

WAR CRIMES
and
CRIMES AGAINST HUMANITY

PART V

PERSECUTION OF THE JEWS

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TABLE OF CONTENTSPERSECUTION OF THE JEWS

	<u>Page</u>
A. Section of Indictment	1
B. Legal References	2
C. Statement of Evidence	4
1. Anti-Jewish policies and objectives.	4
(a) NSDAP program	4
(b) Statements of Nazi leaders	5
2. Forms of Persecution	8
(a) Stigmatization; disfranchisement; Denial of Civil Rights; Personal Liberty and Economic Freedom	8
(b) Religious and Cultural Persecution	16
(c) The use of organized "Spontaneous Violence" against the persons and property of the Jews	24
(d) Ghettoization	28
(e) Starvation	34
(f) Enforced labor and enslavement	37
(g) Torture, Murder, and Mass Annihilation	41
D. Argument and Conclusion	55
 <u>Appendix A</u>	
1. Numerical list of documents	57
2. Documents pertaining to individual defendants	69
3. Documents pertaining to organizations	70

PERSECUTION OF THE JEWS

A. Section of Indictment.

COUNT ONE - THE COMMON PLAN OR CONSPIRACY

III. - Statement of the Offense

Paragraph 1

Page 3

IV. D - The Acquiring of Totalitarian
Control of Germany: Political

Paragraph 3 (d)

Pages 5-6

IV. G - War Crimes and Crimes against
Humanity committed in the
course of executing the con-
spiracy for which the con-
spirators are responsible.

Paragraphs 1. and 2

Page 10

COUNT THREE - WAR CRIMES

VIII. - Statement of the Offense

Paragraph (a) 2

Pages 14 and 15

COUNT FOUR - CRIMES AGAINST HUMANITY

X. - Statement of Offense

Paragraph (B)

Pages 26 and 27

B. Legal References.

1. Charter of International Military Tribunal

"Article 6. The Tribunal established by the Agreement referred to in Article 1 hereof for the trial and punishment of the major war criminals of the European Axis countries shall have the power to try and punish persons who, acting in the interests of the European Axis countries, whether as individuals or as members of organizations, committed any of the following crimes.

The following acts, or any of them, are crimes coming within the jurisdiction of the Tribunal for which there shall be individual responsibility:

- (a) CRIMES AGAINST PEACE: namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing;
- (b) WAR CRIMES: namely, violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labor or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity;
- (c) CRIMES AGAINST HUMANITY: namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war; or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of domestic law of the country where perpetrated.

Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any persons in execution of such plan."

2. Preamble to the Fourth Hague Convention, 18 October 1907

"Until a more complete code of the laws of war can be issued, the high contracting parties deem it expedient to declare that, in cases not included under the regulations adopted by them,

populations and belligerents remain under the protection and rule of the law of nations, as they result from the usages established between civilized nations, from the laws of humanity and the public conscience."

3. Fourth Hague Convention, 18 October 1907, Article 46

"Family honour and rights, lives of persons, and private property, as well as religious convictions and practice, must be respected. Private property cannot be confiscated."

C. Statement of Evidence

1. Anti-Jewish policies and Objectives

(a) NSDAP program

The program of the NSDAP states that:

"(4) Only a member of the race (Volksgenosse) can be a citizen. A member of the race can only be one who is of German blood, without consideration of confession. Consequently no Jew can be a member of the race...

"(5) Whoever has no citizenship is to be able to live in Germany only as a guest; and must be under the authority of legislation for foreigners...

"(6) The right to determine matters concerning administration and law belongs only to the citizen. Therefore we demand that every public office, of any sort whatsoever, whether in the Reich, the county or municipality, be filled only by citizens...

It further provides:

"(7) We demand that the state be charged first with providing the opportunity for a livelihood and way of life for the citizens. If it is impossible to sustain the total population of the State, then the members of foreign nations (non-citizens) are to be expelled from the Reich...

"(8) Any further immigration of non-citizens is to be prevented. We demand that all non-Germans, who have immigrated to Germany since the 2 August 1914, be forced immediately to leave the Reich."

1708-PS. Program of the NSDAP.

The defendant ROSENBERG published a commentary to the Party Program. Giving the reasons for Point (4), supra of the Party Platform, he states that National Socialism recognizes that "a mixture of German or related races with the Jewish enemy races...which are basically different in their entire mental and physical structure would only lead to bastardization."

2737-PS. Alfred Rosenberg, "Das Partei-programm Wesen, Grundsätze und Ziele der NSDAP". (The Party Program, Nature, Fundamentals and Goals of the NSDAP, 25th Printing, 1943)

(b) Statements of Nazi Leaders

Hitler speaking about the Jew in "Mein Kampf" said:

"And again it is the National Socialist Movement which has to fulfill its most tremendous task:

"It must open the eyes of the people with regard to foreign nations and must remind again and again of the true enemy (i.e., the Jew) of our world today. In the place of the hate against Aryans -- from whom we may be separated by almost everything, to whom however, we are tied by common blood or the great tie of a common culture -- it must dedicate to the general anger the evil enemy of mankind, as the true cause of all suffering.

"It must see to it, however, that at least in our country, he be recognized as the most mortal enemy and that the struggle against him may show as a flaming beacon of a better era, also to other nations the road to salvation for an Aryan mankind."

2662-1S. ("Mein Kampf", 39th Printing, 1933, pp.724-725

In his speech before the Reichstag on 30 January 1939, Hitler further stated:

"If the international Jewish financiers succeed in plunging the nations once more into a world war, the result will not be the Bolshevization of the world and the victory of Jewry, but the obliteration of the Jewish race from the earth."

2663-1S. (Voelkischer Beobachter, 1 February 1939)

In his speech of 30th January 1942, Hitler said:

"We realize that this war can only end either in the wiping-out of the German nation, or by the disappearance of Jewry from Europe. On 1st September I spoke in the Reichstag...and I said... that the result of this war would be the destruction of Jewry... The hour will come when the worst enemy of the world, of all times, will have finished his part for at least one thousand years to come."

2664-1S. (Voelkischer Beobachter, #32, p.5, 1 February 1942)

The defendant ROSENBERG, at a meeting of the German Labour Front in Hamburg in November, 1942, said:

"The Jewish problem will only be solved when not a single Jew remains in Europe".

2665-PS. (Hamburger Fremdenblatt, 19 November 1942)

and the defendant FRANK, in his diary, quoted his own speech as follows:

not
"Of course I could/eliminate all lice and Jews in only a year's time..."

2233-PS. (Diary of Hans FRANK, 15 September 1939 to 3 April 1945, Volume III/1940: p.702; Volume IV/1940: p.1158/59, 1171)

"The Jews are a race which has to be eliminated; wherever we catch one, it is his end."

(ibid, Volume V. 1944: 4 March, p.26)

Dr. Goebbels said about the Jews:

"Just as the fist of awakening Germany struck down on these racial dogs, the fist of awakening Europe will strike down on them one day..."

"Without commiseration or mercy the blow shall then be struck. The world enemy will collapse and Europe will have its peace".

2736-PS. Dr. Joseph Goebbels, Zeit ohne Beispiel (Times without precedent) 4th Edition 1942, p. 531)

The defendant STREICHER, in a speech in Nürnberg, stated:

"And we know that the Jew must die"
("und wir wissen dass der Jude des Todes sterben Muss")

2583-PS. File of Police correspondence on Streicher, 31 October 1939

In the official organ of the SS "Das Schwarze Korps", Gunther D'Alquen, the chief editor, on 27 October, 1938, wrote:

"The Jews living in Germany and Italy are the hostages which Providence has given into our hands, so that we might stave off in the most effective way the attacks of World Jewry".

2666-PS. (Das Schwarze Korps, Folge 43,
p.6, 27 October 1938)

and on 17 November, 1938:

"We shall with, as it were, 'uncanny' consistency make use of the hostages with whom Jewry has presented us, according to the principle pronounced by the Jews themselves; 'an eye for an eye', 'a tooth for a tooth' - a thousand eyes for one eye, a thousand teeth for one tooth!"

2667-PS. (Das Schwarze Korps, Folge 46,
p.2, 17 November 1938)

and again on 8 August 1940:

"in the same way as the Jewish problem will be solved for Germany only when the last Jew has been driven out, so the rest of Europe must know that the German peace, which awaits her, must be a peace without Jews."

2668-PS. (Das Schwarze Korps, Folge 32,
p.2, 8 August 1940)

2. Forms of Persecution

(a) Stigmatization; Disfranchisement; Denial of Civil Rights, Personal Liberty and Economic Freedom

(1) By Propaganda

Books and pamphlets were published branding the Jew as "persecutor of the labor class", race defiler", and "murderer".

2648-15. Photostatic copies of German propaganda publications

2649-15.

2650-15.

Children of kindergarten age were taught, through picture books and so-called "fairy tales", that the Jew was a murderer, a "devil in human form", a "poisonous mushroom"; children in grammar school were indoctrinated against the Jew by their teachers, including instructions on how to recognize the Jew by his physical features; in the Youth organizations, BDM (Bund deutscher Maedchen - German Girls League) and HJ (Hitler Jugend - Hitler Youth), German children were taught poems in which the Jew is pictured as Satan, and Jewish doctors are pictured as abusing their female patients; and the defendant STREICHER was propagandized as the "indomitable fighter against the Jews", the saviour of Germany from the claws of the Jewish devil.

1778-15. Der Giftpilz, by Ernst Hiemer, published by Der Stuermer Publishing House, Nurnberg, copyright 1938.

(2) By Decree

The first names of Jews were limited to those of a "Jewish" character, persons having

other names being by operation of law given the first name "Israel" or "Sara".

1674-18. 1938 Reichsgesetzblatt I, p.1044, 17 August 1938, (Zweite Verordnung zur Durchfuehrung des Gesetzes ueber die Aenderung von Familiennamen und Vornamen) (Second Decree for the Enforcement of the Law concerning the Change of Family - and First Names)

D-229. Richterbriefe No. 1, 1 October 1942

Special registration for Jews was required,

2669-18. 1938 Reichsgesetzblatt I, p.922, 23 July 1938 (Dritte Bekanntmachung ueber den Kennkartenzwang, signed by the defendant Frick - Third Proclamation concerning Compulsory Identification Cards)

212-18. Instructions re treatment of Jews, Rosenberg File.

Passports were distinctly marked with the letter

"J", in color,

2670-18. 1938 Reichsgesetzblatt I, p. 1342, 5 October 1938 (Verordnung ueber Reisepasse von Juden) (Decree concerning Passports of Jews)

and shops were marked with identifying signs, such as the Zion star.

2671-18. Verordnungsblatt GG, 30 November 1939 (Verordnung ueber die Bezeichnung der Geschaefto in General-gouvernement) (Decree concerning the Marking of Business Enterprises in the Government General)

For Poland, an order of 23 November 1939, signed by the defendant FRANK, decreed in substance, that all Jews over ten years of age were to wear a 10 cm. wide white badge with a Zion star on it. The penalty for not wearing this badge was imprisonment.

2672-18. Verordnungsblatt GG, 1939, #8, p.61, 30 November 1939 (Verordnung ueber die Kennzeichnung von Juden und Juedinnen in General-gouvernement) (Decree concerning distinguishing marks for Jews and Jewesses in the Government General)

In 1941, this policy of stigmatization was also put in effect in Germany proper.

"The Reich Minister of the Interior issued a police decree concerning marking of Jews, of 1 September 1941 (RGBl. I, p. 547), according to which Jews, beginning 19 September 1941, are allowed to appear in public only if they wear a yellow star, which must be worn visibly on the left side of the chest, on their outer apparel."

2673-1S. Das Archiv, No. 90, 30 October 1941, p. 495

The basic Nazi party program called for exclusion of the Jew from the German community, from citizenship, and therefore from public office.

1708-1S. Program of the NSDAP, Points 4, 6.

Jewish immigrants were denaturalized

2739-1S. 1933 Reichsgesetzblatt I, p.480
(Gesetz ueber den Widerruf von Einbuergierungen und die Aberkennung der deutschen Staatsangehoerigkeit) (Law concerning the revoking of naturalizations and the deprivation of German citizenship)

and native Jews were excluded from citizenship in Germany by the "Nurnberg laws," the first of which reserved German citizenship to "subjects of German or cognate blood" and was signed by Hitler and the defendant FRICK.

1417-1S. 1935 Reichsgesetzblatt I, p.1146,
15 September (Reichsbuergergesetz)
(Reich Citizenship Law)

Jews were forbidden to live in marriage or to have extra marital relations with subjects of German or cognate blood, or to have female servants of German or cognate blood under 45 years of age.

2000-1S. 1935 RGBl. I, p.1146, (Gesetz zur Schutze des deutschen Blutes und der deutscher Ehre)(Decree for the protection of German blood and honor)

Jews were deprived of the right to hoist the German flag, (2000 1S, supra), to vote,

2674-PS. 1936 Reichsgesetzblatt I, p. 133, 7 March 1936 (Gesetz ueber das Reichstagswahlrecht) (Law concerning the right to vote in elections for the Reichstag)

to serve in the armed forces,

2675-PS. 1935, Reichsgesetzblatt I, p.609, 21 May 1935, (Wehrgesetz) (Law concerning the service in the Armed Forces)

to bear arms,

2676-PS. 1938 Reichsgesetzblatt I, p. 1563, 11 November (Verordnung gegen den Waffenbesitz der Juden) (Decree against the possession of arms by Jews)

and of eligibility for civil service positions and public office.

