

BRIEF ON

DIE SCHUTZSTAFFELN DER NATIONALSOZIALISTISCHEN
DEUTSCHEN ARBEITERPARTEI (COMMONLY KNOWN AS
THE SS) INCLUDING DIE SICHERHEITSDIENST
(COMMONLY KNOWN AS THE SD)

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SECTION OF INDICTMENT

The sections of the indictment covered in this brief are the following:

COUNT ONE - THE COMMON PLAN OR CONSPIRACY,

Par. IV (D) 3 (b), The Acquiring of Totalitarian Control of Germany: Political Consolidation of control -- Page 5.

COUNT ONE - THE COMMON PLAN OR CONSPIRACY,

Par. IV (H), Individual, Group and Organization Responsibility for the Offense Stated in Count One -- Page 10.

APPENDIX B - Die Schutzstaffeln Der Nationalsozialistischen Deutschen Arbeiterpartei (Commonly Known as the SS) Including Die Sicherheitsdienst (Commonly Known as the SD) -- Page 36.

LEGAL REFERENCES

Article 9 of Section II "JURISDICTION AND GENERAL PRINCIPLES" of the Charter of the International Military Tribunal, page 2:

"At the trial of any individual member of any group or organization the Tribunal may declare (in connection with any act of which the individual may be convicted) that the group or organization of which the individual was a member was a criminal organization.

"After receipt of the Indictment the Tribunal shall give such notice as it thinks fit that the prosecution intends to ask the Tribunal to make such declaration and any member of the organization will be entitled to apply to the Tribunal for leave to be heard by the Tribunal upon the question of the criminal character of the organization. The Tribunal shall have power to allow or reject the application. If the application is allowed, the Tribunal may direct in what manner the applicants shall be represented and heard."

STATEMENT OF EVIDENCE

I. DEFINITION, ORIGIN, MEMBERSHIP AND EARLY DEVELOPMENT

A. Definition

The "Schutzstaffel der NSDAP" (SS) was one of the seven "formations" or "branches" of the National Socialist Party, - organizations which formed an integral part of the Nazi movement.

1725-PS, Decree for Execution of the Law for Security of the Unity of the Party, 29 March 1935, Reichsgesetzblatt (1935) I, p. 502.

2640-PS, Organisationbuch der NSDAP (1943) p. 417

It derived from the "Stosstrupp Hitler", a small headquarters detachment of the SA, which was outlawed with the Nazi Party and the SA in November 1923 after the abortive Munich putsch.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrschrift (1937), p. 137

2284-PS. d'Alquen, Die SS, p. 6

It was reestablished as the "Schutzstaffel" (Protective Squadron) in 1925.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrschrift (1937), p. 137

2284-PS. d'Alquen, Die SS, p. 6

On July 20, 1934, it was made an independent formation of the NSDAP, directly responsible to Hitler, under the command of Heinrich Himmler, Reichsfuehrer-SS.

1857-PS. Announcement of creation of SS as independent formation of NSDAP, Voelkischer Beobachter, 26 July 1934, p. 1.

2284-PS. d'Alquen, Die SS, p. 13

Although technically equal in status to the other seven formations of the NSDAP, actually it was the elite corps of the Party and became the most powerful organization in the Nazi state.

B. Origin

The SS was originally created to perform the function of acting as protective guard for Hitler and other party leaders. In 1925 when the prohibition against the NSDAP, imposed in November 1923, was lifted and party activity again resumed, the Storm Troops (Sturmabteilung or SA) continued to be outlawed. To take the place of the SA, Hitler organized small mobile squads (Schutzstaffel) to serve as his private troops and police force in politically hostile territory.

2284-PS. d'Alquen, Die SS, p. 7

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 137.

With the reinstatement of the SA in 1926, the Schutzstaffel (SS) for a few years ceased to be of importance, although it continued as an organization within the SA under its own leader, the Reichsfuehrer SS, who was subject to the Chief of Staff of the SA.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 137

1859-PS. Espe, Das Buch der NSDAP (1934)

On 6 January 1929 Heinrich Himmler was appointed as Reichsfuehrer SS with express instructions to form the SS into an elite and thoroughly dependable organization.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 137

2284-PS. d'Alquen, Die SS, p. 7

He proceeded to reorganize it by establishing the strictest Nazi standards for selection and training, to expand it in size, to give it new functions and to develop it into a powerful organization.

C. Development of the SS as an Elite Nazi Corps

1. Requirements for Membership -

The first principal of selection was that of Blood and Elite (Blut und Auslese)

1851-PS. Himmler, Die Schutzstaffeln als anti-bolschewistische Kampforganisation, p. 20

As Himmler stated in a speech to the Wehrmacht (published in 1937):

"I am a strong believer in the doctrine that, in the end, only good blood can achieve the greatest enduring things. Strengthened by this conviction of mine, I began to work on this problem. It means that actually only good blood, according to our reading of history, is to be considered as the leading creative element in every state, and, in particular, of all military activity, that is to say, only Nordic blood. I said to myself that should I succeed in selecting from the German people for this organization as many as possible who possess this desired blood, and in teaching them military discipline and the understanding of the value of blood and the entire ideology resulting from it, then it would be possible actually to create such an elite organization as would successfully hold its own in all cases of emergency".

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 138.

Every applicant was required to establish his Nordic descent going back to 1800 and, in the case of an officer candidate, to 1750.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 140.

Standards of height and Nordic appearance were established, both as an aid to insuring the applicant's "good blood" and as an end in themselves.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), pp. 138, 139, 141.

Moreover, to insure the continuance of "good blood", an order of the Reichsfuehrer SS of 31 December 1931 prohibited marriage by any SS man except upon authorization from the Reichsfuehrer SS, such authorization being conditional on establishing that the prospective bride met the same requirements as to health, descent and ideological background as the SS man himself.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 153.

2460-PS. Organisationbuch der NSDAP (1943) p. 417

2284-PS. SS Marriage law of 31 December 1931, quoted in d'Alquen, Die SS, p. 19.

The political and ideological background of each applicant was also carefully scrutinized.

"Every member of the SS has to be deeply imbued with the meaning and essence of the National Socialist movement."

2640-PS. Organisationbuch der NSDAP (1943) p. 417

1851-PS. Himmler, Die Schutzstaffeln als anti-bolschewistisches Kampfgemeinschaft, p. 24

1852-PS. Best, Die Deutsche Polizei, (1940), p. 99

These physical, racial and ideological standards were jealously maintained. When, after the accession of the Nazis to power, there was an influx of members into all other Nazi organizations, membership in the SS was temporarily closed, and between 1933 and 1935 unsuitable members were expelled.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 140.

When membership in the SS was later opened to certain classes of the police in a desire to "fuse" the police and the SS, applicants were required to meet the general strict standards for ordinary SS membership.

1637-PS. Order of Himmler, 23 June 1938, Acceptance of Members of the Security Police into the SS Reichsministeriumsblatt (1938) p. 1089.

As late as 1943 these racial and ideological requirements were still stressed, even in recruiting for the combat forces of the SS.

2768-PS. Letter, 24 April 1943, to Kaltenbrunner, signed Himmler.

2640-PS. Organisationbuch der NSDAP, (1943),
p. 417.

2. Obligations of Members -

Upon admission to the SS, each member took an oath to Hitler of obedience to death.

"Obedience must be unconditional. It corresponds to the conviction that the national socialist ideology must reign supreme. He who is possessed by it and fights for it passionately, subjects himself voluntarily to the obligation to obey. Every SS man is prepared, therefore, to carry out blindly every order which is issued by the Fuehrer or which he is given by his superior, irrespective of the heaviest sacrifices involved."

2640-PS. Organisationbuch der NSDAP (1943), p. 418

1851-PS. Himmler, Die Schutzstaffeln als anti-bolschewistische Kampforganisation,
p. 24.

He was required to become completely indoctrinated in Nazi ideology, and to propagate Nazi doctrines.

2640-PS. Organisationbuch der NSDAP (1943), pp.
417, 418

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische
Lehrgang (1937), p. 145.

He was required to be ruthless and aggressive. Every SS member had the duty to "defend his honor with his dagger".

2825-PS. Honor Law of the SS, 9 September 1935,
published in SS Soldatenfreund (1943); p. 23

"Openly and without pity, he fights against the most dangerous enemies of the State: Jews, Freemasons, Jesuits and political clergy."

