

(J)

WAR CRIMES

and

CRIMES AGAINST HUMANITY

## PART VI

## GERMANISATION OF OCCUPIED TERRITORIES

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A. Section of Indictment

COUNT THREE - WAR CRIMES

VIII.J - Germanisation of Occupied Territories

Paragraphs 1 and 2

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B. Legal References

1. Charter - Article 6 (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."

2. Hague Regulations. 1907:

Article 43

"The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country."

Article 46

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

Article 48

"If, in the territory occupied, the occupant collects the taxes, dues, and tolls imposed for the benefit of the State, he shall do so, as far as is possible in accordance with the rules of assessment and incidence in force, and shall in consequence be bound to defray the expenses of the administration of the occupied territory to the same extent as the legitimate Government was so bound."

C. Statement of Evidence.

1. Lebensraum as the Goal of Nazi Foreign Policy.

Many years before the war, leaders of the National Socialist Party demanded living space for the German people. This requirement was considered by them to be the goal of foreign policy.

"...we want lebensraum for a great culture nation. We want to have space for the peasants in the East in order that the German nation be able to nourish itself."

2913-PS. Das Wesensgefuege des Nationalsozialismus, Rosenberg, 1933, p. 30.

"The goal of our present foreign policy must not be 'orientation to the West or East' but Eastern policy in the sense of procuring the necessary land for our German people."

2914-PS. Mein Kampf, Hitler, 1932, p. 757.

2. Conspiracy to Conquer and Germanise Foreign Territories.

One of the main purposes of the defendants in planning and waging war was to gain additional territory. Conquered areas were to be made German territories by the evacuation or Germanisation of inhabitants and by colonisation and settlement by people of German blood.

"In the East Germany is carrying on a three-fold war: a war for the destruction of Bolshevism, a war for the destruction of the greater Russian Empire and finally a war for the acquisition of colonial territory for colonizing purposes and economic exploitation."

294-PS. Copy of memorandum from Rosenberg files, 25 October 1942, signed Braeutigam.

This plan and purpose were fully expressed in the minutes of a conference at the Fuehrer's Headquarters, 16 July 1941, concerning the war in the East, attended by Hitler, Goering, Keitel, Rosenberg, Lammers and Bormann, which contained the following statements:

"Now it was essential that we did not publicize our aims before the world ... The main thing was that we ourselves knew what we wanted."

"Therefore we shall emphasize again that we were forced to occupy, administer, and secure a certain area; it was in the interests of the inhabitants that we provided order, food, traffic etc.; hence our measures. Nobody shall be able to recognize that it initiates a final settlement."

"Therefore we shall act as though we wanted to exercise a mandate only. At the same time we must know clearly that we shall never leave those countries."

"On principle we have now to face the task of cutting up the giant cake according to our needs, in order to be able

first, to dominate it,  
second, to administer it, and  
third, to exploit it."

"The Crimea has to be evacuated by all foreigners and to be settled by Germans only."

In the same way the former Austrian part of Galicia will become Reich territory."

"Never again must it be possible to create a military power west of the Urals ... We must never permit anybody but the Germans to carry arms."

"The Fuehrer emphasizes that the entire Baltic country will have to be incorporated into Germany."

At the same time the Crimea, including a considerable hinterland (situated north of the Crimea) should become Reich territory; the hinterland should be as large as possible."

"The Fuehrer emphasizes furthermore that the Volga Colony too will have to become Reich territory, also the district around Baku; the latter will have to become a German concession (military colony)."

L-221. Copy of memorandum by Bormann, of conference at Fuehrer's Headquarters, 16 July 1941.

In a discussion with Rosenberg, Reich Minister for the Occupied Eastern Territories, on 14 December 1941, Hitler emphasized that he wished to have the Crimea cleaned out, and Rosenberg stated that he had given much consideration to providing the towns in that area with German names.

1517-PS. Original memorandum of conference with Hitler 14 December 1941, signed by Rosenberg.

In a speech delivered 20 June 1941, Rosenberg stated that no part of the food produced in the southern territories of the



USSR and the northern Caucasus would be used to feed the inhabitants. Consequently extensive evacuations would have to be planned and carried out in order to effect "conversion of Russian dynamics toward the East".

1058-PS. Copy of speech by Rosenberg, 20 June 1941.

The defendants' plan to conquer and Germanise was elaborated in detail with respect to Czechoslovakia. The solution of the "Czech Problem", as planned by K. H. Frank, Reich Protector of Bohemia and Moravia, was to absorb approximately half the Czech population in Germany by means of an increased labor draft and dispersion of the closely knit Czech people. The other half of the Czech population, not considered desirable on racial or other grounds, was to be eliminated or expelled from the country, particularly the educated class of people who might be expected to hinder the program of Germanisation. All elements actively opposed to Germanisation were to be dealt with sharply and eliminated. This solution of the "Czech Problem" was approved by Hitler, who directed that while retaining outwardly the autonomy of the Protectorate, the Germanisation of the Czech population must be systematically fostered by the Reich Protector for years to come. This solution was also endorsed by the Wehrmacht, since it was a policy which the Wehrmacht had always advocated.

862-PS. Original memorandum, 15 October 1940, by General Friderici, Plenipotentiary of the Wehrmacht to the Reich Protector of Bohemia and Moravia, initialed by Keitel, Jodl and Warlimont.

A similar program of Germanisation was planned for the Eastern areas, including the settlement of German farmers in former Polish territories, in order to form bulwarks of German culture and to encircle the Polish population, thus accelerating the process of Germanisation. During the first 5 years after the war, it was planned to fill the Eastern territories with German people and to supply the Crimea and the Baltic States with at least a German upper class.

