

incorporated some 23 of the latter's branches into its own branch network. It obtained, after the fall of France and Belgium, the bulk of the extensive holdings in Balkan banking and industry of the Société Générale de Belgique, one of the largest holding companies in Europe, and thereby won for itself a dominant position in the banking structure of the Balkan countries. So extensive did the foreign acquisitions of the Deutsche Bank become that between the years 1938-1941 the number of its branches and affiliates outside of Germany showed a sixfold increase.

The Deutsche Bank also acted on a number of occasions as a spear-head institution for the German Government in the economic penetration of the annexed, occupied and satellite countries of Europe. The Kontinentale Oel A.G., which was established by Goering, in March 1941, so as to create a German oil monopoly in Europe, acquired the core of its initial holdings—the majority control of the two largest Rumanian oil companies—from the Deutsche Bank. The latter in its own turn had previously, following the German victory in the West, taken over these shares from the former French and Belgian holders.

The Deutsche Bank participated in numerous aryanization transactions in Germany as well as in the countries of annexed, occupied and satellite Europe and profited extensively from them. It took over in 1938, without compensation, the entire clientèle of the very prominent non-aryan banking house of Mendelssohn & Co., Berlin, and it established a new banking house, during the same year, to take over the business of the large private and non-aryan Simon Hirschland Bank of Essen. It extended to its customers a great volume of credits to assist them in acquiring and financing non-aryan business properties. It also supplied new "purchasers" for properties of this description and it became a competitor of the Dresdner Bank, whose aggressiveness in this field had become a byword in Germany in a race for commissions and profits out of aryanization transactions.

The Deutsche Bank's great expansion programme, during the twelve years of the Nazi régime, came to be realised in considerable degree, through the closeness of its connections with Government Ministries as well as with Party and affiliated agencies. Emil von Stauss, the leading member of the Vorstand between 1920-1933, was an early supporter of Hitler with whom he maintained a close and continuing relationship. Von Stauss was also on excellent terms with Goebbels and Goering and was appointed in 1934 to the vice-presidency of the Nazi Reichstag. Three reliable Party men were invited, during the Nazi Régime, to join the Vorstand—S.A. Oberfuehrer Ritter von Halt, a member of the notorious Keppler Circle, Heinrich Hunke, Gauwirtschaftsberater of Berlin and Robert Frowein whose appointment received the personal endorsement of Minister Funk.

The Deutsche Bank's Aufsichtsrat fairly bulged with strong Party men and sympathetic fellow travellers. A full third of the membership bore the title of *Wahrwirtschaftsfuehrer*, in recognition of the rôle they played in fulfilling the demands of the war economy. A majority of the Aufsichtsrat's steering committee, the *Arbeitsausschuss*, were outspoken Party men. The Aufsichtsrat vice-president, Albert Pietzsch, was an old Party activist, an economic adviser to Rudolf Hess and President of the Reich Economic Chamber. Among the other influential Aufsichtsrat members were numbered Philip Reemtsma, a principal financial supporter of Goering, Wilhelm Zangen and Rudolf Stahl, president and vice-president respectively of the powerful *Reichsgruppe Industrie* in the Reich Economic Chamber and Otto Fitzner, *Gauwirtschaftsberater* of Lower Silesia.

The ...

The Deutsche Bank was also a contributor during the Nazi régime of large sums to a variety of political funds. During a period of some six years, beginning in 1939, the Bank contributed the sum of RM 75,000 per year to a special fund for the personal use of Heinrich HIMMLER. The Bank also contributed, during an even longer period, an average of some RM 300,000 per year to the Adolf Hitler Spende, for the use of the Party and its affiliated agencies.

The Deutsche Bank employed its excessive power in the German economy to participate in the execution of the criminal policies of the Nazi régime in the economic field. The responsibility for these actions rests with the Vorstand members who directed them, with the Aufsichtsrat members who sanctioned them, and with the officials and employees of the Bank who executed them.

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II.

REPORT ON THE INVESTIGATION OF THE REICHS-KREDIT-GESELLSCHAFT.

(a) Recommendations.

Chapter I contains the following recommendations:

It is recommended that:

1. The Reichs-Kredit-Gesellschaft be liquidated, in accordance with the recommendations of the Finance Directorate Banking Committee and that its leading officials be barred from positions of importance or responsibility in German economic or political life.
2. In any war crimes trials instituted by the Subsequent Proceedings Division, Office of the U.S. Chief of Counsel against leading bankers, the principal Nazi members of the RKG Vorstand, Alfred OLSCHER, Paul GREYER and Otto GERLITZ, who are presently in Soviet custody, be included.
3. The Subsequent Proceedings Division, Office of the U.S. Chief of Counsel, consider whether it will institute proceedings against Vorstand member August ROHDEWALD or whether he is to be transferred to the German authorities for proceedings under the provisions of the Law for Liberation from National Socialism and Militarism.
4. Vorstand members Hermann JANNSEN, Otto NEUBAUER, and Adolf SCHAEFFER be transferred to the custody of the German authorities for proceedings under the provisions of the Law for Liberation from National Socialism and Militarism.

(b) Summary.

Chapter II contains the following summary of the Report:

Investigation of the Reichs-Kredit-Gesellschaft, and interrogation of a number of its former officials have established that after Hitler's rise to power the Bank entered into active co-operation with a number of leading political-economic personalities of the Nazi régime. After Alfred OLSCHER, himself a member of the Keppler circle, joined the Vorstand in 1937 and became its principal figure, this co-operation grew even closer and it came to include such outspoken exponents of Nazi doctrines as Wilhelm KEPPLER, Economic Plenipotentiary of the Führer, Paul PLEIGER, Vorstand Chairman of the Reichswerke Hermann Göring and Gauwirtschaftsberater Hans KEHRL who became a leading official at the Economics Ministry. After 1937 the interests of the Reich and of the war economy came to overrule all other policies at the Bank.

The one sphere in which the RKG specialised above all others was the field of foreign trade and exchange where for a bank of its size and scope it played a more important rôle than the other leading German

banks ...

banks. Under the Third Reich German foreign trade became linked to German foreign policy and was converted into an instrument of Nazi power politics. Hence, in co-operation with various Reich Ministries and agencies, the RKG acted a leading part in the financing of:

1. The barter and trade monopoly agreements between Germany and other countries, especially those with the U.S., Spain, Portugal and Iran.
2. The armament exports to Rumania, Bulgaria, Turkey, Hungary, Jugoslavia, Portugal and Afghanistan.
3. The large political loans to allies and satellites of the Reich including Japan, Rumania and Bulgaria.

The RKG was particularly active in transactions with the Balkan countries and it acquired a significant position in the economy of Rumania, especially after the latter country became a political satellite of Nazi Germany. Following the political and territorial conquests of the Third Reich the bank expanded the scope of its activities into Czechoslovakia, Jugoslavia, Poland and the occupied territories of Russia, where it participated, together with the other Grossbanken, in financing the exploitation of the economic resources of those countries and their integration into the Nazi war economy.

The RKG also participated, together with the other Grossbanken, in financing the principal objectives of the two Four Year Plans—the revival of the primary war industries, the creation of synthetic production of vital raw materials for the war effort and the safeguarding of the German food supply.

After 1 September 1939, the RKG, in ever-increasing degree, employed its resources and dedicated its services towards the successful prosecution of the war. The degree of the Bank's activity in the war effort can well be measured by the expansion of its total assets which between 1937 - 1944 increased by some 264%.

The entire capital stock of the RKG was owned by the VIAG combine whose capital stock in turn was Reich owned. The RKG acted as the house bank of the VIAG which was second only to the Reichswerke Hermann Goering in size as the greatest Reich owned industrial combine.

It must be strongly emphasised that in the drafting of this report the investigators had very little documentary evidence at their disposal. Documentary evidence was either unavailable or inaccessible or because of limitations of time, unobtainable. The investigators have, therefore, been restricted in obtaining their basic information to the interrogation of leading RKG officials only. In addition, the dominant personality at the Bank, Alfred OLSCHER, as well as his colleagues Paul GREYER and Otto GERLITZ, the three principal Nazi members of the Vorstand, were not available for interrogation. The facts set forth in this report and the conclusions based thereon must be viewed in the light of these limitations. Subsequent interrogation of the above-named officials and an opportunity to inspect the bank files, which at present are also unavailable, might modify or change the substance of the conclusions.

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UNITED NATIONS WAR CRIMES COMMISSION

(Research Office)

SUMMARY OF INFORMATION

No. 55

December, 1947.

NOTES ON GERMAN MEDICAL WAR CRIMES.

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I N T R O D U C T I O N.

In July, 1946, Dr. SCHRAM-NIELSEN, Danish Commissioner, requested (Doc. C.214) the Commission, on behalf of the Danish General Medical Association, to produce a survey of the breaches of the medical code of ethics committed by the German doctors under the Nazi régime, and for the compilation of an authoritative account of crimes of this nature. The Commission agreed and decided that a medical expert should be appointed to undertake the survey.

Subsequently, owing to the creation of an International Scientific Commission in Paris which was to examine the same question, it was decided to await that Commission's report. So far as known, however, no report has yet been issued by the International Commission, and in view of a further request from the Danish Commissioner, the following notes on the subject have been compiled in the Research Office. In the absence of expert assistance, technical matters have been avoided as far as possible.

The most authoritative sources are the reports of official investigators, sworn depositions by eye-witnesses, and judgments of war crimes tribunals. In regard to the latter, special importance attaches to the judgments of the Nuremberg courts (the International Military Tribunal and the courts constituted for "Subsequent Proceedings"), as they usually contain a recital of the facts established at the trial.

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I. SCOPE OF THE MEDICAL WAR CRIMES.

A survey of the material shows that the crimes fall under the following heads:

- (a) Experiments by doctors on unwilling human subjects;
- (b) Selection by doctors of prisoners to be killed; and killing of prisoners by lethal injections, or by medical neglect.
- (c) "Euthanasia" or mercy-killing of the sick or mentally infirm; and of children of "lower races".
- (d) Experiments with a view to bacteriological warfare.

II. ...



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II. THE HIGHER MEDICAL AUTHORITIES.

The Supreme Medical Authority.

Dr. Karl BRANDT, formerly HITLER's escort physician, was given supreme authority in military and civilian medical matters by a series of decrees. In the first of these, dated July 28th, 1942, HITLER declared:

"I empower Professor Dr. Karl BRANDT, subordinate only to me personally and receiving his instructions directly from me, to carry out special tasks and negotiations to readjust the requirements for doctors, hospitals, medical supplies, etc., between the military and the civilian sectors of the Health and Medical Services.

"My plenipotentiary for Health and Medical Services is to be kept informed about the fundamental events in the Medical Service of the Wehrmacht and in the Civilian Health Service. He is authorised to intervene in a responsible manner."

By decree bearing date 5 September, 1943, signed by HITLER and LAMMERS, BRANDT's authority was strengthened. This decree reads as follows:

"In amplification of my decree concerning the Medical and Health Services of 28 July, 1942 (RGB. I P. 515) I order:

"The plenipotentiary for the Medical and Health Services, General Commissioner Professor Dr. Med. BRANDT, is charged with centrally co-ordinating and directing the problems and activities of the entire Medical and Health Services according to instructions. In this sense this order applies also to the field of Medical Science and Research, as well as to the organisational institutions concerned with the manufacture and distribution of medical material.

"The plenipotentiary for the Medical and Health Services is authorised to appoint and commission special deputies for his spheres of action."

By further decree bearing date 25th August, 1944, signed by HITLER, LAMMERS, BORMANN, and KEITEL, Karl BRANDT received further authority. This decree reads:

"I hereby appoint the General Commissioner for Medical and Health matters, Professor Dr. BRANDT, Reich Commissioner for Sanitation and Health as well, for the duration of this war. In this capacity his office ranks as highest Reich authority.