2640-PS. Organisationbuch der NSDAP (1943), p. 418

Through these principles of selection and training the SS became

"a team of the best - not only the physical best, but also the most reliable, most loyal, and finally in terms of character the most valuable - men from all parts of the movement."

2284-PS. d'Alquen, Die SS, p. 8

It was a Nazi aristocracy, defined by Himmler as:

"a National Socialist soldierly order of Nordic men".

1851-PS. Himmler, Die Schutzstaffeln als anti-bolschewistische Kampforganisation, p. 31

and, by the Organisationbuch der NSDAP as a "firmly welded fighting force bound together by ideological oaths".

2640-PS. Organisationbuch der NSDAP (1943), p. 417

D. Functions of the SS to June 20, 1934.

During the period preceding the accession to power, the SS, together

with the SA, played its part as a private Nazi army in the fight against all political opponents of the Party.

2284-PS. d'Alquen, Die SS, pp 6, 11

Its value as an elite corps and thoroughly reliable "instrument of the Fuehrer" was fully demonstrated in June 1934 when it performed the function of executioner in carrying out the bloody purge of the SA and other political opponents of the regime.

1919-PS. Himmler's speech to SS-Gruppenfuehrer at Poznan, 4 October 1943, p.

2284-PS. d'Alquen, Die SS, p. 11

In recognition of its services in this respect, it was raised to the status of an independent formation of the Party on 20 July 1934.

1857-PS. Announcement of creation of SS as an independent formation of the NSDAP, Voelkischer Beobachter, 26 June 1934, p. 1

II. ORGANIZATION

A. Principal Branches

Up to January 1933, the SS consisted of a single unit. There were no specially designated branches performing particular functions. However, as the SS assumed additional functions, its organization expanded and became more complex. On the one hand some new units were created, for example the SS Verfuegungstruppe and SS Totenkopf Verbaende (discussed below), which later developed into the Waffen SS. On the other hand certain functions became the specialty of particular groups, which, while not having a separate organizational status, came to be designated as a separate branch, for example the SD. Although it became customary to distinguish between several "branches" or "formations" of the SS by name, actually in terms of administration and command there was no distinction. All formed a part of the whole SS (Gesamt SS), were under the command of the Reichsfuehrer SS, and were administered and controlled through the various main offices in the Reichsfuehrung SS (Supreme Command of the SS).

1. The Allgemeine SS (General SS) -

The Allgemeine SS was the original nucleus of the SS. All SS members who did not belong to special branches and formations were members of the Allgemeine SS.

"The Allgemeine SS, as the continuation of the original political-ideological fighting organ, forms the ranks of the members of the SS who . . . keep watch over the values and embodiments of the National Socialist

idea, as if in time of battle. At the same time, they have the task of keeping the members of all units of the SS entrusted with special duties in a living relationship with the National Socialist people's movement, and of preventing them from secluding or detaching themselves from the whole movement."

1882-PS. Best, Die Deutsche Polizei, p. 100

Until after the beginning of the war, it constituted the bulk of the entire SS. In January 1933, when there were no separately designated branches, the total SS membership was about 52,000.

2284-PS. d'Alquen, Die SS, p. 12

By 1937 the membership of the Allgemeine SS had increased to 190,000.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 141.

In 1938, it had a strength of 240,000.

2284-PS. d'Alquen, Die SS

Its members, however, with the exception of those in the main departments of the SS Supreme Command, were made subject to compulsory military service in the Army.

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of SS.

As a result, during the war, the strength and importance of the Allgemeine SS declined.

Consistent with its character as a group of "political soldiers" and its function as a "fighting organ" of the Party, it was organized on military lines, from the platoon up to the regiment. The Reich was divided into SS Oberabschnitte (Districts), corresponding roughly to the Wehrkreise (military corps areas), each Oberabschnitt being composed of two to four sub-districts (Abschnitte) within each of which there were two to four SS Standarte (regiments).

2640-PS. Organisationbuch der NSDAP (1943) p. 427

1992-PS. Himmler, "Wesen und Aufgaben der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 142.

2284-PS. d'Alquen, Die SS, p. 18

1852-PS. Best, Die Deutsche Polizei, p. 104

Since the Allgemeine SS had been the only unit of the SS prior to the Nazis' accession to power, its functions during that period were those already discussed (p. 5 supra), namely to serve as the private police force and private troops of the Nazis in their fight against all political opponents.

After 30 January 1933, it performed all functions of the SS which were not the specialized task of a few particular branches or groups.

2. The Sicherheitsdienst des Reichsfuehrers-SS (Security Service).
known as the SD.

The Sicherheitsdienst des Reichsfuehrer-SS (Security Service) originated in 1931, not as a separate branch but as a function performed by regular members of the SS.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 151.

During the period preceding the accession of the Nazis to power it was developed under Reinhard Heydrich, its Chief, into a powerful and scientific espionage system. On 9 June 1934, a few weeks before the purge of the SA, a decree of the defendant Hess, Deputy of the Fuehrer, made it the sole intelligence and counter-intelligence agency in the NSDAP.

2284-PS, d'Alquen, Die SS, p. 13

1680-PS. Ten Years of Security Police and SD.

As a part of the SS, the officials and agents of the SD were SS members.

1680-PS. Ten Years Security Police and SD.

In addition to full-time officials and employees, the SD included - as did the Allgemeine SS - "members of the SD, who we employed in their civilian occupations and who do political SS service as honorary employees".

1852-PS. Best, Die Deutsche Polizei, p. 105

The subsequent development of the SD and its functions in relation to the Security Police are discussed below (p. 11).

3. The Waffen SS (Armed SS)

The Waffen SS was the combat arm of the SS, created, trained and used for war. Although under the command of the Army for strategical and tactical purposes in the field, it always remained a part of the SS, was recruited, trained, administered and supplied through the SS Supreme Command and, like all other formations of the SD, was subject to the jurisdiction of Himmler as Reichsfuehrer SS.

The creation and development of the Waffen SS is dealt with in a subsequent section of this brief, p. infra.

4. The SS Totenkopf Verbaende (Death Head Units)

The SS Totenkopf Verbaende were units created for the purpose of serving as guards for concentration camps and composed of SS members who enlisted

in this branch for periods of 4 to 12 years. In accordance with the designation of the unit, members wore the Deaths Head insignia of skull and crossbones. Members received full military training, were fully armed and were regularly garrisoned at the various concentration camps.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 151.

2284-PS. d'Alquen, Die SS, p. 20

2164-PS. Nationalsozialistisches Jahrbuch (1940), pp. 370, 371

They were under the jurisdiction of the Reichsfuehrer SS.

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of SS.

Their immediate commander was the Fuehrer der SS Totenkopf Verbaende und Konzentrationslager (Leader of SS Death Head Units and Concentration Camps), later referred to as "Inspekteur der Konzentrationslager" (Inspector of Concentration Camps), an official in the SS Main Office (SS Hauptamt), department of the SS Supreme Command.

2284-PS. d'Alquen, Die SS, p.

The creation, development and activities of the SS Totenkopf Verbaende are dealt with in a later section of this brief, p. infra.

B. Supreme Command of the SS (Reichsfuehrung-SS)

"The structure of the SS follows from its manifold duties. The Reichsfuehrer SS is in command of the whole SS. For the purposes of carrying out his orders and ordinances for the whole SS and the Police, and for the other manifold duties assigned to him, he uses the Main Offices (Hauptaemter) of the Supreme Command of the SS (Reichsfuehrung SS)."

2640-PS. Organisationbuch der NSDAP (1943) p. 419

The Reichsfuehrung-SS developed over the course of years from three Main Offices (see list in Nationalsozialistisches Jahrbuch (1937) p. 170) to 12 in 1943. The designation of these Main Offices and the principal functions of each is set out in Appendix A of this brief.

C. Regional Command of the SS.

In definite regional areas, generally corresponding in area to the Military Districts in Germany (Wehrkrise) leadership of all units of the SS was exercised by the Higher SS and Police Leader. (Hoherer SS and Polizeifuehrer known as HSSPf) appointed for the region. He supervised all units of the Allgemeine SS, the Waffen SS and the SD, as well as organizations of the Police within his district.