2678-PS. 1933, Reichsgesetzblatt I, p. 277, 18 May (Gesetz ueber Ehrenamter in der sozialen Versicherung und der Reichsversorgung) (Law concerning honorary offices in the Social Insurance and Pension System)

1397-PS. 1933 Reichsgesetzblatt I, p. 175 Gesetz zur Wiederherstellung des Berufsbeamtentums. (Law for the Reestablishment of the Professional Civil Service).

2677-PS. 1937 Reichsgesetzblatt I, p.41, 27 January (Deutsches Beamtengesetz) (German Civil Service Law)

These policies were extended to areas later dominated by the Nazis through diplomatic and military conquest. Thus , the Nürnberg laws were introduced in Austria by a law of 20 May 1938, signed by the defendants FRICK and HESS, as well as Dr. Schlegelberger, acting Minister of Justice.

2679-PS. 1938 Reichsgesetzblatt I, p. 594, 20 May (Verordnung ueber die Einfuehrung der Nuernberger Rassengesetze in Laende Oesterreich) (Decree concerning the introduction of the Nürnberg Race Laws in the State of Austria)

Jews were dismissed from the Austrian Civil Service by a law of 31 May 1938.

2680-PS. Reichsgesetzblatt I, p. 607, 31 May 1938 (Decree for the reorganization of the Austrian Civil Service)

In Poland the German laws regarding Civil Ser-

vice were introduced by a law of 24 December, 1939.

2681-1S. 1939 Reichs gesetzblatt I, p.2489, 24 December (Verordnung ueber die Einfuehrung der reichsrechtlichen Vorschriften des Beamtensrechts und des Besoldungsrechts in den eingegliederten Ostgebieten) (Decree concerning the introduction of Reich laws concerning Civil Service and salaries in the incorporated Eastern territories)

Jews were relegated to an inferior social status by depriving them of common privileges and freedoms. They were denied access to certain city areas, sidewalks, public and even private transportation, places of recreation, theatres, moving pictures, libraries, museums, restaurants, and hotels.

1415-1S. 1938 Reichsgesetzblatt I, p. 1676, 28 November (Polizeiverordnung ueber das Auftreten der Juden in der Oeffentlichkeit) (Police Decree concerning the appearing of Jews in public)

2682-1S. Voelkischer Beobachter, 5 December 1938, No. 339, p. 5

Schools were restricted to "Aryan" use.

2683-1S. Voelkischer Beobachter, 16 November 1938 (Verordnung ueber den Schulbesuch juedischer Kinder) (Decree concerning the attendance of schools by Jewish children)

The most stringent measures were applied to destroy completely the economic position of the Jews. Decrees were issued which eliminated them from civil service, 1397-1S, 2677-1S, supra, and excluded them from private pursuits, such as dentistry,

2684-1S. 1939, Reichsgesetzblatt I, p. 47, 17 January (8. Verordnung zum Reichsbuergergesetz) (8th Decree to the Reich Citizenship Law)

the practice of law

2685-1S. 1938, Reichsgesetzblatt I, p. 1403,
27 September (Fünfte Verordnung zum
Reichsbürgergesetz) (Fifth Decree
to the Reich Citizenship Law)

and medicine,

2686-1S. 1938 Reichsgesetzblatt I, p. 969, 25
July (Vierte Verordnung zum Reichs-
bürgergesetz) (Fourth Decree to the
Reich Citizenship Law)

employment in places of entertainment, the press,
the radio,

2734-1S. 1933, Reichsgesetzblatt I, p. 667,
22 September 1933 Reichskultur-
kammergesetz (Reich Culture Chamber
Law)

2688-1S. 1934, Reichsgesetzblatt I, p. 169
5 March (Gesetz zur Änderung des
Börsengesetzes) (Law amending the
law concerning stock exchanges)

farming,

2689-1S. 1933 Reichsgesetzblatt I, p. 685,
29 September, (Reichserbhofgesetz)
(Law concerning the entailment of
Farms)

and business in general.

1662-1S. 1938, Reichsgesetzblatt I, p. 1580,
12 November (Verordnung zur Ausschalt-
ung der Juden aus dem deutschen
Wirtschaftsleben) (Decree for the
elimination of the Jews from German
economic life)

They were driven from their residences and places of
business by restrictions on zoning.

1415-1S. 1938, Reichsgesetzblatt I, p. 1676,
28 November (Polizeiverordnung ueber
das Auftreten der Juden in der
Oeffentlichkeit) (Police Decree con-
cerning the appearing of Jews in
public)

Individually and collectively they were forced to
pay discriminatory taxes

2690-1S. 1934, Reichsgesetzblatt I, p. 925,
16 October (Steueranpassungsgesetz)
(Tax Adjustment Law)

2691-1S. 1939, Reichsgesetzblatt I, p. 283,
17 February 1939, (Gesetz zur Änderung
des Einkommen Steuergesetzes) (Law
amending the income tax law)

and huge atonement fines.

- 1412-RS. 1938, Reichsgesetzblatt I p. 1579,
12 November, (Verordnung ueber
eine Suchmeldeleistung der Juden
deutscher Staatsangehoerigkeit)
(Decree concerning an atonement
fine for Jews of German nationality)
- 1411-RS. 1938 Reichsgesetzblatt I, p. 1638,
21 November (Durchfuhrungsverordnung
ueber die Suchmeldeleistung der Juden)
(Enforcement Decree concerning the
atonement fine for Jews)
- 2198-RS. Verordnungsblatt des Militaerbefehlshabers
in Frankreich, #49, 1941 -
(One billion francs fine)

Their homes, real estate, bank accounts, and in-
tangibles were appropriated.

- 1409-RS. 1938, Reichsgesetzblatt I, p. 1709,
3 December (Verordnung ueber den
Einsatz des juedischen Vermoegens)
(Decree concerning the utilization
of Jewish property)
- 2692-RS. 1939 Reichsgesetzblatt I, p. 282, 21
February (3. Anordnung auf Grund der
Verordnung ueber die Anmeldung des
Vermoegens von Juden) (3rd Order based
on the decree concerning the regis-
tration of the property of the Jews)
- 2693-RS. 1941 Reichsgesetzblatt I, p. 722/3/4,
(Elfte Verordnung zum Reichsbuerger-
gesetz) (eleventh Decree to the Reich
Citizenship Law)

Their insurance for various losses incurred was
collected by the State.

- 2694-RS. 1938 Reichsgesetzblatt I, p. 1581,
12 November, (Verordnung zur
Wiederherstellung des Strassenbildes
bei juedischen Gewerbetrieben)
(Decree for the restoration of the
appearance of the streets by Jewish
economic enterprises)

If allowed to escape from Germany, they were de-
prived of property through the device of ransom.

- 2695-RS. 1934 Reichsgesetzblatt I, No. 54,
p. 392, 18 May (Gesetz ueber Aenderung
der Vorschriften ueber die Reichs-
fluchtsteuer) (Law to amend the
regulations concerning the Reich
Flight Tax)

Finally, the Jews were placed beyond the protection of judicial process by the Thirteenth Regulation under the Reich Citizenship Law of 1 July 1943, which was signed by the defendants FRICK and BORMANN, as well as Reich Minister of Finance, von Krosigk, and Reich Minister of Justice, Dr. Thierack. No longer were the Jews under the jurisdiction of ordinary, or even special, courts, and criminal acts committed by them were to be punished by the police (Article 1, paragraph 2). After their death, their property was confiscated and became property of the Reich (Article 2, paragraph 1). This same law also applied to Ireland and in the Protectorate of Bohemia and Moravia, wherever German administration and German courts had jurisdiction, (Article 1, paragraph 2, and Article 4).

1422-18. 1943 Reichsgesetzblatt I, p. 372,
1 July (Dreizehnte Verordnung zum
Reichsbürgergesetz) (Thirteenth
Regulation under the Reich Citizen-
ship Law)

(b) Religious and Cultural Persecution

(1) By Propaganda

The defendant STREICHER was the leader of propaganda against the Jewish religion. The witness, Dr. Benno Martin, former Police Chief of Nürnberg, testified as to STREICHER "that his actual blood-guilt consisted in having been for twenty years the pathmaker of anti-Semitism in Germany".

2696-PS. Testimony of Dr. Benno F.T. Martin, taken at Nuremberg, 20 October 1945, 1413, by Howard A. Brundage, Col., J.A.G.D., OUSCC, p. 2

STREICHER's periodical "Der Stuermer" often attacked the Jewish religion. Therein he described the Bible as

"The Holy Scriptures, a horrible criminal romance, abounding in murder, incest, fraud, and indecency"

2697-PS. Der Stuermer No. 2, 1935

and the first five books of the Old Testament, "The Torah", as containing:

"The five books of Moses and all the oaths, curses, the criminal recipes and provisions of the God Jehovah for the Jewish people. The Talmud is the great Jewish book of crimes that the Jew practises in his daily life."

2698-PS. Der Stuermer, No. 50, October, 1938.

He circulated a story that Jews at the ritual celebration of their Passover Holiday were slaughtering Christian children, making a practice of issuing during the time of such holidays, special editions of his "Stuermer", elaborating on this statement.

2699-PS. Der Stuermer, No. 14, April 1937

2700-PS. Der Stuermer, No. 28, July 1938

2701-PS. Sondernummer, No. 9, July 1938

2702-PS. Sondernummer, No. 11, October 1938

(2) By Decree

A concerted legislative attack in both Germany and the occupied areas, according to a central pattern, was made on Jewish religious laws and practices. For example, Jewish ritual slaughter of animals was prohibited throughout Germany,

2703-PS. 1933 Reichsgesetzblatt I, p. 203, 21 April (Gesetz ueber das Schlachten von Tieren of April 21 1933), signed by Adolf Hitler, the Minister of Justice Guertner, Reich Minister of the Interior Frick, Reich Minister of Nutrition and Agriculture Hugenberg.

in Poland,

2704-PS. 1938 Verordnungsblatt GG, 26 October (Verordnung ueber das Schaechtverbot) signed by General Governor Frank, and providing penal servitude in concentration camps as punishment for offenses)

and in Holland,

2705-PS. Verordnungsblatt fuer die besetzten niederlaendischen Gebiete, Nr. 16, 1940, No. 80, S.247, signed by the defendant Seyss-Inquart.

making it impossible for Jews to live by their religious dietary laws.

The economic basis on which Jewish temples functioned was undermined by abolishing their legal position as quasi-public corporations, so that they were deprived of the power to levy assessments.

2706-PS. Reichsgesetzblatt I, 1938, 28 March, (Gesetz ueber die Rechtsverhaeltnisse der judischen Kultusgemeinden)

In Poland Jews were ordered to keep their stores open on high holidays, although Jews' religious laws strictly forbid them to work on such days, and the holding of Jewish religious services was expressly prohibited.

2707-PS. Gazeta Zydowska, 7 October 1940

Even the burning of copies of the Old Testament, used in Polish courts to administer oaths to Jewish witnesses, was

ordered by the German forces of occupation in June 1940.

2708-PS. Gazeta Warszawska, 8 May 1940

(3) Violence Against Synagogues and Religious Symbols

As early as 1933 violence against Jewish religious institutions was reported to have taken place all over Germany. For example, a report by Ralph C. Busser, American Consul-General in Leipzig, dated 5 April 1933, states that:

"In Dresden several weeks ago uniformed 'Nazis' raided the Jewish prayer houses (Bethaus), interrupted the evening religious service, arrested 25 worshippers, and tore the holy insignia or emblems from their head-covering worn while praying.

"...some of the Jewish men assaulted had to submit to the shearing of their beards, or to the clipping of their hair in the shape of steps. One Polish Jew in Chemnitz had his hair torn out by the roots."

2709-PS. Report by Ralph C. Busser, American Consul-General in Leipzig, 5 April 1933.

In February 1938 Hitler gave notice, in the course of a Munich speech, that drastic measures against the Jews were being prepared

2710-PS. Voelkischer Beobachter, 26 February 1938.

and subsequent events showed that anti-religious action was included in the plans. Thus, in Nürnberg, the defendant ^{Liebel}STREICHER and the Lord Mayor/ revealed in advance to the Nürnberg County Council and to the press that the Nürnberg synagogue was to be destroyed. In a "program for a Nürnberg parley of representatives of the German press in August, 1938", Item No. 4 ("to be still kept secret") mentions the following plan for 10 August:

"On the forenoon of the 10th of August, 1938, the wrecking of the Synagogue will begin. Gauleiter Julius Streicher will personally set the crane in motion which will haul down the Jewish symbols (Star of David, etc). This should make a great demonstration. Additional details are still unknown."

1724-PS. Program for a Parley of German Journalists.

Photographs of the celebration and the demolition showing Liebel and STREICHER were published in the "Fraenkische Tagezeitung."

2711-PS. "Fraenkische Tagezeitung", No. 186, 11 August 1938.

The most outstanding concerted actions against Jewish religious life took place in November 1938 following the shooting of vom Rath, the Councillor of the German Legation in Paris. These actions were represented as "spontaneous anti-Semitic demonstrations" of the German people,

2712-PS. Voelkischer Beobachter, 11 November 1938, No. 315, p. 2

although a series of orders from Berlin Secret State Police Headquarters, flashed by teletype to police chiefs all over Germany, show that in fact the action was a centrally directed undertaking, ordered from Berlin.

374-PS. TWX series of orders, signed by Heydrich and Mueller, issued by Gestapo Headquarters Berlin, 9-11 November 1938.

One of the above-cited orders, dated 9 November 1938, and signed by Mueller, states in part:

"Confidential. Demonstrations against Jews and particularly their synagogues will take place very shortly, throughout all of Germany. These demonstrations will not be interfered with, but measures will be taken in cooperation with the regular police to prevent looting and similar excesses...

"Important archives which may be found in the synagogues are to be safe-guarded immediately."