"The Reich Commissioner for Medical and Health Services is authorised to issue instructions to the offices and organisations of the State, Party and Wehrmacht, which are concerned with the problems of the Medical and Health Services."

In ...

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(+) As set out in the Judgment of the U.S. Tribunal, Case 1.

In a decree dated 23rd December, 1942, HITLER said:

"I not only relieve physicians, medical practitioners and dentists of their pledge to secrecy towards my Commissioner-General Professor Dr. Med. Karl BRANDT, but I place upon them the binding obligation to advise him—for my own information—immediately after a final diagnosis has established a serious disease, or a disease of ill-boding character, with a personality holding a leading position or a position of responsibility in the State, the Party, the Wehrmacht, in Industry, and so forth."

From the year 1942 to the end of the war Karl BRANDT was a member of the Reich Research Council and was also a member of the Presidential Council of that body.

Karl BRANDT, then, finally reached a position authorising him to issue instructions to all the medical services of the State, Party, and Wehrmacht concerning medical problems (Hitler Decree bearing date 25th August, 1944).

By a service regulation governing the Chief of the Medical Services of the Wehrmacht, issued by KEITEL on August 7th, 1944, the chief of these medical services was required to pay due regard to the general rules of the Führer's Commissioner General for Medical and Health Departments. The regulation contained the following:

"The Chief of the Medical Services of the Wehrmacht will inform the Führer's Commissioner General about basic events in the field of the Medical Services of the Wehrmacht."

#### Civilian Medical Service.

Throughout the war the Civilian Medical Services of the Reich were headed by a certain Dr. Leonard CONTI. (≠) Dr. CONTI had two principal capacities: (1) He was the Secretary of State for Health in the Ministry of the Interior of the Government; in this capacity he was a German civil servant subordinated to the Minister of the Interior—first Wilhelm FRICK and later, Heinrich HIMMLER. (2) He was the Reich Health Leader of the Nazi Party; in this capacity he was subordinated to the Nazi Party Chancellery, the chief of which was Martin BORMANN. In his capacity as Reich Health Leader, CONTI had, as his deputy, Dr. BLOME.

#### Army Medical Service.

The head of the Army Medical Service (Dr. HANDLOSER, January 1941 - September 1944) was at the same time Army Medical Inspector and Army Physician. These positions required the maintenance of two departments, each separate from the other. At one time or another there were subordinated to HANDLOSER in these official capacities the following officers, among others: Generalarzt Professor SCHREIBER and Professor ROSTOCK; Oberstabsarzt Drs. SCHOLZ, EYER, Bernhard SCHMIDT and CREMER; Oberstabsarzts Professor GUTZEIT and Professor WIRTH; Stabsarzt Professor KLEWE and Professor KILLIAN, and Stabsarzt Dr. DOHMEN. Under his supervision in either or both of his official capacities were the Military Medical Academy, the Typhus and Virus Institutes of the OKH at Cracow and Lemberg, and the Medical School for Mountain Troops at St. Johann.

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(≠) Dr. Conti was arrested after the capitulation, and committed suicide at Nuremberg in October 1945 in order to avoid trial.



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In 1942 a reorganization of the various Medical Services of the Wehrmacht was effected. By a Führer decree of 28th July, 1942, HANDLOSER became Chief of the Medical Services of the Wehrmacht, while at the same time retaining his position as Chief Physician of the Army and Army Medical Inspector. Under the decree referred to, HANDLOSER was given power and authority to supervise and co-ordinate "all tasks common to the Medical Services of the Wehrmacht, the Waffen SS and the organisations and units subordinate or attached to the Wehrmacht". He was also commanded "to represent the Wehrmacht before the civilian authorities in all common medical problems arising in the various branches of the Wehrmacht, the Waffen-SS and organisations and units subordinate or attached to the Wehrmacht" and "to protect the interests of the Wehrmacht in all medical measures taken by the civilian authorities."

HANDLOSER thus became supreme medical leader in the military field, as was CONTI in the civilian health and medical service.

#### The Luftwaffe Medical Service.

From the beginning of the war until 1st January, 1944, Dr. HIPFKE was Chief of the Medical Service of the Luftwaffe. On that date Dr. SCHROEDER succeeded Dr. HIPFKE and remained in that position until the end of the war.

Subordinated to Dr. SCHROEDER as Chief of the Medical Service of the Luftwaffe were: Dr. ROSE, who was consulting medical officer on hygiene and tropical medicine; Dr. WELTZ, who was chief of the Institute for Aviation Medicine in Munich; Dr. BECKER-FREYSENG, a consultant for aviation medicine in SCHROEDER's office; Dr. RUFF, the chief of the Institute for Aviation Medicine in the German Experimental Institute for Aviation in Berlin; Dr. ROMBERG, RUFF's chief assistant, who toward the end of the war attained the position of a Department Head at the Institute; Dr. SCHAEFER, who, in the summer of 1942, was assigned to the Staff of the Research Institute for Aviation Medicine in Berlin to do research work on the problem of sea emergency; and Dr. BEIGLBOECK, a Luftwaffe officer who performed medical experiments on concentration camp inmates at Dachau in July 1944 for the purpose of determining the potability of processed sea water.

Under Dr. SCHROEDER's jurisdiction as Chief of the Luftwaffe Medical Service was the Medical Academy of the Luftwaffe at Berlin.

#### SS. Medical Service.

The SS. maintained its own medical service headed by Dr. GRAWITZ, who was Reich physician SS. and Police.

#### Waffen SS. Medical Service.

The SS. branch of the Nazi Party was divided into several components, of which one of the most important was the Waffen, or Armed SS. Such medical units of the Waffen SS as were assigned to the field, became subordinated to the medical service of the Army, which was supervised by HANDLOSER.

The Chief of the Waffen SS Medical Service was Dr. GENZKEN. His immediate superior was Reich Physician SS and Police Dr. GRAWITZ.

Under ...

Under Dr. GRAWITZ, among others, were the following members of the SS. Medical Service: Dr. GEBHARDT, who in 1940 became surgical adviser to the Waffen SS and who in August 1943 created and took over the position of Chief Clinical Officer of the Reich Physician SS and Police; MRUGOWSKY, who became Chief of the Hygiene Institute of the Waffen SS under GENZKEN in November 1940, and when the Institute was taken from GENZKEN's supervision on 1st September, 1943, and placed under direct subordination to GRAWITZ, remained as Chief; POPPENDICK, who in 1941 was appointed Chief Physician of the Main Race and Settlement Office in Berlin and who in 1943 also became Chief of the Personal Staff of the Reich Physician SS and Police; HOVEN, who from the beginning of 1941 until July 1942, served as the assistant, and from then to September 1943, as Chief Physician, at the Buchenwald Concentration Camp; FISCHER, an assistant physician to the Dr. Karl GEBHARDT; and finally Dr. H e r t a OBERHAUSER, who in December 1940 became a physician at the Ravensbrück Concentration Camp, and thereafter, from June 1943 until the end of the war, served as an assistant physician under Dr. GEBHARDT at Hohenlychen.

#### The Ahnenerbe Society.

The Ahnenerbe Society, of which Colonel SIEVERS was Reich Business Manager, was in existence as an independent entity as early as 1933. On 1st July, 1935, the Ahnenerbe became duly registered as an organisation to conduct or further "research on the locality, mind, deeds and heritage of the Northern race of Indo-Germans and to pass on the results of this research to the people in an interesting manner." On 1st January, 1942, the Society became part of the Personal Staff of the Reichsführer SS and thereby a section of the SS. Its management was composed of Heinrich HIMMLER, as President, Professor Dr. WUEST, Rector of the University of Munich, as Curator, and finally of Colonel SIEVERS as Reich Business Manager.

Subsequently, during the same year, the Institute of Military Scientific Research was established as a part of the Ahnenerbe. Its purposes are defined in a letter written by HIMMLER to SIEVERS, which directed the following with reference to the Ahnenerbe:

- "1. To establish an Institute for Military Scientific Research;
2. To support in every possible way the research carried out by SS Hauptsturmführer Professor Dr. HIRT and to promote all corresponding research and undertakings;
3. To make available the required apparatus, equipment, accessories and assistants, or to procure them;
4. To make use of the facilities available in Dachau;
5. To contact the Chief of the SS Economic and Administrative Main Office with regard to the costs which can be borne by the Waffen SS."

III. ...



### III. EXPERIMENTS ON UNWILLING HUMAN SUBJECTS.

It appears that the impulse to experimentation on human subjects (Versuchspersonen) was due on the one hand to the desire of the doctors to obtain credit for experiments which had hitherto been limited to dumb creatures, and on the other hand to the discovery that, in the concentration camps, an unlimited supply of "experimental persons" was available. These experiments were mostly conducted under the auspices of the SS., because it was they who were able to authorize the supply of subjects and because HIMMLER, as head of the SS, desired that his department should obtain the credit—as he regarded it—for the results of the experiments, and because the SS were alone in a position to produce human subjects, without limit, though on payment, for experimentation.

In its Judgment on the Major War Criminals (p. 77) the International Military Tribunal, Nuremberg, declared:

"In connection with the administration of the concentration camps, the SS embarked on a series of experiments on human beings which were performed on prisoners of war or concentration camp inmates. These experiments included freezing to death, and killing by poison bullets. The SS was able to obtain an allocation of Government funds for this kind of research on the grounds that they had access to human material not available to other agencies."

More detailed information about these crimes is to be found in the Judgment of the U.S. Military Tribunal at Nuremberg (notably the trial of the "23 doctors and scientists", referred to herein as Case No. 1, and the trial of ex-Marshall Er. MILCH, referred to herein as Case No. 2); in the reports of expert investigators, especially that of Major Leo Alexander (U.S.A.) on "The Treatment of Shock from Prolonged Exposure to Cold" (C.I.O.S., Item 24, File XXVI-37); captured correspondence between HIMMLER and medical experts; and sworn depositions of witnesses in war crimes trials.

#### The Trial of the "23 doctors" (Case 1).

In the case of the "23 doctors" trial, which was held at Nuremberg, December 1946 - August 1947, the Tribunal consisted of Justices Walter B. BEALS, Justice of the Supreme Court of the State of Washington, presiding judge; Harold L. SEBRING, Judge of the Supreme Court of Florida; Johnson Tal CRAWFORD, former Justice of the Oklahoma District Court in Ada, Oklahoma, and Victor C. SWEARINGEN, former Assistant Attorney General of Michigan.

The Indictment, in Count II, had made the following allegations:

(A) **HIGH ALTITUDE EXPERIMENTS.** From about March 1942 to about August 1942 experiments were conducted at the Dachau Concentration Camp for the benefit of the German Air Force to investigate the limits of human endurance and existence at extremely high altitudes. The experiments were carried out in a low-pressure chamber in which the atmospheric conditions and pressures prevailing at high altitude (up to 68,000 feet) could be duplicated. The experimental subjects were placed in the low-pressure chamber and thereafter the simulated altitude therein was raised. Many victims died as a result of these experiments and others suffered grave injury, torture, and ill-treatment.

(B) ...

(B) FREEZING EXPERIMENTS. From about August 1942 to about May 1943 experiments were conducted at the Dachau Concentration Camp, primarily for the benefit of the German Air Force, to investigate the most effective means of treating persons who had been severely chilled or frozen. In one series of experiments the subjects were forced to remain in a tank of ice water for periods up to three hours. Extreme rigor developed in a short time. Numerous victims died in the course of these experiments. After the survivors were severely chilled, rewarming was attempted by various means. In another series of experiments, the subjects were kept naked outdoors for many hours at temperatures below freezing. The victims screamed with pain as parts of their bodies froze.

(C) MALARIA EXPERIMENTS. From about February 1947 to about April 1945 experiments were conducted at the Dachau Concentration Camp in order to investigate immunization for and treatment of malaria. Healthy concentration camp inmates were infected by mosquitoes or by injections of extracts of the mucous glands of mosquitoes. After having contracted malaria the subjects were treated with various drugs to test their relative efficacy. Over 1,000 involuntary subjects were used in these experiments. Many of the victims died and others suffered severe pain and permanent disability.