1852-PS. Best, Die Deutsche Polizei, pp. 43, 90, 94.

2640-PS. Organisationbuch der NSDAP (1942), p. 427.

III. CRIMINAL FUNCTIONS AND ACTIVITIES

A. General Function

After the accession of the Nazis to power, the official, announced mission of the SS was extended from protection of the Fuehrer to guaranteeing the internal security of the Reich.

2640-PS. Organisationbuch der NSDAP (1943) p. 417

2284-PS. d'Alquen, Die SS, p. 13

This task was officially defined by Himmler as follows:

"We shall unremittingly fulfill our task of being the guarantors of Germany's security internally just as the Wehrmacht assures the honor, greatness and peace of the Reich against the outside world. We shall see to it that the Jewish-Bolshevist revolution of sub-humans shall never again be rekindled in Germany, the heartland of Europe, either internally or by emissaries from abroad. We shall act as a ruthless sword against all those forces whose existence and whose ways we know, whenever they make the least attempt, either today or in decades or in centuries to come."

1851-PS. Himmler, Die Schutzstaffeln als anti-bolschewistische Kampforganisation, p. 29.

Insuring the dominance of National Socialist regime and its ideology involved the extension of SS activities into the police field and into all types of measures directed against internal opponents or potential opponents of the regime. But it also involved participation in military and other measures for extending Nazi dominance externally and in securing Nazi control over the conquered areas.

Functions of the SS thus came to cover numerous fields and each member functioned as its representative in carrying out his duties

"whether he is employed on the field of battle in the divisions of the Armed-SS, or whether he fights as an officer or soldier of the Army, whether he has been detailed as unit or part of the police, and serves the inner order of the Reich, or whether he fights against the enemies of the State as a member of the Security Service, or whether he labors in the framework of the historic mission, which has been carried over to the Reichsfuehrer SS as Reich-Commissioner for the Consolidation of German Nationality, or whether he is professionally with the home-front".

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 191.

B. Function and Activities as a Police Organization

1. Functions -

The function of the SS as a police organization was twofold:

(a) it operated through one of its branches, the Security Service (SD), as the principal intelligence and counter-intelligence system of the State, and (b) it "penetrated" or became "fused" with the entire police system so that lines of distinction between SS and the police became undefinable. This function developed gradually. Its importance necessitates a statement of this historical development.

a. The SD - The origin and purpose of the SD has already been referred to (See page 8 supra). By 1936 it had developed a reputation for such ruthless efficiency that Himmler publicly referred to the terror inspired by the black uniform of the SS.

1851-PS. Himmler, Die Schutzstaffeln als anti-bolschewistische Kampforganisation, p. 29.

Its subsequent development is referred to in the following paragraph.

b. Fusion of Police and SS - By 1934 Himmler, the Reichsfuehrer SS, had become the chief of separate secret political police forces in all the states of Germany except Prussia, and Deputy Chief of the Gestapo in Prussia, thus achieving personal control over all the Gestapo and similar secret political police forces in Germany.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), pp. 154, 155.

1852-PS. Best, Die Deutsche Polizei, p. 86.

On 17 June 1936, he was appointed to the new post, thereby created, of Reichsfuehrer SS und Chef der Deutschen Polizei in Reichministerium des Inner (Reich Leader of the SS and Chief of the German Police in the Ministry of the Interior).

2073-PS. Decree on the Establishment of a Chief of the German Police, Reichsgesetzblatt, I (1936) p. 487, 488.

The purpose of this step - combining in one office the two positions of leadership of the SS and of the police - was to establish a permanent relation between the SS and the police and not a mere "transitory fusion of personnel".

1813-PS. Best, Die Deutsche Polizei, p. 85

He created a new branch of the Reich police, the Sicherheitspolizei (Sipo or Security Police), embracing all criminal police forces (Kripo) and all secret state police (Gestapo) in the Reich. He designated as chief of the Security Police Richard Heydrich who was at that time the head of the SD.

1551-PS: Decree Assigning Functions in Office of Chief of German Police, Reichsministerialblatt, (1936), pp. 946-948.

Through Himmler's double capacity as leader of the SS and head of the entire police system, and through Heinrich's double capacity as head of the SD and of the Security Police, unified personal control over the SS and the Security Police was established.

By the creation in September 1939 of the Reichssicherheitshauptamt (Reich Main Security Office), commonly known as RSHA, in which the criminal police, the Gestapo and the SD were all combined, organizational unity between SS and Security Police was achieved.

L-361. Order of Himmler, 27 September 1939, establishing the RSHA.

Because the Reichssicherheitshauptamt was not only a department in the Ministry of the Interior under the Chief of the German Police, but simultaneously one of the Main Offices in the Supreme Command of the SS.

1852-PS. Best, Die Deutsche Polizei, pp. 103, 108.

2460-PS. Organisationbuch der NSDAP (1943), p. 419

Similarly the department of the Ordnungspolizei (Regular Police) in the Reich Ministry of the Interior was also at the same time a department in the Supreme Command of the SS.

2460-PS. Organisationbuch der NSDAP (1943) p. 420

2294-PS, d'Alquier, Die SS, p.

1852-PS. Best, Die Deutsche Polizei, p. 94.

Organizational unity of SS and police was extended from the highest headquarters to regional levels through the creation of post of Hoherer SS und Polizeifuehrer (HSSPf or Higher SS and Police Leader). This official was appointed for a regional area corresponding to a Wehrkreis (Military District) in Germany (and, after the war, in districts in occupied territories). He was directly responsible to Himmler and supervised not only all SS units in the region, but also all units of the police. Subordinate to him were the regional commander of the SS (Stabsfuehrer SS) the regional commander of the Security Police and SD (Befelshaber der Sicherheitspolizei und des SD, or BdS) and the regional commander of the ordinary police (Befelshaber der Ordnungspolizei, or BdO), thereby establishing a single command over all SS and police forces in the region.

1852-PS. Best, Die Deutsche Polizei, pp. 43, 90, 94.

2640-PS. Organisationbuch der NSDAP (1943), p. 427.

In addition, unity of personnel also was achieved to a large degree by filling vacancies in the police with SS members, by enrolling in the SS members of the police who meet SS requirements, by identical ideological training of SS members and police in SS schools, and by requiring all new candidates for the police to be drawn from the SS.

1852-PS. Best, Die Deutsche Polizei, p. 108

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 156.

1637-PS. Order of Himmler, 23 June 1938, Acceptance of Members of Security Service into the SS, 1938 Reichsministerialblatt, p. 1089.

"Thus the SS and the Police form a unit, both in their structure and in their activity, although their individual organizations have not lost their true individuality and their position in the larger units of the Party and State administration . . . "

"In the relationship between the Police and the SS, the principle of the 'orderly' penetration of an organization of the National order [i.e. the Police] has been realized for the first time to the final outcome through the supporters of the National Socialist movement."

1852-PS. Best, Die Deutsche Polizei, pp. 95, 107

In effect both the SS and police became agencies of Himmler in his dual capacity as Reichsfuehrer SS and Chief of the German Police.

2. Criminal Activities -

The criminal activities of the SS as a police organization, including the activities of the SD and of the Security Police, are covered in the brief on the Gestapo and SD.

C. Functions and Activities With Respect to Concentration Camps.

1. Functions -

a. The establishment and classification of concentration camps and the issuance of orders to confine and to release persons therefrom was a function originally possessed and exercised by the Gestapo. After the creation of the Reichsicherheitshauptamt (Reich Security Main Office) in 1939, this function was exercised by that office. This point is dealt with in the brief on the Gestapo and SD. Since RSHA was one of the main offices of the SS Supreme Command,

2640-PS. Organisationbuch der NSDAP (1943) p. 419.

1852-PS. Best, Die Deutsche Polizei, p. 103

these functions were necessarily functions of the SS.

b. The SS, however, possessed additional functions with respect to concentration camps. From 1933, with the initial establishment of the

concentration camp system, until the end of the war the furnishing of guards for concentration camps was a function of the SS which utilized for that purpose the SS Totenkopf Verbaende.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), pp. 146, 150.

2164-PS. Nationalsozialistisches Jahrbuch (1940)
pp. 370, 371

Initially, and also after the beginning of the war, members of the Allgemeine SS were also utilized for this task.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 150.

