

D In the course of their waging the aggressive wars described above in paragraphs _____ to _____ and in the course of their military campaigns to occupy and dominate the various territories overrun by their armed forces, the Nazi conspirators engaged in many flagrant violations of the principles of the law of nations, as they result from the usage established among civilized peoples, from the laws of humanity and the dictates of the public conscience. Among these violations were the following:

(a) They committed a number of crimes against combatants, including the refusal to give quarter, the murder of commandos, paratroopers, members of air crews who have parachuted from disabled planes, and other persons entitled to be treated as prisoners of war, and the failure to protect such persons after they have been disarmed.

(b) Having taken prisoners of war, the Nazi conspirators denied them adequate food, shelter, clothing, medical care and attention; forced them to labor in inhumane conditions and in violation of the laws or customs of war; compelled them to bear arms against the countries of which they were nationals and against the Allies of such countries; tortured them and subjected them to indignities; otherwise mistreated them and denied them the rights and protection to which they were entitled, and murdered them.

(c) Particularly in the initial stages of occupation, the Nazi conspirators instead of using sufficient numbers of occupation troops to maintain law and order, relied

primarily upon the device of terror to subjugate the inhabitants of occupied areas, and for this purpose they ruthlessly tortured and murdered non-combatant civilians and laid waste entire towns and villages.

(d) Throughout the entire period of their occupation of the territories overrun by their armies, the Nazi conspirators systematically terrorized the inhabitants of those areas by murdering civilians without cause or for the flimsiest of reasons, torturing or imprisoning without legal process civilians for the purpose of compelling their collaboration with German occupation authorities, and carried off to Germany civilians suspected of any anti-German activities and, for the purpose of creating terror among the relatives of such persons, prevented any information concerning their fate from getting back to those relatives.

(e) They murdered non-combatant civilians and other persons as hostages.

(f) They wantonly destroyed cities, towns, and villages, and committed devastations not warranted by military necessity.

The plans of the Nazi conspirators in waging aggressive war and in seeking to dominate Europe were carried out in the occupation policies followed by them in the territories overrun by their armed forces. In the areas closest to Germany which fell within the sphere of the "lebensraum" theory proclaimed by the Nazi conspirators, the policy of direct

annexation was followed. The territories so annexed to Germany were Austria, the Sudeten, Danzig, Western Poland, the Belgian Districts of Eupen, Malmedy and Moresnet, the northern Yugoslav provinces of Carniola, Corinthia, and Lower Styria, Memel, Alsace-Lorraine and Luxemburg. Other territories, not intended to be absorbed so completely within the German Reich, were treated differently. The central and southern part of Poland was administered as the Government General; the Baltic States and other territories of the USSR were under the administration of the Reich Ministry for the Territories Occupied in the East; part of Czechoslovakia was administered through the Protectorate of Bohemia and Moravia; Slovakia, Serbia, and Croatia were governed by puppet states created by the Nazi conspirators; Norway and the Netherlands were administered by civilian Reich Commissioners; Belgium, occupied France, the Channel Islands, Yugoslavia and Greece were put under the administration of military commanders; the territory ruled by the Vichy puppet government was occupied by German armed forces in late 1942 who exercised more stringent supervision after that time; and Denmark, whose governmental institutions remained essentially unchanged from April 9, 1940 to September 1942, was placed under a German military commander after that time.

having planned to wage aggressive war for the purpose, among others, of securing "lebensraum" in desirable territory

adjacent to Germany, the Nazi conspirators, as soon as each such territory was occupied, adopted occupation policies with respect to them designed to make them integral parts of Germany and to eradicate all non-German persons and influences. The territories to which this "lebensraum" theory applied and which the Nazi conspirators attempted to incorporate within the German Reich as integral units were Austria, the Sudeten, Danzig, Western Poland, the Belgian Districts of Eupen, Malmedy and Moresnet, the northern Yugoslav provinces of Carniola, Corinthia, and Lower Styria, Memel, Alsace-Lorraine and Luxemburg. These territories were illegally annexed to the Reich and the laws of Germany were automatically applied to them.