(D) LOST (MUSTARD) GAS EXPERIMENTS. At various times between September 1939 and April 1945 experiments were conducted at Sachsenhausen, Natzweiler, and other concentration camps for the benefit of the German Armed Forces to investigate the most effective treatment of wounds caused by Lost gas. Lost is a poison gas which is commonly known as Mustard Gas. Wounds deliberately inflicted on the subjects were infected with Lost. Some of the subjects died as a result of these experiments and others suffered intense pain and injury.

(E) SULFANILAMIDE EXPERIMENTS. From about July 1942 to about September 1943 experiments to investigate the effectiveness of sulfanilamide were conducted at the Ravensbrück Concentration Camp for the benefit of the German Armed Forces. Wounds deliberately inflicted on the experimental subjects were infected with bacteria such as streptococcus, gas gangrene, and tetanus. Circulation of blood was interrupted by tying off blood vessels at both ends of the wound to create a condition similar to that of a battlefield wound. Infection was aggravated by forcing wood shavings and ground glass into the wounds. The infection was treated with sulfanilamide and other drugs to determine their effectiveness. Some subjects died as a result of these experiments and others suffered serious injury and intense agony.

(F) BONE, MUSCLE, AND NERVE REGENERATION AND BONE TRANSPLANTATION EXPERIMENTS. From about September 1942 to about December 1944 experiments were conducted at the Ravensbrück Concentration Camp for the benefit of the German Armed Forces to study bone, muscle, and nerve regeneration, and bone transplantation from one person to another. Sections of bones, muscles, and nerves were removed from the subjects. As a result of these operations, many victims suffered intense agony, mutilation, and permanent disability.

(G) SEAWATER EXPERIMENTS. From about July 1944 to about September 1944 experiments were conducted at the Dachau Concentration Camp for the benefit of the German Air Force and Navy to study various methods of making seawater drinkable. The subjects were deprived of all food and given only chemically processed seawater. Such experiments caused great pain and suffering and resulted in serious bodily injury to the victims.

(H) ...



(H) EPIDEMIC JAUNDICE EXPERIMENTS. From about June 1943 to about January 1945 experiments were conducted at the Sachsenhausen and Natzweiler Concentration Camps for the benefit of the German Armed Forces to investigate the causes of, and inoculations against, epidemic jaundice. Experimental subjects were deliberately infected with epidemic jaundice, some of whom died as a result, and others were caused great pain and suffering.

(I) STERILIZATION EXPERIMENTS. From about March 1941 to about January 1945 sterilization experiments were conducted at the Auschwitz and Ravensbrück Concentration Camps, and other places. The purpose of these experiments was to develop a method of sterilization which would be suitable for sterilizing millions of people with a minimum of time and effort. These experiments were conducted by means of X-Ray Surgery, and various drugs. Thousands of victims were sterilized and thereby suffered great mental and physical anguish.

(J) SPOTTED FEVER EXPERIMENTS. From about December 1941 to about February 1945 experiments were conducted at the Buchenwald and Natzweiler Concentration Camps for the benefit of the German Armed Forces to investigate the effectiveness of spotted fever and other vaccines. At Buchenwald numerous healthy inmates were deliberately infected with spotted fever virus in order to keep the virus alive; over 90% of the victims died as a result. Other healthy inmates were used to determine the effectiveness of different spotted fever vaccines and of various chemical substances. In the course of these experiments 75% of the selected number of inmates were vaccinated with one of the vaccines or nourished with one of the chemical substances and, after a period of three to four weeks, were infected with spotted fever germs. The remaining 25% were infected without any previous protection in order to compare the effectiveness of the vaccine and the chemical substances. As a result, hundreds of the persons experimented upon died. Experiments with yellow fever, smallpox, typhus, paratyphus A and B, cholera, and diphtheria were also conducted. Similar experiments with like results were conducted at Natzweiler Concentration Camp.

(K) EXPERIMENTS WITH POISON. In or about December 1943 and in or about October 1944 experiments were conducted at the Buchenwald Concentration Camp to investigate the effect of various poisons upon human beings. The poisons were secretly administered to experimental subjects in their food. The victims died as a result of the poison or were killed immediately in order to permit autopsies. In or about September 1944 experimental subjects were shot with poison bullets and suffered torture and death.

(L) INCENDIARY BOMB EXPERIMENTS. From about November 1943 to about January 1944 experiments were conducted at the Buchenwald Concentration Camp to test the effect of various pharmaceutical preparations on phosphorous burns. These burns were inflicted on experimental subjects with phosphorous matter taken from incendiary bombs, and caused severe pain, suffering, and serious bodily injury.

The indictment further alleged that thousands of Poles who were in German custody were infected with incurable tuberculosis. On the ground of insuring the health and welfare of Germans in Poland, many tubercular Poles were ruthlessly exterminated while others were isolated in death camps with inadequate medical facilities.

In regard to the Euthanasia programme the indictment alleged that this programme involved the systematic and secret execution of the aged, insane, incurably ill, of deformed children, and other persons by gas,

lethal ...

lethal injections and divers other means in nursing homes, hospitals, and asylums. Such persons were regarded as "useless eaters" and a burden to the German war machine. The relatives of these victims were informed that they died from natural causes, such as heart failure. German doctors involved in the "euthanasia" programme were also sent to the Eastern occupied countries to assist in the mass extermination of Jews.

Before deciding on the guilt or innocence of the individual defendants the Tribunal made the following pronouncement of a general character:

"Judged by any standard of proof the record clearly shows the commission of war crimes and crimes against humanity substantially as alleged in counts two and three of the indictment. Beginning with the outbreak of World War II, criminal medical experiments on non-German nationals, both prisoners of war and civilians, including Jews and "asocial" persons, were carried out on a large scale in Germany and the occupied countries. These experiments were not the isolated and casual acts of individual doctors and researchers working solely on their own responsibility, but were the product of co-ordinated policy-making and planning at high governmental military, and Nazi Party levels, conducted as an integral part of the total war effort. They were ordered, sanctioned, permitted or approved by persons in positions of authority who under all principles of law were under the duty to know about these things and to take steps to terminate or prevent them."

In view of the above declaration, the general facts alleged in the indictment may be regarded as definitely established, independently of the guilt of any of the individuals charged.

Fuller details of the experiments are set forth in the portions of this Judgment relating to different defendants.

#### SULFANIMALIDE EXPERIMENTS.

The Judgment in Case 1 declares that these experiments were conducted at Ravensbrück concentration camp in 1942. At a meeting of the consulting physicians of the Wehrmacht at the Military Medical Academy in Berlin 24/26 May, 1943, Dr. GEBHARDT made a complete report on them, mentioning that they had been carried out on human beings; Karl BRANDT, the Reich Plenipotentiary for Health, was present, and heard the reports; but it nowhere appears that he made any objection.

The subjects first selected were 15 male concentration camp inmates; later 60 Polish women were used in five groups of twelve subjects each. These persons were chosen by the camp authorities and their consent was not asked. During the course of the experiments, some of them protested, orally and in writing, declaring that they would prefer death to further suffering. They were deliberately infected and different drugs were used in treating the infections to test their efficacy. In the first series of tests the infections were not serious enough to answer the problem; in the second series three subjects died.

In regard to the defendant, Dr. MRUGOWSKY's share in these experiments, the Judgment states that it was at the suggestion of his office that wood shavings and ground glass were placed in the wounds artificially inflicted on the human subjects, in order to simulate battlefield conditions.

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The Court found that, in these experiments, the human subjects were used under duress and suffered physical torture besides the risk of death.

#### EPIDEMIC JAUNDICE EXPERIMENTS.

The Judgment states that Dr. GRAWITZ wrote to HIMMLER on 1st June, 1943, saying that Karl BRANDT was interested in this question and wished to have eight prisoners, under sentence of death, placed at his disposal, as subjects, in the Sachsenhausen Concentration Camp hospital. HIMMLER agreed, and directed that the experiments should be conducted by Dr. DOHMEN; eight Jews of the Polish Resistance Movement were chosen as subjects.

The Judgment further states that in June, 1944, Dr. SCHREIBER, one of Dr. HANDLOSER's staff, assigned groups of physicians to work on this problem. On June 27th, 1944, Professor Dr. HAAGEN, a member of one group, wrote to Dr. SCHROEDER asking him, in his official position, to obtain the same human subjects for experiment. Subsequently, Dr. HAAGEN conducted epidemic jaundice experiments on inmates of Natzweiler concentration camp.

#### "LOST" MUSTARD GAS EXPERIMENTS.

The Judgment states that these experiments were carried out at the Natzweiler concentration camp under the supervision of Professor HIRT of the University of Strasbourg. On 11th September, 1942, Colonel SIEVERS, manager of the "Ahnenerbe" wrote to General LUCKS, the Inspector-General of Concentration Camps, that the necessary conditions for "carrying out air military scientific research work" existed in Natzweiler Camp, and asked that Drs. HIRT, WOMMER and MISSELBACH should be accommodated there and that some of the installations should be reconstructed with a view to this research.

Evidence given at the trial showed that some 200 Russians, Poles, Czechs and Germans—none of them volunteers—were experimented on by Dr. HIRT and his collaborators and that about 50 of them died.

#### FREEZING AND COLD EXPERIMENTS.

(See Judgment in Case 2.)

In Judge Musmanno's concurring opinion in Case No. 2 it is stated that Air Marshal MILCH wrote on May 20th, 1942, to General WOLFF, advocating experiments to ascertain the best way of re-warming aviators who had been subject to extreme cold. HIMMLER's consent having been given, cold water experiments were performed between August and October, 1942, and dry cold experiments from February to April, 1943. The witness NEFF, already cited, deposed that 280-300 prisoners were used, some of them three times, and 80 or 90 of them died.

The selection of the subjects was left to the political department of the camp after Rascher had made requests for a certain number. The eventual victims were made up of political prisoners, foreigners, prisoners of war and inmates condemned to death. According to NEFF, none of the subjects were volunteers. The experiment was conducted in the following manner. The basin was filled with water and then ice was added until the temperature measured 3°.(?) Now the subject, either naked

or ...

or dressed in a flying suit, was forced into the freezing liquid. When two certain doctors, HOLSLOEHNER and FINKE, were performing the experiment, the subjects had narcotics administered to them, but when RASCHER took over he refused narcotics because he maintained that "you cannot find the exact condition of the blood, and that you would exclude the will-power of the subject if he was under an anaesthetic." When the subject was experimented on in a conscious state, a much longer time elapsed before the so-called freezing narcosis set in.

The witness declared that the "sinking down of the temperature until 32° was a terrible plight for the experimental subject." At 32° the subject lost consciousness, but these persons "were frozen down to 25° body temperature." When RASCHER was handling the experiments "a large number of the persons involved were kept in the water so long a time until they were dead." Many others died during the reviving or during the re-warming procedure.

the witness  
In one case, described by NEFF, the subjects were two Russian officers. They were still conscious after two hours' immersion in icy water and begged for a narcotic injection. This Dr. RASCHER refused, and when an attendant tried to give them chloroform he threatened him with a pistol. Death occurred after five hours.

DRY COLD EXPERIMENTS.  
(See Judgment in Case No.2)

These tests were carried out at Dachau in January-March, 1943. The subjects were stripped naked and doused with cold water hourly. At first they were covered with a linen sheet, but Dr. RASCHER objected to this because "the air cannot get at the person". The witness NEFF described one such mass experiment when a group of prisoners was exposed naked at night, and said that Dr. RASCHER attended 18 - 20 experiments of this type. The subjects were prisoners of different nationalities, including German political prisoners.

The Proceedings of the Trial of the Major War Criminals at Nuremberg (Part 3, p. 162 et seq.) contain an outline of these experiments, by Major FARR, one of the U.S. prosecutors.

