."

During the continuation of the trial (16.12.46) evidence was given by a gravedigger, who worked for three years at the Fair Grounds in Jajince, and buried 20,000 victims, who were shot in groups. There were days when up to 2,000 persons were shot. Not infrequently, men were buried while still alive; children were very often murdered.

HAHN, one of the accused, attempted to commit suicide by throwing himself down a staircase shaft, and was taken to hospital.

YUGOSLAVIA (Cont.)

Trial of SS. General Meissner at Belgrade. (Cont.)

On 18.12.46, the Military Prosecutor, summing up his case, said: "In the name of 150,000 people who were shot, flogged and asphyxiated, the Court should bring the decision expected by all Yugoslavia." The defence counsel then spoke, and the accused made their closing speeches; in their final words, they confessed their crimes, but attempted to shift responsibility to their superiors.

On 22.12.46 the court announced its verdict. Nine senior SS. officers and Gestapo officials were sentenced to death by hanging. They were: MEISSNER, FUCHS, HELM, POLTE, TEICHMANN, WEIHMANN, KASERER, ECKERT and HAHN. Nine Gestapo officials were sentenced to death by shooting, two to 20 years' imprisonment and one to five years' imprisonment. They had the right to appeal within eight days.

MISCELLANEOUS ...

MISCELLANEOUS.

Plea for Permanent World-Criminal Court.

The general council of the United Nations Association, meeting in London on 14.12.46, passed a resolution requesting the immediate appointment of a permanent court of justice for the trial of international crime, and expressing the hope that the principles laid down at Nuremberg would be confirmed by the General Assembly of the United Nations.

Article in The Times on the U.N.W.C.C.

Under the title "Work of the United Nations Commission: International Concepts of Justice", by a Legal Correspondent, The Times (18.12.46) printed an article of two columns on its inner page.

After reviewing the history of the Commission and describing its organisation and achievements, the article gave the following information in regard to the publication of law reports concerning war crimes trials:

"The records and documents of all trials for war crimes conducted by Allied authorities have been collected, and the Commission is publishing law reports of these trials, summarising the proceedings and providing a legal commentary. The English edition of the first volume is now being printed. The documents and other material collected by the Commission relating to trials, other than those against major criminals, will form the necessary corollary to the publications on the Nuremberg trial. They will constitute a mine of information for future historians and for international and criminal lawyers. The Commission is also preparing the publication of a volume containing the texts of all enactments by both Allied and former enemy States touching on the problem of war crimes."

THE FAR EAST ...

THE FAR EAST.

THE TRIAL BEFORE THE I.M.T. AT TOKIO.

A Reuter message from Tokio (16.11.46) said that Justice Mansfield had opened the British case against the 28 former Japanese war leaders on trial before the International War Crimes Tribunal in Tokio. A revolting story of crimes was detailed in hundreds of pages of sworn affidavits.

An A.P. message of 18.12.46 said that evidence was given of atrocities committed at Hongkong, after the surrender of the place in December 1941. Seven nurses were raped and 180 patients were bayoneted.

An Australian witness, Lieut.-Colonel KAPPE gave evidence that a Japanese officer told him: "The Burma-Siam railway must be finished within a certain time, irrespective of the loss of lives of British and Australian prisoners." Evidence was also introduced to show that the building of the railway cost the death by starvation, disease and torture of 44 per cent. of one unit of 7,000 British prisoners-of-war sent from Singapore.

SINGAPORE.

Conviction of General Ishida.

Agency messages of 3.12.46 said that Lieut.-General ISHIDA, former Japanese Chief of Staff, who from 1943 was in charge of building the Burma-Siam "death railway," which cost the lives of 15,000 British and Allied prisoners, was sentenced to 10 years' imprisonment by the Singapore War Crimes Tribunal.

THE NETHERLANDS EAST INDIES.

Conviction of Yamura Saburoh at Balikpapan.

The defendant an interpreter, was tried by the (Netherlands) Temporary Court Martial for systematic terrorism during the Japanese occupation. He was convicted and sentenced to death on 13.9.46. (See Trial and Law Reports Series No. 26.)

Execution of Captain Sonei at Batavia.

A Reuter message of 7.12.46 said that Captain SONEI, a Japanese sentenced to death by a military war crimes court for cruelty to Allied internees, including British and Australians, was executed in the Glodok prison, Batavia.

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SOUTH PACIFIC.

Sentences at Rabaul.

A message from Sydney (7.12.46) reported that Mr. Chambers, the Army Minister, had said in Canberra that 214 Japanese had been sentenced to death or imprisonment by the Australian War Crimes Commission at Rabaul.

XXIII

No. XXIII.

January 22nd, 1947.

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 M M A R Y O F E V E N T S .

E U R O P E

A U S T R I A .

Sentence on Frauenfeld: Nazi propaganda.

The Times reported from Vienna (12.1.47): Eduard FRAUENFELD, chief of Nazi propaganda in Vienna during the war, was sentenced here yesterday by an Austrian court to 15 years' imprisonment. FRAUENFELD developed a "bush telegraph" for spreading rumours among the people of Austria; among these was one that the American pilots captured in Austria included former Viennese Jews carrying maps marked with working-class homes as targets.

American Zone.

Trials for ill-treatment of prisoners-of-war.

An Agency message (7.1.47) reported: The first of a series of trials of Austrian war criminals was opened in Salzburg to-day. Twenty-five inhabitants of Amstetten are accused of having attacked 15 American prisoners-of-war on March 15th, 1945. The Americans, who were being brought from Hungary by train, had to alight at Amstetten because of an air raid. As they were led away under guard, a mob attacked them.

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

SS. Commander Schwabe sentenced.

The Jewish Chronicle (27.12.46) reported: A Czech war crimes court has sentenced to death former SS. Commander Karl SCHWABE, who at one time headed the Nazi-directed Moravian Provincial Administration. He was condemned on charges of treason, collaboration, and persecution of Jews.

Wiesmann attempts suicide.

An Agency message from Prague (23.12.46) stated that Herald WIESMANN, the commander of the SS. men who wiped out the Czech village of Lidice in 1942, had attempted to hang himself in his prison cell at Kladno, near Prague. He is to be tried before a People's Court at Prague.

G E R M A N Y .

TRIALS BY GERMAN COURTS.

The Eichberg Asylum trial: Convictions. (See No. XXII of this Digest, p. 3)

The following additional details of this trial before a German court at Frankfurt were given in agency messages of 21.12.46:

The principal defendant, SS. Dr. Friedrich MENNECKE, former director of the Eichberg mental hospital, admitted that he had made the "life or death" decision in hundreds of cases. As a high-ranking SS. officer, he

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G E R M A N Y

TRIALS BY GERMAN COURTS

The Eichberg Asylum trial: Convictions (cont.)

said, he bore the responsibility for setting up Hitler's euthanasia programme and instructing doctors to kill patients who were hopelessly ill or incurably insane in other institutions. He pleaded that he only carried out Hitler's orders and that it was "mercy killing of hopeless sufferers." On 21.12.46 MENNECKE was sentenced to death.

Dr. Walter SCHMIDT, the other doctor involved, received a life sentence; the chief nurse, Helene SCHÜRG, eight years'; SENFT, an orderly, four years; two other defendants, both nurses, were acquitted.

News of Germany (27.12.46) said that the trial, first to be held by a German court on charges of crimes against humanity, dealt with the killing of thousands of people, including children, in gas chambers and through poisoning by vaccinations.

MG. confirms German Court Sentences.

DANA reported from Munich (14.12.46): The Head of the Legal Section of Military Government for Bavaria, Lt.-Colonel JACKSON, has stated that the sentences recently inflicted by German courts on persons participating in the programmes in 1938 are to be considered appropriate.

Trial of Pfaff for torturing prisoners of war.

Reuter reported (26.12.46) that PFAFF, former Nazi Mayor of Steinberg (Odenwald district) was to be tried by a German court for torturing prisoners of war and slave workers, and denouncing people to the Gestapo. He had already been sentenced to ten years' imprisonment by a de-Nazification court.

Proceedings against Fritzsche and von Papen.

The BUP reported from Munich (4.1.47) that FRITZSCHE and von PAPEN, who were acquitted at the Nuremberg trials would be tried by a Bavarian de-Nazification court within the next three weeks, probably in Nuremberg.

(Von PAPEN's trial was subsequently fixed for January 24th, and FRITZSCHE's for January 27th; an indictment was served on SCHACHT on 17.1.47.)

Death sentences confirmed and executed.

News of Germany reported (13.1.47) that the decision of the German Amnesty-Commission of November 30th, which had declined amnesty in the cases of Dr. Hilde WERNICKE and Helène WIECZOREC, sentenced to death for euthanasia killings in the Obrawalde insane asylum, was approved by the Allied Kommandantur on 11.1.47. (The two women were guillotined on 14.1.47.)

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G E R M A N Y (Cont.)

AMERICAN ZONE.

THE SECOND NUREMBERG TRIALS.

Departure of the Chairman and Secretary-General for Nuremberg.

The Times (4.1.47) mentioned that Lord WRIGHT, chairman of the U.N.W.C.C., and the Secretary-General, Colonel LEDINGHAM, left London by air for Germany to attend the trials at Nuremberg and Hamburg of Nazi doctors and staffs of concentration camps charged with atrocities against allied nationals and prisoners of war.

The Trial of the 23 Doctors, Scientists and others.

As mentioned in No. XXII of this Digest, this trial began on 9.12.46. It was resumed after Christmas. U.S. Press releases stated that evidence was being supplied, apart from the normal sources, by specialised investigation teams, such as that directed by Major Leo ALEXANDER, who is acting as consultant for the prosecution.

[N.B.- Major Leo ALEXANDER was the author of the remarkable report on "Treatment of Shock, etc." - see Summary of information No. 41.- R.O.]

With reference to the list of 23 defendants given on page 7 of No. XXII of this Digest, it should be noted that three of them are not doctors or scientists. These are Rudolf BRANDT, Personal Administrative Officer to SS Chief Heinrich HIMMLER and Chief of the Ministerial Office in the Reich Ministry of the Interior; Wolfram SIEVERS, Director of the "Ahnenerbe" Society Institute for Military Scientific Research and Deputy Chairman of the Managing Board of Directors of the Reich Research Council; and Viktor BRACK, Chief Administrative Officer in the Chancellery of the Fuehrer of the Nazi Party. Though these defendants are not medical men, they were, because of their executive positions, allegedly partly responsible for a number of medical experiments which resulted in great suffering and death for hundreds of thousands of people. Rudolf BRANDT and SIEVERS are accused of murdering civilians and members of the armed forces of nations at war with Germany. In one project, 112 Jews were selected for the purpose of completing a skeleton collection for the Reich University of Strasbourg. Their photographs and anthropological measurements were taken. Then they were killed, and their bodies sent to Strasbourg and defleshed. Some of the medical experiments that Rudolf BRANDT and SIEVERS allegedly took part in are: high altitude, freezing, malaria, mustard gas, seawater, epidemic jaundice, and spotted fever. BRACK and Rudolf BRANDT allegedly were involved in sterilisation experiments at the Auschwitz and Ravensbrück Concentration Camps in which thousands of victims were sterilised, and thereby suffered great mental and physical anguish. BRACK is also accused of being a principal in the "Euthanasia" (mercy-killing) programme for the German Reich. All three of these defendants were members of the SS, which was declared a criminal organisation by the International Military Tribunal.

At least six prominent German personalities are noted in U.S. Press release No. 76 as "missing defendants." These are: CONTI, head of civil medical services; GRAVITZ, head of SS. medical services; HIPFKE, medical inspector of the Air Forces; RASCHER, physician at Dachau; DING, physician at Buchenwald; Philip BOHLER, head of Hitler's Chancery.

Of these HIPFKE cannot be found; RASCHER is believed shot by the SS; the other four have committed suicide.

G E R M A N Y (Cont.)

AMERICAN ZONE

The Trial of the 23 Doctors, etc. (Cont.)

Evidence given by NEFF, former male nurse at Dachau, as witness for the prosecution, showed that "action 14.F.13" was a code word for extermination: during five or six months some 2,000 invalids were sent away for this treatment. An affidavit by BRACK, one of the defendants, showed that among the victims were many healthy children of Jewish parentage. Since the trial began many witnesses have voluntarily come forward to testify about "experiments."

[In this connection, it may be noted that the Bavarian Commissioner for victims of Fascism, Dr. AUERBACH, in a proclamation asked all former inmates of Dachau's concentration camp to place themselves at the prosecution's disposal as witnesses in trials against SS. guards. This proclamation was issued following a trial at Dachau on January 10th, when 14 SS. guards were acquitted for lack of evidence.

Victims of Nazi sterilisation courts, or any persons having first-hand knowledge of cases of racial or political sterilisation, have been asked to get in touch with the American war crimes prosecution department in Nuremberg.]

The trial of ex-Air Marshal Milch.

This trial opened at Nuremberg on 2.1.47. The first count of the indictment alleges that MILCH took part in war crimes involving "slave labour and the deportation to slave labour of the civilian populations of Austria, Czechoslovakia, Italy, Hungary, and other countries and territories occupied by the German armed forces;" that he authorised the utilisation of prisoners of war in work directly connected with war operations; and that these prisoners were subjected to "murders, cruelties, ill-treatment, and other inhumane acts."

The indictment states that at least 5,000,000 workers were conscripted by "drastic and violent methods" and deported to Germany for forced labour. It alleges: "The treatment of slave labourers and prisoners of war was based on the principle that they should be fed, sheltered, and treated in such a way as to exploit them to the greatest possible extent at the lowest expenditure." MILCH is said to have had full knowledge of the means and methods by which labour was conscripted and exploited. He was a member of the Central Planning Board which was the controlling authority of the German war economy, he attended its meetings, participated in its decisions, advocated the increased use of forced labour to expend war production, and "urged that cruel and repressive measures be utilised to procure and exploit such labour." It is charged that, in his various air force capacities MILCH was particularly concerned with the aircraft industry, allocated forced labour to it, and personally directed the inhumane treatment to which it was subjected.

Under the second count, MILCH is alleged to have been personally connected with medical experiments conducted for the benefit of the German Air Force upon members of the armed forces and civilians of other nations who were interned in Germany. These experiments include two of those cited in the Military Tribunal's Case No. 1 against the 23 Nazi doctors, namely, the high altitude and freezing experiments.

The Trial of ex-Air Marshal Milch (cont.)

Both Count One and Count Two are cited as violating international convention, in particular Articles 4, 5, 6, 7, and 46 of the Hague Regulations, Articles 2, 3, and 4 of the Geneva Prisoner-of-War Convention, as well as "the laws and customs of war, the general principles of criminal laws as derived from the criminal laws of all civilised nations, the internal penal laws of the countries in which such crimes were committed, and Article II of the Control Council Law No. 10." The War Crimes charged under Count One are also said to violate Article 52 of the Hague Regulations, and Articles 6 and 31 of the Geneva Convention.

Count Three of the indictment incorporates the crimes charged under Counts One and Two into the charge of Crimes against Humanity, as defined by Article II of Control Council Law No. 10. This count alleges that the crimes were committed against German nationals in addition to nationals of other countries.

MILCH pleaded Not guilty. In opening the prosecution Mr. Clark DENNEY said that MILCH was "as much concerned in the employment of slave labour as any man in Germany." There could be no question of the responsibility of the defendant for the murders and privations which were an inevitable by-product of the slave-labour programme." His guilt in this respect was as great as that of SAUCKEL. MILCH was responsible for starting the freezing tests on camp inmates and ordering a two-month extension of the high-altitude experiments which resulted in a considerable number of deaths.

The prosecution adduced (8.1.47) a statement made by GÖRING at his trial before the International Military Tribunal that the procurement of labour for the Air Ministry was handled by MILCH. MILCH's brother, who was defending him, objected to the admission of the document, as GÖRING could no longer be cross-examined as to its accuracy. The court admitted the document, though reserving their decision as to its probative value.

On 16.1.47 the case for the prosecution having ended, the Court adjourned till 27.1.47 to allow the defence to complete its case.

News of Germany reported (15.1.47) that ex-Admiral Erich RAEDER, sentenced to life imprisonment by the International Military Tribunal at Nuremberg, and Konstantin von NEURATH, sentenced to 15 years' imprisonment, had been named as witnesses for the defence.

Ministry of Justice Trial: Suicide of Westphal.

News of Germany reported from Nuremberg (6.1.47) that Dr. Carl WESTPHAL, a former high official in the Nazi justice ministry had committed suicide. On the previous day he had been indicted, along with 15 other former ministry officials who are to be tried before a third U.S. Military Tribunal in February.

In his capacity as chief of the criminal law section in the justice ministry, WESTPHAL was held responsible for the criminal proceedings and penal executions in Germany. He was also stated, together with Ernst LAUTZ, former "Reichs counsel" of the notorious People's Court, and State Secretary Franz SCHLEGELBERGER, to have participated in the sterilisation of Jews.

(WESTPHAL is the third leading Nazi justice official to escape trial. The People's Court's infamous president, Roland FREISLER, was believed killed in the last months of the war during a Berlin air raid, and former Reichs Justice Minister Otto George THIERACK hanged himself on October 26th, 1946, in a British internment camp.)

G E R M A N Y (Cont.)

AMERICAN ZONE

THE SECOND NUREMBERG TRIALS.

Resignation of a Prosecutor.

The A.P. reported from Nuremberg (1.1.47) that Mr. POMERANZ had resigned as chief of the staff prosecuting German industrialists.

The Flossenburg Camp Trial.

A written statement by Dr. SCHUSCHNIGG, former Austrian Chancellor, was admitted as evidence on 16.1.47. He said that many British and Canadian pilots were executed in the camp during his three months' internment there in 1945. The trial ended on 19.1.47, when 40 defendants were found guilty.

Trials of Pionkowski and Dachau officials.

News of Germany reported from Dachau that Alex. PIONKOWSKI, ex-commandant of Dachau, and Heinz DETMERS, his second in command, would go before an American Military Court on 5.1.47. They were charged with responsibility for thousands of deaths through starvation, ill-treatment and so-called medical experiments.

The Times (18.1.47) reported that, after a nine days' trial, PIONKOWSKI was sentenced to be hanged.

Trial of Stroop.

News of Germany reported from Dachau (15.1.47) that the trial of former SS. and Police General Jürgen STROOP and 21 former members of the Rhein-Westmark district police who are charged with responsibility for the mistreating and slaying of downed American fliers had started before an American military court. The defendants were also being tried for their membership in the SS., Gestapo and SD, organisations declared criminal by the International Military Tribunal. One of the accused, Leonhard BRANNER, was being tried in absentia. He escaped from the Dachau prison last August.

Arrest of Max Schmitt for murders of U.S. soldiers.

The Daily Telegraph (17.1.47) reported: Max SCHMITT, 39, former Luftwaffe captain, wanted on charges of beheading American soldiers in France in 1944, has been handed over to the War Crimes Commission at Steinburg, Bavaria.

Arrest of SS. Police Colonel Schäfer.

An agency message from Wiesbaden (18.12.46) stated that Wolfgang SCHAFER, Colonel in the Security Police, ex-chief of the Italian section, and member of the Propaganda Ministry, was arrested at Korbach and detained in the Darmstadt civilian internment camp.

G E R M A N Y (Cont)

AMERICAN ZONE,

The Amnesty in the American Zone.

News of Germany (31.12.46) said that the extended amnesty announced by General Joseph T. McNARNEY was hailed by MG and German officials as a great advance towards a more efficient and fairer handling of de-Nazification.

TEITELBAUM, the de-Nazification chief at O.M.G. for Hesse, told an interviewer that severe expiation measures would be applied against major offenders and offenders; completion of all de-Nazification proceedings within six months was desirable.

Gottlob KAMN, Wurtemberg de-Nazification chief, observed however that the amnesty would not speed up the screening procedure, because the decision whether proceedings should be cancelled against a given individual would still require the same careful investigation.

Mr. Stimson's article on the First Nuremberg Trial.

The Yorkshire Post (3.1.47), commenting on this article in the current number of Foreign Affairs, wrote: The core of his (Mr. Stimson's) argument is that, though there may have been no specific enactment forbidding the crimes with which the accused were charged, "international law . . . is the gradual expression, case by case, of the moral judgment of the civilised world. As such, it corresponds precisely to the common law of Anglo-American tradition. We can understand the law of Nuremberg only if we see it for what it is—a great new case in the book of international law, and not a formal enforcement of codified statutes."

The commentator adds: Mr. Stimson is not arguing that it is permissible to punish without a law covering the case; his argument is that there is such a thing as a punishable transgression of the spirit of the law, even where the precise case is not covered in black and white. On reading Mr. Stimson's article few will deny that the essential interests of international justice were served by the trials, and that a precedent was established which may be of value in the future. Some may ask: "Would not the interests of justice have been even more manifestly served if the trials had been placed in the hands of a neutral tribunal?" But the tribunal was probably as fair as any that could have been devised.

G E R M A N Y (Cont)

AMERICAN ZONE.

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Mr. Stimson's article on the First Nuremberg Trial.

The Yorkshire Post (3.1.47), commenting on this article in the current number of Foreign Affairs, wrote: The core of his (Mr. Stimson's) argument is that, though there may have been no specific enactment forbidding the crimes with which the accused were charged, "international law . . . is the gradual expression, case by case, of the moral judgment of the civilised world. As such, it corresponds precisely to the common law of Anglo-American tradition. We can understand the law of Nuremberg only if we see it for what it is—a great new case in the book of international law, and not a formal enforcement of codified statutes."