With respect to the territories beyond the areas incorporated by annexation to the German Reich, the plans of the Nazi conspirators were somewhat different. These territories included the Government General of Poland, the Baltic States and other territories of the USSR, the Protectorate of Bohemia and Moravia, Slovakia, Serbia, Croatia, Norway, the Netherlands, Belgium, France, Denmark, Yugoslavia and Greece. Here the purposes of the Nazi occupation were to destroy the bases of all military opposition to their aggressive war of conquest, to secure additional strategic bases to carry on their aggressive war, to exploit all the resources, material and human, for the Nazi war machine and war economy, to weaken all these territories in comparison to Germany for many years to come in terms of

military and political power and human and economic resources, and to surround Germany with a series of vassal states collaborating with and subservient to Germany.

In the territories adjacent to Germany which the Nazi conspirators illegally incorporated into Germany by annexation, they set about methodically and pursuant to previously prepared plans to assimilate those territories with the political, cultural, social and economic institutions of the German Reich. All reminders of the former national character were obliterated and they were replaced with German symbols. In some areas, such as Holland, Luxemburg and Norway, the Nazi conspirators considered the inhabitants of related blood; but in others such as Western Poland and Alsace-Lorraine, the Nazi conspirators forcibly deported the inhabitants who were predominantly non-German and replaced not only the culture with German culture, but actually replaced non-Germans by the tens of thousands with German colonists. The Nazi conspirators ruthlessly carried out their policy of depopulating those areas desired as "lebensraum" for German colonists. The non-German inhabitants of such areas were starved, tortured, deported, sent to concentration camps, or murdered by the Nazi conspirators to make room for members of the so-called master race. The coordination of all actions promoting Germanism in the various annexed areas was entrusted to Special Commissioners for the Strengthening of Germanism attached to each administration.

The obliteration of the all indicia of the former

national character in the areas annexed to Germany was methodical. Names of communities and of localities and even commercial signs and inscriptions on buildings, roads and streets were changed to the German form. Persons whom the Nazi conspirators considered to be of blood related to the German, such as the nationals of Luxembourg, who had non-German names were compelled to change them to the German form. Local law and local courts were abolished, and German law and courts were imposed and the judicial language and the bar were Germanized. The intellectual leaders and the clergy in the incorporated areas were in great part removed from the rest of the population by deportation to Germany for forced labor, incarceration in concentration camps, and by execution. The local population in the incorporated areas was forbidden to use its own language in schools and in printed material; German teachers were introduced into the schools and they were compelled to teach according to the principles of National Socialism. The young people in the incorporated areas were indoctrinated in Nazi ideology. German nationality was forcibly imposed upon all persons of "German blood" in the incorporated areas, who were compelled to swear allegiance to the German Reich; and persons in those areas who were non-Germans were deprived of their citizenship and were treated as aliens or subjects whose status in terms of the normal rights and privileges of citizenship was far inferior to that of persons of "German blood."

In the field of culture, all persons engaged in painting, drawing, sculpture, music, literature and the theatre were required to obtain a license from the German authorities. In addition, the Nazi conspirators in some areas, particularly in the east, destroyed national monuments and destroyed or carried off libraries, archives, museums, and art galleries.

In the areas incorporated into Germany the Nazi conspirators carried out their program in the economic field as well, by destroying the foundations of the economic existence of the national groups whose elimination they sought to bring about. The property of non-Germans was confiscated, non-Germans were excluded from trade and handicrafts, and the bank deposits of non-Germans were frozen. In these areas the undesired non-German national groups were weakened physically and even ruthlessly killed off by the Nazi conspirators by withholding from them sufficient food for the maintenance of health, depriving them of the elemental necessities of clothing, shelter and even light and air, and actually killing them off through various devices of mass annihilation.