The story begins with a letter from Dr. Sigismund RASCHER to HIMMLER, dated May 15th, 1941. He wrote:

"For the time being I have been assigned to the Luftgau-kommando VII, Munich, for a medical course. During this course, where researches on high-altitude flights play a prominent part (determined by the somewhat higher ceiling of the English fighter planes) considerable regret was expressed at the fact that no tests with human material had yet been possible for us, as such experiments are very dangerous and nobody volunteers for them. I put, therefore, the serious question: can you make available two or three professional criminals for these experiments. The experiments are made at 'Bodenständige Prüfstellung für Höhenforschung der Luftwaffe, Munich.' The experiments, in which the subjects may, of course, die, would take place with my co-operation. They are essential for researches on high-altitude flight and cannot be carried out, as has been tried, with monkeys, who offer entirely different test-conditions. I have had a very confidential talk with a representative of the Air Force, Surgeon, who makes these experiments. He is also of the opinion that the problem in question could only be solved by experiments on human persons. (Feeble-minded could also be used as test material.)"

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The Judgment in Case No. 1 (23 Doctors and Scientists) cites evidence that Colonel SIEVERS, (manager of the Ahnenerbe) frequently visited the experimental station at Dachau during the freezing experiments; in September 1942 he received orders to take the hearts and lungs of five experimental subjects killed in the experiments to Professor HIRT in Strasbourg for further scientific study; that the travel warrant for the trip was made out by SIEVERS; and that the Ahnenerbe Society paid the expenses for the transfer of the bodies.

Reverting to the Judgment in Case 1:

TYPHUS ("SPOTTED FEVER") EXPERIMENTS.

The Judgment stated that conferences between General Chief Surgeon Professor Dr. HANDLOSER; State Secretary for the Department of Health of the Reich SS Gruppenführer Dr. CONTI; President Professor REITER of the Health Department of the Reich; President Professor GILDEMEISTER of the Robert Koch Institute (Reich Institution to Combat Contagious Diseases) and SS Standartenführer and Lecturer (Dozent) Dr. MRUGOWSKY of the Institute of Hygiene, Waffen SS, Berlin, were held in Berlin on 29th December, 1941, and with regard to the production of of an efficient typhus vaccine, and it was then decided to establish a research station in Buchenwald concentration camp. This was done, with Dr. DING (deceased) as Director and Dr. HOVEN as his deputy. On 5th May, 1942, Dr. MRUGOWSKY reported to Dr. EYER, HANDLOSER's subordinate, describing the first series of experiments, and mentioning that two of the human subjects had died. Subsequently, other deaths occurred of Germans and non-Germans; they had not consented to be experimented on.

Experiments on this problem were also conducted by Professor Dr. HAAGEN in Natzweiler concentration camp in conjunction with Dr. ROSE. The office of Dr. SCHROEDER, Chief of the Luftwaffe medical service, issued and approved the research assignments, pursuant to which these experiments were carried out, and provided the funds.

The Judgment (p. 11426) also cites a written report by Dr. MRUGOWSKY, stating that the tests of four typhus vaccines which they had made on human subjects, mostly in their twenties and thirties, at the suggestion of the Reich Health Leader, Dr. CONTI, had had certain results; and that two deaths occurred. Dr. DING lectured on these experiments to a meeting of consulting surgeons in the spring of 1943.

The Judgment declares that, according to evidence given at the trial at least 50 persons died as a direct result of their participation in these typhus experiments.

In another passage the Judgment states, in regard to Dr. DING's experiments at Buchenwald:

"All of them conformed to a more or less uniform pattern, with certain groups of inmates being inoculated with vaccines, other groups (known as central groups) being given no immunization, and finally both groups being artificially infected with a virulent virus, and the results noted upon the experimental subjects. ...

"For example: Typhus vaccination material Research Series I, which began on 6th January, 1942, 135 inmates were vaccinated with Weigl, Cox-Haagen-Gildemeister, Behring Normal, or Behring Strong, vaccines; 10 persons were used for control. On 3rd March 1942 all test subjects, including control persons, were artificially infected with virulent

virus ...

virus of *Rickettsia-provazeki* furnished by the Robert Koch Institute. Five deaths occurred; three in the control group and two among the vaccinated subjects.

"In 'typhus vaccine, research series II', from 19th August to 4th September, 1942, 40 persons were vaccinated with two different vaccines; 19 persons were used for control. Subsequently all were artificially infected with virulent virus; four deaths among the control persons occurred." ...

"On 6 September 1944 the 60 experimental persons were infected with fresh blood "sick with typhus" which was injected into the upper arm. As a result all experimental persons became sick; some seriously. The narration of this experimental series closes with the cryptic report: '4 Nov. 44: Chart and case history completed, 24 deaths (5 'Weigl') (19 Control). Dr. Schuler.' ...

"An analysis of Dr. DING's Diary discloses that no less than 729 concentration camp inmates were experimented on with typhus, at least 154 of whom died. And this toll of death takes no account of the certain demise of scores of so-called 'passage' persons who were artificially infected with typhus for the sole purpose of having at hand an ever-ready supply of fresh blood 'sick with typhus', to be used to infect the experimental subjects.

"There is some evidence to the effect that the camp inmates used as subjects in the first series submitted to being used as experimental subjects after being told that the experiments were harmless and that additional food would be given to volunteers. But these victims were not informed that they would be artificially infected with a highly virulent virus nor that they might die as a result. Certainly no one would seriously suggest that under the circumstances these men gave their legal consent to act as subjects. ...

"Later, when news of what was happening in Block 46 became generally known in the camp it was no longer possible to delude the inmates into offering themselves as victims. Thereupon, the shabby pretence of seeking volunteers was dropped and the experimental subjects were taken arbitrarily from a list of inmates prepared by the camp administration."

Finally, the Judgment states that in August, 1943, Dr. HAAGEN (who was transferring his typhus experiments from Schirmeck to Natzweiler concentration camp) asked Colonel SIEVERS, manager of the "Ahnenerbe", for 100 concentration camp inmates as subjects for research. SIEVERS consented and a first batch of 100 inmates was sent from Auschwitz camp to Natzweiler; they were found unsuitable owing to their pitiable physical condition, and a second batch of 100 were sent in their place.

GAS EXPERIMENTS ...



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#### GAS EXPERIMENTS.

The Judgment states:

"Experiments with various types of poison gas were performed by Luftwaffe Officer HAAGEN and a Professor Dr. HIRT in the Natzweiler Concentration Camp. They began in November 1942 and were conducted through the summer of 1944. During this period a great many concentration camp inmates of Russian, Polish and Czech nationality were experimented on with gas, at least 50 of whom died. A certain Oberarzt WIMMER, a Staff Physician of the Luftwaffe, worked with HIRT on the gas experiments throughout the period."

In another passage the Judgment mentions gas oedema experiments carried out in 1942. It appears that German soldiers who had received gas oedema serum injections had died without known reason, possibly, it was thought, owing to the phenol content of the serum. Dr. MRUGOWSKY accordingly instructed Dr. DING to make experiments in killing people with phenol; he thereupon killed several inmates of Buchenwald Camp with phenol injections and reported on the results in detail.

#### SEA WATER EXPERIMENTS.

These experiments, directed to make seawater drinkable, were conducted on inmates of Dachau camp in the spring and summer of 1944. Dr. SCHROEDER, Chief of the Luftwaffe Medical Service, admitted during the trial that this had been done by his authority.

After a conference organised by Dr. BECKER FREYSENG, in May, 1944, it was decided to make experiments on human subjects as a further test of the so-called "Berkatit" method. (Previous tests had shown that this method caused injury and death.) The minutes of the conference stated that, as deaths were to be expected, the subjects should be persons supplied by the Reichsführer SS (HIMMLER). HIMMLER's consent was applied for and Dr. GEBHARDT wrote supporting the project "in every way".

The "Berkatit" experiments were planned in group series. One group would be supplied only with Berkatit treated sea water; a second group would receive no water of any kind; the fourth group was to be given such water as was generally provided in emergency sea distress kits, then used by German military personnel.

On June 7th, 1944, Dr. SCHROEDER wrote through Dr. GRAWITZ to HIMMLER asking for 40 healthy test subjects to be supplied and suggesting the Dachau laboratories as a suitable place for the experiments. Various persons took part in the correspondence; some suggested Jews as subjects; others gypsies. HIMMLER decided in favour of the latter.

Dr. BEIGBOECK stated at the trial that he informed the subjects of the purpose of the experiments, but he admitted that he did not tell them that they might withdraw if they were not willing. The Court observed in the Judgment that, according to evidence, none of the subjects would have dared to refuse.

Dr. BEIGBOECK added that it was necessary that the subjects should thirst for a continuous period; and that the question of when, if ever, they should be relieved during the course of the experiment was a matter which he reserved for his own decision. During the course of the

experiments ...

experiments the subjects were looked in a room. As to this phase of the programme the defendant testified that "They should have been looked in a lot better than they were because then they would have had no opportunity at all to get fresh water on the side."

At the trial Dr. BEIGLBOECK produced clinical charts which he said were made during the course of the experiments and which, according to the defendant, showed that the subjects did not suffer injury. On cross-examination the defendant admitted that some of the charts had been altered by him since he reached Nuremberg in order to present a more favourable picture of the experiments.

In another passage the Judgment states that Colonel SIEVERS, as manager of the Ahnenerbe, made the arrangements for these experiments. He conferred with Dr. PLOETNER (who had succeeded Dr. RASCHER at Dachau) and reported that 40 experimental subjects could be accommodated in the research station; the experiments were to cover three weeks, beginning on 23rd July, 1944.

Evidence given at the trial showed that inmates of Auschwitz Camp were deceived into coming to Dachau by the offer of service in a labour battalion. On arrival they were assigned to the sea water test without their consent. "During the experiment," says the Judgment, "many of them suffered intense physical and mental anguish." The human subjects were brutally treated. There was no evidence that any of them died under the experiments.

#### BONE AND MUSCLE AND NERVE REGENERATION EXPERIMENTS.

The Judgment states that these experiments were made at Ravensbrück Camp by Dr. GEBHARDT on the same group of Polish women used for the sulfanilamide experiments (see above). Three kinds of bone operations were performed—artificially induced fractures, bone transplantations, bone splints—the conditions of the operation being specially created in each particular case. Some girls were required to submit to operations several times. In one instance small pieces of fibulae were taken out; in another instance the periosteum of the leg was removed. Cases occurred where subjects were experimented on by deliberately fracturing their limbs in several places and testing the effect of certain treatments. In at least one case bone incisions were performed on a subject six different times. In another case the shoulder blade of a subject was removed.

#### POLYDAL EXPERIMENTS.

The Judgment cites evidence showing that experiments to test the efficacy of a blood coagulant "polydal" were conducted by Dr. RASCHER on the inmates of Dachau Camp.

In this connection the Court cited the evidence of Zofia MACZKA, an X-ray technician in the camp at Ravensbrück to the effect that deaths occurred among the experimental subjects. Most of these deaths could have been averted by proper post-operative care or proper treatment or by the amputation of badly infected members. In one instance—the case of a Krystina Dabska—small pieces of bone were cut from both legs of the subject. Witness MACZKA testified that she read on the cast of the patient that one leg periosteum had been left and on the other leg

periosteum ...



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periosteum had been removed together with bone. Because she was of the opinion that the purpose of the experiment had been to check regeneration, the witness asked the defendant Oberhauser: "How do you expect to get regeneration of bone if the bones are with periosteum?" To this the defendant, OBERHAUSER, replied: "That is just what we want to check."

#### SEPSIS (PHLEGMONE) EXPERIMENTS.

The Judgment states that these experiments were made on concentration camp inmates, who were infected with pus, without their consent. In two series of experiments twelve persons died.