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of the SS.

2164-PS. Nationalsozialistisches Jahrbuch (1940),
p. 365.

c. Command of these guards and of other personnel working in concentration camps, and regulation and control of their discipline and activities, was exercised until 1942 through the Fuehrer der SS Totenkopf Verbaende und des Konzentrationslager (Leader of Death Head Units and Concentration Camps), sometimes referred to as the Inspekteur des Konzentrationslager (Inspector of Concentration Camps) an official in the SS Main Office (SS Hauptamt).

778-PS. Original typewritten Service Regulations for Concentration Camp Dachau, 1 October 1933, issued by Eicke, Kommandant der Konzentrationslager.

2284-PS. d'Alquen, Die SS, p.

After March 1942 this function was performed by Department D of the Economic and Administration Office of the SS (SS Wirtschafts und Verwaltungshauptamt, commonly referred to as WVHA).

1063F-PS. Mimeograph copy of Himmler Order, 3 March 1942, setting up Department D of WVHA.

d. Control over the entire internal administration of concentration camps and of the treatment of inmates was a function exercised by the SS from 1933 throughout the war. This function was originally the responsibility of the Inspekteur der Konzentrationslager.

1852-PS. Best, Die Deutsche Polizei, p. 51

In 1942, by order of Himmler, the office of Inspekteur der Konzentrationslager became Department D of the SS Economic and Administration Main Office (WVHA).

1063F-PS. Mimeograph copy of Himmler Order, 3 March 1942, setting up Department D of WVHA.

R-129. Original letter, 30 April 1942, to Himmler, signature Pohl, Chief of WVHA.

Thereafter management of the camps and regulation of their purposes and the treatment of inmates was a function of WVHA. For example, it issued orders as to the use of inmates for labor,

R-129. Letter from Office of Chief of WVHA, 30 April 1942, to all concentration camp commanders as to management of concentration camps, signed Pohl.

and as material for experimental purposes.

1751-PS. Letter, 12 May 1944 to all concentration camp commanders, signed Gluecks.

It issued regulations as to the disciplining of inmates

853-PS. Letter from Office of Chief of Department D of WVHA, 11 August 1942, as to flogging of prisoners, signed Gluecks.

and as to the handling of prisoners who were confined under the Nacht und Nebel (Night and Fog) decree.

1931-PS. Letter from Office of Chief of Department D of WVHA, 7 June 1943, as to handling of "NN" prisoners.

It dealt with the furnishing of clothing and supplies for the camps.

1166-PS. Interoffice memorandum of WVHA, 15 August 1944, as to clothing shortage in camps.

It controlled the disposition of the remains of prisoners who died in the camps.

2199-PS. Carbon copy of letter, 12 September 1942, as to disposal of ashes of dead prisoners.

2. Activities in Carrying Out Functions

a. Ill treatment, torture and murder of prisoners by camp personnel - The details as to the criminal acts and atrocities committed in concentration camps by guards and other camp personnel are dealt with in the brief on Concentration Camps. That these acts were not mere sporadic instances of brutality committed by irresponsible individuals but a part of a definite SS policy is indicated by the fact that they occurred in all camps and over a period of years. The personnel involved were SS members, who, like all members of that organization, were disciplined and required to swear complete obedience to their leaders.

2640-PS. Organisationbuch der NSDAP, (1943) p. 418

Moreover, the guards of concentration camps were especially selected and trained for their task. With respect to these guards, the SS Totenkopf Verbaende, (Death Head Units) it was officially stated:

"Here it is not only the matter of being a soldier, but, beyond that, of being a character who is able to defy any adversity and keep immune against any temptations which may approach him. Only the best human material can stand up to service in this troop, material which has been selected with regard to character and hereditary capacity. During the last year, as in all years of existence, the force received the spiritual armament for their daily activities by quiet working, schooling and training"

2163-PS. Nationalsozialistische Jahrbuch (1940)
pp. 370, 371.

Lawlessness was officially countenanced and encouraged from the earliest period. At the very outset of the concentration camp system, in May 1933, SS guards ill treated and murdered inmates in their charge.

641-PS. Report, 1 June 1933, to Public Prosecutor General in Munich of Murder of Dr. Strauss in Dachau by an SS Guard.

642-PS. Same as to murder of Hausmann

644-PS. Same as to murder of Schloss

645-PS. Same as to murder of Neßger

1216-PS. Original typewritten memorandum of Winterberger, Public Prosecutor, re above murders.

Despite the attempts of the local public prosecutors to bring those murderers to justice, the proceedings were frustrated by higher SS and police officials.

1216-PS. Original typewritten memorandum of Winterberger, Public Prosecutor.

Regulations issued by the SS Commandant of Concentration Camps, provided for arbitrary punishments of inmates by SS authorities in control of the camp and encouraged the free use of firearms by SS guards against prisoners.

778-PS. Original typewritten document, 1 October 1933, of Disciplinary and Penal Regulations for Dachau and Service Regulations for Camp Personnel, with typewritten signature of Eicke, "Kommandant der Konzentrationslager."

In 1936, because of the continued shootings of inmates by SS guards, the Minister of Justice urged the issuance of regulations restricting the use of firearms by guards.

781-PS. Typewritten memorandum, 9 March 1936, by Minister of Justice, Guertner, of conference with Himmler, initialed "G".

Such a restriction was finally imposed in 1938 because too many people were killed "trying to flee", but was revoked two months later when an SS guard was killed by an inmate.

782-PS. Typewritten copy of letter, 16 May 1938, to Minister of Justice, with typewritten signature of Himmler.

The flogging of prisoners was authorized in regulations issued by WVHA

853-PS. Letter from Office of Chief of Department D, WVHA, 11 August 1942, as to flogging of prisoners, signed Gluecks

and the extermination of classes of prisoners by SS camp personnel directed.

1151-PS. Letters and telegrams to and from WVHA as to "Action 14F13" from files of Gross Rosen Concentration Camp.

1933-PS. Photostat of letter, 27 April 1943, to commandant of Gross Rosen Camp from Department D of WVHA, signed Gluecks, providing that "Action 14F13" to be applied only to insane.

SS personnel functioned as executioners of inmates of the camps.

1152-PS. Original letter, 11 November 1941, to Commandant of Concentration Camp Gross Rosen, with signature (illegible) of "Der Inspekteur der Konzentrationslager", authorizing gift to executioners at Gross Rosen Concentration Camp.

1751-PS. Photostat of typewritten directives, 6 January 1943, as to executions in concentration camps, typewritten signature of Himmler.

The resulting widespread and continued terroristic acts of camp personnel, which increased with the beginning of the war and thereafter, was thus a systematic and official SS program.

b. Exploitation of the labor of concentration camp inmates for the profit of the SS - In 1942, concentration camps were converted into large scale economic enterprises. Coincident with transfer of the management of the camps to the SS Economic and Administration Main Office (WVHA), the Chief of that office in a letter to Himmler stated:

"The custody of prisoners for the sole reason of security, education or prevention is no longer the main consideration. The emphasis has shifted to economic considerations."

R-129. Letter, 30 April 1942, from Chief of WVHA to Himmler, signature of SS Obergruppenfuehrer Pohl.

To carry out this program, he issued directions to all camp commanders as to their duties with respect to "the management of a concentration camp and of all the economic enterprises of the SS within its sphere of organization", with provided that "there is no limit to working hours" and that "any circumstances which may result in a shortening of working hours (e.g. meals, roll calls) have, therefore, to be restricted to the minimum which cannot be condensed any more".

R-129. Circular letter, 30 April 1942, to all concentration camp commanders, from Office of Chief of WVHA.

Additional prisoners fit for work were ordered transferred to concentration camps to build up a reservoir of free labor.

1063D-PS. Circular mimeograph letter, 16 December 1942, to all Gestapo, mimeographed signature of Mueller, Chief of Gestapo.

L-41-PS. Photostat letter, 23 March 1943, same as above.

1063 E-PS. Mimeograph letter, 25 June 1943, same as above.

The inmates were utilized by the SS for work in private industry and in industrial establishments of its own.

1584-PS. (1) Doc. II, Report, 22 February 1944, to Himmler, signature of Pohl, as to use of concentration camp inmates in aircraft production program.

