

THE SLAVE LABOR PROGRAM, THE  
ILLEGAL USE OF PRISONERS OF  
WAR, AND THE SPECIAL RESPONSIBILITY OF DEFENDANTS SAUCKEL  
AND SPIER THEREFOR.

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  - A. Article 6. "The tasks (of prisoners of war) \*\*\* shall have no connection with the operations of war."
  - B. Article 23h. "\*\*\* A belligerent is likewise forbidden to compel the nationals of the hostile party to take part in the operations of war directed against their own country \*\*\*"
  - C. Article 46. "Family honor and rights, the lives of persons (of occupied territory) \*\*\* must be respected."
  - D. Article 52. "Requisitions in kind and services shall not be demanded from municipalities or inhabitants except for the needs of the army of occupation. They shall be in proportion to the resources of the country, and of such a nature as not to involve the inhabitants in the obligation of taking part in military operations against their own country."
3. Prisoner of War Convention (Geneva 1929)
  - A. Article 31. "Labor furnished by prisoners of war shall have no direct relation with war operations. It is especially prohibited to use prisoners for manufacturing and transporting material intended for combatant units."
4. Volume II. Oppenheim, International Law, 3d. Ed. p.240

\*\*\* there is no right to deport inhabitants to the country of the occupant, for the purpose of compelling them to work there. When during the World War the Germans deported to Germany several thousands of Belgian and French men and women, and compelled them to work there, the whole civilized world stigmatized this cruel practice as an outrage."
5. The Department of State instructed the United States Chargé d'Affaires in Germany on 29 November 1916 to repeat the text of the following telegram verbatim to the German Chancellor:

"The Government of the United States has learned with the greatest concern and regret of the policy of the German Government to deport from Belgium a portion of the civilian population for the purpose of forcing them to labor in Germany, and is constrained to protest in a friendly spirit, but most solemnly, against this action, which is in contravention of all precedent and of those humane principles of international practice which have long been accepted and followed by civilized nations in their treatment of non-combatants in conquered territory."

Vol. VI Hackworth. Digest of International Law, p.399.

6. "The occupant may not requisition the delivery of engines of war. It can confiscate them, if there are any, but it cannot compel the inhabitants to produce or assemble them. It cannot force the inhabitants to take part even indirectly in acts of war of their enemies." (Translation supplied) Bonfils. 2d Ed. Droit International Public, Par.1212.
7. Rules of Land Warfare of the United States War Department, FM 27-10, par. 305. Construction of Forts by Inhabitants etc. "The prohibition against forcing the inhabitants of occupied countries to take part in operations of war against their own country precludes requisitioning their services upon works directly promoting the ends of the war, such as construction of forts, fortifications and entrenchments; \*\*\* "



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## Statement of Evidence

I. IN VIOLATION OF THE LAWS OF WAR AND THE LAWS OF HUMANITY THE NAZI CONSPIRATORS PLANNED AND EXECUTED A VAST PROGRAM OF DEPORTATION AND ENSLAVEMENT OF THE CITIZENS OF THE OCCUPIED COUNTRIES BY THE USE OF FORCE AND TERROR.

### A. The Formulation of the Criminal Plan.

The use of vast numbers of foreign workers, most of whom were impressed as slaves, was planned before Germany went to war and was an integral part of the conspiracy for waging aggressive war. On 23 May, 1939 Hitler, in a meeting attended by defendants Goring, Raeder, Keitel and others, stated that he intended to attack Poland at the first suitable opportunity and that:

"If fate brings us into conflict with the West, the possession of extensive areas in the East will be advantageous. . . . .

The population of non-German areas will perform no military service, and will be available as a source of labor."

L79, Minutes of a conference at the Fuehrer's study.

### B. The Purposes of the Criminal Plan.

As will be demonstrated below, the primary purpose of the <sup>slave labor</sup> pro-gram was the strengthening of the Nazi war machine by supplying the manpower required for German war production. The secondary purposes were the depopulation and impoverishment of the rest of Europe, the destruction of people deemed inferior by the Nazis and the permanent weakening of potential enemies. These purposes were revealed in a memorandum submitted to defendant Rosenberg:

"The Slavs are to work for us. In so far as we don't need them, they may die. Therefore compulsory vaccination and German health services are superfluous. The fertility of the Slavs is undesirable. They may use contraceptives or practise abortion, the more the better. Education is dangerous. It is enough if they can count up to 100. At best an education which produces useful stooges for us is admissible. Every educated person is a future enemy. Religion we leave to them as a means of diversion. As for food they won't get any more than is necessary. We are the masters, we come first."

R-36, copy of memorandum to Rosenberg, 19 August 1942, prepared by an official in his Ministry.

Similar ideas were expressed by Himmler, who stated in a speech at Poznan, 4 October 1943, that decent treatment of the Russians was out of the question because of their racial inferiority. Accordingly, it made no difference how many of them should die of hunger and exhaustion unless they were needed as slaves.

1919 PS, Copy of speech by Himmler at Poznan,  
4, October 1943

The theory of the master race as the basis of the conspirators' labor policy in the East was also affirmed by Koch, Reich Commissioner for the Ukraine, at a meeting of the National Socialist Party in Kiev, 5 March 1943:

"We are the master-race . . . I will squeeze the last drop out of this country . . . The people must work, work and work. We are a master-race . . . the lowliest German worker is racially and biologically a thousand times more valuable than the people here."

1130 PS, Copy of Note, 1 April 1943, on speech by Koch, Reich Commissioner of the Ukraine,  
5 March 1943.

C. The Execution of the Criminal Plan.

The purposes described above were achieved by the impressment and deportation of millions of persons into Germany for forced labor, the separation of husbands from their wives and children from their parents, and the imposition of conditions so unfit for human existence as to kill countless numbers.

1. Citizens of the occupied countries were forcibly deported and compelled to work for the German war effort.

((a) Poland:

Poland was the first victim of the Nazi enslavement policy. Defendant Frank, as Governor of the Government General of Poland,



announced that under his program, one million Polish workers were to be sent to Germany and recommended that the police surround Polish villages and seize the inhabitants for deportation.

1375 PS, Letter from Frank to Göring  
25 January 1940.

2233 PS, Frank's Diary, Diary Volume I/1940,  
pp.198, 217; Diary Volume II/1940,  
p. 333.

The instruments of force and terror used to carry out this program reached into many phases of Polish life: German labor authorities raided churches and theaters, seized those present, and shipped them to Germany.

2220 PS, Lammers Report to Himmler, dated  
12 April, 1943.

Polish farmland was confiscated with the aid of the SS, distributed to German inhabitants or held in trust for the German community; and the farm owners were employed as laborers or transported to Germany against their will.

1352 PS, SS report dated May 1940.

Pursuant to the directions of defendant Sauckel, his agents and the SS deported Polish men to Germany, without their families, thereby accomplishing the basic purposes of the program: supplying labor for the German war effort, and weakening the reproductive potential of the Polish people.

L61, Express letter, Sauckel to the Presidents  
of the Landes Employment Offices, 26  
November, 1942.

L156, Sauckel letter to the Presidents of the  
Landes Employment Offices, 26 March, 1943.

The Nazi campaign of force, terror and abduction was described in these words to defendant Frank by ~~one~~ of a Ukrainian quisling:

"The wild and ruthless man-hunt as exercised everywhere in towns and country, in streets, squares, stations, even in churches, at night in houses, has badly shaken the feeling of security of the inhabitants. Everybody is exposed to danger, to be seized anywhere and at any time by members of the police; suddenly and unexpectedly, and to be brought into an assembly camp. None of his relatives knows what has happened to him, only months later one or the other gives news of his fate by a postcard. . . . .

In November of last year an inspection of all males of the age groups 1910 to 1920 was ordered in the area

of Zaleschozyki (district of Czortkow). After the men had appeared for inspection, all those who were chosen were arrested at once, loaded into trains and sent to the Reich. Such recruiting of laborers for the Reich also took place in other areas of this district. . . ."

1526 PS, Letter by Dr. Wolodymyr Kubijowytch to Frank, February 1943.

The resistance of the Polish people to the Nazi forced labor program and the necessity for increased force <sup>was</sup> described by Sauckel's deputy, Timm, at a meeting of the Central Planning Board, Hitler's war-time planning agency.

"Especially in Poland the situation at the moment is extraordinarily serious. It is well known that vehement battles occurred just because of these actions. The resistance against the administration established by us, is very strong. Quite a number of our men have been exposed to increased dangers, and it was just in the last two or three weeks that some of them were shot dead, e.g., the Head of the Labor Office at Warsaw who was shot in his office, and yesterday another man again. This is how matters stand presently, and the recruiting itself even if done with the best will remains extremely difficult unless police reinforcements are at hand."

R124, 36th Conference of the Central Planning Board, 22 April 1943, p.2108.

(b) The Occupied Eastern Territories:

Wholesale deportation of civilians from the Occupied Eastern Territories for work in Germany resulted from labor demands made by defendant Sauckel on defendant Rosenberg, the Reichsminister for the Occupied Eastern Territories, and on the defendant Keitel, Chief of the OKW.

016 PS, Sauckel's labor mobilization program dated 20 April 1942.

017 PS, Letter from Sauckel to Rosenberg Ministry dated 5 October 1942.

019 PS, Letter from Sauckel to Rosenberg dated 17 March 1943.

204 PS, Memorandum of a conference, dated 18 February 1943.

2280 PS, Letter from H. Matthiesen to General Commissar, Riga, dated 3 May 1943.

3010 PS, Secret organization order from Economic Inspection South dated 17 August 1943.

R125 Record of Speer Conferences with Hitler on 10, 11, 12 August 1942.

In order to meet those demands, the Nazi conspirators made terror, violence, and arson, the staple instruments of their policy of

enslavement. Two months after defendant Sauckel's demands of 5 October, 1942, the savage and brutal impressment measures in the Ukraine induced even the defendant Rosenberg to restrain his subordinate, Gauleiter Koch, whose cooperation had been enlisted by defendant Sauckel (see 017 PS, supra). The defendant Rosenberg wrote:

"The Arbeitseinsatz and the methods of its execution have led to extremely difficult consequences which today are already reflected in the common attitude . . . . In such a huge process, it is naturally impossible to depend for any length of time on voluntary enlistment alone. Pressure from authorities may often be necessary in the future. However, it must be avoided, that lines in front of theaters be taken up and transported to Germany or that Ukrainians be invited to a movie and the audience be brought from there direct to Germany. . . . Many fled from their villages out of fear of deportation and not just because of evil intention, and if afterward their homes were burned down, then such measures spread like wildfire over the whole country."

194 PS, Letter signed by Rosenberg to Koch,  
14 December, 1942.

The defendant Rosenberg wrote in a similar vein to the instigator of these brutalities, the defendant Sauckel:

"The reports I have received show, that the increase of the guerilla bands in the occupied Eastern Regions is largely due to the fact that the methods used for procuring laborers in these regions are felt to be forced measures of mass deportation, so that the endangered persons prefer to escape their fate by withdrawing into the woods or going over to the guerilla bands."

018 PS, Letter from Rosenberg to Sauckel,  
21 December 1942.

Defendant Rosenberg, nevertheless, countenanced the use of force in order to furnish slave labor to Germany and admitted his responsibility for the "unusual and hard measures" that were employed.

"Q. You recognized, did you not, that the quotas set by Sauckel could not be filled by voluntary labor, and you didn't disapprove of the impressment of forced labor; isn't that right?