#### STERILIZATION EXPERIMENTS AND HORMONE RESEARCH.

The Judgment states that in July, 1942, a conference took place between HIMMLER, GEBHARDT, SS-Brigadeführer GLUECKS, and SS-Brigadeführer CLAUBERG, to discuss the sterilisation of Jewesses. Dr. CLAUBERG was promised that the Auschwitz Concentration Camp would be placed at his disposal for experiments on human beings and animals, and he was requested to discover by means of fundamental experiments a method of sterilizing persons without their knowledge. During the course of the conference HIMMLER called the special attention of all present "to the fact that the matter involved was most secret and should be discussed only with the officers in charge and that the persons present at the experiments or discussions had to pledge secrecy."

An affidavit by one of the defendants, Rudolf BRANDT, stated:

"HIMMLER was extremely interested in the development of a cheap, rapid sterilization method which could be used against enemies of Germany, such as the Russians, Poles, and Jews. One hoped thereby not only to defeat the enemy, but to exterminate him. The capacity for work of the sterilised persons could be exploited by Germany, while the danger of propagation would be eliminated. This mass sterilisation was part of HIMMLER's racial theory; particular time and care were devoted to these sterilisation experiments."

In another passage the Judgment mentions a conference on 27th May, 1941, at which Dr. CLAUBERG was present, to discuss the latter's method of sterilisation without an operation. A list of doctors who were prepared to perform this treatment was sent at HIMMLER's request, on 30th May, 1941. Dr. CLAUBERG later experimented with his method on Jewesses in Auschwitz Camp; similar experiments were carried out in other camps by doctors subordinate to Dr. CRAWITZ.

The Judgment also mentions some hormone research experiments, involving the transplantation of glands, which were carried out in Buchenwald concentration camp on human beings. Dr. POPPENDICK, one of the defendants, wrote to Dr. DING on 15th July, 1944, that Dr. LOLLING (head of medical affairs in concentration camps) had been ordered to place five prisoners at Dr. Varnet's disposal for this purpose.

In another passage the Judgment cites evidence showing that experiments in sterilisation by X-rays were carried out on inmates of concentration camps by SS. doctors. A French doctor testified that,

in ...

in 1943-45, 100 Poles were thus dealt with. The victims were painfully injured and were afterwards castrated in order that the effects of the X-rays might be studied.

The Judgment also mentions a letter written by Dr. FOKORNY to HIMMLER in October, 1941, suggesting the use of a drug, caladium seguinum (the sap of the Schweigtrehr) by means of which whole populations of occupied territories could be sterilised. This project emanated from a certain Dr. MADAU. The Court observed however that there was no evidence that it was ever experimented with.

HIGH ALTITUDE TESTS.  
(See Judgment in Case No. 2)

On May 15th, 1941, Dr. RASCHER, medical officer of the Luftwaffe, wrote to HIMMLER asking for professional criminals, as subjects for these tests, as live human subjects would be preferable to monkeys. HIMMLER agreed and authorised the experiments to be carried out by Dr. RASCHER, Dr. KOTTENHOF, and Dr. GRAWITZ, head of the Aviation Medical Institute at Munich. The subjects were to be persons already sentenced to death. The experiments began at Dachau in March, 1942. The apparatus used for these tests was simply a wood and metal cabinet in which air pressure could be increased and decreased, the purpose of the tests being to ascertain the subject's capacity and ability to take large amounts of pure oxygen, and to observe his reaction to a gradual decrease of oxygen approaching infinity.

It was pleaded at the trial that pardons were promised to the human subjects if they survived. But the record revealed only "one shadowy case". Rudolf BRANDT (a defendant in Case No. 1) deposed that RASCHER wrote to HIMMLER that "Volunteers were not to be expected, as the experiments would be fatal under the circumstances," and that when HIMMLER ordered the tests to be continued he authorised commutation of death sentences to life imprisonment for survivors; but Poles and Jews were to be excluded from such clemency.

An Austrian lawyer, Anton PACHELOFF, ex-inmate of Dachau Camp, deposed that Dr. RASCHER chose his victims from a group of political prisoners in the punishment company, marked for extermination.

Another Austrian witness, NEFF, who was well placed for observing, said that 180-200 camp inmates underwent these tests, of whom ten were volunteers; only one was ever released; 70-80 persons were killed, about 40 of whom had not been sentenced to death. One man, according to NEFF, was deliberately killed in the low-pressure chamber by Dr. RASCHER so that he could perform an autopsy on him at the atmospheric pressure of 10,000 meters altitude. During one autopsy it was discovered after the breast had been opened that the heart was still beating. "This experiment," NEFF said, "caused many cases of death because many more experiments were made in order to see how long the heart of a man could beat thus autopsied."

In a report to HIMMLER, dated April 16th, 1942, Dr. RASCHER stated that in one case after the subject had stopped breathing, he let him come back to life by increasing pressure; as he was assigned for a "terminal" (i.e., fatal) test he then started another test through which the subject did not live. Also in this case, he writes, the electrocardiographic registration was extraordinary.

Against the plea of the defence that the tests did not cause actual pain, the Judgment (p. 58) cites the evidence of Anton Pacholeff,

who ...



who often stood by the apparatus during the experiments and looked through the observation window of the chamber. He testified:

"I have personally seen through the observation window of the chamber when a prisoner inside would stand a vacuum until his lungs ruptured. Some experiments gave men such pressure in their heads that they would go mad, and pull out their hair in an effort to relieve the pressure. They would tear their heads and face with their fingers and fingernails in an attempt to maim themselves in their madness. They would beat the walls with their hands and head, and scream in a effort to relieve pressure on their eardrums. These cases of extremes of vacuums generally ended in the death of the subject. An extreme experiment was so certain to result in death that in many instances the chamber was used for routine execution purposes rather than an experiment."

In a report to HIMMLER dated May 11th, 1942, Dr. RASCHER wrote:

"For the following experiments Jewish professional criminals who had committed 'Rassenschande' (race pollution) were used: the question of the formation of embolism was investigated in ten cases. Some of the VP's died during a continued high altitude experiment; for instance, after one-half hour at a height of 12 kilometers .... To find out whether the severe ~~physical~~ and physical effects, as mentioned under No. 3, are due to the formation of embolism, the following was done: After relative recuperation from such a parachute descending test had taken place, however, before regaining of consciousness, some VP's were kept under water until they died. .... One VP was made to breathe pure oxygen for two and one-half hours before the experiment started. After six minutes at a height of 20 kilometers he died and at dissection also showed ample air embolism as was the case in all other experiments."

After citing a letter of October 8th, 1942, from Dr. HIPPE (Chief of the Luftwaffe Medical Section) to HIMMLER, it was stated that those tests in a low pressure chamber were inconclusive, owing to the absence of cold. <sup>the</sup> Judgment observes that these men must have known that "their tests were only the wildest kind of experimenting" and that their recklessness with human lives can only be described as murder.

Reverting again to Case 1:

#### COLLECTION OF SKULLS AND SKELETONS.

These collections were <sup>re-</sup>quired by medical experts of the Strasbourg University for purposes of research. Dr. HIRT of that university wrote a report which SIEVERS forwarded to Dr. BRANDT on the 9th February, 1942, saying:

"By procuring the skulls of the Jewish Bolshevik Commissars, who personified a repulsive yet characteristic humanity, we have the opportunity of obtaining tangible scientific evidence. The actual obtaining and collecting of these skulls without difficulty could be best accomplished by a directive issued to the Wehrmacht in the future to immediately turn over alive all Jewish Bolshevik Commissars to the field police."

The evidence showed that the plan was carried out.

On ...

The Court, in its Judgment refers to a report by Dr. HIRT advising the formation of a Jewish skeleton collection. Dr. SIEVERS forwarded the proposal and, after HIMMLER had agreed to 150 inmates of Auschwitz camp being selected to provide them, SS. BAGER, of the Ahnenerbe Society, was ordered to carry out the preliminary work—that is to say, the murders—at Auschwitz camp on 79 Jews, 30 Jewesses, 2 Poles, and 4 Asiatics. The corpses of the victims were sent to the Anatomical Institute at Strasbourg. Owing to the advance of the Allies in France it was decided to destroy the corpses before they were completely defleshed, but this could not be completed in time, and evidence of the crime was found when the French entered the camp.

#### POISON EXPERIMENTS.

The Judgment states that on 11th September, 1944, MRUGOWSKY, DING, and a certain Dr. WILDMANN, carried out an experiment with aconite nitrate projectiles in the Sachsenhausen Concentration Camp. Their report to the Criminological Institute said that experiments had been made on five persons—Russian prisoners of war—condemned to death. The projectiles used were filled with crystallised poison (aconitin nitrate). The report gave minute details of the painful reactions of the subjects, ending with their deaths after two hours' suffering.

#### MALARIA EXPERIMENTS.

The Judgment states that these experiments were carried on in Dachau camp by Dr. Klaus SCHILLING (+) to discover methods of immunity against malaria. During the course of the experiments probably as many as 1,000 inmates of the concentration camp were used as subjects of the experiments. Very many of these persons were nationals of countries other than Germany, who did not volunteer for the experiments. By credible evidence it is established that approximately 30 of the experimental subjects died as a direct result of the experiments and that many more succumbed from causes directly flowing from the experiments.

#### IV. ...

- (+) Dr. Schilling was convicted by the U.S. Tribunal which tried the staff of the Dachau concentration camp. He was hanged on 29th May, 1946.



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#### IV. MISCELLANEOUS REPORTS ON HUMAN EXPERIMENTS. IN CONCENTRATION CAMPS.

Apart from the above-mentioned experiments organised by the Ahnenerbe under the direction of the SS, there is evidence that camp doctors in many of the concentration camps were accustomed to experiment freely on the prisoners either pursuant to instructions or on their own initiative.

The reports on such crimes would fill volumes. A few typical examples are cited below from the camps at Auschwitz and Ravensbrück.

##### A u s c h w i t z .

Extract from a Deposition (R/G/15/11E) by Dr. Vuysje, transmitted by the U.S. Ambassador at The Hague.

After describing Block 10, where some 600 women were confined, the report proceeds:

The experiments to which these women were subjected were divided into four groups:

- (a) experiments aimed at cancer research;
- (b) experiments intended to produce sterilisation;
- (c) experiments in the field of radiology.
- (d) haemato-serological experiments.

All the women employed for these experiments were of Jewish extraction.

##### Details of Experiments.

I. Professor Samuel, professor of gynaecology, was a German Jew of Cologne. He was given by the Standartarzt Würth, Hauptsturmführer of the SS., the task of excising parts of the portio uteri (uterine body), after which the wound was sutured. With the excised material frozen sections were made. From the reports of Professor Samuel, it seems that the latter only separated the mucous membrane of the portio uteri, but this assertion contrasts with the following facts:

- (a) the suture was indispensable;
- (b) previous experiments with the same women proved that as the os uteri could not be passed by bougies, so that, to say the least, the submucous layer as well must have been damaged.

... II. The experiments of Professor Schumann:

Fifteen young girls of 17 and 18 were submitted to this experiment. The girls were placed in a field of ultra-short waves, with one electrode on the abdomen, the other one on the buttocks. The rays were focussed on the ovaries which were thus burnt. Following wrong applications the girls were severely burnt, burns of the abdomen and of the buttocks as well. One of them died of these severe wounds. The others were sent

to ...

to Birkenau, where they stayed partly in the hospital, partly in the commandos. After a month they came back to Auschwitz, where they were submitted to two control operations, a sagittal incision and a transverse one, the object being to control the condition of the genital organs. The girls have undergone considerable senile changes (hormonal shrinkage); they were bedridden for months as a result of the operation wounds and have died from lack of aepsis.

III. The most extensive experiment was that of Professor Glauberg, a German gynaecologist of Kattowitz, who performed in collaboration with a chemist, Dr. Goebel, of Berlin. Both were in touch with the Gestapo. The aim of the experiment was the search for contrast media in radiology, media which could replace Jodipin, as iodine was lacking in Germany. This experiment was of a commercial nature. Glauberg worked in the interest of the German chemical industry and paid the SS a certain price for every woman received from the camp.