Dr. Beeno Martin, former Police Chief of Nürnberg, relating the events of the night of November 8-9, said, in substance, that Obergruppenfuehrer von Obernitz gave the order to start the destruction of the synagogue in Nürnberg, after having received the defendant STREICHER's approval. When the witness, then Police Chief of Nürnberg,

arrived at one of the synagogues, he found the synagogue aflame, the fire having been started by the Chief of the Nürnberg Fire Department, Dr. Bethke. This action was centrally planned and no action was taken by the police or prosecuting attorneys to prevent or prosecute these acts of destruction and incendiarism.

2713-PS. Testimony of Dr. Benno F.T. Martin, taken at Nuremberg on 24 October, 1945, 1430-1530, by Major B. D. Silliman, JAGD, OUSCC, pp. 1, 2

A series of German photographs shows the burned Munich Synagogue after the action of 9 November 1938. The German caption of this series reads, "The Synagogue in Munich after 9 November 1938. Retaliation Measures of the German People."

2528-PS. Series of Photographs, Burning of Munich Synagogue.

The burning of the synagogues has also been verified by the reports of American Consular authorities to the Secretary of State:

"In the early hours of this morning systematic breaking of Jewish-owned shop windows throughout the Reich and the burning of the principal synagogues in Berlin was carried out..."

2602-PS. Telegram Wilson to Secretary of State, 10 November 1938.

A similar report was received from the American Consul in Bremen, Edwin C. Kemp, dated 10 November 1938, and directed to the Secretary of State, Washington.

2603-PS. Kemp to Secretary of State, 10 November 1938.

The American Consul General in Stuttgart sent a detailed report to the American Ambassador, Hugh R. Wilson.

The report states:

"Early in the morning of 10 November, practically every synagogue - at least twelve in number - in Wuerttemberg, Baden, and Hohenzollern were set on fire by well-disciplined and apparently well-equipped young men in

civilian clothes. The procedure was practically the same in all cities of this district, namely, Stuttgart, Karlsruhe, Freiburg, Heidelberg, Heilbrun, etc. The doors of the synagogues were forced open. Certain sections of the building and furnishings were drenched with petrol and set on fire. Bibles, prayer books and other sacred things were thrown into the flames...

WOtherwise the fire brigades confined their activities to preventing the flames from spreading. In a few hours the synagogues were, in general, heaps of smoking ruins."

2604-PS. Report, Honaker to Wilson, 12 November 1938.

According to Heydrich's own admission in a discussion of the action with Goebbels and GOERING, a hundred and one synagogues were destroyed by fire.

1816-PS. Protocol of Discussion on Jewish Problem under Leadership of Defendant Goering, 12 November 1938.

The burning of synagogues extended as well to occupied countries. For example, in the Sudetenland there was mass destruction of synagogues in 1938 and 1941.

998-PS. "German Crimes Against Czechoslovakia" - Czechoslovak Official Report for the prosecution and Trial of the German Major War Criminals by the International Military Tribunal established according to the Agreement of the Four Great Powers of 8 August 1945, pp. 62, 63)

Such actions were not limited to synagogues. A notable example is the burning in 1939 of the well-known library of the Jewish Theological Seminary in Lublin, Poland.

The Germans reported:

"For us it was a matter of special pride to destroy the Talmudic Academy which was known as the greatest in Poland...

"We threw out of the building the great Talmudic library, and carried it to market. There we set fire to the books. The fire lasted for twenty hours. The Jews of Lublin were assembled around and cried bitterly. Their cries almost silenced us. Then we summoned the military band and the joyful shouts of the soldiers silenced the sound of the Jewish cries."

2314-PS. Frankfurter Zeitung, Wochen-Ausgabe, 28 March 1941

(4) Cultural Life - The "Hohe Schule"

By decree of the Fuehrer, signed 1 March 1942, and directed to all agencies of the armed services, the Party and the State, the defendant ROSENBERG was officially put in charge of the ideological and spiritual fight against the Jews.

847-PS. Original Hitler Decree stating Rosenberg's powers.

This program contemplated the establishment of the "Hohe Schule" of National Socialism, a research institute to provide material on the ideological enemies of National Socialism, and ROSENBERG was authorized to collect for use in the projected "Hohe Schule" Jewish cultural objects from Jewish collections and libraries.

154-PS. Letter 5 July 1942, Letter to high State and Party authorities, confirming Rosenberg's powers.

All agencies of Party and State had been directed by Hitler to assist in the collection of cultural objects for the "Hohe Schule".

136-PS. Hitler order, 29 January 1940.

Upon the seizure of the Sudetenland in 1938, the defendant ROSENBERG had also requested the Reichskommissar fuer das sudetendeutsche Gebiet, (Reich Commissar for the Sudeten Area), Konrad Henlein, to confiscate all Jewish and religious literature, to which request Henlein agreed.

286-PS. Rosenberg letter to Henlein, 15 October 1938

285-PS. Henlein letter to Rosenberg, 31 October 1938

In the collection of Jewish cultural objects, the defendant ROSENBERG made use of his "Einsatzstab", which was authorized "to seize cultural goods that are owned or possessed by Jews..."

155-PS. "Einsatzstab", administrative regulations, 30 September 1942.

The extent of "collection" activities may be seen from a report concerning the library of the Hohe Schule Branch, Frankfurt/Main. This report lists European libraries which were looted in order to stock the Hohe Schule Library containing 550,000 volumes. Included in the looted libraries were the library of the Alliance Israelite Universelle in Paris; the library of the Ecole Rabbinique, also in Paris; the library of the Federation de Societe des Juifs de France; the Rothschild collection; the library of a Jewish community in Amsterdam; and of Jewish communities in Greece and many other countries.

171-PS. Letter of transmittal and report
on "Hohe Schule" Library,
12 July 1943.

(c) The Use of Organized "Spontaneous Violence
Against The Persons and Property of the Jews

Organized violence, camouflaged as spontaneous popular action, was used by the Nazis to enable the party to pursue its campaign against the Jews without accepting open responsibility for the violent methods employed. A report to HIMMLER states:

"Following our orders, the Security Police had decided to solve the Jewish question with all possible means and with every determination. But it was desirable that the Security Police should not put in an immediate appearance, at least in the beginning, since the extraordinarily severe measures were apt to stir even German circles. We arranged to prove to the public that the native population itself took the first action by way of natural reaction against the suppression by Jews during several decades and against the terror exercised by the Communists during the preceding period." (pp.4,5)

L-180. Report by SS Brigadeführer Stahlocker to Himmler, "Action Group A", 15 October 1941.

The paramilitary organizations of the SA and SS, as well as the police in civilian clothes were nevertheless used for the purpose of accosting, mistreating and inflicting physical harm to the persons and property of Jewish-looking individuals.

L-198. State Department Dispatch by Consul General Messersmith; Affidavits by mistreated Americans; 14 March 1933

L-201. Report by Consul General Messersmith, 19 April 1933

The major instances of deliberately stimulated and organized "mass" action against the Jews are the boycott of 1933 and the pogrom of 1933.

(1) The 1933 Boycott

The 1933 Boycott was openly sponsored as an official anti-Jewish campaign. Propaganda Minister Goebbels, in his book, "From Kaiserhof zur Reichskanzlei" (From the Kaiserhof Hotel to the Reich Chancellery), a published diary, describes how the boycott action was planned and developed. Goebbels claims credit for having originated this action. (p.288)

He continues:

"29 March 1933:

"The boycott appeal is approved by the entire government.. (p. 290)

"31 March 1933:

"We are having a conference in a very small circle, and decide that the boycott is to begin tomorrow with all ferocity." (p. 290)

2409-PS. Dr. Joseph Goebbels, from Kaiserhof zur Reichskanzlei", 41st printing, 1943)

A "Central Committee to Combat Jewish Atrocity and Boycott Agitation" was organized, consisting of Julius STREICHER, Chairman; Robert LEY; Heinrich Himmler; Dr. Hans FRANK, and others.

2156-PS. NATIONALSOZIALISTISCHE PARTEI-KORRESPONDENZ 29 March 1933.

The next day, STREICHER published an article entitled "Strike the World Enemy" in the Nationalsozialistische Partei-Korrespondenz. This article ends with the passage

"The fight against Judaism is thus begun;
The Nazis will emerge victorious.
National Socialists! Strike the World Enemy!"

2153-PS. Official Nazi Party Publication,
30 March 1933.

As Chairman of the Committee, he outlined in detail the organization of the boycott on a national basis.

2154-PS. Streicher Decrees published in

2157-PS. Nationalsozialistische Partei-Korrespondenz, 31 March 1933.

In a manifesto, "Reasons for the Boycott Action", published in all German papers, this first large-scale officially sanctioned campaign of organized violence was justified to the German public and the outside world as a necessary retaliatory measure against alleged Jewish

"lies and vilifications of downright hair-raising perversity...atrocity stories...and the International boycott being organized by Jewish intellectual instigators"

L-199. Dispatch by the American Charge d'Affaires Gordon, to the State Department with attached newspaper clippings and official translations, 3 April 1933.

The premeditation with which the campaign was undertaken may be seen from point 9 of the Boycott Manifesto:

"In tens of thousands of mass meetings, which shall reach to the smallest village, the action committees shall immediately put forward a demand for the introduction of a numerus clausus for Jews in all professions, corresponding to their proportion to the German population. In order to heighten the force of this action, the

demand is to be restricted to three branches for the present: a) to students attending the secondary schools and universities, b) to the medical profession, c) to the legal profession." (L-199, supra)

also from the fact that GÖRING publicly declared that "the police in Germany were not supported by the government for the purpose of protecting "Jewish stores."

L-198. State Department Dispatch by Consul General Messersmith, 14 March 1933

(2) The 1938 Pogrom

The Nazis adopted the pretense of spontaneity, and deliberately manufactured evidence as a basis for attributing pogroms to popular uprising.

L-180. Report by SS Brigadeführer to Hitler, 15 October 1941

The pogrom of November 1938 was organized in connection with the shooting of the Secretary of the German Legation in Paris, von Rath, by the Jew, Grynszpan. All over the Reich, and also in Austria, Jewish synagogues, homes and shops were smashed and destroyed by fire, and large numbers of Jews were arrested, jailed or placed in concentration camps.

1816-PS. Conference conducted by Göring, 12 November 1938

Events in Leipzig were characterized by the American Consul there as frightful acts of destruction and terror. Jewish homes, stores and synagogues were smashed and destroyed by fire; Jews were subjected to physical violence which caused several deaths.

L-202. State Department Dispatch from D.H. Buffum, American Consul at Leipzig, 21 November 1938

The pogrom was represented as being a "spontaneous reaction" of the German people to the "Jewish outrage".

2715-PS. Völkische Beobachter, No. 315, 11 November 1938

However, the Gestapo was prepared for and centrally controlled the "pogrom". All "Stapo" (State Police) officers were ordered not to impede action against Jews and

Jewish property; to ransack synagogue archives for "important" documents; to prepare the arrest of 20,000 to 30,000 well-to-do Jews all over Germany; to take charge generally, assisted by SS troops, of anti-Jewish demonstrations; to work out a concerted plan of action with party Gauleiters and Kreisleiters; and to stop anti-Jewish demonstrations only if non-Jewish lives or property should be endangered.

374-PS. Series of orders regarding anti-Jewish demonstrations, issued by Headquarters, SS; Berlin

Julius STREICHER has admitted that the action against the Jews was not spontaneous, but ordered and organized by the party.

406-PS. Memorandum by Gauleiter STREICHER re certain acts against the Jews, 14 April 1939

Police plans in Austria contemplated that schools should be closed so that children might participate "as ordered" in the demonstration; that stolen goods should not be returned to the Jews, but "placed in safety"; that Jewish properties should be completely erased; and that the Hitler Youth should employ entire school classes for the destruction.

2237-PS. Collection of official Nazi documents on the November pogrom in Austria

Jewish owners of shops and dwellings damaged by the uprising of 8, 9, and 10 November 1938 had to repair the damage at their own expense, and insurance claims were confiscated.

L-1. Reichsgesetzblatt 1938, I, 189, p. 1579, 1582

1816-PS. Stenographic report of the meeting on the Jewish question, under the chairmanship of defendant GURIN, on 12 November 1938

(d) Ghettoization

In October, 1938, at a conference conducted by GOERING at the Air Ministry, the policy of residential segregation and ghettoization was discussed,

1301-PS. Original memorandum of conference
14 October 1938, Thomas' initials

and again at a similar conference in November, 1938.

1816-PS. Copy, stenographic report of
conference, 12 November 1938.

By decree dated 28 November 1938, signed by Heydrich (assistant to the Reich Minister of the Interior), governors of provinces, mayors and local officials were empowered to exclude Jews from certain localities and to prohibit their appearance in public at certain times.

1415-PS. 1938 Reichsgesetzblatt I, p. 1676,
28 November

Shortly thereafter, on 28 December 1938, pursuant to Hitler's instructions, GOERING issued an order setting forth general policies with respect to restriction of Jews, and further stating that--

"Protective regulations for tenants will not be generally revoked in the case of Jews. It is desirable, however, to proceed in individual cases in such a way that Jews will live together in one house, as much as feasible under rental conditions."

841-PS. Copy of order signed by GOERING
28 December 1938

069-PS. Original letter BORMANN to
ROSENBERG, 17 January 1939,
enclosing order of 28 December
1938.

Complete registration of all Jews, as defined by Nazi law, was required in German-dominated areas.

2716-PS. Reichsgesetzblatt I, 1938, p. 922
(Germany), 23 July

2720-PS. 1940 Reichsgesetzblatt I, p. 694,
(Austria), 29 April

2721-PS. 1941 Verordnungsblatt MB, (Belgium)
25 November

2722-PS. 1941 Verordnungsblatt, No. 16,
13.I.1941, Nr. 6 S. 19 (Holland)
10 January.