Throughout all the territories occupied by them, the Nazi conspirators immediately introduced all the unwholesome tenets of the Nazi ideology, including the Fuehrer principle, the master race theory, and the complete disregard of human and civil rights. The Nazi conspirators proclaimed the theory

that persons of "German blood" belonged to a so-called master race. That theory was introduced throughout the occupied territories by the introduction of the "Aryan" racial principles of the Nuremberg laws and the enactment of statutes, decrees and regulations conferring all manner of privileges upon persons of "German blood" and discriminating against non-Germans. Inhabitants of the occupied areas deemed not to be of "German blood" were denied the common human rights, dignities, and deencies as they have become established by the usages of civilized peoples, the laws of humanity, and the dictates of the public conscience and they were discriminated against in regard to their legal rights and privileges, their conditions of labor and the rates of payment therefor, and the provision of food, clothing, shelter, medical care and attention, as compared with inhabitants of the occupied territories deemed to be of "German blood".

Wherever they were able to impose their will upon an occupied people by force of arms, the Nazi conspirators destroyed every vestige of democratic government, substituting for it the führer principle. Throughout the occupied territories the Nazi conspirators oppressed and crushed every group, movement, idea and aspect of culture which they deemed to offer any resistance to the Nazi ideology. All political activity except that on behalf of the Nazi party was prohibited. The Nazi conspirators

attacked education by destroying schools and universities, by burning books, by persecuting, torturing, imprisoning, and murdering students and teachers, and by imposing Nazi ideology on all aspects of the educational process, with particular emphasis upon the indoctrination of youth. The Nazi conspirators attacked the cultures of all the territories they occupied by destroying libraries, suppressing the expression and dissemination of ideas, and persecuting, torturing, imprisoning, and murdering leaders in every walk of life. The Christian Church was attacked by the Nazi conspirators in a variety of ways throughout the occupied territories: churches were destroyed, church schools suppressed, ministers and priests persecuted, tortured, imprisoned, and murdered, and many types of interferences to the expression and practice of the Christian religion interposed. The Nazi conspirators suppressed the trade union movement throughout the occupied territories by prohibiting all trade union activity, destroying or taking over all trade union organizations and confiscating their property and funds, and by persecuting, torturing, imprisoning, and murdering trade union members and leaders.

The persecution of the Jews throughout all the occupied territories was particularly ruthless and savage. The Nazi conspirators suppressed the Jewish religion by destroying Jewish synagogues and forbidding the practice of the Jewish faith; they deprived the Jews of all rights of citizenship;

they deprived the Jews of all means of livelihood and confiscated their property; they compelled the Jews to live in ghettos; they systematically starved the Jews, deported them, and put them into forced labor as slaves; they violated the dignity of the Jews as individuals and tortured their bodies with the most sadistic kind of organized violence; they deprived the Jews of their liberty by incarcerating them without judicial proceeding in concentration camps by the hundreds of thousands; and finally they annihilated the Jews in extermination camps or murdered them wherever they could be found by the hundreds of thousands and even millions.

The Nazi conspirators looted, plundered and confiscated outright public and private property of all kinds in the occupied territories. They also illegally acquired such property through forced sales, the issuance of worthless or grossly debased currency and obligations, the freezing of bank accounts, and similar indirect means for the expoliation of property. The Nazi conspirators also levied upon the inhabitants of the occupied territories grossly in excess of the legitimate expenses of the army of occupation.

The Nazi conspirators forced many of the inhabitants of the occupied territories, by denials of food, employment, or the common necessities of life or by the use of force and violence to work for them as slave laborers in the

occupied territories or in Germany. These slave laborers numbered several millions and they worked and were compelled to subsist under such brutal and inhumane conditions that many of them died from starvation, disease and as the result of the tortures and overwork to which they were subjected.

In the occupied territories women were raped by the German occupation forces and were deported by the thousands from their homes to brothels in the occupied territories or in Germany for the use of German troops.

The Nazi conspirators also reduced the strength of certain populations of the occupied territories in relation to the population of Germany by starvation, deportation of workers, and other means and methods designed to prevent or destroy normal rates of population reproduction.