(2) Doc. II A, memorandum, 8 March 1944, to Pohl, signed by Himmler.

(3) Doc. III, letter, 9 March 1944, to Goering, signed Himmler.

(4) Doc. V, letter 17 April 1944, to authorities in armament production, Speer's signature.

The SS regarded the labor of concentration camp inmates an SS asset. As compensation to the SS for allowing use of such labor in the armament industry, Hitler authorized the allotment of a 3 to 5 percentage of the products of such labor to the SS.

R-124. Notes of conference with the Fuehrer prepared by Speer.

D. Functions and Activities With Respect to Military Preparations for Aggressive War.

From 1933 until the beginning of the war the SS was organized, trained and prepared to operate as an instrument of war. The Allgemeine SS - which constituted the bulk of the SS - served as a training corps and reserve for the Army. It was organized in military formations from platoon up through the higher echelons.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 142.

Its members were principally selected from young men of military age.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 142.

2284-PS. d'Alquen, Die SS, p. 18

As Himmler pointed out to the Wehrmacht, they were required to undergo the most strenuous physical training.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), pp. 142, 145.

They wore uniforms, were sworn to obedience to their leaders and trained in military discipline.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937),

In 1938 and early 1939 the occupation of Austria, Czechoslovakia and Memel provided a new source of strength for the Allgemeine SS. Existing units in those territories were assumed into the SS or new regiments created.

2164-PS. Nationalsozialistisches Jahrbuch (1940) p. 366.

In 1939, d'Alquen, the official spokesman for the organization stated:

"The strength of the Allgemeine SS, 240,000 men, is subdivided to-day into 14 Districts (Oberabschnitte) 38 sub-districts (Abschnitte), 104 infantry regiments, 10 mounted regiments, 14 communication battalions, and 9 engineer battalions; as well as motorized and medical units."

2284-PS. d'Alquen, Die SS, p. 20

In addition to the Allgemeine SS - which served as a paramilitary formation - the SS also created, beginning in 1933, special units of professional full time soldiers. These combat forces originated in the Leibstandarte (Body Guard Regiment) "Adolph Hitler", established in the spring of 1933, to which were soon added additional regiments and battalions. They were known collectively as the SS Verfregungstruppe and were composed of SS members with the best "political" training.

2284-PS. d'Alquen, Die SS, pp. 14, 15

2640-PS. Organisationbuch der NSDAP, p. 427 a

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), pp. 145, 146

By August 1938, they had increased to four regiments, 2 motorcycle units, an engineer battalion, a signal battalion and a medical unit.

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of the SS.

2284-PS. d'Alquen, Die SS, p. 26

An additional source of professional combat troops was the SS Totenkopf Verbaende, the concentration camp guards (referred to pp.8, 14 supra). Like members of the SS Verfuegangstruppe, members of these guards enlisted for a definite period of service, were armed, garrisoned and received military training.

2284-PS. d'Alquen, Die SS, p. 20

2164-PS. Nationalsozialistisches Jahrbuch (1940), pp. 370, 371

Moreover SS officer and officer candidate schools were created to train officers and non-commissioned officers to lead these forces.

2284-PS. d'Alquen, Die SS, p. 26

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p. 160.

While these SS combat forces were neither a part of the Wehrmacht nor of the police,

647-PS. Secret Hitler order, 17 August 1938, as to organization and mobilization of the SS.

they were as fully trained and prepared for combat as professional units of the Army. They served for 4 years, a longer period than the required compulsory military service in the Army and their service counted as fulfillment of the requirement for compulsory military service.

647-PS. Secret Hitler order, 17 August 1938, as to organization and mobilization of the SS.

2640-PS. Organisationbuch der NSDAP (1943), p. 427 a

In August 1938 an order was issued by Hitler to "delineate the common tasks of the SS and of the Wehrmacht" in the event of mobilization. By the terms of this order the SS Verfuegungstruppe, the SS Totenkopf Verbaende and reinforcements therefor, and the SS officer schools were exempted from the requirement - to which all other members of the SS were made subject - of compulsory service in the Army in the event of war. The order further provided that in the interim "the final aim is complete motorization of all Standarten (regiments) and independent units".

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of SS.

Pursuant to this directive, these SS troops were motorized, new units were added and intensive training undertaken during the winter of 1938-1939 and the summer of 1939.

2164-PS. Nationalsozialistisches Jahrbuch (1940), p. 367

2163-PS. Nationalsozialistisches Jahrbuch (1941) p. 192

In the meantime both the SS Verfuegungstruppe and the SS Totenkopf Verbaende, operating under the tactical command of the Army, were utilized in the occupation of Austria in March 1938 and of the Sudetenland in September 1938, and in the invasion of Bohemia-Moravia in March 1939.

2164-PS. Nationalsozialistisches Jahrbuch (1940), p. 367

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 192

The state of their preparedness and their function as combat troops was finally demonstrated in their utilization in the attack on Poland in September 1939.

"How much courage and daring the leaders and men have shown during the Polish campaign is proven by the great number of Iron Crosses awarded to officers and men of the Armed SS in the Polish campaign for gallantry in action."

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 193

These combat units thus carried out the function for which they had been initially created, namely, to enable volunteers "to fight in war with arms in hand for the realization of the National Socialist idea",

2640-PS. Organisationbuch der NSDAP (1943), p. 427 a

so that the SS might not be preoccupied with purely internal affairs and thus be prevented from participating in the "great all embracing tasks in difficult times demanding the effort of the whole people externally".

2284-PS. d'Alquen, Die SS, p. 13

E. Functions and Activities As a Combat Force

1. Functions - After the beginning of the war all combat SS units (which originated in the SS Verfuegungstruppe and SS Totenkopf Verbaende discussed in the preceding section) came to be known collectively as the Waffen SS (Armed SS). Existing units were brought up to division strength and new divisions were added.

2640-PS. Organisationbuch der NSDAP (1943) pp. 427 a
427 b.

To maintain and increase the strength of the SS army, volunteers were recruited throughout the war.

2825-PS. SS Soldatenfreund (1943) (Pocket manual for SS soldiers) pp. 36, 37, 39.

This force constantly remained a part of the whole SS. The Hitler order covering the function of the SS in the event of mobilization provided that if placed under the command of the Army it "remains a unit of the

NSDAP politically".

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of SS.

Recruiting, training, administration and supply of the Waffen SS throughout the war remained the function of the Supreme Command of the SS. It was recruited through the SS Main Office (SS Hauptamt).

2640-PS. Organisationbuch der NSDAP (1943), p. 419

2825-PS. SS Soldatenfreund (1943), p. 20, 39

It was organized, administered and supplied through the SS Operational Office (SS Führungshauptamt), in which department was its Command Headquarters.

2825-PS. SS Soldatenfreund (1943) p. 21

Other functions relating to it were performed by the different departments in the SS Supreme Command.

2640-PS. Organisationbuch der NSDAP (1943), pp. 420, 421

2825-PS. SS Soldatenfreund (1943), pp. 20, 21

Further, although the mobilization order provided that the Waffen SS while under Army command should be subject to all military laws relating to the Army,

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of the SS.

subsequent decrees provided that members of the Waffen SS should not be subject to the jurisdiction of military tribunals, but should be adjudged in the name of the Reichsfuehrer SS by the SS Main Legal Office (Hauptamt SS Gericht) a department of the SS high command.

Decree of 17 October 1939, Reichsgesetzblatt (1939)
I, p. 2107.

Decree of 17 April 1940, Reichsgesetzblatt (1940)
I, p. 659

2. Activities - The ideological training of the Waffen SS made it a ruthless military force, suitable for performing specialized tasks in addition to normal combat duties. Units of Waffen SS were employed as part of the Einsatzkommando groups in wholesale extermination of Jews and the native population in Eastern occupied territories.

L-180. Report by SS Brigade Fuehrer Stahlecker on activities of Einsatz Group A, from July to October 1941, showing participation of Waffen SS units.

1061-PS. Report by SS General Stroop on destruction of Warsaw ghetto showing participation of Waffen SS.

1918-PS. Himmler speech to officers of SS Leibstandarte Adolph Hitler, praising actions of Waffen SS units in extermination of Poles.

972-PS. Original letter, 14 October 1941, from Chief of SS Operations Headquarters to Himmler reporting on executions of Czechs by Waffen SS.