2723-PS. Journal Officiel, 1940, No. 9,
p. 92 (France), 30 September

2724-PS. Kurjer Krakowski, 24 October 1939
(Poland)

2725-PS. 1941 Verordnungsblatt M.S.,
(Yugoslavia), 31 May

By the end of 1942, Jews in the General Gouvernement
(occupied Poland) had all been crowded into 55 localities,
whereas before the war there had been approximately a
thousand Jewish settlements in the same area.

2726-PS. 1942 Verordnungsblatt fuer das General-
Gouvernement, No. 94, p. 665, 1 November

2727-PS. 1942 Verordnungsblatt fuer das General-
Gouvernement, No. 98, p. 683,
14 November

Further, it is known that major ghettos were established,
among other places, at Lublin, Warsaw, Lodz, Cracow,

2613-PS. "The Black Book of Poland" (Polish
Ministry of Information), 1942,
pp. 236-243, 246

Lwow,

L-18. Photostat of signed official report,
Katzmann to Krueger, 30 June 1943, re
"Solution of Jewish Question in Galicia."

Theresionstadt,

2728-PS. 1942 Verordnungsblatt RP, 28 February

Kaunas, and Riga.

L-180. Copy of report to Himmler by SS Brigade
"Action Group A", 15 October 1941

In the office of ROSENBERG, upon his appointment as
Reich Minister for the Eastern Occupied Territories in 1941,
a "political department" was established and charged
specifically, among other things, with the creation of
ghettos.

1024-PS. Copy of organizational memorandum,
ROSENBERG file, 29 April 1941.

ROSENBERG's instructions for the execution of this policy
contemplate the establishment of ghettos and state that--

"the first main goal of the German measures
must be strict segregation of Jewry from the
rest of the population. In the execution of
this, first of all is the seizing of the
Jewish population by the introduction of a
registration order and similar appropriate
measures ...

"...all rights of freedom for Jews are to be withdrawn. They are to be placed in ghettos and at the same time are to be separated according to sexes. The presence of many more or less closed Jewish settlements in White Ruthenia and in the Ukraine makes this mission easier. Moreover, places are to be chosen which make possible the full use of the Jewish manpower in case labor needs are present. These ghettos can be placed under the supervision of a Jewish self-government with Jewish officials. The guarding of the boundaries between the ghettos and the outer world is, however, the duty of the Police...

"Also in the cases in which a ghetto could not yet be established, care is to be taken through strict prohibitions and similar suitable measures that a further intermingling of blood of the Jews and the rest of the populace does not continue."

212-PS. Copy of memorandum, ROSENBERG file.

In his directions to the Reich Commissioner in the Ukraine, under date of 7 May 1941, ROSENBERG specifically directed that--

"After the customary removal of Jews from all public offices, the Jewish question will have to have a decisive solution; through the institution of ghettos. In so far as the Jews have not been driven out by the Ukrainians themselves, the small communities must be lodged in large camps, in order to be kept busy by means of forced labor, in the same way as it has already been the practice in Letzmannorstadt (Lodz)"

1028-PS. Memorandum from ROSENBERG file, 7 May 1941

Under date of 13 August 1941, directives for the treatment of Jews in the Baltic States were drafted. Among other things, they prescribed that Jews in the cities must be concentrated into ghettos and forbidden to leave same, and that the ghetto must be hermetically sealed off.

1138-PS. Enclosure in copy of letter from Commissioner for the Baltic States to ROSENBERG, 13 August 1941.

In a report to Himmler by SS Brigade Fuehrer of "Action Group A", on the liquidation of 135,000 persons, including more than 118,000 Jews during the first four months of the German invasion of Russia, the establishment of ghettos within the conquered area is described as follows:

"Apart from organizing and carrying out measures of execution, the creation of ghettos was begun in the larger towns at once during the first days of operations. This was especially urgent in Kowno because there were 30,000 Jews in a total population of 152,400....Against remonstrations made by the Jewish Committee, it was declared that there was no other possibility to prevent further pogroms. On this the Jews at once declared themselves ready to do everything in their power to transfer their co-racials to the town district of Viriampol which was intended as a Jewish ghetto and with the greatest possible speed. This town district lies in the triangle between the Memel River and a tributary; it is connected with Kowno by one bridge only and can, therefore, easily be locked off.

"In Riga the so-called 'Moskau Suburb' was designated as a ghetto. This is the worst dwelling district of Riga, already now mostly inhabited by Jews. The transfer of the Jews into the ghetto-district proved rather difficult because the Latvians dwelling in that district had to be evacuated and residential space in Riga is very crowded. 24,000 of the 28,000 Jews living in Riga have been transferred into the ghetto so far. In creating the ghetto, the Security Police restricted themselves to mere policing duties, while the establishment and administration of the ghetto as well as the regulation of the food supply for the inmates of the ghetto were left to Civil Administration; the Labor Offices were left in charge of Jewish labor.

"In the other towns with a larger Jewish population ghettos shall be established likewise."

L-180. Copy of report to Himmler by
SS Brigade Fuehrer "Action
Group A", 15 October 1941

The Warsaw and Galician ghettos were among the largest. The site of the Warsaw ghetto, previously used as a quarantine area, was selected in October 1940 for transfer thereto of the designated Jewish population by 15 November of that year. Some 400,000 Jews, for whom housing was available at the rate of six persons per room, inhabited the newly-formed area. The district was separated from the rest of the city by walls and all outlets were sealed. Administration was placed in the hands of a Jewish council, subject to instructions from a commissioner for Jewish affairs.

The Warsaw ghetto was maintained until July 1942, when it was determined that mere concentration in a segregated area did not solve the "Jewish danger". Between 22 July and 3 October 1942, in excess of 300,000 Jews were "removed", as were another 6,500 in January 1943. In April 1943 the boundaries of the ghetto were sealed by a ring of troops to prevent the Jews from breaking out, and during the subsequent days until 16 May 1943, the entire ghetto was razed. Some 56,000 inmates were captured, or died from shooting, suicide, blasting and uncontrolled fire.

1061-PS. Original report of destruction of Warsaw ghetto, to Chief of SS and Police for Eastern Territories, General of Police Krueger, by "leader of SS and Police formations in the Warsaw district, SS Brigade leader", Major General Stroop, April-May 1943.

In the Polish Province of Galicia, in which approximately 500,000 Jews were eliminated from July 1941 to 30 June 1943, Jews were forced into ghettos, from which they were later selected for enforced labor camps or immediate annihilation until virtually all Jews in the province were destroyed. The distribution of Jewish residential areas in Galicia prior and subsequent to ghettoization and systematic elimination of Jewry in Galicia is charted, and the conditions within the ghettos, are described as follows:

"Page 19 of this report contains a map intended to show how Jews lived scattered throughout the whole of the District, until the special Jewish Residence Districts were established. The detachments continually were exposed to serious physical and mental strains. Again and again they had to overcome the nausea threatening them when they were compelled to enter the dirty and pestilential Jewish holes...

"Nothing but catastrophic conditions were found in the ghettos of Rawa-Ruska and Rohatyn. The Jews of Rawa-Ruska, fearing the evacuation, had concealed those suffering from spotted fever in underground holes. When evacuation was to start the police found that 3000 Jews suffering from spotted fever lay about in this ghetto. In order

to destroy this center of pestilence at once every police officer inoculated against spotted fever was called into action. Thus we succeeded to destroy this plague-boil, losing thereby only one officer. Almost the same conditions were found in Rohatyn...

"On the occasion of these actions, many more difficulties occurred owing to the fact that the Jews tried every means in order to dodge elimination ('Aussiedelung'). Not only did they try to flee, but they concealed themselves in every imaginable corner, in pipes, chimneys, even in sewers, etc. They built barricades in passages of catacombs, in cellars enlarged to dug-outs, in underground holes, in cunningly contrived hiding-places in attics and sheds, within furniture, etc...

"Since we received more and more alarming reports on the Jews becoming armed in an ever increasing manner, we started during the last fortnight in June 1943 an action throughout the whole of the district of Galicia with the intent to use strongest measures to destroy the Jewish gangsterdom. Special measures were found necessary during the action to dissolve the ghetto in Lwow where the dug-outs mentioned above had been established. Here we had to act brutally from the beginning, in order to avoid losses on our side: we had to blow up or to burn down several houses. On this occasion the surprising fact arose that we were able to catch about 20,000 Jews instead of 12,000 Jews who had registered. We had to pull at least 3,000 Jewish corpses out of every kind of hiding places; they had committed suicide by taking poison...

"Despite the extraordinary burden heaped upon every single SS-Police officer during these actions, mood and spirit of the men were extraordinarily good and praiseworthy from the first to the last day...

"Only thanks to the sense of duty of every single leader and man have we succeeded to get rid of this P L A G U E in so short a time."

L-18. Photostat of signed original report Katzmann to Krueger, 30 June 1943 re "Solution of Jewish question in Galicia"

(c) Starvation

The program of action against the Jewish people also included deliberate starvation by limiting their access to sufficient food as civilians through a large variety of devices:

Jews were prohibited from inhabiting flat land and pursuing agricultural activities, in order to reduce their access to food stocks.

1138-PS. Enclosure in copy of letter from Reich Commissioner for the Eastern Territories to ROSENBERG, 13 August 1941

Slaughter in accordance with Jewish ritual was prohibited, in order to deprive orthodox Jews of meat and fowl.

(1138-PS, supra)

Jews were excluded from the purchase of certain basic foods, such as meat, eggs, wheat products, and milk.

1347-PS. Original decree, 18 September 1942, Ministry of Agriculture

Jewish ration cards were required to be distinctly marked, as with the word "Jew" in color across the face of the card, so that storekeepers could readily identify the Jewish purchasers. (1347-PS, supra)

Jewish food purchases were confined to certain areas (1347-PS, supra) and to certain days and hours, at which times food stocks might be exhausted.

1689-PS. "Czechoslovakia Fights Back", document of the Czechoslovak Ministry of Foreign Affairs, 1943, page 110

Jews were excluded from special food concessions for the sick, frail persons, and pregnant mothers, and from special allocations of food. (1347-PS, supra)

Food gifts sent to Jews from abroad were subtracted from their rations. (1347-PS, supra)

The Gestapo was also authorized to seize, and to turn over to the office for food distribution, such food shipments to Jews from abroad. (1347-PS, supra)

Jews were limited to rations as low as only one-half of the ration allotted to the lowest basic category of the remaining population, that is, people who performed no useful work.

1189-PS. Copy special order No. 44 for Occupied Eastern Territories
4 November 1941

2729-PS. Transcript of Interrogation of Josef Buchler, 29 October 1945

Jews were prohibited from buying unrationed food, and even from receiving food as a gift from any private citizen.

(1689-PS, supra) (1347-PS, supra)

The Ministry of Agriculture was empowered even to exclude Jews entirely or partially from obtaining rationed food, thus exposing the Jewish community directly to death by starvation. (1689-PS, supra)

In the ghettos Jews were limited to such food as could be spared by the rest of the population, but not more than was sufficient for bare subsistence. (1138-PS, supra)

Jews drafted for forced labor were compensated not according to their work, but only in an amount sufficient to allow the laborer and his family the barest subsistence, taking into account any means he might otherwise have for procuring food. (1138-PS, supra)

It is noted in the diary of Hans FRANK, Governor General for the Occupied Polish Territories, in March and October of 1941 that hunger rations were introduced in the Warsaw ghetto, and later that FRANK would not propose to give any more rations to Jews because of food shortage. He states in August 1942 that by the new food regulations he virtually condemns one to two million Jews to death.

2233-PS. Frank's diary, C.V. 1941; March, October, p.13; D.V. IV 1941, p.943; C.V. 1942, 24 August, p.15

Finally, the general food situation in Poland as of December 1942 is described in detail in an official press bulletin of the Polish Ministry of Information. The Ministry concludes in this document, on the basis of the nature of the separate rationing and distribution system for Jews, and

the prices and amounts of food available to Jews during certain periods in the Warsaw and Cracow ghettos, that the system was "obviously aimed at depriving them (Jews) of the most elemental necessities of life".

L-165. Polish Ministry of Information, Press Bulletin, published in Polish Fortnightly Review, 18 December 1942

2613-PS. See also: "The Black Book of Poland" (Polish Ministry of Education), 1942, p.227.

(f) Enforced Labor and Enslavement

As early as 26 June 1935 compulsory labor service was introduced in Germany.

1323-PB. 1935 Reichsgesetzblatt I, p.769

By 31 October 1941 the Reich Ministry of Labor had, with respect to Jews, openly legalized in Germany proper the compulsory acceptance of any work assigned to them, removed restrictions on maximum hours, and cancelled all special payments such as bonus, overtime, vacation and sick-period pay.

2730-PB. 1941 Reichsgesetzblatt I, pp.681-2, order, Reich Ministry of Labor

Beyond this, mass deportations to outright enslavement in the ghettos and penal and labor camps in Poland, Czechoslovakia, the Soviet Union and other countries in the east was the fixed policy of the leaders of the Nazi Government.

1301-PS. Conference with Goebbels, 14 October 1938; labor columns suggested by State Councillor Schaefer, sheet 392

878-PS. OKW Order, 12 September 1941, Keitel's signature; Jews in Eastern Territories to be put in labor columns working under German supervision

025-PS. Sauckel slave labor conference, 3 September 1942, states intention to use Jews of Europe as living transport chain to East.

682-PS. Thierack's notes on discussion with Goebbels, 12 September 1942; latter favors extermination of Jews through work.