A. I regretted that the demands of Sauckel were so urgent that they could not be met by a continuation of voluntary recruitment and thus I submitted to the necessity of forced impressment."

Transcript of Interrogation, Alfred Rosenberg,  
6 October, p.m., 1945, p.4.

In a letter dated 21 December, 1942, Defendant Rosenberg stated:

"Even if I do not close my eyes to the necessity that the numbers demanded by the Reichs Minister for weapons and ammunitions as well as by the agricultural economy justify unusual and hard measures, I have to ask, due to the responsibility for the occupied Eastern Territories which lies upon me, that in the accomplishment of the ordered tasks such measures be excluded, the toleration and prosecution of which will some day be held against me and my collaborators."

018 PS, Letter signed by Rosenberg to Sauckel, dated 21 December 1942. (underscoring supplied)

Moreover, Reichskommissar Koch of the Ukraine, a subordinate of the defendant Rosenberg, whom Sauckel personally visited for the purpose of emphasizing the urgency of the manpower requirements of Germany, was a particular advocate of the use of brutality and force and one of Sauckel's principal sources of manpower.

556 PS-37, Letter from Sauckel to Hitler dated 23 June 1943.

020 PS, Rosenberg memorandum of conversation with Sauckel, dated 15 April 1943.

As early as May 20, 1942, Koch had, with reference to the North Volhyinian forest areas, issued an order:

"to use means of violence up to setting the farms on fire in all cases of resistance to our recruiting work, and thus to maintain the prestige of German authority. The order was addressed to the General Commissar so as to grant sufficient warrant to the activity of the executive power in this collective punishment."

192 PS, Koch report to Rosenberg, dated 16 March 1943, pp.21-22.

Koch's policies were carried out by his subordinates. For example, Paul Raab, a district commissioner in the territory of "assilkow, reported to the defendant Rosenberg that he had held fathers as hostages for their sons who had evaded compulsory recruitment. After both fathers and sons had escaped, he ordered their houses burned down. On another occasion he issued a similar order to burn down houses of persons evading conscription. He always reported these actions to his superiors who approved them because of their success.

254 PS, Letter from Raab to Rosenberg, dated 7 June 1944.

See also 290 PS, Report on Atrocities in the Ukraine.

Finally, the SS was directed to participate in the abduction of slave laborers and, in the case of raids on villages or burning of villages, to turn the entire population over for slave labor in Germany.

3012 PS, SS Order, dated 19 March 1943.

From Shitomir, where the defendant Sauckel appealed for more workers for the Reich, the General Commissar reported on the brutality of the conspirators' program, which he described as a program of coercion and slavery.

"The symptoms created by the recruiting of workers are, no doubt, well known to the Reichs Minister through reports and his own observations. . . . It is certain that a recruitment of labor, in this sense of the word, can hardly be spoken of. In most cases, it is nowadays a matter of actual conscription by force. The population has been stirred up to a large extent and views the transports to the Reich as a measure which does in no way differ from the former exile to Siberia. . . . But as the Chief Plenipotentiary for the mobilization of labor explained to us the gravity of the situation, we had no other device. I consequently have authorized the commissioners of the areas to apply the severest measures in order to achieve the imposed quota. . . . The problem of labor mobilization cannot be handled with gloves."

265 PS, Memorandum of oral report from Leyser to Rosenberg, dated 30 June 1943.

As a result of the impressment of laborers, entire areas were depopulated.

"The recruitment of labor for the Reich, however necessary, had disastrous effects. The recruitment measures in the last months and weeks were absolute manhunts, which have an irreparable political and economic effect. From White Ruthenia, approximately 50,000 people have been obtained for the Reich so far. Another 130,000 are to be obtained. Considering the 2,400,000 total population, these figures are impossible. . . .

Due to the sweeping drives (Grossaktionen) of the SS and Police in November 1942, about 115,000 Hectar farmland is not used, as the population is not there and the villages have been razed." (Underscoring supplied).

3000 PS, Report from Office of the General Commissar, Minsk, to Riecke, 28 June 1943.

The conspirators' objective of permanently weakening the enemy through the enslavement of labor and the breaking up of families



was announced and carried out in the Occupied Eastern Territories. A plan of the German Army Group Center in Russia and approved by the defendant Rosenberg as Reichsminister for the Occupied Eastern Territories provided for the apprehension of forty to fifty thousand youths of the ages of ten to fourteen for deportation to the Reich. The memorandum setting forth the plan and indicating its similarity to one previously executed stated:

"It is intended to allot these juveniles primarily to the German trades as apprentices to be used as skilled workers after two years training. This is to be arranged through the Organization TODT which is especially equipped for such a task through its technical and other set-ups. . . . .

1. This action is not only aimed at preventing a direct reinforcement of the enemy's military strength but also at a reduction of his biological potentialities as viewed from the perspective of the future. These ideas have been voiced not only by the Reichsfuehrer of the SS but also by the Fuehrer. Corresponding orders were given during last year's withdrawals in the Southern sector. (Underscoring supplied).

031 PS, Interoffice memorandum of the Ministry for the Occupied Eastern Territories, 14 June 1944, identified Rosenberg Interrogation 5 October 1945, p.m., p.29.

See also 1702 PS, Report on Evacuation of Kasatin.

(c) France and Italy:

The conspirators impressed French labor for deportation to Germany by applying both direct force on the citizens of France and ~~by the application of~~ strong pressure on the Vichy authorities. They intensified their program in the early part of 1943 after defendant Speer on 4 January 1943 <sup>had</sup> informed defendant Sauckel that:

"On the basis of the Fuehrer's decision, it is no longer necessary to give special consideration to Frenchmen in the further recruiting of specialists and helpers in France. The recruitment can proceed with emphasis and sharpened measures."

556 PS-13, Sauckel note for the files dated 5 January 1943.

On 24 February 1943 the defendant Sauckel advised Hitler that 125,000 qualified French specialists had been brought to Germany since 1 January 1943 and that he was proceeding to France to secure

another 125,000 specialists, in addition to other French labor required for stated needs, and to have:

"Conferences, if necessary, with the French Government for the execution of obligatory labor service, calling of the year classes, etc., for the purpose of activating the Arbeitseinsatz for the sake of securing the German economy for the prosecution of the war."

556 PS-25, Sauckel letter to Hitler dated 24 February 1943.

On 13 August, 1943 the defendant Sauckel reported to Hitler concerning another trip, this time to France, Belgium and Holland:

"In tough, hard and wearisome negotiations, I have imposed the following program for the last five months of the year 1943 upon the occupied Western Territories; furthermore, I have prepared comprehensive measures for its accomplishment. In France, that was done with the military commander, the German Embassy, the French Government, in Belgium with the military commander and in Holland with the officers of the Reichskommissars.

The program provides for:

1. In France, change over of one million French male and female workers from the French civilian industry to the German war industry in France. This measure should make possible another big transfer of German orders into France, as far as the work is concerned.
2. The recruiting and engagement of 500,000 French workers for work in Germany. This figure should not be made public.
3. In order to make the passive resistance of further French circles of officials meaningless, I have ~~instructed~~ ordered the introduction of labor employment commissions, one for each two French departments; this was done with the agreement of the military commander in France. They were put under the supervision and leadership of the German district labor offices (Gauarbeitsaemter). Only this way makes a complete control and intensive utilization of the French working potential possible. The French Government has agreed."

556 PS-43, Letter signed by Fritz Sauckel to Hitler dated August 13 1943.

January, 1944, found the defendant Sauckel in France again, imposing new and even severer demands on the French authorities.

His report to Hitler states:

"The French Government with Marshal Petain on 22 January 1944 largely agreed to my demands for raising the 40-hour week to 48 hours as well as to the extension of the law for obligatory service for France and for the mobilization of French manpower for the Reich. The Marshal did not agree to obligatory

service of French women for the Reich, but to women's obligatory service in France itself, namely women aged 26 to 45. Women aged 18 to 25 are to be obligated to service only in their native town. Since this is considerable progress anyhow, in view of the extremely difficult negotiations which I had to carry on in Paris, and in order to lose no time, I agreed to the law on the supposition that the German demands will be energetically consummated and fulfilled.

The French Government also accepted my demand to hold French officials who sabotage the execution of the obligatory service law, responsible; this under threat of heavy penalties even the death penalty. I left no doubt on the point that, if the demands for furnishing necessary manpower are not fulfilled, further stronger measures will be taken." (Underscoring supplied).

556 PS-55, Letter signed by Fritz Sauckel to Hitler dated January 25 1944.

The defendant Sauckel made it clear that if Frenchmen failed to shoot Frenchmen for not executing compulsory service laws, the Germans themselves would inflict the punishment:

"There is only one solution: the German authorities have to cooperate with each other and if the Frenchmen despite all their promises do not act, then we Germans must make an example of one case, and by reason of this law if necessary put Prefect or Burgomaster against the wall, if he does not comply with the rules; otherwise no Frenchman at all will be dispatched to Germany."

RL24, Minutes of 54th Meeting of Central Planning Board on March 1, 1944, p.5.

Sauckel supplemented the direct application of force against French citizens and the strong pressure which he exerted on the Vichy Government by the development of new impressment measures which were applied in both France and Italy by his own agents, and which he himself labelled as grotesque.

"The most abominable point made by my adversaries is their claim that no executive had been provided within these areas in order to recruit in a sensible manner the Frenchmen, Belgians, and Italians and to dispatch them to work. Thereupon I even proceeded to employ and train a whole batch of French and Italian male and female agents who for good pay just as was done in olden times for 'shanghaiing' went hunting for men and made them drunk by using liquor as well as words, in order to dispatch them to Germany. Moreover, I charged some able men with founding a special labor supply executive of our own, and this they did by training and arming with the help of the Higher SS and Police Fuehrer and a number of natives, but I still have to ask the

Munitions Ministry for arms for the use of these men. For during the last year alone several dozens of very able labor executive officers have been shot dead. All these means I have to apply, grotesque as it sounds, to refute the allegation there was no executive to bring labor to Germany from these countries."

RI24, Minutes of 54th Meeting of the Central Planning Board, 1 March 1944, pp.1770, 1771.

(d) Holland:

The slave hunt proceeded in Holland in the same manner. According to an Army report:

"Real difficulties only arose over the mass arrests of people for forced labor. This has been done unorganizedly and ill-preparedly. They were picked up at random on the street and out of houses, even out of priority jobs. Some did not dare to go on the street, and as a whole it was a great loss."

3003 PS, Report of Lt. Haupt concerning the economic situation of the Armed Forces in the Netherlands.

2. The Number of Workers Enslaved by the Conspirators:

The best available Allied and German data reveal that as of January 1945, approximately 4,795,000 foreign civilian workers had been put to work for the German war effort in the old Reich.

The following nationalities were represented among the foreign workers:

Russians  
French  
Poles  
Italians  
Dutch  
Belgians  
Yugoslavs  
Czechoslovaks  
Balts  
Greeks  
Luxembourgers  
Hungarians  
Rumanians  
Bulgarians

2520 PS, Statistical Summary  
prepared by Edward L.  
Deuss.

Only a small proportion of the foreign workers brought to Germany were volunteers. Conscription and deportation by force were the primary instruments by which the defendant Sauckel and his fellow conspirators fed the German war machine with foreign workers.

The defendant Sauckel reported on the vast scale of the program of enslavement:

"Out of 5,000,000 foreign workers who arrived in Germany, not even 200,000 came voluntarily."

R124, Minutes of the 54th Meeting of the  
Central Planning Board, 1 March 1944,  
p.1026.