The commentator adds: Mr. Stimson is not arguing that it is permissible to punish without a law covering the case; his argument is that there is such a thing as a punishable transgression of the spirit of the law, even where the precise case is not covered in black and white. On reading Mr. Stimson's article few will deny that the essential interests of international justice were served by the trials, and that a precedent was established which may be of value in the future. Some may ask: "Would not the interests of justice have been even more manifestly served if the trials had been placed in the hands of a neutral tribunal?" But the tribunal was probably as fair as any that could have been devised.

GERMANY.

BRITISH ZONE

TRIALS BEFORE BRITISH COURTS.

The Commission was informed of the following forthcoming trials:

The Bemerode case.

Heinz STUMP, Otto ABEL, Karl GUENTHER and Heinz SIEPMANN are to be tried by a military court at Hanover on 20.1.47, for killing two unknown prisoners of war at Bemerode.

The Lahde Weser case.

Karl WINKLER, Wilhelm Heinrich Friedrich BROCKMEYER, Wilhelm BRUNS, Max Erich MARTIN, Willi JAHN, Karl Wilhelm August ROEHRKASSE, Robert Karl August Ernst MULLER, and Johannes LEHMANN, members of the staff of the Lahde Weser camp, are to be tried at Wuppertal on 27.1.47, for being concerned in killing and ill-treating allied nationals interned therein.

The Stetten case.

This case in which Hermann HAUG and Hermann ROLLER were to have been tried at Essen on 21.1.47 for ill-treating a R.A.F. warrant officer in 1944 at Stetten, has now been postponed till February 4th, 1947.

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The Ravensbrück trial.

This trial was resumed after the Christmas break on December 30th. Evidence was given of the execution of three British women parachutists, of experimental operations, floggings, and torture of inmates to extract confessions.

The Stalag Luft III Murders.

The Daily Graphic's correspondent reported from Germany (1.1.47) that the majority of the Germans believed to be responsible for the murder of 50 flying officers who were shot after a daring escape from Stalag Luft III on March 24/25th, 1944, are now in prison, and that the trial might be expected to take place in April or May next. The case was being prepared in London by the J.A.G.'s department; Germany was still being combed by special investigation officials of the R.A.F. for the last of the guilty men.

Trial of Klettke and Mehlitz.

An agency message from Hamburg (16.1.47) reported: Two Germans, KLETTKE and MEHLITZ, were sentenced to 15 years' imprisonment by a British Military Court here to-day for killing an unknown British airman. During a raid on Berlin in March 1944, a 'plane was shot down. The airman's parachute became entangled in the roof of a house. KLETTKE and MEHLITZ climbed to the top storey and cut the rigging of the parachute so that the airman crashed to his death in the street. A third German accused, MUNCH, was acquitted.

GERMANY.

BRITISH ZONE

TRIALS BEFORE BRITISH COURTS
(Cont.)

Renewal of the Tillessen case. (see Digest No. XXI - p. 3).

News of Germany reported from Rastatt (10.1.47): A French superior court here has directed that the German intermediate court at Constance in the French zone reinstitute proceedings against Heinrich TILLESSEN, charged with the murder of Finance Minister Mathias ERZBERGER in 1921. The order was given after the high court reviewed the action on November 29th of a German court in Freiburg which refused to consider the case because of the Nazi amnesty of 1933. The French tribunal ruled this decision was in opposition to Allied Control Council Law No. 10 and that the Nazi amnesty was in contradiction with the old Weimar constitution.

G R E E C E.

Conviction of Generals Brauer (Breuer) and Mueller. (See No. XX of this Digest, p. 6.)

Reuter reported from Athens that the two German generals—Bruno BRAUER, military governor of Crete from 1942 to March, 1944, and Friedrich Wilhelm MUELLER, his assistant and successor—were sentenced to death on 9.12.46 by a Greek war crimes court. The court expressed the hope that sentence on General BRAUER might be commuted.

I T A L Y

BRITISH TROOPS IN ITALY.

Trial of ex-Marshal Kesselring.

The Associated Press reported from Padua (12.1.47): British Army headquarters announced to-day that KESSELRING, the former German commander in Italy, will be tried before a British court martial at Venice for crimes against the Italian people, including complicity in the Ardeatine caves in Rome in March, 1944.

N O R W A Y.

The Daily Graphic (10.1.47) published a photo of Oskar HANS, described as a "German executioner on trial at Oslo."

U. S. S. R.

Execution of SS. General von Pannwitz.

Moscow radio (16.1.47) reported that five "White" Russian generals had been condemned to death and hanged for fighting for Germany against Russia. The SS. General Helmuth von PANNWITZ, who had pleaded Guilty to atrocities against the partisans was also hanged. (Pannwitz commanded the German "Cossack Division" in Russia.)

YUGOSLAVIA.

Demand for extradition of war criminals.

An agency message from Belgrade (11.1.47) quoted a Yugoslav Foreign Ministry spokesman as saying that Yugoslavia had delivered identical Notes to Britain and the United States, requesting the handing over of Italian war criminals registered by the International War Crimes Commission. So far not one of the 750 registered had been handed over, despite repeated requests. If the request remained unfulfilled Yugoslavia would submit the case, with the accusations, to the United Nations.

Alleged Italian war criminals' book.

The Yugoslav paper Borba (1.1.47), commenting on a book "Fuochi di buvacco in Croatia" published by Giuseppe Angelini, "War criminal and colonel in the Italian army", one month ago in Rome, stated that ANGELINI commanded the "Cravate Rose" Regiment during the war and was, owing to the large number of crimes committed during the occupation, proclaimed a war criminal by the Yugoslav war crimes commission. (Guilty of mass murder in Slovenia and Croatia 1941-43.) Borba quoted many extracts from the book, as for example one in which ANGELINI admits having issued the order to fire on a partisan hospital in Kornica. He burnt down the village of Vukmirovic and was congratulated by the commander of the Prinz Eugen Division. This book, says Borba, represents a post-war crime by an unpunished war criminal.

Conviction of the Mufti's Liaison Officer.

The Jewish Chronicle (22.12.46) reported that a Yugoslav court had condemned to death the Moslem Yugoslav, Piras STAMNO, who was the ex-Mufti's German-Arabic interpreter and liaison officer with the Germans in Sarajevo, in 1943, when he organised the Moslem Legion, which fought with the Germans against the Allies. STAMNO also organised the pogrom which took place in the same year against the Jews of Sarajevo.

M I S C E L L A N E O U S.

Winding up of the British War Crimes Executive.

The Times (15.1.47) announced that it had been decided by the Attorney-General that the offices of the British War Crimes Executive would finally close on 18.1.47. After that date the responsibility for the concluding administrative matters required to complete the work of the International Military Tribunal would be taken over by the Control Office for Germany and Austria, Norfolk House, St. James's Square, S.W.1.

At the same time responsibility for any future needs of the British Division, International Prosecuting Section, Tokyo, Japan, would be assumed by the Law Officers' Department, Royal Courts of Justice, except in regard to mail and communication arrangements, which had already been taken over by the Foreign Office (War Crimes Section), Whitehall.

War Crimes as a strategical investment.

Some remarks recently made by General Otto van STULPNAGEL on his arrival for his trial in Paris, as quoted by the Paris correspondent of the Christian Science Monitor (3.1.47), illustrate the German militarist attitude towards war crimes.

"What does a provisional defeat matter to us," General STULPNAGEL said, "if we have been able to destroy so much manpower and material in neighbouring territories that we have obtained an economic and numerical superiority greater than before 1939? Conquest of the world will require numerous stages, but it is essential that the end of each stage brings us an economic and industrial potential greater than that of our enemies. With war booty which we have accumulated, enfeebling of two generations of manpower of our neighbours, and destruction of their industry, we shall be better placed to conquer 25 years from now than we were in 1939."

The correspondent goes on: "The Press here (Paris) recently has carried comparative figures to show that while Germany lost in killed alone a little over 4,000,000, its neighbours lost in killed approximately 16,000,000. Thus in future military manpower potential Germany comes off with a great victory, eliminating four future enemy soldiers to every German eliminated. French statistics on the condition of children show curves with a marked dip in weight and height of children, marking the result of occupation years, which is a complete German victory, since that nation was well fed during the war and it is conceded that the Allies will never let conditions become bad enough in Germany to-day to impose the same punishment on its people. Seen against these French views, General STULPNAGEL's estimate is considered a simple, honest statement of fact, proving that as usual even when Germany loses a war, she wins it."

THE FAR EAST

T H E F A R E A S T .

J A P A N .

I N T E R N A T I O N A L M I L I T A R Y T R I B U N A L .

On 30.12.46 it was announced that the Tribunal would adjourn for a fortnight at the end of the case for the prosecution. The defence had asked for a month to prepare their case. Prosecution leaders expected that their case would be completed about the middle of January. Court observers believed the case might go on until May or June, 1947.

On 3.1.46 evidence was given by General TANAKA that British and American prisoners of war had been used as slave workers for Japanese industrialists.

Admiral NAGANO, chief of Naval Staff at the time of Pearl Harbour, one of the defendants, died of pneumonia on 5.1.47.

Agency messages of 7.1.47 reported that, according to documents submitted by the prosecution to the Allied War Crimes Tribunal in Tokyo, General TOJO, former Japanese premier, and General KIMURA, both on trial, concurred in secret instructions to send prisoners to Korea and Formosa and put them to work in Japan, "to stamp out the respect and admiration of the people for Britain and America."

C H I N A .

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

Conviction of Ehrhardt.

The Daily Telegraph (18.1.47) reported: A United States Military Commission in Shanghai yesterday sentenced Ludwig EHRHARDT, former chief of the German High Command Intelligence Agency in the Far East, to life imprisonment with hard labour, reported Reuter. Twenty of his subordinates received sentences varying from five years to 30 years. All were found guilty of operating an espionage agency after the German surrender.

S I N G A P O R E .

Criticisms of Sentences.

An "ex-prisoner of war Siam", writing to The Times, (4.1.47) complained of inconsistency in the sentences, contrasting the sentence of 20 years on Colonel YANAGITA, "a comparatively humane man", with that of 12 years on Colonel SUGASAWA, "a callous and insolent Japanese, supreme boss of the camps," and the sentence of only 10 years on General ISHIDA, "responsible on the highest military and political level." He asked: "On what principle are these Japanese being tried, and are there in Singapore ex-prisoners of war of legal and balanced outlook who can assist the military courts, who, with the best of intentions, appear to be delivering verdicts that by no means agree with the accused men's actions as we knew them?"

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THE FAR EAST (Cont.).

SINGAPORE. (Cont.)

A letter to The Times by Mr. F.P. Gourlay (9.1.47) held, on the contrary, that YANAGITA was responsible for thousands of deaths, and pointed out that General ISHIDA had other indictments to answer.

XXIV

No. XXIV.

February 6th, 1947.

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.]

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S U M M A R Y O F E V E N T S

E U R O P E.

A U S T R I A.

The Eisenerz Trials.

An agency message (16.1.47) referred to these trials as taking place at Graz. The principal case concerned a convoy of 7,000 people who passed through that town, and of whom only 600 survived, four days before the arrival of British troops.

U.S. Zone of Austria.

Hungarian Extradition demand accepted.

Linz radio reported (20.1.47): The U.S. authorities in Austria have accepted the Hungarian Government's demand for the extradition of 52 Hungarian war criminals who have now been arrested at Salzburg. Based on a detailed investigation, the Hungarian judicial authorities have been able to submit convincing evidence of the 52 persons' guilt. They include the former Hungarian Minister of the Interior, Karl MEISTER, and the former editor-in-chief of the pro-Fascist Hungarian Press.

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

Trial of Mgr. Tiso.

The Catholic Times (24.1.47) reporting on the resumption of this trial after the Christmas recess, said: "The only one of the witnesses who so far has brought accusations against Dr. TISO is General ECER, the Czechoslovakian General. All the others have spoken in favour of the defendant or have made very reserved statements on certain critical issues.

"General ECER, who heads the Czechoslovak Justice Department and who was the official representative from Czechoslovakia at the Nuremberg trials, lived in London during the war, and consequently cannot be considered a first-hand witness of events in Slovakia."

Trial of Germans by the Slovakian People's Court.

The Prague radio (20.1.47) quoted figures given by the Slovak Minister of Justice for these trials, according to which 5,355 people had been convicted, including 519 Germans; 31 death sentences were passed and 17 were executed.

Escaped German war criminals recaptured.

The Warsaw radio (about 20.1.47) reported: Three German war criminals, who escaped on their way to Poland when passing through Czechoslovakia, have been recaptured in Prague. They are WENTZLAFF, Arbeitsfuehrer for the whole of Poland, WILLIS, Head of the Mogilno death camp, and ORNAT, A.D.C. to General Strupp, who took part in the liquidation of the Warsaw ghetto. The prisoners were taken to the Polish Legation in Prague. Six security officers from Poland will escort them.

GERMANY.

TRIALS BY GERMAN COURTS.

Trial of von Papen.

This trial, before a de-Nazification court, opened at Nuremberg on 24.1.47. Counsel for the defence disputed the competence of the court because his client was resident in the British zone.

Trial of Fritzsche.

Press messages from Nuremberg (31.1.47) said that Hans FRITZSCHE, former director of the Nazi Propaganda Ministry, was sentenced to nine years' hard labour by a de-Nazification court. He announced that he would use his right of appeal to a higher court composed of jurors.

Trial of Hoffmann.

An agency message from Frankfurt (31.1.47) said that Heinrich HOFFMANN, Hitler's personal photographer, was sentenced to ten years' forced labour and confiscation of all his property by a Frankfurt de-Nazification court. He was to appeal.

Prosecution of Schacht.

The B.U.P. announced (20.1.47) that Dr. SCHACHT, who was awaiting trial by a de-Nazification court, was taken to hospital for an operation.

Prosecution of Dinter.

News of Germany reported from Munich (22.1.47) that the arrest of Arthur DINTER, one of the original members of the Nazi party, was demanded by Dr. AUERBACH, Bavarian State Commissioner. DINTER, who had published anti-Jewish pamphlets and was the party leader of Thuringia, was still at liberty in the French zone.

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Proposal to discontinue automatic arrest category.

U.S. Third Army H.Q. stated (19.1.47) that a proposal had been submitted to H.Q. U.S. Forces in Europe to discontinue the "automatic arrest", to which certain persons are subject. If this proposal was accepted, complete responsibility for de-Nazification would be transferred to Germans. It would entitle public prosecutors in civilian internee camps to decide independently whether internees are to be released for their trial before a purge tribunal in their home town, or whether they should, in accordance with Article 40 of the Liberation Law, be retained in the camp until their case has been decided by the camp purge tribunal.

Sterilisation crimes to be punished in Saxony.

The D.P.D. Telegraph Service (30.1.47) reported: Under a Saxony State Government order, all persons, especially judges and doctors responsible for compulsory sterilisations on political or racial grounds are liable to imprisonment up to ten years as well as confiscation of

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GERMANY (Cont.)

property. The Order defines responsible persons as : Judges who passed the sentences, doctors who gave expert opinions or acted as experts, as well as publicly appointed and private persons who started proceedings aiming at compulsory sterilisation.

AMERICAN ZONE.

SECOND NUREMBERG TRIALS.

Trial of 23 Doctors and Scientists.

A U.S. Press release dated 17.1.47 applies the term "thanatology" to the systematic experiments made by the Nazis to find methods of killing off people whom they wished to exterminate. These methods included slow starvation, exposure to cold air, and cold water, and sea-water drinking. Nazi experiments, it is added, gained little information except in regard to methods of destruction. Medicine, in their hands, became a weapon of war.

Another Press Release dated 23.1.47 reported that Dr. IVY, University of Illinois, before leaving Nuremberg, had advised that a legalised code of ethics should be published for experiments on human beings. "In these experiments", Dr. IVY said, "the method of clinical investigation has been debased by the Nazis". After a thorough study, Dr. IVY had concluded that the Nazi experiments had gained "practically nothing of scientific importance."

The Times (29.1.47) reported from Nuremberg: Members of a British medical commission, headed by Lord MORAN and set up, it is understood, at the request of the Prime Minister, are arriving in Nuremberg to make a detailed study of the experiments on inmates of concentration camps under the guidance of leading Nazi scientists, whose trial before an American tribunal was resumed to-day. One of their first aims is to ascertain whether any useful contribution to medical knowledge has come out of such experiments, and, if so, to decide whether the available data should be used for the benefit of mankind at large. The view of American scientific consultants to the prosecution is that no good at all has come out of the Dachau experiments.

Trial of Oswald Pohl and WVHA staff.

A U.S. Press release (No. 100) dated 13.1.47 stated: Eighteen officials of the WVHA (Wirtschafts und Verwaltungshauptamt), the Main Economics and Administrative Department for carrying out the purposes and enterprises of the SS, were indicted to-day in Nuremberg on charges of conspiracy, war crimes, crimes against humanity, and membership of the SS. The indictment forms the basis for the fourth case brought up by the Office of Chief of Counsel for War Crimes against Germans in influential positions who allegedly committed crimes in executing Nazi policies during the Hitler régime.

The indictment alleges that all the defendants were executives in the WVHA, one of the 12 main departments of the SS. In performing their duties as officials in this organisation they allegedly participated in the commission of atrocities including plunder of public and private

GERMANY (Cont.)

AMERICAN ZONE.

SECOND NUREMBERG TRIALS.

Trial of Oswald Pohl and WVHA Staff (cont.)

property, murder, extermination, enslavement, deportation, unlawful imprisonment, torture, persecutions on political, racial and religious grounds, and other inhumane acts against nationals of other countries, prisoners of war and German civilians.

All the defendants are indicted under the first three counts of the indictment; conspiracy, war crimes and crimes against humanity, and all but one defendant, Hans HOHBERG, are charged with membership in the SS. The SS was declared to be a criminal organisation law fall by the International Military Tribunal.

The first three defendants on the list are Oswald POHL, Chief of the WVHA, and August FRANK and Georg LOERNER, each of whom was assigned, at different times during the war, as POHL's deputy. The remaining 15 defendants held responsible positions as chiefs of either the five main divisions of the WVHA or as heads of the various sections under those divisions. Their names are: Heinz Karl FANSLAU, SS. Brig. General; Hans LOERNER, SS Senior Colonel; Joseph VOGT, SS. Colonel; Erwin TSCHENTSCHER, SS Colonel; Rudolf SCHEIDE, SS Colonel; Max KIEFER, SS. Lieut.-Colonel; Franz EIRENSCHMALZ, SS Colonel; Karl SOMMER, SS Major; Herman POOK, Lieut.-Colonel in the Waffen SS; Hans Heinrich BAUER, SS Senior Colonel; Hans HOHBERG; Leo VOLK, SS Captain; Karl MUMMENTHEY, SS. Lieut.-Colonel; Hans BOBERMIN, SS Lieut.-Colonel; and Horst KLEIN, SS. Lieut.-Colonel.

Under the conspiracy count, the indictment alleges that it was a part of the common design to formulate and execute ways to finance the various activities of the SS; to establish and maintain concentration and labour camps in which thousands of persons were unlawfully imprisoned, enslaved, tortured and murdered. Also under this count is the charge that the conspiracy included plans to supply labour and services of concentration camp inmates to various German industries, plans to furnish human beings for criminal medical experiments, and to deport the citizens of countries occupied by the German armed forces, plundering their property and forcing them to work for the German Reich.

The indictment charges that the defendants committed their crimes mainly through the concentration camps over which the WVHA had jurisdiction from the spring of 1942 until the end of the war. It was WVHA policy to demand from concentration camp inmates the greatest amount of work in return for the smallest possible amount of food, clothing, housing and other necessities. The result of this policy was death for thousands from disease or physical exhaustion.

The defendants are said to have been involved in extermination of races and nationalities considered inferior by the Nazi leaders. Unfortunate victims of extermination programmes were forced to undergo castration, sterilisation, and various experiments designed to murder "undesirable persons".

These crimes, according to the indictment, are violations of international conventions and were defined as crimes by Control Council Law No. 10.

(+) Has been circulated.- R.O.

G E R M A N Y (Cont.)

AMERICAN ZONE

SECOND NUREMBERG TRIALS.

Trial of 16 Ministry of Justice Officials.

A U.S. Press release, dated 4.1.47, gives the following information about the defendants: After the suicide on October 26th of Otto Georg THIERACK, former Reich Minister of Justice who was to have headed the list of defendants, the three top names are those of Franz SCHLEGELBERGER, Curt ROTHENBERGER and Herbert KLEMM. SCHLEGELBERGER was Secretary of State in the Justice Ministry between 1933 and 1941 and, after the death of Reich Minister GUERTNER, Acting Minister of Justice until 1942, when THIERACK took over and ROTHENBERGER became his Secretary of State. ROTHENBERGER, a former Hamburg judge, was relieved of his duties in January 1944 and replaced by KLEMM, an intimate friend of Martin BORMANN.

Two more defendants are Oswald ROTHMANN, who was President of the Nuremberg special Court and Rudolf OESCHKE, who succeeded ROTHMANN upon the latter's promotion to senior Public Prosecutor with the People's Court.