In carrying out its normal military operations units of the Waffen SS engaged in violations of the laws of war by denying quarter to and murdering unarmed prisoners of war.

1634-PS. SHAEF report of investigation of massacre of American prisoners of war at Malmedy by 1st SS Panzer Division.

-PS. Supplementary Report of SHAEF Court of Inquiry, 19 April 1945, finding 20 instances of killing of unarmed allied prisoners in Normandy, France, between 7 and 17 June 1944 by 12th SS Panzer Division (Hitler Jugend), pp. 6-8.

F. Functions and Activities With Respect to Planning and Executing Nazi Racial Principles.

1. Functions - The fundamental principle of the SS was the superiority of "Nordic" blood, the necessity of its continuance and the extermination of all sources which might "dilute" or "taint" it.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), p.

1851-PS. Himmler, Die Schutzstaffeln als anti-bolschewistische Kampforganisation, pp. 21, 22, 30

1919-PS. Himmler's speech to SS Gruppenfuehrers (SS Generals.) in Poznan (4 October 1943), p. 70.

1918-PS. Himmler's speech to officers of SS Leibstandarte "Adolph Hitler" at Metz, p. 12.

The objective was to make the SS an élite group according to Nazi racial and biological theories and through it to assure continued Nazi dominance over Germany and Europe for future generations. The carrying out of this long term objective involved an original careful racial selection of SS members, insuring the future continuance of this elite group, indoctrinating them in racial theories and utilizing them to execute those theories.

a. The racial and physical requirements for admission to membership in the SS and the conditions imposed upon marriage of SS men, in order to maintain a racial elite, have been dealt with in an earlier section of this brief (see pp. 3, 4 supra). In addition to these measures, intensive efforts were made to guarantee the perpetuation of SS stock. SS men were

directed to have a multiplicity of children, the "minimum essential for a good and sound marriage being four". Those being unable to have children of their own were ordered to adopt "racially and hereditarily healthy children and educate them along lines of National Socialist ideology".

2825-PS. Order of Reichsfuehrer SS, 13 September 1936, providing for founding of "Lebensborn" organization, quoted in SS Soldatenfreund (1943) p. 25.

To insure procreation of SS offspring, Himmler, in an order to the whole SS and police in October 1939, urged the bearing of children outside marriage.

"German women and girls of good blood can fulfill a high obligation by bearing children out of wedlock to soldiers going to the front -- not out of promiscuity but out of a deep sense of ethics."

2825-PS. (1) Order to the whole SS and Police, 28 October 1939, issued by Himmler, quoted in SS Soldatenfreund (1943) p. 29.

(2) Order to members of the SS and Police, 30 January 1940, issued by Himmler, quoted in SS Soldatenfreund (1943), p. 31.

Finally in 1942, SS soldiers were withdrawn from the front so that they could produce "as many children of good blood as possible . . . and guarantee the continuation of [their] ancestors and families within a year".

2825-PS. SS Order to the Last Sons, 15 August 1942, issued by Himmler, quoted in SS Soldatenfreund (1943), p. 35.

b. The formulation and administration of SS racial policies was the function of the SS Race and Settlement Main Office (SS Rasse und Siedlungshauptamt), one of the oldest and most important departments in the SS Supreme Command.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitische Lehrgang (1937), pp. 152, 153

2640-PS. Organisationbuch der NSDAP (1943), p. 420

To insure the support of legitimate and illegitimate children of SS men, the "Lebensborn" Organization was created by the SS in 1939.

2825-PS. Order of Himmler, 13 September 1936, providing for foundation of the organization "Lebensborn e. V.", quoted in SS Soldatenfreund (1943), p. 25.

c. SS members were trained in Nazi ideology and racial theories,

2640-PS. Organisationbuch der NSDAP (1943), p. 417

and were required to propagandize them. The SS member

"by his example . . . attracts and convinces at the same time the weak and the inconsistent who have not yet gained the National Socialist ideology One of his most eminent means of propaganda is the periodical "Das Schwarze Korps" (the Black Corps) . . . He has to use his influence so that it may be read by the whole people."

2640-PS. Organisationbuch der NSDAP (1943) p. 418.

2. Activities - The SS, however, was not merely a planning and propagandizing agency, but actively and ruthlessly carried these racial and biological theories into practice.

"Openly and without pity he (the SS member) fights against the most dangerous enemies of the State: Jews, Freemasons, Jesuits and political clergy."

2640-PS. Organisationbuch der NSDAP (1943), p. 418

Thus, the SS served as an instrument for carrying out the Nazi program of extermination of the Jews and of other elements of the population of conquered territories. As Himmler stated in a speech in 1943 to the highest SS leaders:

"Only the SS was equal to the task of exterminating the Jewish people. Others talked about it but had too many reservations . . . To have completed such a mission is an unwritten page of honor in the history of the SS.

1919-PS. Himmler speech to SS Gruppenfuehrers at Poznan (October 1943) pp. 64-67.

Members of the Allgemeine SS, as well as of the Security Police and the SD, were utilized in the planned pogroms and anti-Jewish demonstrations in November 1938.

765-PS. Telegram, 10 November 1938, to all Gestapo offices from Heydrich, Chief of Sipo and SD, as to planning of anti-Jewish demonstrations and use of police and SS troops..

The wholesale exterminations of Jews and other parts of the native population conducted in Poland, the Baltic states and Russia were carried out by various components of the SS. The Einsatzkommando groups (dealt with in the brief on The Gestapo and the SD, pp. 29-34) were composed of SS officers and men chosen from the Security Police, the SD, the Ordinary Police and the Waffen SS.

L-180. Report by SS Brigade Fuehrer Stahlecker on activities of Einsatz Group A from July to October 1941.

1061-PS. Report by SS General Stroop on destruction of Warsaw Shhetto.

L-118. Report from SS Gruppenfuehrer to Higher SS and Police Leader as to Liquidation of Jews in Galicia, 1942-1943, p. 18.

SS Police battalions (units of militarized SS police) played a part in similar extermination actions.

1104-PS. Report by District Commissioner of Sluzk, 21 November 1941, as to liquidation of Jews by SS Police Battalion #11.

R-135. Report, June 1943, by Kube Commissioner General in Minsk as to slaughter of Russians by police battalion.

G. Functions and Activities with Respect to Evacuation and Resettlement of Inhabitants of Conquered Territories.

The permanent colonization of conquered territories, the destruction of their national existence and the permanent extension of the German frontier were fundamental objects of the conspiracy. This involved a program for forcible evacuation and resettlement of inhabitants of these regions who were of doubtful racial stock or doubtful political loyalty, their "denationalization" and "reeducation" in purely German surroundings, and the colonization of evacuated areas by Germans. The program and its execution are covered in the brief on Crimes Against Civilians in Occupied Territories. In carrying out this program hundreds of thousands of persons were evacuated from their homes.

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 196.

R-114. Memorandum of conference, 4 August 1942, of SS representatives as to evacuation of Alsations.

Persons deemed incapable of "Germanization" were transferred to concentration camps. Those who were deemed capable of "reeducation" were transferred to Germany, their property was seized, they were required to join the organization Nazi Party, prohibited from changing their domicile, and forbidden to marry without permission of police authorities. If forcible measures for Germanization failed, they were imprisoned in concentration camps.

R-112. Order of Reichscommissioner for Consolidation of German Nationality, 16 February 1942, as to repatriation of German ethnic groups.

R-114. Memorandum of conferences, 4 August 1942, of SS representatives as to conviction of Alsations.

Participation in the formulation and execution of this program of evacuation and resettlement was a function possessed and exercised by the SS.

One of the fundamental principles of the SS was that of Blood and Earth (Blut und Boden).

1851-PS. Himmler, Die Schutzstufen als anti-bolschewistische Kampforganisation, p. 28

Formulation of policies for carrying this principle into effect by creating a new peasantry through settling SS families on the soil had long been the task of one of the oldest departments of the SS, the SS Race and Settlement Main Office (SS Rasse und Siedlungshauptamt).

2284-PS. d'Alquen, Die SS, p.

The SS was, therefore, a logical instrument for carrying out the evacuation and resettlement program.

On 7 October 1939, the Reichsfuehrer SS and Chief of the German Police, was appointed Reich Commissioner for the Consolidation of German Nationality (Reichskommissar für die Festigung des deutschen Volkstrums).