II. IN VIOLATION OF THE LAWS OF WAR AND THE LAWS OF HUMANITY THE NAZI CONSPIRATORS SUBJECTED THE ENSLAVED CITIZENS OF OCCUPIED COUNTRIES TO DEGRADING, BRUTAL AND INHUMANE TREATMENT.

A. Transportation of Slave Laborers into Germany.

Workers were transported into Germany under guard from their homelands in grossly overcrowded, unheated railroad cars without sanitary facilities, and unfit for human use. Frequently, slave laborers were deprived of food and water, with the result that many never survived the journey. An employee of the Reich Railway at Essen has described the conditions under which workers were brought from the East to Essen:

" . . . In the middle of 1941 the first workers arrived from Poland, Galicia and Polish Ukraine. They came to Essen in goods waggons in which potatoes, building materials and also cattle have been transported; they were brought to perform work at Krupp. The cars were jammed full with people . . . the people were squashed closely together and they had no room for free movement. . . ."

D321, Affidavit of Adam Schmidt  
12 October 1945.

In an official government report, Vyacheslav M. Molotov, People's Commissar of Foreign Affairs, revealed that:

"The Soviet Government has at its disposal numerous materials depicting the inhuman conditions of the forcible dispatch of peaceful Soviet citizens to Germany in boarded-up cars guarded by soldiers or police. Day and night trains with slaves roll to Germany from the occupied districts of the Ukraine, Byelorussia and Russia. The people are loaded into cars like cattle, 60 to 70 to each boxcar. Exhausted and sick people are thrown out of the cars down embankments and thus the roads to the West are littered with the bodies of Soviet people."

PS, Note of M. Molotov, 11 May 1943,  
Soviet War Documents.

The plight of the ~~seized~~ <sup>interned</sup> was ~~made the worse~~ because many were dragged off without the opportunity of collecting their possessions. Men and women were snatched from bed and locked in cellars pending deportation. Some arrived in nightshirts. Brutal guards beat them and robbed them of such paltry possessions as they may have had. They were locked into railroad cars for hours on end without means of relieving themselves, without food, water or heat. Women were

subjected to physical and moral indignities during medical examinations and delousing procedures.

054 PS, Interoffice Report to Rosenberg  
re treatment of Ukrainian Labor.

The sick and the infirm were taken indiscriminately with the rest. Those who managed to survive the trip into Germany, but who arrived too sick to work, were returned like cattle, together with those who fell ill at work, because they were of no further use to the Germans. The return trip was accomplished under the same terrible conditions as the initial journey, and without any kind of medical supervision. Death came to many, and their corpses were unceremoniously dumped out of the cars with no provision for burial.

054 PS, Interoffice Report to Rosenberg  
re treatment of Ukrainian Labor.

Mothers in the throes of childbirth shared cars with those infected with tuberculosis or venereal diseases. Babies when born were hurled out of car windows. Dying persons lay on the bare floors of freight cars without even the small comfort of straw.

084 PS, Inter-departmental Report to Rosenberg  
30 September 1942.

Some aspects of Nazi transport were described by defendant Sauckel himself:

"According to reports of transportation commanders (Transportleiters) presented to me, the special trains provided by the German railway have frequently been in a really deficient condition. Numerous windowpanes have been missing in the coaches. Old French coaches without lavatories have been partly employed so that the workers had to fit up an emptied compartment as a lavatory. In other cases, the coaches were not heated in winter so that the lavatories quickly became unusable because the water system was frozen and the flushing apparatus was therefore without water."

2241 PS-3, Sauckel decree (sic), 20 July 1942.

B. Treatment of Slave Laborers in Germany.

Slave laborers in Germany were not only ruthlessly exploited but also were subjected to inhuman, brutal, and degrading treatment (see infra). The character of the Nazi program was, in part, made plain by the conspirators' own statement. Defendant Sauckel said:

"All the men must be fed, sheltered and treated in such a way as to exploit them to the highest possible extent at the lowest conceivable degree of expenditure."

016 PS, Sauckel's Labor Program, dated 20 April 1942.

During a meeting attended by Sauckel, it was stated that foreign workers should be allowed to starve in proportion to their declining productivity.

025 PS, Minutes of Conference at Sauckel's office, 4 September 1942.

Force and brutality as instruments of production found a ready adherent in the defendant Speer who, in the presence of the defendant Sauckel, said:

"There is nothing to be said against SS and police taking drastic steps and putting those known as slackers into concentration camps. There is no alternative. Let it happen several times and the news will soon go around."

RL24, Minutes of 21st Meeting of Central Planning Board on 30 October 1942. p.1059.

Field Marshal Milch at a later meeting of the Central Planning Board concerning labor supply agreed that:

"The list of the shirkers should be entrusted to Himmler's trustworthy hands."

and that it would not be possible:

"to exploit fully all the foreigners unless we compel them by piece work or we have the possibility of taking measures against foreigners who are not doing their bit . . . ."

RL24, Minutes of the 53rd Meeting of the Central Planning Board on February 16, 1944, p.1873.

The policy as it was actually executed was even more Draconian than the policy as announced by the conspirators. Impressed workers were undernourished and forced to work on a virtual starvation diet (see Krupp brief, pp. 22-24). <sup>They</sup> ~~Foreign~~ workers were forced to live in grossly overcrowded huttid camps, surrounded by barbed wire, and were otherwise denied adequate shelter. (Id. at pp.24-26). They were denied adequate clothing. (Id. at p.26). They were denied adequate medical care and treatment, and as a result suffered from

many diseases and ailments (Id. at pp. 27-28). They were generally forced to work long hours up to and beyond the point of exhaustion. (Id. at pp. 28-29). They were beaten, tortured and subjected to inhuman indignities. (Id. at pp. 29-32).

A report of the "Polish Main Committee" in Cracow gives a similar description of the treatment of foreign workers in Germany. That report states:

"The cleanliness of many overcrowded camp rooms is contrary to the most elementary requirements. Often there is no opportunity to obtain warm water for washing. Thus the cleanest parents are unable to obtain even the most primitive standard of hygiene or often even to wash their only set of linen. A consequence of this is the spreading of scabies which cannot be fought. . . .

To receive imploring letters from the camps of eastern workers and their prolific families beseeching us for food. The quantity and quality of camp rations mentioned therein - the so-called fourth grade of rations - is absolutely insufficient to maintain the energies spent in heavy work. 3.5 kg. of bread weekly and a thin soup at lunch time, cooked with swedes or other vegetables without any meat or fat, with a sparse addition of potatoes now and then is a hunger ration for a heavy worker.

Sometimes punishment consists of starvation which is inflicted, e.g., for refusal to wear the badge 'East'. Such punishment has the result that workers faint at work - (Camp Klosterteich, Gruenheim Saxony) - The consequence is complete exhaustion, ailments and tuberculosis. Spreading of tuberculosis among the Polish Factory workers is a result of the deficient food rations meted out in the community camps because energy spent in heavy work cannot be replaced. . . .

The call for help which reaches us, brings to light hunger and starvation, severe stomach ailments and of the intestines, especially in the case of children resulting from the insufficiency of food which does not take into consideration the needs of children. Proper medical treatment or care for the sick are not available in the mass camps. . . .

In addition to these bad conditions, there is lack of systematic supervision of these hosts of children which depresses the life of prolific families in the camps. The children, left to themselves without schooling or religious care, must run wild and grow up illiterate. Idleness in rough surroundings may and will create unwanted results. . . . An indication of the awful conditions this may lead to is given by the fact that in the camps for Eastern workers - (camp for Eastern workers, 'Waldlust', Post Office Lauf, Pognitz) there are cases of 8 year old delicate and half-starved children put to forced labor and perishing from such treatment. . . .

The fact that these bad conditions affect dangerously the state of health and the vitality of the workers is proved by the many cases of tuberculosis found on very young people returning from the Reich to the General Government as unfit for work. Their state of health



is usually so bad that recovery is out of the question. The reason is that a state of exhaustion resulting from overwork and a starvation diet is not recognized as an ailment unless the illness results in high fever and fainting spells.

Although some hostels for unfit workers have been set aside as a precautionary measure, only those are sent there whose recovery may no longer be expected - (Neumarkt in Bavaria). Even there the incurables waste away slowly, and nothing is done even to alleviate the state of the sick by suitable food and medicines. There are children ill with tuberculosis whose cure would not be hopeless, and men in their prime who if released in time to their families in rural districts, might be able to recover. . . .

No less suffering is caused by the separation of families when wives and mothers of small children are sent to the Reich for forced labor, and they are torn away from their families. . . .

If under these bad conditions there is no moral strength such as is normally based on regular family life, then at least such moral support should be maintained and increased which the religious feelings of the Polish population require. The elimination of religious services, religious practise and religious care from the life of the Polish workers, the prohibition of church attendance at a time when there is a religious service for other people and similar measures show a certain contempt for religion as an influence on the feelings and opinions of the workers."

R103, Report of Polish Main Committee,  
dated 17 May 1944.

Conditions were so bad that even defendant Rosenberg was impelled to write the Minister of Justice as follows:

"My agents report to me that the morale among the laborers from the Eastern races, especially in the so-called Eastern laborer camps, is decreasing more and more. . . The cause of this lies mainly, in spite of all instructions and references, in the repeatedly noticed ill-treatment, as well as in the partly insufficient care and supervision of laborers of the Eastern races in the camps and places of works. . . .

. . . thus the main complaint which has been brought to my attention, that the laborers from the Eastern races must still tolerate all kinds of beatings, mistreatments, and insults; that the rationed foods and pleasure articles as well as necessary articles have been stolen or embezzled and displaced. Rightful complaints were not only not taken into account, but would work out very often to the disadvantage of the complainant or informer."

373 PS, Letter from Rosenberg to Reichsminister  
of Justice.

Eastern workers were singled out for "special treatment".

Thus Himmler issued a secret circular to SD and Security Police officers directing that:

1. Guards were to inflict corporal punishment on recalcitrant Eastern workers.
2. In severe cases of breach of discipline Eastern workers were to be sent to concentration camps, or to receive "special treatment" (Sonderbehandlung).
3. Escaped Eastern workers were to receive "special treatment" upon recapture.
4. "Special treatment" was to be accomplished by hanging, to be witnessed by other workers as an object lesson.

Secret Order of Reichsfuehrer SS, 20 February 1942, Allgemeine Erlaessammlung, Vol. 2, sec. 2 A III, p. 15, para. A III, 1-6, VIII

A subordinate of defendant Rosenberg described the treatment of the Eastern workers in the following terms:

"A regular manhunt was inaugurated. Without consideration of health or age the people were shipped to Germany where it turned out immediately that far more than 100,000 had to be sent back because of serious illnesses and other incapacities for work. . . . Now 400,000 female household workers from the Ukraine are to come to Germany, and already the German press announces publicly that these people have no right to free time and may not visit theaters, movies, restaurants, etc., and may leave the house at the most three hours a week, apart from exceptions concerning duty.

In addition, there is the treatment of the Ukrainians in the Reichs Commissariat itself. With a presumption unequalled, we put aside all political knowledge and to the glad surprise of all the colored world treat the people of the occupied Eastern territories as whites of Class 2, who apparently have only the task of serving as slaves for Germany and Europe. . . . Their sustenance interests us only insofar as they are still capable of labor, and in every respect they are given to understand that we regard them as of the most minute value."

294 PS, Top Secret Memorandum, signed Braeutigan, dated 25 October 1942.

See also Vol. II Verfuegungen/Anordnungen/Bekanntgaben, p.589.