High officials of the Reich Ministry of Justice, now indicted, include Josef ALTSTADTER, Division Chief in charge of Civil Law and Procedure, and Karl ENGERT, Chief of the Penal Administrative Division and of the secret Prison Inmate Transfer Division. ENGERT formerly was Vice President of the People's Court. In addition, there are three leading members of the Criminal Legislation Division, namely Wolfgang METTGENBERG, Deputy Chief, and Wilhelm von AMMON and Carl WESTPHAL(+) Ministerial Counsellors. Guenther JOEL, also indicted, acted as legal adviser to the Reich Ministry of Justice and later became Chief Public Prosecutor at the Provincial Court of Appeals at Hamm, Westphalia.

Other defendants formerly connected with the People's Court are Guenther NEBELUNG, Chief Justice of the Fourth Senate; Hans PETERSEN, a lay judge with the First Senate; Ernst LAUTZ and Paul Barnickel, who were attached to the court as Chief Public Prosecutor and Senior Public Prosecutor, respectively.

Finally the defendants' list contains one more judge, Hermann CUHORN, who was Chief Justice at the Stuttgart Special Court.

Summarising the indictment, which was filed on 4.1.47, the Press Release stated: The indictment is made up of four counts; common design and conspiracy; war crimes; crimes against humanity and membership in criminal organisations. Under these counts there are listed all the acts and schemes by which the change-over was effected from a normally functioning judicial system to a government-operated machine with no longer any trace of judicial freedom and independence. The establishment of the People's Court to handle major political cases and from whose decisions there was no appeal, the special Courts in every province which rode rough-shod over existing legal procedure and precedent, complete control over all judges with respect to the sentences they passed—these were some of the stages of the transformation process.

With the beginning of war, the indictment charges, the justice apparatus, already geared to high "efficiency" became a vital part of the overall war machine. By extending the jurisdiction of the Nazi courts to the occupied territories, by trying foreign nationals for "treason" committed against the German Reich, by handing over Jews, Russians, Poles, Ukrainians to the Gestapo for special "treatment" in many instances without trial, and by many similar acts, the defendants jointly and individually committed war crimes in violation of recognised international conventions and of Article II of Control Council Law No. 10.

(+) Has committed suicide.

G E R M A N Y (Cont.)

AMERICAN ZONE.

SECOND NUREMBERG TRIALS (Cont.)

Trial of 16 Ministry of Justice Officials (cont.).

The Ministry of Justice was particularly active, according to the indictment, in its co-operation with the ill-famed "Nacht und Nebel" decree.

Furthermore the Ministry is accused of having contributed to the Nazi programme of inciting the population to murder Allied airmen through suspension of criminal process against the murderers.

The Courts were employed to suppress ruthlessly any political opposition in the Reich; political prisoners were turned over to the Gestapo for extermination; the Ministry played vital part in the drafting and discriminatory execution of the sterilisation laws and policies, to name only some of the points charged against the defendants under count three: crimes against humanity. By putting this third case before the Military Tribunals, the Office of Chief of Counsel for War Crimes, extends into a new field of the German administration, thus continuing an operation which will eventually touch every phase of the nation's public life.

Change of status of German Generals.

A U.S. Press release dated 4.1.47 states that ten former German Generals held in Nuremberg gaol were discharged on the previous day as prisoners of war and assigned the status of civilian internees, with the result that they lose their rights under the Geneva Convention and their prisoner-of-war allowances and become automatic arrestees.

The Generals in question were: Field-Marshal Erhard MILCH, Hermann Goering's deputy in the Luftwaffe; Lieut.-General Walter WARLIMONT, Deputy Chief of the Armed Forces Operations Staff; Siegfried HANDLOSER, Lieutenant General in the Medical Service and Chief of the Medical Services of the Armed Forces; Paul ROSTOCK, Major General in the Medical Corps Reserves and Surgical Adviser to the Army; Oskar SCHROEDER, Lieutenant General in the Medical Service and Chief of the Medical Service of the Luftwaffe; Karl GENZKEN, Major General in the Waffen SS and Chief of the Medical Department of that organisation; General Lothar RENDULIC; and three infantry generals: Ernst DEHNER, Herman FOERTSCH, and Ernst von LEYSER. Two generals signed their discharge papers under protest. Field-Marshal MILCH argued that men of his rank are not supposed to be discharged, but are to serve until they die. General WARLIMONT objected because he would no longer receive the stipulated pay of \$40 a month.

Releases from Dachau suspended.

Berlin radio announced (15.1.47): The regulation suspending the release of SS men and other Hitlerites from the Dachau Camp is a further proof of improved Polish-U.S. collaboration in the investigation of war crimes. About 6,000 persons were to be released, 600 of whom had been asked for by the Polish authorities. The criminals requested by Poland will remain in Dachau until they are handed over to the Polish authorities.

GERMANY.

BRITISH ZONE.

The Ravensbruck Camp Trial.

Reuter reported from Hamburg (3.2.47): All 15 former members of the Ravensbrück women's concentration camp staff, accused of crimes against humanity, were found guilty by the Hamburg War Crimes Court (3.2.47), after a trial lasting two months. Eleven, including five women, were sentenced to death. The sixteenth accused, Dr. WINKELMANN, who died from a stroke, was omitted from the findings.

The Court passed the following sentences: To die by hanging: Carmen MORY, Swiss-born, block-leader at the camp; Vera SALVEQUART, nurse, who administered lethal injections; Dorothea BINZ, head wardress, chief of the punishment block; Elizabeth MARSCHALL, matron of the camp "hospital"; Greta BOESEL, head of women's labour gang; Johann SCHWARTZHUBER, deputy camp commandant; ROSENTHAL, SS doctor (experimental operations); Gustav BINDER, camp tailor ("orgies of beatings"); Dr. Percy TREITE, deputy medical chief; Ludwig RAMDOHR, political interrogator; Dr. SCHIDLUSKY. Fifteen years' imprisonment: SS Captain PETERS, commander of the SS guard; and Dr. HELLENGER, camp dentist. Ten years' imprisonment: Eugenia von SKENE; and Margarete NEUES, SS. wardress.

Before passing sentences the court heard defence pleas for mitigation.

Forthcoming Trial.

The Commission was informed of the following forthcoming trial:

Johannes ENGEL: to be tried by a military court at Essen on 29.1.47, for ill-treating a British airman near Gelsenkirchen about 7.2.45.

U.S.S.R. ZONE.

Nazis holding responsible posts.

The Russian-controlled Neues Deutschland (29.1.47) published a list of Nazis and war criminals still holding responsible industrial and administrative posts in the Western zone. Among those listed are three ex-officials of the Reich Iron and Steel Administration, TESSE, formerly Director of Statistics, LOEHDORF, formerly Director of the Quota Control; Dr. Karl SEEWALD, former Chief Establishment Officer, Hitler Youth leader of long standing and holder of the Nazi Party's golden badge; and Dr. von OELSEN, formerly legal adviser. All these people fled to the Western zone from Berlin.

THE NETHERLANDS.

Execution of an Informer.

An agency message from Holland (4.2.47) reported that a special Dutch court at Maastricht had sentenced to death Hans W. VASTENHOUT, for helping the Germans to track down Allied pilots and members of the Dutch underground movement.

P O L A N D.

The Trial of Ludwig Fischer.

Warsaw radio reported (9.1.47) that the U.S. authorities would hand over SS. General von dem BACH, as witness in the second half of January. In connection with this, at the request of the Prosecution, the next session of the Supreme National Court was to take place on January 23rd.

Trial of Hoess.

Warsaw radio announced (28.1.47) that the trial of Rudolf HOESS, former Governor of Oswiecim camp, Poland, where 2,000,000 Jews, Poles and Russians are said to have been gassed, had been fixed for March 11th.

[See also under Czechoslovakia and Germany, American zone regarding war criminals surrendered to Poland.]

P O R T U G A L.

Suicide of Wissmann; arrest of Nassenstein.

Reuter reported from Lisbon (15.1.47) that Karl WISSMANN, formerly German Press Attaché in Lisbon, who escaped from a detention camp in November, 1945, committed suicide when police went to arrest him.

In the same house the police found Adolf NASSENSTEIN, classified by the allied authorities as "a dangerous Gestapo agent." NASSENSTEIN tried to shoot himself, but was arrested. Both WISSMANN and NASSENSTEIN were to have been repatriated to Germany soon after the war ended, but failed to appear at the airport.

Y U G O S L A V I A.

Trial of General von Lohr.

The Daily Telegraph reported from Belgrade (3.2.47) that the trial of General von LOHR, former commander of the German forces in South-Eastern Europe, would begin on 5.2.47 before the Supreme Military Court of Yugoslavia. (See note on next page.)

YUGOSLAVIA (Cont.)

Execution of Meissner.

The Daily Telegraph reported from Belgrade (25.1.47) that General MEISSNER, war-time Gestapo chief in Serbia, and General FUCHS, of the SS., condemned to death in Belgrade for war crimes, had been executed.

[See No. XXII, p. 16, of this Digest for trial of MEISSNER (MEYSSNER).]

Demand for surrender of War Criminals.

The Times reported (4.1.47) that a Note had been delivered by the Yugoslav Government to the British Government complaining of delay in the handing over of war criminals now in Italy. A Yugoslav official in Belgrade stated that more than 750 Italian war criminals, listed and certified by the United Nations War Crimes Commission in London, were still at liberty.

The British view was that, since Italy was no longer under the Allied Control Commission, Yugoslavia should take this matter up direct with the Italian Government.

[NOTE: General-oberst Alexander von LOEHR, referred to at the foot of previous page, was originally an officer of the Austrian General Staff. He represented Austria at the Geneva Disarmament Conference (1933). After the Anschluss he became C.i.C. 4th German Air Fleet. He served in 1939 in Poland; 1941 in Crete; and in Russia. In 1942 he became C.i.C. in the Balkans in succession to Field Marshal LIST. He is in the UNWCC List No. 7, as a "Key-man."]

THE FAR EAST ...

THE FAR EAST.

JAPAN.

THE INTERNATIONAL MILITARY TRIBUNAL.

The Times correspondent cabled from Tokyo (3.2.47): Sir William WEBB, president of the Tribunal, to-day rejected the dismissal motions submitted by the American defence counsel for Hideki TOJO and his 25 co-defendants. The argument was put forward that the prosecutors had failed to establish that any individual defendant had committed crimes against the peace (counts one to 36 of the indictment), murder (counts 37 to 52), and crimes against humanity (counts 53 to 55). The chief defence counsel also argued that the body of law which the tribunal undertakes to administer under an amended charter issued by General MacARTHUR on April 26th, 1946, is entirely ex post facto and "hence abhorrent to, and contrary to the practice followed by all civilised nations since time immemorial."

The court adjourned till February 24th.

The News Chronicle Tokyo correspondent gave the following data (28.1.47): At the conclusion of the prosecution's case the court reporters had recorded 4,000,000 words.

The trial had been going on since last May. It was expected that the defence would take another six weeks.

Eleven judges, 50 prosecution attorneys and 29 U.S. defence lawyers had attended the hearings, at which 102 witnesses appeared personally, and affidavits from another 1,200 witnesses and details from 1,100 documents had been presented. The language difficulty had lengthened the proceedings, though there was language and clerical staff of 104 Allied nationals and 154 Japanese. The secretarial and defence staff totalled a further 363.

During the hearings the former Foreign Minister, MATSUOKA, died of consumption; Admiral NAGANA, Chief of the Naval General Staff, died of pneumonia; and Dr. OKAWA, leader of the "Co-Prosperity Sphere" plan, went mad in court. Two others were taken to hospital with chest complaints.

The defence had notified the Court that it would divide the case into six phases: general, Manchuria, China, Russia, Pacific War and evidence adduced on behalf of the accused individually.

SINGAPORE AND PACIFIC

Trials by British and Australian Courts.

Mr. Bellenger, Secretary for War, gave the following information in the House of Commons (29.1.47): The trials were proceeding under British authorities in Singapore, Hongkong, Burma, and Borneo. So far, 598 Japanese and Koreans had been tried by these British courts. Of this number 221 had received the death sentence, 305 had been sentenced to different terms of imprisonment, and 72 had been acquitted. Of the sentences to imprisonment 41 were for life, nine were for 20 years or more, 99 for 10 years or more, 78 for five years or more, and 78 for less than five years.

SINGAPORE AND PACIFIC (Cont).

Trials by British and Australian Courts (cont.).

Australian military courts had tried 685 alleged war criminals, of which 124 were sentenced to death and 351 to imprisonment. The remainder were acquitted. United States courts in Japan and elsewhere had tried 30 accused of committing war crimes against British victims. Six of these were sentenced to death and 24 to imprisonment.

An agency message from Singapore (20.1.47) said that eight Japanese would be hanged that morning for atrocities committed against Allied prisoners of war who built the notorious "death railway" and for crimes in Indo-China.

C H I N A.

Execution of Kuwashima.

An agency message (1.2.47) reported from Shanghai that Captain Juichi KUWASHIMA was hanged in that city for atrocities against allied prisoners of war at Hoten camp, Mukden, where he was medical officer.

XXV

No. XXV.

February 24th 1947.

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.]

C O N T E N T S.

SUMMARY OF EVENTS:

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S U M M A R Y O F E V E N T S .

E U R O P E

A U S T R I A .

War Criminals Clause in the Austrian Peace Treaty.

The Times (5.2.47) reported that at the meeting of the deputies for Austria the clause about war criminals was discussed. Mr. GUSEV (Soviet Union) maintained that the article in the Austrian treaty should be similar to that in the satellite treaties which calls only for the handing over of war criminals. General CLARK (United States) said that there should be a time limit of 90 days during which war criminals should be handed over, and that there should be a preliminary examination by the occupying Powers. Lord Hood said that the most frivolous charges had been advanced by certain Allied Governments, and he thought it undesirable that the machinery for dealing with war criminals should be abused in this way. Mr GUSEV asked that a telegram should be sent to the Control Council asking for more energetic measures. General CLARK objected that this would imply censure, and it was finally left to Mr. PARIS to draft a telegram asking the Control Council to refer to their war criminals problem when they reported to the deputies.

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Duchon, Gestapo Official, sentenced.

Agency messages (7.2.47) reported that Karell DUCHON, Gestapo official at OLOMOUC was sentenced to death by hanging by the People's Court at OLOMOUC.

Trial of German Sondergericht Judges.

Prague radio (11.2.47) reported that the trial of former German judges would open before the Extraordinary People's Court in Litomerice (Leitmeritz) in February. The first to be tried would be three members of the former Sondergericht and its President, Dr. WALECHTER, who, according to the evidence available, passed over 30 death sentences. Next will be the President of the former Criminal Senate of the Supreme Provincial Court, Dr. PUESCHE, and two other members of this Senate who all passed several scores of death sentences. The Prosecutor of the former Sondergericht, Dr. WILLOHITZER, and Dr. WERNER, a member of the Supreme Provincial Court were also to be tried shortly.

D E N M A R K

Sentences on the LORENZEN Group.

Reuter reported (29.1.47) from Copenhagen that Denmark's second big war crime trial ended with death sentences on ten members of the Lorentzen Group, including one girl. Two other members were sentenced to life imprisonment, and ten to terms ranging from eight to twenty years.

Arrest of General von HANNEKEN.

(see: Germany, British Zone).

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News of Germany reported from Nuremberg (12.2.47) that FRITZSCHE had been transferred to a labour camp on 10.2.47.

Commentary on the conviction. "Truth" wrote in an editorial paragraph: "Found not guilty and acquitted by the high International Tribunal which tried the Nuremberg defendants, the wretched FRITZSCHE could have been forgiven for supposing that the verdict of so august a body would have been the force of law. The German court could similarly have been excused had it ventured not to reverse the findings of the immensely more exalted authority. Its only concession to decorum, however, was to make the sentence one year less than the lowest sentence imposed by the tribunal. That the German judges had the temerity even to try the man, however, would suggest that whatever super-national power decreed the trial of the Nuremberg defendants was determined that none should escape, so that when one means failed another was immediately found."

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Trial of von Papen.

News of Germany reported (24.1.47) that when von PAPEN came before the de-nazification court at Nuremberg on 24.1.47 the Prosecutor asked for him to be classified as a major offender. He emphasized that von. PAPEN's trial by the International Military Tribunal had been for crimes against foreign nations.

Reuter reported (4.2.47) that von PAPEN had been arrested for perjury by order of the President of the Court for making misleading statements, but that this would not delay the course of the trial.

AMERICAN ZONE.

THE SECOND NUREMBERG TRIALS.

News of Germany reported from Nuremberg (12.2.47) that General Telford TAYLOR had outlined the program of trials to a Press Conference as follows: "Because of the shortage of trained interpreters" he said, "only four trials would be held at the same time instead of five or six as previously scheduled. At the present time only three courts rooms were available but it was hoped that a fourth might be ready by the end of this month.

Following the trial of Friedrich FLICK and his four co-defendants (see below) which was scheduled to open in six weeks, the trial of officials of the I.G. Farben combine, Krupps works, the Dresdener Bank, and the Hermann Goring plants would be opened.

The General pointed to the great interest France showed in the trials of Nazi industrialists, and said, "France would give active support to the prosecution in those trials."

Indictment of Industrialists (No. 5 case.)

A U.S. Press release (No. 106) mentions indictment on 8.2.47 of Friedrich FLICK, head of a great iron-and-steel combine, together with his colleagues in the combine, Otto STEINBRINCK, Konrad KALETSCH, Bernhard WEISS and Hermann TERBERGER.

The indictment contains five counts.

Under Count 1. All the defendants are charged with having participated in, and profited by the slave labour programme, and as responsible for ill-treatment of slave workers and p/ws employed in war industries, thereby causing deaths and suffering.

Under Count 2. All except TERBERGER are charged with plunder and spoliation of countries overrun by the Wehrmacht: (seizure of industrial properties equipment and material to an extent unrelated to the needs of the occupying armies or the resources of the territories).

Under Count 3. FLICK, STEINBRINCK and KALETSCH are charged with instigating and profiting by the "Aryanisation" of Jewish property (in particular the seizure of the "Potschak" holdings in coalfields belonging to the Czechoslovak Jews).

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GERMANY

AMERICAN ZONE (Cont.)

THE SECOND NUREMBERG TRIALS.

Indictment of Industrialists (Cont.)

SIEVERS, now on trial in the "23 doctors" case; OHLENDORF; and Oswald POHL (indicted in the WVHA case) besides leading officials of I.G. Farben, Junkers, N.German Lloyd, Deutsche Bank and Dresden Bank.

Under Count 5. STEINBRINCK alone is charged with membership (Brigadeführer) in the S.S., which was declared a criminal organisation.

Thyssen as a witness in Industrialists trial.

Fritz THYSSEN, well known German industrialist scheduled to appear as a witness in the forthcoming trial of the Nazi industrialists, was placed in an internment hospital near Nuremberg at the end of last month because of a serious illness. Reports that THYSSEN had been released from custody were denied by one of the American prosecutors at the Nuremberg palace of justice.

Note on the FLICK enterprise.

Friedrich FLICK never became widely known to the general public or outside Germany, largely because of his own shunning of publicity. None of his gigantic enterprise bore his name. In fact, however, his iron, steel and coal empire became larger than that of Krupp's, and FLICK was probably the most important iron and steel magnate in Germany. FLICK's combine expanded rapidly during the 30's and throughout the war until it included industrial plants all over Germany and, during the war, in France and the U.S.S.R. as well. FLICK's control was exercised through a parent holding company known as the Friedrich Flick Kommanditgesellschaft, formed in 1937. This holding company acquired, controlled and operated coal and iron mines, blast furnaces and smelting, coking and chemical plants, including plants for the production of synthetic fuel; rolling mills and factories for the manufacture of finished steel products, including ammunition and other armaments, airplanes and airplane parts, motor trucks and railroad rolling stock.

T The U.S. Prosecutor in the case is Mr. Charles LYON, assisted by Mr. J. STONE and Mr. P. GANNT.

The I.G. Farben Case - Appointment of U.S. Prosecutor.

A U.S. Press release, No. 101 of 17.1.47, mentioned the appointment of Mr. J.E. Dubois as Deputy Chief of Counsel, to hear the prosecution against the officials of the I.G. Farben Industrie. Mr. Dubois was formerly assistant to the Secretary of the U.S. Treasury.

Trial of 23 Doctors and Scientists. (see No. XXIII, p.3, and XXIV, p.3)

A U.S. Press release (4.2.47) reported that Karl BRANDT, former Reich Health Commissioner, who is accused of twelve types of medical experiments, gave evidence in his own defence on February 3rd and 4th. Disclaiming responsibility for the experiments he said: "I do not believe I would have been able to stop them (the medical tests) if I had been informed about the method of their execution. In the case of the dangerous medical tests, I would have been told the subjects were criminals condemned to death; and in the case of non-dangerous experiments, that the subjects were voluntary."

GERMANY.

AMERICAN ZONE (Cont).

THE SECOND NUREMBERG TRIALS.

Trial of 23 Doctors and Scientists (Cont)

"It would," he said, "probably be necessary to settle, on an international basis, the question of the voluntary nature of experimentation on human beings."

The latter idea, says the Press release, was also expressed by Dr. Ivy of Illinois University (see No XXIV, p.3, of this Digest), consultant for the prosecution, on leaving Nuremberg. After reviewing the record of the war crimes trial, he recommended that an international, legalized code of ethics should be published on the use of human beings as experimental subjects.