654-PS. Thierack's notes on discussion with Hitler, 16 September 1942; Jews to be delivered to Himmler for extermination through work.

L-156. Circular letter from Office of Commissioner for Four-Year Plan, 26 March 1943; Sauckel, Hitler and Speer removed all Jews from their places of work to labor camps.

Jews from many areas in Europe were subjected to forced labor and deportation to compulsory labor camps.

L-26. 14 June 1944, United Nations Information Organization, Report No. 8, "Slave Labor and Deportation", pp.14 (Greece), 16 Holland)

579-PS. Three letters, district commissioner and employment director at Riga, and economic directorate in Latvia, 21 July 1941, 10 February 1942 and 6 July 1942, with respect to forced Jewish labor in Riga and Latvia

1948-PS. Letter from Governor in Vienna, 7 November 1940, evidencing RSHA instructions to recruit Jews for forced labor.

R-124. Speer's conference minutes, 1942-4, Fuehrer orders Himmler to collect 100,000 Jews in Hungary for forced labor.

1639-PS. "Czechoslovakia Fights Back", Document of Czechoslovak Ministry of Foreign Affairs, 1943, p. 111, deportation of Czech Jews to forced labor.

Forced labor for Jews was introduced in Poland by decree dated 26 October 1939 under the signature of Governor General FRANK.

2613-PS. "The Black Book of Poland" (Polish Ministry of Information), 1942, p. 573.

2731-PS. Frank interrogation, 6 September 1945, pp 12 - 15

ROSENBERG as Reich Minister for the Occupied Eastern Territories set up within his organization a "political department" which, among other things, was to find a solution for the Jewish problem, in part, by means of forced labor.

1024-PS. Copy of organizational memorandum Rosenberg file, 29 April 1941

He thereafter instructed the authorities under his jurisdiction to the effect that Jewish forced labor commitments in the strictest form should be introduced; in general, Jewish manpower should be used for heavy manual labor; that there should be a complete and unyielding use of Jewish manpower regardless of age.

212-PS. Copy of memorandum, Rosenberg file.

1028-PS. Instructions to Reich Commissioner in Ukraine 7 May 1941

1138-PS. Enclosure in copy of letter from Reich Commissioner for the Baltic States to Rosenberg, 13 August 1941

Ordinarily, a large number of Jews would be deported to

a concentration area and screened so as to separate the "usable" Jews from those considered worthless. The former would then be dispatched to labor camps and the latter exterminated. For example, a contingent of 45,000 Jews would be expected to yield ten to fifteen thousand usable laborers.

1472-PS. RSHA telegram to Himmler, 16
December 1942, recruiting
Jewish labor

The nature of the forced labor system for Jews may be clearly seen from an examination of an SS report on the "solution" of the "Jewish Problem" in Galicia. The report states:

"The best remedy consisted of the formation, by the SS and Police Leader of Forced Labor Camps. The best opportunities for labor were offered by the necessity to complete the "D4" road which was extremely important and necessary for the whole of the southern part of the front, and which was in a catastrophically bad condition. On October 15th, 1941, the establishment of camps along the road was commenced, and despite considerable difficulties there existed, after a few weeks only, seven camps containing 4,000 Jews. Soon more camps followed these first ones, so that after a very short time the completion of 15 camps of this kind could be reported to the Superior Leader of SS and Police. In the course of time about 20,000 Jewish laborers passed through these camps. Despite the hardly imaginable difficulties occurring at this work I can report today that about 160 km of the road are completed...

"At the same time all other Jews fit for work were registered and distributed for useful work by the Labor Exchange...

"During this removal of the Jews into a certain quarter of the town several sluices were erected at which all the work-shy and asocial Jewish rabble were caught, when passing, and executed...

"Owing to the peculiar fact that almost 90% of the artisans working in Galicia were Jews, the task to be solved could be fulfilled only step by step, since an immediate evacuation would not have served the interest of War Economy...

"Cases were discovered where Jews, in order to acquire any certificate of labor, not only renounced all wages, but even paid money themselves. Moreover, the "organizing" of Jews for the benefit of their "employers" grew to so catastrophical extents that it was deemed necessary to interfere in the most energetic manner for the benefit of the German name...

"Since the Administration was not in a position and showed itself too weak to master this chaos, the SS and Police Leader simply took over the entire disposition of labor for Jews. The Jewish Labor Exchanges which were manned by hundreds of Jews, were dissolved. All certificates of labor given by firms or administrative offices were declared invalid, and the cards given to the Jews by the Labor Exchanges were revalidated by the Police Offices by stamping them...

"In the course of this action again thousands of Jews were caught who were in possession of forged certificates or who had obtained surreptitiously certificates of labor by all kinds of pretexts. These Jews also were executed...

L-18. Photostat of signed original report Ratzmann to Krueger, 30 June 1943, re "Solution of Jewish Question in Galicia," pp.2, 3, 4, 5, 10

(g) Torture, Murder, and Mass Annihilation

(1) Deportation

According to the official German figures, the Jewish population for the City of Warsaw was 393,935, and for the District of Warsaw, 666,000.

2617-PS. Reports of the Section of the Internal Administration in the Department of the Chief of the District of Warsaw, published by the General Government for Poland, 1940, p. 59.

The first removal from the Warsaw Ghetto of 310,322 Jews took place between 22 July 1942 and 3 October 1942, and another of 6,500 in January 1943.

1061-PS, Collection of official reports and photographs re destruction of Warsaw Ghetto April and May 1943, "The Jewish Ghetto in Warsaw No Longer Exists", by SS Brig. General Stroop.

The history of deportation of the Jews from the Netherlands is an example of mass deportation of the Jewish population from an entire country, such as took place in the occupied countries. In the Netherlands in February 1941 the first 1,000 Jews were arrested. Within a few months they were sent to Buchenwald and/or Mauthausen, and later their ashes were returned to Holland against a payment of the sum of 75 florins for each. They were deported continually until September 1943, when the last of the Jews composed of the Jewish Council were sent to Westerbork. Of 140,000 registered "full" Jewish Netherlands, 117,000 were deported.

1726-PS. Statement of Netherlands Government Commission for Repatriation, 16 October 1945

Deportations from other countries were similarly carried out.

On 16 December 1942 an additional 45,000 Jews were deported to Auschwitz. A telegram arranging for this move reads, in part:

"In connection with the increase ordered 30 Jan 1943 in the transfer of labor into concentration camp, the following procedure can be organized in the Jewish section.

"1. Total number: 45,000 Jews

"2. Start of Transportation: 11 Jan 1943 ...

"3. Composition: The 45,000 Jews are to consist of 30,000 Jews from the district of Bialystock, 10,000 from the Ghetto Theresienstadt, 5,000 of whom are Jews fit for work who heretofore had been used for smaller work required for the Ghetto, and 5,000 Jews who are incapable of working or over 60 years old, in order to use this opportunity for reducing the number of inmates now amounting to 48,000 which is too high in the interests of building up the Ghetto. I am requesting special authority for this action. As heretofore only such Jews will be taken for the evacuation who do not have special connections and contacts or high decorations. 3,000 Jews from the occupied Dutch territories, 2,000 Jews from Berlin = 45,000. The figure of 45,000 includes the invalid (underlined) appendix (old Jews and children). By use of a practical standard, the screening of the arriving Jews in Auschwitz should yield at least 10,000 to 15,000 people fit for work (underlined)."

1472-PS. Telegram from Mueller SS to Himmler RSHA requesting deportation of 45,000 Jews to Auschwitz, 16 December 1942.

Following is an excerpt from an order to the Presidents of the "Landes" Employment Offices:

"The Jews who will become available as a result of replacement by Polish labor will be deported immediately. This will apply first to Jews engaged in menial work since they can be exchanged most easily. The remaining so-called "qualified" Jewish laborers will be left to the industries until their Polish replacements, who will be trained for a period of time to be determined from case to case, have been made sufficiently familiar with the work processes. Loss of production in individual industries will thus be reduced to the absolute minimum."

L-61. Express Letter from the Commissioner for the Four Year Plan to the Presidents of the "Landes" Employment Office, transmitted by Fritz Sauckel, 26 November 1942.

One group of Hungarian Jews was subjected to deportation twice.

"Near Komenez-Podolsk, the Hungarians have pushed about 11,000 Jews over the border. In the negotiations up to the present it has not been possible to arrive at any measures for the return of these Jews. The high SS and Police official (SS-Obergruppenfuhrer Jeckeln) hopes, however, to have completed the liquidation of these Jews by the 1.9.1941."

197-PS. Memorandum of a conference in HQ OKH Quartermaster General, re transfer of the administration of the Ukraine from the Wehrmacht to the civilian authorities; signed by Labs, Ministerial Director, 27 August 1941.

At the end of February 1943, Plenipotentiary General for Manpower in office of Commissioner for Four Year Plan (SAUCKEL) and Reich Leader SS (Himmler) and Reich Minister for Armaments and Munitions (SPER) removed from their places of work all Jews who were not in camps and transferred them to labor camps or collected them for removal.

L-156. Circular letter from Chief of Agricultural Office for the Moselle District, 26 March 1943.

The police ordered on 11 March 1943 that all Jews who were released from a prison were to be handed over to the local Gestapo for lifelong detainment in the concentration camps.

701-PS. Letter from Minister of Justice to Prosecutors re transfer of Jews, 21 April 1943

Deportations from other countries were carried out. Greek Jews were deported to Poland.

"Greek Jews are in a special category. Many have been deported. Four-fifths of the Jewish population of Salonika are estimated to have been deported to Poland, many of them dying as a result of inhuman treatment."

L-26. "Conditions in Occupied Territories -- Slave Labour and Deportation", a publication of United Nations Information Office (an agency of the governments of 19 nations), p. 14, 14 June 1944.

After the occupation of Poland, Hitler designated Lublin and its immediate district as a reservation in which all Jews from the occupied countries were to be concentrated. Czechoslovakian Jews were deported to that

place.

"Some 2,000 Jews of Moravska Ostrava were the first to be sent there. A year later, at the end of October, 1941, 48,000 Czech Jews were already picked out for deportation. Men between the ages of sixteen to fifty were sent to labor camps, while their womenfolk and children were taken to special settlements in Eastern Poland. At the end of June, 1942, deportation to Poland began on a large scale. The Gestapo was instructed to prepare by every Monday and Thursday contingents of a thousand Jews each. Those to leave were given a day or two's notice. The Nazi records of the Jewish registration were out of date and it often happened that the call-up cards were addressed to persons who had died years ago, had left the country or had already been deported. In such cases the daily quota of a thousand was made up by people simply picked up from the streets or dragged from their beds at night-time. The Gestapo took a delight in so selecting the deportees that families were split, wives separated from their husbands, and even small children from their mothers. Those left at home were never allowed to bid farewell to their relatives or friends. But sometimes, on early summer mornings their Czech friends could watch those gloomy processions of the outlawed marching to the railway station and passing for the last time through the streets of Prague.

"At the end of 1942, no Jewish life in Bohemia and Moravia was left. Out of the 90,000 Czech Jews more than 72,000 have been deported.

"At the end of November, 1942, a special committee was up to consider the final expulsion of the remainder of the Jews. By then, out of the 95,000 Jews (in Slovakia) 76,000 had already been deported."

1689-FS. "Czechoslovakia Fights Back", a document of the Czechoslovak Ministry of Foreign Affairs, 1943, pp 112-114.

Elimination of Jews from Galicia started in April 1942.

"Despite all these measures concerning the employment of Jews their elimination ('Aussiedelung') from the district of Galicia was commenced in April 1942, and executed step by step.

"When the Superior SS and Police Leader once again intervened in the solution of the Jewish problem by his Decree Concerning the Formation of Districts inhabited by Jews of 10.11.1942 already

254,989 Jews

had been eliminated ('ausgesiedelt')."

L-18. Report from SS Gruppenfuehrer and Lt. Gen. of Police to the Superior SS and Police Leader East Krueger, on the solution of the Jewish problem in Galicia, 30 June 1943.

(2) Annihilation in Ghettos

An example of mass annihilation is that of the Warsaw Ghetto Jews. A part of Warsaw previously used as a quarantine area was selected as a ghetto. This portion of the city was then walled off, and all outlets sealed. The transfer of the population to the Ghetto was completed by about 15 November 1940. The population of the Ghetto was about 400,000.

In July 1942 the Jews were ordered from the Warsaw ghetto. In January 1943 only about 70,000 Jews remained in the ghetto.

During his visit to Warsaw in January, 1943, the Reichsfuehrer SS Himmler ordered the SS and Police Chief of Warsaw to transfer to Lublin from the Ghetto all armament, and war plants, with machines and laborers. After almost three months' delay, the SS and Polizeifuehrer (Chief of Police) of Warsaw decided to effectuate this transfer by armed force, to be accomplished in three days, beginning at 0600 on 19 April 1943. Two hours later the command was taken over by SS Brigade General and Major General of Police Stroop in the Warsaw Area, under the supervision of Chief of the SS and Police for the Eastern Territories, General of Police Krueger.

On 23 April 1943 the Reichsfuehrer SS ordered the destruction and burning down of the ghetto "with utter ruthlessness and merciless tenacity".

The 34 officers and 2,054 men participating in this action were attached to the following organizations:

- The SS,
- Order Police,
- Security Police in SS units,
- Waffen SS
- Engineers of the Wehrmacht.

A proved total of 56,065 Jews was captured or eliminated, in addition to those killed through blasting, fire, and so forth. The drive ended on 16 May 1943. Excerpts of

Half of the Jews that were liquidated in Kiev were women, and their homes were given over to those chosen by the Germans.