Eastern workers were not only severely limited in their freedom of movement, but also were subjected to special forms of degradation such as the requirement of wearing distinctive markings.

2240 PS-1, General Instructions for employment of workers from the East issued by Reichsfuehrer SS, 20 February 1942.

2241 PS-2, Publication and adoption of major portion of foregoing instructions by defendant Sauckel.



RL48, Various directives concerning treatment  
of Polish workers in Germany.

EC68, Letter to all Kreis farm organizations  
in Baden, 6 March 1941. (Dealing  
with treatment of Poles assigned to  
agriculture).

Finally, the Nazi conspirators used their program of slavery,  
not only as an instrument of direct production, but also as an  
instrument of finance.. Workers received only a fraction of their  
pay: A portion of their salary was retained by their employer as  
compensation for their subsistence; another portion went to the  
State in the form of taxes paid by the employer for the privilege  
of using slave labor.

2039 PS, 1942 Reichsgesetzblatt, Part I,  
p.419, Decree concerning conditions  
of employment of Eastern workers.

III! IN VIOLATION OF THE LAWS OF WAR THE NAZI CONSPIRATORS COMPELLED CITIZENS OF THE OCCUPIED COUNTRIES AGAINST THEIR WILL TO PRODUCE ARMS AND MUNITIONS AND TO CONSTRUCT MILITARY FORTIFICATIONS FOR USE IN WAR OPERATIONS AGAINST THEIR COUNTRY AND ITS ALLIES

A. Production of Arms and Munitions within the Occupied Countries

The defendant Sauckel by pressure upon the Vichy Government (see supra, pp. 7-10) caused the French Government to direct large numbers of French workers into the armament plants working for the German war effort in France.

407 IV PS, Teletype from Sauckel to Hitler,  
dated 6 April 1943  
556 PS Part 25, Letter from Sauckel to Hitler,  
dated 24 February 1943  
556 PS Part 39, Teletype from Sauckel to  
Hitler, 27 June 1943  
556 PS Part 41, Note of conference with Hitler,  
28 July 1943  
556 PS Part 43, Letter, Sauckel to Hitler,  
13 August 1943

Similarly, the defendant Sauckel caused the German military commanders and civilian administrators in Holland and in Belgium to transfer workers to local plants working for the German war effort.

556 PS 43, Letter from Sauckel to Hitler,  
13 August 1943

Belgian workers who refused to work in the armaments industry in Belgium were sent to concentration camps.

3001 PS, War Diary, Commander of Armaments  
Industry Liege, 1943, 4th quarter,  
p. 3

B. Production of Arms and Munitions within Germany

The primary purpose of the entire slave labor program was to compel the people of the occupied countries to work for the German war economy.

016 PS, Sauckel's Labor Mobilization Program,  
dated 20 April 1942  
1375 PS, Letter from Frank to Göring, dated  
25 January 1940  
1666 PS, 1942 Reichsgesetzblatt Part I, p. 179,  
Decree appointing Sauckel

The magnitude of this program was indicated by a report from Sauckel to Hitler that 3,648,056 new foreign workers had been brought to Germany between 31 March 1942 and 1 April 1943 and that of these 1,568,801 were engaged in the manufacture of armaments.

407 PS VI, Letter from Sauckel to Hitler,  
15 April 1943

Further evidence of this use of enslaved foreign labor is found in a report of a meeting of the Central Planning Board on 16 February 1944, during which Field Marshal Milch stated that 40 per cent of the workmen in the armament industry were foreign laborers.

R 124, Minutes of 53rd meeting of Central  
Planning Board, 16 Feb 1944, p. 1863

Moreover, according to Speer Ministry tabulations, as of 31 December 1944 approximately two million civilian foreign workers were employed directly in the manufacture of armaments and munitions (end products or components).

2520 PS, Statistical summary prepared by  
Edward L. Deuss

That the bulk of these workers had been forced to come to Germany is made clear by Sauckel's statement that of five million foreign workers who had been brought to Germany, only 200,000 came voluntarily.

R 124, Minutes of 54th Meeting of Central  
Planning Board, 1 March 1944, p. 1826

#### C. Construction of Fortifications

Citizens of France, Holland and Belgium were compelled against their will to engage in the construction of the "Atlantic Wall." On 8 September 1942, in a Hitler order initialed by the defendant Keitel, it was stated:

"The extensive coastal fortifications which I have ordered to be erected in the area of Army Group West make it necessary that in the occupied territory all available workers should be committed and should give the fullest extent of their productive capacities. The previous

allotment of domestic workers is insufficient. In order to increase it, I order the introduction of compulsory labor and the prohibition of changing the place of employment without permission of the authorities in the occupied territories. Furthermore, the distribution of food and clothing ration cards to those subject to labor draft should in the future depend on the possession of a certificate of employment. Refusal to accept an assigned job, as well as abandoning the place of work without the consent of the authorities in charge, will result in the withdrawal of the food and clothing ration cards. The GBA (Deputy General for Arbeitseinsatz) in agreement with the military commander as well as the Reich Commissar, will issue the corresponding decrees for execution."

556 PS 2, Hitler order of 8 Sept 1942. See also 3009 PS, Report of Chief of Belgian armament industry, 20 March 1944, Ref. 144/44, par. (e)

On 17 May 1943, the defendant Sauckel boasted to Hitler concerning the contribution of the forced labor policy to the construction of the Atlantic Wall by the defendant Speer's Organization Todt (OT):

"In addition to the labor allotted to the total German economy by the Arbeitseinsatz since I took office, the Organization Todt was supplied with new labor continually. The total number of laborers employed by the OT amounted to:

270,969 at the end of March 1942, and  
696,003 at the end of March 1943

"In this it is noteworthy that the Arbeitseinsatz has accelerated the OT in the West for the purpose of completing the work on the Atlantic Wall and has furnished laborers with utmost energy. This is all the more remarkable because:

- 1) In France, Belgium and Holland the industries work for the German war economy exclusively, and must always be supplied with labor in any case;
- 2) Great numbers of workers must be placed at the disposal of the German economy within the Reich itself.

"In spite of the attendant difficulties, the supply of the OT in the West was raised from:

66,701 at the end of March 1942, to  
248,200 at the end of March 1943

"Thus, the Arbeitseinsatz has done everything to help make possible the completion of the Atlantic Wall."

407 PS VIII, Telegram, Sauckel to Hitler,  
17 May 1943

Similarly, Russian civilians were forced into labor battalions and compelled to build fortifications to be used against their own countrymen:

"... men and women in the theaters of operations have been and will be conscripted into labor battalions to be used in the construction of fortifications. . . ."

031 PS, Interoffice Report to Rosenberg, Supra.

IV. IN VIOLATION OF THE LAWS OF WAR THE NAZI CONSPIRATORS *meit*  
COMPELLED PRISONERS OF WAR TO ENGAGE IN OPERATIONS OF  
WAR AGAINST THEIR OWN COUNTRY AND ITS ALLIES.

A. Active Military Operations.

The Nazi conspirators compelled Russian prisoners of war to engage in active military operations against their own countrymen. At a meeting held on 16 February 1943, attended by the defendants Speer and Sauckel, Field Marshal Milch stated:

"We have made a request for an order that a certain percentage of men in the anti-aircraft artillery must be Russians. 50,000 will be taken altogether; 30,000 are already employed as gunners. This is an amusing thing that Russians must work the guns."

R 124, Minutes of 33rd Meeting of Central Planning Board, 16 Feb 1943, p. 2298  
(underscoring supplied)

Moreover, in the attack upon Tschudowo, the Germans compelled Russian prisoners of war to act as ammunition bearers.

PS, Picture dated 25 August 1941 of  
attack on Tschudowo

Finally, in July and August of 1941 the Germans compelled Russian prisoners of war in Latvia and the Ukraine to load and unload ammunition trains and trucks.

PS, Series of pictures depicting loading  
and unloading of ammunition trains and  
trucks.

B. Production of Arms and Munitions

French prisoners of war previously employed by the Organization Todt in the construction of Autobahns were forced to engage in aircraft production against their will upon the personal orders of the defendant Göring.

3005 PS, Letter dated 26 August 1941 from Reich Labor Minister to Presidents of regional labor offices.

A similar policy was followed with respect to Russian ~~PWs~~ *prisoners of war*. Thus, the defendant Keitel directed the execution of Hitler's order to use such prisoners in the German war economy. He stated:

"The PW's can be used by the . . . .

"II. Construction and armament industry,  
a. Work units for holdings of all kind, especially for coastal fortifications.  
b. Suitable armament factories, where most of the workers should be PW's under supervision. . . .

"III. Other war industries,  
a. Mining . . . .  
b. Railroad-construction units . . . .

"In charge of PW's should be  
ad I. The Wehrmacht  
ad II. Reichsminister for Arms and Ammunition and Inspector General for German Roads, together with Secretary of Labor and OKW (Wi Ru Amt).

"Officials of Reichsminister for Arms and Ammunition are to be admitted for selection of skilled workers. . . . .

"OKW (AWA) will furnish the Secretary of Labor with information for the best use of this labor and will also furnish the labor force. . . ."

EC 194, Memorandum of Keitel, 31 October 1941

The defendant Göring at a conference at the Air Ministry on 7 November 1941 expanded on the use of PW's in the armament industry. Among other things he directed that French and Belgian prisoners of war be employed in the armament industry; that prisoners of war in Germany and Bohemia-Moravia be used in armor and cannon factories and in airplane motor part factories.



1193 PS, Instructions concerning use of prisoners of war based on Göring remarks at Air Ministry, 7 Nov 1941

1206 PS, Memorandum of Göring remarks at Air Ministry, 7 November 1941

Defendant Speer also sponsored and applied the policy of using PW's in the armaments industry.

"I have proposed to the Führer, end of December, to release all my labor force, including specialists, for a concentrated effort in the East. The remaining, about 10,000 PW's, were put at the disposal of the armaments industry upon my orders."

1435 PS, Speech by Albert Speer to Gauleiters, 24 February 1942

He also reported, at the 36th Meeting of the Central Planning Committee, on 22 April 1943, that only 90,000 Russian prisoners of war were engaged in the armament industry. This he found unsatisfactory:

"There is a specified statement showing in what sectors the Russian PW's have been distributed, and this statement is quite interesting. It shows that the armaments industry only received 30 per cent. I always complained about this." (Underscoring supplied.)

R 124, Minutes of 36th Meeting of Central Planning Board on 22 April 1943, p. 2114

The defendant Sauckel, who was appointed Plenipotentiary General for the utilization of labor, for the express purpose, among others, of integrating prisoners of war into the German war industry, made it plain that all PW's were to be compelled to serve the German armament industry.

"All prisoners of war, from territories of the West as well as of the East, actually in Germany must be completely incorporated into the German armament and nutrition industries. Their production must be brought to the highest possible level."

016 PS, Sauckel's Labor Mobilization Program, dated 20 April 1942

1666 PS, 1942 Reichsgesetzblatt, Part I, p. 179

V. IN VIOLATION OF THE LAWS OF WAR AND THE LAWS OF HUMANITY, THE NAZI CONSPIRATORS COMPELLED ALLIED NATIONALS AND OTHER INMATES OF CONCENTRATION CAMPS, AGAINST THEIR WILL, TO PRODUCE ARMAMENTS AS PART OF THE NAZI PROGRAM OF EXTERMINATION THROUGH WORK.