Ministry of Justice Trials. (see No. XXIV, p.5, of this Digest)

A D.U.P. message from Nuremberg (18.2.47) stated the 15 defendants, former Nazi judges and judicial officials, were arraigned before the U.S. court on that day and pleaded not guilty.

The Trial of ex Air Marshall Milch. (see XXIII, p.4, of this Digest)

An Agency message from Nuremberg (8.2.47) reported that, on the previous day, Eric HIPPE, Chief of the Air Force Medical Service, giving evidence for the defence, asserted unconcernedly that it was "necessary" to subject human beings to ice-water baths to find out why so many pilots died after being shot down over the North Sea. HIPPE said MILCH knew about these experiments at Dachau.

The researchers had tried to find out, by using animals, the best methods of resuscitating victims of exposure, but this proved unsatisfactory. "It was clear to me," he said, "that experiments had to be carried out on human bodies." Reports on the experiments were sent from Dachau to HIMMLER, and came down from HIMMLER to MILCH.

Trial of Concentration Camp Staffs.

News of Germany (17.1.47) reported that three former guards of the Dachau concentration camp were sentenced by a military court to imprisonment for mistreatment of camp inmates. A fourth guard, who proved that he had treated inmates fairly, was acquitted.

News of Germany reported from Dachau (7.2.47) that the American military court there sentenced the former SS Sergeant ZISCH to death for taking part in crimes which caused the death of 2,300 concentration camp inmates in the Kaufering Camp of the Dachau chain.

Herbert STROSSENREUTER, former S.S. man, of the Dachau Camp was sentenced to ten years imprisonment and Ludwig DEUTSCH to five years.

The same paper reported from Dachau (13.2.47) that an American military court there had sentenced the chief of the kitchen of Dachau camp, Matthias PFELFER, to imprisonment for life. Witnesses testified that PFELFER had beaten camp inmates serving in the kitchen and had poured boiling water on them.

G E R M A N Y

AMERICAN ZONE (Cont.)

Forthcoming Buchenwald-Nordhausen Camp Trial.

The Commission was informed (13.2.47) that the Buchenwald and Nordhausen cases were being prepared for trial (see A.34)

An Agency message from Germany (7.2.47) reported that some 20 to 30 former S.S. guards and staff of the Buchenwald camp would appear before an American Court at Dachau on April 1st. They would be accused of murder, ill-treatment and starvation of thousands of people at the camp.

Trial of Murderers of Airmen.

An Agency message (10.2.47) stated that Hermann DALLMANN, who bragged that he murdered an American airman near Wilmersdorf, in 1944, was sentenced to death by a military court at Dachau. BOEHRS and BRUNNER were sentenced to imprisonment for beating and kicking the airman.

News of Germany reported (20.1.47) that a military court had sentenced Erich METTE to death and Otto PETERS to life imprisonment for killing an American flier near Neindorf in 1944. The trial ended quickly when METTE's written confession was introduced.

Attempted Escape of War Criminals at Dachau.

An A.P. message from Frankfurt (11.2.47) quoted an announcement by the U.S. Army authorities that an attempted mass breakout of war criminals in Dachau internment camp was foiled by a Polish guard. One S.S. prisoner-of-war was killed by the guard and seven others were recaptured.

Arrest of Dr. Paul Schmidt.

News of Germany reported from Nuremberg (7.2.47) that the former chief interpreter of the Nazi Foreign Office, Dr. Paul SCHMIDT, was arrested three days previously on orders of U.S. war crimes prosecution authority. SCHMIDT at liberty since January 4th, was a witness during the International War Crimes trial and also in the de-Nazification proceedings against von PAPEN

(DR. Paul SCHMIDT acted as interpreter at the meeting at Godesberg between Neville Chamberlain and Hitler in 1938.)

Death of Ritter von Epp.

It is confirmed that von EPP died in hospital on 31.12.46. He was one of the 15 Reichsleiter, and ex-Statthalter for Bavaria. He was on the U.N.N.W.C.C list.

GERMANY,

BRITISH ZONE.

Forthcoming trials.

The Commission was informed of the dates fixed for the following trials:
(see Document A.34):

Trial of Englebert LAP and Karl NEULIST (Oflag XII B case); at Essen on February 18th 1947; the defendants were accused of responsibility for the wounding of a British officer, P/W, at HADEMAR about September 1943.

Trial of Karl MOELLER, Anton NICHOLAISEN and Claus SHOMACKER (Eddelak case); at Hamburg on February 18th 1947; the defendants were charged with ill-treating allied nationals employed as slave workers. NICHOLAISEN was also charged with issuing instructions that shot down Allied airmen were not to be taken alive.

Trial of Rudolf GUENTHER, Ernst HOFFMAN, Gustav JEPSEN, Heinrich SUERIG, Otto THUEMEL, Gottfried DROSSEN and Hans HORSTMANN. (Wilhelmshaven-Banterweg case); at Hamburg on February 4th 1947; the defendants were accused of ill-treating and killing Allied nationals in the BANTERWEG Concentration Camp.

Trial of Hugo GRUNER and Rudolf BIRLIN. (Rheinweller case); at Recklinghausen on February 20th 1947; the defendants were accused of killing four Allied airmen in October 1944.

The Stetten Trial. (see No. XXIV, p.9, of this Digest.)

This trial, in which HAUGG and ROLLER were accused of ill-treating a British airman, was appointed to begin on 11.2.47. (see also supplement, Page 17.)

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The Ravensbrück Trial. (see No. XXIV, p.7, of this Digest.)

An Agency message from Germany (5.2.47) stated that Carmen MORY, who was sentenced to death on 3.2.47, had appealed to the Swiss Consul-General at Hamburg to intervene on her behalf.

The Lahde Weser Trial at Wuppertal.

An Agency message from Hamburg (14.2.47) reported that Karl WINKLER, former camp commandant of the Weser district labour camp, and three camp guards had been found guilty of ill-treating and killing Allied prisoners of war by a military court at Wuppertal. (see also supplement page 17.)

De-Nazification in the British Zone.

Mr. HYND, British Minister, defending his government's de-nazification policy, in the House of Commons (5.2.47) said, "de-nazification was well in hand. Most of the people in the civil internment camps had been held pending the outcome of the Nuremberg trials. Many of them were dangerous and if it was suggested that they should open these camps and let these people loose upon the German people he could not agree."

GERMANY.

BRITISH ZONE. (Cont.)

Categorization of Nazi Internees.

The Times correspondent reported from Berlin (7.2.47), that a new instruction on the above subject had been issued in the British Zone: "The new instruction covers the trial of war criminals, the categorization and disposal of persons now in the internment camps, and the procedure of German de-nazification panels for the final categorization of persons at large. Five categories have been established, into which will be classed all persons now interned and all Nazis "in any way implicated by de-nazification." The categories are:

1. Persons who have committed specific war crimes or crimes against peace or who are guilty members of organisations declared criminal. They will suffer death or imprisonment, and will have their property and accounts blocked. They may also have their entire wealth confiscated or be ordered to pay a fine.
2. Nazis who, while not criminals, are the most dangerous to the revival of democracy or the maintenance of peace. They will be interned up to a maximum of ten years and will have their property and accounts blocked. They also may have their entire wealth confiscated or they may be fined.
3. Nazis considered sufficiently dangerous to merit very close surveillance and control of their activities. They will remain at large, but they will not be allowed to vote or to take part in any political activity and will be restricted in varying degrees in regard to positions in Government or private employment which they may occupy. Their property and accounts will be blocked their movements will be restricted, and they will have to report to the police at regular intervals.
4. Nazis who appear to be the least dangerous. They will not be allowed to stand as candidates at elections, and some may have their property and accounts blocked.
5. Persons who have passed through the de-nazification machinery and have been cleared of any active connexion with Nazism, and also Nazis who have been graded down from higher categories or have been exonerated. They will not have to submit to restrictions and they will be issued with clearance certificates."

The correspondent adds:

"Of the 34,000 Germans now interned in the zone 20,000 have been provisionally put in the first category as war criminals, more than 1,000 accused of specific war crimes and the rest as members of criminal organisations. The remaining 14,000 internees are now being sifted out, and it is estimated that about 5,000 of them will be put in the second category and will remain in internment up to ten years. The rest will be dealt with under the third, fourth and fifth categories." Outside the internment camps German de-nazification panels will assume executive powers regarding final categorization. All militarists will be finally categorized separately by the British authorities."

FRENCH ZONE.

The Struthof Natzweiler Concentration Camp Trial.

News of Germany reported from Rastatt, in the French Zone, (3.2.47): Twenty one of fifty former guards of a subordinate unit of the Struthof Natzweiler concentration camp, tried at Rastatt before a French Military tribunal were sentenced to death. Sentences of imprisonment were given to 28 other defendants. One was acquitted.

GERMANY.

FRENCH ZONE (Cont.)

The Struthof Natzweiler Concentration Camp Trial. (Cont)

(This is no doubt the trial to which M. TOUFFAIT referred in his address to the Committee on 11.12.46. see also Document C.242, p.3.)

13 Rottenburg Prison Guards indicted.

News of Germany reported from Rastatt (12.2.47) that indictments alleging war crimes had been served on 13 former leading officials and guards of the Rottenburg (a. Neckar) prison this week by the prosecution of the Rastatt Supreme Court. The defendants were charged with responsibility for 33 deaths in the prison. Undernourishment was given as cause though the prison had its own livestock, fields and orchards.

U.S.S.R. ZONE.

Forthcoming War Crimes Trial in Berlin.

The Daily Telegraph (1.2.47) reported from Berlin: the first trial of alleged war criminals in Germany to be staged by the Russians will be held in Berlin next month.

(This may refer to the Sachsenhausen (Oranienburg) concentration Camp trial, which was handed over, together with prisoners and evidence, by the British to the Russians; see Digest XXI, p.11.)

HUNGARY.

Extradition of War Criminals.

Budapest radio reported (17.2.47); Hungary has submitted lists of war criminals to the occupying Powers asking for the extradition of war criminals. The U.S. authorities have just replied that they have arrested 350 and will transfer them to Budapest in March. The French have arrested 72 war criminals and will prevent others from crossing France to South America; Hungarians will only be admitted to the Foreign Legion if they do not figure on the lists of war criminals. According to the British reply Hungarian war criminals will be handed over to the U.S. authorities and then repatriated.

ITALY

BRITISH TROOPS IN ITALY.

Trial of ex Marshal Kesselring.

The Times correspondent reported from Venice that, when the trial opened before a British military court on February 10th, counsel for the defence objected that he had only been supplied with the charges 12 hours previously and demanded two weeks adjournment. The President, Major General HACKWELL-SMITH, allowed an adjournment until February 17th. The defendant was charged with being concerned in the massacre of civilians and inciting German forces to similar acts. He pleaded not guilty when the trial was resumed on February 17th. Colonel HALSE, the Prosecutor, said of the first charge, the

I T A L Y (Cont)

Trial of ex-Marshall Kesselring. (Cont)

"Ardeatine Caves massacre", that this was "the dirtiest piece of work ever committed by any nation." By transmitting Hitler's order Kesselring had made himself responsible for it and, to make matters worse, he never troubled to open an enquiry. In regard to the second charge the Prosecutor said that in the first of these orders, directed against partisan activities, KESSELRING wrote: "I will protect any commander who exceeds our usual restraint in the choice and severity of the methods he adopts against partisans." There was evidence, the Prosecutor added, that KESSELRING did not consult his staff lawyer before drawing up that order. In his second order, the Prosecutor continued, KESSELRING ordered part of the Italian male population in affected districts to be arrested and shot, villages to be burnt, and partisan ring-leaders to be publicly hanged.

One result of all this was an appalling case near Udine, where women and children were mowed down by machine-guns, and houses looted and burnt, while there was other evidence that over 100 persons were killed in most barbarous fashion by the German forces. This behaviour of the Germans brought a bitter protest from MUSSOLINI himself, but KESSELRING's first comment was that "war is a rough trade, especially when fighting against cunning and treachery." Nevertheless he felt impelled to modify his ruthless policy and later issued fresh orders that reprisal should be confined to partisans only.

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

Execution of Traitors.

Hilversum radio reported (5.2.47): the Minister of Justice announced the rejection of the pleas for a reprieve of G.ROMNEMA and P.GERITS condemned to death by a special court. A reprieve was granted to van der PLOEG, whose death sentence was commuted to life imprisonment. The death sentence on G.H. GANZENVLESCH was carried out. He had given away 67 Jewish compatriots to the Gestapo, and the majority did not return from the concentration camps.

Death Sentences: Minister's explanation.

Radio Hilversum reported (11.2.47): The Minister of Justice replying to a question said that the debate had shown that capital punishment should be restricted to a small number of cases. He agreed that appeals for clemency should be dealt with speedily. An amendment to this effect had come into operation, whereby a final recommendation by the whole Council of the Special High Court of Appeal was no longer necessary, and time was thus saved. Where appeals were rejected by the Queen, the death sentence was carried out within a week. In such cases, the defendant was informed immediately and his execution followed not sooner than 24 hours and not later than 48 hours after notification.

Looted Dutch Gold.

The Schwarzenburg (Swiss) radio reported (4.2.47) referring to a Washington announcement that National Socialists had transferred Dutch gold amounting to 70,000,000 dollars to Switzerland. (a) Neither the Federal Council nor the Board of the Swiss National Bank have any knowledge of this alleged discovery. So far no communication from the Allied government has been addressed either to the Federal Council or to the Swiss National Bank on the subject. (b) Juridically, it is quite clear that the question of the purchase of gold in Germany during the war had been settled by the Washington

I T A L Y (Cont)

Trial of ex-Marshall Kesselring. (Cont)

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THE NETHERLANDS. (Cont)

Looted Dutch Gold. (Cont.)

Agreement and liquidated through Swiss payments. (c) The Swiss Legations in Washington and the Hague have been instructed to supply as soon as possible all details on the subject they may be able to obtain.

P O L A N D.

Trial of Ludwig Fischer.

An A.P. message from Warsaw (2.1.47) said that the German General Erich von dem BACH, the former Governor of Warsaw, who had been brought from Nuremberg to give evidence, and Ludwig FISCHER the defendant accused one and other of responsibility for the systematic destruction of the city. General von dem BACH maintained that it was FISCHER who gave the orders for the house-to-house dynamiting of Warsaw.

The hearing of evidence concluded on 2.1.47. In his final address Prosecutor SIEWIERSKI analysed the activities of the defendant and his associates. The charges of belonging to a criminal organisation and of taking part in murders of the Polish population had, he said, been proved. The proceedings had not revealed that LEIST took part in them. The crimes of FISCHER, MEISINGER and DAUME came under Article 1 of the code. The Prosecutor asked for the death sentence on these three defendants. For LEIST, he asked for a sentence of ten years.

German War Criminals extradited.

Warsaw radio reported (4.2.47): the U.S. Military authorities have sent off from Dachau 150 German war criminals extradited to Poland. They include senior SS and Gestapo officers and members of the staff of Oswiecim and Blaszw camps. They will be taken over by the Polish security authorities at Dziedzice.

Y U G O S L A V I A.

Trial at Belgrade of von Loehr and other Generals. (see No. XXIV, pp 8, ()

The defendants in this trial were, according to the Times (17.2.47):

General Alexander LOEHR,
General August Schmidt, Commander of the German Prince Eugen division;
General Fritz NEUHOLD, commander of the 369th division.
Major-General Hans FORTNER, commander of the 718th division.
General Joseph KNEBLER, commander of the 118th division.
General Adalbert LONCAR, military commander of Belgrade from February 1942
to September 1943.
Colonel Gunter TRIBUKAYT.

An Agency message (11.2.47) said that evidence was given that after a mass shooting at Kragujevac, south of Belgrade, German troops goose-stepped through the streets. The executions were ordered by General Adalbert LONCAR, one of the defendants. On General LONCAR's suggestion a false attack on

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YUGOSLAVIA. (Cont.)

Trial at Belgrade of von Loehr and other Generals (Cont)

German soldiers was simulated to provide cause for reprisals. Afterwards a village was fired and 400 persons were executed.

The Tanyug radio reported from Belgrade (12.2.47) that Dr BLAGOJOVIC, Deputy Finance Minister, testified that in the Piva County alone the German troops murdered 1,080 old persons, women and children. After the withdrawal of the National Liberation Army from Piva area they began a mass extermination of the population.

A witness who had served in the 118th German Jaeger Division showed that the accused, KUEBLER, who had commanded this division, ordered in May, 1943 that allcaptured partisans were to be shot after interrogation. Under KUEBLER's command at that time was also the accused Colonel TRIBUKAYT. This concluded the hearing of the evidence.

A Reuter message from Belgrade (16.2.47) stated that General LOEHR was sentenced to be shot and the six remaining defendants to death by hanging.

Russian commentator, CHERNYAVSKY, broadcasting from Moscow, (12.2.47), said: " The trial of a group of nazi war criminals headed by Col.Gen Alexander LOEHR in the Hitlerite army is now being held in Belgrade. The indictment lists the serious crimes which these nazi butchers committed against the peaceful population of Yugoslavia. As far back as August 1942, when he took over command of the 12th German Army, LOEHR received exceptional powers in the German-occupied Balkans. Later, he was C-in-C and supreme ruler in South-east Europe. It was on his personal instructions, or with his sanction, that mass murders of the peaceful population of Yugoslavia were carried out. In the short period between January and July 1943, 825 hostages were shot in Serbia alone. LOEHR conducted the so-called fourth and fifth offensives against the People's Liberation Army in Yugoslavia, and instituted a reign of terror by punitive detachments. LOEHR admitted in court that Hitler instructed him to treat the Yugoslav People's Liberation Army as bandits and that his troops committed outrages of all kinds with complete impunity. The trial is one of those acts of just retribution mentioned in the historic decisions taken by the leaders of the three Great Powers in Tehran, the Crimea and Berlin."

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THE FAR EAST

JAPAN.

The trial of the Japanese Major War Criminals.

A review of the proceedings, up to the close of the prosecution, in the Christian Science Monitor (10.1.47) contains the following data:

Judges representing 11 Allied Nations.

The 11 judges of the International Military Tribunal in Tokyo are:

Chief Justice Sir William WEBB, Supreme Court of Queensland, Australia.
E. Stuart McDUGALL, Canada.
Mei JU-AO, Acting Chairman, Foreign Affairs Committee of the Legislative Yuan China.
Lord PATRICK, Judge of the Session Court at Edinburgh, Great Britain.
Judge Bernard VAN ROLING, Court of Utrecht, the Netherlands.
Justice NORTHGROFT, Supreme Court of New Zealand.
Justice I. M. ZARYANOV, Military Collegium of the Supreme Court of the Soviet Union.
Maj. Gen. Myron C. CRAMER, former United States Army Judge Advocate General.
Judge Henri Bernard, Advocate Général, France.
Judge R. M. PAL, High Court of Calcutta, India.
Delfin JARINILLA, Supreme Court of the Philippines,

Defendants in the War Criminals trial at Tokyo are:

Gen. Hideki TOJO, former Premier and War Minister.
Gen. Kenji DOIHARA, "mystery man" in Manchuria fighting.
Admiral Osami NAGANO, ordered attack on Pearl Harbour.
Yosuke MATSUOKA, former Foreign Minister.
Shigenori TOGO, TOJO's foreign Minister.
Gen. Shunroku HATA, Commander in Chief in China until 1944.
Mamoru SHIGEMITSU, Foreign Minister from 1943.
Gen. Yoshijuro UMEZU, Chief of General Staff, signed surrender.
Gen. Iwane MATSUI, Commander in Chief until 1938.
Hiroshi OSHIMA, former Ambassador to Germany.
Teiichi SUZUKI, President of War Cabinet Planning Board.
Okinori KAYA, TOJO's Finance Minister.
Koki HIROTA, former Premier and Foreign Minister.
Admiral Shigetarō SHIMADA, TOJO's Navy Minister.
Gen. Sadao Araki, former War Minister.
Gen. Jiro MINAMI, former head of Kwantung Army.
Gen. Kuniaka KOISO, former Premier.
Marquis Kōichirō KIDO, chief confidential adviser of the Emperor.
Gen. Seiishiro ITAGAKI, former War Minister.
Gen. Heitarō KIMURA, commander in Burma.
Baron Kiichirō HIRANUMA, former Prime Minister.

The indictment charged the defendants with three categories of crimes: crimes against peace, conventional war crimes, and crimes against humanity.

Under crimes against peace, Japan's leaders were charged with planning a war of aggression against Russia since 1928, and thereafter starting wars against all the other 10 nations represented in court.

Under war crimes were listed violation of the accepted laws of war, including pillage and the mistreatment of prisoners.

THE FAR EAST.

JAPAN (Cont)

The trial of Japanese Major War Criminals (Cont)

Under crimes against humanity was listed the slaughter of thousands of Americans at Pearl Harbour and the Philippines before the declaration of war, the murder of civilians in China and the Philippines during conquest or occupation of those areas.

The trial actually began on June 4th. The opening address for the prosecution was made by Chief Prosecutor, Joseph B. KEENAN of the United States. The Australian prosecutor, Alan J. MANSFIELD, followed, citing more than 100 treaties, international agreements, and conventions Japan is charged with violating. Mr. KEENAN charged that President Roosevelt's attempt to appeal directly to the Emperor against the war was deliberately blocked by Premier TOJO.