910-23. Copy of Notes on Himmler's Plan for the Germanisation of Poland, 27 and 30 March 1942, from the Main Office, Interior Administration, Government General, initialed "Dr. S. J."

In order to facilitate the accomplishment of these designs, it was planned to keep the occupied territories disorganized and disunited. This intention was expressed by Himmler, Reichsfuehrer SS:

"The Balkans are always in a state of confusion. That is a blessing. If they were united, it would be terrible. Things are chaotic in the Caucasus and in Russia. We can only see to it ... that the territories we have occupied and the peoples we rule over never become united, that they always remain disunited. For they would only be united against us."

1912-25. Speech by Himmler at Posen, 4 October 1943.

3. The Office of Reich Commissioner for the Consolidation of German Nationhood.

In order to effectuate this program of colonisation and to evacuate or Germanise the inhabitants of conquered territories, Himmler was appointed Reich Commissioner for the Consolidation of German Nationhood by a decree of the Fuehrer and Reich Chancellor, 7 October 1939, which provided:

"The consequences of Versailles have been removed in Europe. Now the Greater German Reich has the possibility to admit in its territory, Germans who had to live abroad and to resettle them, and to arrange the resettlement of groups of people within her sphere of interest in a way that there will be better distinction between them. I entrust the Reichsfuehrer SS with the execution of this task according to the following regulations:

I

The Reichsfuehrer SS has the obligation in accordance with my directives:

1. To bring back for final return into the Reich all German nationals and racial Germans in the foreign countries.
2. To eliminate the harmful influence of such alien parts of the population, which represent a danger to the Reich and German folk community.
3. The forming of new German settlements by resettling and in particular by settling of the returning German citizens and racial Germans from abroad."

686-PS. Decree of the Fuehrer and Reich Chancellor to strengthen German Folkdom, 7 October 1939, signed by Hitler, Goering, Lammers and Keitel.

The duties and responsibilities of this office were described in the National Socialist Year Book of 1941:

"On 7th October 1939 the Reichsfuehrer SS and Chief of the German Police was, by decree of the Fuehrer, appointed 'Reich Commissioner for the Consolidation of German Nationality' with the duty to evacuate the persons of German race from the Baltic countries and from the former Polish territories of the Western Ukraine and White Russia. This is to be done in accordance with the National Socialist ideology stating that common blood and race should have a common home as living space. It was to be his further duty to begin the racial consolidation and resettlement of the reclaimed German Eastern Territories."

2163-PS. Nationalsozialistisches Jahrbuch 1941, p. 194-195.

In Deutsche Arbeit of June-July 1942, Himmler set forth his own conception of the task of Germanising the East in a brief signed statement on the first page:

"It is not our task to Germanise the East in the old sense, that is to teach the people there the German language and German law, but to see to it that only people of purely German or Germanic blood live in the East."

2915-PS. Deutsche Arbeit, June-July 1942, p. 157.

The nature of the problem of resettlement and Germanisation was further described in the same volume by SS Obergergruppen-fuehrer and General des Polizei Wilhelm Koppe:

"The victory of the German weapons in the East must therefore be followed by the victory of the German race over the Polish race, if the regained Eastern sphere according to the Fuehrer's will henceforth shall for all time remain an essential constituent part of the Greater German Reich.

It is therefore of decisive importance to penetrate the regained German region with German farmers, laborers, civil servants, merchants and handicraftmen in order for a living and still deep-rooted bastion of German people to be formed as a protective wall against foreign infiltration and possibly as a starting position for the racial penetration of the territories farther east."

2915-PS. Deutsche Arbeit. June-July 1942, pps. 170-171



4. Basic Theories and Plans of the Reich Commissioner for the Consolidation of German Nationhood.

Himmler regarded the question of blood as the paramount consideration in the treatment of conquered territories, races and peoples. In a speech at Kharkov in April 1943, he said:

"We have ... taken the question of blood as our starting point ... For us the question of blood was a reminder of our worth, a reminder of what is actually the basis holding this German people together."

1919-PS. Speech of Himmler at Kharkov, April 1943.

It was Himmler's policy to treat all peoples of foreign blood with utmost contempt. Such peoples were to be destroyed, except for those valuable as slaves and those who might constitute valuable additions to the German race by virtue of their racial background. In a speech at Bad Schachen, 14 October 1943, he said:

"I consider that in dealing with members of a foreign, especially some Slav, nationality we must not start from German points of view and we must not endow these people with decent German thoughts and logical conclusions of which they are not capable, but we must take them as they really are.

Obviously in such a mixture of peoples there will always be some racially good types. Therefore I think that it is our duty to take their children with us, to remove them from their environment, if necessary by robbing or stealing them ... Either we win over any good blood that we can use for ourselves and give it a place in our people, or ... we destroy this blood."

L-70. Speech by Himmler at Bad Schachen, 14 October 1943.

See also, 1919-PS. Speech by Himmler at Posen, 4 October 1943.

On the basis of this philosophy of blood, Himmler planned to create a Germanic Reich which would include almost all of Europe. One of the important instruments in bringing about this Germanic union was to be the Germanic SS, comprised of persons of German blood in the various conquered and occupied territories. An elite class of Germanic people, selected from all of Europe on the basis of race and blood, was to be welded to the German

people in the old German Reich, and this chosen Germanic people was to occupy, rule and enjoy all of Europe. In expressing these ideas at Posen, 4 October 1943, Himmler said:

"If the peace is a final one, we shall be able to tackle our great work of the future. We shall colonise ... In twenty to thirty years we must really be able to present the whole of Europe with its leading class. If the SS, together with the farmers ... then run the colony in the East on a grand scale without any restraint, without any question about any kind of tradition and with nerve and revolutionary impetus, we shall in twenty years push the national boundary 500 kilometers eastwards."

1919-PS, Speech by Himmler at Posen, 4 October 1943.