A. Reorganization of the Concentration Camps for Armament Production.

In the spring of 1942 the Nazi conspirators turned to the concentration camps as a further source of slave labor for the armaments industry. The new policy initiated by Himmler in March 1942 was summarized by one of his subordinates as follows:

"1.) The war has brought about a marked change in the structure of concentration camps and has changed their duties with regard to the employment of the prisoners.

The custody of prisoners for the sole reasons of security, education, or prevention is no longer the main consideration. The emphasis has been shifted to the economic considerations. The mobilization of all prisoners for purposes of war now, and for purposes of construction in the forthcoming peace comes to the foreground more and more.

2.) From this knowledge some necessary measures result with the aim to transform the concentration camps into organizations more suitable for the economic tasks, whilst they were formerly merely politically interested.

3.) For this reason I have gathered together all the leaders of the former Inspectorate of Concentration Camps, all Camp-Commanders, and all managers of work on the 23rd and 24th of April 1942; I have explained personally to them this new development. I have compiled in the order attached the main essentials, which have to be brought into effect with the utmost urgency if the commencement of work for purposes of the armament industry is not to be delayed."  
(Underscoring supplied).

R.129, Letter from Pohl to Himmler.

The order referred to in paragraph 3 above set the framework for a program of relentless exploitation, providing in part as follows:

"4.) The Camp-Commander alone is responsible for the employment of the labor available. This employment must be in the true meaning of the word, exhaustive, in order to obtain the greatest measure of performance. . . . .

5.) There is no limit to working hours. Their duration depends on the kind of working establishments in the camps and the kind of work to be done. They are fixed by the Camp-commanders alone.

6.) 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. It is forbidden to

to allow long walks to the place of working and noon intervals for eating purposes."

R.129, Enclosure to letter from Pohl to Himmler.

B. The Program for Exploiting the Productivity of Concentration Camp Inmates during the Process of Extermination.

The armaments production program described in Section A was not merely a scheme for mobilizing the manpower potential of the camps. It was directly integrated into the larger Nazi program of extermination. The concept of extermination through work was embodied in paragraph 2 of the protocol between Himmler and the Ministry of Justice of 18 September 1942:

"2. The delivery of anti-social elements from the execution of their sentence to the Reich Fuehrer of SS to be worked to death. Persons under protective arrest, Jews, Gypsies, Russians and Ukrainians, Poles with more than 3-year sentences, Czechs and Germans with more than 8-year sentences, according to the decision of the Reich Minister for Justice. First of all the worst anti-social elements amongst those just mentioned are to be handed over. I shall inform the Fuehrer of this through Reichsleiter Bormann." (Underscoring supplied).

The protocol further provided:

"14. It is agreed that, in consideration of the intended aims of the Government for the clearing up of the Eastern problems, in future Jews, Poles, Gypsies, Russians and Ukrainians are no longer to be judged by the ordinary courts, so far as punishable offences are concerned, but are to be dealt with by the Reich Fuehrer of SS."

654 PS, Memorandum of conversation between Himmler and Thierack.

C. Integration of Concentration Camp Labor into Armament Program administered by Defendant Speer.

In September 1942 defendant Speer arranged to bring this new source of labor within his jurisdiction. Speer convinced Hitler that significant production could be obtained only if the concentration camp prisoners were employed in factories under the technical control of the Speer Ministry instead of in camps. In fact, without Speer's cooperation, it would have been difficult to utilize the prisoners on any large scale for war production since he would not allocate to Himmler the machine tools and other necessary equipment.

Accordingly, it was agreed that the prisoners were to be exploited in factories under Speer's control. To compensate Himmler for surrendering this jurisdiction to Speer, Speer proposed, and Hitler agreed, that Himmler would receive a share of the armaments output, fixed in relation to the man hours contributed by his prisoners.

R.125, Minutes of Conference with Hitler on  
September 20, 21 and 22, 1942.

Interrogation of Albert Speer, 10 October  
1945, pp.14-15.

D. The Drive for Additional Concentration Camp Labor.

A demand for concentration camp labor having been created, and a mechanism set up by defendant Speer for exploiting this labor in armament factories, measures were evolved for increasing the supply of victims for extermination through work. A steady flow was assured by the protocol between Himmler and the Ministry of Justice mentioned above, which was implemented by such programs as the following:

"The Poles who are to be evacuated as a result of this measure [General program for evacuation of Poles from Lublin district] will be put in concentration camps and put to work, insofar as they are criminal or asocial elements." (Underscoring supplied).

L61, Letter from Fritz Sauckel to Landes  
Employment Offices.

General measures were supplemented by special drives for persons who would not otherwise have been sent to concentration camps. For example, for "reasons of war necessity" Himmler ordered in December 1942 that at least 35,000 prisoners qualified for work should be transferred immediately to concentration camps. The order provided that:

"1) As of now (so far until 1 February 1943) all Eastern workers or such foreign workers who have been fugitives, or who have broken contracts, and who do not belong to allied, friendly or neutral States are to be brought to the nearest concentration camps. . .

2) The commanders and the commandants of the security police and the security service, and the chiefs of the State Police Headquarters will check immediately on the basis of a close and strict ruling

- a) the prisons
- b) the labor reformatory camps.



All prisoners qualified for work, if it is essentially and humanly possible, will be committed at once to the nearest concentration camp, according to the following instructions, for instance also if penal procedures were to be established in the near future. Only such prisoners who in the interest of investigation procedures are to remain absolutely in solitary confinement can be left there.

Every single laborer counts!"

1063 PS, Letter signed Mueller by direction of Himmler, to all Commanders of the Security Police and others.

Measures were also adopted to insure that extermination through work was practised with maximum efficiency. Subsidiary concentration camps were established near important war plants, such as the factories of defendant Krupp at Essen and Breslau. (Krupp Brief, pp.33-36). Defendant Speer personally toured Upper Austria and selected sites for concentration camps near various munitions factories in the area.

"The fact that we were anxious to use workers from concentration camps in factories and to establish small concentration camps near the factories in order to use the manpower that was available there was a general fact. But it did not come up only in connection with this trip. I.e., Speer's trip to Austria

Interrogation of Albert Speer, 18 October 1945, p.24.

Defendant Goring endorsed <sup>this use of</sup> concentration camp labor by specifically requesting in a telegram to Himmler that as many concentration camp victims as possible be placed at the disposal of the aircraft industry because experience had shown that these labor forces were very useful. The project for which the labor was required was the building of underground aircraft installations. Defendant Speer subsequently assumed responsibility for this program, and Hitler promised Speer's representative that if the necessary labor for the program could not be obtained, 100,000 Hungarian Jews would be brought in by the SS.

1584 PS-1, Teletype from Goring to Himmler

R.125, Minutes of discussions with the Fuehrer on 6 and 7 April 1944.

Interrogation of Albert Speer, 18 October 1945, p.14.

The unspeakably brutal, inhumane, and degrading treatment inflicted on Allied nationals and other victims of concentration camps

while they were being literally worked to death is described in an official report prepared by a U.S. Congressional Committee which inspected the liberated camps at the request of General Eisenhower:

"The treatment accorded to these prisoners in the concentration camps was generally as follows: They were herded together in some wooden barracks not large enough for one-tenth of their number. They were forced to sleep on wooden frames covered with wooden boards in tiers of two, three and even four, sometimes with no covering, sometimes with a bundle of dirty rags serving both as pallet and coverlet.

Their food consisted generally of about one-half a pound of black bread per day and a bowl of watery soup for noon and night, and not always that. Owing to the great numbers crowded into a small space and to the lack of adequate sustenance, lice and vermin multiplied, disease became rampant, and those who did not soon die of disease or torture began the long, slow process of starvation. Notwithstanding the deliberate starvation program inflicted upon these prisoners by lack of adequate food, we found no evidence that the people of Germany as a whole were suffering from any lack of sufficient food or clothing. The contrast was so striking that the only conclusion which we could reach was that the starvation of the inmates of these camps was deliberate.

Upon entrance into these camps, newcomers were forced to work either at an adjoining war factory or were placed 'in commando' on various jobs in the vicinity, being returned each night to their stall in the barracks. Generally a German criminal was placed in charge of each 'block' or shed in which the prisoners slept.... A refusal to work or an infraction of the rules usually meant flogging and other types of torture, such as having the fingernails pulled out, and in each case usually ended in death after extensive suffering. The policies herein described constituted a calculated and diabolical program of planned torture and extermination on the part of those who were in control of the German Government...

.....

On the whole, we found this camp to have been operated and administered much in the same manner as Buchenwald had been operated and managed. When the efficiency of the workers decreased as a result of the conditions under which they were required to live, their rations were decreased as punishment. This brought about a vicious circle in which the weak became weaker and were ultimately exterminated."

L159, Report on "Atrocities and Other Conditions in Concentration Camps in Germany".  
pp. 14, 15 and 11.

Such was the cycle of work, torture, starvation and death for concentration camp labor - labor which defendant Göring said had proved very useful <sup>while</sup> ~~is~~ requesting that more of it be placed at his disposal; labor which defendant Speer was "anxious" to use in the factories under his control.



VI. IN VIOLATION OF THE LAWS OF WAR AND THE LAWS OF HUMANITY THE DEFENDANT SAUCKEL AS PLENIPOTENTIARY GENERAL FOR MANPOWER PLANNED, DIRECTED, AND PARTICIPATED IN THE DEPORTATION AND ENSLAVEMENT OF THE CITIZENS OF THE OCCUPIED COUNTRIES.

A. Defendant Sauckel Participated in the Formulation of Requirements for Foreign Labor and in the Determination of the Numbers of Persons to be obtained from the Occupied Countries.

Overall labor requirements for Germany were fixed by Hitler with the assistance of defendant Sauckel and the Central Planning Board, consisting of defendant Speer, Field Marshal Milch and Staatssekretar Koerner. Defendant Sauckel participated in discussions of the Central Planning Board concerning manpower, the number of workers needed and their allocation. The Central Planning Board after hearing the various claimants for manpower, determined the number of workers needed for a given period of time, and the industries to which they were to be allocated. Defendant Sauckel then determined the areas from which foreign labor should be drawn.

R.124, Minutes of the meetings of the Central Planning Board, passim.

B. Defendant Sauckel was Vested with Full Authority over the Conscription of Foreign Labor.

Defendant Sauckel was appointed Plenipotentiary General for Manpower by a decree of 21 March 1942, signed by Hitler; Lammers, as Reichsminister and Chief of the Party Chancellory; and by the defendant Keitel. The decree further provided that Sauckel was to operate within the framework of the Four Year Plan and was to be directly responsible to the defendant Göring, Commissioner for the Four Year Plan. The decree revealed that Sauckel was appointed to facilitate the acquisition of the manpower required for German war industries, and particularly the armaments industry, by centralizing under the Sauckel the responsibility for the recruitment and allocation of foreign labor and prisoners of war in these industries.

1666 PS, Decree appointing Sauckel,  
1942 Reichsgesetzblatt  
Part I, p.179.

Defendant Sauckel was given authority subordinate only to that of Hitler and Göring, as well as responsibility for all matters relating to the recruitment, allocation, and handling of the manpower.

To this end, the defendant Göring abolished the recruitment and allocation agencies of the Four Year Plan, delegated their functions to the defendant Sauckel and placed his far reaching authority as Commissioner for the Four Year Plan at Sauckel's disposal. Göring's decree provided:

"4. The Plenipotentiary General for Manpower will have at his disposal for the performance of his task the right delegated to me by the Fuehrer for issuing instructions to the higher Reich authorities, their branches and the Party Offices, and their associated organism and also the Reich Protector, the General Governor, the Commander-in-Chief, and Heads of the Civil Administrations."