As the evidence proceeded, it appeared that Japanese seizure of Manchuria in 1931 was carried out by the army over the protests of the Foreign Office. Motire MORISHIMA, who was the Consul at Mukden when the Japanese opened their attack, stated that the policy of the Baron Kijuro SHIDEHARA, then Foreign Minister, had been overruled by two officers of the Kwantung Army, Seiishiro ITAGAKI and Kenji DOIHARA - both defendants in the present trial.

Henry PU-YI, who became puppet Emperor of Manchukuo, testified that he became ruler under the Japanese because the democracies were not trying to resist the Japanese militarists, and he could not do so alone.

Passing to the second Chinese invasion, a long series of documents described atrocities committed by ill-disciplined Japanese soldiers when 280,000 Chinese were slaughtered at the capture of Nanking in 1937 amid scenes of drunkenness, robbery and arson.

The Russian prosecutor produced evidence to show that Japan's war upon the United States and Britain was intended to be merely a detour on the way to the primary objective - the rich resources and vast area of the Soviet Far East. Since the Japanese, however, could not overcome the Soviet forces, they turned aside to strike at Pearl Harbour and strike southwards.

Anglo-American prosecutors charged that no important Japanese leader at the conferences preceding the Pearl Harbour attack, raised his voice against war with the United States and Britain.

TOJO, the court was informed, had admitted responsibility for calling an imperial conference, July 2nd 1941, which decided that Japan would not hesitate to fight with Britain and the United States to obtain its "Greater East Asia co-prosperity sphere."

The decision to drive south at the risk of war with Britain and the United States, it was disclosed, was made a week after Germany attacked Russia in 1941.

The prosecution further declared that TOJO and other defendants were responsible for such brutalities as the execution without trial of American aviators shot down over Japan, while an Australian medical officer testified that thousands of Allied prisoners who perished in the steaming Burma jungles because of mistreatment and starvation, could easily have been saved. The prosecution charged that 1,200 American soldiers and 16,000 Filipino troops were brutally killed or perished on the nine-day 120 kilometer march in Bataan.

(For reports on proceedings in November and December see:
Document A.33.)

THE FAR EAST

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Mamoru SHIGEMITSU, Foreign Minister from 1943.
Gen. Yoshijuro UMEZU, Chief of General Staff, signed surrender.
Gen. Iwane MATSUI, Commander in Chief until 1938.
Hiroshi OSHIMA, former Ambassador to Germany.
Teiichi SUZUKI, President of War Cabinet Planning Board.
Okinori KAYA, TOJO's Finance Minister.
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The trial of Japanese Major War Criminals (Cont)

Under crimes against humanity was listed the slaughter of thousands of Americans at Pearl Harbour and the Philippines before the declaration of war, the murder of civilians in China and the Philippines during conquest or occupation of those areas.

The trial actually began on June 4th. The opening address for the prosecution was made by Chief Prosecutor, Joseph B. KEENAN of the United States. The Australian prosecutor, Alan J. MANSFIELD, followed, citing more than 100 treaties, international agreements, and conventions Japan is charged with violating. Mr. KEENAN charged that President Roosevelt's attempt to appeal directly to the Emperor against the war was deliberately blocked by Premier TOJO.

As the evidence proceeded, it appeared that Japanese seizure of Manchuria in 1931 was carried out by the army over the protests of the Foreign Office. Motore MORISHIMA, who was the Consul at Mukden when the Japanese opened their attack, stated that the policy of the Baron Kijuro SHIDEHARA, then Foreign Minister, had been overruled by two officers of the Kwantung Army, Seiishiro ITAGAKI and Kenji DOIHARA - both defendants in the present trial.

Henry PU-YI, who became puppet Emperor of Manchukuo, testified that he became ruler under the Japanese because the democracies were not trying to resist the Japanese militarists, and he could not do so alone.

Passing to the second Chinese invasion, a long series of documents described atrocities committed by ill-disciplined Japanese soldiers when 280,000 Chinese were slaughtered at the capture of Nanking in 1937 amid scenes of drunkenness, robbery and arson.

The Russian prosecutor produced evidence to show that Japan's war upon the United States and Britain was intended to be merely a detour on the way to the primary objective - the rich resources and vast area of the Soviet Far East. Since the Japanese, however, could not overcome the Soviet forces, they turned aside to strike at Pearl Harbour and strike southwards.

Anglo-American prosecutors charged that no important Japanese leader at the conferences preceding the Pearl Harbour attack, raised his voice against war with the United States and Britain.

TOJO, the court was informed, had admitted responsibility for calling an imperial conference, July 2nd 1941, which decided that Japan would not hesitate to fight with Britain and the United States to obtain its "Greater East Asia co-prosperity sphere."

The decision to drive south at the risk of war with Britain and the United States, it was disclosed, was made a week after Germany attacked Russia in 1941.

The prosecution further declared that TOJO and other defendants were responsible for such brutalities as the execution without trial of American aviators shot down over Japan, while an Australian medical officer testified that thousands of Allied prisoners who perished in the steaming Burma jungles because of mistreatment and starvation, could easily have been saved. The prosecution charged that 1,200 American soldiers and 16,000 Filipino troops were brutally killed or perished on the nine-day 120 kilometer march in Bataan.

(For reports on proceedings in November and December see:
Document A.33.)

J A P A N (Cont)

Trial of Admiral Hasegawa.

An Agency message from Tokyo (1.2.47) reported that the U.S. Legal department had announced that Admiral Kiyoshi HASEGAWA, ex-Governor-General of Formosa and former Commander of the Third Japanese Fleet, had been cleared as a war crimes suspect and released from prison because of insufficient evidence.

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

War Crimes Trial Statistics.

The Times correspondent reported from Melbourne (9.2.47): Australian war crimes tribunals have been sitting since November 1945, in Labuan and Morotai, where, in 294 hearings of charges arising from atrocities in North Borneo, Celebes and Halmaheras, 32 death sentences were imposed. 178 accused were imprisoned, and 84 acquitted; at Darwin, of 22 Japanese charged with atrocities at Kupang (Timor) Lieutenant-Colonel YUTANI was hanged for murder, nine persons were sentenced to imprisonment, and 12 acquitted; at Rabaul, where the cases heard covered Bougainville, Nauru, Ocean Island, New Guinea and Amboina, of the 357 persons tried, 90 were sentenced to death, 153 to imprisonment and 114 acquitted.

At Rabaul there are still 25 Japanese awaiting trial, including several senior officers charged with responsibility for the crimes of their subordinates. Of 180 Japanese charged at Rabaul with atrocities against Indians, 33 were sentenced to death by hanging, 81 to terms of imprisonment, including life imprisonment, and 66 acquitted. At Singapore, where hearings began last June and are far from complete, 21 cases have been heard, involving 115 Japanese, of whom 34 received death sentences, including Lieutenant-General HARA, the commander in Java, for the execution of three Australian airmen; 68 were imprisoned and 13 acquitted. Some of these sentences await confirmation. In Tokyo, the Australian war crimes section has helped to bring to justice many Japanese war criminals, having assisted in over 100 cases involving nearly 200 Japanese. About 1,000 affidavits have been sent to Singapore from Tokyo in support of war crimes charges.

H O N G K O N G .

Death sentences on Tokunaga and Saito.

The Times reported from Hongkong (13.2.47) that a war crimes trial held there had ended with the conviction of the Japanese Colonel TOKUNAGA, formerly in charge of prisoner of war camps, and Captain SAITO, former medical officer in these camps, of causing the death of Canadian, British and other prisoners. Both were sentenced to death by hanging.

FRENCH POSSESSIONS.....

FRENCH POSSESSIONS.

War Crimes Trial at Saigon.

The Times reported from Paris (16.2.47) that the trial of members of the Kempeitai (Japanese Gestapo) had ended in Saigon. Thirteen of the accused were condemned to death (four in their absence) and 27 to terms of imprisonment. Nine were acquitted. The accused were tried on charges of torture, ill-treatment and murder of French men and women arrested for their action in the Resistance.

The trial was to open on February 17th of the Japanese Captain FURU - KAWA, accused of having outraged and then murdered French women in 1945 and to have decapitated more than 40 French prisoners of war.

S U P P L E M E N T.

G E R M A N Y.

BRITISH ZONE. (see page 7 of this number)

Trials in the British Zone.

The following additional information has been received regarding the trials in the British Zone:

"Eichstatt" case:

Trial of Hadrian RIED, ex-commandant of Oflag VII B, at Eichstatt, by a British Military Court; at Brunswick on February 28th; RIED was accused of issuing orders authorising sentries to fire on prisoners outside barracks during an air raid warning, whereby 2 British officers were shot and killed.

The Stetten Trial. (see also XXV, p.7.)

At the trial at Essen on 13.2.47, Hermann HAUG and Hermann ROLLER were acquitted, on a charge of ill-treating a R.A.F. warrant officer.

The Lahde Weser Case.

At the conclusion of this important War Crimes trial on the 14th February 1947, four of the eight, German nationals, accused of committing War Crimes, namely ill-treatment and killing of Allied nationals, were found guilty by the Military Court, sitting at Wuppertal.

The findings and sentences were as follows:-

Karl WINKLER. Guilty, Death by hanging.
Wilhelm BROCKMEYER. Not guilty. Acquitted.
Max Erich MARTIN. Guilty. 20 years imprisonment.
Willi JAHN. Guilty. Life imprisonment.
Karl ROEHRKASSE, Guilty. 5 years imprisonment.
August Ernst MULLER. Not guilty. Acquitted.
Johannes LEHMANN. Not guilty. Acquitted.

Wilhelm BRUNS, the other accused was certified unfit to stand trial at present.

The witnesses for the prosecution told of the terrible hardships, that were forced on the internees of the Lahde Weser Arbeiterzinhungs Lager where the crimes were said to have been committed by the accused, who were members of the staff at the camp, between the years 1943 and 1945.

XXVI

No. XXVI.

March 21st 1947.

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 editions of this series. For internal circulation to the Commission.]

C O N T E N T S.

SUMMARY OF EVENTS.

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SUMMARY OF EVENTS.

EUROPE.

AUSTRIA.

Alleged release of dangerous Nazis.

The correspondent of the Yugoslav Tanyug Agency reported from Klagenfurt, 24.2.47, that several notorious Nazis had been released in Austria including M. TESSIG, ex-Chief of Carinthia, who took over from Gauleiter Rainer. Another was Thomas RAUTER, former head of Nazi Labour Service in Carinthia.

The same agency reported that as long ago as 19.11.45 the "Liberation Front of Slovene Carinthia" had demanded the prosecution of the Austrian war criminals responsible for the mass shooting of Carinthian Slovenes. In reply Dr. RENNER said that MAIER-KAIBITSCH and Captain FRITZ would be tried as war criminals by an Austrian court. MAIER-KAIBITSCH was handed over to the Austrian authorities by the British on 1.5.46, but the trial was being put off from one month to the other.

Registration of Nazis.

The Times reported from Vienna (19.2.47) that the Law defining the punishment of Austrian Nazis had now been published and would come into force that week. More than 500,000 Austrians are affected. All members of the Nazi Party, the S.S. and the S.A., and officials in attached organisations who had control over an area roughly equal to a parish upwards, together with writers and business men already convicted of collaboration with the Nazis, are now compelled to be registered. They are divided into two categories, the guilty and the less guilty. Into the category of guilty come all Nazis from the position of a cell leader upwards, all members of the S.S., all members of the Gestapo and the Security Police, and all members of affiliated organisations from the rank of Untersturmführer upwards, and convicted writers and business men, with a few smaller categories. The rest are defined as "less guilty".

The guilty must pay fines amounting to 20 per cent on the existing income and property taxes to the end of 1950; may have their houses taken away; may never again stand for any election; and may not vote or join any party until April, 1950. All their pensions come to an end, and in special cases they may be held in camps.

The "less guilty" pay 10 per cent. additional taxes, and may vote and join parties but may not be elected. All students of both categories are excluded from the high schools until the end of April 1950.

Austrian Internees (British Zone)

It was stated, in a reply to a question in the House of Commons (27.2.47) that the total number of persons detained in civil internee camps in the British Zone of Austria was about 5,400 on February 4th; 4,000 were detained as members of the organisations declared criminal at Nuremberg, about 100 were awaiting trial as individual war criminals. The remaining 1,300 were held on security grounds and these cases were in process of review.

Arrests. (United States Zone)

The Daily Telegraph (12.2.47) reported an announcement by the Russian-controlled Berlin Radio that 57 people had been arrested in the American Zone of Austria, following the discovery of a Nazi underground movement led by the former S.S. General GRAFENBERGER.

Vienna radio (8.3.47) announced that 57 leading Nazis who had been hiding in Upper Austria and Salzburg had been arrested by the Austrian security services, acting in co-operation with the occupation authorities. Among them was Walter RAFFELBERGER, former NSDAP Commissioner for Trade, who had been hiding in Innsbruck. He had an identity card forged by Franz OBERNDORFER, who was also arrested.

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

Sentences on Gestapo Officials (Westermeyer, Kieseewetter, Bingel)

Prague radio (21.2.47) reported that Westermeyer, former Gestapo official at Prague, who took part in the action against the parachutists believed to have aided in the killing of Heydrich in May, 1942, was sentenced to death.

Prague radio (3.3.47) reported that the Extraordinary People's Court in Prague passed sentence of death on Fritz KIESEWETTER, member of the Prague Gestapo. KIESEWETTER was accused of arresting hundreds of people, and sending them to concentration camps at Terezin and in Germany.

The same radio reported (4.3.47) that the Court had passed sentence of death on Dietmar BINGEL, a Commissioner of the Prague Gestapo.

The Tiso Trial (SS Generals Hoeffle and Berger as witnesses.)

The Prague radio (25.2.47) reported that one of the witnesses on the previous day was SS General HOEFFLE, Commander of the German armed forces in Slovakia. Himmler told him, he said, to deport captured Slovak soldiers to Germany. Hitler had insisted that captured soldiers should be immediately despatched to concentration camps.

The same source reported that SS General BERGER, late Commander-in-Chief of the Occupation Troops, gave evidence on 20.2.47. (This is evidently SS Gottlieb BERGER, in charge of prisoner of war affairs in 1944/45.)

General Ecer.

The Scotsman (4.3.47) reported some observations made at a Press Conference at Edinburgh by General ECER, Chief of the Czechoslovakian War Crimes Commission.

The pre-war slogan "Der Tag kommt" was, he said, spreading through Germany again and they were preparing for a new war, in 25 years time. Detailing the documents which the Allies had uncovered for the extermination, Germanisation or enslavement of the Slav peoples, for which jurists had to find a new term called "genocide", he described the effects of the trials and the present-day Germany. There were a million and a half people in the German organisations, which had been declared criminal. It was impossible to prosecute that number of people, but something had to be done, and they were engaged on that problem now. He admired the courage of the German Judges serving on the de-Nazification Courts, whose lives were threatened everyday. It was estimated that there were still half a million young Germans who had been poisoned by Nazi-ism and were "incurable, hopeless cases". The German man-in-the-street could hardly escape a feeling of guilt, for there were few families which had not benefited from the mass theft of goods from overrun countries and the importation of slave labour. One of the most popular men in Czechoslovakia was a Scotsman, Sir David Maxwell Fyfe, who had presented the Czech case so admirably at Nuremberg.

F R A N C E .

De Brinon sentenced to death.

The Times reported from Paris (8.3.47) that Fernand de BRINON, Pétain's delegate-general and ambassador with the German occupation authorities in Paris, was condemned to death on the 6.3.47 by the High Court of Justice at Versailles after being found guilty of conspiring with the enemy. His goods are confiscated by the State.

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G E R M A N Y.

TRIALS BY GERMAN COURTS.

The Re-Trial of Tillesen. (see No XXIII, p. 9 and No XXV p.2 of this Digest)

This trial was reopened before the Constance regional court on 25.2.47. TILLESSEN was accused of the murder of ERZBERGER, and attempted murder of DIETZ in 1921. He admitted that he and his accomplices SCHULZ were members of the "Germanen Orden" and were ordered to kill ERZBERGER. The prosecution demanded the death sentence. The court sentenced him to 15 years penal servitude, the 18 months during which he was in custody being deducted.

According to the Baden radio (25.2.47) the Director General for Justice in the French Zone said that the TILLESSEN trial had not been started by the French authorities. Germans had arrested TILLESSEN in Heidelberg and German judges had transferred the case to Baden where the crime was committed. Military Government only interfered because an Allied Control Council law had been infringed. French Military Government had not violated the independence of the German judiciary by dismissing GOERING, president of the Freiburg Court. GOERING had been arrested, not because of his judgment, but because he had forged his questionnaire; he had been a member of a special Nazi court for two years. "If we had allowed a judge who gives such a judgment to remain in office we would not have fulfilled our task - the re-establishment of a democratic German judiciary."

Sentence of von Papen.

This trial, by a German de-Nazification court ended on 24.2.47 when von PAPEN was sentenced to 8 years imprisonment in a Labour Camp reckoned from his arrest on 8.5.45. He was ordered to pay the costs of the trial £10,400.

Commenting on a number of letters in the British Press criticising the proceedings, the East Anglican Times (25.2.47) wrote "Quite a lot of misgiving has been caused by the sentence of von PAPEN to eight years imprisonment by a de-Nazification tribunal. Perhaps, this is in large measure due to the fact that comparatively few have taken the trouble to inform themselves of the nature and function of such courts. The idea is that, having escaped at Nuremberg, he might well have been left alone. In this perhaps there lurks a misconception which would not have arisen if the Nuremberg Court could have taken into account things which were not war crimes.

AMERICAN ZONE.

THE SECOND NUREMBERG TRIALS.

Judges and Prosecutors a

It was announced at Nuremberg in a special release on 15.2.47 that 3 judges and one alternate judge were appointed on the previous day by General Clay, Deputy Military Governor of Germany (US) to sit in Military Tribunal III. That tribunal will hear one of the three war crimes trials scheduled to start in Nuremberg within the next six weeks or eight weeks from February 13th

The judges are Carrington T. Marshall, former Chief Justice of the Ohio Supreme Court, presiding; James T. Brand, Justice of the Supreme Court of Oregon; and Mallory B. Blair, former Associate Justice of the Court of Civil Appeals of the third District Of Texas. The alternate judge is Justice W. Harding, a former Assistant Attorney General of Ohio.

Another special release dated 26.2.47 announced that Dr. Robert Kempner had been appointed Deputy Chief Counsel and Director of the "Ministries" Division of the Office of the Chief of Counsel for War Crimes. Dr. Kempner was one of the American prosecutors at the first Nuremberg trial and presented the case against FRICK, Minister of the Interior.

G E R M A N Y.

AMERICAN ZONE (Cont)

THE SECOND NUREMBERG TRIALS.

The Ministry of Justice Case.

News of Germany reported from Nuremberg (6.3.47) that the trial of 15 former leading officials of the Nazi Ministry of Justice, charged with crimes against humanity and war crimes, was formally opened on that day by Brig. Gen. Telford TAYLOR, chief American prosecutor.

Through the destruction of regular court proceedings in Germany, the defendants had, he said, made slavery and mass killings possible, and through the establishment of various extraordinary courts, they had made the most important and radical change in the legal system of the Nazi tyranny.

General TAYLOR quoted GOEBBELS' statement before members of the People's Court that "during war it is not so terribly important if a verdict is just or unjust all that matters is expedience. One should not consider justice as much as the need of wiping out the defendant."

General TAYLOR also cited a directive issued by HIMMLER in November 1942 stating that in agreement with the Justice Ministry, Poles, Jews and gypsies would not be tried by ordinary courts but be handed over to the police immediately.

Commenting on article No. 2 of the ACC law No. 10, he said the fact that a person has taken over an official position was not extenuating nor did the execution of a criminal order relieve the official from the responsibility of the crime.

The Trial of ex-Marshal Milch. (See No. XXIII, p.4 and XXV, p.5 of this Digest)

An Agency message (1512147) reported that Dr. Romberg, one of the defendants in the "23 doctors and scientists case", ex-chief of the German Experimental Institute for Aviation, gave evidence for the defence at MILCH's trial. He said that only men who volunteered were experimented upon. He also swore that MILCH had not been mentioned in connection with experiments on human beings at Dachau.

Agency messages (18.2.47) said that Admiral RAEDER and Baron von NEURATH under sentence as "major criminals" had been called as witnesses in defence of MILCH.

The Industrialists Trial. Co-operation of Polish War Crimes Commission.

Warsaw^{radio} reported (15.2.47) that the Polish War Crimes Commission would collaborate with the U.S. legal authorities in preparing the case against German industrialists who were soon to face trial in the U.S. zone of occupation.

The "WVHA" Trial.

The Daily Telegraph (11.3.47) reported from Nuremberg that the trial of Oswald POHL and the staff of the WVHA (Administration of Concentration Camps) had opened before an American tribunal on the previous day.

+ + + + +

GERMANY.

AMERICAN ZONE (Cont)

The Flossenbergl Trial: Convictions.