The police and the SS had a predominant position in the administration of the occupied countries in carrying out the plans of the Nazi conspirators. The police and SS were represented in the headquarters of the administration of each occupied country by an officer with the title of Superior SS and Police Chief who commanded units of the SS, the Gestapo, and the Sicherheitsdienst. The Superior SS and Police Chief had unlimited power and used it ruthlessly in carrying out the policies of the Nazi conspirators. They were active in all the phases of occupation policy set forth above. One of the main functions of the police and SS was the liquidation of Jews and other politically undesirable persons. The Gestapo

administered concentration camps and detention centers where such persons were held, tortured, and executed.

Concentration camps and detention centers were maintained throughout Germany and the occupied territories for the purpose of suppressing opposition to the Nazi conspirators and the Nazi ideology. Persons considered enemies or potential enemies of the Nazi conspirators and persons considered racially undesirable were incarcerated in such camps without having been found guilty of any crime and were there deprived of their freedom, forced to exist under inhumane conditions, worked to and beyond exhaustion, starved, beaten, tortured, and subjected to humiliation. Many of the inmates of such camps died as a result of the ill treatment to which they were subjected, and many others were executed by shooting, hanging, mass extermination, and other means. So-called medical experiments were performed by the Nazi conspirators upon many of the inmates of concentration camps and detention centers, most of whom were killed by these experiments.

The Nazi conspirators operated several hundreds of these concentration camps and detention centers throughout Germany and the occupied territories, under the control of the Gestapo and manned by SS personnel. Some of the more notorious of these camps are the following: Breendonck in Belgium; Natzweiler in France; Flossenbug, Oranienburg, Sachsenhausen, Ravensbruck, Bergen Belsen, Mauthausen, Sachsenburg, Buchenwald, Ohrdruf, and Dachau in Germany; Grini in Norway;

Hertogenbosch and Vught in Holland; and Belzec, Auschwitz (Oswiecim), Chelmo, Jablonow, Majdanek, Birkenau, and Treblinka in Poland.

In doing the acts set forth above and in committing the offenses charged, the Nazi conspirators have flagrantly violated the principles of the law of nations, as they result from the usage established among civilized peoples, from the laws of humanity and the dictates of the public conscience. The Nazi conspirators have violated, among others, the following articles of treaties governing land warfare which have been ratified by the German government:

Annex to the Hague Convention No. III of October 18, 1907: Regulations Respecting the Laws and Customs of War on Land: Articles 4, 6, 23, 43, 45, 46, 47, 50, 52, 53, 55 and 56.

Geneva (Prisoners of War) Convention of 27 July 1929: Articles 2, 3, 4, 11, 31, 32, 46, 54, and 55.

APPENDIX

Annex to the Hague Convention No. III of 18 October 1907: Regulations Respecting the Laws and Customs of War on Land.

Article 4:

Prisoners of war are in the power of the hostile Government, but not of the individuals or corps who capture them.

They must be humanely treated.

All their personal belongings, except arms, horses, and military papers, remain their property.

Article 6:

The State may utilize the labour of prisoners of war according to their rank and aptitude, officers excepted. The tasks shall not be excessive and shall have no connection with the operations of the war.

Article 23:

In addition to the prohibitions provided by special Conventions, it is especially forbidden --

g. To destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war; . . .

A belligerent is likewise forbidden to compel the nationals of the hostile party to take part in the operations of war directed against their own country, even if they were in the belligerent's service before the commencement of the war.

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 45:

It is forbidden to compel the inhabitants of occupied territory to swear allegiance to the hostile Power.

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 47:

Pillage is formally forbidden.

Article 50:

No general penalty, pecuniary or otherwise, shall be inflicted upon the population on account of the acts of individuals for which they cannot be regarded as jointly and severally responsible.

Article 52:

Requisitions in kind and services shall not be demanded from municipalities or inhabitants except for the needs of the army of occupation. They shall be in proportion to the resources of the country, and of such a nature as not to involve the inhabitants in the obligation

of taking part in military operations against their own country.