Similar ideas were expressed by Himmler in his speech at Bad Schachen, 14 October 1943:

"For us the end of this war will mean an open road to the East, the creation of the Germanic Reich in this way or that ... the fetching home of 30 million human beings of our blood, so that still during our lifetime we shall be a people of 120 million Germanic souls. That means that we shall be the sole and decisive power in Europe. That means that we shall then be able to tackle the peace, during which we shall be willing for the first twenty years to re-build and spread out our villages and towns, and that we shall push the borders of our German race 500 kilometers further out to the East."

L-70. Speech by Himmler at Bad Schachen, 14 October 1943.

##### 5. Germanisation of the Incorporated Eastern Territories.

The Germanisation of the Incorporated Eastern Territories was accomplished by means of the Racial Register, which was a statutory expression of Himmler's philosophy of blood as the basis of racial selection. By decree of 12 September 1940, Himmler, as Reich Commissioner for the Consolidation of German Nationhood, provided for the screening and classification of the population of the Incorporated Eastern Territories on the basis of race. The essential provisions of this directive were later incorporated in the decree of 4 March 1941, signed by Frick, Hess and Himmler, which established the German Racial Register for the population of the Incorporated Eastern Territories. All persons of German blood were to be listed on the Racial Register in one of these classes:

Class I - Germans who had been active German nationalists.

Class II -- Racial Germans who had not been politically active.

Class III - Persons of German blood, willing to accept Germanisation.

Class IV - Persons of German blood resistant to Germanisation.

Members of Classes I and II were to become German subjects and German citizens; members of Class III were to become German subjects; members of Class IV were to become German subjects on probation. It was decreed that members of Classes III and IV must be removed to the old German Reich for Germanisation. Persons not included in the Racial Register were called "protected subjects" of the German Reich, and might also be selected for Germanisation if deemed eligible on the basis of tests involving considerations of health, nationality, race and politics.

2916-PS. Decree for the Screening and Selection of the Population of the Incorporated Eastern Territories, 12 September 1940, signed by Himmler. Der Menscheneinsatz, published by Office of the Reich Commissioner for the Consolidation of German Nationhood, 1940, p. 91-93.

2917-PS. Decree Establishing the German Racial Register and German Reich Membership, 4 March 1941, signed by Frick, Hess and Himmler. RGBL., 1941, I, p. 118.

This program, intended to Germanise the Poles, was discussed as follows in Der Menscheneinsatz, 1940, under the heading,

"Re-Germanisation of Lost German Blood":

"The removal of foreign races from the Incorporated Eastern Territories is one of the most essential goals to be reached in the German East. There are, therefore, mainly the two following reasons which make the regaining of lost German blood an urgent necessity.

- "1. Prevention of a further increase of the Polish intelligentsia by families German by descent but Polonized.
- "2. A greater increase of the population of the German nation in the way of racially desirable elements, and the acquisition of national biological unobjectionable forces for the reconstruction of agriculture and industry."

2916-PS. Der Menscheneinsatz, published by Office of the Reich Commissioner for the Consolidation of German Nationhood, 1940, p. 51-52.

Elaborate plans were made for the resettlement in the Reich of so-called "Polonized Germans" of Class IV in the Racial Register from the Incorporated Eastern Territories for purposes of Germanisation. Detailed orders were issued by the Reich Commissioner for the Consolidation of German Nationhood, providing for the compulsory registration of these people, transportation either to Germany or to concentration camps if deemed unfit for Germanisation, and close supervision in Germany by the police. Persons resettled were not to be allowed to return to the Eastern areas. Resettlement of large numbers was postponed for the duration of the war, but orders provided in detail for the resettlement of individual persons or individual families, and required that persons coming from particular areas in the East be resettled in particular sections of Germany.

R-112. Copies of orders issued by Reich Commissioner for the Consolidation of German Nationhood, 16 February 1942, 1 July 1942, 28 July 1942.

In addition to the method of resettlement, Germanisation in the Incorporated Eastern Territories was fostered by discriminatory legislation. A decree, signed by Goering, as Chairman of the Council of Ministers for the Defense of the Reich, and Commissioner for the Four-Year Plan, on 17 September 1940, provided in Section 1 (1):

"The property of citizens of the former Polish State within the territory of the Greater German Reich, including the Incorporated Eastern Territories, shall be subject to sequestration, trustee administration, and confiscation in accordance with the following provisions."

Section 2 (2) provided:

"Sequestration may be ordered:

- a) If the property is required for the public welfare, particularly in the interests of Reich defense or the strengthening of Germanism."



Section 9 (1) provided:

"Sequestered property may be confiscated ... for the benefit of the German Reich if the public welfare, particularly the defense of the Reich, or the strengthening of Germanism, so requires."

However, it was provided in Section 1 (2) that the decree should not apply to the property of persons who had acquired German nationality. Hence only the property of Poles was subject to sequestration, trustee action and confiscation in accordance with the terms of the Decree.

2918-PS. Decree Concerning the Treatment of the Property of Citizens of the Former Polish State, 17 September 1940. RGBl. 1940, I, p. 1270.

Instructions of the Reich Commissioner for the Consolidation of German Nationhood concerning the above decree provided:

"The conditions permitting seizure according to Section 2, Subsection 2, are always present if the property belongs to a Pole. For the Polish real estate will be needed without exception for the consolidation of German nationhood."