The result of this trial was briefly noted in Digest No. XXIII, page 6. The Commission is now informed that the following sentences were awarded:

BECKER, Joseph	prison 1 year.	PINTER, Joseph.	prison. life.
BERGER, Franz.	prison 5½ years.	WEILBACH, Georg.	prison life.
GREABER, Karl.	prison 10 years.	BLOMBERG, Konrad.	death.
LIPINSKI, Hans.	prison 10 years.	BRUSCH Wilhelm.	death.
MATZKE, Gustav.	prison 10 years.	EISBUSCH Christian	death.
BONGARTZ, Peter.	prison 15 years.	GINSCHER, August.	death.
FAHRNBAUER, August.	" 15 years.	HAUSER, Josef.	death.
NEYE, Walter.	prison 15 years.	KEILING, Karl.	death.
SOMMERFELD, Hermann "	15 years.	MOHR, Christian	death.
HAUBOLD, Gerhard.	prison 20 years.	OLSCHEWSKI, Willi	death.
LOESCH, Eduard.	prison 20 years.	ROLLER, Albert.	death.
REUPSCH, Walter.	prison 20 years.	SCHWANNER, Cornelius "	
SCHREIBER, Kurt.	prison 20 years.	SCWARZ, Ludwig.	death.
MAURER, Raimund.	prison 30 years.	SCHUBERT, Alois.	death.
BUDDENSIEG, Ludwig "	life.	SKIERKA, Brune.	death.
GEISBERGER, Johann "	life.	WOLF, Erhard	death.
GELHARDT, Michael, "	life.	WURST, Josef	death.
JAKURITH, Alois	prison life.	BUETTNER, Karl.	acquitted.
MATHOI, Karl.	prison life.	GIESSELMANN, Karl	acquitted.
MUSSELDT, Erich	prison life.	HEINISCH, Georg.	acquitted.
PACHEN, Hermann	prison life.	HERZ, Peter.	acquitted.
PAWLICZEK, Otto	prison life.	RETZLAFF, Theodor	acquitted.
PENZ, Erich	prison life.		

[Note: All these names are on the Commission's list, charged by the U.S.A. MAURER is therein described as a General of the Waffen S.S. not to be confused with Gerard MAURER (see arrests, page 6.)]

Nazi Conspiracy: list of arrests.

For names of the conspirators arrested in the U.S.A. zone see British Zone, page 7.

De-nazification in the U.S. Zone.

The Dana agency (18.2.47) reported from Berlin that General CLAY had said at a press conference that he was satisfied with the work of the purge tribunals in the U.S. zone. It would not be possible to conclude de-Nazification by December 1947, but it would be expected to end by March 31st 1948. It was the aim of the U.S. Military Government not to carry out mass punishments but to open to the small Nazis the road to restitution and to inflict severe punishment only on the big and dangerous Nazis.

The Buchenwald - Nordhausen Trial. (see No XXV, page 6 of this Digest)

News of Germany reported from Dachau (14.2.47) that the trial of the former SS personnel of the Buchenwald concentration camp would begin there in April before a General American Military court by order of the war crimes branch of Third Army. Twenty to thirty SS officers and Nazis would be charged with killing, mistreating and starving thousands of concentration camp inmates.

As the Buchenwald camp was occupied on April 11th 1945, by American troops, and the camp guards, as well as three tons of documents, were taken by the Americans, the guards will be tried by an American court, though the camp is situated in the Soviet zone.

GERMANY.

AMERICAN ZONE (Cont)

Buchenwald and Nordhausen Trials (Cont)

The same source reported from Dachau (10.5.47) that indictments were served on 30 former SS men and inmates of the Buchenwald concentration camp and on the wife of the former camp commandant, Ilse KOCH, by the war crimes branch there. The Buchenwald trial will probably open on April 11th. Chief Prosecutor in this fourth concentration camp trial will be William D. DENSON, who led the prosecution at the Dachau, Mauthausen and Flossenburg trials last year. The 31 indicted are only part of a large number at present interned at Dachau in connection with the crimes committed at Buchenwald.

Sentences on a Dachau Guard.

News of Germany reported from Dachau (5.3.47) that an American Military court sentenced former SS Sgt ULTZHOFFER to life imprisonment, for having mistreated prisoners of all nationalities when he was a block leader at Dachau.

Punishment of Murderers of Airmen.

The B.U.P (24.2.47) reported that HEAHNERT, former Mayor of Ettersberg, who admitted killing in 1944 three American airmen who had surrendered had been sentenced to death in Frankfurt. GROSCH and HENDRICH, convicted as accomplices, were sentenced to imprisonment.

An Agency message (5.3.47) stated that two former Nazi district leaders, Walter ZIEHNHART and Johan SPONSEL, had been hanged in Landsberg prison for the murder of a captured American Air Force officer.

Arrest of SS Chief Wilhelm BUERGER.

An Agency message (12. 3.47) stated that Wilhelm BUERGER, a former SS leader, was arrested in the public gallery of the Nuremberg court after being recognised by a man in the dock.

Release of Thyssen.

An Agency message (10.2.47) stated that Fritz THYSSEN, the former German industrialist, had been released from American custody. It had been decided not to try him before a war crimes court.

Arrest of Gerard Maurer. An agency message (13.3.47) stated that Gerard MAURER, leading official of the WVHA was captured in the American Zone.

BRITISH ZONE.

A Nazi Conspiracy: List of Arrests.

Mr HYND, Minister, wrote (5.3.47), in reply to a question in Parliament: "We have for some time been assembling information about the ramifications of this German subversive organisation and sufficient information had been collected by February 22 to enable effective action to be taken in the British and American zones. The object of the organisation was the reviving of German militarism and aggressive nationalism. One hundred and eleven persons are in custody, among whom are 48 war criminals, high SS officers and other leading personalities."

The Daily Telegraph (6.3.47) reported that among those arrested in the British Zone were: Col. Hans EISMANN, alias KNUTH, a former officer of the Wehrmacht High Command Bacteriological Warfare Department; Dr. Rolf WILKENNING, an SS officer who founded the "Cologne Circle", the Nazi "Fifth Column" in Holland and Belgium and Col. KLING, former head of the Waffen SS in Kassel and Hesse.

GERMANY.

BRITISH ZONE.(Cont)

A Nazi Conspiracy: List of arrests (Cont)

The United States H.Q. issued a further list of names of prominent Nazis arrested in Barvaria, Wurttemberg-Baden and Greater Hesse: S.S. Maj.Gen. Kurt ELLERSIEK; Hitler Youth Col. Walter SCHIMMELPFENNING, who was a Hitler Youth leader in Poland; Army Maj. Felix BUCK; S.S.Maj. Martin ZIMZT; S.A. Maj. Fridolin BECKER; SS Capt. Ernst BERNDT; SS Capt. Siegfried BETTKE; SS Capt. Werner ROEPKE; SS Lt. Hans PAVEL; SS Lt. Hans BECKER; SS Brig. Erhardt MUELLER; SS Brig. Karl BROEKLING; SS Staff Col. Helmuth BAUNERT, Deputy Gauleiter of Wuerttemberg and SS. Capt Joseph KOLLER.

ELLERSIEK is stated to have been arrested at the home of his mistress, near Frankfurt. His wife was taken by British officers in Hamburg.

Forthcoming trials in the British Zone.

The Commission was informed of the following:

The Noailles Case.

This trial was to open at Wuppertal on March 7th. The accused Helmut KNOCHEN, Hans KIEFFER, Richard SCHNUR, Otto ILGENFRITZ, Karl HAUG and Fritz HILDEMAN were charged with murdering British P/W parachute troops. (For result see supplement)

The Rheine Airfield Case.

Trial of Heinz STELLPFLUG, August HACKETHAL, Karl HENKELHAUSEN, Friedrich HOCKSTAETTER, Franz SCHMIDT and Walter KLOEPZIG was to open at Osnabruck on March 7th 1947; the defendants are accused of killing Allied airmen.

The Blechammer Case.

Major-General Karl WOLFF was to be tried on 10.3.47 before a Military Court at Brunswick for exposing British prisoners of war in Wehrkreis VIII to air raid action, thereby causing the deaths of four of them.

The Stein Case.

In this case Reinhardt SCHULZ was to be tried by a Military Court at Brunswick on 11.3.47. He was charged with ill-treating two British prisoners of war at Stein near Deutscheylau about 8.4.1941.

Results of Completed Trials.

The Commission was informed of the following trial results:

The Klettke case. (reported under date 10.2.47)

In this trial, held at Hamburg, Walter KLETTKE, Kurt MEHLITZ and Paul MUNCH were charged with the murder of a British airman. KLETTKE and MEHLITZ were sentenced to imprisonment. MUNCH was acquitted.

The Hademar Case. (Ofilag XII B Case)

This trial before a British Military court was concluded at Essen on 3.1.47. The defendants Englebert LAP and Karl NEULIST were charged with shooting and wounding an officer, prisoner of war, in Ofilag XII B. NEULIST was sentenced to imprisonment for two years; LAP was acquitted. (see also A.34)

[NOTE. This case is not to be confused with the "Hademar Trial" which took place at Wiesbaden in October 1945.]

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GERMANY.

BRITISH ZONE (Cont)

Results of Completed Trials (Cont)

The Reinweiller Case.

This trial which was to have taken place at Recklinghausen on 20.2.47 was postponed (see also A. 34)

The Schandelah Case.

This trial ended on February 3rd 1947. The findings and sentences on the nine former Managers and staff, who were accused of ill-treating Allied Nationals working for the Steineel Co.Ltd., were as follows:

Solms WITTIG.	Guilty.	Death.	Karl TRUSCHEL.	Guilty.	Death.
Hans OHLEN	Guilty.	prison 16 yrs.	Erich JAHN	not Guilty.	acquitted.
Otto HEFTER	Not guilty	acquitted.	Johann HEITZ	Guilty.	death
Ereidrich EBSEN	Guilty.	death.	Arthur GROSSE	Guilty.	death.
Herbert SCHIEFFELBEIN.	Guilty.	prison 2 yrs.			

Jacob HAHM, another accused, died on the night 27/28 December, 1946 after a medical operation.

The Eichstatt Case. (see Digest No. XXV, page 17)

In this case Hadrian REID, ex-commandant of Oflag VII B was charged with ordering sentries to fire on prisoners of war, thereby causing the death of two British officers. REID was acquitted.

The Neuegamme Camp Trial.

Reuter reported (8.3.47) that SS leaders Albert LEUTKE-MEYER and Walter KEUS were sentenced to death at Hamburg on the 7.3.47 for the ill-treatment and murder of Allied nationals at Neuegamme concentration camp between April 1940 and April 1944.

I T A L Y.

BRITISH TROOPS IN ITALY.

The Trial of ex-Marshall Kesselring.

On 9.3.47 the B.B.C broadcast the following note on the progress of the trial up to date.

"Our Rome correspondent reports that the trial of ex-Field Marshall Kesselring in Venice has been postponed because Kesselring is ill. His trial may be resumed on 10.3.47 when it is expected that he will spend at least one more day in the witness box."

"He first started giving evidence in his own defence last Monday. Up till then, says our correspondent, he had sat in silence while the prosecution brought witness after witness to testify to German atrocities in Italy. Some of these stories were horrible enough; stories of German platoons sent on murderous route marches searching for guerillas in suspected districts, with orders to massacre every man, woman and child they came across, orders which they carried out to the last grandmother and the last baby in arms. It seemed a hard enough case to answer says our correspondent, but Kesselring is doing his best without cringing and without showing any signs that he regards himself as personally responsible for what was done. His defence has taken three main lines so far. First, he claims that he had no effective control over the S.S. who were responsible for many of the atrocities. In the second place he emphasises that he personally took steps to prevent such atrocities. For instance, he says, he gave orders that every captured partisan should be given at least a summary trial before being executed. In the third place,

I T A L Y.

BRITISH TROOPS IN ITALY (Cont)

The Trial of ex-Marshall Kesselring. (cont)

KESSELRING has spoken of his own difficult position in Italy after the downfall of Facism and claims that he did his best in Italy, saving Rome and other places from bombardment and destruction by evacuating them. He has also argued that the partisan movement behind the lines placed him in a very difficult position since it threatened his lines of communication, and has accused the partisans of massacring and torturing German soldiers."

"In addition to KESSELRING's own testimony, the defence are producing nother fourteen witnesses so the trial is expected to last at least another fortnight."

P O L A N D.

Trial of Ludwig Fischer, Meissinger, Daume.

The Times correspondent reported from Warsaw (3.3.47) that Ludwig FISCHER, former Governor of Warsaw, S.S.Chief Josef MEISSINGER and Police Chief Max DAUME were sentenced after a month's trial to death. Ludwig LEIST was sentenced to eight years imprisonment. The same correspondent reported (11.3.47) that FISCHER, DAUME and MEISSINGER were hanged in Warsaw prison on 8.3.47.

Warsaw radio (4.3.47) reported that the three condemned men had appealed for clemency. The appeals were rejected.

The Manchester Guardian correspondent wrote (3.3.47) FISCHER pleaded not guilty to the destruction of Warsaw, but admitted that he was terribly ashamed of "what the Germans did to the Polish capital." DAUME said that he never dreamt "the Germans would be capable of such cruelty and barbarism as was committed in Poland."

The four Nazis leaders were the first batch of about one thousand persons now in Polish prisons awaiting trial.

Warsaw radio^(4.3.47) commenting on the FISCHER trial said "We have all the more right to demand that the greatest number of criminals should be punished. Unfortunately, the search for criminals by the War Crimes Commission is proceeding unsatisfactorily. The total of criminals on the Commission's files does not exceed 18,000 while the Polish claims comprise only 900 names agreed upon. The Polish nation, the nation most grievously tried and most menaced by the German danger, demands determined action against war criminals."

[In this connection it has been pointed out that according to the latest figures the total number of persons listed by the Commission by March 1st 1947 was 22,446. The number of names claimed by Poland, included in this total was 1,156. Of these 924 have been put on the accused list, 230 on the list of suspects and two on the list of material witnesses. In addition to this 5 Polish cases were not accepted for lack of identification, and 9 Polish cases were adjourned, 2 in part and 7 "in toto".]

The Trial of SS General Jurgen Stroop (see No XXIII p.6 of this Digest)

News of Germany reported from Dachau (21.2.47) that SS General STROOP, who was then under trial by an American war crimes court there, together with 21 accomplices, would be turned over to Poland after the completion of the trial. STROOP will be charged in Warsaw with the ill-treatment and murder of about 400,000 Polish

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P O L A N D (Cont)

The Trial of SS General Jurgen Stroop (cont)

citizens at the time of his command there. He is also alleged to have issued orders in April 1943 to annihilate the 500,000 inhabitants of the city's Jewish quarter by air and artillery bombardment.

The Trial of Rudolf Hoess.

The Times correspondent reported from Warsaw (11.3.47) "The trial opened before the Polish Supreme National Tribunal here to-day of Rudolf HOESS, the former commandant of Auschwitz concentration camp, where more than 4,000,000 people, chiefly Jews, were done to death. The trial, which is expected to last about three weeks, is being attended by observers from France, Germany, Russia and Czechoslovakia. About 80 Polish and foreign nationals, former inmates of the camp, will give evidence. Among the witnesses is expected to be the Polish Prime Minister, who spent several years in Auschwitz.

The Manchester Guardian (12.3.47) wrote: "The main points from the indictment 100 pages in length, were that from September, 1939 until May 1945, in Germany and from May 1940 until September 1944, in German occupied Poland, HOESS had taken part in a criminal organisation, the Nazi Party, and had committed crimes against peace and humanity; and that by torture and murder he, as commandant of the SS garrison in Oswiecim camp, founded and enlarged by himself, caused the death of "about 300,000 persons who were kept prisoners in the camp, of about 4,000,000 persons, mostly Jews, brought from various European countries, who were exterminated in the crematoriums, and also of 12,000 Russian prisoners of war who were confined in the camp in the violation of international laws concerning the treatment of prisoners of war."

Another section of the indictment charges HOESS with the torturing, shooting, hanging, burning and gassing of prisoners, systematic starvation, bestial treatment and looting. The indictment states that 20,000 men, women and children chiefly Jews, were killed in Oswiecim by means of phenol injections."

Two Polish lawyers are to defend HOESS. The President of the Court is Judge EIMER. There are four assistant judges and a jury of four.

German war criminals extradited.

An Agency message reported (27.2.47) that the American Military Government authorities handed over to the Poles 600 Germans and Poles who were held at Dachau as suspected war criminals.

Programme of Trials.

The Commission was informed (see A.38) that the trial of Rudolf HOESS which was expected to last several weeks, would be succeeded by the trials of BURGER, BURGSDORF and FORSTER. These would be followed in the early summer by mass trials of Gestapo groups and staffs of concentration camps, including, it was hoped, Treblinka, Majdanek and Stutthoff. For these mass trials collective charges would be filed. The war criminals would be tried under the Decree published in the official Gazette No. 69 of 15.12.46.

YUGOSLAVIA.

Execution of General von Lohr and other Generals. (see No. XXV p, 11 of this Digest)

The Belgrade radio reported (27.2.47) the execution of General Alexander von LOEHR, former Commander in Chief in the Balkans. The report stated: "LOEHR, found guilty on February 16th of war crimes, was sentenced to be shot. Five other generals sentenced with him were condemned to be hanged."

"The Praesidium of Parliament, acting as head of the State, examined their demand for mercy at its sitting on February 26th. The demand was rejected and the sentences carried out."

[NOTE. It appears from the above that Generals SCHMIDT, NEIDHOLT⁽⁺⁾, FORTNER, KNEBLER and LONCAR and Colonel TRIBUKAYT were hanged.]

Trial of Police General Harald Turner.

Reuter reported from Belgrade (9.3.47) that Lieutenant General Harald TURNER, former head of the Nazi military government in Serbia, and ten members of his administration were sentenced to death by shooting by a Belgrade military tribunal. Three other men were sentenced to terms of hard labour ranging from 8 to 20 years. The condemned men were field commanders and Gestapo officials, and were responsible for mass executions and looting during the occupation.

Nazi atrocities in Dravograd.

The Slovene publishing house in Ljubljana has issued a brochure on Nazi bestialities in Dravograd, Slovenia. After Yugoslavia's collapse a special Gestapo department was founded in Dravograd with the aim of exterminating the Carinthian Slovenes. When, in Spring 1943, the National Liberation Movement of Carinthia began, a massacre ensued in Dravograd prison. So far in Dravograd six mass graves with hundreds of corpses have been discovered.

UNITED KINGDOM.

Cost of War Crimes Trials.

The Solicitor General gave the following figures in the House of Commons (18.2.47): Expenses in connection with the trials of international war criminals had been increased by £54,000 to £94,000. Of that total £63,000 was attributable to the Nuremberg trial for the year March 1946 - March 1947; £27,300 was attributable to the trial of Japanese war criminals; and £3,700 was attributable to expenses in the same year of a London office, which it was necessary to maintain. The total cost of the Nuremberg trial was £90,600 and of the Japanese trials £28,523. It was estimated that the expenditure of £15,000 would be incurred before the Japanese trial came to an end. The total cost of the London office was £7,525. The figure of £90,600 for the Nuremberg trials was made up as follows:- Counsel's fees, £50,552; cost of tribunal, £26,800; general expenses, £4,960; German legal experts and translators, £4,354; estimated balance, £4,000. The fees were gross and included the percentage which had to be paid out to clerks.

(+) General NEIDHOLT was wrongly spelt NEUHOLD in Digest No. XXV, page 11. His name is on the UNWCC List as responsible for many massacres.

THE FAR EAST.

JAPAN.

The Trial of Major Criminals.

The Times (10.3.47) published an article by its Tokyo correspondent reviewing the course of the trial up to date. He wrote, in part: The 55 counts of the indictment fall into three categories. The first (1-36) recites crimes against peace, the second (37-52) murder, and the third (53-55) conventional war crimes and crimes against humanity. The defendants are accused of having constituted part of a criminal militaristic clique, whose policies brought about serious world troubles, aggressive wars, and great damage to the interests of peace-loving peoples. The Japanese people (the indictment proceeds) were also harmed, for their minds were "systematically poisoned with harmful ideas of the alleged racial superiority of Japan over other peoples of Asia and even of the whole world." The main objects of the conspiracy were to secure the domination and exploitation by Japan, Germany and Italy of the rest of the world and to this end, to commit crimes against peace, war crimes and crimes against humanity. Special emphasis is laid on the charge that the defendants, taking advantage of their power and their official positions and personal influence, not only initiated and waged aggressive war, but violated the recognised customs of war by contemplating and carrying out a plan which permitted the "murdering, maiming and ill-treating of prisoners of war, civilian internees and persons on the high seas." Further, the defendants, according to the prosecution, ordered and permitted the exploitation, to Japan's benefit, of the manpower and economic resources of the vanquished nations and the perpetration of mass murder, rape, pillage and torture of civilian populations.

On February 24 the defence opened its case, which will probably last until June. The impression has gained ground in Japan that the Tribunal has shown bias in favour of the prosecution. The trial has not been a leading topic for comment in the Japanese Press, and the mass of the people are indifferent both to the proceedings and to the fate of the defendants, who, having failed, are wiped off. Of those who have shown some interest, some claim that the Tribunal should be conducted by a neutral nation instead of the Allied Powers; others argue there is no clear line dividing the so-called war criminals and the innocent participants in the war. Some again, while they are ready with ingenious defences of the men standing trial, are more concerned with justifying the country that plunged the Far East into war.

SINGAPORE.

Japanese Generals on Trial.

The Times correspondent in Singapore cabled (10.3.47): The most important trial of war criminals to take place at Singapore opened to-day when General NISHIMURA, commander of the Guards Division, General KAWAMURA, commander of the Singapore garrison, and five senior Kempeitai officers faced charges of massacring Chinese civilians after the capitulation of Singapore in February 1942. Official estimates place the number of Chinese killed in the massacres at 5,000. After the capitulation General YAMASHITA, the commander-in-chief - executed by the Americans last year - issued an order for the purging of anti-Japanese members of the Chinese population. The Chinese were rounded up sector by sector and taken to the beaches where they were shot.