The women were placed on a radiotherapy table and by means of an electric pump, a thick white test fluid was introduced into the uterus whilst an X-ray control was carried on by screening. Next an X-ray was taken. The women suffered very much during this experiment; it was as if the abdomen was tearing open. After having got up they went to the lavatory where the liquid, often mixed with blood, was evacuated, causing violent pains. The experiments were repeated from three to six times, at intervals of from three to four weeks. Those who, because of a narrow os uteri, were not utilisable, were sent back to Birkenau, which was virtually equivalent to death. Approximately 400 women of various nationalities were submitted to this experiment. There was no intention of producing sterility, but the fact nevertheless remains, that many women will become sterile as a result of a reactive inflammation. In addition to this, the medium, overflowing into the abdomen, often produced a salpingitis or peritonitis, conditions which, in many cases, proved fatal.

#### R a v e n s b r u c k .

Another report by Dr. Zofia MACZKA, sworn before the British authorities at Stockholm, relates to the Ravensbrück women's camp. "The operations were carried out during the period from the summer of 1942 to the summer of 1943. The operations were performed in the camp hospital. They were carried out under the leadership of Dr. GEBHARDT, head of "Hohenlychen" Sanatorium. .... Seventy-four Polish political prisoners transported from Warsaw and Lublin were chosen as victims. All of them were young, healthy and well built. Many were schoolgirls or University students. The youngest were sixteen years old, the oldest forty-eight years. The operations were supposed to serve scientific ends, but they had nothing to do with science. The circumstances in which they were carried out were horrible. Neither the doctors nor the assistant personnel were properly trained from a medical point of view. There was neither sterilization nor hygiene. After the operation the persons operated upon were kept in terrible rooms, without medical aid, without treatment, and without control. The dressings were applied according to the doctor's "fancy", unsterilised instruments and compresses being used. Dr. ROSENTHAL, who mostly dealt with the dressings, satisfied his sadistic nature in applying these. .... The operations can be classified into two main groups: 1. Infection operations; 2. Experimental, aseptic operations.

"1. The soft part of the calf was opened operatively and the open wound was infected with bacteria which were introduced into the wound. *Staphylococcus* (*staphylococcus aureus*), *Oedema malignum* (*Clostridium oedematis maligni*), *Clostridium perfringens*, and tetanus were used. Weronika Kraska was infected with tetanus. She died within two days. Kazimiera Kurowska was infected with *Clostridium perfringens*. She died within two days. Aniela Lefanowicz, Zofia Kiecol, Alfreda Prus, and Maria Kusmierczuk were infected with *Oedema malignum*. The first three died within two days. Maria Kusmierczuk survived the infection.

She ,...



She lay ill for more than a year, she has become a cripple, but she lives as a witness of the experiment. Pyogenetics were mostly used. After infection the wounds were sewn up and the serious illness began. Many of those operated on were ill for months, and almost all of them have become cripples.

"Why did Professor GEBHARDT and his school carried out these experiments? To test the new drugs produced by the German pharmaceutical industry. Cibazol and Albucid were mostly in use. Even tetanus was treated in this way. The results of the treatment were however not controlled or were controlled in such an unsatisfactory and superficial manner that they were worthless.

"2. The aseptic experimental operations comprised: Bone experiments; Muscle experiments; Nerve Experiments.

The bone operations were controlled by X-ray photography. I, as a worker in "Revier" had to take the X-ray photographs. By these means I was given the opportunity of penetrating to the heart of the matter. The following experiments were carried out: (a) Bone fractures; (b) Bone transplantations, and (c) Bone splinters.

(a) The bones of the lower part of both legs were broken in several places with a hammer while the victim lay on the operation table. The parts were then joined together either with clasps (e.g., Janina Marozewska) or without (e.g., Leonarda Bion). Plaster of Paris was next applied. It was removed a few days later. The legs were left to heal without plaster dressings.

(b) The transplantations were effected in the usual way, the only difference being that here whole pieces of the fibula were cut out, on one occasion with periosteum, on another without periosteum. The most typical operation of this kind was made on Krystyna Dabska.

(c) Bone splinters. These operations were in vogue at Professor GEBHARDT's school. At the preliminary operation two bone splinters were placed on the tibia, one on each leg. At the second operation these bone splinters were excised together with surrounding bones and were taken to Hohenlychen. Complementary to these bone splinter operations similar operations were performed on two prisoners in protective custody; those bones showed signs of alteration in the nature of Osteomyelitis. These two women were not Polish. One of them, Maria Konwitschka, a German, belonged to a Bible Reading Society, while the other one, Maria Hretschana, was an Ukrainian. It was a matter of interest to Professor GEBHARDT to see how the diseased bones reacted to such operations.

The muscle experiments comprised several operations on the same parts of the upper or the lower leg, and at each operation an ever larger piece of the muscle was excised. On one occasion a small piece of bone was implanted in the muscle (Case of Babinska). In the nerve operations portions of nerves were removed (e.g., Barbara Pytlewska).

What was the problem to which Professor GEBHARDT and his school were seeking the solution by these experiments?

The problem was the regeneration of bones, muscles and nerves.

Was this matter carried through? No. It was not at all controlled or only unsatisfactorily. The only thing I do not know is what they did at Hohenlychen with these small pieces of bones, muscles and nerves which were excised and taken to that place.

What was the fate of the persons operated on after they left the hospital? Almost all of them have become cripples and suffer a great deal as a result of the operations. Still more severe, however, was the mental torture to which they were subjected, for they lived in the conviction that they would all be shot in order not to be able to

bear ...

bear witness to these murderous operations. The leaders of the camp, Kommandant SUHREN, Adjutant BRAUNING, and the female supervisor BINZ, in their orders, saw to it that the victims should not forget that they were destined for death. Meanwhile, six of those operated on, after they had survived the operations, were shot. ...."

Another report on the same camp, was made on 15.9.46, as evidence for the trial of the staff, by Sylvia SALVESEN, a Norwegian "Sanitaterin", who worked in the camp hospital. (See Charge 4160/UK/9/605).

"Dr. TREITE was in the Revier the whole of my time in the Revier. He was a Gynaecologist who was very keen on improving his surgical technique. I never saw him maltreat any of his patients. I have seen him operate and consider that he was an excellent surgeon. I consider, however, that several of his operations were done to improve his surgical technique rather than to help his patients. For instance, he did a series of Typhoid operations, never having done this type before. He used five women in each series, in the first series I nursed a young Russian girl who died. In the second series another died, in the later series I can recall of none dying. None of these patients desired operations and I consider that they were not necessary and also a dangerous undertaking in the camp.

"After Christmas 1944, a little man called the Professor came from Auschwitz and sterilised gipsy women and children with what I understand intra uterine injections of a corrosive liquid. These injections were not successful on the children before puberty. I knew of two of these gipsy children who were later operated on by Dr. TREITE, they were aged 8 and 10 $\frac{1}{2}$  respectively. I heard that these two children were going to be operated beforehand and sent TREITE's secretary, a German called "Emmy", into TREITE to ask him if he would not operate on them but she came back and said TREITE had told her he had to operate as the orders came from Berlin. ....

"I know of a Norwegian Red Cross nurse, Sister Anna; she was suffering from cirrhosis of the liver. TREITE did a Laforotomy on her to find out what was wrong. A few weeks later she was killed by a lethal injection. I do not know who gave it, but I saw her about 8 a.m. on the morning of the day she died and took her some extra food. She was feeling quite well and had a good meal and was looking forward to meeting friends in the afternoon. At 11 a.m. I was told she was dead. I went straight into her room and rolled up her sleeve and saw a deep puncture wound from a large needle in her arm with blood running down to her waist. ...."

Another witness, whose sworn deposition was included in the same charges against the Ravensbrück staff, Mrs. Hermione SALVINI, stated:

"About the test operations I can say the following. The internees were ordered to go to hospital and, at first, did not know the reason for it. Only after the first that had been operated on were released, the matter was discussed about. Nearly all the operated women were Polish. We called them "rarebits". They had been mostly young, beautiful and intelligent girls, who were made into cripples. As far as I know, not a single internee was present during the test-operations. When the gentlemen from Berlin, Doctor GEBHARDT, Doctor FISHER and others arrived in order to carry out the operations, all the hospital personnel had to disappear. In the summer 1943 some Polish women were to be found again for operations. The 10 women who were picked out refused to go and all the inhabitants of the Polish block declared their solidarity with them. As the result of this action, the block was surrounded with SS-men and women overseers with dogs. The 10 Polish women were taken out



of the block by SS. men armed with revolvers and brought into the prison. There they were chained, put asleep and operated on (according to statements of those who returned to our camp after they had been operated on)." .....

Such reports could be multiplied indefinitely. In its Judgment in Case No. 4—the Trial of the higher Concentration Camp Staff (the WVHA)—the U.S. Tribunal said:

"The performance of such criminal medical experiments had not been denied. ... The concentration camps furnished an unlimited supply of human subjects for these barbarous experiments and inmates in large numbers were compelled to submit to so-called scientific tests which invariably involved torture, and in thousands of cases maiming, disfigurement or death."

#### Note on some of the Personalities.

In the trial of the "23 Doctors and Scientists", frequently cited in this paper, the defendants were:

	<u>Sentence</u>		<u>Sentence</u>
Dr. Karl BRANDT	death	Dr. H. BECKER-FREYSING	20 years
Dr. Karl GEBHARDT	death	Dr. Herta OBERHAUSER	20 years
Dr. J. MRUGOWSKY	death	Dr. Wilhelm BEIGLBOECK	15 years
Rudolf BRANDT	death	Dr. Helmut POPPENDICK	10 years
Wolfram SLEVERS	death		
Viktor BRACK	death	Dr. Paul ROSTOCK	acquitted
Dr. W. HOVEN	death	Dr. Kurt BLOME	acquitted
Doctor S. HANDLOSER	life impr.	Dr. Siegfried RUFF	acquitted
Dr. Oskar SCHROEDER	life impr.	Dr. H.W. ROMBERG	acquitted
Dr. Karl GENZKEN	life impr.	Dr. Georg WELTZ	acquitted
Dr. Gerhard ROSE	life impr.	Dr. Konrad SCHAEFER	acquitted
Dr. Fritz FISCHER	life impr.	Dr. Adolf FOKORNY	acquitted

Dr. RASCHER, whose name is often mentioned, was an Air Force medical officer. He had great influence with the SS through his wife, a former secretary (some say an ex-mistress) of HIMMLER. He and his wife were liquidated by the SS, shortly before the capitulation, because they knew too much.

Dr. TREITE, who experimented at Ravensbrück, was sentenced to death by a British court at Hamburg, and committed suicide after conviction, 3.2.47.

V. SELECTION BY GERMAN DOCTORS OF INTERNEES  
TO BE KILLED: KILLING BY MEDICAL NEGLIGENCE.

Apart from the crimes of experimentation related in the previous section, the doctors in concentration camps were guilty of the murder of unfit and infirm inmates on a colossal scale. "Selection" parades were held by the doctors as part of the usual camp routine. At Auschwitz they took place twice weekly, and about 800 selectees were sent to the gas chambers or killed by lethal injections every week. The concentration camp doctors were also responsible for the death, resulting from deliberate neglect, of thousands of inmates. At the Auschwitz women's camp some 15,000-20,000 women died in two months, during a typhus epidemic. At Mauthausen the daily rate of mortality was about 450.

Examples of "selections" are so numerous that the practice was evidently generalised.

HOESS, the ex-commandant of Auschwitz camp, stated in his evidence, as cited in the Judgment of the International Military Tribunal (p. 63):

"We had two SS doctors on duty at Auschwitz to examine the incoming transports of prisoners. The prisoners would be marched by one of the doctors who would make spot decisions as they walked by. Those who were fit for work were sent into camp. Others were sent immediately to the extermination plants.