053-PS. Inter-office report from Hans Koch to Rosenberg re political situation in Ukraine, 5 October 1941, p. 4

KEITEL, after consultation with Hitler, decided to order the shooting of a great number of arrested Communists, Jews, and criminals.

"General Field Marshal Keitel, after a conference with the Fuehrer, refuses to consider the plan of sole judging and arbitrary final decision for measures in cases of assault and acts of violence with explosives which was proposed from there as long as the measures which are proposed from there do not take into consideration in their type and magnitude the fundamental attitude of the Fuehrer for assaults and violent acts with explosives which have been reported since Jan. 15, and which have not yet been clarified but are on the increase. Sharp and deterring punishment must be instituted by shooting a large number of arrested Communists and/or Jews and persons who have previously committed assault and by arresting at least one thousand Communists, and/or Jews for shipment. Field Marshal Keitel awaits corresponding instructions for submission to the Fuehrer."

1012-PS. Teletype from OKH to Military Commander of France re consultation of Hitler and Keitel re shooting of Jews and Communists, 30 January 1942.

The elimination ("Aussiedelung") of Jews from the district of Galicia was commenced in April 1942. They were first put in labor camps, where possible near armament factories. When in camps, they were under the control of the SS and Police Leader of Galicia. Jewish laborers received no payment in cash. The following excerpt from the Galician Report is significant:

part of the report, for the day of 24 April 1943, follow:

"Contrary to the preceding days, I ordered that the 24 searching parties which again had been formed should not start at one end of the Ghetto, but proceed from all sides at the same time... At 1815 hours a search party entered the premises, the building having been cordoned off, and found that a great number of Jews were within the building. Since some of these Jews resisted, I ordered the building to be set on fire. Not until all the buildings along the street and the back premises on either side were well aflame, the Jews emerged from these blocks, part of them burning already, and some of them endeavored to save their life by jumping upon the street from windows and balconies, after having thrown down beds, blankets, and the like. Over and over again we had to discover that Jews and bandits despite the danger of being burnt alive rather returned into the flames than to risk being caught by us... For de-camping 1660 Jews were caught. From dug-outs 1834 Jews were pulled out, 330 were shot dead. Innumerable Jews were destroyed by the flames or perished by the dug-outs being blown up. 26 dug-outs were blown up and an amount of paper money, among it many dollars was captured, which could not yet be counted."

1061-PS. Collection of official reports and photographs re destruction of Warsaw Ghetto April and May 1943, "The Jewish Ghetto in Warsaw No Longer Exists", by SS Brigade Leader Stroop.

(3) Annihilation of the Jews Wherever Found.

When the campaign began against Russia, the Germans made an effort, simultaneously with the capture of each small village or city, to annihilate the Jews.

A report showing actions against Jews of captured Russian territory reveals mass shootings in Esthonia, where all male Jews over 16 years were executed, with the exception of doctors and elders. All Jews were arrested and 33,771 executed on the 29th and 30th of September. In Shitomir, 3,145 Jews "had to be shot because from experience they have to be regarded as carriers of Bolshevik propaganda and saboteurs".

R-102. Report on activities of Einsatzgruppen of Sipo and SD in USSR, addressed to the Chiefs of the Security Service and SD in German Occupied Russia, 1-31 October 1941

"In the meantime further elimination ('Aussiedelung') was executed with energy, so that with effect from 23 June 1943 all Jewish Residence Districts could be dissolved. Therewith I report that the District of Galicia, with the exception of those Jews living in the camps being under the control of the SS & Pol. Leader, is

Free from Jews.

"Jews still caught in small numbers are executed by the competent detachments of Police and Gendarmerie.

"Up to 27 June 1943 altogether
434,329 Jews
have been eliminated ('Ausgesiedelt').

"Camps for Jews are still in existence in:

Lwow	Kosaki	Drohobycz
Weinbergen	Zborow	Boryslaw
Ostrow	Jezierna	St. yj
Kurowice	Tarnopol	Balechow
Jaktorow	Hluboczek	Brosznrow
Lackie	Borki-Wielki	Mjehelow
Pluhow	Kanionki	Kole

containing altogether 21,156 Jews. This number is being reduced currently."

L-18. Report on the Solution of the Jewish Problem in Galicia by Friedrich (Fritz) Katzmann, SS Group Leader and Lt. Gen. of Police to Kraeger, Superior SS Group Leader & General of Police, on 30 June 1943, Top Secret, page 14.

From the liquidated Jews in Galicia were collected
11.73 kilograms of gold dental teeth and fillings -
412 ounces. (L-18, supra, page 15)

In the Baltic States alone, during the first four months of the German invasion of Russia, SS and SD Brigade Fuehrer Stahlecker reported that 135,567 persons, nearly all Jews, were murdered, in accordance with basic orders directed at the complete annihilation of the Jews. This report was found in Himmler's private files.

L-180. Report by SS Brigade Fuehrer Stahlecker to Himmler, entitled, "Action Group A", on liquidation of Communists and Jews in Baltic States, 15 October 1941.

It is quoted in part as follows:

"To carry out the duties connected with security police, it was desirable to move into the larger towns together with the armed forces. We had our first experiences in this direction when a small advance detachment under my leadership entered Kowno together with the advance units of the Armed Forces on 25 June 1941. When the other larger towns, especially Libau, Mitau, Riga, Dorpat, Reval, and the larger suburbs of Leningrad were captured, a detachment of the Security Police was always with the first army units ...

"Similarly, native anti-Semitic forces were induced to start pogroms against Jews during the first hours after capture, though this inducement proved to be very difficult. Following our orders, the Security Police had decided to solve the Jewish question with all possible means and with every determination. But it was desirable that the Security Police should not put in an immediate appearance, at least in the beginning, since the extraordinarily severe measures were apt to stir even German circles. We arranged to prove to the public that the native population itself took the first action by way of natural reaction against the suppression by Jews during several decades and against the terror exercised by the Communists during the preceding period ... To our surprise it was not easy at first to set in motion an extensive pogrom against the Jews. VIILATIS, the leader of the partisan unit, mentioned above, who was used for this purpose primarily, succeeded in starting a pogrom on the basis of advice given to him by a small advanced detachment acting in Kowno and in such a way that no German order or German instigation was noticed from the outside. During the first pogrom in the night from 25 to 26-6 the Lithuania partisans did away with more than 1,500 Jews, set fire to several Synagogues or destroyed them by other means and burned down a Jewish dwelling district consisting of about 60 houses. During the following nights about 2,300 Jews were made harmless in a similar way ...

"It was possible though through similar influences on the Latvian auxiliary to set in motion a pogrom against Jews also in Riga. During this pogrom all synagogues were destroyed and about 400 Jews were killed." (L-180, supra, pages 3 and 4, 21 and 22 of original)

The design was set out further as follows:

"From the beginning it was to be expected that the Jewish problem could not be solved by pogroms alone. In accordance with the basic orders received, however, the cleansing activities of the Security Police had to aim at a complete annihilation of the Jews. Special detachments reinforced by selected units -- in Lithuania partisan detachments, in Latvia units of the Latvian auxiliary police -- therefor performed extensive executions both

in towns and in rural areas. The actions of the execution detachments were performed smoothly ...

"The sum total of the Jews liquidated in Lithouania amounts to 71,105 ...

"In Latvia up to now 30,000 Jews were executed. 11,500 were made harmless by pogroms in Riga ...

"After the carrying out of the first larger executions in Lithouania and Latvia it became soon apparent that an annihilation of the Jews without leaving any traces could not be carried out, at least not at the present moment." (L-180, supra, p. 30)

Enclosure 8, "Survey of the number of executed persons" is quoted directly from the report:

"Enclosure 8 Survey of the number of executed persons."

	<u>Area</u>	<u>Jews</u>	<u>Communists</u>	<u>Total</u>
<u>Lithuania</u>	Kowno town and surroundings (land)	31,914	80	31,994
	Schaulen	41,382	763	42,145
	Wilna	7,015	17	7,032
		80,311	860	81,171
<u>Latvia</u>	Riga town and surroundings (land)*			6,378
	Mitau			3,576
	Libau			11,860
	Wolmar			209
	Dueanaburg	9,256	589	9,845
		30,025	1,843	31,868
<u>Esthonia</u>		474	684	1,158
<u>White-Ruthenia</u>		7,620		7,620
<u>Total:</u>	Lithuania	80,311	860	81,171
	Latvia	30,025	1,843	31,868
	Esthonia	474	684	1,158
	White-Ruthenia	7,620	--	7,620
		118,430	3,387	121,817

to be added to these figures:

In Lithuania and Latvia Jews annihilated by pogroms	5,500
Jews, Communists and partisans executed in old-Russian area	2,000
Lunatics executed	748
	122,455
Communists and Jews liquidated by State Pol. and Security Service Tilsit during search actions	5,502
	135,567 "

L-180, supra, page 30

A secret report from Lohse to ROSENBERG reveals the "success" attained in the execution of 1,274 subjects and 8,350 Jews during the pacification of White Ruthenia.

1113-PS. Secret Report from Lohse to Rosenberg against partisans in the East, 10 December 1942

Letters and reports from the General Commissioner in Minsk and the warden of the prison at Minsk involved complaints against the SS to the effect that the 5,000 Jews who were killed might have been usable for forced labor, that it should be possible to avoid atrocities, and to bury those who have been liquidated.

"To lock men, women and children into barns and to set fire to these, does not appear to be a suitable method of combatting bands, even if it is desired to exterminate the population. This method is not worthy of the German cause and hurts our reputation severely."

R-135. Copy of letter to Rosenberg enclosing secret reports from Kube on German atrocities in the East, dated 18 June 1943, found in Himmler's personal files.

(4) Annihilation Connected with Concentration Camps

On 28 June 1941 there were issued regulations and directives to the Chiefs of Security Police and the Secret Service Teams assigned to prisoner of war camps. In these directives the Commandoes in all Stalags were charged with the function of screening all prisoners of war to separate the politically suspect and the Jews from the other prisoners, and were admonished to execute them outside the camp sites, and not within their vicinity. The executions were called "Sonderbehandlung".

076-PS. Regulations issued by Heydrich for treatment of political prisoners of war, 28 June 1941.

"Sonderbehandlung" is a code word used by the Germans, which means, literally, "special treatment", but actually is the official code word of the SS for individual execution summarily without trial.

502-PS. Order of 17 July 1941 entitled "Regulations for the Commandoes of the Chief of the SIPO and SD (Security Police and Security Service) Which are to be Activated in Stalags"

This directive was re-issued.

L-58. Instructions for Special Investigation Teams in Prisoner of War Camps, 17 July 1941.

On or about the 14th of December 1941, Hitler and ROSENBERG had a conference. Among other things, they agreed that the matter of complete extinction of European Jewry was not to be mentioned openly. General Kitzinger also reported that about 2,500 prisoners of war died daily from starvation in his camps.

048-PS. Memorandum re conference re policy in East between Hitler and Rosenberg, 14 December 1941.

The principal extermination centers were at the concentration camps of Majdanek, Treblinka, Auschwitz, Birkenau, and Dachau.

Gassing by means of the exhaust pipes of Diesel engines was tried and used successfully. This was done in death vans and in gas cells at death camps.

501-PS. Collection of four documents on execution by gas, June 1942, one signed by Dr. Becker, SS Untersturmfuehrer, at Kiev, 16 May 1942.

Auschwitz - During July 1944 Jews were liquidated at the rate of 12,000 daily, and as the crematoria could not deal with such numbers, many bodies were thrown into large pits and covered with quicklime.

L-161. Report "Poland Oswiecia (Auschwitz) Concentration Camp", 31 May 1945

The number of Jews gassed in Birkenau between April 1942 and April 1944 was approximately 1,765,000.

L-22. Public Reports of War Refugee Board on German Extermination Camps Auschwitz and Birkenau, November 1944, page 33

Further reports confirming facts about Auschwitz are available.

D-251. Lieberman memorandum dated 27 September 1945, describing method of transport, gassing, and cremation.

Buchenwald - In Buchenwald, not only the killing of the Jews took place, but methods of deportation showed that as much as 25 percent of those transported there arrived dead, after being herded into boxcars without room to sit or defecate, without food or water, for sixty hours or more, and then being driven on foot at whip's end.

398-PS. OSS report #1-348 on Dora, an outside camp of Concentration Camp Buchenwald, April, 1944.

Majdanek - The Polish Soviet Extraordinary Commission has established that in the four years' existence of the Majdanek Camp, there were exterminated by mass shootings and gassing about 1,500,000 persons, a large percentage of whom were Jews. It was called by the Germans "Vernichtungslager", i.e., extermination camp.

L-31. Communique of the Polish-Soviet Extraordinary Commission for Investigating the Crimes Committed by the Germans in the Majdanek Extermination Camp in Lublin (contained in set of reports of Soviet State Commission on German crimes), Moscow, 1944, p. 2

(5) General

Only by estimation instead of actual count can the number of deaths of Jews be determined. Dr. Wilhelm Hoettl reported in an interrogation that Adolf Eichmann, Chief of the Jewish Section of the Gestapo, stated that he had reported to Himmler that 4,000,000 Jews were exterminated in camps and that 2,000,000 had been killed by shooting by the State Police in the campaign in Russia.

2738-PS. Transcript of Testimony, Wilhelm Hoettl, 2 October 1945, page 17.

In the Ukraine alone, Hitler quoted Koch in a conference with KEITEL and others, admitting the killing of 500,000 Jews in a projected Ukrainian state.

1384-PS. Stenographic Report of Hitler
Discussion with Keitel, 8 June
1943.