The Times reported from Tokyo (20.2.47) that 61 Japanese war crimes suspects, wanted by the South East Asia Command for torturing and illegally executing allied prisoners of war, left Tokyo for Singapore. A charge against several of the suspects is the massacre of Chinese civilians, 5,000 of whom were shot or beheaded. Other charges include the execution of allied airmen, prisoners of war

SINGAPORE. (Cont)

in camps in South East-Asia. Included among the suspects are Colonel KOSHIKAWA, charged with maltreating allied prisoners of war working on the Burma-Siam railway, and Colonel KITAYAMA, responsible for the massacre of allied soldiers who surrendered after a battle in the Sumatra jungle.

HONGKONG.

Death sentence on Noma.

The Times correspondent reported from Hongkong (24.2.47) that the war crimes court there had returned a verdict of guilty against Colonel NOMA, chief of the gendarmerie during the occupation of Hongkong, who was responsible for atrocities against British and Chinese civilians. NOMA made a speech in mitigation, claiming that he had shown consideration for the population of Hongkong. The sentence was death by hanging.

FRENCH POSSESSIONS.

Sentence on members of the "Kempei Tai"

Reuter reported from Saigon (16.2.47) that nine members of the Japanese Gestapo, the "Kempei Tai" had been sentenced to death at Saigon for war crimes. Four others were condemned in their absence.

S U P P L E M E N T.

G E R M A N Y.

BRITISH ZONE.

(see page 7 of this numer.)

Results of Completed Trials.

The Commission was informed as follows:

The Noailles Case: Murder of British Parachutists.

This trial was concluded at Wuppertal on 12.3.47. KNOCHEN, KIEFFER, SCHNUR and HAUG were sentenced to death by hanging; ILGENFRITZ to fifteen years imprisonment and HILDEMAN to five years.

[Dr. Helmut KNOCHEN was head of the Security Police in France under Oberg, and is still wanted for trial by the French.]

The Stein Case: ill-treatment of British P/Ws.

This trial was concluded at Brunswick on 13.3.47. The defendant, Emil SCHULZ was acquitted.

Forthcoming Trials.

The "Poitiers" Case: Murder of British Parachutists.

This trial was to open in the latter part of March at Brunswick. The defendants are :-

Former General	BLUMENTRITT.	Dr. Egon	DETER.
Former General Curt	GALLENKAMP.	Dr. Paul	TONSHOFF.
Former General Herbert	KOESTLIN.	Dr. Georg	HESTERBERG.
Former General Erich	SCHOENIG.	Dr. Walter	WEBER.

BLUMENTRITT, GALLENKAMP, KOESTLIN and DETER are charged with being concerned in killing 30 British Parachutists and 1 U.S. Army Air Force prisoners of war, near Poitiers in July 1944.

GALLENKAMP, KOESTLIN, SCHOENIG, TONSHOFF, HESTERBERG and WEBER are charged with being concerned in killing 3 British Parachutists, prisoners of war, at Poitiers in July 1944.

XXVII

No. XXVII.

April 21st 1947.

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.]

C O N T E N T S.

SUMMARY OF EVENTS.

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THE FAR EAST.	8.

S U M M A R Y O F E V E N T S .

E U R O P E .

A U S T R I A .

Investigations into suspected cases of war crimes.

Linz radio reported (10.4.47) that under the jurisdiction of the five People's Courts in Upper Austria and Salzburg - the region of the Linz Chief Public Prosecutor's Office - 5,157 preliminary investigations were being made into cases of suspected war crimes and underground membership of the Nazi party. About 500 trials were begun last year; 342 being concluded, two with death sentences and 116 with acquittals.

Arrests.

Wiener Zeitung reported (1.4.47) that the Innsbruck police had arrested the former SS Obersturmführer Richard KORNHERR.

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

The Tiso Trial. (see No. XXVI, p.2 of this Digest)

The Daily Telegraph reported from Prague (16.4.47) that Josef TISO, former President of Slovakia during the German occupation, had been sentenced by the People's Court in Bratislava to death by hanging. Ferdinand DURCANSKY, his former Foreign Minister, received a similar sentence. During his trial TISO admitted giving military aid to the Germans but denied signing a declaration of war on Britain and the United States.

Sentence on a Gestapo Official.

An Agency message reported from Berlin (7.2.47) that Karel DUCHON, described as the most cruel Gestapo man in Olomouc, had been sentenced to death by the Olomouc People's Court. He took part in the killing of 21 people in a May 1945 rising and persecuted Slovak partisans.

The Lidice Trial.

This trial opened before the Prague People's Court on March 27th 1947 according to an Agency message from Prague. Harold WIESMANN, the former Gestapo chief in the mining town of Kladno, and fifteen of his henchmen were charged with responsibility for the Nazi destruction of Lidice in 1942.

G E R M A N Y .

TRIALS BY GERMAN COURTS.

The Trial of Dr. Schacht.

The Daily Telegraph reported from Munich (10.4.47) that Dr. Hjalmar SCHACHT, former German Finance Minister and President of the Reichsbank, appeared before the de-nazification court at Stuttgart on the previous day following his acquittal as a major war criminal at Nuremberg last year. The trial, before German judges, began with a three hour indictment which accused him of furthering Nazism through political, economic and propaganda channels. SCHACHT made a counter accusation against some of the chief figures in the present German government.

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GERMANY.

TRIALS BY GERMAN COURTS (Cont)

Trial of Dr. Schacht (cont)

He declared that they were equally guilty with him, yet they had been appointed to rebuild a democracy. He repeated his Nuremberg defence that he had been thrown into prison for suspected participation in the bomb plot against HITLER whom he called a "rat catcher".

"When HITLER invited me to become Minister of Economics" he said, "I accepted because I was convinced that the only possibility was to try to influence the Hitler cabinet from within. I wanted to establish a resistance centre against Hitler's criminal tyranny."

Ex-Nazi Treasurer to be tried.

News of Germany reported from Munich (24.3.47) that the de-nazification trial of the former Nazi Party treasurer, Hans SCHWARZ, would take place within a few weeks at the Regensburg civilian internment camp.

[NOTE: SCHWARZ was an Obergrupperfuhrer SS and is referred to in the deposition of BLEICH on the Beelitz mercy killing institution.]

AMERICAN ZONE.

THE SECOND NUREMBERG TRIALS.

The Industrialists Trial.

A U.S. Press release No. 116 of 10.3.47 stated that Odile BURKART, former associate of Friedrich FLICK, would be named co-defendant in the FLICK case in an amended indictment to be filed by the prosecution with the Secretary General. BURKART, who had been sought for some months, was apprehended at Riedlingen in the French zone and brought to Nuremberg. He was to be charged under Count One (Slave Labour) and Count Two (Spoliation in Occupied Territories) of the indictment. As the opening of Case V had been tentatively set for April 8th, amending the indictment would delay the proceedings only a little more than a week under the 30-day-after-indictment provision. BURKART had been a member of the FLICK concern since 1936, and was, with KALETSCH and WEISS, one of the three men under Flick in the Berlin main office. He was FLICK's chief assistant in running the iron and steel smelting rolling plants, and handled contracts with the Heeres Waffenamt (army ordinance). He was a member of the Stahlhelm, and so was taken into the S.A. when it absorbed the former organisation, but he claims never to have been a member of the NSDAP.

The Diplomats case.

A U.S. Press release No. 115 of March 14th stated that Dr. Friedrich GAUS, a former under-secretary and Ambassador, who is held in Nuremberg in connection with the forthcoming trial against Foreign Office officials and diplomats, had submitted a statement to the American prosecution, and had expressed the hope that his ideas would be made known to all German civil servants. He appealed to all German officials, who by their silence throughout twelve years had supported the Nazi regime, to help to bring the obvious criminals to punishment and to expose all actions which are criminal in a wider sense.

Dr. GAUS is one of a group of diplomats who may be charged as war crimes accomplices of the former German Foreign Minister Joachim von RIBBENTROP. Other

/ diplomats...

G E R M A N Y.

AMERICAN ZONE.

THE SECOND NUREMBERG TRIALS.
(Cont.)

The Diplomats case (Cont)

diplomats belonging to this group are RIBBENTROP's under secretary, Moyland von STEENGRACHT; Karl RITTER, former German Ambassador to Rio de Janeiro; under secretary Ernst Wilhelm BOHLE, the head of the so-called foreign organisation of the NSDAP and under secretary Wilhelm KEPPLER, who may be charged with illegal actions connected with the annexation of Austria and the creation of the Slovak state. The annihilation of minorities is another of the war crimes with which these men may be charged.

The I.G. Farben Trial.

A U.S. Press release No. 112 of February 2nd 1947 mentioned that Otto AMBROS, former director of I.G. Farben had been surrendered by the French to the American authorities, and was being held in connection with the forthcoming I.G. Farben trial. AMBROS became a director of I.G. Farben in 1938. During the war years he specialized on questions connected with the production of poison gas and was an adviser on chemical warfare to the German armed forces. AMBROS joined the party in May 1937; in 1941 he received the title of "Armament Economy Leader" (Wehrwirtschaftsfuehrer).

Death of Herbert Backe.

The Times reported (7.4.47) that Herbert BACKE, former German Minister of Food and Agriculture, committed suicide by hanging on the 6.7.47 in Nuremberg gaol where he was awaiting trial for war crimes.

Trial of ex-Marshal Milch. The Daily Telegraph reported from Munich (18.4.47) that ex Marshal MILCH had been sentenced to life imprisonment the previous day.

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War Crimes Trials statistics.

According to figures released on March 31st at Dachau approximately 1,000 cases have been tried and 250 death sentences passed by the American war crimes court there since its opening in October 1945. Of those indicted about 800 were convicted and 550 sentenced to imprisonment.

About 7,700 are still interned at Dachau and approximately 4,000 have been released. Most of the present internees are former concentration camp guards and persons connected with the murders of shot down allied airmen. Almost half are former Mauthausen concentration camp personnel awaiting trial for the murder or ill-treatment of the inmates.

Trial of former S.A. Officers.

News of Germany reported from Munich (10.4.47) that the trial of former Major General Wilhelm DITTLER, Brig. General Albert WICZONKA, Sr. Colonel Albert SCHIEFFNER and Colonel Ewald BARTEL opened before a U.S. Military court on the previous day. The defendants were charged with attempting to organise a Nazi underground movement. They were also charged with obtaining false documents. All were members of the SA Division which guarded the Nazi Party Headquarters in Munich and it was under the personal command of HITLER.

The aims of the subversive group, according to its constitution, included restoration of all the territories taken away from Germany. The constitution also condemned the Military Government, analysed the mistakes of the Nazis and condemned the social behaviour of BORMANN, HIMMLER and LEY. The movement was called the "German Liberty and Peace Movement."

G E R M A N Y.

AMERICAN ZONE (CONT)

The Buchenwald - Nordhausen Trial. (see XXVI, p.5 of this Digest)

An Agency message reported 11.4.47 that the Buchenwald trial had opened at Dachau on that day. All the thirty one defendants had pleaded "not guilty." The death sentence was demanded by the prosecution for all the defendants. Mr. W. Denson, United States Counsel, stated that the camp's existence was a "chapter of infamy and sadism unparalleled in the history of the world." The counsel for the defence challenged the jurisdiction of the court, composed of six American colonels and a general. He stated that it had no authority to judge on crimes committed outside the United States occupation zone, against other than United States citizens and during a time when America was still a neutral power. The petition was rejected. Among the defendants were Prince Josias of Waldeck-Pyrmont, a pioneer member of the Nazi Party; Frau Ilse Koch, widow of Buchenwald's former commandant and Edwin Katzenellenbogen, former camp doctor.

The Trial of Kurt Otto.

An Agency message reported from Dachau that Kurt OTTO, former SS guard at a Nazi concentration camp, had been sentenced, by an American war crimes court, to be hanged for the murders of at least six prisoners,

Trial of SS. General Jurgen Stroop. (see Nos XXIII, p.6 & XXVI, p.9 of this Digest)

The Daily Telegraph correspondent writing from Frankfurt on 22.3.47 stated: " Sentence of death by hanging was passed by the United States Higher Court at Dachau today on Lieutenant General Juergen STROOP and 12 other Germans, former SS and police officers, found guilty of murdering Allied airmen. Altogether 21 were on trial. Three were sentenced to 15 years imprisonment and four to terms varying between three and five years. One was acquitted."

Punishment of Murderers of Airmen.

The Times reported (3.4.47) that Karl Friedrich HILDEBRANDT, former Gauleiter of Mecklenburg and a friend of HITLER, had been sentenced to death, with five other Nazi officials, by an American military court at Dachau for being concerned in the killing of 15 unarmed American airmen during the war. A seventh prisoner was sentenced to 20 years imprisonment.

Request for extradition of Admiral Horthy.

An agency message stated (17.3.47) that Rumania had asked the United States authorities in Germany for the extradition of the former Hungarian Regent, Admiral Horthy. He is on the Rumanian list of war criminals.

BRITISH ZONE.

War Crimes Inquiries.

In reply to a question in the House of Commons, Mr. HYND, Chancellor of the Duchy of Lancaster, said: " 18,900 persons are awaiting trial as members of criminal organisations following the investigations at Nuremberg. The trials could not begin until the verdict at Nuremberg was known. It is hoped that they would be completed by the end of 1947. In addition about 1,500 persons are held in civilian internment camps, whose cases are being investigated on suspicion of individual war crimes against ourselves or our allies. Their cases are being dealt with. It is anticipated that 100 tribunals would be sufficient to complete all the work."

/Forthcoming

G E R M A N Y.

BRITISH ZONE (Cont)

Forthcoming trials in the British Zone.

The Commission was informed of the following:

The Hannover Gestapo Case.

This trial was to open on April 9th at Brunswick. The accused Reinhold PLUENNECKE, Kurt RASCHE, Adolf METHFESSEL, Felix ZIESE, Karl WOLTERS, Alfred PEEK are charged with committing a war crime in that they at Seelhorst, Hannover/Dpehren in April 1945, when members of the Hannover Gestapo, were together with Wilhelm HEIDORN, Heinrich JOOST, NONNE, WALTKE and STRIEBING concerned in the killing of allied nationals, internees and prisoners of war.

Rothenburgsort Case.

Jochim STRUCK, Paul WILHELMSSEN and Stanislaus PUSTKOWSKI were to be tried on April 10th 1947 at Hamburg, for being concerned in the ill-treatment of an unknown Allied airman at Hamburg-Rothenburgsort on or about June 20th 1944.

Schnabelhuck Case.

Josef GOEDDE was to be tried at Hamburg on April 10th 1947 for being concerned in the ill-treatment of an Allied airman in the vicinity of Sahnabelhuck on November 2nd 1944.

Hannover Ahlem Case.

Kurt KLEBECK, Otto HARDER, Hans HARDEN, Wilhelm DAMMANN and Stephan STREIT were to be tried on April 16th, 1947 at Hamburg on the charge of being concerned in the ill-treatment of Allied national internees of the Concentration Camp at Hannover Ahlem, between November 1944 and April 1945.

Roeschen Case.

Wilhelm SCHOENSTEIN and Wilhelm OPRETZKA are to be tried at Duisberg on or about April 25th. They are charged with being concerned in the killing of a member of the R.A.F. at or near Roeschen, Germany, on November 8th, 1944.

Results of completed trials.

The Commission was informed of the following trial results:

The Blechhammer Case. (see No. XXVI, page 7 of this Digest.)

This trial was concluded at Brunswick on March 25th 1947. Former Major General Kurt WOLF was found guilty and sentenced to seven years imprisonment.

The Poitiers Case. (see No. XXVI, page 14 of this Digest)

This trial was concluded at Wuppertal on March 25th 1947. GALLenkAMP and HESTERBERG were sentenced to death by hanging; KOESTEIN to life imprisonment; SCHOENIG to five years imprisonment and BLUMENTRITT, DETER, TONSHOFF and WEBER were acquitted.

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The Ravensbruck Trial. (see Nos XXIV p.7 and XXV, p.7 of this Digest)

The Manchester Guardian reported from Hamburg (10.4.47) that Carmen MORY, who had been sentenced to death for atrocities at the Ravensbruck women's concentration camp, had committed suicide during the previous day in Hamburg prison by cutting her wrists and bleeding to death. Dr Percy TREITE, chief doctor of the same camp, who had also been sentenced to death, killed himself on 8.4.47.

/RUSSIAN ZONE.....

GERMANY.

RUSSIAN ZONE.

Arrest of former Medical Officer.

Telegraf reported (20.2.47) that Dr. KONITZER, President of the Central Administration in the Soviet zone, was arrested on 19.2.47. It is believed that he is to be held responsible for the deaths of tens of thousands of Allied prisoners of war. He was a senior medical officer in Dresden during the war and in this capacity was in charge of prisoner of war camps.

ITALY.

BRITISH TROOPS IN ITALY.

Trial of Graziani.

The Daily Telegraph reported (29.3.47) that the trial of Marshal GRAZIANI, formerly Mussolini's Chief of Staff, would begin in Rome on June 23rd, 1947.

The Trial of ex-Marshall Kesselring. (see No. XXVI, p.8 of this Digest)

The Times correspondent in a despatch from Rome on the 14th March 1947 stated: "Colonel Halse, the British prosecutor, concluded his five-day cross-examination of KESSELRING this morning by sternly accusing him of having intentionally issued his orders of June, July and August 1944, in such a form as to encourage the German troops to act with the maximum harshness and brutality towards the partisans. KESSELRING replied: "I cannot find the exact expression to define my opinion about that. It is any case completely opposed to the view just expressed by the prosecutor. This accusation has not been proved. I am here before the court like a defenceless man."

"The defending counsel, Dr. LATERNSEER, then questioned KESSELRING on the chief accusations brought by the prosecution. At one point he exhibited his evidence, 'the commandants,' printed in every German soldier's pocket-book, summarizing the 1939 orders of the German Supreme Command. These specified that captured spies and partisans should be brought before courts-martial and not executed."

POLAND.

The Trial of Rudolf Hoess. (see No. XXVI, p.10 of this Digest)
(23.3.47)

The Observer in a report on the trial of Rudolf HOESS then taking place in Warsaw wrote: "The defendant gave his evidence quietly and without apparent strain. He has stated that EICHMANN, a member of HIMMLER's staff, told him that between 6,000,000 and 7,000,000 Jews were to be killed in the camp. Owing to 'shortage of manpower' and equipment HOESS was unable to carry out this gigantic programme. At first he killed all Jews as they arrived, gassing from 10,000 to 20,000 daily. Later some of the able-bodied were spared and made to work."

"The new Premier of Poland, Mr. CYRANKIEWICZ, one of the thousands of the non-Jewish prisoners in Auschwitz has been among the witnesses. "

The Daily Telegraph in a report from Warsaw on 3.4.47 stated that sentence of death was passed on Rudolf HOESS during the previous day by the Polish Supreme

/National

P O L A N D.

The Trial of Rudolf Hoess (cont)

National Tribunal. "It was not 4,000,000, only 2,000,000," HOESS claimed before sentence was passed. HOESS was hanged on the 16th April 1947.

Former SS Man Arrested.

Warsaw radio reported (19.3.47) that according to Press reports in Lodz an SS man, a member of the Lodz Philharmonic Orchestra, known by the pseudonym of JAZGUT, had been employed by the orchestra for the last two years. When JAZGUT fainted at a rehearsal and was taken to hospital the doctor found a skull tattooed in his armpit with his number and blood group. JAZGUT was immediately arrested. During the investigations he gave three names, each of which was found to be false. It has now been established that he was one of the spies trained by the Gestapo during the war, who were ordered to remain behind.

S W I T Z E R L A N D.

German expelled from Switzerland.

The Daily Telegraph reported (28.3.47) that the Swiss authorities had expelled Wilhelm von der BEY, former director of I.G. Farben-industrie, as an undesirable alien.

Y U G O S L A V I A.

The Trial of General Oberkamp and other officials.

Belgrade radio reported (27.3.47) that the trial of nine German war criminals, headed by Reichsritter Karl von OBERKAMP, former German Major General and commander of the "Prinz Eugen" division had opened on that day before the Belgrade Military Tribunal. The other defendants also held high positions in the former German Wehrmacht and police. The indictment against General OBERKAMP stated that military units under his command carried out between July 1943 and January 1944 a series of heavy crimes against the civilian population in Serbia and Dalmatia shot a large number of captured members of the National Liberation Party, and plundered entire regions through which they passed. Units of the "Prinz Eugen" division on 11th July 1943 shot 68 persons in the village of Kozutice in Serbia, and 57 persons in the village of Orasje, simultaneously razing this village to the ground. On the occasion of the attack on liberated Trieste units under OBERKAMP's command killed men, women and children. Large numbers of civilians were burned, slaughtered and tortured. The other defendants were accused of committing cruel crimes with their units also. Particularly in Serbia, Lika and Dalmatia. Among the accused were Fritz KIEFER, commander of a camp for Yugoslav internees in Rognan in Norway; Johannes WALTZER, commandant of a Yugoslav prisoner of war camp in Allendorf; and Willy FRIEDRICH, Gestapo man and commandant of the Banjica concentration camp near Belgrade.