These instructions further provided that persons in Classes III and IV of the Racial Register were not considered German nationals and hence were not excepted from the terms of the decree. However, it was stated that the possibility of confiscating the property of persons in Classes III and IV "will not be used until further notice since we intend to Germanise the members of these groups as far as possible." In this connection, it had previously been recommended in a letter to Himmler, that persons in Classes III and IV in the Incorporated Eastern Territories be deprived of their property in the interests of Germanising the country as quickly as possible, because farms and business institutions were urgently needed for German resettlers and because persons in Classes III and IV should be transferred to the old Reich for Germanisation. As of 31 May 1943, 693,252 farms and estates in the Incorporated Eastern Territories, comprising 6,097,525.68 hectares, had been seized, and 9,508 farms and estates in the Incorporated Eastern Territories, comprising 270,446.69 hectares had been confiscated.

R-92. Instructions for internal use on the application of the law concerning property of Poles of 17 September 1940, issued by the office of the Reich Commissioner for the Consolidation of German Nationhood, 15 April 1941; Copy of monthly report to the Reich Commissioner for the Consolidation of German Nationhood, 31 May 1943 with statistics on farms and estates seized and confiscated in the Incorporated Eastern Territories; Copy of letter from SS officer to Himmler, 20 November 1940.

A discriminatory tax decree was also promulgated to further the cause of Germanisation in the Incorporated Eastern Territories. This decree provided substantial tax exemptions to German nationals and to persons of German origin "in the effort to establish and promote Germanism in the Incorporated Eastern Territories."

2919-PS. Order concerning tax abatement for the benefit of the Incorporated Eastern Territories, 9 December 1940, RGBL., 1940, I, page 1565.

6. Germanisation of the Government General.

Germanisation in the Government General was effectuated principally by Hans Frank, the Governor General of Poland, who was also President of the Academy of German Law.

2748-PS. Zeitschrift der Akademie für Deutsches Recht, 1939, title page.

2749-PS. Zeitschrift der Akademie für Deutsches Recht, 1940, title page.

The Academy of German Law was a public corporation of the Reich, under the supervision of the Reich Ministers of Justice and the Interior. Its task was

"To promote the reconstruction of German legal life, and to realize, in constant close collaboration with the competent legislative organizations, the National Socialist program in the entire sphere of the law."

I-360-F. Decree making Academy of German Law a public corporation of the Reich, 11 July 1934.

A program for the treatment of former Polish territories was proposed in a secret thesis from the Academy of German Law in January 1940. This plan provided for extensive deportations from the territories annexed to Germany and the settlement of German populations in those areas. Poles were to be diminished in numbers by deportation of Jews, intellectuals and leaders of the Polish economy, and by measures to discourage and stifle Polish propagation. The fertility of the Polish people was to be reduced by keeping hundreds of thousands of Polish workers in Germany for forced labor, and by employing one million Poles in Germany as wandering agricultural workers. The annexed territories were to be Germanised by the settlement of German population in strips, designed to encircle those areas containing Polish majorities. At the bottom of page 40 the plan provided:

"Strictest care is to be taken that secret circulars, memoranda and official correspondence which contain instructions detrimental to the Poles are kept steadily under lock and key so that they will not some day fill the White Books printed in Paris or the U.S.A."

661-PS. Secret thesis from the Academy of German Law, January 1940.

The program for the administration of Poland advocated in the foregoing thesis was followed by Frank in his capacity as Governor General. In describing his responsibilities for the administration of Poland, 3 October 1939, Frank said:

"Poland shall be treated as a colony."

"The Poles shall be the slaves of the Greater German World Empire."

It was Frank's opinion that proper administration of the territory committed to his charge consisted of ruthless exploitation, deportation to Germany of Polish workers and all materials, machines and factory installations of importance to the German war economy, reduction of the entire Polish economy to the absolute minimum necessary for the bare existence of the popu-



lation, and the closing of all educational institutions to prevent the development of a new Polish intelligentsia.

Ec. 344-16 and Ec. 344-17, Report by Frank, 3 October 1939, included in a report from OKW files.

Concerning the program of Germanisation in the Government General, which was an important objective of his administration, Frank said in certain of his speeches:

"The whole Vistula shall be as German as the Rhine."

"We are not the foreigners here, we must consider ourselves as the men at home and that we are surrounded by 18 million foreigners."

"It is understood, that the meanest of us will be higher in status than the most distinguished Pole."

2233-PS. Diary of Hans Frank, D.V. II 1941, page 317; D.V. III 1942, page 799; D.V. IV 1940, page 946.

From a report of Frank to Hitler on the situation in Poland, 19 June 1943, it is apparent that the foregoing principles of administration were followed in practice. Frank stated in his report that a great part of the Polish estates had been confiscated and that Polish peasants had been expelled from maneuver areas and from German settlements and their property expropriated without compensation. Cultural activities in the Government General were in a state of paralysis, high schools, colleges and universities were closed, and Polish influence had been completely eliminated from the administration of the Government General.

437-PS. Copy of report by Frank to Hitler, 19 June 1943.

The program of Germanisation in the Government General was further effectuated by the evacuation of Poles, the resettlement of Germans, and by legislation designed to foster and encourage the propagation of persons of German blood. An order concerning the granting of child subsidies to Germans in the Government General was signed by Frank on 10 March 1942. Subsidies were payable only in the event the head of the household was a German national or a person of German origin.



2927-PS. Order concerning the Granting of Child Subsidies to Germans in the Government General, 10 March 1942. Verordnungsblatt für das Generalgouvernement 1942, No. 23, p.125.

During November 1942, the evacuation of Poles in the Lublin district was to begin in order to make room for the settlement of persons of the German race. The Poles evacuated were to be either confined in concentration camps or deported to Germany for purposes of forced labor.

L-61. Original express letter issued by the Plenipotentiary General for Manpower and the Commissioner for the Four-Year Plan, addressed to Presidents of the "Landes" Employment Offices, 26 November 1942.

Frank reported in his diary that in 1939 there were 300 Germans living in Cracow and that in 1942 there were 300,000.