1902 PS, Göring's Decree of 27 March 1942,  
Reichsgesetzblatt 1942 I, p.180.

Defendant Sauckel's authority was expanded by a decree of Hitler giving him extraordinary powers over the civil and military administrators of the territories occupied by Germany. By virtue of this decree, Sauckel was authorized to place his deputies in the offices of the civil and military occupying authorities; these deputies in turn were empowered to issue directives to the civil and military offices concerned with recruitment.

1903 PS, Hitler Decree of 30 September 1942.

Finally, defendant Sauckel was given broad legislative powers and direct control over the departments of the Labor Ministry through which his administration functioned.

1904 PS, Hitler Decree of 30 March 1943  
1905 PS, Goering Decree of 25 May 1942  
1942 Reichsgesetzblatt I, p.347.

C. Defendant Sauckel formulated a Program which Contemplated the Mass Deportation and Enslavement of the Citizens of Occupied Countries.

Within a month after his appointment defendant Sauckel sent defendant Rosenberg his "Labor Mobilization Program", which might more appropriately have been termed Sauckel's "Charter of Enslavement". This program envisaged the ruthless conscription and exploitation of foreign labor in the interests of the Nazi war machine.

"The aim of this new, gigantic labor mobilization is to use all the rich and tremendous sources, conquered and secured for us by our Fighting Armed Forces under the leadership of Adolf Hitler, for the armament of the armed forces and also for the nutrition of the Homeland.

The Armament and Nutrition needs make it vitally necessary not only to include the entire German labor power but also to call on foreign labor.

All prisoners of war, from the territories of the West as well as of the East, actually in Germany, must be completely incorporated into the German armament and nutrition industries their production must be brought to the highest possible level.

It must be emphasized, however, that an additional tremendous number of foreign labor has to be found for the Reich. The greatest pool for that purpose are the occupied territories of the East.

Consequently, it is an immediate necessity to use the human reserves of the Conquered Soviet Territory to the fullest extent. Should we not succeed in obtaining the necessary amount of labor on a voluntary basis, we must immediately institute conscription or forced labor.

Apart from the prisoners of war still in the occupied territories, we must, therefore requisition skilled or unskilled male and female labor from the Soviet territory from the age of 15 up for the labor mobilization . . . . .

The complete employment of all prisoners of war as well as the use of a gigantic number of new foreign civilian workers, men and women, has become an undisputable necessity for the solution of the mobilization of labor program in this war.

All the men must be fed, sheltered and treated in such a way as to exploit them to the highest possible extent at the lowest conceivable degree of expenditure."

016 P3, Sauckel's Labor Mobilization Program  
dated 20 April 1942.

Defendant Sauckel proceeded to implement this Charter of Enslavement with certain basic directives. He provided that if voluntary recruitment of foreign workers was unsuccessful, compulsory service should be instituted.

1907 P3, Sauckel Order No. 4, Vol. V.  
Verfueguengeh/ Anordnungen/  
Bekanntgaben, p.516.

He provided also for the allocation of foreign labor in the order of its importance to the Nazi war machine:

"3. the resource of manpower that are available in the occupied territories are to be employed primarily to satisfy the requirements of importance for the war, in Germany itself. In allocating the said labor resources in the Occupied Territories, the following order of priority will be observed:

- (a) Labor required for the troops, the occupation authorities, and the civil authorities;
- (b) Labor required for the German armaments (Ruestungen);
- (c) Labor required for food and agriculture;
- (d) Labor required for industrial work other than armaments, which is in the interest of Germany;
- (e) Labor required for industrial work in the interests of the population of the territory in question."

1911 PS, 1942 Reichsarbeitsblatt Part I,  
p. 382, Sauckel Decree No. 10.

D. The Defendant Sauckel executed his enslavement program through his agents, the Police, the SS, the Army, and the civilian administrators of the Occupied Territories.

Sauckel and agencies subordinate to him were vested with authority over the recruitment of workers from every area in Europe occupied by, controlled by or friendly to the German nation. He affirmed this authority in a decree, providing that:

"The recruitment of foreign labor in the areas occupied by Germany, in allied, friendly or neutral states will be carried out exclusively by my commissioners, or the competent German military or civil agencies for the tasks of labor mobilization. Other agencies, organizations or persons are not allowed to recruit foreign labor" . . . . .

"For the carrying out of recruitment in allied, friendly or neutral foreign countries, my commissioners are solely responsible."

1907 PS, Sauckel Order No. 4, Vol. V.  
Verfuegungen/Anordnungen/  
Bekanntgaben, p.516.

In addition, the defendants listed below, who were informed by Sauckel of the quotas of foreign laborers which had been fixed, collaborated with Sauckel and his agents in filling these quotas:

1903 PS, Hitler Decree No. 2, supra.

- a) The defendant Keitel, Chief of the OKW.

3012 PS, Teletype from Chief of Economic Staff  
East dated 11 March 1943.

Interrogation of Fritz Sauckel,  
5 October a.m., 1945, p. 15.

- b) The defendant Alfred Rosenberg, Reichsminister for the Occupied Eastern Territories.

019 PS, Letter from Sauckel to Rosenberg  
dated March 17, 1943, identified  
Rosenberg interrogation, 6 October  
p.m., 1945, p.8.

Interrogation of Alfred Rosenberg  
6 October p.m., pp. 3,4,7,8.

- c) The defendant Seyss-Inquart, Reichskommissar for the Netherlands.

Interrogation of Fritz Sauckel  
5 October a.m., 1945, pp.10,11.

- d) The defendant Hans Frank, Governor General of the Government General of Poland.

Interrogation of Fritz Sauckel,  
5 October a.m., 1945, p. 12.

- e) The SS.

1292 PS, Memorandum of conference with  
Hitler, 4 January 1944.

E. Defendant Sauckel knew that his Demands for Labor could be and were filled only by the Use of Force and Brutality.

Defendant Sauckel was informed that his demands would create great difficulties unless sufficient police were made available.

"Gauleiter Sauckel again demanded that Lithuanian labor be furnished in greater volume for the purpose of the Reich. As the minutes of this conference show, the General Commissar described very forcibly the very great difficulties opposing the preparation of indigenous labor forces, and asked urgently for the preparation of a larger number of German police forces."

204 PS, Memorandum of a conference dated  
18 February 1944.

On January 4, 1944, at a conference between defendant Sauckel, Hitler, defendant Speer, defendant Keitel, Field Marshal Milch, the Assistant Secretary for the Department of Food and Agriculture Backe, the Secretary of the Interior and Reichsfuehrer SS Himmler, and the Reichsminister and Chief of the Party Chancellery Lammers, it was determined that defendant Sauckel was to obtain 4,000,000 new workers from the occupied countries. Defendant Sauckel stated that he doubted his ability to fulfill the requirements unless sufficient police forces were placed at his disposal. Himmler replied that he would endeavor to augment his limited resources, and, by increased pressure, help the defendant Sauckel to achieve his goal.

1292 PS, Memorandum of conference with Hitler  
4 January 1944.

See also:  
R.124, Minutes of 54th Meeting of Central  
Planning Board, 1 March 1944,  
pp.1770, 1771; p.1826.

In requesting the assistance of the Army for the recruitment of 1,000,000 men and women from the Occupied Eastern Territories, defendant Sauckel informed defendant Keitel that the promptest action was required and that, as in all other occupied countries, pressure must be used if other measures were not successful.

3012 PS, Supra

Defendant Sauckel was informed on more than one occasion by defendant Rosenberg that the enslavement of foreign labor was achieved by force and brutality.

018 PS, Letter from Rosenberg to Sauckel  
dated 21 December 1942.

020 PS, Memorandum of Rosenberg-Sauckel  
Conference 15 April 1943.

Notwithstanding his knowledge of conditions, defendant Sauckel continued to request greater supplies of manpower from the areas in which the most ruthless methods had been applied.

E.124, Minutes of Meetings of Central  
Planning Board, passim.

Indeed, when German Field Commanders on the Eastern Front attempted to resist defendant Sauckel's demands because forced recruitment was swelling the ranks of the partisans and making the Army's task more difficult, Sauckel implored Hitler to:

"abolish all orders which oppose the obligation of  
foreign workers for labor"

and added:

"If the obligation for labor and the forced recruiting of workers in the East is not possible any more, then the German war industry and agriculture cannot fulfill their tasks to the full extent."

407-II-PS, Sauckel telegram to Hitler



VII. - IN VIOLATION OF THE LAWS OF WAR AND THE LAWS OF HUMANITY THE DEFENDANT SAUCKEL SUBJECTED FOREIGN LABORERS TO DEGRADING, BRUTAL AND INHUMAN TREATMENT.

A. Responsibility for Transportation of Foreign Workers into Germany.

The barbaric conditions under which Sauckel's slaves were transported to Germany have already been described. The fact that Sauckel, himself, knew about these conditions has also been established (supra p. 13).

2241 PS-3, Sauckel Decree 20 July 1942.

Moreover, defendant Sauckel was, by virtue of his position as Plenipotentiary General for Manpower, was responsible for these conditions. He charged his representatives in the labor offices of the civil and military administrations of the occupied countries with the duty of assembling and operating the transports, and of supplying the food until the transports reached Germany, when the DAF became responsible.

1907 PS Sauckel Order No. 4, Vol. V,  
Verfuegungen/Anordnungen/  
Bekanntgaben.

B. Responsibility for Treatment of Foreign Workers in Germany.

Defendant Sauckel ordered that the care of foreign workers up to the borders of the Reich should be the responsibility of his agents in the occupied territories. With respect to the foreign workers after their deportation to Germany, Sauckel ordered that the DAF care for foreign industrial workers, and the German Food Estate (Reichsnährstand) care for foreign agricultural laborers. Sauckel, however, expressly reserved for himself ultimate responsibility.

"My competence for the carrying out of the care for foreign labor is not prejudiced by the assignment of these tasks to the German Labor Front and to the Reich's Food Estate."

1907 PS, Sauckel Order No. 4, Vol. V  
Verfuegungen/Anordnungen/  
Bekanntgaben, p. 516.

Moreover, defendant Sauckel, pursuant to an agreement with Ley, the head of the DAF, made this emphatically clear by the creation of a Central Inspectorate which was charged with examining the working and

living conditions of foreign workers and of reporting thereon to defendant Sauckel's agency. The agreement expressly provided that the authority of defendant Sauckel to direct his staff to obtain direct information on such conditions remained unimpaired.

1913 PS. 1943 Reichsarbeitsblatt, Part I, p.588. Agreement between Sauckel and Ley concerning the care of non-German workers.

See also:  
1906 PS. 1942 Reichsgesetzblatt I, p.272, Sauckel Order No. 1.

VIII. IN VIOLATION OF THE LAWS OF WAR DEFENDANT SAUCKEL COMPELLED CITIZENS OF THE OCCUPIED COUNTRIES AGAINST THEIR WILL TO MANUFACTURE ARMS AND MUNITIONS AND TO CONSTRUCT MILITARY FORTIFICATIONS FOR USE IN WAR OPERATIONS AGAINST THEIR COUNTRY OR ITS ALLIES.

This charge was plainly substantiated under point IV, (pp.22-24), of this brief where it was established that:

a) Defendant Sauckel was appointed for the express purpose of obtaining foreign manpower for the manufacture of armaments for the Nazi war machine.