/FAR EAST

DC - 9

- 8 -

THE FAR EAST.

J A P A N.

War Crimes Trials Statistics.

The Times correspondent reported from Tokyo (24.3.47): Up to the end of January, 1,901 Class B. Japanese war criminals suspects had been tried in various Pacific areas, by Allied occupation authorities. The following figures of sentences and acquittals have been officially released:

AUSTRALIA. Tried, 788; sentenced to death, 157; acquitted, 223; imprisoned 408.

BRITAIN. Tried, 701; sentenced to death, 181; acquitted, 70; imprisoned 450.

NETHERLANDS. Tried 91; sentenced to death, 45; acquitted, 7; imprisoned, 39.

FRANCE: Tried, 45; sentenced to death, 12; acquitted, 4; imprisoned, 29.

UNITED STATES: Tried, 276; sentenced to death, 86; acquitted, 10; imprisoned 180.

Members of the International Military Tribunal who are trying 26 Class A Japanese war criminal suspects are concerned at the length of the trials, due to 'long-winded' defences. Expectations that the trials would be over this month have not been fulfilled.

The Trial of Japanese war Criminals.

An Agency message (9.4.47) reported that Shumei IKAWA would not be charged. The Tokyo War Crimes Tribunal decided to drop the indictment after having received medical reports that he had not yet recovered his intelligence and judgment.

S I N G A P O R E & P A C I F I C.

Japanese Generals on Trial. (see No. XXVI, p.12 of this Digest)

The Times correspondent in Singapore cabled (3.4.47): Two Japanese officers, Lieutenant General KAWAMURA and Lieutenant General OISHI, were today sentenced to death by hanging by the Singapore War Crimes court for complicity in the massacres of more than 5,000 Chinese at Singapore in February, 1942. Five other Japanese officers, including Lt. Gen. NISHIMURA, commander of the Imperial Guards Division, were sentenced to penal servitude for life.

The Times correspondent in Rabaul cabled (5.4.47): A military court at Rabaul found Major General HIROTA guilty of war crimes and sentenced him to seven years imprisonment. He was charged with having disregarded his duty as commander to control the men of his command whereby they committed brutal atrocities.

XXVIII

No. XXVIII,
May 16th 1947.

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.]

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SUMMARY OF EVENTS.

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S U M M A R Y O F E V E N T S.

E U R O P E.

A U S T R I A.

Mass graves discovered in Upper Austria.

Radio Vienna reported (15.4.47) that after the recent discovery near Wels, Upper Austria, of a mass grave, containing 300-400 corpses four more such graves were found near St. Florian, Asten and Enns, with the bodies of 193 Jewish concentration camp inmates who were shot by the wayside, having fallen behind when, at the beginning of 1945, a group of Jews was transferred to Mauthausen by forced marches. The Association of Concentration Camp victims had asked survivors of the march to go over the route again in the company of police officials, thus helping to find further graves.

Richter Escapes.

The Times reported from Vienna (22.4.47) that the Austrian Ministries for Justice and the Interior had announced that Franz RICHTER, formerly Nazi burgo-master of Vienna and a leading SS man, had escaped from prison. RICHTER was one of a working party of prisoners ostensibly employed in a street in Vienna. The police official responsible for guarding him had been arrested for negligence, and so had a number of other people who, "thanks to gross neglect of prison rules," had been enabled to maintain contact with important Nazis.

B E L G I U M.

Execution of concentration camp guards.

An agency message reported (13.4.47) that ten guards of the Breendonk camp, the Gestapo torture camp established near Antwerp during the occupation, had been executed on April 12th, 1947.

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

The Tiso Trial. (see Nos. XXVI, p.2 and XXVII, p.1 of this Digest)

The Times reported from Prague (18.4.47) that Josef TISO, former President of the German puppet State of Slovakia, had been executed there on that date, in accordance with the sentence for collaboration with the Nazis that had been passed on him on 15.4.47.

The Lidice Trial. (see No. XXVII, p.1 of this Digest)

An agency message reported from Prague (25.4.47) that Harald WIESMANN and five of his Gestapo henchmen had been sentenced during the previous day to death by hanging for the destruction of Lidice. Nine other Gestapo men, convicted of taking part in the killing of the villagers, were sentenced to prison terms ranging from 9 to 30 years. One other defendant had been convicted but no sentence was pronounced.

Trials of Gestapo officials.

Prague radio reported that Gerhard ANDRES, a senior Gestapo officer, had been sentenced to death on 23.4.47. He was responsible for the deaths of a number of Czechs. Hermann ZANDER, another Gestapo official, had also been sentenced to death.

/The Times

CZECHOSLOVAKIA (Cont)

Trials of Gestapo officials (Cont)

The Times reported (20.4.47) that a Prague Court had sentenced to death Kurt OBERHAUSER, former Gestapo inspector in Prague, for persecuting Czech clergy and for torturing many Czech priests.

Trial of Karl Rahm.

An agency message reported (1.5.47) that Karl RAHM, SS commander of the Terezin concentration camp, had been sentenced to death on the previous day by the Prague People's Court. RAHM caused the deaths and deportations of many thousands of Jews. Altogether he deported 25,995 Jews of whom only 1,856 had returned since the liberation.

FRANCE.

De Brinon Executed.

The Times reported (16.4.47) that Ferdinand de BRINON, who served as the Vichy Government's representative with the German authorities in the occupied zone during the war, was executed by a firing squad on April 15th 1947 at the Fortress of Montrouge. His plea for mercy had been rejected during the previous week.

War Criminals surrendered.

Numbers of Germans sought on charges of war crimes in France or the French zone had been surrendered by the British, American and Norwegian authorities according to a report by the Daily Telegraph (21.4.47). Col. BERNT and Captain BERNHARD, former commandant and deputy commandant of Oflag 10c, who were handed over by the British have been sent to Paris for trial.

GERMANY.

TRIALS BY GERMAN COURTS.

Sentence of Dr. Schacht. (see No. XXVII, p.1 of this Digest)

An agency message reported from Stuttgart (13.5.47) that Dr. Hjalmar SCHACHT had been sentenced on that day to eight years in a labour camp. The sentence is dated from the time of his first arrest, two years ago.

Trial of Fritz Kuhn.

The Daily Telegraph reported that Fritz KUHN, former head of the Nazi-German-American Bund in the United States would be tried by a Munich de-Nazification court.

AMERICAN ZONE.

THE SECOND NUREMBERG TRIALS.

The Industrialists trial. (see Nos. XXVI, p.4. and XXVII, p.2 of this digest)

The Times reported (21.4.47) that the first trial of German industrialists began on 20.4.47 before a U.S. military court. The defendants are accused of crimes involving slave labour, the plunder of occupied territory and support of, or membership in, the SS. They are also accused of coercion of Jews to sell

GERMANY.

AMERICAN ZONE.

THE SECOND NUREMBERG TRIALS.

(Cont)

The Industrialists Trial (Cont)

their property. The defendants pleaded not guilty.

The President of the court is the former New York judge, Charles B. SPEARS.

The "WVHA" Trial.

A U.S. Press release No. 120 of April 8th stated that Mr. James McManey, in his opening statement for the prosecution, charged Oswald POHL and 17 other officials of the WVHA with murder, enslavement, torture, extermination and other atrocities committed during the war mainly on inmates of concentration camps. "Under the guise of medical science," he declared, "medical experiments were performed on thousands of concentration camp inmates with a wanton disregard for human life... The WVHA had a substantial connection with the commission of such crimes."

Under the charge of slave labour the prosecution described how POHL and other defendants exploited the inmates of the camps by forcing them to work in German industry. Through exploitation and extermination by work of inferior peoples the WVHA allegedly expropriated valuable industries from the occupied countries. The development of these and other SS industries, the prosecutor said, was entrusted to POHL and his deputy LOERNER. "The income of the WVHA," he continued, "came from various sources, perhaps the most sordid of which were the houses of prostitution in the concentration camps." In conclusion he said, "For the sake of those nameless millions who perished under the heel of the SS ... let us not lose sight of a collective civic responsibility to prevent the growth of such malignant organisations ... If there are those who doubt, let them come here and examine the documents which HIMMLER's vial of cyanide could not destroy, showing the world wide carnage wrought by that organisation... And all peoples may learn that industry may not be built upon death, destruction and desecration."

The I.G. Farben Trial. (see No. XXVII, p.3 of this Digest)

The Times correspondent in a report dated 4.5.57 said: "The 24 most senior officials of the I.G. Farben Industrie were formally accused by the United States at Nuremberg yesterday of being war criminals. Among the charges brought against them were the fomenting and waging of aggressive war, mass murder, plunder and spoliation. The indictment charged that the I.G.F., through cartel arrangements had prevented U.S. concerns from shipping essential war material to Britain and other allies until the U.S. entered the war. It accused the defendants of support of, and co-operation with, Hitler and the Nazis. It asserted that they were responsible for the deaths of millions of human beings and the enslavement of other millions. In a special section of the indictment I.G.F. was accused of being involved in the mass murders at the Oswiecim concentration camp."

The "Hostages" Case.

This case, in which senior German officers will be prosecuted for massacres of hostages, particularly in Greece, is in course of preparation. The defendants, who will number about 15, are expected to include, among others:

Field Marshal Wilhelm LIST, Commander-in-Chief, 12th Army. April 1941 - Oct. 1941.
General Walter KUNTZE, Commander-in-Chief 12th Army. Oct. 1941 - August 1942.
General Hermann FOERTSCH, Chief of Staff, 12th Army and Army Group E, May 1941 - August 1943; Chief of Staff Army Group F, August 1943 - March 1944.
General Helmut FELMY, Commander S. Greece, June 1941 - August 1942; Commander LXVIII Corps (Army Group E), June 1943 - October 1944.
General LANZ, Commander 1st Mountain Div. Oct. 1940 - Dec. 1942; Commander XXII Mountain Corps (Army Group E) August 1943 - October 1944.
F/M Freiherr von WEICHS, Commander-in-Chief Army Group F, Aug. 1943 - June 1944.
General Wilhelm SPEIDEL, Commander S. Greece. Oct. 1942-Sept. 1943. Military Commander Greece, September 1943 - June 1944.

GERMANY.

AMERICAN ZONE. (Cont)

Sentences on Nazi officials.

News of Germany reported (26.4.47) from Dachau that an American court there had sentenced two defendants to death by hanging. August RUHNKE, former SS officer and deputy commander of the Kaufbeurer camp of the Dachau camp chain, was convicted of whipping 21 inmates so severely that they died. Emil HOFFMAN, former local Nazi leader in the Giessen area, confessed that he had shot an American airman who had had to bale out. Two of his co-defendants were acquitted.

BRITISH ZONE.

Nazi Criminals fortunes.

Replying to a question in the House of Commons regarding the fortunes of prominent Nazis, Mr. J.B. HYND, Chancellor of the Duchy of Lancaster, said the amounts seized in the British zone of Germany were as follows:- RIBBENTROP, Rm. 690,000; Von P APEN, Rm. 721,000; ROSENBERG, Rm. 657,000; KEITEL, Rm. 1,045,000; DONITZ, Rm. 153,000; GORING, Rm. 4,000,000. British enquiries had so far failed to trace any assets outside Germany which could be established as the personal property of any of the Nazis in question. Full details of what additional amounts had been discovered by the Allied Powers in the other zones of Germany or outside Germany were not yet available. The amounts seized in the British zone were being held under control pending quadripartite decision as to their disposal.

Forthcoming trials in the British Zone.

The Commission was informed of the following:

The Imhert Case.

This trial was to open at Iserlon on May 7th 1947. The accused, Josef KNOTH, is charged with committing war crimes, firstly in that, in the vicinity of Imhert, Germany, on or about 23 August 1944 he killed Nicolaus KOSLOV, a Russian national and secondly in that he, in the vicinity of Imherterbach in or about April 1945, killed Iwan WANIN and Helena WANIN, Russian nationals.

The Gristede Case.

This trial was to open on April 29th 1947 at Hamburg. The accused, Gustav WROBEL, is charged with being concerned in the killing of a Canadian prisoner of war near Gristede on or about April 30th 1945.

The Renecke case.

This trial was to open on April 22nd 1947 at Hamburg. The accused, Gustav RENECKE, is charged with having been concerned in the killing of two British prisoners of war in the vicinity of Krappitz, Upper Silesia, Germany on or, about November 19th 1942.

Results of completed Trials.

Rothenburgsort Case. (see No. XXVII, p.5 of this Digest)

This trial was completed on April 10th 1947. Paul WILHELMSEN and JOACHIM STRUCK were both acquitted.

The Renecke Case (see above)

This trial was completed on April 24th. Gustav RENECKE was sentenced to 20 years imprisonment.

G E R M A N Y.

BRITISH ZONE (Cont).

Trial of von Ruckteschell.

In this trial, which began on May 5th 1947 at Hamburg before a War crimes court, Captain Helmut von RUCKTESCHELL pleaded "not guilty" to charges of firing at British seaman on rafts and continuing to shell ships which were obeying his orders not to use their radios and to abandon ship. It was stated that von RUCKTESCHELL had cruised the North Atlantic for two years sinking allied ships. One of the witnesses called by the prosecution described the attack on the merchant ship "Davison" in 1940 by the armed German raider "Ship 21." The raider had Swedish flags painted on both sides and carried the name Narvik. "I was watching the ship when suddenly shells began hitting us and a few minutes later we had a radio message warning us not to use our radio," the witness said, "The raider continued to fire for eight minutes after we had signalled that the instructions were being obeyed." The shelling wounded five men, three of whom died.

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The Ravensbrück Trial. (see Nos. XXIV, p.7, XXV, p.7 & XXVII, p.5. of this Digest)

The Times reported from Berlin (5.5.47) that eight of the eleven persons sentenced to death for their part in the atrocities in the Ravensbrück women's concentration camp were executed during the previous day. Two of the others sentenced to death committed suicide during April (see No. XXVII, p.5 of this Digest) and the execution of the third, Vera SALVQUART, was postponed on representations by the Czechoslovak Government to the British Commander-in-Chief.

I T A L Y.

BRITISH TROOPS IN ITALY.

The Trial of ex- Marshal Kesselring. (see Nos. XXVI, p.8 & XXVII, p.6 of this Digest)

The Times correspondent in a report from Rome (7.5.47) said: "Field Marshal KESSELRING, former supreme German commander in Italy, who has been on trial at Venice since February 10th before a British Military Court, was this morning found guilty of committing two war crimes and sentenced to death by shooting."

"The accused received the sentence, which is subject to confirmation by the competent higher military authority, without apparent emotion. It is understood that an appeal will be lodged on his behalf. KESSELRING was charged with being responsible for the massacre of 335 Italian civilians in the Ardeatine Caves in March 1944, and with inciting his forces to ruthless acts against partisans. The trial was noteworthy for the scrupulous impartiality and patience shown by the court, and the defence, ably led by Dr. LATERNER, was afforded every opportunity of proving its case."

/POLAND

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P O L A N D.

The Trial of Biebow.

Warsaw radio reported (24.4.47) that the trial^{of} Hans BIEBOW, commander of the former Lodz ghetto, had begun in Lodz on that day. BIEBOW admitted only partial guilt, saying that he was merely the administrative officer and one of his tasks had been to deal with certain Jewish affairs. He did not take part in the liquidation of small ghettos in the so-called Warthegau, but only took over bedding and clothing left behind by the Jews. The number of Jews in the Lodz ghetto was some 170,000 and was later increased by a further 15,000 from Vienna, Czechoslovakia and the Reich; 5,000 gypsies were also placed in this ghetto. BIEBOW claimed that of the 190,000, many died a natural death, others were deported by the Gestapo and 83,000 were transferred to the Reich for various jobs.

The same source reported (1.5.47) that Hans BIEBOW had been sentenced to death. He was also deprived of all civic rights and his fortune was confiscated in the interests of the State. Counsel for the Defence had intimated his intention of appealing against the verdict.

Y U G O S L A V I A.

Extradition of War Criminals.

The Daily Telegraph reported (29.4.47) that six Yugoslav war criminals had been handed over by the British authorities to Yugoslavia. They are understood to include Vladimir KREN, former commander of the Ustachi (Croat terrorist) air forces.

/THE FAR EAST

T H E F A R E A S T.

J A P A N.

The Tokyo Trial.

The Times correspondent in a report from Tokyo (18.4.47) said: "General Jiro MINAMI, one of the twenty six Japanese being tried by the International Military Tribunal for the Far East, left the witness stand yesterday after four days rigorous cross-examination by the associate British prosecutor, Mr. COMYNS CARR. The defendant persistently denied that he had at any time supported a policy of aggression towards Manchuria or the Soviet Union. Among the specific charges that he categorically denied was that he had posted military men disguised as civilians in Japanese consulates in Soviet areas to engage in espionage activities against Russia. He disclosed that the Kwantung army had built numerous air bases "in consideration of the possibility of attack by the Soviet Union." Mr. COMYNS CARR was able to show that in 1938 MINAMI had fervently supported Japan's military action against China, which he described as a "holy war."

The Daily Telegraph in a report (3.5.47) stated: To-day is the first anniversary of the opening in Tokyo of the war crimes trial of TOJO, former Japanese Prime Minister, and the 24 other major suspects. The Japanese people are convinced that all the defendants will be sentenced to death.

Sixty Japanese correspondents go to the trials daily but only three American and one French journalist attend. Japanese spectators averaged 1,600 a week during the prosecution phase and 2,000 since the defence began. The attendance of allied nationals is less than 500 weekly.

P A C I F I C.

Japanese Generals on trial.

The Times correspondent in Rabaul cabled (23.4.47): The War Crimes Tribunal at Rabaul today passed sentence of life imprisonment on Lieutenant General Hatazo ADACHI, former G.O.C. of the Japanese 18th Army. He was charged with having failed to control his troops who committed atrocities against the Australians and their Allies.

An agency message reported from Rabaul (30.4.47) that Lieutenant General Rinpei KATO, former Chief of Staff of the Japanese Eighth Army, had been acquitted of complicity in the murder and ill-treatment of prisoners of war. His fellow accused, General Hitoshi IMAMURA, former GOC of the Japanese Eighth Army had accepted full responsibility for the ill-treatment of the prisoners of war.

C H I N A.

Execution of General Hisaotani.

An agency message reported (26.4.47) that Lieutenant General HISAOTANI, former commander of the Japanese Sixth Division, was executed by a firing squad on that day. He was convicted, by a Chinese Military Court during April, of ordering the "rape of Nanking" in 1937.

XXVIII

ERRATUM.

May 19th 1947.

UNITED NATIONS WAR CRIMES COMMISSION.

(Research Office)

WAR CRIMES NEWS DIGEST No. XXVIII.

Page 3. The name of the President of the Court should read: Charles B. SEARS, official Referee of the Court of Appeals of the State of New York.

Page 4, para 3. For Imhert read Ihmert; for Iserlon read Iserlohn.

XXIX

No. XXIX.

June 11th 1947.

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.]

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SUMMARY OF EVENTS.

EUROPE

AUSTRIA.

Richer Recaptured. (see No. XXVIII, p.1 of this Digest)

The Times reported (2.6.47) from Vienna that S.S. General Franz RICHTER, former Nazi Mayor of Vienna, had been recaptured by the Austrian police. He escaped from the Vienna municipal prison six weeks ago.

Trial of Dr. Hanel.

An Agency message reported (27.5.47) that at the trial before the Viennese People's Court of Dr. Rudolf HANEL, charged with membership of the Nazi Party before the anschluss, evidence was given that, despite his membership, he had given great help to the Austrian underground. It was testified that, thanks to information given by Dr. HANEL, it had been possible to sabotage preparations being made for the manufacture of flying bombs, thus delaying the beginning of their manufacture by as much as nine months.

Former Nazi Leader sentenced.

The Times reported (25.5.47) that Johann BRAUN, a former Nazi leader, who set up his own court during the last days of the war and hanged five of his enemies, mostly anti-Nazis, was sentenced, on the previous day, to death by the Vienna People's Court. Two of his accomplices, Josef WENINGER and Johann WALLNER, were also sentenced to death.

FRANCE.

French Collaboration Trials.

The French Ministry of Justice has published the following figures of trials on charges of collaboration with the enemy heard by the special courts between the liberation and April 1, 1947 :-

"Cases brought before examining magistrates, 127,255; dismissed, 48,155; brought to trial, 50,066 (sentences of death, 5,386; penal servitude for life, 2026; other terms, 10,622; solitary confinement, 2,025; imprisonment, 21,289; acquittals, 7,400); cases brought before civic courts, 64,898 (loss of rights, 45,988; acquittals, 12,658).

The number of executions between September 1, 1944, and April 20, 1947, was 637; three of these sentences (on DARNAND, LAVAL and DE BRINON) were pronounced by the High Court.

There remain 3,083 cases to be heard by the special courts and 60,000 appeals are pending."

Trial of Benoit-Mechin.

The Times correspondent in a report from Paris dated 29.5.47 stated: "The trial of BENOIST-MECHIN, a former member of the Vichy Government, began before the High Court at Versailles to-day. His case is arousing great interest here, for the charges of collaboration concern the part he played in the negotiations between Vichy and the Germans in 1941, and his alleged complicity in a move to bring France into the war against Great Britain and America early in 1942.

Marshal PETAIN, questioned in his island fortress, had denied that there was over any possibility of Vichy going to war against the Allies. ABETZ, the

/former.....