2233-PS. Diary of Hans Frank, D.V. III 1942, page 895.

7. Germanisation of the Occupied Eastern Territories.

In the Occupied Eastern Territories, Rosenberg was mainly responsible for the program of Germanisation, in his capacity as Reich Minister for the Occupied Eastern Territories. Fertility and propagation among the conquered peoples were discouraged, and no hygienic measures were taken in the interests of the native population except when necessary to prevent the spread of epidemics to the occupying forces and the essential labor supply.

042-PS. Copy of report from Rosenberg to Hitler, 11 August 1942.

The influence of Polish inhabitants of the Occupied Eastern Territories in matters of administration, culture and the economy was to be eliminated completely in accordance with a secret memorandum of 26 November 1942, from Rosenberg to the Reich Commissioners for the Eastland and the Ukraine, which provided:

- "1. As quickly and completely as possible all Poles are to be removed from positions which afford an insight into the essential political and economic setup or which in some form or other gives them important influence in matters of administration, culture or economy. In particular mayors, Kreis-and-Rayon chiefs of Polish nationality or pro-Polish leaders of larger industrial plants and estates will be dismissed and replaced by members of other nationalities (Lithuanians, White Ruthenians, Ukrainians). The same holds for persons of Polish nationality holding positions in the German or native administration especially for former students, teachers, clerics, and other members of the Polish intelligentsia.
2. In view of the enormous tasks which have to be performed in the Occupied Eastern Territories, the dismissed Poles will be used in other fields, just as generally the employment of the Polish population in agriculture and other fields involving the insurance of the food supply and military economy is to be guaranteed.

3. The Polish school system will not be developed and extended beyond four years of primary school. Exceptions in military technical training may be admitted.
4. No Polish newspapers, periodicals and pamphlets are to be founded. The newspaper "Goniec Codzienny" published in Polish under German supervision is to be distributed exclusively to Poles living in the Wilna district.
5. The Polish language is to be used only in those localities which have an undisputed Polish majority. It must neither be put on the same level nor be preferred to the use of Lithuanian, White-Ruthenian or Ukrainian."

Ec. 336. Copy of secret memorandum from Rosenberg to Reich Commissioners for the Eastland and Ukraine, 26 November 1942.

As Rosenberg well knew, the Occupied Eastern Territories were administered by his subordinates as colonies. While not objecting to such administrative policies, Rosenberg did object to indiscreet public statements concerning the policy by his subordinates, particularly Koch, Reich Commissioner for the Ukraine. In a secret report to Dr. Lammers, Reich Minister and Chief of the Reich Chancellery, Rosenberg quoted as follows from a circular of Koch published 20 February 1943:

"Whoever believes that he can get gratitude from the Slavs because of mild treatment did not form his political experience in the National Socialist Party or in the Eastern Service but in some club of the intelligentsia. The Slav will always interpret mild treatment as weakness."

With respect to this quotation, Rosenberg said in his report to Lammers:

"It is not a matter of having or not having consideration for the feelings of the Slavic nations, but a matter of an official political document from a High Commissioner of the Reich and Gauleiter, that sent away in thousands of copies it could become in the hands of the enemy an extraordinary weapon against the policy of the Reich."

Also on the subject of administration in the Occupied Eastern Territories, Rosenberg quoted from his decree of 13 May 1942, in his report to Lammers:

"No matter what the German policy considers necessary now or after the war or how negative the opinion may be about a people or about the nations in the East, it is irresponsible for the German interests to express such thoughts since the danger is present that they can come easily to the public.

First of all the saying that the Ukrainians are a colonial people and that as such should be treated with the whip like negroes has dribbled down to the lowest administrative offices and it has become known in the broadest Ukrainian circles, as I found out myself."

358-PS. Copy of report from Rosenberg to Lammers, Reich Minister and Chief of Reich Chancellery, 31 March 1943.

#### 8. Evacuation and Resettlement in the Eastern Territories.

In all the Eastern Territories, substantial numbers of people were evacuated and resettled, in connection with the program to eliminate undesirable elements of the population and to Germanise the conquered territories. In reporting upon these resettlements, it was stated in the National Socialist Year Book for 1941:

"Numerous SS leaders and SS men helped with untiring effort in bringing about this systematic migration of peoples, which has no parallel in history."

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

Himmler reported in February 1940 that about 300,000 persons had been evacuated from the Eastern Territories, and that 240,000 people of German blood had to be resettled in those areas.

Ec-305. Copy of minutes of a conference, attended by Goering, Himmler, H. Frank and others, on questions concerning the East, 12 February 1940, signed by Dr. Gramsch.



Up to 15 November 1940, 294,336 Poles were evacuated from the Incorporated Eastern Territories to the Government General of Poland, and 8,835 persons were evacuated to the Government General from Prague, Vienna, Stettin and the Western territories of the Reich.

2916-PS. Der Menscheneinsatz, published by Office of the Reich Commissioner for the Consolidation of German Nationhood, 1940, p.117.

Up to 15 October 1940, 339,141 persons were evacuated from various parts of the Eastern Territories, extending from the Baltic States to Rumania, and resettled elsewhere.

2916-PS. Der Menscheneinsatz, published by Office of the Reich Commissioner for the Consolidation of German Nationhood, 1940, p.103.

As of 1 April 1942, 228,778 persons had been resettled in Warthogau, one of the provinces in the Incorporated Eastern Territories. These people had been evacuated from the Baltic States, certain provinces in the Government General, and certain parts of Rumania.