A witness cited in the U.S.A. Refugee Board's report (1945) deposed:

"... A so-called 'sick-building' (Krankenbau) was set up; it was destined to become the much dreaded 'Block 7.' Actually, this building was nothing else than an assembly centre for death candidates. All prisoners incapable of working were sent there. There was no question of any medical attention or care. We had some 150 dead daily and their bodies were sent for cremation to Auschwitz. At the same time the so-called 'selections' were introduced. Twice weekly, Mondays and Thursdays, the camp doctor indicated the number of prisoners who were to be gassed and burned. These 'selectees' were loaded into trucks and brought to the Birch Forest. Those still alive upon arrival were gassed in a big barrack erected near the trench used for burning the bodies. The weekly 'draft' in dead from 'Block 7' was about 2,000 of whom 1,200 died of 'natural death' and about 800 through 'selection'. For those who had not been 'selected' a death certificate was issued and sent to the central administration at Oranienburg, whereas for the 'selectees' a special register was kept with the indication 'S.B.' ('Sonderbehandelt' - special treatment). Until January 15th, 1943, up to which time I was administrator of 'Block 7' and therefore in a position to observe happenings; some 50,000 prisoners died of 'natural death' or by 'selection'.....

And again, in another passage from the same Report, we read:

"From time to time (usually once a month) a German doctor used to effect a minute control of all sick. .... If the patient's stay happened to have exceeded a month, or if he were very weak, he was listed. .... Each month special checkup

by ...



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- 26 -

by the German doctor usually resulted in a list of 200 to 400 men condemned to death, while the 'normal' death list of the daily routine inspection varied from 20 to 80. The injections were given on the same day. The new patients who were booked for the 'syringe' (as it was called in the camp jargon) received no clothes and had to remain waiting in the corridor—naked. They were then led from Block 28 to Block 20 where the 'operation' took place in a special room. An SS man gave the injections. ...

"Between July and September, 1942, a typhus epidemic had raged in Auschwitz, especially in the women's camp of Birkenau. None of the sick received medical attention and in the first stages of the epidemic a great many were killed by phenol injections, and later on others were gassed wholesale. Some 15,000 to 20,000, mostly Jews, died during these two months. The girls' camp suffered the most, as it was not fitted with sanitary installations, and the poor wretches were covered with lice. Every week the girls had to present themselves to the 'selection committee'; they waited in deadly fear whether they would be chosen or given another week's grace. ..."

The deposition by Sylvia SALVESEN, cited above, concerning the Ravensbrück women's camp, stated:

"Dr. WINKELMANN came to the camp shortly after Dr. LUKAS had left in February 1945 and made selections for the Gas Chamber with the Schutzhaftlagerführer and two SS men. We had to parade before him without hats and barefooted. All those with white hair, swollen ankles or who looked ill, were in danger of being selected. Those selected were put into special blocks and after the first selection about 5,000 were marched to the Jugendlager. In the Jugendlager many were selected for the Gas Chamber. WINKELMANN also made selections from the sick blocks especially blocks 7 and 10. Those selected went straight to the Gas Chamber. These selections were made at least twice a week. One day I saw women being taken from Block 7. They were loaded into a motor transport and driven off, seven minutes later, I timed this on a watch I had borrowed, the truck returned driven by the same chauffeur and another load of women were collected. The women were stripped of all their clothes, except their chemise and thrown brutally by SS men into the truck. I never saw Dr. WINKELMANN do anything in the camp other than selections."

It is a relief to learn from this witness's evidence that there were some exceptions. She writes:

"Dr. LUKAS did everything he possibly could for the good of his patients. He supplied me with extra food and drugs for the patients. He was sent away from the camp after a row with the Standartartz because he refused to make selections for the Gas Chambers. Having Dr. LUKAS in the Revier showed how much good could be done by an individual in authority who realised his responsibility."

A statement made by Colonel Backhouse, the prosecutor in the Belsen trial, which related also to Auschwitz, sums up the position:

"... The selections were made on a variety of occasions. Some victims never entered the camp but went straight to the gas chamber. The second class of selections were selections in the

hospital ...

hospital ... It was common ground that a doctor attended these parades ... Everyone seemed to be agreed that it was the doctor's duty to make the selections ..."

And referring to the camp doctor (the defendant KLEIN), he said:

"This accused made no secret of the fact that he attended selections and selected people, and that he knew that it was murder. He agreed that those who were not fit for work were simply destroyed."

The report of the 3rd U.S. Army, War Crimes Branch, on the Flossenberg concentration camp, cited in the Judgment of the International Military Tribunal (p. 50) said:

"Injections of poisons ... were everyday occurrences; epidemics of typhus and spotted fever were permitted to run rampant as a means of eliminating prisoners."

In the same connection the Judgment declares:

"Inmates who became ill and were unable to work were either destroyed in the gas chambers, or sent to special infirmaries, where they were given entirely inadequate medical treatment ..... and left to die,"

Some of the killings of internees were performed simply as experiments in "thanatology."

As mentioned under "Gas Oedema Experiments" in Section I, Dr. DING ordered experiments to be made on inmates of camps with injections of phenol, in order to verify the theory that soldiers had died owing to the phenol content of gas oedema serum, and many subjects were killed in that way.

Dr. HOVEN, a defendant, admitted in an affidavit that he had taken part in phenol killings. He said:

"There were many prisoners who were jealous of the positions held by a few political prisoners and tried to discredit them. These traitors were immediately killed and I was later notified in order to make out statements that they had died of natural causes. In some instances I supervised the killings of those unworthy inmates by injections of phenol at the request of the inmates, in the hospital assisted by several inmates. Dr. DING came once and said I was not doing it correctly, and performed some of the injections himself, killing three inmates who died within a minute. The total number of traitors killed was about 150, of whom 60 were killed by phenol injections, either by myself or under my supervision, and the rest were killed by beating, etc., by the inmates."



VI. EUTHANASIA.

The Judgment of the International Military Tribunal (page 100) stated, in the passage relating to FRICK, Minister of the Interior:

"During the war nursing homes, hospitals, and asylums in which euthanasia was practised as described elsewhere in this Judgment, came under FRICK's jurisdiction. He had knowledge that insane, sick and aged people, 'useless eaters,' were being systematically put to death. Complaints of these murders reached him, but he did nothing to stop them. A report of the Czechoslovak War Crimes Commission estimated that 275,000 mentally deficient and aged people, for whose welfare he was responsible, fell victim to it."

The Judgment of the U.S. Court, in Case No. 4 (the Trial of the Higher Staff of the Concentration Camps) stated:

"The wholesale extermination of those inmates who for any reason had become economically valueless to the Reich was accomplished by the euthanasia programme. This plan was originally adopted to dispose of the insane, but it was expanded to include the incurables, the aged, the 'idle eaters', the habitual criminals, and finally the political irreconcilables. It was a national Reich-approved plan for deliberate and premeditated murder on a large scale. Elaborate case histories of inmates were prepared and screened at the camps by travelling physicians, who by a process of snap judgment determined whether men and women should live or die. Those whose records happened to fall in the extermination file were shipped, like cattle to market, to an institution at Bernberg where 'Action 14 f 13' was applied. This often was done by the injection of phenol or gasoline into the bloodstream, causing immediate death. After the extermination, the victim's personal effects, including the gold in his teeth, were shipped back to the concentration camp and a report of 'death from natural causes' was made out. This programme was also extensively carried out directly in the concentration camps by the camp physicians."

The Judgment of the U.S. Court in Case No. 1 (Trial of the 23 Doctors and Scientists, referred to in Section I) in the part relating to Karl BRANDT, quoted a letter of 9th January, 1943, from Dr. CONTI to the Gau Health Leaders and heads of medical chambers, citing HITLER's decree of 23.12.43, which reads as follows:

"I not only relieve physicians, medical practitioners and dentists of their pledge to secrecy towards my Commissioner-General Professor Dr. Med. Karl BRANDT, but I place upon them the binding obligation to advise him—for my own information—immediately after a final diagnosis has established a serious disease, or a disease of ill-boding character, with a personality holding a leading position or a position of responsibility in the State, the Party, the Wehrmacht, in Industry and so forth."

On ...

The same Judgment in Case 1 tells how the Ministry of Justice officials became embarrassed at the Euthanasia programme, and how Dr. BRACK, a defendant, attended a meeting to give information about the advantages of the scheme. According to Dr. BRACK's statement, the programme was so designed as to render the process inconspicuous and painless. In December 1939 or January 1940 BRACK, BOUHLER, CONTI and some other doctors were present at the administration of euthanasia to four experimental subjects. The victims were led into a gas chamber which had been built to resemble a shower room. The patients were seated on benches and poisonous gas was let into the chamber. A few moments later the patients became drowsy and finally lapsed into a death sleep, without even knowing they were being executed. On the basis of this execution "HITLER decided that only carbon monoxide was to be used for killing the patients." According to BRACK these persons were not Jews because as BOUHLER had explained to him, "the philanthropic action of euthanasia should be extended only to Germans." The evidence is plain that the euthanasia programme explained by the defendant, gradually merged into the "Action 14 f 13; which, briefly stated, amounted to an extermination of concentration camp inmates by methods and agencies used in euthanasia. One of the prime motives behind the programme was to eliminate "useless eaters" from the scene, in order to conserve food, hospital facilities, doctors and nurses for the more important use of the German armed forces. Many nationals of countries other than Germany were killed."

Again, the above-mentioned Judgment quotes the affidavit of Dr. HOVEN, a defendant, who said:

"In 1941, the Camp Commander, called all the important SS officials of the camp together and informed them that he had received a secret order from HIMMLER that all mentally and physically deficient inmates should be killed, including Jews. 300 to 400 Jewish prisoners of different nationalities were sent to the "Euthanasia Station" at Bernburg for extermination. I was ordered to issue falsified statements of the death of these Jews, and obeyed that order. This action was known as '14 f 13.'"

Some information about the Central Office or "Stiftung" Beelitz, charged by HITLER with "mercy-killing" is contained in a deposition (Ref: R/G/3/5 A) by a former clerk who worked in its office. The "Stiftung" was directly under Karl BRANDT, and all mental homes sent periodical reports to it concerning their patients. BRANDT examined them and placed "suitable" patients on a special list. "Selected" patients were labelled and transports were made up which took them by roundabout routes to Stammaustalten, where they were photographed, stripped, gassed and cremated. Relatives received an urn with ashes, and were asked to forego all claim to their belongings, which were described as having deteriorated owing to disinfection.

In 1943 the Stiftung was ordered by HITLER to suspend its ordinary activities and concentrate on Jews and political offenders. In the same year some of the staff "thoroughly experienced in killing" were sent to the Eastern front where it appears they operated gas chambers. The income of the Stiftung --according to this deposition-- was largely constituted by the virtual requisitioning of the deceased person's property. The personnel were paid with funds provided by the Reichsschatzmeister.



A sidelight on the mercy-killing is afforded by some captured correspondence printed in a P.I.D. Report (No. 122). A handwritten note by Gaustabsamtsleiter SELMER contains such remarks as: "30,000 finished off;" "The Führer gave the order"; "At present only clear cases are being settled but later there will be expansion."

A letter from Martin BORMANN (24.9.40) to Kreisleiter ZIMMERMANN complained that persons of Christian faith speak against the measures, but that all Party officers will support them.

A report dated December, 1940, observed that the removal of patients could not be kept from the public. Careless mistakes had been made: one family had received two urns; in another case appendicitis was given as the cause of death, though the appendix had been removed ten years before.

In the trial before a U.S. Military Court at Wiesbaden in September, 1945, of the staff of the State mental institution at Hadamar, it was shown that between January, 1941, and the summer of 1944, some 10,000 Germans, alleged to be mental cases, had been admitted to the institution and there put to death. It was also established that there had been numerous shipments of Polish and Russian women and children to Hadamar from other institutions and camps; all were killed within one or two days after their arrival by injections of morphines, scopolamine, or derivatives thereof or by doses of veronal or chloral. The defence pleaded that all the victims were incurably ill from tuberculosis.