1666 PS, 1942 Reichsgesetzblatt Part I,  
p.179, Decree of 21 March 1942.

b) Defendant Sauckel announced that his task was to exploit the entire labor resources of the occupied countries for arming and feeding the German people.

016 PS, Sauckel's Labor Mobilization Program  
of 20 April 1942.

c) Defendant Sauckel forced large numbers of French, Belgian and Dutch workers into armament and other plants working for the German war effort within their respective countries.

556 PS-43, Letter signed by Fritz Sauckel  
to Hitler dated August 13, 1943.

d) Defendant Sauckel compelled French, Belgian and Dutch workers against their will to construct the "Atlantic Wall".

407 PS VIII, Telegram, Sauckel to Hitler,  
17 May 1943.

e) Defendant Sauckel reported to Hitler that of the 3,648,056 new foreign workers brought to Germany between 31 March 1942 and 1 April 1943, 1,568,801 were engaged in the manufacture of armaments.

407 PS VI, Letter from Sauckel to Hitler,  
15 April 1943.

f) Defendant Sauckel stated that of the 5,000,000 foreign workers who had been brought to Germany, only 200,000 came voluntarily, thereby making it clear that the bulk of the foreign workers engaged in German armament production were compelled to do so against their will.

R.124, Minutes of the 54th Meeting of the  
Central Planning Board, 1 March 1944.  
p.1826.

IX. IN VIOLATION OF THE LAWS OF WAR THE DEFENDANT SAUCKEL COMPELLED PRISONERS OF WAR TO PRODUCE ARMS AND MUNITIONS FOR USE IN OPERATIONS OF WAR AGAINST THEIR OWN COUNTRIES AND THEIR ACTIVELY RESISTING ALLIES.

Defendant Sauckel was appointed Plenipotentiary General for Manpower for the express purpose, among others, of integrating prisoners of war into the German war industry (1666PS, supra).

In his first statement of policy he declared:

"All prisoners of war, from territories of the West as well as of the East, actually in Germany must be completely incorporated into the German armament and nutrition industries. Their production must be brought to the highest possible level."

016 PS, Sauckel's Labor Mobilization Program dated 20 April 1942.

In a series of reports to Hitler, defendant Sauckel described how successful he had been in carrying out that program.

407 PS-I,V,VII,IX,XII,XIII

Various communications from Sauckel to Hitler.

556 PS, Pts. 48, 49 - various communications from Sauckel to Hitler

One such report states that in a single year defendant Sauckel

had incorporated 1,622,829 prisoners of war into the German economy.

407 V PS, Sauckel letter to Hitler, April 14, 1943.

A subsequent report states that 846,511 additional foreign laborers and prisoners of war were incorporated into the "German War Industry".

407 IX PS, Sauckel letter to Hitler, dated 3 June 1943.

Finally, on September 19, 1943, defendant Sauckel reported that:

"The first hundred thousand Italian workers from the first contingent of Prisoners of War have been already moved off into the war industries through the Gau Labor Offices; they can resume work within the next few days."

556 PS, Pt. 48, Sauckel telegram to Hitler dated September 19, 1943.

The actual use in the manufacture of arms and munitions of prisoners of war, who were allocated by Sauckel, has been admitted by defendant Speer who stated that forty percent of all prisoners of war were

employed in the production of weapons and munitions and in subsidiary industries.

Interrogation of Albert Speer,  
18 October p.m. 1945, p.22.

See also:

R.124, Minutes of Meeting of Central Planning  
Board, 22 April 1943, p.2114.



X. IN VIOLATION OF THE LAWS OF WAR AND THE LAWS OF HUMANITY THE DEFENDANT SPEER PLANNED AND PARTICIPATED IN A VAST PROGRAM OF FORCIBLE DEPORTATION AND ENSLAVEMENT OF THE CITIZENS OF THE OCCUPIED COUNTRIES.

A. Speer Participated in the Planning of the Slave Labor Program and Concurred in its Adoption.

Defendant Speer has admitted under oath that he participated in the discussions where the decision to use foreign forced labor was made, that it met with his concurrence, and that it was the basis for the program of bringing foreign workers into Germany by compulsion.

"Q. But is it clear to you, Mr. Speer, that in 1942, when the decisions were being taken concerning the use of forced foreign labor that you participated in the discussions yourself?

A. Yes.

Q. So that I take it that the execution of the program of bringing foreign workers into Germany by compulsion under Sauckel was based on earlier decisions that had been taken with your agreement?

A. Yes . . . . ."

Interrogation of Albert Speer,  
19 October p.m. 1945, p.18.

This admission is confirmed by minutes of Speer's conferences with Hitler on 10, 11 and 12 August 1942 in which Speer relates the outcome of negotiations concerning the forced recruitment of a million Russian laborers for the German armaments industry.

"Cauleiter Sauckel promises to make Russian labor available for the fulfillment of the iron and coal program and reports that - if required - he can supply a further million Russian laborers for German armament industry up to and including October, 1942. So far, he has already supplied one million for industry and 700,000 for agriculture. In this connection, the Fuehrer states that the problem of providing labor can be solved in all cases and to any extent; he authorizes Cauleiter Sauckel to take all measures required.

He would agree to any necessary compulsion (Zwangsmassnahmen) in the East as well as in the West if this question could not be solved on a voluntary basis."

R.125, Record of Speer conferences with  
Hitler on 10,11, 12 August 1942  
p.154.

The use of force was again discussed by Hitler and defendant Speer on 4 January, 1943. It was decided that stronger measures were to be used to accelerate the conscription of French civilian workers. Defendant Speer was apparently so anxious that there be no delay in carrying out the decision that he called defendant Sauckel at 8:0'clock that evening from Hitler's study to say that:

"On the basis of the Fuehrer's decision, it is no longer necessary to give special consideration to Frenchmen in the further recruiting of specialists and helpers in France. The recruiting can proceed with emphasis and sharpened measures."

556 PS-13, Note for files signed by Sauckel

B. Defendant Speer knew that Foreign Slave Labor was Obtained from the Occupied Territories by Force and Terror and Approved the Continued Use of these Methods.

Defendant Speer has stated under oath that he knew at least as early as September 1942 that workers from the Ukraine were being forcibly deported for forced labor in the Reich. Likewise, defendant Speer knew that the great majority of the workers from the Western occupied countries were slave laborers forced against their will to come to Germany.

"Q. That means then that the great majority of the workers that came from the Western countries, the Western occupied countries, came against their will to Germany?"

A. Yes."

Interrogation of Albert Speer,  
18 October p.m., 1945, pp.8,9.

This admission is likewise borne out by other evidence: In April 1943, defendant Speer was informed at a meeting of the Central Planning Board that in all countries conscription for work in Germany could be accomplished only with the active assistance of the police and that the prevailing methods of recruitment had provided such violence that many of the German recruiting agents had been killed.

"....In all countries we have to change over more or less to registering the men by age groups and to conscripting them in age groups. They do appear for registration as such, but as soon as transport is available, they do not come back so that the dispatch of the men has become more or less a question for the police.

"Especially in Poland the situation at the moment is extraordinarily serious. It is well known that vehement battles occurred just because of these actions. The resistance against the administration established by us, is very strong. Quite a number of our men have been exposed to increased dangers, and it was just in the last two or three weeks that some of them were shot dead, e.g. the Head of the Labor Office at Warsaw who was shot in his office and yesterday another man again. This is how matters stand presently, and the recruiting itself even if done with the best will remains extremely difficult unless police reinforcements are at hand."

R.124, Meeting of Central Planning Board,  
22 April 1945, p.2107.

Again, at a meeting with the Fuehrer to discuss overall manpower requirements for 1944, defendant Speer was informed by defendant Sauckel that labor requirements for the German war economy (including defendant Speer's requirements of 1,300,000 additional laborers) could be met only if German executives were furnished to direct and enforce the enslavement program in the occupied countries.

"Plenipotentiary Sauckel declared that he will make fanatical efforts to obtain these workers. Until now he has always kept his promises as to the amount of workers to be furnished. For 1944 however he is unable to make a definite promise. He will do everything in his power to furnish the requirements of labor in 1944. Whether it will be possible depends on what German executives are placed at his disposal. With domestic executives this action cannot be prosecuted. The Reichsfuehrer SS (Himmler) expressed that the executives at his disposal are extremely few but that he would try, through additions and increased exertion, to help to make the plan a success."

1292 PS, Minutes of meeting with Fuehrer

Defendant Speer approved the forcible deportation of foreign civilians for forced labor. At a meeting of the Central Planning Board on 16 February 1943, at which defendant Sauckel and his deputy Timm reviewed the difficulties of recruitment in the occupied areas, Timm stated that "much pressure" would have to be applied and Sauckel stated that he saw no necessity for limiting the use of foreign labor but asked that the respective authorities agree on the policies to be followed. Speer replied:

"Recruitment abroad as such is supported by us."

Minutes of 33rd Meeting of Central Planning  
Board on February 16, 1943.

When asked whether he agreed with the policy of forcing civilian labor from the occupied countries to come to Germany against their will, defendant Speer replied:

"Yes, I concurred in that because it was my opinion that it was done in an orderly and legal manner . . . ."

Interrogation of Albert Speer.  
18 October, p.m., 1945, p.10.

C. Defendant Speer, knowing that foreign workers were being conscripted and deported for use as slave laborers in Germany, formulated requirements for foreign workers and requested their allocation to activities subject to his control.

Defendant Speer was responsible for the entire war production of the Reich as well as for the construction of fortifications and installations for the Wehrmacht, by virtue of his appointment as Reichsminister of Armaments and Munitions and Chief of the Organization Todt on 15 February 1942 and his later acquisition of control over the armament offices of the Navy and the Air Force and the production office of the Ministry of Economics.

1942 Reichsgesetzblatt, Part I, p.8.  
see also:  
1940 Reichsgesetzblatt, Part I, pp.513, 514.

Interrogation of Albert Speer, 18 October  
p.m., pp.3, 4.

The industries under Speer's control were the most important industrial users of manpower in Germany. Thus, according to the defendant Sauckel, the Plenipotentiary for Manpower, Speer's labor requirements received unconditional priority over all other demands for labor.

"The others I only got whatever was left.  
Because Speer told me once in the presence of the Fuehrer that I am here to work for Speer and that mainly I am his man".

Interrogation of Fritz Sauckel, 22 September  
a.m., pp.10-11.

Moreover, by virtue of his membership on the Central Planning Board defendant Speer together with Field Marshal Milch exercised authority subordinate only to that of Hitler and Goering over the determination of manpower requirements.

Interrogation of Albert Speer  
18 October, p.m., 1945, p.2.

R.124, Minutes of Meetings of Central  
Planning Board, passim.

As a member of the Central Planning Board and in discussions with Hitler, defendant Speer participated in the determination of foreign labor quotas, with the knowledge that substantial portion of those quotas would be filled by the forcible deportation and enslavement of the citizens of the occupied countries.

R.124, Minutes of Central Planning Board, passim.

R.125, Speer conferences with Hitler, passim.

Defendant Speer demanded foreign workers for the industries under his control and used those workers with the knowledge that they had been deported by force and were being forced to work. Speer has admitted that he:

"demanded manpower and foreign manpower from  
Sauckel very energetically."

and that he knew he was obtaining foreign labor, a large part of which was forced labor.

Interrogation of Albert Speer.  
18 October p.m., pp.7, 12.