Dr. Rezso (Rudolph) Kastner was at one time political editor of "Uj Kelet", Jewish daily newspaper published in Koloszvar, Secretary General of the Parliamentary Group of the Jewish Party in Rumania between 1925 and 1940, and Associate President of the Hungarian Zionist Organization. He had traveled extensively over Germany, Austria, Hungary and Switzerland and Yugoslavia in his efforts to ameliorate the condition of the Jews during the war. He has furnished an estimate that the Germans, in Hungary alone, killed 450,000 Jews.

2605-PS. Affidavit of Dr. Rudolph
Kastner, former President
of the Hungarian Zionist
Organization, 13 September
1945.

D. Argument and Conclusion

The evidence conclusively shows that elimination of the Jews was early conceived as a basic tenet of the Nazi plan. It was openly espoused as a Party doctrine; reiterated with bold cynicism, publicly and privately, time and again by the Nazi leaders; made the basis of an ideological cult designed as a vehicle in the rise to political power, the seizure of the German State, and the launching of aggressive war.

It began with anti-Semitic propaganda intended to fan the flame of racial prejudice, to arouse the passions of the people, to provide a "whipping-boy" for political and economic ills. Once they had seized power, the Nazis put into effect as a policy of the State, their program leading to the ultimate extermination of the Jews as rapidly as the indoctrination of the German people, the force of world public opinion, and their own terroristic hold on the German government would permit.

The program began with repressive decrees, religious persecution, and simulated "mob violence" -- all designed to identify the Jews, reduce them to a state of public scorn, concentrate them into localized areas for easy handling, and deprive them of their places in the economic, social, and all other phases of German life. When this was accomplished, and the Jews had been reduced to a state of helplessness, the more forcible phases of the extermination program were begun. They were deported to concentration areas, labor camps, and ghettos. Those capable of useful labor were segregated for merciless exploitation in slavery. All were starved, deprived of medical aid and the rudimentary necessities of human existence, and subjected to unspeakable brutality, torture and systematic slaughter on a "mass production" basis.

The responsibility of the defendants, jointly as co-conspirators, and severally as individual criminals, for these crimes cannot be denied. They were the policy-makers and the executives of the Nazi government, as well as the inner sanctum of the Party. It is wholly beyond the scope of human imagination to believe that such a program could have been conceived so early in the Party history; have been followed so tenaciously and to such extreme limits; have extended for more than a decade as active official policy; and have involved the property and lives of so many millions of people, without having been the direct concern of every major figure in both the Party or the Government. Certainly it is impossible that knowledge of such persecutions could have escaped any of the defendants.

On the basis of the record, it is submitted that no conceivable justification or exoneration is available to any of the defendants, and that as an inevitable consequence the defendants individually and as conspirators must be found GUILTY as charged.

APPENDIX A

1. NUMERICAL LIST OF DOCUMENTS

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
D-229	Richterbriefe No. 1, 1 October 1942	9
D-251	Lieberman memorandum dated 27 September 1945, describing method of transport, gassing, and cremation,	53
L-1	1938 Reichsgesetzblatt I, 189, p. 1579, 1582	27
L-18	Photostat of signed official report Katzmann to Krueger, 30 June 1943, re "Solution of Jewish Question in Galicia"	29, 33, 40, 44, 48
L-22	Public Reports of War Refugee Board on German Extermination Camps Auschwitz and Birkenau, November 1944, p. 33	52
L-26	14 June 1944, United Nations Information Organization, Report No. 8, "Slave Labor and Deportation", pp. 14 (Greece), 16 (Holland)	43, 37
L-31	Communique of the Polish-Soviet Extraordinary Commission for Investigating the Crimes Committed by the Germans in the Majdanek Extermination Camp in Lublin, (contained in set of reports of Soviet Commission on German Crimes), p. 2.	53
L-58	Instructions for Special Investigation Teams in Prisoner of War Camps, 17 July 1941	52
L-61	Express Letter from the Commissioner for the Four Year Plan to the Presidents of the "Landes" Employment Office, transmitted by Fritz Sauckel, 26 November 1942.	42
L-156	Circular letter from Office of Commissioner for Four-Year Plan, 26 March 1943; Sauckel, Himmler and Speer removed all Jews from their places of work to labor camps.	37, 43
L-161	Report "Poland Oswiecia (Auschwitz) Concentration Camp", 31 May 1945	52
L-165	Polish Ministry of Information, Press Bulletin, published in Polish Fortnightly Review 15 December 1942	36

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
L-180	Report by SS Brigadefuehrer Stahlecker to Himmler, "Action Group A", 15 October 1941.	24, 26, 29, 31, 48, 49 50
L-198	State Department Dispatch by Consul General Messersmith; Affidavits by mistreated Americans; 14 March 1933	24, 26
L-199	Dispatch by the American Charge d' Affaires Gordon, to the State De- partment with attached newspaper clippings and official transla- tions, 3 April 1933	25, 26
L-201	Report by Consul General Messer- smith, 19 April 1933	24
L-202	State Department Dispatch from D.H. Buffum, American Consul at Leipzig, 21 November 1938	26
025-PS	Sauckel slave labor conference, 3 September 1942, states inten- tion to use Jews in Europe as living transport chain to East.	37
048-PS	Memorandum re conference re policy in East between Hitler and Rosen- berg, 14 December 1941	52
053-PS	Inter-office report from Hans Koch to Rosenberg re political situation in Ukraine, 5 October 1941, p. 4	46
069-PS	Original letter Bormann to Rosenberg, 17 January 1939, enclosing order of 28 December 1938.	28
076-PS	Regulations issued by Heydrich for treatment of political prisoners of war, 28 June 1941	51
136-PS	Hitler Order, 29 January 1940	22
154-PS	Letter 5 July 1942, Lammers to high State and Party authorities, confirming Rosenberg's powers.	22
155-PS	"Einsatzstab", administrative regulations, 30 September 1942	22
171-PS	Letter of transmittal and report on "Hohe Schule" Library, 12 July 1943	23
197-PS	Memorandum of a conference in HQ OKH Quartermaster General, re transfer of the administration of the Ukraine from the Wehrmacht to the civilian authorities; signed by Labs, Ministerial Director, 27 August 1941	43

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
212-PS	Copy of memorandum, Rosenberg file.	30, 38
285-PS	Henlein Letter to Rosenberg, 31 October 1938	22
286-PS	Rosenberg letter to Henlein, 15 October 1938	22
374-PS	TWX Series of orders signed by Heydrich and Mueller, issued by Gestapo Headquarters Berlin, 9-11 November 1938	19, 27
398-PS	OSG report #1-340 on Dora, an out- side camp of Concentration Camp Buchenwald, April 1944.	53
406-PS	Memorandum by Gauleiter Streicher re certain acts against Jews, 14 April 1939	27
501-PS	Collection of four documents on execution by gas, June 1942, one signed by Dr. Becker, SS Unter- sturmfuehrer, at Kiev, 16 May 1942	52
502-PS	Order of 17 July 1941 entitled "Regulations for the Commandoes of the Chief of the SIPO and SD (Security Police and Security Ser- vice) Which are to be Activated in Stalags"	52
579-PS	Three letters, district commissioner, employment director at Riga, and economic directorate in Latvia, 21 July 1941, 10 February 1942 and 6 July 1942, with respect to forced Jewish labor in Riga and Latvia.	38
654-PS	Thierack's notes on discussion with Himmler, 18 September 1942; Jews to be delivered to Himmler for exter- mination through work.	37
682-PS	Thierack's notes on discussion with Goebbels, 14 September 1942; latter favors extermination of Jews through work.	37
701-PS	Letter from Minister of Justice to Prosecutors re transfer of Jews, 21 April 1943	43
841-PS	Copy of order signed by Goering 28 December 1938	28
847-PS	Original Hitler Decree stating Rosenberg's powers.	22
878-PS	OKW Order, 12 September 1941 Keitel's signature; Jews in Eastern Territories to be put in labor columns working under German super- vision.	37

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
998-PS	"German Crimes Against Czechoslovakia" - Czechoslovak Official Report for the prosecution and Trial of the German Major War Criminals by the International Military Tribunal established according to the Agreement of the Four Great Powers of 8 August, 1945, pp. 62, 63.	21
1012-PS	Teletype from OKH to Military Governor of France re consultation of Hitler and Keitel re shooting of Jews and Communists 30 January 1942	46
1024-PS	Copy of organizational memorandum, Rosenberg file, 29 April 1941	29, 38
1028-PS	Memorandum from Rosenberg file, 7 May 1941	30, 38
1061-PS	Original report of destruction of Warsaw ghetto, to Chief of SS and Police for Eastern Territories, General of Police Krueger, by "leader of SS and Police formations in the Warsaw district, SS Brigade leader", Major General Stroop, April-May 1943	32, 41, 47
1113-PS	Secret Report from Lohse to Rosenberg against partisans in the East, 10 December 1942	51
1138-PS	Enclosure in copy of letter from Reich Commissioner for the Baltic States to Rosenberg, 13 August 1941	30, 34, 35, 38
1189-PS	Copy special order No. 44 for Occupied Eastern Territories, 4 November 1941	35
1301-PS	Original memorandum of conference, 14 October 1938, Thomas' initials.	26, 37
1347-PS	Original decree, 18 September 1942, Ministry of Agriculture.	34, 35
1384-PS	Stenographic Report of Hitler discussion with Keitel, 8 June 1943	54
1389-PS	1935 Reichsgesetzblatt I, p. 769	37

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
1397-PS	1933 Reichsgesetzblatt I, p. 175, (Gesetz zur wiederherstellung des Berufsbeamtentums)(Law for the Reestablishment of the Professional Civil Service)	11
1409-PS	1938 Reichsgesetzblatt I, p. 1709, 3 December (Verordnung ueber den Einsatz des Juedischen Vermoogens) (Decree concerning the utilization of Jewish property)	14
1411-PS	1938 Reichsgesetzblatt I, p. 1638, 21 November 1938 (Durchfuhrungs- verordnung ueber die Suehneleistung der Juden)(Enforcement Decree con- cerning the atonement fine for Jews)	14
1412-PS	1938 Reichsgesetzblatt I, p. 1579, 12 November (Verordnung ueber eine Suehneleistung der Juden deutscher Staatsangehoerigkeit) (Decree concerning an atonement fine for Jews of German nationality)	14
1415-PS	1938 Reichsgesetzblatt I, p. 1676, 28 November 1938 (Polizeiverordnung ueber das Auftreten der Juden in der Oeffentlichkeit)(Police Decree con- cerning the appearing of Jews in public)	12, 13 28
1417-PS	1935 Reichsgesetzblatt I, p. 1146, 15 September 1935 (Reichsbuerger- gesetz)(Reich Citizenship Law)	10
1422-PS	1943 Reichsgesetzblatt, p. 372, 1 July (Dreizehnte Verordnung zum Reichsbuergergesetz)(Thirteenth Decree to the Reich Citizenship Law)	15
1472-PS	RSHA telegram to Himmler, 16 December 1942, recruiting Jewish labor.	39, 42
1662-PS	1938 Reichsgesetzblatt, p. 1580, 12 November (Verordnung zur Aus- schaltung der Juden aus dem deutschen Wirtschaftsleben)(Decree for the elimination of the Jews from German economic life)	13
1674-PS	1938 Reichsgesetzblatt I, p. 1044, 17 August (Zweite Verordnung zur Durchfuhrung des Gesetzes ueber die Aenderung von Familiennamen und Vornamen)(Second Decree for the Enforcement of the Law concerning the Change of Family - and First Names)	9

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
1689-PS	"Czechoslovakia Fights Back", a document of the Czechoslovak Ministry of Foreign Affairs, 1943, p. 110.	34, 35 38, 44
1708-PS	Program of the NSDAP	4, 10
1724-PS	Program for a Parley of German Journalists	18
1726-PS	Statement of Netherlands Government Commission for Repatriation, 16 October 1945	41
1778-PS	Der Giftpilz, by Ernst Hiemer, published by Der Stuermer Publishing House, Nürnberg, copyright 1938	8
1816-PS	Protocol of Discussion on Jewish Problem under Leadership of Defendant Goering, 12 November 1938	21, 26 27, 28
1948-PS	Letter from governor in Vienna, 7 November 1940, evidencing RSHA instructions to recruit Jews from forced labor.	38
2000-PS	1935 Reichsgesetzblatt I, p. 1146 (Gesetz zum Schutze des deutschen Blutes und der deutscher Ehre)	10
2153-PS	Official Nazi Party Publication, 30 March 1933	25
2154-PS	Streicher Decrees published in National-sozialistische Partei-Korrespondenz, 31 March 1933	25
2156-PS	Nationalsozialistische Partei-Korrespondenz, 29 March 1933	25
2157-PS	Streicher decrees published in Nationalsozialistische Partei-Korrespondenz, 31 March 1933	25
2198-PS	Verordnungsblatt des Militaerbefehlshabers in Frankreich, #49, 1941 (1 billion francs fine)	14
2233-PS	Diary of Hans Frank, 15 September 1939, to 3 April 1945	6, 35
2237-PS	Collection of official Nazi documents on the November pogrom in Austria.	27
2314-PS	Frankfurter Zeitung, Wochen-Ausgabe, 28 March 1941	21, 36
2409-PS	Dr. Joseph Goebbels, "From Kaiserhof zur Reichskanzlei", 41st printing, 1943	25
2528-PS	Series of Photographs, Burning of Munich Synagogue	20
2583-PS	File of Police Correspondence on Streicher, 31 October 1939	6