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#### VII. RESEARCH WITH A VIEW TO BACTERIOLOGICAL WARFARE.

This subject has been dealt with, in reply to an enquiry by the World Medical Association, in a Research Circular, No. 28, dated 5.12.47, which has already been circulated.

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VIII. ...

### VIII. ETHICAL AND LEGAL ASPECTS OF THE CRIMES.

#### Motives for the Experiments.

It appears that one of the chief motives of these crimes was the desire of certain doctors to obtain credit for experiments in a field in which their colleagues had only been able to make tests with dumb animals. In the case of HIMMLER, who actively promoted the experiments, the motive seems to have been ambition, i.e., that his name and that of the SS, should be associated with important discoveries which would ensure victory.

The charges sometimes made for the use of human subjects were also a source of revenue to some of the concentration camps. Such charges seem to have been resented by the doctors.

In a report by Dr. HIRT on a conference at Natzweiler (19.10.42), we read:

"I was very much surprised that we are supposed to be charged for the use of the prisoners. If we take only 10 prisoners for the tests, which might last as long as 10 months, the cost for use of prisoners alone would amount to 40,000 marks."

At Dachau, on the other hand, the authorities were "understanding and generous". A charge for the use of prisoners was "never even discussed", whereas at Natzweiler "they are trying to make as much money on these experiments as possible".

The motives of vanity and jealousy are particularly noticeable in connection with Dr. RASCHER's experiments. In Major Leo Alexander's report (R/G/23/8) we read that there was some dissatisfaction in SS circles at the Tagung-Nurnberg, 26.10.42. Professor Dr. HOLZLOKNER had taken for himself the "credit" for the cold experiments, as Dr. RUFF had also done in regard to the high altitude experiments.

Again, Major Alexander writes, p. 31 of the same report:

"It is characteristic of the mutual jealousies existing in the SS that SIEVERS, of the Ahnenerbe research institute, immediately raised objections against Dr. GRWITZ gaining control of the experiments."

Professor HIPPE in a letter to General WOLFF, 6.3.43, (id.p.26) protested against the accusation of lack of enthusiasm for the experiments on human subjects, and added: "The difficulties, Herr WOLFF, are in another sphere; they are the vanities of the various researchers, in that everybody personally wanted to bring out new results."

Moral ...



Moral Scruples.

There is evidence in some of HIMMLER's correspondence that some doctors had not feared to show their opposition to the experiments on moral grounds.

In a letter to Dr. RASCHER, 24th October, 1942, HIMMLER wrote with a good deal of feeling:

"People who to-day still disapprove of experiments on human beings, but who prefer to let brave German soldiers die from the consequence of intense cold, are to me nothing but traitors to their country and I shall not hesitate to supply the names of these people to the authorities who are in a position to take action against them."

Again, in a letter to Air Marshal MILCH (November 1942) HIMMLER referred to the difficulties "based mainly on religious objections," which Dr. RASCHER had encountered, and continued:

"In these 'Christian medical circles' the standpoint is being taken that a young German airman should be allowed to risk his life, but that the life of a criminal, who is not drafted for military service is so sacred that we should not stain ourself with this guilt."

Criminal Responsibility.

In regard to the responsibility of the German higher medical authorities for the crimes referred to in the preceding sections, the Judgment in Case No. 1 pointed out, in a number of passages, that they should have known that the experiments were in flagrant disregard of the personal rights of the victims.

In regard to Dr. HANDLOSER, the chief Army Medical Inspector, the same Judgment stated that he failed to exercise proper control over his subordinates who were implicated in medical experiments, coming within his official sphere of competence.

In regard to Dr. SCHRODER it declared that he "blindly approved a continuation of typhus research by HAAGEN, supported the programme, and was furnished reports of its progress, without so much as taking one step to determine the circumstances under which the research had been or was being carried on, to lay down rules for the conduct of present or future research by his subordinates, or to prescribe the conditions under which the concentration camp inmates could be used as experimental subjects.

It was pleaded in some cases that the subjects had voluntarily consented to be experimented on. The Judgment in Case No. 1 stated, in the passage dealing with Dr. MRUGOWSKY:

"There is some evidence to the effect that the camp inmates used as subjects in the first series submitted to being used as experimental subjects after being told that the experiments were harmless and that additional food would be given to volunteers. But these victims were not informed that they would be artificially infected with a highly virulent virus nor that they might die as a result. Certainly no one would seriously suggest that under the circumstances these men gave their legal consent to act as subjects. One does not ordinarily consent to be the special subject of a murder, and if one did, such consent would not absolve his slayer."

The ...

The plea that the experimental subjects were under sentence of death was likewise rejected by the Court in Case No. 1. For instance, we read:

"It is claimed by Dr. GEBHARDT that all of the non-German experimental subjects were selected from inmates of concentration camps, former members of the Polish resistance movement, who had previously been condemned to death and were in any event marked for legal execution. This is not recognised as a valid defence to the charge of the indictment. The Polish women who were used in the experiments had not given their consent to become experimental subjects. That fact was known to GEBHARDT. The evidence conclusively shows that they had been confined at Ravensbrück without so much as a semblance of trial. That fact could have been known to GEBHARDT had he made the slightest inquiry of them concerning their status. Moreover, assuming for the moment that they had been condemned to death for acts considered hostile to the German forces in the occupied territory of Poland, these persons were still entitled to the protection of the laws of civilised nations. While under certain specific conditions the rules of land warfare may recognise the validity of an execution of spies, war rebels, or other resistance workers, it does not under any circumstances countenance the infliction of death or other punishment by maiming or torture."

And again:

"The defendant attempts to meet this charge with the defence that the subjects used in this experiment were persons who had been condemned to death and that he, MRUGOWSKY, had been appointed as their legal executioner. One need but read the letter introduced in evidence to arrive at the conclusion that the defence has no validity. This was not a legal execution carried out in conference with the laws and rules of war, but a criminal medical experiment wherein wounds were inflicted on prisoners with the sole end in view of determining the effectiveness of poisoned bullets as a means of taking life. The hapless victims of this dastardly torture were Russian prisoners of war, entitled to the protection afforded by the laws of civilised nations. As has been said, in substance, in this judgment: While under certain specific conditions the rules of land warfare may recognise the validity of an execution by shooting, it will not under any circumstances countenance the infliction of death by maiming or torture."

And again:

"He (Dr. ROSE) attempts to justify his actions on the ground that a State may validly order experiments to be carried out on persons condemned to death without regard to the fact that such persons may refuse to consent to submit themselves as experimental subjects. This defence entirely misses the point of the dominant issue. As we have pointed out in the case of GEBHARDT: Whatever may be the condition of the law with reference to medical experiments conducted by or through a State upon its own citizens, such a thing will not be sanctioned in international law when practised upon citizens or subjects of an occupied territory."

The plea of "superior orders" was submitted in a number of cases. In the proceedings relating to Dr. BLOME, in Case No. 1, HIMMLER was quoted as saying that he would regard it as high treason to refuse to carry out experiments that were necessary for the war, and that HITLER

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was of the same opinion.

The Court rejected the plea in all cases. Thus, in the case of Dr. GEBHARDT, we read:

"We cannot see the application of the doctrine of superior orders as a defence to the charges contained in the Indictment. Such doctrine has never been held applicable to a case where the one to whom the order is given has free latitude of decision whether to accept the order or reject it. Such was the situation with reference to GEBHARDT. The record makes it manifestly plain that he was not ordered to perform the experiments, but that he sought the opportunity to do so."

In regard to the plea that "in the broad interest of alleviating human suffering, a State may legally provide for medical experiments to be carried out on prisoners condemned to death without their consent, even though such experiments may involve great suffering or death for the experimental subjects", the Court observed that "Whatever may be the right of a State with reference to its own citizens, it is certain that such legislation may not be extended so as to permit the practice upon nationals of other countries who, held in the most abject servitude, are subjected to experiments without their consent and under the most brutal and senseless conditions."

#### The Doctrine of Euthanasia.

This question is dealt with in the Judgment in Case No. 1, in the passage relating to Karl BRANDT, where it is said:

"He was in a position to intervene with authority on all medical matters; indeed, it appears that such was his positive duty. It does not appear that at any time he took any steps to check medical experiments upon human subjects. During the war he visited several concentration camps. Occupying the position he did, and being a physician of ability and experience, the duty rested upon him to make some adequate investigation concerning the medical experiments which he knew had been, were being, and doubtless would continue to be, conducted in the concentration camps."

Again, a little later, the same Judgment observes:

"The abstract proposition of whether or not euthanasia is justified in certain cases of the class referred to, is no concern of this Tribunal. Whether or not a State may validly enact legislation which imposes euthanasia upon certain classes of its citizens, is likewise a question which does not enter into the issues. Assuming that it may do so, the Family of Nations is not obliged to give recognition to such legislation when it manifestly gives legality to plain murder and torture of defenceless and powerless human beings of other nations."

Permissible ...

Permissible Medical Experiments.

In regard to this general and highly important problem, the United States Court which tried the 23 Doctors and Scientists (Case No. 1) summed up its views in the following paragraph :

The great weight of the evidence before us is to the effect that certain types of medical experiments on human beings, when kept within reasonably well-defined bounds, conform to the ethics of the medical profession generally. The protagonists of the practice of human experimentation justify their views on the basis that such experiments yield results for the good of society that are unprocurable by other methods or means of study. All agree, however, that certain basic principles must be observed in order to satisfy moral, ethical and legal concepts:

1. The voluntary consent of the human subject is absolutely essential. This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. This latter element requires that before the acceptance of an affirmative decision by the experimental subject there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person which may possibly come from his participation in the experiment. The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.
2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.
3. The experiment should be so designed and based on the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study that the anticipated results will justify the performance of the experiment.
4. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.
5. No experiment should be conducted where there is an a priori reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects.
6. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.

7. ...



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7. Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibilities of injury, disability, or death.
8. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment.
9. During the course of the experiment the human subject should be at liberty to bring the experiment to an end if he has reached the physical or mental state where continuation of the experiment seems to him to be impossible.
10. During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe, in the exercise of good faith, superior skill and careful judgment required of him that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.

Of the ten principles which have been enumerated our judicial concern, of course, is with those requirements which are purely legal in nature—or which at least are so closely and clearly related to matters legal that they assist us in determining criminal culpability and punishment. To go beyond that point would lead us into a field that would be beyond our sphere of competence. However, the point need not be labored. We find from the evidence that in the medical experiments which have been proven, these ten principles were much more frequently honored in their breach than in their observance. Many of the concentration camp inmates who were the victims of these atrocities were citizens of countries other than the German Reich. They were non-German nationals, including Jews and "asocial persons", both prisoners of war and civilians, who had been imprisoned and forced to submit to these tortures and barbarities without so much as a semblance of trial. In every single instance appearing in the record, subjects were used who did not consent to the experiments; indeed, as to some of the experiments, it is not even contended by the defendants that the subjects occupied the status of volunteers. In no case was the experimental subject at liberty of his own free choice to withdraw from any experiment. In many cases experiments were performed by unqualified persons; were conducted at random for no adequate scientific reason, and under revolting physical conditions. All of the experiments were conducted with unnecessary suffering and injury and but very little, if any, precautions were taken to protect or safeguard the human subjects from the possibilities of injury, disability, or death. In every one of the experiments the subjects experienced extreme pain or torture, and in most of them they suffered permanent injury, mutilation, or death, either as a direct result of the experiments or because of lack of adequate follow-up care.

Obviously all of these experiments involving brutalities, tortures, disabling injury and death were performed in complete disregard of international conventions, the laws and customs of war, the general principles of criminal law as derived from the criminal laws of all civilized nations, and Control Council Law No. 10. Manifestly human experiments under such conditions are contrary to "the principles of the laws of nations as they result from the usages established among civilized peoples, from the laws of humanity, and from the dictates of public conscience."



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