2915-PS. Deutsche Arbeit, June-July 1942, pps. 172-173

The harshness and ill-treatment which characterized these evacuations and resettlements is indicated by reports of the Land Office in Kattowitz, Upper Silesia, received in May 1940 by the Office of the Reich Commissioner for the Consolidation of German Nationhood. In the Districts of Blachownia and Bielitz, Polish farms and estates were confiscated and the land, equipment and livestock transferred to racial German farmers and resettlers. In this way it was intended to establish and strengthen German racial islands in Polish territory and further the cause of Germanisation. The Polish owners of these confiscated properties were sent with their families to Germany as forced agricultural laborers, leaving their furniture

and all their possessions except the barest essentials behind them. Certain of these confiscated farms and estates were used to establish the concentration camp, Auschwitz, and the expropriated Polish farmers with their families were confined in the camp, pending transport to Germany. In these operations, officials of the Reich Commissioner for the Consolidation of German Nationhood had the assistance of the Gestapo and Labor Offices.

1352-PS. Original reports concerning the confiscation of Polish agricultural properties in Upper Silesia, dated 16 and 22 May 1940, signed Kuscho, and received by the Office of the Reich Commissioner for the Consolidation of German Nationhood.

9. Germanisation of the Western Territories.

Measures designed to effectuate the Germanisation of Occupied Territories were also common in the West. Section 1 of a decree promulgated in Luxemburg, 1 March 1941, by the Gauleiter and Chief of the Civil Administration, provided:

"To enterprises of trade or industry whose management is unwilling to promote Germanism at all times and without any reservations, the Chief of the Civil Administration may issue orders which will insure the establishment of conditions in harmony with the fact of a German administration in Luxemburg."

2920-PS. Decree promulgated in Luxemburg, 1 March 1941, concerning promotion of Germanism. Verordnungsblatt, 1941, No. 17, p. 119.

A similar order was promulgated in the Netherlands 4 July 1940, which provided in Section 1 (1):

"The property of persons or associations which have furthered activities hostile to the German Reich or Germanism, or of whom it must be assumed that they will further such activities in the future, may be confiscated in whole or in part."

2921-PS. General order of the Reich Commissioner for the Occupied Netherlands Territories Concerning the Confiscation of Property, 4 July 1940. Verordnungsblatt, 1940, No. 9, p. 128.

In Luxemburg, German was made the exclusive official language by an order of the Gauleiter and Chief of the Civil Administration, 6 August 1940. The German language was to be used exclusively in judicial proceedings, it was to be used as the exclusive language of instruction in all schools, and as the exclusive language in all publications, advertising, commercial signs and inscriptions, and all highway and traffic signs.

2922-PS. Order Concerning the Use of the German language in Luxemburg, 6 August 1940, Verordnungsblatt, 1940, No. 1, p. 1.

With respect to first and family names in Luxemburg, it was provided in an order of 31 January 1941:

"Section 1.(1) Nationals of Luxemburg and persons without nationality having their domicile or usual residence within the territory of the Chief of the Civil Administration in Luxemburg, who have a foreign or non-German first name, are required to assume in lieu of such name, the corresponding German first name or, if that is impossible, to select a German first name.

(2) Nationals of Luxemburg and persons without nationality referred to in Subsection 1, who have a family name of German origin which later has been given a foreign or non-German form, are required to resume the original German form.

...

Section 2.(1) It is recommended that Luxemburg nationals and persons without nationality referred to in Subsection 1 of Section 1, who have a foreign or non-German family name which is not, as in the case of Subsection 2 of Section 1, of German origin shall apply for a suitable change of their family name as an expression of their adherence to Germanism.

...

Section 3.(5) The change of foreign or non-German names shall be made free of charge."

2923-PS. Order Concerning the Change of First and Family Names in Luxemburg, 31 January 1941, Verordnungsblatt, 1941, No. 21, p. 146.

An order of 14 February 1941 concerning compulsory schooling in Lorraine provided in Section I:

"1. General Compulsory Schooling.

- (1) There shall be general compulsory schooling in Lorraine. It will assure the training and instruction of youth in the spirit of National Socialism.
- (2) The requirement as to compulsory schooling shall be discharged by attendance at a German school. Any exceptions that may be made shall be by decision of the school supervision authorities."

2924-PS. Order Concerning Compulsory Schooling in Lorraine, 14 February 1941. Verordnungsblatt, 1941, No. 87, p. 100.



In an announcement of 14 February 1941 concerning the elementary school system in Lorraine, the Chief of Civil Administration provided:

- "2. (1) The language of instruction is German.
- (2) Clergymen are required to have my consent to give religious instruction. The consent will be withheld if the clergyman or his wife is not of German or related blood or if he is unsuitable as an educator. The consent may be revoked at any time if it later becomes apparent that the prerequisites for consent are not fulfilled.
4. (1) Only educationally suitable persons of German or related blood may be teachers in the public elementary schools.
5. (1) The objective of the school director is an educational fellowship of the teaching staff and students of the school molded to conform with the spirit of National Socialism. It is the task of the director to orient and conduct the school systematically according to National Socialist principles."

2925-PS. Announcement for the Execution of the Order Concerning the Elementary School System, in Lorraine, 14 February 1941. Verordnungsblatt, 1941, No. 93, p. 109.

To encourage the propagation of persons of German blood in the Occupied Territories in the West, an order of 28 July 1942, signed by Hitler, Keitel and Lammers, provided in Section 1:

"To maintain and promote a racially valuable German heritage, children begotten by members of the German Armed Forces in the occupied Norwegian and Netherlands territories and born of Norwegian or Dutch women shall upon the application of the mother be granted a special subsidy and benefit through the offices of the Reich Commissioners for the occupied Norwegian and Dutch territories."

The subsidy included costs of delivery, maintenance costs for both mothers and children, and shelter and care in clinics or homes. The Chief of the High Command of the Armed Forces, in consultation with the Reich Minister and Chief of the Reich Chancellery, was authorized to extend the application of this order to other occupied territories.