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 198.

In this capacity his first duty was

"to evacuate the persons of German race from the Baltic countries and from the former Polish territories in accordance with National Socialist ideology It was to be his further duty to begin the racial consolidation and resettlement of the reclaimed German Eastern territories".

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 195

The program was extended to other territories as they were occupied.

A new department of the SS Supreme Command, the Staff Headquarters of the Reich Commissioner for the Consolidation of German Nationality (Stabshauptamt Des Reichskommissars für die Festigung Volkstrums) was created to make and to carry out plans concerning the resettlement policy, "especially the choice of human material to be settled".

2640-PS. Organisationbuch der NSDAP (1943), p. 422

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 195

Other departments of the SS Supreme Command, already existing, were also utilized: the SS Hauptamt Volkdeutsche Mittelstelle (Department for Repatriation of Germans), the SS Rasse und Siedlungshauptamt (SS Race and Settlement Office) and the Reichssicherheitshauptamt (Reich Security Main Office - RSHA) were particularly concerned.

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 195

2640-PS. Organisationbuch der NSDAP (1943),
pp. 420, 422

R-114. Memorandum of conference, 4 August 1942,
to formulate evacuation and resettlement
program for Alsace attended by representa-
tives of principal SS departments.

"Immigration centers" were set up to handle evacuations under
the control of the Chief of the Security Police and SD, the head of RSHA.

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 195.

L-49. Affidavit of Otto Hoffman, Chief of SS Main
Office for Race and Settlement, 4 August 1945.

Execution of the evacuation and denationalization program on the
regional level was the responsibility of the Higher SS and Police Leaders
(Hoeheren SS und Polizeifuehrer) who were directed to utilize the Gestapo
in this work.

R-112. Order of Reich Commissioner for Consolidation
of German Nationality, 16 February 1942, as
to repatriation of Polonized Germans.

Participation in this task was a function carried on throughout the SS
membership.

"Numerous SS leaders and SS men helped with untiring
effort in bringing about this systematic migration
of peoples which has no parallel in history. There
were many administrative difficulties which, however,
were overcome due to the unbureaucratic working
procedure. This was especially guaranteed above all by
the employment of SS leaders."

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 195

To further the program of Germanization, and to assist in dealing with
the political problems raised by forced labor and conscription measures
in "Germanic" occupied territory, units of the Waffen SS were organized
among the inhabitants of such territories.

705-PS. Copy of memorandum of conference of the SS
Committee of the Work Community for the
Germanic Area, 20 January 1943.

2825-PS. SS Soldatenfreund (1943), p. 67

H. Functions and Activities in Connection With Human Experiments

Experiments on living human beings were conducted over a period of
years in concentration camps. The scope and detail of this program are
covered in the brief on Concentration Camps. They were conducted under
the auspices of the Supreme Command of the SS, personnel of the SS were
used in making the experiments, and the SS controlled and authorized the
use of concentration camp inmates for such purposes.

The program of human experiments originated in a request by Dr. Sigmund Rascher to Himmler as Reichsfuehrer SS for permission to utilize persons in concentration camps as material for experiments with human beings in a pressure chamber, in connection with research he was conducting for the Luftwaffe. In making his request Dr. Rascher stated that

"No test with human material had yet been possible with us, as such experiments are very dangerous and nobody offers himself."

and that from such experiments "test persons can of course die".

1602-PS. Photostat letter, 15 May 1941, to Himmler, Dr. Rascher's signature.

Assurance that he would be allowed to utilize inmates for his experiments was promptly given to Dr. Rascher by Himmler through the Personal Staff of the Reichsfuehrer SS (Hauptamt Persoenlicher Stab).

1582-PS. Photostat letter, 22 May 1941, to Dr. Rascher, signature SS Sturmbannfuehrer Brandt.

The experiments were conducted and General Field Marshall Milch, on behalf of the Luftwaffe, expressed his thanks to the SS for assistance furnished in connection with the experiments.

343-PS. Original letter, 20 May 1942, to Wolff, Chief of the Personal Staff, signature of Milch.

Subsequently Dr. Rascher and his associates, at the direction of the Reichsfuehrer SS, conducted freezing experiments on human beings at Dachau, Auschwitz and Lublin Concentration Camps.

1618-PS. Photostat report of Freezing Experiments, 15 August 1942, signature of Dr. Rascher.

1617-PS. Photostat letter, 13 November 1942, to General Field Marshall Milch, Himmler's signature.

1612-PS. Photostat letter, 13 December 1942, to Dr. Rascher, Himmler's signature.

Dr. Rascher was transferred from the Luftwaffe to the Waffen SS so that his experiments could be under SS control.

1617-PS. Photostat letter, 13 November 1942, to General Field Marshall Milch, Himmler's signature.

To facilitate these experiments a new section of the Ahnenerbe Institute was created of which Rascher was made head.

Transcript of Interrogation of Wolfram Sievers,
29 August 1945, p. 8; 30 August 1945,
pp. 12, 16; and 6 September 1945, p. 11.

The Ahnenerbe Institute was under the direction of the Personal Staff of the Reichsfuehrer SS, one of the principal departments of the SS.

1852-PS. Best, Die Deutsche Polizei, p. 88

Supplies and equipment for the Rascher experiments were obtained through the Ahnenerbe Institute, the Reich Surgeon of the SS and Police and the SS Economics and Administration Main Office (WVHA).

1612-PS. Photostat letter, 13 December 1942, to Dr. Rascher, Himmler's signature.

Transcript of Interrogation of Wolfram Sievers,
30 August 1945, p. 16.

Experiments by other doctors at other concentration camps were also conducted at the direction of the Reichsfuehrer SS,

Transcript of Interrogation of Dr. Gebhardt,
21 September 1945, pp. 4, 12.

Transcript of Interrogation of Dr. Fischer,
19 September 1945, pp. 10, 12;
20 September 1945, pp. 7, 8.

Transcript of Interrogation of Leonardo Conti,
1 September 1945 (PM), pp. 8, 9;
6 September 1945, p. 2; 29 September
1945, pp. 5, 6.

The Reich Surgeon of the SS and Police personally supervised the experiments and received reports about them.

Transcript of Interrogation of Dr. Gebhardt,
21 September 1945, pp. 4, 12.

Transcript of Interrogation of Dr. Fischer,
20 September 1945, pp. 7, 8.

Transcript of Interrogation of Dr. Schilling,
5 September 1945, pp. 11, 12.

Requests for use of inmates for experimental purposes were directed to and approved by the Personal Staff of the Reichsfuehrer SS and the SS Economic and Administration Main Office.

1582-PS. Photostat letter, 22 May 1941, to Dr. Rascher, signature SS Sturmbannfuehrer Brandt.

1583-PS. Photostat letter, 15 November 1942, to Chief of WVHA, Himmler's signature.

1751-PS. Photostat letter, 12 May 1944, from Office of Chief of Department D of WVHA to Commanders of Concentration Camps, prohibiting use of inmates without permission of WVHA.

The Reich Surgeon of the SS and Police officially requested funds from the Ministry of Finance for experimental laboratories for the Waffen SS. Because of his representation that the SS had human material not available to other institutions, the request was granted.

- 002-PS. (1) Letter, 19 December 1942, to Reich Research Department from Ministry of Finance, reporting request of SS for additional funds.
- (2) Letter, 26 February 1943, from Reich Surgeon of SS and Police to Reich Research Department, stating requirement for funds.
- (3) Letter, 25 March 1943, to Minister of Finance from Reich Research Department, stating that funds should be granted.

The SS took the lead in these experiments because of its unique ability to furnish human material.

Transcript of Interrogation of Dr. Gebhard,
21 September 1945, p. 12

I. Participation of the Defendants in the SS.

Of the defendants in the case 11 were members of the SS, to wit, Goering, Ribbentrop, Hess, Kaltenbrunner, Rosenberg, Frank, Bormann, Frick, Sauckel, Neurath, and Seyss-Inquart. While all of these defendants benefited from the activities of the SS in carrying out their part in the conspiracy, some were more particularly and directly involved in its activities.