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
2602-PS	Telegram Wilson to Secretary of State, 10 November 1938	20
2603-PS	Kemp to Secretary of State, 10 November 1938	20
2604-PS	Report, Honaker to Wilson, 12 November 1938	21
2605-PS	Affidavit of Dr. Rudolph Kastner, former President of the Hungarian Zionist Organization, 13 September 1945	54
2613-PS	"The Black Book of Poland, (Polish Ministry of Information), 1942, pp. 236-243, 246, 247, 573	29, 36, 38
2617-PS	Reports of the Section of the Internal Administration in the Department of the Chief of the District of Warsaw, published by the General Government for Poland, 1940, page 59	41
2648-PS	Photostatic copies of German propaganda publications	8
2649-PS	Photostatic copies of German propaganda publications	8
2650-PS	Photostatic copies of German propaganda publications.	8
2662-PS	"Mein Kampf", 39th Edition, 1933, pp. 724-725	5
2663-PS	Voelkischer Beobachter, 1 February 1939	5
2664-PS	Voelkischer Beobachter, #32, p. 5, 1 February 1942	5
2665-PS	Hamburger Fremdenblatt, 19 November 1942	6
2666-PS	Das Schwarze Korps, Folge 43, p. 6, 27 October 1938	7
2667-PS	Das Schwarze Korps, Folge 46, p. 2, 17 November 1938	7
2668-PS	Das Schwarze Korps, Folge 32, p. 2, 8 August 1940	7
2669-PS	1938 Reichsgesetzblatt I, 23 July, p. 922 (Dritte Bekanntmachung ueber den Kennkartenzwang)(Third Proclamation concerning Compulsory Identification Cards) signed by the defendant Frick	9

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
2670-PS	1938 Reichsgesetzblatt I, p. 1342, 5 October 1938 (Verordnung ueber Reisepaesse von Juden)(Decree con- cerning Passports of Jews)	9
2671-PS	Verordnungsblatt GG, 30 November 1939 (Verordnung ueber die Bezeich- nung der Geschaeft e im General- gouvernement)(Decree concerning the Marking of Business Enterprises in the Government General)	9
2672-PS	Verordnungsblatt GG, 1939, #8, p. 61, 30 November 1939 (Verord- nung ueber die Kennzeichnung von Juden und Juedinnen Im General- Gouvernement)(Decree concerning distinguishing marks for Jews and Jewesses in the Government General)	9
2673-PS	"Das Archiv", No. 90, 30 October 1941, p. 495	10
2674-PS	1936 Reichsgesetzblatt I, p. 133, 7 March (Gesetz ueber das Reichstags- wahlrecht)(Law concerning the right to vote in elections for the Reichstag)	11
2675-PS	1935 Reichsgesetzblatt I, p. 609, 21 May (Wehrgesetz)(Law concerning the service in the Armed Forces)	11
2676-PS	1938 Reichsgesetzblatt I, p. 1563, 11 November (Verordnung gegen den Waffenbesitz der Juden) (Decree against the possession of arms by Jews)	11
2677-PS	Reichsgesetzblatt I, 1937, p. 41, 27 January (Deutsches Beamt en- gesetz)(German Civil Service Law)	11
2678-PS	1933 Reichsgesetzblatt I, p. 277, 18 May 1933 (Gesetz ueber Ehren- aemter in der sozialen Versicherung und der Reichsversorgung)(Law con- cerning honorary offices in the Social Insurance and Pension System)	11
2679-PS	1938 Reichsgesetzblatt I, p. 594, 20 May (Verordnung ueber die Ein- fuehrung der Nuernberger Rassen- gesetze in Lande Oesterreich)(Decree concerning the introduction of the Nürnberg Race Laws in the State of Austria)	11

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
2680-PS	1938 Reichsgesetzblatt I, p. 607, 31 May (Verordnung zur Neuordnung des Oesterreichischen Berufs- beamtentums)(Decree for the reorganization of the Austrian Civil Service)	11
2681-PS	1939 Reichsgesetzblatt I, p. 2489, 24 December (Verordnung ueber die Einfuehrung der reichsrechtlichen Vorschriften des Beamtenechts und des Besoldungsrechts in den eingegliederten Ostgebieten) (Decree concerning the introduction of Reich laws concerning Civil Ser- vice and salaries in the incorporated Eastern territories)	12
2682-PS	Voelkischer Beobachter, 5 December 1938, No. 339, p. 5	12
2683-PS	Voelkischer Beobachter, 16 November 1938 (Verordnung ueber den Schul- besuch juedischer Kinder)(Decree concerning the attendance of schools by Jewish children)	12
2684-PS	1939 Reichsgesetzblatt I, p. 47, 17 January (8. Verordnung zum Reichsbuergergesetz)(8th Decree to the Reich Citizenship Law)	12
2685-PS	1938 Reichsgesetzblatt I, p. 1403, 27 September 1938 (Fuenfte Verord- nung zum Reichsbuergergesetz) (Fifth decree to the Reich Citizen- ship Law)	13
2686-PS	1938 Reichsgesetzblatt I, p. 969, 25 July (Vierte Verordnung zum Reichsbuergergesetz)(Fourth Decree to the Reich Citizenship Law)	13
2688-PS	Reichsgesetzblatt I, 1934, p. 169, 5 March 1934 (Gesetz zur Aenderung des Boersengesetzes)(Law amending the law concerning stock exchanges)	13
2689-PS	Reichsgesetzblatt I, 1933, p. 685, 29 September 1933 (Reichserbhofgesetz) (Law concerning the entailment of Farms)	13
2690-PS	1934 Reichsgesetzblatt I, p. 925, 16 October 1934 (Steueranpassungs- gesetz)(Tax Adjustment Law)	13
2691-PS	1939 Reichsgesetzblatt I, p. 283, 17 February 1939, (Gesetz zur Aenderung des Einkommen Steuer- gesetzes)(Law amending the income tax law)	13

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
2692-PS	1939 Reichsgesetzblatt I, p. 282, 21 February 1939 (3. Anordnung auf Grund der Verordnung ueber die Anmeldung des Vermoegens von Juden) (3rd Order based on the decree con- cerning the registration of the property of the Jews)	14
2693-PS	1941 Reichsgesetzblatt I, p. 722/3/4, 24 November (Elfte Verordnung zum Reichsbuergergesetz)(Eleventh Decree to the Reich Citizenship Law)	14
2694-PS	1938 Reichsgesetzblatt I, p. 1581, 12 November 1938 (Verordnung zur Wieder- herstellung des Strassenbildes bei juedischen Gewerbotrieben)(Decree for the restoration of the appearance of the streets by Jewish economic enterprises)	14
2695-PS	1934 Reichsgesetzblatt I, No. 54, p. 392, 18 May 1934 (Gesetz ueber Aenderung der Vorschriften ueber die Reichsfluchtsteuer)(Law to amend the regulations concerning the Reich Flight Tax.)	14
2696-PS	Testimony of Dr. Benno F.T. Martin, taken at Nuernberg, 20 October 1945, 1413, by Howard A. Brundage, Col., JAGD, OUSCC, p. 2	16
2697-PS	Der Steuerer No. 2, 1935	16
2698-PS	Der Steuerer, No. 50, October 1938	16
2699-PS	Der Steuerer, No. 14, April 1937	16
2700-PS	Der Steuerer, No. 28, July 1938	16
2701-PS	Sondernummer, No. 9, July 1938	16
2702-PS	Sondernummer, No. 11, October 1938	16
2703-PS	Reichsgesetzblatt I, 1933, p. 203 (Gesetz ueber das Schlachten von Tieren of April 21, 1933), signed by Adolf Hitler, the Minister of Justice Guertner, Reich Minister of the In- terior Frick, Reich Minister of Nutrition and Agriculture Hugenberg)	17

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
2704-PS	Verordnungsblatt GG, 26 October 1939 (Verordnung ueber das Schacherverbot) signed by General Governor Frank and providing penal servitude in concentration camps as punishment for offenses.	17
2705-PS	Verordnungsblatt fuer die besetzten niederlaendischen Gebiete, Nr. 16, 1940, No. 80, S.247, signed by the defendant Seyss-Inquart.	17
2706-PS	Reichsgesetzblatt, 1933, 28 March 1933, (Gesetz ueber die Rechtsverhaeltnisse der juedischen Kultusgemeinden)	17
2707-PS	Gazeta Zydowska, 7 October 1940	17
2708-PS	Gazet Warszawska, 8 May 1940	18
2709-PS	Report by Ralph C. Dusser, American Consul-General in Leipzig	18
2710-PS	Voelkischer Beobachter, 26 February 1938	18
2711-PS	Fraenkische Tagezeitung, No. 186, 11 August 1938	19
2712-PS	Voelkischer Beobachter, 11 November 1938, No. 315, p. 2	19
2713-PS	Testimony of Dr. Benno F. T. Martin, taken at Nurnberg on 24 October 1945; 1430-1530 by Major B. D. Silliman, JAGD, OUSCC, pp. 1, 2	20
2715-PS	Voelkischer Beobachter, No. 315, 11 November 1938	26
2716-PS	1938 Reichsgesetzblatt I, 23 July p. 922 (Germany)	28
2720-PS	1940 Reichsgesetzblatt I, 29 April, p. 694 (Austria)	28
2721-PS	Verordnungsblatt MB, 25 November 1941 (Belgium)	28
2722-PS	Verordnungsblatt, No. 16, 13.1.1941, Nr. 6 S.19, 10 January 1941 (Holland)	28
2723-PS	Journal Officiel, 30 September 1940, No. 9, p. 92 (France)	28
2724-PS	Kurjer Kralowski, 24 October 1939 (Poland)	29
2725-PS	Verordnungsblatt M.S. 3 May 1941 (Yugoslavia)	29
2726-PS	Verordnungsblatt fuer das General-Gouvernement, No. 94, 1 November 1942, p. 665	29

<u>Document No.</u>	<u>Description</u>	<u>Page No.</u>
2727-PS	Verordnungsblatt fuer das General-Gouvernement, No. 98, 14 November 1942, p. 683	29
2728-PS	Verordnungsblatt RP, 28 February 1942	29
2729-PS	Transcript of Interrogation of Josef Buehler, 29 October 1945	35
2730-PS	Order, Reich Ministry of Labor, Reichsgesetzblatt I, 1941, pp. 681-2	37
2731-PS	Frank interrogation, 6 September 1945, pp. 12-15	38
2734-PS	1933 Reichsgesetzblatt I, p. 667, 22 September (Reichskulturkammergesetz)(Reich Culture Chamber Law)	13
2736-PS	Dr. Joseph Goebbels, "Zeit ohne Beispiel" (Times Without Precedent) 4th edition 1942, p. 531	6
2737-PS	Alfred Rosenberg, "Das Parteiprogramm, Wesen, Grundsaeetze und Ziele der NSDAP" (The Party Program, Nature, Fundamentals and Goals of the NSDAP, 25th Printing, 1943	4
2738-PS	Transcript of testimony, Wilhelm Hoettl, 2 October 1945, p. 17	53
2739-PS	1933 Reichsgesetzblatt I, p. 480 (Gesetz ueber den Widerruf von Einbuergierungen und die Aberkennung der deutschen Staatsangehoerigkeit) (Law concerning the revoking of naturalizations and the deprivation of German citizenship)	10
R-102	Report on activities of Einsatzgruppen of SIPO and SD in USSR, addressed to the Chiefs of the Security Service and SD in German-Occupied Russia, 1-31 October 1941	47
R-124	Speer's conference minutes, 1942-44, Fuehrer orders Himmler to collect 100,000 Jews in Hungary for forced labor.	38
R-135	Copy of letter to Rosenberg enclosing secret reports from Kube on German atrocities in the East, dated 18 June 1943, found in Himmler's personal files.	51

2. Documents Pertaining to Individual Defendants.

<u>Defendant</u>	<u>Documents</u>
MARTIN BORMANN	: 069-PS; 654-PS; 841-PS
HANS FRANK	: 2156-PS; 2233-PS; 2613-PS; 2672-PS; 2704-PS; 2731-PS
WILHELM FRICK	: 1417-PS; 2669-PS; 2703-PS;
HERMANN GOERING	: L-26; L-61; L-156; L-198; 841-PS; 1301-PS; 1816-PS
ALFRED JODL	: 878-PS;
ERNST KALTENBRUNNER	: 1472-PS;
WILHELM KEITEL	: 078-PS; 155-PS; 878-PS; 1012-PS
ROBERT LEY	: 2156-PS;
CONSTANTIN von NEURATH	: 998-PS;
ALFRED ROSENBERG	: 048-PS; 053-PS; 069-PS; 076-PS; 155-PS; 171-PS; 197-PS; 212-PS; 285-PS; 286-PS; 1026-PS; 1028-PS; 1113-PS; 1138-PS; 1384-PS; 2365-PS; R-102; R-135;
FRITZ SAUCKEL	: L-61; L-156;
ARTUR SEYSS-INQUART	: 2705-PS;
ALBERT SPEER	: L-156; R-124;
JULIUS STREICHER	: 406-PS; 1704-PS; 1778-PS; 2696-PS; 2697-PS; 2698-PS; 2699-PS; 2700-PS; 2701-PS; 2702-PS; 2713-PS; 2153-PS; 2154-PS; 2156-PS; 2157-PS

3. Documents Pertaining to Organizations..

<u>Organization</u>	<u>Documents</u>
Reich Cabinet	: L-156; 197-PS; 701-PS; 1384-PS; 1726-PS
Gestapo	: L-18; 501-PS; 701-PS; 1347-PS;
Leadership Corps of the Nazi Party	: 398-PS :
SA	: L-61
SIPO	: L-58; L-180; 502-PS; R-102
SS and SD	: L-18; L-58; L-61; L-180; L-198; L-201; 053-PS; 078-PS; 374-PS; 398-PS; 501-PS; 701-PS; 1061-PS; 1113-PS; 1472-PS; R-102; R-135;