2926-PS. Order Concerning the Subsidizing of Children Begotten by Members of the German Armed Forces in Occupied Territories, 28 July 1942. RGBI, 1942, I, page 488.

With respect to evacuation and resettlement in the West, Gauleiter Wagner had authority from Hitler to cleanse Alsace of all foreign and unreliable elements. 105,000, consisting of criminals, insane persons, foreign racial elements and Franco-philas, were actually deported from July to December 1940, and it was planned to remove eventually all foreign racial elements from Alsace. The so-called least desirable were to be sent to France, others were to be settled in Germany for purposes of Germanisation, and the loss of population was to be offset by moving Germans from Baden into Alsace.

R-114. Copy of unsigned memorandum, 7 August 1942, from Himmler's personal files, of a conference of SS officers concerning the evacuation of Alsatians; Copy of memorandum, 29 August 1942, from Himmler's personal files, of a conference of SS officers and the Gauleiter of Alsace, signed by the Chief of the Estate Office and Settlement Branch.

Up to 15 November 1940, 47,187 persons were evacuated from Lorraine to unoccupied France.

2916-PS. Der Menscheneinsatz, published by Office of the Reich Commissioner for Consolidation of German Nationhood, 1940, p. 117.

In a conference attended by Hitler, Rosenberg, Lammers and Bormann, 8 May 1942, plans were discussed for the evacuation of persons from Holland to be resettled in the Eastern Territories. Tentative arrangements for such evacuations had been made by Seyss-Inquart, Reich Commissioner for the Occupied Netherlands Territories. It was the Fuehrer's opinion that the Dutch could be settled in the East, but only in groups not exceeding 1,000, since large numbers could not readily be "digested".

1520-PS. Original memorandum, 13 May 1942, by Rosenberg, of a conference attended by Hitler, Rosenberg, Lammers and Bormann, 8 May 1942.

D. Argument and Conclusion

It is well known that the defendants clamored for additional territory long before the war began. At that time the defendants claimed that such territories were needed for the German population. Hence it is clear that such territories when acquired were intended to become German. The evidence clearly proves that one of the principal objectives of the defendants in planning and waging the war was to gain additional territory by conquest, and to Germanise these conquered territories. Germanisation was to be accomplished by evacuation, assimilation or destruction of the inhabitants, and resettlement by people of German blood, resulting in the complete disintegration of national states and cultures. This policy was actively pursued by the defendants both in the East and West. In this way the defendants planned to create a Germanic Reich, continental in its proportions, embracing all of Europe. With such a powerful instrument at their disposal, the defendants then planned to be in a position to defy or conquer the rest of the world. The defendants were utterly ruthless in the formulation of their plan and its execution. They cared nothing for the states, races and individuals which must be crushed in order to achieve their objectives. The defendants' plan to Germanise the Occupied Territories, which they spared no effort in executing, was indispensable to the achievement of the purposes of their conspiracy to dominate Europe and the world, and constituted a gross violation of the laws and customs of war as expressed in Article 6 (b) of the Charter of the International Military Tribunal, and Articles 43, 46 and 48 of the Hague Convention.



# E. APPENDIX

## 1. Numerical List of Documents:

<u>Document No.</u>	<u>Description</u>	<u>Page Number</u>
<u>Ec-305</u>	Copy of minutes of a meeting attended by Goering, Himmler, H. Frank, and others, on questions concerning the East, 12 February 1940, signed by Dr. Gramsch.	18
<u>Ec-336</u>	Copy of secret memorandum from Rosenberg to Reich Commissioners for the Eastland and Ukraine, dated 26 November 1942.	16-17
<u>Ec-344-16</u> <u>Ec-344-17</u>	Report by Frank, 3 October 1939, included in a report from OKW files.	13-14
<u>L-61</u>	Original express letter issued by the Plenipotentiary General for Manpower and the Commissioner for the Four-Year Plan, addressed to Presidents of the "Landes" Employment Offices, 26 November 1942.	14-15
<u>L-70</u>	Speech by Himmler at Bad Schachen, 14 October 1943.	7-8
<u>L-221</u>	Copy of memorandum by Bormann, of conference at Fuehrer's Headquarters, 16 July 1941.	2-3
<u>L-360-F</u>	Decree making Academy of German Law a public corporation of the Reich, 11 July 1934.	12
<u>042-PS</u>	Copy of report from Rosenberg to Hitler, 11 August 1942.	16
<u>294-PS</u>	Copy of memorandum from Rosenberg files, 25 October 1942, signed Braeutigam.	2
<u>358-PS</u>	Copy of report from Rosenberg to Lammers, Reich Minister and Chief of Reich Chancellery, 31 March 1943.	17-18
<u>437-PS</u>	Copy of report by Frank to Hitler, 19 June 1943.	14
<u>661-PS</u>	Secret thesis from the Academy of German Law, January 1940.	13
<u>686-PS</u>	Decree of the Fuehrer and Reich Chancellor to Strengthen German Folkdom, 7 October 1939, signed by Hitler, Goering, Lammers and Keitel.	5-6
<u>862-PS</u>	Original memorandum, 15 October 1940, by General Friderici, Plenipotentiary of the Wehrmacht to the Reich Protector of Bohemia and Moravia, initialed by Keitel, Jodl, and Warlimont.	4