The defendant Kaltenbrunner was head of the Reichssicherheitshauptamt (Reich Security Main Office), one of the principal Departments of the SS. As head of that department and as Chief of the Security Police and SD, he utilized and controlled the operations of the SD and of other units and members of the SS working with the SD. Details as to the acts committed by him in this capacity, through use of the Police and the SD, are covered in the brief on the Gestapo and the SD, Part VII, Page 56 et seq.

The defendant Goering, with the cooperation of Himmler, utilized the SS to suppress potential exponents of the Nazi regime in the purge of 20 June 1934.

2640-PS. Affidavit of Rudolf Diels, 31 October 1945.

He turned over to Reinhard Heydrich, head of the SD, responsibility for making all necessary preparations, through that and police organizations, for the complete solution of the Jewish question.

710-PS. Copy of letter from Goering to Heydrich,
31 July 1941.

He utilized the SS, and its control over concentration camps, to obtain forced labor from such camps in the expansion of the aircraft industry.

1584-PS. Correspondence between Himmler and Goering
re. use of concentration camp inmates in
aircraft industry.

He used the SS, and its control over concentration camp inmates, to assist the Luftwaffe in high altitude experiments on human beings.

343-PS. Letter, 20 May 1942, to Chief of the
Personal Staff of the SS, signature
General Field Marshall Milch.

ARGUMENT AND CONCLUSION

From 1925 until the end of the war the SS played a major role in all phases of the conspiracy and in the crimes against peace, the war crimes and the crimes against humanity involved in carrying out the conspiracy.

It was the most Nazi of all Nazi organizations. Its members voluntarily pledged themselves to uncompromising obedience in the struggle to secure the dominance of the Nazi regime in Germany, in guaranteeing the continuance of that regime, and in extending the power of that regime throughout Europe.

As an organization founded on the principle that persons of "German blood" were a "master race", it in itself exemplified the doctrinal techniques of the conspiracy set forth in Count One, Par. IV (C). It served as one of the principal instruments through which the conspirators acquired control of the German government, as set forth in Count One, Par. IV (D) (1). The operations of the SD, and of the SS Totenkopf Verbaende in concentration camps, were means used by the conspirators to secure their regime and terrorize their opponents, as set forth in Count One, Par. IV (D) (3) (b). All components of the SS participated from the beginning in the program to exterminate the Jews, set forth in Count One, Par. IV, (D) (3) (d). Through the Allgemeine SS as a para-military organization, and the SS Verfuegungstruppe and SS Totenkopf Verbaende, as professional combat forces, the SS participated in the military preparations for aggressive war set forth in Count One, Par. IV (D) (3) (f). All these units were utilized in the invasion of Austria, in the preparations for, and in the invasion of, Czechoslovakia and in the attack on Poland, set forth in Count One, Par. IV (F). The Waffen SS participated in the waging of aggressive war, set forth in Count Two. In the course of such war all components of the SS participated in the war crimes and crimes against humanity, set forth in Counts Three and Four, particularly the murder and ill treatment of civilian populations in occupied territory, the murder and ill treatment of prisoners of war and Germanization of occupied territories.

It was at all times the exclusive function and purpose of the SS to carry out the common objectives of the defendant conspirators. Its

activities in carrying out those functions involved the commission of the crimes defined in Article 6 of the Charter. It is submitted therefore that the SS, by reason of its aims and the means used for the accomplishment thereof, should be declared a criminal organization in accordance with Article 9 of the Charter.

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Section 6.

APPENDIX A

The Supreme Command of the SS (Reichsfuehrung-SS)

A statement of the departments which made up the Supreme Command of the SS in 1943 and of the principal functions of each department is contained in the following:

2640-PS. Organisationbuch der NSDAP (1943)
pp. 419-422.

2825-PS. SS Soldatenfreund (1943) pp. 20-22.

The departments existing in 1944 are also listed in the following:

2769-PS. Original Order of Battle of the SS,
1 November 1944.

The Departments are the following:

Persönlicher Stab des Reichsfuehrers-SS
(Personal Staff of Reichsfuehrer SS)

SS-Hauptamt
(SS Central Office)

SS-Fuehrungshauptamt
(SS Operational Main Office)

Reichssicherheitshauptamt
(SS Reich Security Main Office)

SS-Rasse-und Siedlungshauptamt
(SS Race and Settlement Main Office)

SS-Wirtschafts-und Verwaltungshauptamt
(SS Economic and Administrative Main Office)

SS-Personalhauptamt
(SS Personnel Main Office)

Hauptamt SS-Gericht
(SS Legal Main Office)

Hauptamt Ordnungspolizei
(Main Office for Order Police)

Dienststelle SS-Obergruppenfuehrer Heissmeyer
(Bureau SS-Obergruppenfuehrer Heissmeyer)

Stabshauptamt des Reichskommissars fuer die Festigung
deutschen Volkstums
(Staff HQ of the Reich Commissioner for the
Consolidation of German Folkdom)

Hauptamt Volksdeutsche Mitterstelle
(Main Office for Ethnic Germans)

The following description of the principal functions of the more important departments is taken from the Organisationbuch der NSDAP (1943) pp. 419-422:

a. Hauptamt Persönlicher Stab RFSS (Department of the Personal Staff of the Reichsfuehrer SS).

The Personal Staff developed from the Adjutantur of the Reichsfuehrer-SS. Attached to it are further all authorities to which the Reichsfuehrer-SS

has assigned the tasks of putting into effect special plans. The Chief of the Personal Staff is permanent liaison-officer of the Reichsfuehrer-SS at the Headquarters of the Fuehrer. There he deals with all questions of the SS including the Armed-SS and the Police.

b. SS Hauptamt (SS Central Office)

The tasks of the SS Central Office are ideological and political direction, training, and education of the SS, recruiting for the whole SS and Police and those formations, which are attached to the SS, and the registration of the SS-members and their families. A further task is the bodily education of, and cultural care for, the SS. Of special importance are formation and leadership of SS in Germanic countries.

c. Reichssicherheitshauptamt (RSHA or Central Security Department)

The Reich Central Security Department deals in its departments with organisatory, economic, technical matters and matters of personnel of the Security Police and the Security Service (SD). It is further the centre for the executive of the State Police and the Criminal Police and the central office of the information-network of the Security Service (SD).

d. SS Rasse und Siedlungs Hauptamt (RuSHA or Race and Settlement Department)

The SS Central Office for Race and Settlement deals in its departments with the racial selection of SS-recruitment, directs the choice of spouses by the SS-men and furthers the founding of families of value from the viewpoint of hereditary biology and with many children. Suitable SS-men, who wish to settle as farmers, are being enabled to own a farm.

e. SS Führungshauptamt (FHA or SS Operational Headquarters)

The Reichsfuehrer-SS uses the SS Operational Headquarters as command-authority for the leadership of the Armed-SS and for the premilitary and postmilitary leadership and training of the General SS. The SS Operational Headquarters originated in August 1940 from the necessity to bring together in one authority all functions connected with the use, leadership, organisation, and training of the units. In the SS Operational Headquarters there are the following departments: Command-Authority of the Armed SS, Command-Authority of the General SS, SS-Administration Office, SS-Arms Office, Authority for the Training of Leaders, SS-Sanitary Authority, Inspectorate.

f. SS Wirtschafts und Verwaltungs Hauptamt (WVHA or Economic and Administrative Department)

The Economic and Administrative Department deals with all duties with regard to matters of administration and economics, which are assigned to it by the Reichsfuehrer-SS and Chief of the German Police, Heinrich Himmler.

g. Stabshauptamt Des Reichskommissars Für die Festigung Deutschen Volkstums (Staff HQ of the Reich Commissioner for the Consolidation of German Nationality).

It is the duty of the Staff HQ for the Reich Commissioner for the Consolidation of German Nationality to make and carry into effect all necessary plans concerning the settlement and reconstruction, including any problems of administration and economics connected with the resettlement policy, especially the choice of human material to be settled. Its field of activity covers the whole Reich and the territories under the government of the Reich.

h. SS-Hauptamt Volksdeutsche Mittelstelle (Main Office for the Repatriation of Racial Germans)

The Main Office for the Repatriation of Racial Germans deals with problems of race, especially those of the German race. It carries out tasks allotted to it by the Reichsfuehrer SS. The main consideration in this work is strengthening the consciousness of the unity of all Germans and its practical consequences in racial policy.