- XI. IN VIOLATION OF THE LAWS OF WAR AND THE LAWS OF HUMANITY DEFENDANT SPEER WAS RESPONSIBLE FOR THE DEGRADING, BRUTAL AND INHUMAN TREATMENT INFLICTED UPON SLAVE LABOR IN GERMANY.

Defendant Speer advocated the use of terror and brutality as a means of maximizing production of slave laborers. In the course of a discussion concerning the supply and direction of labor, defendant Speer stated:

"We must also discuss the slackers. Ley has ascertained that the sick list decreased to one fourth or one fifth in factories where doctors are on the staff who are examining the sick men. There is nothing to be said against SS and Police taking drastic steps and putting those known slackers into concentration camps. There is no alternative. Let it happen several times and the news will soon go round."

R 124. Minutes of 21st Meeting of Central Planning Board on 30 October 1942, p.1059

- XII. IN VIOLATION OF THE LAWS OF WAR, DEFENDANT SPEER COMPELLED ALLIED NATIONALS AND PRISONERS OF WAR TO ENGAGE NOT ONLY IN THE PRODUCTION OF ARMAMENTS AND MUNITIONS, BUT ALSO IN DIRECT MILITARY OPERATIONS, AGAINST THEIR OWN COUNTRY AND ITS ACTIVELY RESISTING ALLIES.

Defendant Speer, as Chief of the Organization TODT, is accountable for its policies which were in direct conflict with the laws of war. The Organization TODT, in violation of the laws of war, impressed allied nationals into its service.

"The methods used for the recruitment of foreign workers who were destined for employment in the Organization TODT did not greatly differ from the methods used for the recruitment of foreigners for deportation to Germany. The main difference was that, since the principal activities of the Organization lay outside the frontiers of Germany, foreigners were not transported to Germany, but had either to work in their own country or in some other occupied territory.

"In recruitment drives for foreign workers for the Organization, methods of compulsion as well as methods of persuasion were used, the latter usually with very little result ...."

1 - 191, ILO Study on Exploitation of Foreign Labor by Germany. p.73.

Moreover, conscripted allied nationals and prisoners of war were compelled by the Organization TODT to engage in operations of war against their country and its actively resisting allies. In the words of the Reich Labor Trustee for the TODT Organization:

".... next to the Reichsbahn (the State-owned railways) ... the "O.T." is today undoubtedly the biggest employer in the world. Many hundreds of thousands of foreign workers are working side by side with a nucleus of German "O.T." workers at thousands of building sites.

".... On the Atlantic Wall alone, workers from more than a dozen different countries are employed: Belgians and Netherlanders, Frenchmen and Flemings, Italians and Croats, Czechs and Poles, Spaniards and Danes, Moroccans and other African tribes, even Indians, Annamites and Indo-Chinese (taken prisoner with the French Army) as well as workers from the East . . ."

id. at p.72, quoting from Neue Deutsche Zeitung, 7 May 1943

The Nachrichtendienst der Deutschen Zeitungsverleger, official news agency of the German newspaper publishers, made a similar comment:

"Wherever there are German soldiers, there too the earth-brown uniform of the "O.T." worker is to be found. On every front, he has proved himself the indispensable helper of the troops.

". . . The "O.T." builds everything: pill-boxes and coastal fortifications, roads, snow tunnels, railways and bridges, harbors and quay installations, armament works and power stations, it even develops and works mines, bores for oil and mines other raw materials."

As Chief of German war production, defendant Speer sponsored and approved the use of prisoners of war in the production of armaments and munitions which were used against their own country and its actively resisting allies. This has been made plain by the evidence already discussed under Point V, supra. To recapitulate:

1. After defendant Speer assumed responsibility for armament production, his primary concern in his discussions with his co-conspirators was to secure a larger allocation of prisoners of war for his armament factories. At a meeting of the Central Planning Board of 22 April 1943 he commented:

"There is a specified statement showing in what sectors the Russian prisoners of war have been distributed, and this statement is quite interesting. It shows that the armaments industry only received 30%. I always complained about this."

R.124 36th Conference of Central Planning Board  
22 April 1943, p.2114.

At the same meeting defendant Speer in the course of a discussion on possibilities of meeting the manpower requirements of the coal industry stated:

"... The 90,000 Russian prisoners of war employed in the whole of the armaments industry are for the greatest part skilled men. If you can extract 8 - 10,000 men from them it would already be the limit."

R.124 36th Conference of Central Planning Board  
22 April 1943, p.2114

2. These statements were consistent with an earlier speech in which Defendant Speer had said:

"I proposed to the Fuehrer at the end of December (1942) to release all my labor force, including specialists, for a concentrated effort in the East. The remaining 10,000 prisoners of war were put at the disposal of the armaments industry upon my orders."

1435 - PS. Speech by Speer, 24 February 1942

3. Finally defendant Speer advocated returning escaped prisoners of war to factories as convicts:

"We have to come to an arrangement with the Reichsfuehrer SS as soon as possible so that prisoners of war he picks up are made available for our purposes. The Reichsfuehrer SS gets from 30 to 40,000 men per month. First of all they have to be divided up. From what classes do these people come, anyhow? There certainly is a certain percentage of miners among these people who are picked up. These few thousand men have to go to the mines automatically. Certainly some educational work has to be done. The men should be put into the factories as convicts. But they have to return to the factories where they were before."

R.124 Stenographic report of the 58th  
Discussion of Central Planning Board,  
25 May 1944. p.1483.

XIII. DEFENDANT SPEER WAS RESPONSIBLE FOR THE EXPLOITATION OF ALLIED NATIONALS AND OTHER CONCENTRATION CAMP VICTIMS IN NAZI ARMAMENT FACTORIES AS PART OF THE CONSPIRATORS' PROGRAM OF EXTERMINATION THROUGH WORK, IN VIOLATION OF THE LAWS OF HUMANITY AND THE LAWS OF WAR.

Defendant Speer approved and sponsored the program for using concentration camp labor in Nazi armament factories, which was part of the larger criminal program of extermination through work. The proof of defendant Speer's participation in this program has already been plainly set forth under point V of this Brief. To recapitulate:

- A. Defendant Speer proposed measures for the exploitation of the concentration camp labor in armament factories

under his jurisdiction. He made the following report of the meeting with Hitler at which these measures were agreed upon:

"I pointed out to the Fuehrer that, apart from an insignificant amount of work, no possibility exists of organizing armament production in the concentration camps because

- 1) the machine tools required are missing
- 2) there are no suitable premises.

Both of these seats would be available in the armaments industry, if use would be made of them by a second shift.

The Fuehrer agrees to my proposal, that the numerous factories set up outside towns for ARP reasons, should release their workers for supplementing the second shift in town factories and should in return be supplied with labor from the concentration camps."

R.125 Minutes of Conference with the Fuehrer on 20, 21 and 22 September 1942.



B. Defendant Speer, by arranging for the use of concentration camp labor in factories under his control, created an increased demand for such labor. This demand was filled in part by bringing into concentration camps persons who would not, in normal course, have been sent there. (see supra. Section V (B) pp.27 - 28).

C. Defendant Speer participated in plans for the more efficient exploitation of the victims of the Nazi program of extermination through work. He personally selected sites for subsidiary concentration camps which were established near factories in Upper Austria and knew of and approved the general practice of locating concentration camps near the industrial plants which they supplied with labor.

Transcript of Testimony, Albert Speer. 18 October 1945  
pp 23 - 24

D. Defendant Speer visited the concentration camp Mauthausen, and factories such as those of defendant Krupp, where concentration camp labor was exploited under barbarous, inhumane and degrading conditions. Speer knew of the infamous conditions under which the exploitation took place. With this personal and first hand knowledge, defendant Speer continued to countenance the use of concentration camp labor in factories subject to his jurisdiction.

Transcript of Testimony, Albert Speer, 18 October 1945  
pp 15. 23

E. In view of the foregoing evidence and the evidence discussed under point V of this brief, it is clear that defendant Speer associated himself with the criminal plan of extermination through work of allied nationals and other concentration camp victims, and must be held responsible for this program, as well as for the general utilization of concentration camp labor in armament factories.



## ARGUMENT AND CONCLUSION

I. The Nazi conspirators, by virtue of their mass enslavement, deportation, brutal mistreatment and ruthless exploitation of the citizens of the occupied countries, are guilty of crimes against humanity and war crimes, as defined in Sections 6(b) and 6(c) of the Charter.

A. The Nazi conspirators by use of force and terror, deported and enslaved millions of citizens of the occupied countries. These acts constituted a flagrant violation of both Articles 6(b) and 6 (c) of the Charter and of Articles 46 and 52 of the Regulations annexed to the Hague Convention No. IV of 1907.

1. Article 46 seeks to safeguard the family honor, the rights and the lives of persons in areas under belligerent occupation. The Nazi conspirators, by committing wholesale murder, by separating wives from husbands, parents from children and by disregarding the rights of the inhabitants of occupied countries in the course of their mass deportation and enslavement program, flagrantly violated the rules of war and the rules of humanity embodied in Article 46. Moreover, the Nazi conspirators were guilty of additional violations of that Article because in the course of their ruthless exploitation of foreign workers they imposed conditions completely destructive of their health and well-being and because they subjected them to barbarous, inhumane and degrading treatment.

2. Article 52 provides in part that

"Requisitions in kind and services shall not be demanded from municipalities or inhabitants except for the needs of the army of occupation. They shall be in proportion to the resources of the country \*\*\* "

The Nazi conspirators violated this Article because the labor which they conscripted was not used to satisfy the needs of the army of occupation, but on the contrary, was forcibly removed from the occupied areas and exploited in the interests of the German war effort. The Nazi conspirators were also guilty of a violation of Article 52 because their forced removal of labor, which was on so vast a scale that it often resulted in the virtual depopulation of entire areas, was not in proportion to, but on the contrary, was far beyond, the manpower resources of the occupied countries.

- II. By virtue of their program of exterminating the inmates of concentration camps by literally working them to death, the Nazi conspirators were guilty of crimes against humanity and of war crimes, as defined by Sections 6(b) and 6(c) of the Charter.
- III. The Nazi conspirators are guilty of war crimes because they compelled both the enslaved citizens of occupied countries and prisoners of war to engage in operations of war against their own countries or their actively resisting allies.

Article 52 of the Regulations annexed to the Hague Convention IV of 1907 provides in part that compulsory labor services shall be of such a nature "as not to involve the inhabitants in the obligation of taking part in military operations against their own country". Article 6 of these Regulations imposes a similar prohibition against the use of prisoners of war.

The Nazi conspirators were guilty of violating these Articles because they compelled the enslaved citizens of occupied countries and prisoners of war to produce munitions of war and to construct military fortifications to be used against their own country or its actively resisting allies, and to engage in direct

operations of war. In this connection reference is made to the settled view among International Law authorities, that the manufacture of arms and munitions and the construction of fortifications "are operations of war" within the meaning of these Articles. Bonfils, 2nd ed. Droit International Public, Para 1212; Rules of Land Warfare of the U.S. War Department, FM 27 - 10, Para. 305.

- IV. Defendant SAUCKEL and defendant SPEER by virtue of their planning, execution and approval of the program for the enslavement, mistreatment and use of slave labor and prisoners of war in operations of war against their own countries or their actively resisting allies, bear a special responsibility for the crimes against humanity and the War Crimes as described above.
- V. In addition, defendant SAUCKEL and defendant SPEER by virtue of the integral part which they played in the execution of the conspiracy for waging aggressive war are guilty of all of the other crimes committed in the furtherance of the conspiracy.