<u>Document No.</u>	<u>Description</u>	<u>Page Number</u>
<u>910-PS</u>	Copy of Notes on Himmler's Plan for the Germanisation of Poland, 27 and 30 March 1942, from the Main Office, Interior Administration, Government General, initialed by "Dr. S.H."	4-5
<u>1058-PS</u>	Copy of speech by Rosenberg, 20 June 1941.	3-4
<u>1352-PS</u>	Original reports concerning the confiscation of Polish agricultural properties in Upper Silesia, dated 16 and 22 May 1940, signed Kusche, and received by the Office of the Reich Commissioner for the Consolidation of German Nationhood.	19-20
<u>1517-PS</u>	Original memorandum of conference with Hitler 14 December 1941, signed by Rosenberg.	3
<u>1520-PS</u>	Original memorandum, 13 May 1942, by Rosenberg, of a conference attended by Hitler, Rosenberg, Lammers and Bormann, 8 May 1942.	24
<u>1919-PS</u>	Speech by Himmler at Posen, 4 October 1943.	5, 7-8
<u>1919-PS</u>	Speech by Himmler at Kharkov, April 1943.	7
<u>2163-PS</u>	Nationalsozialistisches Jahrbuch 1941, pps. 194-195.	6, 18
<u>2233-PS</u>	Diary of Hans Frank, D.V. II 1941, p 317; D.V. III 1942, p 799; D.V. IV 1940, p 946.	14
<u>2233-PS</u>	Diary of Hans Frank, D. V. III 1942, p 895.	14-15
<u>2748-PS</u>	Zeitschrift der Akademie für Deutsches Recht, 1939, title page.	12
<u>2749-PS</u>	Zeitschrift der Akademie für Deutsches Recht, 1940, title page.	12
<u>2913-PS</u>	Das Wesensgefüge des Nationalsozialismus, Rosenberg, 1933, p 30.	2
<u>2914-PS</u>	Mein Kampf, Hitler, 1932, p 757.	2
<u>2915-PS</u>	Deutsche Arbeit, June-July 1942, p 157.	6
<u>2915-PS</u>	Deutsche Arbeit, June-July 1942, pps 170-171.	6
<u>2915-PS</u>	Deutsche Arbeit, June-July 1942, pps 172-173	19

<u>Document No.</u>	<u>Description</u>	<u>Page Number</u>
<u>2916-PS</u>	Decree for the Screening and Selection of the Population of the Incorporated Eastern Territories, 12 September 1940, signed by Himmler. Der Menscheneinsatz, published by Office of Reich Commissioner for Consolidation of German Nationhood, 1940, pps 91-93.	8-9
<u>2916-PS</u>	Der Menscheneinsatz, published by Office of Reich Commissioner for Consolidation of German Nationhood, 1940, p 51-52.	9-10
<u>2916-PS</u>	Der Menscheneinsatz, published by Office of Reich Commissioner for Consolidation of German Nationhood, 1940, p 117.	19, 24
<u>2916-PS</u>	Der Menscheneinsatz, published by Office of Reich Commissioner for Consolidation of German Nationhood, 1940, p 103.	19
<u>2917-PS</u>	Decree Establishing the German Racial Register and German Reich Membership, 4 March 1941, signed by Frick, Hess, and Himmler. RGBI, 1941, I, p 118.	8
<u>2918-PS</u>	Decree Concerning the Treatment of the Property of Citizens of the Former Polish State, 17 September 1940. RGBI, 1940, I, p 1270.	10-11
<u>2919-PS</u>	Order Concerning Tax Abatement for the Benefit of the Incorporated Eastern Territories, 9 December 1940, RGBI, 1940, I, p 1565.	12
<u>2920-PS</u>	Decree promulgated in Luxemburg 1 March 1941, concerning promotion of Germanism by enterprises of trade or industry. Verordnungsblatt 1941, No. 17, p 119.	21
<u>2921-PS</u>	General order of the Reich Commissioner for the Occupied Netherlands Territories Concerning the Confiscation of Property, 4 July 1940. Verordnungsblatt, 1940, No. 9, p 128.	21
<u>2922-PS</u>	Order Concerning the Use of the German language in Luxemburg, 6 August 1940, Verordnungsblatt, 1940, No. 1, p 1.	21
<u>2923-PS</u>	Order Concerning the Change of First and Family Names in Luxemburg, 31 January 1941, Verordnungsblatt, 1941, No. 21, p 146.	21-22
<u>2924-PS</u>	Order Concerning Compulsory Schooling in Lorraine, 14 February 1941. Verordnungsblatt 1941, No. 87, p 100.	22

<u>Document No.</u>	<u>Description</u>	<u>Page Number</u>
<u>2925-PS</u>	Announcement for the Execution of the Order Concerning the Elementary School System in Lorraine, 14 February 1941. Verordnungsblatt, 1941, No. 93, p 109.	23
<u>2926-PS</u>	Order Concerning the Subsidizing of Children Begotten by Members of the German Armed Forces in Occupied Territories, 28 July 1942, RGBI, 1942, I, p 488.	23-24
<u>2927-PS</u>	Order concerning the Granting of Child Subsidies to Germans in the Government General, 10 March 1942. Verordnungsblatt fur das Generalgouvernement 1942, No. 23, p 125.	14-15
<u>R-92</u>	Instruction for internal use on the application of the law concerning property of Poles of 17 September 1940, issued by the Office of the Reich Commissioner for the Consolidation of German Nationhood, 15 April 1941; Copy of monthly report to the Reich Commissioner for the Consolidation of German Nationhood, 31 May 1943 with statistics on farms and estates seized and confiscated in the Incorporated Eastern Territories; Copy of letter from SS officer to Himmler, 20 November 1940.	11-12
<u>R-112</u>	Copies of orders issued by Reich Commissioner for the Consolidation of German Nationhood, 16 February 1942, 1 July 1942, 28 July 1942.	10
<u>R-114</u>	Copy of unsigned memorandum, 7 August 1942, from Himmler's personal files, of a conference of SS officers concerning the evacuation of Alsatians; Copy of memorandum, 29 August 1942, from Himmler's personal files, of a conference of SS officers and the Gauleiter of Alsace, signed by the Chief of the Estate Office and Settlement Branch.	24