Such requisitions and services shall only be demanded on the authority of the commander in the locality occupied.

Contributions in kind shall as far as possible be paid for in cash; if not, a receipt shall be given and the payment of the amount due shall be made as soon as possible.

Article 53:

An army of occupation can only take possession of cash, funds, and realizable securities which are strictly the property of the State, depôts of arms, means of transport, stores and supplies, and, generally, all movable property belonging to the State which may be used for military operations.

All appliances, whether on land, at sea, or in the air, adapted for the transmission of news, or for the transport of persons or things, exclusive of cases governed by naval law, depôts of arms, and, generally all kinds of ammunition of war, may be seized, even if they belong to private individuals, but must be restored and compensation fixed when peace is made.

Article 55:

The occupying State shall be regarded only as administrator and usufructuary of public buildings, real estate, forests, and agricultural estates belonging to the

hostile State, and situated in the occupied country. It must safeguard the capital of these properties, and administer them in accordance with the rules of usufruct.

Article 56:

The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property.

All seizure of, destruction or wilful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of legal proceedings.

Geneva (Prisoners of War) Convention of 27 July 1929.

Article 2:

Prisoners of war are in the power of the hostile Power, but not of the individuals or corps who have captured them.

They must at all times be humanely treated and protected, particularly against acts of violence, insults and public curiosity.

Measures of reprisal against them are prohibited.

Article 3:

Prisoners of war have the right to have their person and their honor respected. Women shall be treated with all regard due to their sex.

Prisoners retain their full civil status.

Article 4:

The power detaining prisoners of war is bound to provide for their maintenance.

Difference in treatment among prisoners is lawful only when it is based on the military rank, state of physical or mental health, professional qualifications or sex of those who profit thereby.

Article 11:

The food ration of prisoners of war shall be equal in quantity and quality to that of troops at base camps.

Furthermore, prisoners shall receive facilities for preparing themselves additional food which they might have.

A sufficiency of potable water shall be furnished them. The use of tobacco shall be permitted. Prisoners may be employed in the kitchens.

All collective disciplinary measures affecting the food are prohibited.

Article 31:

Labor furnished by prisoners of war shall have no direct relation with war operations. It is especially prohibited to use prisoners for manufacturing and transporting arms or munitions of any kind, or for transporting material intended for combatant units.

In case of violation of the provisions of the preceding paragraph, prisoners, after executing or beginning to execute the order, shall be free to have their protests

presented through the mediation of the agents, whose functions are set forth in Articles 43 and 44, or, in the absence of an agent, through the mediation of representatives of the protecting Power.

Article 32:

It is forbidden to use prisoners of war at unhealthful or dangerous work.

Any aggravation of the conditions of labor by disciplinary measures is forbidden.

Article 46:

Punishments other than those provided for the same acts for soldiers of the national armies may not be imposed upon prisoners of war by the military authorities and courts of the detaining Power.

Rank being identical, officers, non-commissioned officers or soldiers who are prisoners of war undergoing a disciplinary punishment, shall not be subject to less favorable treatment than that provided in the armies of the detaining Power with regard to the same punishment.

Any corporal punishment, any imprisonment in quarters without daylight and, in general, any form of cruelty, is forbidden.

Collective punishment for individual acts is also forbidden.

Article 54:

Arrest is the most severe disciplinary punishment which may be imposed on a prisoner of war.

The duration of a single punishment may not exceed thirty days.

This maximum of thirty days may not, further, be exceeded in the case of several acts for which the prisoner has to undergo discipline at the time when it is ordered for him, whether or not these acts are connected.

When, during or after the end of a period of arrest, a prisoner shall have a new disciplinary punishment imposed upon him, a space of at least three days shall separate each of the periods of arrest, if one of them is ten days or more.

Article 55:

Subject to the provisions given in the last paragraph of Article 11, food restrictions allowed in the armies of the detaining Power are applicable, as an increase in punishment, to prisoners of war given disciplinary punishment.

However, these restrictions may be ordered only if the state of health of the prisoners punished permits it.